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CITY COUNCIL MEETING
January 11, 2016
6:00 P.M.
AGENDA

Call to Order/Pledge of Allegiance

1. Consent Agenda

- A. Minutes – City Council Regular Meeting 12/14/15
- B. Minutes – Airport Commission Meeting 12/08/15
- C. Minutes – Planning & Zoning Commission Meeting 12/21/15
 - a. Recommendation to Approve the Request for a Special Use Permit for a Mobile Motorcycle Repair Business *(To be presented later in meeting as a Quasi-Judicial Public Hearing)*.
- D. Minutes – Marshall Memorial Library Board Meeting-*No meeting scheduled*
- E. Resolution Adopting the City Section 3 Plan
- F. Resolution Adopting the City Residential Anti-Displacement and Relocation Assistance Plan
- G. Resolution Adopting the City Citizen Participation Plan
- H. Resolution to Determine what Constitutes Reasonable Notice of Public Meetings as Required by the Open Meetings Act, Section 10-15-1 (D)
- I. Resolution Adopting Regulations Regarding the Procurement Process
- J. Resolution: Adopting Regulations Governing the Per Diem and Mileage Act Pursuant to NMAC 2.42.2

2. Public Forum

3. Presentation by Luna County DWI Program Regarding the Social Host Ordinance

4. Resolution to Approve the 2015-2016 Fiscal Year Mid-Year Budget Adjustments

5. Resolution to Amend the Participation in Municipal Arterial Program (Map) Fund Program Administered By New Mexico Department Of Transportation-Amendment

6. Approval of Election Precinct Board for the 2016 Municipal Election

7. Public Hearing to Consider an Amendment to Title 1, Chapter 7, Article 3 A & B of the City of Deming Municipal Code pertaining to the Salaries of Mayor and City Council Members

8. Quasi-Judicial Public Hearing to Consider a Special Use Permit for a Mobile Motorcycle Repair Business

9. Administrator's Report
10. Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Property Pursuant to NMSA 1978 Section 10-15-1 (H)(8) of the Open Meetings Act
11. Adjourn Meeting

The next regular City Council Meeting is scheduled for February 8, 2016 at 6:00 p.m.

CITY COUNCIL MEETING MINUTES January 11, 2016

Council Present: Benny L. Jasso, Mayor
Dr. Victor Cruz, Councilor
Roxana Rincon, Councilor

Council/Staff Absent: Joe “Butter” Milo, Mayor Pro Tem
David L. Sanchez, Councilor
(Called telephonically for item 7)

Staff Present: Aaron Sera, City Administrator
Jim Massengill, Public Works Director
Laura Holguin, Treasurer
Jim Foy, City Attorney
Bryan Reedy, Community Svcs. Dir.
Brandon Gigante, Police Chief
Raul Mercado, Fire Chief
Bobby Orosco, Police Captain
Mary Corral, Receptionist

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

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

1. Consent Agenda

Mr. Sera called attention to Item C. Minutes—Planning & Zoning commission Meeting 12/21/15. He noted that the recommendation for a Special Use Permit for a motorcycle repair business will be presented later in the meeting as a Quasi-Judicial Public Hearing. He also stated that the resolutions in the Consent Agenda, E. through J., are annually presented resolutions which are required to be passed in order to apply for CDBG Funds. Mr. Sera asked if there were any questions from the Council.

Councilor Cruz questioned why the Library Board Meeting has the lowest attendance of all the boards or commissions. He stated that he’s noticed that there has been several times in which the meetings have been cancelled.

Councilor Cruz moved to approve the Consent Agenda with the exception of the Quasi-Judicial Public Hearing to be presented later in the meeting. Councilor Rincon seconded the motion; motion carried unanimously.

2. Public Forum

Mayor Jasso opened the floor to the public to receive any comments. There were none.

3. Presentation by Luna County DWI Program Regarding the Social Host Ordinance

Matt Robinson presented this item to the Mayor and City Council. He mentioned that back in November 2015; the County Commission passed the Social Host Ordinance. He added that this basically gave law enforcement more tools to use to try and fight the underage drinking issues in Luna County. Jessica Jara, Partnership for Success II Program

Coordinator, gave a presentation on underage drinking within Luna County. Ms. Jara provided statistics from statewide self-reported data from New Mexico Youth Risk and Resiliency Survey (NM-YRRS) from 2013. Mr. Sera asked if the information Ms. Jara provided is all from the same self-reported surveys. She confirmed that it is. Councilor Cruz asked if the state comparison statistics were from the same data. She and Mr. Robinson confirmed that it the data is from the 2013 NM-YRRS. Mr. Robinson stated that the reason they are proposing the Social Host Ordinance is due to the responses from the survey, which indicate that most of the underage drinking is taking place at the person's home or another known person's home. Mayor Jasso asked how many counties participated in the survey. Ms. Jara stated that 18 New Mexico counties participated in the survey.

Councilor Cruz stated that New Mexico is one of the highest DWI states in the country. He went on to say that possibly these adults allow their children to follow the same behavior. Mr. Robinson concurred and stated that a lot of the information they've seen show that may underage drinkers began drinking at 11-13 years old. He added that this increases the chances of developing problem behavior in the future.

Mr. Robinson stated that in talking to deputies from the Sherriff's department, most commented that when underage drinkers are cited they give off the impression that it's "no big deal". He and Ms. Jara commented on some of the postings on social media sites, which were posted by local teens.

Ms. Jara explained what local social host ordinances are. She stated that they are local laws that hold property owners, parents, and adults accountable for underage drinking occurring at their home, or on their property. Ms. Jara clarified that the ordinance is not just for parents, but if a 25-year old is hosting a party where underage drinking is occurring, they can be sited for hosting or providing alcohol.

