

REGULAR MEETING
City of Anthony Board of Trustees
Venue: 820 Highway 478, Anthony NM 88021
& Conference Call

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

Thursday, May 5, 2022

6:00

P.M.

MINUTE

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You can join meeting using your phone by dialing.

United States: [+1 \(408\)650-3123](tel:+14086503123)

Access Code: [533-509-101](tel:+14086503123)

Please join meeting from your computer, tablet or smartphone.

<https://meet.goto.com/533509101>

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 M. Trujillo

2. **PLEDGE OF ALLEGIANCE** led by Diana M. Trujillo

3. ROLL CALL	Present:	MPT Elva Flores	YES	NO
		Trustee Javier Silva	YES	NO
		Trustee Daniel Barreras	YES	NO
		Trustee Gabriel I. Holguin	YES	NO
		Mayor Diana M. Trujillo	YES	NO
		Established Quorum	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 with the addendum.**

1st Motion: MPT Flores 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	3 to 1 Vote, Motion Passes
Trustee Daniel Barreras	YES	NO	
Trustee Gabriel I. Holguin	YES	NO	
Mayor Diana M Trujillo	YES	NO	

6. **ITEMS FROM THE FLOOR – PUBLIC COMMENTS-**(public will be allowed 3 minutes presentation)

7. **APPROVAL OF MINUTES**

a. Special Meeting: 3/14/2022

1st Motion: MPT Flores 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	
Trustee Daniel Barreras	YES	NO	3 to 1 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO	- Abstain
Mayor Diana M Trujillo	YES	NO	

8. **PRESENTATION**

a. Presentation regarding South Central Regional Transit District, **Presented by David Armijo- Executive Director South Central Regional Transit District**

David Armijo: There are big plans for the southern part of Doña Ana County and Anthony plays a

very critical role in the that process. There are key points to this presentation; current reviewing all services in South Doña Ana County, services that are funded through the urbanized area of El Paso Metropolitan Organization which includes Anthony, also the process of public outreach for the three-year plan which is in place in order to meet our funding requirements. After two years of negotiations there are finally receiving those Federal funds for the Texas and New Mexico side. Other key points, we are now looking at planning demand response paratransit service but it could take up to two years to have that in place. Also, the Fare Policy, El Paso would like a policy that's comparable to theirs, which tends to be more expensive to the community. Finally, the service element which would hopefully give opportunities in the public arena. They are growing, leave the message that although there is no regular meeting, there are working hard to grown the service in the region and community, which covers all Doña Ana County.

Trustee Silva: The pickup in Anthony by the Police department, what can be done about the lack of shade and benches for the residents while they wait?

David Armijo: There is equipment available it just starting the actual physical work that takes time. On a separate note, we are in discussion with the electric company because we're on the electric bus grant and we're expecting those to be up and running in 2 to 3 years.

9. CONSIDERATION AND ACTION

- a. Consideration and Action to approve National Day of Prayer Proclamation, **Presented by Charles Wendler, NDP Task Force Coordinator**

1st Motion: Trustee Silva **2nd Motion:** MPT Flores

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- b. Consideration and Action to approve trailer purchase for Public Works Department, **Presented by Public Works Supervisor**

Public Works Supervisor: Due to the pandemic it was hard to get a trailer that were needed, I was able to find two near by will help with equipment loading for perform city duties. \$29,150 and the approved budget was \$30,000 so we are under that. There would be additional things needed to be able to pull these trailers such as kits that need to be installed but that would fall under a separate line item and since it's under the \$2,500 Procurement Clause, there was no need to bring that up.

1st Motion: Trustee Silva **2nd Motion:** MPT Flores

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- c. Consideration and Action to approve FTO Officers Incentives **of four hours of Comp Time per pay period during training period for new officers. Presented by Interim HR**

HR: Chief of Police has a concern on the FTO training since the department has been having problems with retention. There are no incentives for their 5-week training such as extra pay or monetary incentive, Chief Ruiz had suggested due to budget constraints to add an additional 4 hours of comp time per pay week, totaling to about 12 hours for those 5 weeks while training newcomers. We came to agreement that with the strain of their daily work these additional comp

hours will help with burnouts and help with retention issues.

Original 1st Motion: MPT Flores 2nd Motion: Trustee Silva

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

To Amend 1st Motion: Trustee Silva 2nd Motion: Trustee Holguin

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

d. Consideration and action to amend Handbook Sections 1:12 Part-Time and Temporary Employees & Section 18: Benefits Coverage, *Presented by Interim HR*

HR: *Section 1.12 of the handbook states: "Part-time and temporary employees may not be eligible for some benefits provided by the city..." with the hiring of a temporary Police Officer and the trouble we have with finding and keeping quality candidates, Sgt. Guerrero and Chief Ruiz are also requesting this exclude officers.*

Chief Ruiz: *My only concern would be that if our temporary employees are not having benefits, if they get injured during the line of duty, despite Workers Comp, it would be hard to tell the man or woman to come work and potentially be in harms way and have no benefits if something were to happen.*

HR: *the budget does include the temporary officer having benefits.*

Trustee Silva; *Why is there a need for a temporary officer?*

HR: *With the moves happening in the department, with Chief Ordoñez and Officer Phillips both out on military leave, there has been some position moves for some of the officers leaving them short a patrol officer.*

City Attorney: *My recommendation if it no time sensitive to postpone until the next meeting to draft up a resolution as well to track changes that are being made to the Handbook.*

HR; *It is time sensitive; we have 30 days from date of hire for open enrollment and although this officer is working full time they are not employed as full time thus not eligible for benefits like a regular full-time employee, "temporary" being the key work and what is said in the handbook they are without benefits.*

Section 1.12 will read *"with the exemption of police department employees, whose temporary police officers are eligible for accrued personal leave. Any employee converted from part-time to full-time will receive full benefits to all provisions. The effective date of this change is considered to be the employee's new anniversary date as it applies to tenured reviews, time off accruals unless the employees has already accrued benefit as provided above."*

Original 1st Motion Trustee Silva 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

With Amendment 1st Motion Trustee Silva 2nd Motion: Trustee Holguin

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO

Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- e. Consideration and Action to approve Employee Handbook with previous amendments included, **Presented by MPT Flores**

1st Motion: Trustee Barreras 2nd Motion: MPT Flores

MPT Flores: *Item will be posted due to corrections that are still needed that will need revision by the City Attorney.*

To Postpone 1st Motion: MPT Flores 2nd Motion: Trustee Holguin

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- f. Consideration and Action to amend Police Officer Job Description, **Presented by Interim HR**
HR: *Error in the current job description, under job summary statement "there is probationary period of six months from the date of employment" which contradicts itself with what is stated in the Police Department SOP under section V it states "there will be provisional period of 12 months from the date hire". Seeking approval to match those two at 12 months to eliminate any contradiction.*

1st Motion: Trustee Holguin 2nd Motion: MPT Flores

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO ___to___, Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- g. Consideration and Action to transfer \$3,500 from line item, 101-11-63100 (Supplies) to line item 101-11-63400 (uniforms), **Presented by Neighborhood Services Supervisor**
Neighborhood Services Supervisor: *Reason behind this request is due to the new hire that will soon be starting also requesting for more breathable uniforms, newer body armors.*

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

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- h. Consideration and Action to approve Resolution 2022-010, a resolution to amend the standard operating procedures for the Neighborhood Services Department, **Presented by Neighborhood Services Supervisor**

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

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes

Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- i. Consideration and Action to approve the lease agreement between the Anthony Water & Sanitation District and the City of Anthony, **Presented by Mayor Trujillo**

1st Motion: Trustee Holguin 2nd Motion: MPT Flores

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- j. Consideration and Action to amend resolution 2022-001, a resolution amending governing board schedule *set regular meetings for the first and third Wednesday of the month at 6:00pm for the Board of Trustee Meeting dates*, **Presented by Mayor Trujillo**

Mayor: Resume previous schedule of scheduled meetings every 1st and 3rd Wednesday of the month and remove El Paso Electric posting since we have been having problems.

City Attorney: My recommendation would be to change the way that it is formatted on the agenda, add to "set regular meetings for the first and third Wednesday of the month at 6:00pm for the Board of Trustee"

Original: 1st Motion: MPT Flores 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

With Amendment: 1st Motion: MPT Flores 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

10. 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-(H)(8) Discussion of Limited Personnel Matters, to discuss Police Department, Neighborhood Services Department, and City Manager.

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

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

- b. Motion to return to open session

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

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO

Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

11. CONSIDERATION AND ACTION

a. Consideration and Action to approve Officer Alejandra Ontiveros 812 as Neighborhood Services Officer with a pay rate of \$11.75 for the Neighborhood Services Department

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

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

b. Consideration and Action to approve Officer Julian Martinez A39 as Temporary Police Officer with a pay rate of \$17.19 for the Anthony Police Department

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

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

c. Consideration and Action to approve a take home unit for Ofc J. Martinez

Chief Ruiz: *Requesting an extension of 8 miles from the 32 miles radius requirements for take home units, Ofc. Martinez lives 40 miles away and it would be beneficial with that extension to allow the take home unit and allow Ofc. Martinez to respond if a call is made. With this unit not only would it be an incentive but also if needed at any point of time with whatever equipment needed.*

1st Motion: MPT Flores 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

d. Consideration and Action to approve Mario Juarez-Infante as Interim City Manager *with formal terms of employment to follow.*

Trustee Silva: *there is some concerns of conflict of interest due to previous employment with Wilson and Co., and the kind of message that send to other contractors that have done bidding. Other concerns that Trustee Holguin and I recommended other individuals (Al Flores and Jose Loerra) and they were denied an interviews. It is a thin line between Mr. Infante's previous work with Wilson and the work to come with the City and the contract with Wilson that the City of Anthony currently has.*

MPT Flores: *to make things clear for the public, those two names have never been mentioned in any meeting*

Mayor: *for the minutes " I never got an e-mail from Trustee Holguin or Trustee Silva of any candidates to be brought in for Interim City Manager or a phone call because I hardly talk to both of them"*

Trustee Holguin: *for the records "Amanda Cardona, Julia Brown and Eddie Estrada Jr. to be*

contacted " it is in the minutes that it would be posted to help elevate stress and pay was increased to help it was never posted like the City Clerk position. There is also some concern with Mr. Infante as Interim City Manager and it is not personal but more ethical, we were voted in to do ethical things, we might all have a personal option but we are working together and after voting it would be the ethical thing to do.

City Attorney: since there is no employment terms yet for the interim position, I would recommend you amend the original and adding to the end with formalization of employment terms to follow that would allow the City to work with Mr. Infante to formalize a contract and then the contract with come to the board for approval and have him start when the terms are finalized.

Original 1st Motion: Trustee Silva 2nd Motion: MPT Flores

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 3 to 2 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

With Amendment 1st Motion: MPT Flores 2nd Motion: Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 3 to 2 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana M Trujillo	YES	NO

12. DISCUSSION

a. Discussion of the City Ordinance 2019-002, an Ordinance of the City of Anthony to provide for the hiring of the City Manager, **Presented by Trustee Holguin**

Truss Holguin: In regards to Ordinance, I amend it to hold a Special Meeting for future purposes for the appointment of the Interim City Manager, I will be appointed by the Mayor with advise and consent of the governing body, the appointment of the Interim City Manager shall be discussed in closed session by the governing body for consideration and action in open session. The trustees may suggest and recommend for individuals to the Mayor for Interim position, consideration of the appointment by the governing body shall take place the next regular meeting following notice of termination without good cause or resignation by the City Manager, if the Mayor does not recommend anybody by the next meeting the governing will bring recommendation to a vote. The appointment of the Interim City Manager shall be discussed in closed session and for consideration and action in open session.

MPT Flores: I complete disagree with this, in the past we have stripped her of some of her rights, I feel we should leave it up to her as Mayor, we need to move forward.

Trustee Holguin: this is not stripping rights, it was the way it was done, the ordinance was not followed, we should have had an Interim City Manager at the following meeting and we did not have that. What I am fighting for is to follow the Ordinance in place, if we don't like any amendment then we change that.

13. ITEMS FROM THE CITY CLERK- NONE

14. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Barreras: I have some request from a few residents if we can help them with the dumpsters like a few years ago. And there are a few potholes on Davis St that are concerning for some elderly residents that might fall.

MPT Flores: for the records would like Trustee Holguin to remove any negative comments that he might have made on the issues of the lack of City Manage from his social media. She has been bullied and threaten by some residents if she did not vote a certain way.

Trustee Holguin: *I will not remove anything from social media, it is for the records and can be made public. Although I received some emails as well, I never felt threaten. I would like Public Works look over stop sign on McDonald and Church Street.*

Mayor: *I have complaints since Trustee Holguin has come on the board with this grandiose personally, with the negativity and lying. We are a group and should be working together, Trustee Holguin will not make this city look back, the only one that will look bad will be you.*

15. ADJOURNMENT at 9:04pm

1st Motion: Trustee Silva **2nd Motion:** MPT Flores

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO 4 to 0 Vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO



Diana M. Trujillo, Mayor



{SEAL}
Attest:



Karla Oropeza, City Clerk