

HONORABLE MAYOR

Benjamin C. Romero Jr

MAYOR PRO TEM

Louie Alfaro, Place #4

COUNCIL

Jose Garcia, Place #1

Shawn Weeks, Place #2

Soledad Flores, Place#3

Eduardo Chavez, Place #5



Minutes

Town of Anthony, Texas

Monday, March 27th, 2023

REGULAR MEETING

at 5:30 p.m.

Anthony Town Hall,
401 Wildcat Drive
Anthony, Texas 79821

Notice is hereby given of a regular meeting of the Town of Anthony Council, to be held on Monday, March 27th, 2023 at 5:30 p.m., Town Hall, 401 Wildcat Drive, Anthony, Texas 79821, for the purpose of considering the following agenda items. All agenda items are subject to action. The Town of Anthony Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 CALL TO ORDER -Mayor called meeting to order at 5:31pm

2.0 QUORUM – Present Councilman Garcia, Mayor Pro Tem Alfaro, councilwoman Flores, Councilman Chavez. Absent Councilman Weeks.

3.0 PLEDGE OF ALLEGIANCE- Mayor lead the Pledge of Allegiance

4.0 PUBLIC COMMENTS AND RECEIPT OF PETITIONS: *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed two minutes. No Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law – GC, 551.042.]*

No one else signed for the open quorum.

5.0 Approve the Minutes of the following Town of Anthony Council Meetings: - Motion to approved by Councilman Garcia second by councilman Chavez.

- 01-23-2023 Regular Town Council Meeting
- 02-03-2023 Special Town Council Meeting

6.0 New Business:

- 6.1 Public hearing to allow residents an opportunity to comment on the Town of Anthony, Texas application with the United States Department of Agriculture, Rural Development for financial assistance for the Anthony Police Department, Municipal Court and Emergency Shelter Facility Project- **Public Speaking for both 6.1 and 6.2 for a time of 15 minutes.**
- 6.2 Public hearing for a special permit for a quadruplex on 509 S Fourth Anthony, Texas 79821- **Raul Placencia states that his parents that live on 525 Fourth sys are not really font of the quadruplex being built. Placencia is against the quadruplex. It is 5:51pm public speaking is coming to a close for 6.1 and 6.2. Mayor asked council if item 6.8 can be moved up to be the next item to discussion. Motion to approve by councilman Chavez second by councilman Garcia. Motion carries 5-0**
- 6.3 Discussion, consideration and action on special permit for a quadruplex on 509 S Fourth Anthony, Texas 79821- **Mr Herrera says the proposal development for the quadruplex of 270,000 square feet. A 2-bedroom unit, washer and dryer, appliances. Cover parking spaces in the back there will be a one big dumpster for them. Each of the units will have a cover patio in the back. Property landscaping, landlord will be taking care of the landscaping. Ron states there are no concerns he says there are minor details that need to be corrected if it is approved. Motion to approved by councilman Chavez second by councilman Garcia. Motion carries 4-1. Mayor Pro Tem Alfaro Abstain.**
- 6.4 Discussion, consideration and action on an agreement between the Town of Anthony, Texas and the City of Anthony, NM for car repair services- **Mechanics from both NM and TOA expand extra revenue to the town. \$80.00 per hour labor rate plus parts. This is a benefit for both organizations. This program can accommodate all fleets. The City of Anthony NM knows that Town of Anthony has priority. Mayor agrees it is a good positive. Valerie asked when received the payment where it would be entered for revenue. Chief said general fund. Motion to approved by Mayor Pro Tem Alfaro second by councilwoman Flores. Motion carries 5-0.**
- 6.5 Discussion, consideration and action on a resolution and order to deny El Paso Electric the authority to modify schedule no. cs community solar rate- **This is a project for a 10W community solar expansion that was brought to council a while back and no action was taken, El paso Electric was requesting that Town of Anthony take action and deny it to**

consolidate case with the public utility commission of Texas. Motion to approve to deny El Paso electric the authority to modify NO.CS community solar rate. Motion to approve resolution by councilman Chavez second by councilman Garcia. Motion carries 5-0. Roll call vote Mayor pro Tem, yes, Councilman Weeks yes, Councilman Garcia yes, Councilman Chavez yes, and Councilwoman Flores yes.

6.6 Discussion, consideration and action on a resolution and order denying El Paso Electric Company's application for approval of its Texas Ev-Ready Pilot programs and tariffs filed with the Town of Anthony, Texas on January 31, 2023- **Item was brought to council no action was taken.** El Paso Electric wants item to be denied to consolidate case with the public utility commission of Texas. Motion to approve denial by councilman Chavez second by Mayor Pro Tem Alfaro. Motion carries 5-0. Roll call vote, councilman Garcia- yes, councilman Weeks- yes, Mayor Pro Tem Alfaro -yes, councilwoman Flores -yes, and councilman Chavez-yes.

6.7 Discussion, consideration and action on employee park benefits- **Mayor says the City of Round Rock offers employees free memberships to its facilities a discounted rates for pavilions and free library card. Since The Town of Anthony doesn't have other facilities he's asking for council for TOA approved park use for employee family parties and only charge for electricity if like using the pavilion. Mayor would like to ask the council to approve employee park benefits for all staff employees only. Valerie mentioned that there is a security deposit and charge of park fees, to clarify only electricity would be charged. Mayor agrees that only electricity would be charged if utilized. Motion to approved councilman Chavez second by councilman Garcia. Motion passes 5-0.**

6.8 Discussion, consideration and action on allowing American Legion Post 122 to use the Anthony Municipal Park for the Easter Egg Hunt Event – **Success with helping veterans, believes with working the community and youth. Supports Kids and youth. Would like to utilize park for the easter egg hunt this would be the second year. They are asking Town of Anthony if they can support with jumping balloons and candy. Motion to approve park use for the American Legion easter egg hunt event on April 8th form 8-4Pm at Anthony municipal park at 100 Richard Park. Motion made by councilwomen Flores second by councilman Garcia.**

- 6.9 Discussion, consideration and action on a resolution to transfer \$20,000 from salaries & wages line item no. 6100 water & sewer to overtime line item no. 6101 water & sewer- **Nathaniel met with Jessica and says there's only a certain amount left and not even halfway thru the year he wants to ask to move money over from line item 6100 to line item 6101. Knowing that with salary and wages it will exceed 100,000 it would be safe to transfer money over. Nathaniel met with Jessica and Mayor, and they went over every single employee wages. And overtime wages and with overturn events takes place in town it is recommended to transfer. Mr. Chavez asked if this amount enough or will it be brought back for more. Nathaniel states this amount was average and calculated to make it thru the FY. Motion to approved by councilwoman Flores and second by councilman Garcia. Motion carries 5-0. Roll call vote Councilman Garcia-yes, Councilman Weeks-yes, Mayor Pro Tem Alfaro-yes, councilwoman Flores-yes, and councilman Chavez-yes.**
- 6.10 Discussion, consideration and action on a resolution to transfer \$10,000 from supplies and materials line item no. 6175 water & sewer and \$5,000 from water meters line item no. 6169 to lab test line item 6171 water & sewer- **Nathaniel looked over it with Jessica that this is the best to pull money from there. Mayor says Council is aware we budgeted what it is normal wasted for annually lab testing but because this year the required labs requirements went up than normally testing. This is what they budgeted to cover additional lab fees for the remaining of FY. Motion to approved councilman Chavez second by Mayor Pro Tem Alfaro. Motion carries 5-0. Roll call vote councilman Garcia-yes, Councilman Weeks-yes, Mayor Pro Tem Alfaro-yes, councilwoman Flores-yes, councilman Chavez-yes.**
- 6.11 Discussion, consideration and action on a resolution for State and Tribal Assistance Grants (STAG) for clean water state and drinking water state revolving fund by the community project funding (CPF) for fiscal year 2024- **Valerie added they had this last year all four items remaining in the Agenda is the same procedure that was done last year for the Veronica Escobar project. This year Chief applied for two and Nathaniel Applied for two. As major discuss for clean water state and drinking water state revolving. It is a standard resolution the she did last year. Last year is was condensed to motion and approved. Mayor states line item 6.11-6.12 and 6.13. Motion to approve line items 6.11-6.12 and 6.13 by councilman Garcia second by councilman Chavez. Motion carries 5-0. Roll call vote for all three. Councilman Garcia-yes, councilman Weeks-yes, Mayor Pro Tem -yes, councilwoman Flores-yes, and councilman Chavez-yes.**

6.12 Discussion, consideration and action on a resolution for a Community Oriented Policing Services (COPS) – Technology and Equipment grant by the community project funding (CPF) for fiscal year 2024

6.13 Discussion, consideration and action on a resolution for a State and Local Law Enforcement Assistance—Byrne Justice Assistance Grants (JAG) by the community project funding (CPF) for fiscal year 2024

6.14 Presentation on fiscal year 2023 budget to actuals by Jessica Mayeux, Accounting Manager-Jessica states FY 2020-2021 has begun estimated to be completed by April 14th, 2023. There will not be extra charges. FY 2021-2022 financials are getting stated to get ready for next audit. The council should have received the budget to actual for each grant it is broken up based by budget. Some adjustments had to be made. Overall, the Admin side is doing good already exceed budget by amounts 19% over. The council side that mostly consists of wages for council nothing major in that side. They are extra funds that should have been received that have not been budgeted for. As of today, there is approximately \$79,000 collected that have not been received due to the ARPA. PD side received approximately \$132,000 in funds that were not budgeted.

6:54pm Council will be going into close session.

7.0 Executive Session: The Town Council will go into a closed executive session pursuant to Section 551.074 (personnel matters) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or charge against an officer or employee; the open meeting will be reconvened following the closed session at which time action, if any, will be considered.

7.1 Town Council will in in closed session to deliberate the appointment, employment, evaluation, reassignment, and duties of Public Works Maintenance Worker (Joseph Gallegos)

7.2 Town Council will in in closed session to deliberate the appointment, employment, evaluation, reassignment, and duties of Public Works Maintenance Worker (Bernardo Rodriguez)

The Town Council will go into a closed executive session pursuant to Section 551.087 (Deliberation regarding Economic Development) of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental

body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1); the open meeting will be reconvened following the closed session at which time action, if any, will be considered.

7.3 Town Council will be in closed session to discuss economic development: 892 acres, 900 Ginger, L.P. and Exit 0, L.P.

Reconvene into open session and take action if necessary:

No action was taken. Reopen session at 8:21pm.

7.1. Take any action based on discussions held in closed session under Executive Session Agenda Item

7.1. Motion to approved 7.1 and 7.2 for \$15.00 by councilman Garcia second by councilman Weeks. Motion carries 5-0.

7.2. Take any action based on discussions held in closed session under Executive Session Agenda Item
7.2.

7.3. Take any action based on discussions held in closed session under Executive Session Agenda Item
7.3. Motion to approved by councilman Chavez second by councilwoman Flores for negotiation direction developer. Motion carries 5-0.

8.0 Reports

8.1 Finance- **Nothing to add.**

8.2 Streets- Nathaniel sent an email with a brief description. Nathaniel stated that work needs to be done in the alley on Magdalena they are using it as a road, chains have already been set up. Mayor stated the TASA funding total only 20% would be paid back if awarded would only be paying back \$146,000in capital improvements out of the 4 million. Regarding the sewer and treatment plant there is a matching contribution for that one. If projects are moved forward, we will be contacted by the congresswoman's office. If the project is moved forward, there is a matching contribution of \$246,000.

8.3 Parks- Nathaniel said it is irrigation and fertilization for the Parks. Working on the Torres Alto Park to keep them up to date for the summer.

8.4 Water & Sewer- Received a generator, panels, also done with the fabricated parts for the plant. The auger is still being worked on.

8.5 Administration – Nothing to add, Mayor says will be looking at the monthly department head meeting to discuss financial. Spring cleanup will be coming up. Thanks to EPD for donating the receptacles for the spring cleanup.

- I. **ADJOURN MEETING** – Motion to adjourn meeting by councilman Chavez second by councilman Garcia. Major adjourned meeting at 8:35.

MINUTES PASSED AND APPROVED ON 24 DAY OF APRIL 2023

A handwritten signature in black ink, appearing to read "Benjamin C. Romero Jr.", is written over a horizontal line.

APPROVED BY MAYOR BENJAMIN C. ROMERO JR.

A handwritten signature in black ink, appearing to read "Valerie M. Armendariz", is written over a horizontal line.

**SUBMITTED BY: TOWN CLERK
VALERIE M. ARMENDARIZ, MPA**