

A G E N D A

... for the Regular Meeting of the Farmington City Council to be held at 7:00 p.m., Tuesday, July 9, 2013 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico. . .

1. Roll Call and Convening the Meeting:
2. Invocation: Father Tim Farrell of Sacred Heart Catholic 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 the Regular Meeting of the City Council held June 25, 2013. ----- 8
6. \*Approval to Accept Grant Award Number G13SN0010A between the City and the Office of National Drug Control Policy for funding in the amount of \$88,821 for the Region II High Intensity Drug Trafficking Area (HIDTA) Narcotics Task Force from January 1, 2013 to December 31, 2014. ----- 1
7. \*Approval of Grant Modification Award No. G13SN0010A between the City and the Office of National Drug Control Policy increasing the award amount by \$96,223 (for a total award of \$185,044) for the Region II High Intensity Drug Trafficking Areas (HIDTA) Narcotics Task Force from January 1, 2013 to December 31, 2014. ----- 2
8. \*Approval of Warrants up to and including July 6, 2013.
9. Public Hearing to receive comments and suggestions regarding the City of Farmington's use for the FY2013 Edward Byrne Memorial Justice Assistance Grant (JAG) funds (\$45,129 to be received by the Farmington Police Department and \$21,122 to be received by the San Juan County Sheriff's Office for a total of \$66,251).
10. Recommendations from the Planning and Zoning Commission: ----- 3

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. ZC 13-03 from Anthony Montoya requesting a zone change from the SF-10, Single-Family Residential, District to the SF-A PUD, Single-Family Attached Planned Unit Development, District for 0.68 acres located at 5601 Mickey Drive.

The recommendation of the Planning and Zoning Commission passed by a vote of 7-0 on June 27, 2013. ----- 4

- \* (2) Adoption of the recommendation from the Planning and Zoning Commission, as contained within the Community Development Department Petition Report, to approve Petition No. ZC 13-06 from Jesse Beard requesting a zone change from the RE-20, Residential Estate, District to the IND, Industrial, District for 0.57 acres located at 1899 W. Navajo Street.

The recommendation of the Planning and Zoning Commission passed by a vote of 7-0 on June 27, 2013. ----- 5

11. Unfinished Business:

- (1) Ordinance No. 2013-1265 – Final Action  
-adding Division 3 to Article 2 of Chapter 2 (Administration) of the Farmington City Code entitled "Campaign Financing." (Published May 26, 2013) [**Tabled at the June 25, 2013 Regular City Council Meeting**] ----- 6

12. New Business:

- (a) Mayor
- (b) Councilors
- (c) City Manager
- (d) City Attorney

- (1) Resolution No. 2013-1474  
-ratifying, confirming and establishing regular meeting days, times and places of the various commissions, boards, public bodies and the City Council of the City of Farmington in accordance with Resolution No. 2013-1466. ----- 7

- (e) City Clerk

13. Business from the Floor:

- (1) Items removed from Consent Agenda for discussion.
- (2) Any other Business from the Floor.

14. 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.**

Executive Office of the President Office of National Drug Control Policy		Grant Agreement	
1. Recipient Name and Address Mayor Tommy Roberts City of Farmington 800 Municipal Drive Farmington, NM 87402		4. Award Number: G13SN0010A	
		5. Grant Period: From 01/01/2013 to 12/31/2014	
1A. Recipient IRS/Vendor No.: 1856000129A1	6. Date: 1/31/2013	7. Action	
Subrecipient Name and Address	8. Supplement Number	<input checked="" type="checkbox"/> Initial Supplemental	
2A. Subrecipient IRS/Vendor No.:	9. Previous Award Amount:		
3. Project Title Region II HIDTA Narcotics Task Force	10. Amount of This Award:		\$88,821
	11. Total Award:		\$88,821
12. Consistent with Public Law 112-175, the Continuing Appropriations Resolution, 2013, this document provides a total budget and spending ceiling as reflected in Block 10 of the Grant Award document, which represents funding at the rate of 48% of the fiscal year 2012 funding level. Accordingly, the sum of all budgets cannot exceed the award amount reflected in Block 10 of the Grant Award document. The Office of National Drug Control Policy acknowledges that the aforementioned funding level is below the stated budget requirements; however, additional funding cannot be made available until enacted through public law.			
13. Statutory Authority for Grant: Public Law 112-175			
AGENCY APPROVAL		RECIPIENT ACCEPTANCE	
14. Typed Name and Title of Approving Official Michael K. Gottlieb National HIDTA Director		15. Typed Name and Title of Authorized Official Tommy Roberts City of Farmington	
16. Signature of Approving ONDCP Official <i>Michael K. Gottlieb</i>		17. Signature of Authorized Recipient/Date	
AGENCY USE ONLY			
18. Accounting Classification Code DUNS: 080376346 EIN: 1856000129A1		19. HIDTA AWARD OND1070DB1314XX    OND6113 OND2000000000    OC 410001	

Legal Department  
Approved as to form  
By JL/ey  
Date 7/3/13

## GRANT CONDITIONS

### A. General Provisions

1. This grant is subject to:

- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Government; or, if applicable, OMB Circular A-21, Cost Principles for Educational Institutions;
- OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments; or, if applicable, OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations;
- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Institutions;
- Government-wide Debarment and Suspension (Non procurement), codified at 21 CFR § 1401 et. seq.;
- Government-wide Requirements for Drug-Free Workplace (Grants), codified at 21 CFR § 1401 et. seq.;
- New Restrictions on Lobbying, codified at 18 USC § 1903 and 31 USC § 1352;
- Nondiscrimination in Federally Assisted Programs and Equal Opportunity Plans requirements are codified at USC, Title VI (42 USC § 2000d et seq.); and
- Immigration and Naturalization Service Employment Eligibility Verification Form (I-9).

2. Audits conducted pursuant to OMB Circular A-133, "Audits of State and Local Governments", must be submitted no later than 9 months after the close of the grantee's audited fiscal year. A copy of the audit report and management letter must be sent to:

EOP/ONDCP

Attention: Michael Reles

GSD/RDF (202) 395-6608

Anacostia Naval Annex

Bldg 410/Door 123

250 Murray Lane, SW

Washington, DC 20509

or:

mreles@ondcp.eop.gov

3. Grantees are required to submit Federal Financial Reports (FFR) to the Department of Health and Human Services, Division of Payment Management (HHS/DPM). Other reporting requirements are specified in the HIDTA Program Policy and Budget Guidance.
4. The recipient gives the awarding agency or the Government Accountability Office, through any authorized representative, access to, and the right to examine, all paper or electronic records related to the grant.
5. Recipients of HIDTA funds are not agents of ONDCP. Accordingly, the HIDTA, its fiscal agent(s), HIDTA employees, HIDTA contractors, as well as state, local, and federal HIDTA participants, either on a collective basis or on a personal level, shall not hold themselves out as being part of, or representing, the Executive Office of the President or ONDCP.

#### **B. Special Conditions HIDTA Grants**

The following special conditions are incorporated into each award document.

1. This grant is awarded for the initiative(s) named above. Variation from the description of activities approved by ONDCP and/or from the budget attached to this letter must comply with the reprogramming requirements as set forth in ONDCP's HIDTA Program Policy and Budget Guidance.
2. This award is subject to the requirements in ONDCP's HIDTA Program Policy and Budget Guidance.
3. No HIDTA funds shall be used to supplant state or local funds that would otherwise be made available for the same purposes.
4. The requirements of 28 CFR Part 23, which pertain to information collection and management of criminal intelligence systems, shall apply to any such systems supported by this award.
5. Special accounting and control procedures must govern the use and handling of HIDTA Program funds for confidential expenditures; i.e. the purchase of information, evidence, and services for undercover operations. Those procedures are described in Section 6-12 of the HIDTA Program Policy and Budget Guidance.
6. The grant recipient agrees to account for and use program income in accordance with the "Common Rule" and the HIDTA Program Policy and Budget Guidance. Asset forfeiture proceeds generated by the HIDTA-funded initiatives shall not be considered as program income earned by HIDTA grantees.

7. Property acquired with these HIDTA grant funds is to be used for activities of the SWB - New Mexico HIDTA. If your agency acquires property with these funds and then ceases to participate in the HIDTA, this equipment must be made available to the HIDTA's Executive Board for use by other HIDTA participants.
8. All law enforcement entities that receive funds from this grant must report all methamphetamine laboratory seizure data to the National Clandestine Laboratory Database/National Seizure System at the El Paso Intelligence Center.

**C. Payment Basis**

1. A request for Advance or Reimbursement shall be made using the HHS/DPM system ([www.dpm.psc.gov](http://www.dpm.psc.gov)). Copies of invoices or payroll registers must accompany the payment confirmation number to provide documentation for the reimbursement request. Requests for advances must be accompanied by details specifying the need for the advance. Documentation of how the advance was spent must be submitted within 21 days and before another advance or reimbursement will be approved.
2. The HIDTAs, or their respective grantees, must utilize the HIDTA program Financial Management System's (FMS) Disbursement module each time they submit a disbursement request to the NHAC. Requests for payment in the DPM system will not be approved unless the required disbursements have been entered into the FMS. Payments will be made via Electronic Fund Transfer to the award recipient's bank account. The bank must be FDIC insured. The account must be interest bearing.
3. Except for interest earned on advances of funds exempt under the Intergovernmental Cooperation Act (31 U.S.C. 6501 et seq.) and the Indian Self-Determination Act (23 U.S.C. 450), grantees and subgrantees shall promptly, but at least quarterly, remit interest earned on advances to HHS/DPM at the address provided below. When submitting your checks, please provide a detailed explanation which should include: reason for check (remittance of interest earned on HIDTA advance payments), check number, grantee name, grant number, interest period covered, and contact name and number.

Ms. Janet Fowler  
Division of Payment Management  
Department of Health and Human Services

Via U.S. Postal Mail:  
P.O. Box 6021  
Rockville, MD 20852

Via FedEx:  
7700 Wisconsin Avenue  
10th Floor  
Bethesda, MD 20814

4. The grantee or subgrantee may keep interest amounts up to \$100 per year for administrative purposes.

**RECIPIENT ACCEPTANCE OF GRANT CONDITIONS**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Tommy Roberts

Organization: City of Farmington

Legal Department  
Approved as to form

By J. Eley  
Date 7/3/13

# Initiative Cash by HIDTA

FY 2013

Awarded Budget (as approved by ONDCP)

HIDTA	Agency Name	Initiative	Cash	Type	Grant
SWB - New Mexico	City of Farmington	Region II HIDTA Narcotics Task Force	185,044.00	Investigation	G13SN0010A
<b>Agency Total : City of Farmington</b>			<b>185,044.00</b>		

Total

**185,044.00**

# Budget Detail

2013 - SWB - New Mexico

Initiative - Region II HIDTA Narcotics Task Force

Award Recipient - City of Farmington (G13SN0010A)

Resource Recipient - City of Farmington

<b>Awarded Budget (as approved by ONDCP)</b>		<b>\$185,044.00</b>
<b>Personnel</b>	<b>Quantity</b>	<b>Amount</b>
Investigative - Law Enforcement Officer		\$120,000.00
<b>Total Personnel</b>		<b>\$120,000.00</b>
<b>Fringe</b>	<b>Quantity</b>	<b>Amount</b>
Investigative - Law Enforcement Officer		\$45,878.00
<b>Total Fringe</b>		<b>\$45,878.00</b>
<b>Overtime</b>	<b>Quantity</b>	<b>Amount</b>
Investigative - Law Enforcement Officer	2	\$14,166.00
<b>Total Overtime</b>		<b>\$14,166.00</b>
<b>Travel</b>	<b>Quantity</b>	<b>Amount</b>
Administrative		\$2,500.00
Training		\$2,500.00
<b>Total Travel</b>		<b>\$5,000.00</b>
<b>Total Budget</b>		<b>\$185,044.00</b>

<b>Executive Office of the President Office of National Drug Control Policy</b>		<b>AWARD Grant</b>	Page 1 of 1
1. Recipient Name and Address Mayor Tommy Roberts City of Farmington 800 Municipal Drive Farmington, NM 87402		4. Award Number: G13SN0010A	
		5. Grant Period: From 01/01/2013 to 12/31/2014	
1A. Subrecipient IRS/Vendor No.	6. Date: 5/31/2013	7. Action	
Subrecipient Name and Address	8. Supplement Number 1	Initial	
		<input checked="" type="checkbox"/> Supplemental	
2A. Subrecipient IRS/Vendor No.:	9. Previous Award Amount:	\$88,821.00	
3. Project Title	10. Amount of This Award:	\$96,223.00	
Multiple	11. Total Award:	\$185,044.00	
12. <ul style="list-style-type: none"> <li>The above grant is approved subject to such conditions or limitation as are set forth in the original Grant.</li> <li>Consistent with P.L. 113-6, the Full-Year Continuing Appropriations Act, 2013, this Grant Award document provides additional funding in the amount indicated in Block 10. This amount, together with the amount equivalent to 48% of the fiscal year 2012 funding level previously made available, as indicated in Block 9, represent the total FY 2013 budget and spending ceiling for this grant, as indicated in Block 11.</li> </ul>			
13. Statutory Authority for Grant: Public Law 113-6			
<b>AGENCY APPROVAL</b>		<b>RECIPIENT ACCEPTANCE</b>	
14. Typed Name and Title of Approving Official Michael K. Gottlieb National HIDTA Director	15. Typed Name and Title of Authorized Official Tommy Roberts City of Farmington		
16. Signature of Approving ONDCP Official <i>Michael K. Gottlieb</i>	17. Signature of Authorized Recipient/Date		
<b>AGENCY USE ONLY</b>			
18. Accounting Classification Code DUNS: 080376346 EIN: 1856000129A1	19. HIDTA AWARD OND1070DB1314XX      OND6113 OND2000000000      OC 410001		

Legal Department  
 Approved as to form  
 By J. Foley  
 Date 7/3/13

# Initiative Cash by HIDTA

FY 2013

Current Budget (net of reprogrammed funds)

HIDTA	Agency Name	Initiative	Cash	Type	Grant
SWB - New Mexico	City of Farmington	Region II HIDTA Narcotics Task Force	185,044.00	Investigation	G13SN0010A
<b>Agency Total : City of Farmington</b>			<b>185,044.00</b>		

Total

**185,044.00**