

Court Chambers
820 Highway 478
Anthony, NM 88021

City of Anthony, NM
Board of Trustees: Regular Meeting
MINUTES

Wednesday, August 7th, 2024

6:00PM

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

Please join TEAMS meeting from
your computer, tablet or
smartphone.

You can join meeting using your phone
by dialing.

United States: **+1 (872)240-3212**

Access Code: **636-633-445**

Meeting ID: 236 293 877 390

Passcode: P6vvsxq

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 **6:02pm**

2. PLEDGE OF ALLEGIANCE by Trustee Herrera

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: 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.

5. PUBLIC COMMENTS (3-minute limit for each person)

Cecilia Acosta

Marty Gutierrez

Adrian Perez

Maria Enriquez

Betty Gonzalez

6. APPROVAL OF MINUTES

a. Regular Meeting: 07/03/2024

MPT Holguin motioned for amendments.

1ST Motion: MPT Holguin

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. Regular Meeting: 07/15/2024

MPT Holguin requested some amendments.

1ST Motion: MPT Holguin

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.

c. Special Budget Meeting: 07/22/2024

1ST Motion: MPT Holguin

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.

d. Workshop: 07/25/2024

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

4-0 Vote Motion, Passes.

e. Workshop: 07/29/2024

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.

7. DISCUSSION

- a.** Update on the City Attorney Contractual Services Request for Bids, **Presented by the City Clerk.** *The City Clerk informed the Board that the RFP closed on July 22nd without any submissions. Due to the CPO being on medical leave the reposting of this is to be determined later. Trustee Garcia inquired about the posting locations and would like to know if it was also posted with NMML. The City Clerk will follow up on this request a long with MPT Holguin request for receipts of the postings on the El Paso Times and Las Cruces Sun News.*

- b.** Discussion with possible action regarding the On-Call Engineers Contract, **Presented by MPT Holguin.** *MPT Holguin felt it was important to bring this item to the Board for reconsideration due to several factors, including the conflict of interest that existed with the previous City Manager and his previous employment with Wilson & Co. and the increase in charges such as the \$1 million concession stand. He believes with the magnitude of projects they currently have; it is time to give others an opportunity to showcase their work with the City. Trustee Garcia shared the same concerns as MPT Holguin, and both agreed to reopen the bidding process. Trustee Herrera voiced his concerns with the length of the contract and the pending projects. Mayor Murillo gave an overview of the open projects and cautioned the Board to avoid losing any funding that is tied to these projects and company. MPT Holguin urged the Board to reconsider this contract despite the risk of losing funding or progress. Moving forward, any new project will be contracted to someone else with the contingency that Wilson & Co. complete any project that they have started as stated in their contract. A motion was made to reopen the bidding process for On-Call Engineers.*

1st Motion: MPT Holguin

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin **YES** NO
Trustee Garica **YES** NO
Trustee Barreras **YES** NO
Trustee Herrera **YES** NO

4-0 Vote, Motion Passes.

8. CONSIDERATION AND ACTION

- a. Consideration and Action to approve the hiring of a Head Librarian, Neighborhood Services Director and Parks and Recreational Facilities Director, **Presented by Mayor Murillo.**

(Postponed)

To Postpone **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.

- b. Consideration and Action to approve the UpAhead agreement, utilizing GL 101-15-63000, **Presented by City Clerk.**

It was requested by the several members of the Board for the City Clerk to bring 2 additional quotes for comparison.

1ST Motion: Trustee Barreras

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 Denied.

- c. Consideration and Action to approve a resolution approving the agreement for Road Improvements in the amount of \$250,000, **Presented by the Projects Coordinator.**
This Capital Appropriation agreement is to be utilized for planning, design and construction for road improvements for San Andres Drive, Archer Street, Madison Street and Grant Street. Although multiple streets are mentioned, this amount would not cover all of them, it's suggested by the Projects Coordinator for the Board to decide what street they would like to reconstruct. MPT Holguin confirmed there was a \$0 match and inquired whether speed bumps are an eligible expenditure under this grant. Trustee Herrera asked the Board to consider combining property tax, cannabis tax and these funds to help in getting additional streets done.

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.

- d. Consideration and Action to approve Wilson & Co. Task Order to design Pond 9A, **Presented by Projects Coordinator.**

The Task Order being presented is for the design of Pond 9A through Wilson & Co. in the amount of \$341,799.80 utilizing funds from the Water Project Fund that is set to expire in December. There was some hesitation with approving this item due to it coming from Wilson & Co. Trustee Garcia questioned whether another company would be able to design it, the Project Coordinator shared that it would have to be put out for RFP and with the CPO being out on medical leave there is no concrete date for. There was some confusion among board members regarding the location, to

clarify this Pond 9A is for water retention/flood control and not inside Dos Lagos as part of the fishing lakes that were previously presented. The motion was made to postpone this item until the CPO could put it out to bid, the Project Coordinator did warn that with current timeframes it could be close to the deadline and the City could risk losing these funds and secure any future funding.

Original Motion 1ST Motion: Trustee Barreras
Motion to Postpone: 1st Motion: Trustee Garcia

2nd Motion: Trustee Herrera
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	

- e. Consideration and Action to approve the Dos Lagos Property Tax, **Presented by Projects Coordinator.**

The Projects Coordinator read out the letter that was sent out from the County Treasurer regarding the pending invoice.

1ST Motion: Trustee Herrera

2nd Motion: Trustee Barreras

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	
Trustee Barreras	YES NO	3-2 Vote, Motion Passes.
Trustee Herrera	YES NO	
Mayor Murillo	YES NO	

- f. Consideration and Action to approve the sale of the City ADA vehicle, **Presented by MPT Holguin.**

Mayor Murillo thanked the previous administration and former trustees for helping her and understanding the need for the purchase of an ADA vehicle. The Chief of Police proposed that they could purchase the truck to avoid losing that asset. Several board members were opposed to this idea due to safety concerns and accountability purposes. The Chief of Police further questioned the path for sale the Board intends to take. Discussion by several members surrounds that around that no minutes exist on the purchase of the original ADA Honda Odyssey vehicle making it a potential illegal purchase, safety concerns, and potential abuse of public funds/property. Additionally, it was also brought up that this vehicle did not have GPS or decals violating City policies.

1ST Motion: Trustee Barreras

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	
Trustee Barreras	YES NO	3-1 Vote, Motion Passes.
Trustee Herrera	YES NO	

10-minute recess was called at 7:34pm. Returned to session at 7:44pm.

- g. Consideration and Action to approve the amendments to the City of Anthony Finance Policies, **Presented by MPT Holguin.**

MPT Holguin shared the proposed changes to the current finance policies, some of the major changes are the limits for expenses and the removal of the City Clerk as a authorized signatory and addition of an Alternate signatory that will sign in the event that the Mayor or MPT could not sign, and provided an example as reflected on the Finance Policies. The City Clerk advised of some additional changes, specifically the removal of the City Manager wording and change for the individual responsible for several duties outlined. The City Clerk did request that these policies take effect on August 19th, 2024 to not interfere with payroll the following week as the new authorized signatories will be out of town for training. MPT Holguin motion for these changes.

1st Motion: MPT Holguin

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO 3-1 Vote, Motion Passes.

Trustee Herrera YES NO

Original Motion 1st Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO 3-1 Vote, Motion Passes.

Trustee Herrera YES NO

- h. Consideration and Action to remove City Clerk, Karla Oropeza, as a designated signatory from all banking institutions, **Presented by MPT Holguin.**

This remove is done to align with the newly approved Finance Policies.

1st Motion: Trustee Barreras

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO 3-1 Vote Motion Passes.

Trustee Herrera YES NO

- i. Consideration and Action to approve the appointment of an Alternate Signatory, **Presented by MPT Holguin.**

To align with the recently approved Finance Policies, the Board approved Trustee Garcia as the alternate authorized signatory that will only be responsible to sign when the Mayor and MPT are not permitted to sign.

Motion to approve the appointment of Trustee Garcia as the Alternate Signatory.

1st Motion: Trustee Herrera

2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

~~Trustee Garcia~~ YES NO *Recused* 2-1 Vote, Motion Passes.

Trustee Barreras YES NO

Trustee Herrera YES NO

Original 1st Motion: Trustee Barreras

2nd Motion: MPT Holguin

- j. Consideration and Action to approve a resolution establishing a policy to freeze expenditures and non-budgeted expenses for 2024-2025 Fiscal Year, which shall require prior approval by the Board of Trustees for the purpose of fiscal management, **Presented by MPT Holguin.**

The resolution being presented today is like the one already in place and previously approved, it would simply extend to the current fiscal year.

1st Motion: Trustee Barreras

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO 3-1 Vote, Motion Passes.

Trustee Herrera YES NO

- k. Consideration and Action to approve the purchase of PD vehicles, **Presented by Chief of Police and Detective Bueno.**

The Chief of Police with the help of Detective Bueno presented the quotes for the acquisition for 4 new vehicles for the Chief of Police, Lieutenant, and Detectives. They sought approval for the

purchase of two 2024 Chevy Tahoe and two 2024 Ford Explorer. The Chief shared with the Board that the police department currently has roughly \$325,000 to utilize for the purchase of these vehicles. This purchase does not include the outfitting package for the units but with the total amounting to \$206,354, there is enough left to acquire the required equipment. It was stated that these funds are not from the general fund.

1ST Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin _____ YES NO *Recused*

Trustee Garcia YES NO

Trustee Barreras YES NO 3-0 Vote, Motion Passes.

Trustee Herrera YES NO

9. ORDINANCE

a. Notice of Intent to Adopt Ordinance 2024-003

An ordinance rescinding Ordinance No. 2019-002, An Ordinance of the City of Anthony to Provide for the Hiring of a City Manager.

Notice of Publication: July 18th, 2024

Discussion: July 29th & August 7th, 2024

Consideration and Action: August 7th, 2024

1ST Motion: Trustee Herrera

2nd 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

10. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Herrera: *Requested Adams Ballpark be cleaned up by Public Works. Inquired about the Villa Serreno property on Acosta, the Mayor explained an interested tenet for that property. He also questioned what is currently in that building and requested an inventory list for the city. Asked about the funding source for the reconstruction of Church Street. Wanted to follow up on the abandoned Sun Spot building and what authority the city has regarding it. Motioned to have a 3rd record holder for the city that would have access to all the records. Would like an update on the SCCOG and inquired about having another trustee attend those meetings. Informed the public and the board about a possible development but Mayor Murillo warned about the potential conflict of interest if any board member is too involved.*

1ST Motion: Trustee Herrera

2nd 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

Trustee Garcia: *Supported the idea of having a 3rd record holder that would be granted access to all records. Informed the Mayor the board should be made aware as soon as possible of any termination/resignation. Requested an updated-on completion dates for road improvements now that the budget has been approved. Would like to focus on bring additional businesses to Anthony.*

MPT Holguin: *Congratulated a community member on their recent successes. Suggested DropBox to aid giving access to the records holders. Motion to have the amendment for resolution 2024-017 on the upcoming agenda. Completing the speed bumps on 4th street. Advised the board to be cautious when speaking to others.*

1st Motion: MPT Holguin

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO
Trustee Garcia YES NO
Trustee Barrera YES NO 3-1 vote, Motion passes
Trustee Herrera YES NO

The next budget workshop is scheduled for Monday, August 19th at 6:00pm.

11. ADJOURNMENT

1ST Motion: Trustee Barreras

2nd Motion: Trustee Herrera


Roll Call Vote:

MPT Holguin YES NO
Trustee Garcia YES NO 4-0 Vote, Motion Passes at 9:15pm.
Trustee Barreras YES NO
Trustee Herrera YES NO




Diana Murillo, Mayor

{SEAL}
Attest:


Karla Oropeza, City Clerk