

REGULAR MEETING

City of Anthony Board of Trustees
Municipal Complex – Council Chambers
820 HWY 478
Anthony, NM 88021

Wednesday, February 17, 2016
6:00 P.M.

MINUTES

1. **CALL TO ORDER** by Mayor Arnulfo Castañeda at 6:00PM
2. **PLEDGE OF ALLEGIANCE** led by Mayor Arnulfo Castañeda
3. **ROLL CALL** Present: Trustee Betty Gonzalez
Trustee Pilar Madrid
Trustee James Scott
Trustee Diana M. Trujillo

4. **APPROVAL OF AGENDA ORDER**

A motion to approve the agenda order was made by Trustee Betty Gonzalez. A second was made by Trustee Diana M. Trujillo.
All in favor; **motion passes.**

5. **APPROVAL OF CONSENT AGENDA**

- A. Regular Meeting Minutes – February 3, 2016

Trustee Betty Gonzalez – Throughout the minutes, there are numerous mistakes. (The typing errors were pointed out)I think that these minutes need to be proofread by someone else. These pages are not numbered. Maybe we should number them so we can reference them easier. I know that we have brought this to your attention before and I think that someone needs to proofread them. Something needs to be done.

A motion to approve the consent agenda with amendments was made by Trustee Betty Gonzalez.
A second was made by Trustee Pilar Madrid.
All in favor; **motion passes.**

Christy Sifuentes – We do have a proofreader go over the minutes. I would also like to add that I distribute the packets, which include the minutes, at least five days prior to the BOT meeting. I am more than happy to receive phone calls in the event that you find something that might need correcting. I can make any requested changes prior to the meeting so that I may provide you with an updated draft of the minutes (if needed). As I just stated, you have access to these minutes five days prior to coming here, please contact the office if you need to do so. In the event that we have errors we can correct them and bring the final version on meeting day for approval and signature.

Trustee James Scott – I am sorry but I cannot hear a word she is saying.

Mayor Arnulfo Castañeda – She has laryngitis or something.

Sukie Saldaña – What she said was that we do have a proofreader and that since you get the minutes five days prior to the meeting, you can call the office to request/report any errors or changes.

Trustee James Scott – Oh, ok.

6. **ITEMS FROM THE FLOOR – PUBLIC COMMENT**

No items

7. CLOSED SESSION

A motion to go into closed session was made by Trustee James Scott. A second was made by Trustee Diana M. Trujillo.

Roll call vote:

Trustee Diana M. Trujillo – YES

Trustee James Scott – YES

Trustee Pilar Madrid – YES

Trustee Betty Gonzalez – YES

All in favor; **motion passes.**

- A. Pursuant to 10-15-1H (7) - NMSA 1978 for the purpose of discussing Attorney –Client privilege pertaining to threatened or pending litigation.
- B. Pursuant to §10-15-1H (2) - NMSA 1978 for the purpose of discussing limited personnel matters within the City of Anthony Police Department.

8. OPEN SESSION

A motion to go back into open session was made by Trustee James Scott. A second was made by Trustee Diana M. Trujillo.

Roll call vote:

Trustee Diana M. Trujillo – YES

Trustee James Scott – YES

Trustee Pilar Madrid – YES

Trustee Betty Gonzalez – YES

All in favor; **motion passes.**

Back in open session.

Consideration and Action Items

- A. Consideration and action to approve Mr. Orlando Flores as a permanent Police Officer with the City of Anthony Police Department.

No motion; **item dies.**

- B. Consideration and action to approve Resolution No. 2016 – 008. A resolution confirming the City of Anthony to participate in The Department of Transportation Municipal Arterial Program (MAP) Local Government Road Fund.
Memo, aerial map and draft resolution attached.
Presented by: Wilson and Company and Sasha Mendoza

A motion to approve Resolution No. 2016-008 was made by Trustee Pilar Madrid. A second was made by Trustee Diana M. Trujillo.

Roll call vote:

Trustee Diana M. Trujillo – YES

Trustee James Scott – YES

Trustee Pilar Madrid – YES

Trustee Betty Gonzalez – YES

All in favor; **motion passes.**

9. ITEMS FROM THE CITY CLERK

I have two items. First, Trustee Betty Gonzalez wanted to know where the location of the voting was going to be. As stated in the election resolution, Election Day voting will be held here in this room. Early voting is being held at City Hall because we did not have a certificate of occupancy at the time that early voting started for this room. I also wanted to mention that other Municipalities have canceled the meeting of March 2, 2016 since it is the day after elections and resume with the second meeting of the month. I don't know if this is something that you would like to think about and then you can let me know.

10. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee James Scott – I will no longer be serving after March 1st which is a Tuesday. The following day is our regular scheduled meeting. If I understand you correctly, you are suggesting that we cancel that meeting?

Christy Sifuentes – Yes, I am suggesting this because the new officials will not have been sworn in yet. We will need to have a swearing in meeting between Election Day and the second scheduled meeting of the month so that the new officials will serve at that second meeting of the month.

Trustee James Scott – I would like to make a motion to cancel that meeting.

Christy Sifuentes – We cannot make a motion and vote on this item officially because it is not an item on the agenda.

Josh Smith – She is correct you cannot vote on an item that is not on the agenda. It is the jurisdiction of the BOT to cancel a meeting.

Trustee James Scott – Well I would like the BOT to consider canceling the meeting of March 2, 2016.

Mayor Arnulfo Castañeda – There is a motion on the floor by Trustee James Scott to cancel the meeting. Is this the desire of the rest of the board, Ms. Sifuentes will you take a roll call.

Trustee Diana M. Trujillo – YES

Trustee James Scott – YES

Trustee Pilar Madrid – YES

Trustee Betty Gonzalez – YES

All in favor; March 2, 2016 meeting is canceled.

Trustee James Scott – At the last meeting we discussed signs. I looked up the Land Use ordinance and it happens to be in section 5 that it talks about political signs and it has very little information. The only thing that violates this ordinance happens to be the size of certain signs. The Mayor has the obligation to enforce this but the problem is that he is the one in violation. I have asked for an opinion and I have not received one in time for this meeting. I really think that because you are conflicted since it is your sign and you are the one in violation that we have Mayor Pro Tem Betty Gonzalez measure and see if you are in violation. If you are, then Betty can notify the Codes Department that you are in violation and have the signs removed.

Mayor Arnulfo Castañeda – We had decided in the last meeting to handle these case by case. [Directed to City Clerk] have there been any complaints at the office?

Christy Sifuentes – No

Mayor Arnulfo Castañeda – Ok, so if you want to officially complain then go ahead and submit it to the office.

Trustee James Scott – The only person that can give directive to the Codes Enforcer is the Mayor, not the City Clerk. I will read to you the statutes of duties the City Clerk. [Statute was read in its entirety]

Mayor Arnulfo Castañeda – That is your particular opinion but my stance is that I am a candidate and I am not going to get involved with anything related to the campaign. I have given no one orders regarding anything to do with signs. The Clerk is in charge of elections. We have the attorney here and we can ask him.

Trustee James Scott – Those are opinions of the Mayor.

Mayor Arnulfo Castañeda – Anymore questions Trustee Scott?

Trustee James Scott – I am waiting on a legal opinion from our Lawyer.

Josh Smith – I am not going to give you one right now without reading the Election Statute. The Elections Statutes are different from State statutes. I will get you an opinion on it but it won't be tonight.

Trustee James Scott – The Mayor is the CEO and must enforce Ordinances of the City. Its 16SF, I can't understand what the question is.

Mayor Arnulfo Castañeda– Size is not the issue. You said that I did not give direction. I am not going to get involved with elections.

Trustee James Scott – When will you get us a legal opinion?

Josh Smith – If not tomorrow then by the first of next week.

Trustee James Scott – Could we ask you to expedite it? We have elections coming up and this is an important issue. It gives certain people in the election an advantage.

Trustee Betty Gonzalez – I have a question about the clearing along the road from Duffer to O'Hara along 4th Street. That is where we are going to put a bike path. My question is why are we already working on that area if we have not even taken bids yet?

Mayor Arnulfo Castañeda – The clearing of that area is just because it is an eyesore and has nothing to do with the Project.

Trustee Betty Gonzalez – It was in its original state and everybody knew what it looked like. I would say that with that contract going out, they can clear it out if that is what they are going to do. Not only that but we are wasting our city employees on working on something that a contractor that is going to be selected would be doing.

Mayor Arnulfo Castañeda – Well, we do not know what the contractor will be doing, the project has not even been designed yet. This area was an eyesore so the department of Public Works has been cleaning it up.

Trustee Betty Gonzalez – Well, that eyesore has been there since you started as Mayor and I really think that we need to make sure that when we select that contractor that things like that are a part of their work.

Mayor Arnulfo Castañeda – Trustee, you have to take into consideration what those monies are allocated for. It is not for beautification, it is for a sidewalk. Where the Public Works is clearing out is near an easement near the power poles. I do not think that a sidewalk or a bike path is going to go in that area. The money is designed for a sidewalk and bike path. I would imagine that they will clear the minimum necessary to install that not all of that easement.

Trustee Betty Gonzalez – You are saying that it will not be that wide and it will not go all the way to that area?

Mayor Arnulfo Castañeda – If you go to that area where the rubbish is/was it is right next to the power poles. I do not think that this contract will involve that area next to the poles. The paths will probably be closer to the street not closer to the poles.

Trustee Betty Gonzalez – I don't understand how it is going to be a sidewalk and a bike path all in one.

Mayor Arnulfo Castañeda – It might not be, it just depends on how they design it. At this point nobody knows because it has not been designed yet. The engineers will go measure and decide what they have room for and what the design will be.

Trustee Betty Gonzalez – I have a question for Joy about the credit card and I want to know why using the credit card to make 16 keys is considered an emergency.

Joy Tellez – Where is the invoice from?

Trustee Betty Gonzalez – I think you should know that information.

Joy Tellez – I don't have it in front of me.

Eleazar Roman – The vendor itself does not take purchase orders and we do not have an account with them. In the past we were paying \$20 per key and I found this new locksmith that has been in business for many years who also makes copies of this certain key. We have two options, use the first locksmith and pay \$20 per key with a purchase order or pay \$6 per key but we have to use the credit card.

Trustee Betty Gonzalez – Are you talking about 16 keys for this building?

Eleazar Roman – Yes

Trustee Betty Gonzalez – Who will have possession of those keys?

Eleazar Roman – I gave the keys to Christy and they are for the employees.

Trustee Betty Gonzalez – Every employee is going to have a key?

Eleazar Roman – Yes, all of the MVD workers need keys for the doors in their part of the building and then all of the City employees have a key to the exterior door to get in to the building.

Trustee Betty Gonzalez – When a key is lost then what?

Eleazar Roman – That has not happened that I am aware of.

Trustee Betty Gonzalez – If it does, then what?

Eleazar Roman – I don't know it has not happened so I have not had to deal with it.

Trustee Betty Gonzalez – I know. I am aware of what you just said but I was a principal at a school and we did not give a key to every employee. If someone loses a key then you have to rekey the whole building. I am just wondering why 16 keys? I can understand supervisors but why all employees?

Mayor Arnulfo Castañeda – The MVD employees need to come in and out of the building to do inspections. They do not go through the lobby for security purposes. They also have areas that are off limits to all other employees. They have storage for plates and titles. There are many different doors to many different areas that different people need access to.

Trustee Betty Gonzalez – I can see on the request for the roof repair that is an emergency. We didn't have a credit card until recently and somehow we are using it for non-emergencies. Just like when you bought the bulbs. That was not an emergency. I would think that you would keep a supply on hand.

Eleazar Roman – These are specialized light bulbs that we need throughout the building. I still have not been able to find all of the types of bulbs that we need but the ones that I did find, I found them at a specialized commercial lighting shop.

Trustee Betty Gonzalez – But does it make sense to you to keep some on hand?

Eleazar Roman – Yes and as soon as I can find all of the types that we need I will buy a few extra to keep on hand.

Trustee Betty Gonzalez – I do not know how this can be handled and maybe our lawyer can help us with this. We pass a lot of ordinances and on the very last page it usually has a check mark next to the name of the Trustee that votes yes. I would like it to require the signature of all of the Trustees. I think that this would have made a difference with this land use ordinance.

Josh Smith – No there is not a problem with it. The vote is public record and it serves as acknowledgement that they approved it but if you want it for the sake of just having a signature on it, that is ok.

Trustee Betty Gonzalez – I would like to sign them the same night that they get passed.

One final question and this regarding the memo from Mario Juarez Infante, I realize that most of the time the memo is typed and sent over to us but the message in the memo says, "the City of Anthony staff" I want to know, who is 'the staff' that is recommending this?

Mayor Arnulfo Castañeda – I think that Mr. Infante confers with staff as we are working/planning on these things. I do not think he means any staff in particular.

Trustee Betty Gonzalez – I know that when they deal with bigger cities, they do have staff. They have a whole department but we don't have such a department here so I would rather see the name of whoever is making the recommendation.

Mayor Arnulfo Castañeda – I think that he is just used to working with so many different entities and it is a general statement. I think there is an easy fix.

Trustee Diana M. Trujillo – Who is the one that is in charge of talking to Mario about these projects?

Mayor Arnulfo Castañeda – Sasha is the projects coordinator and she is in charge of any communication with Wilson. Obviously, any big decisions are passed through me first.

Mayor Arnulfo Castañeda – All I have to say is that is the last meeting prior to the elections and I would like to wish good luck to all of those who are running. We will not meet here again until the new administration is in office. I thank everybody and I will now take motions to adjourn.

11. ADJOURNMENT

A motion to adjourn was made by Trustee Betty Gonzalez. A second was made by Trustee Diana M. Trujillo. All in favor; **motion passes.**

ATTEST




Mayor, Diana M. Trujillo


City Clerk, Christy Sifuentes

*These minutes will be signed by newly elected Mayor Diana M. Trujillo. Former Mayor Arnulfo Castañeda is no longer in office to sign off on the minutes of the last meeting that he officiated.