



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

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P.O. BOX 706 · DEMING, NEW MEXICO 88031  
POPULATION 14,000

## CITY COUNCIL MEETING AGENDA April 19, 2022 5:30 P.M.

*Remote participation via GoToMeeting.com with the following credentials: You may dial in 10 minutes early.*

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)

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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 Meeting 03/15/2022
    - b. Historical Landmark Commission 02/16/2022
    - c. Parks Commission 03/08/2022
    - d. Tourism Development Committee 03/16/2022
    - e. Planning & Zoning Commission 03/21/2022
  - B. Out of State Travel Request by Chief Hogan for Staff to Attend K9 Training in CA
  - C. Resolution: To Consider the Submission of a Grant Application to NMDOT
  - D. Mayoral Removals/Appointments
    - a. Ratification of Removal from Planning & Zoning Commission
    - b. Commissions, Boards, and Committees
    - c. Part Time and Temporary Employees
  - E. Proclamations
    - a. National Library Week April 3-9, 2022
    - b. Municipal Clerk's Week May 1-7, 2022
2. Public Comments
3. Proclamations:
  - A. Fair Housing Month
  - B. Lemonade Day May 21, 2022
  - C. Day of the Young Child and National Child Abuse Prevention Month
  - D. National Day of Prayer May 5, 2022
4. Approval of Fee Schedule for Sam Baca Aquatic Center
5. Mayoral Appointment to Fill Vacancy of District 4 Councilor
6. Amendment to Administrative Regulation DM 11-30 Regarding the Vacancy Filling/Hiring Process

7. Approval of Job Description for a Public Relations Officer
8. Resolution: To Accept and Approve the FY2021 Audit
9. Resolution: In Support of Keeping the Dams on Starvation Draw Intact
10. Quasi-Judicial Public Hearing: To Consider a Zoning Amendment for Rogelio Barbosa
11. Administrator's Report
12. Closed Session: To Discuss personnel matters, regarding evaluations and contract renewals for appointed employees, pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act
13. Open Session: Motions, if any
14. Adjourn Meeting

***The next regular City Council Meeting is scheduled for May 17, 2022 at 5:30 p.m.***

# CITY COUNCIL MEETING MINUTES

**April 19, 2022**

**Remote meeting in compliance with the New Mexico Open Meetings Act due to COVID-19 Pandemic.**

The meeting was held at the Mimbres Valley Special Events Center

**Council Present:**

Benny L. Jasso, Mayor  
Irmalsela A. Rodriguez, Councilor

Monica Topham, Mayor Pro Tem  
Joe "Butter Milo, Councilor

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

**Council Absent:** Dr. Victor Cruz, Councilor

**Staff Present:** Aaron Sera, City Administrator  
Clint Hogan, Chief of Police  
Alexi Jackson, Community Services Director  
Azucena Vargas, Asst. Public Works Director

Laura Holguin, Finance Director/CFO  
Joe Owen, Fire Chief  
Lane Camfield, Planner  
Adrian Coloma, IT

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

**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.

A quorum was confirmed by the following roll call:

Ms. Valdez stated, for the record, that Councilor Cruz would be absent.

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

**1. Consent Agenda**

Mr. Sera presented the consent agenda to Council stating that there were no items to discuss unless there were questions.

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

**ROLL CALL VOTE**

Councilor Milo	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye

**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. Proclamations:**

**A. Fair Housing Month**

Mayor Jasso read the proclamation for the record.

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

ROLL CALL VOTE	
Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

**B. Lemonade Day May 21, 2022**

Mayor Jasso read the proclamation for the record.

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

ROLL CALL VOTE	
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye

**C. Day of the Young Child and National Child Abuse Prevention Month**

Mayor Jasso read the proclamation for the record.

Councilor Milo motioned to approve the proclamation, 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

**D. National Day of Prayer May 5, 2022**

Mayor Jasso read the proclamation for the record.

Councilor Rodriguez motioned to approve the proclamation, as presented; Mayor Pro Tem Topham 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

**4. Approval of Fee Schedule for Sam Baca Aquatic Center**

Mr. Jackson presented changes to the fee schedule and read a memorandum explaining the changes into record (attached hereto for reference with submitted brochure).

Mr. Sera added that in the past they closed the pool for disinfecting purposes but would operate services on Sundays.

Mr. Jackson stated that fees are comparable to those pools operating near Deming.

Mr. Sera informed Council that the pool's operating budget is approximately \$135,000 annually;

Ms. Holguin verified that revenue is only generated at \$15,000 for the season, adding that they anticipated for this season's revenue to be approximately \$20,000.

Mr. Jackson informed that the diving board has been removed as it was damaged; adding that the repair will cost \$4,000.

Councilor Milo motioned to approve the fee schedule with a change to remain open on Sunday's; Mayor Pro Tem Topham second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Rodriguez                      Aye

Mayor Pro Tem Topham                  Aye

Councilor Milo                              Aye

**5. Mayoral Appointment to Fill Vacancy of District 4 Councilor**

Mayor Jasso requested City Council's approval to appointment Alex Valdespino to serve as Interim District 4 Councilor through May 31, 2022; and to continue as the Appointee for District 4 Councilor to complete the remainder of Councilor Cruz's term from June 1, 2022 through December 31, 2023.

Mayor Jasso stated that he received 4 letters of interest to fill the position; and thanked those who submitted the letters. Mayor Jasso stated that Mr. Valdespino was the recently retired Chief of Police. Mayor Jasso stated that reasoning for appointing the interim before the resignation of Councilor Cruz is so that the appointee can be involved with the budgetary process to better understand the process.

Mr. Sera asked if Mayor Jasso had a copy of Councilor Cruz's resignation letter. Mayor Jasso read Councilor Cruz's resignation letter into the record.

Mr. Sera explained that Mr. Valdespino, if appointed, would not be eligible to vote until June 1<sup>st</sup> which is the effective date of Councilor Cruz's resignation.

Councilor Milo motioned to approve the mayor's appointment, as presented; 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

**6. Amendment to Administrative Regulation DM 11-30 Regarding the Vacancy Filling/Hiring Process**

Mr. Sera informed that the proposed changes are being done to update practices. Mr. Sera stated that as a part of the retention and recruitment study, figuring out how to keep employees and well as making the application process easier for the public were taken into consideration. Mr. Sera noted the changes in Section Three, which would require pre-approval by the Finance Director to verify budgetary allowance; section Four-2-b which would now allow for posting on Indeed or other employment recruitment forum, as well as social media for exposure; section Four-2-c which will allow that applications be submitted electronically through recruitment website; and section five-2 which will allow the waiver of the interview process, depending on the number of applications received and the needs of the City at the City Administrator's discretion.

Councilor Rodriguez motioned to approve the amendment, 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

**7. Approval of Job Description for a Public Relations Officer**

Mr. Sera explained that the proposed position has been discussed for the last 8 years and never drafted nor proposed for approval. Mr. Sera stated that it is finally put together, adding that there is a need for the public to be informed about ongoing projects that City staff is working on as well as about other public notices to provide more transparency. Mr. Sera stated that the City is also working on obtaining the approval for a radio station to be used as a method in which to keep the public informed. Mr. Sera stated that this position would report to himself or Ms. Holguin; work up to 40 hours per week.

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

ROLL CALL VOTE	
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye

**8. Resolution: To Accept and Approve the FY 2021 Audit**

Ms. Holguin presented the resolution and introduced Mr. Robert Gonzales, with Cordova CPA's LLC. Mr. Gonzales presented the information on findings, attached for reference.

Councilor Rodriguez motioned to approve the resolution to accept and approve the FY2021 Audit, as presented; Councilor Milo second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE	
Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye

**9. Resolution: In Support of Keeping the Dams on Starvation Draw Intact**

Mr. Holdridge, Soil & Water Conservation District, explained that the Bureau of Land Management (BLM) in Las Cruces, New Mexico is currently draft designs to reduce the water-holding which would affect the five dams creating an impact on the City of Deming and surrounding infrastructure, creating a risk of potential flooding and soil erosion damage from a major storm event.

Mr. McSherry stated that if the dams are taken out, it could cause a risk of flooding in the area, creating damage. Mr. McSherry stated that the resolution is in support of requiring the dams be left in place in their existing conditions.

Mr. Holdridge stated that if removed, it would cost millions as it will to have them reconstructed.

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

ROLL CALL VOTE

Councilor Rodriguez Aye

Mayor Pro Tem Topham Aye

Councilor Milo Aye

**10. Quasi-Judicial Public Hearing: To consider a Zoning Amendment for Rogelio Barbosa**

Mayor Jasso conducted a quasi-judicial public hearing to consider a zoning amendment for Rogelio Barbosa for property at 309, 319, and 329 S Yucca, located within the City limits.

Mayor Jasso swore-in all parties who signed in to testify in relation to the item.

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, Mr. Barbosa is requesting to have the properties rezoned from “A-1” Single Family Dwelling to “B” Multi-Family Dwelling in hopes of constructing 3 family upscale duplexes on said lots. Mr. Camfield expressed staff’s concern about setting a precedence of spot zoning, should it be approved.

Mayor Jasso asked if staff or Council had any questions. They did not.

Mayor Jasso asked if the applicant would like to make a statement. Mr. Barbosa stated that he resides behind the subject addresses, adding that he realizes the need for more housing in the community. Mr. Barbosa stated that he would like to construct three duplexes for multiple families, as a result.

Mayor Jasso asked if Council had any questions for the applicant.

Councilor Rodriguez asked if there would be 3 different duplex homes. Mr. Barbosa explained it would be 3 different addresses, on 3 different lots; and the duplexes would be upscale in nature; adding that he would have control of who would reside there, more geared to rent to traveling nurses.

Councilor Milo asked how many residents would be occupied within the 3 duplexes. Mr. Barbosa stated they'd house up to 6 families; being 2 families per duplex.

Mr. Barbosa added that he would plan to construct a wall all around the property to match his residence which is behind the subject property to the east.

Councilor Milo stated that the main problem would be keeping the area uniformly zoned; adding that some residents do not want anything out of the ordinary.

Mr. Barbosa stated that they would be nice properties.

Councilor Milo stated that some of the issue may be that if there is a need to be out of the zoning ordinance, why have an ordinance if it won't be abided by.

Mr. Barbosa stated that there are abandoned homes there and that he would like to build the duplexes to allow professionals an option. Mr. Barbosa noted the mobile homes behind the subject property to the west; noting that he did not plan to move any time soon.

Councilor Milo asked if it would be an investment for the applicant, and not just a plan to build and sell.

Mr. Barbosa stated yes; he had initially planned to build and sell but realized he would have no control over who resided behind him, should he have done that.

Mayor Jasso asked if there were any affected parties that would like to speak.

Mr. Cowels addressed Council stating he has lived on Yucca for 50 years adding that he had signatures of neighbors in opposition of the request. Mr. Cowels stated that property values would drop should this be approved. Mr. Cowels added that the duplexes would also create more traffic with 6 families residing there, with an additional of potentially 12 cars.

Mr. Sanchez, addressed his opposition to the request stating that there would be a higher density, parking issues, property values would go down being that there are single family homes next to duplexes. Mr. Sanchez also noted that the assurance of less crime would also not be substantial; adding that an increase of loud music, and noise is also of concern. Mr. Sanchez noted the proposed wall, bigger than 6' would be for the self-interest of the applicant, as Mr. Sanchez would not be profiting from the building of multi-housing units.

Ms. Patterson addressed Council stating her opposition to the request stating that she had to obtain permission to have her ill mother live behind her residence and had to move all out of the backyard home after her death. Ms. Patterson stated that a duplex would create more congestion and is against the proposition.

Mr. Sera stated that the community does need housing; however, the City establishes zoning for a reason.

Mayor Jasso asked if there were any registered parties that would like to cross-examine any party having already given testimony. 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 Rodriguez motioned to go into closed session; Mayor Pro Tem Topham second the motion; motion was approved by the following roll call vote:

ROLL CALL VOTE

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye

Councilor Milo motioned to go into open session; Councilor Rodriguez second the motion; motion was approved by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye

Mayor Jasso stated that there were no motions made during closed session.

Mr. Barbosa asked to address Council; Mayor Jasso allowed the applicant to address his concerns. Mr. Barbosa stated that hearing options, he would consider subdividing into smaller lots to build more homes keeping the zoning the same.

Councilor Milo motioned to deny the request, as presented; Mayor Pro Tem Topham second the motion; motion was approved by the following roll call vote:

ROLL CALL VOTE

Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye

Mayor Jasso stated that the decision announced by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks; pursuant to NMSA, 1978 39-3-1.1.C, any action of the City Council in approving, conditionally approving, or denying this application may be appealed by any aggrieved person, any member of the City Council, or by the City Administrator to the District Court within 30 calendar days from the date the order has been filed.

## 11. Administrator's Report

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

- Working on recruiting personnel to cover demands of services needed in the community
- Crews working on water leaks daily
- AC Unit is out – staff is seeking how to get it fixed

**12. Closed Session: To Discuss personnel matters, regarding evaluations and contract renewals for appointed employees, pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act**

Councilor Rodriguez motioned to go into closed session pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act; Councilor Milo 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

**13. Open Session: Motions if any**

Mayor Pro Tem Topham motioned to go into open session; 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

Mayor Jasso stated that there were no motions made during closed session and that only those items listed were discussed. Mayor Jasso asked if Council had any motions.

Mayor Pro Tem Topham motioned to allow the Mayor to negotiate and execute all appointment contracts; Councilor Rodriguez second the motion; motion carried by the following roll call vote:

**ROLL CALL VOTE**

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye

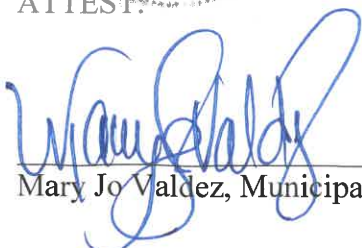
**14. Adjourn Meeting**

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

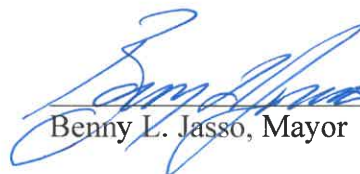
Mayor Pro Tem Topham motioned to adjourn the meeting; Councilor Rodriguez second the motion; motion carried unanimously. The meeting adjourned at 9:53 p.m.



ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

**CITY OF DEMING  
RESOLUTION NO. 22-15**

**A resolution declaring the eligibility and intent of the City of Deming  
to submit a grant application to the New Mexico Department of Transportation (NMDOT)**

**WHEREAS**, the City of Deming, New Mexico, has the legal authority to apply for, receive and administer NMDOT grant funds; and

**WHEREAS**, the City of Deming is planning to submit an application for Fiscal Year 2022/2023 for NMDOT grant funds to plan, obtain environmental clearance including public hearings, and design of the Gold Street Maintenance Reduction Road Diet, Signalization and Pedestrian Safety Improvements Project; and

**WHEREAS**, the project has been discussed with NMDOT District One; and

**WHEREAS**, the City of Deming acknowledges availability of the minimum 5% local match and up to 25% local match if required, and, the availability of funds to pay all upfront costs; and

**WHEREAS**, the City of Deming agrees to pay any costs that exceeds the grant award amount if the application is selected for funding; and

**WHEREAS**, the City of Deming agrees to maintain the project for the life of the project; and


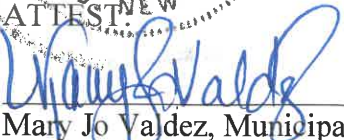
**NOW THEREFORE, BE IT RESOLVED** by the governing body of the City of Deming, New Mexico, that:

1. The City of Deming, authorizes the Community Services Director or City Administrator to submit an application for FY22/23 grant funds from NMDOT on behalf of the citizens of the City of Deming.
2. The City of Deming assures the NMDOT that if grant funds are awarded, sufficient funding for the local match and for upfront project costs are available, and that any costs exceeding the award amount will be paid for by the City of Deming.
3. The City of Deming assures the NMDOT that if awarded grant funds, sufficient funding for the operation and maintenance of the project will be available for the life of the project.
4. The Community Services Director or the City Administrator of the City of Deming are authorized to enter into an Agreement with the NMDOT for the Gold Street Maintenance Reduction Road Diet, Signalization and Pedestrian Safety Improvements Project and are authorized to submit additional information as may be required and act as the official representatives of the City of Deming in this and subsequent related activities.
5. The City of Deming assures the NMDOT that the City of Deming is willing and able to administer all activities associated with the proposed project.

**PASSED, ADOPTED, AND APPROVED** this 19th day of April 2022.

**CITY OF DEMING, NEW MEXICO**

By   
Benny L. Jasso, Mayor

  
  
Mary Jo Valdez, Municipal City Clerk

Victor Cruz  
1617 S Tennyson Street  
Deming, NM, 88030

Friday, April 8, 2022

Benny Jasso  
Mayor, City of Deming  
Deming, NM 88030

Dear Mayor,

I am writing you about my decision to resign as City Councilor from Deming City Council, effective June 1st, 2022.

Unfortunately, my professional life will take me away from living full time in the city of Deming. While I will continue to have businesses in the city, I do not believe it is fair to the citizens of Deming that I not reside full time in the city while serving on the city council.

I would like to thank the citizens of Deming for giving me the honor and opportunity to represent them at a municipal level. As you know, I have served on other boards and have been involved in other organizations in Deming. However, I believe the City Administration, staff and council members have been an incredible organization with a strong and dedicated team. I wish the best to the City of Deming, the administration and staff going forward.

Sincerely,

A handwritten signature in black ink that reads "Victor Cruz" followed by a small "MD" or similar mark.

Victor Cruz

CITY OF DEMING

*Proclamation*

2022 National Library Week

**WHEREAS**, our nation's school, academic, public and special libraries make a difference in the lives of millions of Americans, today, more than ever; and

**WHEREAS**, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in the 21st century; and

**WHEREAS**, libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning; and

**WHEREAS**, library use is up nationwide among all types of library users, continuing a decade-long trend; and

**WHEREAS**, libraries play a vital role in supporting the quality of life in their communities; and

**WHEREAS**, libraries can help you discover a world of knowledge, both in person and online, as well as personal service and assistance in finding what you need, when you need it; and

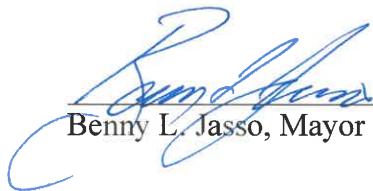
**WHEREAS**, libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the “digital divide;” and

**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America's Libraries.

**NOW, THEREFORE**, be it resolved that I, Benny L. Jasso, Mayor of the City of Deming hereby proclaim April the 3<sup>rd</sup> – 9<sup>th</sup>, 2022 as National Library Week. I encourage all residents to visit the library to take advantage of the wonderful library resources available and thank their librarians and library workers for making information accessible to all who walk through the library's doors. Join the circle of knowledge at your library.

DONE this 19<sup>th</sup> day of April 2022 in the City of Deming, New Mexico

CITY OF DEMING, NEW MEXICO

  
Benny L. Jasso, Mayor



  
Mary Jo Valdez, Municipal Clerk

CITY OF DEMING  
*Proclamation*  
*Municipal Clerks Week*  
*May 1 through 7, 2022*

**Whereas,** The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**Whereas,** The Office of the Municipal Clerk is the oldest among public servants, and

**Whereas,** The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas,** Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

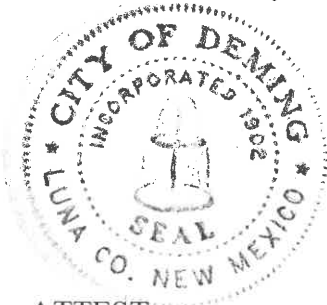
**Whereas,** The Municipal Clerk serves as the information center on functions of local government and community, and

**Whereas,** Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.


**Whereas,** it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**Now, Therefore, I,** Benny L. Jasso, Mayor of the City of Deming, do recognize the week of May 1<sup>st</sup> through May 7<sup>th</sup>, 2022, as Municipal Clerks Week, and further extend appreciation to our prior Municipal Clerk Aaron Sera and our current Municipal Clerk Mary Jo Valdez; and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

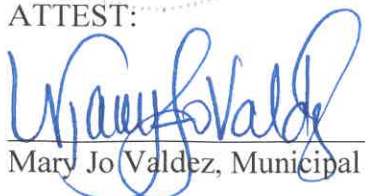
**Dated this 19<sup>th</sup> day of April 2022.**



CITY OF DEMING, NEW MEXICO

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING**  
*Proclamation*  
**FAIR HOUSING MONTH**

**WHEREAS**, fair and equal housing is a right guaranteed to all Americans; and

**WHEREAS**, the principle of fair and equal housing is not only a national law and policy, but a fundamental human entitlement; and

**WHEREAS**, all citizens have the right to live where they choose within their financial means; and

**WHEREAS**, people must not be denied housing because of race, color, religion, sex, national origin, handicap or family status; and

**WHEREAS**, the City of Deming acknowledges the importance of assuring fair and equal treatment to all citizens as identified in the City's Fair Housing Policy (Ord. 11-1-4); and

**WHEREAS**, the City of Deming is assisting and cooperating with the Southwestern Regional Housing and Community Development Corporation.

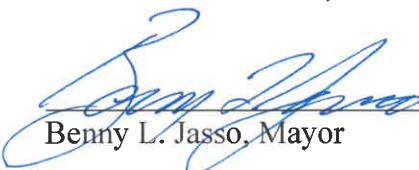
**NOW, THEREFORE I**, Benny L. Jasso, Mayor of the City of Deming, do hereby proclaim the month of April 2022 as

***"Fair Housing Month"***

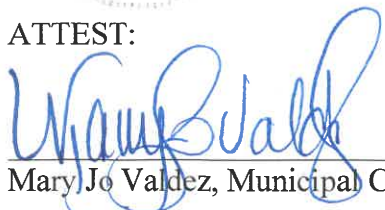
**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of the City of Deming to be affixed in the City of Deming, Luna County, New Mexico this 19<sup>th</sup> day of April 2022.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

# Proclamation Lemonade Day

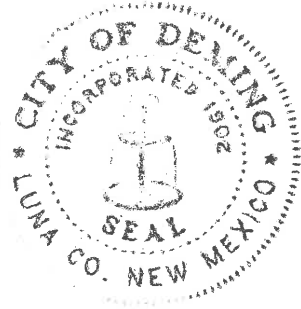
WHEREAS, Lemonade Day was created to help today's youth become the business leaders, social advocates, community volunteers and forward-thinking citizens of tomorrow, one lemonade stand at a time: and,

WHEREAS, the foremost objective of Lemonade Day is to empower youth to take ownership of their lives and become productive members of society; the business leaders, social advocates, volunteers, and forward thinking citizens of tomorrow; and,

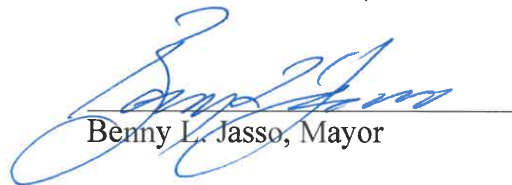
WHEREAS, Lemonade Day inspires people in the community to step up and lead a child already in their lives through the steps of starting, owning and operating their very own business, a lemonade stand.

