

Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 6:00 p.m. on Tuesday, January 26, 2016. The open regular session was held in full conformity with the laws and ordinances and rules of the Municipality.

Upon roll call, the following were found to be present, constituting a quorum:

MAYOR	Tommy Roberts
COUNCILORS	Linda Rodgers Mary M. Fischer Gayla A. McCulloch Nate Duckett

constituting all the members of said Governing Body.

Also present were:

CITY MANAGER	Rob Mayes
ASSISTANT CITY MANAGER	Bob Campbell
CITY ATTORNEY	Jennifer Breakell
CITY CLERK	Dianne Smylie

The meeting was convened by the Mayor. Thereupon the following proceedings were duly had and taken:

INVOCATION: The invocation was offered by Pastor David Florez of The Journey Church.

Pastor David Florez also led the Pledge of Allegiance.

CONSENT AGENDA: The Mayor announced that those items on the agenda marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on without discussion by one motion. He stated that if any item did not meet with approval of all Councilors or if a citizen so requested, that item would be removed from the Consent Agenda and heard under Business from the Floor.

*MINUTES: The minutes of the Regular Meeting of the City Council held January 12, 2016.

*DECLARATION OF SURPLUS PROPERTY: The Chief Procurement Officer recommended that worn-out, unusable or obsolete vehicles and equipment (Administrative Services, Central Warehouse, General Services and Vehicle Maintenance) be declared surplus to the needs of the City and not essential for municipal purposes, and that the City Manager or his designee be authorized to dispose of such surplus property pursuant to State Statutes.

*BID: The Chief Procurement Officer recommended that the bid for purchase of a portable battery trailer (Electric) be awarded to Mesa Technical Associates on its low bid meeting specifications after application of five percent in-state preference of \$86,489.92, and that the primary bid received from Border States be rejected for being non-responsive and not meeting specifications. Bids opened January 12, 2016 with six bidders participating.

*BID: The Chief Procurement Officer recommended that the bid for purchase of miscellaneous steel for the Aztec Substation (Electric) be awarded to Klute, Inc. on its low bid after application of five percent in-state preference of \$21,035.93, and that the bids received from Wesco and Western United be rejected for being incomplete. Bids opened January 20, 2016 with seven bidders participating.

*GRANT MODIFICATION 2 TO AWARD NO. G15SN0010A between the City and the Office of National Drug Control Policy increasing the award amount by \$5,000 for the High Intensity Drug Trafficking Areas Program (HIDTA) (total award is \$221,314).

*PUBLIC CELEBRATION PERMIT APPLICATION AND WAIVER to the 300-Foot Separation Requirement from a Church from Wines of the San Juan (License No. 6085) for a fundraiser to be held on March 18, 2016 at 302 East Main Street.

*WARRANTS PAYABLE for the time period of January 10, 2016 through January 23, 2016, for current and prior years, in the amount of \$8,050,591.46.

There being no requests to remove any items, a motion was made by Councilor Duckett, seconded by Councilor Rodgers to approve the Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION:

CONSENT AGENDA: Community Development Director Mary Holton requested that the Planning and Zoning Commission recommendations marked with an asterisk () be placed on the Planning and Zoning Commission Consent Agenda and voted on without discussion by one motion. She asked that if the items proposed did not meet with approval of all Councilors or if a citizen so requested, the item would be removed from the Consent Agenda and heard in regular order.

- * (1) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. PFP 15-02 from the City of Farmington requesting preliminary plan/final plat approval for Piñon Hills Right-of-Way Subdivision No. 2, a road dedication (Piñon Hills Boulevard extension), consolidation of 30 lots into four tracts, nine easements, abandonment of a portion of Hubbard Street and dedication of right-of-way (Paseo del Rancho extension) on 82.88 acres of land located south of the intersection of NM 516 and East Main Street to County Road 3000.
- * (2) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. SUP 15-08 from Heather Alexander and Joshua Johnson requesting a Special Use Permit to allow a body art establishment to be located at 115-A East Main Street in the CB, Central Business, District, with a waiver to Section 8-15-3 of the City Code pertaining to distances from a church or residence.

There being no requests to remove any items, a motion was made by Councilor Rodgers, seconded by Councilor Duckett to approve the Planning and Zoning Commission Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

The following recommendation from the Planning and Zoning Commission was also presented:

- (3) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. PFP 15-01 from Four Corners Land, LLC, represented by George Walters, requesting preliminary plan/final plat approval for 3.94 acres of land located at 2500 Farmington Avenue.

Mayor Roberts announced that the Petitioner has requested that this item be tabled to the February 9, 2016 regular City Council Meeting.

Thereupon, a motion was made by Councilor Duckett, seconded by Councilor Rodgers to table Petition No. PFP 15-01 to the February 9, 2016 regular City Council meeting as requested by the Petitioner, and upon voice vote the motion carried unanimously.

CITY MANAGER BUSINESS

House Bill 233/Hold Harmless Payments and Tax Distributions

City Manager Rob Mayes reported that he learned today that House Bill 233 ("HB233") was introduced at the State Legislative Session and will accelerate the phase-out of the hold harmless gross receipts tax payments to municipalities, resulting in an additional loss of \$20

million in revenue for the City over the next 10 years. He assured the Council that staff is working with the City's lobbyist and the New Mexico Municipal League and will be meeting with the legislative delegation on Thursday to urge opposition to HB233.

FIRST AMENDED AND RESTATED ANNEXATION AGREEMENT/LA PLATA HOLDINGS, LLC AND TIERRA LA PLATA, LLC/LA PLATA RANCH

City Attorney Jennifer Breakell introduced the item and announced that a corrected copy of the subject Annexation Agreement has been provided to the Council for consideration.

Mayor Roberts declared a conflict of interest with regard to the proposed Annexation Agreement and requested that if it is approved by the Council that the Mayor Pro Tem be authorized to sign the document. He briefly left the room.

Ms. Breakell explained that the proposed amendments will bring the Annexation Agreement into conformance with the Master Plan that was approved by the Council last year by specifically stating that the Homeowners Association is responsible for developing the streets, landscaping and trails and memorializes the trigger points for requiring the second and third access points.

There being no discussion, a motion was made by Councilor Duckett, seconded by Councilor Rodgers to approve the corrected copy of the First Amended and Restated Annexation Agreement between the City, La Plata Holdings, LLC and Tierra La Plata, LLC for property known as La Plata Ranch. The roll was called with the following result:

Those voting aye:	Linda Rodgers Gayla A. McCulloch Nate Duckett
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Those voting nay:	Mary M. Fischer
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The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

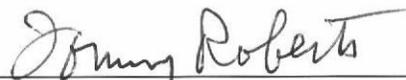
Councilor Fischer explained that she voted against the proposed Agreement because she is opposed to the Public Improvement District (PID) methodology and also to the two roundabouts that are being proposed on Piñon Hills Boulevard.

Mayor Roberts returned to the meeting and there being no further business to come before the Council, the meeting was adjourned at 6:10 p.m.

The City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 2013-1466, et seq.

Approved this 9th day of February, 2016.

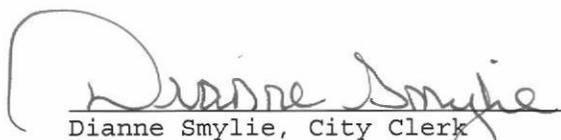
Entered in the permanent record book this 10th day of February, 2016.



Tommy Roberts, Mayor

SEAL

ATTEST:



Dianne Smylie, City Clerk