

**REGULAR MEETING**  
City of Anthony Board of Trustees  
Conference Call  
Wednesday, September 02<sup>nd</sup>, 2020  
6:00 P.M.  
**MINUTES**

You can join meeting using your phone by dialing.

United States: +1 (408) 650-3123

Access Code: 191-556-509

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
2. PLEDGE OF ALLEGIANCE led by Trustee Flores
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

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

4. CONFLICT OF INTEREST  
Mayor Trujillo: *if anyone has a conflict of interest on the items that are on agenda, please recuse yourself from voting.*

5. APPROVAL OF AGENDA ORDER  
1<sup>st</sup> Motion: Trustee Silva 2<sup>nd</sup> Motion: Trustee Flores

**Roll Call vote:**

MPT Fernie Herrera	YES	NO	
Trustee Gloria Gameros	YES	NO	3 to 0 Motion passes
Trustee Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	
Mayor Diana M. Trujillo Tie Breaker	YES	NO	

6. APPROVAL OF MINUTES
  - a) Special Meeting – 07/15/2020
  - b) Special Budget Meeting - 07/23/2020
  - c) Special Budget Meeting – 07/30/2020

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

MPT Fernie Herrera	YES	NO	
Trustee Gloria Gameros	YES	NO	3 to 0 Motion passes
Trustee Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	
Mayor Diana M. Trujillo Tie Breaker	YES	NO	

7. ITEMS FROM THE FLOOR
    - a) Trustee Silva: *I would like to address this Board not as Trustee Silva, but as Javier Silva, owner of Batter- Up batting cages, LLC here in Anthony.*
      - *Just for the record, last meeting I made a comment in reference to requesting possible lights in the area, even though the lights are already requested and scheduled to be installed. But I made that request as a Trustee and that was incorrect. I stand corrected.*
      - *I apologize to the board, and the community for making the request, in that form.*
      - *For the record, it should have been in the form of a business owner, as items from the floor. I'm sorry. I just want to make note of that.*
- Mayor Trujillo: *Thank you, Trustee Silva, Thank you for that correction.*

8. **PRESENTATION:**

- a) Presentation acknowledging the JR Stewart 141 Foundation and recognizing our Sergeant Guerrero's son, Arturo Guerrero Jr. as the first recipient of the JR Stewart 141 Foundation's scholarship. **Presented by Chief of Police and the JR Stewart 141 Foundation.**
- ❖ **Chief Ordonez:** *Thank you for allowing us to present today as it relates to acknowledging the start of 141 Foundation and our very own Sergeant Guerrero's son who was the first recipient of the JR. Stewart 141 Foundation scholarship.*
    - *I am honored someone from our community was selected for their achievement by a foundation whose goal it is to continue a legacy of giving back to the community.*
    - *I thought it was extremely important to let the Board know of this award. The late Mr. JR Stewart was a former Chief in our Department and we want to show our support.*
    - *We want the Foundation to know that we fully support them. What an amazing accomplishment this was for our community, and the law enforcement community in general.*
  - ❖ **Paul Allen- JR Stewart 141 Foundation President:** *I thank the Mayor and the Board of Trustees and Chief Ordonez, for recognizing our foundation and I congratulate Sergeant Guerrero for his great job of raising his son Arturo.*
    - *We are very excited that he is our first recipient.*
    - *This was something that we put in place shortly after JR's passing. We endowed the scholarship to New Mexico State as the first item that we accomplished after the foundation was established.*
    - *We continue to add to that endowment and we hope to continue supporting children and grandchildren of law enforcement officers within Dona County.*
    - *We have a number of other things that we are doing in the community like car seat safety programs and clinics. We would love to come and host one in the City of Anthony as soon as the pandemic clears up and give us the opportunity to do that in a safe manner.*
    - *On the call this evening is Rosie Stewart, JR's widow. I would just like to recognize her and thank her for allowing us to continue his legacy in this manner.*
  - ❖ **Sgt. Guerrero:** *Unfortunately, my son wasn't able to make it on the phone call. He had band practice today and he was unable to get out of it. I'm very proud of his accomplishments since elementary. He always had very high scores, was always involved with all his peers, helping them out in any way he could.*
    - *It was a great honor when we when I heard about this award. Everybody was extremely proud of him. The whole family thank the foundation on behalf of my son. We are very grateful.*
  - ❖ **Trustee Flores:** *I would just like to extend my congratulations to Sgt. Guerrero and his son. This is a big accomplishment. We are very proud he is from Anthony. It is wonderful to hear. As an ex-principal, I love to hear these students have such great accomplishments that makes his community, his family, and everyone proud of him, so please let him know all that.*
  - ❖ **Mayor Trujillo:** *I really want to congratulate first of all, Mr. Guerrero Jr. for achieving this scholarship. Thanks to Sergeant for everything he has done here in our community, Mr. Allen for supporting our communities here in Southern New Mexico and for starting this scholarship for many of our students and youth here in these areas. Thank you for this presentation, Chief Ordonez.*