NOW, THEREFORE, I, Benny L Jasso, do hereby proclaims May 21, 2022, as "Lemonade Day" in the City of Deming and I encourage all citizens to recognize the importance of committing themselves to the education of our children in preparation for their future.


Signed this 19<sup>th</sup> day of April 2022 in the City of Deming, New Mexico.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

## CITY OF DEMING

### *Proclamation*

#### **The Day of the Young Child & National Child Abuse Prevention Month**

**WHEREAS**, the City of Deming recognizes the contributions each child places to the community, and every child is entitled to be loved, cared for, nurtured, and to feel secure and free from verbal, sexual, emotional & physical abuse and neglect; and

**WHEREAS**, on behalf of the citizens of the City of Deming, it gives me great pleasure to extend my best wishes to the young children for their outstanding improvements and accomplishments done in our community, and the effects of child abuse are felt by whole communities, and need to be addressed by citizens of City of Deming and Luna County; and

**WHEREAS**, the week of the young child and child abuse & neglect awareness month has made a difference to the community through their devotions and dedications provided through their efforts and who are willing to go the extra mile, and provide a safe environment free from physical, sexual, and emotional abuse; and

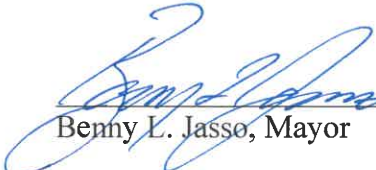
**WHEREAS**, you are an excellent example for the citizens of our community to follow; and all citizens, community agencies, faith organizations, and businesses will work to increase their efforts to support families.

**NOW THEREFORE**, I, Benny L. Jasso, Mayor of the City of Deming do hereby proclaim the week of April 2<sup>nd</sup> - 8<sup>th</sup>, 2022 as THE DAY OF THE YOUNG CHILD and the month of April 2022 as NATIONAL CHILD ABUSE & NEGLECT PREVENTION MONTH in the City of Deming and urge all citizens to publically recognize and acknowledge each young child for their outstanding improvements and accomplishments and to protect and provide them with a safe & nurturing environment in our community.

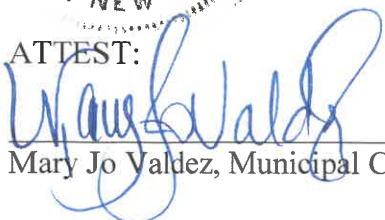
**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the great seal of the City of Deming, New Mexico this 19<sup>th</sup> day of April 2022.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING**  
*Proclamation*  
***National Day of Prayer***

**WHEREAS**, The National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775 while forming a new nation; and

**WHEREAS**, in 1988, legislation was unanimously ratified by both Houses of Congress and signed by President Ronald Reagan stating that the National Day of Prayer was to be observed on the first Thursday of every May; and

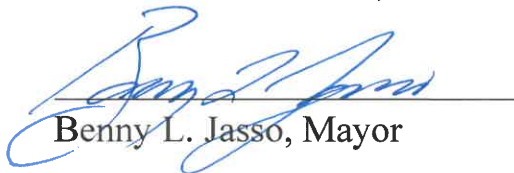
**WHEREAS**, it is fitting and proper to give thanks to the Lord by observing this day in Deming when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our state and nation.

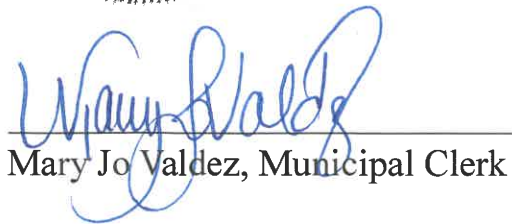
**NOW THEREFORE**, I, Benny L. Jasso, Mayor of the City of Deming, do hereby proclaim Thursday, May 5, 2022, as ***"A DAY OF PRAYER"*** and urge the citizens of Deming to stand in unity on this day to pray for America and the world.

Done this 19<sup>th</sup> day of April 2022 in the City of Deming, New Mexico.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING, NEW MEXICO**  
**RESOLUTION NO. 22-16**

**A RESOLUTION ACCEPTING AND APPROVING THE AUDIT FOR FY2021**

**WHEREAS**, the City of Deming is required by statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2021; and,

**WHEREAS**, the City Council has directed the accomplishment of the audit for FY2021 be completed; and,

**WHEREAS**, this audit has been completed and presented to the City Council per the March 24, 2022, Letter from the Statue Auditor authorizing release of the FY2021 audit.

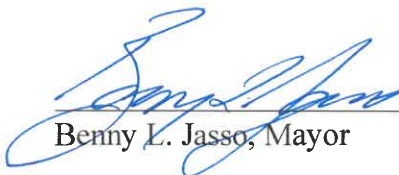
**WHEREAS**, NMAC 2.2.2.10 (M) (4) provides in pertinent part that "Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable;" and,

**NOW THEREFORE, BE IT RESOLVED**, that the City Council does hereby accept and approve the completed audit report and findings as indicated within this document.

**ACCEPTED AND APPROVED** this 19th day of April 2022 in regular session by the City Council, at the City of Deming, Luna County, New Mexico.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING, NEW MEXICO**  
**RESOLUTION NO. 22-17**

**A RESOLUTION IN SUPPORT OF DEMING SOIL AND WATER CONSERVATION DISTRICT  
OPPOSING THE REMOVAL OF THE FIVE EXISTING DAMS IN STARVATION DRAW**

**WHEREAS**, the Deming City Council, met in regular session on April 19, 2022, at 5:30 P.M. in the John Strand Municipal Building, located at 309 S. Gold Ave., Deming, New Mexico 88030; and,

**WHEREAS**, NMSA 1978, Section 3-18-1-F provides that Municipalities have the power to, "protect generally the property of its municipality and its inhabitants"; and,

**WHEREAS**, the five dams constructed in Starvation Draw north of Deming, New Mexico 70 years ago have protected the municipality and inhabitants of Deming from flooding; and,

**WHEREAS**, there have been floods from Starvation Draw over the past decades, and in spite of those dams the flood waters still reached the City of Deming, and there were residents who were personally affected by that flooding; and,

**WHEREAS**, the Bureau of Land Management (BLM) in Las Cruces, New Mexico is currently drawing up designs to significantly reduce the water-holding and sediment retention ability at the five dams in Starvation Draw; and,

**WHEREAS**, no data has been provided to the inhabitants downstream of these dams to show the consequences which would occur after a major storm event with the dams in the proposed, reduced state; and,

**WHEREAS**, the proposed reduction of the five dams once undertaken would place the City of Deming, its citizens, and its infrastructure assets in a permanent state of risk of flooding and soil erosion damage from a major storm event; and,

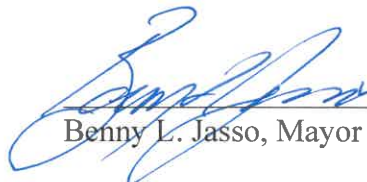
**WHEREAS**, government officials, to include those in federal government, should be accountable to the inhabitants who they expose to greater risk; and,

**NOW THEREFORE, BE IT RESOLVED**, the City Council of the City of Deming, recognizing that the changes which Las Cruces BLM is undertaking will place the City of Deming and a portion of Luna County at greater risk to flooding in a major storm event, expresses its concern for the well-being of the of the inhabitants, insists the federal government officials who undertake the risky changes to the dams accept the liability of damages to the citizens, private companies, and government infrastructure which they place at risk, and calls upon state and federal legislative delegation to require that Las Cruces BLM leave the dams in Starvation Draw in their existing condition.

**PASSED, ADOPTED, AND APPROVED** this 19<sup>th</sup> day of April 2022.

**CITY OF DEMING, NEW MEXICO**



  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal City Clerk