



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, April 11, 2022 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell made a statement about the fire and road closers before calling the meeting to order.
- The City Council Regular Business meeting was called to order at 6:38 pm.

Pledge of Allegiance

- Councilor Apodaca led the Pledge of Allegiance.

Roll Call

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
- Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch.

Approval of Agenda

- Mayor Ramsell asked to move agenda item letter of interest to apply to the NM community solar program to before the approval of minutes. Motion made by Councilor Gutjahr to approve the agenda as amended. Seconded by Councilor Winters. With a 4-0 vote the agenda for the regular business meeting was approved as amended.

Letter of Interest to apply to the NM Community Solar Program

- Mr. Esters gave an introduction about Cenergy and then introduced Mr. Pham the CEO of Cenergy.
- Mr. Pham began to explain what the program is about and how 200 megawatts will be in New Mexico soon with this program. He further explained it is a big help when it comes to local businesses and supply chains and could revenue up to \$1 million dollars. He went on by stating this program can help the economic growth of Rio Communities and lower the electricity bills by about 20%.
- Councilor Apodaca said he thinks this is a great opportunity and he doesn't think we have anything to lose and this is an advantage.
- Councilor Gordon said if we did go through Cenergy how long would it take from groundbreaking to services.
- Mr. Pham said most critically this is on a first come first serve bases, so if you signed the letter this gives us the ability to file and start interconnections as early as next week and explained the process. He further explained if there was approval from PNM what the process would be, the program will be opened around 3rd quarter July, then final order in the 4th quarter, would get approval to start building in 2023 and get the project built by end of 2023. He continued explaining how the process would take off once PNM gives the approval.
- Councilor Gordon asked if this would include the solar farm with panels.
- Mr. Pham said yes and have a little education center for residents.
- Mr. Mims asked how many indirect jobs would be created once under construction.

- Mr. Pham said there is some prefab that gets done, its more of post construction jobs that would be beneficial and continued with the discussion.
- Mr. Ester asked what about jobs for the construction.
- Mr. Pham said around 30 to 60 jobs.
- Mr. Mims asked about estimation of construction time.
- Mr. Pham said about 6 months, but there wont be any charges to the city and continued with the discussion.
- Mr. Mims asked have you seen any economic development spill over when putting up a project.
- Mr. Pham said there is a very strong nationwide movement to generate cleaner energy.
- Councilor Apodaca said are you limited to a 5 megawatts per city.
- Mr. Pham said it is just 5 megawatts per projects and cannot have co-located projects and continued the discussion.
- Mr. Fred Ester said the 30% mandatory requirement for low-income housing/services also play a factor, so we want to partner with Rio Communities to make decisive moves to ensure that we are well situated.
- Mayor Ramsell further explained that this is not the city installing a solar system on the city building, this is a company who wishes to receive authorization from the state and interest from the city to have a solar farm within the city limits.
- Motion made by Councilor Apodaca to approve moving forward with this plan. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the moving forward with the community solar project between the City of Rio Communities and Cenergy.

Approval of Minutes: City Council Special Business Meeting Minutes (March 21, 2022), Minutes for the City Council Workshop & Regular Business Meeting (March 28,2022)

- Motion made by Mayor Pro-tem Gutjahr to approve the special business meeting minutes of March 21, 2022, and the workshop and regular business meeting minutes of March 28, 2022. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the minutes for the special business meeting held on 3/21/2022, the workshop and regular business meeting held on 3/28/2022 were approved as written.

Public Comment

- Municipal Clerk Adair read a statement on Facebook by Cyndi Lockwood Thompson that said, "Be careful. We have a family member that installed the entire solar system and PNM cannot connect him to the grid."

Manager Report

- Manager Dr. Moore stated they are moving forward with our Grant Writer and keeping it under budget is our goal. He continued to tell Council once the individuals' contract is ready, he will bring said person in and let Council ask questions. He further explained they need to start keeping track of all the grants that come in year after year and get as close to 100% as we can.
- Manager Dr. Moore said in relations to what is happening out there today and talking with our County Fire Chief they are handling the beginning of the fire and with the help of mutual aid in a timely manner. The fire is being handed over to the Bureau of Land Management and the

State Forestry, they will be taking the formal lead and was good to hear the coordination of plans established.

a) April 15th office closure - Good Friday

- Manager Dr. Moore said City Hall will be closed.

Municipal Court Department

- See agenda packet for report.

