

Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 7:00 p.m. on Tuesday, May 14, 2013. 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:

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| COUNCILORS | Mary M. Fischer Gayla McCulloch Jason Sandel |
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| PRESENT FOR A PORTION OF THE MEETING BY SPEAKER TELEPHONE PURSUANT TO RESOLUTION NO. 94-772 | Dan Darnell, Councilor |
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| ABSENT | Tommy Roberts, Mayor |
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constituting all the members of said Governing Body.

Also present were:

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| CITY MANAGER | Rob Mayes |
| ASSISTANT CITY MANAGER | Bob Campbell |
| CITY ATTORNEY | Jay B. Burnham |
| CITY CLERK | Dianne Fuhrman |

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

INVOCATION: The invocation was offered by Reverend George Harris of Fellowship of Spirit.

MOMENT OF SILENCE FOR DONNA OGILVIE

Acting Mayor Pro Tem Fischer announced that she heard that long-time community activist Donna Ogilvie passed away earlier today and asked for a moment of silence in her memory.

Councilor Sandel led the Pledge of Allegiance.

CONSENT AGENDA: Acting Mayor Pro Tem Fischer announced that those items on the agenda that are marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on by one motion. She 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 April 23, 2013; the minutes of the Regular Work Session of the City Council held April 16, 2013; and the minutes of the Special Work Session of the City Council held April 26, 2013.

*BID: The Purchasing Officer recommended that the bid for purchase of crossarm assembly (Electric Utility) be awarded to Stuart C. Irby on its low bid meeting specifications after application of five percent in-state preference of \$32,524.70 and that the primary bid received from Wesco Distribution, Inc. and the alternate bids received from Western United Electric and Border States Electric be rejected for being non-responsive and not meeting specifications. Bids opened May 8, 2013 with four bidders participating.

*BID: The Purchasing Officer recommended that the bid for Lift Station 5 improvements (Public Works) be awarded to RMC, Inc. on its low bid of \$850,000 after application of five percent in-state preference and seven percent resident veteran preference. Bids opened May 8, 2013 with three bidders participating.

*WARRANTS PAYABLE for the time period of April 21, 2013 through May 11, 2013, for current and prior years, in the amount of \$8,463,197.44.

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

POLICE WEEK PROCLAMATION

Acting Mayor Pro Tem Fischer presented Chief Kyle Westall, Captain Vince Mitchell, Lieutenant Daryl Noon, Sergeant Shawn Scott and Officers Dan Urbik, Ken Smith and Colt Kalcich with a Proclamation declaring May 12 through 18, 2013 as "Police Week."

Acting Mayor Pro Tem Fischer announced that Councilor Darnell is absent from this meeting and directed that he be contacted by speaker telephone for participation in the meeting, pursuant to paragraph C, Section 10-15-1, NMSA 1978, and City of Farmington Resolution No. 94-772.

RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION:

CONSENT AGENDA: Community Development Director Mary Holton requested that the Planning and Zoning Commission recommendation marked with an asterisk () be placed on the Planning and Zoning Commission Consent Agenda and voted on by one motion. She asked that if the item proposed did not meet with approval of all Councilors or if a citizen so requested, that the item 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. SUP 13-04 from BP America Production Company, represented by Jerry Van Riper, requesting a Special Use Permit to add an 18-foot, 6 -inch pumping unit to the GCU Com #94E well (previous Dakota well being recompleted to Mancos Shale) located behind 3121 Bloomfield Highway in the IND, Industrial, District, with waivers to Section 19-2-74(f)(4) concerning well site equipment modification permits and Section 19-3-10 concerning fencing and landscaping.

Announcing for the record that his company, Aztec Well Servicing, does a lion's share of work for BP America Production Company, Councilor Sandel stated that he will be disqualifying himself from voting on the subject petition even though there is no guarantee that his company will be selected to do the drilling for this particular proposed Mancos shale oil well.

There being no requests to remove the item, a motion was made by Councilor McCulloch, seconded by Councilor Darnell to approve the Planning and Zoning Commission Consent Agenda, as presented. The roll was called with the following result:

Those voting aye: Dan Darnell
Mary M. Fischer
Gayla McCulloch

Those voting nay: None

Those disqualified from voting: Jason Sandel

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

PROJECT PRESENTATIONS/COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2012 ANNUAL ACTION PLAN AMENDMENT

Purchasing Officer Eddie Smylie explained that the purpose for tonight's presentations is to give the Council an opportunity to hear and evaluate the proposals that were received in response to the request for proposals for the Community Development Block Grant ("CDBG") 2012 Annual Action Plan Amendment. He explained that the evaluation committee has recommended that all eight offerors make a presentation to the Council for further evaluation and funding consideration and that, following the closed meeting, staff be directed on how to proceed with the Action Plan

Amendment, noting that there is \$99,419.66 available for reallocation. He also pointed out that the presenters are listed in Alphabetical order.

Big Brothers Big Sisters

Chris Garcia, Chief Executive Officer for Big Brothers Big Sisters ("BBBS"), explained that the purpose of the program is to provide one-on-one youth mentoring via volunteers from the community for children between the ages of 6 and 18 years of age. She happily reported that a new program called "Lunch Buddies" was implemented last year at Mesa Verde Elementary School whereby 10 San Juan College faculty members were matched with second and third graders in an effort to improve their reading levels. She explained that there is data indicating that if children do not reach reading levels by the end of third grade, their chance for dropping-out of high school increases. She also noted that the prison system is basing its future population on the current reading levels of third grade students. Furthermore, she reported that the BBBS program has grown 86 percent in the past five years for a total of 291 children being served in 2012 and announced that City employee Roger D rayer has been a mentor for the past 5 years to the same little boy and proudly reported that this former at-risk child is now doing well in high school. She explained that BBBS is requesting \$99,419.66 to help with the construction costs of a new building which will provide better office space for conducting confidential volunteer interviews and a classroom for mentor training programs. Ms. Garcia explained that BBBS is currently leasing a 1,500 square foot office building that is too cramped for staff to adequately service the program's youth and volunteers and does not provide any room for growth. She assured the Council that they will be able to spend the money within the specified time frame since they are ready to break ground on the new facility. She displayed an artist's rendering of the proposed building.

Responding to questions from the Council, Ms. Garcia stated that the new facility will be used 75 percent of the time for program services; noted that the total construction cost is \$504,000; reported that they have successfully raised \$100,000; and announced that they have received verbal confirmation from three banks indicating that financing of the remaining construction costs should not be a problem.

Childhaven

Erin Hourihan, Chief Executive Officer for Childhaven, reported that they have requested \$61,689.17 for the purpose of remodeling the kitchen and the infant and toddler playrooms. Noting that the building is 19 years old and is owned by the City, Ms. Hourihan reported that Childhaven leases the building but is responsible for maintenance. She maintained that Childhaven meets the requirements for the subject funding because services to abused and neglected youth is listed as the highest priority in the 2009-2014 CDBG Consolidated Plan. She noted that Childhaven's emergency shelter provides services to low-to-moderate income level youth with an average of 160 or more children staying at the facility for a total of 4,000 to 5,000 nights of care annually. She reported that Childhaven provides behavioral health assessments, therapy, educational assistance, transportation, clothing, recreational activities and food to abused, neglected and traumatized infants, children and youth and provided the Council with copies of photographs of the deteriorated facility. She strongly urged them to consider funding the project to the fullest extent.

Ms. Hourihan responded to questions from Councilor Sandel and Acting Mayor Pro Tem Fischer by stating that there are approximately 20 children at the facility on a daily basis; contended that the building deficiencies pose a serious and immediate threat to the health, safety and welfare of the children; and confirmed that the Environment Department could make a determination to close the kitchen facility until the deficiencies are repaired.

Four Corners Foundation

Utilizing a Powerpoint presentation, Four Corners Foundation Executive Director Karen Broten provided a status report on the development of "A Path Home" at 520 Hydro Plant Road. Noting that "A Path Home" is a multi-phased, master-planned development that addresses the need for emergency and transitional housing for homeless individuals and families with children, she noted that the square footage for Building 1000 (emergency shelter) has been increased from 12,000 to 13,600 and that the square footage for Building 2000 (transitional

apartments) has been increased from 6,000 to 7,200 to provide additional ADA accessible units. She provided an architectural rendering of the proposed project and stated that they are requesting \$99,000 for the purpose of constructing the additional ADA accessible units. Ms. Broten explained that statistical data provided by Jonna Sharpe, Executive Director for PATH (People Assisting the Homeless), indicates that there is a greater need for handicap accessible units based upon the clientele currently being served. She also pointed out that the proposed project meets 15 of the 18 criteria identified in the CDBG Consolidated Plan. In closing, she strongly urged the Council to consider funding the project to the fullest extent, noting that PATH served 804 individuals last year and is operating at full capacity at this time.

In response to inquiry from Councilor McCulloch, Ms. Broten assured her that Four Corners Foundation will be able to spend all of the CDBG funds that have been allocated to the project within the specified time frames. In response to inquiry from Councilor Sandel, Ms. Broten reported that the entire construction project is estimated to cost \$3 million.

Frontline Mission

Everett Griffith, Founder and Director of Frontline Mission, announced that they have been located at the corner of Behrend Avenue and Arrington Street (the old hospital building) for the past 16 years and are currently in the process of remodeling the interior for the purpose of creating a long-term care facility for mothers and children who are victims of domestic violence. He proudly reported that the victims will be allowed to stay at the facility for up to two years and will be provided tutoring services to help them attain a GED. He requested \$20,000 to assist with the installation of a fire escape on the building.

In response to inquiry from Acting Mayor Pro Tem Fischer, Mr. Griffith reported that the soup kitchen feeds between 150-200 people on weekends and stated that the food pantry services about 3,000 families per year, primarily comprised of single mothers and grandparents raising children. He announced that the purpose of Frontline Mission is to teach children that domestic violence is not a normal part of family life and stated that he hopes to make a difference in their life and to break the cycle of abuse.

Responding to inquiry from Councilor McCulloch, Mr. Griffith reported that Frontline Mission is funded by a few local churches, private companies and individuals.

My Father's House Church

Addressing the Council on behalf of My Father's House Church, Pastor Bob Moon reported that they are requesting \$58,918.75 to repair the roof on the building that was originally built in 1951. He noted that the congregation is able to maintain the normal maintenance and upkeep of the building but explained that it is difficult to secure such a large amount to fund one project. Mr. Moon announced that the contractor has been selected and stated that they can complete the project by the July 31, 2013 deadline date.

Nona Beckstead

Addressing the Council on behalf of his mother, Nona Beckstead, John Beckstead reported that the Beckstead family is requesting \$33,000 to assist with the replacement of the roof and new stucco on the old General Supply building located at 201 E Main Street. Noting that the subject building is actually a conglomerate of five buildings, he pointed out that the old saloon that was located on the property in 1876 is the center of the existing building where the wood plank floor is located. He noted that the building still contains the original stenciling from the saloon and he reviewed the other historical businesses that were located on the property before the buildings were conjoined. Noting that General Supply occupied the building for 82 years, he announced that the business was recently sold and moved to Kirtland. Mr. Beckstead reminisced about his memories growing up as a child of parents operating the feed store and stated that the family would like to convert the building into a museum or gallery that will focus on the history of the downtown area.

Acting Mayor Pro Tem Fischer asked if they have considered pursuing funding assistance from the New Mexico Historic Preservation Division and

she suggested that he contact Government Relations Director/Downtown Coordinator Elizabeth Isenberg to discuss this possibility. In response, Mr. Beckstead announced that the family is currently looking into this option and stated that they did receive some funding through the CDBG façade improvement program for the replacement of windows.

Presbyterian Medical Services

Mike Renaud, Northwest Region Director for Presbyterian Medical Services ("PMS"), provided an architectural rendering of the new "flagship" Community Health Center that will be located at 1001 W. Broadway and noted that the groundbreaking ceremony is scheduled for June 24, 2013 with an anticipated completion date of Fall, 2014. Announcing that PMS is requesting \$99,400 in funding assistance, he reported that the new facility will be 30,000 square feet in size and will house all of the health programs that are currently being offered by PMS inside of Farmington. He noted that the new facility will allow PMS to double the number of medical visits per year from 20,000 to 40,000; increase the number of dental visits by 2,500 per year; and increase the number of behavioral healthcare visits by a minimum of 2,500 per year. He also noted that the second phase of the proposed project will drastically increase the number of behavioral healthcare visits per year through the remodel of the existing facility in American Plaza. Reporting that the majority of the funding for this project has come from a Federal grant, he asked the Council to consider allocating \$99,400 towards the project to help with site improvements prior to the June 24, 2013 groundbreaking ceremony.

In response to inquiry from Councilor Sandel, Mr. Renaud announced that the entire project (including the remodeling of the existing facility) is estimated to cost \$9 million. He also reviewed the funding sources that are available to PMS and assured Councilor Sandel that they are pursuing funds through the New Mexico Healthcare Exchange program.

Three Rivers Brewery

Bob Beckley addressed the Council on behalf of Three Rivers Brewery which is located at 101 through 113 E Main Street and requested \$99,419.66 in CDBG funding assistance for the purpose of installing awnings and repairing the roofs of the multiple buildings. Noting that Three Rivers Brewery has been successful in securing CDBG funds for façade improvements, he proudly reported that they have replaced most of the windows and painted the fascia. He thanked the Council for their past support of the restaurant and stated that he would appreciate any amount of funding.

At the request of Councilor Darnell, Mr. Beckley briefly reviewed the awnings project that he is proposing and stated that he thinks this might be a great idea for the downtown area as a whole.

Acting Mayor Pro Tem Fischer reiterated her thought that some of these projects could be completed with funds from the MRA and commended Mr. Beckley for being the driving force behind the revitalization of the downtown area.

Councilor Sandel also commended Mr. Beckley for preserving so many of the architectural qualities of the existing buildings.

CLOSED MEETING

A motion was made by Councilor McCulloch, seconded by Councilor Sandel to close the meeting to discuss request for proposals for the Community Development Block Grant (CDBG) 2012 Annual Action Plan Amendment. The roll was called with the following result:

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| Those voting aye: | Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel |
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| Those voting nay: | None |
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The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried.

The Acting Mayor Pro Tem convened the closed meeting at 8:18 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matter discussed was limited only to that specified in the motion for closure, a motion was made by Councilor Sandel, seconded by Councilor McCulloch to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Acting Mayor Pro tem at 8:39 p.m. with all members of the Council being present.

At the request of Councilor Darnell, his telephone call was ended.

REQUEST FOR PROPOSALS FOR COMMUNITY DEVELOPMENT BLOCK GRANT 2012 ANNUAL ACTION PLAN AMENDMENT

Purchasing Officer Eddie Smylie requested direction from the Council on how to proceed with the Community Development Block Grant (CDBG) 2012 Annual Action Plan Amendment. He announced that proposals opened on April 30, 2013 with eight offerors participating.

Acting Mayor Pro Tem Fischer announced that the Council has considered all of the proposals and strongly believes that each one is worthy to the community. However, she stated that the Council has agreed to recommend that \$61,689.17 be granted to Childhaven and \$37,730.49 be granted to Four Corners Foundation (A Path Home) and strongly encouraged those organizations that are not being recommended for CDBG funding to consider alternative funding sources such as the MRA (Metropolitan Redevelopment Area) Fund. She introduced Community Development Director Mary Holton and Government Relations Director/Downtown Coordinator Elizabeth Isenberg who are responsible for overseeing the development of the MRA and the downtown area.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor McCulloch to direct staff to schedule consideration of the recommendation to award Childhaven \$61,689.17 and Four Corners Foundation (A Path Home) \$37,730.49 of the 2012 unexpended Community Development Block Grant funds for the next meeting of the City Council where all members are present, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Farmington Animal Shelter Adoption Campaign

Acting Mayor Pro Tem Fischer commended newly-hired Parks, Recreation and Cultural Affairs Director Cory Styron for suggesting and coordinating a successful reduced-cost (\$25) kitten adoption program at the Farmington Animal Shelter in recognition of Mother's Day. He proudly reported that over the weekend, a total of 39 animals were adopted, including one cat that had been at the shelter for more than six weeks. He also reported that a dog was returned to its owner because the niece of the owner came to adopt a cat and recognized the dog.

There being no further business to come before the Council, the meeting was adjourned at 8:48 p.m.

The City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 96-844, et seq.

Approved this 28th day of May, 2013.

Entered in the permanent record book this 29th day of May, 2013.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Fuhrman, City Clerk