9. **CONSIDERATION AND ACTION**

- a) Consideration and action to approve temporary COVID-19 HR policies and procedures. **Presented by City Manager.**
- ❖ **City Manager:** *These procedures are intended to mitigate any potential exposures at the City to the coronavirus. Staff anticipates that once the pandemic subsides, sometime next year, these policies will not be necessary. It is better that the city be proactive, rather than reactive and staff is doing its best to prepare for any eventuality.*
    - *One of the things that I do want to highlight for the board is that every department at the City is operating by appointment only.*
    - *We really need to limit the number of people that come into the municipal complex. In the event that we do have a positive case and potential exposure at City Hall, we can support contact tracing.*

- Without a good record of who has visited the complex it would be difficult to support the efforts of any contact tracers. In other words, there is no "front desk" anymore and, everything has gone to appointments from PD to City Clerk and of course, MVD.
- **Trustee Silva:** Is Public Works Department still working part-time or have they gone back?
- **City Manager:** Public Works Department, technically, came back to full-time back in May.
- **Trustee Silva:** Request to change "the public works department is working part-time".
- **City Manager:** Request to delete the whole sentence.
- **Trustee Silva:** in reference to the PPE are we making sure that all of our employees are receiving the proper equipment. Are we making sure of that?
- **City Manager:** Department heads are responsible for making sure that their staffs have all the PPE they need. The City also furnished a number of masks, including some that are branded with the city's logo and continues to provide personal protective equipment like the gloves and anything else to enhance sanitation.
- **MPT Herrera:** On the MVD part the Governor last week increased the number of people that can be together at one time. No more than 10 at a time. Yet, I have noticed that the MVD is only allowing 2 or 3 people. The weather has been super-hot, is there any way we can allow no more than 10 to wait till called, if they have an appointment?
- **City Manager:** My understanding from conversations with our MVD manager is that we are encouraging customers to show up around their appointment time and to stay in their cars.
- I will bring that up with our MVD manager.

- **Motion to approve amendments:**

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>	3 to 0 Motion passes
Trustee Elva Flores	<b>YES</b>	NO	
Trustee Javier Silva	<b>YES</b>	NO	
<del>Mayor Diana M. Trujillo Tie Breaker</del>	<del>YES</del>	<del>NO</del>	

- **Trustee Silva:** motion to accept temporary COVID-19 HR policies and procedures with amendments

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>	3 to 0 Motion passes
Trustee Elva Flores	<b>YES</b>	NO	
Trustee Javier Silva	<b>YES</b>	NO	
<del>Mayor Diana M. Trujillo Tie Breaker</del>	<del>YES</del>	<del>NO</del>	

b) Consideration and action to approve \$4,825.13 LEPF carry over and to be added on FY20/21 budget. **Presented by Chief of Police**

