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POPULATION 14,000

**CITY COUNCIL**  
***Special Meeting***  
**May 23, 2012**  
**9:00 A.M.**  
**AGENDA**

Call to Order / Pledge of Allegiance

1. Resolution to Adopt the 2012-2013 Preliminary City Budget and Approve Submission to the Department of Finance Administration
2. Approval of the City of Deming and Luna County Multi-Services Agreement 2012-2013
3. Ratification of DM 12-32 An Administrative Regulation Governing Establishment of Amended Pay Plan
4. Adjourn Meeting

The next regularly scheduled workshop and meeting is June 11, 2012 commencing at 4:00 p.m. and 6:00 p.m.

# CITY COUNCIL SPECIAL MEETING MINUTES May 23, 2012

## **Council Present:**

Andres Z. Silva, Mayor

William Shattuck, Councilor

Linda Enis, Councilor

Joe "Butter" Milo, Councilor

David Sanchez, Councilor

## **Staff Present:**

Richard F. McInturff, Administrator

Richard Kocab, Assistant Treasurer

Lloyd Valentine, Budget Analyst

Aaron Sera, Assistant City Administrator

Vicki Engle, Human Resource Coordinator

Lawrence Brookey, Public Works Director

**Recording Secretary:** Berenda McWright, Assistant Deputy Clerk

Mayor Andres Z. Silva led the pledge of allegiance and called the meeting to order at 9:00 a.m.

**1. Resolution to Adopt the 2012-2013 Preliminary City Budget and Approve Submission to the Department of Finance Administration:** Administrator Richard McInturff presented the Department of Finance and Administration Local Government Division Budget Recapitulation for the fiscal year 2012-2013. Mr. McInturff reviewed the projected totals for the fiscal year and pointed out a reduction in the total cash balance of \$2,653,000. He noted expenditures and projects for the following funds and provided a brief description:

- Fire Protection - \$606,135 (building project.)
- Street Improvements - \$1,414,559 (maintenance projects and an MAP project funded by DOT.)
- Community Buildings - \$1,251,358 (renovations on the Court, roof repairs and HPAC in various buildings.)
- CDBG Capital Project - \$859,740 (grant amount \$425,000.)
- Gas Fund - \$3,467,469 (repair gas line and install press natural gas facilities and a high pressure gas line to the north side.)
- Sewer - \$4,498,043 (liner project, the Colonias project for Bell School, water trust board project.)
- Solid Waste - \$2,412,727 (replacement of a collection truck, improvements and equipment at the landfill.)
- Water - \$3,445,559
- Airport - \$672,540 (AIP Project, environmentally mandated improvements at the fuel farm.)

Mr. McInturff reported the total projected revenues for the Enterprise Funds is \$11,293,645; the projected expenses are \$14,659,760, and an estimated ending cash balance of \$6,481,804. He stated the normal expenses for the enterprise funds are about \$7,000,000. The debt service funds which include the courtroom and fire department remodel projects are \$104,340 (courtroom) and \$52,319 (fire department). Mr. McInturff explained the debt service is higher for courtroom because the loan was for five years and the fire department loan is for twenty years. He reported the grand total cash balance is \$19,795,569, total revenues are \$25,242,697 and the estimated ending cash balance is \$13,649,955 for the fiscal year.

Mr. McInturff reported the City is keeping the same level of funding as last year for the miscellaneous agencies that are funded by the City. He pointed out the funding for the Commission on Aging was increased by \$2,500 from \$80,000 to \$82,500. The Mainstreet Capital Project Grant is going from \$15,000 to \$30,000 in which the City is still only funding the same \$15,000 as last year, however, the City is acting as the fiscal agent and the additional \$15,000 is coming from a state grant. Mr. McInturff stated the \$1,000 for the summer music program is new for this year. The New Mexico Mounted Patrol was increased by \$2,500 on the police side due to the rise in gas prices. The Museum was increased from \$55,000 to \$57,500 and the Lodger's Tax Promo is staying the same at \$20,000 which will be allocated based on applications received for events. Summer Recreation stayed the same and Afterschool Programs was increased by \$2,500.

Mr. McInturff also referred to the memorandum which was provided in the Councilors packets recommending merit salary increases and a few promotions which are included the budget.

Councilor Shattuck motioned to approve the Resolution to Adopt the 2012-2013 Preliminary City Budget and Approve Submission to the Department of Finance Administration. The motion was seconded by Councilor Sanchez and carried unanimously.

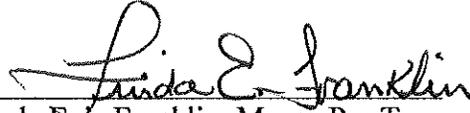
- 2. Approval of the City of Deming and Luna County Multi-Services Agreement 2012-2013:** Mr. McInturff recommended approval of the Multi-Services Agreement in which the City pays the County for the Care of City Prisoners, Consolidated Dispatch and the Special Events Center and the County pays the City for the Library, Extra Territorial Zoning, Recreation, Solid Waste Management, Ambulance/EMS and Fire. Mr. McInturff pointed out that the City and County also agree to cooperate for the purpose of negotiating a combined Dispatch Joint Powers Agreement. Councilor Milo motioned to approve the City of Deming and Luna County Multi-Services Agreement 2012-2013. The motion was seconded by Commissioner Sanchez and carried unanimously.
- 3. Ratification of DM 12-32 an Administrative Regulation Governing Establishment of Amended Pay Plan:** Mr. McInturff recommended approval of the Regulation which establishes an amended pay plan that integrates with the Performance Assessment System. Mr. McInturff explained the established job salary ranges will remain the same only the steps will be eliminated. The pay plan will be changed to a minimum maximum scale within each range. The pay schedule will be periodically amended and is incorporated by reference in the

Administrative Regulation. Employees will move within the range scale based solely on annual performance assessments and related merit increases. The City will periodically adjust the range minimums and maximums as needed to keep wages competitive with the local market. The City Council will determine a percentage rate to be used for the annual merit increase based on the City's economic situation and forecast. Councilor Sanchez motioned to ratify of DMAR 12-32 an Administrative Regulation Governing Establishment of Amended Pay Plan. The motion was seconded by Mayor Pro Tem Enis and carried unanimously.

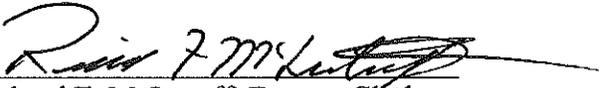
4. **Adjourn Meeting:** Upon a motion by Councilor Milo and a second by Councilor Sanchez the meeting was unanimously adjourned at 9:32 a.m.

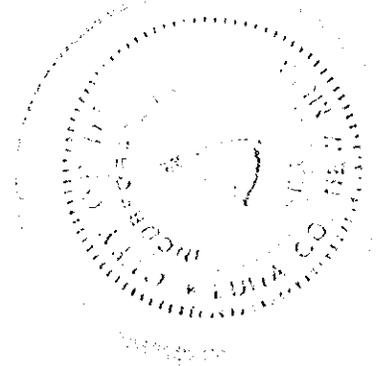
The next regularly scheduled workshop and meeting is scheduled for June 11, 2012 commencing at 4:00 p.m. & 6:00 p.m.

CITY OF DEMING, NEW MEXICO

  
Linda Enis Franklin, Mayor Pro Tem

ATTEST:

  
Richard F. McInturff, Deputy Clerk



**STATE OF NEW MEXICO  
MUNICIPALITY OF CITY OF DEMING  
RESOLUTION No. 12-19**

**2012-2013 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 2012-2013, 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 2012-2013 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 2012.

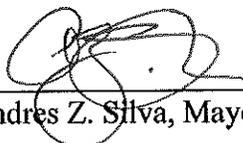
**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the municipality of the City of Deming, State of New Mexico hereby adopts and approves submission of the preliminary budget to the Local Government Division of the Department of Finance and Administration for review.

PASSED, ADOPTED, AND APPROVED this 23<sup>rd</sup> day of May, 2012.

ATTEST:

  
Richard F. McInturff, Deputy Clerk

MUNICIPAL GOVERNING BOARD OF  
DEMING, NEW MEXICO

  
Andres Z. Silva, Mayor









**CITY OF DEMING AND LUNA COUNTY  
MULTI-SERVICES AGREEMENT  
2012-2013**

The term of this agreement shall be for July 1, 2012 through June 30, 2013, unless amended.

City of Deming will pay Luna County as follows:

1. **Care of City Prisoners** - a) City of Deming will pay \$2.75 per hour with a minimum 6 hour charge per prisoner for adult prisoners towards the operation of detention of city arrests and municipal prisoners. City of Deming will pay \$3.00 per hour with a minimum 6 hour charge per prisoner for juvenile prisoners towards the operation of detention of City arrests and City Prisoners. b) The definition of City Prisoner being: at the time of booking, an individual in the custody of a City Police Officer charged either under state and/or municipal code until the individual makes an appearance in front of the municipal and/or magistrate judge. Individuals arrested under mix of municipal and magistrate or district outstanding warrants shall be deemed City prisoners by virtue of at least one municipal warrant until the individual bonds out under the municipal warrant. Individuals arrested under a single or multiple municipal outstanding warrants only by either the Luna County Sheriff's or Columbus Police Department until the individual bonds out under the municipal warrants; or time served by individuals sentenced by order of the municipal judge. c) The definition of Non-City Prisoner being: individuals arrested and booked by City Police under magistrate or district outstanding warrants only; time served by individuals sentenced by order of the magistrate judge; or those prisoners bound over on only state charges.
2. **Consolidated Dispatch** – The City of Deming will budget 55 percent of the County's total dispatch budget and pay 55 percent of actual not to exceed the budgeted amount. City needs to consent to preliminary and final Consolidated Dispatch Budget including interim adjustments. City will meet with service participants on a periodic basis to discuss operational improvements and issues. The City and County also agree to cooperate for the purpose of negotiating a combined Dispatch Joint Powers Agreement and approving an agreement by their respective governing bodies.
3. **Special Events Center** – The County of Luna took over operation and maintenance of the Special Events Center from the City of Deming effective July 1 2011. Deposits for bookings after June 30, 2011, were turned over to the County. The City has terminated all financial interest and responsibilities accruing after June 30, 2011. County will not charge the City rental fees for use of the facility for a period of four years, beginning July 1, 2012, in consideration for the chairs, tables, dishes, and equipment purchased by the City and given to the County.

**Luna County agrees to pay the City of Deming as follows:**

1. **Library** – Luna County will pay the City of Deming Thirty-Five Thousand, Five Hundred Dollars (\$35,500.00) toward the operation costs of the library. Payment will be made in equal quarterly installments of \$8,875 to be paid on the 15<sup>th</sup> day of the third month of each fiscal year quarter. The library will be available for the use of County residents on the same terms and conditions as City residents.
2. **ETZ** – a) Luna County will pay the City of Deming the sum of Four Thousand Dollars (\$4,000) per fiscal year for ETZ administrative services; and 50% of contractual services approved by the County in advance; b) The County will provide building permit and inspection services in the ETZ at County Expense; c) The City shall provide all ETZ zoning and code administration and enforcement services; d) The County will administer and enforce all applicable County Ordinances. e) Joint Powers Agreements dated December 4, 2002 and August 28, 2006 shall be terminated by mutual agreement. f) Both the City and county agree to cooperate for the purpose of negotiating a new Joint Powers Agreement that replaces the JPA in e) above and more clearly defines the roles and duties of each respective entity in the ETZ District.
3. **Recreation** – Luna County will pay the City of Deming Thirty Thousand Dollars (\$30,000) toward salaries and operational costs for summer recreation programs so that residents in the unincorporated areas can enjoy all City recreational services on the same terms and conditions as City residents. Payment will be made in equal quarterly installments of \$7,500 to be paid on the 15<sup>th</sup> day of the third month of each fiscal year quarter.
4. **Solid Waste Management** – Luna County will pay One Hundred Twenty Thousand Dollars (\$120,000) toward the operation of the City's Transfer Station so that County residents can use these facilities on the same terms and conditions as City residents. Payment will be made in equal quarterly installments of \$30,000 to be paid on the 15<sup>th</sup> day of the third month of each fiscal year quarter. The County will operate solid waste collection points at various convenient locations throughout the County to encourage County residents to properly dispose of their refuse in these controlled locations. Total tonnage from the convenience stations is not to exceed 1,500 tons. In addition, the County will commit to provide in-kind services in the form of labor and equipment toward the closure of the 4<sup>th</sup> Street Landfill. The City will provide the County access on Saturdays and Sundays to the Transfer Station for disposing of dumpsters collected from the solid waste collection points convenience locations throughout the County, in exchange for this service, the County agrees to keep the convenience stations open 6 days a week including Saturdays and Sundays. The City will accept, if permitted, County tire bales at the 4<sup>th</sup> Street landfill until closure. County will process all their collected recyclables, except for actual baling, and remove prohibited items from the stream.
5. **Ambulance/EMS** – For the fiscal year ending June 30, 2012, the County will pay the City of Deming Three Hundred Fifteen Thousand Dollars (\$315,000) for ambulance/EMS services in the unincorporated areas of the County. Payment will be made in equal quarterly installments of \$78,750 to be paid on the 15<sup>th</sup> day of the third month of each fiscal year quarter. The City will provide a report to Luna County once annually during March of each fiscal year detailing the number of County residents living in unincorporated areas of the County who received services from Deming Ambulance/EMS.

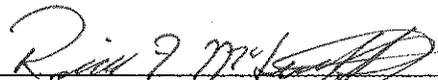
6. **Fire** – For fire prevention and suppression, Luna County and the City of Deming agree to render mutual aid. The City agrees to provide primary first response fire fighting to structure fires occurring within the unincorporated areas of the County and Luna County agrees to pay the City of Deming Seventy-Five Thousand Dollars (\$75,000) this fiscal year for this service. Payment will be made in equal quarterly installments of \$18,750 to be paid on the 15<sup>th</sup> day of the third month of each fiscal year quarter. Primary first response, as defined, will include initial response and fire suppression efforts until such time as the responsible volunteer fire department arrives on scene and commences operation and the fire is deemed by the Incident Commander to be under control. The City of Deming Fire Department will provide command of all such incidents (structural fires) until command is transferred or the incident is terminated. At least annually, during the month of March of each fiscal year, the City of Deming will provide a report to Luna County identifying the number and nature of responses Deming Fire has made under this agreement during the year, what resources have been deployed during response, and the outcome of the response.

for: **CITY OF DEMING, NEW MEXICO**

Date: 5-23-12

By   
Mayor Andres Z. Silva

ATTEST:

  
Richard F. McInturff, Deputy Clerk

for: **LUNA COUNTY, NEW MEXICO**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
J. Jay Spivey  
Chairman, Board of County  
Commissioners

ATTEST:

\_\_\_\_\_  
Karen Smyer, County Clerk

*Not approved by County*