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P.O. BOX 706. DEMING, NEW MEXICO 88031
POPULATION 14,000

CITY COUNCIL MEETING

August 11, 2014

4:00 P.M. CITY COUNCIL WORKSHOP
6:00 P.M. CITY COUNCIL MEETING

AGENDA

Call to Order/Pledge of Allegiance

1. Consent Agenda

- A. Minutes – City Council Workshop and Regular Meeting 7/14/14
- B. Minutes – City Council Special Meeting 07/25/14
- C. Minutes – Parks Commission 7/8/14
 - a. Recommendation for approval of park use and Hooten Park Complex Agreements
- D. Minutes – Planning & Zoning Commission (*no meeting*)
- E. Minutes – Tourism Development Committee 7/23/14
 - a. Recommendation to renew the agreement with Fun and Games
- F. Out-of-State Travel Request for Cassie Arias to Attend the International Economic Development Council Annual Conference in Fort Worth, TX on October 19-22, 2014.
- G. Out-of State Travel Request for Cassie Arias to Attend the 2014 National Association of Development Organizations (NADO) Annual Training Conference in Denver, CO on August 23-26, 2014.
- H. Out-of-State Travel Request for D.J. Ritchlin to attend the 2014 Ron Turley Associates, Inc. Fleet Management Software Training in Glendale, AZ on August 12-14, 2014.
- I. Out-of- State Travel Request for D.J. Ritchlin to attend the CNG Certification Conversion Training Courses for the Conversion Process in San Clemente, CA on August 18-22, 2014.
- J. Resolution to Consider the Approval of the Service Agreement Between the Southwest New Mexico Council of Governments (COG) and the City of Deming
- K. Mayor’s Appointment of Procurement Officers for City of Deming
- L. Mayor’s Appointment of Voting Delegates for New Mexico Municipal League
- M. Mayor’s Appointment of Fire Captain
- N. Mayor’s Appointment of Assistant Fire Chief

2. Public Forum

- 3. Resolution to Consider Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico.
- 4. Public Hearing to Consider a Liquor License Application for a Restaurant Beer & Wine License for on-premises consumption only at Palma’s Italian Grill, 110 S. Silver Avenue.

5. Public Hearing to Consider the Resolution Making Certain Findings and Determinations Pursuant to the NM Metropolitan Redevelopment Code and Approving the Deming Downtown Master Plan/Metropolitan Redevelopment Area Plan
6. Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Estate pursuant to NMSA 1978, Section 10-15-1(H)(8) of the Open Meetings Act.
7. City Administrator's Report
8. Adjourn Meeting

The next regularly scheduled Council Meeting is on September 8, 2014 at 6:00 p.m.

CITY COUNCIL WORKSHOP MINUTES August 11, 2014

Council Present: Benny Jasso, Mayor

Council Absent: Joe "Butter Milo, Councilor
Dr. Victor Cruz, Councilor

David L. Sanchez, Councilor
Linda Franklin, Mayor Pro Tem

Staff Present: Aaron Sera, City Administrator
Jim Massengill, Public Works Director
Wesley Hooper, Community Svcs. Dir.

Edgar Davalos, Fire Chief
Brandon Gigante, Police Chief

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

Mayor Jasso and staff members of the City of Deming, New Mexico held a workshop on August 11, 2014 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:

Consent Agenda: Mr. Sera went over the Consent Agenda. He stated that item C. a., is a recommendation to approve agreements for park use and Hooten Park Complex. He went on to say that the City did not have a formal document in place for the use of the parks and there were some changes made to the existing Hooten Park Complex use agreement.

In item E. a.-there is a recommendation from the TDC board to renew the agreement with Fun and Games. The cost for this agreement is \$1,000.00 per year.

Mr. Sera discussed both out-of-state travel requests for Cassie Arias. The first request is for Ms. Arias to attend the International Economic Development Council Annual Conference in Fort Worth, TX on October 19-22, 2014. He stated that this training most likely will be paid by the Economic Development Board. The second request, to attend the 2014 National Association of Development Organizations (NADO) in Denver, CO on August 23-26, 2014, will be paid by the City. He also discussed both out-of-state travel requests for D.J. Ritchlin. The first is to travel to Glendale, AZ on August 12-14, 2014 to attend the 2014 Ron Turley Associates, Inc. Fleet Management Software Training. The second is a rescheduling of a previous training which Council approved. Mr. Ritchlin will travel to San Clemente, CA to attend the CNG Certification Conversion Training Courses for the Conversion Process on August 18-22, 2014.

Mr. Sera discussed item J.-the resolution to consider the approval of the service agreement between the Southwest New Mexico Council of Governments (COG). He stated that the

total annual fee is \$4,500.00. He mentioned that this membership is beneficial to the City as the COG assists the City with several projects.

He went on to discuss items K.-N., which are Mayoral appointments. They are as follows:

- K. Procurement Officers for the City-Laura Holguin and Lynn Porter
- L. Voting Delegates for New Mexico Municipal League-Mayor Jasso, alternate Councilor Victor Cruz.
- M. Fire Captain-Robert Acosta
- N. Assistant Fire Chief-Raul Mercado

Resolution to Consider Adopting and Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico. Mr. Sera discussed the top 5 projects listed for the ICIP.

Public Hearing to Consider Liquor License Application for a Restaurant Beer & Wine License for On-Premises Consumption Only at Palma's Italian Grill, 110 S. Silver Avenue. Mr. Sera stated that the liquor license application is due to new ownership of the restaurant. He noted that the main concern is the approval or disapproval of the waiver for the proximity of the church in the area.

Public Hearing to Consider the Resolution Making Certain Findings and Determinations Pursuant to the NM Metropolitan Redevelopment Code and Approving the Deming Downtown Master Plan/Metropolitan Redevelopment Area Plan. Mr. Sera stated that Charlie Deans, consultant, will give a presentation of the Downtown Master Plan/Metropolitan Redevelopment Area Plan. He stated that the MRA was put together a couple of years ago, and was passed by Council in January 2013. However, the Downtown Master Plan was never approved by Council. Therefore, it is being presented tonight for consideration. Deming MainStreet is hoping to get this approved, so that they can be able to tap into more funding from the State.

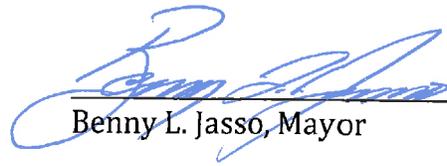
Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Estate pursuant to NMSA 1978, Section 10-15-1(H)(8) of the Open Meeting Act. Mr. Sera stated that a closed session will be held to discuss real estate issues.

City Administrator's Report. Mr. Sera will give a brief over run of what is happening within the City that is outside of the monthly reports.

Adjourn Meeting: With no further business to discuss, the meeting was adjourned at 4:12 p.m.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Clerk

CITY COUNCIL MEETING MINUTES August 11, 2014

Council Present: Mayor Benny L. Jasso
Joe "Butter" Milo, Councilor
David L. Sanchez, Councilor
Dr. Victor Cruz, Councilor

Council Absent: Linda Franklin, Mayor Pro Tem

Staff Present: Aaron Sera, City Administrator
Jim Massengill, Public Works Director
Wesley Hooper, Community Svcs. Dir.
Edgar Davalos, Fire Chief
Brandon Gigante, Police Chief
Jim Foy, City Attorney

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. Consent Agenda

Mr. Sera presented the Consent Agenda to Mayor Jasso and Council and stated that there were items of discussion and that staff recommends approval of the consent agenda as presented.

Councilor Sanchez moved to approve the Consent Agenda, as presented. Councilor Milo seconded the motion; Councilor Cruz had a questions regarding the TDC minutes regarding the agreement with Fun and Games. A brief discussion was entertained between Mr. Sera and Councilor Cruz. The motion carried unanimously.

2. Public Forum

Comments were noted for the following people who commented during the public hearing session:

- Edward Khanbabian, 1721 E. Pine Street
- Glenn Helton, 1110 E. Pine Street
- Larry Caldwell, 711 N. Zinc

3. Resolution to Consider Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico. Mr. Sera presented the updated ICIP Plan for fiscal year 2016-2020. He gave an overview of the top five priority projects, which are listed in order, below:

1. City of Deming Police Department-Building Improvements
2. Water System Line Replacement/Repair

3. Effluent Reuse and Irrigation Improvements
4. Cedar Street Expansion Phase IV
5. Deming Landfill Closure and Improvements

Councilor Cruz asked Mr. Sera how they come up with the order of the projects. Mr. Sera stated that there is a public meeting to receive input from the public. He stated that this year, unfortunately, there was not any input. A discussion was entertained between Mr. Sera and Council discussing some of the projects.

Councilor Sanchez moved to adopt the Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico, as presented. Councilor Milo seconded the motion; motion carried unanimously.

4. **Public Hearing to Consider a Liquor License Application for a Restaurant Beer & Wine License for on-premises consumption only at Palma's Italian Grill, 110 S. Silver Avenue.** Mayor Jasso conducted a public hearing to consider the liquor license application for a Restaurant Beer & Wine License for Palma's Italian Grill, 110 S. Silver Avenue. Mr. Sera stated that is application is due to a change of ownership. Mr. Foy stated that the application, whether approved or disapproved by the local governing body, is at the discretion of the State Alcohol and Gaming Division. He went on to say that the main concern being decided on tonight, is the approval or disapproval of the waiver due to a church being within 220 feet from the premise. A brief discussion was entertained between Council and Mr. Foy regarding the waiver.

Mayor Jasso opened the hearing for public comment.

Larry Caldwell, 711 N. Zinc, stated that he opposes to the waiver.

Mayor Jasso closed the public comment session and asked Council if they were prepared to make a motion on this item.

Councilor Cruz moved to approve the liquor license application for a Restaurant Beer & Wine License for on-premises consumption only at Palma's Italian Grill, 110 S. Silver Avenue, with the waiver of the proximity to the church. Councilor Milo seconded the motion; motion carried unanimously.

5. **Public Hearing to Consider the Resolution Making Certain Findings and Determinations Pursuant to the NM Metropolitan Redevelopment Code and Approving the Deming Downtown Master Plan/Metropolitan Redevelopment Area Plan**
Mr. Sera gave a brief history on the time frame and stakeholders involved in the Deming Downtown Master Plan/Metropolitan Redevelopment Area Plan. Mr. Charlie Deans, Urban Planning Consultant for New Mexico MainStreet, gave a presentation regarding the MRA. Mr. Deans gave a brief history of the New Mexico Redevelopment Code. He went on to discuss the Deming Downtown Master Plan and noted that the main benefit of the plan is the authority to conduct public/private partnerships to implement the plan. He went on with his presentation.

A brief discussion was entertained between Mr. Deans and Councilor Milo regarding the various projects in the Plan. Also, discussed between Mr. Deans and Councilor Cruz, were the various funding sources noted in the project.

Mayor Jasso opened the public hearing for comments.

Edward Khanbabian, 1721 E. Pine Street, asked about the TIF district and the increase of taxes. Mr. Deans reiterated that the TIF district is not being approved within this ordinance. He explained to Mr. Khanbabian that the projection regarding the taxes paid project, that "generally" taxes will increase on a natural basis. Mr. Khanbabian asked who would be the private partners that would participate in these projects. Mr. Deans gave an example of Deming MainStreet, or possibly a developer, private building owners, etc. Mr. Deans went on to state that there would be a common benefit to both parties involved in the public/private partnership.

Dr. Dan Lere, DPS Superintendent, 2416 Play Thru Drive, would like Council to consider a TIF District. Based on his experience in Colorado, the TIF does exactly as the chart shows. He stated, however, that the baseline limits down the road would be restricted. He recommended that the financing would need to be looked at closely.

Tamara Hurt, 216 S. Gold Avenue, was on the committee to form the Downtown Master Plan, and stated she is excited about the Plan because it gives opportunities. She stated that this tool would be able to allow the Deming MainStreet to be considered for funding for projects. She encouraged Council to approve the Master Plan as it is a great tool.

Barbara Reedy, MainStreet President, reported on the return on the investment the City funds for Deming MainStreet. She stated that it is crucial to get approval of the Downtown Master Plan/MRA in order to qualify for Capital Outlay funding for projects. She stated that she would like to see an Arts & Crafts district in Deming.

Lisa Ross, 112 & 116 S. Gold Avenue, is a local business owner of the Gold Street Gallery, stated that she would like to be included in the processes involving the Downtown Master Plan and other projects pertaining to the downtown area. She stated that she is in favor of the Downtown Master Plan and would like to be notified about these types of meetings more frequently. She also stated that the Master Plan is a good tool that needs not just be approved, but used.

Larry Caldwell, 711 N. Zinc Street, did not object to the Downtown Master Plan, but had concerns regarding the Metropolitan Redevelopment Code. He stated those concerns and others involving the MRA.

With no other comments to be made, Mayor Jasso closed the public hearing.

Councilor Cruz moved to approve the NM Metropolitan Redevelopment Code and Approving the Deming Downtown Master Plan/Metropolitan Redevelopment Area Plan. Councilor Milo seconded the motion; motion carried unanimously.

6. **Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Estate pursuant to NMSA 1978, Section 10-15-1(H)(8) of the Open Meetings Act.** Mayor Jasso entertained a motion to go into closed session. Councilor Sanchez moved to go into closed session. Councilor Milo seconded the motion; motion carried unanimously by the following roll call vote:

ROLL CALL VOTE	
Councilor Sanchez	Aye
Councilor Cruz	Aye
Councilor Milo	Aye

Mayor Jasso entertained a motion go back into open session. Councilor Sanchez moved to go back into open session. Councilor Cruz seconded the motion; motion carried unanimously by the following roll call vote:

ROLL CALL VOTE	
Councilor Milo	Aye
Councilor Cruz	Aye
Councilor Sanchez	Aye

Mayor Jasso stated for the record that only the items mentioned in the motion to go into closed session were discussed, and nothing was moved upon and no motions were made during the closed session.

7. City Administrator’s Report

Mr. Sera gave the Mayor and Council a brief update of the events going on within the City. First, he mentioned that he is working on educating the TDC Board and Parks Commission to become more engaged in the process to approve items.

Mr. Sera went on to say that the City Council Meeting minutes are updated and posted on the website, and the budget summary will be posted there soon. In looking at the website, he noted that it is not very user friendly and he is looking at possibly reformatting the City website. He noted that with the Finance Services Manager’s resignation, he has been busy trying to prepare the dashboard report and other reports that were prepared by that person.

Mr. Sera mentioned that the Community Services Department is working on getting some dates scheduled for the Library Expansion Project Public meetings to get input.

He went on to say that the City is working on establishing relationships with the County and Deming Public Schools. They have met to discuss the drainage issue in front of the High School. They have discussed possibly a collaboration to establish some new soccer fields at the existing Sports Complex property.

Mr. Sera briefly stated that the City is researching an alternate truck by-pass route due to the construction at the port of entry. He stated that the City is researching grants to fund this planning of project.

Mr. Sera stated that the Economic Development Coordinator has been working with Amigo's Mexican Foods to try and find funding to assist them with some updates that were mandated as a result of a current inspection at his business. The City is researching to try and find some funding sources for them.

Mr. Sera spoke of the auditor's visit. He stated that no major issues were found, and that the minor findings have been addressed and corrected.

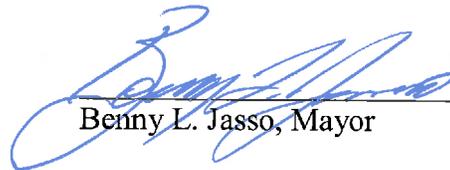
He mentioned that he will be going on the local radio station to do a periodic brief of what is going on within the City.

8. Adjourn Meeting

With no further business to discuss, Councilor Sanchez moved to adjourn the meeting. Councilor Milo seconded the motion; motion carried unanimously. Meeting adjourned at 8:11 p.m.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Clerk

RESOLUTION NO. 14-26

RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS
PLAN (ICIP) FOR THE CITY OF DEMING, NEW MEXICO

WHEREAS, the municipality of Deming recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their developments needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

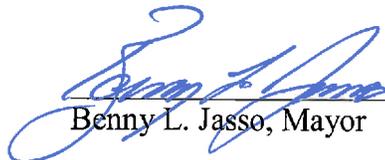
NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF DEMING
That:

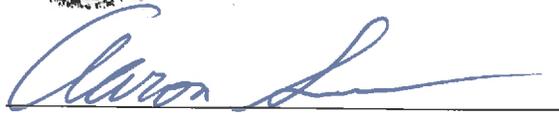
1. The municipality has adopted the attached Infrastructure Capital Improvements Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the New Mexico's infrastructure.
3. This Resolution supersedes the previous Resolution.

