



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
Special Meeting
January 25, 2012
9:00 A.M.
AGENDA

Call to Order / Pledge of Allegiance

1. Approval of Election Precinct Board for 2012 Municipal Election
2. Resolution: To apply for funding for Bureau of Reclamation Watersmart Program to increase the efficiency and advance the automation of the water system meters
3. Resolution: To Designate North half of Section 35, Range R9W, Township T23S located inside the city limits as a Colonia
4. Resolution: To approve authorization of submission of a grant application to DFA/Local Government Division for 2009 & 2010 surplus Colonias Initiative Funds
5. Resolution: To approve authorization for submission of a grant application to the New Mexico Department of Transportation-Aviation Division for the 2012 Deming Airport Improvements
6. Approval for out of State Travel Request by Richard McInturff to attend the El Paso Municipal Customer Group meeting on February 21, 2012 in Mesa, AZ
7. Ratification of Mayor's Appointment for Labor-side designee to Labor-Management Relations Board
8. Acceptance of the June 30, 2011 Financial Audit
9. Closed Session: To discuss the disposal of agricultural land and water rights, and property with rural improvements pursuant to NMSA 1978, Sections 10-15-1 (H) (8) of the Open Meetings Act.
10. Adjourn Meeting

The next regularly scheduled workshop and meeting is February 13th, 2012 commencing at 4:00 p.m. and 6:00 p.m.

**CITY OF DEMING
SPECIAL CITY COUNCIL
MEETING MINUTES
January 25, 2012**

Council Present:	David Sanchez, Councilor	Joe "Butter" Milo, Councilor
	William Shattuck, Mayor Pro Tem	
Absent:	Linda Enis, Councilor	Andres Z. Silva, Mayor
Staff Present:	Richard F. McInturff, Administrator	Lawrence Brookey, Public Works Director
	Aaron Sera, Asst. City Administrator	Richard Kocab, Asst Treasurer
	Laura Holguin, Budget Analyst	Lloyd Valentine, Budget Analyst
	Lila Jasso, Administrative Secretary	

Mayor Pro Tem Shattuck led the pledge of allegiance and called the meeting to order at 9:00 a.m.

1. Approval of Election Precinct Board for 2012 Municipal Election

Mr. McInturff presented the Election Precinct Board List to council and explained the positions at each districted, and recommended the list be approved as presented.

Councilor Milo motioned to accept the Election Precinct Board List for the 2012 Municipal Election. Councilor Sanchez seconded the motion; motion carried.

2. Resolution: To apply for funding for Bureau of Reclamation WaterSmart Program to increase the efficiency and advance the automation of the water system meters.

Mr. Brookey addressed the Council and read into record the resolution. Mayor Pro Tem Shattuck opened the floor to Council for discussion. Council and Mr. Brookey discussed the automated system. Mr. McInturff asked Mr. Brookey whether the system could be retrofitted onto the existing meters or would new meters need to be installed. Mr. Brookey stated that the units would be brand new including the meter and the electronic reader capability.

Councilor Sanchez motioned to adopt the resolution as presented. Councilor Milo seconded the motion; motion carried.

3. Resolution: To Designate the North half of Section 35, Range R9W, Township T23S located inside the city limits as a Colonia.

Mr. Brookey read into record the resolution as presented. Mr. Brookey referenced the supporting documentation in regards to this proposed resolution. He referenced and read into record the memo from Mr. McInturff in which he stated that after speaking to Mr. Zacheck from Ace Appraisal, the City of Deming was assured that during the process of performing an appraisal, the Colonias designation is not a

determining factor in the value of property or home value. Mr. Brookey read into record the memo to Council from himself, in which he reviews the history of the referenced sewer system. Mr. Brookey read into record the letter from Engineers, Inc. regarding the Bell School Sanitary Sewer. Mr. Brookey also read into record, the letter from Fire Chief Davalos regarding the area's lack of fire hydrants and limited access to the existing hydrants due to narrow streets, alley ways etc., which supports the designation.

Mr. McInturff asked Mr. Brookey to reference on the map the area in which Engineer's, Inc. refers to in their letter. Mr. Brookey stated that there are 22 service connections to the old sewer line which flow northeasterly.

Mr. Sera informed Council that the City published the advertisement of the Public Hearing on January 23, 2012 to discuss the colonias designation and there was no one from the public in attendance. Also, published in the advertisement for this Special Council meeting that the floor would be open for discussion from the public.

Additional discussion was held between Council and staff.

Mr. McInturff stated that this designation would allow the City to apply for additional sources of funding for City projects.

With no further questions from Council, Mayor Pro Tem Shattuck opened the floor for public comment.

Mr. Edward Khanbabian approached Council to ask how much the project would cost. Mr. Khanbabian asked whether this was the only active sewer line in the area. Mr. McInturff clarified that there were other sewer lines in the area that would be utilized to be tapped in to. Mr. Khanbabian commented on the report from Engineers, Inc. where cracked sewer lines were found and whether or not this was having an environmental impact on the area. Mr. McInturff commented that whether or not the City receives this funding, the issue was going to be addressed by abandoning the existing old sewer line. Mr. Khanbabian asked how soon after funding is received, would the project be started. Mr. Sera commented that crews are currently working on the issues in the area. Mr. Khanbabian asked why only this area was being investigated and if there were other areas in the City that may have the same issue. Mr. McInturff stated that most of the other clay sewer lines had been replaced and this line was one that was an oversight. Therefore, the City is working on remedying the issue.

May Pro Tem Shattuck closed the public comment.

Councilor Sanchez motioned to approve the resolution to designate the North half of Section 35, Range R9W, and Township T23S located inside the city limits as a Colonia. Councilor Milo seconded the motion; motion carried unanimously.

4. Resolution: To Approve Authorization of Submission of a Grant Application to DFA/Local Government Division for 2009 & 2010 Surplus Colonia's Initiative Funds

Mr. Brookey read the resolution into record as presented and recommend Council to adopt the resolution.

Councilor Milo motioned to accept the resolution as presented, second by Councilor Sanchez. Motion carried unanimously.

5. Resolution: To Approve Authorization of Submission of a Grant Application to the New Mexico Department of Transportation-Aviation Division for the 2012 Deming Airport Improvements

Mr. Sera read the proposed resolution in its entirety. Mr. Sera indicated that this funding would be used to install PAPI (Position Approach Path Indicator) lights on runways 4, 22 and 8. The PAPI lights let the incoming airplanes if they are too high or too low. City anticipates their cost to be \$7500 as well as that amount for the NM Aviation Division and FAA will cover the rest of the cost.

Councilor Sanchez motioned to accept the resolution as presented, second by Councilor Milo. Motion carried unanimously.

6. Out of State Travel Request by Richard McInturff to attend the El Paso Municipal Customer Group meeting on February 22, 2012 in Mesa, AZ.

Mr. McInturff addressed Council to review the abbreviated agenda for this meeting. He will be meeting with Mr. Gregg concerning the City's prepaid gas. Meeting date has been changed to February 21, 2012 in order to allow for better attendance as referenced on second e-mail.

Councilor Milo motioned to approve the request as presented, second by Councilor Sanchez. Motion carried unanimously.

7. Ratification of Mayor's Appointment for Labor-Side Designee to Labor-Management Relations Board

Mr. McInturff presented the recommendation of the Labor-side designee to the Labor-Management Relations Board. Labor-side has presented their designee, Mr. Edward Apodaca to represent both the Deming Fire Fighters and the association of the Fraternal Order of Police.

Councilor Milo motioned to ratify the appointment as presented, Councilor Sanchez seconded the motion. Motion carried unanimously.

8. Acceptance of the June 30, 2011 Financial Audit

Mr. McInturff presented the audit report for June 30, 2011 and summarized the report content by section. He particularly reviewed the Independent Auditor's Report and read captions from this report regarding the report dated December 1, 2011. Mr. McInturff further discussed sections of the report. Under the Management Discussion and Analysis, under the financial highlights section, it is stated that the City's assets exceed its liabilities at fiscal year close by \$90,169,643 in comparison to last year \$85,486,812 bringing a total increase in net assets of \$4,682,831.

Mr. McInturff closed his presentation by commending staff in particular Laura Holguin for her direct interaction with the auditors and getting the audit completed on schedule. Mayor Pro Tem and Council concurred with Mr. McInturff and also commended Mr. McInturff and staff.

Mr. McInturff recommended that Council accepts the audit report as presented.

Councilor Milo motioned to accept the audit report, Councilor Sanchez seconded the motion. Motion carried unanimously.

9. Closed Session: To Discuss the Disposal of Agricultural Land and Water Rights, and Property with Rural Improvements Pursuant to NMSA 1978, Sections 10-15-1 (H) (8) of the Open Meetings Act.

Mayor Pro Tem Shattuck asked Council for a motioned to go into closed session to discuss the disposal of Agricultural land and water rights, and property with rural improvements pursuant to NMSA 1978, Sections 10-15-1 (H) (8) of the Open Meetings Act.

Councilor Sanchez motioned to go into closed session, Councilor Milo seconded the motion. Motion carried unanimously.

ROLL CALL/VOTE

Councilor Milo	Aye
Councilor Sanchez	Aye
Mayor Pro Tem Shattuck	Aye

10. Open Session: Motions if any

Mayor Pro Tem Shattuck noted for the record that items discussed were related to the disposal of agricultural land and water rights, and property with rural improvements pursuant to NMSA 1978 Sections 10-15-1 (H) (8) of the Open Meetings Act and that no motions were made during closed session.

ROLL CALL/VOTE

Mayor Pro Tem Shattuck	Aye
Councilor Sanchez	Aye
Councilor Milo	Aye

Councilor Sanchez motioned that the City declare surplus of the property known as Woods I Farm, which is 110.44 ac. with 100.6 water rights acres. Also, instruct management to proceed with the sale of the property. Seconded by Councilor Milo, motion carried.

11. Adjourn Meeting

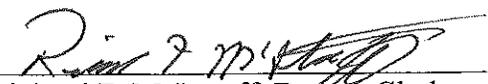
With no further business to conduct, Councilor Milo motioned to adjourn the meeting at 11:37 a.m. seconded by Councilor Sanchez, carried unanimously.

The next regularly scheduled workshop/meeting is February 13, 2012 commencing at 4:00 p.m. & regularly scheduled council meeting commencing at 6:00 p.m.

CITY OF DEMING, NEW MEXICO


William C. Shattuck, Mayor Pro Tem

ATTEST:


Richard F. McInturff, Deputy Clerk

CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 12-07

**A RESOLUTION TO APPLY FOR FUNDING FROM THE BUREAU OF
RECLAMATION WATERSMART PROGRAM TO INCREASE THE
EFFICIENCY AND ADVANCE THE AUTOMATION OF THE WATER
SYSTEM METERS**

WHEREAS, the City's 40 Year Water Plan identifies the domestic water supply as a limited resource and that conservation is an important part of the City's water management strategy; and

WHEREAS, the proposed project implements the City's water conservation program by increasing water resource management capabilities; and

WHEREAS, efficient meters will flag extremely high or low readings prompting leak identification and repair and increasing the monitoring capabilities of the system; and

WHEREAS, an automated billing system decreases the cost of supplying water to the City's customers; and

WHEREAS, the Bureau of Reclamation is soliciting applications from qualified entities that have valid water conservation and management projects.

NOW THEREFORE BE IT RESOLVED, that the City of Deming City Council affirms that a resolution be passed that affirms the City's intent to apply for funding from the Bureau of Reclamation WaterSMART program to increase the efficiency and advance the automation of the water system meters.

PASSED, APPROVED AND ADOPTED THIS 25th day of January 2012.



ATTEST:


Richard F. McInturff, Deputy Clerk

CITY OF DEMING


William C. Shattuck, Mayor Pro Tem

RESOLUTION NO. 12-08

**A RESOLUTION TO DESIGNATE THE NORTH HALF
OF SECTION 35, RANGE R9W, TOWNSHIP T23S
LOCATED INSIDE THE CITY OF DEMING
LIMITS AS A COLONIAS**

WHEREAS, the area described as the north half of Section 35, Range R9W, Township T23S located inside the City of Deming limits meets the one hundred fifty (150) mile criteria from the United States/Mexico border; and

WHEREAS, the area has inadequate potable water and sewage systems and a shortage of decent, safe, and sanitary housing; and

WHEREAS, all subdivisions in the area were in existence prior to November 28, 1990 (platted between 1911 and 1972); and

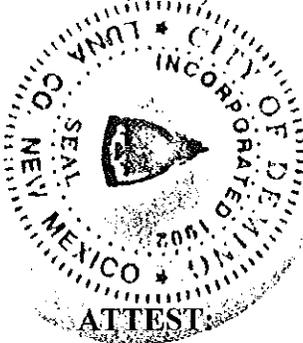
WHEREAS, the above listed information is in concurrence with the (HUD) Housing and Urban Development Act for Colonias eligibility criteria.

WHEREAS, the City of Deming is committed to facilitating the social/political/economic development of communities within its jurisdiction; and

WHEREAS, the attachments to this resolution, document that the area meets the criteria to be designated as a Colonias.

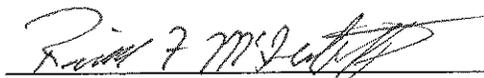
NOW THEREFORE BE IT RESOLVED that the City of Deming City Council affirms that a resolution be passed that designates the north half of Section 35, Range R9W, Township T23S as a Colonias.

PASSED, ADOPTED, AND APPROVED this 25th day of January, 2012.



CITY OF DEMING


William C. Shattuck, Mayor Pro-Tem


Richard F. McInturff, Deputy Clerk

RESOLUTION NO. 12-09

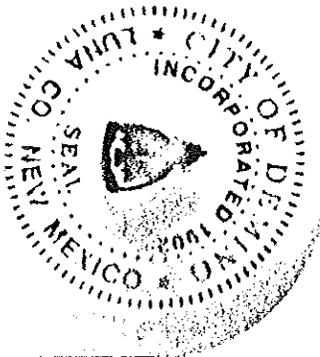
**A RESOLUTION AUTHORIZING SUBMISSION
OF A 2009 & 2010 SURPLUS COLONIAS INITIATIVE FUND
GRANT APPLICATION**

WHEREAS, the governing body of the City of Deming is applying to the New Mexico Department of Finance and Administration Local Government Division for funding to develop required bid documents that will allow abandonment of the Bell School area sewer main and

WHEREAS, the project is within eligible project requirements for project type

NOW THEREFORE BE IT RESOLVED, that the governing body of the City of Deming hereby adopts and approves this resolution and authorizes Lawrence Brookey, Public Works Director, to execute all documents related to the project and direct staff to take actions necessary to implement and fund this resolution and project.

PASSED, ADOPTED AND APPROVED this 25th day of January, 2012.

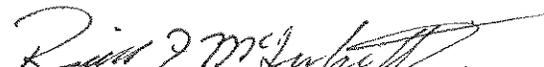


CITY OF DEMING



William C. Shattuck, Mayor Pro-Tem

ATTEST:



Richard F. McInturff, Deputy Clerk

RESOLUTION NO. 12-10

**A RESOLUTION AUTHORIZING SUBMISSION
OF AN AIRPORT APPLICATION FOR AIRPORT AID TO THE
NEW MEXICO DEPARTMENT OF TRANSPORTATION-
AVIATION DIVISION FOR THE
2012 DEMING AIRPORT IMPROVEMENTS**

WHEREAS, the governing body of the City of Deming is applying to the New Mexico Department of Transportation - Aviation Division for 2.5% assistance toward the project, and is anticipating 95% assistance from the Federal Aviation Administration (FAA) through the Airport Improvement Program (AIP) for the project, which FAA commitment cannot be formally made until a bid is received and accepted, and time is of the essence to secure the NMDOT-Aviation Division funding and

WHEREAS, the project is within the City jurisdiction, and is necessary for the public good and convenience and is to serve the users of the Deming Municipal Airport and

WHEREAS, the City of Deming is committed to appropriating funds to match the remaining 2.5% of the project cost in accordance and consistent with the regulations and policies governing the FAA- AIP program and the NMDOT - Aviation Division grant conditions.

NOW THEREFORE BE IT RESOLVED, that the governing body of the City of Deming hereby adopts and approves this resolution and authorizes Aaron Sera, Assistant City Administrator, to execute all documents related to the project and directs staff to take actions necessary to implement and fund this resolution and project.

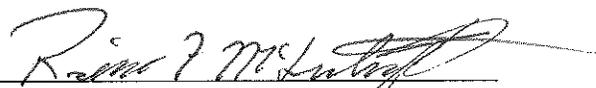
PASSED, ADOPTED, AND APPROVED this 25th day of January, 2012.



ATTEST:

CITY OF DEMING


William C. Shattuck, Mayor Pro-Tem


Richard F. McInturff, Deputy Clerk