



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

Phone (575) 546-8848 · Fax (575) 546-6442
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P.O.BOX 706 · DEMING, NEW MEXICO 88031
POPULATION 14,000

CITY COUNCIL MEETING

AGENDA

August 16, 2022

5:30 P.M.

*Those who would like to participate remotely can via GoToMeeting.com with the following credentials:
You may dial in 10-15 minutes before the meeting begins.*

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

<https://meet.goto.com/CityofDeming>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(312\) 757-3119](tel:+13127573119)

Access Code: 595-334-189

Password: 595334189

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ATTENDANCE ROLL CALL

1. Consent Agenda
 - A. Minutes
 - a. Regular City Council July 19, 2022
 - b. Special City Council July 29, 2022
 - B. Resolution:
 - a. To Support Efforts of Corre Caminos Transportation Services (Annual)
 - b. Ratifying an Agreement between the City of Deming and Southwest NM Council of Governments
 - c. To Consider the approval of the '24-'28 ICIP for the Deming Senior Center
 - C. Ratification of Physical Inventory for Fiscal Year 2022
2. Public Comments
3. Proclamation: Declaring the Month of September as Attendance Awareness Month
4. Request of Approval Appointing the 2022 NMML Annual Conference Voting Delegates
5. Discussion and Approval of ICIP Plan for the City of Deming by Resolution
6. Procurement:
 - a. Bid #22-09 Encanto Circle Water Line Replacement Phase II
7. Public Hearing To Consider an Ordinance Approving the Sale of Lot 35, in the Industrial Area
8. Administrator's Report
9. Adjourn Meeting

The next regular City Council Meeting is scheduled for September 20, 2022 at 5:30 p.m.

CITY COUNCIL MEETING MINUTES

August 16, 2022

Remote meeting in compliance with the
New Mexico Open Meetings Act

Council Present:

Benny L. Jasso, Mayor

Joe "Butter Milo, Councilor

Monica Topham, Mayor Pro Tem

Irmaisela A. Rodriguez, Councilor

Council Present (Telephonically/Virtually):

Council Absent: Alex Valdespino, Councilor

Staff Present: Aaron Sera, City Administrator

Alexi Jackson, Community Services Director

Clint Hogan, Chief of Police

Tyler Massey, Public Information Officer

Laura Holguin, Finance Director/CFO

Azucena Vargas, Asst. Public Works Director

Jim Massengill, Public Works Director

Adrian Coloma, IT

Staff Present (Telephonically/Virtually):

Cassie Arias-Ward, Economic Dev. Coordinator

Benjamin Jimenez, Municipal Court Administrator

Recording Secretary: Mary Jo Valdez, CMC, Municipal Clerk

Mayor Jasso called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

Mayor Jasso confirmed there was a quorum with the following roll call:

ROLL CALL VOTE

Councilor Milo Aye

Councilor Rodriguez Aye

Mayor Pro Tem Topham Aye

Ms. Valdez stated that Councilor Valdespino would not be in attendance.

1. Consent Agenda

Mr. Sera stated he had nothing to discuss on the consent agenda. Mayor Jasso asked Council if they had any questions or if they were prepared to make a motion.

Councilor Milo motioned to approve the consent agenda, as submitted; Councilor Rodriguez second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham Aye

Councilor Rodriguez Aye

Councilor Milo Aye

CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 22-27

**A RESOLUTION TO SUPPORT EFFORTS OF CORRE CAMINOS
TRANSPORTATION SERVICES**

WHEREAS, Corre Caminos provides transportation services within the Southwest Region, that includes Deming and Luna County; and

WHEREAS, the City of Deming supports Corre Caminos in continuing the invaluable services that are vital to the quality of life in our community; and

WHEREAS, the City of Deming is committed to provide \$60,000 in cash match for fiscal year 2023.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Deming, New Mexico support the reasonable efforts of Corre Caminos Transportation; and

BE IT FURTHER RESOLVED, that the City Administrator and his duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED, APPROVED, AND ADOPTED this 16th day of August 2022.

CITY OF DEMING, NEW MEXICO




Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal City Clerk

RESOLUTION NO. 22-28

RESOLUTION OF THE CITY OF DEMING RATIFYING A CERTAIN AGREEMENT BETWEEN THE CITY OF DEMING AND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED August 1, 2022, AND AUTHORIZING THE EXECUTIVE OF SAME BY THE PROPER OFFICIAL OF CITY OF DEMING.

WHEREAS, The City of Deming is a member of and desires to have the services of the Southwest New Mexico Council of Governments; and

WHEREAS, it is necessary that an agreement setting forth the services to be performed by the Southwest New Mexico Council of Governments for The City of Deming be entered into and it is a requirement of the New Mexico State Laws; and

WHEREAS, it is necessary to set forth the sum to be paid by The City of Deming to the Southwest New Mexico Council of Governments, as annual dues, for said services; and


WHEREAS, it is the desire of The City of Deming to accomplish these purposes:

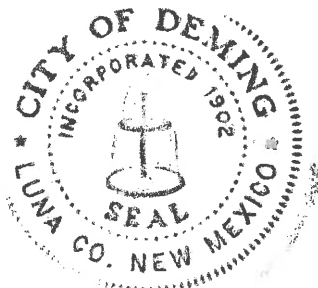
NOW THEREFORE BE IT RESOLVED BY THE CITY OF DEMING THAT:

1. The AGREEMENT referred to in the caption of this Resolution (a copy of which is attached hereto and made a part hereof) expresses the desires and intent of The City of Deming.
2. The AGREEMENT set above is hereby ratified and approved by the authorized representatives of The City of Deming and is hereby authorized and instructed to affix their signature thereto.
3. A Certified copy of this Resolution (together with the Agreement) shall be filed at the Southwest New Mexico Council of Governments.

PASSED, APPROVED, AND ADOPTED this 16th day of August 2022.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor



ATTEST:


Mary Jo Valdez, Municipal City Clerk

RESOLUTION NO. 22-29

RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN
(ICIP) FOR THE CITY OF DEMING, NEW MEXICO,
DEMING SENIOR CENTER

WHEREAS, the municipality of Deming recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long-range capital planning efforts.


NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF DEMING That:

1. The municipality has adopted the attached FY 2024-2028 Infrastructure Capital Improvements Plan for the Deming Senior Center, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the New Mexico's infrastructure.

PASSED, APPROVED AND ADOPTED by the governing body at its meeting of August 16, 2022.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal City Clerk

2. Public Comments

Mayor Jasso opened the meeting for public comment stating that comments entertained should not be related to any items on the agenda.

3. Proclamation: Declaring the Month of September as Attendance Awareness Month

Mayor Silva read the proclamation into the record.

Councilor Rodriguez motioned to approve the proclamation, as submitted; motion second by Mayor Pro Tem Topham; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

4. Request of Approval Appointing the 2022 NMML Annual Conference Voting Delegates

Mayor Jasso read the memorandum to appoint himself as the voting delegate and Councilor Rodriguez as the alternate for the NMML Annual Business meeting.

Councilor Milo motioned to approve the Mayor's appointments, as presented; Mayor Pro Tem Topham second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye

5. Discussion and Approval of ICIP Plan for the City of Deming by Resolution

Mr. Sera stated that resolution is a standard resolution approved annually to select the top five (5) projects. Mr. Sera added that staff is working to find funding for those projects not in the top 10 on the list.

Mayor Pro Tem Topham motioned to approve the resolution and ICIP Plan, as presented; motion second by Councilor Milo; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

6. Procurement:

a. Bid #22-09 Encanto Circle Water Line Replacement Phase II

Mr. Massengill stated that Phase I has been completed on the westside of Encanto Circle; adding that Phase II would allow necessary replacement of water lines in the area.

Mr. Massengill stated that J and S Plumbing, LLC is out of Silver City; adding that the work will begin around the end of September.

Mr. Sera added that the water line in this area is the oldest water line in the City of Deming; stating that it leaks constantly.

Proclamation

Declaring the Month of September as Attendance Awareness Month

WHEREAS the Covid-19 pandemic and other crises have negatively impacted positive conditions for learning and created an absenteeism crisis,

WHEREAS families and parents are their child's first teacher and lay the foundation for the importance of school attendance,

WHEREAS promoting attendance requires noticing - as soon as possible - when students start to miss too much school, engage students and families, and identify needed support(s) and early intervention resources,

WHEREAS showing up for school is an opportunity for students to build routines that creates a sense of safety and belonging, increases engagement and develops trusting relationships with peers, teachers and school staff that increase engagement and motivate them to participate in learning,

WHEREAS taking a positive problem-solving approach to reducing absenteeism requires expanding data to include reviewing chronic absence and attendance data availability of working contact information for families, connectivity (devices and internet) and positive relationships,

WHEREAS improving attendance and reducing absenteeism takes schools, families and community partners working together to identify and address factors contributing to students missing school, particularly a lack of digital access, mental and physical health services and access to basic economic supports including food and housing,

WHEREAS partnering with students and families to monitor attendance as well as understand and address barriers to attendance requires building and sustaining caring relationships and regular communications in the home language spoken by families,

WHEREAS ensuring an equal opportunity to learn requires using data to detect high levels of absenteeism and missed opportunities to learn by school, grade, and student population,

NOW, THEREFORE BE IT RESOLVED that the City of Deming stands with the nation and Deming Public Schools in recognizing the month of September as "Attendance Awareness Month." We hereby commit to focusing on reducing absenteeism and addressing the factors that cause students to miss school in order to ensure all children an equitable opportunity to learn, grow and thrive academically, emotionally and socially. We recognize that we must work together to engage students and families and send the message that learning can and must continue.

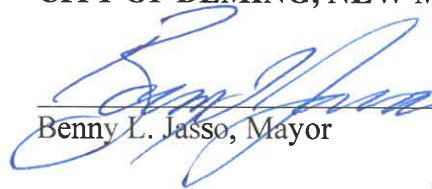
Specifically, we will:

1. Affirm the importance of the family's role in ensuring their child shows up for school every day.

2. Make clear that improving student attendance, including taking daily attendance in a consistent manner and monitoring absenteeism, continues to be a top priority.
3. Engage students, families, educators, and the broader community – including civic and elected leaders, local businesses, clergy members and nonprofit organizations – in working together to identify and remove barriers to getting to school and develop meaningful solutions that ensure all children and youth keep learning despite the challenges of Covid-19.

IN TESTIMONY WHEREOF the Mayor of the City of Deming has hereunto subscribed his name and have caused the Official Seal of the City of Deming to be hereunto affixed in on this 16th day of August 2022.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor



ATTEST:


Mary Jo Valdez, Municipal City Clerk



**MUNICIPAL CLERKS: PLEASE DISTRIBUTE COPIES TO YOUR
ENTIRE GOVERNING BODY**

TO: **MAYORS/GOVERNING BODY MEMBERS**
FROM: A.J. Forte, Executive Director
SUBJECT: **2022 ANNUAL CONFERENCE VOTING DELEGATES**
DATE: July 25, 2022

The 65th Annual Conference of the NM Municipal League will be held August 31st through September 2nd in Albuquerque.

At the Annual Business Meeting on Thursday, August 1st, a President Elect, Vice President, Treasurer and three Directors-at-Large for a 2-Year Term will be elected. Also, the *Annual Statement of Municipal Policy and Annual Resolutions* will be adopted.

Each member municipality in good standing that is registered and attending the Annual Conference shall be entitled to one delegate vote in electing officers, deciding municipal policy and voting upon all other questions at the Annual Business Meeting. A municipality in good standing means that at least one-half of the municipality's current League annual dues must have been paid prior to or at the Conference. The vote of the municipality is cast by the Voting Delegate (or in her/his absence, the Alternate) who is selected by the governing body of the municipality.

The Annual Business Meeting will be conducted in accordance with Robert's Rules of Order Revised, and the Annual Business Meeting Rules and Procedures, which shall govern the actions and deliberations of the League membership assembled in convention. Attached for your information are the *Policy Process Outline and the Annual Business Meeting Rules and Procedures*.

Please place the selection of a Voting Delegate and Alternate on the agenda of your next official governing body meeting. **The Voting Delegate and Alternate must be persons planning to attend the Conference.** Once they are selected, enter the names and titles of the Voting Delegate and Alternate for your municipality and **return this form to the League Office no later than Friday, August 26, 2022.**

This is **not** an official registration form for the Annual Conference for either the Voting Delegate or the Alternate. Delegates must register for the Conference online.

Voting Delegates & Alternates must check in with NMML Staff at the Credential's Desk at the Conference.

Municipality: City of Deming
Voting Delegate: Benny Jasso Title: Mayor
Alternate: Irmaisela Rodriguez Title: D2 Councilor
Approved By: [Signature]

RETURN BY AUGUST 26, 2022 to:

Jackie Portillo, Support Services Coordinator
NM Municipal League
P.O. Box 846 - Santa Fe, NM 87504
jportillo@nmml.org
Fax: 505-984-1392

CITY OF DEMING
RESOLUTION NO. 22-30

**RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS
PLAN (ICIP) FOR THE CITY OF DEMING, NEW MEXICO**

WHEREAS, the municipality of Deming recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

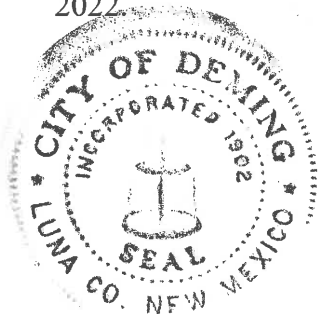
WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long-range capital planning efforts.

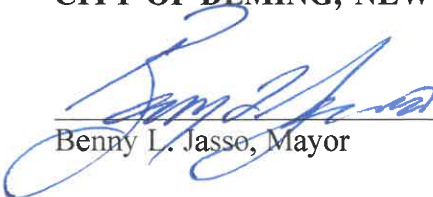
NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF DEMING That:

1. The municipality has adopted the attached FY 2024-2028 Infrastructure Capital Improvements Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the New Mexico's infrastructure.
3. This Resolution supersedes the previous Resolution No. 21-20.

PASSED, APPROVED AND ADOPTED by the governing body at its meeting of August 16, 2022



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal City Clerk

Councilor Milo motioned to approve the bid award, to J and S Plumbing, LLC for \$500,067.00 plus NMGR and to allow the Public Works Director, Assistant Public Works Director, and/or City Administrator to execute any and all documents related to the project, as presented; motion second by Councilor Rodriguez; motion carried by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye

7. Public Hearing: To consider an ordinance Approving the Sale of Lot 35, in the Industrial Area

Mayor Jasso conducted a public hearing to consider an ordinance for the approval to sell lot 35 in the industrial area to Nacho Investments, LLC.

Mr. Sera explained that Ms. Ward had been working with the company to find a location which would fit the needs for their business.

Councilor Rodriguez asked what the Nacho company is. Mr. Sera stated that Nacho Investments, LLC is a building warehouse who will ship and store Frito Lay products and employ 4-5 employees. Mr. Sera added that the business will be located where the chili plant is to the west side on G Street.

Ms. Ward commented that they are pleased with Nacho Investments, LLC and adding a distributing facility for Frito Lay. She added that construction would begin once permits are obtained.

Mayor Jasso opened the public hearing for public comments.

Ms. Schiffner asked what the selling price was. Mr. Sera stated \$30,750. Ms. Schiffner stated the amount is cheap. Mr. Sera explained the City can only sell the property at the appraised value.

With no further comments, Mayor Jasso closed the public hearing and asked Council if they were prepared to make a motion.

Councilor Rodriguez motioned to approve the ordinance, as presented; motion second by Mayor Pro Tem Topham; motion was approved by the following roll call vote:

ROLL CALL VOTE

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye

8. Administrator's Report

Mr. Sera addressed Council, reporting on the following items.

- Working on an issue to address homeless. County purchased an old building. Will work with County to establish a facility.
- Cannabis excise tax is \$5,200 - \$5,500 a month which will be used to assist in sustaining Police and Fire Department; to hire 3 additional employees in each.
- Working on installing Mozart music in downtown area in efforts of deterring vandalism.

CITY OF DEMING, NEW MEXICO
ORDINANCE NO. 1312

**AN ORDINANCE APPROVING THE SALE OF REAL ESTATE OWNED BY THE
CITY OF DEMING, NEW MEXICO TO NACHO INVESTMENTS, LLC.**

WHEREAS, the City of Deming is proposing the sale of real estate, as described in Exhibit A, to Nacho Investments, LLC., whose address is 2590 E. State HWY 60, Loveland, Colorado 80537.

WHEREAS, Nacho Investments, LLC. has expressed interest in utilizing the lands described herein for developing a warehousing operation for the purpose of economic development.

WHEREAS, the City of Deming pursuant to section 3-54-1 and 3-17-3 NMSA 1978 Comp. has published a Notice of Proposed Ordinance Approving the Sale of Real Estate owned by the City of Deming.

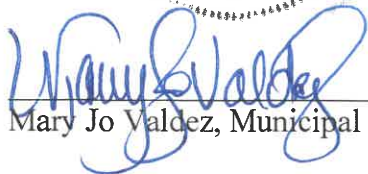
NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEMING, NEW MEXICO:

1. The City of Deming, New Mexico shall sell to Nacho Investments, LLC., certain real estate in Luna County, New Mexico described in Exhibit A, attached hereto by reference.
2. The purchaser has proposed to pay a total price of \$30,750.00 for 2.05 non-water righted acres, referred to as "Lot 35" with the legal description listed in (Exhibit A).
3. The appraised market value of the parcel is \$30,750.00.
4. The City of Deming's purpose in entering into this land sale with Nacho Investments, LLC is to stimulate economic activity, facilitate investment in our community, enhance the local government tax base, and add employment to our area.
5. The approval of this sale may be subject to a referendum pursuant to Section 3-54-1D, NMSA 1978. This ordinance shall become effective forty-five days after its adoption unless a referendum election is held pursuant to Section 3-54-1(H) NMSA 1978 Comp.


PASSED, ADOPTED AND APPROVED by the City Council, City of Deming, New Mexico, this 16th day of August 2022.



ATTEST:


Mary Jo Valdez, Municipal Clerk

CITY OF DEMING, NEW MEXICO

By 
Benny L. Jasso, Mayor

ORDINANCE NO. 1312
(EXHIBIT A)

- (a) The following described real property situated in Luna County, New Mexico, together with all buildings and improvements thereon, together with all rights, privileges, and appurtenances thereto, save and except for any water rights except as otherwise described herein, and subject to current taxes, assessments, reservations, and easements as may appear of record:

Lot Thirty-five (35) of the DEMING INDUSTRIAL AREA, according to the plat filed for record on November 13, 1959 in Plat Cabinet 8, Slide 65-66 in the Office of the County Clerk of Luna County, New Mexico. Subject to reservations, restrictions and easements of record.

together with all improvements thereon, reserved except as otherwise provided herein (hereafter collectively referred to as the "Real Property"), with warranty covenants.

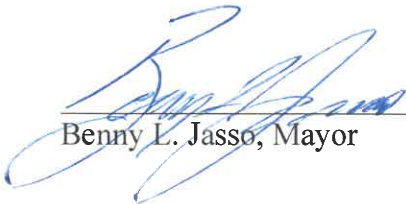
- Weeds are horrible all over town; staff has offered to work OT to eradicate weeds. Codes are issuing warnings.
- Working with UWS on shredding tires; may utilize County's machine to do so as well.
- Struggle to hire employees continues. Will be looking at other remedies to help recruit and retain employees.
- Will discuss possibility of holding public comments during a town hall meeting in stead of allowing them during City Council meetings in efforts of conducting business effectively.
- Working on a UTV Ordinance and will visit with NMDOT District One Engineer Trent Doolittle on it. It'll be coming before Council in the next couple of months.
- Reminder that on Aug. 24th from 5-7 pm there will be a meeting at Les Combes to discuss outdoor recreation opportunities for those who can attend.

9. Adjourn Meeting

With no further business to discuss, Mayor Jasso entertained a motion to adjourn the meeting. Councilor Milo motioned to adjourn the meeting; Mayor Pro Tem Topham second the motion; motion carried unanimously. The meeting adjourned at 6:34 p.m.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk