

REGULAR MEETING
City of Anthony Board of Trustees
Venue: 820 Highway 478, Anthony NM 88021
& Conference Call
Wednesday, August 17, 2022
6:00 P.M.

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

MINUTES

You can join meeting using your phone by dialing.

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Please join meeting from your computer, tablet or smartphone.

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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;

1. **CALL TO ORDER** by Mayor Diana Murillo

2. **PLEDGE OF ALLEGIANCE** led by Diana Murillo

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 Murillo	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. **APPROVAL OF AGENDA ORDER**

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

Roll Call Vote:

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

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

Robert Piñon and Abby Heredia, members of the community. Asking to start a committee about starting a city team for community members both kids and adults. Interest letter would be drawn up to start and seek requirements to start committee

6. **DISCUSSION**

a. Discussion of Petition for Timbers St and Donaldson Ave drainage, **Presented by Ms. Alex Jimenez, City of Anthony Resident.**

Alex and Ana Jimenez, collected signatures and provided pictures of damage on Donaldson and Timber St. due to rain. Community members have done their part in trying to help and prevent damage, several neighbors throughout the years have had the same complaint. Seeking help from pressure of doing their temporary solutions

Trustee Silva: Voiced the importance of addressing this major issue as soon as possible

City Manager: Problems not only impacts home owners but also pedestrians, would like it to be a Colonia's project to make it a priority funding next year

Trustee Holguin: Requesting time line for this solution due to urgency as there was been multiple complaints

Interim City Manager: BoT must vote on it being set as a priority, can set notice of intent in fall, application around January, looked into for approval in April/May, bond would be sold around summer. We would not see funding agreement until Oct. 2023., then their design process, submit for construction funding would not see actual construction for 2-3 years

Trustee Silva: would like to address it with the water company as a temporary solution, possible rerouting the

water.

Interim City Manager: Unfortunately, regrading or redirecting flow we would be taking on the liability without proper testing.

Board came to the conclusion that they will be making this a priority for the upcoming fiscal year

7. CONSIDERATION AND ACTION

- a. Consideration and Action to approve Resolution 2022-023, a resolution approving the FY 2024-2028 ICIP, **Presented by Projects Coordinator, and Tiffany Goolsby, SCCG**

New ICIP (Infrastructure Capital Improvement Plan) for 2024-2028, was presented and approved, that highlighted the coming infrastructures improvements for the community such as Anthony Street and sidewalk improvements, transfer station, Anthony Health and Wellness, Anthony flood control improvements and Anthony Economic development infrastructure.

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

Roll Call Vote:

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

- b. Consideration and Action to approve the job description for Projects Coordinator, **Presented by HR**

HR: Main change for Project Coordinator is who they report to, before these updates it was to the Clerk now it is to the City Manager and essential job responsibilities were reflected in the update.

Motion to Amend (to reflect the date of August 17th, 2022)

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

Roll Call Vote:

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

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

Original Roll Call Vote:

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

- c. Consideration and Action to approve the job description for HR/CPO, **Presented by HR**

HR: added the HR duties and ensured that essential duties were reflected in the update

Trustee Silva: “Did we ever discuss combining these two job titles? Why are we doing that?”

City Manager: Reason for combining those is because Ms. Bonnie Hidalgo is a certified procurement officer, as we are mandated by the state to have an CPO on staff. When discussion these job duties with her she was very accepting in continuing those duties but her main focus and passion is HR. We benefit in her being in HR but also being certified.

Trustee Holguin: Brought up that the provisional pay that was only for two months, that would be something to look at as it’s been more than to two months and positions haven’t been filled.

City Manager: we have been working diligently to fill positions but it has been difficult to fill positions quickly, Ms. Hidalgo has step up and picked up duties from the vacant positions such as HR and IT aside from her regular responsibilities.

Trustee Silva: has some concerns as before we had City Manager/Liaison and there were issues with the double title and now we’re doing the same thing. Would like to see consistency because a few months ago it was wrong and now we’re asking for the same thing to be done.

