

REGULAR MEETING
City of Anthony Board of Trustees
Conference Call
Wednesday, December 02nd, 2020
6:00 P.M.
MINUTES

You can join meeting using your phone by dialing.

United States: +1 (224) 501-3412

Access Code: 201-921-621

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 City Manager
- 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 any conflict of interest on agenda items, please refrain yourself from voting.
- 5. APPROVAL OF AGENDA ORDER

1st Motion: Trustee Gameros 2nd Motion: Trustee Silva
 MPT Fernie Herrera YES NO
 Trustee Gloria Gameros YES NO 4 to 0 votes, motion passed.
 Trustee Elva Flores YES NO
 Trustee Javier Silva YES NO
 Mayor Diana M. Trujillo ~~YES~~ NO

- 6. APPROVAL OF MINUTES
 - a) Workshop Meeting – 09/01/2020
 - b) Regular Meeting – 11/4/2020
 - c) Workshop Meeting – 11/18/2020

Motion to approve minutes
 1st Motion: Trustee Gameros 2nd Motion: Trustee Silva
 MPT Fernie Herrera YES NO
 Trustee Gloria Gameros YES NO 4 to 0 votes, motion passed.
 Trustee Elva Flores YES NO
 Trustee Javier Silva YES NO
 Mayor Diana M. Trujillo ~~YES~~ NO

- 7. ITEMS FROM THE FLOOR
 - *Projects Coordinator: I found out before the start of this meeting that laptops are reimbursable using the CARES Act grant.*
 - *Procurement / Payroll Clerk: I read that administrative leave is reimbursable. I will check if hazard pay is reimbursable. Staff who are being exposed to the virus like police department would fall into that category.*
 - *Chief Ordonez: PD staff has been responding to calls with homes flagged for COVID-19. Advocates for police officers to be paid hazard pay.*

- 8. CONSIDERATION AND ACTION
 - a) Consideration and action to approve \$5,436.88 to purchase four (4) Laptops for Governing Board from Line item 101-02-63100. *Presented by City Manager*
 - *City Manager: These laptops are to enable meetings to be more productive for the governing body. The mayor already has a laptop so, these four would be for the remaining governing body. Initially, laptops were not being*

reimbursed by the CARES Act. Today there is new information allowing laptops and hazard pay reimbursement. Federal grantees must always track assets funded by these awards and staff is well aware of those requirements.

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

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

- b) Consideration and action to approve \$2,718.44 to purchase two (2) Laptops for City Clerk and Finance Officer from General Fund to line item 101-03-61110. **Presented by City Manager**
- **City Manager:** Staff will also attempt to get these reimbursed through the CARES Act. Funds will be added to the line item that exists within our City Clerk's budget for office equipment. Unfortunately, under Finance, there is no line item for the same type of expenditure. The finance line item will be added via the Q2 or Q3 budget adjustment and the finance portion will be journaled to that department.
 - **Projects Coordinator:** Grant reversion date is 12/30/2020. Reimbursement must be turned in at the latest January 31, 2021.
 - **Trustee Flores:** Suggests buying laptops for all staff since they are teleworking i.e. City Manager should get a new laptop.
 - **IT Manager:** Suggests purchasing laptops for Admin 1 Assistant and Procurement Clerk.
 - **City Manager:** Will add the staff laptops for Board approval next meeting.

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

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

- c) Consideration and action to approve Audit contract amendment for the amount of \$24,859 to allow Single Audit from Line item 101-16-62400. **Presented by City Manager**
- **City Manager:** In July, this board approved a budget of approximately \$19,000 for the annual audit. The additional \$5,000 is to compensate our outside auditors for the extra work required of a Single Audit. It is necessary because the City reached a threshold for federal grants awarded with Fourth Street.
 - Once an entity receives a certain amount of federal funds, it's required that they go through a Single Audit.

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

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

- d) Consideration and action to approve **Resolution 2020-032** a resolution approving holiday schedule FY 2021. **Presented by City Clerk**
- **City Clerk:** This resolution is renewed every year to give direction on approved holidays for the year. July 4th and Christmas fell on a weekend. Instead of those days, staff is requesting December 27 day off.
 - **City Manager:** Staff is trying to get to 13 holidays to be in alignment with other documents.
 - **Trustee Flores:** I think a lot of thought was put into this resolution; I agree that we should give them that December 27.
 - **Trustee Silva:** I would prefer that we gave them the day after the fourth of July.
 - **Trustee Gameros:** I would like to know where staff is getting that 13 days, because Section 8 of the handbook states only 10 federal holidays.

- **City Manager:** I went back to my job offer letter received last October. That is where I got 13 paid holidays.
- **MPT Herrera:** Even though staff deserves all they can get, they have to realize that money is tight right now.
- **Mayor Trujillo:** There's a lot of people that take time off in the month of December because of the holidays, so it would be better to give December 27 off.
- **Trustee Silva:** After reading the document that the city manager forwarded to us, it does specify there are 13 Holliday's in the city of Anthony. What 13 days are we giving the City manager that we're not giving other employees?
- **Trustee Gameros:** We go through this every year only because the handbook and the resolution never matchup. To take care of that situation, motion to postpone this item to allow staff to make sure that the language on Section eight of the handbook is updated.

Motion to postpone

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

MPT Fernie Herrera YES NO
 Trustee Gloria Gameros YES NO 3 to 1 vote, motion passed.
 Trustee Elva Flores YES NO
 Trustee Javier Silva YES NO
 Mayor Diana M. Trujillo ~~YES~~ NO

- e) Consideration and action to approve **Resolution 2021-001** a resolution establishing the city of Anthony Governing Board meeting and notice procedures for calendar year 2021. **Presented by City Clerk**

- **City Clerk:** The purpose of this resolution is to help us identify the dates of Board meetings and share that with residents to attend. It also gives us guidance on where to post notices for the public. We have replaced the water company with (the pending) Anthony Dr. notice board. NMSA requires that we post at a minimum of 6 places.
- **Trustee Gameros:** Suggests to change No.4 to "Monthly budget workshops will be scheduled during the Fiscal Year. (For financial review updates)." Requests to add the last meeting for December 15, 2021 on the schedule.

Motion to approve amendments

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

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

Motion to approve resolution

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

MPT Fernie Herrera YES NO
 Trustee Gloria Gameros YES NO 4 to 0 votes, motion passed.
 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:** Trustees, this is a revised version of the grievance procedure that came before the board a few weeks ago. At that time, the item was postponed in order to incorporate some additional changes. Generally, it seemed that the board was interested in being the final authority or at least an appellate authority with respect to

grievances. So just to clarify, this procedure relates to city employees, as opposed to the city manager. His current employment is governed by a contract.

- One of the first things that I added was a note for interpreting how to follow these steps as a footnote.
- I also added a fifth step and that is the step where an employee can appeal the city manager's decision to the governing body and it sets out the procedure for that process stating that there will be a special meeting of the governing body's earliest convenience and that the governing body will have 30 days to make its decision after hearing the matter.
- This policy will help to weed out employee grievances from being brought immediately to the governing body and hopefully resolve the grievance before it ever gets to that point. Should the employee not feel that their grievance is being addressed, they can follow this procedure all the way up to the governing body.
- **Trustee Flores:** If someone is fired, can they appeal to the governing body or only if they have a grievance?
- **Alan Dahl:** If an employee is fired, they would be subject to the post-termination procedure. The post-termination hearing is conducted by a hearing officer. Under the most recent handbook, the hearing officer is going to be a neutral third party that is appointed by the city manager, so terminations will not be reviewed by the governing body.
- **Trustee Gameros:** I agree with everything that is on here, but I don't like the fact that the governing body would be appealing board for grievances. So that's all I wanted to say, thank you Alan.