Approval of Accounts Payable

- Mayor Ramsell explained the animal control expense is exceptionally high due to a large number of animals picked up these past months.
- Motion made by Mayor Pro-tem Gutjahr to approve accounts payable. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved accounts payable for payment.

Resolution 2022 - xx IPA Audit Acceptance Approval

- Finance Officer Finch read into the minutes Resolution 2022 - 07 IPA Audit Acceptance Approval. Motion made by Mayor Pro-tem Gutjahr to approve the Resolution 2022-07 IPA audit acceptance. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 07 IPA Audit Acceptance Approval was passed, approved, adopted, and signed.

Authorization for a part-time Librarian

- Manager Dr. Moore explained the need for a librarian to be able to put us in a position to get across the finish line, to be organized and to be able to get state funding.
- Motion made by Councilor Winters to authorize a part-time librarian. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the authorization of a part-time librarian.
- Manager Dr. Moore said the salary range is set for \$14 to \$17 an hour.

Authorization to increase Public Worker from part-time to full-time

- Manager Dr. Moore said this is a request from public works and the city manager, we are in a position where we have a lot of work to do and with the fire going on I think this reemphasizes our need for the city to be clean. He further explained that with finances and budget this will save us a significant amount of money than getting contractors.
- Mayor Ramsell said we currently have one authorized full-time position, but this is the part-time position we would like to make full-time.
- Motion made by Councilor Winters to authorize the public work position from part-time to full-time. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the increase of the public worker from part-time to full-time.

Resolution 2022 - xx BAR #3

- Finance Officer Finch read into the minutes Resolution 2022 - 08 Budget Amendment #03.
- Motion made by Councilor Winters to approve resolution 2022-08 BAR #03. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 08 BAR #3 was passed, approved, adopted, and signed.

Resolution 2022 -xx Third Quarter Financial Report

- Finance Officer Finch read into the minutes of Resolution 2022-09 Third Quarter Financial Report and then asked if anyone had any questions.

- Mayor Ramsell said the fiscal revenues are over 102%, expenditures are less, and property taxes were less and that's a concern, but we just must keep watching for those.
- Finance Officer Finch said we are in really good shape, and it shows Rio Communities is being good towards the taxpayer's money and were spending it efficiently.
- Councilor Apodaca said kudos to her and Dr. Moore for keeping a close eye on the budget and making sure we are on track.
- Motion made by Councilor Winters to approve Resolution 2022 Third Quarter Financial Report. Seconded by Councilor Gordon.
Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 09 Third Quarter Financial Report was passed, approved, adopted, and signed.

Council Discussion

- Councilor Winters had nothing to report.
- Councilor Gordon had nothing to report.
- Councilor Gutjahr said we had a conversation before about working on emergency management training.
- Councilor Apodaca said we should consider the invitation from Santa Rosa's Mayor.
- Mayor Ramsell had nothing to report.

Executive Session for the purpose of Fire Chief Recruitment position and discussion - legal services agreement pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)

- **Motion and roll call vote to go into close session**
 - Motion made by Mayor Pro-tem Gutjahr with a roll call vote to go into closed session for the purpose of Fire Chief Recruitment position and discussion - legal services agreement pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8). Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 7:27 pm.
- **Motion and roll call vote to go back into the regular business meeting session**
 - Motion made by Councilor Winters, Seconded by Councilor Gordon.
Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council was back into the regular business meeting session at 8:12 pm.
- **Welcome everyone back and statement by the Mayor**
 - Mayor Ramsell stated; The Governing Body of the City of Rio Communities, New Mexico, hereby states that on April 11, 2022 a Closed Executive Session was held and the matters discussed were the Fire Chief Recruitment position and discussion - legal services agreement pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8).

Consideration & Decision – Mayor recommendation regarding the Fire Chief Recruitment position (Andrew Tabet) and the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell recommends Manager Dr. Moore to enter a 1-year contract with Andrew Tabet in the amount not to exceed \$35k.
- Motion made by Mayor Pro-tem Gutjahr to approve the statement by the mayor regarding the hiring of Andrew Taber as interim Fire Chief with the amount not to exceed \$35k for a 1-year contract. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved entering into an agreement with Andrew Tabet as Interim Fire Chief for a 1-year contract not to exceed \$35k.

Adjourn

* Councilor Winters moved to adjourn. The motion was second by Councilor Apodaca. With a 4-0 vote the City Council regular business meeting was adjourned at 8:14 pm.

Respectfully submitted,

Elizabeth (Lisa) Adair, Municipal Clerk
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor