AGENDA

... for the Regular Meeting of the Farmington City Council to be held at 6:00 p.m., Tuesday, June 11, 2019 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico ...

1. **Roll Call and Convening the Meeting:**

2. **Invocation:** Pastor Gary McMillan of Providence Presbyterian 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 May 28, 2019; and
   
   (b) the Regular Work Session of the City Council held May 21, 2019.

6. **Approval to Declare** worn-out, unusable or obsolete vehicles (General Services) surplus to the needs of the City and not essential for municipal purposes, and to authorize the City Manager or his designee to dispose of such surplus property pursuant to State Statutes.

7. **Approval of DWI Grant Agreement No. 20-X-G-24** between the City and the State of New Mexico Department of Finance and Administration, Local Government Division, providing for funding in the amount of $300,000 for alcohol treatment and detoxification programs (expiration June 30, 2020).

8. **Approval of Memorandum of Agreement** between the Cities of Aztec, Bloomfield and Farmington and San Juan County authorizing a joint application to the New Mexico Highway and Transportation Department, Traffic Safety Bureau, for funding of a comprehensive Community DWI (CDWI) Program for Fiscal Year 2019/2020 (funding amount of $19,741).

9. **Approval of Warrants** up to and including June 8, 2019.

10. **Recognition of Valedictorians, Salutatorians and State Champions** (Mayor)

11. **Recommendations from the Planning and Zoning Commission:**

Acceptance of Consent Agenda: The items marked with an asterisk (*) have been placed on the Planning and Zoning Commission Consent Agenda and will be voted on without discussion. If an 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.
Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. PP 19-35 from Stonetown Animas Lender, LLC, represented by Cheney-Walters-Echols, requesting preliminary plan approval for Sunset Ridge Subdivision, Phase I, a 17-lot subdivision on 64.17 acres located at the intersection of County Road 3000 and County Road 3950 subject to all technical corrective changes to the plat being completed and approved by the City prior to submission of the final plat for approval.

The recommendation of the Planning and Zoning Commission passed by a vote of 8-0 on May 30, 2019. (Helen Landaverde)

Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. ZC 19-37 from Nguyen Duc Chi Vuong, represented by Anita Graciano, requesting a zone change from the SF-7, Single-Family Residential, District to the MF-L, Multi-Family Low Density, District for property located at 1212 Smith Lane subject to:

(a) the property maintaining the Special Mobile Home Area Overlay (SMHAO) designation;
(b) all manufactured housing and other accessory structures, including those on adjacent properties, maintaining a minimum distance of 10 feet from each other; and
(c) sidewalks being required as part of any building or mobile home parking permit.

The recommendation of the Planning and Zoning Commission passed by a vote of 8-0 on May 30, 2019. (Francisco Alvarado)

Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. ZC 19-38 from Sagebrush Community Church, represented by Derald Polston, requesting a zone change from the MF-L, Multi-Family Low Density, District on the west side of the lot to the MF-M, Multi-Family Medium Density, District for the entire lot for property located at 1501 Sunrise Parkway and to approve Petition No. SUP 19-39 to allow a 4,000 square foot sanctuary on the property subject to:

(a) the petitioner combining the two existing property tax accounts into one account for the subject property; and
(b) all zoning, building and fire codes being met prior to the issuance of a building permit.

The recommendation of the Planning and Zoning Commission passed by a vote of 8-0 on May 30, 2019. (Cindy Lopez)

Presentation regarding the Clean-Up San Juan County Trash Reporter mobile app (Sherice Snell)
13. **Presentation and direction to staff regarding the use of a City facility located at 310 West Animas Street (formerly The Roof) for San Juan College's Harvest Food Hub and Kitchen (Warren Unsicker)**

14. **Public Hearing to receive comments on the Community Development Block Grant (CDBG) Draft Citizen Participation Plan for the 2019-2023 Consolidated Plan; and Adoption of Resolution No. 2019-1716 adopting the Community Development Block Grant (CDBG) Citizen Participation Plan for the 2019-2023 Consolidated Plan. (Francisco Alvarado)**

15. **New Business:**
   (a) **Mayor**
      (1) Appointments to the Northwest New Mexico Seniors Board of Directors and the Farmington Convention & Visitors Bureau Board of Directors.
   (b) **Councilors**
   (c) **City Manager**
      (1) Consideration of cancellation of the June 18, 2019 regular City Council Work Session.
   (d) **City Attorney**
   (e) **City Clerk**
      (1) **Proposed Ordinance - Discussion**
      - opting-in to the election of the City’s municipal officers in the Regular Local Election pursuant to Section 1-22-3.1(B) NMSA 1978. (Final Action June 25, 2019)

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

17. **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: Kristi Benson, CPPO, CPPB
Chief Procurement Officer
DATE: June 5, 2019
SUBJECT: Declaration of Worn-Out, Unusable or Obsolete Property
USING DEPARTMENT: Vehicle Maintenance, General Services Dept.

The Central Purchasing Division of the Administrative Services Department concurs with the recommendation from the Central Warehouse and Vehicle Maintenance to declare the following Vehicles as worn-out, unusable or obsolete.

If it is determined the best disposal method for this property is through the City's internet-based Public Surplus auction system, authorization is requested to grant the Warehouse Superintendent authority to issue an immediate e-mail award notification to the highest cash bid received meeting the bidding requirements set forth.

Kristi Benson (Presenter)
City Council Meeting (6/11/2019)

Copy To:
Teresa Emrich, Acting Administrative Services Director
Brooke Quintana, Accounting, Controller
Sarah Talley, Accounting, Staff Accountant – Grants Administrator
Ross DeVargus, Accounting, Staff Accountant – Fixed Assets
Jerry Parson, Vehicle Maintenance Superintendent
Chris Hare, Vehicle Maintenance Senior Lead Mechanic
Edward Smylie, General Services Director
Bob Schrag, Warehouse Superintendent
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STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
DWI GRANT PROGRAM

DETOX GRANT AGREEMENT
Program No. 20-X-G-24

THIS GRANT AGREEMENT is made and entered into by and between the Department of Finance and Administration, State of New Mexico, acting through the Local Government Division, Bataan Memorial Building, Suite 201, Santa Fe, New Mexico 87501, hereinafter called the DIVISION, and the City of Farmington, hereinafter called the GRANTEE.

WITNESSETH:

WHEREAS, this Grant Agreement is made by and between the Department of Finance and Administration, State of New Mexico, acting through the Local Government Division, and the Grantee, pursuant to the Local Driving While Intoxicated ("LDWI") Grant Program Act Sections 11-6A-1 through 11-6A-6, NMSA 1978, as amended (the "Act") and the LDWI Grant Program Regulations 2.110.4 NMAC (the "Regulations"); and

WHEREAS, on April 30, 2019 the DWI Grant Council awarded the Grantee $300,000.00 to support alcohol detoxification and treatment facilities in New Mexico ("Program"); and

NOW, THEREFORE, the parties hereto do mutually agree as follows:

ARTICLE I - SCOPE OF WORK

A. The Grantee agrees that it will implement, in all respects, the activities outlined in its Program Description, attached hereto as Exhibit "A" and made a part of this Grant Agreement.

B. The Grantee agrees to make no change to the Program Description herein described without first submitting a written request to the Division and obtaining the Division's written approval of the proposed change.

ARTICLE II - LENGTH OF GRANT AGREEMENT

A. Upon being duly executed by the Division, the term of this Grant Agreement shall be from July 1, 2019 through June 30, 2020.

B. The General Appropriation Act of 2019, Section 3, General Provisions (C) states: "Amounts set out in Section 4 of the General Appropriation Act of 2019, or so much as may be necessary, are appropriated from the indicated source for expenditure in the fiscal year 2020 for the objects expressed". Per the "Act", any unexpended funds at the end of a fiscal year revert to the Local DWI Grant Fund.

ARTICLE III - REPORTS

A. Evaluation

1. The Grantee agrees to systematically collect, analyze and use data to examine
programs, initiatives and policies by looking at both the process and the outcomes to assess their effectiveness. The Grantee agrees to review and update the existing evaluation plan periodically throughout the fiscal year.

2. The Grantee agrees that data entered into the DWI Screening Program which includes the Managerial Data Set (MDS) Database, is complete and accurate to allow the Department of Finance and Administration’s (DFA) designated evaluation contractor to develop and implement an evaluation system and/or to provide relevant reports derived from the available data.

3. In order that the Division may adequately evaluate the progress of the Local DWI grant program statewide, the Grantee shall provide within 30 days, upon request of DFA’s evaluator(s), information and access to program records and records of contractors working for the Grantee, provided that such information will not contain any “individually identifiable health information” as defined by the Standards for Privacy of Individually Identifiable Health Information, 45 CFR Parts 160 and 164, the Regulations promulgated by the Department of Health and Human Services pursuant to the Health Insurance Portability and Accountability Act of 1996 (“HIPAA” or the “HIPAA Regulations”).

B. Progress Reports

1. In order that the Division may adequately evaluate the progress of the Grant Agreement, the Grantee shall be required to provide periodic quarterly Progress Reports to the Division. The Progress Reports shall contain a narrative and/or bulleted highlights of successes and challenges, a detailed budget breakdown of expenditures to date which includes expenditure back-up documentation, a summary of any fees collected and/or expended, the DWI Screening Program Quarterly Report, the MDS Quarterly Report, LDWI Planning Council meeting agendas and minutes, attached hereto as Exhibit “B” (Quarterly Progress Report and Certification), and such other information following the objectives of the Grantee’s evaluation as may be of assistance to the Division in its evaluation. The first quarterly Progress Report is due October 31, 2019.

2. Grantee assures that Progress Reports submitted to the Division will not contain any “individually identifiable health information” as defined by the HIPAA Regulations.

3. One copy of the corresponding quarterly Progress Report shall be submitted to the Division no later than October 31, 2019, January 31, 2020, and April 30, 2020 for review and comment.

C. Final Report

1. The Grantee shall submit to the Division one copy of the Final Report for this Program. The Final Report shall include the information called for in Article III, Paragraph B(1) and B(2) for the fourth quarter.

2. The Final Report and final reimbursement shall include sufficient detail to evaluate the effectiveness of each program component in the Program and shall be submitted no later than July 10, 2020.
D. Annual Report

1. The Grantee shall submit to the Division one copy of the Annual Report for this Program. The Annual Report shall include the data from the DWI Screening Program, including the demographic profile of the DWI offender and the MDS data reports for the entire term of the Grant Agreement, highlights for the period, and other information requested by the Division, in the format provided by the Division. This requirement shall survive the termination of this Grant Agreement.


ARTICLE IV - CONSIDERATION AND METHOD OF PAYMENT

A. In consideration of the Grantee's satisfactory completion of all work and services required to be performed under the terms of this Grant Agreement, and in compliance with all other Grant Agreement requirements herein stated, the Division shall pay the Grantee a sum not to exceed Three Hundred Thousand Dollars ($300,000.00). The funds are to be expended in accordance with the proposed budget attached as Exhibits "C" and "C(1)", which by this reference are fully incorporated into this Grant Agreement. It is understood and agreed that the Grantee's expenditure of these monies shall not deviate from the budget categories of said budget by more than 10 percent of the total grant amount without the prior written approval of the Division.

B. It is understood and agreed that if any portion of the funds paid set forth in Paragraph IV(A) are not expended at the completion of this Grant Agreement period for the purpose designated in this Grant Agreement, the unexpended funds shall revert to the Division for disposition.

C. All payments will be made on a reimbursement of actual cost basis upon receipt by the Division of individual quarterly Progress Reports accompanied by the following completed forms: Request for Payment Form, attached hereto as Exhibit "D" and "D(1)" and Detailed Breakdown By Budget Category Form, including any Fees Collected, which includes expenditure backup documentation, attached hereto as Exhibit "G." Request for Payment Forms shall specify all in-kind administrative costs and capital outlay expenditures.

D. Payment shall be made only for those services specified in this Grant Agreement and not funded by any other public-entity funding source. The Grantee shall not bill the Division for the same service or services billed to another funding agency or source.

ARTICLE V - MODIFICATION AND TERMINATION

A. The Division, by written notice to the Grantee, shall have the right to terminate this Grant Agreement if, at any time, in the judgment of the Division, the provisions of this Grant Agreement have been violated or the activities described in the Program Description do not progress satisfactorily. In this regard, the Division may demand refund of all or part of the funds dispersed to the Grantee.

B. The parties may modify any and all terms and conditions of the Grant Agreement by mutual written agreement between the Grantee and the Division.
C. Early Termination for Convenience: Except as provided in Article X, Appropriations, either the Division or Grantee may terminate this Grant Agreement by providing the other party with a minimum of thirty (30) days' advance, written notice of the termination.

D. Liability in the Event of Early Termination: In the event of early termination of this Grant Agreement by either party, the Division's sole liability shall be to reimburse Grantee in accordance with this Grant Agreement for qualifying expenditures that were:
   a. Incurred pursuant to a legally binding agreement entered into by Grantee before Grantee's receipt of the Division's notice of early termination or the issuance by the Grantee of a notice of early termination;
   b. Incurred on or before the termination date in the notice of early termination;
   c. For permissible purposes under this Grant Agreement's Program Description and procured and executed in accordance with applicable law; and
   d. The subject of a Request for Payment Form properly and timely submitted in accordance with Article IV of this Grant Agreement.

ARTICLE VI - CERTIFICATION

The Grantee hereby assures and certifies that it will comply with all State regulations, policies, guidelines, and requirements with respect to the acceptance and use of State funds. Also, the Grantee gives assurances and certifies with respect to the grant that:

A. It has the legal authority to receive and expend the funds as described in the Program Description.

B. It shall meet all requirements of the Act and the Regulations and all other New Mexico State laws and regulations as they pertain to all activity conducted under this Grant Agreement and provide verification thereof to the Division.

C. It shall finance all costs of the Program, including all Program overruns.

D. Every treatment facility, program or other provider it contracts with to perform the activities that are subject to this Grant Agreement, shall, at all times, comply with all applicable State and federal laws and regulations and any and all licensure requirements governing treatment facilities, programs, or providers. All Contracts shall contain the following provision: "The Contractor agrees to comply, at all times, with all applicable State and federal laws and regulations and any and all licensure requirements governing its program and facility." The Grantee agrees it shall be solely liable for the failure of any of its providers to meet and comply with all applicable State and federal laws and licensure requirements governing the treatment provider or the program.

E. It shall comply with the State Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978. All professional services, activities or programs provided through a service provider must be implemented through a professional service contract. The Grantee will submit all Program related contracts, and agreements to the Division for review and approval prior to execution. Amendments to existing contracts must also be submitted to the Division for review and approval prior to execution.

Grantees will be required to complete a request-for-proposal (RFP) for contracts over $60,000; provided, however, that if the Grantee’s governing body’s guidelines have more stringent requirements, the Grantee’s governing body’s guidelines must be followed. Sole Source contracts can be utilized if justification can be provided that the organization(s) is
the only one in the area that can provide the services. The Grantee will be required to submit to the Division written documentation describing the reason for sole source contracting prior to entering into the contract and all provisions of the Procurement Code MUST be adhered to in regard to the requirements.

F. It will adhere to all financial and accounting requirements of DFA.

G. It will comply with all applicable conditions and requirements prescribed by the Division in relation to receipt of State DWI grant funds.

H. It shall not at any time utilize or convert any equipment or property acquired or developed pursuant to this Grant Agreement for any use other than those specified in the scope of work as defined in the Grant Agreement without the prior approval of the Division.

I. No member, officer, employee, or family member(s) of the Grantee, or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract, or the process thereof, for work to be performed in connection with the program assisted under the grant, and the Grantee shall incorporate, in all such contracts, a provision prohibiting such interest pursuant to the purposes of this certification.

J. If applicable, it will comply with all HIPAA requirements and HIPAA Regulations.

ARTICLE VII - RETENTION OF RECORDS

All Program records must adhere to the New Mexico State Records Center and Archives Rule for Functional Retention and Disposition Schedule, 1.21.2 NMAC. The Grantee shall keep such records as will fully disclose the amount and disposition of the total funds from all sources budgeted for the Grant Agreement period, the purpose for which such funds were used, the amount and nature of all contributions from other sources, and such other records as the Division shall prescribe.
ARTICLE VIII - REPRESENTATIVES

A. The Grantee hereby designates the person listed below as the official Grantee Representative responsible for overall supervision of the approved Program:

Name: Edward Smylie
Title: General Services Director
Address: 800 Municipal Drive
        Farmington, NM 87401
Phone: 505-599-1369
Email: esmylie@fmtn.org

B. The Division designates the person listed below as its Program Manager, responsible for overall administration of this Grant Agreement, including compliance and monitoring of Grantee:

Name: April Marie Salazar
Title: DWI Program Manager
Address: Department of Finance and Administration
        Local Government Division
        Bataan Memorial Building, Suite 203
        Santa Fe, NM 87501
Phone: (505) 827-4332
Email: april.salazar2@state.nm.us

ARTICLE IX - SPECIAL CONDITIONS

A. The Grantee shall budget and expend a minimum of 10 percent of the total Detox grant funding awarded for the twelve-month period in local match/in-kind monies. The Grantee shall not budget administrative expenses except as in-kind match pursuant to the DWI Grant Council’s administrative policy. The Grantee hereby budgets Thirty Thousand Dollars ($30,000.00) (10%) as its matching funds commitment.

B. The ten percent (10%) limit on capital expenditures does not apply to this grant. Requests for payment shall specify all capital expenditures with justification.

C. The Grantee shall submit to the Division written copies of the description of the treatment program protocol by July 31, 2019, for review and comment. All changes and modifications made to the treatment program, including its materials, shall be reported to the Division for its review and comment, as necessary.

D. Where applicable, the Grantee shall enter screening and tracking data online in the DWI Screening Program. Data shall be entered and maintained in a current up-to-date status.

E. The Grantee shall be solely responsible for fiscal or other sanctions, penalties, or fines occasioned as a result of its own violation or alleged violation of requirements applicable to performance of this Grant Agreement. The Grantee shall be liable for its acts or failure to act in accordance with this Grant Agreement, subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1 through 41-4-27, NMSA 1978.

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- 2.5 -
ARTICLE X • APPROPRIATIONS

The terms of this Grant Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of the Grant Agreement. If sufficient appropriations and authorizations are not made by the Legislature, the Division may immediately terminate this Grant Agreement, in whole or in part, regardless of any existing legally binding third party contracts entered into by or between the Grantee and a third party, by giving Grantee written notice of such early termination. The Division’s decision as to whether sufficient appropriations are available shall be accepted by the Grantee and shall be final and non-appealable. The Grantee shall include a substantively identical clause in all contracts between it and third parties that are (i) funded in whole or part by funds made available under this Grant Agreement and (ii) entered into between the effective date of this Grant Agreement and the Termination Date or early termination date.

ARTICLE XI - REQUIRED TERMINATION CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS GRANT AGREEMENT

Grantee shall include the following or a substantially similar termination clause in all contracts that are (i) funded in whole or part by funds made available under this Grant Agreement and (ii) entered into after the effective date of this Grant Agreement:

“This contract is funded in whole or in part by funds made available under a Department of Finance and Administration, Local Government Division (Division) grant agreement. If the Division terminates the grant agreement, the City of Farmington may terminate this contract by providing contractor written notice of such termination in accordance with the notice provisions in this contract. In the event of termination pursuant to this paragraph, the City of Farmington’s only liability shall be to pay contractor for acceptable goods and/or services delivered and accepted prior to the termination date.

[Remainder of page intentionally left blank.]
IN WITNESS WHEREOF, the Grantee and the Division do hereby execute this Grant Agreement.

**THIS GRANT AGREEMENT** has been approved by:

**CITY OF FARMINGTON**

BY: ________________ DATE: ________________
Nate Duckett, Mayor

**DEPARTMENT OF FINANCE AND ADMINISTRATION LOCAL GOVERNMENT DIVISION**

BY: ________________ DATE: ________________
Donnie Quintana, Director

Legal Department
Approved for action
By
Date
EXHIBIT “A”

PROGRAM DESCRIPTION

Name of Grantee: City of Farmington
Grant No.: 20-X-G-24
Grant Amount: $300,000.00

City of Farmington will provide Detox program activities as follows:

The Joint Intervention Program provides intensive case management, out-patient substance abuse treatment, psychiatric, dental, primary medical care and a comprehensive discharge program. The project includes data collection component measuring the impact of stable, supportive housing on such key health factors as substance use, chronic disease management and employment. Services are provided 6 days a week for 8 hours a day, with possibility of specialized shelter housing during the program. The program is operated collaboratively with the local Police Department (FPD) and local (SJCADC).

The JIP services are available to all chronic public inebriates in San Juan County. Services are provided at no charge to the consumer. The target clients are defined as men and women age 18 and over who are frequent users of services as a result of chronic public inebriation. Frequent users will be identified as those community members who have multiple:

- Arrests
- Days in Jail
- Visits to the ED
- Visits to the Sobering Center

Intensive Programming includes:
- Individual counseling
- Group counseling
- Traditional Dine’ healing/counseling
- Life-skill courses
- Comprehensive Community Support Services

The program provides the following additional services:
- Community Reinforcement Approach (CRA)
- Community Reinforcement Approach Family Training (CRAFT)
- Matrix Model
- Trauma Informed Approach
- Motivational Interviewing
- Seeking Safety
- Wellness Recovery Action Plan (WARP)

In FY20 their goal is to provide services to 65 individuals.

Compliance with the taxonomy provided in the New Mexico Interagency Behavioral Health Service Requirements and Utilization Guidelines for Alcohol and/or Drug Service as part of the LDWI Administrative Guidelines for alcohol treatment and detoxification services. Alcohol treatment and detoxification programs and protocols shall conform to these definitions and descriptions of services. Patient placement criteria shall also conform to the ASAM Criteria; Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions, Third Edition.
EXHIBIT “B”
QUARTERLY PROGRESS REPORT CHECKLIST AND CERTIFICATION
- DETOX -

Grantee: ________________ Quarter: __________

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Demographics of clients served.

Information regarding Client Services
(Includes, but is not limited to, clients leaving program successfully and unsuccessfully, clients with arrests, ER visits, jail time, or detox visits, etc.)

Successes/Challenges

Under penalty of law, I hereby certify that all payments made from LDWI grant monies were verified and accounted for by locally implemented policies and controls; no "individually identifiable health information" as defined by the HIPAA Regulations has been included in the report; and that to the best of my knowledge and belief, the information contained in this report is correct and true and that no other funding source is reimbursing these specific expenditures.

Program Representative Signature
Print Name
Date

County/City Official Signature
Print Name
Date

FOR DFA USE ONLY

I certify that I have reviewed all attached documents for accuracy.

