



ANDRES Z. SILVA, MAYOR

RICHARD F. MCINTURFF, ADMINISTRATOR

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POPULATION 14,000

CITY COUNCIL MEETING

February 11, 2013

4:00 P.M. CITY COUNCIL WORKSHOP

6:00 P.M. CITY COUNCIL MEETING

AGENDA

Call to Order

1. Consent Agenda

- A. Minutes - City Council Workshop and Regular Meeting 1/14/13
- B. Minutes - City Council Special Meeting 1/30/13
- C. Minutes - Planning and Zoning Commission Meeting 1/28/13
 - a. Recommendation to approve the Special Use Permit for Recycling Business Relocation
 - b. Recommendation to approve the Special Use Request for a Car Dealership
- D. Minutes - Tourism Development Committee Meeting 1/8/13
 - a. Approval for proposal of costs to link TDC webpage to City of Deming webpage
 - b. Approval for Mr. Binkley to adjust the media plan and return with proposal in February for web content.
- E. Minutes – Marshall Memorial Library Board Meeting 1/29/13
- F. Minutes - Parks Commission Meeting 1/8/13
- G. Minutes - Historic Landmark Commission (no meeting scheduled)

2. Public Forum

- 3. Approval of Appointment of Public Works Director
- 4. Approval of Appointment of Community Services Director
- 5. Out of State Travel Request: Management requests approval for Frank Van Gundy to travel to Reno, Nevada to attend The National Judicial College Course on Commercial Driver's Licensing Laws: A Judicial Outreach Workshop held on April, 8, 2013.
- 6. Out of State Travel Request: Management requests approval for Mayor Silva and Rick McInturff to travel to Washington D.C. for the Congressional Delegation
- 7. Approval of Support for Public/Private Border Development Project Legislation
- 8. RFP #13-06 Airport Fuel Farm Upgrade-Approval/Disapproval

9. Closed Session to Discuss the Sale and Purchase of Real Estate, and to discuss Potential Litigation Pursuant to NMSA 1978, Sections 10-15-1 (H)(7) and 10-15-1 (H)(8), of the Open Meetings Act
10. Scheduling of Special City Council Meeting
11. Adjourn Meeting

The next regular City Council Workshop and Meeting are scheduled for 4:00 & 6:00 p.m., March 11, 2013.

CITY COUNCIL WORKSHOP MINUTES February 11, 2013

Council Present: Andres Z. Silva, Mayor

Linda Franklin, Mayor Pro-Tem

Council Absent: Joe "Butter Milo, Councilor
David Sanchez, Councilor

William Shattuck, Councilor

Staff Present: Richard F. McInturff, City Administrator
Aaron Sera, Assistant Administrator
Vicki Engle, Human Resource Coordinator
Lloyd Valentine, Financial Svcs. Manager

Michael Carrillo, Police Chief
Edgar Davalos, Fire Chief

Recording Secretary: Lila Jasso, Administrative Secretary/Assistant Deputy Clerk

City Council and staff members of the City of Deming, New Mexico held a workshop on February 11, 2013 at 4:00 p.m. to discuss items of the City Council Agenda in preparation for the regularly scheduled meeting, held at 6:00 p.m. the same day. The following items of the agenda were discussed as follows:

Consent Agenda: Mayor Silva asked Council and members of staff if there were any items in the Consent Agenda they wished to discuss. Mr. McInturff stated that items C. Planning and Zoning Commission Meeting 1/28/13, items (a.) and (b.) would be tabled because they would be presented at the March 11th meeting as a Quasi-judicial hearing. The minutes of that meeting would be accepted. It was also discussed by Mr. McInturff, that Debra French would be contacted to see if she would like to serve on the Marshall Memorial Library Board. Mr. Sera is going to verify if the vacancy was a City or County appointment.

Approval of Appointment of Public Works Director: Mayor Silva will announce the appointment of Jim Massengill as the Public Works Director, effective March 1, 2013.

Approval of Appointment of Community Services Director: Mayor Silva will announce the appointment of Wesley Hooper as the Community Services Director, effective immediately.

Out of State Travel Request: Management requests approval for Frank Van Gundy to travel to Reno, Nevada to attend The National Judicial College Course on Commercial Driver's Licensing Laws: A Judicial Outreach Workshop held on April, 8, 2013: Mr. McInturff will present this item to Council. He stated that this is the annual conference attended by Judge Van Gundy and that it is at no costs to the City.

Out of State Travel Request: Management requests approval for Mayor Silva and Rick McInturff to travel to Washington D.C. to meet with the Congressional Delegation in regards to SunZia: Mr. McInturff will present this item to Council. He will request that he and Mayor Silva be authorized to travel to Washington D.C in late February or early March.

Approval of Support for Public/Private Border Development Project Legislation: Mayor Silva will present this item to Council. This is a letter of support, from Nelson Balido, regarding the Cross-Border Trade Enhancement Act of 2013.

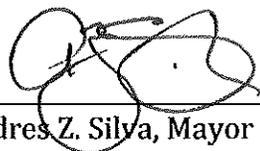
RFP #13-06 Airport Fuel Farm Upgrade-Approval/Disapproval: Mr. Sera will present this item to Council. There was only one proposal received, and it was for approximately twice the budged amount. Mr. Sera stated that he was going to reject the proposal and ask Council to authorize staff to renegotiate with this bidder.

Scheduling of Special City Council Meeting: Mr. McInturff stated that he would like to schedule a Special City Council Meeting on February 27, 2013 at 9:00 a.m., primarily to discuss the IRB Inducement Resolution.

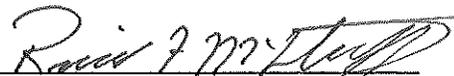
Adjourn Meeting: Mayor Silva adjourned the Workshop at 4:17 p.m.



CITY OF DEMING, NEW MEXICO



Andres Z. Silva, Mayor



Richard F. McInturff, Clerk

CITY COUNCIL MEETING MINUTES

February 11, 2013

Council Present: Andres Z. Silva, Mayor
David Sanchez, Councilor
Linda Franklin, Mayor Pro Tem
Joe "Butter" Milo, Councilor

Council Absent: William Shattuck, Councilor

Staff Present: Richard McInturff, Administrator
Aaron Sera, Assistant City Administrator
Wesley Hooper, Project Coordinator
Ricardo Molina, Gas Dept. Supervisor
Jim Foy, Attorney
Michael Carillo, Police Chief
Edgar Davalos, Fire Chief
Kathleen Schindler, Police Lt.

Recording Secretary: Lila Jasso, Administrative Secretary/Asst. Deputy Clerk

Mayor Silva called the meeting to order and led the pledge of allegiance at 6:00 p.m.

1. Consent Agenda

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Mayor Silva asked the members of Council if they had any items they wished to discuss from the Consent Agenda. Mr. McInturff stated that item C. Planning and Zoning Commission Meeting, items (a.) and (b.), are going to be Quasi-Judicial hearings at the subsequent City Council meeting. Mr. McInturff asked Council to approve the minutes of that meeting, but table items (a.) and (b.), until it comes back to Council for discussion in the Quasi-Judicial hearing. Mayor Pro Tem Franklin motioned to approve the Consent Agenda with the exception of item C (a.) and (b.) from the Planning and Zoning Commission Meeting which will be presented to Council as a Quasi-Judicial Hearing. Motion was seconded by Councilor Sanchez and carried.

2. **Public Forum:** A public comment period was entertained.
3. **Approval of Appointment of Public Works Director:** Mayor Silva read into record his letter to recommend Jim Massengill as the Public Works Director, effective March 1, 2013. Mayor Silva noted Mr. Massengill's qualifications from his résumé. Councilor Milo asked if Mr. Massengill would still be affiliated with Engineer's Inc., his previous business. Mayor Silva stated that Mr. Massengill would disassociate himself from Engineer's, Inc. at the time of his employment with the City. Mr. Massengill addressed this question, and stated that as of the 22nd of February he would no longer be associated with Engineers, Inc. Mr. McInturff asked Mr. Massengill if he would have any partnership or equity interest in Engineer's, Inc. Mr. Massengill stated that there would be no interest. Councilor Sanchez motioned to accept Mayor Silva's recommendation of Jim Massengill to serve as the City's Public Works Director effective March 1, 2013. The motion was seconded by Mayor Pro Tem Franklin, and carried unanimously.
4. **Approval of Appointment of Community Services Director:** Mayor Silva read his letter into record to recommend Wesley Hooper as the City's Community Services Director. Mayor Silva discussed Mr. Hooper's previous work history while at the City. Councilor Milo asked if Mr. Hooper would continue to oversee the Project Coordinator's duties. Mr. Sera stated that Mr. Hooper would oversee the Project Coordinator's duties along with the Community Services Duties and that it would continue to be a joint effort amongst the two of them. Mayor Silva stated it is valuable to cross train the department heads to assist each other. Councilor Milo motioned to accept Mayor Silva's recommendation to appoint Wesley Hooper as the City's Community Services Director. The motion was seconded by Councilor Sanchez and passed unanimously.
5. **Out of State Travel Request: Management requests approval for Frank Van Gundy to travel to Reno, Nevada to attend The National Judicial College Course on Commercial Driver's Licensing Laws: A Judicial Outreach Workshop held on April, 8, 2013:** Mr. McInturff stated that Judge Van Gundy has been attending the Judicial College Courses for the past three years. All expenses are paid, and the only expense the City has is the Judge's time off. This training is considered the cornerstone of his professional education. Mayor Pro Tem Franklin motioned to approve the out of state travel request for Judge Van Gundy to travel to Reno, NV to attend the National Judicial College Course on Commercial Driver's Licensing Laws on April 8, 2013. The motion was seconded by Councilor Sanchez and carried unanimously.
6. **Out of State Travel Request: Management requests approval for Mayor Silva and Rick McInturff to travel to Washington D.C. to meet with the Congressional Delegation in regards to SunZia:** Mr. McInturff read into record, the memo that discussed his meeting with the State Bureau of Land Management Director regarding the SunZia Transmission Project on February 7, 2013. Mr. McInturff stated that there is a risk of the whole project collapsing due to a change in command at White Sands Missile Range. The need for the Environmental Impact Statement to be issued is of essence. Mr. McInturff stated that the

with KEAR Civil Corporation in order to achieve current budget levels. The motion was seconded by Councilor Sanchez and carried unanimously.

9. Closed Session to Discuss the Sale and Purchase of Real Estate, and to discuss Potential Litigation Pursuant to NMSA 1978, Sections 10-15-1 (H)(7) and 10-15-1 (H)(8), of the Open Meetings Act:

Councilor Sanchez motioned to go into closed session. Councilor Milo seconded the motion, and motion carried by roll call vote.

ROLL CALL VOTE

Councilor Sanchez	Aye
Mayor Pro Tem Franklin	Aye
Councilor Milo	Aye

Councilor Milo motioned to go back into open session. Councilor Sanchez seconded the motion, and motion carried by roll call vote.

ROLL CALL VOTE

Councilor Milo	Aye
Councilor Sanchez	Aye
Mayor Pro Tem Franklin	Aye

Mayor Silva stated that only the items that were discussed regarding real estate and potential litigation were discussed in closed session, and that no other items were moved or motioned on while in closed session.

Mayor Pro Tem Franklin motioned to allow staff and Mayor Silva to negotiate the sale of a 258 ft. X 30 ft. strip of land that is located between the hospital property on south 8th Street and the Baca Aquatic Center's north fence line, at appraisal value. Councilor Milo seconded the motion, motion carried unanimously.

Mayor Pro Tem Franklin motioned to authorize the City Attorney and City Administrator to negotiate a sales agreement between CITE Development, LLC, and New Mexico limited liability company, and the City of Deming, with the Mayor executing the agreement at appraisal value. Mayor Pro Tem Franklin made a friendly amendment to her motion for the price to be no less than the appraisal value. Councilor Sanchez seconded the motion and the friendly amendment. Motion carried unanimously.

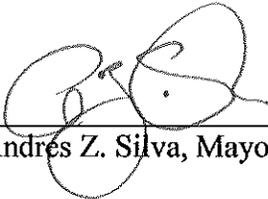
10. Scheduling of Special City Council Meeting: Mayor Silva announce a Special City Council Meeting has been scheduled for February 27, 2013 at 9:00 a.m. The date for the next regular City Council meeting is March 11th instead of March 18th as noted on the agenda.

11. **Adjourn Meeting:** Upon a motion by Councilor Sanchez and a second by Mayor Pro Tem Franklin, the meeting was adjourned at 7:15 p.m.

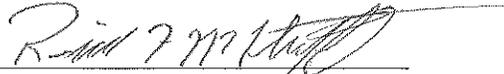
The next regular City Council Workshop and Meeting are scheduled for 4:00 p.m. and 6:00 p.m. on March 11, 2013.



CITY OF DEMING, NEW MEXICO



Andrés Z. Silva, Mayor



Richard F. McInturff, Clerk