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POPULATION 14,000

CITY COUNCIL
Special Meeting
May 22, 2014
9:00 a.m.
AGENDA

Call to Order/Pledge of Allegiance

1. Minutes - City Council Workshop and Regular Meeting 4/14/14
2. Ratification of Resolution to Approve Preliminary Budget for Fiscal Year 2015
3. Mayor's Appointments to Commission, Boards, and Committees
4. Approval of Employee Merit Increase, Pay Scale Adjustment and City/Employee Insurance Share
5. Bids:
 - a. Bid #14-17 Low Bid Recommendation for Construction of Ruben S. Torres Elementary - Safe Routes to School Project
6. Closed Session to Discuss Limited Personnel Matters Concerning Mayoral Appointment, Purchase of Real Estate on Gold Avenue pursuant to NMSA 1978, Section 10-15-1 (H)(2), and (H)(8), of the Open Meetings Act.
7. Meeting Adjourned

The next regularly scheduled workshop and meeting is Monday, June 9, 2014 commencing at 4:00 p.m. and 6:00 p.m.

CITY COUNCIL SPECIAL MEETING MINUTES

May 22, 2014

Council Present: Benny L. Jasso, Mayor
David L. Sanchez, Councilor
Dr. Victor Cruz, Councilor

Linda E. Franklin, Mayor Pro Tem
Joe "Butter" Milo, Councilor

Council Absent: None

Staff Present: Richard F. McInturff, City Administrator
Lloyd Valentine, Financial Svc. Mgr.
Jim Massengill, Public Works Director

Aaron Sera, Asst. City Administrator
Bobby Orosco, Police Captain
Brandon Gigante, Police Chief

Recording Secretary: Mary Mackey, Administrative Secretary

Mayor Jasso conducted the meeting. He called the meeting to order and led the pledge of allegiance at 9:00 a.m.

1. Minutes - City Council Workshop and Regular Meeting 4/14/14

Councilor Sanchez motioned to accept the Minutes of the April 14, 2014 City Council Workshop and Regular Meeting. Mayor Pro Tem Franklin seconded the motion; motion carried unanimously.

2. Ratification of Resolution to Approve Preliminary Budget for Fiscal Year 2015

Mr. McInturff presented the resolution to Council. Mr. McInturff stated that the preliminary budget is due before the end of the month, and there will be a final budget that will be due before the end of July. Mr. McInturff reported that there are usually adjustments for cash balances and anything that happens in between on the final budget, and that this is to comply with State Statutes as far as submitting our budget. Mr. McInturff reported there was a workshop concerning the budget. He stated the only real change in the first sheet is there was property in the extraordinary column that will be purchased out of general fund, so the extraordinary amount was reduced in the general fund by \$245,000. Those were the Pine Street properties, which will be purchased this year rather than next year, so that came out of this item. He stated staff added \$2,500 to the Parks Department to hold events at the amphitheater. Mr. McInturff pointed out that in the second page, the only change made was in the revenue side of Solid Waste. He stated revenues were reduced by \$20k because it was decided not to sell the loader and keep it as a backup.

Mr. McInturff referenced the totals in the last page and explained them, noting that the estimated cash balance is \$20,801,000. Mr. McInturff highlighted some extraordinary items, noting that an increase in the DMV transaction fee was included, and that there will need to be an ordinance change for this item. Mr. McInturff highlighted the expenditure in the Police Fund, stating that patrol vehicle fleet needs to be replaced, and that the purchase will take place over a period of several years so that replacement does not all come up due at the same time. Mr. McInturff noted in the Fire Protection Fund that he would like to complete the fire substation that is out at the airport and get it leased. Mr. McInturff pointed out that there was a lot of activity in the streets fund. Mr. McInturff stated staff recommends adoption of the resolution.

Mayor Pro Tem Franklin moved to approve the ratification of the preliminary budget for fiscal year 2015. Councilor Milo seconded. Mayor Pro Tem Franklin made a friendly amendment to the motion stating the wording should be to “approval” instead of ratification of the resolution. Councilor Sanchez Seconded the friendly amendment; motion carried unanimously.

3. Mayor’s Appointments to Commission, Boards, and Committees

Mayor Jasso presented the memo of appointment recommendations to the various boards, commissions and committees, as follows: Patricia Prince, who is a business owner, to the Tourism Development Committee; Teresa Ortiz to the Marshall Memorial Library Board; David Baeza to the Extra Territorial Commission; Mayor Pro Tem as alternate to the SW Workforce Development CEO Board; Aaron Sera as an alternate to the Deming Luna County Economic Development Corporation, Inc.; Teresa McClain to the Council on Aging; Reggie Price as an alternate to the Council on Aging.

Commissioner Sanchez motioned to accept the Mayor’s appointments to the commissions and boards as presented. Councilor Cruz seconded the motion; motion carried unanimously.

4. Approval of Employee Merit Increase, Pay Scale Adjustment and City/Employee Insurance Share

Mr. McInturff presented this item to Council, and informed that the salary increases were embedded in the preliminary budget. Mr. McInturff stated that the average percent increase in the budget is a 1.98% increase. Mr. McInturff stated that also presented in the budget was the adjustment of pay ranges of 1.25% so that those limited out can have a new limit and receive an increase. Mr. McInturff stated staff recommends changing the City’s insurance structure, stating there will be a significant increase in insurance this year, 10%, and as a result of that, he wanted to adjust the rate of what the employee and the City have to cover: Employees with salaries less than \$25k will go from 25% employee 75% City to 22.5% employee 77.5% City. Employees with salaries between \$25K and 30K will go from 30% employee 70% City, to 27% employee 73% City. Employees with salaries over 30K will go from 35% employee 65% City to 31.5% employee 68.5% City. Mr. McInturff stated management recommends acceptance in the proposed changes in compensation.

Mayor Pro Tem Franklin moved to approve the employee merit increase pay schedule adjustment and City/employee insurance share as presented by staff. Councilor Sanchez seconded the motion; motion carried unanimously.

5. Bid #14-17 Low Bid Recommendation for Construction of Ruben S. Torres Elementary - Safe Routes to School Project

Mr. Massengill presented this item before Council. Mr. Massengill stated this SRTS project includes sidewalk along 2nd street, and new asphalt path on 4th & 8th street which will provide a continuous path from Hwy 180 and 2nd street to Ruben S. Torres Elementary (RST). Mr. Massengill stated there will be some crosswalks striped and ADA work as well. Mr. Massengill stated that a grant through SRTS is providing funding for this project. Mr. Massengill read the memo into record. Mr. Massengill stated staff recommends awarding the construction bid to Smith and Aguirre Construction Company, pending NMDOT concurrence. Upon concurrence, Staff requests authorization for the Public Works Director and/or Assistant City Administrator to enter into an agreement with Smith and Aguirre Construction Company and execute any documents related to this project.

Councilor Milo asked if the project will take care of the sidewalks going to RST. Mr. Massengill stated the project will go along the north side of 2nd street beginning on the west boundary of Blake's, then turn on Tin Street which will have crosswalk striping marked, will go up to 4th street, then turns west to 8th street, then north on 8th street. Councilor Milo asked if staff will be applying for another SRTS Funding. Mr. Sera stated that the possibility is unlikely as the SRTS funds are no longer separate, but are tied in with different projects of which anyone in the Southwest can compete for the same money. Councilor Milo stated the project was a good one. Councilor Cruz asked about the "incomplete" under the Bidder's Qualification Statement. Mr. Massengill stated that the section was not followed up on because the low bidder had all the requirements in place. Mr. Massengill stated that had it been the low bidder that had an "incomplete", staff would have pursued more information. Mr. Massengill reported that NMDOT makes the final decision as to whether Smith and Aguirre will work on this project, so it is out of the City's hands at this point. Councilor Cruz asked where Smith and Aguirre were located. Mr. Massengill stated the company is out of Las Cruces, and are well established. Mr. Sera stated that the City cannot hire locally on a project like this because Federal funds are being used and must go to competitive bid. Councilor Milo asked if there was a 5% preference. Mr. Massengill stated the preference was not applicable with Federal monies. Councilor Sanchez stated that the bigger companies usually hire local companies for subcontracting. Councilor Sanchez asked when the project will begin. Mr. Massengill stated the project will continue upon approval and should conclude in mid-August, prior to school starting.

Councilor Cruz motioned to award Bid 14-17 Low Bid Recommendation for Construction of Ruben S. Torres Elementary Safe Routes to School Project be accepted as proposed, in the amount of \$156,614.45 without Gross Receipts Tax. Councilor Milo seconded the motion; motion carried unanimously.

6. Closed Session to Discuss Limited Personnel Matters Concerning Mayoral Appointment, Purchase of Real Estate on Gold Avenue pursuant to NMSA 1978, Section 10-15-1 (H)(2), and (H)(8), of the Open Meetings Act.

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

ROLL CALL VOTE

Mayor Pro Tem Franklin	Aye
Councilor Sanchez	Aye
Councilor Milo	Aye
Councilor Cruz	Aye

Mayor Jasso entertained a motion to go back into open session.

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

ROLL CALL VOTE

Mayor Pro Tem Franklin	Aye
Councilor Milo	Aye
Councilor Sanchez	Aye
Councilor Cruz	Aye

Mayor Jasso stated for the record that no motions were made during the closed session and that only the items mentioned in the motion to go into closed session were discussed.

Mayor Jasso presented Aaron Sera as his recommendation for City Administrator, who will also have the title of Clerk and Treasurer, to be effective May 29, 2014 as noted in the Mayor's memo to Council.

Mayor Pro Tem Franklin moved to approve the Mayor's recommendation as Aaron Sera as the City Administrator, Clerk and Treasurer, with a salary beginning at \$105,000. Councilor Sanchez seconded the motion; motion carried unanimously.

ROLL CALL VOTE

Mayor Pro Tem Franklin	Aye
Councilor Milo	Aye
Councilor Sanchez	Aye
Councilor Cruz	Aye

Mayor Pro Tem Franklin moved to maintain the current severance section within the City Administrator contract, with a six month severance package for Aaron Sera. Councilor Sanchez seconded the motion; motion carried by majority of vote. Councilor Cruz opposed.

ROLL CALL VOTE

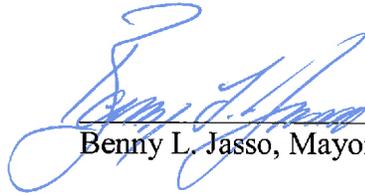
Mayor Pro Tem Franklin	Aye
Councilor Milo	Aye
Councilor Sanchez	Aye
Councilor Cruz	Nay

Councilor Sanchez motioned to authorize management to negotiate the purchase agreement for land purchase at .90 cents per sq. ft., located north of town and to authorize the Mayor to execute at closing. Councilor Cruz seconded the motion; motion carried unanimously.

7. **Meeting Adjourned:** With no further business to discuss, Mayor Jasso entertained a motioned to adjourn the meeting. A motion was made by Councilor Sanchez to adjourn the meeting. The motion was seconded by Councilor Milo; motion carried unanimously. The meeting adjourned at 10:30 a.m.

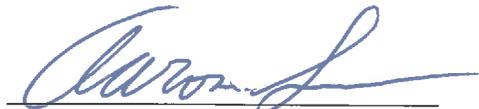


CITY OF DEMING, NEW MEXICO



Benny L. Jasso, Mayor

ATTEST:



Aaron Sera, Clerk

**STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF DEMING
RESOLUTION No. 14-18**

2014-2015 Fiscal Year

WHEREAS, the Governing Body in and for the Municipality of the City of Deming, State of New Mexico, has developed a preliminary budget for fiscal year 2014-2015, and

WHEREAS, said budget was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors, and

WHEREAS, the official meetings for the review of said documents were duly advertised in the Deming Headlight, in compliance with the State Open Meetings Act, and

WHEREAS, it is the majority opinion of this Council that the preliminary proposed budget meets the requirements as currently determined for the 2014-2015 fiscal year, and

WHEREAS, a final budget will be prepared and submitted to the Local Government Division of the Department of Finance and Administration for approval in July of 2013.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the municipality of the City of Deming, State of New Mexico hereby adopts and approves submission of the preliminary budget to the Local Government Division of the Department of Finance and Administration for review.

PASSED, ADOPTED, AND APPROVED this 22nd day of May, 2014.



CITY OF DEMING, NEW MEXICO

Benny Jasso, Mayor

ATTEST:

Richard F. McInturff, Clerk