



JENNY 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

### February 15, 2022

### 5:30 P.M.

*Due to the increase in Covid cases, virtual access is as follows:  
You may dial in 10-15 minutes before the meeting begins.*

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

<https://www.gotomeet.me/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 – City Council
    - a. Regular Meeting 01/18/2022
    - b. Special Meeting 01/26/2022
  - B. Minutes – Planning & Zoning Commission 01/10/2022
  - C. Minutes – Parks Commission 01/11/2022
2. Public Comments \*Person(s) speaking cannot address items listed on the agenda\*
3. Ratification of an Agreement between the City of Deming and the Deming Police Officer’s Association “FOP Deming Lodge #16”
4. Resolution: To Submit an Application to NMDOT to Fund the I-10 Exit 82 Project
5. Resolution: To Submit an Application to NMDOT to Fund the I-10 Exit 81 and 85 Project
6. Resolution: To Authorizing the Submission of an Application for a Colonias Grant
7. Closed Session: To Discuss personnel matters regarding Deming Fire Department, pursuant to NMSA 1978 Section 10-15-1(H)(2) and also possible litigation matters pursuant to NMSA 1978 Section 10-15-1(H)(7) of the Open Meetings Act
8. Open Session: Motions, if any
9. Ratification of an Agreement between the City of Deming and the Deming Firefighters Association “IAFF Local 4251”
10. Administrator’s Report
11. Adjourn Meeting

*The next regular City Council Meeting is scheduled for March 15, 2022 at 5:30 p.m.*

# CITY COUNCIL MEETING MINUTES

February 15, 2022

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

**Council Present:**

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

Monica Topham, Mayor Pro Tem  
Dr. Victor Cruz, Councilor

**Council Present (Telephonically):**

**Council Absent:** Joe "Butter Milo, Councilor

**Staff Present:** Aaron Sera, City Administrator  
Clint Hogan, Chief of Police  
Adrian Coloma, IT

Laura Holguin, Finance Director/CFO  
Joe Owen, Fire Chief  
Jose Montoya, Police Captain

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

Alexi Jackson, Community Services Director  
Azucena Vargas, Asst. Public Works Director

Lane Camfield, Planner

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

Mayor Jasso called the meeting to order at 5:33 p.m. and led the Pledge of Allegiance. A quorum was confirmed by the following roll call:  
Ms. Valdez stated that Councilor Milo will be absent.

**ROLL CALL VOTE**

Councilor Cruz	Aye
Councilor Rodriguez	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.

Councilor Cruz 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 Cruz	Aye
Councilor Rodriguez	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. Ratification of an Agreement between the City of Deming and the Deming Police Officer’s Association “FOP Deming Lodge #16”**

Mr. Sera stated that the City had received a letter requesting to open union negotiations from the FOP. Mr. Sera stated that incentives and stipends had been negotiated and both sides agreed to the final agreement, as presented.

Councilor Cruz thanked the Deming Police Department for their service.

Councilor Cruz motioned to approve the agreement, 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 Cruz	Aye	

**4. Resolution: To Submit an Application to NMDOT to Fund the I-10 Exit 82 Project**

Ms. Vargas presented the resolution for Council stating that the intent is to apply for funding to beautify the area. Mr. Sera added that the State of New Mexico is focusing on beautification projects which will allow landscaping at exits. Mr. Sera stated that staff will be holding public meetings to select a design for the installation of fixtures to enhance landscaping at the exits.

Councilor Rodriguez 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		
Mayor Pro Tem Topham	Aye	
Councilor Rodriguez	Aye	
Councilor Cruz	Aye	

**5. Resolution: To Submit an Application to NMDOT to Fund the I-10 Exit 81 and 85 Project**

Ms. Vargas stated that the resolution is similar to the previous one just approved and will cover exits 81 and 85 for their beautification.

Councilor Cruz motioned to approve the resolution, 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 Cruz	Aye	

**6. Resolution: To Authorize the Submission of an Application for a Colonias Grant**

Mr. Sera stated that the resolution is a standard requirement to seek funding to replace old lines. Mayor Jasso asked if this would complete the Encanto Circle area. Ms. Vargas confirmed that it would complete the replacement of old lines.

Mr. Sera stated that some lines throughout the city are 60-70 years old and in need of replacement and tend to cause leaks. Mr. Sera added that the City's engineer, Jasper Maynes has saved the City a significant amount of money by designing the plans in-house.

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

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

**7. Closed Session: To Discuss personnel matters regarding Deming Fire Department, pursuant to NMSA 1978 Section 10-15-1(H)(2) and also possible litigation matters pursuant to NMSA 1978 Section 10-15-1(H)(7) of the Open Meetings Act**

Mayor Pro Tem Topham motioned to go into closed session; Councilor Rodriguez second the motion; motion was approved by the following roll call vote:

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

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

Mayor Pro Tem Topham motioned to re-open the session; Councilor Cruz second the motion; motion was approved by the following roll call vote:

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

Mayor Jasso stated, for the record, that there were no motions made during the closed session and that only those items listed on the agenda were discussed.

