

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, June 14, 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 G. Rodgers Sean E. Sharer Gayla A. McCulloch Nate Duckett

constituting all the members of said Governing Body.

Also present were:

ASSISTANT CITY MANAGER	Julie Baird
CITY ATTORNEY	Jennifer Breakell
DEPUTY CITY CLERK	Andrea Jones

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

MOMENT OF SILENCE

Mayor Roberts asked for a moment of silence in remembrance of the victims of the mass shooting that occurred in Orlando, Florida.

INVOCATION: The invocation was offered by Pastor Nathan Wheeler of East Side Church of Christ.

Councilor Duckett 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 May 24, 2016 and the minutes of the Regular Work Session of the City Council held May 17, 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 wire and cable (Electric) be awarded to Border States Electric on its low bid after application of five percent in-state preference of \$410,386.04. Bids opened May 25, 2016 with six bidders participating.

*BID: The Chief Procurement Officer recommended that the bid for purchase of construction materials for Cottonwood Substation (Electric) be awarded to the lowest and best bidder meeting specifications per category after application of five percent in-state preference (Category 1 - Stuart C. Irby Co. \$226,290; Category 2 - Western United \$74,336; and Categories 3 and 4 - McKinley Sales Co. \$173,594). Bids opened May 18, 2016 with five bidders participating.

*BID: The Chief Procurement Officer recommended that the bid for the abatement and demolition of the old Daily Times buildings (General Services) be awarded to Young Environmental Services, Inc. doing business as Envirotech, Inc. on its low bid after application of five percent in-state preference of \$199,995. Bids opened June 7, 2016 with three bidders participating.

*INTERGOVERNMENTAL AGREEMENT FOR ANIMAL CARE AND CONTROL between the City and San Juan County to house and care for San Juan County animals.

*RECOMMENDATION FROM THE AIRPORT ADVISORY COMMISSION to approve the second amendment to the Rental Vehicle Concession Agreements between the City and Avis Budget Car Rental Group, Inc.; Hertz System Licensee; EAN Holdings, LLC and Micar, Inc. for a temporary base rate reduction for operations at the Four Corners Regional Airport through June 30, 2017.

*WARRANTS PAYABLE for the time period of May 22, 2016 through June 11, 2016, for current and prior years, in the amount of \$9,824,034.51.

Councilor Duckett asked that the Intergovernmental Agreement for Animal Care and Control between the City and San Juan County be removed from the Consent Agenda.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Duckett to approve the Consent Agenda, with the exception of the Intergovernmental Agreement for Animal Care and Control between the City and San Juan County, 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 do 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. SUP 16-30 from the City of Farmington, represented by Cory Styron, requesting a special use permit for a private day care in the MF-M, Multiple-Family Medium-Density, District for property located at 4500 Wildflower Mesa Drive, subject to building and fire code requirements.
- * (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 16-31 from Lance Myler requesting a special use permit to allow a family care unit to be constructed next to a primary residence located at 7110 Driftwood Avenue (1.04 acres), subject to a drainage plan being prepared, stamped and sealed by a New Mexico Professional Engineer and submitted to the City with the building permit application. The plan must consider both onsite and offsite storm water.

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

PUBLIC SERVICE PROJECT PRESENTATIONS/COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2016 ANNUAL ACTION PLAN

Chief Procurement Officer Kristi Benson 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") 2016 Annual Action Plan public service projects. She stated that eight

proposals were received and announced that \$55,297 is available for public service projects.

Mayor Roberts announced that the presenters are listed in alphabetical order and stated that each presenter will have five minutes to explain their project. He noted that the entities are requesting a total of \$80,416.33 in funding assistance and stated that direction to staff and award of the funding will be scheduled for the June 21, 2016 City Council Work Session.

Big Brothers Big Sisters of Central New Mexico

Utilizing a PowerPoint presentation, John Bruner, Board President for Big Brothers Big Sisters in San Juan County ("BBBS"), stated that their mission is to provide children facing adversity with strong and enduring, professionally-supported one-to-one relationships that change their lives for the better, forever and noted that the vast majority of the children they serve are from low-income, single-parent families. Noting that there is a waiting list of approximately 40 children residing within Farmington, Mr. Bruner announced that they are requesting \$10,000 to provide 15 new matches (recruiting mentors, performing background investigations and providing match support) and stated that BBBS has an annual budget of approximately \$350,000 which includes funding from the New Mexico State Department of Finance (170,000) and various grants and corporate donations.

In response to multiple inquiries from Councilor Duckett, Mr. Bruner stated that donations are down substantially and confirmed that BBBS staff can provide a detailed report of how the CDBG monies granted last year were utilized. Responding to Councilor Rodgers' question, Mr. Bruner reported that BBBS receives funds from San Juan United Way as a partner agency.

Frontline Mission, Inc.

Frontline Mission, Inc. ("Frontline") Board Member Bob Flegal reported that the combination soup kitchen and food pantry serves approximately 60 clients in the food pantry and 75 clients with meals from the soup kitchen. He announced that Frontline is the only food pantry that distributes perishable goods such as bread and dairy products and stated that the soup kitchen serves three meals per day on Fridays, Saturdays and Sundays. Mr. Flegal reported that the annual operating budget is approximately \$30,000 which is funded by local business contributions, San Juan United Way and local churches and pointed out that expenses are rising while contributions and donations are declining. Noting that there was an error in the amount of funding requested, he reported that Frontline's request for \$6,000 is to help pay the utility bills, purchase food and provide fuel for the van that transports the donated food.

In response to inquiries by Councilor Rodgers and Sharer, Mr. Flegal reported that Frontline did not request CDBG funds in 2015; stated that they received a \$2,400 grant from San Juan County in 2014; and sadly pointed out that they have seen an increase in family usage of the facility in the current economic downturn.

Councilor Duckett suggested that Frontline submit any kind of infrastructure project (such as painting or carpeting a room) to Leadership San Juan for consideration of their annual group projects funded by ConocoPhillips.

Identity, Inc.

Judy Palier, President of Identity, Inc., reported that the community center now located at 204 West Main Street has been open since January of 2015 for the purpose of providing services to low and moderate income gay, lesbian, bi-sexual, transsexual and questioning individuals ("LGBTQ") and noted that the LGBTQ population is often at-risk for drug abuse and suicide or is homeless, contending that the community center provides them with a "lifeline" for endurance. She stated that the community center has a Resource Associate that works ten hours per week and happily reported that a grant from San Juan United Way enabled them to hire a licensed councilor to facilitate support groups. She announced that they are requesting \$9,984 from the CDBG program for the purpose of maintaining the Resource Associate who runs the community center and to provide a stipend to the licensed counselor.

In response to inquiry from Mayor Roberts, Ms. Palier reported that the organization is very new and is operating on a budget of \$15,000 per year which is funded through private donations, facility rentals and grants. Noting that approximately 200 people attended the candlelight vigil held in remembrance of the Orlando, Florida mass shooting victims, she reported that approximately 485 people who met reporting thresholds were served in the last three-month period and Treasurer Don Stage announced that support groups average nine adolescents, six transgender and 12 Narcotics Anonymous participants per week.

Navajo United Methodist Center

Utilizing a PowerPoint presentation, Nathan Strong Elk, Director for Navajo United Methodist Center's New Beginnings Program ("New Beginnings"), stated that the mission for New Beginnings is to provide a safe and secure transitional living shelter and effective advocacy services for women and their children who are survivors of domestic violence. He reported that New Beginnings provides up to one year of transitional housing, individual advocacy based on goals, domestic violence support groups, life skills groups and transportation and reviewed the four phases of the program. Mr. Strong Elk announced that New Beginnings' is requesting \$7,000 to provide 10 weeks of the program's services and reported that the annual operating budget is \$210,000 which is funded from the New Mexico Children, Youth & Families Department (\$88,000), United Methodist Women (\$24,000), grants from San Juan United Way and Navajo United Way, donations and fundraisers.

Northwest New Mexico Seniors, Inc.

Noting that the Homemaker program's total budget is \$81,830 which serves 50 homes in San Juan County, Executive Director Kathy Daddow reported that the program offers senior citizens with assistance in meal preparation, light house work and errands and stated that they are requesting \$7,000 to provide the program to nine homes in Farmington. She reported that their total operating budget is approximately \$1 million which is divided between five senior citizen centers and seven different programs and noted that the majority of the funds come from State and Federal sources.

People Assisting the Homeless (PATH)

Utilizing a PowerPoint presentation, Executive Director Jonna Sharpe reported that the mission of People Assisting the Homeless ("PATH") is to temporarily provide for the basic needs of homeless persons; to provide information, guidance and support services empowering those we assist to regain productive, self-supportive lifestyles; and to provide a hot, nutritious meal for those in need free of charge and stated that Daily Bread provides an average 30,000 meals annually (one noontime meal per day) and the shelter serves an average of 25,000 meals per year. Noting that San Juan County has the highest poverty rate in New Mexico, Ms. Sharpe reported that the shelter provided approximately 16,000 bed nights to individuals during the past year (an increase of 35 percent over the previous year) and pointed out that the local employment opportunities do not match the local housing opportunities. She reported that PATH's request of \$18,432.33 will be used for operational expenses such as utilities, bookkeeping fees and case management contact hours and stated that this is 19 percent of the total amount needed for these expenses in the 2016/2017 program year.

In response to Mayor Roberts, Ms. Sharpe stated that PATH's annual organizational budget is \$425,000 and the shelter's portion of the budget is \$281,000; pointed out that PATH received \$20,000 less from San Juan United Way and ConocoPhillips each this year and \$14,000 less from another grant source; and reported that PATH receives \$15,000 from the City annually for shelter services and \$2,400 from San Juan County.

San Juan College Daycare

Mary Schumacher-Hoerner, Director of the Child and Family Development Center at San Juan College ("Center"), reported that they are requesting \$7,000 to subsidize childcare costs for students, noting that 80 percent of students at San Juan College qualify for financial assistance. She also pointed out that the average college student is a single female over the age of 30 with children and reported that statistics show that students with reliable childcare are 26 percent more likely to succeed. Ms. Schumacher-Hoerner stated that the Center's

annual budget is \$750,000 which primarily funds teachers' salaries and reported that the only revenue source is the weekly tuition fees.

San Juan County Partnership

Lynn Love, San Juan County Partnership Housing Assistance Program Manager, reported that San Juan County Partnership is requesting \$15,000 for the housing assistance program which provides qualified families with the money necessary for security and utility deposits and the first month's rent. He explained that the housing assistance program is running out of funding about five to six months before the end of the fiscal year and stated that the CDBG funds helps those families who slightly exceed the maximum income threshold.

In response to inquiry from Mayor Roberts, Mr. Love reported that their annual budget is \$329,717 and stated that they receive \$82,462 in funding from the New Mexico Finance Authority, \$122,392 from a Permanent Supportive Housing ("PSH") grant from the U.S. Department of Housing and Urban Development ("HUD"), and \$110,845 from HUD's PSH II grant. Responding to Councilor Rodgers' inquiry, Mr. Love reported that the requested \$15,000 would serve 16 families.

APPOINTMENT TO THE LODGERS' TAX ADVISORY BOARD

The Mayor asked the Council's consideration of the appointment of Wayne Hellberg (term to July, 2017) as a member to the Lodgers' Tax Advisory Board.

Thereupon, a motion was made by Councilor McCulloch, seconded by Councilor Duckett to confirm the appointment of Wayne Hellberg as a member to the Lodgers' Tax Advisory Board, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Lake Farmington

Councilor Duckett reported that he has received positive feedback from the community in regards to the addition of swimming at Lake Farmington and requested a synopsis from staff that includes a list of priorities and possible timeline for future development.

Construction timeline

Noting that he is a "pro cone guy", Councilor Duckett requested a document detailing where, when, why and the extent of planned construction projects to help answer the large volume of constituent's questions and concerns he is currently receiving and stated that it may be helpful to have the document in the winter prior to the start of the construction season.

CITY ATTORNEY BUSINESS

City Attorney Jennifer Breakell read by title Resolution No. 2016-1591 urging citizens of the City of Farmington to abstain from using fire sources during periods of drought. The title of the resolution being:

A RESOLUTION URGING CITIZENS OF THE CITY OF FARMINGTON TO ABSTAIN FROM USING FIRE SOURCES THAT COULD LEAD TO DEADLY AND/OR DESTRUCTIVE CONSEQUENCES DURING PERIODS OF EXTREME DROUGHT.

Fire Chief Terry Page briefly reviewed the history surrounding fireworks restrictions and reported that San Juan County ("SJC") will allow larger fireworks this year which will be sold in the fireworks tents skirting the city limits. He stated that the tents located in SJC have agreed to display brochures that explain which fireworks are legal in Farmington and emphasized that all vendors located within the city limits are only authorized to sell fireworks that are permitted in Farmington. Chief Page introduced Fire Marshal Brandy Vega and stated that she will be inspecting these vendors for compliance.

Following further discussion, a motion was made by Councilor Rodgers, seconded by Councilor Duckett to adopt Resolution No. 2016-1591 as presented. The roll was called with the following result:

Those voting aye: Linda G. Rodgers
Sean E. Sharer
Gayla A. McCulloch
Nate Duckett

Those voting nay: None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2016-1591 was duly passed and adopted as presented.

Ms. Breakell presented Ordinance No. 2016-1289 pertaining to a loan from the New Mexico Finance Authority for improvements to the City's water system and requested that final action on the proposed ordinance be tabled to the June 28, 2016 regular City Council meeting to allow publication of notice of intent to consider said ordinance two weeks prior to final action upon the ordinance as required by Section 3-17-3 NMSA 1978 Compilation. The title of the ordinance being:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT") BETWEEN THE CITY AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE CITY TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN \$2,448,240, TOGETHER WITH INTEREST, EXPENSES AND ADMINISTRATIVE FEES, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN \$816,080, FOR THE PURPOSE OF FINANCING THE COSTS OF A WATER SYSTEM IMPROVEMENT PROJECT; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE NET REVENUES OF THE CITY'S WATER SYSTEM; SETTING AN INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT.

Thereupon, a motion was made by Councilor McCulloch, seconded by Councilor Rodgers to table final action on Ordinance No. 2016-1289 to the June 28, 2016 regular City Council meeting, and upon voice vote the motion carried unanimously.

DISCUSSION OF AND ACTION ON THE ITEM REMOVED FROM THE CONSENT AGENDA:

- (1) Intergovernmental Agreement for Animal Care and Control between the City and San Juan County to house and care for San Juan County animals.

Councilor Duckett announced that he requested that this item be removed from the Consent Agenda for the purpose of providing comments and stated that while he appreciates San Juan County ("SJC") approving this agreement he wants to be assured that SJC is as committed to the Farmington Regional Animal Shelter ("FRAS") as the City is. He commended FRAS, its staff and volunteers, and the Council for implementing this plan dedicated to the welfare of regional animals and expressed his hopes that SJC continues to recognize the vital role FRAS plays and upholds their financial commitment to the joint effort.

Mayor Roberts contended that staff has made an outstanding effort to obtain the desired long-term commitment from SJC and expressed his appreciation that SJC has increased their financial contribution to FRAS this year which reduces the City's subsidy by approximately \$70,000. He also pointed out that a statement from an undisclosed City of Aztec official in a Daily Times newspaper article stated that the City of Aztec will not make a proposal to SJC next year due to the conflict it caused within the community at-large.

Mayor Roberts announced that he requested changes be made to alleviate any conflict between Paragraphs 5 and 9 of the agreement and stated that City Attorney Jennifer Breakell has drafted an amended version. Referring to the amended agreement distributed to the Council, Ms. Breakell reported that the effective date range of the flat rate was moved from a separate sentence to the beginning of Paragraph 5 and that Paragraph 9 now states that all of the services provided in the agreement excluding the flat rate costs referred to in Paragraph 5 shall be indefinite but that the terms of Paragraph 5 shall be reviewed yearly.

Following further discussion, a motion was made by Councilor Duckett, seconded by Councilor McCulloch to approve the amended Intergovernmental Agreement for Animal Care and Control between the City and San Juan County to house and care for San Juan County animals, and upon voice vote the motion carried unanimously.

CLOSED MEETING

A motion was made by Councilor McCulloch, seconded by Councilor Duckett to close the meeting to discuss the acquisition of real property for drainage purposes, pursuant to Section 10-15-1H(8) NMSA 1978, and to discuss request for proposals for solid waste collection services and behavioral health care services, pursuant to Section 10-15-1H(6) NMSA 1978. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Gayla A. McCulloch Nate Duckett
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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 8:05 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 McCulloch, seconded by Councilor Rodgers to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 8:55 p.m. with all members of the Council being present.

PROPOSAL/BEHAVIORAL HEALTH CARE SERVICES

Chief Procurement Officer Kristi Benson announced that proposals for behavioral health care services (General Services) opened on May 31, 2016 with one offeror participating. She recommended that the contract be awarded to Presbyterian Medical Services Totah Behavioral Health as the sole proposal is deemed to be advantageous and in the best interest of the City.

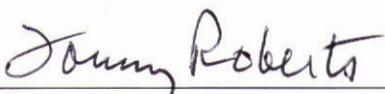
Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Duckett to award the contract for behavioral health care services to Presbyterian Medical Services Totah Behavioral Health, as recommended by the Chief Procurement Officer, and upon voice vote the motion carried unanimously.

There being no further business to come before the Council, the meeting was adjourned at 8:56 p.m.

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

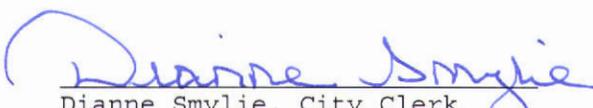
Approved this 28th day of June, 2016.

Entered in the permanent record book this 29th day of June, 2016.


Tommy Roberts, Mayor

SEAL

ATTEST:


Dianne Smylie, City Clerk