



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

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POPULATION 14,000

**CITY COUNCIL MEETING**  
**AGENDA**  
**March 21, 2023**  
**5:30 P.M.**

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

<https://meet.goto.com/CityofDeming> Or Using your Phone: [1 866 899 4679](tel:18668994679)

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 February 21, 2023
    - b. P&Z Commission February 13, 2023
    - c. Airport Commission February 14, 2023
    - d. Library Board February 28, 2023
  - B. Mayoral Appointments
    - a. Commissions/Boards/Committees
    - b. Temporary-Seasonal Employees
  - C. Records Destruction Request – 1.15.3.201 Insurance Claims filed through Tort Claim
2. Presentation of Memorial Flag for Fallen Firefighter
3. Proclamation Declaring April 23 – 29, 2023 as Crime Victims' Rights Week
4. Consideration of a Policy Authorizing a Travel Stipend for Difficult to Recruit Positions
5. Resolution: To Consider Quarterly Budget Adjustments for the 3<sup>rd</sup> Quarter of the Fiscal Year
6. Public Hearing: To Consider a "Transfer of Ownership for Liquor License No. 0026"
7. Quasi-Judicial Public Hearing: To Consider a Special Use Permit for William Griffin
8. Quasi-Judicial Public Hearing: To Consider a Special Use Permit for Mauricio Valenzuela
9. Administrator's Report
10. Adjourn Meeting

*The next regular City Council Meeting is scheduled for April 18, 2023 at 5:30 p.m.*

# CITY COUNCIL MEETING MINUTES

March 21, 2023

Remote meeting in compliance with the  
New Mexico Open Meetings Act

## **Council Present:**

Benny L. Jasso, Mayor	Monica Topham, Mayor Pro Tem
Joe "Butter Milo", Councilor	Alex Valdespino, Councilor
Irmaisela A. Rodriguez, Councilor	

## **Council Present (Telephonically/Virtually):**

## **Council Absent:**

## **Staff Present:**

Aaron Sera, City Administrator	Laura Holguin, Finance Director/CFO
Joe Owen, Fire Chief	Julian Hernandez, Battalion Chief
Clint Hogan, Chief of Police	Jose Montoya, Captain Police Department
Jim Massengill, Public Works Director	Azucena Vargas, Community Services Director
Lane Camfield, Planner	Raul Madrid, Asst. Community Services Director
Adrian Coloma, IT	Amanda Sanders, Public Information Officer
Andrea Alonzo, HR Director	

## **Staff Present (Telephonically/Virtually):**

**Recording Secretary:** Mary Jo Valdez, CMC, Municipal Clerk

Mayor Jasso called the meeting to order at 5:31 p.m. and led the Pledge of Allegiance.

Mayor Jasso asked for a Roll Call, as follows, determining a quorum:

Councilor Milo	Present
Councilor Valdespino	Present
Councilor Rodriguez	Present
Mayor Pro Tem Topham	Present

## **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 Valdespino	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye

**CITY OF DEMING  
RECORDS DESTRUCTION REQUEST**

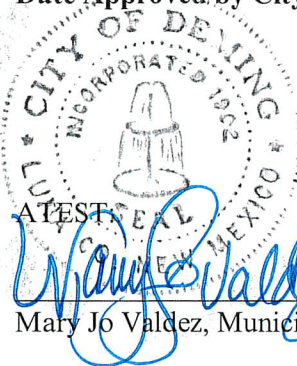
**Date of Request:** March 21, 2023  
**Name of Requestor:** Andrea Alonzo  
**Department:** Human Resources

**List of Items to be Destroyed in accordance with NMMRRS:**

Record No.	Record Series Name/Description	Retention
1.15.3.201	Insurance Claims filed through Tort Claim	3 years after settlement

If approved by the City Council of Deming, the above-mentioned items will be destroyed by method of burial at landfill.

**Date Approved by City Council:** March 21, 2023



CITY OF DEMING, NEW MEXICO

Benny L. Jasso  
Benny L. Jasso, Mayor

Mary Jo Valdez  
Mary Jo Valdez, Municipal Clerk

**TO BE COMPLETED AFTER DESTRUCTION**

**Date Approved items were destroyed:** 4-3-23

I hereby certify that the above referenced documents were destroyed by the method described above.

Baquel Camacho  
Printed Name of Witness

Signature: Baquel Camacho

Archie Hedderston  
Printed Name of Witness

Signature: Archie Hedderston



**2. Presentation of Memorial Flag for Fallen Firefighter**

Mayor Jasso presented the flag memorial to Fallen Firefighter Caleb De Santiago's family honoring him and thanking them for his service to the community and offered condolences for his passing.

