

REGULAR MEETING
City of Anthony Board of Trustees
Conference Call
Wednesday, November 18, 2020
6:00 P.M.
MINUTES

You can join meeting using your phone by dialing.

United States: +1 (872) 240-3412

Access Code: 830-976-317

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 7.

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 anyone has a conflict of interest in any of the items presented, please refrain from voting.

5. APPROVAL OF AGENDA ORDER

- *City Manager: Madam Mayor, staff is recommending that the board remove item 8g. The appointment was not actually carried forward by Mayor; Staff did not make the recommendation based on new information and the conditional offer was based upon successful completion of a background check. Unfortunately, staff has to recommend against the appointment.*

Trustee Gameros: I make a motion to delete item 8G

1st Motion : Trustee Gameros 2nd Motion: Trustee Flores

MPT Fernie Herrera	YES	NO
Trustee Gloria Gameros	YES	NO 4 to 0, motion passes
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

6. APPROVAL OF MINUTES

- Workshop Meeting – 10/02/2020
- Workshop Meeting – 10/20/2020
- Public Hearing Meeting- 10/26/2020

- *Trustee Gameros: I move to approve the minutes of the workshop meeting 10/2/2020 with amendments, Workshop meeting 10/20/2020 with amendments and Public hearing Meeting 10/26/2020*

1st Motion : Trustee Gameros 2nd Motion: Trustee Silva

MPT Fernie Herrera	YES	NO
Trustee Gloria Gameros	YES	NO 4 to 0, motion passes
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

7. ITEMS FROM THE FLOOR- None

8. CONSIDERATION AND ACTION

- Consideration and Action to approve **Resolution 2019-14**, a resolution of the City of Anthony Governing Body approving an amended pay scale to add Neighborhood Officer position on City PayScale. *Presented by City Manager*

- **City Manager:** This is the second part of approval for the creation of new position -Neighborhood Services Officer.

1st Motion : Trustee Silva 2nd Motion: Trustee Gameros

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

- b) Consideration and Action to approve Wilson & Co. amendment for the General Obligation Bond: Fund 521-30-65200 for Streets Construction Management for the amount of \$26,893.61. **Presented by Projects Coordinator**

- **Projects Coordinator:** This item was brought to the board last meeting and the board had some concerns or questions. Staff is here to answer the questions.
- **Trustee Silva:** What is this increase going for?
- **Mario Infante, PE:** This was due to project delay. The construction schedule extended beyond the scheduled completion date of the project. March 19, there was positive exposure to Covid-19 in the field. This created a 14-day delay for the construction company. The second extension was starting July/August timeframe that was triggered by summer monsoons, which created an additional 36 days of delay. The \$26,000 does not cover the entire staff cost.
- **Trustee Gameros:** What we are actually going to approve tonight does not have to do with little Adams Park but the big park. Request to know what percentage is to be used for CES Fee, the request letter had both 1.5% and 1%.
- **Mario Infante, PE:** went back and double-checked notification from CES on July 29, 2018. It is 1.25% and I apologized for error.
- **Trustee Gameros:** Let it state in the minutes that the CES fee is 1.25%.
- **Trustee Silva:** A comment regarding the \$26,893.61, that it's now up to \$34,000 approximately. Is Wilson & Co going to still bill the City the original \$26,893.61?
- **Mario Infante, PE:** Absolutely.

1st Motion : Trustee Silva 2nd Motion: MPT Herrera

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

- c) Consideration and action to move \$94,000 from General Obligation Street Improvement Project to the Adam's Park project. Both projects are funded by the PPRF 4890 Bond Series. This will assist in funding Phase 1 base bid items, additive alternates, construction management and material testing. **Presented by Projects Coordinator**

- **Trustee Flores:** Is this for Little Adams Park or Baseball Adams Park?
- **Projects Coordinator:** Baseball Adams Park

1st Motion : Trustee Silva 2nd Motion: Trustee Gameros

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

d) Consideration and Action to approve Dos Lagos Master plan. **Presented by Marvin Chavez**

- **Mario Infante, PE:** This is to make sure that there is a formal adoption of the Master Plan; Next step is to finalize Phase 1 footprint.
- **Trustee Flores:** We never agreed to the entrance sign. There were 3 proposals.
- **Marvin Chavez:** We received some comments from the group. The final Master Plan represents a theory of the entrance signage that is reflective on the comments received. There are still three options on the table we can choose from. In regard to the overall Master Plan, I don't think they have any implications in terms of the layout.

1st Motion : Trustee Silva 2nd Motion: Trustee Gameros

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

e) Consideration and Action to approve lease agreement between Anthony Water and Sanitation District and City of Anthony for the 2.772 acres, Lot 1 located at 780 Landers Rd., Anthony, County of Dona Aña New Mexico 88021. **Presented by City Manager**

- **Trustee Gameros:** motion to go into closed session Pursuant to NMSA 1978, Section 10-15-(H)(8) Discussion of acquisition by Lease of real property

1st Motion : Trustee Gameros 2nd Motion: Trustee Silva

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, closed session at 7:03 pm**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

Motion to return to open session

1st Motion : Trustee Silva 2nd Motion: Trustee Flores

MPT Fernie Herrera ~~YES~~ ~~NO~~ **Joined at 7:41pm**
 Trustee Gloria Gameros **YES** NO **3 to 0, open session at 7:39 pm**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

Motion to post pone item 8E until City Manager further discusses lease with Anthony Water and Sanitation District.

1st Motion : Trustee Silva 2nd Motion: Trustee Gameros

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

f) Consideration and Action to approve the amended Section 12:9 Grievance Procedure of the employee handbook. **Presented by Alan Dahl – City Attorney**

- **Alan Dahl:** This is the same policy used by the Dona Ana County and City of Sunland Park. Purpose of the review is to allow grievance to start at lower level and follow chain of command discouraging those that are not as serious from being handled at the highest level. Limits ability to skip chain of command.

- County and City of Sunland Park grievance has highest-level being City Manager, no hearing of the Board.
- **MPT Herrera:** Eliminating all grievances from the Board might lead to a lawsuit.
- **Alan Dahl:** The Board's decision is done publicly whether it's done in closed session prior, which can be embarrassing to employee.
- **Trustee Flores:** Agrees with MPT, we were elected to hear employees.
- **Alan Dahl:** Suggested hearing officer, a third party who has no connection to the accused and the grieving employee.
- **Trustee Silva:** Leave the option open for employee to choose.

Motion to post pone item 8f to allow City attorney to make revision

1st Motion : **Trustee Gameros** 2nd Motion: **Trustee Silva**

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes.**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

~~g) Consideration and action to approve **Ignacio Baca** **Maintenance 1 Position**, in accordance with Employee handbook.~~

~~**Section: Section 1:13** Appointment of Temporary Employees by Mayor. **Presented by City Manager**~~

~~1st Motion : _____ 2nd Motion: _____~~

~~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~~~~

h) Consideration and action to appoint a City Staff to fulfill the duties of community development at a \$1 increase of their current rate for the Tierra Huichol hearing and New Subdivision. **Presented by City Manager**

- **City Manager:** This request was approved by the board before my tenure at the City. The staff selected helps with administrative aspects of the community development application process. Neighborhood services department is shorthanded and the vacant position was advertised. When the officer is hired, he/she will free supervisor to handle admin matters.
- **MPT Herrera:** Suggests one of the P&Z commissioners to work on it, they are well qualified
- **Mayor Trujillo:** It would be conflict of interest and they would not be able to sit in the hearing.
- **Trustee Flores:** Did employee volunteer or how was this employee selected?
- **City Manager:** First we reach out to department head and when they approve, we give the option to employee.
- **Trustee Flores:** Are they trained?
- **City Clerk:** I trained 3 employees and gave them all the contacts they needed. We would read ordinance together and laydown a plan of what steps need to be taken. Employees are also guided and helped by Public Works Supervisor and IT Manager when it comes to advertising.
- **Trustee Gameros:** Place in minutes that this increase is only for temporary duties.

1st Motion : **Trustee Gameros** 2nd Motion: **Trustee Silva**

MPT Fernie Herrera **YES** NO
 Trustee Gloria Gameros **YES** NO **4 to 0, motion passes.**
 Trustee Elva Flores **YES** NO
 Trustee Javier Silva **YES** NO
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

9. a) NOTICE IS HEREBY GIVEN that the City of Anthony Board of Trustees will meet in Executive Session Pursuant to NMSA 1978, Section 10-15-(H)(2) Discussion of Limited Personnel Matters, criteria for City Manager evaluation.

1st Motion : Trustee Gameraos 2nd Motion: Trustee Silva

MPT Fernie Herrera	YES	NO
Trustee Gloria Gameraos	YES	NO <i>4 to 0, closed session at 8:44 pm</i>
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

b) Open Session

1st Motion : Trustee Silva 2nd Motion: Trustee Gameraos

MPT Fernie Herrera	YES	NO – <i>Presiding</i>
Trustee Gloria Gameraos	YES	NO <i>4 to 0, open session at 9:36 pm</i>
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO <i>Left after closed session</i>

10. ITEMS FROM THE CITY CLERK

- **City Clerk:** Staff selected to place bulletin board on Anthony Drive at the bus stop structure. According to Public Works supervisor, the bus stop structure belongs to the City. Clerk will place the item on next agenda.

11. ITEMS FROM THE CITY MANAGER

- **City Manager:** Invited Trustees to attend Streets Project walk-through with engineers on 11/20/2020 at 9:00am

12. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Silva: Requested City Manager to look into possibly talking to the Department of Transportation or County office on speed limit required for Acosta Rd, Livesay St and Stern. Suggests a 3-way stop sign at those intersections.

Trustee Flores: no items

Trustee Gameraos: no items

MPT Herrera: no items

13. ADJOURNMENT

1st Motion : Trustee Silva 2nd Motion: Trustee Gameraos

MPT Fernie Herrera	YES	NO
Trustee Gloria Gameraos	YES	NO <i>4 to 0, motion passes at 9:45 pm</i>
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

ATTEST:



Diana Murillo-Trujillo
Diana Murillo-Trujillo, Mayor

Esther Motongo
Esther Motongo, City Clerk