Councilor Cruz asked if Mr. Robinson or Ms. Jara had any evidence that civil ordinances are more effective. He stated that he had called the Santa Fe Police Department and he stated that their response was that the Social Host Ordinance is not effective. Ms. Jara stated that there are only five counties or municipalities within New Mexico which have adopted the Social Host Ordinance, with Farmington adopting the ordinance as a criminal penalty. Ms. Jara stated that the data is not being collected in New Mexico, but did mention that in other communities, nationwide, it is effective. She mentioned that the Baltimore ordinance is available with data to show its effectiveness. Mr. Robinson interjected that this is more to educate the public that this is happening and raise awareness; and to try to address this from another route.

Councilor Cruz stated that Santa Fe, Española, Farmington, Moriarty, and Luna County have approved the Social Host Ordinance. He stated that he contact Santa Fe and Española and Santa Fe responded that they are not using the civil ordinance. A brief discussion was entertained between Councilor Cruz, Ms. Jara and Mr. Robinson regarding the civil ordinance passed by Santa Fe and how they stated they are not imposing it at this time.

Mr. Foy, City Attorney, asked Mayor Jasso if he may comment. Mayor Jasso allowed him to do so. Mr. Foy prefaced his comment by stating that he is opposed to underage drinking and added that in his time as an attorney in the area, started the Juvenile Justice Continuum. He stated that he is incredibly in-tune to juvenile issues and underage drinking. He wanted to make it clear that he, in no way condones underage drinking.

Mr. Foy went on to state that he has some problems with the Social Host Ordinance. He stated that the City of Deming cannot pass this because they are not a home-ruled municipality. He went on to say that another concern is that with the amount of people cited in Deming, not including the county, is not cost effective due to the fact that you have to account for due process. He went through the process that is involved in setting up this system and estimated the costs to the City at approximately \$40,000 per year for an average of 36 cases per year. He also expressed his concern regarding how the ordinance is written, legally. He stated that in the ordinance, it includes penalties for controlled substances, which may impose a chance of double jeopardy. Mr. Foy noted that the current law states that it is a 4th degree felony in New Mexico for a person to knowingly give alcohol to a minor.

Mr. Foy stated that he has problems with this ordinance and would like to know if the County's attorneys reviewed this ordinance, as written, and found that it was okay. Mr. Robinson stated that it has been reviewed and was okayed. Mr. Foy asked if the County's attorneys reviewed and okayed the ordinance. A discussion was entertained between Mr. Robinson, Ms. Jara, Mayor, Mr. Foy and Council regarding some of the issues with the ordinance. Mr. Foy stated that he can't recommend, as the ordinance is written, for Council to approve it.

Mayor Jasso asked if Chief Gigante had any comments. Chief Gigante stated that he does agree with Mr. Robinson, in that in no way is the City Police Department responding or enforcing 100 percent of these crimes. He added that goes without saying for just about everything. He stated that in those cases in which they do respond to and take action on, this is where the factual statistical data came from. Chief Gigante stated that in respect to the City Ordinance, it does not specifically state anything in regards to alcohol or underage drinking, but it actually encompasses "engaging in delinquent act or acts". Chief Gigante states that to him that means everything that is criminal to an adult is a delinquent act for a juvenile, which then makes this ordinance enforceable. He noted that could be underage drinking, graffiti, shoplifting, or any and everything in the City Ordinances and State Statutes. Chief Gigante asked Mr. Foy for his opinion of the interpretation. Mr. Foy stated that he agreed and that not only does this pertain to any delinquent act, but alcohol offenses are specific delinquent acts.

Chief Gigante went on to say that he and Cpt. Orosco recently met with Ms. Jara, and they reviewed and discussed the ordinance. He stated that he had several questions; his greatest concern was whether it is constitutional, if passed by the City; and if the City as a Municipality can charge someone with a criminal penalty. He stated that his understanding is that everything his department does has to be a criminal ordinance through Municipal Court, with a few exceptions. He stated that he referred to Mr. Foy to make sure he was correct. Mayor Jasso asked Chief Gigante if the procedure they are currently following is

working. Chief Gigante stated that in each case the department's officers are taking some type of enforcement action. He went on to say that in the case of the 4th degree felony of providing alcohol to minors; the only drawback is that in those cases are at the mercy of the approval of the DA's office. A discussion was entertained between Mayor Jasso, Chief Gigante, Council, Mr. Foy, Mr. Robinson and Ms. Jara.

Mr. Sera asked if Mr. Foy could review the new version of the Social Host Ordinance.

Mayor Jasso announced that County Commissioner Smrkovsky was in the audience. He asked if she had any comment on this topic. Commissioner Smrkovsky stated that she would like to see the comments of the attorneys who reviewed the ordinance passed by the County Commissioners. She stated that approval of the ordinance is a step in the right direction and after listening to this discussion, she would like to sit in on the meetings of the committee to assure things are being done correctly.

After a lengthy discussion, Mr. Sera recommended that he would like to meet with Chief Gigante, Cpt. Orosco, Cpt. Hogan, Mr. Robinson, and Ms. Jara to discuss the ordinance in further detail, to strengthen it, and to make sure things are done in accordance with the legal advice given by Mr. Foy.

4. Resolution to Approve the 2015-2016 Fiscal Year Mid-Year Budget Adjustments

Ms. Holguin presented the resolution for the 2015-2016 Fiscal Year Mid-Year Budget Adjustments. She referred to the supporting documentation and stated that this year it is quite condensed, and after she and Mr. Sera discussed how they would make the adjustments, it was decided that adjustments would be done mid-year. Mr. Sera added that it is more efficient to make the significant adjustments at mid-year, that way they are making one significant adjustment. Ms. Holguin explained that for formula purposes, she has brought the beginning operating cash forward as net worth amounts. She stated that supporting documentation show the beginning budget amount and the changes made to that figure. She went on to say that in the General Fund, the revenue was decreased by \$25,000 and the professional services where the expense budget was decreased by \$10,000. This was due to the fact that they anticipated receiving a higher grant amount for the Comprehensive Plan and they anticipated the cost being higher at the time the budget was made. Ms. Holguin stated that the third item in the General Fund, under Buildings and Structures, is an adjustment to allow for the purchase of the property on Skyview Road that was previously approved by Council.

Ms. Holguin referenced the next section, Fire Protection Fund. She noted that the City received a grant for some air tanks which requires a 10% match from the City, so you will see the revenue increase by \$32,400 and the offset expense increase of \$32,400. She noted that they did not increase the budget for the 10% match because those funds will come out of the Fire Department budget.

Ms. Holguin noted that in the Municipal Street budget, the City received a Colonias Grant/Loan for the Buckeye Drainage project. She noted that the loan, once received will go

directly into the Cities account, so therefore the adjustment reflecting that transaction for \$1,487,655 was made. She noted that if the budget for this project goes as planned, the ending cash balance will be at approximately \$22,000.

Ms. Holguin went on to say that in the Sewer and Water budget, she increased the debt service principal by \$2,000 in Sewer and \$5,200 in Water. She explained that what these adjustments are is to show in the budget that the City has these amounts budgeted to pay the debt applied for by the Public Works Director, should they be awarded. She stated that at this point she has not adjusted any transfers in for the applied funding.

Mayor Jasso asked if there were any questions of Council. Councilor Cruz mentioned that he has mentioned the option of alternative energy lighting sources. A brief discussion was entertained between Councilor Cruz, Mr. Sera and Mr. Reedy.

With no other questions from Council, Mayor Jasso entertained a motion.

Councilor Cruz moved to approve the Resolution for the 2015-2016 Fiscal Year Mid-Year Budget Adjustments, as presented. Councilor Rincon seconded the motion; motion carried unanimously.

5. Resolution to Amend the Participation in Municipal Arterial Program (MAP) Fund Program Administered By New Mexico Department Of Transportation-Amendment

Mr. Reedy presented this item to Mayor and Council. He stated that there was extra funds left over after the Gold Street project, which were MAP funds through the NMDOT. He stated that they are requesting approval to transfer those funds to the next phase of the project which will encompass the area of Cody Road from Poplar Street to Florida Street. Mr. Reedy explained that this transfer would require that this resolution be approved by Council.

Mayor Jasso asked if there were any questions from Council. There were none.

Councilor Cruz moved to approve the resolution to amend the Participation in the Municipal Arterial Program (MAP) Fund Program Administered by the New Mexico Department of Transportation—Amendment. Councilor Rincon seconded the motion; motion carried unanimously.

6. Approval of Election Precinct Board for the 2016 Municipal Election

Mr. Sera asked Ms. Jasso to address the item. She stated that the approval of the Election Precinct Board is a requirement for the upcoming Municipal Election.

Councilor Cruz asked if there are any requirements the board needs to fulfill before the election. Ms. Jasso stated that the board is required to attend the election school training which will take place the later part of February. Mr. Sera interjected that the training will

take place at City Hall. Councilor Cruz asked if the election board positions are on a volunteer basis. Ms. Jasso stated that the precinct board members are paid.

Councilor Cruz moved to approve the Election Precinct Board for the 2016 Municipal Election. Councilor Rincon seconded the motion; motion carried unanimously.

7. Public Hearing to Consider an Amendment to Title 1, Chapter 7, Article 3 A & B of the City of Deming Municipal Code pertaining to the Salaries of Mayor and City Council Members

Mr. Sera presented this item to Mayor and Council. He asked for a moment to call Councilor Sanchez, as he could not be present at the meeting, but wanted to be involved telephonically on this item.

Mr. Sera presented the proposed ordinance to Council and mentioned that, historically, this item has been brought to Council about every four years, with the last one being in 2012. He stated that the proposal be addressed in December at the request of Mayor Pro Tem Milo. Mr. Sera referred to the handout and noted that salary increase being proposed is calculated at an 8% increase. He explained the comparison rankings for both Mayor's salary and Council member salary. He noted that the Cities chosen in the comparable are bases on the Cities used in the pay-plan analysis which was performed by an independent firm.

Mr. Sera referred to the salary schedule and mentioned the proposed salary with differences on a monthly and yearly basis. Mr. Sera reiterated that the proposed increase is at 8%, but the Council can decide at what increment they would like to take action. Mr. Sera asked if there were any comments from Council.

Councilor Sanchez stated that he would like to see the compensation increased. He went on to say that this would affect the newly elected officials then follow suite thereafter. He noted that this may be an incentive for those interested in running for municipal office. He went on to say that he was in favor of the 8% increase.

Councilor Cruz stated that in looking at the comparison chart, the City of Deming officials are currently in the top 3 of those Cities being compared. He stated that he is not in favor of the increase.

A brief discussion was entertained regarding the duties involved with the position.

Councilor Rincon asked if the change would apply to all Councilors or only those coming into office after the current election. Councilor Sanchez explained that the salary increase would apply to the incoming Council members for the current election, then it would apply to the other Council members and Mayor for the subsequent election.

Mayor Jasso voiced his comment and noted that he understands Councilor Sanchez' position, but feels that the 8% seems high in comparison to the 4% maximum increase for full-time City employees.

Councilor Sanchez moved to approve the amendment to Title 1, Chapter 7, Article 3 A & B of the City of Deming Municipal Code pertaining to Salaries of Mayor and City Council Members, as presented.

Mayor Jasso opened the public hearing for public comment. There was none.

Mayor Jasso entertained a second to the motion. Councilor Cruz seconded the motion. The motion was denied, 2 Nays-1 Aye, by the following roll call vote:

ROLL CALL VOTE

Councilor Rincon	Nay
Councilor Sanchez	Aye
Councilor Cruz	Nay

8. Quasi-Judicial Public Hearing to Consider a Special Use Permit for a Mobile Motorcycle Repair Business

Mayor Jasso called to order the public hearing to consider a special use permit application for a Mobile Motorcycle Repair Business. 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.

Ms. Gentile, City Planner presented this case to Mayor and Council. She stated that the applicant, James Odell, is requesting a special use permit for a mobile motorcycle repair business, and resides at 1821 S. Gold, which is zoned residential, however his repair business will be mobile and he will go to the location of the motorcycle to do repairs. He noted that the applicant states that any materials/parts for the business will be ordered as needed and not stored onsite at this residence. She stated that the City codes requires a special use permit for automobile, truck, motorcycle, RV, and other vehicle service. Therefore, the applicant is required to apply for a special use permit for this mobile motorcycle repair business. She noted that previously, there was a mobile home repair business that was approved in August 2011.

Ms. Gentile stated that staff has no technical objection to the request and Council has the option to approve, deny, or table the motion on this request.

Mayor Jasso asked if there were any questions of staff by any Council member. There were none.

Mayor Jasso asked if the applicant or agent would like to make a statement.

James Odell, 1821 S. Gold Avenue, stated that he would like to provide a service to the community that was lost with the closing of Deming Cycle Center. He stated that he would like to start off small and work to grow his business.

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

Mayor Jasso asked if there are any affected parties that would like to speak.

Ramon Pena, Ramon's Towing at 1617 E. Pine St., asked if the applicant would be limited to motorcycle repair only, or would he also be able to repair automobiles. Ms. Gentile stated that the applications states that the nature of the business is motorcycle repair, so she feels that would limit him to motorcycle repair. Mr. Pena posed this question due to the fact that when he opened his business, in which he does both motorcycle and automobile repair, the City asked him to get two separate permits. Ms. Gentile stated that she would not understand why that was required, as she was not employed with the City at that time.

Mayor Jasso asked if anyother persons would like to speak. There were none.

Mayor Jasso closed the public comments brought the public hearing back to the Council. He asked if there was a Council member prepared to make a motion or if they would like to go into closed session under NMSA 1978 10-15-1 (H)(3).

Councilor Rincon moved to approve the special use permit for a mobile motorcycle repair business, as presented. Councilor Cruz seconded the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Cruz	Aye
Councilor Rincon	Aye
Mayor Jasso	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.

9. Administrator's Report

Mr. Sera commented on the following items in his report to Mayor and Council:

- o Met several times with the local legislative officials regarding the City and joint City/County Capital Outlay requests.
- o Billy the Kid expansion project to extend their season to 8-10 months of production. The Deming Economic Development Coordinator is working with them to complete a grant agreement to help fund their expansion.

- Regular meetings with Mr. Reedy, Community Services Director, to discuss projects to make sure they are on track.
- Met with Laura Holguin, City Treasurer, in December to discuss bond issues for the Municipal Election. Decided to go another route and look into borrowing the funds to complete some of the priority projects.
- Working with Mr. Reedy on Street Maintenance Pavement Plan to identify and analyze the condition of the street in order to prioritize repairs to those high priority streets.

10. Closed Session to Discuss the Purchase, Acquisition or Disposal of Real Property Pursuant to NMSA 1978 Section 10-15-1 (H)(8) of the Open Meetings Act

Mayor Jasso entertained a motion from Council to go into closed session.

Councilor Cruz moved to go into closed session. Councilor Rincon seconded the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Cruz	Aye
Councilor Rincon	Aye
Mayor Jasso	Aye

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

Councilor Cruz moved to go back into open session. Councilor Rincon seconded the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Rincon	Aye
Mayor Jasso	Aye
Councilor Cruz	Aye

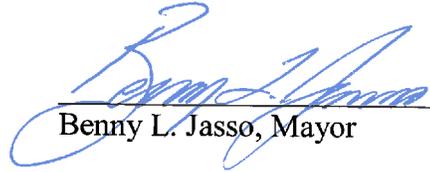
Mayor Jasso stated for the record that only the items mentioned in the motion to go into closed session were discussed and that no items were moved upon during the closed session.

11. Adjourn Meeting

With no further business to discuss, Councilor Rincon moved to adjourn the meeting. Councilor Cruz seconded the motion; motion carried unanimously. Meeting adjourned at 8:31 p.m.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Clerk

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 16-01**

**A RESOLUTION TO ADOPT
THE CITY OF DEMING SECTION 3 PLAN**

WHEREAS, the City of Deming is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community; and

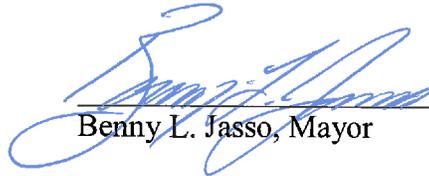
WHEREAS, in accordance with CDBG Regulations the City's Section 3 Plan must be updated annually;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Deming, New Mexico, that it hereby adopt the attached Section 3 Plan.

PASSED, APPROVED and ADOPTED this 11th day of January, 2016.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Administrator/Clerk

CITY SECTION 3 PLAN

The City of Deming is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low-income residents of the community.

The City of Deming has appointed the City Administrator as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as focal point on Section 3 complaints, as the on-site monitoring of prime contractors and sub-contractors to ensure the implementation and enforcement of their Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the City. Documentation of City efforts will be retained on file for monitoring by the State.

Therefore, the City of Deming shall:

1. Hiring
 - (a) Advertise for all City positions in local newspapers.
 - (b) List all City job opportunities with the State Employment Service.
 - (c) Give preference in hiring to lower income persons residing in the City. This means that if two equally qualified persons apply and one is a resident of the City and one is not, the resident will be hired.
 - (d) Maintain records of City hiring as specified on this form.

Anticipated City Hiring 2016

Job Classification	Planned		Actual	
	# of Positions to be Filled	# of Positions to be Filled by Lower Income City	# Positions Filled (Incl. Temps)	# of Positions Filled by Lower Income City
Laborer	4	4	8	8
Skilled Craft	6	6	16	16
Clerical	4	4	25	24

2. Contracting

- (a) The City will compile a list of businesses, suppliers and contractors located in the City.
- (b) These vendors will be contacted for bid or quotes whenever the City requires supplies, services or construction.
- (c) Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the City and one from outside the City, the contract will be awarded to the business located within the community.

3. Training

The City shall maintain a list of all training programs operated by the City and its agencies and will direct them to give preference to City residents. The City will also direct all CDBG sponsored training to provide preference to City residents.

4. CDBG Contracts

All CDBG bid packages and contracts shall include the following Section 3 language:

- (a) The work to be performed under this contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Housing Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given lower residents of the project areas and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- (b) The parties to this contract will comply with the provision as said Section 3 and the regulation issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability, which would prevent them from complying with these requirements.
- (c) The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places

available to employees and applicants for employment or training.

- (d) The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of, Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135, and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
- (e) Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued there under prior to the execution of the contract, shall be a condition of the Federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors, and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors, and assigns to those sanctions specified by the grant or loan agreement or contract through which Federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The City shall require each contractor to prepare a written Section 3 Plan as a part of their bids on all jobs exceeding \$100,000. All Section 3 Plans shall be reviewed and approved by the City's Equal Opportunity Section 3 Compliance Officer and maintained in said office for monitoring by the State.

The City of Deming will maintain all necessary reports and will ensure that all contractors and subcontractors submit required reports.

LOWER INCOME CLARIFICATION

A family who resides in Deming, New Mexico and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for Luna County. Information contained in our Section 3 Plan reflects the status of the City employees regarding lower income considerations based on their salary paid by the City.

As approved by City Council, January 11, 2016 by resolution.

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO: 16-02**

**A RESOLUTION TO ADOPT
THE RESIDENTIAL ANTI-DISPLACEMENT
AND RELOCATION ASSISTANCE PLAN**

WHEREAS, the prepared Anti-displacement and Relocation Assistance Plan represents the effort of the City of Deming to comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974 as amended.

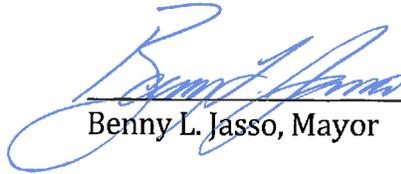
WHEREAS, the U.S. Department of Housing and Urban Development has advised that all recipients of CDBG funds, must certify that the entity is following or hereafter will be following a Residential Anti-Displacement and Relocation Assistance Plan; and

NOW, THEREFORE BE IT RESOLVED THAT the City of Deming does hereby adopt the attached Residential Anti-displacement and Relocation Assistance Plan.

PASSED, APPROVED, and ADOPTED this 11th day of January, 2016 by the City Council of Deming, New Mexico.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Administrator/Clerk

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN & CERTIFICATION

Section 104(d) of the Housing and Community
Development Act of 1974, as Amended

Section 509 of the Housing and Community Development Act of 1987 (Public Law 100-242, approved February 5, 1988) amended Section 104 of the Housing and Community Development Act of 1974 (the Act) by adding a new subsection (d).

The new subsection 104(d) of the Act provides that a grant under Section 106 (CDBG Programs) may be made only if the grantee certifies that it is following a "residential antidisplacement and relocation plan."

Local governments, recipients under the State CDBG Program, must make this certification to the State. The requirement applies only to those recipients of CDBG funds from awarded to the State by HUD after October 1, 1988.

ACCORDINGLY, the foregoing plan represents the effort of the City of Deming to comply with the requirements of Section 104L(d) of the Act and is certified herewith:

PLAN AND CERTIFICATION

The City of Deming herewith certifies that it will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.496 a(b).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Deming will make public and submit to the Local Government Division of the Department of Finance and Administration the following information in writing:

1. A description of the proposed activity;
2. The location on a map and the approximate number of units, described by size (number of bedrooms), that will be demolished or converted;
3. A time schedule for commencement and completion of the demolition or conversion;

4. The location on a map and the approximate number of dwelling units described by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source(s) of funding and a time schedule for the provision of replacements units; and
6. The basis for concluding that each replacement unit will remain a low/moderate-income dwelling unit for ten (10) years from the date of initial occupancy.

The City of Deming will provide relocation assistance, as described in 570.496-a to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

To other extent which the City of Deming participates in Federal Assistance Programs wherein the following antidisplacement strategies can be applied, and consistent with the goals and objectives of activities assisted under the Act, the City of Deming will take the following steps to minimize the displacement of persons from their homes (this listing not all inclusive):

DISPLACEMENTS STRATEGY

A. Steps to Minimize or Prevent Displacement:

1. Plan, organize and stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation so as to provide the greatest convenience, safe and economically sound rehabilitation effort possible.
2. Assist in the identifying and locating of temporary relocation facilities in order to house families whose displacement will be of short duration, so that they can move back to their neighborhood after rehabilitation or new construction.
3. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent the placing of undue financial burdens on long established owners or on tenants of multi-family buildings.
4. Counsel and advise homeowners and renters to understand the range of assistance that may be available to meet and protect their housing rights and interests.
5. In cooperation with neighborhood organizations, continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

B. Actions to Assist Displaced Persons to Remain in Their Present Neighborhoods:

1. Provide lower-income housing in the neighborhood through HUD housing programs; purchase units as is; rehabilitate vacant units; or construct housing units.
2. Give priority in assisted housing units in the neighborhood to area residents facing displacement.
3. Target Section 8 existing programs and certificates to households being displaced, and recruit area landlords to participate in the program.
4. Provide counseling and referral services to assist displaced to find alternate housing in the neighborhood.
5. Work with area landlords and real estate brokers to locate vacancies of households facing displacement.

C. Actions to Otherwise Mitigate Adverse Effects of Displacement:

1. Use of public funds, such as CDBG, to pay moving costs and provide relocation payments or, to extent permissible by local or state law require private developers to provide compensation to persons displaced by development activities.
2. Give displaced priority in obtaining subsidized housing.
3. Provide counseling and referral service to assist displaced to locate elsewhere in the community.

It shall be the policy of the City of Deming that all persons displaced by CDBG activity shall be relocated into housing that is:

- a) Decent, safe and sanitary;
- b) Adequate in size to accommodate the occupants;
- c) Functionally equivalent;
- d) In an area not subject to adverse environmental conditions.

As approved by City Council, January 11, 2016 by resolution.

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 16-03**

**A RESOLUTION TO ADOPT
THE CITIZEN PARTICIPATION PLAN**

WHEREAS, in accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, the City of Deming has prepared a Citizen Participation Plan.

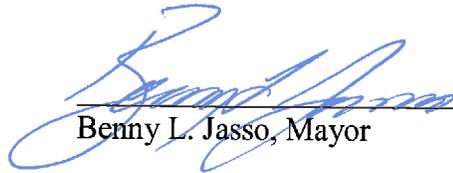
WHEREAS, in accordance with the CDBG Regulations the City of Deming's Citizen's Participation Plan must be updated annually;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Deming, New Mexico that it hereby adopt the attached Citizen Participation Plan.

PASSED, APPROVED AND ADOPTED this 11th day of January, 2016.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor


Aaron Sera, Administrator/Clerk

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CITIZEN PARTICIPATION PLAN

Introduction

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, the City of Deming has prepared and adopted this Citizen Participation Plan.

Objective A

The City of Deming will provide for and encourage citizen participation within their areas of jurisdiction with particular emphasis on participation by persons of low and moderate income.

1. Adopt and circulate an Open Meetings Resolution which provides citizens with reasonable notice of City upcoming meetings, actions, functions.
2. Develop press releases on City meetings, actions and hearings and circulate to newspapers, radio and televisions media.
3. Develop and maintain listings of groups and representatives of low and moderate income persons and include on mailing lists for announcements, notices press releases, etc.

Objective B

The City of Deming will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds.

1. Public notices, press releases, etc., should allow for a maximum length of notice to citizens.
2. Appropriate information and records relating to the proposed and actual use of CDBG funds must be available upon request to all citizens. Personnel and income records may be exempted from this requirement.
3. Meetings, hearings, etc., should be conducted at times and locations conducive to public attendance, i.e., evenings, Saturdays.

Objective C

The City of Deming will provide for technical assistance to groups and representatives of low and moderate-income persons that request assistance in developing proposals. (Special note: the level and type of assistance is to be determined by the City.)

1. Low/moderate income groups should be advised that technical assistance, particularly in the area of community development, is available from the City of Deming upon request.
2. The City of Deming will document all technical assistance provided to such groups and have documentation available for review.

Objective D

The City of Deming will provide for public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program.

1. The City of Deming will advise citizens of the CDBG Program objectives, range of activities that can be applied for and other pertinent information.
2. The City of Deming will conduct a minimum of two public hearings:
 - a. One public meeting will be held for the purpose of obtaining the views of citizens on community development and housing needs to include the needs of low and moderate income people. This hearing will take place prior to the selection of the project to be submitted to the State for CDBG funding assistance.
 - b. A second public hearing will be held for the purpose of gaining citizen input on the particular application to be submitted to the State for CDBG funding consideration.
3. The City of Deming will review program performance, past use of CDBG funds and make available to the public its community development and housing needs including the needs of low and moderate-income families and the activities to be undertaken to meet such needs.
4. Public hearing notices will be published in the non-legal section of newspapers or in other local media. Evidence of compliance with these regulations will be provided with each CDBG application, i.e., hearing notice, minutes of public meetings, list of needs and activities to be undertaken, etc. Amendments to goal, objectives and applications are also subject to public participation.

Objective E

The City of Deming will provide for timely written answers to written complaints and grievances within 15 working days where practicable.

1. The City of Deming will adopt complaint-handling procedures of policies to insure that complaints or grievances are responded to within 15 days, if possible.
2. Procedures will allow for appeal of a decision to a neutral authority.
3. A detailed record of all complaints/grievances and responses will be filed in one central location with easy public access provided.

Objective F

The City of Deming will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate.

1. The City of Deming will identify areas where large majorities of non-English speaking persons reside and make appropriate provisions when issues affecting these areas are to be discussed at public meetings, hearings, etc. Appropriate provisions will include having interpreters available at the meeting and/or having briefing materials available in the appropriate language.
2. Maintain records/rosters of public hearing attendees and proceedings to verify compliance with this objective.

As approved by City Council, January 11, 2016 by resolution.

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 16-04**

**AN ANNUAL RESOLUTION DETERMINING WHAT CONSTITUTES
REASONABLE NOTICE OF PUBLIC MEETINGS HELD BY THE
GOVERNING BODY OF THE CITY OF DEMING
PER SECTION 10-15-1 (D) OF THE OPEN MEETINGS ACT**

WHEREAS, the City of Deming met in Regular session at Deming, New Mexico on January 11, 2016 at 6:00 p.m. as per law; and

WHEREAS, Section 10-15-1(B) of the Open Meeting Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum or members of any board, council, commission or other policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the City of Deming to determine annually what constitutes reasonable notice of its public meetings.

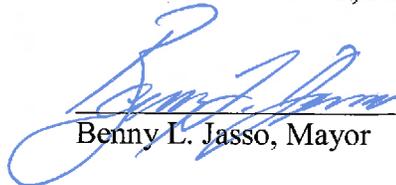
NOW, THEREFORE, BE IT RESOLVED by the City of Deming that:

1. All regular meetings shall be held at the John Strand Municipal Building at 6:00 p.m. or as indicated on the meeting notice.
2. Regular meeting shall be held each month on the second Monday. A proposed agenda will be available the Friday before the meeting from the Municipal Offices, 309 South Gold Avenue, Deming, New Mexico.
3. Special meetings may be called by the Mayor or a majority of the Council members upon three (3) days notice.
4. Emergency meetings will be called only under circumstances, which demand immediate action to protect the health, safety and property of citizens. The City of Deming will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a majority of the Council members upon twenty-four (24) hours notice, unless threat of personal injury or property damage requires less notice.

5. For the purpose of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place, and general subject matter to be discussed is placed in newspapers of general circulation in the state.
6. For the purposes of special meetings and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements shall be met by posting notices in the Municipal Building.
7. The City Council may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.
 - a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the City Council taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting; and
 - b. If the decision to hold a closed meeting is made when the City Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances and stating the specific provision of law authorizing the closed meeting and the subjects to be discussed, is given to the members and to the general public; and
 - c. Except as provided in Section 10-15-1 (E), any action taken as a result of discussions in a closed meeting shall be made by vote of the City Council in an open public meeting.

PASSED, APPROVED AND ADOPTED by the City Council this 11th day of January 2016.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor




Aaron Sera, Administrator/Clerk

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 16-05**

**A RESOLUTION ADOPTING REGULATIONS REGARDING
THE PROCUREMENT PROCESS OF THE MUNICIPALITY
PURSUANT TO THE REQUIREMENTS OF THE PROCUREMENT
CODE (BEING SECTIONS 13-1-28 TO 13-1-199 NMSA 1978, AS
AMENDED) AND PUBLIC WORKS CONTRACTS (BEING
SECTIONS 13-4-1 TO 13-4-42 NMSA 1978, AS AMENDED)**

WHEREAS, the purpose of this Resolution is to adopt regulations to translate or define the general and specific requirements of the Procurement code; and

WHEREAS, the purpose of the Procurement Code are to provide for the fair and equitable treatment of all persons involved in public procurement, to maximize the purchasing value of public funds and to provide safeguards for maintaining a procurement system of quality and integrity; and

WHEREAS, the governing body may adopt regulations through resolution or ordinance to effect the powers and duties granted the municipality by state law;

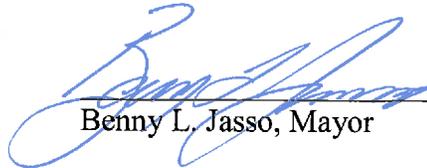
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DEMING that the regulations cited above are the purchasing processes to be utilized by all officers and employees of the municipality through the Central Purchasing office in the procurement of tangible personal property, services and construction.

This Resolution supersedes any and all previous procurement guidelines in their entirety.

PASSED, APPROVED AND ADOPTED by City Council at its meeting on this 11th day of January, 2016.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor


Aaron Sera, Administrator/Clerk

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 16-06**

**TRAVEL & PER DIEM
ADOPTION OF NMAC 2.42.2 PURSUANT TO
10-8-5 and 9-6-5 NMSA 1978**

WHEREAS, the Travel and Per Diem Regulation governing the Per Diem and Mileage Act are promulgated in the New Mexico Administrative Code 2.42.2 which is in accordance with 10-8-1 thru 10-8-8 NMSA 1978; and,

WHEREAS, the Administrative Code pursuant to authority granted in Section 10-8-5(A) and 9-6-5(E) NMSA 1978 governs the payment of per diem rates and mileage and the reimbursement of expenses for salaried and non-salaried public officers and employees of state agencies and local public bodies.

NOW THEREFORE BE IT RESOLVED, that public officers and employees of the City of Deming shall be reimbursed for per diem and mileage and the reimbursable expenses in accordance with NMAC 2.42.2.1 thru 2.42.2.14 including appendices: and,

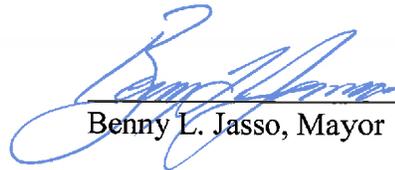
BE IT FURTHER RESOLVED, that adoption of Regulation 2.42.2 NMAC shall include subsequent amendments.

NOW THEREFORE BE IT FURTHER RESOLVED BY AND CERTIFIED BY THE UNDERSIGNED FOR AND ON BEHALF OF THE CITY.

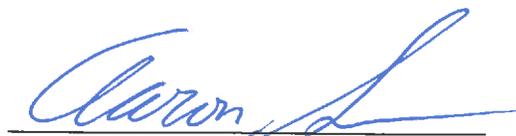
PASSED, APPROVED and ADOPTED this 11th day of January, 2016.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Aaron Sera, Administrator/Clerk

**STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF DEMING
RESOLUTION NO. 16-07**

**2015-2016 Fiscal Year
Mid-Year Budget Adjustments**

WHEREAS, the City of Deming, New Mexico proposes to make certain budget increases and decreases; and,

WHEREAS, due to cash reserves being sufficient to cover the proposed increases and decreases; and

WHEREAS, said monies and expenditures were not included in the 2015-2016 budget; and

WHEREAS, the City Council does request that authorization for the following budget increases and decreases be granted.

THEREFORE, IT IS respectfully requested that authorization to make the listed increases and transfers be granted by the Local Government Division of the Department of Finance and Administration.

PASSED, ADOPTED, AND APPROVED this 11th day of January, 2016.



CITY OF DEMING, NEW MEXICO

Benny L. Jasso, Mayor

ATTEST:

Aaron Sera, Clerk/Administrator

FY2016 MID-YEAR BUDGET ADJUSTMENTS

GL#	Description	Beginning Budget	Midyear Adjustment	Midyear Budget
101-0100-01-100-10100	CASH			
101-0100-01-100-10110	PETTY CASH			
101-0100-01-100-10300	INVESTMENTS-CURRENT			
101-0100-01-600-66900	NET WORTH	\$ (3,915,280)		\$ (3,915,280)
101-1200-01-370-37260	STATE-NM FINANCE AUTHORITY	\$ (50,000)	\$ 25,000	\$ (25,000)
101-1000-01-450-45030	PROFESSIONAL SERVICES	\$ 154,900	\$ (10,000)	\$ 144,900
101-1000-01-480-48010	BUILDING AND STRUCTURES	\$ -	\$ 84,000	\$ 84,000
		(8,632,745)	99,000	(8,533,745)
FIRE PROTECTION FUND				
209-0100-01-100-10100	CASH			
209-0100-01-100-10111	CASH-RESTRICTED FRM LOAN PROCEED			
209-0100-01-600-66900	NET WORTH	\$ (202,100)		\$ (202,100)
209-2000-02-370-37120	STATE - FIRE ALLOTMENT	\$ (154,200)		\$ (154,200)
209-2000-02-370-37121	STATE - FIRE PROTECTION GRANT	\$ -	\$ (32,400)	\$ (32,400)
209-2000-02-460-46020	NON-CAPITAL FURN/FIX/EQUIP	\$ 119,500	\$ 32,400	\$ 151,900
		\$ 0	\$ -	\$ 0
MUNICIPAL STREETS				
216-0100-01-100-10100	CASH			
216-0100-01-600-66900	NET WORTH	\$ (30,044)		\$ (30,044)
216-2160-05-370-37257	NMFA-LOAN PROCEEDS	\$ -	\$ (69,778)	\$ (69,778)
216-2160-05-599-51000	OPERATING TRANSFERS IN	\$ (1,487,655)		\$ (1,487,655)
216-2160-05-480-48100	ROADWAYS-DRAINAGE PROJECT	\$ -	\$ 92,500	\$ 92,500
		\$ (45,295)	\$ 22,722	\$ (22,573)
SEWER				
503-0100-01-100-10100	CASH			
503-0100-01-100-10111	CASH-RESTRICTED FROM LOAN PROCEED			
503-0100-01-100-10115	CASH-ASSIGNED			
503-0100-01-100-10300	INVESTMENTS - CURRENT			
503-0100-01-600-66900	NET WORTH	\$ (1,651,357)		\$ (1,651,357)
503-0100-01-600-66901	NET WORTH INVESTMENT	\$ (262,459)		\$ (262,459)
503-2140-04-490-49010	DEBT SERVICE PRINCIPAL	\$ 85,101	\$ 2,000	\$ 87,101
		\$ (1,586,065)	\$ 2,000	\$ (1,584,065)
WATER				
505-0100-01-100-10100	CASH			
505-0100-01-100-10110	PETTY CASH			
505-0100-01-100-10111	CASH-RESTRICTED FRM LOAN PROCEED			
505-0100-01-100-10115	CASH-ASSIGNED			
505-0100-01-100-10300	INVESTMENTS - CURRENT			
505-0100-01-600-66900	NET WORTH	\$ (1,733,463)		\$ (1,733,463)
505-0100-01-600-66901	NET WORTH INVESTMENT	\$ (1,010,999)		\$ (1,010,999)
505-2140-04-490-49010	DEBT SERVICE PRINCIPAL	\$ 54,241	\$ 5,200	\$ 59,441
		\$ (2,213,228)	\$ 5,200	\$ (2,208,028)

**CITY OF DEMING, NEW MEXICO
RESOLUTION NO. 16-08**

**PARTICIPATION IN MUNICIPAL ARTERIAL PROGRAM (MAP) FUND
PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF
TRANSPORTATION-AMENDMENT**

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 \$383,663.00 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 \$287,747
- b. City of Deming's proportional matching share shall be 25% or a minimum of \$95,916
- c. The City of Deming shall pay all costs, which exceed the total amount of \$383,663

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

That the project for this Cooperative agreement is adopted and has priority standing.

The agreement terminates on June 30, 2016 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.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City of Deming to add to the termini of the scope of work of Municipal Arterial Program Cooperative Agreement Project No. MAP-7629(90), CN L100203 with the NMDOT for scope for the Planning, design, construction, and reconstruction of City streets.

Termini: Gold Street from Hemlock Street to Poplar Street
and add

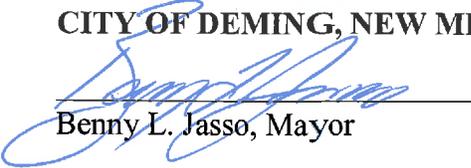
Termini: Cody Road from Poplar to Florida Street

PASSED, ADOPTED, AND APPROVED this 11th day of January, 2016.




Aaron Sera, Clerk

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor