

A G E N D A

. . . for the Regular Meeting of the Farmington City Council to be held at 7:00 p.m., Tuesday, December 8, 2009 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico. . .

1. Roll Call and Convening the Meeting:
2. Invocation: Father Robert Bailey of St. John's Episcopal Church.
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 Meeting of the City Council held November 24, 2009; and
 - (b) the Regular Work Session of the City Council held November 17, 2009.
6. *Approval of Access and Utility Easement between the City and John Greaney, Jr. and Cathy Greaney, Jeffrey and Marlene Ring, Jeff Groves, Alysia Greaney and Rick and Priscilla Mace conveying a perpetual easement and right-of-way over, across and through a portion of City-owned property (the former D&RGW Railroad right-of-way) located south of the Old Aztec Highway outside the city limits.
7. *Approval of Project Agreement No. 10-PT-RF-035 between the City and the New Mexico Department of Transportation Traffic Safety Bureau for Selective Traffic Enforcement Program (S.T.E.P.) grant funding in the amount of \$15,837 for traffic safety enforcement (term to September 30, 2010).
8. *Approval of Sub-Grant Agreement (Agreement #DPSJAG09REGII) between the City and the New Mexico Department of Public Safety for funding in an amount not to exceed \$262,215 from the Edward Byrne Memorial Justice Assistance Grant Program for the Region II Law Enforcement Multi-Jurisdictional Task Force (term to June 30, 2011).
9. *Approval of Warrants up to and including December 5, 2009.
10. Proclamation declaring December 15, 2009 as "Birthday for the First 10 Amendments Day".

11. Scheduled Presentation:

- (1) Ceremonial check in the amount of \$500 from Waste Management to Esperanza Elementary School as winners of the Farmington Municipal Schools recycling contest. (Marlene Feuer)

12. Unfinished Business:

- (1) Adoption of the Planning and Zoning Commission Action Summary and approval of Petition No. PD 09-02 from Geltmore LLC, represented by Charles Price, requesting approval of a planned development of 250.97 acres and of the Master Plan for property located north of Piñon Hills Boulevard across from the Sports Complex and east of La Plata Highway, subject to:
 - (a) a Traffic Impact Analysis for the entire Master Plan being submitted to the City Engineer for review and consideration with regard to access and subdivision improvements for on- and off-site infrastructure design, traffic signals, street lighting, etc. prior to the submittal of any preliminary plan to the Community Development Department.;
 - (b) the Developer providing a second access onto Piñon Hills Boulevard at the first phase of the development to meet the recommendations that result from the Traffic Impact Analysis and to meet the requirements of the Unified Development Code; and
 - (c) a copy of the New Mexico Department of Transportation permit allowing access to La Plata Highway being provided to the Community Development Department prior to the submittal of any preliminary plan.

The recommendation of the Planning and Zoning Commission passed by a vote of 6-0 on June 11, 2009.

- (2) Adoption of the Planning and Zoning Commission Action Summary and approval of Petition No. ANX 09-01 from Geltmore LLC, represented by Charles Price, requesting an annexation of 250.97 acres of property located north of Piñon Hills Boulevard across from the Sports Complex and east of La Plata Highway.

The recommendation of the Planning and Zoning Commission passed by a vote of 6-0 on June 11, 2009.

- (3) Adoption of the Planning and Zoning Commission Action Summary and denial of Petition No. MTPA 09-01 requesting inclusion of the spine road for La Plata Ranch Subdivision as a minor arterial on the Master Plan, but approval of including the spine road for La Plata Ranch Subdivision as a collector street on the Master Plan, subject to Council approval of the Planned Development Master Plan and completion of the annexation of La Plata Ranch.

The recommendation of the Planning and Zoning Commission passed by a vote of 6-0 on June 11, 2009.

- (4) Preliminary approval of La Plata Ranch Public Improvement District (PID).
- (5) Discussion and approval of the revised La Plata Ranch Annexation/Development Agreement (the revised Agreement will be distributed at the meeting) **[The above items were tabled at the October 6, 2009, November 3, 2009 and November 17, 2009 City Council Work Sessions and November 10, 2009 Regular City Council Meeting]**

13. New Business:

- (a) Mayor
 - (1) Resolution
-urging the Governor and State Legislature to oppose the repeal of the hold harmless provision for local governments for gross receipts taxes on food and medical services.
- (b) Councilors
- (c) City Manager
- (d) City Attorney
 - (1) Resolution
-opposing New Energy Economy's petition to the New Mexico Environment Improvement Board.
 - (2) Proposed Ordinance – Discussion
-clarifying that a business license or business registration may be revoked for failure of the business to comply with state law; making it a violation of the peddlers and solicitors ordinance to fail to leave promptly or to solicit outside of permitted hours.
(Final action January 12, 2010)
 - (3) Ordinance No. 2009-1219 – Final Action
-authorizing the execution and delivery of a Loan and Subsidy Agreement ("Loan Agreement") by and between the City of Farmington, New Mexico (the "governmental unit") and the New Mexico Finance Authority, evidencing a special limited obligation of the governmental unit to pay a principal amount of no more than one million fifty-four thousand eight hundred forty-four dollars (\$1,054,844), together with interest, costs of issuance and administrative fees thereon, and to accept a loan subsidy of no more than one million fifty-four thousand eight hundred forty-four dollars (\$1,054,844), for the purpose of financing the costs of improvements to the governmental unit's water utility system ; providing for the payment of the principal of, administrative fees and

interest due under the Loan Agreement solely from the pledged revenues; setting a maximum interest rate for the loan; approving the form of and other details concerning the Loan Agreement; ratifying actions heretofore taken; repealing all action inconsistent with this ordinance; and authorizing the taking of other actions in connection with the execution and delivery of the Loan Agreement. (Published November 23, 2009)

- (4) Ordinance No. 2009-1220 – Final Action
-amending certain sections in Chapter 19 of the City Code dealing with oil and gas wells. (Published November 22, 2009)

(e) City Clerk

- (1) Request for authorization to draft an annexation ordinance clarifying the city limit boundary for the Harper Hill area (south of County Road 6100 and west of Boyle Road).

14. Business from the Floor:

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

15. 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.