

Oscar Dominguez  
City Manager

**REGULAR MEETING**  
City of Anthony Board of Trustees  
820 Highway 478, Anthony NM 88021  
& Conference Call  
Wednesday, May 5, 2021  
6:00 P.M.  
**MINUTES**

Mayor Diana M. Trujillo  
MPT Fernie Herrera  
Trustee Elva Flores  
Trustee Javier Silva  
Trustee Gloria Gameros

You can join meeting using your phone by dialing.

United States: +1 (872) 240-3212

Access Code: 122-780-765

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 - at 6:08PM

2. **PLEDGE OF ALLEGIANCE** led by Trustee Silva

3. <b>ROLL CALL</b>	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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*Traduccion del ingles al español y del español al ingles esta 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 recuse yourself from voting.

5. **APPROVAL OF AGENDA ORDER**

**ROLL CALL**

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

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

6. **APPROVAL OF MINUTES**

a) Regular Meeting – 04/21/2021

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

**Roll Call:**

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

7. **ITEMS FROM THE FLOOR – PUBLIC COMMENTS**

- **Ms. Yolanda Alvarez:** Resident at 135 Anthony Dr. having problems with Zumba business (tenant). Noise complaint was placed with Anthony Police Department. Warning issued, but Zumba business had to

continue. City noise pollution ordinance is outdated. Requested the board to update ordinance to include a machine that can read the noise levels.

- **Mayor Trujillo:** Thank you, Ms. Álvarez for your input.
- **Mr. Adrian Perez** – Emailed Projects Coordinator and Mayor. Requested Adams baseball field to be accessible for softball. Adams Park should be usable for choice of sport without excluding women. Current design does not accommodate softball. City should install features for both sports.
  - **Mayor Trujillo:** Thank you Mr. Perez; City manager will follow up on this.
- **Mr. Ramon Esparza** – Petition for Adams Park; Many people use walking path to walk and exercise. The new park should have walking paths for residents. It should incorporate shade with benches to benefit residents also.
  - **Mayor Trujillo:** Thank you, Mr. Esparza
- **Chief Ordonez** – Advocates for the amendment of noise ordinance. There should be safe exposure limits in the ordinance. Will present proposed changes to City manager to represent a more current version.

## 8. PRESENTATION

- a) Presentation of Capital Outlay and junior funds grants award. **Presented by Representative Doreen Gallegos**
  - **Representative Doreen Gallegos:** Legislative session met this year via Zoom. Only legislators were allowed into the building. It was difficult talking to caucus members; Very hard to get information from one legislator to another. Anthony did very well on capital outlay.
    - Chief Ordonez did very well; This is a tribute to work she has done in this area. Representatives made sure she has the tools to continue keeping our community safe. Chief asked for \$20,000.00. Usually it's advisable to ask in increments of \$50,000. Two legislators placed two \$20,000.00 requests making it \$40,000.00. Representative Gallegos placed \$50,000 into Junior funds for police department, making it a total of \$90,000. These will help with speed monitors throughout the City. Stressed the junior money has to be spent first as it cannot be carried over.
    - Anthony Youth farm market structure- \$100,000 (These funds are under Dona Ana county)
    - Duffer Lane - \$100,000.00
    - Anthony Parks & Recreation - \$70,000
- b) Presentation of Safe Wise seventh annual Safest Cities report, Anthony NM as No.4 of the safest cities in New Mexico. **Presented by Chief of Police**
  - **Chief Ordonez** – Anthony in the top 10 safest cities; We moved from number 7 to number 4 this year. Safety is society's prime concern. What makes Anthony safe is a team effort from legislators, the community, local law enforcement, officers, staff and other stakeholders.
    - **Trustee Flores** - Thank you Chief: You strive so high, which makes us safe.
    - **MPT Herrera** – Thank you
    - **Mayor Trujillo** – For the 11 years I've been with the city, I have not seen a Chief who does more administrative work and out in the field assisting officers.
- c) Presentation of Livesay & Acosta Street traffic study. **Presented by Eric Hamilton – Engineer PE, CFM**
  - **Eric Hamilton:** Traffic counters were placed at two separate locations along Acosta Road for a 120-hr period from 1/28/2021 to 2/2/2021 and along Livesay Street for a (72)-hour period from 1/25/2021 to 1/28/2021.

**Recommendation:**

**1. Option No. 1: Traffic Control Devices to include Signage and Striping**

- This option includes the implementation of speed limit regulatory and advisory signs including pavement markings such as speed limit marking and or "SLOW DOWN" markings on the travel lane.

**2. Option No. 2: Speed Humps: This option includes the implementation of designed speed humps; Typically, 12 feet in length along the vehicle travel path and 3 inches in height.**

- **Trustee Silva:** Stops signs have been effective; The cost of speed bumps is high.

- **Eric Hamilton** – Doesn't disagree. Most cost effective are stop signs. Four stop signs were just a starting point. It requires further analysis.

- **Trustee Silva** – Acosta requires a lot more humps. Residents might claim wear and tear. Recommend we put stop signs to assist police officers. We are under-staffed.

- **Trustee Gameros** – Agreed with Silva about stop signs.

- **Trustee Gameros** – Suggested placing new line item in upcoming budget of \$33,000 for traffic calming.

**9. CONSIDERATION AND ACTION**

a) Consideration and Action to approve a proclamation declaring May 6th as National Day of Prayer. **Presented by Charles Wendler**

o **City Manager** – reads proclamation.

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

**Roll Call:**

MPT Fernie Herrera **YES** NO

Trustee Gloria Gameros **YES** NO

Trustee Elva Flores **YES** NO **4 to 0, motion passed.**

Trustee Javier Silva **YES** NO

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

b) Consideration and Action to accept ERATE funding FY 2021-2022 for the amount of \$9,752.76 for Library fiber optic internet. **Presented by Projects Coordinator**

o **Project Coordinator** – E-rate award is \$8,777.48, City Match is \$975.28 for a total \$9,752.76. This year we received a little more than last year.

- **Trustee Silva** – Is this for new fiber?

- **City Clerk:** It's for existing fiber optic internet. We have an on-going contract with Century Link. We pay a monthly bill. E-rate helps the library pay for services.

- **Projects coordinator:** We pay a bill of \$812.73 /month.

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

**Roll Call:**

MPT Fernie Herrera **YES** NO

Trustee Gloria Gameros **YES** NO **4 to 0, motion passed.**

Trustee Elva Flores **YES** NO

Trustee Javier Silva **YES** NO

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

c) Consideration and Action to approve construction management change order of \$10,442.95 (excluding NMGR). **Presented by Projects Coordinator & Eric Hamilton – Engineer PE, CFM**

o **Project Coordinator** – this work order is for 4<sup>th</sup> St. phase 1

- **Eric Hamilton** – Project was completed late 2020. Documentation by staff is done after. All federal grants were reimbursed. We exhausted agreement amount in Oct 2020.

- Mr. Alden Elwess with NMDOT District One Audit Division provided written confirmation of final project close out compliance on April 20, 2021.
- Wilson exhausted contract amount on October 26, 2020 and since has tracked the associated effort over the last six months. Wilson & Co had intentionally delayed this supplemental request until the project was fully closed out and the City was fully reimbursed.
- **Trustee Gameros** – Which fund number is this?
- **Project Coordinator - Fund 302**

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

**Roll Call:**

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

- d) Consideration and Action to approve Dos Lagos phase one material of choices and finishes of the Multi-Generational campus. **Presented by Marvin Chavez, PMP Wilson & Co, Inc.**
- **Marvin** – Marvin will send material choice then make decision at a later date.

**Motion to postpone**

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

**Roll Call:**

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

- e) Consideration and Action to enter into one-year audit service contract with Beasley Mitchell & Co. **Presented by City Manager**
- o **City Manager** – One-year contract did not affect price quoted.
    - **Trustee Gameros** – This contract is the same as the one last meeting dated March 8, 2021.
    - **Alan Dahl** – Contract has some ambiguity since we requested 1-year total inhibiting renewal. May need to be more specific and that its not to auto renew.

**Motion to post pone**

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

**Roll Call:**

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

- f) Consideration and Action to approve a proclamation declaring May 2 through May 8 Professional Municipal Clerks week. **Presented by City Manager**
- o **City Manager - Read Proclamation**
    - **Trustee Gameros** – Thank, City Clerk for great work
    - **MPT Herrera** – Thank you

- **Trustee Flores** – She is amazing; We are blessed to have her.
- **Mayor Trujillo** – You get to have a week. Thank you for all you do.

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

**Roll Call:**

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

- g) Consideration and Action to approve **Resolution 2021-018** a resolution adopting employee’s handbook amendments. **Presented by City Manager & Alan Dahl- City Attorney**
- **City Manager:** These are suggested additions to handbook around annual vacation accruals.
  - **Alan Dahl:** There is new sick leave legislative mandate to start year 2022. The changes were supposed to reduce the excessive ambulatory language.

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

**Roll Call:**

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

- h) Consideration and action to approve **Resolution 2021-019** a resolution relating to the Open Meetings Act and updating the governing body’ regular meeting dates and times. **Presented by City Clerk & Alan Dahl- City Attorney**
- o **Alan Dahl** – There is no limit or revising this resolution. Changes are to now have board meeting on 1<sup>st</sup> & 3<sup>rd</sup> Thursday of the month from August to December. Firm will have someone to attend meetings.

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

**Roll Call:**

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

- i) Consideration and Action to approve and amended Library assistant job description. **Presented by City Manager**
- o **City Manager** – This is staff’s attempt to update another Job Description – Key changes include adding reading program duties.

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

**Roll Call:**

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

**10. ORDINANCE SECOND READING**

- A. ORDINANCE 2021-001 an ordinance of the City of Anthony Approving franchise agreement with Charter Communications.

**First reading:** April 21<sup>st</sup>, 2021

**Notice of publication date:** April 8<sup>th</sup>, 2021

**Public Comments/Discussion:** April 21<sup>st</sup>, 2021 and May 5<sup>th</sup>, 2021

**Consideration and Action to pass:** May 5<sup>th</sup>, 2021

- *City Manager - Staff requests approval of franchise ordinance with Charter Communication.*

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

**Roll Call:**

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

**11. CLOSED SESSION:**

- a) NOTICE IS HEREBY GIVEN that the City of Anthony Board of Trustees will meet in Executive Session subject to the following:
1. Pursuant to NMSA 1978, Section 10-15-1 (H)(2) to discuss Investigation of personnel matters within police department.
  2. Pursuant to NMSA 1978, Section (§ 10-15-1(H)(7) to discuss threatened litigation pertaining to Igou Road.

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

**Roll Call:**

MPT Fernie Herrera **YES** NO  
Trustee Gloria Gameros **YES** NO *4 to 0, motion passed at 8:02 PM*  
Trustee Elva Flores **YES** NO  
Trustee Javier Silva **YES** NO  
~~Mayor Diana M. Trujillo YES NO~~

b) **OPEN SESSION**

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

**Roll Call:**

MPT Fernie Herrera **YES** NO  
~~Trustee Gloria Gameros YES NO Absent~~  
Trustee Elva Flores **YES** NO *3 to 0 passed at 9:31PM*  
Trustee Javier Silva **YES** NO  
~~Mayor Diana M. Trujillo YES NO~~

12. **ITEMS FROM THE CITY CLERK - NONE**

13. **ITEMS FROM THE CITY MANAGER**

- **City Manager:** Recommended an RFP for on-call engineering services not an action item right now, but might require budgeting for next year. Other cities are doing similar RFP's. Funds can be under City Manager budget.
- Challenges include traffic study was performed pro-bono as there is no mechanism to pay Wilson and Co.

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

- **Trustee Silva** – Good to see that work is underway at Adams Park.
  - Soccer field grass has been watered. It looks good. Requested weed removal
  - **City Manager** – Public work just brought weed and feed. They plan to work on this.
- **Trustee Flores** – No items.
- **MPT Herrera** – Requested an ordinance to control ATV / UTV in the City, especially City streets.
  - People have been popping fireworks. Thanks to our Police department, which responded last week. It's so dry we could have fire spread. There is a deadline if board will approve fireworks.
  - Requested City preliminary budget as soon as possible. We need to work on budget in a timely manner.
  - **Mayor Trujillo** – Thank you. City Manager planned to have preliminary budget this month.
  - **City Manager** – Yes, I spoke to finance officer about this today.
- **Mayor Trujillo** - Had a meeting with Congressman Lujan. He was assisting with applications for Anthony grants. First time senator sat to apply grant with us.

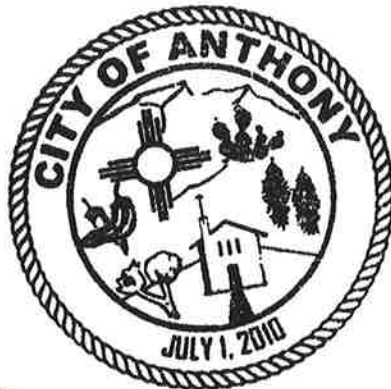
**15. ADJOURNMENT**

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

**Roll Call:**

MPT Fernie Herrera    **YES**    NO  
 Trustee Gloria Gameros ~~YES~~ ~~NO~~ Absent  
 Trustee Elva Flores    **YES**    NO **3 to 0 passed 9:31PM**  
 Trustee Javier Silva    **YES**    NO  
 Mayor Diana M. Trujillo ~~YES~~ ~~NO~~

  
 Diana Murillo-Trujillo, Mayor



{SEAL}  
 ATTEST:



Esther Motongo, City Clerk