

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, June 4, 2013 at 9:00 a.m. in the Executive Conference Room at City Hall, 800 Municipal Drive, Farmington, New Mexico, in full conformity with the rules, regulations and ordinances of the municipality.

At such meeting the following were present, constituting a quorum:

MAYOR	Tommy Roberts
COUNCILORS	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel

Constituting all the members of the Governing Body.

Also present were:

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

EMPLOYEE OF THE MONTH PROGRAM AWARDS

Employee Council President Shannon Ben recognized Police Officers Justin Nichols and Randy Velarde as Employee of the Month award recipients for April 2013. Officers Nichols and Velarde were presented with plaques and gift certificates and the Mayor and Council expressed their appreciation for their dedication to the City.

VALEDICTORIAN AND SALUTATORIAN RECOGNITION DAY

Mayor Roberts presented the Class of 2013 Valedictorians and Salutatorians from Farmington High School, Piedra Vista High School and Navajo Preparatory School with Proclamations declaring June 4, 2013 as "Valedictorian and Salutatorian Recognition Day."

PRESENTATION OF PROPOSED PUBLIC SERVICE PROJECTS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2013 ANNUAL ACTION PLAN

Purchasing Officer Eddie Smylie explained that the purpose for today'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") 2013 Annual Action Plan for public service projects. He explained that the evaluation committee has recommended that the seven 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 allocating the 2013 Annual Action Plan public service projects. Noting that the presenters are listed in alphabetical order, Mr. Smylie announced that Lilah Westrick, Chief Executive Officer for Exodus Peer to Peer Native Recovery Drop-In Center, called earlier today to say that she has a conflict and cannot attend today's meeting but asked that they still be considered for CDBG funding assistance.

City of Farmington Parks, Recreation & Cultural Affairs Department

Parks, Recreation and Cultural Affairs Director Cory Styron requested \$2,100 to continue the Lessons to Live subsidized swimming lesson program at the Aquatic Center and Lions Pool for low-income and underserved youth. He noted that the CDBG funding awarded last year provided for 45 participants in the program, 24 of which met the skill requirements to move to the next level.

In response to inquiry from Councilor Fischer, Mr. Styron reported that some of the participants were transported to the swim lessons on the Sycamore Park Community Center bus.

Masada House

Sue Hodgeman announced that Masada House is requesting \$14,388 for continuation of the women's transitional treatment services program (skill-based, peer-lead counseling groups).

In response to inquiry from Councilor Sandel, Ms. Hodgeman confirmed that financial management and job interview preparation training are included as part of the program.

People Assisting the Homeless (PATH)

Utilizing a PowerPoint presentation, PATH Executive Director Jonna Sharpe announced that PATH has been providing services for over 30 years; reviewed the future transitional housing program to be located at 520 Hydro Plant Road; provided organizational background and experience; and reviewed poverty statistics and occupancy rates of the shelter, noting that from March 2012 to March 2013 there were 864 stays in the shelter for a total of 10,342 bed nights which is the highest occupancy rate in 10 years. She briefly reviewed PATH's collaboration with Four Corners Foundation and their "A PATH Home" project and two success stories. She requested \$48,984 for transitional housing operations.

Stating that he is impressed with PATH and its programs, Councilor Sandel questioned how it interacts with other programs for the homeless and inebriates. In response, Ms. Sharpe stated that all agencies work together to accomplish their goals. Contending that the solution to the homeless and inebriate issue is time, she pointed out that individuals and families will be allowed to stay up to two years at "A PATH Home."

Councilor Sandel expressed a desire to get a comprehensive understanding of the amount of funding the City provides to service organizations that work with the homeless and inebriates and asked "what are we doing wrong?" In response, Ms. Sharpe reported that PATH was started in 1983 with the formation of San Juan Council Community Agencies to address hunger and homelessness and stated that she is willing to reestablish a group to discuss the current issues. Following brief discussion, Council Sandel stated that he wants to reinvest in organizations whose programs are working and pull funding from those that are not. Ms. Sharpe proudly announced that PATH residents' recidivism rates have decreased from 12.5 percent to 4 percent over the past five years.

In response to inquiry from Mayor Roberts, Ms. Sharpe stated that PATH is counting on CDBG funding as seed money; noted that costs are estimated because it is a new program; and assured him that the money will be spent within the specified amount of time.

San Juan College Family Resource Center

Child and Family Development Center ("CFDC") Director Mary Schumacher-Hoerner requested \$15,000 for the purpose of providing child care and early education services for San Juan College students who live in Farmington in an effort to assist them in completing their college education. She noted that 80 percent of San Juan College students qualify for federal assistance that covers books, tuition and living expenses but not child care and stated that, according to the National Coalition for Campus Children's Centers, students that have access to high quality child care have a 26 percent higher achievement rate. In addition, she pointed out that CFDC has been accredited by the National Association for the Education of Young Children (NAEYC) for 20 years and has a five-star rating for the New Mexico Quality Rating and Improvement System for childcare licensing. She thanked the City for its past support.

In response to inquiries from Mayor Roberts, Ms. Schumacher-Hoerner stated that it would negatively impact students' ability to pay tuition if CDBG funding is not allocated and CDBG Administrator Jay Peterman stated that last year CDBG funding for this program was \$12,000.

In response to inquiry from Councilor Fischer, Ms. Schumacher-Hoerner reported that there is not enough staff or funding to provide child care services for students that attend evening classes.

San Juan County Partnership

Pamela Drake, San Juan County Partnership ("SJCP") Executive Director, introduced SJCP Housing Assistance Program Manager Lynn Love.

Reading from a prepared statement, Mr. Love reported that the need for rental assistance has increased while funding has drastically decreased for housing assistance during the 2013/2014 operating year and noted that SJCP assisted 11 families with the CDBG funds that were allocated to them last year. He stated that he anticipates serving 14 families and/or individuals within the city of Farmington in the upcoming year and requested \$20,000 for emergency rental assistance.

Ms. Drake stated that last year New Mexico Mortgage Finance Authority ("MFA") provided SJCP \$170,000 for rental assistance but this year they are only providing \$27,000 which could mean that the people SJCP has helped in the past will be forced to live on the street or in their cars.

In response to inquiries from Mayor Roberts, Ms. Drake stated that families and/or individuals are allowed to receive assistance from MFA for 18 months and that, to date, SJCP has \$90,000 from confirmed sources for the upcoming year. Mr. Love stated that the average length of assistance is 3 to 6 months and that they process an average 1200 families and/or individuals per month for housing assistance or referral services.

Mr. Love stated that the Community Relations Commission and Four Corners C.H.A.P. (Comprehensive Homelessness Assistance Providers for the New Mexico Four Corners Region) are working together to encourage sharing of local resources to fight homelessness.

Brief discussion followed regarding the substandard conditions of some rental properties around town. City Manager Rob Mayes pointed out that the issue of cleanliness and livability of housing and motels falls under the jurisdiction of the New Mexico Environment Department ("NMED") and stated that the Police Department and Code Compliance officers work with the State to identify and resolve issues. Following brief discussion, City Attorney Jay Burnham recommended that, if directed by the Council, he would research the authority of the City to adopt a housing code to set up an enforcement system. Following further discussion, it was the consensus of the Council to direct staff to obtain a copy of the City of Albuquerque's housing code and to find out the process NMED follows when it receives a complaint from the City and to report back to the Council in one month.

Councilor Sandel contended that predatory lending has a direct impact on CDBG funding. In response, PATH Executive Director Jonna Sharpe agreed that predatory lending is a problem and expressed a desire to limit the number of lenders and the interest percentage that they can charge.

Following brief discussion, it was the consensus of the Council to investigate the status of predatory lending laws in the state of New Mexico to determine if municipalities have the authority to regulate such practices and to report back to the Council in one month.

City of Farmington Police Department

Police Captain Vince Mitchell stated that late last year the Police Department realized that their policies influence the amount spent in jail costs, noting that it costs the City over \$110,000 annually in jail fees (does not include man hours or detox services) to deal with the top 22 street inebriates on an almost daily basis. As a result, he announced that they have partnered with the Municipal Court, Presbyterian Medical Services ("PMS"), Totah Behavioral Health Authority (TBHA) and the detention center to develop a daily-reporting program in lieu of jail time for certain individuals that are amenable to treatment in an effort to change their behavior. He reviewed the conditions of the program, noting that it is a day program only and that participants will be released in the evenings and return to PMS in the morning if they have not been arrested. He requested \$20,000 for a part-time case manager who will work through the Municipal Court to assist PMS in administering the program. In closing, he stated that the program will go forward without CDBG funding but that they will not have anyone tracking statistics and would rely more heavily on PMS to track the success rate and have the

Police Department's District Coordinator Unit monitor the effect of the program on the number of jail days and detox services.

Councilor Fischer expressed concern for the success rate of the program if the participants are released in the evening and asked if there is a detox wing in the old Shiprock hospital. In response, Captain Mitchell stated that he shares her concern but pointed out that it is valuable to know where they are during the day and that the Police Department will be notified if anyone leaves the program. Furthermore, he announced that they have approached San Juan Regional Medical Center to try to establish a relationship for transitional housing. He also stated that he believes that the 52-bed detox facility at the old Shiprock hospital is empty due to lack of funding.

In response to inquiry from Councilor McCulloch, Captain Mitchell stated that the requested funding will be for one additional part-time employee.

Following discussion regarding the operation, staffing and funding of the program and the involvement of the Community Relations Commission, Captain Mitchell announced that PMS is kicking off the program on Thursday, June 6, 2013.

Councilor Sandel stated that he believes a comprehensive, coordinated approach to the homeless and street inebriate issues is critical.

In response to inquiry from Mayor Roberts, Mr. Peterman reported that San Juan County Partnership ("SJCP") has developed a list of public and private agencies and the services they provide to the community, but SJCP Executive Director Pamela Drake stated that the list does not include whether there is a duplication of services. She reported that approximately 10 years ago SJCP and the San Juan County Commission discussed the need for a clearinghouse for organizations requesting funding and to provide oversight of services. In addition, she stated that San Juan County is recognized throughout the state as working collaboratively with service organizations.

Following discussion, Mayor Roberts suggested that staff do a survey of state and/or regional communities to determine whether they have a system in place to coordinate services provided by their local agencies. PATH Executive Director Jonna Sharpe pointed out that the United Way Helpline offers this service.

Councilor Sandel suggested that the Council have a retreat to discuss homelessness and street inebriates issues.

In response to inquiry from Councilor Fischer, Mr. Mayes stated that protective custody issues preclude "sentencing" participants in the program to the Roof at night.

Councilor Fischer applauded the efforts being made, but reiterated her concern for the success rate of the program if the participants are released in the evening. In response, Ms. Sharpe pointed out that 301 West Piñon Street will be available upon completion of "A PATH Home" and could potentially be used to house program participants.

Following discussion, it was the consensus of the Council to ask staff to do a survey of state and/or regional communities to determine whether they have a system in place to coordinate social service.

HEARING TO CONSIDER ISSUING A PROCLAMATION IMPOSING RESTRICTIONS ON THE USE OF FIREWORKS DUE TO SEVERE DROUGHT CONDITIONS

Mayor Roberts announced that State law requires municipalities to conduct a hearing to receive evidence on whether severe or extreme drought conditions exist and if additional restrictions should be placed on the use of fireworks.

The public hearing was convened by the Mayor.

Directing the Council's attention to the agenda materials, Fire Chief Terry Page pointed out that the city of Farmington meets the severe drought condition criteria and stated that no change is expected in the near future. In addition, he noted that the New Mexico State Forestry Division has declared Stage I fire restriction for this area of the

state.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to accept the findings that severe drought conditions exist in the city of Farmington, and upon voice vote the motion carried unanimously.

Responding to Mayor Roberts regarding whether additional restrictions should be placed on the use of fireworks, Chief Page stated that the City has imposed the strictest ban allowed under current state law and that, by issuing a proclamation, the use of allowed fireworks within the municipal boundaries will be limited to areas that are paved or barren or that have a readily accessible source of water; that the sale and use of display fireworks be prohibited except for the single public display sponsored by the City which is scheduled to occur on the evening of July 3, 2013; and that Police and Fire personnel enforcing fireworks laws and ordinances be directed to issue citations to all fireworks offenders.

Mayor Roberts announced that he has been asked by constituents to completely ban the sale and use of fireworks within the municipal boundaries but emphasized that the City does not have the authority to implement such a ban. He noted that last year the Council passed a resolution urging citizens to abstain from using fire sources that could lead to deadly and/or destructive consequences during periods of drought and that staff employed a public information campaign.

Chief Page agreed that education is the key to informing the public and stated that he and Police Chief Westall are planning to do radio shows and public service announcements to advise the public about the hazards related to the current drought conditions; explain what is legal within the Farmington city limits; and to inform them that no warnings will be issued, only municipal citations for those who are found to be in possession of fireworks that have been banned from the city limits. In addition, he stated that pamphlets will be placed at all fireworks stands within and near the city limits indicating what is legal inside the city of Farmington. Furthermore, he stated that they are considering placing electronic message boards at the entrances to the city and reported that the City Manager has approved overtime costs related to enforcement.

Following discussion, City Attorney Jay Burnham recommended that the proclamation follow State Statute and that if the Council wishes to do more, that they consider a separate resolution asking for voluntary abstinence and reminding the public that they are subject to the Stage I restrictions imposed by the New Mexico State Forestry Division.

In response to inquiries from Councilor Fischer, Chief Page stated that there are potential liability issues designating specific areas, i.e. fire stations, as the only location where fireworks could be used. Mr. Burnham stated that it is his opinion that because the City owns the streets, it can restrict the use of fireworks on the streets.

Councilor Fischer expressed a desire for the proclamation to be more specific and, following discussion, suggested that in Section 2 the words "are only allowed in" be inserted following the word "wheels" and to include another section listing those fireworks that are completely banned. In addition, she stated that she prefers that there only be one document, either a proclamation or a resolution.

Councilor McCulloch suggested that the brochure clarify the types of "wheel" that are illegal and permissible and Mayor Roberts suggested that the brochure also include areas where fireworks can be used.

Chief Page pointed out that the proclamation can only be in effect for 30 days and that, if approved at the June 11, 2013 regular City Council meeting, it will be effective immediately through July 10, 2013.

Mayor Roberts expressed concern that constituents who work were unable to attend today's Work Session to comment on the proposed proclamation. In response, Mr. Burnham stated that today's hearing can be recessed and reconvened at the June 11th regular City Council meeting for further discussion and have the proclamation available to be issued following the close of the hearing.

Stating that she read in the *Albuquerque Journal* that State Representative James Strickler "shot down" the idea of allowing municipalities to ban the use of fireworks, Councilor Fischer asked that staff be directed to research whether the story is true and, if it is, to find out why he did not support the legislation. There were no objections from the Council.

Following brief discussion, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to recess the hearing to the June 11th regular City Council meeting and reopen at that time for further public input.

In response to inquiry from Councilor Sandel, Mr. Burnham stated that even though today's meeting will be adjourned, the action taken by this motion will keep the hearing open and that he is not aware of any restriction disallowing keeping the hearing open beyond the meeting in which it was begun. Following brief discussion, Councilor Sandel contended that further evidence could be presented during consideration of a resolution urging citizens to abstain from using fire sources when it is presented at the July 11th regular City Council meeting.

The Mayor called for the vote upon the motion to recess the hearing to the June 11th regular City Council meeting. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Gayla McCulloch
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Those voting nay:	Jason Sandel
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The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

The Mayor recessed the public hearing to the June 11, 2013 regular City Council meeting.

Mayor Roberts requested consensus of the Council to direct staff to draft a resolution urging citizens to abstain from using fire sources that could lead to deadly and/or destructive consequences during periods of drought and reminding them that they are subject to the Stage I restrictions imposed by the New Mexico State Forestry Division to be presented for adoption at the June 11, 2013 regular City Council meeting. There were no objections from the Council.

In response to inquiries from Councilors Fischer and McCulloch, Chief Page stated that wind is not a consideration in determining whether to restrict the sale and use of fireworks and explained what other local agencies will be doing regarding fire prevention during the Independence Holiday season.

RESOLUTION NO. 2013-1470 ADOPTING AN OFFICIAL FINAL BUDGET FOR THE CITY OF FARMINGTON, NEW MEXICO FOR FISCAL YEAR 2014 AND REQUESTING STATE APPROVAL

City Manager Rob Mayes requested adoption of Resolution No. 2013-1470, noting that nothing has changed from the preliminary budget that was adopted at the May 21, 2013 City Council Work Session.

Following brief consideration, a motion was made by Councilor Darnell, seconded by Councilor McCulloch that Resolution No. 2013-1470 be passed and adopted as presented. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch
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Those voting nay:	Mary M. Fischer Jason Sandel
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The Mayor voted in favor of the motion and declared the motion carried and Resolution No. 2013-1470 was duly passed and adopted.

Mayor Roberts reiterated that he is not in favor of the two percent across-the-board salary increase because it builds additional salary costs into future budgets, but explained that he voted in favor of the

final budget because it was clear that the Council was not going to reach a consensus on any other wage proposal. He also commended staff for their hard work in putting together the Fiscal Year 2014 budget.

COUNCIL BUSINESS

Fiscal Year 2013 Expenditures

Responding to Councilor Sandel, City Manager Rob Mayes reported that FY13 expenditures are currently at 96 percent of the FY13 budgeted expenditures. Councilor Sandel noted that budgeted projects are not being done and asked for a "high-level" report of what was budgeted, what was not spent and why the funds were not spent within 30 days after the final FY13 financial report is received. Mr. Mayes predicted that the report will indicate that the unspent budgeted funds primarily will be the 1-1/2 percent contingency built into the budget and salary slippage.

Animal Control Policies/Dog Named "Bear"

Referring to an email forwarded by City Manager Rob Mayes regarding the circumstances surrounding the euthanizing of the dog named "Bear," Councilor Sandel asked if the owner does not want to work with the City because they feel threatened. In response, Parks, Recreation & Cultural Affairs Director Cory Styron stated that during the initial investigation it was determined that the report did not contain enough information and that when an Animal Control Officer was sent to speak to the complainant, the wife of the complainant felt that the visit was threatening. He further stated that there is a second issue that a patron felt threatened by another Animal Control Officer and that staff is trying to resolve both issues. He noted that he spoke with the wife's mother to request a meeting with the wife but heard through a third party that the family would not speak with the City because they are considering litigation.

Noting that the incident happened in April, Councilor Fischer questioned why it has not been resolved and expressed a desire to have a "strong review" of the incident and the policies of the Animal Shelter. She contended that the family is afraid of the City and feel that they are being harassed. She asked for a report of what happened, how it will be resolved and what will happen to the staff that violated Animal Shelter policy. Mr. Styron agreed that staff "fumbled" but stated that the incident is being investigated and that he will be addressing internal policies and customer service issues. Councilor Fischer stated that she is willing to try to coordinate a meeting with the family.

Meeting on Fracking/Environmental Hazards

Councilor Sandel announced that there will be a meeting on Friday, June 7, 2013, at San Juan College at which the San Juan Citizens Alliance will discuss the environmental implications of newly discovered Mancos Shale deposits. He stated that Tweeti Blancett will introduce the *Rooted Lands* documentary featuring many photographs taken near Farmington and her neighbor Chris Velasquez will discuss how fracking has negatively affected his ranching business. Contending that fracking has been used in the area for decades without issue and that we are faced with the potential of a Mancos Shale development, he stated that it is disconcerting to him that there is at least some conversation that could have the potential of riling up the public about potential dangers that thus far, through any sort of scientific evidence, do not exist and that it is imperative that the City take an active stance in determining whether the alleged environmental implications are true. In response, Mayor Roberts stated that he will convey Councilor Sandel's concerns to the 4 Corners Economic Development (4CED) Executive Director and suggest that they have a presence at the meeting and requested that staff notify the Oil and Gas and Geologic and Engineering Hazards Advisory Commission members of the meeting and request that someone attend. In response to inquiry from Mayor Roberts, Councilor Sandel stated that the Association of Energy Service Companies (AESC) and the New Mexico Oil & Gas Association (NMOGA) have been informed of the meeting but emphasized that it is important for the City to be involved from an economic development standpoint.

CLOSED MEETING

A motion was made by Councilor Darnell, seconded by Councilor McCulloch to close the meeting to discuss requests for proposals for the Community Development Block Grant (CDBG) 2013 Annual Action Plan for

public service and capital projects pursuant to Section 10-15-1H(6) NMSA 1978. The roll was called with the following result:

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 Mayor convened the closed meeting at 12:15 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matters discussed were limited only to those specified in the motion for closure, a motion was made by Councilor Darnell, 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 Mayor at 12:24 p.m. with all members of the Council being present.

REQUEST FOR PROPOSALS FOR COMMUNITY DEVELOPMENT BLOCK GRANT 2013
ANNUAL ACTION PLAN FOR PUBLIC SERVICE PROJECTS

Purchasing Officer Eddie Smylie requested direction from the Council on how to proceed with allocating the \$60,135.30 received from the Community Development Block Grant ("CDBG") 2013 Annual Action Plan for public service projects. He announced that proposals opened on April 10, 2013 with seven offerors participating.

Noting that last year CDBG funding was provided to the City for the Lessons to Live program (\$2,000); Masada House for transitional treatment services (\$8,827.75); San Juan College for the Day Care Assistance program (\$8,000); and San Juan County Partnership for the rental assistance program (\$12,000), Mayor Roberts asked if there would be agreement to allocate the same amount of funding to these organizations this year, leaving approximately \$29,000 to be allocated to other projects. There was no response from the Council.

In response to inquiry from Councilor Sandel, CDBG Administrator Jay Peterman stated that in order to meet CDBG deadlines, the deadline for Council to award the funding is June 11, 2013.

Following discussion, Councilor Sandel stated that he is "queasy" about allocating funds without a plan to coordinate services. Councilor Darnell shared Councilor Sandel's concern for coordinating services but stated that having been involved with San Juan Safe Communities Initiative, he has seen how the agencies work together and pointed out that staff follows the HUD (Department of Housing and Urban Development) process for allocating CDBG funding. He suggested that coordinating the use of funds with service providers be considered during next year's process. In response, Mr. Peterman stated that the Consolidated Plan allows for that type of discussion and Mr. Smylie stated that it could be made a part of the evaluation process next year. Councilor Sandel expressed frustration that he has asked for coordination of services in the past and nothing was done.

Following further discussion, Councilor Fischer asked for a report about how the CDBG funding was spent and the number of people served.

Following discussion, it was the consensus of the Council to not fund the Exodus Peer-to-Peer Native Recovery Drop-In Center.

Following further discussion, it was the consensus of the majority of the Council to try to fund the City programs through the FY 14 budget rather than use CDBG funds. Councilor Sandel stated that he wants to know more about the plan for the Police Department project before he will support funding it through the FY 14 budget.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to direct staff to present for final consideration at

the June 11, 2013 regular City Council meeting contracts between the City and People Assisting the Homeless (PATH) in the amount of \$27,135.30; San Juan County Partnership in the amount of \$15,000; Masada House in the amount of \$10,000; and San Juan College Family Resource Center in the amount of \$8,000, and upon voice vote the motion carried unanimously.

REQUEST FOR PROPOSALS FOR COMMUNITY DEVELOPMENT BLOCK GRANT 2013 ANNUAL ACTION PLAN FOR CAPITAL PROJECTS

Purchasing Officer Eddie Smylie requested direction from the Council on how to proceed with allocating the additional \$43,112.06 received from the Community Development Block Grant ("CDBG") 2013 Annual Action Plan for capital projects. He announced that proposals opened on April 10, 2013 with eight offerors participating and stated that presentations were made to the Council at the May 28, 2013 regular City Council meeting. Noting that Childhaven withdrew its proposal because it received funding from the 2012 CDBG Annual Action Plan Amendment, Mr. Smylie reported that staff was previously directed to present for Council consideration and approval at the June 11, 2013 regular City Council meeting contracts between the City and Four Corners Foundation in the amount of \$155,000 and Masada House in the amount of \$62,474.24.

Councilor Darnell recommended that the additional funding be awarded to Big Brothers Big Sisters ("BBBS").

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to direct staff to present for final consideration at the June 11, 2013 regular City Council meeting contracts between the City and Four Corners Foundation in the amount of \$155,000; Masada House in the amount of \$77,800; and Big Brothers Big Sisters in the amount of \$27,786.30.

Councilor Sandel contended that the \$27,786.30 will not "make a dent" in addressing BBBS needs and argued that the additional funding would be better spent on the Beckstead roofing project. Councilor Fischer agreed. Government Relations Director and Downtown Coordinator Elizabeth Isenberg stated that the Becksteads are in the process of putting together a business plan for their building that will have historic significance to their family.

The Mayor called for the vote upon the motion to direct staff to present for final consideration at the June 11, 2013 regular City Council meeting contracts between the City and Four Corners Foundation in the amount of \$155,000; Masada House in the amount of \$77,800; and Big Brothers Big Sisters in the amount of \$27,786.30. The roll was called with the following result:

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

The Mayor voted in favor of the motion and declared the motion carried.

CLOSED MEETING

A motion was made by Councilor Sandel, seconded by Councilor Darnell to close the meeting to discuss acquisition of real property and disposition of real property not currently being used for City purposes (MRA-Main Street) pursuant to Section 10-15-1H(8) NMSA 1978 and to receive advice from the City's legal counsel with regard to a matter of pending litigation (Public Regulation Commission Case No. 11-00001-UT, In the Matter of the Application of AV Water Co., LLC) pursuant to Section 10-15-1H(7) NMSA 1978. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel
Those voting nay:	None

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

The Mayor convened the closed meeting at 1:05 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matters discussed were limited only to those specified in the motion for closure, a motion was made by Councilor Darnell, 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 Mayor at 1:43 p.m. with all members of the Council being present and there being no further business to come before the Council, the meeting was adjourned at 1:44 p.m.

APPROVED this 25th day of June, 2013.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk