

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, August 2, 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 Gayla McCulloch Jason Sandel
ABSENT	Mary M. Fischer, Councilor

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

GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARD FOR OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING FOR THE CITY OF FARMINGTON FISCAL YEAR 2010 CITIZEN'S FINANCIAL REPORT

Mayor Roberts reported that the City's second annual Citizen's Financial Report for the year ending June 30, 2010 has successfully met the requirements of the Government Finance Officers Association Popular Annual Financial Reporting Awards Program. Noting that a popular annual financial report should be designed to be easily understandable to the general public, he announced that the City's report was recognized for its outstanding achievement in annual financial reporting. Furthermore, he proudly stated that Farmington is one of approximately 200 governmental entities nationwide and the only entity in New Mexico to receive the prestigious award.

Administrative Services Director Andy Mason commended recently-retired Financial Analyst Molly Bondow and Government Relations Director Elizabeth Isenberg for their efforts in compiling the data and designing the first and second editions of the Citizen's Financial Report.

RED APPLE TRANSIT

Assistant City Manager Bob Campbell introduced Frank Tobey, Regional Vice President for First Transit, Inc. He noted that Councilor Fischer had requested that the Council be provided an update on the operations of the Red Apple Transit and apologized for scheduling this item for a meeting where she is absent. He explained that Mr. Tobey's travel arrangements had already been made before he found out about Councilor Fischer's vacation plans.

Mr. Tobey briefly explained the diverse operations of First Transit, Inc., the City's current service provider for the Red Apple Transit. He announced that First Transit has been studying the current operations of the Red Apple Transit and will likely be recommending route changes in the next few months. In response to inquiry from Councilor Darnell, Mr. Tobey confirmed that they will be reviewing the findings of the Red Apple Transit Study that was conducted by the City and will also be gathering their own data before they implement any route changes.

In response to inquiry from Mayor Roberts and Councilor Darnell, Mr. Campbell reported that First Transit has opened an office in Farmington that employs three staff members; confirmed that the Bloomfield route is often full because a smaller van is being utilized; assured the Council that the route changes should rectify some of the problems being experienced; stated that staff is considering implementing some of the non-expenditure items recommended in the Red Apple Transit Study; and announced that he expects the route changes to be implemented by October of this year.

PERMISSION TO DRAFT ORDINANCE DEALING WITH LIQUOR LICENSING

City Clerk Dianne Fuhrman requested permission to draft an ordinance amending Chapter 5, Article 2 of the City Code dealing with liquor licenses. She explained that City Code specifically lists the types of liquor licenses that may be approved by the Council and licensed by the City, but does not include all State classifications such as small brewer and wine grower licenses. She requested permission to draft an ordinance amending Section 5-2-1 of the City Code to include all liquor licenses issued by the State.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor Darnell to direct staff to draft an ordinance amending Chapter 5, Article 2 of the City Code dealing with liquor licensing, and upon voice vote the motion carried unanimously.

NEW MEXICO DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT
2011 HAZ-MAT CHALLENGE TRAINING REIMBURSEMENT GRANT

Firefighter Dennis Bugg noted that the Fire Department's Hazardous Materials Regional Response Team ("Haz-Mat RRT") has an agreement with the State of New Mexico to automatically respond to any Level 2 hazardous materials call within State Police District 10 and anywhere in the state upon request from the New Mexico Department of Public Safety. He explained that the Fire Department has been awarded \$3,127.50 from the New Mexico Department of Homeland Security & Emergency Management ("NMDHSEM") to be used towards participation in the 2011 Haz-Mat Challenge at Los Alamos National Laboratory. Noting that this program helps the firefighters maintain the highest possible level of training, Mr. Bugg stated that the City is required to pay 20 percent of the costs, or \$781.88. He requested approval of the Sub-Grant Agreement as proposed.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to approve the Sub-Grant Agreement between the City and the New Mexico Department of Homeland Security and Emergency Management accepting grant funding in the amount of \$3,127.50, and upon voice vote the motion carried unanimously.

UNFINISHED BUSINESS:

RESOLUTION NO. 2011-1403 APPROVING THE FOURTH AND FINAL REVISION TO THE FY11 BUDGET, INCLUDING TWO CASH LOANS, AND REQUESTING STATE APPROVAL/RESOLUTION NOS. 2011-1404 AND 2011-1405

Reminding the Council that Resolution No. 2011-1403 was tabled at the July 26, 2011 regular City Council meeting, City Manager Rob Mayes stated that staff is now requesting that the Council not adopt Resolution No. 2011-1403 but consider two substitute resolutions instead. He requested adoption of Resolution No. 2011-1404 approving two cash loans between funds for the purpose of preventing negative cash balances in those funds and Resolution No. 2011-1405 approving the fourth and final revision to the FY11 budget and requesting State approval.

Mr. Mayes explained that Resolution No. 2011-1404 authorizes a cash loan of \$77,844 to the Golf Enterprise Fund from the GRT-Parks Fund instead of the General Fund, as previously proposed. He explained that this amendment was made at the recommendation of Councilor Sandel at the July 26, 2011 regular City Council meeting. He also assured the Council that staff is in the process of reviewing the City's Health Insurance plan and stated that recommendations to the plan will be presented to the Council for consideration in the near future.

Councilor Sandel explained that his primary objection to the proposed resolutions is that it appears that staff is spending beyond their means and then correcting the issue after the fact. He stated that he believes that staff should have taken corrective measures during the fiscal year to prevent cash shortfalls at the end of the budget cycle. He asked staff to explain 1) how they determined which fund the monies were going to be borrowed from; 2) the timeframe in which the loans are to be repaid; and 3) whether the amount will be "gifted" after a certain amount of time has passed if the loan cannot be repaid. He also stated that he believes that it is more prudent for the proposed loan to the Health Insurance Fund to be granted from the General Capital Projects Fund (408 Fund) instead of the General Fund Cash Reserves. As a result, he asked that the Council consider amending proposed Resolution No. 2011-1404 to include the following: 1) insert a new "whereas" paragraph between the first and second whereas statements to clarify that \$396,692 will be transferred from the General Fund to the 408 Fund; 2) that a

new "whereas" paragraph be inserted immediately following the above-mentioned paragraph to require the 408 Fund to grant a loan to the Health Insurance Fund; 3) that a new "whereas" paragraph be inserted between the second and third whereas statements to indicate that the GRT-Parks and 408 Funds will be repaid by the Golf Fund and Health Insurance Fund, respectively, no later than June 30, 2012. If that does not occur, each fund will be reduced by the amount of the loan, as payment of the debt, and that the FY2012 budget for each loaning fund will be reduced by the repayment amount; and 4) a new "whereas" paragraph being inserted after the above-mentioned paragraph to require staff to develop a plan prior to December 31, 2011 to ensure solvency in the two enterprise funds.

Councilor Darnell stated that he would prefer to gift the monies, instead of loaning, to the two funds and then consider staff's recommendations for making the funds solvent in the next fiscal year.

Mr. Mayes explained the extenuating circumstances that caused the Health Insurance Fund to have a deficit balance. He also noted that, unless other action is taken by the Council, the loans would extend only to the end of Fiscal Year 2012 and assured the Council that staff is working diligently to develop recommendations for improving the financial stability of the Golf and Health Insurance Funds. He reminded the Council, however, that the recommendations will be policy changes that will require the support and approval of the Council.

Following further discussion, a motion was made by Councilor Sandel, seconded by Councilor Darnell to adopt Resolution No. 2011-1404, as presented.

A motion was then made by Councilor Sandel to amend Resolution No. 2011-1404 to include his recommendation to 1) insert a new "whereas" paragraph between the first and second whereas statements to clarify that \$396,692 will be transferred from the General Fund to the 408 Fund; 2) that a new "whereas" paragraph be inserted immediately following the above-mentioned paragraph to require the 408 Fund to grant a loan to the Health Insurance Fund; 3) that a new "whereas" paragraph be inserted between the second and third whereas statements to indicate that the GRT-Parks and 408 Funds will be repaid by the Golf Fund and Health Insurance Fund, respectively, no later than June 30, 2012. If that does not occur, each fund will be reduced by the amount of the loan, as payment of the debt, and that the FY2012 budget for each loaning fund will be reduced by the repayment amount; and 4) a new "whereas" paragraph being inserted after the above-mentioned paragraph to require staff to develop a plan prior to December 31, 2011 to ensure solvency in the two enterprise funds. Councilor McCulloch seconded the motion for discussion purposes.

At the request of Councilor McCulloch, Councilor Sandel further explained his reasoning for requesting the amendments to the proposed resolution.

Following further consideration, the Mayor called for the vote upon the motion to amend Resolution No. 2011-1404 as recommended by Councilor Sandel. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch Jason Sandel
Those voting nay:	None
Those absent:	Mary M. Fischer

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

The Mayor called for the vote upon the original motion to adopt Resolution No. 2011-1404 as amended. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch Jason Sandel
Those voting nay:	None
Those absent:	Mary M. Fischer

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried and Resolution No. 2011-1404 was duly passed and adopted, as amended.

Following consideration of Resolution No. 2011-1405, Councilor Sandel made a motion that said resolution be passed and adopted, provided that it be amended so that it comes into compliance with Resolution No. 2011-1404. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch Jason Sandel
Those voting nay:	None
Those absent:	Mary M. Fischer

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried and Resolution No. 2011-1405 was duly passed and adopted.

APPOINTMENTS TO THE ANIMAL SERVICES ADVISORY COMMISSION

Mayor Roberts asked the Council to consider appointing the following individuals to the newly-created Animal Services Advisory Commission: Manuel Garcia (Veterinarian - 2 year term); Betty Berry (San Juan Animal League Representative - 1 year term); Terry Walker (Humane Society of the Four Corners Representative - 3 year term); Molly Bondow (At Large - 3 year term); Peter Saltzman (At Large - 3 year term); John Roe (At Large - 2 year term); Marcy Eckhardt (At Large - 1 year term); Jamie Horton (1st Alternate - 3 year term); and Dana Park (2nd Alternate - 3 year term). Mayor Roberts explained that the alternates will be expected to attend all meetings of the Animal Services Advisory Commission but explained that the first alternate will only be allowed to vote if there is an absence by one of the regular members and that the second alternate will only be allowed to vote if there are two absences.

In response to inquiry from Councilor Darnell, Mayor Roberts stated that the newly-formed Commission will serve in an advisory capacity to the Parks, Recreation and Cultural Affairs Commission.

Following consideration, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to confirm the appointments of Manuel Garcia (term to August 2013); Betty Berry (term to August 2012); Terry Walker (term to August 2014); Molly Bondow (term to August 2014); Peter Saltzman (term to August 2014); John Roe (term to August 2013); and Marcy Eckhardt (term to August 2012) as members of the Animal Services Advisory Commission and the appointments of Jamie Horton (term to August 2014) and Dana Park (term to August 2014) as alternate members of the Animal Services Advisory Commission, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

City Policy Concerning Dogs at Ricketts Park

In response to inquiry from Mayor Roberts, Parks, Recreation and Cultural Affairs Director Jeff Bowman explained that there is no written City policy prohibiting dogs at Ricketts Park. However, he noted that dogs are not allowed inside the stadium during the Connie Mack World Series due to the number of people in attendance of the games.

There being no further business to come before the Council, the meeting was adjourned at 10:23 a.m.

APPROVED this 23rd day of August, 2011.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Fuhrman, City Clerk