- ❖ **Trustee Flores:** Item reads carryover to be added on the fiscal year 20-21. It does not state what budget is going to be carried over to under 9b.
- ❖ **Mayor:** Do you mean the final budget?
- ❖ **Trustee Flores:** Do we correct the agenda item?
- ❖ **Mayor:** I believe it's the finalized budget
- ❖ **Trustee Flores:** We should be specific. Is it in general funds or police department?
- ❖ **Mayor:** Chief, would you please assist?
- ❖ **Chief Ordonez:** Madam Mayor, this is for the carry over to be added to fund 240, which is our law Enforcement Protection Fund.
- ❖ **Trustee Flores:** Yes, a line item so we can see where the money is being carried over to. That would help.
- ❖ **Mayor:** Oh, I see.
- ❖ **City Clerk:** Madam Mayor, I see what Trustee Flores is saying. We cannot amend agenda item because it was noticed to public 3 days before the meeting, but we can make notes on the minutes that the carry over is to be taken to line item 240 as permanent record.
- ❖ **Mayor:** Have it duly noted that this is for fund 240 on the current budget.
- ❖ **Trustee Flores:** Thank you, Esther.

- ❖ **Trustee Silva:** Can we not make an amendment that LEPF carry over is to be added on LEPF fund or fiscal year 20/21?
- ❖ **Mayor:** I believe we could, I mean, because we're doing the amendment and then go back to the original, I know we've done it before.
- ❖ **Trustee Silva:** Can that not be done right now? We are not changing from one account to the other. It's staying in the same account, as per the request which makes sense. Can we not just amend LEPF fiscal year 20/21 budget? The question from Trustee Flores is, just so we can be specific on our paperwork today. Just for the purpose of the paperwork and that people understand where it's actually going, I believe that was the request Trustee Flores was making if I'm correct.
- ❖ **Trustee Flores:** Yes, it just seems very vague and I see, you know, it's money, it should show where we're carrying over this money to, so, I'm asking that we put in there just like you mentioned that its going to the LEPF budget line item 240.
- ❖ **City Clerk:** So, that carry over does not mean carry over from the current budget. Its from last years budget to this year budget.
- ❖ **Mayor:** What trustees are saying is that they just want to have it on the agenda item to show what they are approving and that it goes into that fund. I believe we have done it before; I believe we can.
- ❖ **Trustee Flores:** I believe we can.
- ❖ **Trustee Silva:** With that said, motion to amendment agenda item to read consideration and action to approve \$4,825.13 LEPF fund 240 to carry over and to be added to same LEPF Fund 240 on FY20/21 budget.

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

- ❖ **Mayor:** Discussion
- ❖ **City Clerk:** We amended agenda items; We are requesting the vote for amendment, then discussion, then vote on agenda item.
- ❖ **Mayor:** Let's have Chief go ahead and present then we will be aware of where this money is going to.
- ❖ **Chief Ordonez:** The basis for this presentation today, is the Law Enforcement Protection Fund Carry over.
  - This will allow finance department to reconcile what the final numbers are.
  - On July 17<sup>th</sup> of 2020, I received the final LEPF numbers from Mr. Fernando Ramirez. Our remaining balance was \$4825. A lot of it was coming from the advanced training and planning under the LEPF.
  - We can request to carry over as outlined in state statute for unusual circumstances, the current pandemic meets criteria.
  - I am respectfully requesting that this amount be added to our budget and reflect accordingly. These funds are anticipated to be used to catch up on any trainings available remotely or online for the officers, including myself.
  - These funds can be used for purchase of additional protective equipment as we continue to battle the pandemic and for other law enforcement equipment as deemed necessary.
- ❖ **City Manager:** Staff is planning on bringing a budget adjustment request later this year that will include this carryover as well as a number of other unanticipated expenditures or changes to the current fiscal year budget. It just occurred to me now: I'm not sure if we need a resolution to approve this carry over. I just sent an e-mail to our analyst at DFA. We may have to come back and request a resolution.
- ❖ **Trustee Silva:** Chief, did you say Mr. Ramirez was the one who submitted this/made you aware of the balance?
- ❖ **Chief Ordonez:** He was working with City Manager and was point of contact with assistance of City Manager. Request cannot be submitted before June 30, DFA.
- ❖ **Trustee Silva:** Do you think we should post pone this just so we don't get ahead of ourselves without a resolution?
- ❖ **City Manager:** Yes: Please forgive staff for this. Let me go back to something that you asked earlier to Chief Ordonez, this is the second or third carryover of funds I believe and you can correct me if I'm wrong, Chief.
  - One of the issues that was discovered when our contracted finance support was trying to close out the last fiscal year was that the carry over from the previous fiscal year (2018/2019) was never carried over in our finance system.
  - Even though the board approved the carryover and DFA approved, carryover was never actually done mechanically in our finance system. That threw the numbers off and made it somewhat more difficult to reconcile and come up with this final number. So that's one of the reasons that there was a delay.
  - Back to second question: Yes Trustee Silva, it may be a good idea to postpone this for a number of reasons, the least of which is the amendment to the language of the board action.

- **Chief Ordenez:** I believe last year when we requested the carryover, there was a resolution. However, there was a lot of discrepancies with finance and carry over was never really entered. I know Ms. Esther, at the beginning of the year, was able to change some things on Incode. There were a lot of things missing in Incode and I think one of the things that I did reflect on to get a solid number and compare those numbers to what was later entered into Incode was a spreadsheet that I maintain for my own budget. The resolution may be probably the safest thing to do that.
- **Trustee Silva:** Taking everything that was just said into consideration, for the purpose of proper paperwork, I would ask that we postpone this to the next meeting and get the correct answers in front of us and request staff to have the resolution ready for the next meeting.
- **Trustee Flores:** On our agenda, if we can from now on especially when it deals with money, please identify where funds are coming from and where it's going to.
- **MPT Herrera:** If we postpone this item and bring it back at a later date are there any consequences that you might encounter if we delay?
- **Chief Ordenez:** Madam Mayor and Mayor Pro Tem, thank you for taking the police Department to consideration and of our budget and at this point, we have a solid law enforcement protection fund. Currently we have the \$26,000 give or take a little bit less than that, but I don't think it would be a significant hardship to table this later, if that's the safest way to address the carryover request.

**Motion to post pone item:**

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

**Roll Call Vote:**

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

- c) Consideration and action to approve **Resolution 2020-027** a resolution adopting an infrastructure capital improvement plan (ICIP)- FY 2022-2026. **Presented by Projects Coordinator/ Tiffany Goolsby, Senior Planner – South Central Council of Governments**

❖ **Tiffany Goolsby:** This is the updated document to include the new Economic Development Project discussed last night and to change the order of the projects. There was also updated numbers as provided by Wilson & Co for economic development.

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

**Roll Call Vote:**

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

**10. ORDINANCE FIRST READING**

**A. ORDINANCE 2020-001 BOARDS OF COMMISSIONS.**

**First reading:** September 2<sup>nd</sup>, 2020

**Notice of publication date:** August 17<sup>th</sup>, 2020

**Public Comments/Discussion:** September 2<sup>nd</sup>, 2020 and September 16<sup>th</sup>, 2020

**Consideration and Action to pass:** September 16<sup>th</sup>, 2020

❖ **City Clerk:** The reason you'll have a new ordinance, 2020-001 is because from the last meeting, the board requested that we look back and see if this ordinance had been previously amended. Mayor Pro Tem and Madame Mayor could recall this ordinance being amended.

- When I went back, I found out that we had several ordinances. One was at 2011-12, with two different amendments. Two was 2010-015 ordinances one approved on 11/18/2010 and 4/20/2016.
- We had minutes showing approval of ordinance 2011-12 7/6/2016, but no signed ordinance in file.

- After talking to Randy, NMML attorney, he recommended we repeal all the ordinances related to this topic and incorporate all the changes into one ordinance.
- This means we create a new ordinance number 2020-001 which I think is the cleanest and safest way to fix this ordinance.
- The Board now has a draft that was suggested in 2011-12 version with changes showing what will be removed in red and what was added in blue for Board review.
- ❖ **Trustee Flores:** Thank you for all that. That's a lot. So now, this ordinance is going to stand as 2020-001 is that correct?
- **City Clerk:** That is correct Trustee. The other thing I noted was our ordinances have never been grouped according to the topic. Since the beginning of the City, ordinances are named by a protocol of numbers.
- ❖ **Trustee Flores:** Thank you for that Esther.
- ❖ **Mayor:** I asked City Clerk to gather the records so that everybody will understand that all the other ordinances will be canceling out. Right now, this one that we're going to approve in the next two weeks will be as if it was the first time. So, I do ask the Board to look over this or if you have any questions or for the next meeting, any revision that you want to change anything, let us know.

**B. ORDINANCE 2020-002 LEASE OF MUNICIPAL PROPERTY BY THE CITY OF ANTHONY NEW MEXICO TO SOUTH CENTRAL SOLID WASTE AUTHORITY.**

**First reading:** September 2<sup>nd</sup>, 2020

**Notice of publication date:** August 17<sup>th</sup>, 2020

**Public Comments/Discussion:** September 2<sup>nd</sup>, 2020 and September 16<sup>th</sup>, 2020

**Consideration and Action to pass:** September 16<sup>th</sup>, 2020

- ❖ **City Manager:** Unfortunately, city our attorney could not be with us today, he is under the weather. Staff is following our attorney's guidance on how to best offer a lease to our tenants, South Central Solid Waste Authority. This ordinance and the fair market rental study are what is really forming this ordinance.
  - This is the first opportunity for the board to review the draft ordinance and draft lease agreement.
  - All of the exhibits related to the agreement and any suggested changes can be brought back for the second ordinance reading, which will be on September 16th.
- ❖ **MPT Herrera:** We had talks with South Central Solid Waste Authority. They were comfortable with office space plus the additional parking space for \$48,000 a year. According to the fair market value, we're going to be losing a lot of money if we go with \$26,000 that was appraised. My question is, are we going to accept that amount, or are we are we going to go with a higher rate? It just does not seem that we are going to be getting our fair share.
- ❖ **City Manager:** The recommendation in Fair Market Rental study is a floor, not a ceiling. It would not be fair to the residents who, of course, are the owners of the municipal complex to charge anything less than what the appraiser recommended.
  - It is absolutely the city's prerogative to charge something more than that. Of course, it is up to our tenants to accept or reject that offer. I did confirm that with our city attorney that the market rental study recommendation is the bottom and not the top.
- ❖ **Mayor:** So, instead of having the study what would have been better, is if we just left the rent as is? I mean, to have a good revenue for the city.
- ❖ **City Manager:** No Madam Mayor. Staff was following state statute which says that any publicly owned property valued at more than \$25,000 needs to go through some sort of appraisal process when it is being sold, leased or rented. So, the City was just following the state statutes on how we should handle the leasing of a publicly owned property.
  - The rental study really just gave us a good understanding of what the space is essentially worth, not necessarily what the city could or should rent it for. It makes sure or assures staff and this board that we're not under charging.
- ❖ **MPT Herrera:** Have you talked to SCSWA about a possible figure that they might be comfortable with?
- ❖ **City Manager:** No, I would really defer to the board on that.
- ❖ **Trustee Silva:** I understand that this document here had to be done as per our attorney, because, you know, we can't just go and stick a price on a municipal building or property with a value over \$25,000 approximate.

- I know Mayor pro Tem threw out the number \$48,000 I believe. I would say we send Oscar, to go back to the tenant and come up with common ground that is beneficial to both the city and tenant.
- ❖ **Trustee Flores:** Madam Mayor, is Mr. Leos attending? I would like to give him the floor.  
-A question to City Manager, if I understand this right, every time we lease or rent something, are we going to have to do one of these fair market studies, rental study?
- ❖ **City Manager:** The City can really move forward without a fair market rental study, but it is not recommended. It doesn't appear to have happened yet where the city either sold or at least rent a piece of property that was below the fair market rate, It could happen and that would definitely not be good, so, the answer is no, it's not required, it's definitely recommended.
- ❖ **Trustee Flores:** So, as you said, it was not required, but it was recommended, so let me ask you. Would it have affected the city in a negative way, if we had just gone ahead and worked with Mr. Leos? It has taken us a long time to go through this. What are the possibilities that we could have gotten in trouble?
- ❖ **City Manager:** It is a State statute. It's something that is recommended. There is nobody checking to see if we've done this to my knowledge, but it is a risk factor. If the state were to find out that the city was renting the space for less than it really should, then it would be a violation of the anti-donation clause.
- ❖ **Trustee Silva:** Trustee Flores, you got to remember that I brought that same question up with the city attorney last time. The attorney said, he highly recommended that. We do this for the purpose of not going against the anti-donation clause. It doesn't necessarily mean that we had to, but when your attorneys is telling you, it was like the same scenario with the with the golf course. I remember quite frankly asking that same question that you're asking. Alan basically gave the same answer that that Oscar has given right now. Personally, I speak for myself. I'm okay with the fact that it was done this way. It has been done this way for the purpose of protecting the City.
- ❖ **Rafael Leos- Deputy Director, south-central Solid Waste Authority:** The process in which the City wanted to proceed with this lease was within our acceptance. We fully accepted the process in which you wanted to make sure that the City was protected under the ordinance for leasing. We have not yet seen the actual fair market rental study and will need to review it in further depth with our attorneys to look at where the description states that it is. As a matter of fairness, we will, we will want to exercise a fairness across all tenants in the city. With respect to the discussion that is occurring at, the secondary location for the Magistrate Court, I just want to make sure that they are also involved in the conversation. We still have the availability to exercise negotiations.
- ❖ **Mayor:** I did feel a little bit offended in the past when the study was brought up being that I did have a training back in 2014 under Mayor Castañeda. He kind of guided me about what is it about Square foot value, you know with the municipalities and buildings, and how to lease when I came in as a mayor. I did have a little bit of knowledge. I don't think I was doing anything wrong. I know about the Anti-donation Clause. We had a good relationship with Mr. Leos & Mr. Peck and the Magistrate Court, where we have common ground and be able to have a reasonable lease, not under value and going against the donation clause. With that being said, I think I've done well in my tenure, as mayor, when doing the leases with magistrate court and with Mr. Leos. I just want that noted on the minutes.
- ❖ **Rafael Leos:** On the termination clause suggest to strike out "to be effective for a given month, the terminating party must submit notice on or before second day of the previous month."
- ❖ **MRP Herrera:** I would like to ask the board permission to be in the negotiation talks with City Manager and Mr. Leos
- ❖ **Trustee Flores:** I agree to have MPT Herrera in the negotiations.
- ❖ **Trustee Silva:** I'm okay with that as well
- ❖ **Mayor:** MPT to talk to City Manager and move on with this item

## 11. ITEMS FROM THE CITY CLERK

- ❖ **City Clerk:** Yes two items:
  - a. The board requested that we send emergency health resolution to the businesses in Anthony. We just finished sending them this week.
  - b. I wish to remind the board that we have 72 hours period to send out Agenda, once that is done, I can't change it. We make notes on the minutes that reflect the changes the board want. Attorney General trains clerks on Open Minutes Act yearly. Not changing allows you to not have someone protest the changes. Our city attorney is even more cautious, he asks the board to vote for the changes. This is just to let the board know that I'm not wanting to be difficult, I just try to make sure that I don't open the city to any kind of protest from residents on an item that we've already approved.

## 12. ITEMS FROM THE CITY MANAGER

- ❖ **City Manager:**

- a. *First news is that there was an e-mail update to the board about the finance officer recruitment. Unfortunately, our top candidate declined the offer and then the number two candidate also declined. Staff is posting the position this week and will be posting it much more widely than the first time. We are optimistic that the process will be much quicker this time, but unfortunately, we're going to have to start that again.*
- b. *There is an agreement that is being reviewed by the Anthony Water and Sanitary District. It has nothing to do with the larger MOA. This is something related to bulletin board postings. City clerk was just explaining about the process of posting. One of the challenges that the city is experiencing is having very little space in most of the six places where it publicly posts these agendas. City clerk was able to negotiate spaces at the Senior Citizens Center earlier this year. The second agreement is something that, when it is executed, I will share with the board.*
- c. *This week the New Mexico Municipal League is having its annual meeting and this board might have received those communications. There are a number of events happening virtually and it is also overlapping with a program called New Mexico EDGE, which is a certification for public employees. A lot of the people that are attending the Municipal League conference are also attending these classes. As of today, I've taken 19 classes in the Certified Public Manager program, which is required of my position and I'm scheduled to take another 15, between now and the end of October.*
- d. *I met with county Census coordinator today, along with the new city manager of Sunland Park, in an effort to make a big push at the end of the census gathering. This is to reach out to our trustees to see if any of you would like to help distribute these postcards. Mayor and Mayor Pro Tem have already agreed to help*
- ❖ ***MPT Herrera:** You sent me an e-mail asking me which section of the city I would like to distribute. Just to let you know, I would like to distribute to the Village District I & II, which is from the state line to Elm Street & from Anthony Drive to Fourth Street.*
- ❖ ***Mayor:** I will be taking the postcards to some businesses and public places. I also spoke to Mr. Baca. He is willing to place announcements on his electronic marquee in English and Spanish if staff gave him the items to write. This request was not done by Mayor but by Mayor's husband who is facility manager for Mr. Baca.*
- ❖ ***Trustee Silva:** Suggest to consider putting census information on City Marquee located at the library.*
- ❖ ***Mayor:** Yes, that's a good idea to have it at the library.*

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

❖ **Trustee Silva's items:**

- *I would like to congratulate Sergeant Guerrero and his son Arturo Jr for an awesome job, not only for being a recipient of the JR Stuart Foundation scholarship, but being the first individual to receive that. Because it is within our community, that in itself lets people know what kind of young individuals and youth we have in our community. In my opinion, above all, it also lets us know what kind of Sergeant we have by seeing what he is implementing in his family. It speaks volumes.*
- *Informed Chief of speeding on Stern. Two dogs that were run over in the same week and then the week after neighbor's dog also got run over. There's no excuse for our dogs to be out in the street, I'm not trying to justify that but if we could find some time through our busy schedules, please patrol in those areas as well Church Street.*
- *A request for City Manager: Public works to go through the City and check for potholes on the most used streets in the City. I know public works is overwhelmed with work as well.*
- *Lastly, as you all are aware, I made the comment earlier that Trustee Gameros is out due to an injury or a car crash. Her car was totaled. I don't know the extent of her injuries so I hope she doing well. She did ask me to read something on her behalf. I told her that that was fine, I had no problem.*

**It states:**

*"I support Oscar Dominguez in his position as our City Manager and his decisions of operations of the City and personnel matters as long as he causes no wrong or harm to the City of Anthony. I also support all employees of the City who follow the policies established and who create a positive work environment. I thank you Oscar for always reciprocating the respect I have shown you and for not failing the City of Anthony in your duties in implementing and following the policies that the Board has created. I know you have had many obstacles, challenges and situations within the City with implementation of the policies. Many do not like change, even when it's positive change. Keep persevering in doing the right things for the City of Anthony".*

❖ **MPT Herrera's items:**



- *I had asked city manager through e-mail about a month ago to look into the CARES Act funding. I also asked if we applied independently or through the County. Your answer was that we applied directly. My question is, why is the county, the keeper of the funds and dispersing it to the city?*
  - **City Manager:** *Mayor Pro Tem, I don't know yet. We have not seen an agreement on that grant award. I did receive an e-mail that Mayor sent to me from the assistant county manager around a point of contact for the CARES Act. I did not understand why we were being contacted and I explained to him that the city did go after the funding separately. So, it's possible that the funds are being disbursed to the counties. I do have to admit that's less than ideal, I wouldn't want the City to have to invoice expenses when we were directly awarded the funds. So, I will get to the bottom of that. Mayor pro Tem, I believe the agreement should shed some light.*
  - **Mayor:** *Well, you don't have to go to the bottom of it because it's right here. I can state what was going on. First of all, there's no communication. I'm sorry if there was no communication between you and I. Mr. Marcia came and we had a conversation on a meeting with other mayors from down South here, Hatch, Sunland park and Messiah. They had asked to work together and be able to submit an application together. So, I said yes, because I didn't know that the city had already submitted an application independently. I do need to speak to Mr. Marcia and ask if it's their independent application or separate from our application. As far as I'm concerned, because there was no communication between the city and I. I was not told that we went, independently, I never got an e-mail and maybe I was wrong, that I didn't send an e-mail, either.*
  - **MPT Herrera:** *I was just concerned because I read in the news media this morning that the county is going to administer \$50,000 that the City got.*
  - **Mayor:** *I will find out tomorrow.*
  - **MPT Herrera:** *My other question is on the street lighting for Second and Third Street, I haven't seen any action on that, or is that still pending?*
  - **Mayor:** *Mr. Jaquez said they are working from Stateline going north, then they will be going to First, Second, and Third Street.*
  - **Trustee Flores:** *Just by any chance, do you happen to have the people that requested these lights? Because I know a few people that keep asking me and telling me that they have requested these lights for many years, just like we did with the streets. I feel that we should also try and see what area they live on, but try and help those people that have made that request for a long time now at first if possible.*
  - **Mayor:** *Whatever I have on the street lights as we've done the other requests in the past from 2016 to 2018, and so some of these lights that are being requested are from 2019 to 2020 but the other lights had been installed. Former mayor installed some as well. If they still haven't gotten the lights, go ahead and give them my e-mail address ask them to give me the street address where they want the light installed and we'll look at it.*
- ❖ **Mayor's items:**
- *To the city manager: Did you get an e-mail from a gentleman regarding Livesay and Lincoln Street on the pothole?*
  - **City Manager:** *No, I did not.*
  - **Mayor:** *I have given them your e-mail address, because you were the one in charge of public works and staff. They were complaining about the Potholes on Livesay and Lincoln Street. See if you can be able to add it to the public works list.*
  - *Had contact with ESSA engineering. They have been emailing City Manager. Request manager to respond.*
  - **City Manager:** *Yes, Madam Mayor. I'll go back and look for that name, It could be in my junk folder. I generally do not respond to unsolicited communications from vendors.*
  - *To Trustee Silva's comments earlier, I did share Trustee Silva's, observations about the intersection of Church Street with our public works supervisor. Public works is short staffed and potholes are at the top of the list of items to be addressed. At the moment, there was also a failed recruitment for the maintenance worker vacancy in public works. We're going to have to start that recruitment again, as well. Because of the added cleaning duties and municipal complex, the public works team is essentially down to three full-time workers, counting the supervisor.*
  - **MPT Herrera:** *Requested police officers to patrol due to ATV riding in the evening on private lots and speeding on city streets.*
  - **Chief Ordonez:** *That has been an ongoing issue, not just our City but county wide with fatal ATV accidents. One of the City's unit got stuck trying to pursue them. Feel free to ask resident's to contact central dispatch.*

**13. ADJOURNMENT**

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

**Roll Call Vote:**

MPT Fernie Herrera	YES	NO	
Trustee Gloria Gameros	YES	NO	3 to 0 Motion passes
Trustee Elva Flores	YES	NO	
Trustee Javier Silva	YES	NO	
Mayor Diana M. Trujillo Tie Breaker	YES	NO	

*Mayor: Meeting is adjourned at 8:22 PM everyone have a great evening, thank you and bye.*

**ATTEST:**



Esther Motongo, City Clerk



Diana Murillo-Trujillo, Mayor