

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

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

Tuesday, November 22, 2022

5:00 P.M.

Minutes

You can join meeting using your phone by dialing.

United States: +1 (646)749-3122

Access Code: 436-930-333

Please join meeting from your computer, tablet or smartphone.

<https://meet.goto.com/436930333>

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 5:02pm

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

Si necesita un traductor, informe la Secretaria de la Ciudad a más tardar una semana antes de la fecha programada de la reunión.

Traducción del inglés al español y del español al inglés está disponible a petición.

4. CONFLICT OF INTEREST

5. APPROVAL OF AGENDA ORDER

1ST Motion: MPT Flores **2nd Motion:** Trustee Barreras

MPT Elva Flores	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Javier Silva	YES	NO 3-1 vote, Motion Passes
Trustee Gabriel I. Holguin	YES	NO
Mayor Diana Murillo	YES	NO

6. CONSENT AGENDA

****Approval for 6a-6d. Trustee Holguin requested to have item 6e pulled for discussion.**

1ST Motion: MPT Flores **2nd Motion:** Trustee Barreras

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

a. APPROVAL OF MINUTES

- Regular Meeting- 08/03/2022
- Regular Meeting- 08/17/2022
- Special Meeting- 08/30/2022

- **Regular Meeting 09/07/2022**

- b. Consideration and Action to approve Development Agreement submitted by Jardines de Rivera, **Presented by Neighborhood Services Supervisor.**
- c. Consideration and Action to approve Resolution 2022-0XX, a resolution approving the 2023 City of Anthony Holiday Calendar, **Presented by City Clerk.**
- d. Consideration and Action to approve the purchase of a riding lawn mower and compact 3-point system tractor, **Presented by Public Works Director.**
- e. Consideration and Action to approve the job description for the Police Department Lieutenant, **Presented by HR. (Pulled for discussion)**

Interim City Manager: Before you is the full job description for the Lieutenant position, which provides a position summary, provide the expectations and guidelines. This job position was funded in the fiscal year 2023, so you approved the budget prior to the start of July 1st, but the job description has not been brought to the board.

Trustee Holguin: What is the pay scale for this position?

Chief Ordoñez: It is my understanding that all this was budgeted for when it was first presented back in July.

Interim City Manager: You are correct, there is no minimum and maximum range set for this position. It is this year's goal to set in that practice to better present what the market is showing in terms of positions and pay scales for this next year's budget.

Trustee Holguin: I believe we need to approve a pay scale before approving the description even if the position has been approved.

Trustee Silva: All we're voting on or approving is the job description, we do not know what the budget is going to look like but I prefer not to have a number not attached to it right now.

Mayor Murillo: We're approving the job description so we can have it on file and be able to amend it in the future before we bring in the pay scale and hire someone. The pay scale is not attached to the job description at this time.

Trustee Holguin: We have a budget to maintain, I think it's important to know the pay scale to know if it's something that the budget will allow.

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

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

7. Discussion

- a. Update on the Agreement for Limited Animal Control Services, **Presented by Neighborhood Services Supervisor.**

Neighborhood Services Supervisor: After speaking with Monica Riehl and the conditions they are in, as I stated before we definitely need support here in Anthony. But I believe there are somethings that we can do to help to build a relationship with our sister city, there would be no contract we assist as an agency support status, they would give us a call if we were available, we will be there. It would be very difficult for our department to keep our community safe and also do Sunland Park. There are somethings they have to offer so I believe it is important to have relationship but also not neglect our City. I am forecasting this assistance to be until the end of the year or maybe even 30 days. The contract, if there is one will be presented to the board.

- b. Discussion to amend city Ordinance 2010-018, to allow carports within front and side setbacks, **Presented by Neighborhood Services Supervisor.**

Neighborhood Services Supervisor: This discussion is mainly about illegal construction mainly carports that are within the setback. There are a lot of residents out there that do not have any permits for their constructions, roughly about 67 cases currently, with that being said I'm not asking to let them not take responsibility, they will go to court and pay the fines but what will happen with the carport afterwards. I would like to do the best for the community, to hold them accountable but one of my solutions is to have them inspected if approved to insure they are properly built either through a licensed contractor, at the expense of the home owner, or through CID. The other solution would be to

fine them, but the next question would be what should be the fine? Or what is fair for the violation?

Trustee Silva: *If we can discuss that with the judge and find out the average of what she has been charging, I don't think it would be appropriate for steep fines because we didn't enforce it until now and I believe the City is at fault to a certain degree for that. Some of these laws were brought down from Doña Ana County and have never been revisited and frankly some of those ordinances are better suited for them and now the City of Anthony. How would we penalize the individuals that put carports up the last two years and not those from previous years?*

Trustee Holguin: *Because of the large number of cases, we need to look at other avenues such as how we can educate the public a little better on ordinances.*

MPT Flores: *I would like to address the fact that the City will be held liable if something were to happen with one of these carports.*

Neighborhood Services Supervisor: *A lot of these lots that are coming in are up to the setback, that doesn't give the resident any room. Maybe in the future with these new properties, our residents need to know that when they purchase a house, they need to know what their setback are and what they can and cannot do on their property.*

- c. Update on the Phase 1 of Graffiti removal project and Dos Lagos Weeds and Rubbish, **Presented by Neighborhood Services Supervisor and Public Works Director.**

Neighborhood Services Supervisor: *Graffiti is definitely going down, we had a total of 125 cases, the majority of the graffiti that is left is on traffic signs. Scheduled a meeting for the Graffiti Task Force for next Tuesday. I have started getting quotes for equipment for the best options.*

Trustee Holguin: *So, from my understanding, we no longer offer the Graffiti Removal Assistance Program?*

Interim City Manager: *I did give Mr. Salazar director at the time to stop any city assistance until we have completed this research in terms of the graffiti issues we are facing and then subsequent to that start to develop a phase one short term action plan. It is not the intent to not provide assistance at all but to formalize in the manner that we assist the public and what qualifies that.*

Public Works Director: *The new stop signs have come in but due to the weather we do not have an enclosed areas that allow us to apply the chemical to the new signs. This week we started at the Dos Lagos area, clearly about 100-120 feet away from the houses as first priority.*

Trustee Holguin: *My concern is that the City has stopped the Graffiti Removal Program but has not stopped fining residents, I believe if we have stopped the program we should also temporarily stop the fines. What can we do to suspend the fines?*

Interim City Manager: *If you like, at the direction of the board can make a motion to put a consideration and action item to suspend the fines for the next meeting.*

Trustee Silva: *I do agree with Trustee Holguin, either suspend the fines or find a way to bring back the assistance program.*

- d. Update on the Spring 2023 Street Repair Program, **Presented by Public Works Director.**

Public Works Director: *I have compiled a list of the streets that are pending repair. With the money that has been allocated for this year, we will try to purchase the proper equipment to fix these streets. The City will have to take a look at making repairs with inhouse equipment or perhaps contracting out.*

- e. Update on Memorial Medical Urgent Care, **Presented by Mayor Pro Tem Elva Flores.**

MPT Flores: *Development of four different streets that connect to the roundabout to have a future connection to Dos Lagos. Items completed to date: Duffer Lane has been funded and construction is under way, the preliminary engineering report from the New Mexico DOT is underway for the north, east and south roads. The City is concerning on the Health and Wellness site, the multi-generational building is under construction which should be completed by March 2023. The Urgent Care construction is underway, we are being guided by Memorial General because they know what an urgent care would need, construction is scheduled to commence in Spring 2023. The allowable construction cost is \$6.1 million, funded square footage is 2600 square feet and the required square footage for this urgent care is 3300 square feet, we have a projected short fall of \$375,000, that funding gap can be bridged by a funding request for that amount from the DFA that was submitted in October. We can take a look at capital outlay to request that amount, ARPA funds that can be used or use general funds from Fiscal Year 2024.*

8. CONSIDERATION AND ACTION

- a. Consideration and Action to approve the job description for the Parks and Rec Facilities Director,

Presented by HR.

Interim City Manager: The Parks and Rec Facilities Directors will be responsible for understanding the needs of the community residents. The RFD would be responsible for the development and coordination of select grant proposals and administers the funding grants related to parks and recreation facilities. Tonight, what we are asking the approval of the job description and not to fund or advertise the position. The City has Adam's Park, a soccer field, an urgent care that will break ground in Spring of 2023, multi-general facility that will open in Spring 2023, a commercial kitchen that will open Spring 2024 and a portable administration complex. With the growth the City is experiencing and the number of facilities that are being developed, it is going to take some organization.

Trustee Holguin: I honestly think that our municipality is too young to have positions like this, since we are barely in the planning phase.

Trustee Silva: I agree with Trustee Holguin to a certain extent, I don't believe we need a director at this time but actually need a supervisor, I do not believe we a full time and definitely not at that salary range. I would like to see that taken off since we are only approving the job description. I do believe we need to bring in someone to help administer the parks since we have failed multiple times to involve the community. I would like to entertain the idea of a supervisor as a part-time individual to get the ball rolling to get a community committee to assist with the baseball park and soccer field.

MPT Flores: I will entertain the idea of a supervisor and remove the pay but I feel we should approve this as a fulltime position to be ready for whatever is needed for the programs that we are anticipating.

****Motion to amend Director to Supervisor, make it a part-time position and remove salary range.**

1ST Motion: Trustee Silva **2nd Motion:** Trustee Holguin

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

Original Unamended 1ST Motion: Trustee Silva **2nd Motion:** MPT Flores

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

**b. Consideration and Action to approve the job description for the Economic Development Director,
Presented by HR.**

Interim City Manager: Economic Development Director plans, organizes and implements economic development functions from the conception to completion, including business retention, business attraction and incentive programs, research, planning and organizational capacity facility developments. We'll highlight this position will be to oversee the Dos Lagos Health and Wellness with the medical industry we're looking to attract.

Trustee Holguin: Do we have an estimated cost of how much it would cost to maintain the facility?

Interim City Manager: The reason for the job description is because if we have the defined job description, we can begin to look at the estimated cost of maintenance. We have to reassign labor hours to focus on those activities in advance of the buildings and facilities openings. Without the job description, we're not able to exercise what's already in the Employee Handbook and provide provisional pay for someone to be able to conduct some of these duties that fall under other duties as assigned.

Trustee Silva: I understand that you want to do that internally but if we have these jobs we also need to post these jobs externally to give people the opportunity.

****Motion to amend Director to Supervisor and remove salary range.**

1ST Motion: Trustee Silva **2nd Motion:** Trustee Holguin

MPT Elva Flores	YES NO
Trustee Daniel Barreras	YES NO

Trustee Javier Silva YES NO 4 to 0 Vote, Motion Passes.

Trustee Gabriel I. Holguin YES NO

Mayor Diana Murillo YES NO

Original as amended 1ST Motion: Trustee Silva 2nd Motion: MPT Flores

MPT Elva Flores YES NO

Trustee Daniel Barreras YES NO

Trustee Javier Silva YES NO 4-0 Vote, Motion Passes.

Trustee Gabriel I. Holguin YES NO

Mayor Diana Murillo YES NO

c. Consideration and Action to approve membership dues for the Mesilla Valley Economic Alliance, Presented by the Interim City Manager.

Interim City Manager: MVEDA provides for local businesses and those considering relocating/expanding in Doña Ana County including the areas of Anthony. The purpose and need of this is the city is growing and needs to expand its opportunity to target growing industries that will bring workforce development and jobs to the city and surrounding region. I would suggest to the governing body to consider a membership, the board has approved a budget in the amount of \$5,000, what I am requesting tonight is for the governing body to identify some sort of membership level. The Silver Level is the highest in terms of the budget that has been currently approved. MVEDA is not only able to advertise the City of Anthony at a local, regional, national and international level but also guide us with respect to conducting inventories of assets.

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

MPT Elva Flores YES NO

Trustee Daniel Barreras YES NO

Trustee Javier Silva YES NO 4 to 0 Vote, Motion Passes.

Trustee Gabriel I. Holguin YES NO

Mayor Diana Murillo YES NO

d. Consideration and Action to approve the Grand Canyon University Educational Alliance Participation Agreement, Presented by Jeffery Cox.

Jeffery Cox: I want to re-iterate a few of the things that were discussed last time, this is a nonexclusive, no cost agreement, GCU does not ask for any payments from the City and does not require a minimum number of students. The scholarship is a 10% off tuition, we charge a flat in-state tuition along other resources such as online cohorts, professional development opportunities and test preparation.

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

MPT Elva Flores YES NO

Trustee Daniel Barreras YES NO

Trustee Javier Silva YES NO 4 to 0 Vote, Motion Passes.

Trustee Gabriel I. Holguin YES NO

Mayor Diana Murillo YES NO

9. ORDINANCES

a. Notice of Intent to Adopt Ordinance 2022-006, First Reading

An ordinance authorizing the issuance and sale of the City of Anthony, New Mexico taxable industrial revenue bonds (Louisiana Pepper Exchange, LLC Project) maximum principal amount of \$25,000,000 in one or more series to provide funds to finance the acquisition, construction and equipping of a pepper mash manufacturing facility.

First Reading: November 22nd, 2022

Notice of Publication: November 2nd, 2022

Public Comments/Discussion: November 22nd and December 7th, 2022

Consideration and Action to pass: December 7th, 2022

Trustee Holguin: Can you please break down the \$25 million?

Interim City Manager: The \$25 million is the total project budget, including the acquisition of property and building. The way the industrial revenue bond works is essentially the statute allows the municipality to essentially sponsor the project but is not responsible for the repayment of these municipal bonds that are sold to raise the proceeds to develop the \$25 million project. The payments are structures such that the debt and any additional costs is paid off by the Louisiana Pepper Exchange.

Trustee Holguin: Will there be a cost to the municipality?

Interim City Manager: The beauty of the industrial revenue bond is that it actually benefits the City of Anthony, you get a payment in lieu of taxes and that number I will get for you before the next reading.

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

Betty Gonzalez
Adolfo Gallegos
Adrian Perez
Genaro Soriano
Jose Garcia
Marty Gutierrez

11. ITEMS FROM THE CITY CLERK

Holiday Haul

12. ITEMS FROM THE CITY MANAGER

We will be receiving the high mast lighting earlier than anticipated for Adam's Park and we are still on schedule to complete the work.

Update where we are in the IT Infrastructure.

Tresco, another entity that looking to secure a leased space at the portables will be moving forward with the draft lease agreement for February 2023.

13. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Silva: 3 ft hole south of church and lee, if we can have Public Works look at that.

Trustee Holguin: Bring up the idea for the Public Defender again, I believe should be our priority right now. What is our plan to fix the fence and clean up the park in the meantime.

Trustee Barreras: Some complains on some of the alleys that are not being well kept. One of the alleys is being used as a mechanic spot and leaving oil and old tires, help them find who is responsible for that.

14. ADJOURNMENT


1ST Motion: MPT Flores **2nd Motion:** Trustee Barreras

MPT Elva Flores	YES NO
Trustee Daniel Barreras	YES NO
Trustee Javier Silva	YES NO 4 to 0 vote, Motion Passes at 8:04pm.
Trustee Gabriel I. Holguin	YES NO
Mayor Diana Murillo	YES NO



Diana Murillo, Mayor

{SEAL}
Attest:



Karla Oropeza, City Clerk

