

**CITY OF FARMINGTON  
CITY COUNCIL WORK SESSION AGENDA  
March 15, 2016 – 9:00 a.m.**

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**DEPARTMENT HEAD REPORTS**

1. Proclamation declaring March 2016 as "Procurement Month" (Mayor)
2. Discussion and direction to staff regarding 2016 Community Development Block Grant (CDBG) funding (Teresita Clashin) -----1

Action Requested of Council:

Provide input and direction to staff.

Background/Rationale:

For the Federal fiscal year beginning October 1, 2016, the CDBG award amount will be \$368,653. This agenda item is intended to explore the options available for funding and to receive input and direction from the Council.

3. Consideration of policy revisions to the Naming Guidelines for Parks, Recreation and Cultural Affairs' facilities and assets (Cory Styron and Tyson Snider, Parks, Recreation and Cultural Affairs Commission Chair) -----2

Action Requested of Council:

Provide input and direction to staff.

Background/Rationale:

The original Facility Naming Policy and Guidelines were developed by the Parks, Recreation and Cultural Affairs ("PRCA") Commission in the early 1990's. The guidelines focused on the naming of entire parks or facilities and did not provide any flexibility for the partial naming of assets such as gyms, rooms or other elements at or in a facility. Over the years, the PRCA Commission has made recommendations to the Council for partial naming elements of the system such as the Miriam M. Taylor Theater and the Harv Henry Gym. The PRCA Commission has reviewed and revised these guidelines to provide a process for consideration and recommendation of partial naming of elements of the PRCA system.

4. Presentation and direction to staff regarding Brookside Pool and aquatic options (Cory Styron)

Action Requested of Council:

Provide direction to staff.

Background/Rationale:

Brookside Pool was built in 1958 at Brookside Park and has been the heart of summer swimming for nearly 60 years in our community. The age and design have created maintenance issues for safe operation and the pool has reached a crossroads where the required renovations and repairs costs are as much as a new pool.

5. Consideration of Resolution No. 2016-1583 approving the third revision to the FY16 Budget and requesting State approval (Andy Mason) -----3

Action Requested of Council:

Adopt Resolution No. 2016-1583.

Background/Rationale:

The attached resolution, budget adjustment and recap sheet detail the various revenue and expense accounts requiring adjustment.

Staff Recommendation:

Adopt Resolution No. 2016-1583.

Instructions upon Approval:

The budget adjustment will be submitted to the State Department of Finance and Administration for review and approval.

Budgetary Impact:

Budget Adjustment #3 reflects all necessary revenue and expense budget adjustments.

6. Bid for purchase of the City of Aztec Station revenue metering point (Kristi Benson) -----4

Action Requested of Council:

Approve recommendation for award.

Background/Rationale:

Bids opened March 8, 2016 for purchase of the City of Aztec Station revenue metering point (Electric Utility) with three bidders participating.

Staff Recommendation:

Award the bid to Integrated Power Company as the lowest and best bidder meeting specifications (\$75,446.50) and to reject the bid received from

Industrial Mechanical Inc. for not registering with the State of New Mexico Workforce Solutions Public Works Division.

Instructions upon Approval:

Award the contract.

7. Proposed ordinance revising certain sections of the City Code providing for clarification and additions to provisions in Chapters 24 and 25 relating to house numbering and display of motor vehicles for sale (Jennifer Breakell)

Action Requested of Council:

Grant permission to draft an ordinance.

Background/Rationale:

The sections of the City Code to be amended deal with house numbering and display of motor vehicles for sale. This amendment will allow a clearer interpretation of the Code which will benefit the public and the compliance officers.

Staff Recommendation:

Grant permission to draft an ordinance.

Instructions Upon Approval:

Draft an ordinance.

8. Dangerous and dilapidated building and accumulation of weeds, rubbish, ruins, wreckage and debris on property located at 2800 Edgecliff Drive (Jennifer Breakell) -----5

Action Requested of Council:

Provide direction to staff.

Background/Rationale:

The property is owned by the estate of Richard and Eiden Taketa, deceased, and the building is dangerous and dilapidated with trash in the rooms and weeds, rubbish, ruins, wreckage and debris growing and accumulating on the property. It is a menace to public comfort, health, peace and safety. Code Compliance has sent multiple Notice of Violation letters to Glenn Taketa and Olivia Fisher, the executors of the estate, and have verbally explained to them the violations and offered suggestions on how they can be corrected. Furthermore, Code Compliance has contacted other agencies for assistance. Mr. Taketa and Ms. Fisher have failed to cooperate and have been unwilling to take corrective action to remedy the violations. The next step in the process is to adopt a resolution directing

the owner and/or executor of the estate to remove the dangerous and dilapidated building and weeds, rubbish, ruins, wreckage and debris from the property and then directing City crews to clean the property if the owner does not comply. If it becomes necessary for the City to clean the property, the City can then file a lien against the property to recover the cost and expense of removal in accordance with Article 2 of Chapter 12 of City Code.

Staff Recommendation:

Direct staff to draft a resolution.

Instructions Upon Approval:

Draft a resolution for consideration at a future City Council meeting.

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**COUNCIL BUSINESS**

9. Consideration of a resolution opposing the Bureau of Land Management's proposed Onshore Orders 3, 4, 5 and 9 (Councilor McCulloch)

**AGENDA ITEM SUPPORT MATERIALS ARE AVAILABLE FOR INSPECTION AND/OR PURCHASE AT THE OFFICE OF THE CITY CLERK, 800 MUNICIPAL DRIVE, FARMINGTON, NEW MEXICO.**

**ATTENTION PERSONS WITH DISABILITIES:** The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.

# Memo

**To:** Mayor Roberts and Members of the City Council  
**From:** Teri Clashin, Associate Planner/CDBG  
**Date:** March 15, 2016  
**Re:** CDBG Federal FY 2016 Allocation Project Discussion

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For the Federal fiscal year (October 1, 2016 to September 30, 2017), the CDBG grant award amount will be \$368,653. This discussion is intended to explore the available options for the funding and receive input and direction from Council in regards to possible capital project(s) and public service project(s).

The total funding for capital projects is \$239,624 (65%) and public service projects will be \$55,298 (15%). In the past, the City has used CDBG capital project funds for both internal and external projects. In addition, public service funds have been used to assist local social service agencies within the City.

It is important for us to look at additional funding sources offered by HUD for larger City projects. The Section 108 of the Housing and Community Development Act of 1974 provides for a loan guarantee component of the CDBG Program. The Section 108 Loan Guarantee Program provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and other physical development projects including improvements to increase the resilience against natural disasters. The funds can be used by a designated public entity to undertake eligible projects or, alternatively, can be loaned to a third party developer to undertake the project. The program allows local governments to transform a small portion of their CDBG funds into federally guaranteed loans large enough to pursue physical and economic revitalization projects capable of renewing entire neighborhoods. Such public investment is often needed to inspire private economic activity, providing the initial resources or simply the confidence that private firms and individuals may need to invest in distressed areas. The flexibility makes it one of the most potent and important public investments tools that HUD offers to local governments.

Projects funded with Section 108 loans must meet basic CDBG criteria, including meeting a national objective and public benefit standards. Projects are also subject to compliance with all other local, state or federal regulation including cross cutting regulations. All projects and activities must either principally benefit low-and moderate- income persons, aid in elimination or prevention of slums and blight, or meet urgent needs of the community.

Eligible projects under CDBG Section 108 loans include the following:

- Acquisition of real property
- Rehabilitation of publicly owned real property
- Housing rehabilitation eligible under CDBG
- Construction, reconstruction, or installation of public facilities (including street, sidewalk, and other site improvements)

- Related relocation, clearance and site improvements
- Payment of interest on the guarantee loan and issuance costs of public offering
- Debt service reserves
- Finance fees
- Public Works and site improvements in colonias
- In limited circumstances, housing construction as part of community economic development

While local governments borrowing funds guaranteed by HUD through the Section 108 program must pledge their current and future CDBG allocations as security for the loan, the goal is for the proposed project to have sufficient cash flow to repay the loan without any need for current or future CDBG dollars used for the repayment.

As an entitlement city, it can apply for up to five times the approved CDBG entitlement amount (For example: FFY 2016 Allocation for Capital project funds (65%) is \$239,624 x 5 = \$1,198,120). The maximum repayment period for a Section 108 loan is twenty (20) years. HUD has the ability to structure the principal amortization to match the need of the project and borrower. Each annual principal amount will have a separate interest rate associated with it. Interest rates charged on interim borrowing is priced at the three-month London Interbank Offered rate (LIBOR), plus 20 basis points (0.2%). For FY 2016 the interest rate is at 2.58% of the principal amount of the loan, and for FY 2015 the interest rate was 2.42%.

The HUD Section 108 loan is an option for the City to consider now and in the future for large capital projects. For instance, the Complete Streets project is a viable candidate for a Section 108 loan. Since this project is located in within the Metropolitan Redevelopment Area (MRA), it meets one of HUD national objectives, in which a project must benefit low- and moderate-income persons. It also meets the eligible activity: construction, reconstruction, or installation of public facilities (including street, sidewalk, and other site improvements). The Revitalizing Main Street: The Vision and Implementation Plan discuss in detail the importance of bringing the community back to our Main Street.

On February 9, 2016, City Council approved \$225,000 for the MRA committee to go out for an RFP to hire an engineering firm to begin Phase I of the Complete Streets project. The Section 108 loan can be used to help fund a portion of the construction cost of Phase 1 once the construction drawings are complete. As we move forward with the Complete Streets project, we can begin to plan for future funding sources such as the Section 108 loan to help alleviate the overall cost of the project. With the information provided on Section 108 loans, staff would like to get input from Council on the subject.

Staff requests direction regarding the FFY 2016 allocation for both capital and public service projects. In the past, an RFP for public service projects were issued and presentations by offerors are scheduled for Council to review potential projects to fund. This fiscal year (FFY 2015) we funded seven public service projects that range from \$4,265 to \$9,000. As for capital project, this year the City funded two ADA improvement projects for PRCA and Public Works in the amount of \$226,482. The capital project(s) can be either internal or external. At this time, staff has had limited inquiries, but not complete, from the private sector. Are there any internal projects or should staff send out an RFP to the private sector for potential projects?

Overall, providing direction for both capital projects and public service projects will help guide staff in preparing the 2016 Annual Action Plan document to HUD. Thank you for your input and insight in providing direction to staff regarding future projects.

City of Farmington  
Parks, Recreation & Cultural Affairs

**FACILITIES NAMING POLICY & GUIDELINES**

In accordance with a proposal submitted to, and approved by the Farmington City Council, a subcommittee of the Parks, Recreation and Cultural Affairs board has been convened to implement guidelines concerning the naming of facilities under the jurisdiction of the Farmington Parks, Recreation and Cultural Affairs Department. The purpose of this structured naming plan is to insure consistency in method and result when applying names to new facilities.

A general philosophy behind the naming structure has been discussed and to that end it is the intent of this document to spell out the guidelines by which consistent and meaningful names can be applied to city facilities. Names which can grow into a heritage for the City of Farmington and will not be lost on future generations or sound to visitors like those names found in many or even most other places. Names which can be recognized outside the boundaries of our community and by their very nature become a hallmark of the thoughtful and creative citizenry within our community.

Several elements have been identified as desirable within this process.

I

A general theme to the names of facilities within the PRCA Department has been adopted as a desirable consideration.

- A. That theme may reflect indigenous attributes of the facility as it relates to its geographic location, the geology or topography of its location, or the flora or fauna found naturally in its location.

Examples of identifiers within this thematic boundary might include:

Pinon, Cottonwood, Sandstone, Riverview, Valley,  
Willow, Mesa, Brookside, Mountain Shade. . . .

The location of a facility may be considered to be the area in which it generally exists as well as its specific location. When using location as a consideration, the size and nature of the facility should be taken into account. It might be inappropriate to utilize a regionally recognized identifier in conjunction with a smaller neighborhood-sized facility.

- b. Another acceptable theme identifier is a reference to a unique local or regionally-recognized attribute or symbol.

Examples of identifiers within this thematic boundary might include:

San Juan, Anasazi, Navajo, La Plata, Four Corners, Animas, Northwest. . .

## II

The function of a facility should be readily-identifiable in the choice of a name for that facility.

The name of a facility is often the only guide a visitor has to understanding the nature of that facility. The name may be the basis by which that visitor decides to visit the facility or not. Therefore, it is important that the name of the facility should communicate clearly the facility's purpose and function.

## III

Finally, the scope of the facility should be considered when applying a name.

Farmington is blessed with a diversity of recreational and cultural facilities. Each of these facilities provides a varying degree of service to the need it is intended to meet. Any name of a facility should, at a glance, communicate the scope or magnitude of that facility's ability to meet the designed need. A single tennis court, for example, should not be called a complex.

It has also been deemed desirable to outline the methodology in deriving a new facility name. To accomplish implementation of the goals set above, a subcommittee of the PRCA Department will function as facilitator of the process and to review individual case requirements and make recommendations to the full Commission regarding the process to be used in naming that facility. Options to be considered when choosing the method of naming might include:

General public meetings to discuss local wishes.

Meetings with members of neighborhoods or smaller community groups to obtain input.

Contests of a general or localized nature to select an appropriate name.

Recommendation to allow City Council or the PRCA Staff to follow through the naming.

Straight forward discussion and recommendation of a name directly from the general PRCA Commission or Subcommittee.

Any other reasonable method which might present itself from time to time.

Upon review by the subcommittee, a recommendation of method would be presented and approved by the PRCA Commission. The responsibility of implementing the proposed method agenda, the results would be returned again to the Commission for review and recommendation ultimately to the City Council for formal and final adoption.

In summary, we hope these guidelines and recommendations will lead to a smooth and purposeful system for naming Farmington's ever-expanding Parks, Recreation and Cultural Affairs facilities, and that this system will meet the high standards of excellence already prevalent in the PRCA Department and the City's operation in general.

# PRCA Administrative Policy Manual

Revised March 9, 2016

## 5.6 Naming and Dedication of Farmington Facilities

### **POLICY and PURPOSE:**

The naming or dedicating of municipal property, buildings and park elements are important for public awareness, promotion and emergency access. In order to ensure fairness and consistency, naming or dedicating of municipal property, buildings and park elements will be named according to the following principles.

The policy of the Parks, Recreation, and Cultural Affairs Department is to name parks, recreation areas and facilities through an adopted process utilizing established criteria emphasizing community values and character, local history, geography, environmental, civics and service to the community of Farmington.

### **Principles**

- Aid in the geographical identification of the municipal property, buildings and park elements to assist in emergency response situations.
- Maintain long standing local area identification
- Understandable to the majority of Farmington residents
- Give a sense of place, continuity, and belonging; to celebrate distinguishing characteristics and uniqueness of the community of Farmington, avoiding confusion, name duplication and similar sounding names
- Not discriminatory, derogatory or political in nature
- Municipal property buildings and park amenities will not be named after elected officials currently in office
- Corporate names will not be used unless a significant financial or other contribution has been made to the City
- City Council retains the right to change any name at any time without notice

### **Criteria**

The following criteria shall be used in determining the appropriateness of the naming designation:

- Geographic location (neighborhood, significant areas, etc.)
- Natural features
- A person (non-living) or place of historical or cultural significance

# PRCA Administrative Policy Manual

- A group, or feature particularly identified with the land or facility
- Conditions of property donation as agreed upon by the donor and the City shall be honored regarding the naming of the parks, recreation areas and facilities subject to these adopted policies.
- Names that are similar to existing parks, properties or facilities in Farmington should not be considered in order to minimize confusion.
- The City reserves the right to change the name to maintain consistency with these policies

## **Commemorative or Individual Naming**

The contribution the group or individual has made to the public life and the wellbeing of the City of Farmington.

- Must be perceived as a role model and open to close scrutiny relative to their character, integrity and values.
- Community involvement must be outstanding and renowned.
- The involvement will have had a dramatic influence/impact on the City/Residents over an extended period of time.
- Contribution including length of service, level of commitment, level of responsibility assumed must be extraordinary.
- In the case of financial gifts, has the donor participated in a large one-time campaign, or participated in a fundraising campaign in support of a public venue?
- In the case of service clubs, have they contributed through public service activities in Farmington over multiple years?

## **Purchased Naming Rights**

In the case of purchased naming rights the following additional considerations will apply:

- The significance of the contribution made relative to the construction and/or operating costs of the item being named.
- The significance of the contribution relative to the market valuation of the naming opportunity.
- Results of a value assessment
- The benefits to and obligations of both the purchaser and the City.
- The duration of the naming including a specific sunset clause associated with the length of time that the name will be used.

# PRCA Administrative Policy Manual

- Whether the naming agreement can be renewed if a further gift or sponsorship is received – demonstrated public support for the sale of naming rights of the facility.

## **PROCEDURE:**

### Naming of Parks, Recreation Areas and Facilities

1. A request for naming of a park, recreational area, or facility shall be submitted in writing to the Parks, Recreation, and Cultural Affairs (PRCA) Commission through the PRCA Department.
2. Those submitting a naming request should show how the proposed name is consistent with the criteria stated in this policy. When naming after a person or persons, the application (attached) will describe the contributions to the City. City staff will review the proposal for adherence to the stated criteria and authentication of statements relative to contributions in the case of an individual before forwarding to the PRCA Commission. If the request is incomplete, staff will contact the applicant, in writing, and provide them with the opportunity to resubmit a revised request.
3. The PRCA Commission will offer the opportunity for the public input on the proposed naming.
4. The PRCA Commission shall vote for approval and forward their recommendation to City Council for final decision.
5. The PRCA Commission can initiate the naming process whenever deemed necessary and/or in the best interest of the City.
6. In the absence of any naming requests, the PRCA Commission shall adhere to criteria stated in this policy in recommendation of name.

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**Approved and Adopted**

# CITY OF FARMINGTON FACILITIES NAMING/DEDICATION APPLICATION

## APPLICANT INFORMATION

Name:

Phone:

Email:

Current address:

City:

State:

ZIP Code:

## FACILITY INFORMATION

Location of Facility:

Current Name of Facility:

Proposed Name of Facility:

### PLEASE DESCRIBE HOW THIS NAME MEETS THE FOLLOWING CRITERIA:

❖ Must be perceived as a role model and open to close scrutiny relative to their character, integrity and values

❖ Community involvement must be outstanding and renowned

❖ The involvement will have had a dramatic influence/impact on the City/residents over an extended period of time

❖ Contribution including length of service, level of commitment, level of responsibility assumed must be extraordinary

❖ In the case of financial gifts, has the donor participated in a large one-time campaign, or participated in a fundraising campaign in support of a public venue?

❖ In the case of service clubs, have they contributed through public service activities in Farmington over multiple years?

**PLEASE INCLUDE ANY LETTERS, REFERENCES, ARTICLES OR PETITIONS THAT DEMONSTRATE BROAD-BASED SUPPORT**

Please submit application to:  
Farmington Parks, Recreation, and Cultural Affairs Dept., ~ 901 Fairground Rd. ~ Farmington, New Mexico 87401

RESOLUTION NO. 2016-1583

A RESOLUTION APPROVING THE THIRD REVISION TO THE FY2016 BUDGET AND REQUESTING STATE APPROVAL

WHEREAS, the City Council of the City of Farmington hereby finds that it is necessary and proper to make this third revision to the City's FY2016 budget due to various revenue and expense budget adjustments; and

WHEREAS, revenue will be increased by \$117,796 for a total revenue budget of \$225,678,965 and expenditures will increase by \$623,875 for a total expenditure budget of \$252,994,396; and

WHEREAS, the City has sufficient financial resources to fund this revision; and

WHEREAS, it is necessary to submit these budget adjustments to the New Mexico Department of Finance and Administration for review and approval.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Farmington:

That the attached third revision to the City of Farmington's FY2016 Budget is hereby approved; and

That a copy of this Resolution and the approved budget revision shall be forwarded to the Department of Finance and Administration for state review and approval.

PASSED, SIGNED, APPROVED AND ADOPTED this 15<sup>th</sup> day of March, 2016.

\_\_\_\_\_  
Tommy Roberts, Mayor

SEAL

ATTEST:

\_\_\_\_\_  
Dianne Smylie, City Clerk



FY16 BUDGET REVISION # 3

**DFA  
FUND**

<u>FUND</u>	<u>FUND</u>	<u>PROGRAM/PROJECT</u>	<u>ACCOUNT #</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>
1	299	249 Police Department Grant Expenditures (JAG12 & JAG14) <i>Previous year budget rollover.</i>	249-4010-421.60-28		43,133
	101	101 Police Grant Revenue	101-0000-3xx.xx-xx	135,708	
	101	101 Police Department Grant Expenditures <i>The Police Department receives several federal and state traffic grants that reimburse OT and training expenditures. The budget is not adjusted until the grants are actually received.</i>	101-40xx-421.xx-xx		135,708
	300	409 FAA/NMDOT Grant Reimbursement Adjustment	409-0000-xxx.xx-xx	(116,671)	
	300	409 Adjust Budget for Airport Anticipated Projects <i>Design to Rehab Taxiway E,F, and G; Runway 7-25 Erosion Control and Drainage Improvements; Land Acquisition (roll over from FY16); Runway Painting</i>	409-3250-495.xx-xx		(153,855)
	299	221 Red Apple Transit Revenue (FTA/Anticipated Auction Proceeds/Match)	221-0000-3xx.xx-xx	92,759	
	299	221 Red Apple Transit Expenditures	221-3522-411.xx-xx		360,389
				<hr/>	<hr/>
<b>Set grant budgets to agree to awards.</b>				111,796	385,375
3	300	411 MRA-Property Owner Contribution	411-0000-369.20-30	6,000	
	300	411 MRA-215 W. Elm Sidwalks	411-5012-431.70-70		6,000
	300	411 Consultant fees to submit Bronsfield Grant application <i>As approved by Council on 12/8/15</i>	411-5012-431.30-11		7,500
	300	411 Complete Streets Phase I Design and Construction Plans <i>As approved by Council on 2/9/16</i>	411-5012-431.30-11		225,000
<b>Adjust MRA budget as approved by Council.</b>				<hr/>	<hr/>
				6,000	238,500

CITY OF FARMINGTON  
INTER-OFFICE MEMORANDUM

TO: Mayor Roberts and City Council  
FROM: Kristi Benson, CPPO, CPPB *KB*  
Purchasing Supervisor  
DATE: March 10, 2016  
SUBJECT: City of Aztec Station Revenue Metering Point, Bid #16-114298  
USING DEPARTMENT: Electric Utility  
=====

A bid opening was held on March 8, 2016 for the City of Aztec Station Revenue Metering Point. Three (3) bidders responded.

The Central Purchasing Department concurs with the recommendation from Electric Utility Department to reject the bid from Industrial Mechanical Inc. for not registering with the State of New Mexico Workforce Solutions Public Works Division.

The Central Purchasing Department concurs with the recommendation from the Electric Utility Department to award the bid to Integrated Power Company from North Platte, NE as the lowest bidder meeting specifications for a total awarded amount of \$75,446.50 plus estimated applicable taxes of \$6,036. None of the bidders qualified for the In-State Preference.

Kristi Benson (Presenter)  
Work Session/Council Meeting 3/15/16

xc: H. Andrew Mason – Administrative Services Director  
Rodney Romero – Electric Utility Director  
John Armenta – Electric Engineering Manager

File – 16-114298/EM

CITY OF FARMINGTON - ABSTRACT

City of Aztec Station Revenue Metering Point, Bid#16-114298 Opens: March 8, 2016 @ 2:00 pm

Electric Utility	Integrated Power Company PO Box 1743 North Platte, NE 69103 Corey Lieberth	Wilson Construction Company 1190 NW Third Avenue Canby, OR 97013 Stacy Wilson	Industrial Mechanical Inc. 3030 LaPlata Hwy Farmington, NM 87401 Erick Quintana
Grand Total A1-1 through P1	\$75,446.50	\$88,538.60	\$63,600.00
Owner Furnished Materials	\$75,000.00	\$75,000.00	\$75,000.00
TOTAL CONSTRUCTION COST FOR COUNCIL APPROVAL	<b>X \$75,446.50</b>	<b>\$88,538.60</b>	<b>\$63,600.00</b>
TOTAL BID WITH IN-STATE PREFERENCE:	\$75,446.50	\$88,538.60	\$63,600.00
TOTAL CONSTRUCTION COST WITH CITY FURNISHED MATERIALS	\$150,446.50	\$163,538.60	\$138,600.00
IN-STATE OR VETERANS PREFERENCE:	NO	NO	NO
ESTIMATED APPLICABLE TAXES	\$6,036.00	\$7,083.08	\$5,088.00
PAYMENT TERMS	Net 30	Net 30	Net 30
			*Bid Rejected

Dear Council Members:

The City is recommending condemnation for the property located at 2800 Edgecliff Drive. Several citizen complaints have been reported to our department voicing their concerns about the neighborhood children getting hurt and the safety of the neighborhood in general. The missing sliding door at the front of the structure allows for unauthorized access to the interior of the dwelling. Due to the inebriate and vagrant population issues the city faces, there is a high concern of a fire and additional damage to the property. The property possesses a public hazard and nuisance for the neighboring properties in its current condition.

The City feels it has made every effort to work with Mr. Taketa to bring the property into compliance. The City sent multiple Notice of Violation letters, on more than one occasion verbally explained the violations and offered suggestions on how to correct them. Phone calls were made to other agencies that could offer assistance. In May 2013, Mr. Taketa made an agreement with a representative from Adult Protective Services to attend an appointment with the Veteran Affairs Clinic. Mr. Taketa failed to show up to the appointment. After multiple attempts to assist and no cooperation from Mr. Taketa, the case worker from Adult Protective Services closed the case, and found Mr. Taketa of mental capacity.

In February 2014, Code Compliance sought an inspectorial search warrant for the property. Mr. Taketa was served and resisted the Inspectorial Search Warrant that resulted in his arrest. He was allowed an Order to Show Cause by Municipal Court which he did not meet. A bench warrant was then issued for failure to appear on April 7, 2014. Mr. Taketa was arrested on April 24, 2014. Deputy City Attorney – Jennifer Breakell, recommended the case be referred to District Court in an effort to review Mr. Taketa's competency.

A report from the former Chief Building Inspector, Leo Hardie, will note his findings and professional opinion regarding the structural integrity of the building. Mr. Hardie observed water damage to the roof, asbestos siding needing repair and observed roof and ceiling damage. He also notes, mildew in the interior of the structure due to roof leaks. He believes without repair, interior damage will increase. The trash, weeds and garbage on the property pose a fire hazard. Mr. Hardie's recommendation is to have the structure repaired or demolished.

In March 2014, Olivia Fisher, Mr. Taketa's sister, contacted Code Compliance. Ms. Fisher requested information on violations and what she needed to do to comply. Ms. Fisher was asked to secure all open access doors, clear yard of weeds, trash and other

debris. Ms. Fisher was then transferred to building inspection for instruction on proper plumbing connection, and to clear up any questions regarding the structure.

In April and May 2014, Code Compliance received multiple citizen complaints about the condition of the property. Area property owners worry about vagrants frequenting the property and the continued neglect of the property. The complainants also voiced concerns of danger to the area and neighborhood children.

In June 2015, Code Compliance met with outside agencies to include: Adult Protective Services, Veteran Affairs, and the District Attorney. Also in attendance were the Chief of Police, Deputy Chief, District Coordinator Lieutenant and Sergeants and City Attorney. The meeting encompassed efforts from all agencies to assist Mr. Taketa in bringing his property into compliance while taking his safety and wellbeing into consideration. Because Mr. Taketa's competency was raised, the District Attorney's office started on a Civil Commitment Process. Mr. Taketa was assigned a case/social worker through Adult Protective Services and Veteran Affairs made a plan to contact him. On June 30, 2015 another Inspectorial Search Warrant was executed, Mr. Taketa was not found in the home or on the property.

In July 2015, Mr. Taketa went in front of Judge Brad Dalley for a Mental Commitment hearing. Mr. Taketa was appointed a temporary Treatment Guardian from Honor Guardianship of Albuquerque, a program through PMS. He would receive assistance in applying for SSI, Disability, Food Stamps, Housing and a cell phone. Mr. Taketa would live with his sister, Olivia Fisher until approved for housing or finding a permanent place to live. After the court hearing, Code Compliance and the City Attorney met with Ms. Fisher and Fran Hampton, Treatment Guardian for a plan to bring the property into compliance.

Concluding the Commitment Hearing in July 2015, phone calls and meetings occurred between Ms. Fisher, Ms. Hampton and Mr. Taketa regarding the condition of the property. To date, the property remains in violation of City Code and remains a nuisance and safety hazard to neighboring properties. Multiple attempts have been made to try to work with Mr. Taketa to no avail and that is why at this time, the City recommends the property be condemned.

**TIMELINE: 2800 EDGECLIFF DR**

**Resident/Executor of Estate: Glenn Taketa, DOB: 01/19/1970, Asian Pacific Male, DL: NM 033460902, SSN: 525-63-7212**

- 04/11/13 Notice of Violation letter by Code Compliance Officer M. Romero, Violations: broken sliding front door, no plumbing connection (no active, running water or sewer), cardboard, wood, furniture, trash, junk and cut tree branches, req. to post street address and remove fallen structure pieces. Due to comply by 05/14/13.
- 05/09/13 Attempt to contact Mr. Taketa by M. Romero and Code Compliance Supervisor T. Johnston accompanied by Ofc. L. Monclova and Ofc. B. Cox. Officers Monclova and Cox entered the residence after negative contact by Romero and Johnston and approval by the shift supervisor. Taketa refuse to speak to CCOs so the notice of violation letter was hand delivered to Taketa by Monclova. Adult Protective Services were contacted by Romero to report Taketa's living conditions.
- 07/10/13 Municipal Citation issued to Glenn Taketa by M. Romero for 24-7-2 Street Address, 23-1-2 Cleanliness of Property, 23-1-4 Nuisance, 23-2-15 Accumulation of Junk and Appliance, 12-2-27 Accumulation of Refuse. Case 13-34763, request to appear by 07/18/13.  
\*\*Case was DISMISSED without prejudice, may be refilled by COF if probable cause is shown.
- 
- 02/13/14 Citizen compliant to dispatch: Becky Gustin 505 330-5859, Reporting Officer S. Kennedy. Ms. Gustin reported seeing someone going into house, described him as a small Asian man. She advised she heard he is either a child molester or related to a child molester and doesn't want him in the neighborhood. Ofc. Kennedy reported the outside of the house looked to be in bad condition with trash in the front and back yards of the residence. The large sliding glass window in the front of the residence was broken, and had a sheet and plywood blocking the

windows. He observed a large amount of trash in the living room and kitchen areas of the house. He made contact with Glenn Taketa who stated it was his house and he lived there and gets mail there. Mr. Taketa confirmed he did not have any electricity, water or heat. He advised he stays warm with a blanket and eats out for his meals. Ofc. Kennedy contacted Mr. Taketa's sister who stated Mr. Taketa has lived at the house since their father passed away 10 years ago. Ofc. Kennedy asked if Glenn suffered from any mental illness or if he took medication and she stated "he didn't take any medication and she did not know of any mental illness". Mr. Taketa denied any help or assistance from police. Ofc. Kennedy advised Mr. Taketa he would be notifying Code Compliance and would be contacted by them in the near future.

Issue was forwarded to Todd Johnston.

- 02/20/14 I, Code Compliance Officer, Laura Avendaño, took over the case.  
9 a.m. meeting with Legal (Jennifer Breakell)
- 02/20/14 Phone calls to:  
Adult Neglect 1-866-654-3219  
Regional Manager, Rudy Grano 505 287-1306  
Ambrose Oliver 505 327-5316 x1110
- 02/20/14 Inspection of property and photos:  
Weeds, miscellaneous trash, dry/dead vegetation, tarps (weathered and torn), dilapidated wood (fencing), open sliding door. The backyard is not very visible from the street. No active COF utilities as of 03/21/13.
- 02/24/14 Spoke to Nicky Begay, Case Worker at Adult Protective Services 505 327-5316 x1113. She said she attempted to contact Taketa to offer assistance four times. She left cards and sent a certified letter that went unclaimed. She suggested we attempt to contact and encourage sister, Olivia Fischer 505 324-0676 to work to help Glenn Taketa.

When Begay last contacted Taketa in May 2013 she made an agreement with Taketa to seek help through VA Clinic; he did not comply. He was very private about his income so she could not offer any additional assistance or see if he would qualify for more help. She stated if he denies support he cannot be forced to accept help if he shows mental capacity. Per Begay, APS will make three attempts to offer assistance before closing the case. Taketa would have to be seen by two doctors and report statements to consider Glenn incapacitated. Per Begay, will mostly likely close the case today since she has made four attempts to assist him.

As of 3/21/13 there are still no active utilities – Electricity, Sanitation, Water, and Sewer

Notice of Violation sent for Accumulation of Weeds 12-2-26; Refuse 12-2-27, Cleanliness of Property 23-1-2, Place of Human Habitation/Proper Plumbing Connection 7-4-4, Public Nuisance 18-5-11 and dilapidated buildings. To: Glenn Taketa at 2800 Edgecliff Dr, Fmtn. NM 87402, CC: Olivia Fisher 615 E Murray Dr B, Fmtn. NM 87401

City's request - remove weeds from the entire property, also removing dry/dead vegetation, misc. trash, dilapidated wood and tarps. In addition, secure or replace sliding door.

02/25/14 Per Compliance Connections – owners of record are: Richard and Eidena Taketa (both deceased).

Meeting with Judge Liese, Jennifer Breakell, Todd Johnston, Mark Romero for inspectorial search warrant for property.

02/27/14 At approximately 9 a.m. Code Compliance, along with FPD (J. Thornberg, L. Monclova), Fire Dept. Building Inspection (Leo Hardy, Derrick Childers), Zoning Compliance (Leona Simms) and Deputy City Attorney – Jennifer Breakell served inspectorial search warrant.

Glenn Taketa was contacted and served warrant but resisted so was handcuffed and arrested for resisting/obstructing by J Thornberg. Taketa was cited for 7-4-4 Proper Plumbing Connection/Place of Human Habitation, 18-5-11 Public Nuisance and 1-1-10; Synopsis: front sliding door is broken and unsecure, Mr. Taketa confirmed he is living at the residence with no running water, sewer or any other active utilities. Weeds, misc trash and yard debris are evident on the exterior of the property. Photos were taken of inside of home and outside of property. Outside - weeds, misc. trash and junk, front sliding door was broken and missing, front door does not lock, building material, computer screen, wood chair, blankets or tarps, dilapidated wood, siding from house fallen, pillows, plastic containers, tire, torn tarps, plastic. Inside – food wrappers, cups, empty food cans, abundant trash, empty plastic bottles and cups, clothes, piles of newspapers, mail correspondence and other papers, water stains on ceiling. House was left as secure as possible – poly carts were moved to their original position, in front of the sliding door; front door was closed but does not lock.

- 02/27/14 Memo/Supplement from Leo Hardie – Chief Bldg Inspector = water damage to roof, asbestos siding needing repair, roof and ceiling damage observed, mildew due to roof leaks, without repair interior damage will increase, fire hazard due to trash, weeds and garbage in the exterior of the house and accumulation of garbage of the interior. Recommendation to be repaired or demolished: “If the owner is unwilling to take corrective action, we recommend the house be condemned, demolished and removed. Without corrective action, the house will continue to deteriorate and become more dilapidated.”
- 02/28/14 Inspectorial search warrant was turned in with Bernice for Judge Liese
- 03/04/15- phone messages for Rudy Grano – NW Regional

- 03/14/15            Manager for Adult Protective Services 505 287-1306 /  
287-8836.  
3/4, 10:29 a.m. – left message  
3/5, 8:50 a.m. – received phone message from Rudy G  
3/5, 10:58 a.m. – left message  
3/10, 12:09 p.m. – left message  
3/13, 10:37 a.m. – left message
- 03/10/14            Spoke to Olivia Fisher (Glenn Taketa's sister) 324-0676,  
cell 360-3802. She is currently living and being evicted  
from Mesa Properties. She called to find out what she  
needed to do to move back in to Edgecliff. Instructed:  
needs to connect utilities, secure doors and clear yard of  
weeds, trash and other debris. Transferred to building  
inspector for instruction on proper plumbing, condition of  
pipes and structure questions.
- 03/13/14            email from Rudy Grano – copy of APS Act.
- 04/03/14            Per Sherry (x1242) at Municipal Court – Glenn has order  
to show cause until 4/3/14.
- 04/07/14            1<sup>st</sup> complaint since inspectorial search warrant - Joan  
Eaton from 2801 Edgecliff (325-8756), called concerned  
about AC unit flying off the roof and concerned about  
neighborhood kids getting hurt. She has not seen Glenn  
recently or staying/living at 2800 Edgecliff Dr.
- Municipal court – bench warrant issued for failure to  
appear
- 04/08/14            Reinspected property, took pictures – no change
- 04/23/14            Per Matilda (court clerk) at Municipal Court – bench  
warrant for Glenn Taketa still active
- Met with Jennifer Breakell at Legal for next steps –  
continue with steps toward condemnation. Breakell  
recommends we try to get him in front District Court to try

to get a competency hearing to see if Mr. Taketa can get help he needs.

Photos: tarps, dilapidated wood, weeds, fallen siding, open front sliding door.

04/24/14 Taketa arrested by R. Velarde

04/28/14 2nd complaint since inspectorial search warrant - email from Sharon Bass: Joan Eaton from 2801 Edgecliff (325-8756), called concerned about the vacant house, has a lot of trash and other issues. Called Ms. Eaton back and informed of active case, she said for the last two weeks the front door has been opened twice. On 4/27/14, she called 911 about the front door being open, officers responded. She feels property is a danger to the area and worried about the neighborhood kids.

Spoke to Olivia Fisher 360-3802. She is working on title transfer and does plan to move back into the house. Current mailing address: 615 E Murray B, Farmington, NM 87401. She stated she and Glenn are the only children of Richard Y and Eiden Taketa, deceased. She is waiting on some unclaimed property funds to help in restoring home to move back in. She has no contact information for or a way of contacting Glenn. She will await letter and I highly recommended she contact me with questions or concerns upon receiving letter.

Certified Mail – Notice of Violation/Condemnation Letter mailed to

Glenn Taketa  
2800 Edgecliff Dr  
Farmington, NM 87402

Olivia Fisher  
615 E Murray B  
Farmington, NM 87401

Violations from 04/23/14 with compliance date of 05/29/14

04/30/14 Meeting with Chief of Police, Westall – got verbal okay to present condemnation in front of City Council.

05/01/14 Return receipt for Olivia Fisher

05/08/14 Phone call with Jennifer Breakell – competency was raised, evaluation can take up to 3 mos, hearing will be a closed hearing - lawyers, judge and Taketa. Breakell will update us or let us know if we will be called to testify. Condemnation has been delayed/postponed.

05/12/14 Olivia Fisher 505 360-3802 spoke to M. Romero – getting estimate for work on exterior of the home wanted to know if needs to fix interior to be in compliance. Asked if she could have more time. Returned her call and left a message.

05/27/14 Letter returned unclaimed/returned certified mail from Glenn Taketa.

06/23/14 photos: front yard has been cleaned; sliding door has been taped or sealed off

06/25/14 Phone call to Olivia Fisher to inquire on progress – left message

06/26/14 per Olivia – talked to AMF Clean-up to continue work. Will go by house to close/lock front door and secure sliding door (open access)

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05/05/15 3<sup>rd</sup> Complaint since inspectorial search warrant from Joan Eaton 505 325-8756 – part of siding or roof is ready to fall. Took photos: new weeds, junk & trash in backyard, possible access through sliding door.

05/12/15 Todd – meeting with Police Chief Hebbe on condemnation plan = recommended to start process all over again, they will make contact with outside agencies to seek help for Glenn Taketa.

05/14/15 photos

05/19/15

Olivia Fisher 505 324-0676 – not a working number, 505 360-3802 – left message 9:20 a.m.

Per Chris Allen Newlon (Mary Newlon Trustee) for 615 E Murray Dr S-B (last known address for Olivia) 505 330-8836. Per Chris, Olivia Fisher only lived there for 2 mos. and does not have a frwd address for Olivia

Per Rhonda at Mesa MH Park 505 327-2755, Olivia did go to court on Eviction Notice but paid rent up to date which cancelled eviction. Olivia currently resides at 2011 Troy King Rd #358, Fmtn, NM 87401

NEW CONDEMNATION NOTICE mailed (regular and certified) to: Glenn Taketa cc: Olivia Fisher 2800 Edgecliff Dr, Farmington, NM 87402

Olivia Fisher 2011 Troy King Rd Sp 358, Farmington, NM 87401

Violations: front sliding door, weeds, cleanliness of property, accumulation of refuse, proper plumbing connection, place of human habitation; Compliance date of 06/19/15

06/17/15

1:30 p.m. meeting at FPD, Star Chamber  
Attendees: Adult Protective Services (APS) – Spvr. Margaret Cesena; Veteran Affairs (VA) – Shantel Mitchell-Cooley, Linda Shannon, Robert Lewis; COF – City Attorney Jennifer Breakell, FPD Chief of Police Steve Hebbe, FPD Deputy Chief Keith McPheeters, FPD Lt. Joshua Laino, FPD Sgt. Baric Crum, FPD Sgt. Chad Byers, Crpl Todd Johnston Code Compliance Spvr, Code Compliance Ofc. Laura Avendaño; District Attorney (DA) Brant Capshaw

Copies of photos of each inspection and copies of Notice of Violation Letters (04/11/13, 04/28/14, and 05/19/15) for outside agencies: APS, VA, DA

- 06/18/15 Per Lt. Laino, Joe Petrelli from DA's office to start on Civil Commitment Process.
- 06/19/15 Letter from Margaret Cesena, APS Spvr., report of Glenn Taketa reviewed and will be assigned case worker/social worker.
- 06/23/15 Phone call from Cesena, APS requesting photo for Glenn Taketa. Per Cesena, plan on searching for Taketa at his home, they don't usually look for people in public places (Dunkin Donuts, where he is frequently seen), but will run by her supervisor. They plan to contact Taketa alone and without plain clothes officer or rep from VA, as previously discussed in group meeting.
- Citizen Complaint to Nate Duckett frwd to Jennifer Breakell regarding cats going into house at 2800 Edgecliff.
- Per Lt. Laino, to Sgt. Byers make arrangements to get civil commitment process moving.
- 06/24/15 2-3 p.m. welfare check on Glenn Taketa, negative contact. T. Johnston accompanied by: Ofc. P. Mondragon, R. Decker, Sgt. C. Byers
- Call from Joe Petrelli DA's office 505 609-3539 (work cell) – he spoke to sister, Olivia Fisher, who gave family history. She is offering him a place to live. I provided case information and timeline (verbally)
- Call and email to Shantell Mitchell-Cooley (505 259-2023, shantel.mithcell-cooley@va.gov) to update on case action and invite to inspectorial search warrant.
- 06/26/15 Prepared application and documents for inspectorial search warrant, M. Romero to submit and present to judge.
- 06/30/15 Email to VA to join at Inspectorial Search Warrant at 9 a.m.; reply from Linda Shannon – will not be able to attend.

Inspectorial Search Warrant by: CCO M. Romero, L. Avendaño, Sgt. C. Byers, Ofc. R. Decker, Ofc. E. Cole; also present APS Spvr Margaret Cesena, COF Building Inspector Larry McLey. Glenn Taketa was not present, warrant executed. Supplements by M. Romero and L. Avendaño

Per SJC Treasures Office – taxed owed for 2014 \$520.15

07/06/15

District Court, Aztec No. D-1116-S1-201500084 with Judge Brad Dalley / State of NM vs. Glenn Taketa – Mental Commitment

Judgment – Appointed temporary Treatment Guardian – Fran Hampton with Honor Guardianship out of Albuquerque/PMS for Psychological Evaluation/Care. Glenn will get assistance applying for SSI, Disability, Food Stamps and cell phone. Veteran Affairs (VA) will assist with Section 8 Housing/HUD. Glenn will stay with sister Olivia Fisher, temporarily. According to Olivia, Glenn has not had any mental/medical follow-up in the last 12 yrs; she too suffers from mental issues.

After court met with Olivia who had questions about the condemnation process and how to go about removing belongings from home. City Attorney, J. Breakell advised her to call non-emergency dispatch and request for a civil standby since there was an active trespass authorization for the property. I gave her my card to set up meeting to discuss condemnation. She said she had a realtor friend who wanted to help her sell the property.

07/07/15

Inquire on case with Adult Protective Services - per Margaret Cesena/APS has not met with Glenn but has spoken to Olivia

07/13/15

Spoke with Michael (Olivia Fisher's son) \*505-360-3802 or 505-716-7784; who called to find out what needs to be done to comply and be able to rent the house. I went over the code compliance violations in the exterior of the

property then transferred to Derrick Childers (Child Building Official) to discuss plumbing, structure, and interior issues. Will start on exterior this week and will call back to notify once complete.

- 07/21/15 Received a Request to Inspect Public Records from Fran Hampton, Treatment Guardian (Due 07/24/15).
- 08/05/15 Spoke with Fran Hampton 505-360-0006 – Glenn and Olivia have a meeting with DNA Legal Services to try to switch property into their name through probate. Fran spoke to Linda at United Way, who denied help from United Way Day of Caring. Fran is waiting on a call back from Georgette Alan who offered help on cleaning the property. Per Fran, Glenn wants to hold off on condemnation.
- 08/06/15 At 3:30 p.m. T. Johnston (Code Compliance Supervisor) and I met with Fran Hampton and Glenn Taketa. Code Compliance gave 30 day extension to comply; new compliance date 09/06/15. Made violations very clear and explained a plan of action or compliance is required by extension date or condemnation process will continue.
- 08/12/15 Emailed a copy of a clean-up assistance list Code Compliance has on file. Later spoke to Fran over the phone who said Glenn was living at P.A.T.H. Sister, Olivia is getting evicted at the end of the month (August 2015). Glenn is still working on getting assistance for clean-up but it doesn't seem likely. Fran may just have someone clean to delay/stop condemnation. Fran mentioned they think someone might be breaking into the home, I suggested they call police to do report if she thinks someone has been in the home.
- 09/09/15 photos for inspection on last extension (09/06/15) – no changes, all violations still exist
- 09/11/15 phone with Fran Hampton 505-360-0066
- Sister, Olivia was evicted as of 09/01/15

- Glenn is living at P.A.T.H.
- She contacted City Attorney, J. Breakell and DA, Joe Petrelli to provide update on Glenn
- Glenn has no game plan
- VA wants him housed by the end of the month
- Glenn is most likely to be assigned a new case manager but Fran to do follow up as per court for 1 year

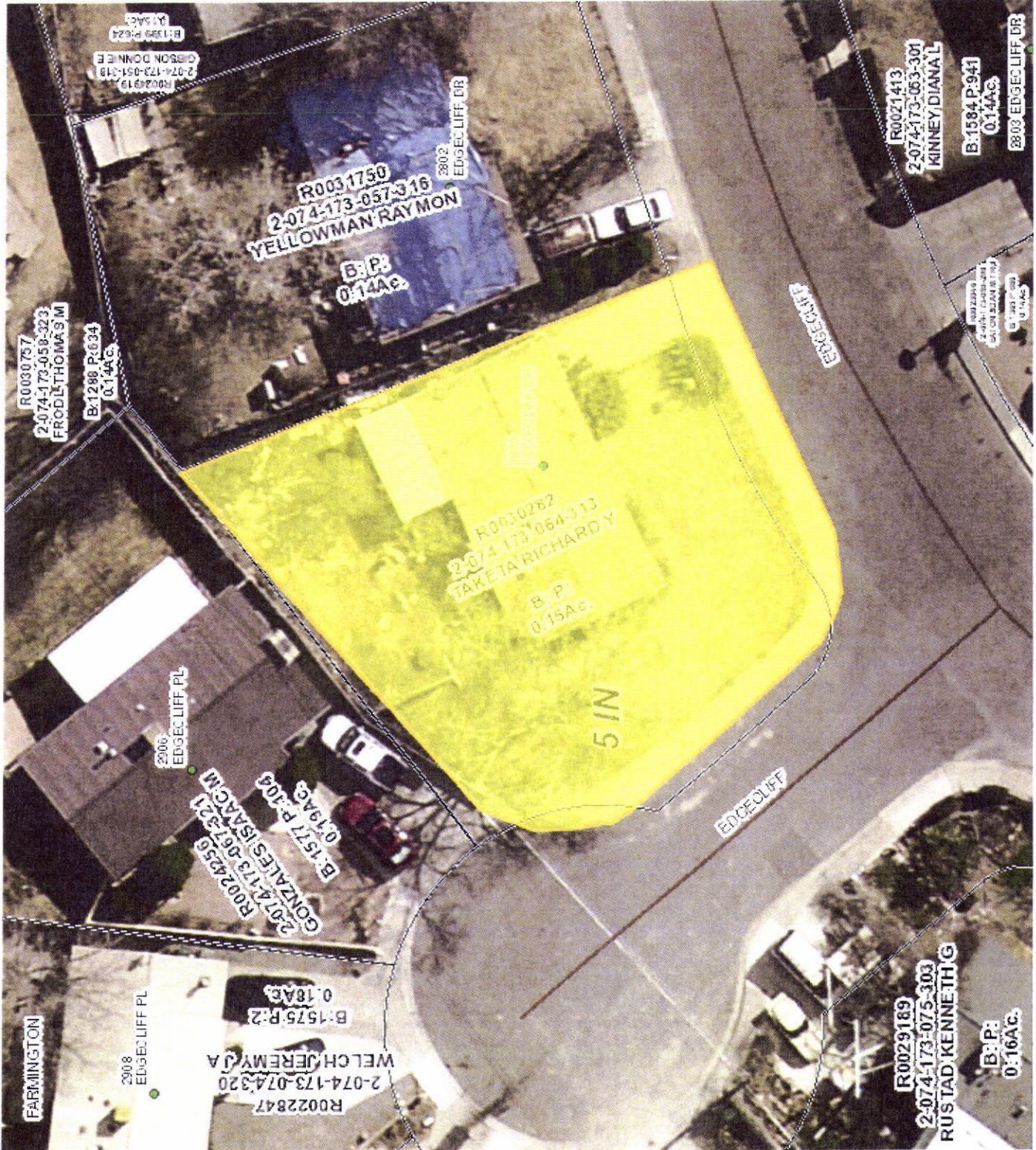
- 10/06/15 photos
- 10/29/15 Code Compliance Officer – Leonard Longhorn obtained an Inspectorial Search Warrant for inspection before continuing condemnation process. Warrant to be executed on 11/4/15
- 11/04/15 photos; Inspectorial Search Warrant – exterior code violations remain
- 11/18/15 Code Compliance was frwd a citizen complaint from J. Breakell who was contacted by Councilor Duckett. Complaint about someone living in the house. Inspection of property was done by T. Johnston (Code Compliance Spvr), and Sgt. C. Byers open access from front sliding door was found and left as found on the I.S. Warrant. Exterior code violations remain and it did not appear anyone had entered the dwelling or was found inside.
- 11/24/15 Meeting with Deputy Chief, McPheeters, received verbal approval to present condemnation of structure to City Council.
- 12/15/15 Received call from Maragaret Cesena, APS re: Glenn Taketa wanting to go onto property to gather winter clothing. Informed she should call for FPD Civil Stand by when at the property. Per Ms. Cesena, Glenn has been relocated through HUD Housing to an apartment in Aztec. He now has a case worker through PMS and attends classes for social and life skills three times a week. He is also under doctor's care through the VA, is now on medication and has been diagnosed with schizophrenia.

**Legend**

- Full Address - County & City
- Searchable Parcels
- Parcels - No Labels
- City Roads
- Other Roads
- County Maintained
- Lesser County Maintained
- Navajo Route
- Oilfield Roads
- Private Roads
- Lakes
- Rivers
- Aztec City Limits
- Bloomfield City Limits
- Farmington City Limits
- School Districts
- San Juan County Bounds
- Reservation

1: 300

The San Juan County Assessor's Office provides no warranty, expressed or implied, as to the accuracy, reliability or completeness of furnished data. This map is not intended to be used as a survey. For assessment purposes only.





11/ 4/2015



11/ 4/2015



