

REGULAR MEETING
City of Anthony Board of Trustees
Venue: 820 Highway 478, Anthony NM 88021
& Conference Call

Mayor Diana Murillo
MPT Elva Flores
Trustee Javier Silva
Trustee Daniel Barreras
Trustee Gabriel I. Holguin

Wednesday, November 2, 2022
6:00 P.M.

Minutes

You can join meeting using your phone by dialing.

United States: +1 (571)317-3122

Access Code: 790-403-085

Please join meeting from your computer, tablet or smartphone.

<https://meet.goto.com/773095893>

All members of the public entity participating remotely must identify themselves whenever they speak and must be clearly audible to the other members;

1. CALL TO ORDER by Mayor Diana Murillo

2. PLEDGE OF ALLEGIANCE led by Diana Murillo

3. ROLL CALL	Present:	MPT Elva Flores	YES	NO
		Trustee Javier Silva	YES	NO
		Trustee Daniel Barreras	YES	NO
		Trustee Gabriel I. Holguin	YES	NO
		Mayor Diana Murillo	YES	NO
		Quorum Established	YES	NO

Traducción del inglés al español y del español al inglés está disponible a petición.

4. CONFLICT OF INTEREST

5. APPROVAL OF AGENDA ORDER

Motion to move Item 7 (Items from the Floor-Public Comments) to after Item 9d.

1st Motion: MPT Flores **2nd Motion:** Trustee Barreras

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	3-2 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

Original Motion: **1st Motion:** MPT Flores **2nd Motion:** Trustee Barreras

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	3-2 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

6. CONSENT AGENDA

1st Motion: MPT Flores **2nd Motion:** Trustee Barreras

Roll Call Vote:

MPT Elva Flores	YES	NO
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Trustee Daniel Barreras	YES	NO	4-1 Vote, Motion Passes
Trustee Javier Silva	YES	NO	
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

a. APPROVAL OF MINUTES

- Regular Meeting- 07/06/2022
- Special Meeting- 07/12/2022
- Regular Meeting-07/20/2022

- b. Consideration and Action to approve the Southcentral Solid Waste Authority and City of Anthony Agreement for Services, **Presented by the Interim City Manager.**
- c. Consideration and Action to approve Resolution for Repealing Ordinance for LEDA Project No. LCO-2019-12-R, **Presented by the Interim City Manager.**
- d. Consideration and Action to approve Resolution for Loan/Grant No. WPF-5664, **Presented by the Interim City Manager.**

7. ITEMS FROM THE FLOOR – PUBLIC COMMENTS-(public will be allowed 3 minutes presentation) *Took place after 9d.*

Betty Gonzales
Ralph Contreras
Arian Perez
Gerano Soriano

8. PRESENTATION

- a. Presentation on the budget approval status change from “conditional certification” to “full certification” for the City of Anthony’s final Fiscal Year 2022-2023 budget, **Presented by the Finance Officer.**

Finance Officer: After the state reviewed the missing audit our FY2022-2023 budget status has changed to full certification.

Trustee Holguin: what were the finding for the audit?

Finance Officer: I don't have the document in front of me but from what I recall, some of the Procurement procedures we weren't following correctly so we fixed that and changed some of the policies and procedures. Also, our cash balances, it is an ongoing issue we are trying to correct with our system (Tyler Technologies).

Interim City Manager: Our audit is good; we can continue to be our own fiscal agent but there's certainly room to improve.

Trustee Holguin: Is there any way we can get a summary of that audit?

Interim City Manager: Absolutely, we can go over that in the second meeting of this month or the first meeting of December.

Mayor Murillo: It's customary practice that the final audit presented to the City is usually done in January or February, since this is something separate from the audit that we have that usually extends to February.

9. CONSIDERATION AND ACTION

- a. Consideration and Action to approve the Dos Lagos Phase II Traffic Impact Analysis (TIA), **Presented by Eric Hamilton, PE, and Special Projects Coordinator.**

Project Coordinator: This project does have a funding source which is Capital Outlay F2727.

Eric Hamilton: The Task Order before you are a review the Traffic Impact analysis for Dos Lagos Site, from the roundabout there are four new major access points to Dos Lagos Facility. 404, Stern and 460 are DOT facilities, what this task order did was analyze the existing conditions. We also have crash data and traffic analysis and then we'll look into a projected trip generation, based off a one-year growth and a twenty-year growth, this will tell us how it is going to impact those DOT lanes.

Interim City Manager: There has been a number of streets that we have had some speeding issues, that Trustee Holguin brought up, we knew we had this TIA coming up, a lot of the equipment that we are using for to collect this data we will need to collect the information for Miller, Lopez, Livesay, Madero and Fourth Street. Those are the

additional five streets that we will be collecting volume, speed and functional classification at the same time, we are taking advantage of the equipment to go ahead and procure that. Also, I had a meeting on Friday with NMDOT to discuss this specifically, the Urgent Care is set to break ground next spring but we do not have road, they are very much aligned with our plan as long as we meet our end which is the amended Master Plan and this TIA which permits the city to tie into Stern and O'Hara. We cannot tie in without that approval.

Trustee Silva: Is there no data that has already been collected by the State?

Eric Hamilton: They collect data but not at the level we need.

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

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	4-0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

b. Consideration and Action to amend Resolution 2021-012, a resolution approving temporary COVID-19 relief benefits for emergency personnel and essential workers, **Presented by Trustee Holguin.**

Trustee Holguin: I would like to amend the resolution that is up for review to extend it some more passed December 31, 2022. I wanted to pass this before the winter months.

Trustee Silva: I understand what you're after but the rest of the country is no longer going by anything that the CDC was proposing, and to only extend it to the emergency workers, what about the rest of the individuals? There are just as equal, COVID is still out there and they tend to get sick and if this is going to apply to them, I personally think we shouldn't be adding this. With winter coming, we will have a lot of people out, we just need to make sure they do a better job of taking care of themselves.

MPT Flores: I looked into surrounding communities to be fair and none of them are doing this any longer and this would be coming from the City budget.

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

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	0-4 Vote, Motion Denied
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

c. Consideration and Action to approve Development Agreement submitted by Jardines de Rivera, **Presented by Neighborhood Services Supervisor.**

Interim City Manager: I would recommend this be postponed as the document that was sent out is not complete legible. The City Attorney and I reviewed it and it looks fine but I suggest it only be considered and put the it on the consent agenda for the next meeting.

Neighborhood Services Supervisor: I think we're all familiar with the subdivision on Katy and Ruth, this is long overdue ad the initial application was over two years ago. We had some hiccups, which we have ironed out and we come up with this, Interim City Manager, the City Attorney and I have reviewed and we feel that this for both parties is adequate. What this agreement does, that after the developer is down with this subdivision, the City will take over maintaining those structures such as roads and sidewalks.

Interim City Manager: Exhibit A on the back is the cost estimate, the areas in read are the areas in which I worked with the engineer to make sure we updated the cost. Under these development agreements, we have associated fees and those fees will cover our construction, observation and material testing to ensure that all those materials are installed property since all those public infrastructures becomes ours.

Mayor Murillo: That is about 14 acres, correct?

Neighborhood Services Supervisor: That is correct. He has committed to 14 months to complete.

Original: 1st Motion: Trustee Silva **2nd Motion:** MPT Flores

To Table: 1st Motion: Trustee Holguin 2nd Motion: Trustee Silva

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	4-0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

d. Consideration and Action to approve the Agreement for Limited Animal Control Services, Presented by Monica Riehl, Sunland Park CED Director.

Monica Riehl: I am the Community and Economic Development Director at the PD Sunland Park, I come humbly before you to request and MOU between the City of Anthony and Sunland Park for animal control services. We have had an explosion of cats and dogs running loose in our city, we've been unable to hire a qualified or certified animal control officer despite many efforts. We are interest into this MOU requesting for backup assistance regarding response to dogs that in particular identified as aggressive or potentially dangerous dogs. Sunland Park will reimburse Anthony or Anthony Animal Control Officers actual hourly wages based on the number of hours and reimburse Anthony for any actual expenditures such as supplies, equipment and fuel.

Trustee Holguin: I understand the need Sunland Park has, but with the limited staff and with the amount of work that needs to be done within our community, I will not be comfortable allowing any number of employees go. I am all for working with Sunland Park, I believe we just need to focus here within the City.

Trustee Silva: I definitely agree that with our counterpart is necessary but if I remember correctly, Mr. Salazar came before the board requesting an additional set of hands due to the issues we have here and the lack of employees leaves an opening here in our City if we were to send some of them out.

Neighborhood Services Supervisor: I'm always excited to help people, especially the community, I don't know all the details, we went over what we have to work with. We have myself, 80/90% of the time I am dealing with walk-ins and Community Development issues. The two officers are relatively new, I am all for helping Sunland Park but the resources we have are pretty limited. I am not opposing it but I am not familiar with the details, if you were to tell me what we have with work is what we have right now, I would say we need staff.

Interim City Manager: The budget is \$10,000, the time, labor, equipment all gets reimbursed and it will all come out of that budget. The term of the agreement is through April, 2023.

