



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

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POPULATION 14,000

CDBG PUBLIC HEARING

July 13, 2015

6:00 P.M.

AGENDA

Call to Order/Pledge of Allegiance

1. Open Public Hearing for the 2015/2016 Community Development Block Grant Applications
 - A. Welcome
 - B. Purpose and History of CDBG Program
 - C. Current and Past CDBG Projects
 - D. Question About the Program
 - E. Citizens Input
 - F. Adjourn CDBG Hearing

CITY COUNCIL MEETING

July 13, 2015

6:00 P.M.

AGENDA

Call to Order/Pledge of Allegiance

2. Consent Agenda
 - A. Minutes – City Council Regular Meeting 06/08/15
 - B. Minutes – Airport Commission 06/09/15
 - C. Minutes – Planning & Zoning Commission 06/15/15
 - a. Recommendation to approve the request for an Alternate Subdivision of a 2.5 acre parcel into two lots located on Santa Monica, north of Dona Ana Road and south of Los Luna Drive (*To be presented later in meeting as a Quasi-Judicial Public Hearing*)
 - b. Recommendation to approve a Variance request for enlargement of an existing RV garage that originally required a variance located at 721 W. Mulberry (*To be presented later in meeting as a Quasi-Judicial Public Hearing*)
 - D. Minutes – Marshall Memorial Library Board 06/30/15-*Meeting cancelled due to lack of quorum.*
 - E. Out-of-State Travel Request for Cpt. Bobby Orosco, Lt. Enrique Granillo, and Lt. Kathleen Schindler to attend the Supervisor Leadership Institute on August 3-7, 2015 in Prescott Valley, Arizona.
 - F. Resolution to Consider Participation in the Municipal Arterial Program (MAP) Administered by the New Mexico Department of Transportation (NMDOT)

- G. Amendment to Resolution No. 14-20 – Resolution for Participation of In Local Government Road Fund (LGRF) Program Administered by New Mexico Department of Transportation (NMDOT)
 - H. Resolution to Consider the Approval of the Service Agreement Between the Southwest New Mexico Council of Governments (SWNMCOG) and the City of Deming
3. Public Forum
 4. Swearing-In of Firefighter Ernesto Gomez
 5. Approval/Denial of a Resolution Authorizing the Submission of a New Mexico Community Development Block Grant Program Application to the Department of Finance/Local Government Division
 6. Approval/Denial of a Resolution Approving the City of Deming Local Cash Match Component for Colonias Project 3346-CIF
 7. Approval/Denial of a Resolution Approving the City of Deming Local Cash Match Component For Colonias Project 3347-CIF
 8. Approval/Denial of the Biennial Memorandum of Understanding (MOU) Between the New Mexico MainStreet Program, the City of Deming and Deming MainStreet
 9. Approval/Denial of a Resolution of Support by the City of Deming for the Deming MainStreet to Participate in Community Economic Development Downtown Revitalization Activities
 10. Approval/Denial of New Position Description for Firefighter/Emergency Medical Technician (EMT) Trainee
 11. Quasi-Judicial Public Hearing to consider the Request for a summary subdivision dividing a 2.5 acre parcel of land into two lots located on Santa Monica, north of Dona Ana Road and south of Los Lunas Drive.
 12. Quasi-Judicial Public Hearing to consider granting a variance for an addition to an existing RV garage to be located within the front yard setback area of the subject property.
 13. Administrator's Report
 14. Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Property pursuant to NMSA 10-15-1(H)(8) of the Public Meetings Act.
 15. Adjourn Meeting

The next regular City Council Meeting is scheduled for August 10, 2015 at 6:00 p.m.

CITY COUNCIL MEETING MINUTES July 13, 2015

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

Joe "Butter" Milo, Mayor Pro Tem
Dr. Victor Cruz, Councilor

Council Absent: Roxana Rincon, Councilor

Staff Present: Aaron Sera, City Administrator
Jim Massengill, Public Works Director
Wesley Hooper, Community Svcs. Dir.
Jim Foy, City Attorney
Laura Holguin, Treasurer
Mary Corral, Receptionist

Raul Mercado, Fire Chief
Gina Gentile, City Planner
Brandon Gigante, Police Chief
Heather Sosa, Battalion Chief
Ernesto Gomez, Fire Fighter
Lonnie Stevenson, Fire Captain

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

Mayor Jasso called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

1. Open Public Hearing for the 2015/2016 Community Development Block Grant Applications

Mr. Hooper presented the information and history of the Community Development Block Grant. He summarized the history of the CDBG Grants program and explained the application requirements for eligibility of the projects to be submitted for approval. Mr. Hooper also outlined the program requirements for eligibility in the program.

Mr. Sera interjected and stated that this application is being submitted for a planning grant and an application has already been submitted for infrastructure. Mr. Hooper stated that City will be submitting an application for a planning grant. Mr. Hooper stated that both the 40-year water plan and the City of Deming Comprehensive Plan have come due for updates this year. Mr. Sera stated that by state statute, the City is required to have a Comprehensive Plan that is updated every 5 years. Mayor Pro Tem Milo asked if this was the best option for the planning grant. Mr. Sera stated that at this time it is due to the fact that our 40-year water plan and Comprehensive Plan are up for renewal. Mr. Hooper stated that in the past the City has received a planning grant for this use. Mr. Massengill explained that this planning grant is a separate fund from the infrastructure grant. Mr. Sera stated that this year there is another allocation for economic development which is a totally separate fund. He added that the City could actually have 3 separate CDBG grants. Councilor Cruz asked if a committee is organized to review the planning grant every 4-5 years. Mr. Sera stated that a third party is hired, and then public meetings are held to gather input from the public for project ideas. Councilor Cruz asked if the projects are tracked for completion to help plan future projects.

Mr. Hooper summarized the current and past CDBG projects. In 2015, the City was awarded funds for the Buckeye Drainage Improvements which is a current, ongoing project. He went on to say that in 2013, funds were awarded for the Water Treatment Plant improvements, in 2011 was Pear Street Drainage, and in 2010 was the Pear Street Pond. Mr. Sera explained that the CDBG Grants must be completed and closed out prior to applying for another grant opportunity. In the current case, there is a gap in awards due to the projects not being complete by the application deadline.

Mayor Jasso asked Council if they had any other questions. There were none. Mayor Jasso opened up the hearing for public comment. Lisa Ross asked if there was a website available to view the list of current and previous projects. Mr. Sera stated that we could provide her with that site after the meeting. With no other public comments, Mayor Jasso closed the public comment session.

Mayor Jasso entertained a motion to adjourn the CDBG Public Hearing. Mayor Pro Tem Milo moved to adjourn the CDBG Public Hearing. Councilor Sanchez seconded the motion; motion carried unanimously.

2. Call to Order for the regular City Council Meeting/Consent Agenda

Mayor Jasso opened the regular City Council Meeting and asked for discussion on the Consent Agenda.

Mr. Sera called attention to Item C. on the consent agenda-Minutes for the Planning & Zoning Commission 6/15/15. He stated that there are two recommendations made which will be presented later in the meeting as Quasi-Judicial Public Hearings. He noted the Out-of-State travel request for Police personnel to attend the Supervisor Leadership Institute in Prescott Valley, Arizona on August 3-7, 2015. He went on to say that Items F and G are annually proposed items to approve funding for road projects and that item G is an amendment to change the termini for the project. Mr. Sera explained that Item H is also an annually proposed resolution to approve a service agreement between the City of Deming and the Southwest New Mexico Council of Governments (SWNMCOG). He noted that the agreement is similar to the previous year's agreement, with the exception of the dues being increased to \$6,189.00 from last year's dues of \$4,500.00. Mr. Sera asked if there were any questions on the Consent Agenda.

Councilor Cruz noted the cancellation of the Library Board meeting due to lack of a quorum. He asked if there is record of the cancellations and who is not attending the meetings. Mr. Sera stated that there is an attendance record of the board members and in this case, the board thought they had a quorum, but at the last minutes some members went out of town.

Mayor Jasso entertained a motion on the Consent Agenda.

Councilor Cruz moved to approve the Consent Agenda. Mayor Pro Tem Milo seconded the motion; motion carried unanimously.

3. Public Forum

Mayor Jasso opened up the public forum sessions of the meeting. The following person commented:

- o Lisa Ross-112 & 116 S. Gold Avenue

4. Swearing-In of Firefighter Ernesto Gomez

Firefighter Ernesto Gomez was sworn in by Mayor Jasso, after successful completion of the required training.

5. Approval/Denial of a Resolution Authorizing the Submission of a New Mexico Community Development Block Grant Program Application to the Department of Finance/Local Government Division

Mr. Hooper read the resolution into record which recommends the City of Deming Comprehensive Plan update as the proposed project. He noted that in the past the City of Deming has been award 26 projects in which they have completed all.

Mayor Jasso entertained a motion.

Councilor Cruz moved to approve the resolution authorizing the submission of a New Mexico Community Development Block Grant Program application to the Department of Finance/Local Government Division for a Comprehensive Plan. Mayor Pro Tem Milo seconded the motion; motion carried unanimously.

6. Approval/Denial of a Resolution Approving the City of Deming Local Cash Match Component for Colonias Project 3346-CIF

Mr. Massengill presented this resolution to Mayor and Council. He stated the City applied for and was awarded funding from the Colonias Infrastructure Board for the close-out phase of the old Deming Landfill. He stated that the Colonias Infrastructure Board has required this resolution for the City of Deming to commit to the 10% local cash match in the amount of \$48,781.00. Mr. Massengill stated that the total amount for this project including the cash match would be \$536,586.00. He stated that the resolution also authorizes the Mayor, City Administrator, and Publics Works Director to execute any subsequent agreement.

A brief discussion was entertained regarding some specific details of the project.

Mayor Pro Tem Milo moved to approve the resolution to approve the City of Deming Local Cash Match Component for Colonias Project 3346-CIF. Councilor Sanchez seconded the motion; motion carried unanimously.

7. Approval/Denial of a Resolution Approving the City of Deming Local Cash Match Component For Colonias Project 3347-CIF

Mr. Massengill stated that is resolution is for the design and construction of drainage improvements project on Buckeye Street and Iron Street. He stated that the Colonias Infrastructure Board has awarded the City \$697,777.00 of which the 10% local cash match (\$69,778.00) is required of the City of Deming.

Councilor Sanchez moved to approve the resolution approving the City of Deming local cash match component for Colonias project 3347-CIF. Mayor Pro Tem Milo seconded the motion; motion carried unanimously.

8. Approval/Denial of the Biennial Memorandum of Understanding (MOU) Between the New Mexico MainStreet Program, the City of Deming and Deming MainStreet

Mr. Sera presented this item to Mayor Jasso and Council. He stated that the difference between this year's agreement and the previous agreement is that in the past, the City and County both funded MainStreet with \$15,000.00. This amount, however, was not enough funding to become State MainStreet certified. Mr. Sera stated that this year the City has agreed to fund Deming MainStreet \$30,000.00 to be able to get them the State certification. He noted that this certification will allow MainStreet to be eligible for more funding for the program. Mr. Sera stated that the approval of this MOU and the resolution would require the City to increase the budget \$12,500.00 and staff recommends Council approve this.

Mr. Sera recognized Mr. Ron Wolfe, a MainStreet Board member, and asked him if he would like to add anything at this time. Mr. Wolfe stated that the MainStreet program has done several projects throughout the past several years. He stated that the next project would be working on the south side of the RadioShack building and doing some work at Leyendecker Plaza. Mr. Sera mentioned that the NM MainStreet program is affiliated with the NM Economic Development. He stated that through that organization, the MainStreet program is allowed for public funds to go through the organization as a 501(c)(3), as a non-profit entity, to do private improvements. Mr. Sera stated that Luna County has mentioned that they could not give money to MainStreet to do private projects, but that is not true. Mr. Sera stated that could be done only through this program. He went on to say that this has been addressed through the NM Economic Development Department, and it is legal to do so. He noted that is why it is require for the local government to fund some money to the local MainStreet organization. Mr. Wolfe interjected that in order to be certified MainStreet program in New Mexico, the local program must have an executive director that works at least 30 hours per week. He noted that these funds will assist in acquiring an executive director and the training involved for this person. Councilor Cruz voiced his concern about the private businesses being part of the funds for projects to their businesses. Mr. Wolfe noted that no public monies will be used for the RadioShack project. He stated that the proceeds from current Harlem Ambassador's Basketball show will be used to fund this program. A brief discussion was entertained regarding past façade MainStreet Projects done in the downtown area.

Ms. Hurt, the treasurer of Deming MainStreet, stated that last year the City and County contributed a total of \$30,000.00 to their budget. She stated that MainStreet had a total of \$32,000.00 in grants which were used for downtown improvements. Ms. Hurt stated that the funds received from the local government entities would basically fund the executive director on the administrative side, and this would free up other funds for improvement projects. She noted the costs benefits of doing this in this manner, as opposed to costs of the City or County hiring an employee for this position.

Mr. Sera stated that in this agreement it states that the local MainStreet organization would have to seek some matching funds for their projects, in addition to the local government funding. He stated that he is pleased with the job they have done in the past. Councilor Cruz stated that it would be in the best interest of the City to support this organization. Councilor Cruz stated that he feels that the business owner should help with the costs for the improvements being done to the downtown buildings.

Christie Ann Harvey, board member of Deming MainStreet, stated that it is not for lack of trying to obtain some financial help from the business owner of the RadioShack for the improvements. However, the business owner has not been receptive to the idea of contributing to the project. Ms. Harvey stated that Deming MainStreet feels that it is in the best interest of the downtown area to move on with this project, since the funds are readily available.

Councilor Cruz moved to approve the Biennial Memorandum of Understanding (MOU) between the New Mexico MainStreet Program, the City of Deming, and Deming MainStreet. Mayor Pro Tem Milo seconded the motion; motion carried unanimously.

9. Approval/Denial of a Resolution of Support by the City of Deming for the Deming MainStreet to Participate in Community Economic Development Downtown Revitalization Activities

Mr. Sera stated the City of Deming will budget support of \$30,000 annually for two years with the Deming MainStreet Project to work on the City's behalf in the community economic develop efforts downtown, and that the County of Luna is expected to also pledge support of \$15,000 annually for 2 years. He noted that this is the only change from the previous biennial agreement.

Mayor Pro Tem Milo asked if \$30,000 would be budgeted for the next two years. Mr. Sera clarified that it would be budgeted; however, if the City did not have the funds for this they would then send a letter to the NM MainStreet to terminate the agreement.

Mayor Jasso entertained a motion on this item.

Councilor Cruz moved to approve the resolution of support by the City of Deming for the Deming MainStreet to participate in Community Economic Development Downtown Revitalization Activities. Mayor Pro Tem Milo seconded the motion; motion carried unanimously.

10. Approval/Denial of New Position Description for Firefighter/Emergency Medical Technician (EMT) Trainee

Mr. Sera stated that this is a position that had previously been discussed in regards to the manning power of the Fire Department and it was agreed to hire one person as a floater between all shifts to fill in the gaps when they are short staffed.

Chief Mercado stated that with this being a new position, it is a little different from the

traditional positions in that this position would be a 40-hour per week position for the first year. The biggest stipulation for this employee would be that he would have to get licensed through the EMS Bureau and get the Firefighter I certification right away. Once the license and certification are obtained this person would be able to go on a shift of a 56-hour week. This person would be fully trained so that in the event that a current employee retires or leaves, this person would be ready to fill the spot. Mr. Sera stated that the salary and started off at an hourly rate of \$12.00/hr. Mr. Sera asked Chief Mercado to explain the shift pay for traditional fire employees. Chief Mercado stated that traditionally the new employee would start out with an annual salary which was a bit higher from the normal 56-hour per week employee. Chief Mercado stated that this pay rate has been adjusted to pay for the schooling to get this employee certified. He stated that the union was in favor of this pay rate. Mr. Sera interjected that this was not actually a union negotiable item, but it was presented to the union for their review and input. Mr. Sera stated that the figure was derived to compensate for training costs. Chief Mercado stated that the department is fully staffed, but due to the volume of calls, this person will be very useful in the event of staff shortages.

Councilor Cruz asked Chief Mercado to explain the comparison of calls per firefighter in other Cities in our area. He noted that Las Cruces runs approximately 80 calls per firefighter and Deming runs approximately 120 calls per firefighter. He stated that Deming is the only department in our area who bills for EMS calls.

Mr. Sera stated that this employee will be very beneficial in filling the gaps in the event of several simultaneous calls. Mr. Sera recommends approval of the job description.

Mayor Pro Tem Milo moved to approve the new position description of Firefighter/Emergency Medical Technician (EMT) Trainee. Councilor Cruz seconded the motion; motion carried unanimously.

11. Quasi-Judicial Public Hearing to consider the Request for a summary subdivision dividing a 2.5 acre parcel of land into two lots located on Santa Monica, north of Dona Ana Road and south of Los Lunas Drive

Mayor Jasso called to order the public hearing to consider a request for a summary subdivision dividing a 2.5 acre parcel of land into two lots. He confirmed with Council that there were no abstentions, ex-parte contacts, no conflicts of interest; that the legal notices were properly posted by the secretary and swore in all parties who would be giving testimony.

Gina Gentile, City Planner, presented the case to Mayor Jasso and Council. She stated that this case is for an alternate subdivision for a lot split of a 2.5 acre parcel of land into 2 lots. The lots front a public street. The case was recommended for approval by the Planning & Zoning Commission, and staff has not technical objections to the request.

Councilor Sanchez asked for clarification of the exact location of the subject property. Ms. Gentile pointed out the area on the map.

Mayor Jasso asked if the applicant or agent was present to make a statement. They were not.

He then asked if there were any affected parties that would like to speak. There were none.

Mayor Jasso asked if there were any other persons who would like to speak. There were none.

Councilor Sanchez asked what the purpose of the request was. Ms. Gentile stated that they would be used to build site-built houses and each lot would be approximately 1.25 acres.

Mayor Jasso closed the public comment and asked council if they were prepared to make a motion or if they want to go into closed session under NMSA 1978 10-15-1(H)(3).

Mayor Pro Tem Milo moved to approve the alternate subdivision request to split a 2.5 acre parcel of land located on Santa Monica, north of Dona Ana Road and south of Los Lunas Drive, into 2 lots. Councilor Sanchez seconded the motion; motion carried unanimously with the following roll call vote:

ROLL CALL VOTE

Councilor Cruz	Aye
Mayor Pro Tem Milo	Aye
Councilor Sanchez	Aye

Mayor Jasso announced that the decision by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks. He went on to say that any action of the City Council in approving, conditionally approving or denying this application may be appealed to the District Court 15 calendar days after the date of this action by the applicant, any aggrieved person, by any member of the City Council, or by the City Administrator.

12. Quasi-Judicial Public Hearing to consider granting a variance for an addition to an existing RV garage to be located within the front yard setback area of the subject property.

Mayor Jasso called to order the public hearing to consider a variance for an addition to an existing RV garage to be located with the font yard setback area of the subject property. He confirmed with Council that there were no abstentions, ex-parte contacts, no conflicts of interest; that the legal notices were properly posted by the secretary and swore in all parties who would be giving testimony.

Gina Gentile, City Planner, presented this case to Mayor Jasso and Council. She stated that this case involves a variance request for an addition to an RV garage that does not meet the required 60 foot front yard setback. She went on to say that this case was granted the variance to build the RV garage in August 2014 and this request is to add an additional 10 X 16 feet to the structure. Ms. Gentile stated that the zoning is B multi-family, and requires a setback of 60 feet from the front property line for accessory buildings, such as garages and RV garages. This property is a corner lot. The City definition for "front yard" is the yard that is parallel with the alley, which would make the front yard along Slate Street. The house

actually faces Mulberry, and uses Mulberry as its front yard, but the strict interpretation of the front yard definition, creates the setback issue. He stated that the applicant is buying an RV that is larger than the garage that was constructed and that is the reason for wanting to add on. Ms. Gentile stated that the case was recommended by the Planning Commission. She stated that Council has the options of approving the request, denying the request or tabling the motion.

A discussion was entertained pertaining to the 60 foot setback issue.

Mayor Jasso asked if the applicant or agent would like to make a statement. Mr. Aaron Renteria stated that the reason for the addition was due to the owner purchasing a larger RV.

Mayor Jasso asked if there were any questions of the applicant or agent by any Council member. There were none.

Mayor Jasso asked if any affected parties would like to speak. There were none present. He then asked if any other persons would like to speak. No one responded.

Mayor Jasso closed the public comment session. He asked Council if they were prepared to make a motion, or if they would like to go into closed session under NMSA 1978 10-15-1(H)(3).

Councilor Cruz moved to approve the variance for an addition to an existing RV garage being located within the setback area of the subject property. Mayor Pro Tem Milo seconded the motion; motion carried unanimously by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Milo	Aye
Councilor Cruz	Aye
Councilor Sanchez	Aye

Mayor Jasso announced that the decision by the authority will be effective after the written order is executed and filed with both the Municipal and County Clerks. He went on to say that any action of the City Council in approving, conditionally approving or denying this application may be appealed to the District Court 15 calendar days after the date of this action by the applicant, any aggrieved person, by any member of the City Council, or by the City Administrator.

13. Administrator's Report

Mr. Sera reported on the following items:

- City was notified that the Capital Outlay allocation was granted. The request was for \$450,000 and was reduced by Sen. Smith to \$300,000. Mr. Sera mentioned that Sen. Smith stated that if the City passed the Hold-Harmless Tax they would not be eligible for Capital Outlay funds. However, the County passed their tax increase and was awarded \$250,000. Mr. Sera stated that he has not had the opportunity to discuss this with Sen. Smith, but will do so at the next available opportunity.
- The WI-FI installed at the Girl Scout Park has reported 40-50 users per day. There

will be WI-FI installed at 4 other City parks which should also have a good impact on the community.

- The \$10.10 minimum pay scale was adjusted and was discussed with all the affected employees. He stated that it went over very well and those employees were very appreciative. Mayor Pro Tem Milo asked how many employees were affected. Mr. Sera stated that there were approximately 10 employees affected.
- The Economic Coordinator, Cassie Arias, has been working on a LEDA proposal regarding the Proper Foods building. He stated that there are two parties interested in leasing the building but need some assistance in doing so. He stated that the state is conducting an impact analysis study to see if they can give the City of Deming the money to buy the building and lease it out to the tenants. Mr. Sera stated that this would be at no cost to the City, and would provide an incubator program for the two different tenants. Mr. Sera stated that the City does not have specific details as to how many employees these two entities will hire, but as soon as they have that info they will convey it Council.
- Letters in response to the letter from the County regarding the Youth Football field. Mr. Sera stated that at no time did the City commit to purchasing goal post, a scoreboard or any other items. Mr. Sera stated that the City had agreed to turn that field into a multi-use field since the Youth Football league runs on a seasonal basis. This would allow others to utilize the field on the off-season. Mr. Sera stated that the City was never in agreement to pay the County \$9,800 for this equipment for the Youth Football field.
- Ms. Holguin and Mr. Sera have been working on the LEDA Agreement for Border Foods, Inc., now known as Mizkan to release the promissory note from the Economic Development Department to grant the City permission to release the note.
- Public Comments session in our meetings. Mr. Sera stated that notes are being taken during the public comment session and they are being sent out to the different department heads so that these concerns can be addressed.
- The MVD supervisor, Val Villescaz, has responded to several complaints the City has been receiving from the public. In her response, she stated that the delays are due to the new software system implemented by the state, and two new employees not being able to get in to training so that they are able to perform certain tasks,
- The City has currently taken on two new gas customers previously serviced by NM Gas Company. Mr. Massengill stated that the cost benefit analysis was incomplete and that the study show it would be beneficial to install the new lines on the east side of town to take on these new customers.
- The CNG station is up and running. The finance department is working on a usage report for the station.
- Dinosaurs at Voiers Park-Council stated that there have been many positive remarks regarding the dinosaurs.

Chief Gigante asked for feedback on the new format of his monthly Policing report.

14. Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Property pursuant to NMSA 10-15-1(H)(8) of the Public Meetings Act.

Mayor Jasso entertained a motion to go into closed session.

Councilor Sanchez moved to go into closed session. Mayor Pro Tem Milo seconded the motion; motion was carried by the following roll call vote:

ROLL CALL VOTE

Councilor Cruz	Aye
Mayor Pro Tem Milo	Aye
Councilor Sanchez	Aye

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

Mayor Pro Tem Milo moved to go back into open session. Councilor Sanchez seconded the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

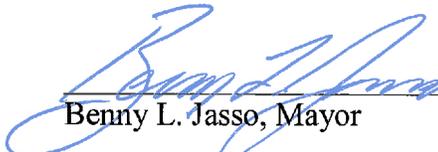
Mayor Pro Tem Milo	Aye
Councilor Sanchez	Aye
Councilor Cruz	Aye

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

15. Adjourn Meeting

With no further business to discuss, Mayor Pro Tem Milo moved to adjourn the meeting. Councilor Sanchez seconded the motion; motion carried unanimously. Meeting adjourned at 9:15 p.m.

CITY OF DEMING, NEW MEXICO



Benny L. Jasso, Mayor



ATTEST:



Aaron Sera, Clerk

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 15-21**

**PARTICIPATION IN MUNICIPAL ARTERIAL PROGRAM
ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Deming and the New Mexico Department of Transportation have entered into a joint and Cooperative Agreement, and

WHEREAS, the total minimum cost of the project will be \$454,107.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or not exceed \$340,580.00, and
- b. City of Deming's proportional matching share shall be 25% or a minimum of \$113,527.00.

The City of Deming shall pay all costs, which exceed the total amount of \$454,107.00.

NOW THEREFORE, BE IT RESOLVED in official session that City of Deming determines, resolves, and orders as follows:

- o That the project for this Cooperative agreement is adopted and has a priority standing.
- o The agreement terminates on June 30, 2017 and the City of Deming incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City of Deming to enter into Cooperative Agreement Project Number MAP-7629 (906), Control Number HW2 L100249 with the New Mexico Department of Transportation for MAP Project for year 2015/2016.

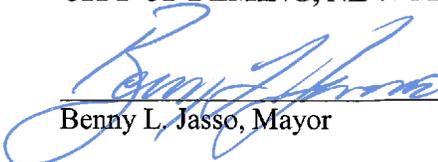
Scope of Work: Planning, Design, Construction, Reconstruction, Pavement Rehabilitation, Drainage and Construction Management of City Streets.

Termini: Cody Road from Poplar Street to Florida Street.

PASSED, ADOPTED, AND APPROVED this 13th day of July, 2015



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor


Aaron Sera, Clerk

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 14-20-A**

**PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM
ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION –
AMENDMENT TO SCOPE OF WORK**

WHEREAS, the City of Deming and the New Mexico Department of Transportation have entered into a Cooperative Agreement.

WHEREAS, the total minimum cost of the project will be \$63,901.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or not exceed \$47,926.00
- b. City of Deming's proportional matching share shall be 25% or a minimum of \$15,975.00
- c. The City of Deming shall pay all costs, which exceed the total amount of \$63,901.00

NOW THEREFORE, BE IT RESOLVED in official session that City of Deming determined, resolves, and orders as follows:

- o That the project for this Cooperative agreement is adopted and has priority standing.
- o The agreement terminates on December 31, 2015 and the City of Deming incorporates all the agreements, covenants, understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

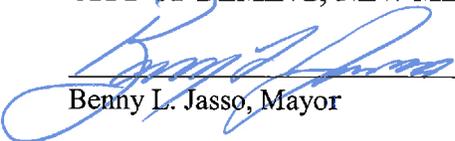
BE IT FURTHER RESOLVED by the City of Deming to add to the termini of the scope of work of Cooperative Agreement Project No. SP-1-15(959), CN HW2 L100165 with the NMDOT for LGRF project for year 2014-2015 for "Design, construction management, pavement rehabilitation/improvements and reconstruction of City Streets"

Termini: Gold Street from Poplar Street to Platinum Street, and add

Termini: Gold Street from Hemlock to Poplar Street

RESOLVED, ADOPTED, AND APPROVED this 13th day of July, 2015.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Clerk



**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 15-22**

**RESOLUTION OF THE CITY OF DEMING, NEW MEXICO RATIFYING A
CERTAIN AGREEMENT BETWEEN THE CITY OF DEMING AND THE
SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED JULY 14, 2015,
AND AUTHORIZING THE EXECUTIVE OF SAME BY THE PROPER OFFICIAL OF
THE CITY OF DEMING**

