

Oscar Dominguez  
City Manager

**REGULAR MEETING**  
**City of Anthony Board of Trustees**  
**820 Highway 478, Anthony NM 88021**  
**& Conference Call**  
**Wednesday, July 21, 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 the meeting using your phone by dialing.

**United States: +1 (646) 749-3335**

**Access Code: 211-674-173**

All members of the public entity participating remotely must identify themselves whenever they speak and must be audible to the other members; the public will be allowed 3 minutes presentation on agenda number 7.

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 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 ingles al español y del español al ingles esta disponible a petición.*

4. **CONFLICT OF INTEREST**

5. **APPROVAL OF AGENDA ORDER**

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 vote, motion pass.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

6. **APPROVAL OF MINUTES**

a) Budget Hearing – 05/29/2021

b) Budget Hearing – 07/07/2021

c) Regular Meeting – 07/7/2021

- *Trustee Flores: these are minutes for 6/29/2021, not 5/29/2021*

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 vote, motion pass.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

7. **ITEMS FROM THE FLOOR – PUBLIC COMMENTS – None**

8. **PRESENTATION**

- a) Presentation of infrastructure Capital Improvement Plan (ICIP) FY 2022-2026 for public input. **Presented by Projects Coordinator**

- **Projects Coordinator:** *The ICIP establishes planning priorities for anticipated capital projects. We need residents' input; Survey Monkey will be posted on Facebook and the city website. Fliers will be posted in 6 city locations.*
- **Mayor Trujillo:** *There will be a questionnaire survey sent by mail, not paid by the City.*

9. **CONSIDERATION AND ACTION**

a. Consideration and action to approve the Dos Lagos Phase I project construction documents. **Presented by Marvin Chavez, Wilson & Company.**

- **Marvin Chavez:** *We are here to request approval of the Dos Lagos Phase One construction documents that were submitted to the city on 7/12/2021. We have further developed them and are ready to submit for bidding. Advertisement to bid will be out on July 25<sup>th</sup>, 2021.*
- **MPT Herrera:** *Does this construction include the roadway?*
- **Marvin Chavez:** *Yes, it does include option one that was approved during the schematic design and the design development process. There have been no changes to the design based on the design development approval.*

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 vote, motion pass.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

b. Consideration and action to approve Recreational Cannabis dispensary within City limits. **Presented by James-Joseph Flores**

- **James- Joseph Flores:** *I am a current Anthony, New Mexico resident from the surrounding area. I want to formally let you know that I want to open up a recreational dispensary within our city limits, bringing some sort of positive revenue to our small little town. The city of Clovis was able to add a police force, infrastructure improvement, and educational program improvement after opening a dispensary. We are looking at a location in the Shopping Center on Main street close to Pic-quick and a warehouse where they work on countertops.*
- **Mayor Trujillo:** *The recreation dispensary is not until next year in April, is that correct?*
- **Mr. Flores:** *Correct: The Cannabis Control Division will start issuing licenses to growers in September. The sale of recreational cannabis will not be able to take place until April first of 2022. Dispensary store licenses will be out no later than January 15th, 2022.*
- **Trustee Silva:** *Will you grow here within the city limits or you are going to grow from outside and then plan to move it to the store?*
- **Mr. Flores:** *The warehouse is by I-10 is where we will have our grow system. With our license, we can transport on public roads to get it down to our storefront.*
- **Trustee Flores:** *We learned from the training today about cannabis. We should get together to create an ordinance to have something to follow.*
- **MPT Herrera:** *The warehouse mentioned is not in the city limits.*
- **City Manager:** *I requested our attorney draft an ordinance and to keep it as basic as possible, given the limited information we have at this point.*
- **Alan Dahl- City Attorney:** *In approving a cannabis location or operation the City would, of course, need to know what its rules are. Because there is no ordinance in place that would even allow approval, my understanding at this point is simply that the laws are being centrally administered by the state.*

*Municipalities have a very narrow set of things that we are allowed to regulate. At the moment, we simply don't have that framework in place. We just have to get that ordinance in place.*

- **Trustee Gameros:** *So, just what Alan Dahl, City Attorney stated, I do believe that we need to postpone item 9b. until we get an ordinance situated & approved by the board and I agree with Trustee Silva that we need to sit down once the attorney has the ordinance. Then everybody can have a say in what they want. I move to postpone item 9b.*

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

c. Consideration and action to approve TextmyGov proposal of \$3,250.00 service agreement from GL: 101-15-63000. **Presented by IT Manager**

- **IT Manager:** *This service will allow our city residents to be able to send in any kind of issues that they encounter to staff directly. They will be able to send a text with a picture and just a couple of sentences telling us where the problem is and in which location. This software will allow our Public Works & Neighborhood Services to respond to create a record. The software does not use an app. It is more for texting purposes for any type of phone. Some of the responses would be programmed. If somebody has to get back to them, it will be handled by the system and then it will either give it to Public Works or it'll give it to Neighborhood Services. The messages will come into the report, text is not archived it's converted to a report.*

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 vote, motion pass.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	<del>YES</del>	<del>NO</del>

d. Consideration and action to approve DUDE Solutions agreement for Public Works, IT department & Neighborhood Services Department to replace current iworqs software for \$39,234.33 from GL: 101-15-63000. **Presented by IT Manager**

- **IT Manager:** *This software would replace the current Iworq system. This system is meant to be used by Public Works, IT, and Neighborhood Services departments. Instead of writing it down on a little Post-it, they can put it on their phone and automatically create a workflow for whatever issues that they might see out on the road. Another difference between this system and Iworq is that Neighborhood Services would have a way to implement an online/automated payment system.*
- **Trustee Gameros:** *Is the \$39,234.33 a one-time payment?*
- **IT Manager:** *It's about \$6000 a year.*
- **Trustee Gameros:** *Looking at the procurement of items above \$20,000 and below the \$60,000, would this be considered professional services?*
- **Alan Dahl:** *I don't think it falls into the realm of professional services, which are, lawyers, engineers, accountants. These are probably just tangible items that require 3 quotes.*
- **Trustee Gameros:** *I move to postpone item 9e. for two additional quotes.*

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 4 to 0 vote, motion pass. Item postponed.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

e. Consideration and action to approve Finance department budget FY 21-22 amendment to include dental insurance. **Presented by Finance Officer**

- **Finance Officer:** I decided to keep my dental insurance. I'm proposing amendments GL 101-14- 50345 to add \$1,024.96
- **Trustee Flores:** Did the employee meet the deadline to add insurance?
- **City Clerk:** Yes, he met the insurance deadline and they already approved.

**Motion amend item 9E for consideration and action to approve Finance department budget FY 21-22 amendment to include dental insurance and the amount of \$1,024.96**

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

**Motion to approve item 9E as amended.**

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 vote, motion pass.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

f. Consideration and action to approve **Resolution 2021-026** a resolution approving budget adjustment (Q4) for the fiscal year 2020-2021 for the City of Anthony, NM. **Presented by Finance Officer**

- **Finance Officer:** This is to close the last fiscal year and to put all the GL accounts or the line items to the correct amount. Some of them were over budget; Mainly expenses for all departments and some revenues we under-budgeted.
- **Trustee Gameros:** Since the board did not have this information before the meeting, requested the finance officer to review the document.

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 vote, motion passed.
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

g. Consideration and action to approve finance department Policies & Procedures amendments. **Presented by City Manager – post poned 8/4**

- **City Manager:** This has been a work-in-progress amongst several staff including the finance officer, procurement clerk & city clerk. Trustee Gameros suggested some edits that came in this afternoon. Staff was not able to integrate those changes, just because of the timeframe when they came in. We would understand if the board wants to postpone this item.
- **Trustee Gameros:** I would like to let the board know that I requested to have edits to the Procurement Section 13 and I also request to have this at the next board meeting.

**Motion to postpone item for the next board meeting.**

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	3 to 0 vote, motion pass. Item postponed
<del>Trustee Elva Flores</del>	<del>YES</del>	<del>NO</del>	<del>absent- network disconnection.</del>
Trustee Javier Silva	YES	NO	
<del>Mayor Diana M. Trujillo</del>	<del>YES</del>	<del>NO</del>	

h. Consideration and action to approve a proclamation declaring August 3, 2021 as National Night Out day. **Presented by Chief of Police.**

- **Chief of Police:** I'm respectfully requesting that we proclaim August 3, 2021, as National Night out. This provides a unique opportunity for the City of Anthony to join forces with thousands of other communities across the country in promoting cooperative policing and community crime prevention efforts.

*\*Read Proclamation.*

1<sup>ST</sup> motion: Trustee Silva 2<sup>ND</sup> motion: Trustee Gameros

MPT Fernie Herrera	YES	NO	
Trustee Gloria Gameros	YES	NO	4 to 0 vote, motion pass.
Trustee Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	
<del>Mayor Diana M. Trujillo</del>	<del>YES</del>	<del>NO</del>	

i. Consideration and action to accept Memorandum of Agreement between Dona Ana County sheriff's office and the city of Anthony police department for increased border security and protection under operation Stone Garden for \$42,156.00 FY 21-22 GL: 242. **Presented by Chief of Police**

- **Chief of Police:** This request will help police officers to have the ability to work overtime projects, which will allow for increased border security and protection under this grant. It helps to show law enforcement's presence throughout our border. Our police department does not enforce any immigration violations. This is strictly for intercepting drug-related activities, domestic terrorism, or anything that can prevent those types of incidents in our community.
- **MPT Herrera:** Is the City receiving \$42,000 or is it being sent to the county?
- **Chief of Police:** This grant is based on the reimbursement process: We have to report activity to the federal government, in turn, they reimburse us whatever is the overtime worked and mileage used.

1<sup>ST</sup> Motion: Trustee Silva 2<sup>ND</sup> Motion: Trustee Gameros

**Roll Call:**

MPT Fernie Herrera	YES	NO	
Trustee Gloria Gameros	YES	NO	4 to 0 vote, motion pass.
Trustee Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	
<del>Mayor Diana M. Trujillo</del>	<del>YES</del>	<del>NO</del>	

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)(7) to discuss threatened litigation Tort Claim dated the July 8, 2021 Tort Claim Notice provide by Scherr Legate PLLC on behalf of Jesus Ponce de Velo.

1<sup>ST</sup> Motion: Trustee Silva 2<sup>ND</sup> Motion: MPT Herrera

**Roll Call:**

MPT Fernie Herrera	YES	NO
Trustee Gloria Gameros	YES	NO 4 to 0 vote, motion passed at 8:30 pm
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

Mayor Trujillo: No decision was made during the closed session.

B. **OPEN SESSION**

1<sup>ST</sup> motion: Trustee Silva 2<sup>ND</sup> motion: MPT Herrera

**Roll Call:**

MPT Fernie Herrera	YES	NO
Trustee Gloria Gameros	YES	NO 4 to 0 vote, motion passed at 8:57 pm
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Mayor Diana M. Trujillo	YES	NO

11. **ITEMS FROM THE CITY CLERK - None**

12. **ITEMS FROM THE CITY MANAGER - None**

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

- *Trustee Silva: Request staff to fix potholes on Grant Street*
- *Trustee Gameros: No items*
- *Trustee Flores: No items*
- *MPT Herrera: Request staff to look into city zoning and find out if the property by freeway proposed for cannabis is in city limits. Request staff to fix the trench by Madero Street and Anthony Drive.*

14. **ADJOURNMENT**

*Motion to adjourn*

1<sup>ST</sup> Motion: Trustee Silva 2<sup>ND</sup> Motion: MPT Herrera

**Roll Call:**

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

  
 Diana Murillo-Trujillo, Mayor

{SEAL}

ATTEST:



Esther Motongo, CMC - City Clerk