City Manager: that is why the handbook is very important because despite the previous version being very

ambiguous, we need the handbook to have the clarity to provide the clarification when needed.

HR: as we grow the positions will be separated

Motion to Amend (to reflect the date of August 17th, 2022)

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

Roll Call Vote:

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

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

Original Roll Call Vote:

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

- d. Consideration and Action to approve Resolution 2022-024, A resolution authorizing the execution and delivery of a local government planning grant agreement, **Presented by Projects Coordinator**

City Manager: Administrative resolution that needs to be submitted to NMFA (New Mexico Finance Authority, who sponsored the asset management plan that was approved about a month ago. What is being presented is an administrative resolution that NMFA needs to close out the funding agreement on their side.

Motion to amend all 3 locations to reflect today's date (August 17th)

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

Roll Call Vote:

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

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

Original Roll Call Vote:

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

- e. Consideration and Action to approve closing documentation for the City of Anthony Local Government Planning Grant AMP No. PG-5284, which include the grant agreement and certificate of grantee, **Presented by Projects Coordinator**

Project Coordinator: This is the second part of the closing grant agreement, at first glance it seems like it is the start of a new project, but this grant works backwards in the sense that the money is first awarded, it spent, we ask for reimbursement and then enter the grant agreement. This motion for approval is for the grant agreement and the certificate of grantee, in essence the certification of completion.

Motion to amend dates 1st motion: Trustee Silva 2nd Motion: MPT Flores

Roll Call Vote:

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

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

Original Roll Call Vote:

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

- f. Consideration and Action to approve Fiscal year 2023 MVEDA Mesilla Valley Economic Development Alliance membership support of \$10,000, **Presented by MVEDA Team**

Interim City Manager: *The Platinum Partnership at the \$10,000 which includes digital marketing and print marketing, event and connections. This particular item was not budgeted in the approved budgeted, if approved I can work with finance to amend our budget if that is what the government body decides.*

MPT Flores: *Since this would be a new service for the City, I would prefer that we start at the beginning or bottom than giving the \$10,000.*

Trustee Holguin: *\$10,000 is the lowest suggested amount.*

Original 1st motion: Trustee Silva **2nd Motion:** Trustee Holguin

To postpone 1st motion: MPT Flores **2nd Motion:** Trustee Silva

Roll Call Vote:

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

- g. Consideration and Action to Approve the School Resource Officer (SRO) Memorandum of Understanding with Gadsden Independent School District, **Presented by the Interim City Manager**

Interim City Manager: *This agreement will sponsor 100% of the officer costs, excluding 50% of the equipment, up to \$100,000 in annual expenses. We will invoice on a monthly basis and they will pay us on a monthly basis. Will be put the salary adjustment on the next meeting agenda. If approved the officer will start on the 22nd.*

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

Roll Call Vote:

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

- h. Consideration and Action to approve the findings and conclusions regarding appellant's request for a lot size variance, **Presented by Neighborhood Services Supervisor**

Interim City Manager: *This document is the formal document that reflects the action that was taken on August 3rd, 2022, whereby Roma homes came in and presented their case for the development at 135-acre site off of Acosta Road. The current subdivision regulation requires a residential lot at minimum to be 5,500 square feet, the applicant went through P&Z and requested a variance to reduce the footprint from 5,500 to 5,088 square feet. The P&Z board denied the request and on August 3rd appealed to the BoT. The Board would need to ratify by approving these finding and conclusions to date and we will prove a copy to Roma Homes as part of the Subdivision regulations.*

1st motion: Trustee Holguin **2nd Motion:** Trustee Barreras

Roll Call Vote:

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

- i. Consideration and Action to approve Resolution 2022-025, a resolution for governing body support of community initiatives to encourage more kindness, civility, cooperation and respectful dialogue, **Presented by Trustee Holguin**

Trustee Holguin- *I saw this resolution from another municipality, the purpose of resolution is to let the public know we are working together as a team.*

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

Roll Call Vote:

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO – 2 to 3 Vote, Motion Denied
Trustee Daniel Barreras	YES	NO
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

- j. Consideration and Action to approve Resolution 2022-026, a resolution approving temporary Covid-19 Relief Benefits for City Employee, **Presented by Trustee Holguin**

To **POSTPONE** 1st motion: Trustee Silva 2nd Motion: Trustee Holguin

Roll Call Vote:

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

8. ORDINANCES

- **Notice of Intent to Amend Ordinance 2013-003, Second Reading**

An Ordinance of the City of Anthony, New Mexico Subdivision Regulations, **Presented by Interim City Manager**

First Reading: August 3, 2022

Notice of publication date: July 1, 2022

Public comments/ Discussion: August 3, 2022 and August 17, 2022

Consideration and Action to pass: August 17, 2022

Interim City Manager: *This is an amendment to the existing ordinance of the subdivision regulations to adjust the engineering inspection of plan review fee and to add construction management material testing. The amendment which can be found on Section 2D states as followed: the subdivision regulation is hereby amended by changing the engineering inspection and the plan review fee from one- and three-quarter percent, from the original published in 2013, to three- and three-quarter percent. The second change was never part of the original back in 2013 and that is an amendment to add a paragraph E which is the construction management material testing fee, of 3.5% of the total estimated cost of development of the subdivision to be paid by the developer.*

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

Roll Call Vote:

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

- **Notice of Intent to Adopt Ordinance 2022-004, First Reading**

An Ordinance granting to El Paso Electric Company, a Texas corporation, its legal representatives, successors, lessees, and assigns certain powers, licenses, rights-of-way, privileges, and franchise to construct, operate, and maintain in the City of Anthony, New Mexico, **Presented by Interim City Manager**

First Reading: August 17, 2022

Notice of publication date: August 5, 2022

Public comments/ Discussion: August 17, 2022 and September 7, 2022

Consideration and Action to pass: September 7, 2022

Eric Montgomery: *The previous franchise agreement has expired, this document created a formal agreement to continue these operations into the future, this agreement is for 15 years.*

Interim City Manager: *We are proposing 3% under the current ordinance before you today, it's fairly based on the regional location that we are situated in. In reviewing it, we want to pay close attention to how we grant right away uses to utility companies, we want to make sure that we're protecting the public interest.*

9. ITEMS FROM THE CITY CLERK

Adam's Park Ribbon Cutting Ceremony update.

10. ITEMS FROM THE CITY MANAGER

Update on the Portable Project.

We're running a little under budget, which is great.

Streets: Lee, San Andres, Marquez and Donaldson. We have had several residents and trustees bring those up, we're pushing pothole repairs for next month as the Public Works department is focusing on the portable project. Adam's Park update.

Dos Lagos Health and Wellness is scheduled to be completed in March, 2023.

Solid Waste Transfer Station.

11. ITEMS FROM THE MAYOR AND TRUSTEES

MPT Flores: *Film Las Cruces.*

Trustee Barreras: *Homes full of trash on the corners of Ruth and Church and Church and Charles, residents and myself would like to see those properties cleared out.*

Trustee Silva: *There is a dip right before the drainage cover on Clark that was done by a contractor from the Water Company which might cause an accident. Benches on Adam's Park and residents asking about holding a league at the park.*

Trustee Holguin: *Street repairs.*

Mayor Murillo: *I turned in the \$35 million federal funding request, to fund project for better quality of life for our residents.*

12. ADJOURNMENT

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

Roll Call Vote:

MPT Elva Flores	YES	NO
Trustee Javier Silva	YES	NO - 4to 0 Vote, Motion Passes at 8:38 PM
Trustee Daniel Barreras	YES	NO
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO



Diana Murillo

Diana Murillo, Mayor

{SEAL}
Attest:

KOA

Karla Oropeza, City Clerk