WHEREAS, the City of Deming is a member of and desires to have the services of the Southwest New Mexico Council of Governments; and

WHEREAS, it is necessary that an agreement setting forth the services to be performed by the Southwest New Mexico Council of Governments for the City of Deming be entered into and it is a requirement of the New Mexico State Laws; and

WHEREAS, it is necessary to set forth the sum to be paid by the City of Deming to the Southwest New Mexico Council of Governments, as annual dues, for said services; and

WHEREAS, it is the desire of the City of Deming to accomplish these purposes:

NOW THEREFORE BE IT RESOLVED BY THE CITY OF DEMING THAT:

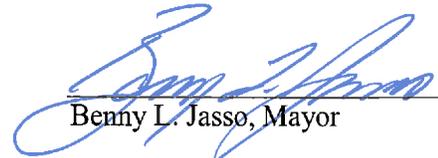
1. The AGREEMENT referred to in the caption of this Resolution (a copy of which is attached hereto and made a part hereof) expresses the desires and intent of the City of Deming.
2. The AGREEMENT set above is hereby approved by the authorized representatives of the City of Deming and is hereby authorized and instructed to affix their signature thereto.
3. A Certified copy of this Resolution (together with the Agreement) shall be filed at the Southwest New Mexico Council of Governments.

PASSED, ADOPTED AND APPROVED this 13th day of July, 2015.





Aaron Sera, Administrator / Clerk

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 15-23**

**AUTHORIZING THE SUBMISSION OF A NEW MEXICO COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE
DEPARTMENT OF FINANCE AND ADMINISTRATION / LOCAL
GOVERNMENT DIVISION**

WHEREAS, the elected Council of the City of Deming, New Mexico, (herein called the Governing Body) has determined that Community Development Block Grant funds would significantly aid in the construction of street and sewer lines, sidewalks, blight removal, drainage control, improved utilities, park improvements, flood control, quiet zones and promoting economic development which will aide in the elimination of slum and blighted areas in the City, and;

WHEREAS, the Governing Body has held One (1) Public Hearing, and met all requirements necessary for submission of said application; and

WHEREAS, various projects were advanced by the public to be considered by City Council; and

WHEREAS, the City Council has determined that the City of Deming Comprehensive Plan meets the requirements of the Community Development Block Grant Program.

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Deming, New Mexico, that

1. The City Council directs and designates Aaron Sera, City Administrator and Wesley Hooper, Community Services Director, as its Authorized Representatives to act in all matters in connection with this application and the City's participation in the New Mexico Community Development Block Grant Program.
2. The City of Deming officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.
3. The project application for Community Development Block Grant funding for 2015/2016 shall be the City of Deming Comprehensive Plan.

PASSED, APPROVED AND ADOPTED this 13th day of July, 2015.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor




Aaron Sera, City Clerk

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 15-24**

**A RESOLUTION APPROVING THE CITY OF DEMING LOCAL CASH MATCH
COMPONENT FOR COLONIAS PROJECT 3346-CIF**

WHEREAS, the City of Deming was approved for funding from the Colonias Infrastructure Board in the amount of \$487,805.00 for design and construction of the final close-out phase at the Old Deming Landfill; and

WHEREAS, the project is within the City of Deming's jurisdiction, necessary for the public good and convenience, and to serve the public of the City of Deming; and

WHEREAS, the Colonias Infrastructure Board awarded a 90% grant in the amount of \$439,025.00, a 10% loan component in the amount of \$48,781.00 for a total Colonias Infrastructure Board funding amount of \$487,805.00 of which requires a separate 10% local cash match in the amount of \$48,781.00; and

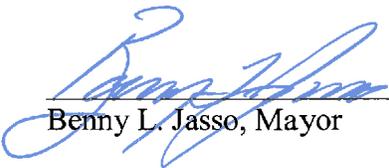
WHEREAS, the Colonias Infrastructure Board requires a resolution committing the City to the 10% local cash match prior to obtaining the Colonias Infrastructure Board Funds for this project;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Deming does hereby determine and resolve as follows:

1. That the City of Deming herewith commits the 10% local cash match in the amount of \$48,781.00 in conjunction with the Colonias Infrastructure Board funds of \$487,805.00 for design and construction of the final close-out phase at the Old Deming Landfill.
2. That the Mayor, City Administrator, Public Works Director, or his successor, is authorized to execute any subsequent agreement.
3. That staff is directed to take such other actions and execute other documents as may be necessary to implement this Resolution.

PASSED, ADOPTED, AND APPROVED this 13th day of July, 2015.

CITY OF DEMING, NEW MEXICO



Benny L. Jasso, Mayor


ATTEST:



Aaron Sera, Clerk

CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 15-25

**A RESOLUTION APPROVING THE CITY OF DEMING LOCAL CASH MATCH
COMPONENT FOR COLONIAS PROJECT 3347-CIF**

WHEREAS, the City of Deming was approved for funding from the Colonias Infrastructure Board in the amount of \$697,777.00 for design and construction of drainage improvements on Buckeye Street and Iron Street; and

WHEREAS, the project is within the City of Deming's jurisdiction, necessary for the public good and convenience, and to serve the public of the City of Deming; and

WHEREAS, the Colonias Infrastructure Board awarded a 90% grant in the amount of \$627,999.00, a 10% loan component in the amount of \$69,778.00 for a total Colonias Infrastructure Board funding amount of \$697,777.00 of which requires a separate 10% local cash match in the amount of \$69,778.00; and

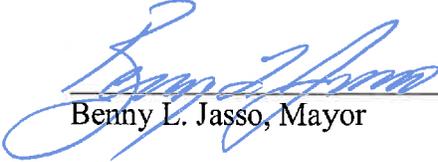
WHEREAS, the Colonias Infrastructure Board requires a resolution committing the City to the 10% local cash match prior to obtaining the Colonias Infrastructure Board Funds for this project;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Deming does hereby determine and resolve as follows:

1. That the City of Deming herewith commits the 10% local cash match in the amount of \$69,778.00 in conjunction with the Colonias Infrastructure Board funds of \$697,777.00 for design and construction of drainage improvements on Buckeye Street and Iron Street.
2. That the Mayor, City Administrator, Public Works Director, or his successor, is authorized to execute any subsequent agreement.
3. That staff is directed to take such other actions and execute other documents as may be necessary to implement this Resolution.

PASSED, ADOPTED, AND APPROVED this 13th day of July, 2015.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Clerk



CITY OF DEMING, NEW MEXICO
RESOLUTION No. 15-26

**A RESOLUTION OF SUPPORT BY THE CITY OF DEMING FOR THE DEMING MAINSTREET TO PARTICIPATE IN
COMMUNITY ECONOMIC DEVELOPMENT DOWNTOWN REVITALIZATION ACTIVITIES**

WHEREAS, the City of Deming supports the revitalization and economic development of its traditional and/or historic commercial core as a designated MainStreet District and,

WHEREAS, the City recognizes its traditional commercial core as representing the unique architectural history, heritage and culture of our community and,

WHEREAS, the City of Deming desires to maintain an economically vital and vibrant town center for its residents, visitors and tourists and,

WHEREAS, the City of Deming wishes to assist the state Economic Development Department's MainStreet Program and support business and property owners for commercial district revitalization and,

WHEREAS, the City of Deming wishes to pursue a relationship with a MainStreet non-profit downtown revitalization efforts to enhance the quality of life for our community's citizens and,

WHEREAS, the City of Deming sees an economically healthy historic commercial center designated as a MainStreet District, as one of its critical economic assets and,

WHEREAS, the City of Deming realizes that a sustainable, resilient historic commercial center designated as a MainStreet District contributes to the community's economic health and well-being and will explore financial revitalization tools needed to assist economic development through partnership with the local MainStreet Organization and,

WHEREAS, the City of Deming wishes to maintain a livable, walk-able historic commercial core as a designated MainStreet District with opportunities to shop, work, live and discover recreational, cultural and heritage opportunities and,

WHEREAS, the City of Deming agrees to work with the New Mexico Economic Development Department's New Mexico MainStreet program dedicating through the strategies established by the National Main Street Center Inc.'s *MainStreet Four Point Approach* ® and;

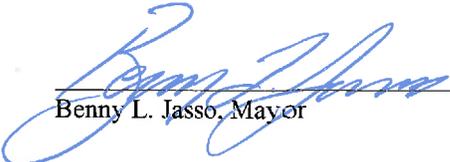
WHEREAS, the City of Deming strives for accountability and requires monthly financial and progress reports from the Deming MainStreet Program.

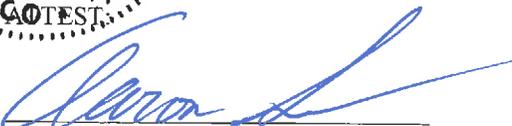
THEREFORE, the City Council resolves to work collaboratively with the local MainStreet Organization and the New Mexico Economic Development Department's MainStreet Program to meet the standards and principles of revitalizing the core commercial district of the community and;

1. The City of Deming will act as fiscal agent for any capital outlay funds received from the state or federal governments and their agencies as agreed upon between the MainStreet Project and the City and;
2. The City of Deming will budget support of \$30,000 annually for two years with the Deming MainStreet Project to work on the City's behalf in the community economic develop efforts downtown (The County of Luna is expected to also pledge support of \$15,000 annually for 2 years), and;
3. The City authorizes the Mayor and/or the City Administrator to execute all documents including grant applications and accepting grant offers related to the program and directs staff to take other actions necessary to implement this Resolution.

PASSED, APPROVED AND ADOPTED this 13th day of July, 2015.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor


Aaron Sera, City Clerk

