Court Chambers 820 Highway 478 Anthony, NM 88021

City of Anthony, NM **Board of Trustees: Special Meeting** MINUTES

Wednesday, March 12th, 2025 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(469)312-8116 Access Code: 170 470 206#

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

Meeting ID: 249 851 471 507

Passcode: ui3Gf2GH

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 MPT Gabriel I. Holguin at 6:10pm

2. PLEDGE OF ALLEGIANCE by Truste Garcia

3. ROLL CALL

Present:

MPT Gabriel I. Holguin Trustee Jose Garcia

Trustee Daniel Barreras Trustee Fernando Herrera

Mayor Diana Murillo

NO YES YES NO

YES NO YES NO

NO*joined at 6:23pm YES

YES Quorum Established 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

Trustee Herrera motioned to include "Public Comment" after approval of agenda order and "Items from the Mayor and Trustees" after 9a.

1st Motion: Trustee Herrera

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin

YES NO

Trustee Garcia

YES NO

YES NO

3-0 Vote, Motion Passes.

Trustee Herrera

5. PUBLIC COMMENTS

Maia Fassbind

Javier Barrios

Jake Limb

Carlos Romero

Adrian Perez

6. APPROVAL OF MINUTES

a. Regular Meeting: 02/19/2025

w/amendments 1st Motion: MPT Holguin

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin

YES NO

Trustee Garcia

YES NO

3-0 Vote, Motion Passes

Trustee Herrera

YES NO

b. Budget Workshop: 02/24/2025

1st Motion: MPT Holguin

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin

YES NO

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

Trustee Herrera YES NO

7. PRESENTATION

a. Update on the newly implemented Overpayment Policy, *Presented by Mayor Murillo.*Mayor informed the Board that there are currently only a total of 9 pending city employees, elected officials and appointed officials that have not yet signed the overpayment policy.

8. CONSIDERATION AND ACTION

a. Consideration and Action to approve a resolution authorizing budget adjustments, *Presented by the Finance Director.*

The Finance Director explained that this resolution is specifically for the budget adjustment that was approved for the purchase of the Municipal Complex Soccer Field which was roughly \$23,000.

1st Motion: <u>Trustee Herrera</u> 2nd Motion: <u>MPT Holguin</u>

Roll Call Vote:

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

b. Consideration and Action to approve a check the reimbursement of the petty cash fund in the amount of \$562.30, *Presented by Finance Director.*

The Finance Director explained the necessity of this check, noting it had not been required for several years. He clarified that the check cannot be made payable to the City or the Petty Cash account and has previously been issued to Administrative Assistant Norma Chavira for cashing. MPT Holguin suggested making it payable to the Attorney, who declined involvement and suggested the Finance Director consult the City's auditors for guidance.

1st Motion: MPT Holguin 2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

c. Consideration and Action to approve the Community Development Director Job Description, *Presented by HR/CPO*.

MPT Holguin proposed several amendments, including allowing experience to substitute for a bachelor's degree to broaden the applicant pool and designating this position as the liaison between the Planning and Zoning Commission and the Governing Board. There was consensus to include Code Enforcement, Animal Control, and Parks & Rec. in the role's scope. Given these changes, the City Clerk recommended postponing the item to allow the Board to review the final job description before approval at the next meeting. MPT Holguin also requested the pay band be presented at the next meeting, and the Board agreed to change the title from Director to Coordinator, with the option to create additional positions if responsibilities become excessive.

Original 1st Motion: Trustee Herrera 2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

To postpone 1st Motion: MPT Holguin 2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

d. Consideration and Action to approve the posting of the Community Development Director Position, *Presented by HR/CPO. (Postpone)*

To Postpone 1st Motion: Trustee Garcia 2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

e. Consideration and Action to authorize the City Attorney to explore options in relation to the Del Oro Dairy, **Presented by Trustee Garcia**.

Trustee Garcia is hopeful that there is some way to be able to improve the quality of life for the residents near the diary due to the nuisance of this dairy. Mayor Murillo wanted the record to show that the Del Oro diary is outside of City limits. With the intentions to annex land this property is a potential one not only meaning the city acquires more land but also improves the quality of life for those around.

1st Motion: <u>Trustee Garcia</u> 2nd Motion: <u>MPT Holguin</u>

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

f. Consideration and Action to approve pending expenditures for the Police Department, **Presented** by the Chief of Police.

The Chief of Police justified the requested expenditures, explaining that a vehicle pursuit leading to a crash and the insurance company declared the unit a total loss. Using the insurance payout, she requested approval to purchase a similar vehicle and transfer existing equipment. The expenditures, including quotes for the equipment transfer and repairs for another unit, were approved contingent on selecting the lowest quotes.

1st Motion: <u>Trustee Garcia</u> 2nd Motion: <u>Trustee Herrera</u>

Roll Call Vote:

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

g. Consideration and Action to authorize the Mayor to approve release forms for the removal of dead fallen trees from Dos Lagos, *Presented by Mayor Murillo*.

Mayor Murillo stated that several parties have requested to remove dead trees in Dos Lagos. A release form would absolve the City of liability and fees. Trustee Garcia requested additional clarification in the release form to ensure these parties do not charge the City. Further discussion addressed supervision, and the specific hours allowed for this work be done.

w/amendment 1st Motion: <u>Trustee Garcia</u> 2nd Motion: <u>Trustee Herrera</u>

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

h. Consideration and Action to approve the sale of the City of Anthony ADA vehicle, *Presented by HR/CPO. (Postponed)*

The Mayor and City Clerk noted that there has been no update on the sale since the HR Director's last report. The Mayor reiterated the quotes: \$16,780 from Rudolph and \$8,200 from Carvana. Trustee Garcia inquired about Silver City, and the Mayor informed the board that they are not interested.

Due to delays in receiving a response from GISD, the Trustees agreed to proceed with the higher bid from Rudolph and to trade it for a reliable vehicle that all staff can utilize. They also agreed to trade the ADA vehicle to Rudolph as soon as possible; however, due to State Statute requirements, it was advised to postpone this item until further clarification on the trade is obtained.

Motion to postpone1st Motion: MPT Holguin 2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

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

Trustee Herrera YES NO

Original 1st Motion: MPT Holguin 2nd Motion: Trustee Garcia

9. CLOSED SESSION

Motion was made to allow time to take a picture with visitors from Creighton University.

1st Motion: MPT Holguin 2nd Motion: <u>Trustee Garcia</u>

Roll Call Vote:

MPT Holguin YES NO
Trustee Garcia YES NO

YES NO 3-0 Vote, Motion Passes.

Trustee Herrera YES NO

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 Personnel Matters regarding the IT Assistance Position and Head Librarian Position. The Board will meet in Executive Session Pursuant to NMSA 1978, Section 10-15-1(H)(7) regarding pending litigation concerning Gutierrez v. City of Anthony and potential litigation against a Governing Body Board Member, 801 Livesay and Stelzer, Winter, Warburton, Flores & Dawes, P.A.'s outstanding invoice. The Board will meet in Executive Session Pursuant to NMSA 1978, Section 10-15-1(H)(8) regarding real property acquisition of the Dona Ana County Transfer Station property and the Del Oro Dairy.

1st Motion: MPT Holguin 2nd Motion: <u>Trustee Herrera</u>

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO 3-0 Vote, Motion Passes at 7:47pm.

Trustee Herrera YES NO

b. Return to Open Session. * No decision was made during the executive session. MPT Holguin presided for the remainder of meeting.

1st Motion: <u>Trustee Herrera</u> 2nd Motion: <u>Trustee Garcia</u>

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO 3-0 Vote, Motion Passes at 10:02pm.

Trustee Herrera YES NO

10. CONSIDERATION AND ACTION

a. Consideration and Action to approve the selection of an IT Assistant, Presented by HR/CPO.

1st Motion: <u>Trustee Herrera</u> 2nd Motion: <u>Trustee Garcia</u>

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO 3-0 Vote, Motion Passes at 10:02pm.

Trustee Herrera YES NO

11. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Herrera: Asked the Attorney to investigate the attendance policy for the Board of Trustees. Requested any records that exist pertaining to the whereabouts of the old bleachers that were at Adams Ballpark prior to it being renovated.

Trustee Garcia: Motion to implement to clock in manually and request there be a discussion regarding a policy that was approved months ago but has not been implanted.

MPT Holguin: Motion to hold an executive session to discuss items that were previously postponed last month in addition to an executive session with possible action afterwards to discuss potential litigation against the Mayor for removal from office malfeasance and alleged residency outside City limits.

1st Motion: MPT Holguin 2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO 3-0 Vote, Motion Passes

Trustee Herrera YES NO

12. ADJOURNMENT

1st Motion: <u>Trustee Herrera</u> 2nd Motion: <u>Trustee Garcia</u>

Roll Call Vote:

MPT Holguin
Trustee Garcia
YES NO

3-0 Vote, Motion Passes at 10:28pm

Trustee Herrera YES NO



{SEAL} Attest:

Karla Oropeza, City Clerk



City of Anthony Special BOT Meeting

Public Comments, please sign in THANK YOU \odot

Comments are limited to 3 minutes per person.

2. Maia Fassbind	
Z. Jake Limb	
3. Adrian Perzz	
A. JAVIETT BARRIOS	
5. CARLOS ROMERO	