

Court Chambers
820 Highway 478
Anthony, NM 88021

City of Anthony, NM
Regular Board of Trustees Meeting
MINUTES
Tuesday, February 27th, 2024
6:00PM

Diana Murillo, Mayor
Gabriel I. Holguin, MPT
Jose Garcia, Trustee
Daniel Barreras, Trustee
Fernando Herrera, Trustee

You can join meeting using your phone
by dialing.

Phone Number: [+1 \(617\) 837-6600](tel:+16178376600)
Meeting ID: 115-072-4601

Join meeting from your
computer, tablet or smartphone.
<https://granite.accessionmeeting.com/j/1150724601>

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 at 6:00PM

2. **PLEDGE OF ALLEGIANCE** led by Trustee Barreras

3. **ROLL CALL**

Present:

MPT Gabriel I. Holguin	YES	NO
Trustee Jose Garcia	YES	NO
Trustee Daniel Barreras	YES	NO
Trustee Fernando Herrera	YES	NO
Mayor Diana Murillo	YES	NO
Quorum Established	YES	NO

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

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

4. **APPROVAL OF AGENDA ORDER**

1st Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin	YES	NO
Trustee Garcia	YES	NO
Trustee Barreras	YES	NO
Trustee Herrera	YES	NO

4-0 Vote, Motion Passes.

5. **PUBLIC COMMENTS-** (3-minute limit per person)

Elvia Cienfuegos	Enrique Avitia
Ricardo Rivera	Adrian Perez
Betty Gonzalez	Genaro Soriano
Ricardo Lopez	Annette Morales

6. **APPROVAL OF MINUTES**

a. Regular Meeting: 02/05/2024

1st Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin	YES	NO
Trustee Garcia	YES	NO
Trustee Barreras	YES	NO
Trustee Herrera	YES	NO

4-0 Vote, Motion Passes.

7. **PRESENTATION**

a. Presentation on the New Mexico Department of Finance and Administration's Trainings and

Assessments, **Presented by Trustee Jose Garcia.**

Training provided by the DFA is available to better under a municipality's budget on March 21st, Trustee Garcia invites all including, staff, residents and other trustees to attend and request the City host this virtual event to allow the maximum number of participants. Trustee Garcia assured the Board and the public that as soon as he gathers more information, he will reach out to the City Clerk to share it with the public.

8. CONSIDERATION AND ACTION

- a. Consideration and Action to approve Morrow Enterprises proposal for the Duffer Lane Phase 3 Multi Use Trail, **Presented by the Projects Coordinator.**

This proposal is for the construction of the Duffer Lane Phase Multi Use Trail that was awarded to the City's On-Call Contractor, Morrow Enterprises for a total of \$392,088.28. Trustee Herrera wanted to inform the public that this project is to complete the Multi Use Trail as the design was completed last year. MPT Holguin would like in the future to put more projects out to bid as opposed to awarding them to the On-Call to allow more diverse work and business within the City. Trustee Herrera asked for some clarification on going out to bid versus awarding to an on-call, highlighted the pros and cons, one being that awards to on-calls save time and money.

1st Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

4-0 Vote, Motion Passes.

- b. Consideration and Action to amend Resolution 2023-031 (Amended) to declare Jay Armijo, Executive Director of SCCOG, as the Fiscal Agent for Project Number SAP 23-H2409, **Presented by the Projects Coordinator.**

1st Motion: Trustee Garcia

2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

4-0 Vote, Motion Passes.

- c. Consideration and Action to approve continuation of City payment to outside counsel for D-307-CV-202300810, **Presented by MPT Gabriel I. Holguin.**

MPT Holguin read what is considered confidential information under state law and what can and cannot be disclosed to the public that occurred during closed session. He wanted to inform the public about the misuse of city funds, he strongly believes that the Mayor should not be getting the attorneys she is utilizing for this specific lawsuit paid for, since he is paying for his own. At the very least this request for payment should have come to the board for approval. Nearly \$24,000 has been utilized for this lawsuit to have MPT Holguin removed, this came after public comments were removed and he started to advocate for the residents and calling the attention to the State auditors and the Attorney General. He expresses that these funds could be used to streets but are being misused to pay for the wrong thing.

1st Motion: Trustee Garcia

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

1-3 Vote, Motion Denied.

Trustee Barreras YES NO

Trustee Herrera YES NO

d. Consideration and Action to approve continuation of City payment to outside counsel for D-307-CV-202302386, **Presented by MPT Gabriel I. Holguin.**

MPT Holguin reiterated this expense was never brought to the Board for approval, telling the residents that the Mayor is taking advantage of position. He urges the Mayor and administration not to hide anything and bring situations like this to the Board for approval. After several attempts the board still does not have a total of what has been spent.

1st Motion: Trustee Garcia

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

1-3 Vote, Motion Denied.

Trustee Herrera YES NO

e. Consideration and Action to approve the hiring of **a Temporary IT, Presented by HR.**

The HR Director informed the Board that prior to the hiring freeze that was approved the 17th of January, she had filled all open positions except for the Police Department but the candidate for the IT Assistant position was unable to move forward after the background check. There has been a struggle without an IT assistant and is concerned that moving forward with a "temporary" IT would lessen the number of candidates. Trustee Garcia questioned if there is no IT Manager how we are jumping straight into hiring an IT Assistant, the HR Director explained that the City did that to lower the expense of that department (a higher position would require higher pay) and the City utilizes Spectrum as a third-party vendor for IT issues. It would be more beneficial to have an in-house IT Assistant that can streamline communication between the City's needs and Spectrum. Trustee Garcia asked what the Spectrum contract consists of, which includes things such as equipment breaking down, a help desk and support the firewall protection. Trustee Garcia further questioned in the situation that recently occurred where a meeting had to be cancelled because of IT issues, why Spectrum could not help. The HR Director explained that another issues with only having Spectrum is that they are 8am-5pm. Because of this Trustee Garcia suggested that he would like the City to move forward with hiring a temporary IT with the probability of a full-time position based on their performance and terminate the contract with Spectrum. The HR Director advised against that since even with full-time IT personnel, Spectrum would still need to oversee important aspects of City's infrastructure. City Manager recommended Spectrum present in a future meeting to inform the public about their services but if it is the Board's desire to advertise as temporary and get to the Board with the number of candidates. If the board is to move forward with this a new job description and pay rate would need to be considered as it doesn't currently exist. MPT Holguin would like to look at other avenues since as training other employees or looking into internships.

Motion to Amend: **1st Motion:** Trustee Garcia

2nd Motion: MPT Holguin

Motion to Postpone: **1st Motion:** Trustee Barreras

2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

4-0 Vote, Motion Passes.

Trustee Herrera YES NO

9. 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 10-15-1(H)(7) to discuss potential litigation where the City of Anthony and/or its affiliates may be named.

1st Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

4-0 Vote, Motion Passes at 7:08PM.

b. Return to Open Session *MPT Holguin presided over the remainder of the meeting.

1st Motion: Trustee Herrera

2nd Motion: Trustee Barreras

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

4-0 Vote, Motion Passes at 7:51PM.

10. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Herrera: Requested the City Manager get into contact with the Anthony Community Cemetery regarding water rights. Addressed concerns from residents on Duffer Lane regarding a relocation of a streetlight. GISD sent out an email and the student pick area. He also expressed his desire for a ride along with some officers to better understand their day-to-day duties, City Manager would like to have a workshop to discuss before making any commitment.

Trustee Barreras: NONE

Trustee Garcia: Thanked the public for attending. Asked if the City will be liable if a vehicle is damaged from a pothole. Requested a presentation from the Public Works Director to provide an update. Requested a closed session to discussion personnel matters regarding the City Manager and the renewal of the City Manager Contract. Would also like to look into updating the City of Anthony Master Plan.

1st Motion: Trustee Garcia

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

4-0 Vote, Motion Passes.

MPT Holgin: Thanked the public for attending and Former Trustee Betty Gonzalez. Requested a consideration and action item to obligate the Mayor to pay back funds utilized for her attorneys and an amendment to resolution 2017-008.

1st Motion: MPT Holguin

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

3-1 Vote, Motion Passes.

11. ADJOURNMENT

1st Motion: Trustee Herrera

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

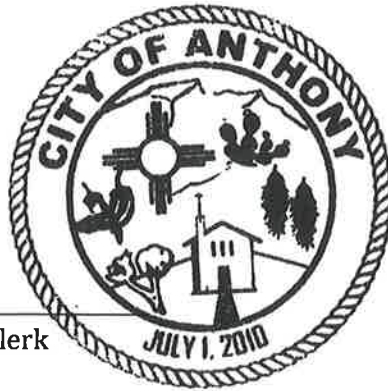
Trustee Barreras
Trustee Herrera

YES NO
YES NO

4-0 Vote, Motion Passes at 8:05PM.



Diana Murillo, Mayor



{SEAL}

Attest:



Karla Oropeza, City Clerk