**3. Proclamation Declaring April 23-29, 2023 as Crime Victims' Rights Week**

Mayor Jasso read the proclamation for the record and asked Council for a motion.

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

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye

**4. Consideration of a Policy Authorizing a Travel Stipend for Difficult to Recruit Positions**

Mr. Sera explained that the policy is an alternative option Chief Hogan and Captain Montoya presented after discussion of allowing City vehicles to be taken to residences outside of Luna County for their personnel. Mr. Sera stated that the department is losing officers and that the use of City vehicles is frowned upon by risk management. Mr. Sera stated that allowing a stipend of based off of distance and how many days are worked would assist in alleviating the cost of fuel that is spent by those who live outside of Luna County and are employed in these difficult to recruit positions.

Mayor Jasso asked if Council had any questions or if they were prepared to make a motion.

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

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye

**5. Resolution: To Consider Quarterly Budget Adjustments for the 3<sup>rd</sup> Quarter of the Fiscal Year**

Ms. Holguin explained the adjustments in the General, Law Enforcement, Cannabis Regulation Act, GRT Revenue Bond, and Public Safety Reserve Funds that are being adjusted, attached for reference. Mayor Jasso asked if there were any questions or if Council was prepared to make a motion.

Mayor Pro Tem Topham motioned to approve the resolution, as presented; Councilor Rodriguez 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
Councilor Valdespino	Aye

# ***Proclamation***

## ***Declaring the Week of April 23-29, 2023 as Crime Victims' Rights Week***

Whereas the term "victim" is more than just a label and has legal standing and protections that go along with it;

Whereas crime victims' rights acts passed here in the state of New Mexico and at the federal level guarantee victims the right to meaningfully participate and use their voice in the criminal justice process;

Whereas victim service providers, advocates, law enforcement officers, attorneys, and other allied professionals can help survivors find their justice by enforcing these rights;

Whereas the right to provide an impact statement ensures that victims' voices are considered in court during the sentencing and, when applicable, restitution processes;

Whereas including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust;

Whereas engaging survivors creates responses and services that are credible, meaningful, and centered on individual needs;

Whereas survivors' lived experience can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services or pursuing justice;

Whereas National Crime Victims' Rights Week provides an opportunity to recommit to listening to crime survivors in every space where decisions are made that could impact them; and

Whereas, the City of Deming is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported.

Now, therefore, I, Benny L. Jasso, Mayor of the City of Deming, do hereby proclaim the week of April 23-29, 2023, as Crime Victims' Rights Week

**Done this 21<sup>st</sup> day of March 2023 in the City of Deming, New Mexico.**

**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

  
  
Mary Jo Valdez, Municipal City Clerk

**STATE OF NEW MEXICO  
MUNICIPALITY OF CITY OF DEMING  
RESOLUTION NO. 23-11**

**2022-2023 Fiscal Year  
Third Quarter Budget Adjustments**

**WHEREAS**, the City of Deming, New Mexico proposes to make certain budget increases and decreases; and,

**WHEREAS**, due to cash reserves being sufficient to cover the proposed increases and decreases; and

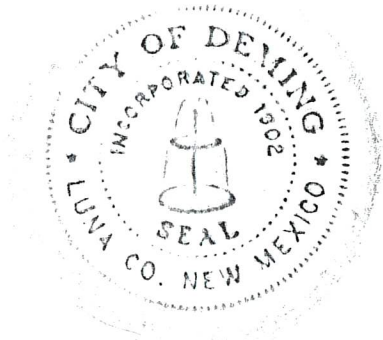
**WHEREAS**, said monies and expenditures were not included in the 2022-2023 budget: and

**WHEREAS**, the City Council does request that authorization for the following budget increases and decreases be granted.

**THEREFORE**, it is respectfully requested that authorization to make the listed increases and transfers be granted by the Local Government Division of the Department of Finance and Administration.

**PASSED, ADOPTED, AND APPROVED** this 21<sup>st</sup> day of March 2023.

**CITY OF DEMING, NEW MEXICO**



  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Clerk



**6. Public Hearing: To Consider a Transfer of Ownership for Liquor License No. 0026**

Ms. Valdez addressed Council stating that the liquor license being heard is currently in operation under Old Glory Outpost and explained that the owners are adding a member and giving them ownership contributions.

Mayor Jasso opened the public hearing for public comments. There were none. Mayor Jasso closed public comments and asked if Council was prepared to make a motion.

Councilor Rodriguez motioned to approve the transfer of ownership for Liquor License No. 0026, as presented; Mayor Pro Tem Topham second the motion; motion carried by the following roll call vote:

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye
Councilor Milo	Aye

**Mayor Jasso asked that all parties interested in providing testimony for the cases listed in items 7 and 8 sign-in and be sworn-in by raising their right hand and stating “I do so affirm” once he read the oath. All parties swore-in.**

**7. Quasi-Judicial Public Hearing: To Consider a Special Use Permit for William Griffin**

Mayor Jasso conducted a quasi-judicial public hearing to consider a special use permit for William Griffin.

Mayor Jasso asked if all hearing notices were posted properly. Ms. Valdez confirmed.

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant is requesting a special use permit to operate a motorcycle and automotive repair business to include mechanic work. Mr. Camfield requested a condition, if approved, that the applicant would contract with a waste management company for the disposal of any hazardous material.

Mayor Jasso asked if staff or Council had any questions of staff. There were none.

Mayor Jasso asked if the applicant would like to speak. They did not wish to speak.

Mayor Jasso asked if there were any affected parties that would like to speak. There were none.

Mayor Jasso closed the public hearing and asked for Council’s decision and asked if Council wished to go into closed session pursuant to NMSA 1978 10-15-1 (H) 3 of the Open Meetings Act, to discuss the item.

Mayor Pro Tem Topham motioned to approve the special use permit, as staff presented; motion second by Councilor Milo; motion was approved by the following roll call vote:

**ROLL CALL VOTE**

Councilor Milo	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye

**8. Quasi-Judicial Public Hearing: To Consider a Special Use Permit for Mauricio Valenzuela**

Mayor Jasso conducted a quasi-judicial public hearing to consider a special use permit for Mauricio Valenzuela.

Mayor Jasso asked if all hearing notices were posted properly. Ms. Valdez confirmed.

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant is requesting a special use permit to operate a mechanic shop to include welding, 24/7 service, and car sales located at 755 S. Platinum.

Mr. Camfield requested the following conditions, if approved:

The applicant would contract with a waste management company for the disposal of any hazardous material.

No excess storage on property of parts and vehicles.

No body work or painting of vehicles.

Installation of privacy fence due to proximity of neighborhood.

Car dealers license and business licenses required.

Mayor Jasso asked if staff or Council had any questions of staff. Councilor Rodriguez asked if there were specifics clarified on fencing. Mr. Camfield affirmed the applicant has been notified. Mayor Pro Tem Topham asked about setbacks being followed. Mr. Camfield affirmed that setbacks are in compliance. Councilor Milo asked if the fuel pumps would be removed. Mr. Camfield stated that the applicant is renting the building and did not know if they'd be removed in the future possibly.

Mayor Jasso asked if the applicant would like to speak. They did not wish to speak.

Mayor Jasso asked if there were any affected parties that would like to speak. There were none.

Mayor Jasso closed the public hearing and asked for Council's decision and asked if Council wished to go into closed session pursuant to NMSA 1978 10-15-1 (H) 3 of the Open Meetings Act, to discuss the item.

Councilor Valdespino motioned to approve the special use permit, as staff presented; motion second by Councilor Milo;

Councilor Valdespino made a friendly amendment to his motion to add the conditions presented by staff, Councilor Milo second the friendly amendment; motion was approved by the following roll call vote:

ROLL CALL VOTE

Councilor Rodriguez                      Aye

Councilor Milo                                Aye

Councilor Valdespino                      Aye

Mayor Pro Tem Topham                    Aye



## 9. Administrator's Report

- Mr. Sera stated that there's been a lot of time spent on the legislative session, providing an overview on Senate and House Bills that are of importance for municipalities, including SB250; SB23; HB2; HB547; and provided Mayor and Council with an overview of the details.
- Anticipated timeframe for the move-in to the new City Administration Building is Mid-July
- Budget process is underway and will continue until budget meeting in May
- Pool is anticipated to open mid-May provided that lifeguards are hired
- Ms. Holguin updated on the utility audit stating that the final report would most likely be issued June 30, 2022; adding that the cost will range from \$35,000 to \$45,000

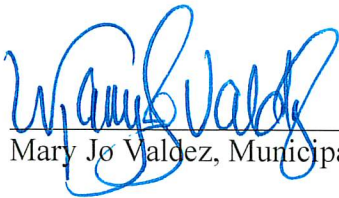
## 10. Adjourn Meeting

With no further business to discuss, Mayor Jasso entertained a motion to adjourn the meeting.

Councilor Milo motioned to adjourn the meeting; Councilor Rodriguez second the motion; motion carried unanimously. The meeting adjourned at 6:17 p.m.



ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor