

MICHELE C. SHILLITO, MAYOR

AARON SERA, MANAGER

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P.O. BOX 706 · DEMING, NEW MEXICO 88031  
POPULATION 14,758

## **CITY COUNCIL MEETING AGENDA February 20, 2024 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

### **PRAYER / CALL TO ORDER / PLEDGE OF ALLEGIANCE / ATTENDANCE ROLL CALL**

1. Consent Agenda
  - A. Minutes
    - a. Library Board October 24, 2023
    - b. Regular Workshop and City Council January 16, 2024
    - c. Tourism Development Committee January 25, 2024
  - B. Resolutions:
    - a. Declaring the Intent to Submit a Grant Application for TPF to NMDOT
    - b. Declaring the Intent to Submit a Grant Application for MAP Fund to NMDOT
    - c. Declaring the Intent to Submit a Grant Application for LGRF to NMDOT
    - d. Authorizing and Approving the Submission of a Grant Application for Colonias to NMFA
2. Proclamation: Declaring the Week of March 10-16, as AmeriCorps Week in Deming
3. Out of State Travel Request for Two SRT Members to Attend Tactical Tracking School in Utah, April 28 through May 1, 2024
4. Out of State Travel Request for Cassie Ward to Attend the Southwest Association of Rail Shippers Annual Meeting in Galveston, Texas March 5-6, 2024
5. Mayoral Appointment of Chief of Police
6. Mayoral Appointments of Officials
7. Mayoral Appointment of Part Time Employees
8. Mayoral Appointment of Commission/Committee/Board Members
9. Resolution: Requesting an Extension from NMDOT for the Pear Street Reconstruction Design Project
10. RFP #24-04 Peru Mill Tailings Purchase and Underlying Land Lease
11. Approval/Disapproval to Continue Proposed Projects
  - a. City of Deming Incubator Facility
  - b. Gold Street Diet Project Phase I and Phase II
12. Administrators Report
13. Adjourn Meeting

*The next regular City Council Meeting is scheduled for March 19, 2024, at 5:30 p.m.*

# CITY COUNCIL MEETING MINUTES

February 20, 2024

Remote meeting in compliance with the  
New Mexico Open Meetings Act

## **Council Present:**

Michele C. Shillito, Mayor  
Joe "Butter Milo, Councilor  
Julian Monjaras, Councilor

Stephen Westenhofer, Councilor  
Irmaisela A. Rodriguez, Councilor

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

## **Council Absent:**

## **Staff Present:**

Aaron Sera, City Administrator  
Azucena Vargas, Community Services Director  
Jose Montoya, Interim Chief of Police  
Joe Owen, Fire Chief  
Amanda Sanders, Public Information Officer  
Lane Camfield, Planner I  
Cassie Ward, Economic Dev. Director  
Zachary Sigman, Lt. DPD

David McSherry, Public Works Director  
Laura Holguin, Finance Director  
Jeremy Gervais, Special Projects Coordinator  
Adrian Coloma, IT  
Yeimi Bustos, Receptionist  
Felipe Figueroa, Admin. Assistant CSD  
Karen Reed, Aquatic Manager

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

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

Mayor Shillito called for Pastor Duffy to lead in prayer.

Mayor Shillito called the meeting to order at 5:34 p.m. and led the Pledge of Allegiance.

A quorum was verified with a roll call.

## **ROLL CALL VOTE**

Councilor Milo	Aye
Councilor Westenhofer	Aye
Councilor Rodriguez	Aye
Councilor Monjaras	Aye

## **1. Consent Agenda**

Mayor Shillito asked if there were any questions on the items within the consent agenda or if Council was prepared to make a motion.

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

## **ROLL CALL VOTE**

Councilor Westenhofer	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye
Councilor Monjaras	Aye

**CITY OF DEMING**  
**RESOLUTION NO. 24-07**

**A resolution declaring the eligibility and intent of the City of Deming  
to submit a grant application for the Transportation Project Fund administered by 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 FY 24/25 for NMDOT grant funds to plan, design, and construct East Pear Street Phase II.

