



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

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POPULATION 14,000

## CITY COUNCIL MEETING AGENDA June 21, 2022 5:30 P.M.

*Those who would like to participate remotely can 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://meet.goto.com/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
    - a. Regular City Council May 17, 2022
    - b. Parks Commission May 10, 2022
    - c. Planning and Zoning Commission May 16, 2022
    - d. Historical Landmark Commission May 18, 2022
  - B. Resolutions:
    - a. Authorizing Participation in the Municipal Arterial Program through NMDOT
    - b. Supporting an MOU with Deming-Luna County Mainstreet
2. Public Comments
3. Presentation on Community Projects by Community Services Department
4. Adoption of Amendment to City of Deming Personnel Policies and Procedures Manual, Section III, 3.11 Work Schedules
5. Resolution: Approving a Bond Election in Conjunction with the November 8<sup>th</sup> General Election
6. Procurement:
  - a. RFP 22-07 Retail Establishment Lease/Purchase
  - b. Bid 22-01 Butterfield Trail Regional Landfill Cell 2A Project
  - c. Bid 22-08 S. 8<sup>th</sup> Street Switchgear and Electric Meter Installation Project
7. Quasi Judicial Public Hearing: To Consider a Special Use Permit to Build a Solar Facility on Skyview Rd by John Smith, within the city limits
8. Quasi Judicial Public Hearing: To Consider an Alternate Subdivision for 2525 Highway 418 SW by James Reedy, within the city limits
9. Quasi Judicial Public Hearing: To Consider an Alternate Subdivision for 105 S Silver by Rick Holdridge, within the city limits

- 10. Quasi Judicial Public Hearing:** To Consider an Alternate Subdivision for 1550 Dona Ana Rd SE by Dr. Kenneth P. Soulsby, within the city limits
  - 11. Administrator's Report**
  - 12. Closed Session:** To Discuss personnel matters, regarding evaluations for appointed employees, pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act
  - 13. Open Session:** Motions, if any
  - 14. Adjourn Meeting**
- The next regular City Council Meeting is scheduled for July 19, 2022 at 5:30 p.m.***

# CITY COUNCIL MEETING MINUTES

**June 21, 2022**

**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:**

Irmaisela A. Rodriguez, Councilor

**Staff Present:** Aaron Sera, City Administrator

Alexi Jackson, Community Services Director

Azucena Vargas, Asst. Public Works Director

Jim Massengill, Public Works Director

Jose Montoya, Police Captain

Laura Holguin, Finance Director/CFO

Lane Camfield, Planner

Adrian Coloma, IT

Clint Hogan, Chief of Police

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

Clint Hogan, Chief of Police

Andrea Alonzo, HR Coordinator

Benjamin Jimenez, Municipal Court Administrator

**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.

Ms. Valdez confirmed, for the record, that Councilor Rodriguez would be absent and confirmed there was a quorum.

**1. Consent Agenda**

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

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

**ROLL CALL VOTE**

Councilor Valdespino                      Aye

Councilor Milo                                Aye

Mayor Pro Tem Topham                    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.

## City Of Deming

RESOLUTION NO. 22-19

### PARTICIPATION IN MUNICIPAL ARTERIAL PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

**WHEREAS**, the City Of Deming and the New Mexico Department of Transportation enter into a Cooperative MAP Agreement.

**WHEREAS**, the total cost of the project will be \$240,000 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$180,000  
and
- b. City Of Deming's proportional matching share shall be 25% or \$60,000

TOTAL PROJECT COST IS \$240,000

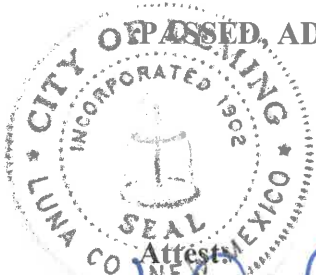
The City of Deming shall pay all costs, which exceed the total amount of \$240,000.

**NOW THEREFORE, BE IT RESOLVED** in official session that The City of Deming determines, resolves, and orders as follows:

- That the project for this Cooperative agreement is adopted and has a priority standing.
- The agreement terminates on **June 30, 2024**, and the *City of Deming* incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

**NOW THEREFORE, BE IT RESOLVED** by the City of Deming to enter into Cooperative MAP Agreement Control Number HW2L100552 with the New Mexico Department of Transportation for MAP Project year 2022 – 2023 to Design Improvements on the road surface and drainage on East Pear Street and Improvements to storm water drainage from NM11 East to Country Club Road. within the control of the City of Deming in Luna County, New Mexico.