LDWI Program Manager Signature
Print Name
Date

-2.9-
### Local DWI Detoxification Grant Program

#### Revenue/Expenditure Summary

**Applicant/Grantee**
City of Farmington

**Detox Grant No.: 20-X-G-24**

**Total Detox Grant: $300,000.00**

#### REVENUES BY SOURCE

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<td>0.00</td>
</tr>
</tbody>
</table>

**TOTAL REVENUES** | $330,000.00 |

**TOTAL EXPENDITURES** | $300,000.00 |

**TOTAL** | $300,000.00 |

---

*Administrative is allowed only as In-Kind Match

**Capital Outlay expenditures must have prior approval from DFA/LDWI

***In-Kind Match must be at least 10% of Detox Grant Total

10% = 30,000.00

Revised: July 2019
### Local DWI Detoxification Grant Program

#### Revenue/Expenditure Summary

**Applicant/Grantee:**
City of Farmington

**Detox Grant No.:** 20·X·G·24

**Total Detox Grant:** $300,000.00

<table>
<thead>
<tr>
<th>REVENUES BY SOURCE</th>
<th>EXPENDITURES BY LINE ITEM</th>
<th>Detox Grant</th>
<th>In-Kind Match**</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local DWI Program Detox Grant</td>
<td>300,000.00</td>
<td>Personnel Services</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employee Benefits</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>In-Kind Match:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Generated Fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County</td>
<td>10,000.00</td>
<td>Personnel Services</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>10,000.00</td>
<td>Employee Benefits</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Judicial/Courts</td>
<td></td>
<td>Personnel Services</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Other (list):</td>
<td></td>
<td>Employee Benefits</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>PMS</td>
<td>10,000.00</td>
<td>Travel (In-State)</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Travel (Out-of-State)</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Supplies</td>
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<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Operating Costs</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contractual Services</td>
<td>300,000.00</td>
<td>30,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minor Equipment</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Capital Outlay**</td>
<td>0.00</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL REVENUES:** 330,000.00

**TOTAL EXPENDITURES:** 300,000.00 30,000.00 330,000.00

*Administrative is allowed only as In-Kind Match

**Capital Outlay expenditures must have prior approval from DFA/LDWI

***In-Kind Match must be at least 10% of Detox Grant Total

10% = 30,000.00

Revised: July 2019
### Detox Grant:

<table>
<thead>
<tr>
<th>Budget</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment</td>
<td>300,000.00</td>
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<tr>
<td><strong>Totals:</strong></td>
<td><strong>300,000.00</strong></td>
</tr>
<tr>
<td>ck</td>
<td>300,000.00</td>
</tr>
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</table>

### In-Kind Match:

<table>
<thead>
<tr>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment</td>
</tr>
<tr>
<td><strong>Totals:</strong></td>
</tr>
<tr>
<td>ck</td>
</tr>
</tbody>
</table>

**Tot. Bud. Expd:** 330,000.00  ck  330,000.00

---

**LOCAL DWI DETOX GRANT PROGRAM**

Request For Payment/Financial Status Report

City of Farmington
800 Municipal Drive
Farmington, NM 87401
505-599-1210
20-X-G-24

Revised: July 2019
**LOCAL DWI DETOXIFICATION GRANT PROGRAM**  
**Request For Payment/Financial Status Report**

**Exhibit D**

<table>
<thead>
<tr>
<th>Budget Line Items</th>
<th>Approved Budget</th>
<th>Expenditures This Report</th>
<th>Remaining Budget</th>
<th>Approved Budget</th>
<th>Expenditures This Request</th>
<th>Remaining Budget</th>
<th>Total YTD Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADMINISTRATIVE</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Personnel Services</td>
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<tr>
<td>Employee Benefits</td>
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</tr>
<tr>
<td>PROGRAM</td>
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<tr>
<td>Personnel Services</td>
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<tr>
<td>Employee Benefits</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Travel (In-State)</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Travel (Out-of-State)</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Supplies</td>
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<td></td>
</tr>
<tr>
<td>Operating Costs</td>
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</tr>
<tr>
<td>Contractual Services</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Equipment</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Capital Outlay</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CERTIFICATION:** Under penalty of law, I hereby certify to the best of my knowledge and belief, the above information is correct, expenditures are properly documented, required matching funds have been spent/obligated in the reported amount, and the copies of all required documentation are attached or on file for review. The documentation for this payment is true and reflects correct copies of the originals. All payment requests listed are not funded by any other funding source. The service provider shall not bill the grantee and another funding source for the same client at the same time.

Grantee Fiscal Officer (Printed Name and Title)  
Grantee Fiscal Officer (Signature)  
Date  

Grantee Representative (Printed Name and Title)  
Grantee Representative (Signature)  
Date

Local Government Division Fiscal Officer  
Date  
Local Government Division Project Representative  
Date

Revised: July 2019
LOCAL DWI DETOX GRANT PROGRAM
Request for Payment/Financial Status Report
Breakdown By Component

Grantee: City of Farmington
Detox Grant No: 20-X-G-24
Request No: 1

### Detox Grant:

<table>
<thead>
<tr>
<th>Component</th>
<th>Budget</th>
<th>This Request</th>
<th>Remaining Budget</th>
<th>Expenditures YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment</td>
<td>300,000.00</td>
<td>0.00</td>
<td>300,000.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

### In-Kind Match:

<table>
<thead>
<tr>
<th>Component</th>
<th>Budget</th>
<th>This Request</th>
<th>Remaining Budget</th>
<th>Expenditures YTD</th>
<th>Additional In-Kind Match</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment</td>
<td>30,000.00</td>
<td>0.00</td>
<td>30,000.00</td>
<td>0.00</td>
<td></td>
</tr>
</tbody>
</table>

Checks

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Expenditures This Reimbursement:</td>
<td>0.00</td>
</tr>
<tr>
<td>Total Expenditures Year to Date:</td>
<td>0.00</td>
</tr>
<tr>
<td>Total Additional In-Kind Match Year to Date:</td>
<td>0.00</td>
</tr>
</tbody>
</table>

I hereby certify to the best of my knowledge and belief, the above information is correct, expenditures are properly documented, required matching funds have been spent/obligated in the reported amount, and the copies of all required documentation are attached, or on file for review. The documentation for this payment is true and reflects correct copies of the originals. All payment requests listed are not funded by any other funding source. The service provider shall not bill the grantee and another funding source for the same client at the same time.

Grantee Representative (Signature)  Title  Date

Revised: July 2019
Exhibit G - Detox

Detox Expenditures:

**ADMINISTRATIVE**

*Administrative expenses are not allowed.*

<table>
<thead>
<tr>
<th>Program</th>
<th>Personnel Services</th>
<th>Employee Benefits</th>
<th>Travel (In-State)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pay Period</td>
<td>Name</td>
<td>Job title</td>
<td>Document Identifier</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Personnel Services: 0.00

Total Employee Benefits: 0.00

Total Travel (In-State): 0.00

Total Detox Funds Requested This Request: 0.00

Total In-Kind Match This Request: 0.00

Total Expenditures Reported This Request: 0.00
## Exhibit G - Detox

### Travel (Out-of-State)

<table>
<thead>
<tr>
<th>Date of Travel &amp; Location</th>
<th>Traveler's Name</th>
<th>Purpose of Travel</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
</table>

**Total Travel (Out-of-State):** 0.00

### Supplies (*List Prevention Giveaways/Promotional Items separately below)

<table>
<thead>
<tr>
<th>Date Incurred</th>
<th>Vendor</th>
<th>Description</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
</table>

*Prevention Giveaways/Promotional Items

**Total Supplies:** 0.00

### Operating Costs

<table>
<thead>
<tr>
<th>Date(s) Incurred</th>
<th>Vendor</th>
<th>Description</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
</table>

**Total Operating Costs:** 0.00

### Contractual Services

<table>
<thead>
<tr>
<th>Date(s) Incurred</th>
<th>Vendor / Contractor</th>
<th>Description</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
</table>

**Total Contractual Services:** 0.00

### Minor Equipment

<table>
<thead>
<tr>
<th>Date Incurred</th>
<th>Vendor</th>
<th>Description</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
</table>

**Total Minor Equipment:** 0.00

---

Page 2

Revised: July 2019
**Exhibit G - Detox**

<table>
<thead>
<tr>
<th>Capital Outlay</th>
<th>Vendor</th>
<th>Description</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Incurred</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Capital Outlay:** 0.00

**Total Detox Fund Reimbursement Request:** 0.00

Check: 0.00

I hereby certify to the best of my knowledge and belief, the above information is correct, expenditures are properly documented, required matching funds have been spent/obligated in the reported amount, and that copies of all required documentation are attached. The documentation for this payment is true and reflects correct copies of the originals. I certify that the items listed in this report have not been billed or reported previously to the Local DWI Grant & Distribution program. I certify that all payment requests listed are not funded by any other funding source and that the service provider shall not bill this grant/distribution fund and any other funding source for the same service provided to the same client at the same time.

__________________________  ___________________  ___________________
Grantee Representative (Signature)  Title  Date

Page 3  Revised: July 2019
Exhibit G - Detox In-Kind Match

Detailed Breakdown By Line Item
LOCAL DWI PROGRAM

County/Municipality: 0
Detox No.: 0
Request No.: 0

**In-Kind Match Expenditures:**

<table>
<thead>
<tr>
<th>ADMINISTRATIVE</th>
<th>Personnel Services</th>
<th>Pay Period</th>
<th>Name</th>
<th>Job Title</th>
<th>Description</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Personnel Services: 0.00

<table>
<thead>
<tr>
<th>Employee Benefits</th>
<th>Pay Period</th>
<th>Name</th>
<th>Job Title</th>
<th>Description</th>
<th>Amount</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Employee Benefits: 0.00

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>Personnel Services</th>
<th>Pay Period</th>
<th>Name</th>
<th>Job Title</th>
<th>Description</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Personnel Services: 0.00

<table>
<thead>
<tr>
<th>Employee Benefits</th>
<th>Pay Period</th>
<th>Name</th>
<th>Job Title</th>
<th>Description</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Employee Benefits: 0.00

| Travel (In-State) | |
|-------------------| |

Total Detox Funds Requested This Request: 0.00
Total In-Kind Match This Request: 0.00
Total Expenditures Reported This Request: 0.00
<table>
<thead>
<tr>
<th>Date of Travel &amp; Location</th>
<th>Traveler's Name</th>
<th>Purpose of Travel</th>
<th>Check Date</th>
<th>Document Identifier</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Travel &amp; Location</td>
<td>Traveler's Name</td>
<td>Purpose of Travel</td>
<td>Check Date</td>
<td>Document Identifier</td>
<td>Amount</td>
<td>Notes</td>
</tr>
<tr>
<td>Suppllies</td>
<td>Date Incurred</td>
<td>Vendor</td>
<td>Description</td>
<td>Check Date</td>
<td>Document Identifier</td>
<td>Amount</td>
</tr>
<tr>
<td>Operating Costs</td>
<td>Date Incurred</td>
<td>Vendo</td>
<td>Description</td>
<td>Check Date</td>
<td>Document Identifier</td>
<td>Amount</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>Date Incurred</td>
<td>Vendor/Contrater</td>
<td>Description</td>
<td>Check Date</td>
<td>Document Identifier</td>
<td>Amount</td>
</tr>
<tr>
<td>Minor Equipment</td>
<td>Date Incurred</td>
<td>Vendor</td>
<td>Description</td>
<td>Check Date</td>
<td>Document Identifier</td>
<td>Amount</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>Date Incurred</td>
<td>Vendor</td>
<td>Description</td>
<td>Check Date</td>
<td>Document Identifier</td>
<td>Amount</td>
</tr>
</tbody>
</table>

Total Travel (In-State): 0.00

Total Travel (Out-of-State): 0.00

Total Supplies: 0.00

Total Operating Costs: 0.00

Total Contractual Services: 0.00

Total Minor Equipment: 0.00

Total Capital Outlay: 0.00
Exhibit G - Detox In-Kind Match

<table>
<thead>
<tr>
<th>Additional In-Kind Match</th>
<th>Total Amount</th>
<th>Fee Amount &amp; Source</th>
<th>Additional Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment: Outpatient/Jail based</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I hereby certify to the best of my knowledge and belief, the above information is correct, expenditures are properly documented, required matching funds have been spent/obligated in the reported amount, and that copies of all required documentation are attached. The documentation for this payment is true and reflects correct copies of the originals. I certify that the items listed in this report have not been billed or reported previously to the Local DWI Grant & Distribution program. I certify that all payment requests listed are not funded by any other funding source and that the service provider shall not bill this grant/distribution fund and any other funding source for the same service provided to the same client at the same time.

Grantee Representative (Signature) ____________________________

Title ____________________________ Date ____________________________
APPLICATION
FOR CDWI FUNDS

Program Year applying for: July 2019 to June 2020

Project Title and Project Number: (to be provided by TSB)

Applicant Agency: San Juan County CDWI Task Force
Address: 3535 E. 30th Street, Ste 239
City, State, Zip: Farmington, NM 87402
Phone Number: 505-566-5877
Fax Number: 505-566-5870

Project Director and Title: Amanda Evans, Program Manager

Government Unit: San Juan County
Address: 100 South Oliver Drive
City, State, Zip: Aztec, NM 87410
Phone Number: 505-334-7860
Fax Number: 505-334-1633

Authorizing Official and Title: Margaret McDaniel, Chairman

Check to be sent to (address): San Juan County
100 South Oliver Drive
Aztec, NM 87410

Traffic Safety Bureau
Program Manager: ___________________________
Phone: __________________________

BUDGET:
*Self-calculating chart, simply enter data*

<table>
<thead>
<tr>
<th>Program Category</th>
<th>Enforcement</th>
<th>Prevention</th>
<th>Off. Programs</th>
<th>PL &amp; E</th>
<th>Total</th>
<th>Category Total</th>
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<tbody>
<tr>
<td>Personal Services</td>
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<td></td>
<td></td>
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<td>$3,493.00</td>
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<tr>
<td>Contractual Services</td>
<td>7,036.00</td>
<td>1,849.00</td>
<td>5,741.00</td>
<td>1,622.00</td>
<td>$16,248.00</td>
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<tr>
<td>Commodity Budget</td>
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<td></td>
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<td>$0.00</td>
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<tr>
<td>Indirect Costs</td>
<td>N/A</td>
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<td>N/A</td>
<td>N/A</td>
<td>$0.00</td>
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<tr>
<td>Other</td>
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<td>$0.00</td>
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<tr>
<td>NM State Police (NMSP)</td>
<td>Amount not included in Total $ Requested</td>
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<tr>
<td>Special Investigations Division (SID)</td>
<td>Amount not included in Total $ Requested</td>
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<tr>
<td>Total $ Received</td>
<td>$10,529.00</td>
<td>$1,849.00</td>
<td>$5,741.00</td>
<td>$1,622.00</td>
<td>$19,741.00</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL $ REQUESTED FOR AGENCY (w/o NMSP & SID) | $19,741.00

Approved Start Date: upon execution of the Project Agreement
End Date: 30-Jun-20

CERTIFICATION:
The attached application, reviewed and approved by the governing body of the County of San Juan (Applicant) on (Date Reviewed), authorizes the applicant to file this application for assistance from the State of New Mexico.

To the best of my knowledge, the information presented in this application is true and correct.

Project Director Signature: __________________________
Date: __________________________

Authorizing Official Signature: __________________________
Date: __________________________

(Rev. 12/05) (application.xls)
SCOPE OF WORK

Project Number:

Program Category: ENFORCEMENT

A. PERFORMANCE GOAL:

Local Goal:
1. Reduce alcohol related pedestrian fatalities in San Juan County by 2% during FY20.
2. Reduce alcohol related fatalities in San Juan County by 2% during FY20.
3. Reduce underage alcohol related crashes in San Juan County by 2% during FY20.

B. OBJECTIVES:

Work with local law enforcement agencies in San Juan County (San Juan County Sheriff’s Dept., Farmington PD and Bloomfield PD) to implement the goals by collaboration efforts, meetings for strategies and working together to reduce the number of alcohol related fatalities.

C. ACTIVITIES:

Saturation Patrols will be conducted by area law enforcement agencies throughout FY20.
1. The Bloomfield PD will participate in Saturation Patrols throughout FY20.
2. The Farmington PD will participate in Saturation Patrols throughout FY20.
   The Sheriff’s Office will participate in Saturation Patrols throughout FY20

D. BUDGET BY CATEGORY:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal</td>
<td>$3,493.00</td>
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<tr>
<td>Contractual</td>
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<td>Indirect</td>
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<td>Other</td>
<td></td>
</tr>
<tr>
<td><strong>Total for Program Category:</strong></td>
<td><strong>$10,529.00</strong></td>
</tr>
</tbody>
</table>

**Total Agreement Amount:** $19,741.00

**End Date:** 6/30/2020
SCOPE OF WORK

Project Number:

Program Category: PREVENTION

A. PERFORMANCE GOAL

Local Goal:
1. Reduce alcohol related pedestrian fatalities in San Juan County by 2% during FY20.
2. Reduce alcohol related fatalities in San Juan County by 2% during FY20.
3. Reduce underage alcohol related crashes in San Juan County by 2% during FY20.
4. Perform outreach with local community agencies, schools, and organizations to assist in reducing CDWI efforts throughout FY20.
5. Provide prevention messages and activities to schools, businesses and media during FY20.

B. OBJECTIVES:

1. Perform outreach with local community agencies, schools and organizations to assist in preventing underage drinking through education on the Perception of DWI Risk and alcohol media literacy throughout FY20.
2. Project Director to oversee grant goals and objectives throughout FY20.

C. ACTIVITIES:

1. Provide DWI prevention education using the Perception of DWI Risk and alcohol media literacy.
2. Participate in community event with law enforcement agencies and other community partners to endorse safe practices with driving and other safety related issues.
3. Participate in local community events to prevent underage drinking.

D. BUDGET BY CATEGORY:

| Personal: | $1,849.00 |
| Contractual: | $1,849.00 |
| Commodities: | |
| Indirect: | |
| Other: | |

Total for Program Category: $1,849.00

Total Agreement Amount: $19,741.00

End Date: 6/30/2020
SCOPE OF WORK

Project Number:

Program Category: PUBLIC INFORMATION & EDUCATION (PI&E)

A. PERFORMANCE GOAL:

Local Goal:
1. Attend meetings, conferences, and trainings both in and out of state as determined by TSB throughout FY20.
2. Keep abreast of San Juan County and State of New Mexico DWI information throughout FY20.
3. Provide prevention and education information via public service announcements, newsletters, and meetings throughout the community throughout FY20.

B. OBJECTIVES:

1. Provide information on alcohol related issues to the community.
2. Project Director to participate in San Juan County’s Community DWI Task Force meetings.
3. Project Director to participate in other community meetings i.e.: Local Collaborative JD11, Healthy Students Advisory Councils in local schools, and other meetings available to promote the CDWI activities.
4. Project Director to attend trainings and conferences in and out of the state as determined by TSB.

E. ACTIVITIES:

1. Provide awareness of underage drinking and DWI issues through social media and advertising.
2. Collaborate with local law enforcement to promote information to local media and social media sites updating the community on drinking and driving messages as well as information on DWI.
3. Provide drinking and driving prevention information with materials to youths in the community by distributing and displaying prevention messages.

D. BUDGET BY CATEGORY:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

Total for Program Category: $1,622.00

Total Agreement Amount: $19,741.00

End Date: 6/30/2020
SCOPE OF WORK

Project Number:

Program Category: OFFENDER PROGRAMS

A. PERFORMANCE GOAL:
   Local Goal:
   1. Reduce DWI re-offender rate of convicted 1st, 2nd, 3rd, time offenders at the Municipal level;
   2. To monitor sobriety and compliance of court order and recommended treatment during probation period.
   3. To assess and refer to appropriate resources.
   4. To provide support services: victims counseling and referral.
   5. Public and school education on DWI/DUI issues.

B. OBJECTIVES:
   Farmington Municipal Court:
   1. Reduce DWI re-offender rate of convicted 1st, 2nd, 3rd, time offenders at the Municipal level;
   2. To assess and refer to appropriate resources.
   3. To monitor sobriety and compliance of court order and recommended treatment during probation period.

   Shiprock Victims Impact Panel:
   1. To heighten public awareness through courts, community, schools, and other area agencies about the dangers of impaired driving.
   2. To lessen DWI offenses and the recidivism rate by assisting tribal and local courts with 1st, 2nd, and 3rd time offenders.
   3. To restore a peaceful balance to families and victims impacted by DWI offenses.
   4. To assess and refer to appropriate mental and public health; and counseling services for drug and alcohol related problems.

C. ACTIVITIES:
   Farmington Municipal Court:
   1. Enforce one year supervised probation as directed by sentencing court on convicted 1st, 2nd, 3rd, time DWI offenders;
   2. Enforcing mandatory sentencing set by State Statute: recommendations as per screening/assessment (substance abuse counseling, both outpatient and inpatient; AA/NA-12 step meetings); installation of ignition interlock device; mandatory community services; fines and fees imposed; DWI School.
   3. Random field contact/office visits, at least one time per month, but may be more as deemed necessary; impose alcohol monitoring bracelet.
   4. Random BAC testing/drug during field contacts/office visits/work site visits.
   5. Attend CDWI Task Force meetings.
Shiprock Victims Impact Panel:
1. Conduct monthly Victims Impact Panel (VIP) sessions in coordination with the courts, probation, and prosecutors' offices.
2. Support services: victims counseling and referral.
4. Attend CDWI Task Force meetings.

D. BUDGET BY CATEGORY:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
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<td>Other:</td>
<td>Total for Program Category: $5,741.00</td>
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<tr>
<td>Total Agreement Amount: $19,741.00</td>
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End Date: 6/30/2020
Task Force Authorization & Information

Community (government) Certification of Application

I certify that it is the wish of our Task Force to have funds apportioned to our Community DWI Prevention Program for the implementation of the attached Application.

Task Force Name: San Juan County CDWI Task Force

Project Director: Amanda Evans

Title: Program Manager

Address: 3535 E. 30th Street, Ste 105

City/State/zip: Farmington, NM 87401

Phone Number: 505-566-5877 Fax: 505-566-5870

Email Address: evansa@sjcpartnership.org

Project Director Signature: Date: 

Community: Jack Fortner

Title: County Commission Chairman

Address: 100 South Oliver Drive

City/State/zip: Aztec, NM 87410

Phone Number: 505-334-9481 Fax: 505-334-3168

Email Address: 

Authorizing Official Signature: Date: 

Law Enforcement Representative:

Name: Ron Foreman

Title: Lt. New Mexico State Police

Address: 1025 W. Navaio

City/State/zip: Farmington, NM 87401

Phone Number: 505-325-7547 Fax: 505-327-5853

Email Address: 

ATTACHMENT 3

- 3.6 -
Community Traffic Safety Group Representative:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Jason Thornburg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title:</td>
<td>Farmington Police Department</td>
</tr>
<tr>
<td>Address:</td>
<td>800 Municipal Drive</td>
</tr>
<tr>
<td>City/State/zip:</td>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>505-327-1077</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:jthornburg@fintn.org">jthornburg@fintn.org</a></td>
</tr>
</tbody>
</table>

Department of Health Representative:

<table>
<thead>
<tr>
<th>Name:</th>
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<tbody>
<tr>
<td>Title:</td>
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<td>Address:</td>
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</tr>
<tr>
<td>Phone Number:</td>
<td></td>
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<tr>
<td>Email Address:</td>
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</table>

Court Representative:

<table>
<thead>
<tr>
<th>Name:</th>
<th>William Liese</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title:</td>
<td>Municipal Judge</td>
</tr>
<tr>
<td>Address:</td>
<td>920 Municipal Dr</td>
</tr>
<tr>
<td>City/State/zip:</td>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>505-599-1251</td>
</tr>
<tr>
<td>Email Address:</td>
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School Representative:

<table>
<thead>
<tr>
<th>Name:</th>
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</thead>
<tbody>
<tr>
<td>Title:</td>
<td>Farmington Municipal Schools</td>
</tr>
<tr>
<td>Address:</td>
<td>1390 E. 20th Street</td>
</tr>
<tr>
<td>City/State/zip:</td>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>505-599-8535</td>
</tr>
<tr>
<td>Email Address:</td>
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</tr>
</tbody>
</table>
ATTACHMENT 3

Media Representative:
Name: 
Title: Farmington Daily Times
Address: P.O. Box 450
City/State/zip: Farmington, NM 87499
Phone Number: 505-564-4621 Fax: 
Email Address: 

Emergency Medical Services Representative:
Name: 
Title: SJRMC – EMS
Address: 801 W. Maple
City/State/zip: Farmington, NM 87401
Phone Number: 505-599-6115 Fax: 
Email Address: 

County DWI Planning Council Contact:
Name: Pamela Drake
Title: San Juan County Partnership
Address: 3535 E. 30th Street, Ste 105
City/State/zip: Farmington, NM 87402
Phone Number: 505-566-5867 Fax: 
Email Address: 

Other Members (optional):
Name: Perry Charley
Title: Shiprock Victims Impact Panel Program Coordinator
Address: P.O. Box 2578
City/State/zip: Shiprock, NM 87420
Phone Number: 505-368-3516 Fax: 
Email Address: phcharley@dinecollege.edu
**Other Members (optional):**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Randon Matthews</td>
<td>Bloomfield Police Department</td>
</tr>
<tr>
<td></td>
<td>915 N. 1st Street</td>
</tr>
<tr>
<td></td>
<td>Bloomfield, NM 87413</td>
</tr>
<tr>
<td></td>
<td>505-632-6335</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:RMatthews@bloomfieldnm.gov">RMatthews@bloomfieldnm.gov</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Troy Morris</td>
<td>Captain, Aztec Police Department</td>
</tr>
<tr>
<td></td>
<td>201 W. Chaco</td>
</tr>
<tr>
<td></td>
<td>Aztec, NM 87410</td>
</tr>
<tr>
<td></td>
<td>505-334-7622</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:morrist@aztecnm.gov">morrist@aztecnm.gov</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debbie Taylor</td>
<td>Farmington Municipal Courts</td>
</tr>
<tr>
<td></td>
<td>800 Municipal Drive</td>
</tr>
<tr>
<td></td>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td></td>
<td>505-599-1324</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:dtaylor@fmtn.org">dtaylor@fmtn.org</a></td>
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</table>

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Daniel Clark</td>
<td>San Juan County Sherriff's Office</td>
</tr>
<tr>
<td></td>
<td>211 S Oliver</td>
</tr>
<tr>
<td></td>
<td>Aztec, NM 87410</td>
</tr>
<tr>
<td></td>
<td>505-334-6107</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM OF AGREEMENT

This comprehensive Community DWI Prevention Program is between the Cities of Aztec, Bloomfield and Farmington, and the County of San Juan. This agreement is effective on the 1st (day) of July (mo.) 2019 (yr), but is not a valid and binding agreement until executed by all parties thereto. The parties agree as follow:

To file a joint application to the New Mexico State Highway and Transportation Department, Traffic Safety Bureau for funding of a comprehensive Community DWI Program that reflects an integrated approach to our mutual problem of driving while intoxicated.

The Cities of Bloomfield and Farmington, and the County of San Juan agree to combine our funds and resources in achieving a common goal of removing the DWI from the streets and highways of San Juan County thus reducing our highway traffic accidents that are alcohol related.

We will establish a joint Task Force as provided for and described in the CDWI Program Manual.

The County of San Juan agrees to be the fiscal agent to apply for the grant funds and the Cities of Bloomfield and Farmington and the County of San Juan, agree to this arrangement.

There is no requirement for matching funds for this program funding.

Attest: ____________________________ County of San Juan Date ____________________________

Attest: ____________________________ City of Bloomfield Date ____________________________

Attest: ____________________________ City of Farmington Date ____________________________

ATTACHMENT 4
* Adoption of the Planning and Zoning Commission Action as contained within the Community Development Action Summary and approval of PP 19-35, a request from Stonetown Animas Lender, LLC, represented by Cheney-Walters-Echols, for a Preliminary Plan approval of the Sunset Ridge Subdivision Phase 1, consisting of 17 lots on 64.17 acres located at the intersection of Road 3000 and Road 3950 with the following condition:

- All technical corrections to the plat will be finalized and approved prior to submittal of the final plat, including noted issues in the Staff Report.

(Helen Landaverde)

Recommendation of approval by the Planning and Zoning Commission on May 30, 2019 which passed by a vote of 8-0.

* Adoption of the Planning and Zoning Commission Action as contained within the Community Development Action Summary and approval of ZC 19-37, a request from Nguyen Duc Chi Vuong, represented by Anita Graciano, for a Zone Change from SF-7, Single family Residential, to MF-L, Multifamily Low Density, for property located at 1212 Smith Lane subject to the following conditions and/or UDC Requirements:

- The property will maintain the Special Mobile Home Area Overlay (SMHAO).
- The manufactured housing units will need to be placed a minimum of 10 feet apart from each other and from other accessory structures, including those on adjacent properties (2015 IRC: Table R302.1(1) & Sec. R202).
- Sidewalk installation will be required as part of any building or mobile home parking permit (UDC 7.1.2).

(Francisco Alvarado)

Recommendation of approval by the Planning and Zoning Commission on May 30, 2019 which passed by a vote of 8-0.

* Adoption of the Planning and Zoning Commission Action as contained within the Community Development Action Summary and approval of ZC 19-38/SUP 19-39, a request from Sagebrush Community Church, represented by Derald Polston for a Zone Change from MF-L, Multifamily Low Density on the west side of the lot and MF-M, Multifamily Medium Density on the east side of the lot, to MF-M, Multifamily Medium Density for the entire lot. This petition is also a request for a Special Use Permit to allow a 4,000 sq. ft. sanctuary subject to the following conditions:

- The petitioner will work with the San Juan County Assessor to combine the two tax accounts on the property back to one account.
- All zoning, building and fire codes must be met prior to the issuance of a building permit.

(Cindy Lopez)

Recommendation of approval by the Planning and Zoning Commission on May 30, 2019 which passed by a vote of 8-0.
**ACTION SUMMARY**
Petition PP 19-35 – Preliminary Plan for
Sunset Ridge Subdivision Phase 1
located at the intersection of Road 3000 and Road 3950 (Morningstar)
May 30, 2019

### A. PROJECT INFORMATION

<table>
<thead>
<tr>
<th><strong>Applicant</strong></th>
<th>Stonetown Animas Lender LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Representative</strong></td>
<td>Cecil Tullis of Cheney-Walters-Echols, Inc.</td>
</tr>
<tr>
<td><strong>Date of Application</strong></td>
<td>April 22, 2019</td>
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<tr>
<td><strong>Requested Action</strong></td>
<td>Preliminary Plan Approval</td>
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<tr>
<td><strong>Location</strong></td>
<td>At the intersection of Road 3000 and Road 3950 (Morningstar) in Tier II of Farmington’s Platting and Planning Jurisdiction (R0050231)</td>
</tr>
<tr>
<td><strong>Existing Zoning</strong></td>
<td>N/A; Tier II of Farmington’s Platting and Planning Jurisdiction</td>
</tr>
</tbody>
</table>
| **Surrounding Zoning and Land Use** | North: Unincorporated San Juan County/Residential  
                                      South: Unincorporated San Juan County/Undeveloped  
                                      East: Unincorporated San Juan County/Residential  
                                      West: Unincorporated San Juan County/Residential |
| **Subdivision Class**  | Class 3                                                          |
| **Notice**             | Preliminary Plans do not require notice                          |
| **Staff Planner**      | Helen Landaverde, Associate Planner                               |

### SUBDIVISION INFORMATION

<table>
<thead>
<tr>
<th><strong>Number of Lots</strong></th>
<th>17 Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Acres of Land</strong></td>
<td>64.17 Acres</td>
</tr>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Utilities</strong></td>
<td></td>
</tr>
</tbody>
</table>
                      **Water**: Per City Standards  
                      **Sewer**: Per City Standards  
                      **Electric**: Per FEUS Engineering |
| **Access & Circulation** | Per City Standards                           |
| **Street Lights**  | Per City Standards                            |
| **Street Sign**    | Per City Standards                            |

- 5.0 -
The petitioner is requesting a preliminary plan approval of the Sunset Ridge Subdivision Phase 1, Class 3, 17-lot subdivision on 64.17 acres of undeveloped land for property located at the intersection of Road 3000 and Road 3950 (Morningstar) in Tier II of Farmington's Platting and Planning Jurisdiction (R0050231). The lot sizes for Phase 1 range from 1.23 acres to 2.31 acres.

**ISSUES**

**Fire Marshall** – B. Vega: 599-1439 and bvega@firenet.org
- This area is fine now, but may cause issues if it is annexed in the future (for the Fire Department’s response time and coverage).

**Engineering Staff** – Toni Sitta: 599-1399 and tsitta@fmtn.org
1) Please include a description of all monuments found or set.

2) The layouts of Lots 3-7 do not meet the City of Farmington Standards per the Unified Development Code (UDC) Section 6.4.7.N and Section 6.4.7.H. CR 3000 is considered a Minor Arterial per the Farmington MPO Major Thoroughfare Plan.
   a. “No lot shall have direct access to a principal or minor arterial” (Farmington UDC 6.4.7.N).
   b. “No single-family residential use shall take direct access to arterial streets. When uses take access to an arterial street, the point of access shall be directly across from another existing point of access, or spaced at least 200 feet from any intersecting street or other point of access to the arterial, except when no other reasonable alternative is available” (Farmington UDC 5.3.2.C).

3) Please submit “topographic contours at two-foot intervals and all easements or right-of-ways necessary for drainage within or without the boundaries of the subdivision.” (UDC 13.2.12.F)

4) Please submit a drainage report per UDC 13.2.12.

5) Is CR 3944 being dedicated to the County? If not, who will maintain CR 3944 after 1 year (Road Maintenance, Sheet 3 of 3)? Per the UDC Section 6.10, a
homeowners association or agreement for maintenance may be required prior to
the recording of this plat.

6) Per the UDC Section 6.4.7: "Temporary turnarounds shall be provided at the
closed end with a turnaround having an outside roadway diameter of at least 80
feet. The developer shall provide a sign at the dead-end declaring that the
particular street shall connect with any further development."

STAFF CONCLUSION
Staff concludes approval of Petition 19-35, Sunset Ridge Subdivision Phase 1, is
appropriate, subject to technical and corrective changes as enumerated in this report.

STAFF RECOMMENDATION
The Community Development Department recommends approval of Petition 19-35, a
request from Stonetown Animas Lender LLC, represented by Cecil Tullis of Cheney­
Walters-Echols, Inc. for a preliminary plan of a Class 3, 17-lot subdivision on 64.17
acres of undeveloped land (R4005962 and R4003620) located at the intersection of
Road 3000 and Road 3950 (Morningstar) in Tier II of Farmington's Platting and
Planning Jurisdiction and with the following conditions:

All technical corrections to the plat and construction drawings will be finalized and
approved prior to submittal of the final plat, including noted issues in this report.

B. FINDINGS OF THE PLANNING AND ZONING COMMISSION
On May 30, 2019, the Planning and Zoning commission held a public meeting for SUP
PP 19-35 and made the following findings:

1. The petitioner is Stonetown Animas Lender LLC and the representative is Cecil
Tullis of Cheney-Walters-Echols, Inc.

2. The subject property is located at the intersection of Road 3000 and Road 3950
(Morningstar) in Tier II of Farmington’s Platting and Planning Jurisdiction
(R0050231).

3. San Juan County Tax Assessor's records show that the size of the subject
property is 64.17 acres. The property is vacant and undeveloped.

4. The petitioner is requesting a preliminary plan approval of the Sunset Ridge
Subdivision Phase 1, Class 3, 17-lot subdivision. The lot sizes for Phase 1 range
from 1.23 acres to 2.31 acres.

5. The Planning and Zoning Commission found that the request would not be
injurious to the neighborhood. The petition was recommended for approval.

6. The petitioner and/or the petitioner's representative did not attend the hearing.
Planning & Zoning Commission Discussion of Petition PP 19-35 on May 30, 2019

Associate Planner Helen Landaverde presented the staff report for PP 19-35, a request from Stonetown Animas Lender, LLC., represented by Cheney-Walters-Echols, for a Preliminary Plan approval of the Sunset Ridge Subdivision Phase 1, Class 3, consisting of 17 lots on 64.17 acres of undeveloped land, located at the intersection of Road 3000 and Road 3950 in Tier II of Farmington's Platting and Planning Jurisdiction. The lot sizes for Phase 1 range from 1.23 acres to 2.31 acres.

Comments and concerns from other departments regarding the proposed preliminary plan are listed on page 5 of the Planning & Zoning May 30, 2019 Agenda Book, said Ms. Landaverde.

The Community Development Department recommends approval.

Vice-Chair Freeman asked Ms. Landaverde to explain the term 'Tier II' for the new Commissioners. Ms. Landaverde said Tier II is property that is just outside of the city limits and within the 5 mile platting and planning jurisdiction. This preliminary plan is within the 5 mile platting and planning jurisdiction. Vice-Chair Freeman added that someday in the future this area might come into the city through an annexation.

Commissioner Brown asked Ms. Landaverde to explain the difference between Tier II and Tier III. Ms. Landaverde said there is not any zoning in Tier II or Tier III. The subdivision standards and requirements for Tier II allows the City to impose UDC requirements. Tier III is more rural and the City does not apply UDC requirements.

Vice-Chair Freeman noted that the petitioner and/or the petitioner's representative were not present. Mr. Freeman asked the Commissioners if they would like to delay their vote.

Commissioner Langenfeld said it has become more common in terms of petitioners not being present. In the past, said Ms. Langenfeld, the Commission has taken the stance that if there are not any questions or concerns, the Commissioners should move forward with their decision. If this were more of a quasi-judicial circumstance, there would be more of a concern.

Commissioner Ragsdale said the lack of a petitioner or petitioner's representative has happened in the past. Because there are not any questions or dissent, the Commissioners should go forward with their decision.

Planning & Zoning Commission Action of Petition PP 19-35 on May 30, 2019

A motion was made by Commissioner Langenfeld and seconded by Commissioner Waldroup to approve Petition PP 19-35, a request from Stonetown Animas Lender, LLC, represented by Cheney-Walters-Echols, for a Preliminary Plan approval of the Sunset Ridge Subdivision Phase 1, Class 3, consisting of 17 lots on 64.17 acres located at the intersection of Road 3000 and Road 3950 with the following conditions:
- All technical corrections to the plat will be finalized and approved prior to submittal of the final plat, including noted issues in this report.

AYE: Vice-Chair Freeman, Commissioners Brown, Langenfeld, Lockmiller, Mangum, Ragsdale, Smouse, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis and Sewell.

Motion passed 8-0
PLANNING MEMO COMMENTS SUMMARY
PP 19-35 SUNSET RIDGE SUBDIVISION PH. 1
Deadline: 5/2/19

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CD Director –</td>
<td></td>
</tr>
<tr>
<td>CD Addressing – Planning Division</td>
<td></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>No comment</td>
</tr>
<tr>
<td>ELEC Customer Care Manager – L. Richardson</td>
<td></td>
</tr>
<tr>
<td>ELEC Electrical Engineering – L Aligarbes</td>
<td>No comment</td>
</tr>
<tr>
<td>ELEC T &amp; D – R. Romero</td>
<td></td>
</tr>
<tr>
<td>FIRE Fire Captain – K. Rix</td>
<td></td>
</tr>
<tr>
<td>FIRE Fire Marshall – B. Vega</td>
<td>This area is fine now, but may cause issues if it is annexed in the future.</td>
</tr>
<tr>
<td>LEGAL City Attorney – J. Breakell</td>
<td></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>No comment</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></td>
</tr>
</tbody>
</table>

1) Please include a description of all monuments found or set.

2) The layouts of Lots 3-7 do not meet the City of Farmington Standards per the Unified Development Code (UDC) Section 6.4.7.N and Section 6.4.7.H. CR 3000 is considered a Minor Arterial per the Farmington MPO Major Thoroughfare Plan.
   a. “No lot shall have direct
access to a principal or minor arterial" (Farmington UDC 6.4.7.N).

b. "No single-family residential use shall take direct access to arterial streets. When uses take access to an arterial street, the point of access shall be directly across from another existing point of access, or spaced at least 200 feet from any intersecting street or other point of access to the arterial, except when no other reasonable alternative is available (Farmington UDC 5.3.2.C).

3) Please submit "topographic contours at two-foot intervals and all easements or right-of-ways necessary for drainage within or without the boundaries of the subdivision." (UDC 13.2.12.F)

4) Please submit a drainage report per UDC 13.2.12.

5) Is CR 3944 being dedicated to the County? If not, who will maintain CR 3944 after 1 yr (Road Maintenance, Sheet 3 of 3)? Per the UDC Section 6.10, a homeowners association or agreement for maintenance may be required prior to the recording of this plat.

6) Per the UDC Section 6.4.7: "Temporary turnarounds shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet. The developer shall provide
<table>
<thead>
<tr>
<th>Entity</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>PW Streets Superintendent</td>
<td>No comment</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>

**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 – D. Willato</td>
<td></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**

**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:** Stonetown Animal Lender, LLC, Maxwell Key
- **Project Location:** Road 3000 and Road 3950
- **Existing Use:** Residential
- **Proposed Use:** Residential
- **Current Zoning:**
- **Assessor's Parcel I.D. and/or Tax I.D. Number:** R0050231

**Legal Description of Subject Property:** See Attached Plat

**Is Property subject to deed restrictions, covenants, or homeowners' association agreements?**
- [x] Yes
- [ ] No

**REPRESENTATIVE / CONTACT PERSON (if other than applicant)**
- **Name:** Cecil Tullis
- **Email:** cecil@c-w-e.com
- **Phone:** (505) 327-3303
- **Address:** 909 West Apache, Farmington, NM, 87401

**OWNERSHIP**

- **PROPERTY OWNER:** Stonetown Animal Lender, LLC
- **Phone:** 303-407-3009
- **MORTGAGE HOLDERS (if any):**
- **Corporation President and Secretary:**
- **Specify type of interest:** Fee
- **Real Estate Contract, Option to Purchase:**
- **Name:** Maxwell Key
- **Address:** 720 S. Colorado Blvd. #1150-N, Glendale, CO 80248
- **Owner's Signature:**

**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 accompanied. I give my permission for authorizing 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:** Maxwell Key
- **Address:** 720 S. Colorado Blvd. #1150-N, Glendale, CO 80248
- **Phone / Email:** 303-407-3009/jmk@stonetowncapital.com

**STAFF USE ONLY**

- **Received By F A**
- **Time**
- **Date:** 4/23/19
- **Fee Received:** $100
- **Project File No.:** PP19-35 SUV WATT ROD 300
- **Date of Hearing/Meeting:** 5/30/19

**Staff Notes:**
- BluePaste Copies of Plans
- Ownership Report (subject and surrounding properties)
- Legal Description
- Detailed Statement of Proposed Use
# SUMMARY PLAT APPLICATION

Incomplete applications will not be accepted.

Return completed application to:
Development Services Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1299 (fax)

**Summary Plat Type**
- [ ] Boundary Line Adjustment
- [ ] Lot Consolidation
- [ ] Lot Split

**Summary Plat Information**

<table>
<thead>
<tr>
<th>Name of Subdivision:</th>
<th>Sunset Ridge Subdivision Phase 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location Within City Limits?</td>
<td>[ ] Yes [ ] No</td>
</tr>
<tr>
<td>Size of Property</td>
<td>29.9 acres</td>
</tr>
<tr>
<td>Current Use of Property</td>
<td>residential/vacant</td>
</tr>
</tbody>
</table>

**Contact Information**

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Roy L. Sawyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Stonetown Asima Lender, LLC - Maxwell Key</td>
</tr>
<tr>
<td>Address</td>
<td>720 S. Colorado Blvd, #1150-N</td>
</tr>
<tr>
<td>Phone</td>
<td>303-407-3009</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Glendale, CO 80248</td>
</tr>
<tr>
<td>Signature</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Representative</th>
<th>Robert A. Echols, Jr. - Cheney-Walters-Echols</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>909 W. Apache</td>
</tr>
<tr>
<td>Address</td>
<td>909 W. Apache</td>
</tr>
<tr>
<td>Phone</td>
<td>303-327-3903</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Farmington, NM 87401</td>
</tr>
<tr>
<td>Signature</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

**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 parties 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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Roy L. Sawyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>720 S. Colorado Blvd, #1150-N</td>
</tr>
<tr>
<td>Phone</td>
<td>303-407-3009</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Glendale, CO 80248</td>
</tr>
<tr>
<td>Signature</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

**Development Services Acceptance (Staff Use Only)**

<table>
<thead>
<tr>
<th>Date</th>
<th>[ ] 8 full size copies &amp; 1 reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time</td>
<td>[ ] Checklist signed</td>
</tr>
<tr>
<td>Fee</td>
<td>[ ] Legal Description</td>
</tr>
<tr>
<td>Initials</td>
<td>[ ] File No.</td>
</tr>
</tbody>
</table>
PRELIMINARY PLAN
SUNSET RIDGE SUBDIVISION PHASE 1
A TIER 2 CLASS 3 SUBDIVISION
LYING IN THE
NW QUARTER OF SECTION 7, T29N, R12W,
& THE SE1/4 OF THE SE1/4 OF THE
NE1/4, (SE1/4 SE1/4 NE1/4) OF
SECTION 12, T29N, R13W, N.M.P.M.,
SAN JUAN COUNTY, NEW MEXICO

PLAT NOTES:

FOR REVIEW ONLY

DATE: 4/10/2003
PRINTED: 5/11/2003

SCAL: 1"=40'

SHEET No. 2 OF 3
ACTION SUMMARY
Petition ZC 19-37 – Zone change from the SF-7, Single-family 7 Residential District to the MF-L, Multifamily Low Density Residential District, to allow for the placement of two manufactured homes in the backyard, for property located at 1212 Smith Lane

A. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Nguyen Duc Chi Vuong</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Anita Graciano</td>
</tr>
<tr>
<td>Date of Application</td>
<td>April 29, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Zone change from the SF-7, Single-family Residential District to the MF-L, Multifamily Low Density Residential District.</td>
</tr>
<tr>
<td>Location</td>
<td>1212 Smith Lane (R0020493)</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Residence</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>SF-7, Single-family Residential District</td>
</tr>
<tr>
<td>North:</td>
<td>MF-L, Multifamily Low Density with a SMHAO, Special Mobile Home Area Overlay / Residential.</td>
</tr>
<tr>
<td>West:</td>
<td>SF-7, Single-family with a SMHAO, Special Mobile Home Area Overlay / Residential.</td>
</tr>
<tr>
<td>Notice</td>
<td>Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday, May 12, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, May 8, 2019 and a sign was posted on Friday, May 17, 2019.</td>
</tr>
<tr>
<td>Staff Planner</td>
<td>Francisco Alvarado, Associate Planner</td>
</tr>
</tbody>
</table>

STAFF ANALYSIS

Project Description
The petitioner, Nguyen Duc Chi Vuong, is requesting a zone change from the SF-7, Single-family Residential District to the MF-L, Multifamily Low Density Residential District, to allow for the placement of two (2) multi-section manufactured homes in the backyard of property located at 1212 Smith Lane (R0020493).

San Juan County Tax Assessor's records show that the size of the property is 0.438 acres (19079.28 square feet). The property was annexed into the City in 1954 and is considered to be a lot of record. Aerial photographs and other sources provided in this memo indicate
that there is a duplex and two accessory structures ( sheds ) on the subject property. Each unit in the duplex has one bedroom. One unit has an office space.

The property has a special mobile home area overlay ( SMHAO ). The abutting property to the north is zoned MF-L, Multifamily Low Density. The abutting property to the south is zoned MF-M, Multifamily Medium Density. The properties to the east and west are zoned SF-7, Single-family. All the abutting properties have a special mobile home area overlay ( SMHAO ).

**Figure 1. City of Farmington Zoning Map**

Multi-section manufactured homes are not permitted in the SF-7 District; as a result the applicant is requesting a zone change to MF-L, Multi-family Low Density to allow for multi-section manufactured homes on the subject property.

The residence, built in 1959, sits at 20 feet from the front yard property line and does not meet the current SF-7 District setbacks. The property would, however, meet the required setbacks for the proposed MF-L District and come into compliance with the City code.
Table 1. UDC 2.8.1 - Setbacks for subject property.

<table>
<thead>
<tr>
<th>Standard</th>
<th>SF-7</th>
<th>MF-L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>25'</td>
<td>20'</td>
</tr>
<tr>
<td>Interior Side</td>
<td>5'</td>
<td>8'</td>
</tr>
<tr>
<td>Rear</td>
<td>15'</td>
<td>25'</td>
</tr>
</tbody>
</table>

Proposal
The petitioner is requesting a zone change from the SF-7, Single-family Residential District to the MF-L, Multifamily Low Density Residential District to allow for the placement of two (2) manufactured homes (multi-section) on the property, in addition to the current residence. Future income received from renting the homes would allow him to pay for his children's education. Under current zoning (SF-7), the property's special mobile home area overlay (SMHAO) allows for one single-section mobile or manufactured home on the lot. He has not requested a change regarding the SMHAO.

Pursuant to UDC Section 2.8 Density and dimensional standards, the minimum lot area per multifamily dwelling unit in the MF-L District shall be 3,500 sq. ft. The subject property is 19,079.28 sq. ft., and the existing residence is 1,512 sq. ft. The maximum allowed number of multifamily units in the remaining lot area (17,567.28 ÷ 3,500) is five (5).

The applicant has expressed his interest for two (2) multifamily manufactured homes (24' x 54', 1,296 sq. ft.). One home will be placed vertically, next to the rear lot line. The second home will be placed horizontally, next to the southern lot line, by the first home (Figure 2).

Figure 2. Proposed Placement
The petitioner's representative, Anita Graciano, has indicated that Mr. Nguyen would like for each manufactured home to have three bedrooms and two bathrooms. The petitioner would have to provide sufficient off-street parking for the proposed homes. The minimum requirements for off-street parking are two (2) spaces per manufactured dwelling unit.

Table 2. UDC 5.2.3.A - Minimum off-street parking

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Minimum Number of Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family, manufactured dwellings, and mobile homes</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Multifamily dwellings</td>
<td></td>
</tr>
<tr>
<td>Efficiency &amp; one-bedroom</td>
<td>1.5 per dwelling unit</td>
</tr>
<tr>
<td>2-bedroom</td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>3-bedroom</td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

Consistency with the Farmington Comprehensive Plan
The 2020 Future Land Use Plan visualizes this area as having a Residential Single Family Urban land use. The proposed use supports the following core goals and objectives in the 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 4.1: Assure the provision of a variety of different land use types in suitable locations, densities, and patterns while avoiding mixing of incompatible uses in close proximity to each other.

Objective 4.1.2: Continue to recommend appropriate locations for...multi-family residential areas as shown on the 2020 Future Land Use Plan...

Housing

Goal: Promote quality, affordable, and safe housing that meets the needs of the community and assure implementation of sound standards for orderly development and growth.

Action 7.1: Provide for a variety of housing options...to accommodate housing needs of all residents in Farmington...

---

1 Farmington Comprehensive Plan (2002). Chapter 4 Land Use and Development, pp. 4-11 – 4-12.
The property to the north is zoned MF-L, Multi-family Low Density and the property to the south is zoned MF-M, Multi-family Medium Density. The properties to the east and west are zoned SF-7, Single-Family Residential. All the abutting properties have a Special Mobile Home Area Overlay (SMHAO).

The proposed zone change to MF-L, Multi-family Low Density would allow for development consistent with the current land uses and character of the surrounding area. Although zoning in the general area is SF-7, the proposed land use is compatible with mobile/manufactured homes in the neighborhood, as well as the abutting multi-family low and medium density districts.

**Multifamily, low, medium and high density (MF-L, MF-M, and MF-H)**

Multifamily Low, Medium and High Density (MF-L, MF-M and MF-H) Districts are intended to accommodate a substantial portion of the city’s residential growth over the 20-year planning horizon covered by the comprehensive plan. By allowing many residential development options (from detached houses on small lots to relatively high density apartments), the MF-L, MF-M and MF-H districts provide the widest range of housing choices for city residents. The provision of pedestrian facilities is strongly encouraged (UDC 3.9).

**STAFF ANALYSIS**

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

The zone change request is for MF-L, Multi-family Low Density is consistent with several goals and objectives of the Comprehensive Plan for Land Use and Development regarding multi-family residential areas and housing options for the community.
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?

The property to the north is zoned MF-L, Multi-family Low Density and the property to the south is zoned MF-M, Multi-family Medium Density. The properties to the east and west are zoned SF-7, Single-Family Residential. All the abutting properties have a Special Mobile Home Area Overlay (SMHAO).

The proposed zoning for this property is compatible with the present zoning and character of the neighborhood. Additionally, the proposed zone change supports the goals and objectives in the Comprehensive Plan for Land Use and Development and Housing.

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

There should be no adverse impacts; however, the applicant is required to mitigate adverse impacts.

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

The zone change request is MF-L, Multi-family Low Density and multi-section manufactured homes are allowed. At the moment, the subject property does not meet the front yard setback for the existing principal structure. The applicant would come into compliance with the City’s Code regarding residential density and dimensional standards in the MF-L District.

Any future demolition and redevelopment will need to meet established requirements of the zone district and off-street parking regulations.

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?

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.

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 zone change for the subject property is in line with several goals and objectives of the Comprehensive Plan regarding land use and development, as well as housing. Although the 2020 Future Land Use Plan visualizes this area as Residential Single Family Urban and the current zoning is SF-7, Single-family Residential, the existing land use on Smith Lane and the surrounding area is multifamily. The requested zone change to MF-L is consistent with the character of the area and will not be detrimental to the surrounding neighborhood. The proposed zone change will not be a spot zone.

STAFF CONCLUSION
Staff concludes that approval of ZC 19-37 is appropriate. The requested zone change to MF-L is consistent with the land use and character of the area and will not be detrimental to the surrounding neighborhood.

STAFF RECOMMENDATION
The Community Development Department recommends approval of Petition ZC 19-37, a request from Nguyen Duc Chi Vuong for a zone change from the SF-7, Single-Family Residential to MF-L, Multi-family Low Density District to allow for the placement of two multi-section manufactured homes in the backyard, for property located at 1212 Smith Lane and subject to the following conditions and/or UDC requirements:

- The property will maintain the Special Mobile Home Area Overlay (SMHAO).
- The manufactured housing units will need to be placed a minimum of 10 feet apart from each other and from other accessory structures, including those in adjacent properties (2015 IRC: Table R302.1(1) & Sec. R202).
- Sidewalk installation will be required as part of any building or mobile home parking permit (UDC 7.1.2)

B. FINDINGS OF THE PLANNING AND ZONING COMMISSION
On May 30, 2019, the Planning and Zoning commission held a public meeting for ZC 19-37 and made the following findings:

1. The petitioner is Nguyen Duc Chi Vuong (property owner).
2. The subject property is located at 1212 Smith Lane, in the SF-7, Single Family Residential District, with a Special Mobile Home Area Overlay.
3. San Juan County Tax Assessor's records show that the size of the subject property is 0.438 acres. The property is developed, and public facilities and services are provided.
4. The petitioner is requesting a zone change from the SF-7, Single-family Residential District to the MF-L, Multifamily Low Density Residential District, to allow for the placement of two (2) multi-section manufactured homes in the backyard.
5. The Comprehensive Plan recommends residential single family for the subject property. However, the proposed use supports core goals and objectives of the Comprehensive Plan regarding land use and development, and housing.


7. A change on the agenda book (page 14) was noted. It states multi-section manufactured homes are not permitted in the SF-7 District. It should say multifamily manufactured homes.

8. The surrounding land uses (multifamily residential) are compatible with the proposed land use (multifamily residential). All the abutting properties have a SMHAO.

9. The proposed zone change would bring the existing multifamily dwelling into legal conforming status, and allow the structure to meet setbacks required by the Unified Development Code. It would also allow for two multi-section manufactured homes in the backyard.

10. Multifamily Low, Medium and High Density Districts are intended to accommodate a substantial portion of the city's residential growth over the 20-year planning horizon covered by the Comprehensive Plan.

11. The petitioner's representative, Anita Graciano, was at the hearing and spoke in favor of the petition.

Planning & Zoning Commission Discussion of Petition ZC 19-37 on May 30, 2019
Associate Planner Francisco Alvarado presented the staff report for ZC 19-37, a request from Nguyen Duc Chi Vuong for a zone change from SF-7, Single-family Residential District, to MF-L, Multifamily Low Density District, to allow for the placement of two multi-section manufactured homes in the backyard of property located at 1212 Smith Lane.

The property has a Special Mobile Home Area Overlay (SMHAO). The abutting property to the north is zoned MF-L, Multifamily Low Density. The abutting property to the south is zoned MF-M, Multifamily Medium Density. The properties to the east and west are zoned SF-7, Single-family. All the abutting properties have a SMHAO.

San Juan County Tax Assessor's records show that the size of the property is 0.438 acres. The property was annexed into the City in 1954 and is considered a lot of record. There is a duplex on the property that is legal nonconforming.

A zone change would allow for the placement of two multi-section manufactured homes in the backyard of the property. The minimum lot area per multifamily dwelling unit in the MF-L District is 3,500 sq. ft. The property is 19,079 sq. ft., and the existing residence is 1,512 sq. ft.
ft. The maximum allowed number of multifamily units is five according to UDC 2.8. The applicant is proposing two more dwelling units.

Mr. Alvarado noted a change of the Planning & Zoning May 30, 2019 agenda book. On page 14, it states multi-section manufactured homes are not permitted in the SF-7 District. It should say multi-family manufactured homes, said Mr. Alvarado.

The homes will be 24' x 54' and each home will have three bedrooms and two bathrooms. Mr. Alvarado noted the proposed placement of each manufactured home. Each home will be required to have two parking spaces. The existing residence has three parking spaces.

The current unit sits 20 feet from the front yard property line and does not meet the current SF-7 District setbacks. The property would meet the required setbacks for the proposed MF-L District and come into compliance with the City code.

The 2020 Comprehensive Plan shows this area as having a Residential Single Family Urban land use. The proposed use supports the core goals and objectives of the 2020 Comprehensive Plan regarding land use and development.

Objective 4.1 of the Comprehensive Plan says there has to be a provision of a variety of different land use types in suitable locations, densities, and patterns while avoiding mixing of incompatible uses in close proximity to each other. Objective 4.1.2 recommends multi-family residential areas. Action 7.1 recommends a variety of housing options to accommodate housing needs of all residents in Farmington.

According to UDC Section 3.9, multifamily districts are to accommodate a substantial portion of residential growth over the 20-year planning horizon of the Comprehensive Plan.

The proposed zone change to MF-L would allow for development consistent with the current land uses and character of the surrounding area. Although the general area is SF-7, the proposed land use is compatible with the SMHAO, as well as the abutting multifamily districts.

The Community Development Department recommends approval of Petition ZC 19-37 for a zone change from the SF-7, Single-Family Residential to MF-L, Multi-family Low Density District. The property will maintain the SMHAO.

Vice-Chair Freeman questioned the SMHAO for the property. Mr. Alvarado explained that the petitioner would be allowed a maximum of five units on the property with the zone change.

Cindy Lopez explained that the SMHAO allows for single section mobile homes in certain areas. It was an overlay that was applied prior to the current code. There are not any new areas with this overlay. Those areas can be single lots and allow for single section or multi-section mobile homes. It is an overlay on the underlying zoning district.

Commissioner Waldroup asked if this would be spot zoning. Ms. Lopez said the SMHAO encompasses a large area. The neighborhood also has a lot of multifamily zoning. Ms. Lopez pointed out that the properties on either side of the subject property had zone
changes to multifamily because they had legal nonconforming multifamily dwellings. The zones were changed when ownership changed.

Anita Graciano, 4305 Terrace, said the property has changed hands and the owner would like to put more mobile homes on the property and to have more affordable housing.

**Planning & Zoning Commission Action of Petition ZC 19-37 on May 30, 2019**

A motion was made by Commissioner Langenfeld and seconded by Commissioner Ragsdale to **approve** Petition ZC 19-37, a request from Nguyen Duc Chi Vuong for a zone change from SF-7, Single-family Residential District, to MF-L, Multifamily Low Density District, to allow for the placement of two multi-section manufactured homes in the backyard of property located at 1212 Smith Lane and subject to the following conditions and/or UDC Requirements:

- The property will maintain the Special Mobile Home Area Overlay (SMHAO).
- The manufactured housing units will need to be placed a minimum of 10 feet apart from each other and from other accessory structures, including those in adjacent properties (2015 IRC: Table R302.1(1) & Sec. R202).
- Sidewalk installation will be required as part of any building or mobile home parking permit (UDC 7.1.2).

AYE: Vice-Chair Freeman, Commissioners Brown, Langenfeld, Lockmiller, Mangum, Ragsdale, Smouse, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis and Sewell.

**Motion passed 8-0**
Photos of subject property
## PLANNING MEMO COMMENTS SUMMARY

**ZC 19-37 1212 SMITH LANE**  
**Deadline: 5/13/19**

<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>The manufactured housing units will need to be placed a minimum of 10 feet apart.</td>
</tr>
<tr>
<td><strong>CD</strong> Long Range Planner</td>
<td></td>
</tr>
<tr>
<td><strong>CD</strong> MPO</td>
<td></td>
</tr>
<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>
<td>No comment</td>
</tr>
<tr>
<td><strong>ELEC</strong> Electrical Engineering – L Aligarbes</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>ELEC</strong> T &amp; D – R. Romero</td>
<td></td>
</tr>
<tr>
<td><strong>FIRE</strong> Fire Captain – K. Rix</td>
<td></td>
</tr>
<tr>
<td><strong>FIRE</strong> Fire Marshall – B. Vega</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>LEGAL</strong> City Attorney – J. Breakell</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>LEGAL</strong> Deputy City Attorney – E. Wayne</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>POLICE</strong> Code Compliance – M. Romero</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>POLICE</strong> Sergeant – P. Flores</td>
<td></td>
</tr>
<tr>
<td><strong>PRCA</strong> S. Reeves/ R. Crosby</td>
<td>No comment</td>
</tr>
<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>No comment regarding the zone change. However, sidewalk installation will be required as part of any building or mobile home parking permit in accordance with City Ordinance Section 7-1-2.</td>
</tr>
<tr>
<td><strong>PW</strong> Engineering – T. Sitta</td>
<td></td>
</tr>
<tr>
<td><strong>PW</strong> Streets Superintendent</td>
<td></td>
</tr>
<tr>
<td><strong>PW</strong> Traffic Engineer – I. BlueEyes</td>
<td>No comment</td>
</tr>
<tr>
<td><strong>PW</strong> 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>CenturyLink – D. Willato</td>
<td></td>
</tr>
<tr>
<td>Enterprise Field Services</td>
<td></td>
</tr>
<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
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<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

### PROJECT TYPE (Check Those Applicable)
- [ ] Annexation and/or Zoning
- [ ] Preliminary Plat
- [ ] Final Plan
- [ ] Summary Plat
- [ ] Special Use Permit
- [ ] Variance (ARB)
- [ ] Zone Change to Commercial District
- [ ] Temporary Use Permit
- [ ] Proposed Length of Use:
- [ ] Well site equipment modification

### INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>Project Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>NGUYEN AUC UN YOUNG</td>
<td>450 N. MAIN</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>2211 E. 11 St.</td>
<td>Residential</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E-Mail</th>
<th>Proposed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:ANH.5GRACIANO@YAHOO.COM">ANH.5GRACIANO@YAHOO.COM</a></td>
<td>Residential Low Density</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone</th>
<th>Current Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>505.397.5944</td>
<td>1.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Relationship to Property Owner</th>
<th>Assessor's Parcel I.D. and/or Tax I.D. Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20024</td>
</tr>
</tbody>
</table>

### LEGAL DESCRIPTION OF SUBJECT PROPERTY

| 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)

<table>
<thead>
<tr>
<th>Name</th>
<th>E-Mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANH.5GRACIANO</td>
<td><a href="mailto:ANH.5GRACIANO@YAHOO.COM">ANH.5GRACIANO@YAHOO.COM</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>505.397.5944</td>
<td>P.O. Box 523 Farmington, NM 87401</td>
</tr>
</tbody>
</table>

### OWNERSHIP

**PROPERTY OWNER** (Identify General Partner, Managing Partner, Corporation President and Secretary. Specify type of ownership interest. Fee, Real estate contracts, Option to Purchase)

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Name</th>
<th>Phone</th>
</tr>
</thead>
</table>

### MORTGAGE HOLDERS (If any)

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
</tr>
</thead>
</table>

### OWNER CERTIFICATION

Certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge and belief. 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 have received 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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone / Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>NGUYEN AUC UN YOUNG</td>
<td>450 N. MAIN</td>
<td><a href="mailto:ANH.5GRACIANO@YAHOO.COM">ANH.5GRACIANO@YAHOO.COM</a></td>
</tr>
</tbody>
</table>

**STAFF USE ONLY**

- [ ] Blueprints Copies of Plans
- [ ] Ownership Report (subject and surrounding properties)
- [ ] Legal Description
- [ ] Detailed Statement of Proposed Use

**Date of Hearing Meeting**: 08/28/19 @ 6:15 PM

Received By: ANH.5GRACIANO

Project File No.: ZC 19-37 12/25/18 450 N. MAIN 1124000470

Date: 04/29/19

Fee Received: 100
April 23, 2019

Ms. Helen Landaverde
800 Municipal Drive
Farmington, NM 87401

Nguyen Duc Chi Vuong
2312 East 11th Street
Farmington, NM 87401

Dear Ms. Landaverde,

Please accept my application requesting a zone change (from S7 to multi-family, low density) for my property located at 1212 Smith Lane. This change would allow me to place two mobile homes on the property, in addition to the current house on the property. The mobile homes would be clean, and enhance the appearance of the property. The income from these mobile homes will also provide financial means for my children’s education.

I appreciate your consideration of this request.

Please let me know if you need additional information.

Respectfully,

Nguyen Duc Chi Vuong
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 19-37 - a request from Nguyen Ducchi Vuong, represented by Anita Graciano, for a zone change from SF-7, Single-family, to MF-L, Multi-family Low Density, for property located at 1212 Smith Lane, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the SW/4NE/4 of Section 11, in Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Otherwise known as 1212 Smith Lane

Petition No. ZC 19-38 & SUP 19-39 - a request from Sagebrush Community Church represented by Derald Polston, for a zone change from MF-L & MF-M, Multi-family low & medium density, to MF-M, Multi-family Medium Density, and for a special use permit to allow a Place of Worship with a sanctuary space of more than 4,000 sq. ft. property located at 5301 Sunrise Pkwy, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
All of the Butler Subdivision No. 1, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record December 23, 1991.
Otherwise known as 5301 Sunrise Pkwy.

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, May 30, 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, June 11, 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 19-37

May 8, 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 Nguyen Duc Chi Vuong, represented by Anita Graciano, for a zone change from SF-7, Single-family, to MF-L, Multi-family Low Density, for property located at 1212 Smith Lane, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
That part of the SW/4NE/4 of Section 11, Township 29, North, Range 13 West, N.M.P.M., San Juan County, New Mexico.

Otherwise known as 1212 Smith 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, May 30 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, June 11, 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 Francisco Alvarado at 505-599-1333 or falvarado@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 1:

A tract of land lying in the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section Eleven (11) in Township Twenty-Nine (29) North of Range Thirteen (13) West, N.M.P.M., San Juan County, New Mexico, described as follows:
BEGINNING from a point that is North 69°36' East 453.80 feet and North 00°59' East 864.30 feet from the point where the North line of the right-of-way of Highway No. 550 (Farmington-Aztec Highway) intersects the West line of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 11, Township 29 North of Range 13 West, more particularly described as follows:
THENCE North 00°59' East 75.5 feet;
THENCE South 89°01' East 252.40 feet;
THENCE South 00°49' West 75.5 feet;
THENCE North 89°01' West 252.64 feet, to the point of beginning.

TRACT 1
Ducchi V. Nguyen
4917 East Main Street
Farmington, NM 87402

That part of the SW1/4NE1/4 of Section 11, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico.
Book 1642, page 230

TRACT 2 & 3
Kenneth Campbell
1204 Smith Lane
Farmington, NM 87401

Lot 2, of the MHC SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record December 29, 2006.
Book 1566, page 179

AND

Lot 1, of the MHC SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record December 29, 2006.
Book 1564, page 521

TRACT 4
Perfecto Quintana and Twila Quintana Revocable Trust
10 Road 6185
Kirtland, NM 87417

That part of Lot 2, of the ELMO SMITH SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record September 20, 1956.

Book 1634, page 76
Book 1597, page 214
Book 1444, page 362
TRACT 5
J.D and Shirley Noyes Living Trust
C/O Ronald H and Karen Jones
4761 West Camino De Manana
Tucson, AZ 85742
That part of Lot 2, of the ELMO SMITH
SUBDIVISION, in the City of Farmington, San
Juan County, New Mexico, filed for record
September 20, 1956.
Book 1585, page 452

TRACT 6
J & J Realty Co., LLC
1621 West Murray Drive
Farmington, NM 87401
That part of Lot 3, of the ELMO SMITH
SUBDIVISION, in the City of Farmington, San
Juan County, New Mexico, filed for record
September 20, 1956.
Book 1630, page 530

TRACT 7 & 8
Theresa K. Donisthorpe and Brian L. Donisthorpe
1305 Smith Lane
Farmington, NM 87401
That part of Lot 3, of the ELMO SMITH
SUBDIVISION, in the City of Farmington, San
Juan County, New Mexico, filed for record
September 20, 1956.
Book 1557, page 528
AND
That part of Lot 4, of the ELMO SMITH
SUBDIVISION, in the City of Farmington, San
Juan County, New Mexico, filed for record
September 20, 1956.
Book 1084, page 666

TRACT 9
Dudley G. Welch Revocable Living Trust
1304 Smith Lane
Farmington, NM 87401
That part of the SW1/4NE1/4 of Section 11,
Township 29 North, Range 13 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1615, page 605

TRACT 10
Jerry W. Pittman and Patreicia M. Pittman
1302 Smith Lane
Farmington, NM 87401
That part of the SW1/4NE1/4 of Section 11,
Township 29 North, Range 13 West, N.M.P.M.,
San Juan County, New Mexico.
Book 1277, page 864
TRACT 11  
Protemlute Quest Trust  
1301 Ulton Lane  
Farmington, NM 87401  
Lot 8, in Block 1, of the INDUSTRIAL  
SUBDIVISION, in the City of Farmington, San  
Juan County, New Mexico, filed for record  
Book 1440, page 385

TRACT 12  
Barbara J. Hutchison Living Trust  
1221 Ulton Lane  
Farmington, NM 87401  
Lot 9, in Block 1, of the INDUSTRIAL  
SUBDIVISION, in the City of Farmington, San  
Juan County, New Mexico, filed for record  
Book 1471, page 1053

TRACT 13  
Melvin Ward and Mary E. Ward Living Trust  
C/O Beau Dibble and Monique Dibble  
P.O. Box 3801  
Farmington, NM 87499  
Lot 10, in Block 1, of the INDUSTRIAL  
SUBDIVISION, in the City of Farmington, San  
Juan County, New Mexico, filed for record  
Book 1477, page 449  
Book 1623, page 374

TRACT 14  
Luis D Aguirre and Viviana Aguirre  
1215 Ulton Lane  
Farmington, NM 87401  
Lot 11, in Block 1, of the INDUSTRIAL  
SUBDIVISION, in the City of Farmington, San  
Juan County, New Mexico, filed for record  
January 25, 1954  
Book 1472, page 138

TRACT 15  
Randall G. Gordon  
1705 Boulder Road  
Gallup, NM 87301  
Lot 12, in Block 1, of the INDUSTRIAL  
SUBDIVISION, in the City of Farmington, San  
Juan County, New Mexico, filed for record  
January 25, 1954  
Book 1565, page 90

10, April 8, 2019, 4:30 p.m.  
LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE:
SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

[Signature]

By: Lorraine Austin, Abstractor
COMMUNITY DEVELOPMENT ACTION SUMMARY
Petition ZC 19-38 and SUP 19-39 – Zone Change from the MF-L, Multifamily Low Density District to the MF-M, Multifamily Medium Density District and for a Special Use Permit to allow a Place of Worship with more than 4,000 square feet of sanctuary space located at
1501 Sunrise Parkway

A. STAFF REPORT, May 30, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Sagebrush Community Church</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Derald Polston</td>
</tr>
<tr>
<td>Date of Application</td>
<td>May 2, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Zone change from the MF-L, Multifamily Low Density District to the MF-M, Multifamily Medium Density District and for a Special Use Permit to allow a Place of Worship with more than 4,000 square feet of sanctuary space.</td>
</tr>
<tr>
<td>Location</td>
<td>1501 Sunrise Parkway (R0036724 and R0036723)</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Church</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>MF-L, Multifamily Low Density and MF-M, Multifamily Medium Density</td>
</tr>
</tbody>
</table>
| Surrounding Zoning & Land Use | North: SF-10 Single-family and LNC Local Neighborhood Commercial/Residential and Vacant  
South: MF-M Multifamily Medium Density/Vacant  
East: LNC Local Neighborhood Commercial/Vacant  
West: MF-L Multifamily Low Density/Vacant  
Northeast-Diagonally: LNC Local Neighborhood Commercial/Social Security Offices |
| Notice             | Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday, May 12, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday, May 8, 2019 and a sign was posted on Friday, May 17, 2019. |
| Staff Planner      | Cynthia Lopez, Senior Planner       |

STAFF ANALYSIS

Project Description
The petitioner is requesting a zone change and special use permit for Sagebrush Community Church at 1501 Sunrise Parkway. Derald Polston is representing the petitioner. The 4 acre parcel of land is Lot 1 of the Butler Subdivision. The subdivision plat was reviewed/approved by the City of Farmington and recorded at the San Juan County Clerk’s Office on December 23, 1991. Approximately one week after recording the Butler Subdivision plat, the north one-acre portion of the lot was deeded as a
separate parcel. This subsequent subdivision of Lot 1 of Butler Subdivision into two lots did not meet the requirements of the subdivision regulations of the City at the time it was deeded. Therefore, the City considers the property as one lot of 4 acres. The San Juan County Assessor’s map shows the property as two lots. The petitioner will need to correct this subdivision error.

The Butler Subdivision plat shows:
- a 10 foot utility easement along the property line on Sunrise and Butler;
- a dedication of a 10 foot strip along Sunrise dedicated to the City of Farmington;
- a 20 foot drainage easement diagonally across the northeast corner of the property; and,
- a reciprocal access easement on the southeast corner of the lot between this property and the property to the south.

A plat note labeled Access Restrictions states: “Two permitted access locations to Butler Avenue are to be located within the reciprocal access easement shown at the southeast corner and at location to be determined, but not less than ninety (90) south of the north property line.” (90 feet south of the north property line)

The property has two zoning designations, MF-L Multifamily Low Density on the west side and MF-M Multifamily Medium Density on the east side. The vacant properties to the north and east are zoned LNC Local Neighborhood Commercial. The vacant properties to the south and west are zoned multifamily. The Farmington Social Security Offices are diagonally across the intersection of Sunrise and Butler from the Sagebrush Community Church.

The property has an existing church building of approximately 12,560 square feet. The property has 52 paved parking spaces, three of which are handicapped parking spaces. The church is on the southwest corner of Sunrise Parkway and Butler Avenue. Current access to the property is from Sunrise Parkway. Sunrise Parkway is a collector street (60 ft. right-of-way required) and Butler Avenue is a minor arterial (80 ft. right-of-way required). A local residential street has a required 50 ft. right-of-way.

Proposal
The petitioner is proposing a zone change so that the property has only one zoning designation of MF-M Multifamily Medium Density instead of the two current designations. This request complies with the “Commentary” of Section 2.2.3 Multiple Zoning Districts of the Unified Development Code that states: “Multiple zoning on a single parcel should be avoided. Where the opportunity arises to correct multiple zoning, such parcels should be rezoned to a single district.”

Sagebrush Community Church is proposing to expand its facility to include a sanctuary space of more than 4,000 square feet. They propose a 7,200 square foot sanctuary space that will accommodate 563 seats. The Unified Development Code requires a special use permit in any multifamily zoning district for a Place of Worship with a sanctuary space of more than 4,000 square feet.

The proposal is to remodel the existing building (approximately 12,560 square feet) into several auxiliary spaces for church functions. A new addition will be added to the east and south to include the lobby and sanctuary space.
With the addition to the existing church, a new parking plan is proposed. Parking requirements for 563 seats inside the sanctuary space is 112 parking spaces with eight (8) of those required to be handicapped parking spaces. The petition is showing a parking plan that includes 240 regular parking spaces and 8 handicapped parking spaces. The proposal also shows a second street access along Butler Avenue.

The site plan as proposed shows a detention pond in the southeast corner of the property. The detention pond cannot restrict the "Reciprocal Access Easement" in that location. The detention pond appears to be located on top of or very near to a sandstone outcropping that has a significant drop to the rest of the property. The proposed site plans, floor plans and elevations that were submitted with this application will not be considered final or approved with this request. They are required to be submitted as part of the building plan set and may need to be revised to meet codes.

**Consistency with the Farmington Comprehensive Plan**

The Farmington Comprehensive Plan recommends the property/area as Residential Single-Family Urban (less than 20,000 sq. acre lot). Churches provide services to the community and "...should complement, but not infringe on nearby residential areas. They should be accessible and adjacent to major streets to accommodate traffic." The proposed church is located at the intersection of a collector and minor arterial that can accommodate the traffic generated by the use. The church may buffer the residential uses to the north and west from the Local Neighborhood Commercial (LNC) uses on the other three corners of the intersection.

**ISSUES**

**Building Inspection Division: Derrick Childers – 599-1305**

- The occupant load of the proposed building will require a fire suppression system.

**Fire Marshall: Brandy Vega—599-1349**

- This change in structure will most likely require a sprinkler system, but plans must be submitted to ascertain. We also have concerns about the elevation change and the feasibility of getting the fire trucks in and out of the property on the east side.

**Engineering: Toni Sitta—599-1399**

- The site plan that was submitted for the proposed Zone Change is not an acceptable site plan for review or approval through public works engineering.
- A complete site plan to include the grading (contours) and site drainage (to include calculations) that show the City's Supplemental Drainage requirements are met (UDC) will be required to be submitted for review upon the submittal of the building permit application. The approval of the Zone Change is not an approval of the site plan submitted for the Zone Change Request.
San Juan County, Subdivision Review Officer: David Barnett—334-4248

- There is an agreement recorded right after the subdivision that may be of interest. It looks like the north 1 ac. was split by deed the week after the subdivision was recorded in 1991. The most recent deed describes the entire lot including the 1 ac. I would advise the owner to contact the Assessor's office to combine the two tax accounts back into one account.

Planning Division: Cynthia Lopez – 599-1309

- The proposed site plans, floor plans and elevations that were submitted with this application will not be considered final or approved with this request. They are required to be submitted as part of the building plan set and may need to be revised to meet codes.
- Pursuant to Section 13.4.1 of the Unified Development Code the Public Works Director or the City Engineer may require a Traffic Impact Analysis to determine the potential traffic impacts of the proposed development as part of the building plan submittal. Section 13.4.1 states: “A traffic impact analysis (TIA) shall be prepared for proposed developments, or additions to existing developments, that generate more than 100 vehicle trips during the morning or afternoon peak hour period.”

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 property has two zoning designations, which are both currently multifamily residential. The properties to the west and south are zoned multifamily residential, one is zoned for low density and one is zoned for medium density. A Place of Worship exists on the property, built in 2011. The properties to the north and east are zoned Local Neighborhood Commercial. The property is 4 acres which is sufficient area for the proposed expansion of the church. The proposed zoning and land use (Place of Worship) is compatible with the present zoning and conforms to the future uses of nearby properties, which are vacant.

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

The property is at the intersection of a collector street and a minor arterial street. Both roadways are designed to accommodate heavier traffic volumes and will be able to handle traffic generated by the expansion of the church. The petitioner proposes to keep the access to Sunrise Parkway and to add an access to Butler Avenue, which will help to divert traffic from entering or exiting the property from one access point.

The zoning of the property to MF-M will not have any adverse impacts on the area. The use of the property as a church will not have any adverse impacts. The petitioner will be required to submit building plans to the City for review and approval. The site plan, floor plans and elevations submitted with this application are not final, nor does approval of this request signify approval of the site plan, floor plans and elevations as shown in this petition. The petitioner will need to meet all requirements of City codes.
C. Is the proposed density and intensity of use permitted in the proposed zoning district?
The proposed addition and remodel for the church is permitted in the MF-M Multifamily Medium Density zoning district with the approval of a Special Use Permit. The property is 4 acres and can accommodate this use.

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?
There are adequate public facilities to accommodate the proposed remodel and addition for the church.

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."

Sagebrush Community Church exists on the site and the property is currently zoned MF-L and MF-M (multifamily). The zone change will meet the intent of the Unified Development Code by rezoning the property with only one zoning designation. The properties to the west and south are zoned for multifamily uses.

STAFF CONCLUSION
Staff concludes that approval of the proposal to consolidate the dual zoning of this 4-acre parcel of land into one zoning district meets the intent of the Farmington Comprehensive Plan and the Unified Development Code. The use of the property for a Place of Worship with a sanctuary space of more than 4,000 square feet also meets the intent and requirements of the UDC. The church is located at an intersection of a collector and minor arterial that will be able to handle any traffic generated by the use. It is surrounded by Local Neighborhood Commercial and Multifamily properties and will not adversely affect the area.

STAFF RECOMMENDATION
The Community Development Department recommends approval of Petition ZC 19-38 and SUP 19-39, a request from Sagebrush Community Church, represented by Derald Polston to rezone Lot 1 of the Butler Subdivision from two zoning designations of MF-L Multifamily Low Density and MF-M Multifamily Medium Density to one zoning designation of MF-M Multifamily Medium Density, and for a Special Use Permit to allow a Place of Worship with a sanctuary space of more than 4,000 square feet, with the following conditions:
• The petitioner will work with the San Juan County Assessor to combine the two tax accounts on the property back to one account.
• All zoning, building and fire codes must be met prior to the issuance of a building permit.
FINDINGS OF THE P&Z COMMISSION

On May 30, 2019, the Planning and Zoning Commission held a public hearing for ZC 19-38 and SUP 19-39 and made the following findings:

1) The petitioner, Sagebrush Community Church, requests a zone change from the exiting two zoning designations of MF-L Multi-family Low Density and MF-M Multi-family Medium Density to one zoning designation of MF-M Multi-family Medium density; and, a Special Use Permit to allow a church with a sanctuary space of more than 4,000 square feet.

2) The subject properties is located at 1501 Sunrise Parkway.

3) The property is Lot 1 of the Butler Subdivision and is 4.09 acres. The subdivision plat was reviewed and approved by the City of Farmington in December 1991 and recorded on December 23, 1991. Approximately one week after recording the Butler Subdivision plat, the north one-acre portion of the lot was deeded as a separate parcel. This subsequent division of Lot 1 of Butler Subdivision into two lots did not meet the requirements of the subdivision regulations of the City at the time the deed was recorded with San Juan County. Therefore, the City considers the property as one lot of 4.09 acres.

4) Section 2.2.3 Multiple Zoning Districts of the Unified Development Code that states: "Multiple zoning on a single parcel should be avoided. Where the opportunity arises to correct multiple zoning, such parcels should be rezoned to a single district."

5) The property has an existing church building of approximately 12,560 square feet. The property has 52 paved parking spaces, three of which are handicapped parking spaces.

6) The church is on the southwest corner of Sunrise Parkway and Butler Avenue. Sunrise Parkway is a collector street and Butler Avenue is a minor arterial.

7) Zoning to the south and west is Multiple-family. Zoning to the north and east is Local Neighborhood Commercial.

8) The Planning and Zoning Commission found that the zoning of the property with one zoning designation of MF-M Multi-family Medium Density meets the intent of the Farmington Comprehensive Plan and the recommendation of the Unified Development Code.

9) The Planning and Zoning Commission also found that a Place of Worship with more than 4,000 square feet of sanctuary space located on this 4.09 acre parcel of land at the intersection of two nonresidential streets and surrounded by higher density zoned properties is appropriate.

10) The Planning and Zoning Commission found that the conditions of approval as recommended by staff are appropriate.


Planning Manager Cindy Lopez presented the staff report for ZC 19-38 and SUP 19-39, a request from Sagebrush Community Church, represented by Derald Polston, to rezone 4.09 acres from MF-L, Multi-family Low Density to MF-M, Multi-family Medium Density and for a Special Use Permit to allow a Place of Worship with a sanctuary space of more than 4,000 sq. ft. for property located at 1501 Sunrise Parkway.
The property has two zoning designations and an existing church building. It is a 4-acre parcel of land. The MF-M District is on the east side, and the MF-L District is on the west side. The petitioner would like to have both parcels zoned MF-M.

The property has an existing church building that the petitioner would like to expand. Sagebrush Community Church is proposing to expand its facility to include a sanctuary space of more than 4,000 square feet. They proposed a 7,200 square foot sanctuary space. The Unified Development Code requires a special use permit in any multifamily zoning district for a Place of Worship with a sanctuary space of more than 4,000 square feet.

With the addition to the existing church, a new parking plan is proposed. The petition is showing a parking plan that includes 240 regular parking spaces and 8 handicapped parking spaces.

The 4-acre parcel of land is Lot 1 of the Butler Subdivision. The subdivision plat was reviewed/approved by the City of Farmington and recorded at the San Juan County Clerk’s Office on December 23, 1991.

Approximately one week after recording the Butler Subdivision plat, the north one-acre portion of the lot was deeded as a separate parcel. This subsequent subdivision of Lot 1 of Butler Subdivision into two lots did not meet the requirements of the subdivision regulations of the City at the time it was deeded in 1991. Therefore, the City considers the property as one lot of 4 acres. The San Juan County Assessor’s map shows the property as two lots. The petitioner will need to correct this subdivision error.

Ms. Lopez presented various aeria ls of the property and noted the detention pond on a lower outcropping of the property. The church sits on a higher grade.

The property has a site triangle that would allow access to the property from Butler. A plat note labeled Access Restrictions states: “Two permitted access locations to Butler Avenue are to be located within the reciprocal access easement shown at the southeast corner and at location to be determined, but not less than ninety (90) south of the north property line.” (90 feet south of the north property line). The petitioner is proposing an entrance from Butler.

The proposed site plans, floor plans and elevations that were submitted with this application will not be considered final or approved with this request. They are required to be submitted as part of the building plan set and may need to be revised to meet codes.
The Community Development Department recommends approval of Petition ZC 19-38 and SUP 19-39 with the two conditions listed. The UDC does not recommend two zoning designations on one property. Surrounding properties are LNC, Local Neighborhood Commercial, or MF, Multifamily. Sunrise Parkway is a collector street and Butler Avenue is an arterial street. Both streets are designed to handle heavier traffic.

Vice-Chair Freeman asked for clarification on the deed and the zoning issue in regards to a lot consolidation. Ms. Lopez said the deed needs to be cleared up with the County.

Derald Polston, 5315 Calibri Place, said he would convey the information of the lot consolidation to the main office for Sagebrush Church in Albuquerque. Mr. Polston said all other issues should be taken care of. There are 112 parking spaces required and most will be paved.

Commissioner Smouse asked Mr. Polston if he is aware of the letter of opposition that was submitted. Mr. Polston said he is aware of the letter, and it stated opposition to increased traffic to the neighborhood. Mr. Polston said the traffic would be progressing in the other direction toward Butler for the most part.


A motion was made by Commissioner Waldroup and seconded by Commissioner Smouse to approve Petition ZC 19-38 and SUP 19-39, a request from Sagebrush Community Church, represented by Derald Polston to rezone Lot 1 of the Butler Subdivision from two zoning designations of MF-L Multifamily Low Density and MF-M Multifamily Medium Density to one zoning designation of MF-M Multifamily Medium Density, and for a Special Use Permit to allow a Place of Worship with a sanctuary space of more than 4,000 square feet, with the following conditions:

- The petitioner will work with the San Juan County Assessor to combine the two tax accounts on the property back to one account.
- All zoning, building and fire codes must be met prior to the issuance of a building permit.

AYE: Acting Chair Freeman, Commissioners Brown, Langenfeld, Lockmiller, Mangum, Ragsdale, Smouse and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis and Sewell.

Motion passed 8-0
San Juan County Assessor's Information

R0036724
BUTLER SUB #1 PART OF LOT 1 BEG S 10 FT FROM NW COR OF SUB; THEN E 368.82 FT; THEN ALONG A CURVE 49.5 FT S 78.16 FT; W 400.09 FT; N 109.43 FT TO BEG. BK.1634 PG.539 1 AC BK.1140 PG.417

R0036723
BUTLER SUBDIVISION NO.1 LOT 1 BK.1634 PG.539 LESS 1 AC IN BK.1140 PG.417

Sagebrush Community Church
1501 Sunrise Parkway
Sagebrush Community
1501 Sunrise Parkway
Annexed into Farmington 12/18/1956
Existing Floor Plan from San Juan County Assessor's

Account:

TOTAL BLDG SQ FTG 12,560 sf

170 LF OF 6 FT CHAIN LINK

First Floor
8500 sf

Second Floor
3960.0 sf

Unit Height: 20' HIGH

Report: 5117-1 2017

property.sanjuan.co.us/assessor/txweb/account.jsp?accountNum=R0036723&doc=SKETCH&sketchNum=1&page=1

- 7.11 -
Photo from San Juan County Assessor's

Account: R0036723 Real Property Account
Sagebrush Community Church
Existing Site Plan looking west from Butler
1501 Sunrise Parkway
WARRANTY DEED

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY, Trustee under the N.M.S. Trust Agreement dated January 1, 1987 for the purpose of making a charitable contribution under the provisions of the Internal Revenue Code of 1986, as amended, grants to FIRST CHRISTIAN CHURCH IN FARMINGTON, Farmington, New Mexico whose address is 455 East Gladden Drive, Farmington, New Mexico, the following described real estate in San Juan County, New Mexico:

That part of the RUTLAND SUBDIVISION NUMBER ONE, in the City of Farmington, San Juan County, New Mexico, as shown on the plat of said Subdivision filed for record December 25, 1981 described as follows:

BEGINNING at a point which is 10.00 feet South 00°55'06" West from the Northwest corner of said Subdivision, said point being on the South right-of-way line of Sunrise Parkway;
THENCE South 89°04'56" East 168.82 feet along said right-of-way line;
THENCE along a curve in the right on said right-of-way line for a distance of 49.35 feet whose radius is 31.95 feet and has a chord of South 44°42'03" East for 44.69 feet to a point on the West right-of-way line of North Butler Avenue;
THENCE South 00°18'13" East and along said right-of-way line for a distance of 78.14 feet;
THENCE leaving said right-of-way line and North 89°04'56" West for a distance of 400.09 feet;
THENCE North 00°19'04" East for a distance of 109.43 feet to the point of Beginning, containing 1.00 acre, more or less.

SUBJECT TO taxes for the year 1992 and thereafter; mineral reservations and/or conveyances heretofore made; and any and all easements and servitudes, public or private, of whatsoever kind or nature, in existence at the date hereof;

SUBJECT TO A REVERSIONARY INTEREST in favor of N.M.S. Trust and its beneficiaries, successors, and assigns. The above described premises and all improvements situated thereon shall revert to N.M.S. Trust (or its beneficiaries, successors, or assigns) if and when First Christian Church in Farmington, Farmington, New Mexico (as its successors or assigns) fail or cease to use such premises and any improvements situated thereon for church purposes.

with warranty covenants.

WITNESS my hand and seal this _31st_ day of December 1991.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY,
TRUSTEE of N.M.S. Trust dated 1/1/87:

[Signature]

Its President

STATE OF NEW MEXICO
COUNTY OF SAN JUAN

The foregoing instrument was acknowledged before me this 31st day of December, 1991, by Ronaldo O. Tuckar, President of San Juan County Abstract & Title Company, a New Mexico corporation, on behalf of said corporation in said corporation's duly appointed and constituted capacity of Trustee under the N.M.S. Trust Agreement dated January 1, 1987.

Notary Public

[Seal]

[Stamp]
SUNRISE CHRISTIAN CHURCH, a New Mexico nonprofit corporation formerly known as First Christian Church in Farmington ("Grantor"), for consideration paid, grants to SAGEBRUSH COMMUNITY CHURCH, a New Mexico nonprofit corporation, whose address is 6440 Coors Boulevard NW, Albuquerque, New Mexico 87120, that certain real estate in San Juan County, New Mexico, more particularly described on Exhibit 1 attached hereto and incorporated herein by reference, with special warranty covenants, and subject only to those matters listed on Exhibit 2 attached hereto.

IN WITNESS WHEREOF, Grantor has made, executed and delivered this Special Warranty Deed as of the 23rd day of August, 2018.

GRANTOR:

SUNRISE CHRISTIAN CHURCH,
a New Mexico nonprofit corporation formerly known as First Christian Church in Farmington

By:  
Name: Doyle Meyer  
Title: President

STATE OF NEW MEXICO  
COUNTY OF SAN JUAN

This instrument was acknowledged before me this 23rd day of August, 2018, by Doyle Meyer, President of Sunrise Christian Church, a New Mexico nonprofit corporation formerly known as First Christian Church in Farmington, on behalf of said corporation.

My Commission Expires:  
(Notarized Seal)
EXHIBIT 1
LEGAL DESCRIPTION

All of the BUTLER'S DIVISION NUMBER ONE, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record on December 29, 1991, in Book 1140, Page 250.
EXHIBIT 2
PERMITTED EXCEPTIONS

1. Taxes for the year 2018, and thereafter not yet due and payable.
2. Reservations contained in the Patent from the United States of America recorded in Book 60, page 67 and re-recorded in Book 213, page 40 of the Records of said County, including title to all of the oil, gas and other minerals and mineral substances, and all rights, privileges and easements appurtenant thereto.
3. Terms, conditions and provisions of the Oil and Gas Lease recorded in Book 180, page 31 of the Records of said County.
4. Easement(s) to Mountain States Telephone and Telegraph Company recorded in Book 93, page 394 of the Records of said County.
5. Easement(s) to Basin Light and Power Company recorded in Book 356, page 105 of the Records of said County.
6. Restrictions as set forth in Warranty Deed recorded in Book 1140, pages 417 and 522 of the Records of said County.
7. Terms, conditions and provisions of the Agreement regarding Land Subdivision Improvements entered into between the City of Farmington, San Juan County, New Mexico, a municipal corporation and San Juan County Abstract Company, Trustee filed for record in Book 1140, page 225 of the Records of said County.
8. Utility easement across the Northerly and Easterly Ten (10) feet, Twenty (20) foot wide drainage easement across the Northeasterly corner and reciprocal access easement across the Southeasterly corner of subject property, as shown on the Plat(s) of said Subdivision.
9. Terms, conditions, provisions, disclaimers and restrictions, and other matters as noted on the Plat of said Subdivision.
10. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in this Exhibit 2.
AGREEMENT

LAND SUBDIVISION IMPROVEMENTS

BUTLER SUBDIVISION NUMBER ONE

THIS AGREEMENT made and entered into between the CITY OF FARMINGTON, a municipal corporation of San Juan County, New Mexico, herein for convenience called the "City", and SAN JUAN COUNTY ABSTRACT & TITLE COMPANY, a New Mexico corporation, Trustee under NMS Trust Agreement dated January 1, 1987, herein for convenience called the "Subdivider":

WITNESSETH:

WHEREAS, the Subdivider has proposed the subdivision of certain property to be known as the Butler Subdivision Number One to be located in the NE¼ SE¼ of Section 34, T30N, R13W, NMPS, San Juan County, New Mexico, and has presented a final plat for such subdivision to the City for approval as required by the subdivision regulations of the City; and

WHEREAS, the City has agreed to allow the Subdivider two years to install streets, sidewalks, utilities, and other improvements required by the Land Subdivision Regulations of the City of Farmington upon certain conditions; and

WHEREAS, it is further understood that this Agreement concerns and pertains to the above described land which is to be subdivided and it shall be a covenant to run with the land and to attach to each lot and parcel of real property in the said subdivision; and

WHEREAS, the parties wish to reduce such understanding and Agreement in writing to assure compliance with the Land Subdivision Regulations of the City of Farmington and to provide notice to all subsequent purchasers of the real property located in the said subdivision that said Agreement has been entered into and does run with and attach to land within the subdivision.

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

1. The City shall, within a reasonable time after the execution of this Agreement, take the necessary steps to approve the summary plat of the Butler Subdivision Number One pursuant to Section 6 of Article VII of the Land Subdivision Regulations of the City of Farmington, New Mexico. This Agreement shall be recorded with the Clerk of San Juan County, New Mexico, at the time of filing of said plat.

2. Subdivider shall install all streets, sidewalks, utilities other improvements required by the Land Subdivision Regulations of the City of Farmington in a satisfactory manner in accordance with all minimum standards established by the City prior to two years from the date of this Agreement. Both parties agree that the City will issue no building permits until such time as all required public improvements have received acceptance by the City.

   a. In addition to the required subdivision improvements, the subdivider, its heirs, successors and assigns, agrees to, at its sole expense,
construct center medians within the Sunrise Parkway right-of-way adjacent to Butler Subdivision Number One. Said medians will be similar to those within Sunrise Parkway in Sunrise Subdivision No. 2.

In the event that Subdivider fails to install improvements prior to such time, the Subdivider shall be deemed to be in default of this Agreement and the City reserves the right, upon such default, to refuse to issue building permits on any lot or parcel of land in the said Subdivision until the required improvements are installed for that particular lot or parcel of land, and may seek any and all remedies it may have against the Subdivider whether at law, or in equity or otherwise.

3. Subdivider further agrees that:

a. Following construction and installation of the improvements required by this Agreement, they shall make, execute and deliver to the Director of Community Development "as built" or "as constructed" drawings which shall:
   1. Be in such form and size as the Director may require;
   2. Be prepared on reproducible mylar or similar material satisfactory to the Director;
   3. Show horizontal and vertical locations (above and below ground) of all improvements required by the Agreement and all public utilities, including, but not necessarily limited to streets, drainage ways, storm drainage, irrigation facilities, utility (gas, water, sewer, electric, cable TV, etc.) lines and facilities, recreation areas and facilities, common use areas, and slope stabilization, which the City, at present or in the future, may be required to locate or to maintain.
   b. The location of improvements on such drawings shall be ties to lines which can be re-established through survey, i.e., a survey base line tied to section corners, quarter corners, other survey reference markers, property lines or right-of-way lines. Horizontal location of underground improvements or facilities shall be within one foot of the exact location and vertical locations shall be within one-half foot of the exact location.
   c. All such "as built" or "as constructed" drawings shall be submitted to and approved by the City Engineer prior to acceptance by the City of the improvement, development or facility.

4. If on the date which is two years from the date of this Agreement any improvements not guaranteed by bond as provided above are not installed which are required by the Land Subdivision Regulations of the City of Farmington, the City reserves the right, but is not required to, install the required improvements at the expense of the then owner of the lot or parcel of land which the improvements benefit, with the cost of providing such improvements constituting a lien against the lot or parcel of land benefitted.

5. This Agreement shall constitute a covenant which shall run with the land and shall attach to each and every lot or parcel of land in the said Butler Subdivision Number One and shall be binding upon the Subdivider, its heirs, successors and assigns, and all future owners of any lots or parcels of land in said Subdivision.
6. It is further understood and agreed that a reasonable attorney's fee shall be allowed the City should it be necessary for the City to enforce this Agreement against the Subdivider in the courts. The parties further agree that the laws of the State of New Mexico shall govern the interpretation of this Agreement and that venue of any suit filed in any court to enforce the terms of this Agreement shall lie in San Juan County, State of New Mexico.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 4th day of December, 1987.

CITY OF FARMINGTON

COMPANY,

SUBDIVIDER
SAN JUAN COUNTY ABSTRACT & TITLE
a New Mexico Corporation, TRUSTEE

under NNS Trust Agreement dated
January 1, 1987

By
Ronald O. Tucker, President

Attest:
Mary E. Banks, City Clerk

By
Daniel Harman, Secretary

STATE OF NEW MEXICO,

COUNTY OF SAN JUAN

The above and foregoing Agreement was acknowledged before me this 4th day of December, 1987, by Ronald O. Tucker, President of San Juan County Abstract & Title Company, a New Mexico corporation, on behalf of said corporation as Trustee under NNS Trust Agreement dated January 1, 1987.

Judy Olmerson
Notary Public

My Commission expires: September 8, 1992
The above and foregoing Agreement was acknowledged before me this 31st day of December, 1991, by Thomas C. Taylor, Mayor of the City of Hobbs, a municipal corporation, on behalf of said corporation.

[Signature]

NOTARY PUBLIC

[Notary seal]

My Commission expires: 1/15/94

FILED OR RECORDED
BOOK 1140 PAGE 251
SAN JUAN COUNTY, NEW MEXICO

DEC 23 1991

[Recorded by]

COUNTY CLERK
PLANNING MEMO COMMENTS SUMMARY
ZC 19-38 SAGEBRUSH COMMUNITY CHURCH (SUP 19-39)
Deadline: 5/14/19

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<th>City of Farmington Departments</th>
<th>CD Director</th>
<th>CD Addressing – Planning Division</th>
<th>CD Chief Building Official – D. Childers</th>
<th>The occupant load of the proposed building will require a fire suppression system.</th>
<th>CD Long Range Planner</th>
<th>CD MPO</th>
<th>CD Oil &amp; Gas Inspector – L. Simms</th>
<th>CITY City Manager’s Office – J. Baird</th>
<th>No comment</th>
<th>ELEC Customer Care Manager – L. Richardson</th>
<th>ELEC Electrical Engineering – L Aligares</th>
<th>No comment</th>
<th>ELEC T &amp; D – R. Romero</th>
<th>FIRE Fire Captain – K. Rix</th>
<th>FIRE Fire Marshall – B. Vega</th>
<th>This change in structure will most likely require a sprinkler system, but plans must be submitted to ascertain. We also have concerns about the elevation change and the feasibility of getting the fire trucks in and out of the property on the east side.</th>
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<td>Other Entities</td>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
<td>CenturyLink – O. Willato</td>
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entire lot including the 1 ac. I would advise the owner to contact the Assessor’s office to combine the two tax accounts back into one account.
**PETITION APPLICATION**

| Incomplete applications will not be accepted. | Planning Division |
| Planning Division Community Development Department |
| 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
- ☑ Zone Change to MFM District
- ☐ Temporary Use Permit
- ☐ Proposed Length of Use:
- ☐ Well site equipment modification

**INFORMATION**

| Applicant's Name: Sagebrush Community Church |
| Address: 6440 Coors Blvd NW 87120 |
| E-Mail: bob@sagebrushchurch.org |
| Telephone: 505.205.4876 |
| Relationship to Property Owner: |

**PROJECT LOCATION**

| Project Location: SW Corner Butler & Sunrise |
| Existing Use: Church |
| Proposed Use: Church |
| Current Zoning: MFM & MFL |
| Assessor's Parcel I.D. and/or Tax I.D. Number: R0036724 R0036723 |

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

| Lot / Lot / Lot / A of the Butler Subdivision #1 |

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

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

| Name: Derald Polston |
| Address: 5315 Calibri Pl, Farmington NM 87402 |
| Phone: 793-7285 |
| E-Mail: modernsouthwest@gmail.com |

**OWNERSHIP**

| Owner's Name: Sagebrush |
| Address: 6440 Coors Blvd NW 87120 |
| Phone: 505.922-9200 |

**MORTGAGE HOLDERS**

| Name: |
| Address: |
| 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 filling 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.

| Name: Todd Cock-Presdent |
| Address: 6440 Coors Blvd NW 87120 |
| Phone / Email: 505.205.4876 bob@sagebrushchurch.org |

**STAFF USE ONLY**

| Date 5/19/19 |
| Time 10:00 |
| Date of Hearing/Meeting 5/19/19 |
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 19-37 - a request from Nguyen Duc Chi Vuong, represented by Anita Graciano, for a zone change from SF-7, Single-family, to MF-L, Multi-family Low Density, for property located at 1212 Smith Lane, in the City of Farmington, San Juan County, New Mexico, as described below.

LEGAL DESCRIPTION
That part of the SW/4NE/4 of Section 11, in Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico, otherwise known as 1212 Smith Lane.

Petition No. ZC 19-38 & SUP 19-39 - a request from Sagebrush Community Church, represented by Gerald Pulston, for a zone change from MF-L & MF-M, Multi-family low & medium density, to MF-M, Multi-family Medium Density, and for a special use permit to allow a Place of Worship with a sanctuary space of more than 1,000 sq. ft, property located at 5301 Sunset Pkwy. in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
All of the Butler Subdivision No. 1 in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record December 23, 1991, otherwise known as 5301 Sunset Pkwy.

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, May 30, 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, June 11, 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 19-38 & SUP 19-39

May 8, 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 Sagebrush Community Church represented by Derald Polston, for a zone change from MF-L & MF-M, Multi-family low & medium density, to MF-M, Multi-family Medium Density, and for a special use permit to allow a Place of Worship with a sanctuary space of more than 4,000 sq. ft. for property located at 5301 Sunrise Pkwy, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
All of the Butler Subdivision No. 1, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record December 23, 1991.
Otherwise known as 5301 Sunrise Pkwy.

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, May 30, 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, June 11, 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 meeting.

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 Francisco Alvarado at 505-599-1333 or falvarado@fmtn.org.

Sincerely,

Karen Walker
Administrative Assistant

Karen Walker
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:

All of the BUTLER SUBDIVISION NUMBER ONE, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record December 23, 1991.

TRACT 1
Sagebrush Community Church
6410 Coors Boulevard NW
Albuquerque, NM 87120

TRACT 2
Church of Jesus Christ of Latter-Day Saints
50 East North Temple Street 12th Floor
Salt Lake City, UT 84110

TRACT 3
Paul Ketchell and Aletha Ketchell
4704 Sundown Road
Farmington, NM 87401

TRACT 4
Eric Rasmussen and Michelle R. Rasmussen
4700 Sundown Road
Farmington, NM 87401

TRACT 5
Stephen B. Clark, Violet C. Clark and McCannies
Family 11.11 P
4202 Skyline Drive
Farmington, NM 87401

All of the BUTLER SUBDIVISION NUMBER ONE, in the City of Farmington, San Juan County, New Mexico, filed for record December 23, 1991.

Book 1634, page 539

Lot 1, the SUNRISE CHURCH ESTATES SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record December 12, 2012.

Book 1550, page 960

Lot 1K, in Block 2, of the SUNRISE SUBDIVISION NUMBER ONE, REPLAT THREE, in the City of Farmington, San Juan County, New Mexico, filed for record April 3, 1995.

Book 1500, page 509

Lot 22, in Block 1, of the SUNRISE SUBDIVISION NUMBER ONE, REPLAT THREE, in the City of Farmington, San Juan County, New Mexico, filed for record April 3, 1995.

Book 1395, page 130

Lot 10, of the SUNRISE SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record June 29, 1988.

Book 1284, page 937
Book 1475, page 229
Book 1475, page 230
Book 1475, page 231
TRACT 6
C.B.R. Properties, I I C.
P.O. Box 1998
Farmington, NM 87499

TRACT 7 & 8
Butler Hills Development LLC
5870 Vista Grande Drive
Farmington, NM 87401

TRACT 9
Teton Development
4690 Old North Butler
Farmington, NM 87401

TO: April 16, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE:

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: Lorraine Austin, Abstractor
To Whom it may concern;

As a property owner within 100 feet of proposed zoning change, we are concerned with the increase in traffic at this location and intersection. This intersection is already very busy, especially in the mornings and evenings. On Wednesday evenings there is especially high traffic due to the church holding Wednesday night functions. As a homeowner on the corner of Sunrise pkwy and Sundown road, I am concerned about the increase in traffic and parking obstacles when the church is open, especially with the increase in size they are proposing. It is our suggestion that the ingress and egress of this property be changed to the NON Residential street of Butler Ave for the new property and parking. As a property owner here for many years, it is our desire to keep our residential area just that. If after studies are performed and the ingress and egress of this property cannot be changed to Butler ave, then We would have to oppose this zoning change. That is quite a large property that will bring a different atmosphere to our home and area.

Thank you for the opportunity to express our concerns, and we hope our idea will be taken into consideration.

Sincerely,

Paul & Aletha Ketchell
Economic Development Department

Attn: Council
From: Warren Unsicker

Date: 6/11/19
Re: City Council Agenda Item

Item Title: Presentation and direction to staff regarding the use of a City facility located at 310 West Animas Street (formerly The Roof) for San Juan College’s Harvest Food Hub and Kitchen

Comments: San Juan College is seeking assistance in the establishment of the Harvest Food Hub and Kitchen in the Downtown MRA at 310 W Animas Street (formerly the Roof). They are requesting the city provide the facilities to the College for a period of 5 years contingent the approval of a “statement of value of services” that shows that services provided to the community by the College meet or exceed the fair market value of cash rent of the facility. Approval would allow the College to proceed in applying for a USDA grant that would help pay for kitchen equipment to outfit the facilities.

The facility will provide the following services to the community:
- The aggregation of agricultural products from local farms
- Training of regional farmers, chefs and food entrepreneurs
- Packaging of processed foods
- Sale of raw and processed agricultural products
- Housing of commercial kitchen aggregator entrepreneurs and food based businesses
RESOLUTION NO. 2019-1716

A RESOLUTION ADOPTING THE CITIZEN PARTICIPATION PLAN (CPP) FOR THE 2019 CONSOLIDATED PLAN

WHEREAS, the City of Farmington was designated in 2003 an "Urbanized Area" and became a Metropolitan Statistical Area, thus becoming eligible for the CDBG entitlement grants; and

WHEREAS, every five (5) years the City of Farmington is required, by Housing and Urban Development (HUD), to develop a Consolidated Plan to stay eligible for the Community Development Block Grant; and

WHEREAS, the Citizen Participation Plan is the first required document in the process of developing a new Consolidated Plan; and

WHEREAS, the Citizen Participation Plan will guide public participation, community outreach, and noticing requirements for all required documents during the development and implementation of the 2019 Consolidated Plan; and

WHEREAS, the new Citizen Participation Plan for the 2019 Consolidated Plan was made available for public review and comment and a public hearing was held in accordance with federal regulations.

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

That the City of Farmington hereby adopts the Citizen Participation Plan for the 2019 Consolidated Plan.

PASSED, SIGNED, APPROVED AND ADOPTED this 11th day of June, 2019.

________________________________________
Nate Duckett, Mayor

SEAL

ATTEST:

________________________________________
Dianne Smylie, City Clerk
Memo

To: Mayor Duckett and Members of the City Council
From: Mary L. Holton, AICP
Date: June 11, 2019
Subject: Proposed CDBG Citizen Participation Plan – Council Consideration of Adoption

The preparation of the Citizen Participation Plan (CPP) is the first step in the development of the Consolidated Plan process.

While the new CPP is very similar to the one adopted in 2014, there are two (2) notable exceptions: Deletion of a public hearing for the CAPER as it is a financial report not a plan, and an increase in the threshold for substantial amendments. The threshold must be based on what is allowed by any federal program. FHWA and FTA require formal amendments if the amount is over 20%.

In the preparation of the CPP, staff worked closely with Randall Mullen, Vice-President of TDA, who was hired as a consultant by HUD to assist the City with its timeliness issue. While that issue now appears to be resolved for this year, it is hoped that the increase in the threshold will permit any re-allocations of CDBG funds to be much quicker by avoiding the time required to prepare and notice substantial amendments, and thus avoid the timeliness issue in the future.

The new Citizen Participation Plan will guide public participation, community outreach, and noticing requirements for the next five (5) years for all required documents during the development and implementation of the 2019 Consolidated Plan.

The public review/comment period for the CPP was from May 12 – June 11, and was noticed in the Daily Times. In accordance with the CPP, the draft document was also physically posted in the Farmington Indian Center, the Sycamore Park Community Center, the San Juan Center for Independence, and the Bonnie Dallas Senior Center.

This meeting’s public hearing was also noticed, and a resolution has been prepared for your consideration of adoption of the new CPP.
DRAFT 2019-2023 CPP
Citizen Participation Plan
(For the 2019-2023 Consolidated Plan)

Public Review/Comment Period is from May 12, 2019 – June 11, 2019.

The Public Hearing is scheduled for Tuesday, June 11, 2019, at 6:00 PM in the City Council Chambers at City Hall (800 Municipal Drive). The City will consider adoption of the document by resolution immediately after the public hearing. Comments may be submitted in writing prior to the public hearing via US Mail to Community Development Department, 800 Municipal Drive, Farmington, NM 87401, Attn: Mary L. Holton, AICP, CDBG Administrator, or by FAX to 505-599-1299, or by email to mholton@fmtn.org, or may be submitted in person during the public hearing.
Introduction

This CITIZEN PARTICIPATION PLAN is a revision of a document adopted by the City of Farmington, NM (the "City") in 2014. The objective of the Plan is to provide for and encourage citizens to participate in the development of the Consolidated Plan, the Annual Action Plans, and any substantial amendments. Additionally, the City must complete the Analysis of Impediments to Fair Housing (AI) every five (5) years, and the Consolidated Annual Performance and Evaluation Report (CAPER) annually.

The Consolidated Plan and each year's Action Plan guide the City's use of Community Development Block Grant (CDBG) and other federal funds which are made available from the U.S. Department of Housing and Urban Development (HUD). The AI analyzes the local fair housing landscape and sets fair housing priorities and goals for the community. The CAPER provides an assessment of funds expended and a quantitative analysis of program or project outcomes.

The Community Development Department is the lead agency within the City of Farmington for development and implementation of these plans and reports. The Department asks other groups to participate, such as the Cities of Aztec and Bloomfield, Town of Kirtland, San Juan County, Four Corners Comprehensive Homeless Assistance Providers (CHAP), San Juan Safe Communities, San Juan Community PLACE MATTERS, San Juan Regional Medical Center, Totah Behavioral Health, Presbyterian Medical Services, Joint Intervention Program, ECHO Food Bank, Veterans Affairs Supportive Housing, Four Corners Foundations, Childhaven, Family Crisis Center, Four Winds Recovery Center, People Assisting the Homeless (PATH), The Roof, San Juan County Housing Authority, San Juan County Partnership, San Juan Center for Independence, Northwest New Mexico Seniors, Red Apple Transit, among other local organizations and businesses. Additionally, the applicable Continuum of Care (CoC), managed by the New Mexico Coalition to End Homelessness in Albuquerque is also asked to participate.

This document is designed to meet HUD's basic requirements for citizen participation in accordance with 24 CFR Part 91.105.

Goal

The primary goal of the Citizen Participation Plan is to encourage citizen participation in the planning, development, and implementation of the Consolidated Plan and Annual Action Plans. All citizens, but especially those who are low-to-moderate income, who are living in low income targeted areas, special populations including the homeless, elderly, and the disabled, and minorities are encouraged to participate in these processes.

Background

The City of Farmington became a Metropolitan Statistical Area in 2003 and developed its first Consolidated Plan in 2004. The City's Community Development Block Grant Division is currently operating in its third Consolidated Plan, adopted in 2019 Consolidated Plan.
2014. This Citizen Participation Plan is being developed in preparation for the 2019 Consolidated Plan.

In accordance with Sec. 91.100 Consultation; local governments:

1. The City of Farmington shall consult with other public and private agencies that provide assisted housing, health services, and social and fair housing services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons) during preparation of the Consolidated Plan.

2. When preparing the portion of the Consolidated Plan describing the jurisdiction's homeless strategy, the City of Farmington shall consult with public and private agencies that provide assisted housing, health services, and social services to determine what resources are available to address the needs of any persons that are chronically homeless.

3. When preparing the Consolidated Plan's section concerning lead-based paint hazards, the City of Farmington shall consult with state or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

4. When preparing the description of priority non-housing community development needs, the City of Farmington shall notify and work with San Juan County and the adjacent municipalities of Aztec, Bloomfield, and Kirtland.

5. The City of Farmington will also consult with San Juan County and the adjacent municipalities particularly for problems and solutions that span any single jurisdiction.

Sec. 91.105 Citizen participation plan; local governments

Encouragement of Citizen Participation

1. The Citizen Participation plan encourages citizens to participate in the development of the Consolidated Plan, the AI, the Annual Action Plan, any proposed amendments, and the performance report.

2. The City of Farmington will encourage participation by low- and moderate-income persons, in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the Consolidated Plan. The City of Farmington will also take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities. The City of Farmington shall encourage the participation of local and regional institutions and other organizations (including businesses, developers, and community and faith- based organizations) in the process of developing and implementing the Consolidated Plan.
Outreach

The City is committed to making reasonable and timely access to the needs assessment, strategy development, and budget recommendation process of the Consolidated Plan and Action Plan possible for all members of the community. The following outreach efforts are examples of measures that may be taken as appropriate to provide citizen's access to the process.

**Mailing List (including electronic mailing lists):** The City will maintain a comprehensive mailing list of interested parties, adjacent local governments, non-profit organizations, and public and private agencies that provide affordable housing, economic development, business assistance, health services and social services and use this list to send summary information, public hearing or comment period notices.

For items expecting to effect a specific neighborhood or population, notices and distributed information will be provided in multiple languages, as needed.

**Targeted Survey:** When appropriate, such as during the preparation of the Consolidated Plan, the City may use targeted surveys to assist in identifying community needs, existing services available to meet those needs, assessing any gaps in meeting those needs, and developing strategies to address outstanding needs. If needed, surveys will be provided in various languages.

**Public Service Announcements (PSAs):** Create and run public service announcements about the CDBG program and the Consolidated and Action Plan processes to inform, educate and promote citizen participation.

**Neighborhoods:** Invite neighborhoods to participate and to coordinate with their own neighborhood planning and implementation efforts.

**San Juan County Housing Authority:** Consult with the Housing Authority staff and invite public housing residents and Section 8 Voucher holders to participate in development and implementation of strategies.

**Fair Housing Month:** Use this national recognition month to promote and affirm the City's commitment to fair housing. This may include a resolution, public service announcements, keynote speakers, neighborhood meetings or other activities.

**All Media, including social media:** Use media releases about the Consolidated Plan and Action Plan processes and citizen participation opportunities throughout the program year.

**City Website:** Use the City's website to publicize opportunities for public input, including public meetings and hearings and to highlight the development, implementation and monitoring process (http://www.fmtn.org/).
Availability to the Public

1. Draft Document Public Review and Comment
   The Consolidated Plan, the AI, Annual Action Plans, and CAPERs all involve
   the publication of a draft document for public review. The public review and
   comment period will be a minimum of 30 days. Documents for public review
   and comment will be made available on the City of Farmington Web Page, at
   the Farmington Library at the Reference Desk, at the City of Farmington
   Community Development Department, and at the City Clerk’s Office. Digital
   copies of the draft documents shall be made available to the public at no cost
   through the internet, and a limited number of printed versions shall be available
   upon request at hearings at no cost.

2. Public Hearing Notices for Final Approval or Adoption
   All documents requiring final approval or adoption by the City Council require a
   public hearing to accept public comments. At the end of this hearing the City
   Council will approve or adopt the document by majority vote. These documents
   include the Citizen Participation Plan, the Consolidated Plan, and the Annual
   Action Plan. All public hearing notices will be published in the local newspaper
   for a minimum of 15 days prior to a public hearing.

3. Low-Income, Minority, Language and Special Needs Participation
   Encouragement
   The issue of the number of households and persons with Limited English
   Proficiency (LEP) in the community was researched to look at the language
   needs in the community. According to 2013-2017 American Community Survey
   5-Year Estimates, the largest “Limited English speaking household,” at 264
   households or 1.70% of all households in Farmington speak Spanish. The next
   largest “Limited English speaking household” group, “Other languages” would
   most likely include Navajo speakers because of the proximity of the Navajo
   Nation to the City of Farmington. Navajo is historically a spoken and not a
   written language. A recent internet search indicates that no newspapers are
   currently published in the Navajo language and that the Navajo Nation
   continues to publish their public notices in the Navajo Times in English.

   The table in the appendix details language usage in Farmington and San Juan
   County. This research provides the justification for printing required Public
   Notices in English and Spanish.

   To specifically address the need and Federal requirement to encourage
   participation in the planning, development, and review of CDBG documents by
   low-income, minority and special needs groups, the following steps shall be
   taken:

   a. Public hearing notices for draft and final documents will be published
      in English and Spanish in the local newspaper.
   b. All public hearing notices for draft and final documents will also be
      physically posted in public spaces in the Farmington Indian Center (to
      target Native Americans), the Sycamore Park Community Center (to
      target Hispanics and Low Income Families and Individuals), the San
      Juan Center for Independence (to target the Disabled), and the Bonnie
      Dallas Senior Center (to target the Elderly). The timing of these postings

will match the timing of the public hearing notices placed in the newspaper.

4. Continuity of Participation
At all public meetings, workshops, outreach meetings, and consultations, attendees will be given the opportunity to provide their email address so that they may be notified of any future notices regarding the development of CDBG plans, documents, and Requests for Proposals.

5. Final Documents Public Availability
All adopted final documents including the Consolidated Plan, the AI, the Annual Action Plan, Amended Documents, and the CAPER shall be posted on the City of Farmington web page and hard copies will be available to the public at the Farmington Library in the Reference Section and at the City of Farmington Community Development Office.

Development of the Citizen Participation Plan

The City of Farmington must make the development of the Citizen Participation Plan a public process and will provide citizens with a reasonable opportunity to comment on the development of the citizen participation plan. This process will include the following steps:

- Public Hearing Notice to solicit public comments.
- Public Hearing with the City Council for public comments and approval.

Development of the Consolidated and Annual Action Plans

The City of Farmington must prepare a Consolidated Plan and the AI every five years and an Action Plan annually. The City will hold a minimum of two (2) public meetings during the development of the these Plans that will include identification of community housing and non-housing needs, prioritization of needs, development of strategies to meet the identified needs and budget recommendations to implement those strategies. Community outreach, as outlined in this Plan, shall be utilized to increase participation in the development of the Plans. Citizens may propose amendments to the Consolidated Plan and/or Action Plan.

The Annual Action Plan develops specific projects and a budget for the fiscal year. In order to select Annual Action Plan Projects, a Request for Proposals (RFP) may be utilized in the selection process when multiple offerers are expected, such as done typically in the case of public service projects. If utilized, the RFP will be published in compliance with the State of New Mexico Procurement standards.

The Annual Action Plan process will involve the following steps:

- Selection of Projects will be made by an affirmative majority vote of the City Council in a noticed public meeting prior to the development of the Draft Annual Action Plan.
• Public Notice of the Draft Annual Action Plan, being available for public review and comment.
• Public Hearing to accept public comments and adopt the Annual Action Plan.
• All comments received during the Draft Annual Action Plan public review process will be incorporated into the Final Annual Action Plan.
• The Final Annual Action Plan will be made available to the public.

Amendments

Amendments to all plans and reports shall be in accordance with §91.505, which consists of:

“(a) Amendments to the plan. The jurisdiction shall amend its approved plan whenever it makes one of the following decisions:

(1) To make a change in its allocation priorities or a change in the method of distribution of funds;

(2) To carry out an activity, using funds from any program covered by the consolidated plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan; or

(3) To change the purpose, scope, location, or beneficiaries of an activity.

(b) Criteria for substantial amendment. The jurisdiction shall identify in its Citizen Participation Plan the criteria it will use for determining what constitutes a substantial amendment. It is these substantial amendments that are subject to a citizen participation process, in accordance with the jurisdiction's citizen participation plan. (See §§91.105 and 91.115.)

(c) Submission to HUD.

(1) Upon completion, the jurisdiction must make the amendment public and must notify HUD that an amendment has been made. The jurisdiction may submit a copy of each amendment to HUD as it occurs, or at the end of the program year. Letters transmitting copies of amendments must be signed by the official representative of the jurisdiction authorized to take such action.

(2) See subpart B of this part for the public notice procedures applicable to substantial amendments. For any amendment affecting the HOPWA program that would involve acquisition, rehabilitation, conversion, lease, repair or construction of properties to provide housing, an environmental review of the revised proposed use of funds must be completed by HUD in accordance with 24 CFR 574.510.
(d) The jurisdiction must ensure that amendments to the plan are consistent with its certification to affirmatively further fair housing and the analysis and strategies of the AI.

**Substantial Amendments**
An amendment shall be considered "substantial" if it exceeds twenty percent (20%) of the City's annual entitlement, plus any income. The citizen participation process and noticing requirements shall be followed to the extent required by HUD for substantial amendments to the approved Consolidated Plan and Action Plans, except those for disaster activities. The Department shall review proposed amendments and forward a recommendation to the City Council. The City Council shall, following a 30-day public comment period, consider the item after a public hearing.

**Non-Substantial Amendments**
All other amendments shall be considered "non-substantial" and may be approved by an affirmative vote by a majority of the City Council during a regularly scheduled meeting.

**CDBG Budget Amendments as a Part of an Annual Action Plan**
There are frequently budget balances from Annual Action Plan activities for various reasons, even for successfully completed projects. These balances can be carried over into the next Annual Action Plan to be added to a new year's CDBG funding. Because the Citizen Participation requirements set forth for Annual Action Plans, in this document, exceeds the standards set forth for Substantial Amendments, no additional public participation is needed for this type of amendment. The source or sources of the funding and that the funding is in the form of an amendment will be documented in the Annual Action Plan.

**Consolidated Annual Performance Evaluation Report (CAPER)**
The Consolidated Annual Performance and Evaluation Report (CAPER) identifies the final budget expenditure and performance results for each Annual Action Plan activity from the currently completed program year and any outstanding activities from prior program years.

The CAPER shall be submitted to HUD within 90 days from the close of the City's CDBG program year. The City's program year corresponds to the federal fiscal year which runs from October 1 to September 30 of each year. The CAPER shall be submitted to HUD by mid-December.

The City will hold at least one meeting annually to review program performance, allow citizen input regarding the City's community development and housing needs, and to provide information regarding priorities and proposed activities to citizens.

The CAPER process will involve the following steps:

- Public Notice of the Draft CAPER, being available for public
review and comment.

- All comments received during the CAPER public review process will be incorporated into the Final CAPER.
- The Final CAPER will be made available to the public.

Other Federal Requirements

1. Availability to the Public
   a. The Consolidated Plan as adopted and amendments to the Consolidated Plan, the AI, the Annual Action Plan and substantial amendments to the Annual Action Plan, and the CAPER will be made available to the public.
   b. Final and/or adopted copies of these documents shall be available to the public on the City of Farmington web site, at the Farmington public library, and the Community Development Department’s offices.
   c. Digital copies of the required documents shall be made available to the public at no cost through the internet.

2. Access to Records
   The City of Farmington shall provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's Consolidated Plan and the jurisdiction’s use of grant assistance under the programs covered.

3. Technical Assistance
   The City of Farmington Community Development Department shall provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the Annual Action Plan projects covered by the Consolidated Plan.

   The level and type of assistance will be determined by the City of Farmington and may include training in HUD CDBG procedures and regulations and the provision of documents and socioeconomic data maintained by the department. All RFPs will include a pre-application meeting where interested parties may seek assistance and ask questions related to the development of project proposals.

4. Language and other Special Needs Assistance
   The City of Farmington shall meet the needs of Limited English Proficiency (LEP) and impaired/disabled persons during public hearings with prior notice. All public hearing notices will include the following text:

   The meeting rooms and facilities are fully accessible to persons with mobility disabilities and accommodations are available for the hearing impaired. If you plan to attend the meeting and will need auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106 prior to the meeting, so that arrangements can be made. The 711 Telecommunications Relay Service (TRS) is available for the hearing impaired. Dial 711 on your phone to
automatically to be connected to a TRS operator for free.

5. Complaints
The City of Farmington shall respond to substantive written complaints from citizens related to the Consolidated Plan, Al, Annual Action Plan, individual projects, amendments, and the CAPER, within 15 working days, where practicable. If a response to a written complaint will take more time, then notice of this fact will be provided within 15 working days and an estimate of the time to prepare the response shall be provided. All written comments and their response shall be included in the appropriate final document.

6. Commitment to Comply
The City of Farmington shall follow this Citizen Participation Plan during the development and execution of this Citizen Participation Plan, the Consolidated Plan, the Al, Annual Action Plans, Amendments, and CAPERs.
### Language Analysis - 2019 Citizen Participation Plan

<table>
<thead>
<tr>
<th>HOUSEHOLD LANGUAGE BY HOUSEHOLD LIMITED ENGLISH SPEAKING STATUS</th>
<th>Farmington City</th>
<th>San Juan County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Households</td>
<td>Percent</td>
</tr>
<tr>
<td>Total Households:</td>
<td>12,525</td>
<td></td>
</tr>
<tr>
<td>English only</td>
<td>11,260</td>
<td>72.56%</td>
</tr>
<tr>
<td>Spanish:</td>
<td>2,166</td>
<td>13.92%</td>
</tr>
<tr>
<td>Limited English speaking household</td>
<td>264</td>
<td>1.70%</td>
</tr>
<tr>
<td>Not a limited English speaking household</td>
<td>1,859</td>
<td>11.99%</td>
</tr>
<tr>
<td>Other Indo-European languages:</td>
<td>73</td>
<td>0.47%</td>
</tr>
<tr>
<td>Limited English speaking household</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Not a limited English speaking household</td>
<td>73</td>
<td>0.47%</td>
</tr>
<tr>
<td>Asian and Pacific languages:</td>
<td>39</td>
<td>0.29%</td>
</tr>
<tr>
<td>Limited English speaking household</td>
<td>12</td>
<td>0.09%</td>
</tr>
<tr>
<td>Not a limited English speaking household</td>
<td>27</td>
<td>0.17%</td>
</tr>
<tr>
<td>Other languages:</td>
<td>1,964</td>
<td>12.89%</td>
</tr>
<tr>
<td>Limited English speaking household</td>
<td>111</td>
<td>0.72%</td>
</tr>
<tr>
<td>Not a limited English speaking household</td>
<td>1,873</td>
<td>12.08%</td>
</tr>
</tbody>
</table>

If Public Notices are in English and Spanish Only,
Estimate of Households that would be At Risk of not be informed of CDBG Public Actions

|                                                                |                |                |
|                                                                | Households    | Percent        | Households    | Percent        |
|                                                                | 123           | 0.79%          | 931           | 2.22%          |

Notes:
Because the Other Languages Category is assumed to be predominately Navajo or other Native American Languages, due to the proximity of the Navajo Nation, the City of Farmington will post public notices at the Farmington Indian Center where Navajo language assistance is readily available.

Estimates for household size from the 2013-2017 ACS include 2.87 persons for the City of Farmington and 3.01 persons for San Juan County.

Tables C16052, B25010.
ORDINANCE NO. 2019-XXXX

AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 TO OPT IN TO THE ELECTION OF THE MUNICIPAL OFFICERS OF THE CITY OF FARMINGTON IN THE REGULAR LOCAL ELECTION.

WHEREAS, on July 1, 2018 the Local Election Act went into effect as Chapter 1, Article 22, NMSA 1978 establishing the Regular Local Election, a consolidated election day for non-partisan local government bodies on the first Tuesday after the first Monday in November of each odd-numbered year; and

WHEREAS, the Local Election Act also established the Municipal Officer Election Day on the first Tuesday in March of even-numbered years; and

WHEREAS, the Local Election Act provides the option for each municipality to determine if its elective officers shall be elected on the Municipal Officer Election Day on the first Tuesday of March in even numbered years or at the Regular Local Election on the first Tuesday after the first Monday in November of odd numbered years; and

WHEREAS, the City of Farmington has considered the issues related to opting in to the Regular Local Election Act, including uniformity of procedure and convenience for the voters.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON, NEW MEXICO:

SECTION 1. MUNICIPAL OFFICERS TO BE ELECTED AT THE REGULAR LOCAL ELECTION

Pursuant to Subsection B of Section 1-22-3.1 NMSA 1978, the City of Farmington opts in to the election of its municipal officers in the November Regular Local Election.

SECTION 2. ADJUSTMENT OF TERMS TO CORRESPOND WITH NEW ELECTION DATE

To begin with the Regular Local Election held in November 2019, the terms of office for the current municipal office holders shall be adjusted, so that:

(A) municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022; and

(B) municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2023, the new term of the position shall be elected at the regular local election in November 2023, and the new term shall commence January 1, 2024.

SECTION 3. FILING WITH SECRETARY OF STATE

Following approval of this ordinance, the Municipal Clerk shall file a copy of the ordinance with the Secretary of State no later than June 30, 2019.

PASSED, SIGNED, APPROVED AND ADOPTED this 25th day of June, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk

- 10.0 -
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, May 28, 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:

<table>
<thead>
<tr>
<th>MAYOR</th>
<th>Nate Duckett</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCILORS</td>
<td>Linda G. Rodgers</td>
</tr>
</tbody>
</table>

constituting all members of said Governing Body.

Also present were:

<table>
<thead>
<tr>
<th>CITY MANAGER</th>
<th>Rob Mayes</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSISTANT CITY MANAGER</td>
<td>Julie Baird</td>
</tr>
<tr>
<td>CITY ATTORNEY</td>
<td>Jennifer Breakell</td>
</tr>
<tr>
<td>DEPUTY CITY CLERK</td>
<td>Andrea Jones</td>
</tr>
</tbody>
</table>

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

INVOCATION: The invocation was offered by Pastor Tammie Summers of Crossroads Community Church.

Chief Procurement Officer Kristi Benson 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 May 14, 2019 and the minutes of the Special Work Sessions of the City Council held May 7, 2019 and May 13, 2019.

*GRANT AWARD NUMBER G19SN0010A between the City and the Office of National Drug Control Policy for funding in the amount of $352,500 for the Region II High Intensity Drug Trafficking Area (HIDTA) Narcotics Task Force from January 1, 2019 to December 31, 2020.

*WARRANTS PAYABLE for the time period of May 11, 2019 through May 25, 2019, for current and prior years, in the amount of $9,832,984.23.

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 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 by one motion. 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. EC 19-33.
from Tristan Hawkins requesting a zone change from the LNC, Local Neighborhood Commercial, District to the MU, Mixed-Use, District and to grant variances to allow a five-foot rear yard setback and to allow for one off-street parking space in the front yard area for property located at 401 North Auburn Avenue.

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

AQUATICS DIVISION/HOURS OF OPERATION, PRICING AND PASS STRUCTURE

Parks, Recreation and Cultural Affairs ("PRCA") Director ShaNa Reeves announced that the PRCA Commission unanimously recommended approval of the proposed hours of operation, pricing and pass structure at their April 18, 2019 meeting and she introduced Aquatics Director Mike Duke. Utilizing a Powerpoint presentation, Mr. Duke presented the proposed hours of operation for the new waterpark called Bisti Bay at Brookside Park ("Bisti Bay") along with two pricing options, noting that the difference is a $6.00 flat rate per person for public swim versus an age structure rate and he stated that it is staff's recommendation to implement Option 1. He provided local price comparisons and he discussed the revenue forecast for a 100-day season utilizing the $6.00 rate per person. Mr. Duke reviewed the proposed passes and facility rental rates and he asked the Council for their direction.

Responding to the Mayor's inquiry, Mr. Duke confirmed that private party rentals are only available after public swim hours and that pavilion rentals are available during public swim hours.

In response to Councilor Sharer's questions, Mr. Duke reported that a family pass includes up to five members and each additional family member is an additional $25.00 and Ms. Reeves explained that the proposed rates for Bisti Bay are in-line with other area pools, noting that sponsorship packages are available for "free swim" days to allow everyone to enjoy the water park.

Following discussion regarding the partial opening of Bisti Bay for the 2019 season, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to approve Option 1 regarding the hours of operation and pricing and the proposed pass structure to begin next season at Bisti Bay, and upon voice vote the motion carried unanimously.

Continuing with the presentation, Mr. Duke discussed the rationale motivating the restructuring of prices and passes at the Aquatic Center and Lions Pool and he presented the proposed prices, pass structure and rental rates for the facilities. He pointed out that the recreation annual passes are valid at all Aquatics Division facilities and he detailed the other pass structures for the facilities.

In response to the Mayor's inquiry, City Manager Rob Mayes reported that the replacement slide for the Aquatics Center is a budgeted expense in the 202 Fund for Fiscal Year 2020. Mayor Duckett stated that he believes that reinvigorating aging facilities such as the Aquatics Center would be appropriate for consideration for funding from the Community Transformation and Economic Diversification ("CTED") Fund.

Following further discussion, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to approve the proposed pricing and pass structure for the Aquatics Center and Lions Pool, as presented, and upon voice vote the motion carried unanimously.

GRANT APPLICATION/RECREATION ECONOMY FOR RURAL COMMUNITIES PLANNING ASSISTANCE PROGRAM

Utilizing a PowerPoint presentation, Economic Development Director Warren Unsicker stated that the Recreation Economy for Rural Communities planning assistance program is similar to the Local Foods, Local Places program and he announced that the purpose of the grant is to help develop strategies and an action plan to connect the downtown area to outdoor recreation. He presented an overview of the applicant's responsibilities and he discussed the grant's timeline, noting that applications must be submitted by May 31, 2019. He stated that staff is requesting Council's approval to submit an application to the U.S. Environmental Protection
Agency for the Recreation Economy for Rural Communities planning assistance program.

Responding to the Mayor's inquiry, Mr. Unsicker reported that the only local match required of the grant is the manpower to convene meetings along with an appropriate venue.

Thereupon, a motion was made by Councilor Jakino, seconded by Councilor Rodgers to direct staff to proceed with submission of a grant application to the U.S. Environmental Protection Agency for the Recreation Economy for Rural Communities planning assistance program, and upon voice vote the motion carried unanimously.

REAPPOINTMENTS TO THE PLANNING AND ZONING COMMISSION

Mayor Duckett asked the Council's consideration of the reappointments of Ryan Brown, Wayne Mangum and Cheryl Ragsdale (terms to May 2021) as members of the Planning and Zoning Commission.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to confirm the reappointments of Ryan Brown, Wayne Mangum and Cheryl Ragsdale as members of the Planning and Zoning Commission, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Recognition of City staff and volunteers

Noting that Riverfest and the Kathy Rouse Memorial Day Softball Tournament were held over Memorial Day weekend, Mayor Duckett thanked City staff and the numerous volunteers that made both of these community events successful.

Commendation of City staff

Councilor Sharer echoed the Mayor's sentiments and commended City staff for their tireless efforts in preparation of the Fiscal Year 2020 budget.

CITY MANAGER BUSINESS

City Manager Rob Mayes presented and read by title Resolution No. 2019-1714 adopting a final budget for Fiscal Year 2020. The title of the resolution being:

A RESOLUTION ADOPTING AN OFFICIAL FINAL BUDGET FOR THE CITY OF FARMINGTON, NEW MEXICO FOR FISCAL YEAR 2020 AND REQUESTING STATE APPROVAL.

Mr. Mayes directed the Council's attention to pages 5.2 and 5.3 of the agenda materials outlining the changes that have been made to the preliminary budget as directed by the Council on May 21. He pointed out that a $79,000 deficit remains and he stated that it is his recommendation to transfer the Four Corners Economic Development ("4CED") contribution expense of $80,000 from the General Fund to the Community Transformation and Economic Diversification ("CTED") Fund.

Following brief discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to pass and adopt Resolution No. 2019-1714 provided that $80,000 is allocated to 4CED utilizing monies from the CTED Fund, as recommended by staff. Mr. Mayes requested a friendly amendment to lower the expenditures in the General Fund by $80,000 and to increase the expenditures in the CTED Fund by $80,000. Councilors Rodgers and Sharer agreed to the friendly amendment. 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. 2019-1714 was duly passed and adopted as amended.

STRATEGIC PLANNING FOR THE COMMUNITY TRANSFORMATION AND ECONOMIC DIVERSIFICATION (CTED) FUND

Providing opening remarks, City Manager Rob Mayes reminded the Council that staff is providing informational presentations of possible Community Transformation and Economic Diversification ("CTED") Fund projects and he stated that no action is required at this time.

Gwynhaven Park

Utilizing a PowerPoint presentation, Outdoor Recreation Industry Initiative ("ORII") Director Cory Styron reported that this 80-acre tract of land is located across the river from the Farmington Museum and stated that there is currently no access to the property. He noted that Mr. Browning asked that the park be named after his wife during the purchase agreement negotiations and he pointed out that the next step for this project is completion of a conceptual design.

Miniature Golf

Mr. Styron announced that the conceptual design for the miniature golf course has been completed and is intended to coexist with Civitan Golf Course and he reviewed the price comparison of similar facilities. He provided illustrations of the proposed site plan and facility features and presented the construction estimate. He reviewed the pro forma utilizing a rate of $6.00 per round and announced that this project is anticipated to generate a net revenue of approximately $92,000 annually.

Councilor Sharer expressed his interest in the project and questioned whether a private enterprise would be interested in providing this service. In response, Mr. Styron stated that a request for interest (RFI) was sent out initially with no response.

State of New Mexico Land Swap

Noting that this project is currently under evaluation, Mr. Styron stated that the State of New Mexico Land Trust has approximately 600 acres of land located at the north end of Lake Farmington that it is considering exchanging for the City's vacant land located off of the La Plata Highway. He stated that the appraisal cost is borne by the City and pointed out that this type of exchange is done on a value-per-acre basis. In addition, Mr. Styron reported that he met with the local Land Trust agent last week regarding preliminary discussions regarding the possible land exchange.

Riverside Market Kiosk

Mr. Styron announced that vendors have expressed interest in seasonal vending along the river corridor and he stated that this project consists of the City constructing small kiosks along the river and leasing them out. He provided examples of possible kiosks and pointed out that this project would eliminate the need for vendors to haul trailers in and out of the river corridor on a daily basis.

Southside River Trail

Mr. Styron stated that the Southside River Trail would connect the North Trail to the south side of the river and Pinon Hills Boulevard eventually and he pointed out that the next step of this project is to construct a bridge over the river to connect the trails. He provided images of the current trailhead located off of Southside River Road and noted that its construction was grant-funded in 2014.

RECOGNITION OF CORY STYRON

Acknowledging that Outdoor Recreation Industry Initiative Director Cory Styron has resigned his position, City Manager Rob Mayes recognized him for six dedicated years of service to the City of Farmington. Noting that Mr. Styron was instrumental in the accreditation of the Parks, Recreation and Cultural Affairs Department, Mr. Mayes thanked him for his significant contribution to the outdoor recreation industry and his integral role surrounding the amenities offered to the community at Lake
Farmington. Mr. Mayes presented Mr. Styron with a plaque and the presentation was concluded with a hearty round of applause.

Mayor Duckett commended Mr. Styron for his dedication to the outdoor recreation industry and his vision for Lake Farmington. Councilors Rodgers, Sharer, Bingham-Kelly and Jakino also congratulated Mr. Styron and acknowledged him for his service to the community.

CITY ATTORNEY BUSINESS

City Attorney Jennifer BreakeLL presented and read by title Resolution No. 2019-1715 establishing regular meeting days, times and places for the various commissions, boards, public bodies and the City Council. The title of the resolution being:


After consideration of Resolution No. 2019-1715, a motion was made by Councilor Rodgers, seconded by Councilor Sharer that said resolution be passed and adopted 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. 2019-1715 was duly passed and adopted.

CITY CLERK BUSINESS

Local Election Act/Permission to Publish Ordinance

Deputy City Clerk Andrea Jones briefly reviewed the new changes to the Local Election Act and pointed out that the annual assessment fee for opting-in to the Regular Local Election ("RLE") has been repealed. Noting that the cost of such elections will be borne by the State of New Mexico, she pointed out that this will save the City approximately $40,000 in Fiscal Year 2020. She explained that the City would need to adopt an ordinance by June 30, 2019 to opt-in and noted that the ordinance would need to specify whether the terms for the currently-seated elected officials are to be shortened by approximately nine weeks or extended by approximately 21 months. Ms. Jones provided the Council with an election timeline and she reviewed statistical data of the 61 municipalities that have opted-in to-date. Concluding the presentation, she announced that it is the City Clerk’s recommendation to opt-in and that the terms be extended and she requested permission to publish notice of intent to consider adoption of a proposed ordinance.

Following brief consideration, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to direct staff to publish notice of intent to consider adoption of the proposed ordinance in accordance with State Statutes. 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.

CLOSED MEETING

A motion was made by Councilor Sharer, seconded by Councilor Rodgers to close the meeting to discuss request for proposals for the Farmington Comprehensive Plan 2040, pursuant to Section 10-15-1M(6) NMSA
1978. 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.

The Mayor convened the closed meeting at 7:40 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matter discussed was limited only to that specified in the motion for closure, a motion was made by Councilor 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 7:47 p.m. with all members of the Council being present.

REQUEST FOR PROPOSALS/FARMINGTON COMPREHENSIVE PLAN 2040

Chief Procurement Officer Kristi Benson announced that a request for qualifications for the Farmington Comprehensive Plan 2040 (Administration) opened on March 21, 2019 with six offerors participating and stated that the evaluation committee concurred to short-list three of the offerors and invite them to submit a proposal. She reported that proposals opened May 1, 2019 with all three offerors participating but noted that on May 13, 2019, Halff Associates, Inc. submitted a withdrawal letter formally removing themselves from further consideration. Ms. Benson stated that presentations from the remaining two offerors were held on May 21, 2019 and she requested direction from the Council for award.

Following brief discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to award the proposal for the Farmington Comprehensive Plan 2040 to Logan Simpson Design, Inc., 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 Jakino to adjourn the meeting at 7:50 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 11th day of June, 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, May 21, 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**
Nate Duckett

**COUNCILORS**
Linda G. Rodgers
Sean E. Sharer (arrived late)
Jeanine Bingham-Kelly
Janis Jakino

constituting all the members of the Governing Body.

Also present were:

**CITY MANAGER**
Rob Mayes

**CITY ATTORNEY**
Jennifer Breakell

**CITY CLERK**
Dianne Smylie

**DEPUTY CITY CLERK**
Andrea Jones

**PRESENTATION/WASTE MANAGEMENT/RECYCLING AND AT-YOUR-DOOR COLLECTION SERVICE OPTIONS**

Providing opening remarks, Waste Management’s (“WM”) New Mexico Manager of Public Sector Solutions Dan Darnell reviewed the topics of today’s presentation and he introduced Farmington District Manager Joe Sanchez and colleague Mike Hartsen from San Tan Valley, Arizona. He reported that approximately 62.5 percent of households within Farmington are participating in single stream recycling and stated that the diversion rate of recyclable materials from the landfill averages 6.2 percent. He discussed the challenging economics facing the recycling industry and he explained that the biggest challenge facing single stream recycling is contamination, noting that reducing contamination helps curtail recycling costs. Mr. Darnell discussed the process once the recyclables reach the material recovery facility (“MRF”) located at the San Juan County Landfill (“Landfill”) and stated that it is then shipped to the Friedman MRF in Albuquerque for further processing. He reported that the Friedman MRF’s pricing structure increased from $30.00 per ton (blended rate) in 2018 to $63.77 per ton in 2019 and announced that this increase equates to a recycling fee increase of $0.25 per home per month. He explained that the Landfill contract negotiations with San Juan County allow for Sunday closure with the transfer stations remaining open and stated that the annual CPI (Consumer Price Index) rate adjustment is being “passed on” to the customers at a rate of $0.09 per month per household. Mr. Darnell explained that WM’s contract with the City provides for annual CPI and fuel cost adjustments based on 75 percent of the Water, Sewer and Trash Index and he stated that this year’s increase will be $0.67 per month per home. He presented the “WM At Your Door Collection Services” program that allows for disposal of household hazardous waste and electronic waste from a customer’s home without the need for a community-wide event and he stated that implementation of this program would cost $0.87 per month per home. Mr. Darnell also presented WM’s “Bulky Item Collection Services” program that allows the disposal of up to three bulky items such as appliances and furniture that do not fit in the poly carts and he reported that this program could be billed to the customer directly or included into the monthly service rates.

Concluding the presentation, Mr. Darnell provided a rate adjustment worksheet that illustrated the proposed rates along with the new service options and he answered various questions from the Council.

**PRESENTATIONS/PROPOSALS FOR THE FARMINGTON COMPREHENSIVE PLAN 2040**

Chief Procurement Officer Kristi Benson reviewed the procurement process to-date regarding the Farmington Comprehensive Plan 2040 and she stated that the remaining top two offerors will provide presentations to the Council today. Ms. Benson reiterated that the presentations are for information only and she noted that direction to staff and award is scheduled for the May 28, 2019 regular City Council meeting.
Sites Southwest

Utilizing a PowerPoint presentation, Sites Southwest LLC Project Manager Rosie Dudley introduced fellow team members Phyllis Taylor of Sites Southwest LLC, Sam Brookham of Leland Consulting Group and Aaron Sussman of Bohannan Huston. They explained what makes their team different and discussed their qualifications and relevant experience, noting that they are a New Mexico-based team. They outlined their integrated process and provided multiple examples of previous successful projects.

In response to Councilor Rodger’s inquiry, Ms. Dudley confirmed that they would complete the plan update within the specified 18-month timeframe.

Logan Simpson Design, Inc.

Utilizing a PowerPoint presentation, Logan Simpson Design, Inc. Project Manager Megan Moore introduced Principal Planner Bruce Meighen and Assistant Project Manager Kristina Kachur and she reviewed their proposed project team. Ms. Moore discussed their collaborative approach and engagement process in-depth and Ms. Kachur provided several examples of their experience. Concluding the presentation, Mr. Meighen spoke about the implementation of their strategies.

Ms. Kachur discussed the relationship and previous interactions with the Bureau of Land Management at the Mayor’s request.

The Mayor and Council thanked Sites Southwest and Logan Simpson Design, Inc. for their thorough presentations and Mayor Duckett reiterated that award of the contract is scheduled for the May 28, 2019 regular City Council meeting.

RECESS

Mayor Duckett called a recess at 10:26 a.m.

Councilor Sharer arrived during the recess.

The meeting was reconvened by the Mayor at 10:40 a.m. with all members of the Council being present.

RESOLUTION NO. 2019-1713 ADOPTING AN OFFICIAL PRELIMINARY BUDGET FOR THE CITY OF FARMINGTON, NEW MEXICO FOR FISCAL YEAR 2020 AND REQUESTING STATE APPROVAL

City Manager Rob Mayes requested adoption of Resolution No. 2019-1713 approving the official preliminary budget for Fiscal Year 2020. He announced that staff does not have any proposed changes but requests Council’s direction regarding the proposed closure of the Farmington Indian Center (“FIC”) and the E3 Children’s Museum (“E3”). He provided the recurring annual savings from the proposed facility closures but he pointed out that a total of $189,098 of expenditures must be cut from the proposed FY20 budget if the Council wishes to keep the facilities open. Referring to a memorandum previously provided to the Council, Mr. Mayes stated that staff has provided three possible options and he explained that Option 1 is cutting proportionately across all departments, Option 2 is cutting from a long list of community and social services and Option 3 is cost allocating $109,000 to the Community Transformation and Economic Diversification (“CTED”) Fund for Economic Development Department salaries, noting that Option 3 is only a partial solution. He stated that it is his recommendation to do a combination of Options 1 and 3 to cost allocate $109,000 to the CTED Fund and to cut $80,000 proportionately across all departments.

Mayor Duckett announced that he does not support the closure of the FIC and E3 facilities at this time and stated that he agrees with the City Manager’s recommendation to cost allocate $109,000 to the CTED Fund and to cut $80,000 proportionately across all departments.

Noting that public comment will not be available at this time, Mayor Duckett asked by a show of hands who was present at today’s meeting in support of keeping the FIC open. The majority of the audience raised their hands. He then asked by a show of hands who was
present at today’s meeting in support of keeping the E3 open. The majority of the audience raised their hands.

Councilor Rodgers stated that she does not support closing the facilities. She expressed her support to cost allocate $109,000 to the CTED Fund but announced that she does not support asking the departments to cut an additional $80,000, contending that there must be another option.

Councilor Sharer thanked staff for their recommendations and voiced his support to keep both facilities open.

Councilor Bingham-Kelly announced that she supports the closure of both facilities, pointing out that the services can be offered at other City facilities while saving $189,000.

Councilor Jakino expressed her agreement with Councilor Rodgers that the CTED Fund could share some of the financial burden but that the departments should not, noting that this will be a reoccurring budgetary issue and she thanked the community for their immense response.

Following further discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to direct staff to remove the proposal to close the Farmington Indian Center and the E3 Children’s Museum and to cost allocate $109,000 for Economic Development Department salaries to the Community Transformation and Economic Development (“CTED”) Fund for the Fiscal Year 2020 budget. The roll was called with the following result:

Those voting aye: Linda G. Rodgers  
Sean E. Sharer  
Janis Jakino

Those voting nay: Jeanine Bingham-Kelly

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

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Rodgers that Resolution No. 2019-1713 be passed and adopted 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. 2019-1713 was duly passed and adopted.

RECESS

Mayor Duckett called a recess at 12:27 p.m.

The meeting was reconvened by the Mayor at 12:38 p.m. with all members of the Council being present.

HOURS OF OPERATION, PRICING AND PASS STRUCTURE/AQUATIC FACILITIES

Due to the length of today’s meeting, Mayor Duckett announced that this presentation is being postponed to the May 28, 2019 regular City Council meeting.

BID/ANNUAL STREET MAINTENANCE

Contracts Administrator Rosalyn Potter reported that bids for annual street maintenance (Public Works) opened on May 14, 2019 with two bidders participating. She recommended that the bid be awarded to Oldcastle SW Group, Inc. on its low bid meeting specifications after application of five percent in-state preference of $2,616,370.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to award the bid for annual street maintenance to
Oldcastle SW Group, Inc., as recommended by the Contracts Administrator, and upon voice vote the motion carried unanimously.

**BID/BASE COURSE AND ASPHALT**

Contracts Administrator Rosalyn Potter reported that bids for base course and asphalt (Public Works) opened on May 14, 2019 with two bidders participating. She recommended that the bid be awarded to Oldcastle SW Group, Inc. ($1,680,200) and C&E Concrete, Inc. ($1,728,000) on their low bids meeting specifications after application of five percent in-state preference.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to award the bid for base course and asphalt to Oldcastle SW Group, Inc. and C&E Concrete, Inc., as recommended by the Contracts Administrator, and upon voice vote the motion carried unanimously.

**BID/MATERIALS FOR THE HARE TO DWIGHT ARTHUR SUBSTATIONS UPGRADE**

Chief Procurement Officer Kristi Benson reported that bids for materials for the Hare to Dwight Arthur Substations upgrade (Electric) opened on May 14, 2019 with three bidders participating. She recommended that the bid be awarded to Border States Electric on its low bid meeting specifications after application of five percent in-state preference of $398,979.25.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to award the bid for materials for the Hare to Dwight Arthur Substations upgrade to Border States Electric, as recommended by the Chief Procurement Officer, and upon voice vote the motion carried unanimously.

**CLOSED MEETING**

A motion was made by Councilor Rodgers, seconded by Councilor Sharer to close the meeting to discuss request for proposals for the 115kV upgrade for the Hare to Dwight Arthur Substations, pursuant to Section 10-15-11H(6) NMSA 1978. 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.

The Mayor convened the closed meeting at 12:43 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matter discussed was limited only to that specified in the motion for closure, a motion was made by Councilor 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 12:46 p.m. with all members of the Council being present.

**PROPOSAL/COMMENCE NEGOTIATIONS/115KV UPGRADE FOR THE HARE TO DWIGHT ARTHUR SUBSTATIONS**

Chief Procurement Officer Kristi Benson announced that proposals for the 115kV upgrade for the Hare to Dwight Arthur Substations (Electric) opened on May 7, 2019 with four offerors participating. She recommended that negotiations be commenced with North Houston Pole Line as the top evaluated firm.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to direct staff to commence negotiations with North Houston Pole Line as the top evaluated firm, as recommended by the Chief Procurement Officer, and upon voice vote the motion carried unanimously.
CLOSED MEETING

A motion was made by Councilor Rodgers, seconded by Councilor Sharer to close the meeting to receive advice from the City's legal counsel regarding a matter of pending litigation (Michael Eisenfeld, James Neidhart, Jeffrey Neidhart, Steven Blair, Neil Tribbett, Jerry Knutson, Victoria Slikkeveer, Crystal William, The Coliseum, Inc., David Fosdeck, Stephen Ellison, Erin Hourihan and Vote Solar vs. City of Farmington and Farmington Electric Utility (enforcement of the Public Utilities Regulation Policies of 1978)), pursuant to Section 10-15-1H(7) NMSA 1978, and to discuss the disposition of real property (San Juan Generating Station), pursuant to Section 10-15-1H(8) NMSA 1978. 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.

The Mayor convened the closed meeting at 12:49 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matters discussed were limited only to those 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 2:27 p.m. with all members of the Council being present and 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 2:27 p.m., and upon voice vote the motion carried unanimously.

APPROVED this 11th day of June, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk