

## A G E N D A

. . . for the Regular Meeting of the Farmington City Council to be held at 7:00 p.m., Tuesday, August 12, 2014 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico. . .

1. Roll Call and Convening the Meeting:
2. Invocation: Pastor Ken Weisheit of Crossroads Community Church.
3. Pledge of Allegiance:
4. Acceptance of Consent Agenda: Those items on the agenda that are marked with an asterisk (\*) have been placed on the Consent Agenda and will be voted on without discussion with one motion. If any item proposed does not meet with approval of all Councilors or if a citizen so requests, that item will be heard under Business from the Floor.
5. \*Approval of Minutes for:
  - (a) the Regular Meeting of the City Council held July 22, 2014; and -----12
  - (b) the Regular Work Session of the City Council held July 15, 2014. ----13
6. \*Approval to Declare worn-out, unusable or obsolete vehicles (Administrative Services, Central Warehouse, General Services and Vehicle Maintenance) surplus to the needs of the City and not essential for municipal purposes, and to authorize the City Manager or his designee to dispose of such surplus property pursuant to State Statutes. ----- 1
7. \*Approval of Bid for annual street maintenance (Public Works) being awarded to Consolidated Constructors, Inc. as the lowest and best bidder meeting specifications after application of five percent in-state preference (\$1,515,791.25). Bids opened August 6, 2014 with two bidders participating. ----- 2
8. \*Approval of Bid for annual municipal utilities improvements (Public Works) being awarded to TRC Construction, Inc. as the lowest and best bidder meeting specifications after application of five percent in-state preference (\$2,393,187.50). Bids opened August 6, 2014 with two bidders participating. ----- 3
9. \*Approval of Purchase Agreement between the City and Bob M. and Gwyneth H. Browning, Co-Trustees of the Bob M. and Gwyneth H. Browning Revocable Trust, for purchase by the City of 79.28 acres located in Middle Fork Subdivision (Lot A-8 or Replat 8) (purchase price \$600,000).----- 4

- 10. \*Approval of Memorandum of Agreement between the Cities of Aztec, Bloomfield and Farmington and San Juan County authorizing a joint application to the New Mexico Highway and Transportation Department, Traffic Safety Bureau, for funding of a comprehensive Community DWI (CDWI) Program for Fiscal Year 2014/2015 (funding amount of \$33,936). ----- 5
- 11. \*Approval for Adoption of Resolution No. 2014-1523 authorizing the city manager to prepare and submit an application for funds pursuant to the Land and Water Conservation Fund Grant Program. ----- 6
- 12. \*Approval for Adoption of Resolution No. 2014-1524 adopting an Infrastructure Capital Improvement Plan (ICIP). ----- 7
- 13. \*Approval of Warrants up to and including August 9, 2014.
- 14. Recommendations from the Planning and Zoning Commission:

Acceptance of Consent Agenda: Those items marked with an asterisk (\*) have been placed on the Planning and Zoning Commission Consent Agenda and will be voted on without discussion with one motion. If any item does not meet with approval of all Councilors or if a citizen so requests, that item will 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 14-26 from Billy Randall requesting a waiver to the subdivision standards requiring improvements to the paving of Cordoba Way adjacent of 5410 Cordoba Way.

The recommendation from the Planning and Zoning Commission passed by a vote of 6-0 on July 24, 2014. ----- 8

- \* (2) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. UDC 14-02 from the City of Farmington requesting amendments to various sections of the Unified Development Code, pertaining to the following:

- (a) uses in the PIP, Planned Industrial Park, District and the OP, Office Professional, District;
- (b) proximity of a vehicle repair operation to a residential use; and
- (c) neighborhood box units.

The recommendation from the Planning and Zoning Commission passed by a vote of 7-0 on July 24, 2014. ----- 9

15. Public Hearing to receive comments on the Community Development Block Grant 2014-2018 Consolidated Plan and the 2014 Analysis of Impediments to Fair Housing Choice; **and** Adoption of Resolution No. 2014-1525 adopting the Community Development Block Grant 2014-2018 Consolidated Plan and the 2014 Analysis of Impediments to Fair Housing Choice (Mary Holton). -----10
16. Consideration of adoption of the Parks, Recreation & Cultural Affairs Master Plan.
17. Recommendation from the Animal Services Advisory Committee to amend certain sections of Chapter 6 of the City Code regarding animals (discussion only). -----11
18. New Business:
  - (a) Mayor
  - (b) Councilors
  - (c) City Manager
  - (d) City Attorney
  - (e) City Clerk
19. Business from the Floor:
  - (1) Items removed from Consent Agenda for discussion.
  - (2) Any other Business from the Floor.
20. Closed Meeting to discuss acquisition of real property (Piñon Hills Bridge Extension), pursuant to Section 10-15-1H(8) NMSA 1978.
21. Adjournment.

**AGENDA ITEM SUPPORT MATERIALS ARE AVAILABLE FOR INSPECTION AND/OR PURCHASE AT THE OFFICE OF THE CITY CLERK, 800 MUNICIPAL DRIVE, FARMINGTON, NEW MEXICO.**

**ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.**

CITY OF FARMINGTON  
INTER-OFFICE MEMORANDUM

TO: Mayor Roberts and City Council

FROM: Edward Smylie  
Purchasing Officer

DATE: August 5, 2014

SUBJECT: Declaration of Worn-Out, Unusable or Obsolete Property

USING DEPARTMENT: Administrative Services, Central Warehouse  
General Services, Vehicle Maintenance

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The Central Purchasing Division of the Administrative Services Department concurs with the recommendation from both the Central Warehouse and Vehicle Maintenance to declare the attached list of vehicles as worn-out, unusable or obsolete.

If it is determined the best disposal method for this property is through the City's internet-based Public Surplus auction system, authorization is requested to grant the Warehouse Superintendent authority to issue an immediate e-mail award notification to the highest cash bid received meeting the bidding requirements set forth.

Kristi Benson (Presenter)  
Consent Agenda/Council Meeting - August 12, 2014

xc: Eric Schlotthauer - Accounting, Controller  
Debi Dalton - Accounting, Staff Accountant – Fixed Assets  
Sarah Talley - Accounting, Staff Accountant – Grants Administration  
Jerry Parson - Vehicle Maintenance Superintendent  
Bob Schrag - Warehouse Superintendent

UNIT #	VIN / SERIAL #	YEAR	MAKE	MODEL / DESCRIPTION
49	3160	1980	UTILITY	POLE TRAILER SINGLE AXLE
51	3162	1980	UTILITY	POLE TRAILER SINGLE AXLE
53	3161	1980	UTILITY	POLE TRAILER SINGLE AXLE
9105	1GTGG35K4SF526475	1995	GMC	VANDURA 3500
9172	1J4FJ28S1SL667356	1995	JEEP	CHEROKEE 4X4 4DR
9277	1FTDF17W4VKB91448	1997	FORD	1/2T 2WD PICKUP
9400	1G1ND52J6Y6202923	2000	CHEVROLET	MALIBU SEDAN 4DR
9402	1GCEC14W5YE242475	2000	CHEVROLET	1/2T 2WD LONG WB
9463	1GCEC14W41Z206730	2001	CHEVROLET	C1500 REG CAB 2WD
9467	1FTNW20L31EB58380	2001	FORD	C2500 CREW CAB 2WD LONG WB
9480	1FAFP52U41A183584	2001	FORD	TAURUS SEDAN 4DR
9499	1GBHK24U51E244421	2001	CHEVROLET	K2500 REG CAB 4X4 HD W/UTILITY BODY
9618	1FTZR15E73PA77449	2003	FORD	RANGER 4X4 SUPERCAB SHRTBED
9669	3GNGK26U64G154056	2004	CHEVROLET	K2500 SUBURBAN 4DR
9713	1000697	2005	TENSION	4 DRUM MOBILE ROPE PULLER
9716	1FMZU72K35ZA59741	2005	FORD	EXPLORER 4X4 4DR

CITY OF FARMINGTON  
INTER-OFFICE MEMORANDUM

~~TO: Mayor Roberts and City Council~~

FROM: Edward Smylie   
Purchasing Officer

DATE: August 7, 2014

SUBJECT: 2014 Annual Street Maintenance, Bid #15-104699

USING DEPARTMENT: Public Works  
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A bid opening was held on August 6, 2014 for 2014 Annual Street Maintenance. Two (2) bidders responded.

The Central Purchasing Department concurs with the recommendation from the Public Works Department to award the bid to Consolidated Constructors, Inc., from Farmington, N.M. as the lowest bidder meeting specifications for a total awarded amount of \$1,515,791.25 plus estimated applicable taxes of \$108,947.50. All bidders qualified for the 5% in-state preference.

Edward Smylie (Presenter)  
Council Meeting 8/12/14

xc: H. Andrew Mason, Administrative Services Director  
David Sypher, Public Works Director  
File – 15-104699rp

CITY OF FARMINGTON - ABSTRACT SCHEDULE  
 2014 ANNUAL STREET MAINTENANCE  
 PROJECT #14-02, CONTRACT CONTROL #15-104699  
 Opening: August 6, 2014 @ 2:00 p.m.

Public Works Engineers Estimate: \$1,500,000	Consolidated Constructors, Inc. PO Box 629 Farmington, NM 87499 Craig Murray, Project Manager 505-326-7771 craig@consolidatedconst.com	Oldcastle SW Group, Inc. PO Box 16 Farmington, NM 87499 Kyle M. High, General Manager 505-486-0820 khigh@4cornersmaterials.com
TOTAL BID:	<b>\$1,515,791.25</b>	<b>\$1,624,204.00</b>
TOTAL BID WITH IN-STATE/VETERANS PREFERENCE APPLIED:	\$1,440,001.69	\$1,542,993.80
ESTIMATED APPLICABLE TAXES:	\$108,947.50	\$116,739.66
BIDDER'S ESTIMATE OF TAXES FORM INITIALED:	Yes	Yes
BID SIGNED:	Yes	Yes
IN-STATE/VETERANS PREFERENCE:	Yes / L0328136304	Yes / L1717268800
NM CONTRACTOR'S LICENSE NO.:	1272	89829
NM DEPT OF WORKFORCE SOLUTIONS - PUBLIC WORKS NO.:	002356420111118	002362220111130
ADDENDA ACKNOWLEDGED:	Yes	Yes
LIST OF SUBCONTRACTORS:	Yes	Yes
BID BOND ENCLOSED:	Yes	Yes
BIDDER'S QUALIFICATIONS:	Yes	Yes
DRUG-FREE WORKPLACE CERTIFICATION:	Yes	Yes
CONTRACTOR'S SAFETY CERTIFICATION:	Yes	Yes

CITY OF FARMINGTON  
INTER-OFFICE MEMORANDUM

TO: Mayor Roberts and City Council

FROM: Edward Smylie   
Purchasing Officer

DATE: August 7, 2014

SUBJECT: 2014 Annual Municipal Utilities Improvements, Bid #15-104700

USING DEPARTMENT: Public Works  
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A bid opening was held on August 6, 2014 for 2014 Annual Municipal Utilities Improvements. Two (2) bidders responded.

The Central Purchasing Department concurs with the recommendation from the Public Works Department to award the bid to TRC Construction, Inc., from Farmington, N.M. as the lowest bidder meeting specifications for a total awarded amount of \$2,393,187.50 plus estimated applicable taxes of \$172,010.35. All bidders qualified for the 5% in-state preference.

Edward Smylie (Presenter)  
Council Meeting 8/12/14

xc: H. Andrew Mason, Administrative Services Director  
David Sypher, Public Works Director  
File - 15-104700rp



CITY OF FARMINGTON - ABSTRACT SCHEDULE  
 2014 Annual Municipal Utilities Improvements, Bid 14-104700  
 Project #14-01, Contract Control #15-104700  
 Opening: August 6, 2014 at 2:00 p.m.

Public Works Engineer's Estimate: \$2,300,000	TRC Construction, Inc. 789 Hwy 516 Flora Vista, NM 87415 Rick Adair, Operations Manager 505-793-4795 radair@trc-construction.com	Consolidated Constructors, Inc. PO Box 629 Farmington, NM 87499 Craig Murray, Project Manager 505-326-7771 craig@consolidatedconst.com
TOTAL BID:	<b>\$2,393,187.50</b>	<b>\$2,569,386.00</b>
TOTAL BID WITH IN-STATE/VETERANS PREFERENCE APPLIED:	\$2,273,528.13	\$2,440,916.70
ESTIMATED APPLICABLE TAXES:	\$172,010.35	\$184,974.61
BIDDER'S ESTIMATE OF TAXES FORM INITIALED:	Yes	Yes
BID SIGNED:	Yes	Yes
IN-STATE/VETERANS PREFERENCE:	Yes / L0060096832	Yes / L0328138304
NM CONTRACTOR'S LICENSE NO.:	87667	1272
NM DEPT OF WORKFORCE SOLUTIONS - PUBLIC WORKS NO.:	002201920110314	00235642011118
ADDENDA ACKNOWLEDGED:	Yes	Yes
LIST OF SUBCONTRACTORS:	Yes	Yes
BID BOND ENCLOSED:	Yes	Yes
BIDDER'S QUALIFICATIONS:	Yes	Yes
DRUG-FREE WORKPLACE CERTIFICATION:	Yes	Yes
CONTRACTOR'S SAFETY CERTIFICATION:	Yes	Yes

# PURCHASE AGREEMENT

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between Bob M. Browning and Gwyneth H. Browning, Co-Trustees of the Bob M. and Gwyneth H. Browning Revocable Trust under Trust Agreement dated November 26, 1985, whose principle address is 333 Browning Parkway, Farmington, New Mexico 87401, "SELLER" and the City of Farmington, a New Mexico municipal corporation, whose address is 800 Municipal Drive, Farmington, New Mexico, 87401, hereinafter referred to as "CITY."

WHEREAS, Seller is the owner of certain property of approximately 79.28 acres located in the Middle Fork Subdivision (Lot A-8 or Replat 8) which runs parallel to the Animas River and East Main Street chooses to sale said property to the CITY,

WHEREAS, Seller is now willing to sell and the City is now willing to purchase the real property herein described; and,

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties mutually agree as follows:

1. Seller, in consideration of the covenants and agreements on the part of the Purchaser, agrees to sell and convey, and City agrees to purchase, on terms and conditions hereinafter stated, a total of approximately 79.28 acres of land, more or less, situate in the City of Farmington, the County of San Juan, State of New Mexico, which is more particularly described as follows, to-wit:

As described as located in Middle Fork Subdivision (Lot A-8 of Replat 8) and identified by the San Juan County Tax Map as identification numbers R4002977 and R4002975.

Beginning at a point on the South-East Corner Sec 1 T29N R13W NMPM at the Brass Cap

THENCE: traveling Northwest 1318.23 feet  
THENCE: South 00°14'53" West, a distance of 794.40 feet;  
THENCE: South 44°07'15" West, a distance of 280.37 feet;  
THENCE: South 66°52'20" West, a distance of 270.40 feet;  
THENCE: South 58°37'04" West, a distance of 408.10 feet;  
THENCE: North 89°30'06" West, a distance of 1801.21 feet along the Farmington City Limits;  
THENCE: North 00°33'40" East, a distance of 1071.32 feet;  
THENCE: North 46°36'39" East, a distance of 59.56 feet;  
THENCE: North 76°40'43" East, a distance of 53.23 feet;

THENCE: North 52°37'58" East, a distance of 301.24 feet;  
THENCE: North 57°50'09" East, a distance of 102.92 feet;  
THENCE: North 44°08'48" East, a distance of 50.00 feet;  
THENCE: South 45°51'13" East, a distance of 20.00 feet;  
THENCE: North 44°08'48" East, a distance of 100.00 feet;  
THENCE: South 45°51'15" East, a distance of 20.62 feet;  
THENCE: North 75°28'30" East, a distance of 29.22 feet;  
THENCE: North 44°49'14" East, a distance of 158.08 feet;  
THENCE: North 64°10'43" East, a distance of 110.23 feet;  
THENCE: South 51°06'26" West, a distance of 4.44 feet;  
THENCE: South 51°06'26" West, a distance of 186.20 feet;  
THENCE: North 19°38'03" West, a distance of 37.52 feet;  
THENCE: South 70°40'29" West, a distance of 350.45 feet;  
THENCE: South 00°25'31" West, a distance of 500.82 feet stopping at the South Quarter Corner Section 1;

THENCE: South 89°34'27" East, a distance of 1304.23 feet to the point of beginning and containing 79.28 acres, more or less.

2. The purchase price shall be \$700,000 with the following terms.

a) The Seller will donate \$100,000 to the City at closing.

b) The CITY will agree to remit \$100,000 to the seller at closing and pay the five hundred thousand dollar (\$500,000) balance in five (5) annual payments with five percent (5%) interest annum.

c) Payments are to be made from the CITY using the dedicated Parks 202 Gross Receipts Tax Fund (GRT) only.

d) The CITY intends to develop a park or open space with this property and agrees to name it Gwynhaven Park.

3. Seller shall convey the property to Purchaser by good and sufficient warranty deed in proper form for recording so as to convey to Purchaser good and merchantable record title to the land affected by this agreement free and clear of all liens and encumbrances, other than any easements or restrictions in existence or of record, and subject to any prior reservations of oil, gas and other minerals therein and thereunder.

4. Seller agrees to furnish Purchaser a good and sufficient title insurance policy binder in the form of the American Land Title Association, Form B, without exception, except as herein set forth, for the full purchase consideration hereof guaranteeing good and merchantable title to be vested in the Purchaser subject only to the conditions of this agreement. Should defects appear upon title for any reason, Seller shall have a reasonable time within which to cure any defect which affects merchantability of title.