PASSED, APPROVED AND ADOPTED by the governing body at its meeting of August 11, 2014.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor


Aaron Sera, Administrator/Clerk

RESOLUTION NO. 14-27

**A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS
PURSUANT TO THE NM METROPOLITAN REDEVELOPMENT CODE, AND
APPROVING THE DEMING DOWNTOWN MASTER PLAN/METROPOLITAN
REDEVELOPMENT AREA PLAN.**

WHEREAS, Section 3-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code (Sections 3-60A-1 through 3-60A-48 NMSA 1978) states: "A municipality shall not prepare a metropolitan redevelopment plan for an area unless the governing body by resolution determines the area to be a blighted area, and designated the area as appropriate for a metropolitan redevelopment area plan," and

WHEREAS, the City of Deming ("City") and Deming MainStreet, and their employees, have for some time engaged in a study of deteriorated areas within the Downtown, and have submitted their findings and recommendations concerning the area detailed in the Designation Report, which was approved by the City Council at the January 14, 2013.

WHEREAS, pursuant to Section 30-60A-9 NMSA 1978 of the Metropolitan Redevelopment Code, the Council caused to be published in the Deming Headlight, a newspaper of general circulation, and a first class mailing to property owners within the Deming Metropolitan Redevelopment Area, a notice containing a general description of the proposed Metropolitan Redevelopment Area Plan and the date, time and place where the Council will hold a public hearing to consider the adoption of this resolution and announcing that any interested party may appear and speak to the issue of the adoption of this resolution; and

WHEREAS, the boundaries of the Deming Metropolitan Redevelopment Area are explicitly delineated in Exhibit A (Map of Metropolitan Redevelopment Area), an irregularly shaped area of approximately 32 blocks that is generally described as south of Cedar Street, west of Ruby Street, north of Ash Street, and east of Zinc Street; and

WHEREAS, the Council has considered the findings and determinations of the Deming Metropolitan Redevelopment Area Plan and all comments made at the public hearing concerning the redevelopment projects which exist in the proposed Deming Metropolitan Redevelopment Area Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL,

1. The City Council, after having conducted a public hearing pursuant to the Metropolitan Redevelopment Code, adopts, as its Metropolitan Redevelopment Area Plan, the Deming Downtown Master Plan/Metropolitan Redevelopment Area Plan, as attached hereto as Exhibit B and incorporated herein.
2. The City Council, after having conducted a public hearing pursuant to the Metropolitan Redevelopment Code, finds that:

- A. The Deming Metropolitan Redevelopment Area Plan proposes activities for the redevelopment of the area that will aid in the elimination and prevention of blight; and
- B. The Deming Metropolitan Redevelopment Area Plan does not require the relocation of any families and individuals from their dwellings and a method for providing relocation assistance is not needed; and
- C. The Deming Metropolitan Redevelopment Area Plan conforms to and complements the Deming Comprehensive Plan; and
- D. The Deming Metropolitan Redevelopment Area Plan affords maximum opportunity consistent with the needs of the community for the rehabilitation or redevelopment of the Deming Downtown area by private enterprise or persons, and the objectives of the Deming Metropolitan Redevelopment Area Plan justify the proposed activities as public purposes and needs.

3. The City shall support efforts to establish development projects intended to make the area more pedestrian friendly and mixed in income and use, thus affording the opportunity for locally-owned small businesses to establish themselves, and the City shall also support community education activities that broaden the local knowledge base and invite members from outside the immediate area to take part in these community education activities.

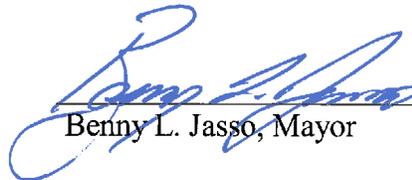
4. The City shall support these programs in providing technical assistance to local committees interested in developing mixed-use, mixed-income housing programs, and by providing technical assistance to businesses within the Metropolitan Redevelopment Area for the purpose of obtaining funding for redevelopment activities, and providing guidance and technical assistance to businesses wishing to open, operate, and/or expand within the Metropolitan Redevelopment Area.

5. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed; this repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

6. If any section paragraph, sentence, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

PASSED, APPROVED, AND ADOPTED this 11th day of August, 2014.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor



Aaron Sera, Clerk

RESOLUTION NO. 14-28

TO APPROVE A CERTAIN AGREEMENT BETWEEN THE CITY OF DEMING AND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED AUGUST 11, 2014, 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:

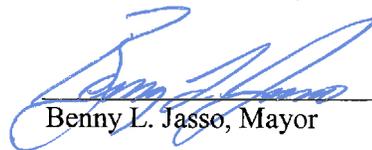
NOW THEREFORE BE IT RESOLVED BY THE CITY OF DEMING THAT:

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 11th day of August 2014.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Administrator / Clerk