



Oscar Dominguez
City Manager

BUDGET MEETING
City of Anthony Board of Trustees
Conference Call
Friday, June 12th, 2020
1:00 P.M.
MINUTES

Mayor Diana M. Trujillo
MPT Fernie Herrera
Trustee Elva Flores
Trustee Javier Silva
Trustee Gloria Gameros

You can join meeting using your phone by dialing.

United States: [+1 \(224\) 501-3412](tel:+12245013412)

Access Code: 360-861-197

All members of the public entity participating remotely must identify themselves whenever they speak and must be clearly audible to the other members; public will be allowed 3 minutes presentation on agenda number 6.

1. **CALL TO ORDER** by Mayor Diana M. Trujillo

2. **PLEDGE OF ALLEGIANCE** led by Diana M. Trujillo

3. ROLL CALL	Present: MPT Fernie Herrera	YES	NO
	Trustee Gloria Gameros	YES	NO
	Trustee Elva Flores	YES	NO
	Trustee Javier Silva	YES	NO
	Mayor Diana M. Trujillo	YES	NO
	Quorum Established	YES	NO

Traduccion del ingles al español y del español al ingles esta disponible a petición.

4. **CONFLICT OF INTEREST**

Mayor Trujillo: *if there are any items that members have a conflict of interest, please refrain from voting.*

5. **APPROVAL OF AGENDA ORDER**

1 st Motion	<i>Trustee Gameros</i>	2 nd Motion:	<i>Trustee Flores</i>
MPT Fernie Herrera	YES		NO
Trustee Gloria Gameros	YES		NO
Trustee Elva Flores	YES		NO
Trustee Javier Silva	YES		NO
Mayor Diana M. Trujillo	YES		NO

NO 4 to 0, motion passes.

6. **ITEMS FROM THE FLOOR- None**

7. **PRESENTATION**

a) **Proposed (draft) lease for South Central Solid Waste Authority**

- ❖ **City Manager:** *The item before the Board is for discussion of the proposed lease for our tenants SCSWA. There was a question that came up at our last board meeting around the type of lease that we should offer our partners. One of the options that was brought up was the potential for an inter-governmental agreement, which may or may not make the appraisal necessary. To attempt to accommodate our tenant, it was a quick turnaround and the lease brought to the board was simply a recommendation. As far as the rental rate, the board can set that at whatever it would like for its tenants, as long as it does not violate the Anti-donation clause.*
- ❖ **Alan Dahl:** *When you lease property, if the property has a value of over \$25,000, you do have to get it appraised. The city would have to pay for that appraisal and the lease should be approved through an ordinance. I have not done an inter-governmental contract, but can sure look into it.*
- ❖ **Mayor Trujillo:** *Those inter-governmental agreements are done all the time.*
- ❖ **MPT Herrera:** *Solid Waste Authority is a government entity and they are non-profit. I have asked the New Mexico Municipal League and they said that it happens. I had suggested a \$48,000 a year rent, or what they want, for three years, and then negotiable after that.*
- ❖ **Trustee Flores:** *They have done a lot of things. They put in \$15,000 repairs on that building. They are willing to share fiber optics with the City. Right now, the City has the worst internet. We don't have a lot of money/ I mean, we should be ashamed of ourselves for having such bad Internet and these guys bring it in at their cost. I also want to apologize that he was not allowed to present at our last meeting. Trustees did not know and thank you for sticking with us. From now on anything Mr. Leos wants, should send it to trustees.*

- ❖ **Rafael Leos; Deputy Director with South Central Solid Waste Authority** - I want to just elucidate a little bit on some of the additional things that are available to you or have been available to you over the past four years.
 - The previous two contracts had language that we were comfortable enough to sign them two different times. We have provided recycling services in kind for free. Appreciate you recognizing we did invest \$15,000 to refurbish and bring to code this wing or this suite that we are now leasing.
 - Over the four years that we were here, we were virtually a free solid waste consultant. We served as your solid waste department. I'm not sure if there's been a cost analysis to look at that. Those are all the services we provided that, I think may have gotten overlooked.
 - While we welcome whatever the city brings to us, there's a lot of language in there that gets things a little more convoluted, which I think your attorney discussed.
 - Discussion can be reduced if we do something very similar to the two that we've done previously.
 - In the most recent lease, we do have a lot of staff input requesting certain things that would make it a government contract, or, excuse me, a government MOU.
- ❖ **Alan Dahl:** The last two leases were not government agreements. In fact, they were labeled as commercial leases. What is it about the present lease that is the problem for South Central? Is it the price increase?
- ❖ **Rafael Leos:** So, there really isn't anything particularly wrong with the new lease. What is lacking are the points that our staff had sent out to Mr. Dominguez.
 - We operate under a joint power agreement with the City. We also have a JPA with Dona Ana County. The price is not an issue here. We sent an e-mail accepting the new rate.
 - However, we're going to have to scale back our growth in Anthony. The price does exceed our budget, but we would happily remain here.
 - We originally intended to lease 4235sq ft. We have to amend the actual square footage, which we've calculated out to 3100 feet in order to remain in budget.
- ❖ **Alan Dahl:** We're more than happy to work on that with you.
- ❖ **Rafael Leos:** I would actually prefer sending it through city management and the board and all communications through them to then funnel to you if they need to be reviewed.
- ❖ **Trustee Flores:** Request that from here on, whatever your company or yourself is willing to present to us, that you e-mail the trustees, or that you let us know somehow that this is going on. Because I know that a lot of these things just kind of fly by us, we don't know what's going on.
 - I still am upset because you did not get a chance to present to the board.
 - I really feel embarrassed and I apologize to you and I thank you for sticking with us. And please, if you could please write that, in the minutes that I am requesting that from here on, anything that has to do with Mr. Leos or his company that we are informed. Because this was not done correctly please accept my apologies.
- ❖ **Rafael Leos:** I don't feel warranted to accept apology, but I do. I do hear your apology. I know that there are particular steps that must be followed in the open meetings act with the timing of documents.
 - Despite many of the inefficiencies and the troubles we've had, we see this location as a fit for our organization.
 - Phones would no longer be needed to be supplied by the City.
 - We have advocated certain rates with Century Link that would be more attainable as a result of us paying upfront infrastructure.
 - Requesting a three-year contract with the City to accommodate a three-year contract with Century Link. We could help the city grow as well and improve their infrastructure.
- ❖ **Oscar Dominguez:** Leasehold improvements are typically the responsibility of the tenant.
 - As an example, Office of Administrative Courts paid \$23,000 for their lease hold improvements.
 - SCSWA will be paying for their own fiber optic and the City will be paying for its own fiber going forward. That issue is off the table.
 - And on the subject of comparables, it's important for the board to understand that the the magistrate court pays \$14 a square foot for their dedicated office space.
 - I'm happy for Mr. Leos to reach out to this Board around anything related to the operations of our tenant. I ask that he be aware of the potential for a rolling quorum on emails and am all for transparency. I do not want to be accused of keeping anything from this Board and that did not happen here.
- ❖ **Trustee Silva:** Mr. Leos, I would like to thank you for your time. I do not want SCSWA to go away because we can't find common ground. It's not going to cost us that much. There's already fiber optic in the building that was

provided to the magistrate court. George with the IT department has been working on that. Suggest different language for 30 days contract withdrawal.

- ❖ **MPT Herrera:** Are you comfortable with the \$48,000 a year or three years?
- ❖ **Rafael Leos:** Can negotiate that and presented a request to have additional parking space.
- ❖ **Trustee Gameros:** Suggest change of language on No.4 rental rate, item 3, number 14.
- ❖ **City Clerk:** Appreciate Mr. Leos noticing that there is a time limit to the Open Meetings Act. The reason the trustees did not have SCSWA's packets is because it was sent on 06/2/2020. Packets were already picked up the previous week. In fact, I was out of town when this was emailed. As far as being unable to present, I made Mr. Leos "co-organizer" on GoToMeeting to enable him to share his screen.
- ❖ **Trustee Silva:** Request City Manager to look into how much we pay for utilities on the property.

b) New Animal Control/ Codes position.

City Manager: This agenda item is to present this idea to the board; To see if there is any interest in perhaps pursuing this before staff puts any more time into creating the position beyond the draft job description. This position will not have an enormous effect on the budget, but could have a very positive effect on the performance and the services that both of these staff people deliver to the City.

MPT Herrera: I know, Dona Ana County had animal control under the police department. Who would be the supervisor?

City Manager: That is still a question and I have not come up with an answer and am hoping the board might have. I suggest promoting from within as much as possible and understand that within our policies, it is completely fine to promote someone from within without posting externally.

Trustee Silva: Obviously, the position of a supervisor is probably going to be paid higher. That's something that we have got to keep in mind, considering that we're working on our budget.

City Manager: We can add the changes before the final budget is approved.

Trustee Silva: I am also concerned with us not having the money available. If we do what Mayor Pro-Tem said and the individual is hired within, then the raise is not as substantial.

Trustee Flores: I agree with creating a new department, just because these two departments really have nothing to do with the police department or any other departments. They help each other as much as they can and have gone to trainings together also.

Trustee Gameros: I have the same concern with the budget, but if we were to promote from within, allowing codes and animal control to apply, if they both choose to, I think that would be great because then we wouldn't have an extra position.

c) Fiscal Year 2020-2021 Budget Discussion

City Manager: Direct trustees to what is essentially the bottom line, on page 10. The City, unfortunately has been operating in a deficit situation for a few years. The City can continue to reduce some of the line items, which will not have a significant impact. The only place where the City can make significant cuts at this point is with staffing. I recommend that the board freeze hiring for vacancies and eliminate the city manager position at the end of the contract. Continuing to contract out finance services would drop the cost of that position quite a bit as well. Given the size of the deficits and the current burn rate of the reserve, the only real question is how long before the City runs out of money. The request for bid/RFP process for solid waste services is the one of the top priorities for staff while in this budget environment. Annexation is also planned, but that always takes time. The other thing that the board needs to consider is the small city assistance that the City has been receiving for the last several years.

That grant will be going away more than likely after the current Census, when the city of Anthony goes over the 10,000 mark for population. We really need to present DFA with a plan of action to address this significant budget shortfall.

MPT Herrera: There will be legislation meeting starting, maybe next week, they're trying pass a Bill, which has a lot of backing from Senate to send funds for city operations.

I believe that a hiring freeze is an order; We do need be watching our pennies. I do not believe that doing away with city manager would be good for the city. We need it very much.

Mayor Trujillo: I received an email about legislation/bill. There will be four scenarios and then from there, they will have a special session. Representatives will be fighting to get Anthony funded.

Trustee Gameros: So, thank you, Oscar, for letting us know what's in store for us. Remind the board that if you go to Page 15, Funds 277, which is a CDBG project. The \$75,000 that would be transferred in.

City Manager: While the match is coming from the GO Bond and doesn't necessarily affect the general fund, we still have to account for it.

Trustee Silva: Echoes the comment regarding the hiring of the position in public works. I know in the last meeting, I brought it up due to the amount of workload that we have on the public works. Unfortunately, right now, with what we are looking with regard to the budget, maybe we can sit with our engineers and reconsider the project of rerouting of Livesay.

Trustee Flores: I disagree with not hiring the extra hand for public works. We took on a lot of work with not enough help. We're putting a lot on this department and one more worker would help them a lot.

MPT Herrera: Suggest that instead of hiring somebody, why can't we get a contractor to come in and do it that way. We won't have to pay insurances, retirement etc.

Trustee Silva: Agrees with hiring a contractor.

Trustee Gameros: A contractor is a great idea.

8. ITEMS FROM THE CITY CLERK: None

9. ITEMS FROM THE CITY MANAGER: The motor vehicle department will be expanding its hours this coming Monday. Everything is still going to be by appointment. The plan is to expand hours to full-time in another 2 weeks.

10. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Gameros: I am concerned that we are requiring individuals to have face masks when they come in to city hall, while city staff are not always wearing their masks while they're working

Trustee Flores: None

Trustee Silva: None

MPT Herrera: Rose Garcia sent an email about Workforce Solution's offer to reimburse the City 50-75% of new hire. Capital Outlay money that was given to the Cities money will be reverted if not spent ASAP.

11. ADJOURNMENT: at 3:11 P.M

1 st Motion	<u>Trustee Gameros</u>	2 nd Motion:	<u>MPT Herrera</u>
MPT Fernie Herrera	YES		NO
Trustee Gloria Gameros	YES		NO
Trustee Elva Flores	YES		NO
Trustee Javier Silva	YES		NO
Mayor Diana M. Trujillo	YES		NO

NO 4 to 0, motion passes.

ATTEST:



Esther Motongo, City Clerk



Diana Murillo-Trujillo, Mayor

Budget Meeting Attendees Summary

GoToMeeting

Meeting Date
June 12, 2020 12:43 PM MDT

Meeting Duration
148 minutes

Number of Attend Meeting ID
12 360-861-197

Details

Name	Email Address	Join Time	Leave Time	Time in Session (minutes)
+15053826382		12:56 PM	3:10 PM	134
+19152270901		1:12 PM	3:11 PM	118
+19155883923		1:00 PM	3:11 PM	130
Alan Dahl		12:57 PM	3:11 PM	134
Esther Motongo	emotongo@cityofanthonym.org	12:43 PM	3:11 PM	148
Jorge Garcia	jgarcia@cityofanthonym.org	1:40 PM	1:42 PM	1
Jorge Garcia	jgarcia@cityofanthonym.org	2:04 PM	2:44 PM	40
Jorge Garcia	jgarcia@cityofanthonym.org	1:42 PM	2:02 PM	20
Mayor Trujillo	mayortrujillo@cityofanthonym.org	12:59 PM	3:11 PM	131
Oscar Dominguez	odominguez@cityofanthonym.org	12:55 PM	3:11 PM	135
Rafael Leos	rleos@las-cruces.org	12:58 PM	3:11 PM	133
TRUSTEE FLORES	eflores@bot.cityofanthonym.org	12:54 PM	3:11 PM	137
TRUSTEE GAMEROS	ggame1988@yahoo.com	12:57 PM	3:11 PM	134
Trustee Silva		12:55 PM	3:11 PM	136
Trustee silva		12:54 PM	3:11 PM	137