Monica Riehl: I understand where Mr. Salazar is coming from, in regards to the truck, we have a truck that we could potentially lead that is specific to animal control. But he's absolutely right, will throwing money at an issue is that really going to resolve it? I think one of the items that we would love to see for the future is to be able to work together on a regional or at least dual municipality approach to a shelter program. I think this could be a great opportunity to start working together. I wouldn't see it as Sunland Park throwing money at an issue but asking for help with vicious animals. I am opening to working together to show you what we have and seeing if that helps with your resources.

MPT Flores: I would also like Sunland Park to know that Anthony comes first.

Neighborhood Services Supervisor: Let's keep in mind that my department doesn't only do animal control, I would hate to think that we are leaving our residents by trying to help other communities when they themselves need help. I think it could be done but it just needs a matter of planning so we are able to help Sunland Park, as of right now we are struggling with just myself and the other two officers. We have to maintain what we have hear to be able to extend the hand somewhere else.

Trustee Holguin: I am not comfortable with tabling; I just don't feel like we're at a capacity to help at the moment.

Trustee Silva: I don't think we need to table this issue; I just think we need to vote on it already. I would like to make a suggestion, 6 months is too much I would suggest 30 days, I would like to suggest to Sunland Park to put that money towards hiring someone that is the most qualified and get them trained by our department. The agreements states that it would automatically renew for 6 months, I would like that removed.

Mayor Murillo: When I spoke with Mayor Perrea, this MOU wasn't to grab one of our officers and take them away to Sunland Park, they wanted to interview and get some expertise from our Animal Control Director and officers, it was more for guidance. It's about getting resources to help Anthony and Sunland Park. I suggest we table to have Mr. Salazar sit down with Sunland Park to make the changes you want.

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

To Postpone to next meeting (11/16/2022): 1st Motion: MPT Flores 2nd Motion: Trustee Barreras

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	
Trustee Gabriel I. Holguin	YES	NO	3-1 Vote, Motion Passes
Mayor Diana Murillo	YES	NO	

10. CLOSED SESSION

- a. NOTICE IS HEREBY GIVEN that the City of Anthony Board of Trustees will meet in Executive Session Pursuant to NMSA 1978, section 10-5-1(H)(7) the Board of Trustees will be meeting in closed session to discuss the pending litigation of *Ponce de Velo v. City of Anthony*, D-307-CV-2022-000389."

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

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	4-0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

- b. OPEN SESSION- Motion to return to Open Session

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

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	4-0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

11. ITEMS FROM THE CITY CLERK

City Clerk: You do have one item on the table (Item 9c), we would need to bring it back to the table and either vote on it or make a motion to postpone it.

Postpone Item 9c until 11/16/2022 meeting: 1st Motion: Trustee Silva 2nd Motion: Trustee Holguin

Roll Call Vote:

MPT Elva Flores	YES	NO	
Trustee Daniel Barreras	YES	NO	
Trustee Javier Silva	YES	NO	4-0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana Murillo	YES	NO	

12. ITEMS FROM THE CITY MANAGER

Interim City Manager: I'll highlight the streets, weeds and graffiti removal, you have copies of the completed work to date. In respects special projects, there is an update on the new operating lights on McKinley, Linda Ledesma, Livesay and the intersection of Charles and Livesay. Adam's Park, we did confirm the shipment of the lights will arrive on the 14th of December, number one priority is on concession which we hope can be funded through the New Mexico Regional Recreation Center: Quality of Life Grant. We submitted the Urgent Care for a grant called a Matching Grant Application, we are committed to \$375,000 in match which will come out of the Capital Outlay. Mr. Salazar has scheduled the first meeting tomorrow (11/03) at 1:30Pm with the Graffiti Task Force. Make you all aware of the event that our law enforcement is participating in providing Thanksgiving dinner for 30 families.

13. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Holguin: In regards to old business, I would like a follow-up on the counter-offer from Mr. Baca and I would like an update on the IT position. Also, what is going to be done with the fourth street issue? Any update on the Public Defender for our City.

Interim City Manager: I did follow up with his assistant Shirley and presented the offer, I have yet to get a response back. I will follow up with them tomorrow. In respects to the IT position, Bonnie has reached out to several organizations to try and get the word out. I have asked Mr. Hamilton, he pointed out earlier that it was older equipment with the newer technology we can actually mount an apparatus that picks up the three data sets (speed, the body and the functional classification). We're hoping that with this new equipment that we're going to be able to catch some speedsters.

Trustee Barreras: Lighting on McDonalds and Church, I checked myself and it is pretty dark. Also, on Hill Street potholes. Lastly, I have received phone calls for the alleys, they must be cleaned up.

14. ADJOURNMENT

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

Roll Call Vote:

MPT Elva Flores	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Javier Silva	YES	NO
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

4-0 Vote, Motion Passes at 8:35pm.



Diana Murillo

Diana Murillo, Mayor

{SEAL}
Attest:

KOT

Karla Oropeza, City Clerk