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Call to Order

- Mayor Pro tem Peggy Gutjahr called to order the city council special business meeting at 6:15 pm.

Pledge of Allegiance

- Angela Valadez led the Pledge of Allegiance.

Roll Call

- Present: Mayor Pro tem Peggy Gutjahr, Councilors; Bill Brown, Joshua Ramsell and Jim Winters. Present: Municipal Clerk Lisa Adair, Finance Officer/Treasurer Stephanie Finch and Finance Clerk Angela Valadez.

Approval of Agenda

- Councilor Ramsell moved to approve the agenda for September 29, 2020 Special Business meeting for the City of Rio Communities City Council. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote agenda for the special city council business meeting was approved as presented.

Discussion, Consideration, and Decision – Approval of Contract for Invitation to Bid #2020-0103, City of Rio Communities pavement rehabilitation/improvements of city roads

- Finance Officer Stephanie Finch explained we received 3 bids and gave the amounts of each bid; one for TLC Plumbing the total base bid was \$290,339.50, they provided a resident preference certificate; Star Paving the total base bid was \$279,980.00, they provided a resident preference certificate; Universal constructors, Inc. the total base bid was \$250,327.00 they also provided the resident preference certificate. She then stated that Universal Constructor was the lowest bidder.
- Finance Officer Finch said we were awarded this local government road fund grant 75% match of \$166,500 City's 25% match of 55,500.00 total grant \$222,000.00. lowest bid w GRT is \$269,570.89; the amount over budget will be \$47,570.89. she further explained as of today in the municipal street fund is \$112,239.32 – our match amount of 55,500.00 and the difference in over budget of \$47,570.89 that will leave in the remained in street fund \$9,168.43.
- Finance Officer Finch explained that she explained with Mr. Luna from Universal Constructors and the others at the pre-bid conference that the grant is due to expire at the end of the year, but council has approved to extend another year and we are waiting on the final approval for DOT. But then we still would like to get things done this year weather permitting. She then asked Mr. Luna (on video conferencing) could we get it completed this year.
- Mr. Luna from Universal Contractor said it may be possible except for weather permitting on the chip seal, we do have to have temperatures of 70° or higher.
- Mayor Pro Tem explained that is the reason we asked for the extension because temperature wise it may be difficult.

- Councilor Brown moved for the approval of the contract for invitation to bid #2020-0103, City of Rio Communities pavement rehab improvements of city roads. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved and awarded the contract for ITB #2020-0103 City of Rio Communities pavement rehabilitation/improvements of city roads to Universal constructors, Inc.

Executive Session Council meeting with the City Attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (§ 10-15-1(H)(7)).

- Mayor Pro tem Gutjahr asked what the pleasure of the Council to go into executive session.
- **Motion and roll call vote to go into close session**
 - Councilor Ramsell moved with a roll call vote to go into executive session pertaining to threatened or pending litigation in which the public body is or may become a participant according to (§10-15-1(H)(7)) The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went into executive session pertaining to threatened or pending litigation in which the public body is or may become a participant at 6:31 pm.
- **Motion and roll call to go back into regular business meeting session**
 - Councilor Ramsell moved with a roll call vote to go back into regular business meeting session. The motion was second by Councilor Brown. Vote: ***0.15*** Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr. With a 4-0 vote Council went back into the regular business meeting session at 6:53 pm.
- **Welcome everyone back and statement by the Mayor Pro-tem**
 - The Governing Body of the City of Rio Communities, New Mexico, hereby states that on September 29, 2020 a closed Executive Session was held and the matters discussed in the closed meeting were for Council to meet with the City Attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (§ 10-15-1(H)(7)) as posted on the agenda.
 - Mayor Pro tem Gutjahr explained the attorney was unable to be here so we may need to do at another time.

Adjourn

- Councilor Brown moved to adjourn. The motion was second by Councilor Ramsell. With a 4-0 vote the City Council special business meeting was adjourned at 6:54 pm.

Respectfully submitted,

Elizabeth (Lisa) Adair, Municipal Clerk

Date: _____

Approved:

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Councilor Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jim Winters,
Councilor