



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

**CITY COUNCIL MEETING  
AGENDA  
March 16, 2021  
5:30 P.M.**

*Due to the COVID-19 pandemic and in compliance to the State of New Mexico Open Meetings Act, the Governing Body will be meeting remotely via GoToMeeting.com with the following credentials:*

**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>

or

**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 Meeting 2/16/2021
  - B. Minutes – Airport Commission 2/09/2021
2. Public Forum
3. Presentation - State of New Mexico County-Level Revenue & Expenditure Analysis by Wes Hooper
4. Procurement
  - a. Bid #21-05 Crusher Fines
  - b. Bid #20-08 Butterfield Trail Regional Landfill Cell 1D Construction
5. Administrator’s Report
6. Closed Session: To Discuss personnel matters, regarding the Community Services Department, pursuant to NMSA 1978 Section 10-15-1(H)(2) of the Open Meetings Act
7. Open Session: Motions, if any
8. Adjourn Meeting
9. *The next regular City Council Meeting is scheduled for April 20, 2021 at 5:30 p.m.*

**CITY COUNCIL MEETING  
MINUTES**

**March 16, 2021**

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

**Council Present:**

Benny L. Jasso, Mayor

Dr. Victor Cruz, Councilor

Joe “Butter Milo, Mayor Pro Tem

**Council Present (Telephonically):** Irmaiseila “Irma” A. Rodriguez, Councilor

**Council/Staff Absent:** David L. Sanchez, Councilor

**Staff Present:** Aaron Sera, Administrator

**Staff Present (Telephonically):**

Alexi Jackson, Community Svcs. Director

Jim Massengill, Public Works Director

Laura Holguin, Finance Director

Alex Valdespino, Chief of Police

Lila Jasso, Assistant Deputy Clerk

Joe Owen, Battalion Fire Chief

**Guests (Telephonically):** Debbie Troyer, Christie Ann Harvey, Penny Utley, Chelsea Evans,

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

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

Mayor Jasso asked if those in attendance would kindly keep Councilor David L. Sanchez in prayer, as his health has taken a turn for the worst.

A quorum was verified and determined by the following roll call noting that Councilor David L. Sanchez would be absent for tonight’s meeting:

**ROLL CALL VOTE**

Councilor Rodriguez           Aye

Councilor Cruz                 Aye

Mayor Pro Tem Milo           Aye

**1. Consent Agenda**

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

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

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Mayor Pro Tem Milo	Aye
Councilor Cruz	Aye

**2. Public Forum**

Mayor Jasso opened the meeting for public comment stating that comments entertained should not be related to any items on the agenda.

Mayor Jasso closed the public forum.

**3. Presentation – State of New Mexico County-Level Revenue & Expenditure Analysis by Wes Hooper**

Mr. Hooper, Community/Administrative Services Director, and Mr. Carlson, Eddy County Commissioner, presented a revenue and expenditure analysis for New Mexico Counties from 2015 – 2019.

The purpose of the presentation was to inform the Mayor, Council, Administration, and the public about the figures the State of New Mexico use to estimate per capita contribution, expenditure, and net contribution/expenditure by each county. Expenditures were analyzed based on primary budget categories used in House Bill 2 from 2015-2019; and revenue was analyzed by sources including taxes, fees, land, and service revenues.

Commissioner Carlson stated that Eddy County is the number one contributor to the State’s budget resulting in 35% in oil and gas. Commissioner Carlson informed that all counties should be aware of a possible moratorium to be placed on oil and gas production which would greatly affect the State’s budget. Commissioner Carlson stressed the importance for all counties to be informed of how important oil and gas production is to the budget for the State of New Mexico as it will also have an impact for school funding.

Mr. Hooper stated that they’ve spoken to legislatures and have been ignored so they are trying to inform counties, school districts, and municipalities so they are aware of how it could affect their funding.

Mayor Pro Tem Milo asked if Council could pass a resolution to oppose the State imposing a moratorium on oil and gas production.

Mayor Jasso stated that he is in support of submitting a letter of support or a resolution.

Mr. Sera stated that he is in agreement as it will have a big impact on education and infrastructure in our community, as well.

**4. Procurement**

**a. Bid #21-05 Crusher Fines**

Mr. Jackson informed Council that staff received three proposals for Bid #21-05 and based on the criteria of the costs and qualifications stated in the request for proposals, staff recommends awarding Bid #21-05 to Dola Rock Construction at a cost of \$6.50 per ton delivered.

Mr. Sera stated the crusher fines would be used at Tree Lake, Pit Park; Mr. Jackson adding that it would also be used at the Splash Pad and on the walking trails if necessary.

Councilor Cruz motioned to award Bid 21-05 for Crusher Fines to Dola Rock Construction at a cost of \$6.50 per ton delivered; the motion was second by Mayor Pro Tem Milo; motion was approved by the following roll call vote:

**ROLL CALL VOTE**

Mayor Pro Tem Milo	Aye
Councilor Cruz	Aye
Councilor Rodriguez	Aye

**b. Bid #20-08 Butterfield Trail Regional Landfill Cell 1D Construction**

Mr. Massengill informed Council that staff received nine bids for the bid, which were opened on March 3, 2021. Mr. Massengill stated that 4X Construction Group, LLC submitted the lowest bid in the amount of \$1,239,075.00 plus NMGRT. Mr. Massengill stated the project is being funded by the City of Deming and staff recommends the awarding the project for a total amount of \$1,324,261.41 which includes NMGRT to 4X Construction Group, LLC and staff also requests the authorization for the Public Works Director and/or City Administrator to enter into an agreement with 4X Construction Group, LLC and execute any documents related to the project.

Mayor Pro Tem Milo motioned to approve Bid #20-08 with a friendly amendment to include as presented allowing staff to negotiate and enter into an agreement; the motion second by Councilor Cruz; motion was approved by the following roll call vote:

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Councilor Cruz	Aye
Mayor Pro Tem Milo	Aye

## 5. Administrator's Report

Mr. Sera addressed Council reporting on the following items.

- Asylum Seekers – It is very apparent that the State is not going to assist with the care or housing of the migrants. The City of Deming, Hidalgo County, Luna County, and Dona Ana County have formed a group called the Border County Unified Command Group to discuss and plan how to handle the influx and have been in communication with the Annunciation House in El Paso who has agreed to take some migrants if we can transport them to their location. Mr. Sera reported that he has communicated to the Department of Homeland Security the City would not shelter the migrants as they are testing 95% positive for Covid-19. Mr. Sera stated that all supplies are available at the Annunciation House and that the City may agree to assist in some funding which is fully reimbursable if they take the migrants transported; adding that if this happens, there will be a request for a budget adjustment.
- Legislative session is progressing, stating that there are many Bills that have a huge impact on the City.
  - NMML Reported 5 bills that benefit municipalities. The tort claim raises the filing amount to \$ 2.8 million which will have an impact on municipalities.
  - House Bill 4 is going to pass which takes away the qualified immunity from Police Officers with an amendment that will require Police Department Personnel to implement the use of automatically activated lapel cams; a quote of such a system is approximately \$200,000 for a 3 year replacement and 5 year storage which will be impossible for some small municipalities.

## 6. Closed Session: To Discuss personnel matters, regarding the Community Services Department, pursuant to NMSA 1978 Section 10-15-1(H)(2) of the Open Meetings Act

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

**7. Open Session: Motions, if any**

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

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Councilor Cruz	Aye
Mayor Pro Tem Milo	Aye

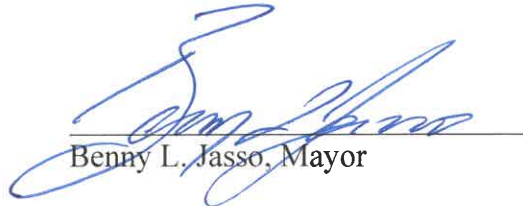
Mayor Jasso stated that there were no motions made during closed session.

**8. Adjourn Meeting**

With no further business to discuss, Mayor Jasso entertained a motion to adjourn the meeting. Councilor Cruz motioned to adjourn the meeting; Councilor Milo second the motion; motion carried unanimously. The meeting adjourned at 7:21 p.m.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk