

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, July 19, 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:

ASSISTANT CITY MANAGER	Bob Campbell
CITY ATTORNEY	Jay B. Burnham
CITY CLERK	Dianne Fuhrman
DEPUTY CITY CLERK	Melody Coyner

EMPLOYEE OF THE MONTH PROGRAM AWARDS

Employee Council President Annette Lobato read an e-mail from Bruce Holtgren of Cincinnati, Ohio. Mr. Holtgren nominated Street Laborers Vince Woods and Darren Curley as Employees of the Month for May and June, 2011 for their efforts in recovering a check that was blown from his sister's car while she was getting gas at a local service station. The recipients were presented with plaques and gift certificates and the Mayor expressed his appreciation for their dedication to the community.

AGREEMENT BETWEEN THE CITY AND THE NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS

Providing background information, Northwest New Mexico Council of Governments ("COG") Executive Director Jeff Kiely briefly reviewed the documents contained in the additional packet of information that he provided to the Council. He noted that the COG is one of seven Planning & Development Districts established by State statute and designated by the federal Economic Development Administration as an "economic development district," with a jurisdictional area covering Cibola, McKinley and San Juan Counties. He stated that the City of Farmington has been a member of the COG for 22 years. Furthermore, he announced that the COG has received \$1 million from the Environmental Protection Agency ("EPA") Brownfields Assessment Grant, funded by the American Recovery and Reinvestment Act, to be used to revitalize rural or urban industrial commercial sites that are abandoned or underused because of real or perceived contamination and stated that COG is working with staff to identify projects in Farmington's Metropolitan Redevelopment Area that are eligible for the funding. Directing the Council's attention to the "Membership Dues Summary, FY 2004 - FY 2012," Mr. Kiely noted a 33 percent decrease in the COG Member Fund for FY 2011, attributing it to the reductions in membership dues by San Juan County entities. He stated that the COG Board of Directors understands the special circumstances that resulted in last fiscal year's decrease in dues and explained that their goal remains to keep the City's trust and partnership. He proposed a two-year agreement with annual dues of \$25,000 for FY2012 and FY2013, pointing out that the agreement has been simplified giving the Mayor, Council and City Manager the maximum flexibility in calling upon the COG for planning and technical assistance services.

In response to inquiries from Mayor Roberts, Mr. Kiely stated that he has received no complaints indicating that the COG works harder for members in McKinley and Cibola Counties than for members in San Juan County. He also noted that the COG can provide assistance in presenting proposed projects to the State Legislature through its Legislative Assistance Program and can assist staff in obtaining grants.

In response to Mayor Roberts, Assistant City Manager Bob Campbell suggested that a yearly work plan be developed, noting that the City could benefit from the COG's regional transportation and grant writing expertise. He noted that only \$5,000 of the \$25,000 being requested has been budgeted in Fiscal Year 2012.

Councilor Fischer expressed her appreciation for the prior work that the COG has done for the City and questioned whether it could help find grant funding for construction of the proposed Regional Animal Shelter facility.

Following further discussion, Councilors Fischer and Darnell expressed support for the proposed agreement. Noting that the proposed agreement is for two years, Councilor Sandel expressed concern that the agreement does not contain an "escape clause".

Councilor McCulloch stated that she can support the proposed agreement if the City will use the services for projects that would require the hiring of a consultant, explaining that she does not believe that the City has received the full value of membership dues that were paid in the past.

Following brief discussion, Mayor Roberts suggested that the City enter into an agreement with the COG for one year at a time.

Former mayor and alternate COG board member Bill Standley confirmed that an annual work plan will help ensure that the City is receiving the full benefit from the membership dues.

Thereupon, a motion was made by Councilor Fischer, seconded by Councilor Darnell to authorize the Mayor to sign a one-year membership agreement with Northwest New Mexico Council of Governments and that \$25,000 be authorized for the dues. The roll was called with the following result:

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

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

REIMBURSEMENT AGREEMENTS FOR THE RELOCATION OF GATHERING LINES IN THE PORTER ARROYO/ENTERPRISE FIELD SERVICES/WILLIAMS FOUR CORNERS

Providing opening remarks, Public Works Director Jeff Smaka noted that the gas lines to the well site near Piedra Vista High School, operated by Williams Four Corners, LLC ("Williams") and Enterprise Field Services, LLC ("Enterprise"), are currently located in the Porter Arroyo and need to be relocated prior to construction of the Porter Arroyo Detention Pond. He reminded the Council that, at the February 22, 2011 regular City Council meeting, easements were granted to Williams and Enterprise to relocate the gathering lines out of the Porter Arroyo Detention Pond's settling basin area and explained that the proposed agreements are required by Williams and Enterprise to allow the relocation to proceed. He stated that the work will begin approximately 30 to 45 days after execution of the proposed agreements, pending Army Corps of Engineers permits, material availability and weather. In addition, he stated that the estimated relocation cost for the two pipelines is \$147,264 (Enterprise - \$73,020 and Williams - \$74,244) which is budgeted in the 201 Fund for FY12. He requested approval of the proposed reimbursement agreements.

In response to inquiry from Councilor Fischer, Mr. Smaka stated that the Porter Arroyo Detention Pond is planned to withstand a 100-year storm event, which should serve to minimize damage from storms in the future.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to approve the reimbursement agreements between the City and Enterprise Field Services, LLC and Williams Four Corners, LLC, and upon voice vote the motion carried unanimously.

PRESENTATION/CITIZENS' FIRE ACADEMY

Fire Chief Terry Page reported that within the next two months the Fire Department will begin offering a revamped version of the Citizens' Fire Academy. He stated that each class will consist of approximately 10 participants and will be held on a Friday evening, Saturday and Sunday morning. He announced that the Mayor and Council will be receiving an invitation to participate in the first class.

Discussion followed concerning fire safety presentations and/or fire suppression training for the oil and gas industry.

VOTING DELEGATE AND ALTERNATE FOR THE 2010 ANNUAL BUSINESS MEETING OF THE NEW MEXICO MUNICIPAL LEAGUE

A motion was made by Councilor Fischer, seconded by Councilor McCulloch to designate Mayor Roberts as the voting delegate and Councilor Darnell as the alternate voting delegate to represent the City of Farmington at the New Mexico Municipal League Annual Business Meeting, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Fireworks Restrictions/Special Session New Mexico Legislature

Mayor Roberts reported that Governor Susana Martinez has indicated that during an upcoming special session of the New Mexico State Legislature she will be supporting legislation to give municipalities more authority to restrict fireworks.

In response to inquiry from Mayor Roberts, Fire Chief Terry Page stated that it would be possible to identify an area where citizens could display their fireworks under the supervision of the Fire Department, but pointed out that there may be liability issues for the City. The Mayor asked that staff identify potential locations and analyze the liability issues and provide the Council with a report in the next two to three months.

There being no further business to come before the Council, the meeting was adjourned at 9:53 a.m.

APPROVED this 26th day of July, 2011.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Fuhrman, City Clerk