

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, February 15, 2011 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
DEPUTY CITY CLERK	Melody Coyner

#### EMPLOYEE OF THE MONTH PROGRAM AWARD

Mayor Roberts announced that the Employee of the Month Program award is being rescheduled to the March 1, 2011 Work Session due to the recipient's illness.

#### PRESENTATION/SAN JUAN GENERATING STATION/ENVIRONMENTAL REQUIREMENTS FOR REGIONAL HAZE RULE

Public Service Company of New Mexico ("PNM") Vice President of Governmental Affairs Ernie C'de Baca introduced Vice President of Generation Patrick Themig, Director of Environmental Services Maureen Gannon and Regional Community Liaison Lisa Martin. Providing background information, Mr. C'de Baca stated that in 2009, PNM completed a \$320 million environmental upgrade at San Juan Generating Station (the "generating station") that significantly reduced nitrogen oxide, sulfur dioxide, particulate matter and mercury emissions and that an outside team of experts hired by PNM determined that these upgrades met federal requirements for best available retrofit technology ("BART") to address regional haze. However, in late 2010, the U.S. Environmental Protection Agency ("EPA") announced a different recommended technology for the generating station that would require the installation of selective catalytic reduction ("SCR") at an estimated cost of \$750 million. Ms. Gannon contended that the EPA's recommendation for installation of SCR represents an unnecessary new cost; is impossible to achieve because installing the technology in three years while keeping the plant running is not feasible; would provide an imperceptible improvement to visibility compared to the technology that has already been installed; would unnecessarily drive the plant's production costs significantly higher and increase the electricity rates of those who depend on it; and is above and beyond what many other plants are being required to do with no perceptible benefit. She announced that the EPA will hold an open house for discussion and questions from 3:00 p.m. to 5:00 p.m. on Thursday, February 17, 2011, in Room 7103 of the Computer Science Building at San Juan College and stated that a public hearing will be held following the open house at 6:00 p.m. to receive public comment.

Discussion followed concerning the difference of opinion between PNM and the EPA as to what technology is required to meet BART requirements and the cost per deciview with installation of SCR.

Mr. Themig briefly reviewed the time frame and process to install SCR at the generating station. He pointed out that BART requirements in EPA Region 6 ("Region 6"), which governs San Juan, are stricter than in EPA Region 9 ("Region 9"), which governs the Four Corners Power Plant.

Following brief discussion, Mayor Roberts contended that the City's role, as a two percent owner of the generating station and as a representative to the citizens of Farmington, is to balance the physical, environmental and economic health of the community. He encouraged members of the community to attend the EPA's open house on Thursday and to enter their comments on the record during the public hearing.

The PNM representatives responded to numerous questions from Councilor Sandel concerning the Clean Air Act, BART requirements and the upgrades made at the generating station.

Brief discussion followed concerning the appropriate way for the City to express its view regarding the EPA's recommendation to install SCR.

Following brief discussion, Ms. Gannon pointed out that of the 169 units that are going through the BART analysis, the EPA has recommended that 14 install SCR. She noted that four of those 14 units are located at the generating station and five are located at Four Corners Power Plant.

In response to inquiry from Councilor Darnell, Ms. Gannon explained that EPA rules are applied differently in Region 6 and Region 9 because they have different administrators and operate autonomously.

In response to inquiry from Mayor Roberts regarding the impact on local jobs if the final ruling from the EPA requires SCR, Mr. Themig stated that the owners of the generating station have formed a subcommittee to evaluate available options, but stated that he cannot say at this time what the impact will be on local jobs. However, he noted that a conversion to natural gas would reduce the number of jobs currently necessary to operate the coal-fired plant.

In response to inquiry from Councilor Fischer, Mr. Themig pointed out that during the recent Texas "brownouts", the generating station continued to operate without any interruptions in service. In addition, he noted that most coal-fired units that are taken off-line are replaced with natural-gas-fired units.

Following brief discussion, Councilor Fischer expressed a desire to find out how much money was generated for the community during the recent upgrade at the generating station.

Following further discussion, Councilor Sandel reiterated his suggestion that our federal representatives establish an economic development and jobs commission to formulate a proactive plan to ensure the long-term viability of the Four Corners area.

PRESENTATION/INTERSECTION EVALUATIONS/PIÑON HILLS BOULEVARD  
CORRIDOR

Directing the Council's attention to the Executive Summary beginning at page 1.0 of the agenda materials, Nevin Harwick of Harwick Transportation Group stated that, at the request of the Council, a traffic engineering evaluation was conducted for the intersections along Piñon Hills Boulevard ("PHB") at 30<sup>th</sup> Street, Dustin Avenue, Butler Avenue, Hood Mesa Trail and Education Drive. He noted that the evaluation included a field review, traffic operations analysis, safety assessment, signal warrant evaluation and recommendations for improvement. Mr. Harwick stated that the traffic operations analyses were conducted for the morning and evening weekday peak hours and that a special analysis was conducted for the Dustin Avenue intersection on Sunday, considering both the intersection peak hour and the southbound approach peak hour. He briefly reviewed the recommendations for each of the intersections.

PHB and 30<sup>th</sup> Street

Mr. Harwick reported that the PHB and 30<sup>th</sup> Street intersection is operationally deficient and currently meets traffic signal warrants, noting that the intersection could either be signalized or a modern roundabout could be constructed. He pointed out that, according to an Insurance Institute for Highway Safety study of 23 intersections, roundabouts experience 40 percent fewer crashes and 80 percent fewer injury crashes than stop controlled or signalized intersections.

PHB and Dustin Avenue

Mr. Harwick reported that, as recommended in the report, staff has already relocated the stop sign at the PHB and Dustin Avenue intersection and that there are plans to install a new thermoplastic stop bar when weather permits. He stated that the intersection is very deficient during the peak hours on Sunday and that it has an operational deficiency associated with the southbound left turn, but that signal warrants are not satisfied. He stated there are two traffic control modifications that would improve intersection operations for the Sunday traffic: all-way stop control or the construction of a modern roundabout. However, he stated that at this time no changes are recommended to the existing intersection traffic control.

PHB and Butler Avenue

Mr. Harwick reported a low-volume, left-turn deficiency at PHB and Butler Avenue but stated that no mitigation is recommended.

PHB and Hood Mesa Trail

Mr. Harwick reported that, as recommended in the report, staff has already relocated the stop sign at the PHB and Hood Mesa Trail intersection and that there are plans to install a new thermoplastic stop bar when weather permits.

PHB and Education Drive

Mr. Harwick reported a low-volume, left-turn deficiency at PHB and Education Drive, but stated that no mitigation is recommended. However, he pointed out that the north approach should be designed to facilitate better traffic flow.

Mr. Harwick stated that the safety assessment was based on a three-year study period of PHB intersection accidents only. He reported that Dustin Avenue had the most accidents with six and that Hood Mesa Trail had the fewest with one accident. He pointed out that the highest accident rate at Dustin Avenue was 0.47/MEV (per million entering vehicles) and that the national average is between 0.62 to 0.99/MEV.

Discussion followed concerning the pros and cons of installing a traffic signal or a modern roundabout at the PHB and 30<sup>th</sup> Street intersection, the increased traffic at the PHB and Dustin Avenue intersection generated by church activities and the Traffic Impact Analysis ("TIA") conducted at the PHB and Dustin Avenue intersection.

In response to inquiries from Mayor Roberts and Councilor Sandel, City Manager Rob Mayes stated that the intersection of Tucker Avenue and San Juan Boulevard did meet warrants for the installation of a traffic signal. Councilor Sandel asked to be provided with a copy of the warrant analysis.

Following brief discussion, Piñon Hills Community Church ("Church") Chief Financial Officer Brad Salzman explained that during the City's approval process for the Church to build at its current location, the Church offered to pay 25 percent of a traffic signal at the PHB and Dustin Avenue intersection, but that it was not a condition of approval.

Discussion followed concerning the possibility of a roundabout corridor on PHB; the impact of roundabouts on traffic flow, pedestrians and all-terrain vehicles; and the cost of a roundabout versus a traffic signal.

Following further discussion, Mayor Roberts noted that the majority of the comments he has received support maintaining PHB as a thoroughfare.

In response to inquiries from Councilor McCulloch, Mr. Harwick stated that a typical roundabout would be designed for about 25 mph and would be anywhere from 120 to 180 feet in diameter depending on expected traffic. Public Works Director Jeff Smaka noted that PHB rights-of-way are typically 150 feet, but can vary from 150 to 200 feet.

Responding to Councilor Sandel, Mr. Mayes stated that he will provide him with the dates of the warrant studies for the intersections at Tucker Avenue and San Juan Boulevard, Sunset Avenue and 30<sup>th</sup> Street

and Sullivan Avenue and 30<sup>th</sup> Street. He further stated that in recent years, the City has budgeted for one traffic signal a year for installation at a location based on the severity of need.

Following discussion, Mayor Roberts suggested that the Council further review the Piñon Hills Boulevard Corridor report ("report") for discussion at a future work session and that recommendations presented in the report be considered during the upcoming budget process. In its consideration of report recommendations, Councilor Sandel suggested that the Council include the options of a Hood Mesa Trail extension to Road 3535 and a bypass connecting to Glade Road that the Metropolitan Planning Organization was to include in the Metropolitan Major Thoroughfare Plan.

In order to respond to constituents in a timely manner, Councilor Sandel expressed a desire for the Council to decide how best to control traffic at the PHB and Dustin Avenue intersection prior to the upcoming budget process.

Following further discussion, the Council agreed to discuss the report recommendations and to have Mr. Harwick make a roundabout presentation for the PHB and 30<sup>th</sup> Street intersection at the March 15, 2011 Work Session. Stating that she is not a proponent of roundabouts, Councilor Fischer requested that the downside of roundabouts also be included in the presentation.

#### BID/MULTI-TERM CONTRACT FOR PIPE, VALVES, FITTINGS AND MISCELLANEOUS SUPPLIES

Purchasing Supervisor Kristi Benson reported that bids for a multi-term contract for the purchase of pipe, valves, fittings and miscellaneous supplies opened on February 1, 2011 with seven bidders participating. She recommended that the bid be awarded to Stars Pipe and Supply on its low bid meeting specifications after application of five percent in-state preference of \$48,451.74 and that the bids received from Neumark Irrigation Company, Sierra Irrigation Supply, Inc. and ESSCO Pipe and Supply be rejected for not meeting specifications.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to award the bid for a multi-term contract for the purchase of pipe, valves, fittings and miscellaneous supplies to Stars Pipe and Supply on its low bid of \$48,451.74 and that the bids received from Neumark Irrigation Company, Sierra Irrigation Supply, Inc. and ESSCO Pipe be rejected for not meeting specifications, as recommended by the Purchasing Supervisor, and upon voice vote the motion carried unanimously.

#### DISCUSSION/DIRECTION TO STAFF AND PRIORITIZATION OF POTENTIAL CAPITAL PROJECTS FOR FEDERAL FUNDING REQUESTS

Reminding the Council of their request to be more involved in the prioritization of potential capital projects for Federal funding requests, City Manager Rob Mayes provided the Council with a copy of the Infrastructure Capital Improvement Plan FY 2012-2016 ("ICIP") adopted by the Council on September 21, 2010 and stated that requests are due to Senator Bingaman's office by February 18, 2011. He noted that Councilors Fischer and Sandel had asked that consideration be given to including a natural-gas-fired power plant and an airport runway expansion in the City's requests.

Following discussion concerning existing ICIP projects, a natural-gas-fired power plant, water and wastewater infrastructure improvements and an airport runway expansion, Councilor Sandel suggested that the \$2.5 million for MRA-Downtown Infrastructure be designated for a specific project, such as a new civic center, and Councilor McCulloch expressed a desire to add a new airport to the Federal funding request.

Noting that the United States Department of Agricultural ("USDA") Rural Development Program has grant funds and low income loans available for renewable energy projects, Councilor Sandel suggested that the City pursue funding for a "solar-front and natural-gas-back power plant". In addition, he stated that there may be monies available through the USDA or other governmental organizations to help fund a new recycling center.

Responding to Councilor Sandel, Mr. Mayes stated that he will provide him with the report on how much money the City has received for

water and wastewater infrastructure projects from state and federal sources by February 16<sup>th</sup>.

Following further discussion, a motion was made by Councilor Sandel, seconded by Councilor Darnell to identify the items as listed on the ICIP (Piñon Hills Boulevard extension and bridge, Regional Animal Shelter, Fire Station #7 and Civic Center rehabilitation/MRA downtown infrastructure improvements), water and wastewater infrastructure, airport runway expansion, additional power generation facility, recycling center and radio interoperability as 2012 Federal appropriation requests, and upon voice vote the motion carried unanimously.

PROPOSED ORDINANCE/MAXIMUM PERMISSIBLE SOUND LEVELS

City Attorney Jay Burnham introduced a proposed ordinance amending Section 12-5-8 of the City Code dealing with maximum permissible sound levels by receiving land use. He noted that, with the adoption of the Unified Development Code ("UDC"), two new zoning districts were created and several zoning designations were changed that are not reflected in Section 12-5-8 and explained that it is necessary to amend the existing ordinance to bring this section into compliance with the UDC. He requested permission to proceed with publication of a Notice of Intent to Consider said ordinance.

Following brief discussion, a motion was made by Councilor Darnell, seconded by Councilor Sandel to direct the City Attorney to publish notice of intent to consider adoption of a proposed ordinance in accordance with State Statutes. 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.

COUNCIL BUSINESS

East Main Street Traffic

Noting that he was recently caught in traffic on East Main Street that was backed up from 20<sup>th</sup> Street to beyond the Animas Valley Mall, Councilor Sandel asked if the City has expended all of the funds received from the state for timing of the traffic signals and if the East Main Street traffic flow is at an optimum level. He suggested that the Council revisit the East Main Street Traffic Study ("Study") and asked that the Council be provided a copy of the Study and the minutes relative to the discussion. In response, City Manager Rob Mayes stated that all of the timing equipment was installed and that, subsequent to that, the City applied for, but did not receive, grant funding from the New Mexico Highway Department for an East Main Street timing study.

City Manager Performance Evaluation

Mayor Roberts announced that he will be providing the Council with a City Manager Performance Evaluation survey and asked that it be completed and returned to him by March 1, 2011. He also stated that the evaluation review with the City Manager will be scheduled as a closed item on the March 15, 2011 City Council Work Session and announced that he plans to conduct such evaluation on an annual basis.

CLOSED MEETING

A motion was made by Councilor Darnell, seconded by Councilor McCulloch to close the meeting to discuss disposition of real property managed by the Parks, Recreation and Cultural Affairs Department not currently being used for City purposes. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Gayla McCulloch
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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 12:02 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matter discussed was limited only to that 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 12:07 p.m. with all members of the Council being present.

There being no further business to come before the Council, the meeting was adjourned at 12:08 p.m.

APPROVED this 8<sup>th</sup> day of March, 2011.

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Tommy Roberts, Mayor

SEAL

ATTEST:

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Dianne Fuhrman, City Clerk