

BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

Phone (575) 546-8848 · Fax (575) 546-6442  
E-MAIL: [deming@cityofdeming.org](mailto:deming@cityofdeming.org) Website: [www.cityofdeming.org](http://www.cityofdeming.org)  
P.O. BOX 706 · DEMING, NEW MEXICO 88031  
POPULATION 14,000

## **CITY COUNCIL MEETING AGENDA July 18, 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**  
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 June 20, 2023
    - b. Parks Commission March 15, 2023
    - c. Planning and Zoning Commission June 12, 2023
  - B. Resolutions:
    - a. To Ratify an Agreement with the Southwest New Mexico Council of Governments
2. Request of Approval Appointing the 2023 NMML Annual Conference Voting Delegates
3. Procurement: Request to Rescind the Award for RFP 22-07 Retail Establishment Lease/Purchase
4. Discussion and Approval of a Resolution Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming
5. Quasi-Judicial Public Hearing: To Consider an Alternate Subdivision for Middleton
6. Administrators Report
7. Closed Session: Pursuant to NMSA 10-15-1, H(7) To Discuss Threatened and/or Pending Litigation and NMSA 10-15-1, H(2) To Discuss Limited Personnel Matters Related to the Code of Conduct for Elected, Appointed, and Regular Employees
8. Open Session: Motions, if any
9. Adjourn Meeting

*A Special Meeting is scheduled for July 26, 2023 at 10:00 a.m.*

*The next regular City Council Meeting is scheduled for August 15, 2023 at 5:30 p.m.*

# CITY COUNCIL MEETING MINUTES July 18, 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  
Alex Valdespino, Councilor

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

**Council Absent:** Irmaisel A. Rodriguez, Councilor

## **Staff Present:**

Aaron Sera, City Administrator  
Jim Massengill, Public Works Director  
Lane Camfield, Planner  
Jeffrey Garvis, Special Projects Coordinator  
Amanda Sanders, Public Information Officer

Clint Hogan, Chief of Police  
Azucena Vargas, Community Services Director  
Adrian Coloma, IT  
Cassie Ward, Economic Development Coordinator

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

Councilor Milo	Present
Councilor Valdespino	Absent
Mayor Jasso	Present
Mayor Pro Tem Topham	Present

Ms. Valdez stated that Councilor Rodriguez was absent and 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 Valdespino	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye

**2. Request of Approval Appointing the 2023 NMML Annual Conference Voting Delegates**

Mayor Jasso asked for Council's approval to appoint himself and Councilor Valdespino as the 2023 NMML Voting Delegates.

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

**ROLL CALL VOTE**

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye

**3. Procurement: Request to Rescind the Award for RFP 22-07 Retail Establishment Lease/Purchase**

Mr. Sera explained that the company RFP 22-07 was awarded to establish a retail business, at the west Pine Street location, has not been active in establishing a business nor in making any changes to the facility/property. Mr. Sera stated that there has been a lot of interest in the property since and that the RFP will be readvertised and submitted to Council at a future date.

Councilor Milo motioned to rescind RFP 22-07; motion second by Councilor Valdespino; motion carried by following roll call vote:

**ROLL CALL VOTE**

Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye
Councilor Milo	Aye

**4. Discussion and Approval of a Resolution Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming**

Ms. Vargas addressed Council explaining that the resolution and ICIP is a standard requirement, done annually, that is set in place to assist in the grant/funding process. Mr. Sera stated that he cannot think of anything missed. Ms. Vargas stated that each time there is a grant funding request, the funding entity requests the ICIP. Mr. Sera stated that DFA rules to legislature is that if there is a project which funding has been requested for, if it is not included in the entity's top 5 on the ICIP, they cannot fund that project.

Councilor Valdespino motioned to adopt the resolution approving the ICIP; motion second by Mayor Pro Tem Topham; motion carried by following roll call vote:

**ROLL CALL VOTE**

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye

**Mayor Jasso asked that all parties interested in providing testimony for the case listed in item 5 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.**



## 5. Quasi-Judicial Public Hearing: To Consider an Alternate Subdivision for Middleton

Mayor Jasso conducted a public hearing to consider an alternate subdivision for Middleton.

Mayor Jasso asked if Council had any conflicts of interest; there were none.

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

Mr. Camfield presented the case to Council stating that the applicant, Cathie Middleton, is requesting the approval of an alternate subdivision for her property located at 1295 4th St. Northwest.

The applicant is requesting the approval of an alternate subdivision to separate her existing land into 4 separate Tracts. Ms. Middleton is wanting to will one tract each to her four grandchildren in the event of her passing.

During the Planning and Zoning meeting on June 12, 2023, the Commission recommended the approval of the request for the subdivision request recommended by Staff.

Current Zoning "B" Multi Family

Staff has reviewed the property subdivision request and has no objections to the approval of their request, as submitted.

Mayor Jasso asked if staff or Council had any questions of staff. Councilor Milo asked if the land was undeveloped. Mr. Camfield stated there is a house where the applicant currently resides.

Mayor Jasso asked if the applicant would like to speak. Ms. Middleton addressed Council stating she is getting up in age and wants to leave things situated for her kids.

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

Mayor Jasso asked if there were any interested 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 alternate subdivision, as submitted; motion second by Mayor Pro Tem Topham; motion carried by following roll call vote:

### ROLL CALL VOTE

Councilor Milo	Aye
Councilor Valdespino	Aye
Mayor Pro Tem Topham	Aye

## 6. Administrator's Report

- Mr. Sera stated that the biggest thing that's been worked on at the time is the Inflatable Water Park; it's been a 100% effort on everyone's part. Mr. Sera stated that the grand opening would be Saturday at 10:00 am; adding that it would be a free day for everyone.
- Work continues on establishing a lease for retail establishment next to the New City Hall. Harbor Freight and others have shown interest. This would bring others from Lordsburg, Columbus, Animas, Hatch, and surrounding areas to shop.
- Medians are being maintained and DOT agreed to allow the City to work without traffic plans so long as they're completed by 7 am.
- Working to hire 5 lifeguards as some will be lost once school starts. Silas is working to help with lifeguards.

**7. Closed Session: Pursuant to NMSA 10-15-1, H(7) To Discuss Threatened and/or Pending Litigation and NMSA 10-15-1, H(2) To Discuss Limited Personnel Matters Related to the Code of Conduct for Elected, Appointed, and Regular Employees**

Councilor Milo motioned to go into closed session; 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

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

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

**ROLL CALL VOTE**

Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye
Councilor Milo	Aye

Mayor Jasso stated for the record that only those items listed were discussed during closed session and asked Council if they had any motions. There were none.

Mr. Sera had Ms. Vargas introduce Mr. Jeremy Garvis, Special Projects Coordinator, to Council; it was stated that Mr. Garvis possessed many years of experience in management. He was welcomed by all.

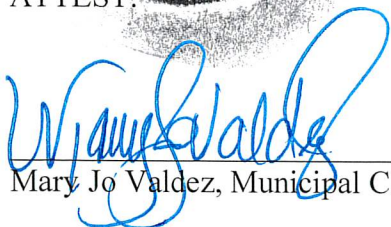
**9. Adjourn Meeting**

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

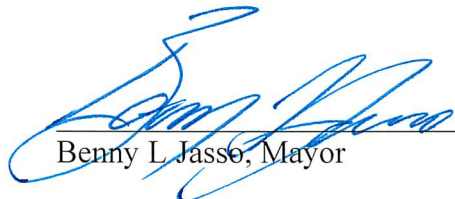
Councilor Milo motioned to adjourn the meeting; Councilor Rodriguez second the motion; motion carried unanimously. The meeting adjourned at 6:24 p.m.



ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor