

Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 7:00 p.m. on Tuesday, July 12, 2011. 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	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel

constituting all the members of said Governing Body.

Also present were:

CITY MANAGER	Rob Mayes
ASSISTANT CITY MANAGER	Bob Campbell
CITY ATTORNEY	Jay B. Burnham
CITY CLERK	Dianne Fuhrman

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

INVOCATION: The invocation was offered by Pastor David Florez of The Journey Church.

MPO Planner Joe Delmagori led the Pledge of Allegiance.

CONSENT AGENDA: The Mayor announced that those items on the agenda that are marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on 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 amended minutes of the Regular Meeting of the City Council held June 14, 2011; the minutes of the Regular Meeting of the City Council held June 28, 2011; and the minutes of the Regular Work Session of the City Council held June 21, 2011.

*FIRST AMENDMENT TO BUILDING SPACE LEASE between the City and Red, Inc. for lease of 420 square feet of City-owned office space within the Four Corners Regional Airport (Terminal Annex, Suites 16 and 17, eliminating Suites 5 and 6).

*ADOPTION OF RESOLUTION NO. 2011-1401 approving participation in the Local Government Road Fund (LGRF) program administered by the New Mexico Department of Transportation for pavement rehabilitation/improvements for Airport/Municipal Drive from Apache Street to Navajo Street.

*WARRANTS PAYABLE for the time period of June 26, 2011 through July 9, 2011, for current and prior years, in the amount of \$4,392,456.27.

There being no requests to remove any items, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to approve the Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION:

CONSENT AGENDA: Community Development Director Mary Holton requested that the Planning and Zoning Commission recommendation marked with an asterisk () be placed on the Planning and Zoning Commission Consent Agenda and voted on by one motion. She asked that if the item proposed did not meet with approval of all Councilors or if a citizen so

requested, it 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. ZC 11-07 from Aron Largo requesting a zone change from the GC, General Commercial, District to the MU, Mixed Use, District for 0.138 acres located at 411 West Animas Street.

There being no requests to remove the item, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to approve the Planning and Zoning Commission Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

Mayor Roberts convened the public hearing.

CDBG Associate Planner Jay Peterman explained in detail the Draft 2011 Annual Action Plan (Year 3 of the 2009-2014 Consolidated Plan for the period of October 1, 2011 through September 30, 2012), noting that the draft plan includes the projects that were selected by the Council at the June 28, 2011 regular City Council meeting. He also reviewed demographic information contained in Table 8 of the draft plan, noting that the city of Farmington accounted for 49.5 percent of all growth in the county; 12 percent of the "White Only" growth in the county; 65 percent of American Indian growth in the county; and 47 percent of Hispanic growth in the county.

In response to Councilor Fischer, Mr. Peterman confirmed that \$50,000 is not enough money to complete the entire remodel and expansion project being proposed by Childhaven, but stated that the Executive Director has indicated that it will help cover the costs associated with the nursery expansion.

Referring to Table 2 on Page 3 of the draft plan, Councilor Sandel noted that \$1,743 was not spent in 2009 for the rental assistance program, yet pointed out that such program is set to receive the most funding (\$15,692.54) in 2011. In response, Mr. Peterman explained that the prior funds were not spent due to stimulus funding that was received by the agency and noted that the Council chose to grant the four offerors of public service programs \$15,000 each with the highest ranking offeror (San Juan County Partnership - Rental Assistance Program) receiving the additional \$692.54.

Councilor Sandel also questioned whether it would be more prudent to authorize larger amounts than the proposed \$2,000 mini-grants for the downtown façade improvements program. Following brief discussion, it was the consensus of the Council to direct staff to build into the request for proposal process some flexibility so that offerors are not restricted to a certain amount of money.

Lastly, Councilor Sandel noted that the Afterschool Arts Program at the Farmington Boys and Girls Club was recently cut due to lack of funding. He asked City Manager Rob Mayes to determine whether this project was ever funded with City money and asked Mr. Peterman to determine whether it is eligible for CDBG funding. Councilor Sandel stated that he would prefer to fund a program that has been cut due to budgetary constraints than to fund a new program, such as the daycare program for families living in transitional housing as proposed by Childhaven.

There being no response to the Mayor's call for public comment, the public hearing was closed.

In closing, Mr. Peterman stated that he will be seeking final approval of the proposed 2011 Annual Action Plan at the July 26, 2011 regular City Council meeting.

UNFINISHED BUSINESS:

- (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 11-04 from Phillip and Sandy Efird requesting a Special Use Permit

to allow an accessory apartment at 5805 Carl Street in the SF-10, Single-Family Residential, District.

Noting that the subject petition was tabled at the June 28, 2011 regular City Council meeting, the Mayor announced that the petitioner has now submitted a written request to withdraw Petition No. SUP 11-04 from consideration.

- (2) Recommendation from the Metropolitan Planning Organization to approve the MPO Major Thoroughfare Plan, including an alternative for the Northeast Farmington area.

Noting that this item was tabled at the June 28, 2011 regular City Council meeting, Mayor Roberts provided the audience members with a brief synopsis of the discussion from that meeting.

Metropolitan Planning Organization ("MPO") Planner Joe Delmagori reminded the Council that the purpose of the proposed MPO Major Thoroughfare Plan ("MTP") is to identify existing and future roads as a regional planning tool for the local governing bodies. Noting that four alternatives have been developed, he stated that there are a few aspects that are common throughout, including 1) the identification of a secondary parallel road to New Mexico Highway 516 that connects Aztec to Farmington; 2) the extension of a north-south roadway that parallels the Pueblo de Farmington Subdivision from the northernmost point of the city; and 3) the extension of Foothills Drive to intersect with an east-west roadway that connects the proposed north-south roadway to College Boulevard.

Referring to a memorandum from Mr. Delmagori dated July 7, 2011 concerning the history of English Road, Mayor Roberts noted that the most recent action by the Council was in February, 2008 when it passed a motion to "adopt the Planning and Zoning Commission Action Summary and to grant conditional approval to amend the Major Thoroughfare Plan to add Panther Trail as a collector street; to remove "collector street" status from Crestwood Drive between Foothills Drive and the proposed English Drive alignment; and retain the proposed English Drive collector north from Crestwood Estates to the proposed Lakewood Drive alignment." Mr. Delmagori confirmed that this action is reflected in the City's MTP.

In response to inquiry from Councilor Darnell, Mr. Delmagori confirmed that the City's MTP does include the northern extension of Dustin Avenue from Piñon Hills Boulevard.

Councilor Fischer stated that she believes that it is wise for the Council to preserve the Glade as a pristine recreational area that does not include any paved roads.

Councilor Sandel questioned the reasoning behind the proposed parallel road to New Mexico Highway 516. In response, Mr. Delmagori explained that it would help channel some of the non-business traffic away from East Main Street and thereby prevent the need for widening New Mexico Highway 516 since the City of Aztec has expressed its opposition to this option. Councilor Sandel voiced his concern for this alternative, contending that it will be forcing traffic to an already congested area. He referred to the proposed roadway as a "bypass". He also reiterated his position that staff needs to coordinate its proposed plan with the Bureau of Land Management ("BLM") to ensure that the area continues to meet the needs of the community.

Mayor Roberts questioned what will happen if each affected entity (Aztec, Bloomfield, Farmington and San Juan County) adopts a different plan. In response, Mr. Delmagori explained that the MPO Technical and Policy Committees would be tasked with the responsibility of making a recommendation to the other entities until a consensus is reached. He also reminded the Mayor that the MPO MTP is a fluid document that can be amended at any time. In response to additional inquiry from the Mayor, Mr. Delmagori stated that the MPO Policy Committee has recommended adoption of Alternative 1.

Councilor Darnell argued that the proposed parallel road to New Mexico Highway 516 is not a "bypass" but is simply an alternate route to the city.

At the request of Mayor Roberts, Scott Hall, Lands Team Lead for BLM, addressed the Council. He reported that BLM has been involved with the MPO MTP for the past couple of years and stated that adoption of the proposed plan will assist the BLM in amending its Recreation Management Plan, noting that the purpose of the plan is to accommodate all recreational users in the Glade.

Rick Jenkins addressed the Council on behalf of the four-wheel drive community. He contended that the Glade is a source of revenue for the city because it brings tourists to the area. He also questioned how the MPO MTP can be approved without a Notice of Intent to pave Glade Road being issued. In response, Mr. Hall explained that the City is not bound to the same requirements of the BLM and stated that a Notice of Intent is not applicable to the City. Furthermore, Mayor Roberts pointed out that approval of the proposed MPO MTP does not mean that the City plans to pave any of the roadways being identified, but stated that it is simply a planning tool for future use.

Phillip Collard agreed with Mr. Jenkins, contending that paving on or near Glade Road will negatively impact all of the recreational users.

Thereupon, a motion was made by Councilor McCulloch, seconded by Councilor Darnell to adopt the Metropolitan Planning Organization Major Thoroughfare Plan Alternative #3.

Councilor Sandel questioned how this plan will affect English Drive. In response, Mr. Delmagori explained that English Drive will be extended as one continuous segment, in accordance with the City's MTP. Councilor Sandel argued that at the February 26, 2008 regular City Council meeting, it was the intent of the Council to adopt the recommendations from the Planning and Zoning Commission that added a caveat that "if the proposed subdivision north of Crestwood Estates (formerly known as Johnson Subdivision) is constructed before Lakewood Drive, Hood Mesa Trail and College Boulevard (as proposed in the study), that English Drive within the subdivision shall be constructed as two discontinuous segments, north and south of Hood Arroyo."

RECESS:

The Mayor called a recess at 8:32 p.m. to afford the Council the opportunity to review the minutes of the February 26, 2008 regular City Council meeting.

The Mayor reconvened the meeting at 8:46 p.m. with all members of the Council being present.

Mayor Roberts stated for the record that, after reading the Planning and Zoning Commission Meeting minutes from February 14, 2008, it appears that English Drive was to be constructed in two segments if the proposed subdivision north of Crestwood Estates is constructed before Lakewood Drive, Hood Mesa Trail and College Boulevard.

Following further discussion, Councilor Sandel made a motion to amend the original motion to require the MPO MTP Alternative #3 to include the comments from former Community Development Director Mike Sullivan stating, "that the recommendation from P&Z is to not extend English Drive north of Crestwood Estates Subdivision at this time, but to re-evaluate this route if necessary in the future." The motion died for lack of a second.

The Mayor called for the vote upon the original motion to adopt the Metropolitan Planning Organization Major Thoroughfare Plan Alternative #3. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch
Those voting nay:	Mary M. Fischer Jason Sandel

The Mayor voted in favor of the motion and declared the motion carried.

At the request of Councilor Sandel, it was the consensus of the Council to direct staff to schedule discussion of the City's Major Thoroughfare Plan at a future City Council meeting.

City Attorney Jay Burnham presented a proposed ordinance amending certain sections of the Unified Development Code and stated that notice of intent to consider said ordinance has been published two weeks prior to final action upon the ordinance as required by Section 3-17-3 NMSA 1978 Compilation. He recommended the ordinance, if adopted, be given the number 2011-1248. The title of the ordinance being:

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT CODE.

Mr. Burnham explained that the proposed amendments deal with parking in the front yard setback and the filing of vacation/abandonment plats.

After consideration of Ordinance No. 2011-1248, a motion was made by Councilor Darnell, seconded by Councilor McCulloch that said ordinance be passed and adopted as presented. 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, Ordinance No. 2011-1248 was duly passed and adopted.

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. 96-844, et seq.

Approved this 26th day of July, 2011.

Entered in the permanent record book this day of July, 2011.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Fuhrman, City Clerk