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

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|-------------------------|-----|--------------------------------|
| MPT Fernie Herrera | YES | NO |
| Trustee Gloria Gameros | YES | NO 3 to 1 vote, motion passes. |
| Trustee Elva Flores | YES | NO |
| Trustee Javier Silva | YES | NO |
| Mayor Diana M. Trujillo | YES | NO |

09. ITEMS FROM THE CITY CLERK -NONE

10. ITEMS FROM THE CITY MANAGER - NONE

11. ITEMS FROM THE MAYOR AND TRUSTEES

MPT Herrera: What is the status of the police cars?

- **City Manager:** The last communication was Chief requesting an updated quote.
- **Chief Ordonez:** The previous quote expired and now the vendor has to go into a new contract bid. At this point, the vendor advised that it was going to be about 2 or 3 more weeks if they're lucky to get the contract renewed. If we go with any other vendors, it's going to exceed the amount of \$135,000.
- **MPT Herrera:** Mayor, any contact with the electric company on the streetlights for first, second, and third streets?
- **Mayor Trujillo:** No, I haven't. I just e-mailed them requesting an update, but he has not responded.
- **Trustee Flores:** every time that we change the handbook, are we still letting the employees know what was changed? Are we giving employees new copies and asking department heads to go over it with employees?
- **City Clerk:** the plan was to have department heads go through the handbook changes with City Manager then they channel the information to employees. Due to the many changes we have done lately, we were waiting for all these edits to be passed so that we do not confuse employees.
- **Trustee Flores:** Thank you, Esther. I just want to make sure that we are keeping up with them and just letting them know. Requests copies of the new and revised handbook (email and hard copies).
- **Trustee Silva:** Have we posted for the Codes Enforcement position?
- **City Manager:** The position was rolled together with the former Animal Control position to create the Neighborhood Services Officer Position, which is in the process of recruitment/ we are working on scheduling interviews. But yes, sir, the replacement of the Codes Enforcement Officer via the Neighborhood Services Officer is in process.
- **Trustee Silva:** At the last meeting, I mentioned about assisting our police department by adding stop signs on Acosta and Livesay, East of Church St and Stern Ln. Can we not address this with the Department of Transportation? Church and Clark St. were straight all the way up and then we implemented a four-way stop. How did we get that to happen?

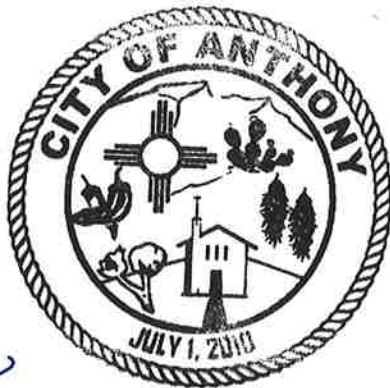
- **Mayor Trujillo:** *The Department of Transportation can't help on local streets. City Manager can Contact Wilson & Company to see if they can assist us.*
- **City Manager:** *I just sent an email to our engineers as we speak.*
- **Chief Ordonez:** *Suggests projects coordinator to look at mobile stop signs.*
- **Trustee Flores:** *Requests City Manager to ask Public Works to replace City street signs.*
- **Mayor Trujillo:** *A couple of residents are complaining: There are some businesses here in the City of Anthony that are conducting business in their homes. Will send an email to the city manager.*

12. ADJOURNMENT

Motion to adjourn.

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

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|------------------------------------|----------------|---------------|--|
| MPT Fernie Herrera | YES | NO | |
| Trustee Gloria Gameros | YES | NO | 3 to 0 votes, motion passed. 8:05P.M. |
| Trustee Elva Flores | YES | NO | |
| Trustee Javier Silva | YES | NO | |
| Mayor Diana M. Trujillo | YES | NO | |



Diana Murillo-Trujillo

Diana Murillo-Trujillo, Mayor

ATTEST:

Esther Motongo

Esther Motongo, City Clerk