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POPULATION 14,000

CDBG PUBLIC HEARING

September 10, 2012

6:00 P.M.

AGENDA

Call to Order / Pledge of Allegiance

1. Open Public Hearing for the 2013 Community Development and Planning Applications
 - A. CDBG Progress Report
 - B. Input - General Community
 - C. Close CDBG Hearing

CITY COUNCIL MEETING

September 10, 2012

4:00 P.M. CITY COUNCIL WORKSHOP

6:00 P.M. CITY COUNCIL MEETING

AGENDA

Call to Order

1. Consent Agenda
 - A. Minutes - City Council Workshop and Regular Meeting 08/13/12
 - B. Minutes - Planning and Zoning Commission Meeting 08/20/12
 - C. Minutes - Airport Commission Meeting 08/14/12
 - D. Minutes - Tourism Development Committee Meeting (no meeting)
 - E. Minutes - Marshall Memorial Library Board Meeting 08/28/12
 - F. Minutes - Parks Commission Meeting (no meeting)
 - G. Minutes - Historic Landmark Commission (no meeting)
2. Public Forum
3. Presentation on Vector Control Services by Entomology Consultants, LLC
4. Proclamation Declaring the Month of October as Disability Awareness Month
5. Proclamation Declaring the Week of October 7 - 13, 2012 as Public Natural Gas Week
6. Acknowledgment of Approved Final Budget Fiscal Year 2012-2013 for the City of Deming by the New Mexico Department of Finance and Administration

7. Resolution Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico
8. Resolution Approving Participation in Municipal Arterial Program Administered by the New Mexico Department of Transportation
9. Quasi-Judicial Public Hearing to Consider a Street Vacation Request (Gold Avenue Adjoining Block 2 of the Pleyte Plat)
10. Approval of Job Description Solid Waste Lead, Range 17
11. Bids
 - a. Bid #13-03 Trash Dumpsters
12. Adjourn Meeting

The next regular City Council Workshop and Meeting are scheduled for 4:00 & 6:00 p.m., October 8, 2012.

CITY COUNCIL WORKSHOP MINUTES September 10, 2012

Council Present:

Andres Z. Silva, Mayor

Council Absent:

Linda Franklin, Mayor Pro Tem
David Sanchez, Councilor

William Shattuck, Councilor
Joe "Butter" Milo, Councilor

Staff Present:

Richard McInturff, City Administrator
Lawrence Brookey, Public Works Director
Vicki Engle, Human Resources Coordinator

Michael Carrillo, Chief of Police
Rick Kocab, Assistant Treasurer
Edgar Davalos, Fire Chief

Recording Secretary: Berenda McWright, Assistant Deputy Clerk

Mayor Andres Z. Silva and staff members of the City of Deming, New Mexico held a workshop on September 10, 2012 at 4:00 p.m. to discuss items of the City Council Agenda in preparation for the regularly scheduled meeting to be held at 6:00 p.m. the same day. The following items of the agenda were discussed as follows:

Open Public Hearing for the 2013 Community Development and Planning Applications: Mr. McInturff stated that the Progress Report would be presented by Lawrence Brookey.

Consent Agenda: Mr. McInturff reported no items would be pulled from the consent agenda and referenced a portion of the Airport Commission Minutes in which Airport Commissioner Wayne Burkhart requested old tires be used to mark the emergency runway at the airport. Mr. McInturff stated that staff would be instructed to inform Mr. Burkhart that it would not be possible to use old tires due to vector control issues.

Presentation on Vector Control Services by Entomology Consultants, LLC: Mr. McInturff stated that Entomologist Matt Lee would give a presentation regarding the vector control services provided to the City by Entomology consultants, LLC.

Proclamation Declaring the Month of October as Disability Awareness Month: Mayor Silva announced the he would be presenting the proclamation in support of October as Disability Awareness Month.

Proclamation Declaring the Week of October 7 - 13, 2012 as Public Natural Gas Week: Mr. McInturff stated that he would be presenting the proclamation declaring the week of October 7 - 13, 2012 as Public Natural Gas Week.

Acknowledgment of Approved Final Budget Fiscal Year 2012-2013 for the City of Deming by the New Mexico Department of Finance and Administration: Mr. Kocab stated the acknowledgment of the approved final budget is a new requirement from the Department of Finance.

Resolution Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico: Mr. McInturff stated that he would present the resolution adopting the Infrastructure Capital Improvements Plan.

Resolution Approving Participation in Municipal Arterial Program Administered by the New Mexico Department of Transportation: Mr. McInturff stated that he would present the resolution approving participation in the Municipal Arterial Program administered by the New Mexico Department of Transportation.

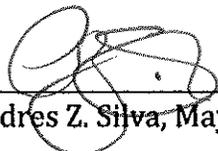
Quasi-Judicial Public Hearing to Consider a Street Vacation Request (Gold Avenue Adjoining Block 2 of the Pleyte Plat): Mr. McInturff stated he would present the request to vacate a portion of Gold Avenue during the quasi-judicial public hearing. Mr. McInturff pointed out the portion of Gold Avenue being vacated on the map and stated that Mr. Pleyte owns the adjoining property which he intends to market as commercial property someday.

Approval of Job Description Solid Waste Lead, Range 17: Ms. Engle explained the Solid Waste Lead will be responsible for technical work in the operation and maintenance of the City Solid Waste Transfer Station, Recycling Center, Collections and/or Landfill environment.

Bid #13-03 Trash Dumpsters: Mr. Brookey stated that he would be recommending the low bidder which was Waste Systems.

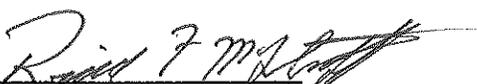
Adjourn Meeting : The workshop was adjourned by Mayor Silva at 4:21 p.m.

CITY OF DEMING, NEW MEXICO



Andres Z. Silva, Mayor

ATTEST:



Richard F. McInturff, Clerk



4. **Proclamation Declaring the Month of October as Disability Awareness Month:** Mayor Silva read the proclamation declaring the month of October as Disability Awareness Month and encouraged all citizens to celebrate the contributions of individuals with disabilities in our community and to continue to promote awareness to those who live their lives daily with their disability. Upon a motion by Councilor Sanchez and a second by Councilor Milo the proclamation declaring the month of October as Disability Awareness Month was approved unanimously.
5. **Proclamation Declaring the Week of October 7 - 13, 2012 as Public Natural Gas Week:** Mr. McInturff read the proclamation declaring the week of October 7 - 13, 2012 as Public Natural Gas Week in which the City commits to safety and system integrity as year round priorities. He encouraged use of the One Call system prior to any excavation activities. Upon a motion by Councilor Milo and a second by Councilor Sanchez the proclamation declaring the week of October 7 - 13, 2012 as Public Natural Gas Week was approved unanimously.
6. **Acknowledgment of Approved Final Budget Fiscal Year 2012-2013 for the City of Deming by the New Mexico Department of Finance and Administration:** Mr. Kocob explained that formally acknowledging the final budget for the fiscal year 2012-2013 is a new procedure required by the Department of Finance and Administration. Council acknowledged the receipt of the letter approving the final budget submitted in July 2012.
7. **Resolution Adopting an Infrastructure Capital Improvements Plan (ICIP) for the City of Deming, New Mexico:** Mr. McInturff recommended approval of the resolution which adopts the Infrastructure Capital Improvements Plan and prioritizes the City's top five projects as follows: #1. Butterfield Trail Landfill Cell Expansion; #2. Deming Landfill Closure; #3. Airport Fuel Farm Improvements; #4. Wastewater Treatment Plant Equipment Replacement; and #5. New Ambulance. Mr. McInturff read the resolution which states the ICIP Plan is a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure. Councilor Sanchez motioned to accept the resolution adopting an Infrastructure Capital Improvements Plan for the City of Deming, New Mexico. The motion was seconded by Councilor Milo and carried unanimously.
8. **Resolution Approving Participation in Municipal Arterial Program Administered by the New Mexico Department of Transportation:** Mr. McInturff recommended approval of the resolution approving participation in the Municipal Arterial Program administered by the New Mexico Department of Transportation. Mr. McInturff read the resolution which states the total minimum project cost for drainage improvements on Florida Street will be \$268,572.00 to be funded in proportional shares the by the NMDOT and the City of Deming. The NMDOT's share shall be 75% or not to exceed \$201,429 and the City of Deming's share shall be 25% or a minimum of \$67,143. Councilor Milo motioned to adopt the resolution approving participation in the Municipal Arterial Program administered by the New Mexico Department of Transportation. The motion was seconded by Councilor Sanchez and carried unanimously.

9. **Quasi-Judicial Public Hearing to Consider a Street Vacation Request (Gold Avenue Adjoining Block 2 of the Pleyte Plat):** Mayor Silva conducted a Quasi-Judicial Public Hearing to consider a request from Gertrude R. Pleyte Revocable Trust to vacate a portion of Gold Avenue adjoining Block 2 of the Pleyte Plat. Mayor Silva confirmed that Council had no conflicts of interest; that the public notices were legally posted; and swore in all parties who would be giving testimony. Mr. McInturff pointed out the subject street on the map which is located on the north side of Deming and recommended approval of vacating the street, contingent on petitioner paying for the appraisal and paying fair market value for said road. There were no applicants or other interested parties wishing to give testimony. Councilor Sanchez motioned to accept the street vacation request for the portion of Gold Avenue adjoining Block 2 of the Pleyte Plat, contingent on the petitioner paying for the appraisal and paying fair market value for the portion of Gold Avenue that was vacated. The motion was seconded by Councilor Milo and carried unanimously upon a roll call vote.

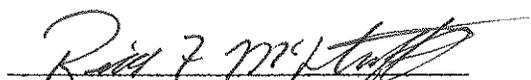
ROLL CALL VOTE

Councilor Sanchez	Aye
Councilor Milo	Aye

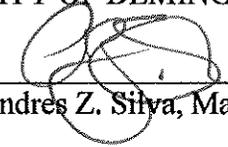
10. **Approval of Job Description Solid Waste Lead, Range 17:** Mr. McInturff recommended approval of the job description for a Solid Waste Lead, in order to fill positions for a lead at the landfill and the transfer station. Mayor Silva stated that pay range 17 is from \$15.54 to \$21.18. Councilor Milo motioned to approve the job description for Solid Waste Lead, Range 17. The motion was seconded by Councilor Sanchez and carried unanimously.
11. **Bid #13-03 Trash Dumpsters:** Mr. Brookey recommended awarding Bid #13-03 to Waste Systems for the replacement of trash dumpsters. Mr. Brookey reported that Waste System submitted the lowest bid for the replacement of 25 (3 cubic yard dumpsters) and 85 (1.5 cubic yard dumpsters). Councilor Sanchez motioned to award Bid #13-03 Trash Dumpsters to Waste Systems for \$45,355.80 not including New Mexico Gross Receipts Tax. The motion was seconded by Councilor Milo and carried unanimously.
12. **Adjourn Meeting:** Upon a motion by Councilor Sanchez and a second by Councilor Milo, the meeting was adjourned at 7:00 p.m.

The next regular City Council Workshop and Meeting are scheduled for 4:00 & 6:00 p.m., October 8, 2012.

ATTEST:


Richard F. McInturff, Clerk

CITY OF DEMING, NEW MEXICO


Andres Z. Silva, Mayor



Proclamation

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH, 2012

WHEREAS, fair access to employment is a fundamental right of every American, including approximately 54 million people in this country living with disabilities. Employment can provide financial stability, help maximize our potential, and allow us to achieve our dreams. As Americans, we possess a range of vocational opportunities to make the most of our talents and succeed in a chosen career; those with disabilities are entitled to the same opportunities.

WHEREAS, in the past half-century, great strides have been made in this country toward providing equal employment opportunities and increase awareness to the needs of the disabled, much work remains to be done.

WHEREAS, as part of that continuing effort, we must seek to provide opportunities for individuals with disabilities and bring awareness to their special needs to the end these citizens can achieve full participation in life, the workplace, and community.

WHEREAS, each day, Americans with disabilities play a critical role in forging and shaping the identity of our Nation. Their contributions touch us all through personal experience or through that of a family member, neighbor, friend, or colleague.

WHEREAS, President Obama has designated October as National Disability Employment Awareness Month. We, the City of Deming, recommit ourselves to implementing effective policies and practices that increase awareness for individuals with disabilities.

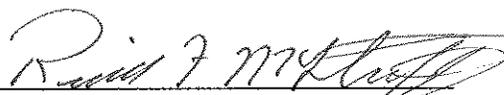
NOW, THEREFORE, I, Andres Z. Silva, Mayor of the City of Deming, New Mexico, do hereby proclaim the month of October 2012, Disability Awareness Month and I call on all our citizens to celebrate the contributions of individuals with disabilities in our community and to continue to promote awareness to those who live their lives daily with their disability.

Done this 10th day of September 2012 in the City of Deming, New Mexico.



Andres Z. Silva, Mayor

ATTEST:



Richard F. McInturff, City Administrator



PROCLAMATION
Public Natural Gas Week

October 7-13, 2012

Whereas, the American Public Gas Association has designated the week of October 7th thru the 13th, 2012 as Public Natural Gas Week to increase the public awareness of underground gas systems installed throughout City's in the United States.

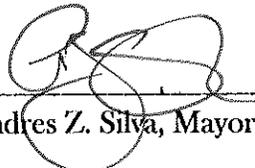
Whereas, the City of Deming owns and operates a Natural Gas Distribution System consisting of approximately 130 miles of underground piping operating at 100 or 20 pounds per square inch pressure. The Natural Gas System serves residential, commercial and industrial customers within the City of Deming.

Whereas, the City of Deming has a Public Awareness Program to educate Emergency Responders, Public Officials, Excavators and the Citizens of Deming about the Natural Gas System.

Whereas, the City of Deming participates in the New Mexico One Call system "CALL 811 BEFORE YOU DIG" and requires that all parties involved in excavation activities to use the One Call system prior to any excavation activities.

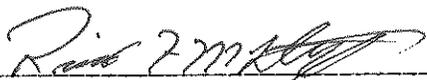
NOW, THEREFORE, the Mayor and City Council of the City of Deming, do hereby proclaim October 7th thru 13th, 2012 as Public Natural Gas Week and commits to safety and system integrity as year round priorities.

Done this 10th, day of September, 2012 in the City of Deming, New Mexico.



Andres Z. Silva, Mayor

ATTEST:



Richard F. McInturff, Deputy Clerk



RESOLUTION NO. 12-30

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 September 10, 2012.

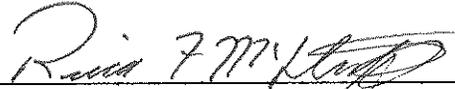


ATTEST:

CITY OF DEMING, NEW MEXICO



Andres Z. Silva, Mayor



Richard F. McInturff, Administrator/Clerk

RESOLUTION NO. 12-31

**PARTICIPATION IN MUNICIPAL ARTERIAL PROGRAM ADMINISTERED
BY THE 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.

WHEREAS, the total minimum cost of the project will be \$268,572.00 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 \$201,429.00

And

- b. City of Deming's proportional matching share shall be 25% or a minimum of \$67,143.00.

The City of Deming shall pay all costs, which exceed the total amount of \$268,572.00.

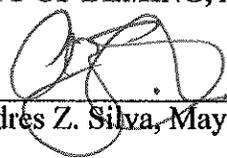
NOW THEREFORE, BE IT RESOLVED in official session that City of Deming determines, resolves, and orders as follows:

- o That the project for this Cooperative agreement is adopted and has a priority standing.
- o The agreement terminates on June 30, 2014 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.

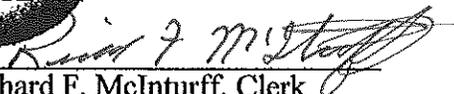
NOW, therefore, be it resolved by the City of Deming to enter into Cooperative Agreement Project Number MAP-7629 (903), Control Number HW2 L100104 with the New Mexico Department of Transportation for LGRF Project for year 2012 – 2013 for project development, design and reconstruction, drainage improvement and/or misc. improvements of Florida Street (SR 427) – from Suncrest Street to Mallery Street.

PASSED, ADOPTED, AND APPROVED this 10th day of September 2012

CITY OF DEMING, NEW MEXICO



Andres Z. Silva, Mayor



Richard F. McInturff, Clerk

