



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

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POPULATION 14,000

CITY COUNCIL MEETING AGENDA October 17, 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 September 19, 2023
 - B. Proclamations
 - a. Declaring the Month of October as Domestic Violence Awareness Month
 - b. Endorsing Lights on Afterschool Day
 - c. Declaring the Month of November as Lung Cancer Awareness Month
2. Proclamations:
 - a. Declaring the Month of October as Head Start Awareness Month
 - b. Observing November 11, 2023, as Veteran's Day
3. Ratification of Administrative Regulation DM23-38, Governing Stipends for Certified Police Officers
4. Request for the Annual Approval to Increase Airport Hangar Rental Fees
5. Resolution: Requesting the New Mexico State Transportation Commission to Designate Certain Specific Portions of the State Highway System as a Designated ROV Route
6. Bid 23-07 Encanto Water Line Replacement Phase III
7. Administrators Report
8. Closed Session: Pursuant to NMSA 10-15-1, H(7) To Discuss Threatened and/or Pending Litigation
9. Open Session: Motions, if any
10. Adjourn Meeting

The next regular City Council Meeting is scheduled for November 21, 2023, at 5:30 p.m.

CITY COUNCIL MEETING MINUTES

October 17, 2023

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

Irmisela A. Rodriguez, Councilor

Council Present (Telephonically/Virtually):

Alex Valdespino, Councilor

Council Absent:

Staff Present:

Aaron Sera, City Administrator

Azucena Vargas, Community Services Director

Jeremy Gervais, Special Projects Coordinator

Adrian Coloma, IT

Yeimi Bustos, Receptionist

Jim Massengill, Public Works Director

Cint Hogan, Chief of Police

Joe Owen, Fire Chief

Amanda Sanders, Public Information Officer

Staff Present (Telephonically/Virtually):

Recording Secretary: Elizabeth Martinez, CSD Clerk

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

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

Councilor Milo Present

Councilor Rodriguez Present

Mayor Pro Tem Topham Present

Councilor Valdespino Present

Mayor Jasso Present

Ms. Martinez verified a quorum.

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; Mayor Pro Tem Topham second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Rodriguez Aye

Councilor Valdespino Aye

Councilor Milo Aye

Mayor Pro Tem Topham Aye

Proclamation

TO RECOGNIZE DOMESTIC VIOLENCE AWARENESS MONTH OCTOBER 2023



Whereas, anyone can be a victim of domestic violence regardless of age, sex, ability, ethnicity, sexual orientation, socioeconomic status, or religion;

Whereas, children that grow up in a violent home are believed to be abused and neglected at a rate higher than the national average;

Whereas, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims;

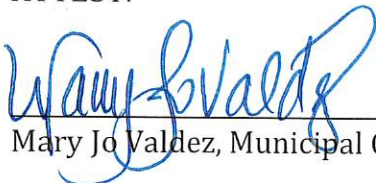
Therefore, be it proclaimed on behalf of all members of City of Deming Council, staff and residents, that the month of October be recognized as Domestic Violence Awareness Month in Deming and urge residents to work together to eliminate domestic violence from our community.

Done this 17th day of October 2023 in the City of Deming, New Mexico.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk



Proclamation

Keeping the Lights on Afterschool Day

WHEREAS, the citizens of Deming and Luna County, New Mexico, stand firmly committed to quality afterschool programs and opportunities because they:

- Provide safe, challenging, engaging and fun learning experiences to help children and youth develop their social, emotional, physical, cultural and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults.
- Engage families, schools and diverse community partners in advancing the welfare of our children; and

WHEREAS, The Afterschool Program has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and

WHEREAS, *Lights on Afterschool*, a national celebration of afterschool programs on **October 26, 2023** promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities; and

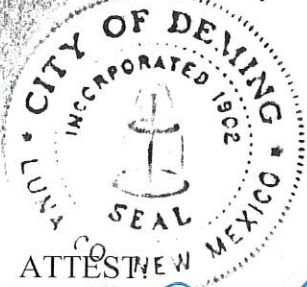
WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 19.4 million children have no place to go after school; and

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights; and

NOW, THEREFORE BE IT RESOLVED that I, Benny L. Jasso, do hereby proclaim October 26, 2023 as ***"Lights on Afterschool Day,"***; and

BE IT FURTHER RESOLVED that I, Benny L. Jasso, Mayor enthusiastically endorses ***Lights on Afterschool*** and commits our community to engage in innovative afterschool programs and activities that ensure the lights stay on and doors stay open for all children after school.

Signed this 17th day of October 2023 in Deming, New Mexico.



Mary Jo Valdez
Mary Jo Valdez, Municipal Clerk

CITY OF DEMING, NEW MEXICO

Benny L. Jasso
Benny L. Jasso, Mayor

CITY OF DEMING PROCLAMATION
Declaring November as Lung Cancer Awareness Month

Whereas, lung cancer is the leading cause of cancer death amongst men and women in the United States and in New Mexico in 2023, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined; (1)(2)

Whereas, according to the Centers for Disease Control and Prevention, there were 114 new lung cancer cases and 25 deaths because of lung cancer between 2015 and 2019 in New Mexico; (2) Whereas, the 5-year survival rate for localized lung cancer is ~59%, yet only ~17% of lung cancers are diagnosed at this stage; (1)

Whereas, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial (3) and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; (4)

Whereas, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; Whereas lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer and by 2035, more women will die from lung cancer than men;(6,7)

Whereas African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities. (8)

Whereas lung cancer in never smokers is the 7th leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the US every year(7), 60-70% of never smokers diagnosed with lung cancer are women(9,10), and the proportion of lung cancers diagnosed in never smokers is increasing in the US;(10,11)

Whereas, organizations working in the Deming community, such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum, are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates in Deming.

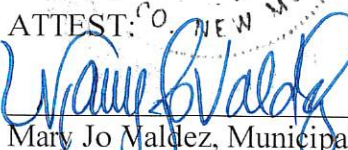
Therefore, I, Mayor Benny Jasso and the Deming City Council do hereby proclaim November 2023 as Lung Cancer Awareness Month in Deming and recognize the need for research in lung cancer affecting women and lung cancer health disparities, and encourage all citizens, to learn about lung cancer and early detection through lung cancer screening.

DONE this 17th day of October 2023 in the City of Deming, New Mexico

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor



ATTEST:

Mary Jo Valdez, Municipal Clerk

2. Proclamations

a. Declaring the Month of October as Head Start Awareness Month

Mayor Jasso read the proclamation for the record. (Attached for reference)

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

ROLL CALL VOTE

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

b. Observing November 11, 2023, as Veteran's Day

Mayor Jasso read the proclamation for the record. (Attached for reference)

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

3. Ratification of Administrative Regulation DM23-38, Governing Stipends for Certified Police Officers

Mr. Sera explained that the request is to ensure protocol is being followed for non-union members, as there isn't a current policy for those that are not members of the union, such as the Lieutenant positions, to be eligible for stipends.

Councilor Milo motioned to approve the ratification, as submitted; motion second by Councilor Valdespino; motion carried by following roll call vote:

ROLL CALL VOTE

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

4. Request for the Annual Approval to Increase Airport Hanger Rental Fees

Ms. Vargas addressed Council and read the memo into record. Councilor Milo asked if the rental amount was dependent on the size of aircraft. Ms. Vargas confirmed.

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

ROLL CALL VOTE

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

Proclamation

HEAD START AWARENESS MONTH

WHEREAS, established in 1965, Head Start is a national, federally funded early childhood school readiness program that serves children and families and whose purpose is to help children achieve their full potential; and

WHEREAS, Head Start continues to be the national commitment to give every vulnerable child an opportunity to succeed; and

WHEREAS, Head Start provides comprehensive health, nutritional, educational, social services, family and community development and meaningful parent engagement; and

WHEREAS, Head Start focuses on children's language development, early literacy, social skills, and giving their parents the skills in becoming their child's first and best teacher; and

WHEREAS, Head Start is committed to the development of each child and provides preventative and early intervention services to children and families regardless of their economic status; and

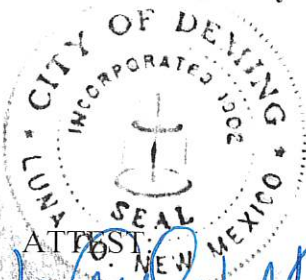
WHEREAS, The City Council and the Mayor recognizes that the needs of children and families in the City of Deming must become a top priority for future decision makers by investing financial resources and talent in early childhood which are the formative years of every child; and

NOW, THEREFORE, BE IT PROCLAIMED, that the City Council and the Mayor of Deming, New Mexico, hereby proclaim the month of October 2023 as:

"HEAD START AWARENESS MONTH"

BE IT FURTHER PROCLAIMED, The Mayor and City Council encourages all parents of early childhood children to participate in literacy activities, such as reading a book, going to the library, having conversations and sharing stories with your child during the month of October.

DONE this 17th day of October 2023, in the City of Deming, New Mexico.



ATTEST:

Mary Jo Valdez, Municipal Clerk


Benny L. Jasso, Mayor

Proclamation

VETERANS DAY

WHEREAS, since the 11th hour, 11th day of the 11th month of 1918 a World War I armistice was proclaimed, Veterans Day has been uniquely an American Day of remembrance on which we pay our respects and honor the American service members who have served the armed forces of our country, and

WHEREAS, in keeping with the traditions that have preceded us, many of us have friends and family members who have selflessly given of themselves to the future of this great nation and who we honor on this day, and

WHEREAS, the service members, from the Army, Air Force, Navy, Marine Corp and Coast Guard were someone's child, someone's spouse, someone's parent and it is important that we remember every day, in this great nation, that our freedom came at a price, and

WHEREAS, Veterans have bravely served in all parts of the world, not only fighting for our freedoms but for all mankind, and

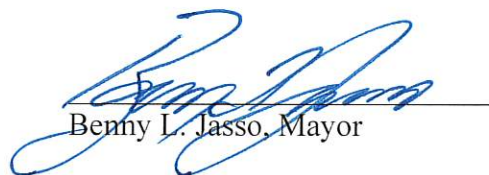
WHEREAS, the City of Deming and Luna County joins with the cities and counties throughout the great state of New Mexico in honoring those who have given their lives and recognizing that their sacrifices were noble, their heroism unparalleled and their dedication to God and Country is unforgettable.

**NOW THEREFORE, BE IT PROCLAIMED that November 11, 2023, be observed as
VETERANS DAY**

In the City of Deming, in remembrance and in honor of the Veterans who have given their lives in the service of our country.

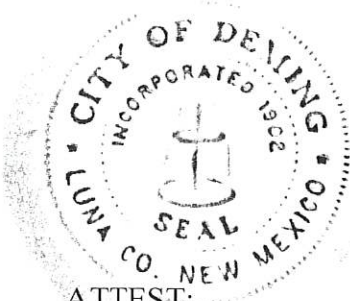
Signed this 17th day of October 2023 in the City of Deming, New Mexico.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk



5. Resolution: Requesting the New Mexico State Transportation Commission to Designate Certain Specific Portions of the State Highway as a Designated ROV Route

Mr. Sera explained the intent of the resolution and that Highway 26 led to an entrance to Fort Cummings and Cooks Peak; further explaining that the roadways have to lead to a recreational area. After some discussion regarding the issuance of citations by law enforcement, which Chief Hogan stated were not many; Councilor Valdespino expressing his concerns if passed would it reflect that the City was a supporter of ROV roadway access; Councilor Valdespino's concern of kids riding with no helmets and speeding and his concern for the streets to be safe; Councilor Rodriguez's inquiry about allowing drivers to utilize Pine Street to get to recreational areas; NMSP Officer Evans addressing having issues with ROV's utilizing State Roads south of town; Mr. Sera addressing that signage would be placed to educate the public; and Ms. Ward informing about a grant for OHV, Mayor Jasso asked if Council was prepared to make a motion.

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

ROLL CALL VOTE

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

A tied vote required a Mayoral vote; Ms. Martinez asked Mayor Jasso for his vote to break the tie:

ROLL CALL VOTE TIE BREAK

Mayor Jasso	Aye
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6. Bid 23-07 Encanto Water Line Replacement Phase III

Mr. Massengill presented a memorandum (attached for reference) requesting Bid No. 23-07 be awarded to File Construction LLC and requested that the Public Works Director and/or City Administrator be giving the authority to enter into an agreement and to execute any documents related to this project.

Mayor Jasso closed the public hearing and asked Council if they were prepared to make a motion.

Councilor Milo motioned to approve the award, as presented; motion second by Councilor Valdespino; motion carried by following roll call vote:

ROLL CALL VOTE

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

RESOLUTION NO. 23-25

A RESOLUTION REQUESTING THE NEW MEXICO STATE TRANSPORTATION COMMISSION
TO DESIGNATE CERTAIN SPECIFIC PORTIONS OF THE STATE HIGHWAY SYSTEM AS A
DESIGNATED ROV ROUTE

WHEREAS, the City of Deming passed Ordinance 1319, which allows the use of recreational off highway vehicles (ROV) on paved roads owned and controlled by the City of Deming; and,

WHEREAS, the areas of Hwy 418, NM 11, and NM 549 are popular thoroughways which lead residents to outdoor recreational areas that can be used for hunting; and other various recreational opportunities; and

WHEREAS, in accordance with NMSA 1978, Sections 67-3-2(D), 66-3-1011, and CP-71 in regard to allowing the use of recreational off highway vehicles on paved highways;

THEREFORE, BE IT RESOLVED by the City Council of the City of Deming that the City of Deming is requesting New Mexico State Transportation Commission to designate following specific portions of the state highway system as an ROV route:

State Hwy 497 / 8th Street, from Hwy. 70 / Pine St. south for 2.1 miles to Orno St. and city limit end to County Rd. CO39

State Hwy 427 / Country Club from Hwy 70 / business 10 / Pine St. south to Hwy 427 West / Florida St. to end at State Hwy 418, changes to CO68

Hwy 26, – 0 – to – 0.9 mile marker

Hwy 180, from mile marker 162.3 to intersection with Hwy 70 / Pine Street

Hwy 70 / Business I-10 route at Interchange

Hwy 418, end in Deming to mile marker 14

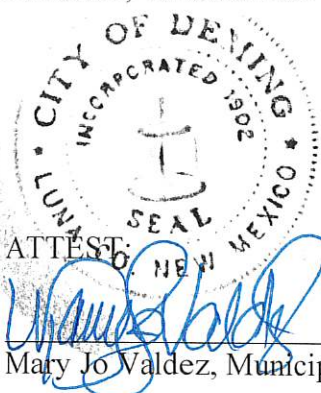
Hwy 11, from 34-mile marker to end at Hwy 70 / Pine Street

All of Hwy 418, from mile marker 16.9 to 0 for access to the trails at the Victorio Mountains as well as the hunting loop back to Hermanas Rd. / CO91

All of Hwy 549, from Deming to the Luna County / Dona Ana line to access Lewis Flats area lake beds, sand dunes, Kilburn Hole, the Wall sand dunes and trails. And all of Hwy 377, Hwy 143, and Hwy 198 for hunting and alternate route to the Florida Mountains


Hwy 349, from 8th Street to West 1st Street, for access to various recreational trails

PASSED, APPROVED AND ADOPTED by the governing body at its meeting of October 17, 2023.



Mary Jo Valdez, Municipal City Clerk

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

7. Administrator's Report

- Mr. Sera stated that Harbor Fright should be open around March or April timeframe and that communication is still ongoing.
- An ordinance will be presented due to Harbor Freight's lack of storage space in the area.
- The ribbon cutting and grand opening for the New City Hall will be October 30th from 11:00 am until 3:00 pm.
- The ordinance for plastic bag usage will be discussed at the next town hall meeting for input. Mayor Jasso suggested including the business community.
- Mr. Sera mentioned that Ms. Valdez's father passed away last night and asked that everyone keep her in their prayers.

8. Closed Session: Pursuant to NMSA 10-15-1, H(7) To Discuss Threatened and/or Pending Litigation

Councilor Milo motioned to go into closed session; motion second by Councilor Rodriguez; motion carried by following roll call vote:

ROLL CALL VOTE

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

9. Open Session: Motions, if any

Mayor Jasso entertained a motion to go back into open session.

Councilor Milo motioned to go into closed session; motion second by Councilor Rodriguez; motion carried by following roll call vote:

ROLL CALL VOTE

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

Mayor Jasso stated that nothing was discussed in closed session other than those topics listed and there were no motions.

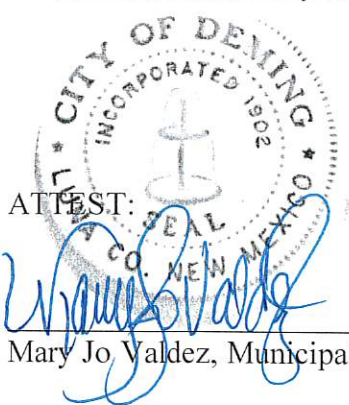
10. Adjourn Meeting

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

Councilor Milo motioned to adjourn the meeting; Councilor Valdespino second the motion; motion carried unanimously. The meeting adjourned at 6:34 p.m.

CITY OF DEMING, NEW MEXICO

ATTEST:



Mary Jo Valdez, Municipal Clerk


Benny L. Jasso, Mayor