

**CITY OF FARMINGTON  
CITY COUNCIL WORK SESSION AGENDA  
October 15, 2013 – 9:00 a.m.**

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**DEPARTMENT HEAD REPORTS**

1. Discussion and direction to staff regarding a request for annexation from Joe Kozimor for 50.48 acres located within Tier 2 of the City's planning and platting jurisdiction (Fran Fillerup)----- 1

Action Requested of Council:

Discussion and direction to staff to refer the annexation request to the Planning & Zoning Commission for consideration and recommendation to the Council.

Background/Rationale:

The Community Development Department has received a request from Joe Kozimor, Joe & Stan, LLC, for the annexation of 50.48 acres located within Tier 2 of the City's planning and platting jurisdiction to be included in the Little Creek Development located in Farmington. This annexation would enable the developer to build additional homes on the city's west side and market additional land for industrial development. The area lies approximately 150 feet north of the right-of-way of West Main Street and U.S. Highway 64. Three properties between Mr. Kozimor's property and U.S. Highway 64, owned by Hector Rangel Trust (commercial); Joe & Stan, LLC (industrial); and the Federal government (vacant) have been included for consideration with this annexation request. With these additional properties, the total area considered for annexation is 58.67 acres.

The Little Creek Development has been developed and built to City standards. Additional phases of the development should also be located within the city to ensure consistency and quality for existing and future homebuyers in the development. The proposal also includes land areas that would be available for commercial and industrial development. The City has long expressed a need for additional land to be located within the city limits suitable for industrial development. The future businesses and residents located within the subject area will utilize City services and should support the city tax base.

Staff Recommendation:

Refer the consideration of the request to the Planning & Zoning Commission, as required. Staff will proceed with the development of a cost-benefit analysis regarding the proposed revised annexation area in addition to reviewing the proposal.

Instructions Upon Approval:

Community Development staff will proceed with the development of the cost-benefit analysis and begin processing the request, including scheduling the required steps related to the proposed annexation.

Budgetary Impact:

The proposed tasks are within the Community Development Department's current budget.

2. Report on the results of the community outreach, including the administration of a survey, concerning a total of 2,446.48 acres of land along both sides of U.S. Highway 64 from the City's current boundaries to County Roads 350 and 5500 located within Tier 2 of the City's planning and platting jurisdiction and discussion of a smaller possible annexation area based on the results of the community outreach (Mary Holton) ----- 2

Action Requested of Council:

Discussion and direction to staff.

Background/Rationale:

The City has long expressed a need for additional land to be located within the city limits suitable for industrial development. Many of the tracts located within the unincorporated U.S. Highway 64 corridor between Farmington and County Roads 350 and 5500 have experienced intense industrial development over the past decade. Many of the businesses and residents located within the subject area utilize City services and should support the city tax base.

Staff Recommendation:

Review the proposed smaller area consisting of 230.79 acres and consider directing staff to proceed with the next steps (including the development of a cost-benefit analysis) and for staff to meet and discuss the proposal with property owners specifically located within the proposed smaller area in an attempt to collect signatures on annexation petitions.

Instructions Upon Approval:

Community Development staff will proceed with the development of the cost-benefit analysis and contact property owners in the area regarding signing the annexation petitions.

Budgetary Impact:

The proposed tasks are within the Community Development Department's current budget.

3. Report to Council on the results of the community outreach, including the administration of a survey, concerning a total of 1,139.50 acres southwest of the city limits near the City's MRA, the San Juan River and along the Bisti Highway located within Tier 2 of the City's planning and platting jurisdiction and discussion of a revised annexation proposal based on the results of the survey (Mary Holton)--- 3

Action Requested of Council:

Discussion and direction to staff.

Background/Rationale:

The City has long expressed a need for additional land to be located within the City that would be suitable for industrial development. An industrial park has been proposed by Greg Price of Rolling Water, LLC to be located on 74 acres in the subject area. The residents and businesses located within the subject area utilize City services and should support the City's tax base.

Staff Recommendation:

Review the proposed revised area consisting of 923.41 acres and consider directing staff to proceed with the next steps, including updating the cost-benefit analysis; collecting additional signatures on the annexation petition; preparing the annexation plat and annexation's tentative timeline; and scheduling the required meeting for the Council to refer the proposed annexation to the Planning & Zoning Commission.

Instructions Upon Approval:

Community Development staff will proceed with updating the cost-benefit analysis, collecting additional signatures on the annexation petition, preparing the annexation plat and timeline and will return to Council, as is required, to request that the proposed annexation be referred to the Planning & Zoning Commission for consideration of a recommendation.

Budgetary Impact:

The proposed tasks are within the Community Development Department's current budget.

4. Consideration of cancellation of the November 26, 2013 and December 24, 2013 Regular City Council Meetings (Rob Mayes)

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**COUNCIL BUSINESS**

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**CLOSED MEETING**

5. To discuss request for proposals for construction of Fire Station No. 1 and a Fire Administration building, pursuant to Section 10-15-1H(6) NMSA 1978 and to receive advice from the City's legal counsel regarding a matter of pending litigation pursuant to Section 10-15-1H(7) NMSA 1978 (Thomas v. Vandagriff).

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6. Request for proposals for construction of Fire Station No. 1 and a Fire Administration building (Eddie Smylie) ----- 4

Action Requested of Council:

Approve recommendation to commence negotiations with the top evaluated firm.

Background/Rationale:

Proposals for construction of Fire Station No. 1 and a Fire Administration building (Fire) were opened on October 1, 2013 with four offerors participating.

Staff Recommendation:

The recommendation of the evaluation committee is to commence negotiations with Jaynes Corporation as the top evaluated offeror.

Instructions Upon Approval:

Commence negotiations.

**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.**

CITY OF FARMINGTON

800 Municipal Drive  
Farmington, NM 87401-2663  
Fax: (505) 599-1299  
<http://www.farmington.nm.us>



October 11, 2013

Joe R. Kozimor  
Joe & Stan, LLC  
P. O. Box 629  
Farmington, NM 87499

In reference to our recent discussions, you have asked for the City of Farmington to annex 49.14 acres, owned by Joe & Stan, LLC, located north of US Highway 64 and west and north of the Little Creek Subdivision Phases I and II, and located immediately adjacent to the current boundaries of the City of Farmington. You have also indicated that you are in agreement to include a 1.34 acre parcel that Joe & Stan, LLC, also owns located at 5400 West Main Street. This parcel is additionally identified by the San Juan County Tax Assessor's Office as Parcel Number 2080172314255 and Tax ID: R0053921.

Please sign below to indicate that you want the City of Farmington to annex this property. It is noted that your engineer has provided us with an annexation plat for the 49.14 acres, and your preference for the zoning designations for that parcel on a separate map. Please note that we are additionally recommending that the additional 1.34 acre parcel be zoned Industrial.

Please don't hesitate to call me at 505-599-1285 if you have any questions.

Sincerely,

Mary L. Holton, AICP  
Community Development Director

I hereby request that the City of Farmington annex the above-referenced areas of land, which total 50.48 acres.

  
\_\_\_\_\_  
Joe Kozimor, Joe & Stan, LLC

10/11/2013  
\_\_\_\_\_  
Date





**ANNEXATION AREA UNDER CONSIDERATION**  
**Approx. 58.67 acres north of W. Main St./ US 64**  
**Adjoining western City Limits**

10/8/2013



1 in : 400 ft



## THE PETITION METHOD OF ANNEXATION IN NEW MEXICO\*

This method is initiated by the filing of a petition:

- (1) That seeks the annexation of territory contiguous to the municipality; and,
- (2) Is signed by the owners of a majority of the number of acres in the contiguous territory; and,
- (3) Is accompanied by a map that shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the municipality; and
- (4) Is presented to the City Council.

Annexations are referred to the Planning and Zoning Commission by the City Council for consideration of a recommendation to the City Council. Staff is also required to present proposed annexations to the County Commission so that they can provide input that is forwarded to the City Council.

Any municipality annexing any territory shall include in the annexation any streets located along the boundary of the territory being annexed. As used in this section, "street" means any thoroughfare that is open to the public and has been accepted by the board of county commissioners as a public right-of-way.

The City Council must, by ordinance, express its consent or rejection to the annexation of such territory within 60 days of receiving the petition.

If the ordinance consents to the annexation of the contiguous territory, a copy of the ordinance, with a copy of the plat of the territory so annexed, shall be filed in the office of the San Juan County Clerk. After the filing, the contiguous territory is part of the City. The City Clerk must also send copies of the ordinance annexing the territory and of the plat of the territory so annexed to the NM Secretary of Finance and Administration and to the NM Secretary of Taxation and Revenue.

Within thirty days after the filing of the copy of the ordinance with the San Juan County Clerk, any person owning land within the territory annexed to the municipality may appeal to the district court questioning the validity of the annexation proceedings. If no appeal to the district court is filed within thirty days after the filing of the ordinance or if the court renders judgment in favor of the municipality, the annexation shall be deemed complete.

\*General information is presented here. NM State Statutes (3-7-1 through 18) should be consulted for timing and specific steps.