**PASSED, ADOPTED, AND APPROVED** this 21<sup>st</sup> day of June 2022.



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

*Benny Jasso*  
\_\_\_\_\_  
Benny Jasso, Mayor

**CITY OF DEMING**  
**RESOLUTION NO. 22-20**

**A RESOLUTION IN SUPPORT OF A PARTNERSHIP BY MOU  
WITH DEMING-LUNA COUNTY MAINSTREET**

**WHEREAS**, the City of Deming supports the revitalization and economic re-development of its historic commercial core; and

**WHEREAS**, the City desires to maintain an economically vital and vibrant town center for its residents, visitors and tourists; and

**WHEREAS**, the City sees an economically healthy downtown as one of its critical assets; and

**WHEREAS**, the City realizes that a sustainable town center economy contributes to the community's economic health; and

**WHEREAS**, the City recognizes its traditional commercial core as representing the unique history and culture of our community; and

**WHEREAS**, the City wishes to maintain a livable, walkable town center with opportunities to shop, work, live and discover recreational, cultural and heritage opportunities; and

**WHEREAS**, the City wishes to pursue a partnership with a local MainStreet non- profit economic re-development organization through the NM Economic Development Department's New Mexico MainStreet Program (NMMS), to invest in enhancing the quality of life for the community's citizens via the implementation of asset-based economic development strategies under the Main Street Four Points Approach®, and

**WHEREAS**, the City partnership with the Deming-Luna County MainStreet Program may leverage technical assistance and other resources through the New Mexico NMMS (the nationally licensed and accredited state coordinating program in the state of New Mexico), to support the economic re-development and revitalization of the Deming MainStreet district, then

**BE IT RESOLVED BY THE COUNCIL/COMMISSION/TRUSTEES, THE  
GOVERNING BODY OF THE CITY OF DEMING:**

1. The City of Deming agrees to work with the New Mexico Economic Development Department's New Mexico MainStreet Program dedicating resources and financial support to create a successful downtown economic development program through strategies established by the National Main Street Center's Economic Transformation Strategies and the Main Street Four-Point Approach®.
2. The City of Deming commits to work collaboratively with the Deming MainStreet Program and the New Mexico Economic Development Department's MainStreet Program to meet the standards and principles of revitalizing and re-developing the core commercial district of the

community, contracting with the local MainStreet organization to coordinate and administer activities for the City of Deming as set forth in biennial MOU and a separate "services contract" with the local MainStreet organization.

3. The City of Deming commits to provide philosophical, financial, planning and coordination assistance for the Deming MainStreet Program to support operations and projects under the specifications of the biennial MOU and a separate "services contract" with the local MainStreet organization.
4. The term of this resolution shall be deemed effective for the life of the MOU, for a two-year period commencing July 1, 2022.


**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the City of Deming, New Mexico, support the reasonable efforts of the local MainStreet organization; and

**BE IT FURTHER RESOLVED** that the City Administrator/Clerk or his duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

**PASSED, APPROVED, AND ADOPTED** this 21<sup>st</sup> day of June 2022.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk

**3. Presentation on Community Projects by Community Services Department**

Mr. Jackson presented a video for the Mayor, City Council and the public on projects within the Community Services Department.

**4. Adoption of Amendment to City of Deming Personnel Policies and Procedures Manual, Section III, 3.11 Work Schedules**

Mr. Sera informed that the amendment is proposed for the retention incentive after review of the retention study; adding that at times employees may need an hour to run errands. Mr. Sera stated that this amendment would allow the flexibility to do so as part of the retention plan.

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

**ROLL CALL VOTE**

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye

**5. Resolution: Approving a Bond Election in Conjunction with the November 8<sup>th</sup> General Election**

Mr. Sera presented the resolution explaining that the General Obligation Bond question would be placed on the ballot for the upcoming general election, if approved; adding that funds would be used to conduct a street light project which is anticipated to cost approximately \$1.2 million.

Mr. Valenzuela, Bond Counselor, explained the process and stated that the property tax increase would have a minimal impact on properties.

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

**ROLL CALL VOTE**

Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye
Councilor Milo	Aye

**6. Procurement:**

**a. RFP 22-07 Retail Establishment Lease/Purchase**

Ms. Holguin presented the recommendation stating that a total of two proposals were received and reviewed by three staff members. Ms. Holguin stated that Flower Fuels, LLC met all requirements and criteria listed in the RFP and recommended the award to Flower Fuels, LLC and requested the authorization for the City Administrator and/or Finance Director to enter into a lease agreement with Flower Fuels, LLC and to execute all documents related to the lease/purchase.

Mr. Sera added that the award is for the gas station on the west side of town.

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

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye



CITY OF DEMING

RESOLUTION NO. 22- 21

CALLING A BOND ELECTION TO BE HELD IN THE CITY OF DEMING ON NOVEMBER 8, 2022, IN CONJUNCTION WITH THE GENERAL ELECTION FOR THE PURPOSE OF VOTING ON THE ISSUANCE OF GENERAL OBLIGATION STREET IMPROVEMENT BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, DESCRIBING THE PURPOSE TO WHICH THE BOND PROCEEDS WOULD BE PUT; PROVIDING THE FORM OF THE BOND QUESTION; PROVIDING FOR NOTICE OF THE ELECTION; PRESCRIBING OTHER DETAILS IN CONNECTION WITH SUCH ELECTION AND BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH.

WHEREAS, the City Council (the “Governing Body”) of the City of Deming (the “City”) in Luna County and State of New Mexico, hereby determines that it is necessary and in the best interests of the City and its inhabitants to incur indebtedness in the principal amounts and for the purposes provided herein; and

WHEREAS, in accordance with the provisions of Sections 6-15-1, 1-22-3(C) and 1-16-3(B) NMSA 1978, the Governing Body acting by and through the City Clerk has forwarded in writing to the County Clerk, Secretary of State and Local Government Division of the Department of Finance and Administration a notice of the bond election as described herein; and

WHEREAS, the Governing Body has the power to call a bond election to be held in conjunction with the general election on November 8, 2022 for the purpose of submitting one question of incurring indebtedness to the qualified electorate of the City pursuant to applicable laws of the State of New Mexico, and pursuant to Article IX, Section 12 of the New Mexico Constitution; and

WHEREAS, the Governing Body hereby determines and declares that the project (the “Project”) for which the question of issuing the City’s general obligation bonds (the “Bond Election Question”) as set forth herein, are for public purposes and no bond election has been held on the Bond Election Question during the year immediately preceding the date established for the election.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DEMING:

Section 1. All action, not inconsistent with the provisions of this Resolution, heretofore taken by the Governing Body and the officers of the City directed toward the Project described in the Bond Election Question, including, without limiting the generality of the foregoing, the calling and holding of a bond election to authorize the issuance of general



obligation bonds (the “Bonds”) to finance the Project, is ratified, approved and confirmed.

Section 2. The bond election (the “Election”) shall be held in the City of Deming on November 8, 2022, as part of the statewide general election scheduled for that date.

Section 3. At the Election the following question shall be submitted to the City’s qualified electors:

STREET IMPROVEMENT BONDS - Shall the City of Deming issue up to \$5,000,000 of general obligation bonds, to be repaid from property taxes, for the purpose of installing and repairing street lights, constructing, repairing, and otherwise improving municipal alleys, streets, public roads and bridges, or any combination thereof?

For Street Improvement Bonds ☐

Against Street Improvement Bonds ☐

Section 4. The polls for the Election will open at 7:00 a.m. Mountain Standard Time on Tuesday, November 8, 2022, and will close at 7:00 p.m. Mountain Standard Time on the same day. All of the precincts shall be consolidated, and any voter (except absentee voters) may vote in any consolidated precinct. The polling places for such consolidated precinct shall be as follows:

POLLING PLACES  
Mimbres Valley Special Events Center  
2300 E. Pine St.  
Deming, NM 88030

Holy Family Parish Hall  
615 S. Copper St.  
Deming, NM 88030

Columbus Village Library  
12 W. Broadway  
Columbus, NM 88030

Section 5. Absentee Ballots will be available for this Election and can be obtained by contacting the Office of the County Clerk. Absentee voting in person will be conducted in the Office of the County Clerk at 700 S. Silver Ave., Deming, beginning on Monday, October 11, 2022, and ending at 5:00 p.m. on Friday, November 5, 2022. Voting is conducted during regular business hours, which is Monday through Friday, 8:00 a.m. - 5:00 p.m.

Section 6. The casting of votes by qualified electors at the polling places, including the Absentee polling place, shall be cast on a marksense ballot used on optical-scan vote-tabulating machines.

Section 7. The City's qualified electors are eligible to vote on the Bond Election Question. No judge or clerk of the election shall allow a person to vote unless he or she is duly registered as a voter.

Section 8. All persons desiring to vote at the Election must be registered to vote. Any person who is otherwise qualified to vote and who is not currently registered may register at the Luna County Clerk's Office on or before 5:00 p.m. on Friday, October 11, 2022 or in person during early voting and on election day.

Section 9. The vote shall be canvassed as provided in the Election Code Chapter 1 of NMSA 1978, and Sections 6-15-1 et seq. NMSA 1978, the County Clerk shall certify the results of the Election, Secretary of State issues certificate of election, and the County Clerk shall file the certificate of canvass in the official minute book of the County.

Section 10. This Resolution shall be submitted to the County Clerk for certification of the local government ballot question to the Secretary of State. The Secretary of State shall issue and file a proclamation in the English and Spanish languages calling for the general election. After receipt, the County Clerk shall publish those portions of the proclamation relevant to the City at least once not less than seventy-five days before the day of the Election in a newspaper or newspapers which maintain an office in and are of general circulation in the City and which otherwise qualify as legal newspapers in the City. The portions of the proclamation relevant to the City shall be posted not less than seventy-five days before the day of the Election on the City's website. The County Clerk shall post the entire proclamation on the County Clerk's website along with the notice of which municipalities in the county are conducting elections. The City Clerk is hereby instructed and authorized to carry out this provision. The County Clerk is hereby instructed and authorized to carry out this provision.

Section 11. The officers of the City are hereby authorized and directed, for and on behalf of the City, to take all action necessary or appropriate to effectuate the provisions of this Resolution, including, without limiting the generality of the foregoing, the preparation of affidavits, instructions, purchasing election supplies, and the publication of notices.

Section 12. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 13. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or parts thereof, heretofore repealed.

ADOPTED THIS 21st DAY OF JUNE, 2022.

CITY OF DEMING, NEW MEXICO



By: \_\_\_\_\_

Benny Jasso, Mayor

ATTEST:

\_\_\_\_\_  
Mary Jo Valdez, City Clerk

**b. Bid 22-01 Butterfield Trail Regional Landfill Cell 2A Project**

Mr. Massengill presented the recommendation stating that the bid is for the expansion of the landfill increasing the capacity starting a new cell adjacent to the current cell being used. Mr. Sera stated that it would save money in the long run; adding that the excavation done by City of Deming personnel has saved a significant amount of money. Mr. Massengill affirmed that at least \$400,000 has been saved in work performed by personnel.

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

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

**c. Bid 22-08 S. 8<sup>th</sup> Street Switchgear and Electric Meter Installation Project**

Mr. Massengill presented the recommendation stating that there was one bid received; adding that the work would be performed to fix damages to electric meters at the KOTS complex caused by personnel.

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

**ROLL CALL VOTE**

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye

**Mayor Jasso swore-in all parties who signed in to testify in relation to items 7, 8, 9, and 10.**

**7. Quasi-Judicial Public Hearing: To consider a Special Use Permit to Build a Solar Facility on Skyview Rd by John Smith, within the city limits**

Mayor Jasso conducted a quasi-judicial public hearing to consider a Special Use Permit to Build a Solar Facility on Skyview Rd by John Smith, located within the City limits.

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

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant, on behalf of Bowlin South PVC I, LLC, wishes to build a 5 MW solar facility on 45 acres of private land. Mr. Camfield stated that after further review and receiving the dust control plan from the developer, staff is requesting that Council consider the following conditions listed should the approval be granted which would warrant the revocation of the special use permit.

1. A violation of zoning ordinances and/or the special use permit
2. Should the project be abandoned, the land must be returned to the original state at onset
3. Non-compliance with the submitted dust control plan which identifies control measures to be used

Mayor Jasso asked if staff or Council had any questions. They did not.

Mayor Jasso asked if the applicant would like to make a statement.

Mr. Luxenburg addressed Council on behalf of the applicant and stated that there will be discounts offered to the subscribers; stated that the dust control has been addressed with the plan; and stated that they are in agreement with all standards.

Mayor Jasso asked if Council had any questions for the applicant's agent; they did not.

Mayor Jasso asked if there were any affected parties that would like to speak.

Mr. Reedy addressed Council stating he is opposed; adding that there is no way to reduce the dust pleading with Council to vote on the item as if it were their property adjacent to the proposed location. Mr. Reedy stated that he had conferred with two brokers who informed that property value would be affected. Mr. Reedy stated that he has consulted with an attorney who stated that the City did not have to approve the special use permit for a solar project.

Mr. Holdridge addressed Council stating his support for the project.

Ms. Hurt addressed Council stating her support for the project.

Mayor Jasso asked if there were any other parties that would like to speak.

Ms. Schiffner addressed Council stating she was opposed to the project; concerns included animal habitats.

Ms. McDonald addressed Council stating she was opposed to the project; concerns included recycling of materials.

Mr. Dirk addressed Council stating he was opposed to the project; concerns included dust.

Ms. Harman addressed Council stating she was opposed to the project; concerns included property values and destruction of the beauty of the land.

Mayor Jasso asked if there were any registered parties that would like to cross-examine any party having already given testimony.

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.

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

ROLL CALL VOTE

Councilor Milo Aye

Councilor Valdespino Aye

Mayor Pro Tem Topham Aye

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

ROLL CALL VOTE

Councilor Valdespino Aye

Councilor Milo Aye

Mayor Pro Tem Topham Aye

Mayor Jasso stated that only item discussed, during closed session, was the case. Mayor Pro Tem Topham read NM State Statute, NMSA 1978 3-18-32 for the record.

Mayor Pro Tem Topham motioned to approve special use permit, as presented with conditions; Councilor Valdespino second the motion; motion was approved by the following roll call vote:

ROLL CALL VOTE

Councilor Milo	Aye
Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye

Mayor Jasso stated that the decision announced by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks; pursuant to NMSA, 1978 39-3-1.1.C, any action of the City Council in approving, conditionally approving, or denying this application may be appealed by any aggrieved person, any member of the City Council, or by the City Administrator to the District Court within 30 calendar days from the date the order has been filed.

**8. Quasi Judicial Public Hearing: To Consider an alternate subdivision for 2525 Highway 418 SW by James Reedy, within the city limits**

Mayor Jasso conducted a quasi-judicial public hearing to consider an alternate subdivision for 2525 Highway 418 SW by James Reedy, within the City limits.

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

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant, Mr. Reedy, is requesting the alternate subdivision with the possibility of tract 2 being sold. Staff has reviewed the request and has no objections.

Mayor Jasso asked if staff or Council had any questions of staff; there were none.

Mayor Jasso asked if the applicant would like to make a statement; Mr. Reedy declined.

Mayor Jasso asked if Council had any questions for the applicant; there were none.

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

Mayor Jasso asked if there were any other parties that would like to address Council; 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 Milo motioned to approve the alternate subdivision, as presented; motion was seconded by Mayor Pro Tem Topham; motion was approved by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Valdespino	Aye
Councilor Milo	Aye

Mayor Jasso stated that the decision announced by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks; pursuant to NMSA, 1978

39-3-1.1.C, any action of the City Council in approving, conditionally approving, or denying this application may be appealed by any aggrieved person, any member of the City Council, or by the City Administrator to the District Court within 30 calendar days from the date the order has been filed.

**9. Quasi Judicial Public Hearing: To Consider an alternate subdivision for 105 S Silver by Rick Holdridge, within the city limits**

Mayor Jasso conducted a quasi-judicial public hearing to consider an alternate subdivision for 105 S Silver by Rick Holdridge, within the City limits.

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

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant, is requesting the approval of an alternate subdivision to sell tract 1 and donate tract 2 to the City of Deming which is already being used as a parking lot for the community; and the sale of tract 1 would be to the owner of Donut Pro, LLC. Staff reviewed the request and has no objections.

Mayor Jasso asked if staff or Council had any questions of staff. There were none.

Mayor Jasso asked if the applicant would like to make a statement. Mr. Holdridge stated that the City has been using the parking lot for downtown parking and he would like to donate it to the city.

Mayor Jasso asked if Council had any questions for the applicant. Mayor Pro Tem Topham asked what the City is planning for tract 2. Mr. Sera stated that the City has been leasing it from Mr. Holdridge and using it for downtown parking.

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

Mayor Jasso asked if there were any registered parties that would like to cross-examine any party having already given testimony. There were none.

Mayor Jasso asked if there were any other parties that would like to address Council. 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.

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

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

Mayor Jasso stated that the decision announced by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks; pursuant to NMSA, 1978 39-3-1.1.C, any action of the City Council in approving, conditionally approving, or denying this application may be appealed by any aggrieved person, any member of the City Council, or by the City Administrator to the District Court within 30 calendar days from the date the order has been filed.



**10. Quasi Judicial Public Hearing: To Consider an alternate subdivision for 1550 Dona Ana Rd SE by Dr. Kenneth P Soulsby, within the city limits**

Mayor Jasso conducted a quasi-judicial public hearing to consider an alternate subdivision for 1550 Dona Ana Rd SE by Dr. Kenneth P Soulsby, within the City limits.

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

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant, is requesting the approval of an alternate subdivision to sell and issue deed of tract 1 to Mr. and Mrs. Sabre. Staff has reviewed the request and has no objections.

Mayor Jasso asked if staff or Council had any questions of staff; there were none.

Mayor Jasso asked if the applicant would like to make a statement. They did not.

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

Mayor Jasso asked if there were any registered parties that would like to cross-examine any party having already given testimony. There were none.

Mayor Jasso asked if there were any other parties that would like to address Council. 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 Milo motioned to approve the alternate subdivision, as presented; motion was second by Mayor Pro Tem Topham; motion was approved by the following roll call vote:

**ROLL CALL VOTE**

Councilor Milo	Aye
Councilor Valdespino	Aye
Mayor Pro Tem Topham	Aye

Mayor Jasso stated that the decision announced by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks; pursuant to NMSA, 1978 39-3-1.1.C, any action of the City Council in approving, conditionally approving, or denying this application may be appealed by any aggrieved person, any member of the City Council, or by the City Administrator to the District Court within 30 calendar days from the date the order has been filed.

**11. Administrator's Report**

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

- Staff has finalized the budget, as presented in the workshop.
  - GRT for cannabis is approx. \$5,600 with two dispensaries in town.
  - Development is in progress for the industrial area; can't say much about it at this point as there is a non-disclosure agreement in place.
- The ordinance regarding the keeping of animals within city limits is being looked at to be revised
- Staff is working on policies to retain employees
- Staff has worked with RPO to propose a project that was ranked #2 for Gold Street to shrink the road to distract truck traffic which is a \$3.5 project.

- Looking to install cameras downtown through grant funding; PNM grant was applied for by Cassie and the City matched it with \$5,000; Police Dept. is also working on obtaining grants
- The speed stop signs have been placed out and are deterring speeding; they were obtained with grant funds

**12. Closed Session: To Discuss personnel matters, regarding evaluations and contract renewals for appointed employees, pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act**

Mayor Pro Tem Topham motioned to go into closed session pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act; Councilor Milo second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE	
Councilor Valdespino	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye

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

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

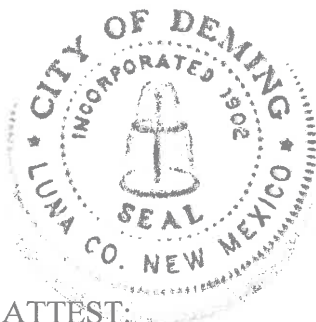
ROLL CALL VOTE	
Councilor Valdespino	Aye
Councilor Milo	Aye
Mayor Pro Tem Topham	Aye


Mayor Jasso stated that there were no motions made during closed session and that only those items listed were discussed. Mayor Jasso asked if Council had any motions.

**14. Adjourn Meeting**

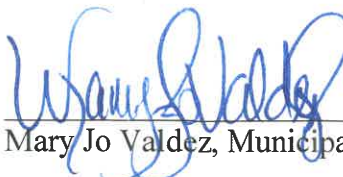
With no further business to discuss, Mayor Jasso entertained a motion to adjourn the meeting. Mayor Pro Tem Topham motioned to adjourn the meeting; Councilor Milo second the motion; motion carried unanimously. The meeting adjourned at 8:19 p.m.

**CITY OF DEMING, NEW MEXICO**



  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal Clerk