

Court Chambers
820 Highway 478
Anthony, NM 88021

City of Anthony, NM
Board of Trustees: Regular Meeting
MINUTES
Wednesday, February 5th, 2025

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\(469\)312-8116](tel:+14693128116)
Access Code: 575 596 989#

6:00pm

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

[Meeting ID: 276 766 752 796](#)

[Passcode: nP3J8od9](#)

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 **6:03pm**
- 2. PLEDGE OF ALLEGIANCE**
- 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

Motion to amend 8a to be presented by the City Attorney Enrique Palomares, pull item 9c and 9d for discussion, remove 'Presented by MPT Holguin' from 12a-12g, remove 'Matthew Grubaugh' and remove 12b altogether.

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.

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

Manuel Salazar

Marty Gutierrez

Leticia Lopez

Adrian Perez

Irene Miramontez

Jose Saldana Jr.

6. APPROVAL OF MINUTES

a. Regular Meeting: 01/15/2025

1st Motion: Trustee Barreras

2nd Motion: Trustee 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. Special Meeting: 01/21/2025

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.

c. Workshop: 01/27/2025

w/ **amendments** **1ST Motion:** MPT Holguin

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.

7. PRESENTATION

- a. Presentation on the sale of the City ADA vehicle, **Presented by HR/CPO and Mayor Diana Murillo.**

The HR Director provided an overview of the vehicle's procurement history and its current specifications. Following the directive given by most of the Board, she obtained three quotes and requested further guidance on how to proceed. The best offer came from Rudolph in El Paso at \$16,781, she noted that these funds could be used toward the purchase of another vehicle. Additionally, she reached out to Silver City, as a Board member there utilizes a similar vehicle, to determine their interest in purchasing it; however, she has not yet received a response. Mayor Murillo briefly addressed some concerns that had been raised regarding the purchase and use of this vehicle. MPT Holguin also clarified previous comments, emphasizing that the intent behind selling the vehicle is to benefit the city. Trustee Herrera requested that follow-up efforts with Silver City continue, while MPT Holguin suggested exploring the possibility of donating the vehicle to the local school district. The City Attorney further clarified that regardless of the direction the Board takes, the sale or donation must be approved by the DFA.

8. DISCUSSION

- a. Discussion on the Correspondence received by the New Mexico Department of Justice regarding the Esther Montongo v. City of Anthony, **Presented by MPT Holguin City Attorney Enrique Palomares.**

The City Attorney provided a brief overview of the lawsuit related to a records request from 2019. The primary purpose of the correspondence was to recommend implementing a specific policy to prevent similar situations in the future. There were further questions seeking clarification on current policies and procedures in place as well as the liabilities expected if the city fails to fulfil a request.

9. CONSENT AGENDA

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.

- a. Consideration and Action to approve the lease agreement between the City of Anthony and Tresco, Inc., **Presented by the City Clerk.**
- b. Consideration and Action to terminate the existing Lease Agreement between the City of Anthony and Tresco, Inc., **Presented by the City Clerk.**
- c. Consideration and Action to approve a resolution authoring budget adjustment for the 2nd Quarter of the 2024-2025 Fiscal Year, **Presented by the Finance Director. (Resolution 2025-03)**
The adjustments reflected the changes to revenues and the new department that was created for the

In-house Counsel.

1ST Motion: Trustee Barreras **2nd Motion:** Trustee Herrera

Roll Call Vote:

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

d. Consideration and Action to approve a resolution approving the 2nd Quarter of the 2024-2025 Fiscal Year, ***Presented by the Finance Director. (Resolution 2025-04)***

1ST Motion: Trustee Barreras **2nd Motion:** Trustee Herrera

Roll Call Vote:

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

10. CONSIDERATION AND ACTION

a. Consideration and action to approve a resolution authorizing representatives to accept funding on behalf of the City of Anthony, to comply with CDS grant requirements., ***Presented by the Projects Coordinator. (Resolution 2025-05)***

Original as amended 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	

Motion to remove Mayor and replace it with the City Attorney.

1st Motion: MPT Holguin **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	

b. Consideration and Action to approve payment for Translation Services in the amount of \$930.41, ***Presented by the City Clerk.***

The City Clerk explained the amount was the total for the months of November and December.

1ST Motion: MPT Holguin **2nd Motion:** Trustee Garcia

Roll Call Vote:

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

c. Consideration and Action to approve the purchase of new tires for three (3) police vehicles, ***Presented by the Chief of Police.***

The Chief of Police presented three quotes per vehicle for tire replacements and recommended selecting Tire Center as the most cost-effective option. Trustee Herrera inquired about the frequency of tire replacements, to which the Chief responded that they are typically replaced annually.

1ST Motion: Trustee Barreras **2nd Motion:** Trustee Herrera

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	

Trustee Barreras YES NO 4-0 Vote, Motion Passes.

Trustee Herrera YES NO

- d. Consideration and Action to approve pending Public Works expenditure, **Presented by Mayor Murillo. (POSTPONED)**

1st Motion: Trustee Barreras Motion Failed.

- e. Consideration and Action to approve Employee Assistance Program, **Presented by HR/CPO. (POSTPONED)**

The HR Director explained that the city has been offering a mental health services program to employees for some time, with the current provider being Tellus. She presented additional quotes, including one from United Health Care, which offers three free sessions as part of the city's existing benefits package. Trustee Garcia inquired about the total utilization of these services to better assess whether the city should transition to the free option provided by United Health Care or continue with Tellus, which offers five sessions at an annual cost of \$2,116.80.

Original 1st Motion: Trustee Herrera 2nd Motion: Trustee Barreras

Motion Postpone 1st Motion: MPT Holguin

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

- f. Consideration and Action to approve the payment to Stelzner, Winter, Warburton, Flores & Dawes, P.A. in the amount of \$9,369.38 pertaining to case D-307-CV-2023-02386 Herrera et al., v. Murillo, **Presented by HR/CPO.**

Clarification was provided regarding the lawsuit associated with these services. Trustee Herrera referenced the existing resolution that prohibits further payments for various pending litigations involving the Mayor. While this resolution is in effect, the services in question were rendered prior to its adoption. Trustee Garcia expressed concerns that the contract had not been presented to the Board for approval. In response, the HR Director and City Attorney clarified that, based on the policies in place at the time, the contract was lawfully executed by the City Manager without requiring Board approval. It was further recommended to avoid a breach of contract the amount should be paid. The City Attorney was not provided with the resolution Trustee Herrera referenced.

1st Motion: Trustee Barreras

2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO 1-3 Motion, Denied.

Trustee Herrera YES NO

- g. Consideration and Action to approve the payment to Yvonne K. Quintana in the amount of \$28,278.23 pertaining to case D-307-CV-2023-00810 Murillo v. Holguin, **Presented by HR/CPO.** Similar to the previous item, this payment pertains to services related to the lawsuit between Mayor Murillo and MPT Holguin. While no formal contract was presented based on the City Attorney's advice, MPT Holguin is entitled to payment for these services, as the lawsuit was filed against him in his official capacity as an elected official.

1st Motion: Trustee Barreras

2nd Motion: MPT Holguin

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 approve provisional pay for the City Clerk covering Parks & Recreational Facilities duties, **Presented by HR/CPO.**

1ST Motion: Trustee Barreras Motion Failed.

11. CLOSED SESSION

- a. NOTICE IS HEREBY given that the City of Antony Board of Trustees will meet in Executive Session Pursuant to NMSA 1978, Section 10-15-1(H)(2) to discuss Limited Personnel Matters regarding the Head Librarian position, City Administration/administrative personnel, City Clerk, HR Director, Finance Director and Police Department.

1ST Motion: Trustee Barreras 2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	4-0 Vote, Motion Passes at 8:12pm.
Trustee Barreras	YES NO	
Trustee Herrera	YES NO	

- b. Open Session.

1ST Motion: Trustee Herrera 2nd Motion: Trustee Barreras

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	
Trustee Barreras	YES NO	4-0 Vote, Motion Passes at 9:09pm.
Trustee Herrera	YES NO	

12. CONSIDERATION AND ACTION

- a. Consideration and Action to select ~~Matthew Grubaugh~~ as the Head Librarian, **Presented by MPT Holguin.**

No action will be taken at this time from for 12a,12d-12g.

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

Roll Call Vote:

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

- ~~b. Consideration and Action to amend the pay for the Head Librarian, **Presented by MPT Holguin.**~~
- c. Possible Action on matters discussed in executive session regarding the City Administration/Administrative Personnel, **Presented by MPT Holguin.**
- d. Possible Action on matters discussed in executive session regarding the City Clerk, **Presented by MPT Holguin.**
- e. Possible Action on matters discussed in executive session regarding the HR Director, **Presented by MPT Holguin.**
- f. Possible Action on matters discussed in executive session regarding the Finance Director, **Presented by MPT Holguin.**
- g. Possible Action on matters discussed in executive session regarding the Police Department, **Presented by MPT Holguin.**

13. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Herrera: *Inquired about the Urgent Care Facility and any upcoming projects in the Dos Lagos area. Also wanted to address the lighting issues along the walking path that has been brought up by several residents. Would like the attorney to look into the recent Public Hearing for 801 Livesay to share his legal recommendations on that matter.*

Trustee Barreras: *Inquired about the extension of the reconstruction/repaving of Kalar street. And wanted to thank those involved in getting the lighting up at Lil' Adams Park.*

Trustee Garcia: *Consideration and Action to purchase for bleachers at the next upcoming meeting. Would like an update on the funding needed to complete the Dos Lagos Soccer Field and an update on the Solid Waste Transfer Station. Brought up the lack of progress in filling potholes throughout the City.*

1st Motion: Trustee Garcia

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	

MPT Holguin: *Discussion and Presentation by County Commissioner Gloria Gameros and policy on the Petty Cash.*

1st Motion: MPT Holguin

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	

14. ADJOURNMENT

1st Motion: Trustee Barreras **2nd Motion:** _____

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 9:30pm

{SEAL}

Attest:



Karla Oropeza, City Clerk



Diana Murillo, Mayor