



BENNY 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

July 19, 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 June 21, 2022
    - b. Special City Council June 29, 2022
    - c. Historical Landmark Commission June 15, 2022
  - B. City of Deming Policy for the Receipt of Payments by Credit Card
  - C. Out of State Travel Request by Jim Massengill to attend the EPMCG Natural Gas Delivery
2. Public Comments
3. Presentation and Consideration of Approval of Redistrict Plan for Voting Districts within the City
4. City of Deming Policy for the Consideration of an Economic Supplemental Impact Payments (ESIP) for Eligible City of Deming Employees
5. Amendment to Administrative Regulation DM08-01 Regarding Service Recognition Pay
6. Resolution: In Support of a Sustainable Outdoor Recreation Industry
7. Public Hearing: To Consider the Approval of a Local Economic Development Project Proposed by the State of NM Economic Development Department for Little Toad Creek, LLC
8. Request of Approval and Authorization for City Administrator or Designee to Execute any and all Agreements Regarding the LEDA Project for Little Toad Creek, LLC
9. Administrator's Report
10. Closed Session: To Discuss personnel matters, regarding Sam Baca Aquatic Center, pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act
11. Open Session: Motions, if any
12. Adjourn Meeting

*The next regular City Council Meeting is scheduled for August 16, 2022 at 5:30 p.m.*

# CITY COUNCIL MEETING MINUTES

July 19, 2022

Remote meeting in compliance with the  
New Mexico Open Meetings Act

## **Council Present:**

Benny L. Jasso, Mayor  
Joe "Butter Milo, Councilor  
Irmaisela A. Rodriguez, Councilor

Monica Topham, Mayor Pro Tem  
Alex Valdespino, Councilor

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

## **Council Absent:**

**Staff Present:** Aaron Sera, City Administrator  
Alexi Jackson, Community Services Director  
Joe Owen, Fire Chief  
Cassie Arias-Ward, Economic Dev. Coordinator  
Tyler Massey, Public Information Officer

Laura Holguin, Finance Director/CFO  
Azucena Vargas, Asst. Public Works Director  
Jose Montoya, Police Captain  
Raul Madrid, Special Projects Coordinator  
Adrian Coloma, IT

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

Jim Massengill, Public Works Director Benjamin Jimenez, Municipal Court Administrator

**Presenting Guests:** Brad Morrison, Redistricting Specialist – Research & Polling Inc.

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

Mayor Jasso called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.  
Mayor Jasso confirmed there was a quorum with the following roll call:

### **ROLL CALL VOTE**

Councilor Milo	Aye
Councilor Valdespino	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye

## **1. Consent Agenda**

Mr. Sera stated he had nothing to discuss on the consent agenda. Mayor Jasso asked Council if they had any questions or if they were prepared to make a motion.

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

### **ROLL CALL VOTE**

Councilor Valdespino	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye
Councilor Milo	Aye

Mayor Jasso asked for a moment of silence in remembrance of Ms. Megan Wertz. Mayor Jasso stated that the City is cooperating with investigating agencies to determine what happened.

**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. Presentation and Consideration of Approval of Redistrict Plan for Voting Districts within the City**

Mr. Sera explained that the city contracted a firm to redistrict the city's voting districts which is required by law.

Mr. Brad Morrison, Redistricting Specialist with Research & Polling, Inc. presented two plans, (Attached for reference) and explained them for City Council stating that Plan A provides for minimal changes while balancing out each district in accordance with the guidelines the state requires; in addition, Plan B requires more of a change but also balances districts.

Councilor Milo asked when it would be in effect. Mr. Sera stated it will affect the city's election beginning next year.

Mayor Pro Tem Topham motioned to approve Plan A to redistrict the City's voting districts, as submitted; motion second by Councilor Rodriguez; motion carried by the following roll call vote:

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye
Councilor Milo	Aye

**4. City of Deming Policy for the Consideration of an Economic Supplemental Impact Payments (ESIP) for Eligible City of Deming Employees**

Mr. Sera informed Council that the proposed policy would allow for a one time, annual, payment to those employees who are eligible without compounding salaries, in hopes of offsetting inflation, should CPI reflect the need.

Councilor Milo motioned to approve the Economic Supplemental Impact Payment Policy, 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 Milo	Aye
Councilor Rodriguez	Aye
Councilor Valdespino	Aye



**Deming City Council  
Council Member District  
Boundary Descriptions  
Plan A – Adopted on 7/19/2022**

**District 1**

Beginning at the intersection of S Gold Ave and W Buckeye St:

<b><u>Along</u></b>	<b><u>Direction</u></b>	<b><u>To</u></b>
S Gold Ave	North	E Maple St
E Maple St	East	S Pearl St
S Pearl St	North	I-10
I-10	East (425 feet)	Deming city limits
Deming city limits	East/South	J St SE
J St SE	West	Raymond Reed Blvd
Raymond Reed Blvd	North	D St
D St	West	Raymond Reed Blvd
Raymond Reed Blvd	Southwest	Raymond Reed Rd
Raymond Reed Rd	Northwest	E Florida St
E Florida St	West	S Tennyson Dr
S Tennyson Dr	North	E Walnut St
E Walnut St	West	S Saddler St
S Saddler St	North	E Walnut St
E Walnut St	West	S Santa Barbara St
S Santa Barbara St	North	E Buckeye St
E Buckeye St	West	S Pearl St
S Pearl St	Southwest	Cody Rd
Cody Rd	Northwest	E Buckeye St
E Buckeye St	West	S Gold Ave

Ending at the intersection of S Gold Ave and W Buckeye St.

## **District 2**

Beginning at the intersection of S Gold Ave and W Buckeye St:

<b><u>Along</u></b>	<b><u>Direction</u></b>	<b><u>To</u></b>
S Gold Ave	North	E Maple St
E Maple St	East	S Pearl St
S Pearl St	North	I-10
I-10	East (425 feet)	Deming city limits
Deming city limits	North/West/South	State Hwy 418
State Hwy 418	Northeast	W Hickory St
W Hickory St	East	S 8 <sup>th</sup> St
S 8 <sup>th</sup> St	South	W Buckeye St
W Buckeye St	East	S Gold Ave

Ending at the intersection of S Gold Ave and W Buckeye St.

### **District 3**

Beginning at the intersection of S Gold Ave and W Buckeye St:

<b><u>Along</u></b>	<b><u>Direction</u></b>	<b><u>To</u></b>
S Gold Ave	South	Deming city limits
Deming city limits	West/North	State Hwy 418
State Hwy 418	Northeast	W Hickory St
W Hickory St	East	S 8 <sup>th</sup> St
S 8 <sup>th</sup> St	South	W Buckeye St
W Buckeye St	East	S Gold Ave

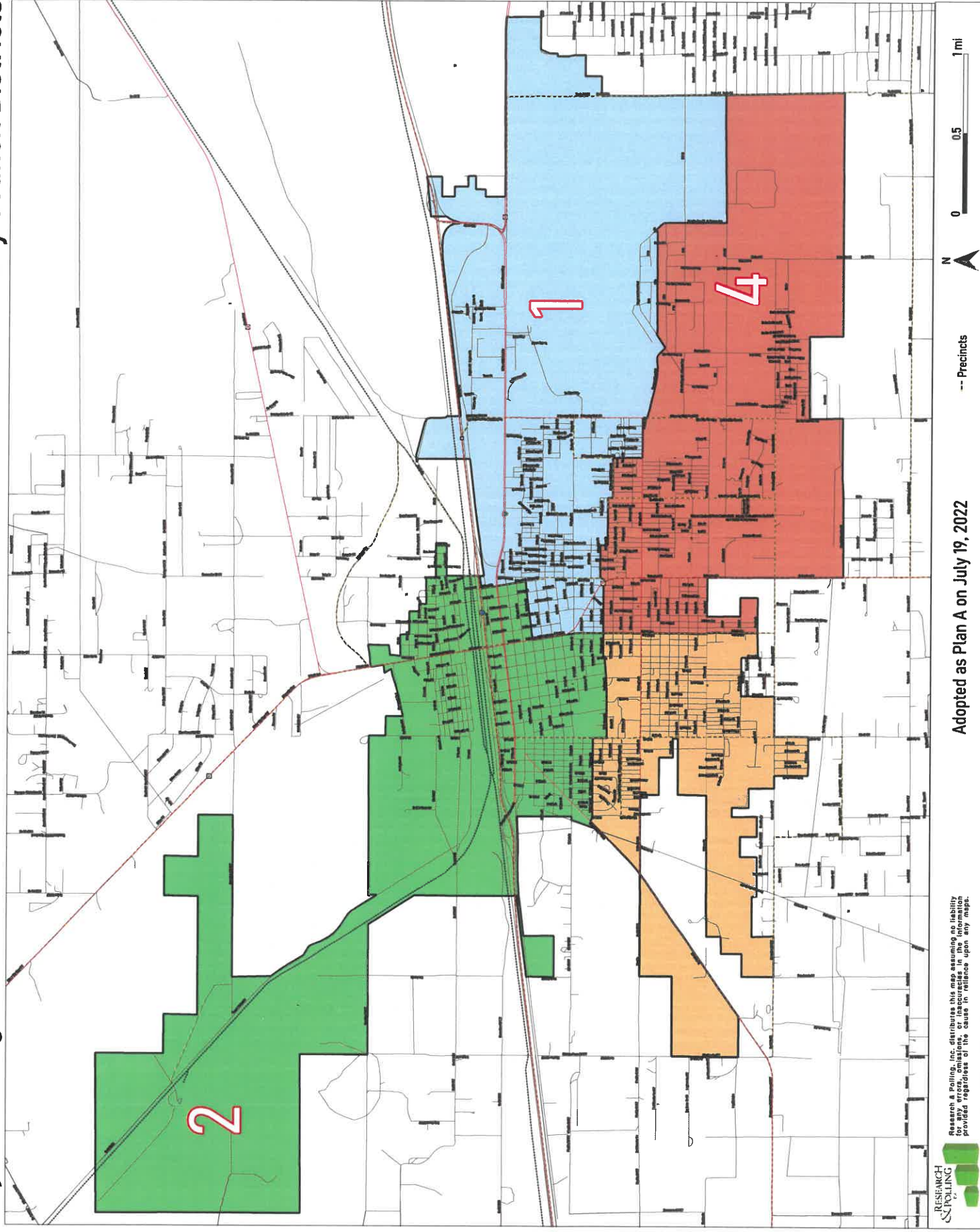
Ending at the intersection of S Gold Ave and W Buckeye St.

#### **District 4**

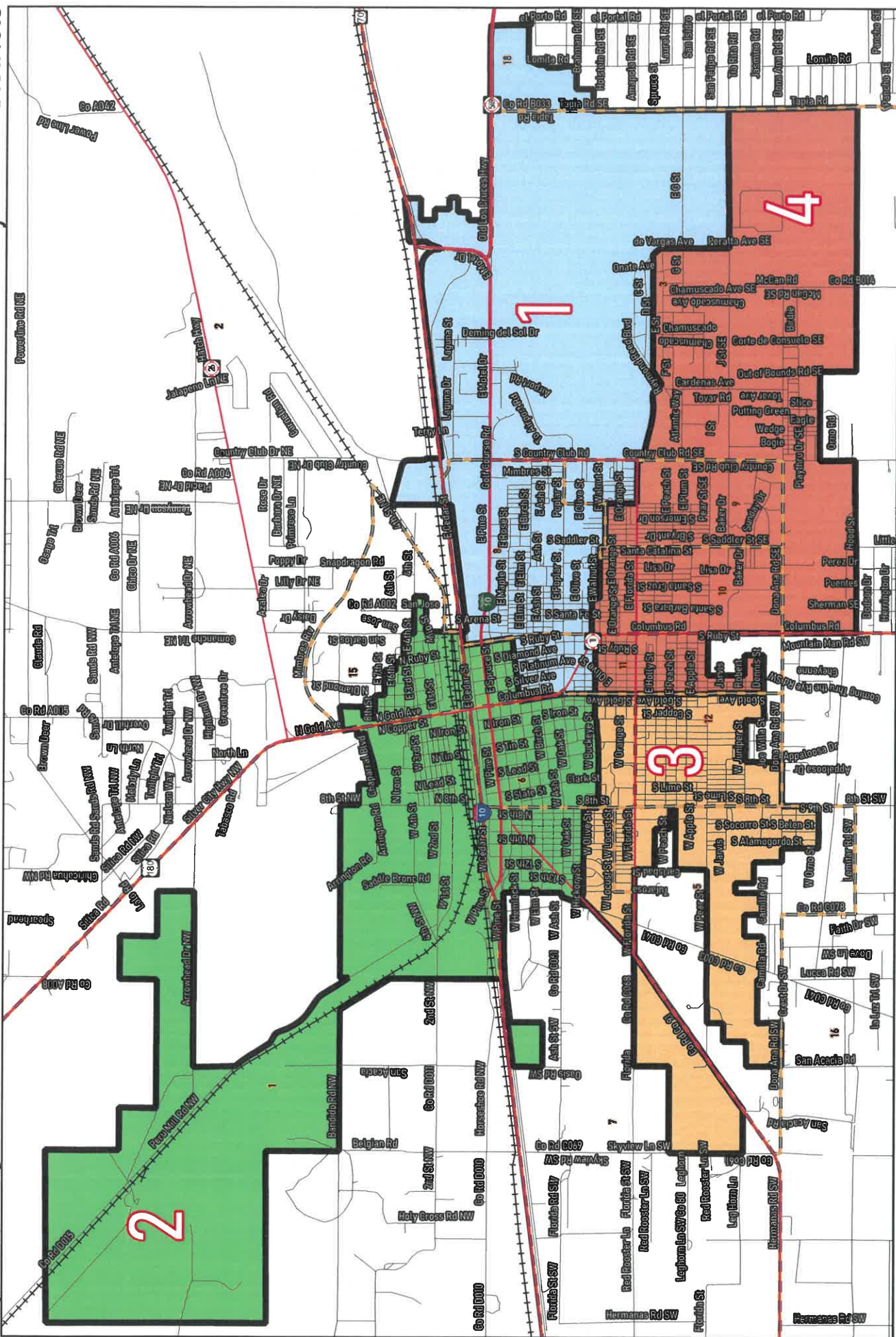
Beginning at the intersection of S Gold Ave and W Buckeye St:

<b><u>Along</u></b>	<b><u>Direction</u></b>	<b><u>To</u></b>
S Gold Ave	South	Deming city limits
Deming city limits	East/North	J St SE
J St SE	West	Raymond Reed Blvd
Raymond Reed Blvd	North	D St
D St	West	Raymond Reed Blvd
Raymond Reed Blvd	Southwest	Raymond Reed Rd
Raymond Reed Rd	Northwest	E Florida St
E Florida St	West	S Tennyson Dr
S Tennyson Dr	North	E Walnut St
E Walnut St	West	S Saddler St
S Saddler St	North	E Walnut St
E Walnut St	West	S Santa Barbara St
S Santa Barbara St	North	E Buckeye St
E Buckeye St	West	S Pearl St
S Pearl St	Southwest	Cody Rd
Cody Rd	Northwest	E Buckeye St
E Buckeye St	West	S Gold Ave

Ending at the intersection of S Gold Ave and W Buckeye St.



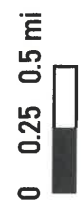




Research & Polling, Inc. distributes this map assuming no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause in reliance upon any maps.



Precincts



Adopted as Plan A on July 19, 2022

**5. Amendment to Administrative Regulation DM08-01 Regarding Service Recognition Pay**

Mr. Sera stated that the amendment would allow for an annual increase from \$750 to \$1,200, adding that it would change the threshold. Ms. Holguin added that it would also add for the allowance of a pro-rated amount for employees meeting their probationary requirement within the timeframe as opposed to being non-eligible as they were in the past.

Councilor Rodriguez motioned to approve the amendment to DM08-01, 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
Councilor Rodriguez	Aye

**6. Resolution: In Support of a Sustainable Outdoor Recreation Industry**

Mr. Jackson and Mr. Sera presented the resolution for Council stating that there are upcoming grant opportunities to fund outdoor recreation improvements for the community. The resolution would reflect that the Mayor and Council are in support of improving outdoor recreation in attempt to increase tourism in the Deming and Luna County area.

Councilor Milo motioned to approve the resolution in support of outdoor recreation, as presented; motion second by Councilor Rodriguez; motion carried by the following roll call vote:

**ROLL CALL VOTE**

Councilor Valdespino	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye

**7. Public Hearing: To consider the Approval of a Local Economic Development Project Proposed by the State of NM Economic Development Department for Little Toad Creek, LLC**

Mayor Jasso conducted a public hearing to consider an ordinance for the approval of a local economic development project to secure financial assistance for Little Toad Creek, LLC.

Ms. Ward addressed Council explaining that the company would like to expand their business in Deming, adding 30 jobs within the next 5 years. Ms. Ward stated that the company would invest \$4.7 million over the next 5 years in their endeavor; adding that the NM Economic Development Department has approved a LEDA award in the amount of \$200,000 for Little Toad Creek.

Ms. Marquez addressed Council explaining that the City would be the fiscal agent for the company. Mr. Sera stated that Ms. Ward would monitor the disbursement of the funds.

Ms. Ward further stated that funding would be used for infrastructure of the facility.

Mr. Sera stated that there are agreements which would be signed that are also on the agenda for Council's consideration.

Mr. Crosley, owner of Little Toad Creek, LLC, addressed Council stating that he is excited to expand his business to Deming and looks forward to creating jobs and is thankful for their consideration.

Mayor Jasso opened the public hearing for public comments. There were none.

RESOLUTION NO. 22-23

A RESOLUTION IN SUPPORT OF A SUSTAINABLE OUTDOOR RECREATION  
INDUSTRY IN THE CITY OF DEMING AND LUNA COUNTY

WHEREAS, nationwide, the outdoor recreation industry generates \$887 billion in consumer spending and 7.6 million jobs annually; and

WHEREAS, in New Mexico, the outdoor recreation industry generates \$6.1 billion in consumer spending, 68,000 direct jobs, \$1.7 billion in wages and salaries and \$458 million in state and local tax revenue annually; and

WHEREAS, each year, 65 percent of New Mexicans participate in outdoor recreation activities, including bicycling, motorcycle riding, off-roading, snow sports, hunting, fishing, running, backpacking, boating and camping; and

WHEREAS, 34 million travelers visited New Mexico in 2015, many for the recreational opportunities available on public lands; and

WHEREAS, Deming and Luna County's rich public lands and the culture of outdoor recreation provide an opportunity to recruit and develop industries that provide products and services related to outdoor recreation in the area; and

WHEREAS, the Tress Lake Recreational Zone offer the potential for expansion affording the community great opportunities for the outdoor recreation usage of a water park, fishing pond, and adjacent playground; and

WHEREAS, the walking pads and paths surrounding the Trees Lake Recreational Zone provides residents of the community with an alternate form of recreational activities which include bicycling and walking, in the surrounding region; and

WHEREAS, the Trees Lake Recreational Zone is a great destination which offers non-fly fishing and in close proximity for the use of community residents; and

WHEREAS, destinations such as the Rock Hound State Park, Spring Canyon State Trails afford numerous opportunities for trail hiking and rock climbing activities; and

WHEREAS, the amphitheater adjacent to Trees Lake Recreational Zone offers a variety of theatrical performances to be held for the region; and

WHEREAS, Trees Lake Recreational Zone has experienced a 100 percent increase in fishing and outdoor activities since opening the lake to the public and wishes to expand its capacity to include an inflatable water park further creating a tourism destination; and

WHEREAS, there are prominent historic heritage and cultural tourist monuments, including but not limited to, Historic Deming Train Depot relocated to the Trees Lake Recreational Zone, Mimbres Luna County Museum located within the Deming Downtown Historical District in Deming that afford the opportunity to build and expand offerings and heavily promote cultural tourism; and

WHEREAS, Deming and Luna County has the benefit of the Western New Mexico University and the Deming-Luna County Economic Development to assist in development of outdoor recreation-oriented businesses; and

WHEREAS, the Deming and Luna County has available rental space within the industrial commercial area for outdoor recreation-oriented businesses; and

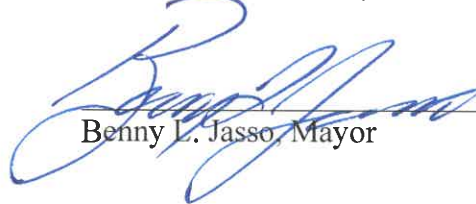
WHEREAS, a sustainable outdoor recreation industry in Deming and Luna County would provide the opportunity to enrich local quality of life, enhance the tourism experience, diversify the regional economy and create more jobs, and align with the community brand that Deming and Luna County is a place where outdoor lovers and active families thrive.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DEMING, that the City supports an outdoor recreation industry in Deming and Luna County and will work with residents, businesses, governments, and other organizations to provide recreational opportunities and promote recreation/tourism oriented businesses.

PASSED, APPROVED, AND ADOPTED this 19th day of July, 2022.



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal City Clerk



With no further discussion, Mayor Jasso asked if Council was prepared to make a motion. Councilor Rodriguez motioned to approve the ordinance approving a LEDA project, as presented; motion 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
Councilor Rodriguez	Aye

**8. Request of Approval and Authorization for City Administrator or Designee to Execute any and all Agreements Regarding the LEDA Project for Little Toad Creek, LLC**

Mr. Sera explained that the agreements are in relation to the LEDA project with Little Toad Creek, LLC including a Project Participation Agreement which has Clawback provision should the company not comply with the performance requirement; and Intergovernmental Agreement with NM Economic Development Department to act as the fiscal agent.

Councilor Valdespino motioned to approve and authorize the City Administrator or designee to execute any and all agreements regarding the LEDA Project for Little Toad Creek, LLC; motion second by Councilor Milo; motion was approved by the following roll call vote:

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Councilor Valdespino	Aye

**9. Administrator's Report**

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

- The struggle continues to hire personnel
- Attended a Manager's Conference with HR Coordinator Ms. Alonzo and Finance Director Ms. Holguin and discussed housing issues with Mr. Dodge. Will be meeting with Mr. Dodge in August to further discuss how he was able to obtain funding
- A business plan was created with the help of Mr. Figueroa for the proposed inflatable water park which should be self-sustainable in the future. An enterprise fund will be created so that funds can be only expended for the park.

**10. Closed Session: To Discuss personnel matters, regarding Sam Baca Aquatic Center, pursuant to NMSA 1978, Section 10-15-1(H)(2) of the Open Meetings Act**

Councilor Valdespino 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
Mayor Pro Tem Topham	Aye
Councilor Rodriguez	Aye
Councilor Milo	Aye

**CITY OF DEMING  
ORDINANCE NO. 1311**

**AN ORDINANCE APPROVING A LOCAL ECONOMIC DEVELOPMENT  
PROJECT FOR SECURED FINANCIAL ASSISTANCE  
PROPOSED BY LITTLE TOAD CREEK DISTILLERY**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEMING, NEW MEXICO** that the following is added to the municipal code:

Pursuant to the City of Deming Economic Development Plan, Ordinance No. 1011, and NMSA 1978 Section 5-10-1, et seq. (Local Economic Development Act - "the Act"), the proposed economic development project of Little Toad Creek, LLC ("The Company") which is on file with the City Administrator and available for public inspection, is approved for the purposes set forth in NMSA 1978 Section 5-10-1, et seq. and the City of Deming is authorized to enter into a Project Participation Agreement ("The Agreement") with the Company as required by Section 10 of the Act, and in substantially the same form as attached hereto, the terms of which are incorporated herein.

**The City Council finds as follows:**

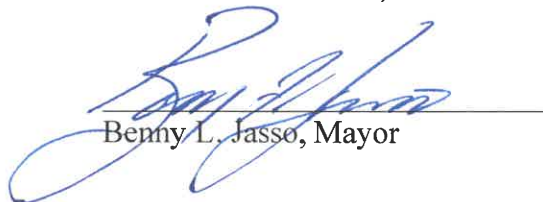
- 1) the Company is an entity as defined in NMSA 1978, Section 5-10-3G;
- 2) Under the Agreement, the Company will provide a substantive contribution for the proposed project as described in NMSA 1978, Section 5-10-10B in the form of a going concern, a limited tax base, and employment;
- 3) the Agreement complies with the requirements of the Act and Ordinance No. 1011;
- 4) the benefit of the proposed project to the City of Deming are benefits arising from employment and economic activity under the project which exceeds the cost to the City of providing to the Company the assistance specified in the agreement, and
- 5) the Agreement complies with the requirements of Section 10 of the Act and is hereby adopted and approved.

**BE IT FURTHER ORDAINED**, that the Mayor or City Administrator are hereby authorized and directed to do all things necessary to implement this ordinance that is lawfully adopted.

**PASSED, ADOPTED AND APPROVED** this 19<sup>th</sup> Day of July 2022



**CITY OF DEMING, NEW MEXICO**

  
Benny L. Jasso, Mayor

ATTEST:

  
Mary Jo Valdez, Municipal City Clerk

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

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

**ROLL CALL VOTE**

Councilor Rodriguez	Aye
Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Councilor Valdespino	Aye

Mayor Jasso stated that there were no motions made during closed session and that only those items listed were discussed.

Mayor Jasso thanked City of Deming Fire Department and Police Department for their efforts during the traumatic incident at the pool and stated that he knows how traumatic it was for them, encouraging them to obtain support.

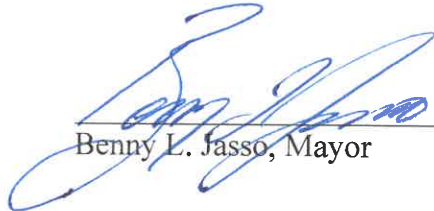
**12. Adjourn Meeting**


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 7:26 p.m.

**CITY OF DEMING, NEW MEXICO**



  
Benny L. Jasso, Mayor

  
Mary Jo Valdez, Municipal Clerk