

Court Chambers  
820 Highway 478  
Anthony, NM 88021

**City of Anthony, NM**  
**Regular Board of Trustees Meeting**  
**MINUTES**  
**Wednesday, March 6<sup>th</sup>, 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.

United States: [+1 \(617\) 837-6600](tel:+16178376600)  
Access Code: 116-638-5027

Please join meeting from your  
computer, tablet or smartphone.

[https://granite.accessionmeeting.com/  
j/1166385027](https://granite.accessionmeeting.com/j/1166385027)

*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 **6:10pm**
- 2. PLEDGE OF ALLEGIANCE** by Mayor Murillo
- 3. ROLL CALL**

|          |                          |            |    |
|----------|--------------------------|------------|----|
| Present: | MPT Gabriel I. Holguin   | <b>YES</b> | NO |
|          | Trustee Jose Garcia      | <b>YES</b> | NO |
|          | Trustee Daniel Barreras  | <b>YES</b> | NO |
|          | Trustee Fernando Herrera | <b>YES</b> | NO |
|          | Mayor Diana Murillo      | <b>YES</b> | NO |
|          | Quorum Established       | <b>YES</b> | NO |

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*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**

*Mayor requested a motion to add public comment to the agenda as item 5. MPT Holguin made the motion and requested an amendment to item 8c to remove 'for any litigation' and read "for Holguin v. Murillo DV-307-CV202300810 and Herrera v. Murillo DV-307-CV202302386."*

**1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> Motion:** Trustee Garcia

**Roll Call Vote:**

|                  |               |                          |
|------------------|---------------|--------------------------|
| MPT Holguin      | <b>YES</b> NO |                          |
| Trustee Garcia   | <b>YES</b> NO | 3-1 Vote, Motion Passes. |
| Trustee Barreras | <b>YES</b> NO |                          |
| Trustee Herrera  | <b>YES</b> NO |                          |

**5. PUBLIC COMMENT**

|                |                |
|----------------|----------------|
| Adrian Perez   | Genaro Soriano |
| Betty Gonzalez | Cecilia Acosta |
| Ricardo Rivera |                |

**6. APPROVAL OF MINUTES**

**a. Workshop 02/27/2024**

**1<sup>st</sup> Motion:** Trustee Garcia

**2<sup>nd</sup> Motion:** MPT Holguin

**Roll Call Vote:**

|                  |               |                          |
|------------------|---------------|--------------------------|
| MPT Holguin      | <b>YES</b> NO |                          |
| Trustee Garcia   | <b>YES</b> NO | 4-0 Vote, Motion Passes. |
| Trustee Barreras | <b>YES</b> NO |                          |
| Trustee Herrera  | <b>YES</b> NO |                          |

**b. Regular Meeting 02/27/2024**

MPT Holguin made the motion to amend item 8d for the last sentence to read "After several attempts the Board still does not have a total of what has been spent."

**Original w/ amendment 1<sup>ST</sup> Motion:** Trustee Garcia **2<sup>nd</sup> 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 |                          |

**Motion to amend Item 8d 1<sup>ST</sup> Motion:** MPT Holguin **2<sup>nd</sup> Motion:** Trustee Garcia

**Roll Call Vote:**

|                  |     |    |                          |
|------------------|-----|----|--------------------------|
| MPT Holguin      | YES | NO |                          |
| Trustee Garcia   | YES | NO |                          |
| Trustee Barreras | YES | NO | 4-0 Vote, Motion Passes. |
| Trustee Herrera  | YES | NO |                          |

**7. Presentation**

**a. Dona Ana County Treasurer, Presented by Eric Rodriguez and Marisol Richardson.**

*The County Treasurer was present tonight to provide a brief presentation on the decreasing property tax levy and the importance of having this as a source of revenue for the City. As of 2022, they noticed the gradual decrease in the mill levy and noted that by 2026 it would be eliminated. The City was projected to have received roughly \$623,000 at the max allowed percentage, with the decrease it has currently been cut by more than half with projections at \$264,898.27. The funds can be used for any operational purpose unless the Board specifies otherwise. A few things to remember when considering the property mil levy is the impact it could have on the budget. The Department of Finance and Administration (DFA) requires each entity to pass a balanced budget, complete elimination of the property tax mill levy may leave the City in a vulnerable position because a recurring revenue such as the mil levy can be utilized for any recurring expense such as salaries or maintenance of roles.*

**b. USDA Presentation, Presented by Patricia Villalobos.**

*Ms. Villalobos was present to inform the Board of a new USDA program that provides resources to municipalities with any ongoing projects. She encourages the Trustees to attend a forum scheduled for March 12<sup>th</sup> that will review some of these resources.*

**c. City of Anthony Waste Amnesty Program, Presented by South Central Solid Waste Authority Deputy Director Rafael Leos.**

*Mr. Leos gave an overview of past amnesty programs and details regarding potential amnesty programs to aid residents in disposing of large items or large amounts of trash. Several logistics to hosting an amnesty or city clean up day include, working with several departments and agencies to support the event and community outreach. An important detail to note is calculating the amount of tonnage that will be disposed of to better calculate the expense that can be expected. Ideally it's recommended that the City host one event every quarter. Trustee Garcia is very much in favor of hosting a city-wide clean-up for the community and getting everyone involved. The Projects Coordinator notified the Board of the upcoming event in April which utilized the Keep New Mexico Clean and Beautiful Grant the City is awarded every year.*

**d. Public Works Update, Presented by the Public Works Director.**

*The Public Works Director showed several photos noting the updates his department has done in the last couple of months, including potholes, graffiti removal, sidewalk repair, weed removal and several projects that were*



**Librarian.**

The Head Librarian expressed the need for a tent for their upcoming event for Dia de los Ninos, currently the City borrows/rents any tent that has been used for past events. She noted that this purchase can be utilized for the whole City and, if permitted, for public use. She reviewed the quote comparison and depending on the quote approval, funds will be taken from the Library's previously approved 2023-2024 FY budget under 'Capital Equipment' that currently has a budget of \$10,000. MPT Holguin motioned to make an amendment to utilize \$15,000 from the General Fund as this tent will be used across all City departments, he would hate to take away from the library's budget. The Head Librarian clarified she has no other plans for those funds that she is requesting to utilize and reminded the Board that we are near the end of the fiscal year. Trustee Herrera advised continuing with the use of the library's budget instead of the General Fund as this tent fits within the purchase ability of the budget the Head Librarian requests to use. MPT Holguin amended his original motion to set aside \$5,000 for the General Fund for the tent for City wide usage in addition to the funds that are set aside within the library's budget. Those additional funds will revert if not used.

**Amendment to set aside \$5,000 from the General Fund 1<sup>st</sup> Motion: MPT Holguin 2<sup>nd</sup> Motion: Trustee Herrera**

**Roll Call Vote:**

|                  |               |                          |
|------------------|---------------|--------------------------|
| MPT Holguin      | <u>YES</u> NO |                          |
| Trustee Garcia   | <u>YES</u> NO |                          |
| Trustee Barreras | <u>YES</u> NO | 4-0 Vote, Motion Passes. |
| Trustee Herrera  | <u>YES</u> NO |                          |

**Original 1<sup>st</sup> Motion: MPT Holguin 2<sup>nd</sup> Motion: Trustee Garcia**

**Roll Call Vote:**

|                  |               |                          |
|------------------|---------------|--------------------------|
| MPT Holguin      | <u>YES</u> NO |                          |
| Trustee Garcia   | <u>YES</u> NO |                          |
| Trustee Barreras | <u>YES</u> NO | 4-0 Vote, Motion Passes. |
| Trustee Herrera  | <u>YES</u> NO |                          |

- b. Consideration and Action to approve a resolution authorizing the submission of the LGRF Municipal Arterial Program (MAP) application for Church Street Phase II from Clark Ave. to Ruth Ave., Presented by the Projects Coordinator. (Resolution 2024-009)**

**1<sup>st</sup> Motion: Trustee Garcia 2<sup>nd</sup> Motion: Trustee Barreras**

**Roll Call Vote:**

|                  |               |                          |
|------------------|---------------|--------------------------|
| MPT Holguin      | <u>YES</u> NO |                          |
| Trustee Garcia   | <u>YES</u> NO |                          |
| Trustee Barreras | <u>YES</u> NO | 4-0 Vote, Motion Passes. |
| Trustee Herrera  | <u>YES</u> NO |                          |

- c. Consideration and Action to require Mayor Murillo to pay back funds to the City of Anthony that have been utilized for Murillo v. Holguin DV-307-CV202300810 and Herrera v. Murillo DV-307-CV202302386, Presented by MPT Gabriel I. Holguin.**

After careful consideration MPT Holguin has brought this item before the Board, as he stated that these funds have been used to silence him and the community. He continues to state that the City Manager wrongfully approved the use of these funds when it is the Board of Trustees' responsibility to approve an expenditure like this. He noted that this approval would signify the community getting their voice back. Mayor Murillo read a section from the City of Anthony's Code of Conduct and explained the additional responsibility of the Mayor and Mario to investigate any claims that there has been a violation of this code. Mayor Murillo shared that the case she has against MPT Holguin was launched in response to claims of a violation to the Code of Conduct, a third-party agency investigated to remove any conflicts of interest and the allegations brought forth by staff members were substantiated. The contract

that exists for these attorney and case is a contract between them and the City of Anthony and not solely between the Mayor and Modrall Law firm. MPT Holguin reiterated some of the factors behind not only the lawsuit that was initiated by members of public but also to note the reasons behind the push for repayment, including the misuse of city funds and breaking of rules. The contract nor the issued funds came to the board for approval.

**1<sup>ST</sup> Motion:** MPT Holguin

**2<sup>ND</sup> Motion:** Trustee Herrera

**Roll Call Vote:**

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

3-1 Vote Motion Passes.

**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 10-15-1(H)(2) to discuss Limited Personal Matters regarding the City Manager and the City Manager Contract.

**1<sup>ST</sup> Motion:** Trustee Garcia

**2<sup>ND</sup> 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 8:09 pm.

- b. Return to Open Session

**1<sup>ST</sup> Motion:** Trustee Herrera

**2<sup>ND</sup> 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 at 8:50 pm.

**11. CONSIDERATION AND ACTION**

- a. Consideration and Action to approve the renewal of the City Manager Contract (with the date of June 7<sup>th</sup>, 2024).

**1<sup>ST</sup> Motion:** Trustee Garcia

**2<sup>ND</sup> Motion:** Trustee Barreras

**Roll Call Vote:**

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

1-3 Vote, Motion Denied.

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

**Trustee Herrera:** Would like a light post on the walking path near the entrance of Dos Lagos to avoid any liabilities as it is too dark and those walking are hard to see. Regarding the trouble with the video and audio during this meeting he would like to reopen the position for IT department and revert to the old system as he has been receiving various complaints. Would like to rescind the City Manager Ordinance at a later date, he believes the City can save a lot of money if that position is eliminated.

**Trustee Barreras:** Requested police to patrol near Acosta Rd as he noticed a lot of cars passing the stop signs.

**Trustee Garcia:** Asked what the Police Department is doing about graffiti, the Chief of Police shared some of efforts from the officers. Requested information be more readily available for those that are starting businesses within the City.

**MPT Holguin:** Stated that justice has been served with the decisions that took place during this meeting.

Reminded the public to always hold the board members accountable. Motioned to have the amendment to Resolution 2017-008 on the upcoming agenda.

1<sup>st</sup> Motion: MPT Holguin

2<sup>nd</sup> 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.

**13. ADJOURNMENT**

1<sup>st</sup> Motion: MPT Holguin

2<sup>nd</sup> 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 9:09pm.



*Diana Murillo*  
 \_\_\_\_\_  
 Diana Murillo, Mayor

{SEAL}  
Attest:

*KGA*  
 \_\_\_\_\_

Karla Oropeza, City Clerk