

## A G E N D A

. . . for the Regular Meeting of the Farmington City Council to be held at 7:00 p.m., Tuesday, October 13, 2009 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico. . .

1. Roll Call and Convening the Meeting:
2. Invocation: Associate Pastor Larry Moore of World Harvest Center.
3. Pledge of Allegiance:
4. Acceptance of Consent Agenda: Those items on the agenda that are marked with an asterisk (\*) have been placed on the Consent Agenda and will be voted on with one motion. If any item proposed does not meet with approval of all Councilors or if a citizen so requests, that item will be heard under Business from the Floor.
5. \*Approval of Minutes for:
  - (a) the Regular Meetings of the City Council held September 8, 2009 and September 22, 2009; and
  - (b) the Regular Work Session of the City Council held September 15, 2009.
6. \*Approval of Bid for purchase of shielded copper cable and tray cable (Electric Utility) being awarded to Wesco Distribution as the lowest and best bidder meeting specifications after application of five percent in-state preference (\$47,042.70), and to reject the Alternate bid received from Summit Electric Company for being non-responsive and not meeting specifications. Bids opened September 29, 2009 with nine bidders participating.
7. \*Approval of Application for Federal Assistance/S\*T\*O\*P\* Violence Against Women Formula Grant for funding in the amount of \$111,992 to provide a specially trained unit of certified law enforcement officers (Domestic Violence Advocacy and Law Enforcement Response Team – DVALERT) to work in conjunction with existing victim advocates and improve police response to victims of domestic violence and stalking.
8. \*Approval of Purchase Agreement between the City and The Spare Rib Barbeque, Inc. for purchase of City-owned property located near the northeast intersection of Fairgrounds Road and East Main Street. (purchase price \$42,500)
9. \*Approval of Recommendation from the Parks, Recreation & Cultural Affairs Commission to designate the name for the new park located in the Pueblo de Farmington Subdivision as “Milagro Park”.

10. \*Approval to Adopt Resolution No. 2009-1329 approving the Auburn Avenue Resurfacing project and accepting funds from the New Mexico Department of Transportation 2009/2010 Municipal Arterial Program (M.A.P.) for such project.
11. \*Approval of Warrants up to and including October 10, 2009.
12. Public Hearing to receive comments and suggestions regarding uses for FY 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funding which the Farmington Police Department is eligible to receive (\$69,161 to be received by the Farmington Police Department and \$36,492 to be received by the San Juan County Sheriff's Office, for a total funding amount of \$105,653); **AND**  
Authorization to expend FY 09 JAG Program Funds.
13. Recommendation from the Public Utility Commission to adopt a resolution approving the Gas Prepay Arrangement with the New Mexico Municipal Energy Acquisition Authority and authorizing the Mayor to sign the Gas Supply Agreement (term to 2039) and Addendum No. 1 to the Gas Purchase and Sale Agreement dated July 21, 2004 between the City and BP (term to 2020).
14. Recommendation from the Metropolitan Redevelopment Agency Board to adopt a resolution adopting the Metropolitan Redevelopment Area Plan.
15. Recommendations from the Planning and Zoning Commission:

Acceptance of Consent Agenda: Those items marked with an asterisk (\*) have been placed on the Planning and Zoning Commission Consent Agenda and will be voted on with one motion. If any item does not meet with approval of all Councilors or if a citizen so requests, that item will be removed from the Consent Agenda and heard in regular order.

- \* (1) Adoption of the Planning and Zoning Commission Action Summary and approval of Petition No. ZC 09-06 from Navajo United Methodist Center, represented by Susan Kimbler, requesting a zone change from the RE-20, Residential Estate, District to the MF-L, Multi-Family Low Density, District to allow the petitioner to apply for a Special Use Permit to expand a group care facility and operate a daycare at 1200 West Apache Street on 14.71 acres (see concurrent Petition Nos. SUP 09-17A and SUP 09-17B).

The recommendation of the Planning and Zoning Commission passed by a vote of 5-0 on September 24, 2009.

- \* (2) Adoption of the Planning and Zoning Commission Action Summary and approval of Petition No. SUP 09-17A from Navajo United Methodist Center, represented by Susan Kimbler, requesting a Special Use Permit to expand a group care facility located at 1200 West Apache Street in the MF-L, Multi-Family Low Density, District, subject to:

- (a) the petitioner providing proof of licensing by and in compliance with the rules of the State of New Mexico for group care facilities; and
- (b) the petitioner providing parking and circulation for the property in compliance with Article 5 of the Unified Development Code; **AND**

Adoption of the Planning and Zoning Commission Action Summary and approval of Petition No. SUP 09-17B from Navajo United Methodist Center, represented by Susan Kimbler, requesting a Special Use Permit to operate a daycare facility at 1200 West Apache Street in the MF-L, Multi-Family Low Density, District, subject to:

- (a) the petitioner providing proof of licensing by and in compliance with the rules of the State of New Mexico for daycare facilities; and
- (b) the petitioner providing parking and circulation for the property in compliance with Article 5 of the Unified Development Code.

The recommendation of the Planning and Zoning Commission passed by a vote of 5-0 on September 24, 2009.

- (3) Adoption of the Planning and Zoning Commission Action Summary and denial of Petition No. ABD 09-03 from Manuel C. Hastings, represented by Manalynn Cooper, requesting full abandonment of the southern portion of the Mossey Cup Drive right-of-way, but approval of the petition for partial abandonment for that portion of Mossey Cup Drive that is unimproved, subject to:

- (a) retention by the City of a strip of land that would provide City access to the park property located to the south (no public access);
- (b) the applicant conveying to the City an easement across a portion of the 20-foot strip of land at the south end of Mossey Cup Drive to allow for the continuation of access to the park property for City use only;
- (c) retention of all necessary utility easements; and
- (d) the applicant being responsible for the preparation of a summary subdivision plat that would combine the areas to be abandoned with the adjoining lots and recorded by October 1, 2010.

The recommendation of the Planning and Zoning Commission passed by a vote of 5-0 on September 24, 2009 (see Staff Memo).

16. Unfinished Business:

- 1) Approval for Adoption of a resolution urging the Environmental Protection Agency to balance the need for clean air and good visibility with the need to preserve businesses that contribute to the economic health of the area. **[Tabled at the October 6, 2009 Work Session]**

17. New Business:

- (a) Mayor
- (b) Councilors
- (c) City Manager
- (d) City Attorney
- (e) City Clerk

18. Business from the Floor:

- (1) Items removed from Consent Agenda for discussion.
- (2) Any other Business from the Floor.

19. Adjournment.

**AGENDA ITEM SUPPORT MATERIALS ARE AVAILABLE FOR INSPECTION AND/OR PURCHASE AT THE OFFICE OF THE CITY CLERK, 800 MUNICIPAL DRIVE, FARMINGTON, NEW MEXICO.**

**ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.**