**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 Manager to submit an application for FY 24/25 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 Manager of the City of Deming are authorized to enter into an Agreement with the NMDOT for the construction of East Pear Street Phase II 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 20<sup>th</sup> day of February 2024

**CITY OF DEMING, NEW MEXICO**

By

  
Michele C. Shillito, Mayor

  
  
Mary Jo Valdez, Municipal City Clerk



**CITY OF DEMING  
RESOLUTION NO. 24-08**

**A resolution declaring the eligibility and intent of the City of Deming  
to submit a grant application for the Municipal Arterial Project Fund administered by 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 FY 24/25 for NMDOT grant funds to plan, design, and construct drainage improvements along Spruce Street Phase I.

**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 Manager to submit an application for FY 24/25 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.

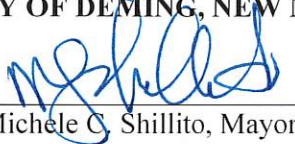
4. The Community Services Director or the City Manager of the City of Deming are authorized to enter into an Agreement with the NMDOT for Spruce Street Drainage Improvements Project Phase I and are authorized to submit additional information as may be required and act as the official representatives 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 20<sup>th</sup> day of February 2024

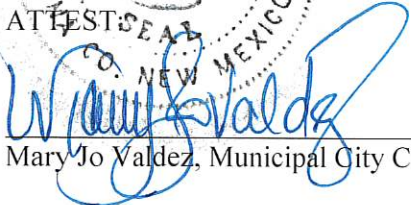
**CITY OF DEMING, NEW MEXICO**

By

  
Michele C. Shillito, Mayor



ATTEST: SEAL  
CO. NEW MEXICO

  
Mary Jo Valdez, Municipal City Clerk

**CITY OF DEMING  
RESOLUTION NO. 24-09**

**A resolution declaring the eligibility and intent of the City of Deming  
to submit a grant application for the Local Government Road Fund administered by 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 FY 24/25 for NMDOT grant funds to conduct a warrant study as well as plan, design, and construct a four way stop and turnout improvements to the intersection of Dona Ana Road and Country Club Road.

**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 Manager to submit an application for FY 24/25 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 Manager of the City of Deming are authorized to enter into an Agreement with the NMDOT for the Dona Road and Country Club Road Four Way Stop and Intersection 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 20<sup>th</sup> day of February 2024

**CITY OF DEMING, NEW MEXICO**

By \_\_\_\_\_

Michele C. Shillito, Mayor

ATTEST:

Mary Jo Valdez, Municipal City Clerk



**CITY OF DEMING, NEW MEXICO  
RESOLUTION NO. 24-10**

**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 –  
FOR WATER, SEWER, AND WASTEWATER INFRASTRUCTURE IMPROVEMENTS**

**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) Water Infrastructure Improvements between Pine and Ash Streets along Tin, Copper, and Zinc Streets; 3) Wastewater Treatment Plant Improvements for Class 1A Reuse, "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.

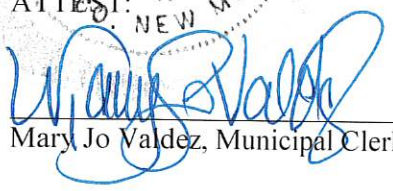
Section 5. This resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED, AND ADOPTED** this 20<sup>th</sup> day of February 2024.

**CITY OF DEMING, NEW MEXICO**

  
\_\_\_\_\_  
Michele C. Shillito, Mayor

ATTEST:

  
\_\_\_\_\_  
Mary Jo Valdez, Municipal Clerk

**2. Proclamation: Declaring the Week of March 10-16, as AmeriCorps Week in Deming**

Mayor Shillito read the proclamation for the record.

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

**ROLL CALL VOTE**

Councilor Monjaras	Aye
Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye

**3. Out of State Travel Request for Two SRT Members to Attend Tactical Tracking School in Utah, April 28 through May 1, 2024**

Mr. Sera stated that travel requests are normally presented within the consent agenda; however, he requested to have the requests removed from the consent agenda and placed within the regular agenda so that staff can explain the process for Council. Mr. Sera stated that employees request the training through their immediate supervisor, then it is submitted to my office for vetting and then to finance to obtain a purchase order. Mr. Sera noted that if travel is 150 miles across state lines, it is required to have approval by Council prior to travel.

Mayor Shillito asked Council if they had questions or if they're prepared to make a motion.

Councilor Rodriguez motioned to approve the out of state travel, as submitted; motion second by Councilor Milo; motion carried by the following roll call vote:

**ROLL CALL VOTE**

Mayor Pro Tem Westenhofer	Aye
Councilor Monjaras	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye

**4. Out of State Travel Request for Cassie Ward to Attend the Southwest Association of Rail Shippers Annual Meeting in Galveston, Texas March 5-6, 2024**

Mr. Sera stated that Ms. Ward submitted the request to attend an annual meeting in Galveston, Texas. Mayor Shillito asked Council if they had questions or if they're prepared to make a motion.

Councilor Milo motioned to approve the out of state travel, as submitted; motion second by Mayor Pro Tem Westenhofer; motion carried by the following roll call vote:

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Monjaras	Aye

**5. Mayoral Appointment of Chief of Police**

Mayor Shillito respectfully asked Council for the approval of her appointment of Zach Sigman as Chief of Police and to allow the City Manager to negotiate the employment.

Mayor Shillito asked if Council was ready to make a motion. No motion was made.

After approximately a minute, Ms. Valdez announced that the item died for lack of a motion.



# *Proclamation*

## AmeriCorps Week 2024

WHEREAS, service is a hallmark of the American character and has the unique ability to bring people of all backgrounds together in common cause, and throughout our history citizens have stepped up to meet our most pressing challenges of the day by volunteering in their communities; and

WHEREAS, AmeriCorps and AmeriCorps Seniors programs provide opportunities for more than 200,000 Americans to serve their country through service at nonprofits, schools, public agencies, and community and faith-based groups across the country; and

WHEREAS, in Deming, New Mexico, more than 111 Volunteer AmeriCorps members and AmeriCorps Seniors volunteers of diverse ages and backgrounds helped to meet local needs at eleven (11) stations in the City of Deming by responding soup kitchen, food insecurities, tutoring or mentoring children and youth, supporting veterans and military families, combatting the opioid epidemic, restoring the environment, and responding to disasters; and

WHEREAS, AmeriCorps members and AmeriCorps Seniors volunteers encourage collaboration and partnerships, leveraging millions of volunteers in service and acquiring the support of business, foundation, and other local partners to increase the effectiveness of their initiatives; and

WHEREAS, AmeriCorps and AmeriCorps Seniors programs bring people together across race, age, and zip code to address critical issues facing the country, forge relationships and cultivate mutual respect, and help build resilient and thriving communities; and

WHEREAS, AmeriCorps members and AmeriCorps Seniors volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, through their service, AmeriCorps members and AmeriCorps Seniors volunteers strengthen the lives of their families, communities, and the City of Deming as a whole; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, AmeriCorps Week is an opportunity to recognize the dedication and commitment of the more than 1.2 million Americans who have chosen to serve their country through AmeriCorps and millions more who have served in AmeriCorps Seniors and their community partners, and to encourage more Americans to follow their footsteps in service;

THEREFORE, BE IT RESOLVED that I, Michele C. Shillito, Mayor of the City of Deming, do hereby designate March 10-16, 2024, as AmeriCorps Week in Deming, New Mexico, and urge citizens to thank AmeriCorps members and alumni and AmeriCorps Seniors volunteers for their service and to find their own ways to give back to their communities.

**Done this 20<sup>th</sup> day of February 2024 in the City of Deming, New Mexico.**

**CITY OF DEMING, NEW MEXICO**

  
Michele C. Shillito, Mayor

  
ATTEST: SEAL

  
Mary Jo Valdez, Municipal City Clerk



## 6. Mayoral Appointments of Officials

Mayor Shillito respectfully asked Council for the approval of her appointments, (attached for record) and asked if Council had any questions and asked if Council was prepared to make a motion.

Councilor Milo stated that there were two persons missing, being Mr. Sera and Ms. Holguin, asking why. Mayor Shillito stated that she still had time to make those appointments, as she was not ready.

Councilor Rodriguez motioned to approve the Mayor's appointments of officials, as presented; motion second by Mayor Pro Tem Westenhofer; motion carried by the following roll call vote:

### ROLL CALL VOTE

Councilor Monjaras	Aye
Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Rodriguez	Aye

Mayor Shillito asked if the Clerk would like her to read them into the minutes. Ms. Valdez stated that it was up to her, or she could include the memo for record; Mayor Shillito opted to have the memo added for record.

## 7. Mayoral Appointment of Part Time Employees

Mayor Shillito respectfully asked Council for the approval of her appointments for part time employees, (attached for record) and asked if Council had any questions and asked if Council was prepared to make a motion.

Councilor Milo motioned to approve the appointments of part time employees, as submitted; motion second by Mayor Pro Tem Westenhofer; motion carried by the following roll call vote:

### ROLL CALL VOTE

Councilor Rodriguez	Aye
Councilor Monjaras	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Milo	Aye

## 8. Mayoral Appointments of Commission/Committee/Board Members

Mayor Shillito respectfully asked Council for the approval of her appointments to serve on the Commissions/Committees/Board Members, and read the memorandum (attached for record), and asked if Council had any questions and asked if Council was prepared to make a motion.

Mr. Sera asked to list the alternate to serve on the SW Regional Planning Organization. Mayor Shillito asked that Ms. Vargas be added, as recommended.

Mayor Pro Tem Westenhofer motioned to approve the appointments of the individuals listed to the various commissions, committees, and boards, as submitted; motion second by Councilor Rodriguez; motion carried by the following roll call vote:

### ROLL CALL VOTE

Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Monjaras	Aye
Councilor Rodriguez	Aye

Mr. Sera stated that some of the boards/committees did not meet regularly but recommended the approval of appointments in case they did meet.

**9. Resolution: Requesting an Extension from NMDOT for the Pear Street Reconstruction Design Project**

Ms. Vargas stated that the resolution requesting a time extension is a formality in the event that the project completion date passes the specified deadline. This will prevent the reversion of funds, should it not be completed by the deadline.

Mayor Shillito asked if Council had any questions or if they were prepared to make a motion.

Councilor Milo asked for the scope of the project. Ms. Vargas stated that the scope is Pear Street from Columbus Rd. (Hwy 11) to Country Club Road.

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

**ROLL CALL VOTE**

Councilor Monjaras	Aye
Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Rodriguez	Aye

**10. RFP #24-04 Peru Mill Tailings Purchase and Underlying Land Lease**

Ms. Holguin read the memo, recommending the approval to award Bid 24-04 to Gila Mining, LLC for the amount of \$50,000 for the purchase of the tailings, to include a 10% royalty on net proceeds of tailing sales; with a first year payment of \$12,000 to increase 3% per annum each year for the next nine (9) years, totaling \$137,566.50. Staff additionally asked that Council authorize the Public Works Director and/or City Manager to enter into an agreement with Gila Mining, LLC and to execute any documents related to this project.

Mayor Shillito asked if Council had any questions or if they were prepared to make a motion.

Mayor Pro Tem Westenhofer asked for the background on Gila Mining, LLC.

Mr. Sera stated that at the Peru Mill Industrial Park site, there were tailings covered up with about 30 inches of dirt, since then several companies have identified the tailings as being valuable. A company sent them for testing, then went bankrupt; and another company came in. Mr. Sera stated that there was a lease agreement with Gila Mining which had expired and during the time in which staff was working to update a few other interested parties contacted the City to inquire about the tailings. Mr. Sera explained that they decided to go out to RFP so the process followed procurement rules.

Mayor Pro Tem Westenhofer asked if they were financially stable. Mr. Sera stated that they've been paying the lease. Mayor Pro Tem Westenhofer stated that there isn't a down side for the City; payments will still be taken unless they go bankrupt.

Councilor Monjaras motioned to authorize the Public Works Director or City Manager to enter into an agreement with Gila Mining, LLC and to execute any documents related to this project; motion second by Councilor Rodriguez;

Councilor Monjaras made a friendly amendment to his motion to add the award of RFP 24-04 Peru Mill Tailings Purchase and Underlying Land Lease to Gila Mining, LLC and to authorize the Public Works Director or City Manager to enter into an agreement with Gila Mining, LLC and to execute any documents related to this project; motion second by Councilor Rodriguez; motion carried by following roll call vote:

**ROLL CALL VOTE**

Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Monjaras	Aye
Councilor Rodriguez	Aye



**CITY OF DEMING**  
**RESOLUTION NO. 24-11**

**A RESOLUTION APPROVING AN APPLICATION FOR A TIME EXTENSION  
ON AN AGREEMENT BETWEEN THE CITY OF DEMING AND THE NEW  
MEXICO DEPARTMENT OF TRANSPORTATION FOR COOPERATIVE  
AGREEMENT NUMBER HW2L100552**

WHEREAS, the City of Deming has executed Cooperative Agreement Control Number HW2L100552 from the New Mexico Department of Transportation Planning, Design, Construction, Reconstruction, Pavement Rehabilitation, Construction Management, Drainage and Misc. Improvements - East Pear Street from NM11 (ROW) east to Country Club Road (ROW).

WHEREAS, the current agreement expires on June 30, 2024; and

WHEREAS, the project is within the City of Deming's jurisdiction, necessary for the public good and convenience, and to serve the public of the City of Deming; and

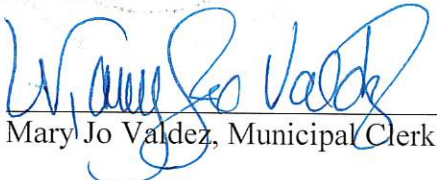
WHEREAS, The New Mexico Transportation Department requires approval of an amended agreement for the City to extend the completion date for this project to June 30, 2025.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Deming does hereby determine and resolve as follows:

1. That the application for a 1 Year time extension for Cooperative Agreement Control Number HW2L100552, be prepared and submitted for Planning, Design, Construction, Reconstruction, Pavement Rehabilitation, Construction Management, Drainage and Misc. Improvements from East Pear Street from NM11 (ROW) east to Country Club Road (ROW).
2. That the Community Services Director or City Manager is authorized to execute any subsequent agreement.
3. That staff is directed to take such other actions and execute other documents as may be necessary to implement this Resolution.

PASSED, ADOPTED, AND APPROVED this 20<sup>th</sup> day of February 2024.



  
Mary Jo Valdez, Municipal Clerk

  
Michelle C. Shillito, Mayor  
*Michelle*

## 11. Approval/Disapproval to Continue Proposed Projects

Mayor Shillito stated that the projects listed were presented during the town hall meeting and asked Council if they had any questions.

### a. City of Deming Incubator Facility

Councilor Milo asked if this project would be located on the west end of town. Mayor Shillito stated that it would be moved to the Pine Street and Country Club area.

Councilor Rodriguez motioned to proceed with item 11.a. City of Deming Incubator Facility; motion second by Mayor Pro Tem Westenhofer; motion carried by following roll call vote.

#### ROLL CALL VOTE

Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Rodriguez	Aye
Councilor Monjaras	Aye

### b. Gold Street Diet Project Phase I and Phase II

Councilor Milo asked if this was the truck route project. Mr. Sera confirmed.

Mayor Pro Tem Westenhofer motioned to proceed with item 11.b. Gold Street Diet Project Phase I and Phase II; motion second by Councilor Milo; motion carried by following roll call vote.

#### ROLL CALL VOTE

Councilor Monjaras	Aye
Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye

## 12. Administrator's Report

- Work on Harbor Freight is going well. Marshall's is under negotiations; they will not come to town unless Harbor Freight does.
- Meeting with Country Club staff should have an answer soon. 90% of the appraised value is \$1,125,000.00; should the city complete the purchase, the plan is to have it in operation immediately.
- The special audit has still not been released.
- The financial audit is pending the special audit.
- Spent a lot of time meeting with Legislators and the requested appropriations are in the Bills.
- The city is only being allocated 1/3 of the amount usually awarded. Not sure if it is due to the audits but will find out.

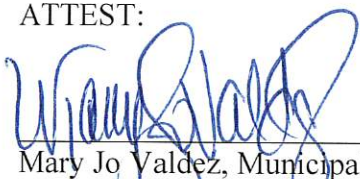
## 13. Adjourn Meeting


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

Councilor Milo motioned to adjourn the meeting; motion carried unanimously. The meeting adjourned at 6:54 p.m.

**CITY OF DEMING, NEW MEXICO**

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

  
Michele Shillito, Mayor