

**REGULAR MEETING**  
City of Anthony Board of Trustees  
Conference Call  
Wednesday, February 03<sup>rd</sup>, 2021  
6:00 P.M.  
**MINUTES**

You can join meeting using your phone by dialing.

United States: +1 (571) 317-3122

Access Code: 137-108-989

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 Sergeant Aaron Martinez
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

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

4. **CONFLICT OF INTEREST**
  - **Mayor Trujillo:** *If any of the trustee has conflict of interest with any of the agenda items, please excuse yourself from voting.*
5. **APPROVAL OF AGENDA ORDER**

**Roll Call:**

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

MPT Fernie Herrera	<b>YES</b>	NO	
<del>Trustee Gloria Gameros</del>	<del>YES</del>	<del>NO</del>	<del>Absent</del>
Trustee Elva Flores	<b>YES</b>	NO	3 to 0, Motion passes
Trustee Javier Silva	<b>YES</b>	NO	
<del>Mayor Diana M. Trujillo</del>	<del>YES</del>	<del>NO</del>	

6. **APPROVAL OF MINUTES**
  - a) Regular Meeting -- 01/06/2021
  - b) Workshop Meeting- 01/20/2021

**Roll Call:**

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

MPT Fernie Herrera	<b>YES</b>	NO	
<del>Trustee Gloria Gameros</del>	<del>YES</del>	<del>NO</del>	<del>Absent</del>
Trustee Elva Flores	<b>YES</b>	NO	3 to 0, Motion passes
Trustee Javier Silva	<b>YES</b>	NO	
<del>Mayor Diana M. Trujillo</del>	<del>YES</del>	<del>NO</del>	

7. **ITEMS FROM THE FLOOR – None**

8. **PRESENTATION**

- a. Presentation of Anthony Police Department Officers - Community meet and greet. **Presented by Chief of police**

- **Chief of Police:** *it is important for the community and the board to know our officers and records clerk who make police department.*  
*\*\*\*\*Officers were given an opportunity to give brief introduction of who they are, their name, badge number, and goals while they're working for the Anthony Police Department.*
- **Trustee Silva:** *Appreciates everything that the officers do for the City of Anthony. It's not an easy task to go out and put your lives on the line, the most important thing is to make it back to your families, each and every one of you.*

- **MPT Herrera:** Good job officers, we have seen them out in the fields. Informed officers that Board just approved 3 new patrol cars.
- **Trustee Flores:** Thanked everyone. Officers should know that we care for them and that we appreciate them because it's a hard job and we understand that.
- **Mayor Trujillo:** Thanked the team for helping Anthony and keeping the City safe. During the 10 year tenure as a trustee and as a mayor, this team has been the best of our police department. There's more trust with police officers, and community policing, officers engages with the public.

**9. CONSIDERATION AND ACTION**

a) Consideration and action to approve **RESOLUTION 2021-005** a resolution regarding potential Civil Rights Reform. *Presented by Chief of police.*

- **Chief Ordonez:** House Bill four is qualified immunity protections that are diminished.
  - It establishes the right of an individual to bring a claim against a public body or anyone acting on behalf of a public body for a violation of constitutional rights privileges or immunities.
  - Prohibits a defense of qualified immunity for any such violation.
  - It also provides for mandatory attorney's fees, and it sets a statute of limitations of three years from the alleged conduct to commence the claim.
  - Judgement awarded under the Act shall be paid by the public body and then our judgements in claims or complaints are subject to also be public. .
  - Qualified immunity shields state and local government officials, such as police officers, teachers, city employees and social workers from being sued by a person's claiming that the officer or that employee violated their rights. Except in cases where there has been constitutional violation.
  - Anthony Police Department staff position is that qualified immunity is already effective, and public service employees should continue to be protected when they are acting in good faith. There are clearly other protections in place to those who initiate civil suits against an employee or government entities.
  - Officers should not be constantly burdened with thinking they will get sued for every decision that they make in those critical moments. It's important to feel that qualified immunity support in place.
  - Qualified immunity also prevents groundless and costly lawsuits against police officers.
  - Chief agrees that police does need to be reformed, there are other ways like better training or having a better organizational structure in place where there's no more accountability as such.
  - The New Mexico Municipal League is also in opposition of House Bill four and that's why we're seeking a resolution opposing this bill.
  - **Alan Dahl- City Attorney:** From a legal perspective, we believe that the House Bill four would not be in the best interests of municipalities. It stripes away, any existing protections for law enforcement without creating any new protections or limited protections, or otherwise capping the amount that a law enforcement officer and by extension, its employer, the city, could be held responsible for. Chief stated it very well, and gave a good background on this idea. It's taking away the main defense that's available to law enforcement officers, which is qualified immunity.

**Roll Call:**

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

MPT Fernie Herrera	<b>YES</b>	NO
<del>Trustee Gloria Gameros</del>	<del>YES</del>	<del>NO</del> <i>Absent</i>
Trustee Elva Flores	<b>YES</b>	NO <i>3 to 0, Motion passes</i>
Trustee Javier Silva	<b>YES</b>	NO
<del>Mayor Diana M. Trujillo</del>	<del>YES</del>	<del>NO</del>

- b) Consideration and action to approve an amended **RESOLUTION 2019-14** a resolution of the City of Anthony Pay Scale to remove Animal Control, and Codes enforcement position. **Presented by Trustee Flores**
  - **City Manager:** Trustee Flores pointed out that staff forgot to bring to the board an updated pay scales by striking out the now obsolete positions. Animal Control and Codes officer position are now on pay scale as Neighborhood services officer and supervisor.
  - **Trustee Flores:** Now that we have neighborhood services officer positions, this action is just to remove Animal Control and Codes enforcement position.

**Roll Call:**

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

MPT Fernie Herrera	<b>YES</b>	NO	
Trustee Gloria Gameros	<del>YES</del>	<del>NO</del>	<i>Absent</i>
Trustee Elva Flores	<b>YES</b>	NO	<b>3 to 0, Motion passes</b>
Trustee Javier Silva	<b>YES</b>	NO	
Mayor Diana M. Trujillo	<del>YES</del>	<del>NO</del>	

**10. ITEMS FROM THE CITY CLERK**

- Engineers are requesting the Board for a workshop to discuss Dos Lagos Phase 1 review.
- **Mayor Trujillo:** all agreed to meet 02/10/2021 at 4:00 PM

**11. ITEMS FROM THE CITY MANAGER**

- Manager is in contact with the Director of Health Equity, Amy Suman. She is interested in organizing some type of a virtual town hall to bring in trusted community members.
  - Requested Mayor and trustees, to participate in a town hall where there might be Spanish speakers engaged in trying to encourage residents to consider the vaccine.
  - City Manager will send additional information on email.

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

- **Trustee Silva:** If city parks are still closed, officers should kindly ask resident's to leave the facility because it's being closed to keep community safe.
  - **Trustee Flores:** We should open up the park as long as people are keeping social distance and having a mask on. Las Cruces has opened up most of their parks.
- **MPT Herrera:** Haven't seen any lights going up on 1<sup>st</sup>, 2<sup>nd</sup> and Anthony Street. Residents are still asking what is causing the delay. Requested City Manager to send contact email address to address it personally.
  - **City Manager:** will copy MPT on an email to the contact personnel.
  - **City Manager:** appreciate and staff for the Meet and Greet. There was a number of staff changes in PD. This meet and greet that chief facilitated was really timely and much more effective than an e-mail to the board. Thank you chief and the team.
- **Trustee Flores:** None
- **Mayor Trujillo:** None

**13. ADJOURNMENT**

**Roll Call:**

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

MPT Fernie Herrera           **YES**   NO

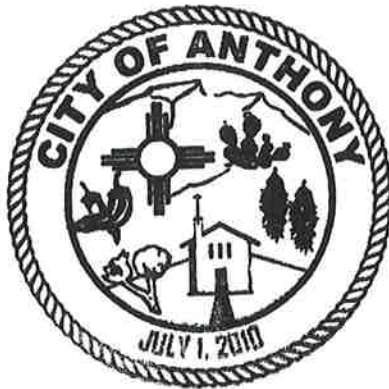
~~Trustee Gloria Gameros~~   ~~YES~~   ~~NO~~   ~~Absent~~

Trustee Elva Flores           **YES**   NO   ***3 to 0, Motion passes at 7:04PM***

Trustee Javier Silva           **YES**   NO

Mayor Diana M. Trujillo   ~~YES~~   ~~NO~~

  
Diana Murillo-Trujillo, Mayor



ATTEST:



Esther Motongo, City Clerk