

Court Chambers  
820 Highway 478  
Anthony, NM 88021

**City of Anthony**  
**Regular Board of Trustees Meeting**  
**MINUTES**  
**January 18<sup>th</sup>, 2023**  
**6:00PM**

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

You can join meeting using your phone by dialing.

United States: +1 (224) 501-3412  
Access Code: 251-066-525

Please join meeting from your computer, tablet or smartphone.

<https://meet.goto.com/251066525>

*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 at 6:17pm

2. **PLEDGE OF ALLEGIANCE** led by Diana Murillo

3. <b>ROLL CALL</b>	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
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*Traducción del inglés al español y del español al inglés está disponible a petición.*

*Si necesita un traductor, informe la Secretaria de la Ciudad a más tardar una semana antes de la fecha programada de la reunión*

**4. APPROVAL OF AGENDA ORDER**

1<sup>st</sup> Motion: Trustee Holguin 2<sup>nd</sup> Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

**5. ITEMS FROM THE FLOOR- PUBLIC COMMENTS** (public will be allowed a 3-minute presentation)

Cecilia Acosta	Genaro Soriano
Adrian Perez	Connie Ramirez
Martha Gutierrez	

**6. APPROVAL OF MINUTES**

a. Regular Meeting- 01/04/2023

1<sup>st</sup> Motion: Trustee Barreras 2<sup>nd</sup> Motion: MPT Flores

MPT Elva Flores	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

**7. DISCUSSION**

a. Update on the placement of the marquee, **Presented by Interim City Manager.**

*Interim City Manager at the request of the Board has coordinated for a potential location for the marquee (by DASO) the area is much more conducive than a location on Highway 478 when it comes to power but there is also much more space to work within their right away. The project work plan includes, a previous meeting with Mr. Macias who is the County Manager about using their property for the placement of the marquee, the next step would be to research sign*

options and sizes followed by a formal site plan that will be brought to the Board in the next meeting. Once approved, it would be submitted to the County for approval, an application will be prepared for the City Community Development for approval, this would include an MOU since the City will be responsible for the sign. When the approval from the County and Board are finalized, we can move to procurement for the project, creating a schedule for installation and lastly start-up and operation. The Interim City Manager will present a cost to have the marquee up on either the location being proposed or at City Hall, the board can then decide which will be most cost effective.

**b. Update on traffic data collection for Big Bend Loop and Fourth Street, Lopez, Madero and Miller, Presented by Interim City Manager.**

The governing body had requested speed studies on several streets; Miller, Madero and Lopez do not illustrate excessive speeding but Livesay which a 25mph posted speed, over 116 vehicles were recorded at 30-35mph, over 40 vehicles exceeding 35-40mph. On Fourth Street, 190 vehicles were recorded exceeding 30-35mph, 24 were recorded exceeding 35-40mph. The data does show that Livesay and Fourth Street are having issues with speeding. First step was to collect data and identify if there is an issue, now that we have the data the Interim City Manager can bring a recommendation to mediate the issue as well as cost to deal with the issue. Trustee Holguin asked the Interim City Manager if any data has been collected for Big Bend Loop and Fourth Street, the speed radar has been installed on Big Bend Loop and IT has coordinated with Public Works to start up the operation of the speed radar to have it functioning by next week. The radar only identifies speeding in one direction, the Interim City Manager affirmed that it will be monitoring north bound not the south bound. The speed radar will only record the number of cars that are speeding but does not record any video recording.

**c. Discussion on the abandoned buildings, Presented by Interim City Manager.**

Interim City Manager read sections from Ordinance 2022-005, an ordinance defining and prohibiting nuisance, specifically the sections that pertain to abandoned building and what can be done to enforce the abatement of a nuisance. The removal of a public nuisance by the City, the City may remove at the cost and expense of the owner, occupant or agent in charge of the property. Cost recovery shall constitute a lien on the land from which it was removed. Interim City Manager provided demolition as a recommendation, which would require a procurement of an on-call contractor for building demolition. The board would approve a list of recommended buildings and the updates would be given by the City Manager during the City Manager Report. Weeds and Rubbish could be managed by providing a list of properties that are eligible under this ordinance, Public Works Supervisor will provide a schedule for the City Manager to review and coordinate with the PD for mobilization, date and access enforcement. The work will be self-performed, report the completion of that work during the City Manager report and answer any questions. Trustee Holguin is concerned with the cost of demolition as the property value might not be as much as the cost of demolition and would like to see the Ordinance back into discussion to amend to have the responsibility fall more on the property owner. The lien on the property is the last resort, the first option is that the property owner will pay but the problem is and has been that they have not been paying, the lien was necessary when writing the current ordinance.

**d. Discussion on the Longoria Road petition for public right-of-way dedication, Presented by Interim City Manager.**

The original petition was submitted on May 7, 2020, unfortunately at the time the Board did not proceed with because this road is not City owned. To help mitigate the problem the landowners would have to intentionally set aside 25 feet of property to be used for a public road. If the City would like to assist with this area, the Interim City Manager recommended to adopt a portion which would run from Acosta to Landers, the City would then have to propose a Right-of-way Map that illustrates the expressed dedication by each owner which then would be signed and filed with the County Assessor. Legally speaking City will not be held responsible for any damages or injuries that occur in that road.

**e. Discussion on the proposed amendments for Ordinance 2010-017, Presented by Alan Dahl.**

The City Attorney reviewed with the Board the chances that will be proposed in the amended ordinance. Section 5 (previously Section 3) is the biggest revision, now it is labeled "duty to remove graffiti, enforcement, abatement, lien, and defenses." This section is meant to overhaul how the City goes about enforcing this graffiti ordinance, with respects to both property owners and now we give them an opportunity to address graffiti in their property. As before the owner is still responsible to remove graffiti within 30 calendar days after being notified to remove graffiti. Subsection D, methods available to the city to remove graffiti, include written warnings, liens on the property if the owner or perpetrator cannot be found and the City goes in to remove it. The only way the City can lien the property is if the property owner refuses to clean up the graffiti or allow the city to remove it. Section 5(G) lists some defenses residents

can bring up to the Planning and Zoning Board, which include, the party not being notified in writing of presence of the graffiti, the party authorized the marking therefore it is not considered graffiti/nuisance, the party has removed graffiti on the same site 3 or more times, and the party, prior to being cited, a written consent form was provided to the City which allows the City to come into the property and remove the graffiti under Municipal Graffiti Removal Program. Section 8, establishes a Municipal Graffiti Removal Program, it has to service a public purpose not private. It also lists the procedure of how to submit a request to have graffiti removed by the City and further explains how, what and when graffiti will be removed on private property. Explains at what basis the volunteers are able to get materials to remove graffiti in the community, volunteers or those that are eligible for the Municipal Graffiti Removal Program will have to agree to not hold the City liable for misuse of the equipment. Section 9, Graffiti Removal Fund to ensure that all expenditures are used for the purpose of preventing or abating graffiti within City limits. Trustee Holguin would like to see a time frame incorporated to avoid it being left undone and get out of control. Trustee Silva had an issue with the deposit that was proposed to rent out the supplies, the City Attorney assured the board that the main purpose of the deposit is to ensure it being used solely for the graffiti removal and guaranteed deposit will be return upon the return of the equipment.

**8. CONSIDERATION AND ACTION**

**a. Consideration and Action to approve the Award Recommendation of Acosta Road Roadway and Drainage Improvements – CDBG 20-C-NR-I-01-G-16, Presented by Procurement Officer.**

Procurement Officer explained the bid opening for the Acosta Roadway and Drainage Improvements occurred on January 10<sup>th</sup>; 3 bidders were present which includes Highland Enterprises, Del Mar Contracting and Morrow Enterprises. Lowest bidder was Highland Enterprises, which is the recommendation. They would be a new vendor to the City. Trustee Silva wondered what else could be done with the remainder of the funds as the price of the project is under what was awarded by the State, Interim City Manager guaranteed those funds will benefit the project and comply with the funding agreement.

**1<sup>st</sup> Motion: Trustee Barreras      2<sup>nd</sup> Motion: Trustee Silva**

MPT Elva Flores	YES NO
Trustee Daniel Barreras	YES NO
Trustee Javier Silva	YES NO 4 to 0 vote, motion passes.
Trustee Gabriel I. Holguin	YES NO
Mayor Diana Murillo	YES NO

**b. Consideration and Action to reinstate the informal Graffiti Removal Program, Presented by Trustee Gabriel I. Holguin.**

**1<sup>st</sup> Motion: Trustee Holguin      2<sup>nd</sup> Motion: Trustee Barreras**

Trustee Holguin has requested to have this program that benefits the residents brought back in the meantime while the amended Graffiti Ordinance is formalized.

MPT Elva Flores	YES NO
Trustee Daniel Barreras	YES NO
Trustee Javier Silva	YES NO 2-3 vote, motion denied.
Trustee Gabriel I. Holguin	YES NO
Mayor Diana Murillo	YES NO

**9. 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 10-15-01 (H)(2) to discuss personnel matters related to employees within City Administration and the Police Department.**

**1<sup>st</sup> Motion: Trustee Holguin      2<sup>nd</sup> Motion: Trustee Silva**

MPT Elva Flores	YES NO
Trustee Daniel Barreras	YES NO
Trustee Javier Silva	YES NO 4 to 0 vote, motion passes at 7:52pm.
Trustee Gabriel I. Holguin	YES NO
Mayor Diana Murillo	YES NO

**b. Motion to return to Open Session.**

1<sup>st</sup> Motion: Trustee Barreras

2<sup>nd</sup> Motion: MPT Flores

MPT Elva Flores	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion passes at 9:31pm.
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

**10. ITEMS FROM THE CITY CLERK**

*Financial reports were sent out by Hiram (Finance Officer); Budget Workshop scheduled on 01/31/2023 at 5:30pm.*

**11. ITEMS FROM THE CITY MANAGER**

*Adams Park Phase II: High Mast Musco Lighting is underway, El Paso Electric has notified the City that 3-phase transformer has a long-lead time and will report back for estimated delivery. Project completion is pending this delivery but should be around March 2023.*

*Attended a meeting in Albuquerque on January 5<sup>th</sup>, to discuss the funding for the urgent care. This project is scheduled for completion in April of 2023 and the lease agreement will be brought to the board soon. In the process of submitting the application for the UCC access road, which is the one from 404/O'Hara to the roundabout with an estimated cost of \$3.2 million. The Infrastructure Czar from the Governor's Office stated the top priority is health care when the request for the \$40 million was made for the 50,000 square feet medical clinic.*

*Chief Ordoñez: Cross commission not part a regular duty but for agency assistance. Work on an MOU with Anthony, TX which would essentially be an agreement with Town of Anthony for fleet management. Critical to have a reliable mechanic.*

**12. ITEMS FROM THE MAYOR AND TRUSTEES**

*MPT Flores-NONE*

*Trustee Barreras: Ruth and Acosta they are not stopping, requested PD assistance in that area.*

*Trustee Silva: Would like to see how much money has come in from the property taxes on the February 1<sup>st</sup> meeting.*

*Interim City Manager set Budget Workshops for the second meeting of the month to have those reported numbers. And an update on the equipment quotes that are required to fix streets.*

*Trustee Holguin: Would like to have the quarterly reports available on the 31<sup>st</sup>. Status of street adopting process that was requested by Mr. Barrios. Progress on the stop signs, they are a bit smaller than others, they are difficult to see at night.*

**13. ADJOURNMENT**

1<sup>st</sup> Motion: Trustee Silva

2<sup>nd</sup> Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion passes at 9:58pm.
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

  
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 Diana Murillo, Mayor

{SEAL}  
 Attest: 

Karla Oropeza, City Clerk