**9. Ratification of an Agreement between the City of Deming and the Deming Firefighters Association "IAFF Local 4251"**

Mr. Sera asked Council for their consideration to postpone the ratification until negotiations take place; adding that he received a cancellation notice for negotiations that were to be held this morning, from IAFF.

Councilor Cruz motioned to postpone the ratification of the agreement; Councilor Rodriguez second the motion; motion was approved by the following roll call vote:

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

**CITY OF DEMING**  
**RESOLUTION NO. 22-11**

**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 landscaping/beautification at the slopes of the I-10 Exit 82 Interchange with Gold Avenue.

**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 Public Works 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 Public Works Director or the City Administrator of the City of Deming are authorized to enter into an Agreement with the NMDOT for I-10 Beautification at Exit 82 Phase I 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 15th day of February 2022.

**CITY OF DEMING, NEW MEXICO**

By   
Benny L. Jasso, Mayor



ATTEST:   
Mary Jo Valdez, Municipal City Clerk

**CITY OF DEMING**  
**RESOLUTION NO. 22-12**

**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 landscaping/beautification at the slopes of the I-10 Exit 81, Exit 85 and I-10 MM83.

**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,

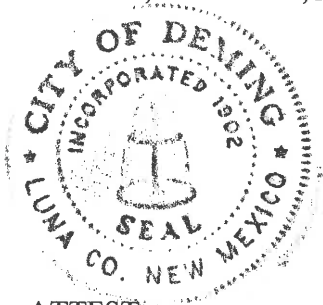
**WHEREAS**, the City of Deming agrees to pay any costs that exceeds the grant award amount if the application is selected for funding; and,

**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 Public Works 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 Public Works Director or the City Administrator of the City of Deming are authorized to enter into an Agreement with the NMDOT for I-10 Beautification at Exit 81, Exit 85 and I-10 MM83 Phase I 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 15th day of February 2022.



**CITY OF DEMING, NEW MEXICO**

By   
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal City Clerk



**CITY OF DEMING, NEW MEXICO**  
**RESOLUTION NO. 22-13**

**AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR  
FINANCIAL ASSISTANCE AND PROJECTS APPROVAL TO THE NEW MEXICO FINANCE  
AUTHORITY FOR THE COLONIAS INFRASTRUCTURE FUND – POPLAR AND OAK STREET  
SEWER IMPROVEMENTS AND ENCANTO CIRCLE WATER LINE REPLACEMENT PHASE  
III**

**WHEREAS**, the City of Deming ("Governmental Unit and Governing Body") is a qualified entity under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 ("Act"), and the City of Deming is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

**WHEREAS**, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the Colonias Infrastructure fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for public projects; and

**WHEREAS**, the Governing Body intends to undertake construction of 1) Poplar and Oak Street Sewer Improvements, 2) Encanto Circle Water Line Replacement Phase III ("Projects") for the benefit of the Governmental Unit and its citizens; and

**WHEREAS**, the applications prescribed by the Authority will be submitted by the Governing Body and this resolution approves submission of the completed Application to the Authority for its consideration and review as required as part of the Application; and

**WHEREAS**, the City of Deming acknowledges the local match identified in the application, is committed to the project and agrees to pay any costs that exceed the project amount if the application is selected for funding.

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

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing body and the officers and employees thereof directed toward the Application and the Project, be and the same is hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted by the Governing Body, be and the same is hereby approved and confirmed.

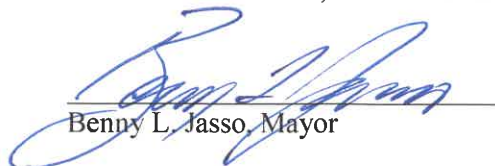
Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Applications to the Authority for its review and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled and repealed.

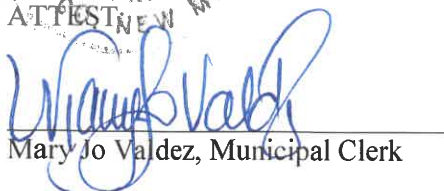
Section 5. This resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED, AND ADOPTED** this 15<sup>th</sup> day of February 2022.

**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor



  
Mary Jo Valdez, Municipal Clerk

## 10. Administrator's Report

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

- Working on negotiations with the Fire Department for about the past month
  - Detail on how salaries are determined for Firefighters. Asked if Council had any questions, he, Ms. Holguin or Chief Owen can try and answer them.

Councilor Rodriguez asked how the beginning salaries are determined for each position at the Fire Department. Mr. Sera stated that when salary adjustments are determined for all employees, not just for the Fire Department, staff performs pay rate comparisons. Mr. Sera stated the last one performed was done in December 2020. Mr. Sera stated that the Fire Department received a 6.5% increase because some employees were slightly lower and some slightly higher on comparisons. Mr. Sera stated that because of the wage study, management agreed to get them to \$35,133 per annum. Mr. Sera stated that it is normally done every five years; however, due to the pandemic changing how businesses are being ran, staff is preparing to have another wage study performed to ensure employees are being paid prevailing wages. Mr. Sera stated some comparable cities within New Mexico that are comparable in the sense of population, budget, hours worked and pay rates, to include, the Village of Ruidoso, Village of Los Lunas, Town of Silver City, Lovington, Bloomfield, Las Vegas, and Portales.

Ms. Holguin added that New Mexico Municipal League also has a tool available for municipalities for salary comparisons.

Councilor Cruz stated that he has googled himself, what the average payrates are for this area. Mr. Sera displayed salaries for Deming Fire Department employees. (Attached for reference) Mr. Sera stated he has discussed with Chief Owen looking into setting a 40-hour week schedule for the department and ask them if that's something they want to switch to. This would allow the change in compensation. Mr. Sera stated that as of right now, compensation is about \$16.70 an hour based on working 2080 hours per annum, for firefighters with no certification. Mr. Sera stated that it is an option. Mr. Sera did say, that because negotiations are ongoing and open, he cannot discuss further because of contractual language and ground rules; adding that there is a lot more to the process than is seen.

Mayor Jasso mentioned being questioned by the public about not paying the City's firefighters. Mr. Sera stated that the gross wages listed are for actual employees; adding that if the public wishes to obtain the names with the positions listed, they can request them through the submittal of a public records request. Mayor Jasso stated that he would encourage the public to look at the gross wages; adding that the public is focused on the \$12 plus and hour.

Mr. Sera stated that the market survey received in 2020, reflected prevailing wages at a little over \$34,000; adding that the current pay is over that amount, at \$35,133. Mr. Sera stated that when the new survey comes back and if it reflects a higher amount, the City normally adjusts compensation.

Mr. Sera stated that his philosophy is that good employees that are compensated well, they'll provide great services to the community. Mr. Sera stated that another survey will be done to compare current wages.

Mr. Sera noted that the insurance percentage was also absorbed by the City when the insurance premiums were increased. Mayor Jasso noted that the 80% coverage is across the board for all employees.



Mr. Sera mentioned that he will be meeting with department heads to determine the need of more employees.

Mr. Sera stated that the City is managing to create budget balancing to continue projects throughout the community for improvement.

Mr. Sera noted that the City expends approximately \$50,000 to educate a firefighter that is hired without certification; adding that the City absorbs the cost to include tuition; per diem, vehicles to travel for class attendance; testing fees; and all associated costs. Mayor Jasso stated that once they are educated and certified, they can also take that education and also work elsewhere.

Mayor Pro Tem Topham asked how many letters of resignation were received and how many employees resigned. Mr. Sera stated that they received fourteen (14) letters; of which only four (4) employees resigned. Mr. Sera stated that staff has completed interviewing fifteen (15) applicants for the vacant positions; adding that background checks are currently underway so Fire Chief Owen can fill those vacancies.

Councilor Rodriguez asked if there was a good turnout on the submission of applications. Mr. Sera stated that there were fifteen (15) received in a week's timeframe which has not happened over the last two years for any position.

Ms. Jasso asked about a bonus advertised on the employment ad and asked what that was for. Mr. Sera stated that the retention incentive came from the American Recovery Funds that could be used for retention of employees. A plan was put together for services that would be provided from the firefighters in the future. Mr. Sera stated that Basic level employees were offered to enter into a 3-year contract for the amount of \$5,000; \$2,500 to be paid that current year of signing and \$2,500 to be paid at the anniversary of signing. Intermediate level employees were offered \$10,000; \$5,000 to be paid that current year of signing and \$5,000 at the anniversary of signing. Paramedics were offered the same arrangement for the amount of \$20,000; \$10,000 to be paid that current year of signing; \$10,000 at the anniversary of signing. The purpose of these incentives are to attract qualified candidates and to retain those already employed. Mr. Sera stated that out of the four (4) employees who resigned, three of them had received the bonuses; adding that the recovery of those funds is in process.

Ms. Jasso asked if the bonuses were included in the gross wages displayed. Mr. Sera stated that the bonuses are in addition to what is displayed.

Councilor Cruz

Mr. Sera stated that Elite Medical will be covering calls for the City; mentioning that some of the issues the fire department has is the high call volume. Management will be looking at utilizing Elite for third calls to alleviate the firefighters from burnout during shifts and allow them to attain education to promote.

- Police Department hired 3 and maybe one tomorrow
- Session ends on Friday at noon, mentioning it's been pretty positive. Senator Diamond and Representative Sweetser have set aside some money for the remodel. Representative Sweetser had \$80,000 in funding to put into the Jr Bill; mentioning that he contacted Rep. Sweetser to use it towards a cannabis task force

**11. Adjourn Meeting**

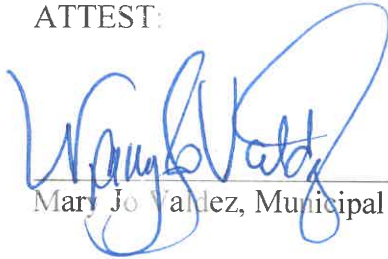
With no further business to discuss, Mayor Jasso entertained a motion to adjourn the meeting. Councilor Rodriguez motioned to adjourn the meeting; Mayor Pro Tem Topham second the motion; motion carried unanimously. The meeting adjourned at 7:00 p.m.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk