AGENDA

... for the Regular Meeting of the Farmington City Council to be held at 6:00 p.m., Tuesday, May 14, 2019 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico...

1. Roll Call and Convening the Meeting:

2. Invocation: Senior Pastor Armando Grijalva of My Father’s House.

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 April 23, 2019; 
      and

   (b) the Regular Work Session of the City Council held April 16, 2019. --

6. *Approval of Bid for purchase of high mineral density bond surface treatment (Public Works) being awarded to Andale Construction, Inc. as the sole bid is fair and reasonable and in the best interest of the City ($315,074.14). Bids opened April 17, 2019.

7. *Approval of Bid for purchase of chipseal surface treatment (Public Works) being awarded to FNF Construction, Inc. as the lowest and best bidder after application of five percent in-state preference ($569,000). Bids opened May 7, 2019 with three bidders participating.

8. *Approval for Adoption of an Obligor Resolution regarding the government obligation contract dated as of July 1, 2019 between the City and Fleetwood Finance Leasing LLC for leasing services for an in-car and body camera system for the Police Department.

9. *Approval of Lease Agreement between the City and Kysar Office Complex, LLC for lease of Lots 6 through 9 of Block Two of the Arrington Addition for public parking purposes (term to April 30, 2022).

10. *Approval of Warrants up to and including May 11, 2019.

11. Recognition of The Salvation Army for their service to the citizens of Farmington in operating The Roof winter shelter. (Mayor)

13. 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 19-27 from Randy Rogers requesting a zone change from the SF-7, Single-Family Residential, District to the GC, General Commercial, District for 0.25 acres of a 1.11-acre lot located behind 6007 East Main Street, east of Pryor Court and north of Pryor Lane.

The recommendation of the Planning and Zoning Commission passed by a vote of 7-0 on April 25, 2019. (Helen Landaverde)

14. New Business:

(a) Mayor

(1) Appointments to the Administrative Review Board and the Parks, Recreation and Cultural Affairs Commission.

(b) Councilors

(c) City Manager

(1) Presentation of and public input regarding the proposed Fiscal Year 2020 budget.

(2) Project Selection for the Local Government Transportation Project Grant (Nica Westerling)

(d) City Attorney

(e) City Clerk

15. Business from the Floor:

(1) Items removed from Consent Agenda for discussion.

(2) Any other Business from the Floor.
16. **Closed Meeting** to discuss request for proposals for financial advisor services, pursuant to Section 10-15-1H(6) NMSA 1978, and to receive advice from the City's legal counsel regarding a matter of pending litigation (City of Bloomfield vs. City of Farmington), pursuant to Section 10-15-1H(7) NMSA 1978.

17. **Proposal:** Recommendation from the Chief Procurement Officer to award the proposal for financial advisor services (Administrative Services) to RBC Capital Markets, LLC as the top evaluated firm based on the pricing schedule for services. Proposals opened April 2, 2019 with two offerors participating.

18. 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.
CITY OF FARMINGTON
INTER-OFFICE MEMORANDUM

TO: Mayor Duckett and City Council

FROM: Rosalyn Potter, CPPB
       Contracts Administrator

DATE: April 22, 2019

SUBJECT: 2019 High Mineral Density Bond Surface Treatment, Bid #19-131420

USING DEPARTMENT: Public Works

A bid opening was held on April 17, 2019 for 2019 High Mineral Density Bond Surface Treatment. One (1) bidder responded.

The Central Purchasing Department concurs with the recommendation from the Public Works Department to award the bid to Andale Construction, Inc. from Wichita, KS as submitting the only responsive bid which is considered to be fair and reasonable meeting specifications for a total awarded amount of $315,074.14 plus estimated applicable taxes of $25,993.62. The single response documentation memo is attached.

Rosalyn Potter (Presenter)
Consent Agenda 05/14/2019

Copy to: Teresa Emrich, Acting Administrative Services Director
         David Sypher, Public Works Director
         Virginia King, Project Engineer I

File - 2019 High Mineral Density Bond Surface Treatment
56 Companies were notified of this solicitation.

The following firms were contacted regarding this solicitation and requested information regarding their decision not to respond to the above bid.

Their decision was based on the following:

1. TRC Construction, Rick Adair: TRC Construction is not set up for this type of work.

2. Four Corners Materials, Paul Mcgee: Four Corners Materials does not perform High Mineral Density Bond Surface Treatment or similar items such as crack fill or seal coat.

3. Industrial Mechanical, Inc., Jeff Archuleta: IMI is not setup with proper resources at this time to provide High Mineral Density Bond Treatment. This type of work requires special equipment to lay down the material and only a few companies around have one.
CITY OF FARMINGTON - ABSTRACT
2019 HIGH MINERAL DENSITY BOND SURFACE TREATMENT
COF PROJECT #19-04
BID #19-131420
OPENING DATE: April 17, 2019 @ 2:00 P.M.

| Public Works | Andale Construction, Inc. |
| Engineer's Estimate $379,095.00 | 3170 N. Ohio St. |
| | Wichita, KS 67219 |
| | Caleb Fiske |
| | 505-716-6851 |
| | caleb@andaleconstruction.com |

| | TOTAL BID: $315,074.14 |
| | ESTIMATED APPLICABLE TAXES: $25,993.62 |
| | BIDDER'S ESTIMATE OF TAXES FORM INITIALED: YES |
| | BID SIGNED: YES |
| | NM CONTRACTOR'S LICENSE NO.: 394983 |
| | NM DEPT OF WORKFORCE SOLUTIONS - PUBLIC WORKS NO.: 24532740052018 |
| | LIST OF SUBCONTRACTORS: YES |
| | BID BOND ENCLOSED: YES |
| | BIDDER'S QUALIFICATIONS: YES |
| | DRUG-FREE WORKPLACE CERTIFICATION: YES |
| | CONTRACTOR'S SAFETY CERTIFICATION: YES |
CITY OF FARMINGTON
INTER-OFFICE MEMORANDUM

TO: Mayor Duckett and City Council

FROM: Rosalyn Potter, CPPB
Contract Administrator

DATE: May 9, 2019

SUBJECT: 2019 Chipseal Surface Treatment, Bid #19-131728

USING DEPARTMENT: Public Works

A bid opening was held on May 7, 2019 for 2019 Chipseal Surface Treatment. Three (3) bidders responded.

The Central Purchasing Department concurs with the recommendation from the Public Works Department to award the bid to FNF Construction, Inc. from Tempe, AZ, a responsible bidder submitting the lowest responsive bid meeting specifications for a total awarded amount of $569,000 plus estimated applicable taxes of $46,942.50. All bidders qualified for the In-State preference.

Rosalyn Potter (Presenter)
Consent Agenda 05/14/2019

Copy to: Teresa Emrich, Acting Administrative Services Director
David Sypher, Public Works Director
Nica Westerling, City Engineer
Virginia King, Project Engineer I

File - 2019 Chipseal Surface Treatment
CITY OF FARMINGTON - ABSTRACT
2019 CHIPSEAL SURFACE TREATMENT
COF PROJECT #19-06
BID #19-131728
OPENING DATE: May 7, 2019 @ 2:00 P.M.

<table>
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<tr>
<th>Public Works</th>
<th>FNF Construction, Inc. 115 S. 48th Street Tempe, AZ 85281 Byron Hubbard 480-784-2910 <a href="mailto:bhubbard@fnfninc.com">bhubbard@fnfninc.com</a></th>
<th>GM Emulsion, LLC 5935 Agua Fria Santa Fe, NM 87507 Gabriel Martinez 505-471-9981 <a href="mailto:gabriel@gmemulsion.com">gabriel@gmemulsion.com</a></th>
<th>Star Paving Co. 3109 Love Rd SW Albuquerque, NM 87121 Joe Cruz 505-877-0386 <a href="mailto:monica@starpaving.com">monica@starpaving.com</a></th>
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<td></td>
<td>CONTRACTOR'S SAFETY CERTIFICATION: YES</td>
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</tbody>
</table>
EXHIBIT D

OBLIGOR RESOLUTION

RE: Government Obligation Contract dated as of July 1, 2019, between Fleetwood Finance Leasing LLC (Obligee) and City of Farmington, New Mexico (Obligor)

At a duly called meeting of the Governing Body of the Obligor (as defined in the Contract) held on May 14, 2019 the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Obligor as follows:

1. **Determination of Need.** The Governing Body of Obligor has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of the Government Obligation Contract dated as of July 1, 2019, between City of Farmington, New Mexico (Obligor) and Fleetwood Finance Leasing LLC (Obligee).

2. **Approval and Authorization.** The Governing Body of Obligor has determined that the Contract, substantially in the form presented to this meeting, is in the best interests of the Obligor for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Contract by the Obligor and hereby designates and authorizes the following person(s) to execute and deliver the Contract on Obligor’s behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Contract.

   **Authorized Individual(s): Nate Duckett, Mayor**

   (Typed or Printed Name and Title of individual(s) authorized to execute the Contract)

3. **Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Obligor evidence the adoption by the Governing Body of this Resolution.

   **Signature:**
   
   (Signature of Secretary, Board Chairman or other member of the Governing Body)

   **Printed Name & Title:** Nate Duckett, Mayor
   
   (Printed Name and Title of individual who signed directly above)

   **Attested By:**
   
   (Signature of one additional person who can witness the passage of this Resolution)

   **Printed Name & Title:** Dianne Smylie, City Clerk
   
   (Printed Name of individual who signed directly above)
To: Mayor and Council

From: Shaña Reeves
     Director of Parks, Recreation, and Cultural Affairs

Date: May 1, 2019

Subject: Kysar Parking Lot Lease Agreement

The Kysar Parking Lot Lease Agreement is a long-standing, recurring agreement on a three-year rotation between the Kysar Office Complex, LLC and the City of Farmington. In the attached current agreement, there are no material changes with the exception to the dates of the contract.

Please let me know if you need further information.
LEASE AGREEMENT

KYSAR PARKING LOT

THIS LEASE to be effective May 1, 2019, by and between, KYSAR OFFICE COMPLEX, LLC; who’s address is 300 W. Arrington; Farmington, NM 87401, Raymond L. Kysar, Jr. as the President, called "Lessor," and THE CITY OF FARMINGTON, a New Mexico municipal corporation of San Juan County, New Mexico, hereinafter for convenience called "Lessee;"

WITNESSETH

WHEREAS, Lessors desire to lease to Lessee and Lessee desires to lease from Lessors certain real property owned by Lessors situated in the City of Farmington;

NOW, THEREFORE, in consideration of the mutual covenants between them, the parties agree as follows:

1. (a) Lessors do hereby lease, let and demise unto Lessee, and Lessee does lease from Lessors, the following described premises in the City of Farmington, San Juan County, New Mexico:

All of Lots Six (6) through Nine (9) inclusive of Block Two (2) of the Arrington Addition to the City of Farmington as shown on the Plat of said Addition filed for record on June 19, 1902, which is shown on Exhibit "A" attached hereto and made a part hereof by reference.

Subject to existing ditch easement.

For a lease term of three (3) years commencing on the 1st day of May 2019, and ending on the 30th of April 2022, upon the terms and conditions herein stated.

(b) Lessors grant to Lessee a full-time right to the use of the parking lot for municipal public parking purposes. Lessors reserve the right to allow their
tenants at the Kysar Building to park in the leased area during daytime hours, but will not allow
overnight parking.

(c) Lessors do further grant to Lessee the non-exclusive right to the use of Lessors' existing parking lot which lies to the south of the demised premises after business hours and on weekends if, and only if, parking spaces are available and the use there of is not required by Lessors or Lessors' tenants. Lessee will provide enforcement during business hours when an event is scheduled during business hours to prevent unauthorized parking in the lot south of demised premise. For major events held during business hours and to prohibit unauthorized parking in the lot south of the demised area, the Civic Center will do as much as possible to prevent parking in the lot, including providing personnel observance of the lot, using additional signage and barricades. Violations will be assessed against Lessee each time there are more than six (6) unauthorized (non-Kysar tenant) cars parked in the lot during major events held during business hours. If Lessee violates the use during business hours more than twice during a 12-month period, Lessee agrees to pay a $1,000.00 penalty to Lessor.

2. Lessee, in consideration of said lease, agrees to pay to Lessors as rental for the use of such premises the sum of Two Thousand Three Hundred Dollars ($2,300.00) per month payable in advance commencing on the 1st day of May, 2019, and continuing thereafter each month through the term of this lease.

3. Lessee agrees to use the demised premises shown on Exhibit "A" as a parking lot for municipal purposes and to keep and maintain the paving thereon in good repair at Lessee's cost and expense.

4. Lessee shall hold Lessors harmless from liability to the public that may result from municipal use of the premises to the maximum extent allowed by the Tort Claims Act of the State of New Mexico.
5. Lessee shall have the right to delegate operation of the demised premises to any parking authority that may be formed by the Farmington City Council.

6. Lessee will provide snow removal for the lot south of the demised premises. If Lessee fails to remove snow or ice, Lessor may call an outside vendor for the removal of the snow or ice and send the bill to the Lessee for payment. The Lessor agrees to contact the City of Farmington first before contacting the outside vendor. If Lessor has to contact the city more than twice during a 12 month period, the Lessor will not be responsible for contacting the City before calling an outside vendor.

7. The terms hereof shall be binding alike upon and parties hereto, their successors, and assigns.

CITY OF FARMINGTON

By ____________________________
Raymond L. Kysar, Jr.

By
Nathan Duckett, Mayor

Legal Department
Approved as to form
By ____________________________
Date 03/11/19

- 4.3 -
RESOLUTION NO. 2019-1712

A RESOLUTION DECLARING MAY 15, 2019 AS POLICE OFFICERS MEMORIAL DAY
AND MAY 12 THRU 18, 2019 AS POLICE WEEK

WHEREAS, in 1962, John Fitzgerald Kennedy proclaimed May 15 of each year as Police Officers Memorial Day and the calendar week during which May 15 occurs as Police Week; and

WHEREAS, law enforcement officers are charged with pursuing justice and protecting communities in the United States; and

WHEREAS, Federal, State, local, and tribal police officers, sheriffs, and other law enforcement officers across the United States serve with dignity and integrity; and

WHEREAS, law enforcement officers selflessly serve their communities even at the risk of their own personal safety; and

WHEREAS, Peace Officers Memorial Day honors all law enforcement officers killed in the line of duty; and

WHEREAS, it is fitting and proper that we express our gratitude for the dedicated service and courageous deeds of law enforcement officers and for the contributions they have made to the security and well-being of the community.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, that May 15, 2019 is declared Peace Officers Memorial Day and May 12 thru 18, 2019 is declared as Police Week.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk
* **Adoption** of the Planning and Zoning Commission Action as contained within the Community Development Action Summary and **approval** of Petition ZC 19-27, a request from Randy Rogers to rezone .25 acres of a 1.11-acre lot from SF-7, Single-family, to GC, General Commercial, for property located behind 6007 E. Main Street, east of Pryor Court and north of Pryor Lane. (Helen Landaverde)

Recommendation of approval by the Planning and Zoning Commission on April 25, 2019 which passed by a vote of 7-0.
A. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Randy Rogers with Cornerstone Enterprises, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Randy Rogers</td>
</tr>
<tr>
<td>Date of Application</td>
<td>March 25, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Zone change from the SF-7, Single-family Residential District to GC, General Commercial District for 0.25 acres of property located east of Pryor Court and north of Pryor Lane and behind 6007 E. Main Street</td>
</tr>
<tr>
<td>Location</td>
<td>East of Pryor Court and North of Pryor Lane (R0022453) and behind 6007 E. Main Street</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Residential</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>SF-7, Single-family Residential District</td>
</tr>
</tbody>
</table>
| Surrounding Zoning & Land Use | North: GC, General Commercial/ commercial  
|                        | South: SF-7, Single-family Residential District/residential  
|                        | East: SF-7, Single-family Residential District/residential  
|                        | West: SF-7, Single-family Residential District & GC, General Commercial/undeveloped |
| Notice                 | Publication of Notice for public hearings of the Planning and Zoning Commission and the City Council appeared in the Farmington Daily Times on Sunday, April 7, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, April 3, 2019 and a sign was posted at the site on Friday, April 12, 2019. |
| Staff Planner          | Helen Landaverde, Associate Planner           |

STAFF ANALYSIS

Project Description
The applicant is requesting to rezone a portion of parcel R0022453, 0.25 acres, from SF-7, Single-family Residential District to GC, General Commercial District. The applicant would like to expand the commercial use, Farmington Fire Equipment, at 6007 E. Main Street into the subject property for the storage of vehicles and equipment.
San Juan County Tax Assessor’s records shows that the size of parcel R0022453 (subject property) is 1.11 acres and the size of parcel R0022454 (Farmington Fire Equipment) is 0.86 acres.

The applicant has been expanding the commercial use, Farmington Fire Equipment, at 6007 E. Main Street by storing equipment to the south and into the residential parcel (R0022453) without a zone change and/or a boundary line adjustment.

Proposal
The applicant initially proposed a boundary line adjustment of parcels R0022453 (subject property) and R0022454 (Farmington Fire Equipment) (see SP 19-11):

- Proposed Lot 1 will contain 1.10 acres of land; and
- Proposed Lot 2 will contain 0.75 acres of land.

Upon review, the proposed boundary line adjustment would have created a split-zoned parcel and would not have allowed for the expansion of Farmington Fire Equipment onto the subject property, which is zoned residential, without an approved zone change.

Therefore, the applicant is requesting a zone change. The applicant expressed that he would like for a portion, 0.25 acres of parcel R0022453, to be zoned GC to allow for the expansion of Farmington Fire Equipment onto the subject property. It should be noted that Petition SP 19-11, proposes a zone change for 0.31 acres (66.42’ x 205.91’).

Consistency with the Farmington Comprehensive Plan
The 2020 Future Land Use Plan recommends Residential Single Family Urban for the subject area. The proposed zone change does not support the Future Land Use Plan; however, it promotes the City’s Economic Development Plan (Chapter 22 City Code), one of the core goals of the Comprehensive Plan, and Chapter 8 Economic Development of the Comprehensive Plan.

Economic Development Plan

Goals. The goals of the economic development plan are as follows:

3. Affirmative support of local business creation, retention and expansion.

"Targeted businesses and industry - ... Economic development efforts are focused on new or expanding industries which add value to these sectors or which add diversity to the economic base and which upgrade the skills and income levels of employees."

Objective 8.5: Support retention and expansion of existing businesses.

---

Action 8.5.2: Support local businesses. Encourage local shopping.

Also, the subject property has access to primary streets and major thoroughfares; it has direct access to E. Main Street, an arterial street.

Figure 2. 2020 Future Land Use Plan

General Commercial (UDC Sec. 3.13)

The general commercial (GC) district is intended to accommodate commercial uses. The GC district is not a neighborhood-oriented district and is not generally appropriate for application within residential areas.

It is intended to be used to accommodate existing commercial uses along thoroughfares. It may also be used to accommodate new development proposals. In all cases, new development in the GC district should be adequately served by infrastructure.

The GC district is intended to implement the planning policies of the Comprehensive Plan's "Commercial" land use designation.

STAFF ANALYSIS

A. 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?
The proposed zoning, General Commercial District, is compatible with the present zoning of the area and the existing uses of the neighborhood. The existing land use along East Main Street is commercial.

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

There should be no anticipated adverse impacts. However, the applicant is required to mitigate any existing and/or future adverse impacts.

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

Yes, the zone change request is GC, General Commercial. Any future demolition and redevelopment will need to meet established requirements of the zone district and off-street parking regulations.

D. 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?

The subject property has already been developed. Public facilities have been provided. Any future demolition and redevelopment will need to meet established requirements of the district.

E. 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 zone change for 0.25 acres of parcel R0022453 is consistent with the City’s Economic Development Plan and Chapter 8 Economic Development of the Comprehensive Plan.

The existing land use along East Main Street is commercial. Also, the subject property is connected to the City’s arterial network and will have access to primary streets and major thoroughfares, which would be suitable for the proposed commercial use.
The requested zone change will not be detrimental to the surrounding neighborhood. The proposed zone change will not be a spot zone.

STAFF COMMENTS

Chief Building Official – D. Childers:
Any fill material on the south lot will require proper compaction in lifts, before any structure can be built in this area.

Code Compliance – M. Romero:
Code Compliance has reviewed this request and there could be an issue with the noise level in this area; see Municipal Code Chapter 12 Section 5-8 - Maximum permissible sound levels by receiving land use. The request states that there would be vehicles and equipment stored on the lot in question. When the vehicles are started in the morning they can be loud and disturb the surrounding residents.

City Engineer – N. Westerling:
There is a large box culvert that crosses Main Street which daylights on this property, this box culvert picks up storm water from businesses on both sides of Main Street and the surrounding areas, no fill will be allowed until a grading/drainage plan is submitted.

Community Development – H. Landaverde:
Please check proposed lot sizes for summary plat.

STAFF CONCLUSION

Staff concludes that approval of ZC 19-27 to the GC, General Commercial District is appropriate. Although the proposed zone change for the expansion of Farmington Fire Equipment does not support the 2020 Future Land Use Plan, the request does support the City's Economic Development Plan and Chapter 8, Economic Development, of the Comprehensive Plan for the expansion of local businesses. A zone change to GC for a portion of parcel R0022453, 0.25 acres, would be compatible with this area.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition ZC 19-27, a request from Randy Rogers with Cornerstone Enterprises, LLC, for a zone change for a portion of parcel R0022453, 0.25 acres, from SF-7, Single-family Residential District to GC, General Commercial District for property located east of Pryor Court and North of Pryor Lane and behind 6007 E. Main Street to allow for the commercial expansion of Farmington Fire Equipment with the above mentioned conditions from Staff.

B. FINDINGS OF THE PLANNING AND ZONING COMMISSION

On April 25, 2019, the Planning and Zoning commission held a public meeting for SUP 19-27 and made the following findings:

1. The petitioner is Randy Rogers (property owner).
2. The subject property is located east of Pryor Court and North of Pryor Lane and behind 6007 E. Main Street.

3. San Juan County Tax Assessor’s records show that the size of the subject property is 1.11 acres. The property is vacant and undeveloped.

4. The petitioner is requesting a zone change for a portion of parcel R0022453, 0.25 acres, from SF-7, Single-family Residential District to GC, General Commercial District.

   The petitioner would like to expand the commercial use, Farmington Fire Equipment, at 6007 E. Main Street into the subject property for the storage of vehicles and equipment.

5. The applicant initially proposed a boundary line adjustment of parcels R0022453 (subject property) and R0022454 (Farmington Fire Equipment); the proposed boundary line adjustment would have created a split-zoned parcel and would not have allowed for the expansion of Farmington Fire Equipment on to the subject property.

6. The proposed zone change promotes the City’s Economic Development Plan (Chapter 22 City Code).

7. The Planning and Zoning Commission found that the request would not be injurious to the neighborhood and is not contrary to the public interest. The petition was recommended for approval with conditions; the requirement that screening be provided per UDC 5.5.7C..

8. The petitioner, Randy Rogers, was present at the hearing and spoke in favor of the petition.

9. Two members from the neighborhood (notified/affected parties) or community (un notified/interested parties) attended this hearing and expressed concern about the devaluation of his property.

Planning & Zoning Commission Discussion of Petition ZC 19-27 on April 25, 2019
Associate Planner Helen Landaverde presented the staff report for ZC 19-27, a request from Randy Rogers with Cornerstone Enterprises, LLC, for a zone change from SF-7, Single Family, to GC, General Commercial, for 0.25 acres for property located behind 6007 E. Main Street.
The applicant would like to expand the commercial use, Farmington Fire Equipment, at 6007 E. Main Street into the subject property for the storage of vehicles and equipment. The applicant has been expanding the commercial use by storing equipment to the south and into the southern residential parcel without a zone change and/or a boundary line adjustment.

The applicant initially proposed a boundary line adjustment for both parcels. Upon review, the proposed boundary line adjustment would have created a split-zoned parcel and would not have allowed for the expansion of Farmington Fire Equipment on to the subject property, which is zoned residential, without an approved zone change.

Ms. Landaverde said the applicant expressed that he would like for a portion, 0.25 acres of the residential parcel to be zoned GC. It should be noted that Petition SP 19-11, proposes a zone change for 0.31 acres. The proposed zone change recommends Residential Single Family Urban.

The 2020 Future Land Use Plan recommends Residential Single Family Urban for the subject area. The proposed zone change does not support the Future Land Use Plan; however, it promotes the City's Economic Development Plan regarding retention and expansion of local businesses.

Also, the subject property has access to primary streets and major thoroughfares. It has direct access to E. Main Street.

The Community Development Department recommends approval of Petition ZC 19-27 for a zone change for a portion of parcel R0022453, 0.25 acres, from SF-7, Single Family Residential District to GC, General Commercial District, for property located east of Pryor Court and North of Pryor Lane and behind 6007 E. Main Street to allow for the commercial expansion of Farmington Fire Equipment with the conditions listed from Staff on page 11 of the Agenda Book.

Commissioner Freeman asked Ms. Landaverde for clarification on the boundary lines of the two parcels and where the expansion would be located for 6007 E. Main Street. Ms. Landaverde explained the rear of the Pryor Lane property, only 0.25 acres, will be zoned GC and it will then be included in the Main Street property with a boundary line adjustment through a Summary Plat.

Randy Rogers, 6007 E. Main Street, said he owns both properties. He said the neighbors made their concerns known to him. He said the lot facing Pryor Lane will
remain residential. It will be 0.75 acres so that it can support a septic system. He intends to build a house on it in the future. Mr. Rogers said it is not practical to access the Main Street property through the Pryor Lane property. He said he has cleaned up the Pryor Lane property and feels he has improved the area. Mr. Rogers noted that the two lots are on two different elevation levels. The rear of the Pryor Lane property is approximately the same level as the Main Street property. The rear section is approximately 66-feet.

Dennis Peterson, 6104 Pryor Lane, noted that the property has been cleaned up. He said he has already discussed with Mr. Rogers the notion of building a fence between the Main Street property and the Pryor Lane property to protect the residential neighborhood. Mr. Peterson asked that a fence be required and that the Pryor Lane property be maintained as residential. Mr. Rogers said he intends to build a fence.

Charles Vanden Broeck, 6103 Pryor Lane, said he objects to the vegetation having been removed from the Pryor Lane property. He mentioned that he has seen vehicles exiting the Main Street property through the Pryor Lane property. Mr. Vanden Broeck said he feels the value of his home has dropped by $8,000 in the past few years and feels it is possibly due to the changes on the Pryor Lane property. He said the San Juan County Assessor’s office said his property was changed from ‘Household Plus’ to ‘Household Average’. He mentioned that he supports a fence between the two properties.

Randy Rogers said he cannot imagine how the changes he has made has reduced property values. He said the road on the side of the property could be filled in to prevent access between the two lots, but he feels it would cause drainage issues if it were filled in. Mr. Rogers said he would not have a problem making that access inaccessible as part of the zone change. He expressed his desire to be a good neighbor. The trees that he removed from the lot were either dead or invasive cottonwood trees. Mr. Rogers clarified for Commissioner Sewell that the fence would be at the edge of the upper level to block his equipment from view of the residential area.

Commissioner Freeman asked staff to clarify the requirements for screening between GC and residential. Ms. Landaverde said screening requirements would be triggered if there was an expansion to the floor area of the building. Since Mr. Rogers is not expanding the floor area, the screening devices would not be required. The expansion is to park equipment. If Mr. Rogers were expanding the parking lot, said Ms. Landaverde, screening devices would be required.
Commissioner Freeman asked what the screening requirements would be if the building was expanded or the public parking lot was expanded. Ms. Landaverde said UDC (Unified Development Code) 5.5.7 Section C states that the options include an opaque fence or wall, a dense planting of trees and shrubs, or a combination thereof. Due to the property location near residential, the Code states that screening shall include an opaque vinyl or wood fence or a masonry wall. This can also include dense planting, she said.

Commissioner Brown asked if there were any rules concerning access to a commercial property through a residential district. Ms. Landaverde said if the property was for commercial use, the UDC and the Comprehensive Plan asks for access to arterial streets and major thoroughfares. Access through a local street would not be recommended.

The Commissioners discussed fence and gate options and requirements.

David Sypher, Acting Community Development Director, clarified the definition of an opaque fence as defined as masonry, wood, or vinyl. The intent of vinyl is noted as vinyl panels. Mr. Sypher’s impression is that the neighbors would like a chain-link fence with slats. Access rights between the two lots is up to the owner of the properties. The neighbors seem to be concerned with use after hours. A gate between the properties would facilitate access for the owner, yet limit unauthorized people from using it.

**Planning & Zoning Commission Action of Petition ZC 19-27 on April 25, 2019**
A motion was made by Commissioner Freeman and seconded by Commissioner Ragsdale to approve Petition ZC 19-27, a request from Randy Rogers for a zone change from SF-7, Single Family, to GC, General Commercial, for the 0.25-acre rear portion of the Pryor Lane property located behind 6007 E. Main Street with the requirement that screening be provided per UDC 5.5.7C.

AYE: Chair Cardon, Commissioners Brown, Freeman, Lockmiller, Ragsdale, Sewell, and Waldroup.

NAY: None

Abstained: None

Absent: Commissioners Davis, Langenfeld, and Mangum.
Motion passed 7-0
Photo of subject property

Parcel R0022453 Zoned SF-7

Parcel R0022453 Zoned SF-7 & expansion of commercial use
## PLANNING MEMO COMMENTS SUMMARY

**ZC 19-27 6007 E. MAIN ST / PRYOR LN**  
**Deadline: 4/11/19**

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CD</strong> Director –</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> Addressing – Planning Division</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> Chief Building Official – D. Childers</td>
<td>Any fill material on the south lot will require proper compaction in lifts, before any structure can be built in this area.</td>
</tr>
<tr>
<td><strong>CD</strong> Long Range Planner</td>
<td></td>
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<td><strong>CD</strong> MPO</td>
<td></td>
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<tr>
<td><strong>CD</strong> Oil &amp; Gas Inspector – L. Simms</td>
<td></td>
</tr>
<tr>
<td><strong>CITY</strong> City Manager’s Office – J. Baird</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>ELEC</strong> Customer Care Manager – L. Richardson</td>
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<tr>
<td><strong>ELEC</strong> Electrical Engineering – L Aligarbes</td>
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<tr>
<td><strong>ELEC</strong> T &amp; D – R. Romero</td>
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<tr>
<td><strong>FIRE</strong> Fire Captain – D. Doudy</td>
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<tr>
<td><strong>FIRE</strong> Fire Marshall – B. Vega</td>
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<tr>
<td><strong>LEGAL</strong> City Attorney – J. Breakell</td>
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<tr>
<td><strong>LEGAL</strong> Deputy City Attorney – E. Wayne</td>
<td></td>
</tr>
<tr>
<td><strong>POLICE</strong> Code Compliance – M. Romero</td>
<td>Code Compliance has reviewed this request and there could be an issue with the noise level in this area. The request states that there would be vehicles and equipment stored on the lot in question. When the vehicles are started in the morning they can be loud and disturb the surrounding residents.</td>
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<tr>
<td><strong>POLICE</strong> Sergeant – P. Flores</td>
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<tr>
<td><strong>PRCA</strong> S. Reeves/ R. Crosby</td>
<td></td>
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<tr>
<td><strong>PRCA</strong> ORII – C. Styron</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>PW</strong> City Engineer – N. Westerling</td>
<td>There is a large box culvert that crosses Main Street which daylight on this property, this box culvert picks up storm water from businesses on both sides of Main Street and the surrounding areas, no fill will be allowed until a grading/drainage plan is submitted.</td>
</tr>
<tr>
<td>PW</td>
<td>Engineering – T. Sitta</td>
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<tr>
<td>PW</td>
<td>Streets Superintendent</td>
</tr>
<tr>
<td>PW</td>
<td>Traffic Engineer – I. BlueEyes</td>
</tr>
<tr>
<td>PW</td>
<td>Water/Waste Water – M. Tso</td>
</tr>
</tbody>
</table>

**Other Entities**

<table>
<thead>
<tr>
<th>Entity</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
</tr>
<tr>
<td>CenturyLink – A. Zohner</td>
<td>No opinion</td>
</tr>
<tr>
<td>Enterprise Field Services</td>
<td></td>
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<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
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<tr>
<td>CH2MHIll OMI</td>
<td></td>
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<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td>No comment</td>
</tr>
<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
**ETITION APPLICATION**

Incomplete applications will not be accepted.

Return completed application to:

Planning Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

**PROJECT TYPE (Check Those Applicable)**
- □ Annexation and / or Zoning
- □ Preliminary Plat
- □ Final Plan
- □ Summary Plat
- □ Special Use Permit Variance (ARB)
- □ Zone Change to District
- □ Temporary Use Permit

**Proposed Length of Use:**

**INFORMATION**

Applicant's Name: Cornerstone Enterprises, LLC, Randy Rogers

Address: 6007 E. Main St., Farmington, NM 87401

E-Mail: rrogers@fire.com

Telephone: 505-320-2192

Relationship to Property Owner: Owner

Assessor's Parcel I.D. and/or Tax I.D. Number: R0022453 & R0022494

Legal Description of Subject Property: See Attached Plat

Existing Use: Commercial

Proposed Use: Commercial

Current Zoning: Commercial

Project Location: Pryor Lane/East Main St.

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes □ No □

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

Name: Randy Rogers

Phone: (505) 320-2192

Address: 6007 E. Main St., Farmington, NM 87401

**OWNERSHIP**

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)

Name: Cornerstone Enterprises

Phone: 505-320-2192

Address: 6007 E. Main St., Farmington, NM 87401

MORTGAGE HOLDERS (if any)

Name: 

Phone:

**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 lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: Randy Rogers, Cornerstone Enterprises, LLC

Address: 6007 E. Main, Farmington, NM 87401

Owner's Signature: 

Phone / Email: 505-320-2192

**STAFF USE ONLY**

Received By: K L

Date: 5/25/19

Time: 

Fee Received: 100

Project File No: ZC 19-27 6007 E. Main/Pryor

Date of Hearing/Meeting: 6/2/19

- □ Blue line copies of plans

- □ Ownership Report (subject and surrounding properties)

- □ Legal Description

- □ Detailed Statement of Proposed Use

- 6.17 -
Proposal SP 19-11

Area to be Rezoned
P&Z PLANNING & ZONING COMMISSION
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 19-27 - a request from Randi Rogers for a zone change from SF-7, Single-family, to GC, General Commercial, for 1.11 acres for property located at 6007 E. Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NE/4NE/4 of Section 31, Township 3D N, Range 12 West, Book 7C2, page 3 and Book 1258, page 729, N.M.P.M., in the City of Farmington, San Juan County, New Mexico, otherwise located at 6007 E. Main St. & Pryor Lane

Petition No. ZC 19-28 & SUP 19-29 - a request from Billy Randall, represented by Misty Hensley-Munoz, for a zone change from SF-7, Single-family, to LNC, Local Neighborhood Commercial and for a special use permit to allow for recreational vehicle storage for property located at 5001 Redwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 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, April 25, 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 petition will be considered by the City Council on Tuesday, May 14, 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

Legal No. 128212l published in The Daily Times on April 7, 2019.
NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-27

April 3, 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 Randy Rogers for a zone change from SF-7, Single-family, to GC, General Commercial, for 1.11 acres for property located at the rear of 6007 E. Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the NE/4NE/4 of Section 31, Township 30 N, Range 12 West, Book 1532, page 3 and book 1258, page 729, N.M. P.M., San Juan County, New Mexico.

Otherwise known as 6007 E. Main St. & Pryor Lane

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, April 25, 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, May 14, 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 Helen Landaverde at 505-599-1282 or hlandaverde@fztm.org.

Sincerely,

Karen Walker
Administrative Assistant

- 6.20 -
Names and Tax-Roll Addresses of Owners Within One Hundred (100) Feet (excluding roadways and easements) of the Following Described Property Referenced as TRACT 1:

Beginning for a tie at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE/4NE/4) of Section Thirty-One (31), Township Thirty (30) North, Range Twelve (12) West, in the City of Farmington, San Juan County, New Mexico;

THENCE South 89°54' West 640 feet to the point of beginning of the tract hereby conveyed;

THENCE North 235 feet;

THENCE North 89°54' East 205 feet, more or less, to the Westerly edge of the tract heretofore conveyed by August C. Schmidt and Mildred J. Schmitt, his wife, to Merle Black and Mary Patricia Black by Warranty Deed dated October 30, 1953, and filed for record on November 2, 1953, in Book 227, page 106 of the Records of the County Clerk of San Juan County (hereinafter referred to as the "Merle Black property");

THENCE South 235 feet along the Westerly edge of the Merle Black property and to the South line of said NE/4NE/4;

THENCE South 89°54' West 205 feet, more or less, to the point of beginning.

TRACT 1
Cornerstone Enterprises, LLC
5404 Saint Andrews Drive
Farmington, NM 87402

That part of the NE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.

Book 1258, page 729

TRACT 2
Charles P. Cole and Nadine M. Cole
2020 North 21st Place
Phoenix, AZ 85006

That part of the SE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.

Book 1258, page 729

TRACT 3
Marlo L. Webb and Louise M. Webb Revocable Trust
C/O Cornerstone Enterprises, LLC
6007 East Main Street
Farmington, NM 87402

That part of the NE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.

Book 1532, page 3

TRACT 4
R & J Properties, LLC
P.O. Box 1436
Farmington, NM 87499

That part of the NE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.

Book 1672, page 905
TRACT 5
Vance A. Mabry and Dorothy E. Mabry
4405 Boring Street
Farmington, NM 87402
That part of the SE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1479, page 976

TRACT 6
Peterson Revocable Trust
6104 Pryor Lane
Farmington, NM 87402
Tract 2A, of the SCMITT ROAD SUBDIVISION
REPLAT "A", in the City of Farmington, San
Juan County, New Mexico, filed for record
October 26, 1994.
Book 1479, page 154

TRACT 7
Don A. Bloomfield and Karla M. Bloomfield
5051 Schmitt Road
Farmington, NM 87402
Tract 1A, of the SCMITT ROAD SUBDIVISION
REPLAT "A", in the City of Farmington, San
Juan County, New Mexico, filed for record
October 26, 1994.
Book 1106, page 305

TRACT 8
Charles Vanden Broeck and Alana Vanden
Broeck
6103 Pryor Lane
Farmington, NM 87402
That part of the E2SE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1360, page 697

TRACT 9
Stephen B. Harper and Gwynet L. Harper
Revocable Trust
6101 Pryor Lane
Farmington, NM 87402
Lot 1, of the CHLJ'S SUBDIVISION, in the City
of Farmington, San Juan County, New Mexico,
Book 1494, page 816

TRACT 10
Jack O. Smalley and Royal S. Smalley
5711 Tee Drive
Farmington, NM 87402
That part of the SE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1397, page 76

TRACT 11
Bella Luna Investments, LLC
3101 McCalm Drive
Farmington, NM 87402
That part of the SE/4NE/4 of Section 31,
Township 30 North, Range 12 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1627, page 286
TO: March 19, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

[Signature]

By: Lorraine Austin, Abstracter
DATE: May 7, 2019

TO: Mayor and Council

CC: Rob Mayes, City Manager
Julie Baird, Assistant City Manager
David Sypher, Public Works Director

FROM: Nica J. Westerling, City Engineer

RE: Project Selection for Local Government Transportation Project (LGTP) Grant

The State has passed a bill setting up a Local Government Transportation Project Fund with $50 million in funds for FY2020; this is a onetime funding opportunity. NMDOT has proposed to split the money equally between the districts, which equates to $8 million for District 5. The proposed funding is 95% NMDOT and 5% local funding, unless the City qualifies for hardship funding which makes it 100% NMDOT funded. This grant application has a short application period and the award, per the Bill, must be by September 1, 2019. The City would not be able to proceed with the project until several months after the award, once the NMDOT contract is processed and all clearances granted. A typical state funded grant must be able to obligate, have all required clearances, for the project by June (in this case, June 2020) with up to two years to spend the funds and get reimbursed.

Complete applications need to be submitted to the MPO by May 27th. Staff is asking the recommendation include authorization for the City Manager to submit a letter with the grant application stating City of Farmington has the required 5% match for the project versus bringing a resolution back to Council.

Staff is presenting the following projects for your consideration based on readiness to proceed, need and previous Council priorities:

Foothills Enhancements
Phase 2- Rinconada to Mesa del Oso
Phase 2 consists of widening the road to accommodate on street bike lanes, choker islands at Johnson Terrace, road resurfacing, drainage improvements, and continuation of the multiuse trail on the east side. Phase 2 currently has two funding sources: 1) a TAP grant of $351,179, which can only be used for the multiuse trail and bike lanes, with $300,047 in Federal funds and a required local match of $51,132; and 2) a MAP Grant of $240,000, with $180,000 State funds and $60,000 local match. This leaves approximately $709,000 unfunded; if funded by this grant ($673,550 State, $35,450 Local).

Right of way acquisition is underway for Phase 2 and signatures have been secured from all 8 of the necessary properties. We are meeting with NMDOT Right of Way Division on May 9th to discuss the acquisitions after which the 8 contracts will go to Council for approval. Once the NMDOT Right of Way Division signs off on the right of way clearance, we should be able to move ahead with the project this
summer. If selected, this would delay the start until next spring at the earliest; and, we would need to get an additional extension on the existing MAP funding.

Phase 3- Mesa Del Oso to Lakewood Drive
Phase 3 does not currently have a funding source. Construction is estimated at $1,972,000, if fully funded the split would be $1,873,400 State, $98,600 Local. The project includes a roundabout at Lakewood Drive, on street bike lanes and the multi-use trail like the first two phases. The design is complete and NMDOT has approved the right of way maps and environmental clearances for Phase 3. We have scheduled the appraisals and title work (Aug 2019) to allow us to move forward with the 3 acquisitions for this phase. Right of way acquisition typically takes 6-12 months to complete the process with NMDOT. Since we have received funding for other phases of this project we are already in the process with NMDOT. This would complete the designed phases of Foothills Enhancements and make a multimodal connection to Lakewood Drive and the bike lanes on it.

Bridge Repairs - Broadway, Airport and Miller
The total cost for the three bridge repairs is $935,000. (State $888,250, local match $46,750). Per the last annual inspection reports, there are various repairs needed on each bridge. The above deck repairs to Broadway Bridge completed summer 2018 included replacing the deck joints and other deck repairs. Broadway still needs work under the bridge: the Pier Caps need to be repaired, other structural concrete replacement needs to be completed, and, coating the underside for an estimated cost of $675,000. Airport Bridge needs the deck joints replaced at an estimated cost of $200,000. Miller Bridge needs the south deck joint replaced for an estimated cost of $60,000. 201 funding for these repairs are proposed in FY2020 with the work scheduled July/August 2019, utilizing the existing State Bridge Repair Contract issued by NMDOT to Hasse Contracting. Clearances will be required. If this project is selected for the grant application the work could be completed Spring/Summer 2020. Budget would be diverted to resurfacing projects.

San Juan Blvd. Resurfacing
We have applied for a MAP Grant for this project between South Butler and East Main Street; we will not hear until late May on the application, probably not in time to do more than modify the funding amounts on the grant application. In the MAP grant request we asked for $1,568,100 in funding with $1,176,075 in NMDOT funding and $392,025 in Local match funding. MAP funding has typically been significantly less, between $240,000 and $600,000 (total grant including match) and has a 75% NMDOT 25% local match requirement. The estimated cost of the project is $1,568,100 if completed this season. We could ask for additional funding to cover any shortfall, I estimate the shortfall around $950,000 ($902,500 State, $47,500 local). This project does not require plans and the clearances will be relatively easy. We own the right of way and the environmental clearance is minimal for a resurfacing project since it does not disturb more than 6 inches. The clearances would be the same for both funding sources. The drawbacks are: we do not know at what level this will be funded per the MAP grant; the project would be delayed until both agreements are in place; paving would be spring of 2020; and, we are currently installing a water line the length of San Juan Blvd. which will result in many trench cuts.
Navajo Street Farmington Glade Crossing
This project includes replacing the drainage crossing, repaving from 500’ west of the crossing to Auburn, including sidewalks and widening to accommodate future bike lanes. The estimated cost is $1,250,000, if fully funded the split would be $1,187,500 State and $62,500 Local.

Brief history: most years in monsoon season during flood events, the City dispatches emergency responders to close Navajo Street between Municipal and Auburn. This closure may last a few hours to 24 hours depending on the amount of debris on the road and any damage. There are no gates or any other methods with which to close the road, so staff and/or equipment must stay until we can reopen the road. When the road is overtopped, typically there is erosion on the downstream side and debris including mud and trees parts on the road. The Farmington Glade extends to within 3 miles of the Colorado state line so the area it drains is quite extensive; and, we can have water overtopping Navajo without any rain in the immediate area.

This crossing was originally designed as a combined crossing, with low flows handled by the culverts and medium to large flood events overtopping the road. At some point, a third culvert was added on the east side to decrease overtopping frequency. During the summer of 2016 Public Works staff investigated a sinkhole in the vicinity and determined two of the three metal culverts had rusted to the point they had no structural integrity and very little bottom remaining. As an interim measure the two culverts that failed were blocked on both ends to keep the road from undermining. Unfortunately, this dramatically increases the likelihood of overtopping during storm events as the two larger 60” diameter culverts were the ones that failed, leaving one 54” culvert functioning. Public Works staff did some preliminary estimates and determined it would cost almost as much to replace the existing culverts as to change the structure to something that would not be overtopped in a 100 year event. Public Works contracted with Souder-Miller to design a solution that does not overtop the road or increase flood elevations in a 100-year storm event. Due to cost and availability, a box culvert was chosen. The design is complete and the needed property acquired. This crossing is the most dangerous of our 7 most dangerous crossings and is at the top of our list to remediate because of its unpredictable nature.

This project would require some additional permits (ACOE and FEMA) and a higher level of environmental clearance with NMDOT. Without a funding source, doing the environmental clearance paperwork is premature as each agency (FEMA, ACOE or NMDOT) would require it in a different format but will accept it in the funding agency’s format and environmental documents/clearances are only good for 5 years. This project is currently unfunded per our CIP so this grant could allow us to fund it.

Main Street Resurfacing between Smith and Scott
Per the pavement assessment completed in December 2017, this section of Main Street will need a mill and inlay in the next couple of years at an estimated cost of $1,129,806, ($1,073,316 State, $56,490 Local). In addition to the pavement restoration of this area, resurfacing allows restriping to include bike lanes without water blasting to remove the old lines (damages the pavement). Since this is a resurfacing project the certifications are fairly easy and plans are not required. This project is the most flexible and the resurfacing could be pushed out a year if the asphalt holds up better than expected.
Piñon Hills Extension, Phase 1
Piñon Hills is currently not funded and the engineering cost estimate for Phase 1 is $4.2 million ($3,990,000 State, $210,000 Local). This project would include intersection reconfiguration at Main Street and Piñon Hills Boulevard including median work, widening, and relocating sidewalk, new traffic equipment for the 4th leg, two vehicles lanes to Hubbard/Paseo del Rancho, street lights, and the associated storm drainage infrastructure. This project is designed, and some of the clearances have been granted. A Right of Way wavier and Final Environmental clearances are pending funding. In addition to the other submission requirements, we need to get NMDOT’s support for the project since some of it’s in their right of way (application requires a letter of support from property owner if not owned by applicant). It’s doubtful this project would be fully funded since it’s over 50% of the funding for the District and the City would have to overmatch the grant and come up with the rest. This project is already on the STIP and TIP and is the number one project on the MPO’s list.

The City is working on a BUILD grant application for all three phases of Pinon Hills in coordination with San Juan County (2 phases City of Farmington and 1 for the County). The maximum award is $25 million and the three combined projects are closer to $33 million (City $20.5 million, County $12.5 million) so even if we get that award the City (and County) will still need to find the rest to make the project whole.

Per direction from NMDOT we can submit several grant applications; however, it takes significant staff time to complete the applications. With the short turnaround time it may be possible to complete, two maybe three, applications providing some are ones that had previously completed grant applications. Additionally, it takes significant time to oversee these projects, and, the grants are reimbursement based so the City would need funds upfront.

Whichever projects are selected, the City will need to cover any amount over the grant amount, or change the project termini (possible on resurfacing projects). Typically, state projects are not fully funded when the requests exceed the funding amounts.

The next step is to submit to the MPO. The projects will then be screened for feasibility by the NMDOT, MPO and the applicants.

Staff’s suggested projects are:
1. Pinon Hills
2. Foothills Phase 3
3. San Juan Blvd
4. Navajo Glade Crossing

Staff is seeking Council direction, prioritization, or alternative projects.
TO: Mayor Duckett and City Council
FROM: Kristi Benson, CPPO, CPPB
       Chief Procurement Officer
DATE: May 3, 2019
SUBJECT: Financial Advisor Services, RFP #19-131081
USING DEPARTMENT: Administrative Services

A proposal opening was held on April 2, 2019 for Financial Advisor Services. Two (2) offers were submitted.

The Central Purchasing Department concurs with the recommendation from the evaluation committee to award the contract to RBC Capital Markets, the top evaluated firm. Award is based on the pricing schedule for services as required. No bidders qualified for the In-State or Veterans preference. The final rankings are listed below:

   RBC Capital Markets, LLC
   Hutchinson Shockey Erley & Co

Kristi Benson (Presenter)
Council Meeting 5/14/2019 Close/Reopen

Copy to:
File – 19-131081

Evaluation Committee:
   Rob Mayes, Administration
   Teresa Emrich, Administrative Services
   Brooke Quintana, Administrative Services
   Hank Adair, Electric
   Jennifer Breakell, Legal
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, April 23, 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**
Sean E. Sharer
Jeanine Bingham-Kelly
Janis Jakino

**ABSENT**
Linda G. Rogers, Councilor

constituting all members of said Governing Body.

Also present were:

**CITY MANAGER**
Rob Mayes

**ASSISTANT CITY MANAGER**
Julie Baird

**CITY ATTORNEY**
Jennifer Breakell

**DEPUTY CITY CLERK**
Andrea Jones

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

INVOCATION: The invocation was offered by Pastor Burson Corley of College Heights Baptist Church.

Boy Scout Aaron Bartley led the Pledge of Allegiance.

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 April 9, 2019.

*ADOPTION OF RESOLUTION NO. 2019-1708 authorizing the execution and delivery of a Local Government Planning Grant Agreement between the City and the New Mexico Finance Authority for funding in the amount of $50,000 for the purpose of financing the costs of updating the City’s Metropolitan Redevelopment Area Plan.

*ADOPTION OF RESOLUTION NO. 2019-1709 requesting a time extension from the New Mexico Department of Transportation for the Pothills Drive Enhancement project (Phase II).

*WARRANTS PAYABLE for the time period of April 6, 2019 through April 20, 2019, for current and prior years, in the amount of $6,833,004.11.

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

RECOGNITION OF THE JOHN OLIPHANT/TACO BELL TEEN CENTER AND MARIAN JOHNSON

Mayor Duckett recognized the John Oliphant/Taco Bell Teen Center at the Farmington Boys & Girls Club (“FB&GC”) for being named New Mexico’s Teen Center Program of the Year and Mariah Johnson for being named New Mexico’s Junior Youth of the Year.

FB&GC Executive Director Maria Rodman briefly reviewed the award process and she thanked the Council for their continued support of the FB&GC. Ms. Rodman announced that the grand opening for the teen center will be held on May 31, 2019 from 4:00 p.m. to 7:00 p.m. and invited everyone to attend. Katy Saylor of the FB&GC explained the qualifications
necessary for the Junior Youth of the Year award and she announced that Ms. Johnson is a sixth grader at Hermosa Middle School who earns straight “As” and loves to play volleyball.

The Mayor presented Ms. Rodman and Ms. Johnson with Citizenship Awards and the presentation was concluded with a hearty round of applause.

**GOLD STAR MONUMENT PROJECT**

Parks, Recreation and Cultural Affairs ("PRCA") Director Shahe Reeves reported that the PRCA Commission unanimously recommended approval of acceptance of the Gold Star Monument project and she introduced Gary Smouse, Co-Chairman of the San Juan County Gold Star Monument Committee ("Committee").

Mr. Smouse introduced his fellow Committee members and recognized two local Gold Star families that were in attendance: Gerri Sue and Clayton Roberts, parents of Army Staff Sergeant Kevin C. Roberts who was killed on May 7, 2008 while serving in Afghanistan, and Jeanette and C.Y. Yazzie, parents of Army Specialist Clifton J. Yazzie who was killed on January 20, 2006 while serving in Operation Iraqi Freedom. Utilizing a PowerPoint presentation, Mr. Smouse provided a brief history of Medal of Honor recipient Hershel "Woody" Williams and stated that the Committee will host Mr. Williams in Farmington on June 26-27, 2019 to kick-off the project's fundraising campaign and to perform a groundbreaking ceremony at All Veterans Park contingent upon Council's acceptance of the project. He provided sample pictures of the monument and reported that it will consist of four panels and four base stones weighing a total of approximately 15,000 pounds and measuring a total length of 139 inches and peak height of 89 inches. Concluding his presentation, Mr. Smouse stated that the ideal location for the monument is at All Veterans Park to the west of the plaza near the floating globe.

Ms. Reeves reported that there are no plans to expand All Veterans Park and stated that staff will ensure that the exact location of the monument does not interfere with any underground infrastructure. She also pointed out that the Committee will provide the funding for the construction of the monument through fundraising and then gift it to the City once it is complete, noting that the City will provide the land and any necessary future maintenance for the monument.

Following brief discussion, a motion was made by Councilor Jakino, seconded by Councilor Sharer to accept the Gold Star Monument project, as presented, and upon voice vote the motion carried unanimously.

**REAPPOINTMENTS TO THE COMMUNITY RELATIONS COMMISSION**

Mayor Duckett asked the Council’s consideration of the reappointments of Sherrie Chenault, Diana Kinney, Lynn Love and Pat Gross as members of the Community Relations Commission (terms to April 2021).

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Bingham-Kelly to confirm the reappointments of Sherrie Chenault, Diana Kinney, Lynn Love and Pat Gross as members of the Community Relations Commission, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

**APPOINTMENT TO THE PLANNING AND ZONING COMMISSION**

Mayor Duckett asked the Council’s consideration of the appointment of Gary Smouse as an alternate member of the Planning and Zoning Commission (term to May 2020).

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Bingham-Kelly to confirm the appointment of Gary Smouse as an alternate member of the Planning and Zoning Commission, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

**APPOINTMENT TO THE AIRPORT ADVISORY COMMISSION**

Mayor Duckett asked the Council’s consideration of the appointment of Jonathan Rudolf as an alternate member of the Airport Advisory Commission (term to December 2019).

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Bingham-Kelly to confirm the appointment of Jonathan Rudolf as an alternate member of the Airport Advisory Commission, as recommended by the Mayor, and upon voice vote the motion carried unanimously.
FINANCIAL PARTICIPATION/ENGINEERING PLAN FOR A REGIONAL FIBER BACKBONE LOOP/SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

At the Mayor's request, Economic Development Director Warren Unsicker provided a brief summary of the presentation that was given to the Council at the April 16, 2019 Work Session and he stated that staff is recommending that the City's proposed financial participation of $15,000 toward the engineering plan be allocated from the Community Transformation and Economic Diversification (CTED) Fund.

Following brief consideration, a motion was made by Councillor Sharer, seconded by Councillor Jakino to allocate $15,000 from the Community Transformation and Economic Diversification (CTED) Fund to the Southwest Colorado Council of Governments to help fund an engineering plan of a regional fiber backbone loop, and upon voice vote the motion carried unanimously.

CITY ATTORNEY BUSINESS

City Attorney Jennifer Breakell presented and read by title Resolution No. 2019-1710 relating to the natural gas supply agreement with the New Mexico Municipal Energy Acquisition Authority. The title of the resolution being:

A RESOLUTION RELATING TO THE NATURAL GAS SUPPLY AGREEMENT BETWEEN THE CITY OF FARMINGTON AND THE NEW MEXICO MUNICIPAL ENERGY ACQUISITION AUTHORITY, AS AMENDED BY A FIRST AMENDMENT; AUTHORIZING ACTION NECESSARY OR ADVISABLE TO OBTAIN A GAS DISCOUNT PURSUANT TO THE SUPPLY AGREEMENT, AS AMENDED, INCLUDING THE EXECUTION AND DELIVERY OF CERTIFICATES AND AGREEMENTS RELATING TO THE FOREGOING; RATIFYING, APPROVING, AND CONFIRMING PRIOR ACTION TAKEN RELATED TO THE FOREGOING; AND REPEALING ACTION INCONSISTENT HERewith.

Electric Utility Director Hank Adair reported that the New Mexico Municipal Energy Acquisition Authority ("NMMEA") consists of the cities of Farmington, Las Cruces and Los Alamos and allows for the prepayment of the purchase of natural gas at a discounted rate for its members, noting that utility customers saved approximately $1.2 million in a one-year interval. He stated that there is no inherent risk and he reported that the Public Utility Commission unanimously recommended approval at the April 10, 2019 meeting.

Following consideration of Resolution No. 2019-1710, a motion was made by Councillor Sharer, seconded by Councillor Jakino that said resolution be passed and adopted as presented. The roll was called with the following result:

Those voting aye: Sean E. Sharer
Jeanine Bingham-Kelly
Janis Jakino

Those voting nay: None

Those absent: Linda G. Rodgers

The presiding officer thereupon declared that three Councillors having voted in favor thereof, the said motion carried and Resolution No. 2019-1710 was duly passed and adopted.

Ms. Breakell also presented and read by title Resolution No. 2019-1315 declaring the City's intent to amend Ordinance No. 2019-1315 pertaining to street improvements. The title of the resolution being:

Following consideration of Resolution No. 2019-1711, a motion was made by Councillor Sharer, seconded by Councillor Jakino that said resolution be passed and adopted as presented. The roll was called with the following result:

Those voting aye: Sean E. Sharer
Jeanine Bingham-Kelly
Janis Jakino

Those voting nay: None

Those absent: Linda G. Rodgers

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried and Resolution No. 2019-1711 was duly passed and adopted.

Noting that there was a miscommunication with outside counsel, Ms. Breakell requested that permission to publish Ordinance No. 2019-02 pertaining to gas supply revenue bonds for the New Mexico Municipal Energy Acquisition Authority be removed from tonight’s agenda because it does not require action from the Council.

Ms. Breakell also presented for discussion a proposed ordinance declaring the City’s intent to amend Ordinance No. 2019-1315 pertaining to street improvements. The title of such ordinance being:


There being no discussion, Ms. Breakell announced that the proposed ordinance will be presented for final action at the May 7, 2019 Special City Council Work Session.

Lastly, Ms. Breakell presented an ordinance dealing with wireless (small cell) communication facilities and stated that notice of intent to consider said ordinance has been published two weeks prior to final action upon the ordinance as required by Section 3-17-3 NMSA 1978 Compilation. She recommended the ordinance, if adopted, be given the number 2019-1316. The title of the ordinance being:

AN ORDINANCE AMENDING CHAPTER 22 OF THE CITY CODE BY ADDING A NEW ARTICLE 8 ENTITLED “WIRELESS COMMUNICATION FACILITIES;” PROVIDING DEFINITIONS; PROVIDING FOR PERMITS; AND PROVIDING FOR SEVERABILITY.

After consideration of Ordinance No. 2019-1316, a motion was made by Councillor Jakino, seconded by Councillor Sharer that said ordinance be passed and adopted as presented. The roll was called with the following result:

Those voting aye: Sean E. Sharer
Jeanine Bingham-Kelly
Janis Jakino

Those voting nay: None

Those absent: Linda G. Rodgers

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried and Ordinance No. 2019-1316 was duly passed and adopted.
There being no further business to come before the Council, a motion was made by Councilor Jakino, seconded by Councilor Sharer to adjourn the meeting at 6:42 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 14th day of May, 2019.

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

SEAL

ATTEST:

Dianne Smylie, City Clerk

Nate Duckett, Mayor
Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, April 16, 2019 at 9:00 a.m. in the Executive Conference Room, 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
Nate Duckett

COUNCILORS
Linda G. Rodgers
Sean E. Sharer
Jeanine Bingham-Kelly
Janis Jakino

constituting all the members of the Governing Body.

Also present were:

ASSISTANT CITY MANAGER
Julie Baird

CITY ATTORNEY
Jennifer Breakell

CITY CLERK
Dianne Smylie

PRESENTATION/REGIONAL BROADBAND SERVICES PLAN

Former Mayor Tom Taylor introduced Miriam Gilow-Wiles, Executive Director for the Southwest Colorado Council of Governments ("COG"), noting that he met her at a Four Corners Future Forum where broadband issues were being discussed. He stated that she will be providing a brief overview of the work being done by her office and then asking the Council to consider financial participation in a regional broadband project.

Ms. Gilow-Wiles reported that she is based out of Durango, Colorado and assists the five counties located in the southwest part of the state by focusing on aging, the environment, housing, telecommunications, transportation and tourism. She explained that her office is working to develop a regional broadband plan that will stretch from Cortez to Shiprock to Farmington to Aztec and back to Durango for the purpose of creating redundancy which will improve reliability and increase opportunities for economic development (such as data centers). She reported that she has requested $15,000 from San Juan County and is seeking an additional $15,000 from the City of Farmington to assist with the engineering costs, noting that the entire project is slated to cost $74,000 with the State of Colorado contributing $38,000 and the local internet providers contributing $6,000. She advised the Council that she will submit a formal request for consideration at a later date.

Councilor Sharer expressed his support for the proposed project.

In response to inquiry from Councilor Jakino, Ms. Gilow-Wiles reported that she has been discussing this project with the Ute Mountain Ute and the Southern Ute Indian tribes and both seem interested in the project but noted that she has not yet made contact with the Navajo Nation.

In closing, Mayor Duckett expressed his support for engaging in regional projects with the State of Colorado for economic development purposes.

SAN JUAN WATER COMMISSION UPDATE

Jay Burnham, the City’s representative to the San Juan Water Commission, provided a historical overview of the Animas-La Plata ("A-LP") project that was initially started in 1908 with the idea of diverting water from the Animas river valley to the La Plata river valley. He stated that nothing happened with this project until 1968 when Congress passed the original legislation authoring the A-LP project which included storage on the Animas River with diversion to the La Plata River through canals, aqueducts and tunnels. In 1979, the definite plan report was created which identified numerous environmental concerns and resulted in the project being halted. During this time, he pointed out that changes in legislation prohibited federal water projects from being
released to local entities without payment so in 1986 the San Juan Water Commission ("SJWC") was created for the purpose of providing a mechanism to transfer funds from the federal government for our portion of the A-LP project. He explained that SJWC was created through a Joint Powers Agreement ("JPA") executed by the Cities of Aztec, Bloomfield and Farmington, San Juan County and the rural water user associations and consists of five voting members and alternates (one from each entity). Mr. Burnham reported that in 1990, the voters approved a referendum which authorized SJWC to enter into an agreement with the federal government to pay a portion of the A-LP project with monies from a county mill levy. Furthermore, he noted that an iconic contract was negotiated whereby SJWC would pay its share up-front in an effort to reduce the interest costs with an adjustment being made after the project is completed. He explained that in the year 2000, Congress passed a bill amending the original JPA to remove the La Plata River from the project. He noted that construction of the modified project was completed in 2011 with the construction of Lake Nighthorse located in Durango, Colorado. Mr. Burnham also pointed out that requests for water from Lake Nighthorse can be made in times of drought by members of the association and the beneficiaries of the project and stated that SJWC is responsible for paying for our share of the operation, maintenance and repair of the A-LP project.

Continuing his presentation, Mr. Burnham reported that the priorities of the SJWC have changed over the years due to the A-LP project being completed, noting that their current mission is to protect the use of future and existing water rights and water resources of its member entities for the purpose of ensuring that every citizen of San Juan County has access to an adequate water supply. He explained that SJWC owns Permit No. 2883 from the State Engineer's Office for the A-LP project which has three sub-permits known as A, B and C. He noted that sub-permit A relates to the water that is necessary to operate the A-LP project while sub-permit B refers to 10,400 acre feet of water rights that were original to the project and allocated to the member entities as set forth in the JPA. He noted, however, that sub-permit C contains water rights that were originally allocated to the A-LP project but were not used because the modified project was constructed. He reported that SJWC has acquired these water rights (approximately 6,300 acre feet) through litigation with the State Engineer's Office and holds them solely in their name. He stated that he has argued that those rights should be returned to the member entities but noted that the effort has been voted down since San Juan County and the rural water users are opposed. He reported that currently, he is working with SJWC to establish written policies for requesting water releases from Lake Nighthorse during times of drought and noted that funds have been budgeted in Fiscal Year 2020 to pay the adjusted costs that are still owed for the A-LP project. In closing, he noted that SJWC is currently monitoring invasive species and working on regional water planning efforts and water quality issues.

With regard to the drought, Public Works Director David Sypher reported that a preliminary study completed two years ago indicates that it will cost between $150 million to $250 million to construct a pipeline from Lake Nighthorse to Lake Farmington. He noted, however, that it is critical that such a project be constructed in order to ensure that the water released is not stolen, contaminated or subject to evaporation while traveling down the Animas River. He stated that he believes that this project can be accomplished within the next 50 years.

Mayor Duckett agreed that it is important to provide redundancy when talking about telecommunications and water resources and stated that one option could be the expansion of Lake Farmington or the construction of a shared storage facility for SJWC member entities.

PRESENTATION/PROJECT SEARCH

Human Resources Director Tom Swenkel introduced Chelsea Chairion and Rogerann Leith, Skills Trainers for the public schools, and reported that Project Search is an internship program for students with disabilities, aged 18-26, who are integrated, competitive for paid work. Utilizing a PowerPoint presentation, he noted that Project Search started in Cincinnati, Ohio in 1996 and he proudly reported that the City of Farmington is the first municipality in the nation to implement this type of program. He explained that the interns complete three 10-week internships where they gain practical employability skills at the Human Resources Department, the Recreation and Aquatic Center, Sycamore Park

- 10.1 -
Mr. Swenk asked the interns who were present in the audience to introduce themselves. Kayla Baca announced that she worked at the Farmington Museum, Aquatics Center and the Parks and Recreation Administration office. Anna Alvarez reported that she spent time cleaning rooms at Home2Suites and Randy Griffith announced that he served food at the Bonnie Dallas Senior Center.

In response to inquiry from Councilor Rodgers, Mr. Swenk reported that there are 12 candidates being considered for next year's program and stated that he can assist private businesses with participation in the program.

ICONIC PARK/FARMINGTON MUSEUM

Outdoor Recreation Industry Initiative (ORII) Director Cory Styron introduced Bob Oberdorfer and Andrew Bernard, Environmental Planner and Landscape Architects for Sites Southwest.

Utilizing a PowerPoint presentation, Mr. Oberdorfer provided a project overview of the proposed iconic park to be located on the east side of the Farmington Museum along Main Street. He pointed out that there are some development constraints with the property since it is long and narrow, fronts a busy road and is surrounded by commercial properties. However, he pointed out that the site also provides high visibility, is adjacent to the museum, overlooks the Animas River corridor, has direct connection to the Animas River trail and is the existing location of the Grower's Market. He noted that the aspects that make a space “iconic” are its ability to 1) accommodate a range of events from small performances to festivals and fairs; 2) allow for different uses of the park for various groups; 3) balance functionality and form; 4) offer spaces for people to sit and watch other people; 5) provide opportunities for art and regional expression; and 5) offer a memorable experience. He reviewed the public involvement component of the project, noting that four open house presentations for the three initial concepts (Central Plaza, Flowing and Node) were held in November, 2018 with 30 participants and an online survey was released in March, 2019 with 233 responses being submitted. He reported that there was a strong preference for Concept 2 (Flowing) with some desirable features from Concept 1 (Central Plaza) along with favorable support for rustic or rustic/modern hybrid styles and natural materials.

Mr. Bernard reviewed in detail the three initial concepts and reported that they are now recommending the Final Combined Conceptual Master Plan that incorporates features from Concepts 1 and 2 and includes a terraced Berm with recreational-themed sculptures and a “selfie” sculpture.

Following the presentation, Mr. Styron reported that staff is seeking direction from the Council on the types of features to be included in the iconic park design.

Mayor Duckett stated that he sees this as a great opportunity to showcase the river and encompass and promote the mission of outdoor recreation. Discussion followed concerning the development of the area to include botanical, pollinator and butterfly gardens that could be used by children's groups and master gardeners for educational purposes. Other ideas included the creation of a “destination” park that incorporates sponsorship and community buy-in.
Assistant City Manager Julie Baird pointed out that the Connie Gotsch Art Foundation has made a monetary donation for construction of a theater at the Museum which will create additional elements to support the park. Museum Director Hart Wilsey expressed his support for the project but pointed out that the Final Combined Conceptual Master Plan eliminates one of the egress points which, he believes, will create traffic congestion. Ms. Baird pointed out that the purpose for today’s discussion is to provide direction on the overall plan, noting that the exact details will be decided as the project progresses.

Following further discussion, it was the consensus of the Council to direct staff to proceed with the conceptual design of the iconic park and Mayor Duckett asked them to provide their “wish list” of items to include (e.g. a botanical garden).

OPEN MEETINGS RESOLUTION - REGULAR WORK SESSION DAY, TIME AND PLACE

In accordance with the State Open Meetings Act, City Attorney Jennifer Breakell presented and read by title a resolution setting and establishing the regular day, time and place for City Council Work Sessions as the third Tuesday of each month at 9:00 a.m. in the Executive Conference Room of the Municipal Building, 800 Municipal Drive, Farmington, New Mexico.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Jakino to pass and adopt the resolution 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 the resolution was duly passed and adopted.

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 11:01 a.m., and upon voice vote the motion carried unanimously.

APPROVED this 14th day of May, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk