AGENDA

... for the Regular Meeting of the Farmington City Council to be held at 6:00 p.m.,
Tuesday, March 12, 2019 in the Council Chamber, City Hall, 800 Municipal Drive,
Farmington, New Mexico...

1. Roll Call and Convening the Meeting:

2. Invocation: Pastor Dan Mauldin of Grace Baptist 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
without discussion 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 February 26, 2019; and

(b) the Regular Work Session of the City Council held February 19, 2019.

6. *Approval of Bid for phase two of the east sanitary sewer interceptor rehabilitation
(Public Works) being awarded to AUI, Inc. as the lowest and best bidder
meeting specifications after application of five percent in-state preference
($2,998,068). Bids opened February 19, 2019 with two bidders
participating.

7. *Approval of Memorandum of Agreement between the City and NECK, LLC for
donation to the City of six parcels of property (approximately 80 acres) for
the purpose of providing non-motorized recreation, education and open
space with connectivity to Lake Farmington and the bicycle trails located on
Bureau of Land Management property. (Section 18, Township 30 North,
Range 12 West)

8. *Approval of Land Exchange Agreement between the City and William D. and
Judith M. Anglin for exchange of property located at 765 South Miller
Avenue (from William D. and Judith M. Anglin to the City) and property
located at 1903-2009 Southside River Road (from the City to William D.
and Judith M. Anglin).

9. *Approval for Adoption of Resolution No. 2019-1699 urging the House and Senate
leadership and the Governor of the State of New Mexico to approve three
project proposals for improvements to the Bonnie Dallas Senior Center as
detailed in the 2020 Capital Outlay application.
10. *Approval of Adoption of Resolution No. 2019-1700 approving the San Juan Boulevard Restoration Project (South Butler Avenue to East Main Street) and accepting funds from the New Mexico Department of Transportation 2020 Municipal Arterial Program (M.A.P) for such project. 

11. *Approval for Adoption of Resolution No. 2019-1701 approving the East Main Street Resurfacing Project (South Miller Avenue to North Butler Avenue) and accepting funds from the New Mexico Department of Transportation's 2019/2020 Local Government Road Fund (LGRF) for such project. 

12. *Approval for Adoption of Resolution No. 2019-1702 accepting and approving the Fiscal Year 2018 Audit. 

13. *Approval of Recommendation from the Liquor Hearing Officer for approval of Application No. 1105393 for transfer of ownership of inter-local Dispenser Liquor License No. 2775 (on premise consumption only with patio service) from Farmington Hotel Assets, LLC formerly doing business as Courtyard at Marriott Farmington, 560 Scott Avenue, Farmington, New Mexico to D Farm, LLC doing business as Courtyard by Marriott Farmington, 560 Scott Avenue, Farmington, New Mexico. (Hearing held February 28, 2019) 

14. *Approval of Warrants up to and including March 9, 2019. 

15. Recommendation from the Planning and Zoning Commission: 

Acceptance of Consent Agenda: The item marked with an asterisk (*) has been placed on the Planning and Zoning Commission Consent Agenda and will be voted on without discussion. If the item does not meet with approval of all Councilors or if a citizen so requests, the item will be removed from the Consent Agenda and heard in regular order. 

*(1) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Action Summary to approve Petition No. ZC 19-06 from the City of Farmington, represented by Assistant City Manager Julie Baird, requesting a zone change from the RE-20, Residential Estate 20, District to the GC, General Commercial, District for property located south of West Main Street and north of the intersection of West Apache Street and Westland Park Drive. 

The recommendation of the Planning and Zoning Commission passed by a vote of 7-0 on February 28, 2019. (Gary Leikness) 

16. New Business: 
   (a) Mayor 
   (b) Councilors 
   (c) City Manager
17. **Business from the Floor:**

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

18. **Closed Meeting** to discuss request for qualification-based proposals for professional surveying services, pursuant to Section 10-15-1H(6) NMSA 1978.

19. **Proposal:** Recommendation from the Chief Procurement Officer to award the qualification-based proposal for professional surveying services (Electric) to Souder, Miller & Associates as the top evaluated firm after application of five percent in-state preference. Proposals opened January 8, 2019 with eight offerors participating.

20. **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.
TO: Mayor Duckett and City Council
FROM: Rosalyn Potter
 Contracts Administrator
DATE: February 26, 2019
SUBJECT: East Sanitary Sewer Interceptor Rehab - Phase II, Bid #19-130231
USING DEPARTMENT: Public Works

A bid opening was held on February 19, 2019 for East Sanitary Sewer Interceptor Rehab - Phase II. Two (2) bidders responded.

The Central Purchasing Department concurs with the recommendation from Public Works to award the bid to AUI, Inc. from Albuquerque, NM, a responsible bidder submitting the lowest responsive bid meeting specifications for a total awarded amount of $2,998,068.00 plus estimated applicable taxes of $247,340.61. All bidders qualified for the in-state preference.

Rosalyn Potter (Presenter)
Council Meeting 03/12/19

Copy to: Teresa Emrich, Administrative Services Director (Acting)
David Sypher, Public Works Director
Jeff Smaka, Water/Wastewater Administrator

File - 19-130231
CITY OF FARMINGTON - ABSTRACT
EAST SANITARY SEWER INTERCEPTOR REHAB - PHASE II
COF PROJECT #18-09
BID #19-130231
OPENING DATE: February 21, 2019 @ 2:00 P.M.

<table>
<thead>
<tr>
<th>Public Works</th>
<th>AUI, Inc.</th>
<th>RMCi, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENGINEER'S ESTIMATE $2,850,000</td>
<td>PO Box 9825</td>
<td>6211 Chappell RD, NE</td>
</tr>
<tr>
<td></td>
<td>Albuquerque, NM 87119</td>
<td>Albuquerque, NM 87113</td>
</tr>
<tr>
<td></td>
<td>Darrin Howells</td>
<td>Steven J. Duffy</td>
</tr>
<tr>
<td></td>
<td>505-242-4848</td>
<td>505-345-0008</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:darrinh@auiinc.com">darrinh@auiinc.com</a></td>
<td><a href="mailto:sduffy@rmci.com">sduffy@rmci.com</a></td>
</tr>
</tbody>
</table>

| | TOTAL BID: | $2,998,068.00 | $3,079,350.00 |
| | ESTIMATED APPLICABLE TAXES: | $247,340.61 | $254,046.38 |
| | BIDDER'S ESTIMATE OF TAXES FORM INITIALED: | YES | YES |
| | BID SIGNED: | YES | YES |
| | NM CONTRACTOR'S LICENSE NO.: | 20617 | 31964 |
| | NM DEPT OF WORKFORCE SOLUTIONS - PUBLIC WORKS NO.: | 189272011615 | 185042011510 |
| | RESIDENT PREFERENCE CERTIFICATE: | YES | YES |
| | FOUR (4) ADDENDA ACKNOWLEDGED: | YES | YES |
| | LIST OF SUBCONTRACTORS: | YES | YES |
| | BID BOND ENCLOSED: | YES | YES |
| | BIDDER'S QUALIFICATIONS: | YES | YES |
| | DRUG-FREE WORKPLACE CERTIFICATION: | YES | YES |
| | CONTRACTOR'S SAFETY CERTIFICATION: | YES | YES |
Memorandum of Agreement  
Between  
City of Farmington and NECK, LLC

WHEREAS, NECK, LLC wishes to donate six (6) parcels of property totaling approximately 80 acres to the City of Farmington (hereinafter referred to as the City) for the purpose of providing non-motorized recreation, education and open space with connectivity with Lake Farmington and bike trails on BLM land; and

WHEREAS, NECK, LLC wishes are further outlined in Exhibit A; and

WHEREAS, The City of Farmington wishes to obtain the parcels of property from NECK, LLC for use as an open space, educational and recreational property; and

WHEREAS, The City of Farmington wishes to enhance and expand outdoor recreation offerings within the City; and

WHEREAS, the parcel is minimally developed land serving as open space adjacent to BLM land and near Lake Farmington

NOW THEREFORE, the terms of understanding are stated below:

1) The property is located in the city limits of Farmington and is legally described as:

A tract of land lying in the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW/4 SE/4 NE/4) of Section Eighteen (18), Township Thirty (30) North, Range Twelve (12) West, N.M.P.M., more fully described as follows:

BEGINNING at the Northwest corner of the SW/4 SE/4 NE/4 of said Section 18:

THENCE: North 88°40' East 665.10 feet;
THENCE: South 0°08' East 223.66 feet;
THENCE: South 88°40' West 173.40 feet;
THENCE: South 0°08' East 287.00 feet;
THENCE: North 77°40' West 505.30 feet;
THENCE: North 0°07' East 395.66 feet to the point of beginning,
containing six (6) acres, more or less, pursuant to that certain plat prepared by Russell H. McNeace dated May 18th, 1979.

AND

A tract of land containing 8 acres, more or less described as follows:
The South One-half of the Southeast Quarter of the Northeast Quarter (S/2 SE/4 NE/4) of Section Eighteen (18), Township Thirty (30) North, Range Twelve (12) West, N.M.P.M., San Juan County, New Mexico.
LESS AND EXCEPT the following-described tract:
BEGINNING at the East Quarter corner of said Section 18;
THENCE: North 0°08' West 665.46 feet;
THENCE: South 88°40' West 665.10 feet;
THENCE: South 0°08' East 223.66 feet;
THENCE: North 88°40' East 389.52 feet;
THENCE: South 0°08' East 336.80 feet;
THENCE: along the North edge of a road in the Southeasterly direction
220.00 feet, more or less, to a point on the South line of said
SE/4 SE/4 NE/4;
THENCE: North 88°30' East 80.00 feet, more or less, to the point of
beginning.

FURTHER LESS AND EXCEPT the following-described tract:
BEGINNING at the Northwest corner of the SW/4 SE/4 NE/4 of said Section
18;
THENCE: North 88°40' East 665.10 feet;
THENCE: South 0°08' East 223.66 feet;
THENCE: South 88°40' West 173.40 feet;
THENCE: South 0°08' East 287.00 feet:
THENCE: North 77°40' West 505.30 feet;
THENCE: North 0°07' East 395.66 feet to the point of beginning.

AND

The Northeast Quarter of the Northeast Quarter (NE/4 NE/4) and that part of
the North One-half of the Northwest Quarter of the Northeast Quarter (N/2
NW/4 NE/4 of Section Eighteen (18), Township Thirty (30) North, Range
Twelve (12) West, N.M.P.M., described as follows:

BEGINNING at a point which is the Northeast corner of said Northwest
Quarter of the Northeast Quarter of said Section 18;
THENCE: South 88°18' West 471.10 feet to the Northeast corner of a
tract of land conveyed to Rex S. Dunn, et al., by Warranty
Deed recorded in Book 1119, Page 161 of the San Juan County
records.
THENCE: in a Southerly direction (30 feet East of the top of a ridge) to
the point of intersection with the South line of the North Half
Northwest Quarter Northeast Quarter along a common
boundary line with said Rex. S. Dunn Tract;
THENCE: North 88°23'45" East 681.00 feet;
THENCE: North 00°08' East 662.25 feet to the point of beginning,
containing 9.61 acres, more or less;

AND

15.12 acres, more or less, in the North One-half of the Southeast Quarter of
the Northeast Quarter (N/2 SE/4 NE/4) of Section Eighteen (18), in Township
Thirty (30) North of Range Twelve (12) West, N.M.P.M., in San Juan County, New Mexico, described as follows:

BEGINNING at a point which is North 88°42'09" East 663.41 feet from the Northwest corner of said N/2 SE/4 NE/4;
THENCE: North 88°42'09" East 663.41 feet;
THENCE: South 00°01'02" West 662.85 feet;
THENCE: South 88°40'00" West 1,325.05 feet;
THENCE: North 00°08'13" West 331.82 feet;
THENCE: South 88°41'04" East 662.97 feet;
THENCE: North 00°03'38" West 331.62 feet to the point of beginning.

AND

5.04 acres, more or less, in the North One-half of the Southeast Quarter of the Northeast Quarter (N/2 SE/4 NE/4) of Section Eighteen (18), in Township Thirty (30) North of Range Twelve (12) West, N.M.P.M., in San Juan County, New Mexico, described as follows:

BEGINNING at the Northwest corner of said N/2 SE/4 NE/4;
THENCE: North 88°42'09" East 663.41 feet;
THENCE: South 00°03'38" East 331.62 feet;
THENCE: North 88°41'04" West 662.97 feet;
THENCE: North 00°08'13" West 331.82 feet to the point of beginning.

2) The City agrees to operate and/or maintain the parcel as a green space and recreational property.
3) The City agrees to seek input from NECK LLC in the naming process of the recreational area.
4) The City agrees to develop connectivity with Lake Farmington and bike trails on BLM land.
5) The City agrees to use the wishes of the Nordstrom family as outlined in Exhibit A as the guiding principle for development and management of the property.
Executed on this ______ day of ______________, 2019.

Nate Dutcett, Mayor
City of Farmington

David Nordstrom
NECK LLC

LEGAL DEPARTMENT
APPROVED AS TO FORM

By: ____________________________
Date: __________________________

STATE OF NEW MEXICO )
COUNTY OF SAN JUAN ) ss

The foregoing instrument was acknowledged before me this ______ day of ______________, 2019, by Nate Dutcett, Mayor of the City of Farmington, New Mexico, a municipal corporation, for and on behalf of said corporation.

Notary Public
My commission expires:

STATE OF COLORADO )
COUNTY OF MESA ) ss

The foregoing instrument was acknowledged before me this ______ day of ______________, 2019, by David Nordstrom on behalf of NECK LLC a Colorado Limited Liability Company whose address is 1775 Spring Valley Drive, Colorado Springs CO 80921, for and on behalf of said corporation.

Notary Public
My commission expires:
Exhibit A -- Nordstrom Family Wishes for Land Donated to the City of Farmington via Neck LLC

Absolutes:
- No motorized recreation.
- Connectivity with Farmington Lake and bike trails on BLM land.
- No equestrian use.
- No development other than to support recreation uses.

Vision:
A natural landscape park focusing on bicycling, education, connection with nature, and sustainable development; fully leveraging opportunities for partnerships.

Bicycling:
- Single-track bike trails, BMX track, cyclocross track, and terrain park all for different abilities; professionally designed.

Education:
- Forest pre-school
  References: https://en.wikipedia.org/wiki/Forest_kindergarten
  https://www.nytimes.com/2017/05/18/t-magazine/germany-forest-kindergarten-outdoor-preschool-waldkitas.html?mcubz=0

Connection With Nature
- Quiet walking trails
- No manufactured playground equipment. Instead, natural materials for climbing and play.

Sustainable Development
- No paving, except where needed for ADA access.
- No use of conventional water, storm sewer, sewer, and electric. Instead, solar powered lighting, LID (low-impact development) storm water treatment, and composting toilets.
- Preservation of the night sky as an objective for lighting design and timing.

Suggestions/Desires for Partnership Opportunities:
- Local and national cycling organizations
- San Juan College, Farmington Public School District
- BLM
- University of New Mexico Landscape Architecture Program for park master planning and one of their professors, Kim Sorvig, for sustainable landscape construction

Other Recreational Uses:
- Frisbee golf
• Other recreational uses arising in the future that we cannot now foresee (such as electric bikes): approve as a conditional use and monitor the land for negative impacts or unintended consequences (such as soil erosion or vegetation trampling). With that input, make management adaptations as needed to protect the land. Uses should be managed in a way that promotes recreational enjoyment while protecting the natural resources.
City of Farmington
Memorandum

Date: March 7, 2019
To: Mayor and City Council
From: Julie Baird, Assistant City Manager
Subject: Land Exchange Agreement with William Anglin

At the direction of City Council, city staff have negotiated a land exchange agreement with William Anglin for property on Miller St. that is adjacent to and surrounded by the property at Miller St. and Pinon that the city recently acquired. The Anglin property completes the acquisition of the block. In exchange for this property, the city will deed property on Southside River Road that was acquired during the widening of the roadway some years ago. In order to facilitate an exchange of equal value, the city has agreed to subdivide, survey and stake our property into three lots with sufficient square footage to accommodate one 2,000 square-foot duplex per lot before closing.
REAL ESTATE EXCHANGE AGREEMENT

THIS AGREEMENT made by and between the City of Farmington, New Mexico, acting through its City Council (hereinafter "City"), and William D. and Judith M. Anglin, (hereinafter "Anglins"), witnesseth:

WHEREAS, the Anglins are the owners of a tract of vacant land located at 765 S. Miller in Farmington, New Mexico, described as follows:

That part of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE1/4SE1/4SE1/4) of Section Sixteen (16), in Township Twenty-Nine (29) North of Range Thirteen (13) West, N.M.P.M., in the city of Farmington, San Juan County, New Mexico, described as follows:
BEGINNING West 40 feet and South 320 feet from the Northeast corner of the SE1/4 SE1/4 of said Section 16;
THENCE South 120 feet;
THENCE West 120 feet;
THENCE North 120 feet;
THENCE East 120 feet to the point of beginning;
and

WHEREAS, the Anglins have no current use for the land and do not believe they will have any use for the land in the future; and

WHEREAS, the City is the owner of a tract of vacant land located at 1903 – 2009 Southside River Road in Farmington, New Mexico, described as follows:

A tract of land located in the North Half of the Northwest Quarter of the Southwest Quarter (N/2NW/4SW/4) of Section Fourteen (14), in Township Twenty-Nine North, Range Thirteen West (T29N, R13W), N.M.P.M., San Juan County, New Mexico, more particularly described as follows:
BEGINNING at a ½” rebar with plastic cap marked LS 10855 on the southerly right-of-way line of Southside River Road from which the West Quarter corner of said Section 14 bears North 81°22'56" West 346.12 feet;
THENCE leaving said southerly right-of-way line South 36°44'11" East, 32.53 feet to a ½” rebar with plastic cap marked LS 10855;
THENCE South 89°04'17" East, 6.68 feet to a ½” rebar with plastic cap marked LS 10855;
THENCE South 1°19'35" West, 8.00 feet to a ½” rebar with plastic cap marked LS 10855;
THENCE South 89°04'17" East, 64.00 feet to a ½” rebar with plastic cap marked LS 10855;
THENCE North 1°19'35" East, 8.00 feet to a ½” rebar with plastic cap marked LS 10855;
THENCE South 89°04'17" East, 7.27 feet to a ½” rebar with plastic cap marked LS 10855;
THENCE North 40°10'03" East, 33.25 feet to a \( \frac{1}{2} \)" rebar with plastic cap marked LS 10855 on said southerly right-of-way line of Southside River Road;
THENCE along said southerly right-of-way line South 89°04'17" East, 259.80 feet to a \( \frac{1}{2} \)" rebar with plastic cap marked LS 10855;
THENCE leaving said southerly right-of-way line South 00°30'58" West, 107.49 feet to a rebar with cap marked LS 11643;
THENCE South 74°54'09" West, 271.46 feet to a \( \frac{1}{2} \)" rebar with plastic cap marked LS 10855 at the intersection of two fencelines;
THENCE along a fenceline North 01°02 '04" East, 182.43 feet to a \( \frac{1}{2} \)" rebar with plastic cap marked LS 10855 on said southerly right-of-way of Southside River Road;
THENCE along said southerly right-of-way to the point of beginning.

Said tract contains 34,702 square feet, 0.797 acre, more or less.

and

WHEREAS, the parties desire to exchange the two properties for their mutual benefit.

NOW, THEREFORE, it is mutually agreed as follows:

1. For the purposes of this exchange and in order to equalize the value of the properties, the City agrees to subdivide, survey and stake the tract of vacant land located at 1903 – 2009 Southside River Road in Farmington, New Mexico into three lots with sufficient square footage to accommodate one 2000 square-foot duplex per lot.

2. Anglins agree to convey, by quitclaim deed, to the City of Farmington the tract of vacant land located at 765 S. Miller. In exchange, City agrees to convey to Anglins, by quitclaim deed, the tracts of vacant land located at 1903 – 2009 Southside River Road.

3. Neither party makes any warranties whatsoever to the other regarding the presence or absence of any liens, easements, or encumbrances. Each party shall do such due diligence as it deems necessary in order to determine if there are liens or encumbrances on the property which would cause this transaction to terminate.

4. The parties mutually agree that this transaction shall close not later than 90 days from the date this Agreement has been executed by the parties and that closing shall occur at San Juan County Abstract & Title Company, 111 N. Orchard Avenue, Farmington, New Mexico. Each party shall be responsible for their own closing costs. Should either party desire property insurance or a title insurance binder or other examination of the record, they may do so. However, any encumbrance located on the property shall be assumed by the other party.

5. This agreement, and all of its terms and conditions, shall be kept confidential between the parties. None of its terms and conditions shall be disclosed, either in printed, written or oral form to anyone not a party to this agreement, except as may be necessary to carry out the agreement, prior to the release of the agreement, approximately five days before the
regularly scheduled City Council meeting at which the agreement is scheduled for consideration.

6. This Agreement contains the entire agreement between the parties and no amendment or modification hereof shall be valid unless executed, in writing, by both parties with the same formalities as this Agreement and approved by the respective governing bodies.

7. This Agreement shall be governed by the laws of the State of New Mexico.

Signatures are on the following page.
CITY OF FARMINGTON

William D. Anglin

Judith M. Anglin

ATTEST:

Dianne Smylie, City Clerk

State of _____ )
               ) ss
County of _____ )

The foregoing instrument was acknowledged before me this ___ day of _________, 2018 by William D. Anglin.

Notary Public

My Commission Expires:___________

State of _____ )
               ) ss
County of _____ )

The foregoing instrument was acknowledged before me this ___ day of _________, 2018 by Judith M. Anglin.

Notary Public

My Commission Expires:___________

State of New Mexico )
               ) ss
County of San Juan )

The foregoing instrument was acknowledged before me this ___ day of _________, 2018 by Nate Duckett, Mayor, City of Farmington, a Municipal Corporation, by and on behalf of said Municipal Corporation.

Notary Public

My Commission Expires:___________

- 3.4 -
A RESOLUTION URGING THE HOUSE AND SENATE LEADERSHIP AND THE
GOVERNOR OF THE STATE OF NEW MEXICO TO APPROVE THREE PROJECT
PROPOSALS FOR IMPROVEMENTS TO THE BONNIE DALLAS SENIOR CENTER
DETAILED IN THE 2020 CAPITAL OUTLAY APPLICATION

WHEREAS, the City Council submits a 2020 Capital Outlay Application
to the State of New Mexico, Aging & Long Term Services Department
(ALTSD), totaling $326,160.20; and

WHEREAS, the City Council submits a 2020 Capital Outlay Application
for ADA upgrades to restroom facilities in the dining room of the main
building ($25,000); and

WHEREAS, the City Council submits a 2020 Capital Outlay Application
for ADA upgrades to the main entrance and customer service area of the
Senior Center Annex ($40,000); and

WHEREAS, the City Council submits a 2020 Capital Outlay Application
for renovation of an aging roof on the main building of the Bonnie Dallas
Senior Center ($200,000); and

WHEREAS, the City Council submits a 2020 Capital Outlay Application
for kitchen appliances used for preparing congregate and home-delivered
meals ($61,160.20).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF
FARMINGTON, NEW MEXICO that the Aging & Long Term Services Department is
urged to pass this request for ADA upgrades which will accommodate
persons experiencing mobility limitations whom are involved in the
Congregate Nutrition Program.

PASSED, APPROVED, SIGNED AND ADOPTED this 12th day of March, 2019.

Nate Duckett, Mayor
Seal
Attest:

Dianne Smylie, City Clerk
2020 Capital Outlay Proposal 1

- ADA Remodels To Men’s & Women’s Restrooms
  - Main Building Dining Room
    - $20,000.00 - $25,000.00
      - ADA Door Openers
      - Remodel Wheelchair Accessible Stalls
      - Lower A Portion Of Counter
      - Lower one Urinal
2020 Capital Outlay Proposal 2

- ADA Upgrades To Entry & Customer Service Area
  - Annex Building
    - $35,000.00 - $40,000.00
      - Create Foyer
      - Install Two Automatic Doors
      - Remove Portion Of Closet To Widen Hall 5’
      - New Ceiling & Flooring Lights
      - ADA Compliant Customer Service Counter
2020 Capital Outlay Proposal 3

• Roof Renovation
  – Main Building
    • $150,000.00 - $200,000.00
      – Remove & Reinstall Roof Units
      – Remove Existing Tar Roof
      – Install R 10 Insulation
      – Install 80 mil Impermeable Moisture Barrier
        • White, 15 Year Warranty
      – Flash & Repair Sidewalls At Vertical Junctions
      – New Drip Edging
2020 Capital Outlay Proposal 4

- Kitchen Equipment
  - Main Building
  - $61,160.20
    - Ice Maker, $9,499.00
    - Floor Mixer, $18,911.20
    - Electric Dough Divider, $12,869.00
    - Electric Fryer, $19,881.00
RESOLUTION NO. 2019-1700

A RESOLUTION APPROVING THE SAN JUAN BOULEVARD PAVEMENT RESTORATION PROJECT, SOUTH BUTLER AVE TO EAST MAIN STREET, AND ACCEPTING FUNDS FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION 2020 MUNICIPAL ARTERIAL PROGRAM (M.A.P.) FOR SUCH PROJECT.

WHEREAS, New Mexico Department of Transportation (NMDOT) has solicited proposed projects for funding under the Municipal Arterial Program (M.A.P.) for Federal Fiscal Year 2020; and

WHEREAS, San Juan Boulevard is designated as a minor arterial, as shown on the City’s Major Thoroughfare Plan, which carries approximately 13,100 vehicles per day, and provides an alternate connection between Butler Ave and East Main Street located in the center of Farmington with connections to US64 and NM516; and

WHEREAS, the San Juan Boulevard Pavement Restoration Project, South Butler Avenue to East Main Street, will include cold milling with hot-mix asphalt inlay; and

WHEREAS, the Public Works Director and the City Engineer recommended the submission of an application for the San Juan Boulevard Pavement Restoration Project, South Butler Avenue to East Main Street, for funding under the NMDOT’s Municipal Arterial Program (M.A.P.) for FFY 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON:

SECTION 1:

That the City Council of the City of Farmington does hereby approve the “San Juan Boulevard Pavement Restoration Project” located on San Juan Boulevard between South Butler Avenue and East Main Street in the City of Farmington.

SECTION 2:

That the City Council of the City of Farmington does further approve the total estimated cost of the San Juan Boulevard Pavement Restoration Project, South Butler Avenue to East Main Street, budgeting of the sum of One Million Five Hundred Sixty Eight Thousand One Hundred Dollars ($1,568,100) in Federal Fiscal Year 2020 for such project with the understanding that approximately One Million One Hundred Seventy Six Thousand Seventy Five Dollars ($1,176,075) shall be paid for with funds from the New Mexico Department of Transportation’s Municipal Arterial Program (M.A.P.) for Federal Fiscal Year 2020 and Three Hundred Ninety Two Thousand Twenty Five Dollars ($392,025) will be paid for by the City of Farmington.

SECTION 3:

That the City Council of the City of Farmington does further represent that funds, equipment, labor and materials representing the total cost of the proposed project will be budgeted in Federal Fiscal Year 2020 and will be available when the agreement of such project becomes effective.

SECTION 4:

That the City Council of the City of Farmington does further authorize the Mayor of the City of Farmington to enter into appropriate contracts with the New Mexico Department of Transportation for construction of any, or all, of the project described in this resolution under the Municipal Arterial Program (M.A.P.) of the State of New Mexico.

PASSED, SIGNED, APPROVED, AND ADOPTED this 12th day of March, 2019.

Nate Duckett, Mayor

Dianne Smylie, City Clerk
RESOLUTION NO. 2019-1701

A RESOLUTION APPROVING THE EAST MAIN STREET RESURFACING PROJECT, SOUTH MILLER AVENUE TO NORTH BUTLER AVENUE, AND ACCEPTING FUNDS FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION’S 2019/2020 LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) FOR SUCH PROJECT.

WHEREAS, the New Mexico Department of Transportation (NMDOT) has solicited proposed projects for funding under the LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) for Fiscal Year 2019/2020; and

WHEREAS, due to the deteriorated condition of the pavement on East Main Street between South Miller Avenue and North Butler Avenue, the Director of Public Works and the City Engineer have recommended the East Main Street Resurfacing Project be submitted to the New Mexico Department of Transportation for funding under the LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) for Fiscal Year 2019/2020.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON:

SECTION 1:

That the City Council of the City of Farmington does hereby approve the “E Main Street Resurfacing Project” located on East Main Street from its intersection with South Miller Avenue to its intersection with North Butler Avenue in the City of Farmington.

SECTION 2:

That the City Council of the City of Farmington does further approve the total estimated cost of the East Main Street Resurfacing Project, budgeting the sum of Two Hundred Fifty One Thousand Three Hundred Twenty Dollars ($251,320) in Fiscal Year 2019/2020 for such project upon the understanding that approximately One Hundred Eighty Eight Thousand Four Hundred Ninety Dollars ($188,490) shall be paid for by funds from the New Mexico Department of Transportation’s LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) for Fiscal Year 2019/2020 and Sixty Two Thousand Eight Hundred Thirty Dollars ($62,830) will be paid for by the City of Farmington.

SECTION 3:

That the City Council of the City of Farmington does further represent that funds, equipment, labor and materials representing the total cost of the proposed project will be budgeted in Fiscal Year 2019/2020 and will be available when the agreement for such project becomes effective.

SECTION 4:

That the City Council of the City of Farmington does further authorize the Mayor the City of Farmington to enter into appropriate contracts with the New Mexico Department of Transportation for construction of any, or all, of the project described in this resolution under the LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) of the State of New Mexico.

PASSED, SIGNED, APPROVED, AND ADOPTED this 12th day of March, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk
RESOLUTION NO. 2019-1702

A RESOLUTION ACCEPTING AND APPROVING THE FISCAL YEAR 2018 AUDIT

WHEREAS, the City of Farmington is required by statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2018; and

WHEREAS, the Governing Body of the City of Farmington has directed the accomplishment of the audit for FY2018; and

WHEREAS, this audit has been completed and presented to the Governing Body per the December 17, 2018 Letter from the Statue Auditor authorizing release of the FY2018 audit; and

WHEREAS, NMAC 2.2.2.10(M)(4) provides in pertinent part that "Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable."

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Farmington does hereby accept and approve the completed audit report and findings as indicated within this document.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Department of Finance and Administration for state review and approval.

PASSED, SIGNED, APPROVED AND ADOPTED this 12th day of March, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk
February 28, 2019

**** SENT VIA FACSIMILE TO 505-599-1113****

Mayor Nate Duckett
and City Councilors of the City of Farmington
800 Municipal Drive
Farmington, New Mexico 87401

RE: Lic. No./Appl. No.: Liquor License No. 2775
Applicant Name: D Farm, LLC
Business Name: Courtyard by Marriott Farmington
Proposed Location: 560 Scott Avenue, Farmington, New Mexico 87401
Application Type: TRANSFER OF OWNERSHIP OF INTER-LOCAL DISPENSER LIQUOR LICENSE (On premises consumption only including patio service)

Dear Mayor and Council Members:

In accordance with the law, a public hearing was held on February 28, 2019 at 8:15 a.m. in the City Council Chambers at the Municipal Building concerning the above referenced license application. A recording of the hearing was made. Notice to the public was properly given by publications in the local newspaper and posting to the City of Farmington legal notice website. The Alcohol and Gaming Division granted an extension of the time for the final approval by the City.

The representatives of the seller, Brandt Thrower, attended the hearing in person. The representative of D Farm, LLC, Mark Rhodes, appeared by telephone.

This application is for a transfer of the dispensary liquor license. Only on-premises consumption is permitted including patio service. This operation has been in existence for a number of years.

A complication in this transfer is the Fire Department reporting a defect in a fire suppression system. The new owners are taking active steps to fix the problem, according to the representatives at the hearing. The financing for the remediation appears to be in place, but the actual work may require more time. The next fire inspection is scheduled March 27, 2019.

After reviewing the application; the reports from the various City departments, traffic, zoning, police; and hearing the comments from Mr. Thrower and Mr. Rhodes concerning the effects to health, safety and morals of the citizens of Farmington, including the steps taken to protect against over serving or serving of minors, my recommendation to the City Council is that the application be approved by the City.
If I can provide anything further, please let me know.

Respectfully Submitted,

[Signature]

F. Chester Miller III
FCM:my
January 10, 2019

City of Farmington
Attn: Dianne Smylie, Clerk
800 Municipal Drive
Farmington, NM 87401

Re: Lic. No./Appl. No.:  License No. 2775 | Application No. 1105393
Name of Applicant: D Farm, LLC
Doing Business As: Courtyard by Marriott Farmington
Proposed Location: 560 Scott Avenue, Farmington, New Mexico 87401

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted Preliminary Approval. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. The first notice must be published at least thirty (30) days before the hearing. All publications must occur before a hearing can be conducted. The notice shall include:

(A) Name and address of the Applicant/Licensee;
(B) The action proposed to be taken by the Alcohol & Gaming Division;
(C) The location of the licensed premises.

In addition, if the Local Option District has a website, the Notice shall also be published on the website.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP OF INTER-LOCAL DISPENSER LIQUOR LICENSE NO. 2775 WITH ON PREMISE CONSUMPTION ONLY AND PATIO SERVICE.

- 8.2 -
Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,

[Signature]

Charmaine Martinez, Hearing Officer  
New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division  
Phone: (505) 476-4804   Fax: (505) 476-4595  
Email: charmaine.martinez2@state.nm.us

Enclosures:
1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of the Zoning Statement
**NEW MEXICO REGULATION AND LICENSING DEPARTMENT**

**Alcohol and Gaming Division**

**Page 1**

**AGD USE ONLY:** Payment Application Fee $200.00 Received on: 8-14-18

**Application Number:** 1105393  
Local Option District: ___________________

---

**TRANSFER OF DISPENSER-TYPE LIQUOR LICENSE APPLICATION**

$200.00 Application Fee, non-refundable.

<table>
<thead>
<tr>
<th>License No.</th>
<th>Type of License:</th>
<th>2775</th>
<th>ILD</th>
</tr>
</thead>
</table>

Check appropriate boxes:

- [ ] Transfer of Ownership  
- [ ] Transfer of Ownership and Location  
- [ ] Transfer of Location Only  

Record Owner of Existing License: FARMINGTON HOTEL ASSETS, LLC

Current D/B/A Name: Courtyard at Marriott Farmington

Current Premises Address: 660 Scott Ave, Farmington, NM 87401

Current LOD: City of Farmington

Is License moving out of Local Option District? [ ] Yes [ ] No

APPLICANT IS: [ ] Individual  
[ ] Limited Liability Company  
[ ] Corporation  
[ ] Partnership (General/Limited)

NAME of Individual/Company:

D Farm, LLC

ADDRESS (including city, state, zip):

560 Scott Avenue, Farmington, NM 87401

COPY TO: MARK RHODES, RHODES & SALMON, PC 1801 LOMAS BLVD NW, ALBUQUERQUE, NM 87104

D/B/A Name to be used: Courtyard by Marriott Farmington  
Business Phone #: (505) 325-5111

Email Address (required): mmr@rspcnm.com

Physical location where license is to be used: (Include Street # / Highway # / State Road, City, State, and Zip Code)

560 Scott Ave, Farmington, NM 87401

County of: San Juan County

Are alcoholic beverages currently being dispensed at the proposed location? [ ] Yes  
[ ] No  
If Yes, License # / Type: ______________________

Agent/Contact Person: Mark Rhodes  
Phone#: (505) 247-0328  
Email: mmr@rspcnm.com

I, (print name) Surendar Singh, as (title) Managing Member

being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

Sign before a Notary Public:

Signature of Applicant: ______________________  
Date: 7-2-18

NOTARY PUBLIC USE ONLY: (State of Texas, County of ________________,)  
SUBSCRIBED AND SWORN TO before me this day of ________________, 2018.

By: ______________________  
Notary Public

My Commission Expires: ________________

FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: ______________________

Public Hearing held on ______________________, 2018. Check one: [ ] Approved  
[ ] Disapproved

Signature and Title of City/County Official: ______________________

FOR ALCOHOL AND GAMING DIVISION USE ONLY:

[ ] Approved  
[ ] Disapproved

Signed by Director: ______________________  
Date: ______________________

- 8.4 -
PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION
NMSA § 60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

☐ Owned by Applicant, copy of deed/document attached  ☐ Leased by Applicant, copy of lease/document attached
☐ Other (provide details): Please see purchase agreement

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): ____________________________________________

B. Date and Term of Lease: ________________________________

3. Premises location is Zoned (example C-1, see Zoning Statement): IND District

☐ Zoning Statement attached, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Desert Heights Church
Address/location of Church: 1835 E Main St, Farmington, NM 87401
Miles/feet: 3696 ft

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: McCormick Elementary School
Address/location of School: 701 McCormick School Rd, Farmington, NM 87401
Miles/feet: 3696 ft

6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation: circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)
Miles: 186 mi

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☑ Hotel  ☐ Lounge  ☐ Package Grocery  ☐ Restaurant  ☐ Racetrack
☐ Small Brewer  ☐ Craft Distiller  ☐ Winery  ☐ Wholesaler
☐ Other (specify): ________________________________

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.
June 29, 2018

Mark M. Rhodes
RHODES & SALMON, P.C.
1801 Lomas Blvd. NW
Albuquerque, NM 87104

RE: Zoning Verification – 560 Scott Avenue, Farmington, NM (R0038132).

Dear Mr. Rhodes,

The property at 560 Scott Avenue (R0038132) is located in the Industrial (IND) District in the City of Farmington. Please see the enclosed zoning map. The current use, Courtyard by Marriott, is a permitted use in the IND District.

Pursuant to New Mexico State Statute 60-68-10, no license shall be issued by the state for the sale of alcoholic beverages that is within three hundred (300) feet of any church or school without a waiver from the local governing body (Farmington City Council).

Pursuant to the City's UDC Section 2.7.3A accessory uses to hotels include restaurants. Restaurants serving liquor, beer and wine are allowed uses in the IND District. Please see enclosed UDC Section 2.7.3A.

Restaurants that serve liquor, beer and wine (entertainment-oriented) are subject to the approval of beer and wine license pursuant to the City's Municipal Code Section 5-2-1 and/or otherwise required liquor license(s).

Pursuant to the City's UDC 2.44.55B sales and service of alcoholic beverages (entertainment-oriented):

"shall not be permitted within 200 feet of a residential structure, unless the city council finds that waiving this requirement will not adversely affect the adjacent neighborhood. For the purposes of this subsection, all measurements taken in order to determine the location of the use in relation to a residential structure shall be the straight-line distance from the residential structure to the structure wherein the license shall be used."
Staff has determined that there are no residences within 200 feet of 560 Scott Avenue. Please see enclosed image.

To apply for a liquor license, please contact the City Clerk at (505) 599-1106.

Should you have questions and/or need further clarification please contact me at (505) 599-1282 or via e-mail at hlandaverde@fmtn.org.

Sincerely,

[Signature]

Helen Landaverde
Associate Planner

Via e-mail: mmr@rspcnm.com
UDC Section 2.7.3 Residential use categories.
(https://library.municode.com/nm/farmington/codes/code_of_ordinances?nodeId=UNDECO_ART2USRE_S2.7USCA)

A. Accommodations.

(1) **Characteristics.** Dwelling units arranged for short term stays of less than 15 days for rent, lease, or interval occupancy.

(2) **Accessory uses.** Accessory uses may include pools and other recreational facilities, limited storage, and offices.

(3) **Examples.** Examples include bed and breakfast establishments, hotels, motels, inns, hostels, and interval occupancy facilities. Also includes central reception and check-in facilities for resorts and interval occupancy (time-share) facilities.
AFFIDAVIT OF PUBLICATION

Ad No.
0001274680

Rosalyn Potter
CITY OF FMFTN - LEGAL ADS
800 MUNICIPAL DR
ATTN: ACCOUNTS PAYABLE
FARMINGTON NM 87401

I, being duly sworn say: THE DAILY TIMES, a daily newspaper of general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was published in a regular and entire issue of the said DAILY TIMES, a daily newspaper duly qualified for the purpose within the State of New Mexico for publication and appeared in the internet at The Daily Times web site on the following days(s): 01/21/19, 02/18/19

[[Signature]]
Legal Clerk

Subscribed and sworn before me this 18th of February 2019.

[[Signature]]
State of WI, County of Brown
NOTARY PUBLIC

My Commission Expires

NOTICE OF PUBLIC HEARING BEFORE THE CITY LIQUOR HEARING OFFICER REGARDING LIQUOR LICENSE CITY OF FARMINGTON, NEW MEXICO

Notice is hereby given that the City Liquor Hearing Officer will hold a public hearing in the Council Chamber at the Municipal Building, 800 Municipal Drive, Farmington, New Mexico at 8:15 a.m. on Thursday, February 28, 2019 to consider the following request:

Application No. 1105393 for transfer of ownership of Inter-Local Dispenser Liquor License No. 2775 (on premises consumption only with patio service) from Farmington Hotel Assets, LLC, formerly doing business as Courtyard by Marriott Farmington, 560 Scott Avenue, Farmington, New Mexico to D Farm, LLC, doing business as Courtyard by Marriott Farmington, 560 Scott Avenue, Farmington, New Mexico.

The Director of the Alcohol and Gaming Division of the New Mexico Regulation and Licensing Department has given this application preliminary approval. Further details regarding this application may be examined at the aforementioned hearing or by contacting F. Chester Miller, III, Esq. (505-327-0428), 907 West Apache Street, Farmington, New Mexico.

Dianne Smylie, City Clerk

RECEIVED

FEB 25 2019
City of Farmington
City Clerk
Legal No. 1274680

RECEIVED

FEB 25 2019

City of Farmington
City Clerk
February 21, 2019

RE: Liquor License #2775 Transfer Application

Andrea Jones
Deputy City Clerk
City of Farmington
800 Municipal Drive
Farmington, NM 87401

Deputy City Clerk Jones,

Upon review of the Application No. 1105393 for request to transfer Liquor License # 2775, from Farmington Hotel Assets, LLC, formerly doing business as Courtyard by Marriott Farmington, located at 560 Scott Avenue, Farmington, New Mexico to D Farm, LLC, doing business as Courtyard by Marriott Farmington, 560 Scott Avenue, Farmington, New Mexico, a cursory background investigation, subject to the limitations allowed by law, was conducted as to the merits of the application and the associated applicants.

The principal corporate officer(s) listed on the application was found to have no known negative contacts with local police agencies and none were entered into NCIC as being wanted fugitives from other jurisdictions.

A review of the attached traffic crash data reveals a negligible concern for an increase in alcohol related traffic crashes by the granting of this application.

It is the recommendation of the Farmington Police Department that the application be granted.

Captain Taft Tracy
There were a total of one hundred sixty-two (162) reported crashes within this area during this time frame. One hundred thirty-nine (139) reported no injuries and twenty-three (23) reported with injuries. Crash data collected from calls for service.

There were a total of fifty-four (54) DWI case reports submitted that occurred within this area and during this time frame. Eleven (11) of these were involved in a crash.

There were no reported fatalities in this area during this time frame.

The following charts represent crash incidents and DWI case reports:
### DWI's

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCOTT AVE / E BROADWAY</td>
<td>15</td>
</tr>
<tr>
<td>SAN JUAN BLVD / S BUTLER AVE</td>
<td>7</td>
</tr>
<tr>
<td>SCOTT AVE / E MAIN ST</td>
<td>6</td>
</tr>
<tr>
<td>E MAIN ST / N BUTLER AVE</td>
<td>4</td>
</tr>
<tr>
<td>SCOTT AVE / SAN JUAN BLVD</td>
<td>3</td>
</tr>
<tr>
<td>E PINON ST / E CEDAR ST</td>
<td>2</td>
</tr>
<tr>
<td>SOUTHSIDE RIVER RD / DEKALB AVE</td>
<td>2</td>
</tr>
<tr>
<td>S IVIE AVE / E ANIMAS ST</td>
<td>1</td>
</tr>
<tr>
<td>E PINON ST / E ANIMAS ST</td>
<td>1</td>
</tr>
<tr>
<td>E BROADWAY / S MESA VERDE AVE</td>
<td>1</td>
</tr>
<tr>
<td>E MAIN ST / N COCHITI AVE</td>
<td>1</td>
</tr>
<tr>
<td>E MAIN ST / FARMINGTON AVE</td>
<td>1</td>
</tr>
<tr>
<td>E BROADWAY / S BUTLER AVE</td>
<td>1</td>
</tr>
<tr>
<td>S IVIE AVE / E CEDAR ST</td>
<td>1</td>
</tr>
<tr>
<td>SAN JUAN BLVD / SCOTT AVE</td>
<td>1</td>
</tr>
<tr>
<td>E BROADWAY / E PINON ST</td>
<td>1</td>
</tr>
<tr>
<td>E BROADWAY / S WAGNER AVE</td>
<td>1</td>
</tr>
<tr>
<td>E MAIN ST / FAIRGROUNDS RD</td>
<td>1</td>
</tr>
<tr>
<td>E MAIN ST / SULLIVAN AVE</td>
<td>1</td>
</tr>
<tr>
<td>E MAIN ST / S FAIRVIEW AVE</td>
<td>1</td>
</tr>
<tr>
<td>E ANIAS ST / S MESA VERDE AVE</td>
<td>1</td>
</tr>
<tr>
<td>E MAIN ST / SCHOFIELD LN</td>
<td>1</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>54</strong></td>
</tr>
</tbody>
</table>

The data contained in this report was collected from the Farmington Police Department’s Record Management System. Although the data has been produced and processed from sources believed to be reliable, no assurances are made regarding accuracy or completeness and should be utilized only as general information. Prepared on January 23, 2019.
February 27, 2019

COURTYARD BY MARRIOTT
560 SCOTT AVE
Farmington, NM 87401

An inspection of your facility on Feb 27, 2019 revealed the violations listed below.

ORDER TO COMPLY: Since these conditions are contrary to law, you must correct them upon receipt of this notice. An inspection to determine compliance with this Notice will be conducted on Mar 29, 2019.

If you fail to comply with this notice before the reinspection date listed, you may be liable for the penalties provided for by law for such violations.

Violations

901.6 Inspection, testing and maintenance.

Note  Dry system in attic failed Cooper Fire is working on a proposal to replace the system

115 David Doudy
Inspector

Tony
MEMORANDUM

DATE: January 17, 2016

TO: Dianne Smylie, City Clerk; Andrea Jones, Deputy City Clerk

FROM: Traffic Engineering division

SUBJECT: Application No. 1105393 for transfer of ownership of Inter-Local Dispenser Liquor License No. 2775 (on Premises consumption only with patio service) from Farmington Hotel Assets, LLC, formerly doing business as Courtyard by Marriot Farmington, 560 Scott Avenue, Farmington, New Mexico to D Farm, LLC, doing business as Courtyard by Marriot Farmington, 560 Scott Avenue, Farmington, New Mexico.

The following information is being provide to the Liquor Hearing Officer at your request:

1) The most recent traffic count at the nearest major intersection(s).
   a. The nearest intersection to the following address, 560 Scott Avenue is:
      • Scott Avenue @ San Juan Boulevard
   b. Please see Table 1, to view the traffic volume at these intersections.

   Table 1: Intersection Approach Traffic Volumes
<table>
<thead>
<tr>
<th>Intersection Counted</th>
<th>Length of Count</th>
<th>Traffic Volumes</th>
<th>Date of Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scott Avenue @ San Juan Boulevard</td>
<td>8 Hours</td>
<td>13,070</td>
<td>10/01/2014</td>
</tr>
</tbody>
</table>

2) Any information regarding proposed changes at the intersection, such as signalization or other changes which may affect traffic flow.
   a) It this time there are no proposed changes at the intersection that would cause any changes to traffic flow.
* Adoption of the Planning and Zoning Commission Action as contained within the Community Development Action Summary and approval of Petition ZC 19-06, a request from the City of Farmington to rezone 6.13 acres from RE-20, residential estate, to GC, General commercial, for property located south along West Main Street and north of the intersection of West Apache Street and Westland Park Drive. (Gary Leikness)

Recommendation of approval by the Planning and Zoning Commission on February 28, 2019 which passed by a vote of 7-0.
PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>City of Farmington</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Julie Baird</td>
</tr>
<tr>
<td>Date of Application</td>
<td>January 30, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Zone Change Request from RE-20, Residential Estate 20, to GC, General Commercial District</td>
</tr>
<tr>
<td>Location</td>
<td>The subject properties are located south along W Main St/US 64, southeast of Deer Trail St and north of the intersection of W Apache St and Westland Park Drive.</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Vacant Land</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>SF-7, Single Family</td>
</tr>
</tbody>
</table>

Surrounding Zoning & Land Use

| North: GC, General Commercial and RE-20, Residential Estate 20 |
| South: LNC, Local Neighborhood Commercial, MFM, Multifamily Medium Density, and GC, General Commercial |
| East: RE-20, Residential, and GC, General Commercial/Commercial |
| West: Westland Park, San Juan River, and RA, Rural Agricultural |

Notice

Publication of Notice for public hearing of the Planning and Zoning Commission and City Council appeared in the Farmington Daily Times on Sunday, February 10, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, February 6, 2019 and a sign was posted at the site on Friday, February 15, 2019.

Staff Planner

Gary Leikness, AICP, CFM Planning Manager

STAFF ANALYSIS

Project Description

The petitioner (City of Farmington) is requesting a zone change, for the subject properties (R6000854, and R0023528), from the RE-20, Residential Estate 20 to GC, General Commercial. The petitioner is proposing the zone change to allow commercial land uses on the subject properties.
The land owners contacted the city to determine what the properties are zoned as. It was determined that the properties had multiple zoning designations. Specifically, the street frontage on West Main Street, for both properties, is zoned RE-20, while the interior of the properties has a GC zoning designation. The split zoning resulted from a past annexation (Ordinance No. 2006-1172), which created a new city boundary line that then became the existing zoning boundary. The map that accompanied the Ordinance (See figure 4), shows that the annexation extended from the north, then through W. Main Street, then 200 feet south of W. Main Street, running parallel to it.

As the properties are "split zoned," the Director of Community Development initiated a zone change request\(^1\). Split zoning is allowed in the UDC\(^2\), but is not a preferred best practice. The split zone, in this case, inhibits the development of new land uses, as the street frontage (W. Main Street) is zoned RE-20, not commercial.

San Juan County Tax Assessor's records list the size of the western parcel to be 2.85 acres (124,146 ft.\(^2\)), while eastern property is listed as 3.28 acres (8759.83 ft.\(^2\)). The properties are currently vacant.

\(\text{Figure 1. Aerial of subject properties.}\)
The petitioner is requesting a zone change for the subject properties, from the RE-20, Residential Estate 20 to GC, General Commercial. Rezoning the two parcels to GC will allow the land to develop appropriately with commercial land uses.
Consistency with the Farmington Comprehensive Plan
The 2020 Future Land Use Plan Map supports commercial land uses for these two parcels. The area in red on Figure 3 is designated as Commercial.

Figure 3. Comprehensive Plan, Land Use Map
The following goal and objectives are from the 2020 Comprehensive Plan:

**Land Use and Development**

Goal: Plan and facilitate land use and development that is consistent, orderly, functional, in harmony with the natural environment, and promotes a progressive, vibrant, scenic, and safe community.

"Objective 4.5.2: Locate new commercial developments near existing commercial areas and buffer from residential."

"Objective 4.5.3: Ensure appropriate zoning to support the viability of old as well as new commercial development."

**Surrounding Land Uses**

North: Generally vacant land.
South: Residential (four plex structures), storage units, and City park land.
East: Vacant land, and W. Main Street
West: Parkland and a fire station.

**STAFF ANALYSIS**

A. Is the proposed zoning consistent with the Farmington Comprehensive Plan?

The zone change request for GC, General Commercial, is consistent with the provided sections of the Comprehensive Plan, goals and objectives listed previously. The request is consistent with the Comprehensive Plan Map (see figure 3), in that the request is for GC, and the Comprehensive Plan designates the future land use of the properties as Commercial. This criterion is satisfied.

B. Is the proposed zoning and land use(s) compatible with the present zoning and conforming uses of nearby property and the character of the neighborhood?

To the north and to the east of the properties there is vacant land as well as W. Main Street ROW, Right of Way. Surrounding Zoning includes, GC, and RE-20. The areas separated by W Main St (100 ft. right of way), will generally be unaffected by a GC zone. The property to the south includes, LNC, MFM, and GC zoning. The land uses include storage units, and residential (fourplexes, single family homes, and a mobile home). To the west, there is Westland Park, and a fire station.

The proposed zoning for the subject properties is generally compatible with the present zoning and character of the neighborhood. However, as part of any

---

3 Farmington Comprehensive Plan (2002). Chapter 4 Land Use and Development, pp. 4-11 – 4-12.
future development of the land sufficient buffers between the subject properties and the neighborhood to the south will be needed. This criterion is met.

C. Will there be adverse impacts; and/or can any adverse impacts be adequately mitigated?

There could be some incompatibility issues between the homes to the south and a zoning designation of GC. Providing adequate buffering to those homes will be essential. Lighting, noise, odor, and other potential negative externalities will be addressed as part of any development proposal. This criterion is met.

D. Is the proposed density and intensity of use permitted in the proposed zoning district?

The zone change request for GC permits a wide range of commercial land uses. There is no specific proposal associated with this zone change request. This criterion is met.

E. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended by the applicant? Is the applicant willing to pay for the extension of public facilities and services necessary to serve the proposed development?

Public services have been provided and City services such as Police and Fire would be able to serve existing and new developments to this area.

Water, Sewer, and Electric are available at the subject properties. Future developments may necessitate the need for upgrade infrastructure. However, that will depend on future proposed land uses. This criterion is met.

F. Does the proposed change constitute "spot zoning" as defined in Article 11, definitions?

Article 11 defines “spot zoning” as “where a particular tract within a larger area is specifically zoned so as to impose upon it restrictions not imposed upon the surrounding lands, or grant to it special privileges not granted generally, not done in pursuance of the Comprehensive Plan.”

The proposed GC is appropriate for W. Main Street, because GC zoning is a continuation of other GC zones to the north, and to the east (across the W. Main St./W. Apache St.). Also, the properties are identified as Commercial on the 2020 Comprehensive Plan Land Use Map.

- 9.6 -
The proposed zone change would therefore not constitute spot zoning\textsuperscript{4}. This criterion is met.

**STAFF COMMENTS**
There were no staff comments for this petition.

**STAFF CONCLUSION**
Staff concludes that the requested ZC 19-06 meets all six required criteria for approval.

**STAFF RECOMMENDATION**
The Community Development Department recommends approval of Petition ZC 19-06, a requested zone change from the RE-20, Residential Estate, to GC, General Commercial, for parcel numbers R6000854, and R00233528, located on W. Main Street.

**FINDINGS OF THE P&Z COMMISSION**
On December 10, 2018, the Planning and Zoning Commission held a public hearing for ZC 18-95 and made the following findings:

1) The applicant requested a zone change for the subject properties (R6000854, and R00233528), from Residential Estates 20 (RE-20) to General Commercial (GC).
2) The subject properties are split zoned, RE-20 and GC.
3) San Juan County Tax Assessor’s records list the size of the western parcel to be 2.85 acres (124,146 ft.$^2$), while eastern property is listed as 3.28 acres (8759.83 ft.$^2$). The properties are currently vacant.
4) The 2020 Future Land Use Plan Map designates the subject properties as Commercial, as a preferred land use.
5) Farmington Comprehensive Plan (2002). Chapter 4 Land Use and Development, pp. 4-11 – 4-12, Objective number 4.52 states, “Locate new commercial developments near existing commercial areas and buffer from residential.”
6) Farmington Comprehensive Plan (2002). Chapter 4 Land Use and Development, pp. 4-11 – 4-12, Objective number 4.5.3 states, “Ensure appropriate zoning to support the viability of old as well as new commercial development.”
8) Public services have been provided and City services such as Police and Fire would be able to serve existing and new developments to this area.
9) Water, Sewer, and Electric are available at the subject properties.

\textsuperscript{4} The concept of “spot zoning” is addressed in the definition section, UDC:12, “Where a particular tract within a larger area is specifically zoned so as to impose on it restrictions not imposed upon the surrounding lands, or grant to it special privileges not grants generally, not done in pursuance of the Comprehensive Plan.”
10) GC zoning is a continuation of other GC zones to the north, and to the east (across the W. Main St./W. Apache St.)

Planning & Zoning Commission Action of Petition ZC 19-06 on February 28, 2019
A motion was made by Commissioner Davis and seconded by Commissioner Waldroup to approve Petition ZC 19-06, a request from the City of Farmington to rezone 6.13 acres from RE-20, Residential Estate to GC, General Commercial for property located south along West Main Street and north of the intersection of West Apache Street and Westland Park Drive.

AYE: Acting Chair Freeman, Commissioners Brown, Davis, Langenfeld, Mangum, Sewell, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Lockmiller, and Ragsdale.

Motion passed 7-0
Figure 4. Map for Ordinance No. 2006-1172
### PLANNING MEMO COMMENTS SUMMARY

#### ZC 19-06 APACHE & MAIN

**Deadline:** 2/6/19

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD Director – M. Holton</td>
<td>Comments will be incorporated into the Petition Report</td>
</tr>
<tr>
<td>CD Addressing – Planning Division</td>
<td>No comment</td>
</tr>
<tr>
<td>CD Chief Building Official – D. Childers</td>
<td>No comment</td>
</tr>
<tr>
<td>CD Long Range Planner</td>
<td></td>
</tr>
<tr>
<td>CD MPO</td>
<td></td>
</tr>
<tr>
<td>CD Oil &amp; Gas Inspector – L. Simms</td>
<td></td>
</tr>
<tr>
<td>CITY City Manager’s Office – J. Baird</td>
<td></td>
</tr>
<tr>
<td>ELEC Customer Care Manager – L. Richardson</td>
<td></td>
</tr>
<tr>
<td>ELEC Electrical Engineering – L. Algarabes</td>
<td>No conflict</td>
</tr>
<tr>
<td>ELEC T &amp; D – R. Romero</td>
<td></td>
</tr>
<tr>
<td>FIRE Fire Captain – D. Doudy</td>
<td></td>
</tr>
<tr>
<td>FIRE Fire Marshall – B. Vega</td>
<td></td>
</tr>
<tr>
<td>LEGAL City Attorney – J. Breckell</td>
<td>No comment</td>
</tr>
<tr>
<td>LEGAL Deputy City Attorney – E. Wayne</td>
<td>No comment</td>
</tr>
<tr>
<td>POLICE Code Compliance – M. Romero</td>
<td>No comment</td>
</tr>
<tr>
<td>POLICE Sergeant – P. Flores</td>
<td></td>
</tr>
<tr>
<td>PRCA S. Reeves/ R. Crosby</td>
<td></td>
</tr>
<tr>
<td>PRCA ORII – C. Styron</td>
<td>No comment</td>
</tr>
<tr>
<td>PW City Engineer – N. Westerling</td>
<td></td>
</tr>
<tr>
<td>PW Engineering – T. Sitta</td>
<td>No comment</td>
</tr>
<tr>
<td>PW Streets Superintendent</td>
<td></td>
</tr>
<tr>
<td>PW Traffic Engineer – I. BlueEyes</td>
<td></td>
</tr>
<tr>
<td>PW Water/Waste Water – M. Tso</td>
<td>No comment</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Entities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
</tr>
<tr>
<td>Century/Link – D. Willato</td>
<td>No comment</td>
</tr>
<tr>
<td>Enterprise Field Services</td>
<td></td>
</tr>
<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
</tr>
<tr>
<td>CH2MHILL OMI</td>
<td></td>
</tr>
<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td></td>
</tr>
<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
**PETITION APPLICATION**

Incomplete applications will not be accepted. Return completed application to:

<table>
<thead>
<tr>
<th>Planning Division</th>
<th>Community Development Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Farmington</td>
<td>800 Municipal Drive</td>
</tr>
<tr>
<td></td>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td></td>
<td>(505) 599-1317</td>
</tr>
<tr>
<td></td>
<td>(505) 599-1299 (fax)</td>
</tr>
</tbody>
</table>

**PROJECT TYPE (Check Those Applicable)**

- [ ] Annexation and / or Zoning
- [ ] Preliminary Plat
- [ ] Final Plan
- [ ] Summary Plat
- [ ] Special Use Permit
- [ ] Variance (ARB)
- [x] Zone Change to GC District
- [ ] Temporary Use Permit
- [ ] Proposed Length of Use: __________
- [ ] Well site equipment modification

**INFORMATION**

- **Applicant’s Name:** City of Farmington
- **Address:** 800 Municipal Drive
- **E-Mail:** jbrand@farmington.org
- **Telephone:** 505-599-1100
- **Relationship to Property Owner:** Staff Representative
- **Legal Description of Subject Property:** See Title Certificate

**Is Property subject to deed restrictions, covenants, or homeowners’ association agreements?**

- [ ] Yes
- [ ] No

If Yes, please provide copy with application.

**REPRESENTATIVE / CONTACT PERSON (if other than applicant)**

- **Name:** N/A
- **Phone:**
- **Address:**
- **E-Mail:**

**OWNERSHIP**

- **PROPERTY OWNER:** (Identify General Partners, Managing Partner, Corporation President and Secretary, Specify type of ownership interest, Fee, Real Estate Contract, Option to Purchase)
- **MORTGAGE HOLDERS (if any)**

- **Name:** N/A
- **Phone:**
- **Address:**

- **Owner’s Signature:**
- **Address:**
- **Phone / Email:**

**OWNER CERTIFICATION**

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest, the requested action cannot be lawfully accomplished. I hereby permit the authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand that applications will generally be reviewed by City Council at their first regular session following the PZ review.

- **Name:** N/A
- **Address:**
- **Phone / Email:**

**Starr USE ONLY**

- Received at ________________ by ________________
- Fee Received ________________
- Ownership Report (subject and surrounding properties)
- Legal Description ________________
- Detailed Statement of Proposed Use

[Handwritten note: RECEIVED COME BACK DEPT]
NOTICE OF PUBLIC HEARING

Notice is hereby given that the following application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico.

Petition No. ZC 19-06 - a request from the City of Farmington to rezone 0.13 acres from RE-20, Residential Estate District, to GC, General Commercial contained in San Juan Tax Assessor as Parcel's R0023528 and R0023529, located south along W. Main St., southeast of Deer Trail, and north of the intersection of W. Apachita St. and Westland Park Dr., in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the 5S/4SW/4 of Section 7, Township 29 North, Range 13 West, Book 1638, page 478; Book 1592, page 319 and 323; Book 1627, page 379; and Book 1638, page 478, N.M.P.M., in the City of Farmington, San Juan County, New Mexico. Otherwise located at West Main & Apache St.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 compilation, notice is hereby given that this petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, February 28, 2019 at 5:00 p.m. in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on Tuesday, March 12, 2019 at 6:00 p.m. in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petition.

Karen Walker
Administrative Assistant

NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-06

February 6, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from the City of Farmington to rezone 6.13 acres contained in San Juan County Tax Assessor Parcel's 2078172275037 and 2078172239020 from RE-20, Residential Estate District to GC, General Commercial for property located south along W. Main St., southeast of Deer Trail and north of the intersection of W. Apache St. and Westland Park Dr., in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, Book 1638, page 478, Book 1392, page 319 and 323, Book 1627, page 379, and Book 1638, page 478, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Otherwise known as West Main & Apache St.

Pursuant to the provisions of Section 3-21-6, New Mexico statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by the Planning and Zoning Commission of the City of Farmington on Thursday, February 28, 2019 at 3:00 p.m., in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on Tuesday, March 12, 2019 at 6:00 p.m., in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons of interest and citizens are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearing noted above or submit written comments prior to the meeting to the Community Development Department – Planning Division at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that all submitted comments will become public record and that there is the possibility that any petition may be withdrawn before the hearing date.

If you have any questions or would like additional information regarding this notice or the petition, please contact Mary Holton at 505-599-1285 or mholton@fmtn.org.

Sincerely,

Karen Walker
Administrative Assistant
Names and Tax-Roll Addresses of Owners Within One Hundred (100) Feet
(excluding roadways and easements) of the Following Described Property
Referenced as TRACT I:

A tract of land situate in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW/4SW/4SE/4) of Section Seven (7), Township Twenty-Nine (29) North, Range Thirteen (13) West, N.M.P.M., San Juan County, New Mexico, lying and being all that portion of said Subdivision situate West and South of the West right-of-way line of Highway #550 Shiprock Highway West of Farmington, NM, and being more particularly described as follows:
BEGINNING at the Southwest corner of the SW/4SE/4 of said Section 7;
THENCE North 0'50' East 469.5 feet, more or less, to the West right-of-way of Highway #550;
THENCE along said Highway right-of-way Southeasterly to the intersection of said line with the South line of said Section 7, a distance of 768.6 feet, more or less;
THENCE South 89'53' West 589.3 feet, more or less to the point of beginning.

AND

A tract of land situate in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW/4SW/4SE/4) of Section Seven (7), Township Twenty-Nine (29) North, Range Thirteen (13) West, N.M.P.M., San Juan County, New Mexico, lying and being all that portion of said Subdivision situate West and South of the West right-of-way line of Highway #550 Shiprock Highway West of Farmington, NM, and being more particularly described as follows:
BEGINNING at the Southwest corner of the SW/4SE/4 of said Section 7, Township 29 North, Range 13 West, N.M.P.M.;
THENCE South 89'53' West 10 feet;
THENCE North 0'50' East 470 feet, more or less, to the West right-of-way line of Highway #550;
THENCE Southeasterly along said right-of-way line to the intersection of said line with the West line of the SW/4SE/4 of said Section 7;
THENCE South 0'50' West 469.5 feet more or less, to the point of beginning.
The same being a tract of land some 10 feet wide East and West and some 470 feet long North and South and being that land conveyed to J.H. Pruitt by J.E. Eugene MacDonald.

AND

That part of the Southeast Quarter of the Southwest Quarter (SE/4SW/4) of Section Seven (7), in Township Twenty-Nine (29) North of Range Thirteen (13) West, N.M.P.M., San Juan County, New Mexico, described as follows:
BEGINNING at a point on the East line of said SE/4SW/4 which is North 1'16' East 100 feet from the South Quarter corner of said Section 7;
THENCE North 1'16' East 375 feet along said East line to the South right-of-way line of U.S. Highway 550;
THENCE North 49'34' West 200 feet along said Highway right-of-way line;
THENCE South 23'13'10'' West 646.41 feet to South side of said SE/4SW/1/4;
THENCE South 88'18' East 136.62 feet along said South line to the Southwest corner of the tract described in instrument recorded in Book 735, page 23, records of said County;
THENCE North 1'30' East 113.5 feet;
THENCE South 85 35' East 260 feet to the Point of Beginning.
EXCEPT, HOWEVER, the East 10 feet of the North 375 feet of the said SE/4SW/1/4.

RECEIVED
JAN 30 2019
- 9.14 -
TRACT 1
Lucy's Luck LLC
P.O. Box 537
Blanco, NM 87412

That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1638, page 478

AND

That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1392, page 319
Book 1392, page 323
Book 1627, page 379

TRACT 2 & 3
Lucy's Luck LLC
P.O. Box 537
Blanco, NM 87412

That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1638, page 478

AND

That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1638, page 478

TRACT 4 & 5
City of Farmington
800 Municipal Drive
Farmington, NM 87401

That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1193, page 688

AND

That part of the SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1193, page 688
TRACT 6
Michael L. Thomason and Jacqueline Thomas
Living Trust
851 Deer Trail Street
Farmington, NM 87401
That part of the SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1521, page 69

TRACT 7
Michael L. Thomason
851 Deer Trail Street
Farmington, NM 87401
That part of the NE/4SE/4SW/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1592, page 632

TRACT 8 & 15
Mary Ann Parker, John Lee Pruitt and Aubrey Michael Pruitt
2704 West Apache Street
Farmington, NM 87401
That part of the SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1474, page 531
AND
That part of the SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1474, page 531

TRACT 9
Frederick G. Medina and Maria C Medina
24 Road 6070
Farmington, NM 87401
That part of the SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1556, page 47

TRACT 10
Mary Ann Parker and Ronald A. Kronig
2704 West Apache Street
Farmington, NM 87401
That part of the SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1474, page 531
Book 1636, page 310
Book 1636, page 314
Book 1636, page 318
TRACT 11
Margery Pruitt
2501 Glade Road
Farmington, NM 87401

TRACT 12
Ronald A. Kronig
401 Cerrillos Drive
Farmington, NM 87401

TRACT 13 & 14
Clayton Investment Company
501 Airport Drive, Suite 100
Farmington, NM 87401

TRACT 16
Western Refining Southwest, Inc.
1250 West Washington, Suite 101
Tempe, AZ 85281

TRACT 17
Norman H. Faver and Martha K. Faver Revocable Trust
P.O. Box 417
Aztec, NM 87410

TRACT 18
James E. Malone, Deborah Ann Malone, and Ryan Kelly Malone
301 McDonald Road
Farmington, NM 87401

That part of the SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1598, page 182

That part of the SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1636, page 317

That part of the SE/4SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1218, page 879

AND

That part of the SE/4SW/4SE/4 of Section 7, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1218, page 879

That part of the NW/4NE/4 of Section 18, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1590, page 276

That part of the E/2NW/4NE/4 of Section 18, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1386, page 100

That part of the NW/4NE/4 of Section 18, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Book 1417, page 267
TRACT 19 & 20
Mary F. Joines
c/o Robert H. Durbin and A. Michelle Durbin
P.O. Box 358
Farmington, NM 87499

Lot 4, in Block 1, of the WESTLAND PARD
SUBDIVISION NO. 7, in the City of Farmington,
San Juan County, New Mexico, filed for record
July 17, 1981.

Book 1547, page 176
Book 1547, page 400

AND

Lot 4, in Block 1, of the WESTLAND PARD
SUBDIVISION NO. 7, in the City of Farmington,
San Juan County, New Mexico, filed for record
July 17, 1981.

Book 1547, page 176
Book 1547, page 400

TRACT 21 & 22
Hodges Living Trust
65 Casa Linda Court
Farmington, NM 87401

That part of the NE/4NW/4 and NW/4NE/4 of
Section 18, Township 29 North, Range 13 West,
N.M.P.M., San Juan County, New Mexico.

Book 1269, page 762

AND

That part of the NE/4NE/4 of Section 18,
Township 29 North, Range 13 West, N.M.P.M.,
San Juan County, New Mexico.

Book 1244, page 272

TRACT 23
Farmington Investment Company, Inc.
P.O. Box 229
Farmington, NM 87499

That part of the NE/4NW/4 of Section 18,
Township 29 North, Range 13 West, N.M.P.M.,
San Juan County, New Mexico.

Book 1527, page 465

TO: January 15, 2019, 4:30 p.m.

LIABILITYLIMITED TO THE AMOUNTPAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: Lorraine Austin, Abstracter
TO: Mayor Duckett and City Council

FROM: Kristi Benson, CPPO, CPPB
Chief Procurement Officer

DATE: March 7, 2019

SUBJECT: Request for Qualification-based Proposals for Professional Surveying Services, RFQP #19-129362

USING DEPARTMENT: Electric Utility

Qualification-based proposals opened on Professional Surveying Services, 19-129362. Eight (8) offers were submitted.

Negotiations were conducted with the top evaluated firm, Souder, Miller & Associates.

The Central Purchasing Department concurs with the recommendation from the evaluation committee to award the contract to Souder, Miller & Associates, the top evaluated firm. Award is based on the pricing schedule for services as required. The In-State preference was given to qualified bidders. The final rankings are listed below:

Souder, Miller & Associates – Farmington, NM
Cobb, Fendley & Associates – Albuquerque, NM
Transmission and Distribution Services – Albuquerque, NM
Bohannon Huston, Inc.- Albuquerque, NM
Goff Engineering & Surveying, Inc. – Durango, CO
Sakura Engineering & Surveying, Inc. – Farmington, NM
lina ba, Inc. – Farmington, NM
Network Mapping Inc. – Reno, NV

Kristi Benson (Presenter)
Council Meeting/March 12, 2019 Close/Reopen

xc: Teresa Emrich, Administrative Services Director (Acting)
Hank Adair, Electric Utility Director
File – 19-129362

Evaluation Committee:
Herb Blair, Electric Utility
Denise Gibson, Electric Utility
Roy Waters, Electric Utility
Shannon Wilson, Electric Utility
Regular Meeting of the City Council, City of Farmington, New
Mexico, held in the Council Chamber at City Hall at 6:00 p.m. on Tuesday,
February 26, 2019. The open regular session was held in full conformity
with the laws and ordinances and rules of the Municipality.

Upon roll call, the following were found to be present, constituting a quorum:

MAYOR

Nate Duckett

COUNCILORS

Linda G. Rodgers
Sean E. Sharer
Jeanine Bingham-Kelly

ABSENT

Janis Jakino, Councilor

constituting all members of said Governing Body.

Also present were:

CITY MANAGER

Rob Mayes

ASSISTANT CITY MANAGER

Julie Baird

CITY ATTORNEY

Jennifer Breakell

CITY CLERK

Dianne Smylie

The meeting was convened by the Mayor. Thereupon the following
proceedings were duly had and taken:

INVOCATION: The invocation was offered by Pastor Aaron Taylor of
Crossroads Community Church.

Councilor Sharer led the Pledge of Allegiance.

RESOLUTION NO. 2019-1698/2ND AMENDMENT PRESERVATION CITY

Due to the number of people present in the audience, Mayor Duckett
asked the Council for permission to move Resolution No. 2019-1698 to the
beginning of the meeting.

Acknowledging that the proposed resolution declares the City of
Farmington as a 2nd Amendment Preservation City and will likely result in
differing opinions, Mayor Duckett reminded the audience members that the
city of Farmington is a Civility First community and he asked that order
be maintained and that respect be shown for all. He read the proposed
resolution in its entirety and he asked by a show of hands who was
present at tonight’s meeting in support of the measure. The majority of
the audience raised their hands with only a handful of individuals
raising their hand in opposition. Mayor Duckett announced his support
for Resolution No. 2019-1698 declaring Farmington as a 2nd Amendment
Preservation City because he believes that it is important for elected
officials to make the concerns of their constituents known to the state
legislators, particularly when the rights of the United States
Constitution are being threatened. He explained that the proposed
resolution is in response to numerous gun control bills that are being
considered by the state legislature, but noted that such laws are deemed
to be constitutional until decided by a judge. He noted that it is
important that elected judges are willing to uphold the constitution as
the foundation of this nation and he asked the Council for their
comments.

Councilor Rodgers expressed her support for the proposed
resolution, stating that she believes in the constitutional rights
established by the founding fathers.

Councilor Sharer stated that he finds it sad that the city of
Farmington is being forced to defend its constitutional rights against
actions being taken by the state legislature. He voiced his support for
the proposed resolution since his Oath of Office requires him to uphold
the Constitution of the United States.

Councilor Bingham-Kelly also expressed her support for the proposed
resolution.

-11.0-
Mayor Duckett read a prepared statement from Councilor Jakino expressing her support for the proposed resolution based on her Oath of Office.

There being no further discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to pass and adopt Resolution No. 2019-1698 as presented. The roll was called with the following result:

Those voting aye:  
Linda G. Rodgers  
Sean E. Sharer  
Jeanine Bingham-Kelly

Those voting nay:  
None

Those absent:  
Janis Jakino

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

CONSENT AGENDA: The Mayor announced that those items on the agenda marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on without discussion by one motion. He stated that if any item did not meet with approval of all Councilors or if a citizen so requested, that item would be removed from the Consent Agenda and heard under Business from the Floor.

*MINUTES: The minutes of the Regular Meeting of the City Council held February 12, 2019.

*BID: The Contracts Administrator recommended that the bid for annual municipal utilities improvements (Public Works) be awarded to TRC Construction, Inc. on its low bid meeting specifications after application of five percent in-state preference of $4,072,171. Bids opened February 13, 2019 with two bidders participating.

*BID: The Chief Procurement Officer recommended that the bid for purchase of wood distribution poles (Electric) be awarded to McFarland Cascade Holdings, Inc. on its low bid meeting specifications of $475,750. Bids opened February 19, 2019 with two bidders participating.

*BID: The Chief Procurement Officer recommended that the bid for purchase of switches, disconnects, reclosers, sectionalizers and padmount switchgear (Electric) be awarded to Western United on its low bid per category after application of five percent in-state preference of $166,908.75, and that the bid received from Graybar Electric for Category 1 be rejected for not meeting specifications. Bids opened February 12, 2019 with four bidders participating.

*BID: The Chief Procurement Officer recommended that the bid for relay panels for Twin Peaks Substation (Electric) be awarded to McKinley Sales Company on its low bid meeting specifications after application of five percent in-state preference of $469,852. Bids opened February 5, 2019 with four bidders participating.

*REAPPOINTMENT OF REGISTERED VOTER ROBERT MILLER as an alternate municipal judge pursuant to Section 11-2-3 of City Code (term to March 31, 2020).

*WARRANTS PAYABLE for the time period of February 10, 2019 through February 23, 2019, for current and prior years, in the amount of $7,980,981.56.

There being no requests to remove any items, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to approve the Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION:

*CONSENT AGENDA: Acting Community Development Director/Public Works Director David Sypher requested that the Planning and Zoning Commission recommendation marked with an asterisk (*) be placed on the Planning and
Zoning Commission Consent Agenda and voted on without discussion. He asked that if the item proposed did not meet with approval of all Councilors or if a citizen so requested, the item would be removed from the Consent Agenda and heard in regular order.

*(1)* Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Action Summary to approve Petition No. SUP 18-100 from Halliburton, represented by Vade Hollingsworth and David Kasnoff, requesting a Special Use Permit for outside storage of hazardous materials for property located at 3250 Southside River Road in the IND, Industrial, District, subject to:

(a) the applicant finalizing the summary plat that has already been submitted;
(b) the applicant submitting building plans that are consistent with all City building and fire standards and/or other agency permits prior to construction of the hazardous storage area;
(c) All required federal, state and local permits and approvals being obtained by the applicant and submitted to the City prior to any construction or commencement of any work. Any required alteration to the proposal as a result of state or federal agency review must be submitted as a revision to applicable City-issued permits and be reviewed by the Community Development Department. The following minor amendments shall be reviewed and approved:
   (1) Changes that result in a decrease or intensity for the storage of hazardous materials;
   (2) Change in the designation/location of the hazardous storage area on the subject property;
   (3) Change in major infrastructure (e.g. roads/access, sewer, water, storm drainage) for the subject property.
(d) all other proposed amendments not specifically addressed above shall be considered major amendments and must be processed in accordance with the procedures and requirements of Section 8.9.3 of the Unified Development Code pertaining to the special use application process.

As a contingency to acquire and maintain the Special Use Permit, the Fire Department sets forth the following requirements as outlined in the 2003 International Fire Code (ICF 2003 - 105.1.2, 2003 IFC - 105.2). Before any hazardous materials are stored or used, the following shall occur:

(e) provide engineered plans for review and approval to include:
   (1) site layout with all control areas;
   (2) control area identifying all chemicals and the amounts stored or used;
   (3) scalable distances for each control area from all lot lines, buildings and other control areas;
   (4) code analysis being conducted by a fire protection or chemical engineer to ensure compliance with the International Building Code (IBC) and the International Fire Code (IFC);
   (5) all Material Data Sheets, including all mixtures, being available;
   (6) all chemicals being identified by their hazard class as outlined in the IFC;
   (7) all chemicals being identified as meeting the Mass Allowable Quantity (MAQ), or exceeding the MAQ as outlined in the IFC; and
   (8) detailed construction plans for all needed permits.

(f) The development of an Emergency Action Plan (EAP)
(g) a detailed description of all processes and storage and intended use of all chemicals being provided.

- 11.2 -
the following chapters in the 2003 IFC being met:

2. Corrosive Materials;
3. Flammable and Combustible;
4. Flammable Solids;
5. Highly Toxic and Toxic Materials; and

all requirements being met for the addition of any new chemicals, the use of chemicals, control areas or buildings and an updated EAP being submitted.

The following conditions are requirements of the Public Works Engineering Division:

(j) compliance with the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for Industrial Uses which requires Halliburton to seek coverage pursuant to Part 8, Subpart I, Sector I of the MSGP;
(k) the petitioner submitting evidence of compliance with the EPA's NPDES MSGP permit for protection of the City's Municipal Separate Storm Sewer System (MS4) and associated surface waters within the city limits;
(l) a copy of the Notice of Intent (NOI) for coverage submitted to the EPA and a copy of the required Drainage Area Site Map, to include storm water discharge points from the property, Potential Pollutant Sources, and Erosion and Sediment Controls being submitted to the City for our records;
(m) the petitioner meeting all additional requirements of EPA's NPDES MSGP permitting process;
(n) the petitioner taking measures (cleaning ditches or ponding area that are silted) to reduce the amount of runoff that leaves the property during storm events;
(o) the petitioner removing silt and restoring ponds to capture and retain the runoff;
(p) the petitioner maintaining the National Pollutant Discharge Elimination System (NPDES) Multi Use General Permit.

The following recommended operational conditions shall be required for the life of the project:

(q) the special use permit remaining in effect, provided that the use meets the conditions imposed by the subject petition and Halliburton maintains a valid City of Farmington business registration;
(r) any contamination/leaks/releasess that occur on the property being immediately reported to the Police and Fire Departments, the Building Inspection Division of the Community Development Department and to all relevant local, state and federal authorities;
(s) the City reserving the right to revoke the special use permit, by future action of the City Council, if the operations pose detrimental health impacts to the surrounding area or environment; and
(t) the special use permit being revoked if any of the above conditions are not met.

There being no requests to remove the item, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to approve the Planning and Zoning Commission Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

AERIAL ADVENTURES MARKET ANALYSIS AND FEASIBILITY STUDY

Outdoor Recreation Industry Initiative Director Cory Styron introduced Amy Bell of Ground Works Studio and Thaddeus Shrader of Bonsai Design and explained that staff is seeking direction on how to proceed with the proposed project.

Utilizing a PowerPoint presentation, Ms. Bell reported that Lake Farmington and Berg Park have been identified as areas for aerial adventures and stated that the designs being proposed tonight are the result of community input and survey results which indicate that big
views/thrill factors and multi-generational engagement are important. She reported that the first phase of aerial adventures being proposed for Lake Farmington consists of dual, racing zip lines (about 1700 feet in length) over the lake with towers on both sides (110 and 85 feet in height) that offer a climbing wall, rappelling, a free fall experience and cargo nets. She noted that the second phase is an "over the water" adventure that will be located adjacent to the beach and parking area and would focus on balance and strength activities without a harness. She stated that, to her knowledge, the proposed "over the water" adventure does not exist anywhere else and would be unique to Farmington. She explained how themes could be utilized to connect the activities with Farmington's identity and culture and stated that the adventures being proposed at Lake Farmington would be in conjunction with other activities including food trucks, party rentals, music, picnic seating, etc. at a proposed cost of $39 for a full-day pass. She pointed out that this project at Lake Farmington would likely "break even" or pay for itself in about seven to ten years and noted that the cost of phase one is $2.5 to $3 million and the cost of phase two is approximately $1 million. With regard to Berg Park, Ms. Bell reported that the structures being planned are a forest theme that focuses on youth and nature play and will include a willow maze, pulley chairs, climbing logs, a lava pit, treehouse, swinging net and a giant swing. She noted that these structures will be free to the public and unsupervised and are being proposed at a cost of $2 to 2.5 million. She noted that the structures are ecologically sensitive and would encourage teamwork and problem-solving skills and stated that the project could be done in phases by local individuals which would reduce the cost. She also reported that the demographics for the area indicate that there is a strong youth market, a good median income and limited competitiveness which are all positive factors for aerial adventures.

Mayor Duckett expressed his excitement for the projects and he asked the Council to consider offering their opinion on whether Lake Farmington or Berg Park is the highest priority given cost projections. In response, Councilor Sharer stated that he is excited about the possibilities since it will give citizens "something to do here." He stated that he is supportive of both projects but thinks that Lake Farmington should be the highest priority since it will generate income. Councilors Rodgers and Bingham-Kelly also expressed their enthusiasm and agreed that Lake Farmington should be the highest priority.

Mayor Duckett noted for the record that he received a letter from Friends of the Nature Center opposing a children's component being added to Berg Park because of the disruption that it will have on the wildlife.

In response to further discussion, it was the direction of the Council to focus on phase one of Lake Farmington and Mr. Styron pointed out that there is a possibility that a public-private partnership could be established for this project.

The Mayor asked for comments from the members of the audience. Jeff Rendall, 4703 W. Hopi Street, stated that he is supportive of the project but is concerned about the liability to the City. In response, Mayor Duckett reiterated that the particulars will be decided as the project evolves.

Alex Uhl, 3 Road 6054, also voiced concern for the liability and the ongoing costs associated with operation.

Dr. Bob Lehmer, 1901 Placitas Trail, expressed his support for a zip line at Lake Farmington but stated that he is opposed to having one at Berg Park because it will disrupt the wildlife. He also pointed out that parking at Berg Park is limited and stated that he hopes that it can be expanded in the future.

Timothy Lawler, 303 W. Tycksen Drive, suggested that sponsorship be considered as a means for offsetting the cost.

Mr. Shrader reported that communities are pursing these types of ventures in various ways which often includes public-private partnerships. He stated that for many years it was popular to create polarization around outdoor recreation but noted that there is a movement to integrate the various interests. He stated that his company testified before Congress two weeks ago about the success of transitioning communities and happily reported that Farmington was mentioned for its
efforts in promoting the oil and gas and outdoor recreation industries in partnership.

RESOLUTION NO. 2019-1697/METROPOLITAN REDEVELOPMENT AREA PLAN

MPO Officer/CDBG Administrator Mary Holton introduced Lisa Miller and Ben Savoca of Architectural Research Consultants, Inc. who are the City’s consultant on the proposed Metropolitan Redevelopment Area (MRA) Plan update. She noted that the Metropolitan Redevelopment Agency Commission (“MRA Commission”) unanimously voted to approve the proposed update at its meeting on February 19, 2019 and she recommended adoption of Resolution No. 2019-1697.

Ms. Miller briefly reviewed the proposed amendments to the MRA Plan and explained the methodology that was used, including extensive public input. She noted that one of the most significant amendments is the development of a water feature in the Animas District using existing resources (such as a canal) and connecting with the Animas River.

Councilor Rodgers expressed her support for the proposed amendments, stating that she believes that this is a “great map forward” for the downtown area.

Mayor Duckett also expressed his support and he asked the members of the audience for comment.

John McNeill, Chairman of the MRA Commission, stated that he believes that this plan can serve as a marketing tool for the outdoor recreation industry initiative and he recommended that the proposed resolution be adopted.

Following further discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to pass and adopt Resolution No. 2019-1697 as presented. The roll was called with the following result:

Those voting aye: Linda G. Rodgers
Sean E. Sharer
Jeanine Bingham-Kelly

Those voting nay: None

Those absent: Janis Jakino

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

PHASE 5/SHORT-TERM GENERATION PROJECT/ELECTRIC UTILITY DEPARTMENT

Electric Utility Director Hank Adair introduced Generation Manager Britt Chesnut, Generation Superintendent Jamie Shockey and Generation Engineer Ben Banks. Utilizing a PowerPoint presentation, he reported that the Integrated Resource Plan (“IRP”) was completed in 2017 and identified short-, mid- and long-term options for expanding the utility’s generation portfolio. He stated that the short-term option is to install reciprocating engines at Bluffview Power Plant with the mid-term option being the installation of a combined cycle generation asset and five megawatts of solar as the long-term goal. He requested permission to proceed with Phase 5 (bidding and air permitting) for the short-term generation project, noting that it will take approximately 12 months for the reciprocating engines to be constructed. He also noted that the Animas Power Plant is reaching the end of its life and will need to be abandoned at some point in the future for safety reasons. Mr. Adair reported that the utility has budgeted the entire $28 million required for the project with 60 percent of the funds being spent in Fiscal Year 2020 and 40 percent being spent in Fiscal Year 2021. He also noted that 35 percent of the funds will be paid from Cash Reserves with 65 percent being bonded. In closing, he noted that the Public Utility Commission unanimously recommended that staff be directed to proceed with Phase 5 of the short-term generation project as proposed, noting that this phase will cost approximately $200,000.

In response to inquiry from Mayor Duckett, Mr. Adair explained that the reciprocating engines will provide flexibility even if San Juan Generating Station remains open beyond the year 2020 because they offer a 10-minute quick start. In addition, he stated that the engines will
offset the Animas Power Plant which is only being utilized for voltage control and "upset" conditions.

Responding to a question from Councilor Sharer, Mr. Adair confirmed that this project could be deferred until after the final decision is made on San Juan Generating Station, but noted that the utility will have to determine whether to retire Animas Power Plant or to invest a significant amount of capital funds ($2 million) to make it functional. He explained that this plant has no flexibility and is either operated at 18 megawatts or at zero.

Councilor Rodgers asked how much it would cost to decommission Animas Power Plant. In response, Mr. Adair reported that he cannot recall the amount, but stated that it is significant. In response to further inquiry, he reported that the NOx emissions for the reciprocating engines will meet air quality requirements and will have selective catalytic reduction emission control technology. He reported that approximately $487,000 has been spent on this project to date.

Following further discussion concerning generation capacity and flexibility, Mayor Duckett asked for comments from the members of the audience.

Steve Ellison, 333 Canyon View Drive, pointed out that the IRP indicates that if the San Juan Coal Plant retires after 2027, the preferred option would not be reciprocating engines. In response, Mr. Adair explained that the circumstances surrounding Animas Power Plant have changed since the IRP was conducted. Mr. Ellison also stated that he is hopeful that the Animas Power Plant will be decommissioned and abandoned in place since it is located adjacent to the river corridor. He also questioned whether it would be more appropriate to table the decision until after the legislative session has ended.

MP Schildmeyer, 80 Road 4992, stated that she has read that the City has entered into an agreement with Acme Equities to keep San Juan Generating Station and San Juan Mine in operation beyond the year 2022 and questioned the legal status of that agreement. In response, City Manager Rob Mayes pointed out that this item is not related to the request being made by the Electric Utility Department but explained that a nonbinding letter of intent was signed indicating that both parties will negotiate a formal purchase agreement.

Alex Uhl, 3 Road 6054, announced that he is a member of the Public Utility Commission and also a power plant operator who understands voltage and need for quick start-up. He expressed his support for the proposed project since it will provide better control for the system.

There being no further discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to direct staff to proceed with Phase 5 (bidding and permitting) of the short-term generation project, as recommended by the Public Utility Commission, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Recognition of the Public Works Department

Mayor Duckett thanked the employees of the Streets Division for proactively repairing the numerous potholes that have developed in the roadways. Councilor Sharer echoed his comments and stated that he is also appreciative of how quickly the roadways are being plowed in response to the recent snowstorms.

Paving of McCormick School Road

In response to inquiry from Councilor Rodgers, Public Works Director David Sypher reported that he is aware that McCormick School Road needs to be cleaned-up and paved, but noted that the asphalt plants are closed for the winter. He assured her that this roadway is the first priority.
CITY MANAGER BUSINESS

Cancellation of the March 19, 2019 City Council Work Session

City Manager Rob Mayes requested that the March 19, 2019 City Council Work Session be canceled due to spring break and several key personnel being out-of-town.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to cancel the March 19, 2019 City Council Work Session, and upon voice vote the motion carried unanimously.

BUSINESS FROM THE FLOOR

Operation of San Juan Generating Station

MP Schildmeyer, 80 Road 4992, asked if it will be necessary for the other owners of San Juan Generating Station to participate in the letter of intent that was recently signed by the City of Farmington and Acme Equities, LLC with regard to the continued operation of San Juan Generating Station. In response, City Manager Rob Mayes reported that the other owners do not have to approve the specific terms of any purchase agreement because they have indicated that they are transferring their ownership rights after the year 2022. However, he did acknowledge that there will be some logistical issues associated with the abandonment and transfer of operations that will require negotiation and cooperation from the other owners.

Ms. Schildmeyer also pointed out that the principles of Senate Bill 489 (the Energy Transition Act) are in direct conflict with the decision to operate San Juan Generating Station beyond the year 2022 and questioned the City’s position. In response, Mayor Duckett announced that he spoke against the bill last weekend due to the future emission standards being proposed and how they directly impact San Juan Generating Station, the proposed renewable portfolio standards which will create financial hardships for many New Mexicans and the lack of local control associated with managing the Economic Development Fund. Furthermore, he explained that there is no guarantee that the proposed 450 megawatts of power will be built within the Central Consolidated School District which would result in a loss of revenue.

In response to his comments, Ms. Schildmeyer reported that she spoke with a legislative representative who assured her that local communities will be involved in the process of distributing funds from the Economic Development Fund.

CLOSED MEETING

A motion was made by Councilor Rodgers, seconded by Councilor Sharer to close the meeting to discuss request for proposals for report management software, pursuant to Section 10-15-1H(6) NMSA 1978. The roll was called with the following result:

Those voting aye: Linda G. Rodgers
Sean E. Sharer
Jeanine Bingham-Kelly

Those voting nay: None

Those absent: Janis Jakino

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

The Mayor convened the closed meeting at 7:59 p.m. with Councilors Rodgers, Sharer and Bingham-Kelly 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 Rodgers, seconded by Councilor Sharer to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 8:04 p.m. with Councilors Rodgers, Sharer and Bingham-Kelly being present.
REQUEST FOR PROPOSALS/REPORT MANAGEMENT SOFTWARE

Chief Procurement Officer Kristi Benson reported that proposals for report management software (Fire) opened on October 30, 2018 with one offeror participating. She recommended that the proposal be awarded to ImageTrend, Inc. as the sole proposal is deemed to be fair and reasonable and in the best interest of the City.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to award the proposal for report management software to ImageTrend, Inc., as recommended by the Chief Procurement Officer, and upon voice vote the motion carried unanimously.

There being no further business to come before the Council, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to adjourn the meeting at 8:06 p.m., and upon voice vote the motion carried unanimously.

The City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 2013-1466, et seq.

Approved this 12th day of March, 2019.

Entered in the permanent record book this day of , 2019.

Nate Duckett, Mayor

ATTEST:

Dianne Smylie, City Clerk
Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, February 19, 2019 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

COUNCILORS

constituting all the members of the Governing Body.

Also present were:

ASSISTANT CITY MANAGER

DEPUTY CITY CLERK

City Attorney Jennifer Breakell was contacted by speaker telephone for participation in the meeting.

RECOGNITION OF THE PURCHASING DIVISION

Mayor Duckett recognized the staff of the Purchasing Division for their dedication and commitment to the City of Farmington and he presented Chief Procurement Officer Kristi Benson with a certificate of recognition. Following a round of applause, Ms. Benson thanked the Mayor and Council for their continued support and she proudly introduced Contracts Administrator Rosalyn Potter, Buyers II Jennifer Rowland, Cory Marcum and Emily Xilne, Buyers I Sharon Nelson and Christina Tyler and Administrative Aide Jeanette McCoy.

SEMI-ANNUAL FINANCIAL UPDATE FOR FISCAL YEAR 2019

Utilizing a PowerPoint presentation, Acting Administrative Services Director Teresa Emrich reported that gross receipts tax ("GRT") revenues for the General Fund are $2.3 million less than expenditures and she stated that they are 3.1 percent (or $631,000) below the prior year. She noted that GRT revenues for all funds are 3 percent (or $808,000) below the prior year and she provided a breakdown of the GRT revenue received from the individual sectors. She stated that revenues in the Electric Utility Fund are $5.6 million higher than expenditures and she pointed out that the power cost adjustment ("PCA") revenue in the Electric Utility Fund has increased 440.7 percent over the prior year. Generation Manager Britt Chesnut explained that the next PCA modification will be reflected on the March billing cycle and will reduce the balance significantly. Ms. Emrich reported that revenues in the Water Fund are $3.3 million higher than expenditures and stated that revenues in the Wastewater Fund are $3 million higher than expenditures. Concluding her presentation, she noted that the revenues in the Sanitation Fund are $31,000 less than expenditures and she answered various questions from the Council.

RESOLUTION NO. 2019-1696 APPROVING THE THIRD REVISION TO THE FY2019 BUDGET AND REQUESTING STATE APPROVAL.

Acting Administrative Services Director Teresa Emrich provided a detailed explanation of the proposed budget revisions and recommended adoption of Resolution No. 2019-1696.

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to pass and adopt Resolution No. 2019-1696, as presented. The roll was called with the following result:

Those voting aye: Linda G. Rodgers, Sean E. Sharer, Jeanine Bingham-Kelly, Janis Jakino

Those voting nay: None
The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2019-1696 was duly passed and adopted.

Following brief discussion, it was the consensus of the Council to direct staff to provide a summary document of the Community Transformation and Economic Diversification ("CTED") Fund to include the projected revenue, approved expenditures and the balance and to present an updated version of the summary document with each proposed CTED Fund budget adjustment.

PROPOSED OUTDOOR RECREATION INDUSTRY INITIATIVE RELATED PROJECT EXPENDITURES

Utilizing a PowerPoint presentation, Outdoor Recreation Industry Initiative Director Cory Styron reported that he is requesting $496,767 from the Community Transformation and Economic Diversification ("CTED") Fund to purchase and/or install 1) two message centers to be located at the campground and trailhead at Lake Farmington, 2) 16 individual and one group permanent shade structures to be located at the campground at Lake Farmington, 3) two 35-foot diameter permanent shade structures to be located at the beach at Lake Farmington and 4) marketing materials. He provided illustrations of the proposed message centers and permanent shade structures and he discussed the total costs associated with each requested item.

Mayor Duckett announced that shade has been a missing component to the amenities offered at Lake Farmington and he observed that no other expenditures would be possible from the CTED Fund until the new budget cycle begins on July 1 if the requested amount is authorized.

Councilor Jakino pointed out that authorizing the total requested amount would put the CTED Fund over its $3 million budget by approximately $30,000. In response, Mr. Styron stated that the permanent group shade structure at the campground could be removed and reconsidered during the next budget cycle which would reduce the requested amount by $75,359.

Councilors Rodgers and Sharer expressed their desire to remain accountable to the community by being responsible stewards and staying within the CTED Fund budget.

Following further discussion, it was the consensus of the Council to direct staff to proceed with the requested expenditures, with the exception of the group permanent shade structure, utilizing monies from the CTED Fund.

PRESENTATION/FARMINGTON ELECTRIC UTILITY SYSTEM'S SHORT-TERM GENERATION PROJECT

Providing opening remarks, Generation Manager Britt Chesnut stated that a need for replacement power generation was identified in the Farmington Electric Utility System's ("FEUS") 2017 Integrated Resource Plan ("IRP") and he introduced Project Manager Michael Fisher and Engineering Manager Josh Pauly of Black & Veatch.

Utilizing a PowerPoint presentation, Mr. Fisher provided a brief overview of Black & Veatch and he discussed the background of the short-term generation project. Noting that the two potential project sites were Animas and Bluffview power plants, he reported that the best generation option was determined to be the 18-megawatt reciprocating internal combustion engine ("RICE") unit located at the Bluffview site. Mr. Fisher also explained the role and the responsibilities of Black & Veatch as the owner's engineer.

In response to the Mayor's inquiries, Mr. Chesnut confirmed that the 18 megawatts of generation along with purchased power would replace the 43 megawatts lost from the future closure of the San Juan Generating Station; stated that the RICE unit is a direct replacement for the Animas power plant; and reported that the RICE unit is dispatchable which allows for greater generation flexibility.

Continuing with the presentation, Mr. Pauly explained the directionality of the conceptual designs of the RICE unit and the associated cost estimates. He stated that the 18-megawatt RICE unit consists of two 9-megawatt, four-stroke, lean burn engines and he
reported that it is recommended that FEUS purchase the RICE unit and single generator step up ("GSU") transformer directly to avoid the markup cost if purchased by the construction contractor. He provided a project site illustration and pointed out that an area of cultural significance overlaps the northern portion of the project site, noting that Black & Veatch, the New Mexico State Historic Preservation Office and the Division of Conservation Archaeology have agreed that the proposed project site and layout is acceptable. Mr. Pauly discussed the technical aspects of the RICE unit’s equipment and he stated that it has the ability to ramp-up to full load within 10 minutes. He presented the project schedule, noting that there are three “off-ramps” when the project could be cancelled without a large financial impact and he stated that the anticipated commercial operation of the first engine is late 2020.

Responding to Councilor Sharer’s questions, Mr. Pauly reported that natural gas drives the RICE unit and he stated that the RICE unit operates well in elevation.

In response to the Mayor’s inquiries, Mr. Fisher reported that the project will require an average of 16-17 construction workers on-site and Mr. Chesnut confirmed that the culturally sensitive area north of the project site will no longer be an option for the community solar project as originally planned.

Concluding the presentation, Mr. Chesnut briefly explained that the owner’s engineer component was included in the Fiscal Year 2019 budget and stated that construction of the project is planned to be funded utilizing cash (25 percent) and bonding (75 percent) in Fiscal Years 2020 and 2021.

Responding to Councilor Jakino’s inquiry, Mr. Chesnut stated that the project would have an approximate six-year payback period and should not substantially affect ratepayers.

There being no further business to come before the Council, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to adjourn the meeting at 10:39 a.m., and upon voice vote the motion carried unanimously.

APPROVED this 12th day of March, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk