

City of Rio Communities Workshop Minutes  
February 26, 2019

- Mayor Gwinn called to order the city council workshop at 10:00 am.
- Present: Mayor Mark Gwinn, Councilors; Bill Brown, Peggy Gutjahr, Arturo Sais and Joshua Ramsell.  
Present: Municipal Clerk Lisa Adair, P&Z Chairman Thomas Scroggins, Code Enforcer Gordon Reeves and Treasurer/Finance Officer Celina Benavidez.
- Mayor Gwinn said he would like to add one other item to the agenda between council report and the citizen patrol update, the Treasurer report.

**Council reports & agenda items – 30 minutes**

- Councilor Ramsell said there are a few potholes that are getting kind of nasty in front of the water company and asked if we could buy some cold patch and fix them.
- Mayor Gwinn said he is going to bring that up with Celina and see where we are at regarding getting a contract.
- Councilor Sais said they had a meeting with the Older American Program, and he put a set of minutes in everyone's box.
- Councilor Ramsell said he took the information from the VRECC the 911 call center and put them in to 2 pie charts and explained the charts that he has put together.
- Councilor Brown said at the last workshop he handed out the copy of Valencia County ordinance that related to the relationship between the fire department and the County he has edited it accordingly to reflect the relationship between Rio Grande Estate Fire Department and the City of Rio Communities, he has given a copy to the Fire Chief Nate Gonzales for them to review and to make sure it is in consonance with their by-laws and regulations and that it fits appropriately with the City of Rio Communities.
- Councilor Brown said as part of the preparation for the budget session with the community, he got data from the Treasurer and they will be working further on putting some pie charts together and began a discussion on what he would like to have put in the charts and needing more work.
- Councilor Brown said there was an article in the Albuquerque Journal about the community solar project that is under SB281 HB210 sponsored by Senator Liz Stefanics and further explained the article.
- Councilor Brown said at the last workshop session he distribute the City of Rio Communities top 5 priorities for their review and comments. He then said it will be updating last year's list and that it relates directly to the budget strategies and began a discussion.
- Councilor Gutjahr said her and the Mayor met with Sandy to do an article in the April newsletter around the budget such as going over the revenue streams, where they come from and what they can be used for and what they cannot be used for. She then said one of the key things in the article is talking about a reserve a City must have and we in the past have chosen to hold a larger reserve than what is required in the State. Also, in the article is a timeline on how we do budget, how it reflects the comprehensive plan and how and what things have to be paid.
- Councilor Gutjahr reminded they are having a very large family health fair on Saturday April 27. She then said the ultimate goal is to have the building finished, because they will be having vendors inside

and outside and further explained that it will be first come, first serve for vendor space and she is already getting applications back.

- Mayor Gwinn said we completed the LEPF application for 2020 and he took it to the Sheriff, and she signed off on it as well, this will be submitted by March 31.
- Mayor Gwinn said we did get the approval for the change order for the DOT agreement for Bisham and Bishop to go to a pavement. He then said he, Jim Winters and Josh Ramsell went over the potholes and will be putting that out for a bid.
- Mayor Gwinn asked Treasurer Benavidez where we are at on the change order for Bishop and Basham.
- Treasurer Benavidez said we just need to give them a purchase order.
- Mayor Gwinn then asked what about the potholes, have we put those out for bids.
- Treasurer Benavidez said she is waiting on the list.

### **Treasurer Report**

- Treasurer Benavidez handed the copies of the accounts payable reports and asked if there was any questions.
- Mayor Gwinn explained that the Treasurer has talked to her counterparts regarding accounts payable at City meeting's and it was suggested either now or tonight ask your questions on the reports before we approve it.

### **Citizen Patrol update – Discussion**

- Councilor Gutjahr said she had a wonderful meeting yesterday with a former border patrol for both the northern and southern borders of the United States and he had some questions for her and also gave her some suggestions.
- Councilor Gutjahr explained the changes that were suggested was patrol members would complete all training, patrol members violating the guidelines will be removed, he suggested having an appeal process. She then began a discussion on Draft #5 of the documents, starting with combining the mission statement and objective statement as one.
- Mayor Gwinn suggested changing the oversight to one Councilor because if something should come to Council you would squash the majority to vote and continued the discussion.
- Councilor Gutjahr said regarding public forum she would like for a date today to be set because she feels we need this before we have signups.
- Council decided on a public forum for March 20<sup>th</sup> on the Citizens patrol, with Councilor Gutjahr and Councilor Ramsell hosting it here at City Hall.
- Councilor Gutjahr said we still need to look at setting up keys and continued the discussion.
- Councilor Brown asked would the citizens patrol be an extension of the RC neighborhood crime watch, what is our relationship, duties and responsibilities.
- Councilor Gutjahr said as to what risk management said it is an extension.
- Councilor Brown asked who would be responsible for the program, RC neighborhood watch. He then said he doesn't understand what our duties and responsibilities are and what are the neighborhood crime watch responsibilities and duties are with this program.
- Councilor Gutjahr said they are not, this is another entity here.
- Councilor Brown asked is this an extension of the City of Rio Communities.

- Councilor Gutjahr said then we would have to say, citizens patrol is a volunteer program and can remove the neighborhood crime watch and further explained what she discovered from the risk management and continued with the discussion.
- Councilor Sais asked should it be put in there that the Council as a whole should be involved and do 2-ride along with the Citizens patrol to oversee the program.
- Councilor Gutjahr said she will ask risk management if that could be possible.
- Councilor Sais asked what if a Council member wants to participate in the program.
- Mayor Gwinn said that Council could not interact in this because then they would have to excuse themselves if something should come in front of them and continued with the discussion.
- Clerk Adair asked regarding the background checks would that be more evasive, because finger prints were mentioned and as far as the City we do not request finger prints as part of our background checks.
- Mayor Gwinn said if they want to be part of the program it might be required.
- Councilor Gutjahr said we can look further in to it, but then said Bosque Farms does not require fingerprints and continued with the discussion on the guidelines.
- Councilor Brown asked regarding the removal of a patrol person for a violation of the guidelines, would that be permanent.
- Councilor Gutjahr said she will ask risk management regarding this issue.
- Councilor Sais asked what would happen if someone got out of the car to hug their mother would they be in violation.
- Councilor Gutjahr said basically when putting this together she was told you cannot get out of the car for any reason and explained that this would be considered a duty to act when you get out of the car and then said she will bring all this up to the risk management and continued the discussion.
- Councilor Gutjahr said as a reminder Rio Communities had an armed patrol years ago and unfortunately there were incidents that became a liability to the Sheriff. She then said VIA had a citizen's patrol in Las Maravillas and they had to stop it because people began to follow other people and it appeared they were targeting and continued with the guidelines.

**Public input/questions (3) minutes to address the Council**

- Frank Stasi said you mentioned they would sign the guidelines and asked does the City have a social media paper to sign and also asked has any hours been established.
- Mayor Gwinn explained they would also have to sign the code of ethics along with the social media policies and they can find this online.
- Councilor Gutjahr said they have talked about having it daytime and early evening but nothing after dark.
  - Frank Stasi said it looks like most of the activity now is happening in the early morning.
- Councilor Gutjahr explained that the sheriff department is aware of this and said regardless if it is at the early hours the Officer is never going to be there and reminded that the officers are responding not there to prevent.
- Councilor Sais said the issue about someone driving around that they feel looks suspicious this could be profiling because of the way the person looks and he is worried about that.
- Councilor Gutjahr explained when talking with the under sheriff that he will make sure that everyone understands that.
- Councilor Sais said regarding the ride along, could this be on the job training.
- Councilor Gutjahr said she will leave this up to the Sherriff and risk management for any training.

### **Public Recognition form – Discussion**

- Councilor Ramsell said the idea to have a public recognition form came up when Councilor Sais asked for community members to be recognized. He then handed out a copy of a recognition form and began a discussion.
- Councilor Sais asked why the question is there “are they a veteran”.
- Councilor Ramsell said it is there also “are they a student”.
- Councilor Sais said can we add other categories such as are you a police officer, a fire fighter, maybe be broader not just identifying veteran or student.
- Councilor Ramsell said maybe we can remove if they are either a veteran or student but leave it to be explained the reason why they are being recommended for recognition and continued the discussion.
- Councilor Gutjahr said we need to have a set of criteria and continued the discussion.
- Councilor Brown said he feels the whole purpose of this is to recognize who has performed complementary service to the community anyway shape or form this should be focused on civic service.
- Councilor Gutjahr said what if you have a student that lives in Rio Communities, but he or she has done something outstanding in School, it may not be something done for the City outside of providing honor, that’s why we should have a list of debatable criteria.
- Mayor Gwinn said he took it to the Mayor Caucus and they asked what had this student done for the City and the community, because the school has already recognized them for being a top athlete or top archiver and continued with the discussion about setting up a criteria list and bringing it back to a workshop for further discussion.

#### **Public input/questions (3) minutes to address the Council**

- No public comments.

### **Relocating Workshop to another part of City Hall – Discussion**

- Mayor Gwinn said some of the Council has asked to hold the workshop in the P&Z room because it has an oval table and said under our open meetings act is only directed to be in Council Chambers is the business meetings.
- Councilor Gutjahr said she was one that suggested and said it is better if they can look at each other and it is hard to hear and further said the workshop are for the Council to work through issues with the public is invited to ask questions and make comments.
- Councilor Sais agreed it would be more convenient on the other side.
- Mayor Gwinn said we can try for the month of March and see how it goes and we can make it a more definite thing after the trial if it works.

#### **Public input/questions (3) minutes to address the Council**

- Frank Stasi asked if there will be a mic system in the other room.
- Mayor Gwinn said no, but it is a small room.
  - Frank Stasi said even in Council Chambers, it is hard to hear some of the Council comments even when the mics are on and then said many systems are coming out with a loop system.
- Councilor Gutjahr said we will eventually have some kind of wireless system.
- Treasurer Benavidez said that to add the wireless system low bid was about \$20,000.
- Mayor Gwinn said when we move over to the other side we can look at upgrading the system.

## **Solid Waste Collection Ordinance – Discussion**

- Mayor Gwinn explained this is the latest draft from our Attorney on waste management and he then said he asked P&Z to go over it and they put together a list and merged it with the trash accumulation ordinance. He then turned over the discussion to the P&Z Chairman Tom Scroggins.
- P&Z Chairman Thomas Scroggins said everyone should have 3 or 4 pieces, the solid waste ordinance, health and safety trash accumulation ordinance, the 12 points brought up from P&Z and possible procurement issues.
- Mayor Gwinn asked Mr. Scroggins to go over the points from P&Z first.
- Chairman Scroggins explained their points and then went over the request for changes to what the attorney has written.
- Chairman Scroggins said one area that we might want to look into is charging a nominal fee to help offset the cost of the dumpsters that we offer once a month to help cleanup other areas of the City.
- Councilor Brown said there is an environmental revenue source, that we are using to pay for the dumpster and asked why we would need additional revenue.
- Mayor Gwinn explained working with the County, they would provide the equipment and we would provide the dumpsters to clean up the boarders and this would offset the cost for additional dumpsters.
- Chairman Scroggins explained about areas that people dump trash that we could fill a dumpster and then continued the items on the original list from P&Z that is not on the ordinance draft from the attorney; example road impact fee, appliance and larger items (special pickup) and also the franchise agreement.
- Chairman Scroggins said P&Z would like the franchised company to maintain an office in the City on a part-time regular basis and continued the discussion.
- Councilor Brown said one of the things he was surprised wasn't covered is a provision for low income residents getting a price break and continued with the discussion.
- Mayor Gwinn said he had covered with the attorney regarding putting low income residents in the ordinance and they said that would be up to the hauler how they would handle it and continued the discussion.
- Treasurer Benavidez said that might be an issue of violating the anti-donation law.
- Councilor Brown said we do have a segment of the population at a low level income.
- Mayor Gwinn said we cannot put that in the ordinance and further said the ordinance is going to cover the solid waste and the company will have to put that in their bid.
- Chairman Scroggins said maybe a 501c3 or another organization can have a program to help alleviate some of the cost and continued with the discussion.
- Councilor Brown said on page 3 line 10, single or multi-family etc., does that included mobile home parks.
- Chairman Scroggins said how he reads it means single or multi-family means permanent residents and the others are temporary.
- Councilor Brown said on page 4, owners of real property are responsible for payment, asked who identifies who is the real owner.
- Councilor Gutjahr said if there is a question on that it should be who owns the building and continued with the discussion.
- Code Enforcer Reeves said it would be up to code enforcement to find out who the owner of the property is and continued with the discussion.

- Councilor Brown said on page 6 garbage and trash pre-collection process, hazardous or construction materials will not be placed in a container, but then said this is not defined in the definitions on page 2 and continued with the discussion on adding to the definition pages.
  - Resident asked if there was anything in this ordinance regarding recycling.
- Mayor Gwinn said at this time we are looking at just the solid waste and in future we can venture into the recycling area.
- Councilor Brown said the recycle industry is in chaotic tension right now because there is no money in recycling.
  - Resident said he has never had trash pickup, he recycles everything and then said he will not pay for trash pickup since he doesn't use it.
- Mayor Gwinn said talking with the attorney, they said it would be up to the trash haulers to look certain situations and continued with the discussion.
  - Vice president of Universal Waste explained as he understand, the City would put the ordinance in effect and then if it goes out to an RFP, it would be the companies responsibility to offer the City those programs.
  - Resident said he would like to know at some point what the position the City is taking if someone is not paying it would go to the Code enforcer and not the company.
- Mayor Gwinn explained the first phase it would go to the company and then after that it would go to the code enforcer if it is not been taken care of by the company.
  - Rheganne from Universal Waste said putting the financial emphasis on the property or landowner is a much more sustainable model and another thing she was encouraged was the emphasis on the public and private partnership between the hauler and code enforcement. She then said the State has already set a precedent regarding procurement and a point system on is setup.
- Councilor Sais said the city of Albuquerque is doing a thing on plastic bags and it is very controversial, but we need to get this program rolling.
- Chairman Scroggins said that was a good point and perhaps in the proposal people will have to have garbage collection but, for special circumstances that would have to be worked out with the hauler and continued with the discussion.
- Councilor Gutjahr asked when talked about in the State certain points how would that be found.
  - Universal Waste said several Counties including Valencia County have had an RFP that has those point systems.
- Mayor Gwinn said we will work on the changes and send it back to the attorneys.

### **Project Manager – Discussion**

- Mayor Gwinn said we are moving on with the building is taking our Code enforcer who understands construction put him under other duties on his job duties to be our oversight person on the constructions of the building, bumping his income up to \$20 an hour and moving him to the other side of the building. He also said this will be a full-time position as well.
- Councilor Gutjahr said she thinks this is excellent.
- Councilor Sais said his concern is the code enforcer position is defined, but down the line if we added another code enforcer and they do not have these qualifications we cannot add another.
- Mayor Gwinn said Gordon is not a project manager but an overseer of the site.
- Councilor Sais said his concern was changing the title.
- Councilor Ramsell asked if this would continue after the building is complete for future projects.

- Mayor Gwinn said we can revisit this in the future.
- Councilor Sais asked if the building will be done by the health fair.
- Mayor Gwinn said everything we are looking at it should be done.

#### **New City Website preview – Discussion**

- Clerk Adair gave a presentation of the new city website.
- The City Council workshop was adjourned at 12:47.

Respectfully submitted,

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Lisa Adair, Municipal Clerk

Date: \_\_\_\_\_

Approved:

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

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Bill Brown,  
Councilor

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Joshua Ramsell,  
Councilor

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Arturo R. Sais,  
Councilor