

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, September 15, 2009 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	William E. Standley
COUNCILORS	Dan Darnell Mary M. Fischer George F. Sharpe 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

FINAL REPORT FROM THE PUBLIC INEBRIATION RESPONSE TASK FORCE

Providing opening remarks, Northwest New Mexico Council of Governments ("COG") Deputy Director Jeff Kiely stated that today's report is closing the chapter on the first phase of the effort to improve the public inebriation response system within the community. He reviewed the information provided to the Council in the handout titled, "Summary of Recommendations", noting that the four domains currently at work within the system are: 1) prevention; 2) correction; 3) protection and 4) rehabilitation. He also reviewed the projects and programs that have been identified through each of the four domains and emphasized the need for the public to embrace the programs in order to ensure that the recommendations are completed. Furthermore, he emphasized the need for a public information program that keeps the community advised of the progress that is being made.

Discussion followed concerning prevention programs for children and Native Americans and sentencing options for individuals found guilty of public inebriation.

In response to inquiry from Councilor Sandel, Mr. Kiely stated that the goal of the Task Force is to reduce public inebriation within the city of Farmington.

Following lengthy discussion, it was the consensus of the Council to ask San Juan Safe Communities Initiative ("SJSCI") to assume the role of coordinating the Task Force and the implementation of the recommendations. It was also suggested that COG be retained as a resource for SJSCI and the Task Force. Councilor Fischer reiterated that performance expectations should be identified in order to measure the success of the program and the service providers.

In response to comments made by Councilor Fischer, Mr. Kiely stated that the COG will work closely with the City to pursue a local option liquor excise tax without jeopardizing existing state funding.

WATER AND WASTEWATER LINE INSTALLATION/BUREAU OF LAND MANAGEMENT FACILITY/COLLEGE BOULEVARD AND SANDALWOOD DRIVE

Public Works Director Jeff Smaka requested Council approval to authorize the Mayor to execute a Solicitation/Contract/Order for Commercial Item Agreement ("SCOCIA") between the City and the Bureau of Land Management ("BLM") for construction of a water and sanitary sewer line to the new BLM facility to be located at College Boulevard and Sandalwood Drive. He noted that BLM has secured the funding for the project through the American Recovery and Reinvestment Act of 2009 and

stated that the City will be fully reimbursed for all expenses incurred for the project. He announced that BLM Assistant Field Manager Joel Farrell is present in the audience to answer any questions the Council may have.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor Sharpe to authorize the Mayor to enter into a Solicitation/Contract/Order for Commercial Item Agreement between the City and the Bureau of Land Management for construction of a water line and a sanitary sewer line to the new BLM facility to be located at College Boulevard and Sandalwood Drive, and to authorize the City Manager to sign all other related documents on behalf of the City, and upon voice vote the motion carried unanimously.

GAS PREPAY ARRANGEMENT WITH THE NEW MEXICO MUNICIPAL ENERGY ACQUISITION AUTHORITY

Electric Utility Director Maude Grantham-Richards reminded the Council that on October 14, 2008, Resolution No. 2008-1297 was adopted approving the Gas Prepay Arrangement with the New Mexico Municipal Energy Acquisition Authority ("NMMEAA") and authorizing the Mayor to sign the Gas Supply Agreement, Amendment No. 1 to the Gas Purchase and Sale Agreement between the City and BP Energy Company ("BP"), and the Financial Guaranty Agreement. She explained that due to the downturn in the financial market, that transaction is no longer appropriate for the current economic environment. She stated that John Gregg, attorney with Miller, Balis & O'Neil and Don Black of BP are present in the audience to discuss a variable rate discount gas prepay arrangement with NMMEAA, instead of the fixed rate that was previously approved.

Mr. Gregg reviewed in detail the proposed transaction and assured the Council that it will not jeopardize the City's existing contract with BP. He also stated that Royal Bank of Canada ("RBC") will be taking steps to control the interest rate volatility in an effort to ensure that the City receives the best possible savings. He also noted that, should interest rates invert causing a negative discount, the City can terminate the agreement with NMMEAA and revert to the existing BP contract.

Following further discussion, Councilor Fischer stated that she is skeptical of the proposed transaction, referring to it as a "shell game."

In closing, Ms. Grantham-Richards stated that the variable discount gas prepay arrangement will be presented to the Public Utility Commission on September 16, 2009 and their recommendation forwarded to the Council for consideration at the October 13, 2009 regular City Council meeting.

DISCUSSION/PROPOSED RESOLUTION CONCERNING REGIONAL HAZE RULE

Councilor Sharpe stated that he was recently contacted by Richard Grimes, Environmental Health and Safety Manager for Arizona Public Service ("APS")/Four Corners Power Plant ("Power Plant") concerning the cost implications of the Environmental Protection Agency's Advance Notice of Proposed Rulemaking requesting a reduction in regional haze and emissions. He asked the Council for a consensus to direct staff to draft a resolution that supports the economic contributions of APS and the Power Plant to our community.

Councilor Fischer expressed opposition to the proposed resolution, contending that APS needs to clean up emissions from the Power Plant.

Following further discussion, it was the consensus of a majority of the Council to direct staff to draft a resolution that supports the economic contributions of APS and the Power Plant to our community.

Councilor Sharpe suggested that Mr. Grimes or someone from the New Mexico Environmental Department be present at the meeting to address local air quality issues.

Councilor Fischer stated that she has heard that the Environmental Protection Agency has lowered the ozone emission standards which will cause this area to fall below attainment levels. She asked staff to research the matter.

COUNCIL BUSINESS

Stroke Survivors

Councilor Fischer reported that she recently attended a meeting of stroke survivors where it was suggested that the City consider increasing the fine for illegal parking in handicapped zones from \$50 to \$500. She also stated that it was suggested that handicap access be improved at the Civic Center and Lions Wilderness Park Amphitheater.

Traffic Complaints at Piedra Vista High School

Councilor Fischer announced that she has received a complaint that students from Piedra Vista High School are driving in both lanes of the roadway and are forcing other drivers off the road. She asked that the Police Department increase traffic patrols during the times before and after school.

Farmington Post Office

Councilor Fischer stated that the overall appearance at the Farmington Post Office remains shabby. Noting that Sergeant Cordell was denied when he offered the assistance of detained juveniles to clean up the area, she suggested that the Post Office be cited for City code violations.

2009 Rotary Air Show

Councilor Darnell thanked the Farmington Police and Fire Departments, the Sheriffs Office and emergency medical service providers for their assistance with the 2009 Rotary Air Club Show that was held at the Four Corners Regional Airport on September 12, 2009.

Request for Recognition of the New Mexico National Guard

Councilor Darnell reported that he has received a letter from Richard Rogge and his family requesting that the City honor the men and women of the New Mexico National Guard. Mayor Standley pointed out that the National Guard is recognized at the All Veterans Memorial Park and is honored annually on Memorial and Veterans Days.

Following brief discussion, it was determined that it would be inappropriate to honor one branch of the military and not the others.

Wildlife in and around City parks

Councilor Sandel stated that he has received calls concerning predatory wildlife in and around Sandalwood Park and the North Foothills area. In response, Police Chief Jim Runnels stated that he will contact the New Mexico Game and Fish Department for information on how to protect against predatory wildlife.

CLOSED MEETING

A motion was made by Councilor Sharpe, seconded by Councilor Darnell to close the meeting to discuss request for proposals for a multi-term contract for annual aerial inspections. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer George F. Sharpe 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.

The Mayor convened the closed meeting at 11:33 a.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 Fischer, seconded by Councilor Darnell to

open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 11:34 a.m. with all members of the Council being present.

REQUEST FOR PROPOSALS FOR MULTI-TERM CONTRACT FOR ANNUAL AERIAL INSPECTIONS

Purchasing Supervisor Kristi Benson announced that proposals for a multi-term contract for annual aerial inspections (Vehicle Maintenance) opened on August 25, 2009 with three offerors participating. She recommended that the contracts be awarded per category (Categories A and C - Diversified Inspections/ITL, Inc. and Category B - American Inspection and Test, Inc.) based upon the pricing schedule for services.

Thereupon, a motion was made by Councilor Fischer, seconded by Councilor Sharpe to award the proposal for a multi-term contract for annual aerial inspections to the lowest and best bidder per category (Categories A and C - Diversified Inspections/ITL, Inc. and Category B - American Inspection and Test, Inc.), as recommended by the Purchasing Supervisor, and upon voice vote the motion carried unanimously.

There being no further business to come before the Council, a motion was made by Councilor Fischer, seconded by Councilor Sharpe to adjourn the meeting at 11:35 a.m., and upon voice vote the motion carried unanimously.

APPROVED this 13th day of October, 2009.

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William E. Standley, Mayor

SEAL

ATTEST:

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Dianne Fuhrman, City Clerk