

Oscar Dominguez  
City Manager

**REGULAR MEETING**  
**City of Anthony Board of Trustees**  
**820 Highway 478, Anthony NM 88021**  
**& Conference Call**  
**Wednesday, January 19, 2022**  
**6:00 P.M.**

*Mayor Diana M. Trujillo*  
*MPT Elva Flores*  
*Trustee Javier Silva*  
*Trustee Gabriel Holguin*  
*Trustee Daniel Barreras*

**MINUTES**

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**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. <b>ROLL CALL</b> Present:	MPT Elva Flores	YES	NO
	Trustee Javier Silva	YES	NO
	Trustee Gabriel Holguin	YES	NO
	Trustee Daniel Barreras	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**

5. **APPROVAL OF AGENDA ORDER**

6. **ITEMS FROM THE FLOOR - PUBLIC COMMENTS**

7. **APPROVAL OF MINUTES**

a) Special Meeting - 01/04/2022

b) Regular Meeting - 01/05/2022

***Motion to amend minutes of 01/05/2022 item 8b to add trustee Silva's question on how the City was to fund the request and clerk's response.***

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO <b>4 to 0 vote, motion pass.</b>
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

8. **CONSIDERATION AND ACTION**

a) Consideration and action to approve Wilson and Company Construction Administration Services in the amount of \$34,544.92 from GL: 290 for the Dos Lagos Phase 1 project. ***Presented by Marvin Chavez, Project Manager***

• ***Marvin Chavez: This is for the construction administration of the Dos Lagos Phase.***

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

**Roll Call:**

MPT Elva Flores	<b>YES</b>	NO
Trustee Javier Silva	<b>YES</b>	NO <b>4 to 0 vote, motion pass.</b>
Trustee Barreras	<b>YES</b>	NO
Trustee Holguin	<b>YES</b>	NO
Mayor Diana M. Trujillo	<b>YES</b>	NO

b) Consideration and action to change Library Assistant position to full-time position. **Presented by City Manager**

- o **City Manager:** This is simply a request to make what used to be a full-time library assistant position and was reduced to part-time, to accommodate a former staff person. Request to make this position full-time is in order to more efficiently operate library and its programs.
- o There will be a fiscal impact to the budget of approximately \$22,000 and there's another item a little further down, the agenda, related to this one, as well.
- o **Mayor Pro TEM Flores:** Which line item are we using? is it coming from the city or library grant.
- o **City Manager:** Line item would be 101-10-50201, this is all from our budget.
- o **Mayor Pro TEM Flores:** I don't see a lot of activity going on at the library. Maybe we can try again when the new head librarian comes in.
- o **Trustee Holguin:** How many employees do we have currently? Are we considering opening the library the same hours?
- o **City Manager:** We have a full-time head librarian, a full-time Library Assistant and a part-time Library Assistant (vacant). There have been challenges to keep the library open, have enough coverage and make sure that we're following federal law around breaks and lunches. One of the goals is to expand hours, perhaps into the evening and or start Saturday hours again.
- o **Mayor Trujillo:** This position used to be full-time. We made it part-time at the request of the ex-employee.
- o **Trustee Holguin:** I agree with Mayor Pro TEM Flores. This would be an item for you to consider whenever that new library individual is hired. I Make a motion to postpone this item until the New Library individual is hired.

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

**Roll Call:**

MPT Elva Flores	<b>YES</b>	NO
Trustee Javier Silva	<b>YES</b>	NO <b>4 to 0 vote, motion pass. Item postponed</b>
Trustee Barreras	<b>YES</b>	NO
Trustee Holguin	<b>YES</b>	NO
Mayor Diana M. Trujillo	<b>YES</b>	NO

c) Consideration and action to approve additional police officer. **Presented by Chief of Police**

- o **City manager:** Chief of police as you all may know, is out of town at the moment. We are joined this evening by Sergeant Ruiz to also support the staff recommendation. There is another potential deployment by one of our police officers that would have a serious effect on the operations of the police department. We're talking about deployment of more than a year. This prompted the Chief of Police to bring this matter to the board. A number of staff are out due to illness. Anthony did not get the two positions funded by grant as planned. However, we had budget did approve those two officer positions that are sitting vacant at the moment.

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

**Roll Call:**

MPT Elva Flores	<b>YES</b>	NO
Trustee Javier Silva	<b>YES</b>	NO <b>4 to 0 vote, motion pass.</b>
Trustee Barreras	<b>YES</b>	NO

Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

d) Consideration and action to eliminate line item 101-10-50202 and increase 101-10-50201 by \$22,000 to support a full-time library assistant. **Presented by City Manager**

- o **Trustee Silva:** Are you asking to eliminate this agenda item? You're getting that amount from the general fund?
- o **City Manager:** Yes, because that's what it would take to have to convert the part-time employee to a full-time employee and still have enough money to make it to the end of the year. This is from the general fund.
- o **Trustee Silva:** I agree with the other two regarding that position only because I'd like to see the head librarian start to organize after being hired and then maybe revisit it after the fact.
- o **MPT Flores:** I would like to postpone the item until new staff member is hired. I think it's important when you come into a position, you are allowed to select your team, instead of coming into people that are already there.
- o **Trustee Holguin:** I make a motion to postpone this item.

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO <b>4 to 0 vote, motion pass. Item postponed</b>
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

e) Consideration and action to approve the appointment of Mr. Santos Correa for Planning and Zoning commissioner. **Presented by Mayor Trujillo**

- o **Mayor Trujillo:** Mr. Santos submitted a letter of interest. I spoke to him and he was interested in this position. I think he would be a great asset to the Commission.
- o **Trustee Holguin:** Would Mr. Santos like to speak and share what he will be bringing to the city? Just to know a little bit about you.
- o **Mr. Santos Correa:** I would like to offer better services to residents.
- o **Trustee Silva:** I know that when we had the flooding, both he and the mayor and a few other individuals were out there filling sandbags, which speak volumes.

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO <b>4 to 0 vote, motion pass.</b>
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

f) Consideration and action to approve amended **Resolution 2019-14 (12)** a resolution amending employee PayScale to include the New Mexico Minimum Wage of the year 2022. **Presented by City Manager**

- o **City Manager:** This item is before the board for approval to adjust our pay scales to reflect the new minimum wage for the State of New Mexico. The minimum wage is now at \$11.50 per hour.
- o **Trustee Silva:** Request to amend court clerk position from \$10.50 to \$11.50.
- o **City Clerk:** That was missed by staff, it should be at \$11.50

**Motion to amend court clerk position from \$10.50 to \$11.50.**

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO <b>4 to 0 vote, motion pass.</b>

Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

**Motion: Consideration and action to approve amended Resolution 2019-14 (12) a resolution amending employee PayScale to include the New Mexico Minimum Wage of the year 2022**

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion pass.
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

g) Consideration and action to approve Mayor Pro Tem Elva Flores as a City signatory. **Presented by City Clerk**

- **City Clerk:** This item is usually done every time the board elects a new Mayor Pro-Tem. After today's vote, the next thing is for us to change the city signatories with the bank. The MPT will be able to sign checks in the absence of the current signatories.

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion pass.
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

h) Consideration and action to award On-call engineer for **RFP No. 072021-02. Presented by City Manager**

- **City Manager:** Late last year, in the fall, the city of Anthony publicized two requests for proposal. This one is for on-call engineering services. The procurement clerk, unfortunately, resigned in the middle of the request for the proposal process. I took up the project and brought it to this point. The evaluation committee report includes the recommendation of the committee: Wilson and Co prevailed by the smallest of margins.
- **Trustee Silva:** if Wilson & Co is on-call, does that create a conflict later on down the road, when it comes to projects within the city? Would an outside engineer look to get a project? The reason I'm asking is that the last thing that we want is for someone to come forward and to say that we're creating a monopoly.
- **City Manager:** Staff does not anticipate any of those challenges. One of the practices in the past has been that projects that are grant-funded, engineering services are usually put out to bid. Staff will be presenting a draft contract for proposal to the board in a subsequent board meeting. We expect that will include an annual cap as well as a very specific language around the length of the contract.

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO 3 to 0 vote, motion pass.
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO <b>Abstained</b>
Mayor Diana M. Trujillo	YES	NO

i) Consideration and action to approve the extension of provisional pay for the finance officer. **Presented by City Manager**

o **City Manager:** This item is the result of one of our policies that says that the city manager may request an extension of provisional pay beyond 60 days. This item is staff's request to extend the provisional pay for finance officer until the payroll procurement clerk position is filled.

o **Trustee Holguin:** Can you explain what provisional pay is?

o **City Clerk:** When a position is vacated, we ask another employee to take over the duties of the position and they get paid a percentage of the vacated position to do the job until we hire.

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO 4 to 0 vote, motion pass.
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

j) Consideration and action to approve **Resolution 2022-003** a resolution amending **Section 9:4 maternity/Paternity Leave** of the employee handbook. **Presented by City Clerk**

o **City Clerk:** Currently the city issues 12 weeks of unpaid FMLA for maternity leave. The policy does not give details of how this can be administered together with other benefits. Today staff is requesting the board to pay at least two weeks of the FMLA as a benefit to employees and give details of how maternity leave will integrate with other benefits like paid sick and vacation leave.

o **MPT Flores:** I feel like two weeks is not going to be enough.

o **Trustee Holguin:** I agree, it takes around 6 weeks.

o **Trustee Silva:** Keep in mind that it's not just two weeks. There is also the remaining federal benefit that is up to 12 weeks. We just finished giving the employees a raise last year. I think we went all the way up to a 5% raise for everybody, first and foremost. And now, we got another raise from the state. Come June, people are going to be asking for raises. Something that I keep in mind is not for just now, but am I going to be able to retain some of these people to have a job later on down the road. I'm okay with what staff requested for two weeks.

o **City Clerk:** Correct, FMLA is a federal requirement but the City is not mandated to pay for the leave. The request is to pay 2 weeks and the employee will take the remaining 10 weeks as unpaid FMLA.

o **Trustee Holguin:** I'm completely aware of the budget, 2 weeks is still not enough.

o **City Clerk:** We would not need to change the budget. Employee position will be vacated while on leave. We still budget for the same position for the year. The same way we pay sick hours and vacation hours.

o **MPT Flores:** I move that we amend resolution 2022-023 a resolution amending Section 9:4 maternity/Paternity Leave of the employee handbook from two weeks paid parental leave to five paid parental leave.

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

**Roll Call:**

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO 3 to 1 vote, motion pass.
Trustee Barreras	YES	NO
Trustee Holguin	YES	NO
Mayor Diana M. Trujillo	YES	NO

**Motion to approve Resolution 2022-003 a resolution amending Section 9:4 maternity/Paternity Leave of the employee handbook as amended.**

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

**Roll Call:**

MPT Elva Flores	YES	NO
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Trustee Javier Silva	YES	NO	3 to 0 vote, motion pass.
Trustee Barreras	YES	NO	
Trustee Holguin	YES	NO	
Mayor Diana M. Trujillo	YES	NO	

9. **ORDINANCE 2022-001 SECOND READING**

An ordinance to enter into a grant agreement with the New Mexico Environment Department ("NMED").

**Presented by City Clerk**

**First reading:** January 5<sup>th</sup>, 2022

**Notice of publication date:** December 30, 2021

**Public Comments/Discussion:** January 5<sup>th</sup>, 2022, and January 19<sup>th</sup>, 2022

**Consideration and Action to pass:** January 19<sup>th</sup>, 2022

- **City Clerk:** Staff amended the ordinance to include the project name and number and the funding agent, EPA. This grant will be part of the funding grants going towards South Anthony Arroyo.

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

**Roll Call:**

MPT Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	4 to 0 vote, motion pass.
Trustee Barreras	YES	NO	
Trustee Holguin	YES	NO	
Mayor Diana M. Trujillo	YES	NO	

10. **ITEMS FROM THE CITY CLERK**

- **City Clerk:** Request Trustees to confirm attendance to 33<sup>rd</sup> Annual Municipal Day in Santa Fe on 02/03 - 02/04/2022 with NMML.
- The projects Coordinator was able to submit capital outlay applications on time.

11. **ITEMS FROM THE CITY MANAGER**

- **City Manager:** Right at the beginning of the board meeting, I sent out the monthly departmental reports. Apologies for getting those out a little late.
- The finance officer would like to schedule a budget workshop with the board for mid-February, to go over the budget at the midpoint of the fiscal year.

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

- **Trustee Holguin:** I'm still waiting on the date for the presentation that I brought up last time.
- **Trustee Silva:** Requested update on when engineers will work on Lincoln St, and update on Adams Park schedule.
- **City Clerk:** Staff will be meeting next week to discuss the next phase with engineers. We will report back to the board. The field looks complete, but cannot be used until the grass starts growing. We can void the warranty if used immediately.
- **MPT Flores:** Requested staff to provide the cost of watering at Adams park and soccer field.
- **Trustee Silva:** Appreciate Wilson & Co for being vigilant and catching all the items that needed construction redo, that was a long list.

13. **ADJOURNMENT:**

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

**Roll Call:**

MPT Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	4 to 0 vote, motion pass at 8:13PM
Trustee Barreras	YES	NO	

Trustee Holguin  YES  NO  
Mayor Diana M. Trujillo  YES  NO

  
Diana Murillo-Trujillo, Mayor

ATTEST:   
\_\_\_\_\_  
Gloria K Ramirez- Acting City Clerk



