

Regular Meeting of the City Council, City of Farmington, New Mexico, held virtually using Zoom at <https://us02web.zoom.us/j/89562201711> at 6:00 p.m. on Tuesday, May 26, 2020. The virtually 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	Nate Duckett
COUNCILORS	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly Janis Jakino

constituting all members of said Governing Body.

Also present were:

CITY MANAGER	Rob Mayes
ASSISTANT CITY MANAGER	Julie Baird
CITY ATTORNEY	Jennifer Breakell
CITY CLERK	Andrea Jones

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

Councilor Jakino 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.

*MINUTES: The minutes of the Regular Meeting of the City Council held May 12, 2020.

*BID: The Contracts Administrator recommended that the bid for a multi-term contract for equipment rental services (Community Works) be awarded to Century Equipment Company on its low bid of \$158,676 after application of five percent in-state and Veterans preferences. Bids opened May 12, 2020 with three bidders participating.

*BID: The Contracts Administrator recommended that the bid for a multi-term contract for Crafco mastic material (Community Works) be awarded to Pavement Sealants and Supply as the sole bid of \$61,740 is fair and reasonable and meets specifications. Bids opened May 12, 2020.

*REAPPOINTMENTS OF BRETT LANIER, MICHELLE FOSTER AND DEVIN LONG as members of the Library Board (terms to May, 2024).

*REAPPOINTMENTS OF JOYCE CARDON, CODY WALDROUP, CLINT FREEMAN, SHAY DAVIS, MITCH SEWELL, ELIZABETH LOCKMILLER AND GARY SMOUSE as members of the Planning and Zoning Commission (terms to May, 2022).

*ADOPTION OF RESOLUTION NO. 2020-1753 adopting an official preliminary budget for the City of Farmington, New Mexico for Fiscal Year 2021 and requesting State approval.

*REQUEST FROM FLOYD HINESLEY TO EXTEND THE TIME FRAME to record the Pinon Springs Subdivision - Phase 1 final plat by three years (to July 27, 2023). Petition FP 17-53 was approved by the City Council on July 27, 2017.

*WARRANTS PAYABLE for the time period of May 9, 2020 through May 23, 2020, for current and prior years, in the amount of \$9,245,162.90.

There being no requests to remove any items, a motion was made by Councilor Sharer, seconded by Councilor Jakino to approve the Consent Agenda, as presented. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly Janis Jakino
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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.

RESOLUTION NO. 2020-1754/ENACTING A STAGE 1 WATER SHORTAGE ADVISORY

Providing opening remarks, Community Works Director David Sypher stated that the data used for the drought management program is continually changing and he discussed the historical snow water equivalent ("SWE") levels illustrated on the handout entitled, "Animas River Basin Snowpack (SWE past 7 years)". He pointed out that because there have been two "rebound" occurrences increasing the SWE level and that the future 10-day forecast in Silverton, Colorado predicts seven days with rainfall that staff believes that the Stage 1 - Water Shortage Advisory's effective date could safely be extended from June 1, 2020 to June 15, 2020. Utilizing a PowerPoint presentation, Mr. Sypher reviewed the current drought management indicators by reporting that Farmington Lake is currently at 100 percent of capacity; snow pack for the Animas River Basin is at 34 percent of normal; the Palmer Drought Index indicates near normal conditions; and that streamflows are 66 percent of normal. He briefly discussed Stages 1 through 4 and stated that the Council, in consultation with the City Manager, will determine when each stage is enacted based on the drought management criteria. He also reviewed the fees for violation of the four stages, noting that Stage 1 violations do not have a monetary fee.

Lengthy discussion ensued regarding water rights and access from Lake Nighthorse and the San Juan River. Councilor Rodgers requested that staff present a comprehensive overview of the anticipated need and associated costs of increasing the City's access to water such as increasing Lake Farmington's capacity, installing a pipeline from Lake Nighthorse and the full ability to pump water from the San Juan River at a future Council meeting. In addition, Mayor Duckett requested a "white sheet" containing a synopsis of each of the City's water sources, their capacities and any future developments being considered.

Following further discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to table the approval of Resolution No. 2020-1754 to the June 9, 2020 regular City Council meeting. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly Janis Jakino
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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 was duly passed and adopted.

ALLOCATION REQUEST/COMMUNITY TRANSFORMATION AND ECONOMIC DIVERSIFICATION FUND/RENOVATION OF 109 EAST PINON STREET

Utilizing a PowerPoint presentation, Economic Development Director Warren Unsicker provided background information regarding the outdoor recreation and tourism industries and he pointed out the subject property at 109 East Pinon Street is located within the Animas District of the Metropolitan Redevelopment Area. He provided images of the subject property and he reported that the property's 14,000 square-foot facility is currently vacant and in need of repairs. Noting that two businesses have expressed interest in the facility, Mr. Unsicker announced that Black Bear Unlimited is planning to operate an outdoor recreation vehicle repair and four-wheeling guide business using the rear portion of the warehouse and Desert River Guides is planning to operate a guided rafting

business using the front retail space and remaining portion of the warehouse. He reviewed the positive impacts of the proposed businesses, noting they will generate five new jobs and bring key outdoor recreation services to the region and he stated that staff is requesting the allocation of up to \$70,320 from the Community Transformation and Economic Diversification ("CTED") Fund for the needed renovations. Mr. Unsicker reported that up to \$15,000 of the renovation costs will be funded by a State grant and that the tenants will collectively reimburse the City \$12,500 over a three-year period. He discussed the proposed lease terms and rental rates and he answered various questions.

Mayor Duckett disclosed that one of the proposed tenants contacted his current employer, Kysar Millennium Leavitt Insurance Agency, for an insurance quote and he announced that he will be abstaining from any vote on the matter should a tie vote arise.

Following brief discussion, a motion was made by Councilor Jakino, seconded by Councilor Rodgers to approve the allocation request of up to \$70,320 from the CTED Fund for renovation of 109 East Pinon Street and to authorize the execution of the lease agreements with Desert River Guides and Black Bear Unlimited to operate outdoor recreation-related businesses at 109 East Pinon Street, as presented. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly Janis Jakino
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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.

COUNCIL BUSINESS

Ponding of Water at 30th Street and Hutton Avenue

Mayor Duckett relayed a constituent's concern regarding the ponding of water north of the intersection of 30th Street and Hutton Avenue that has previously been caused by an issue at Piñon Hills Golf Course.

Signage at Lake Farmington

Mayor Duckett requested that staff ensure that the signage at Lake Farmington be updated to reflect the new access fee and the ability to swim in the lake except in prohibited areas.

Dogs at Lake Farmington

Following brief discussion, it was the consensus of the Council to direct staff to research the feasibility of allowing dogs to swim and remain off-leash at Lake Farmington.

Outdoor Recreation Pledge Signage

At the Mayor's request, Economic Development Director Warren Unsicker reported that staff is looking into the current and future budgets for available funds to provide and install signage regarding the Outdoor Recreation Pledge.

COVID-19 Public Health Order

Mayor Duckett emphasized that the current New Mexico Public Health Order is an order enacted to protect the health of all New Mexicans and he stated that he considers protecting the physical, mental and economic health of our community is priority number one. He briefly reviewed the basis for his Economic Emergency Declaration and he announced that he believes that the current Council is doing a just duty to their constituents by providing leadership, direction and vision concerning how this community responds to and will recover from this pandemic. Mayor Duckett reminded and encouraged the community to call 211 to obtain a comprehensive listing of local social services and resources available during this unprecedented time.

In regards to the local "Reopen New Mexico" protest recently held on East Main Street, Mayor Duckett explained that a permit was not requested, or needed, because the participants were not occupying the roadway and that the City's code allows for 50 percent occupancy on sidewalks. He also emphasized that he does not condone the intolerant actions of an individual who turned the Zia symbol on the New Mexico flag into a swastika, noting that this individual's personal actions do not reflect the views and beliefs of the community as a whole and he encouraged every community member to practice "Civility First" during this pandemic.

Regarding other recent concerns, Mayor Duckett reported that the fatality statistics that he provides come directly from the Governor's press releases located on the New Mexico Department of Health's website and he encouraged the community to utilize the official San Juan County Office of Emergency Management's Facebook Page for up-to-date information regarding the pandemic.

Councilor Rodgers thanked Mayor Duckett for his comments tonight and she announced that she believes that he has done a fantastic job leading the community during this pandemic. Noting that she respects an individual's constitutional right to peacefully protest, she emphasized that she does not support hate and was truly offended by the swastika symbol.

Councilor Jakino expressed her respect and support of Mayor Duckett and her fellow Councilors for their leadership during this pandemic. She requested that the members of the community do their due diligence when responding to shared information and she encouraged them to seek help, if needed, for positive ways to cope with the current situation.

Illegal Disposal of Trash

Councilor Rodgers requested that staff look into the illegal disposal of trash into dumpsters located at vacant properties.

CITY MANAGER BUSINESS

Coronavirus Aid, Relief and Economic Security (CARES) Act Grant Funding for the Red Apple Transit

City Manager Rob Mayes reported that the City has received a sizeable amount of grant funding from the Coronavirus Aid, Relief and Economic Security ("CARES") Act for the operation of the Red Apple Transit ("RAT") bus system. He announced that the grant funding will cover the City's portion of the operating expenses for RAT for the next two years and he requested the ability extend this funding opportunity to the cities of Aztec, Bloomfield and Kirtland by waiving their contractual obligations. It was the consensus of the Council to approve Mr. Mayes's request to extend the City's CARES Act grant funding to the cities of Aztec, Bloomfield and Kirtland for operation of RAT.

There being no further business to come before the Council, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to adjourn the meeting at 7:28 p.m. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly Janis Jakino
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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 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 June, 2020.

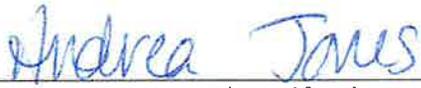
Entered in the permanent record book this 10th day of June, 2020.



Sean E. Sharer, Mayor Pro Tem

SEAL

ATTEST:



Andrea Jones, City Clerk