AGENDA

... for the Regular Meeting of the Farmington City Council to be held at 6:00 p.m., Tuesday, June 25, 2019 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico ...

1. Roll Call and Convening the Meeting:

2. Invocation: Minister Nathan Wheeler of Eastside Church of Christ.

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 the Regular Meeting of the City Council held June 11, 2019. --------------------------------------------------------------- 9

6. *Approval of Waiver to the 300-Foot Separation Requirement from Churches for the Four Corners Rod Run & Open Car Show to be held on July 20, 2019 on Main Street between Locke Avenue and Miller Avenue. ------------------------ 1

7. *Recommendation from the Community Development Department for approval of street name changes from County Road 5859 to Calder Street and from County Road 5860 to Reagan Street for portions of the unpaved and unmaintained private roadways that are now located within the city limits as a result of the Annexation Order granted to the City on October 6, 2016. ------ 2

8. *Approval for Adoption of Resolution No. 2019-1717 removing uncollectible and unsecured utility accounts from the City's list of accounts receivable. ---------- 3

9. *Approval of Warrants up to and including June 22, 2019.

10. Recommendation from the Planning and Zoning Commission: -------------------------- 4

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

*(1) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. SUP 19-46 from Life Choices, LLC, represented by Christiana Greene, requesting a Special Use Permit to allow an inpatient treatment center for property located at 2670 Piñon Frontage Road in the OP, Office Professional, District subject to:
(a) the petitioner submitting building plans meeting all building and fire codes prior any site work or construction of the facility; and
(b) solid facing fencing being required.

The recommendation of the Planning and Zoning Commission passed by a vote of 6-0 on June 13, 2019. (Helen Landaverde)

11. **Presentation of and direction to staff concerning the proposed Community Development Block Grant (CDBG) 2019 Annual Action Plan capital projects.** (Francisco Alvarado) ........................................................................................................... 5

12. **Presentation** regarding the Civic Center’s upcoming theater season. (Shaña Reeves and Randy West)

13. **New Business:**

(a) Mayor

(1) Reappointments to the Citizen Police Advisory Committee.

(b) Councilors

(c) City Manager

(1) **Resolution No. 2019-1718** -approving the fifth revision to the FY19 budget and requesting State approval. (Teresa Emrich) .................................................................................................................. 6

(d) City Attorney

(1) **Proposed Ordinance – Permission to Publish** -amending Section 23-2-7 of the City Code to provide for an increase in residential and commercial charges for sanitation service (Final Action July 23, 2019) ........................................................................................................... 7

(e) City Clerk

(1) **Ordinance No. 2019-1318 – Final Action** -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. (Published June 2, 2019) ........................................................................................................... 8

14. **Business from the Floor:**

(1) Items removed from Consent Agenda for discussion.

(2) Any other Business from the Floor.

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

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

DATE: June 19th, 2019; DEPARTMENT: PRCA; MEETING DATE: June 25, 2019

1. ITEM/TOPIC

Waiver to the 300-Foot Separation Requirement from a Church for the Four Corners Rod Run & Open Car Show

2. ACTION REQUESTED OF COUNCIL:

Seeking Approval

3. BACKGROUND/RATIONALE:

Four Corners Rod Run & Open Car Show will be July 20, 2019, from 5:00pm – 10:00pm. During the Main Street event, *approved alcohol vendors have the ability to provide beverage service to guests within the entire event area. There are two church facilities, First Baptist Church and Great Commission Harvest (formally My Father’s House), that are within 300 feet of the celebration area. PRCA has received written approval from both churches for alcohol service at the event.

*For any vendor to become eligible and approved to sell alcohol at the event, they must obtain a Public Celebration Permit or Special Dispenser Permit from New Mexico Regulation and Licensing Department’s Alcohol and Gaming Division.

4. STAFF RECOMMENDATION:

5. INSTRUCTIONS UPON APPROVAL:

6. BUDGETARY IMPACT:

None

7. ARE AUDIO/VISUAL DEVICES NECESSARY FOR THE PRESENTATION? IF YES, PROVIDE AN EXPLANATION OF WHAT IS NEEDED.

No

Reminder: The IT Department has requested that all Power Point presentations be provided to them at least 24-hours prior to the meeting. Also, please notify the Clerk’s office if a speaker telephone is necessary. We will coordinate the set-up.
2019 FOUR CORNERS ROD RUN
CELEBRATION AREA & SECURITY LAYOUT

1. 4' Min. Barricades
2. Posted Security
3. "No Drink Permitted..." Signage
4. "Use Designated Entry/Exit" Signage
5. Monitors
To whom it may concern:

Pastor Armando and GC Harvest allow for the sale of alcohol during the 2019 Street Rod Show. For further inquiry please contact me at 505-793-5074.

Thank you,

Armando Grijalva

June 17, 2019
June 19, 2019

This is confirmation of consent of the First Baptist Church, located at 511 W. Arrington, in regard to the service of alcoholic beverages at the following event:

Four Comers Rod Run & Open Car Show
July 20, 2019, 5:00 pm to 10:00 pm
Alcoholic beverages served by various vendors
Event to be held on Main Street, Downtown between Auburn A venue and North Wall A venue (within 300 feet of church)

If you need further information or clarification please call or e-mail at your earliest convenience.

[Signature]
Pastor FBC
*Recommendation from the Community Development Department for approval of street name changes for County Road 5859 and County Road 5860 annexed into the City of Farmington granted by the Annexation Order of October 6, 2016. The County Roads are unpaved and unmaintained private roads. Community Development is recommending the new name of Reagan Street for County Road 5860 and Calder Street for County Road 5859.
Mayor Duckett and City Council
Cynthia Lopez, Senior Planner
June 25, 2019

Street Name Changes for CR 5859 and CR 5860

On October 6, 2016, an Annexation Order granted to the City of Farmington by the New Mexico Municipal Boundary Commission was recorded at the San Juan County Clerk's Office. The area of annexation is in the southeast area of the City. Two unpaved and non-maintained private roads in the area have county road designations (CR 5859 and CR 5860). The county road designations need to be re-named and businesses along these roads will need to be addressed for 911 purposes.

Staff has contacted the owner's along the two private roads for recommendations of new street names that will meet the Street Policy for the City. Staff is recommending, with the approval of the businesses along these private roads, that CR 5859 be re-named to Calder Street and that CR 5860 be re-named to Reagan Street. The Community Development Department has researched the Street Dictionary for the City of Farmington and both names are unique to the City.

Farmington City Code Section 27-7-4 (a) states: “All proposed street names within the City's planning and platting jurisdiction are subject to approval by the city council, after recommendation by the community development department to ensure conformance to the policies set forth in this article.”

The Community Development Department is requesting approval of the designations of Calder Street to replace CR5859 and Reagan Street to replace CR 5860. If these are approved the Community Development Department will than address the businesses along these private roads.
RESOLUTION NO. 2019-1717

A RESOLUTION REMOVING UNCOLLECTIBLE AND UNSECURED UTILITY ACCOUNTS FROM THE CITY'S LIST OF ACCOUNTS RECEIVABLE

WHEREAS, there is approximately $106,741.20 owed to the City from utility accounts that are uncollectible even after diligent collection efforts were initiated; and

WHEREAS, said accounts have been owed and uncollectible to the City for more than four (4) years; and

WHEREAS, Sec. 3-37-7 NMSA 1978, gives the governing body of a municipality the authority to remove certain accounts from its accounts receivable provided that the City's Finance Officer verifies the accounts to be uncollectible; and

WHEREAS, pursuant to said Sec. 3-37-7 NMSA, the Finance Officer of the City of Farmington has verified on the attached Affidavit that the accounts listed are uncollectible as well as the total amount to be removed from the City's list of accounts receivable.

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

That the City of Farmington has complied with Sec. 3-37-7 NMSA which authorizes the governing body to write off uncollectible accounts.

That after reviewing the attached Affidavit of Acting Administrative Services Director Teresa Emrich, the City Council of the City of Farmington does hereby authorize the removal from its accounts receivable uncollectible utility accounts in the sum of $106,741.20, with reasonable adjustment allowance, as described on the Affidavit.

That the City will consider a Resolution addressing uncollectible account write-offs on an annual basis.

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

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk
AFFIDAVIT OF TERESA EMRICH

STATE OF NEW MEXICO )

 )ss

COUNTY OF SAN JUAN )

I, Teresa Emrich, being duly sworn, depose and say:

1. I am the Acting Administrative Services Director of the City of Farmington, and as such I have supervision over the accounting and finance procedures for the City of Farmington.

2. The attached list is an accounting of utility accounts that have been uncollectible and owed to the City of Farmington for more than four years.

3. The attached accounts were incurred by utility customers who received City of Farmington utility services and never paid for them.

4. The City has made diligent efforts to collect on the inactive accounts and to locate the debtor through in-house collection efforts but was unsuccessful in collecting on these accounts.

5. It is my opinion that the attached accounts totaling $106,741.20 are uncollectible.

Further I state not.

[Teresa Emrich's signature]

Subscribed and sworn to before me this 30th day of April, 2019, by Teresa Emrich, Acting Administrative Services Director of the City of Farmington.

[Notary Public's signature]

My commission expires:

[2/6/2023]
Adoption of the Planning and Zoning Commission Action as contained within the Community Development Action Summary and approval of Petition SUP 19-46, a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center in the OP, Office Professional District for property located at 2670 Piñon Frontage Road with the following conditions:

1. Prior to any construction for the group care facility (treatment center), the applicant shall submit building plans that are consistent with all of the City’s current building and fire standards and/or other agency permits for review and approval prior to site work.

2. Screening will be required in the form of a solid facing fence that accents the facility.

(Helen Landaverde)

Recommendation of approval by the Planning and Zoning Commission on June 13, 2019 which passed by a vote of 6-0.
ACTION SUMMARY
PETITION REPORT
Petition SUP 19-46 Special Use Permit to allow for an inpatient treatment center (group care facility) at 2670 Piñon Frontage Road in the OP, Office Professional
June 13, 2019

A. STAFF REPORT

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Life Choices LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Christiana Greene</td>
</tr>
<tr>
<td>Date of Application</td>
<td>May 14, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Approval of a special use permit to allow for an inpatient treatment center (group care facility), in the OP, Office Professional District.</td>
</tr>
<tr>
<td>Location</td>
<td>2670 Piñon Frontage Road</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>OP, Office Professional</td>
</tr>
</tbody>
</table>
| Surrounding Zoning & Land Use | North: OP, Office Professional /undeveloped  
|                      | South: RA, Rural Agricultural/institutional (San Juan Community College)  
|                      | East: OP, Office Professional /commercial  
|                      | West: OP, Office Professional /undeveloped |
| Notice             | Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday, May 26, 2019. Property owners within 100 feet were sent notice by certified mail on Tuesday, May 21, 2019 and a sign was posted on Friday, May 31, 2019. |
| Staff Planner      | Helen Landaverde, Associate Planner |

STAFF ANALYSIS

Background
The applicant is requesting a Special Use Permit to allow for an inpatient treatment center (group care facility), Life Choices Chemical Health Services, at 2670 Piñon Frontage Road in the OP, Office Professional District. Pursuant to UDC 2.3 Use Table,
Group Care Facilities are allowed in the OP District with approval of a Special Use Permit.

San Juan County Tax Assessor’s records show that the size of the subject property (parcel R0055325) is 7.5 acres and is owned by The Benevolent and Protective Order of Farmington Elks, Lodge 1747. The applicant is proposing to develop the eastern portion of the property, 2.5 acres north of Piñon Frontage Road (see Figure 1), created through a Warranty Deed in 1988 (see attachment).

The subject property (previously BLM land) was annexed into the City in 1995 and has not been platted with the City. A zone change (Petition No. 1669) from R-S2, Suburban Residential to OP, Office Professional and a Special Use Permit (Petition No. 1669) for a club liquor license was approved by City Council on September 22, 1998, subject to the following:

a) the building height being limited to 35 feet or less;

b) submittal of a drainage plan with installation of a retention pond and/or a storm drain being proposed to the satisfaction of the City Engineer prior to issuance of a building permit;

c) the Pinon Hills Boulevard frontage road being improved with a minimum 24-foot wide strip of paving meeting City specifications, from the west edge of the site to existing paving near the southeast corner of the subject property; and

d) any exterior lighting being installed in such a manner that no direct light or glare shall be directed off site.

The special use permit for Petition 1669 expired on September 9, 2003. In 2003 City Council approved Petition 2006, another Special Use Permit for a club liquor license with a waiver to Farmington City Code Section 27-27-4(c) to begin the allowed use within five years. The subject property is currently undeveloped and the special use permit for Petition 2006 has expired.
Life Choices Chemical Health Services is a co-occurring Rule 31 Chemical and Mental Health outpatient clinic licensed by the state of Minnesota. Life Choices treats substance abuse disorders and mental health disorders to individuals and families. They are currently located in Brooklyn Center, Minnesota and would like to open a treatment center in Farmington to provide services for clients in the surrounding Navajo Nation. Services are paid by the state through federal funds and by insurance companies.

**Proposal**
Life Choices Chemical Health Services proposes to construct a new facility; a one story building measuring approximately 20,000 ft². The applicant is proposing the following for the treatment center (see Figure 2):

- 30 rooms; each room will have one (1) bathroom and two (2) beds;
- Five (5) large conference rooms;
- A visiting area;
- Kitchen and dining room;
- Meditation room;

- 4.3 -
• Movie room;
• Reading Library;
• Storage rooms;
• Janitor closet;
• Additional bathrooms; and
• 16 offices for 16 on-site staff members.

Figure 2. Proposed Floor Plan
Parking
Pursuant to the UDC 5.2.3 Minimum off-street parking requirements the proposed use requires a minimum of 2.0 parking spaces per dwelling unit plus one space per employee (see Table 1).

Table 1. Minimum off-street parking requirements

<table>
<thead>
<tr>
<th>UDC 5.2.3 Minimum off-street parking requirements</th>
<th>Minimum number of space required</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0 per dwelling unit plus 1 per employee</td>
<td>30 rooms = 60 spaces</td>
</tr>
<tr>
<td></td>
<td>16 employees = 16 spaces</td>
</tr>
<tr>
<td>Total minimum off-street parking</td>
<td>76 spaces</td>
</tr>
</tbody>
</table>
Hours of Operation and Procedures
Inpatient treatment will be 24 hours. The outpatient treatment will be from Monday to Friday 9:00 a.m. – 6:00 p.m. According to the applicant, the average length of stay for inpatient clients will be from 90 days to 120 days; however, length of stay will be determined by the patient’s treatment plan.

The treatment center will not have curfew hours; clients are not allowed to leave the premises without being accompanied by a staff member. Clients will be accompanied by staff for medical appointments and/or court appointments. Life Choices Chemical Health Services will maintain daily electronic records of sign-ins and sign-outs for each client.

Life Choices Chemical Health Services will not administer medications, but will provide storage lockers for the clients’ medications. The clients will be responsible for administering their own medications. There will be a registered nurse (RN) on staff to monitor the intake of medications.

Visiting Hours
The proposed treatment center will have a visiting lounge for the clients’ visitors. Visitors will not be allowed in the living quarters. The visiting hours will be Saturday and Sunday 12:00 p.m. to 6:00 p.m. and there will be 24 hours security to oversee visitors and visiting hours.

Consistency with the Comprehensive Plan
The applicant’s proposed special use permit promotes and facilitates the City’s Housing goals and objectives of the Comprehensive Plan for alternative 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.”

“Objective 7.1: Provide for a variety of housing options, including traditional subdivisions and mixed use developments, to accommodate housing needs of all residents in Farmington including the elderly, disable, students, and low-income residents.”

Additionally, the proposed use supports one of the priorities of the City’s Economic Development Plan, core goals of the Comprehensive Plan:

4. Businesses and industries that produce goods or services locally, for distribution within the region to displace imported goods and services.

A Special Use Permit for an inpatient treatment center (group care facility) in the OP District is consistent with the Comprehensive Plan.

Consistency with HUD Fair Housing Act

Furthermore, the proposed use facilitates the implementation of The Department of Housing and Urban Development's (HUD) Fair Housing Act\(^3\) intended to increase housing opportunities for people with disabilities. The Fair Housing Act applies to municipalities and other local government entities and prohibits zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons.

Moreover, Section 504, Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities "solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency ..."\(^4\)

Consistency with the Piñon Hills Boulevard Corridor Plan (PHBCP)
The PHBCP recommends Institutional for the subject property (see Figure 4).

**Figure 4. Piñon Hill Boulevard Corridor Plan**

**COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDED LAND USE ALTERNATIVE**

**Legend**
- OPEN SPACE, PUBLIC OR STEEP SLOPES
- AGRICULTURE
- RESIDENTIAL >20,000 SQ. FT LOTS
- RESIDENTIAL<20,000 SQ. FT. LOTS
- MULTI-FAMILY RESIDENTIAL
- OFFICE/BUSINESS PARK
- INSTITUTIONAL
- NEIGHBORHOOD COMMERCIAL
- COMMERCIAL HIGH INTENSITY PARKS
- UTILITIES (WATER AND ELECTRIC)
- CITY LIMITS
- BIKE/PEDESTRIAN RECREATIONAL TRAIL
- EXISTING ROAD
- FUTURE ROAD

**Municipal Code**
The Municipal Code Chapter 22 Article 7 Section 22-7-5 prohibits discrimination of "the development, construction, occupancy and operation of an affordable housing program or an affordable housing project financed or assisted under the Act..."

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UDC
Pursuant to UDC 8.9.6 Expiration of approval, "The city council may extend the special use permit for up to five years upon written request from the applicant..."

Special Use Permit Criteria – Section 8.9.4 of the UDC

Section 8.9.4 of the UDC sets forth the criteria for review of a special use permit. The section states that an SUP may be approved where it is reasonably determined that there will be no significant negative impact upon residents of surrounding property or upon the public. Criteria are listed as follows:

A. Effect on environment: The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to the neighboring property.

The proposed inpatient treatment center is permitted with an approved special use permit in the OP District. It is not anticipated that the proposed use will be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor will it be injurious to the neighboring property.

Piñon Frontage Road is mostly undeveloped and the proposed inpatient treatment center is compatible with other local services, commercial and institutional uses, along Piñon Hills Boulevard.

B. Compatible with surrounding area: The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with relationship to scale, height, landscaping and screening and density.

The applicant has submitted a site plan. The proposed inpatient treatment center is compatible and is in harmony with the character of the surrounding area. The uses along Piñon Hills Boulevard are commercial and institutional uses. Additionally, Piñon Frontage Road is mostly undeveloped. The applicant is proposing to provide local services, inpatient treatment, in the City of Farmington.

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

C. External impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to the impacts.
Any future development, redevelopment, and demolition will need to meet established requirements of the district. Improvements and/or development on the subject property will require submission of building plans that are consistent with all of the City’s current building and fire standards and/or other agency permits for review and approval prior to site improvements and/or development.

The applicant is required to mitigate any adverse impacts to the area.

D. Infrastructure impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

Any future development, redevelopment, and demolition will need to meet established requirements of the district.

E. Consistent with the UDC and Comprehensive Plan: The proposed use will be consistent with purposes of this UDC, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

Although the PHBCP recommends Institutional, the proposed zone change supports the Comprehensive Plan (Housing and Economic Development chapters) as it encourages alternative housing and local services. A Special Use Permit for a group care facility in the OP, Office Professional District is consistent with the UDC and the Comprehensive Plan.

F. Parcel size: The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

N/A

G. Site Plan: The proposed use shall be required to comply with the site plan review procedures and standards of Section 8.5, site plan review, as specified.

The applicant provided a site plan that conforms to the standards of Section 8.5 (see attachment).

STAFF CONCLUSION

Staff concludes approval of SUP 19-46 is appropriate. Staff has determined that the proposed group care facility (treatment center), services, and program are designed in a manner that provides a safe and stable environment for its clients and future residents.
Staff does not anticipate any adverse effects on the surrounding area due to the proposed use.

**STAFF RECOMMENDATION**

The Community Development Department recommends **approval** of Petition SUP 19-46, a request from Life Choices Chemical Health Services, for a special use permit to allow for a group care facility (treatment center) at 2670 Piñon Frontage Road in the OP, Office Professional District and with conditions:

1. The applicant will be required to submit a summary plat application and/or proof of Lot of Record for building permits prior to development/site work on the property. Lots may have previously been created via the 1938 Small Tract Act.

2. Prior to any construction for the group care facility (treatment center), the applicant shall submit building plans that are consistent with all of the City's current building and fire standards and/or other agency permits for review and approval prior to site work.

**B. FINDINGS OF THE PLANNING AND ZONING COMMISSION**

On June 13, 2019, the Planning and Zoning commission held a public meeting for SUP 19-46 and made the following findings:

1. The petitioner is Life Choices LLC, represented by Christiana Greene.

2. The property owner is The Benevolent and Protective Order of Farmington Elks, Lodge 1747.

3. The petitioner is requesting a Special Use Permit to allow for an inpatient treatment center (group care facility) at 2670 Piñon Frontage Road in the OP, Office Professional District.

4. The subject property was previously BLM land. The applicant is proposing to develop the eastern portion of the property, 2.5 acres north of Piñon Frontage Road. This parcel was created through a Warranty Deed in 1988 and is considered to be a lot of record.

5. The subject property (previously BLM land) was annexed into the City in 1995.

6. A zone change (Petition No. 1669) from R-S2, Suburban Residential to OP, Office Professional and a Special Use Permit (Petition No. 1669) for a club liquor license was approved by City Council on September 22, 1998, subject to conditions. The special use permit for Petition 1669 expired on September 9, 2003.

7. In 2003 City Council approved Petition 2006, another Special Use Permit for a club liquor license with a waiver to Farmington City Code Section 27-27-4(c) to begin the allowed use within five years. The special use permit for Petition 2006 has expired.
8. The petitioner proposes to construct a new facility; a one story building measuring approximately 20,000 ft.². The petitioner provided a proposed floor plan and information on the program's hours of operation and procedures.

9. Pursuant to the UDC 5.2.3 Minimum off-street parking requirements the proposed use requires a minimum of 76 off-street spaces.

10. The use is compatible with Farmington's Comprehensive Plan. The proposed use promotes and facilitates the City's Housing goals and objectives and the City's Economic Development Plan. An inpatient treatment center (group care facility) is permitted in the OP District with an approved Special Use Permit.

11. The use is compatible with The Department of Housing and Urban Development's (HUD) Fair Housing Act and the City's Municipal Code.

12. The petitioner's representative was present via telephone at the hearing and spoke in favor of the petition.

13. Four members from the neighborhood (notified/affected parties) or community (unnotified/interested parties) attended this hearing.

14. The Commission found that the request would not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor would it be substantially or permanently injurious to the neighboring property. The petition was approved with conditions.

Planning & Zoning Commission Discussion of Petition SUP 19-46 on June 13, 2019
Associate Planner Helen Landaverde presented the staff report for SUP 19-46, a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center, otherwise known as a group care facility, in the OP, Office Professional District for property located at 2670 Piñon Frontage Road.

Pursuant to UDC 2.3 Use Table, Group Care Facilities are allowed in the OP District with approval of a Special Use Permit.

Life Choices Chemical Health Services is a co-occurring Rule 31 Chemical and Mental Health outpatient clinic licensed by the state of Minnesota. Life Choices treats substance abuse disorders and mental health disorders to individuals and families. Life Choices is currently located in Brooklyn Center, Minnesota and would like to open a treatment center in Farmington to provide services for clients in the surrounding Navajo Nation. Services are paid by the state through federal funds and by insurance companies.

San Juan County Tax Assessor's records show that the size of the parcel is 7.5 acres and is owned by The Benevolent and Protective Order of Farmington Elks, Lodge 1747.
The subject property was previously BLM land. The applicant is proposing to develop the eastern portion of the property, 2.5 acres north of Piñon Frontage Road. This parcel was created through a Warranty Deed in 1988 and is a lot of record. The property was annexed into the City in 1995.

There have been previous special use permits on this property. A zone change, Petition No. 1669, from R-S2, Suburban Residential to OP, Office Professional with a special use permit for club liquor license. It was approved by City Council on September 22, 1998 with conditions. The special use permit expired on September 9, 2003.

In 2003 City Council approved Petition 2006, another Special Use Permit for a club liquor license with a waiver to Farmington City Code Section 27-27-4(c) to begin the allowed use within five years. The special use permit for has expired.

Life Choices Chemical Health Services proposes to construct a new facility; a one story building measuring approximately 20,000 sq. ft., and is proposing the following setup:

- 30 rooms; each room will have one (1) bathroom and two (2) beds;
- Five (5) large conference rooms;
- A visiting area;
- Kitchen and dining room;
- Meditation room;
- Movie room;
- Reading Library;
- Storage rooms;
- Janitor closet;
- Additional bathrooms; and
- Sixteen offices for 16 on-site staff members.

Pursuant to the UDC 5.2.3 Minimum off-street parking requirements the proposed use requires a minimum of 2.0 parking spaces per dwelling unit plus one space per employee. The total off street parking is 76 spaces.

Inpatient treatment will be 24 hours. The outpatient treatment will be from Monday to Friday 9:00 a.m. – 6:00 p.m. The average length of stay for inpatient clients will be from 90 days to 120 days; however, the length of stay will be determine by the patient's treatment plan. The treatment center will not have curfew hours; clients are not allowed to leave the premises without being accompanied by a staff member. Staff for medical appointments and court appointments will accompany clients.

Life Choices Chemical Health Services will maintain daily electronic records of sign-ins and sign-outs for each client.

Life Choices Chemical Health Services will not administer medications, but will provide storage lockers for the clients' medications. There will be a registered nurse on staff to monitor the intake of medications.
The proposed treatment center will have a visiting lounge for the clients' visitors. Visitors will not be allowed in the living quarters. The visiting hours will be Saturday and Sunday 12:00 p.m. to 6:00 p.m. and there will be 24 hours security to oversee visitors and visiting hours.

The proposed SUP is consistent with the Comprehensive Plan for alternative housing. It promotes and facilitates the City's housing goals for alternative housing and the City's Economic Development Plan, core goals:

4. Businesses and industries that produce goods or services locally, for distribution within the region to displace imported goods and services.

The SUP is also consistent with The Department of Housing and Urban Development's (HUD) Fair Housing Act intended to increase housing opportunities for people with disabilities. Moreover, Section 504, Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities.

The Municipal Code Chapter 22 Article 7 Section 22-7-5 also prohibits discrimination of “the development, construction, occupancy and operation of an affordable housing program or an affordable housing project financed or assisted under the Act...”

Staff concludes that there will be no significant negative impact upon residents of the surrounding property or upon the public and has determined that the proposed group care facility, services, and program are designed in a manner that provides a safe and stable environment for its clients and future residents.

The Community Development Department recommends approval of Petition SUP 19-46, with conditions:

3. The applicant will be required to submit a summary plat application and/or proof of Lot of Record for building permits prior to development/site work on the property. Lots may have previously been created via the 1938 Small Tract Act.

4. Prior to any construction for the group care facility (treatment center), the applicant shall submit building plans that are consistent with all of the City's current building and fire standards and/or other agency permits for review and approval prior to site work.

Condition #1 has been met and the property is considered a lot of record.

Christiana Greene, representative for Life Choices, mentioned that 76 parking spaces might be excessive, as inpatient clients do not have cars on the premises. Ms. Landaverde said an alternative parking plan can be discussed with the Planning Director and a variance can be requested. David Sypher, Community Development and
Public Works Director, said the purpose of the alternative parking plan is for situations such as this. Documentation will be necessary to show that clients will not have vehicles at the facility.

Commissioner Freeman asked Ms. Greene to clarify the type of business Life Choices conducts. Ms. Greene said the typical patient enters the facility with substance abuse through either alcohol or drugs. Patients have usually been through a detox center prior to being admitted. Mental health is often a component; therefore, there will be a fulltime mental health staff member. Detox will not be done on site. Approximately 80% of clients are admitted through a court order and clients will come from all over the state of New Mexico. Four Winds is another facility in San Juan County that is similar to Life Choices. There is a need for this type of facility in this area due to the proximity of the Navajo reservation.

Dean Pecotte, 5720 Los Arcos, asked about the likelihood of emergency services being called to the facility. Ms. Greene said some clients have withdrawal symptoms and will need emergency care. There will be a registered nurse on staff and 24-hour security to prevent people from bringing drugs into the facility. Rarely do people come from detox and have a need to return to detox while at the facility.

Mr. Pecotte asked what measures would be taken to keep patients from escaping into the neighborhood. Ms. Greene said this is not a lockdown facility and patients can leave at any time. The property will be fenced and gated, and if a patient decides to leave, police are notified. The fence will be opaque.

Mr. Pecotte asked the age of clients, if conflicts are expected, and how clients will be separated. Ms. Greene said the clients are all adults. There will be no juveniles admitted to the facility. Clients are usually placed 2 to each room.

Mark Camrud, 5610 Los Arcos, asked Ms. Greene how long Life Choices has been in business. Ms. Greene said the parent company has been in business for 25 years and is located in Minnesota. Currently, there are 10 branches of Life Choices. Life Choices intends to recruit people from San Juan County and there will be 16-20 staff members once the facility is at full capacity. San Juan College graduates might be hired. There will be a manager on site.

Commissioner Langenfeld asked about the size of the facility. Ms. Greene said Life Choices did a study of the area to find out what was needed. An inpatient facility would be a desirable addition to this area and the facility needs to be large enough to accommodate the clients. The treatment process takes between 12-18 months. Then, the facility supports the clients on an outpatient basis and helps them find jobs, apartments, and to stay sober for life.
Commissioner Freeman noted that the buildings in this corridor of the city look nice. He said he would like to require block screening for the facility.

Marsha Bingham, 24 Road 5109, owns property in this area and asked why the facility needs to be located near a residential area near the high school and college. She said she would prefer it be located near the hospital. Ms. Greene said Life Choices looked at several areas of the city. They were restricted to a particular zoning district and did not find an appropriate area near the hospital.

A motion was made by Commissioner Davis to approve Petition SUP 19-46 with the condition that prior to any construction for the group care facility (treatment center), the applicant shall submit building plans that are consistent with all of the City's current building and fire standards and/or other agency permits for review and approval prior to site work. Chair Cardon asked if Commissioner Davis would like to include screening in the motion. Commissioner Davis said he did not want to include screening. The motion was not seconded.

Chair Cardon asked Commissioner Davis if he would like to recede the motion. Commissioner Davis receded the motion.

Planning & Zoning Commission Action of Petition SUP 19-46 on June 13, 2019

A motion was made by Commissioner Freeman and seconded by Commissioner Smouse to approve Petition SUP 19-46, a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center in the OP, Office Professional District for property located at 2670 Piñon Frontage Road with the following conditions:

1. Prior to any construction for the group care facility (treatment center), the applicant shall submit building plans that are consistent with all of the City's current building and fire standards and/or other agency permits for review and approval prior to site work.
2. Screening will be required in the form of a solid facing fence that accents the facility.

AYE: Chair Cardon, Commissioners Davis, Freeman, Langenfeld, Ragsdale, and Smouse.

NAY: None

Abstained: None

Absent: Commissioners Brown, Lockmiller, Mangum, Sewell, and Waldroup.

Motion passed 6-0
Street view of subject property
Unified Development Code 2.4.25

2.4.25 Group care facilities. (Residential land use categories; congregate living).

Group care facilities shall comply with the standards of this section.

A. Care may be provided for more than eight adults or 12 minors; and more than eight adults, including 24-hour caregivers, may reside in any group care facility.

B. City Council may increase occupancy limits where the square footage of the building, lot size, sanitary facilities, traffic impacts, and similar factors warrant increased occupancy.

C. Applications for group care facilities shall include:

(1) A site plan prepared in accordance with the requirements of section 8.5 shall be approved and filed with the findings of fact and conclusions of law as part of the approval;

(2) Detailed plan of operation showing proposed hours, number of residents, number of staff and number of 24-hour equivalent staff, lighting and other similar components which could impact neighboring uses;

(3) Demonstration that a group care home will not be used for purposes other than serving the residents except for normally allowed uses in the district in which the use is located; and

(4) Off-street parking plan in accordance with the provisions of section 5.2.

D. Applications for permission to construct or operate a group home shall be accompanied by copies of all valid permits required by the State of New Mexico. If such permit cannot be obtained prior to the time of application, the application shall be accompanied by a report from the applicable licensing agency stating the licensing requirements and an explanation of how the applicant intends to meet these requirements. Any approval may be conditioned upon approval by the appropriate state agency.

E. All group care facilities shall have direct access to a dedicated public street.

F. All group care facilities shall comply with applicable state requirements for the location of such facilities and the minimum square feet of safe, outdoor recreation area and usable floor area for every person that the assisted living facility or nursing home is licensed to accommodate.

G. The applicant must demonstrate adequate access and circulation for police, fire, ambulance and other emergency vehicles and must prominently display the street address. Increases in traffic above the allowed uses in the zoning district may not impact the safety of abutting landowners.

H. The city may impose other conditions that it deems necessary and appropriate to safeguard the public health, safety and welfare and as may be imposed to limit any adverse effect on adjacent properties as a result of the proposed use including a provision that the special use permit may be revoked, after notice and hearing, for un-remedied material violations of any such conditions.

I. For purposes of this section, a 24-hour equivalent care provider shall be a single provider residing in the facility or a number of providers who together
provide coverage totaling 24 hours. Such care providers may be housed on-site.

J. Services shall be provided to persons who, because of mental or physical disability, addiction to drugs, alcohol, incarceration, or family/school problems, require specialized attention and care to achieve personal independence.
CITY COUNCIL MEETING 09/22/98

RECOMMENDATIONS FROM THE LIQUOR HEARING OFFICER:

1. Approval of application for the transfer of ownership and transfer of location of Liquor License No. 0915/A-303 from Dial Oil Company, 424 North Mesa Verde, Aztec, New Mexico, proposing a transfer of ownership and transfer of location from Southwest Hotels, Inc., 600 East Broadway, Farmington, New Mexico to Dial Oil Company to do business as Sundial #1, 2615 East Main Street, Farmington, New Mexico. (Hearing held September 9, 1998)

2. Approval of application for the transfer of ownership and transfer of location of Liquor License No. 0087/A-303 from Southwest Hotels, Inc., 600 East Broadway, Farmington, New Mexico to Southwest Motels, Inc., to do business as Holiday Inn, 600 East Broadway, Farmington, New Mexico. (Hearing held September 9, 1998)

AUTHORIZATION for Community Development Department staff to prepare a response to the FY 1998 Bond Continuous Request for Proposals for Homeowner Modification Funds, and to authorize the Mayor to sign a letter of support.

STREET NAME ASSIGNMENT of "Collari Place" for the unnamed street located within the city limits, west of the end of the pavement at the northern end of Poshills Drive in Section 16, Township 30 North, Range 12 West.

ADOPTION OF RESOLUTION NO. 98-225 adopting an Infrastructure Capital Improvements Plan (ICIP).

Councilman Rassam requested that the bid for purchase of automatic meter reading equipment and the bid for purchase of electrical materials be removed from the Consent Agenda.

Motion made by Councilman Rassam, seconded by Councilman Fischer to approve the Consent Agenda with the exception of the bid for purchase of automatic meter reading equipment and the bid for purchase of electrical materials, and upon voice vote the motion carried unanimously.

UNFINISHED BUSINESS

RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND PUBLIC HEARING:

1. Petition No. 1699 from the BPOE (Elks) Lodge No. 1747, represented by Jerry LaQuey, which requests approval of a zone change from the R-SZ, Suburban Residential, District to the O-P, Office, Professional, and Institutional, District, for the property located in the 2500 block of the Pinon Hills Boulevard frontage road, subject to:

(a) the building height being limited to 35 feet or less;
(b) submission of a drainage plan with installation of a retention pond and/or a storm drain being proposed to the satisfaction of the City Engineer prior to issuance of a building permit;
(c) the Pinon Hills Boulevard frontage road being improved with a minimum 24-foot wide strip of paving meeting City specifications, from the west edge of the site to existing paving near the northwest corner of the subject property; and
(d) any exterior lighting being installed in such a manner that no direct light or glare shall be directed off site.

Long Range Planner Mike Sullivan reported that action upon the requested zone change was tabled at the regular City Council meeting of September 8, 1998 and that a 3/4 vote of the City Council will be required to approve the zone change since the owners of 20 percent or more of the property within 100 feet of the area under consideration have submitted written protest.
CITY OF FARMINGTON
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL DECISION

PETITION 2006 • SPECIAL USE PERMIT

REQUEST:
Petition 2006 is a request from Mr. Gordon Dalen representing Elk's Lodge 1747 for a Special Use Permit (SUP) for a club liquor license for property located on the north side of the Piñon Hills Boulevard frontage road, approximately 600 feet west of Los Arcos Drive.

PUBLIC PARTICIPATION:
A. Notice was published in the Daily Times on Wednesday, October 15, 2003. Certified notification letters were mailed on Friday, October 17, 2003 to owners of property within 100 feet of the proposed site. A sign was posted on the property on Friday October 17, 2003.
B. The Planning and Zoning Commission conducted a public hearing on this request on Thursday, October 30, 2003. Mr. Gordon Dalen spoke in favor of the petition.

SUMMARY OF RELATED FACTS:

A. The Property

<table>
<thead>
<tr>
<th>Location</th>
<th>2500 block of Piñon Hills Frontage Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical</td>
<td>Hilly, undeveloped piñon-juniper terrain. The property is 10 acres.</td>
</tr>
<tr>
<td>Characteristics</td>
<td></td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Vacant</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>O-P, Office, Professional and Institutional District</td>
</tr>
</tbody>
</table>

B. Surrounding Zoning and Land Use

<table>
<thead>
<tr>
<th>North</th>
<th>R-S2, large-lot residential use</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>R-S2, vacant land, large-lot residential use</td>
</tr>
<tr>
<td>South</td>
<td>R-A, Piñon Hills Blvd &amp; SJC</td>
</tr>
<tr>
<td>West</td>
<td>R-S2, vacant land, large-lot residential use</td>
</tr>
</tbody>
</table>

C. Description of Proposed Activity

The request is approval of a five year extension of a special use permit for a club liquor license.
FINDINGS:

A. Elk's Lodge 1747 is the titled owner of the subject property in the 2500 block of Piñon Hills Frontage Road.

B. On September 9, 1998 the City Council approved Petition 1669 requesting a zoning change from R-S2, Suburban Residential District to O-P, Office, Professional and Institutional District and a special use permit for a club liquor license.

C. Special Use Permit 1669 expired on September 9, 2003, as the Elk's Lodge failed to use the permit within the extended five year period.

D. A private club or lodge such as the Elk's Lodge is a use permitted by right in the O-P district. A club liquor license is necessary to serve alcohol.

E. The petitioner lacks a plan or timetable for the construction of a building in which to house the license.

COMMISSION ACTION:

Motion was made by Commissioner Wimsatt and seconded by Commissioner Simpson to approve Petition 2006, from Elk's Lodge 1747 for a five-year Special Use Permit (SUP) for a club liquor license on property located on the north side of the Piñon Hills Boulevard frontage road, approximately 600 feet west of Los Arcos Drive:

AYE: Commissioners Kuchera, Mermor, Moffett, Simpson, Wimsatt and Chairman Shields

NAY: None

ABSTAINED: None

ABSENT: Commissioners Kysar and Williams

The motion passed (6-0).

COUNCIL ACTION:

On November 11, 2003, the City Council, by a vote of four (4) in favor, none (0) opposed, adopted the Planning and Zoning Commission Action Summary and approved Petition No. 2006 a request from a request from Mr. Gordon Dahlen representing Elk's Lodge 1747 for a Special Use Permit (SUP) for a club liquor license for property located on the north side of the Piñon Hills Boulevard frontage road, approximately 600 feet west of Los Arcos Drive with a waiver of Farmington City Code Section 27-27-4(c) to allow five years in which to begin the allowed use.

Approved this 11th day of November 2003

William E. Standley, Mayor
## PLANNING MEMO COMMENTS SUMMARY

**SUP 19-46 2670 PINON FRONTAGE ROAD**

*Deadline: 5/28/19*

### City of Farmington Departments

<table>
<thead>
<tr>
<th>Department</th>
<th>Contact</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD</td>
<td>Director</td>
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<tr>
<td>CD</td>
<td>Addressing - Planning Division</td>
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<tr>
<td>CD</td>
<td>Chief Building Official – D. Childers</td>
<td>No comment</td>
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<tr>
<td>CD</td>
<td>Long Range Planner</td>
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<tr>
<td>CD</td>
<td>MPO</td>
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<td>CD</td>
<td>Oil &amp; Gas Inspector – L. Simms</td>
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<tr>
<td>CITY</td>
<td>City Manager's Office – J. Baird</td>
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<tr>
<td>ELEC</td>
<td>Customer Care Manager – L. Richardson</td>
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<td>ELEC</td>
<td>Electrical Engineering – L Aligarbes</td>
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<td>ELEC</td>
<td>T &amp; D – R. Romero</td>
<td></td>
</tr>
<tr>
<td>FIRE</td>
<td>Fire Captain – K. Rix</td>
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<tr>
<td>FIRE</td>
<td>Fire Marshall – B. Vega</td>
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<tr>
<td>LEGAL</td>
<td>City Attorney – J. Breakell</td>
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<tr>
<td>LEGAL</td>
<td>Deputy City Attorney – E. Wayne</td>
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</tr>
<tr>
<td>POLICE</td>
<td>Code Compliance – M. Romero</td>
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<tr>
<td>POLICE</td>
<td>Sergeant – P. Flores</td>
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<tr>
<td>PRCA</td>
<td>S. Reeves/ R. Crosby</td>
<td>No comment</td>
</tr>
<tr>
<td>PRCA</td>
<td>ORII – C. Styron</td>
<td>No comment</td>
</tr>
<tr>
<td>PW</td>
<td>City Engineer – N. Westerling</td>
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<td>PW</td>
<td>Engineering – T. Sitta</td>
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<tr>
<td>PW</td>
<td></td>
<td>Submittal of a drainage plan with installation of a detention pond and/or a storm drain being proposed to meet the supplemental drainage requirements of the City Unified Development Code (UDC) prior to the issuance of a building permit; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Pinon Frontage Road may be required to be improved with a minimum of 24-feet wide strip of paving meeting City specification, from the west edge of the site to existing paving near the southeast corner of the subject property.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(See prior development requirements for</td>
</tr>
</tbody>
</table>
Would we require them to pave the frontage road adjacent to their property and build curb/gutter/sidewalk? I would also like to see a little more detailed site plan. I reviewed the conceptual plan attached and the driveway/access is unclear. Also, I agree with the comments on the memo about the parking lot. More detail about the parking lot would be helpful.

<table>
<thead>
<tr>
<th>PW</th>
<th>Water/Waste Water – M. Tso</th>
<th>No comment</th>
</tr>
</thead>
</table>

**Other Entities**

<table>
<thead>
<tr>
<th>Company</th>
<th>Contact</th>
<th>Notes</th>
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<tbody>
<tr>
<td>New Mexico Gas Company</td>
<td>R. Castillo</td>
<td>No comment</td>
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<tr>
<td>CenturyLink</td>
<td>J. Laurence</td>
<td>No comment</td>
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<tr>
<td>Enterprise Field Services</td>
<td></td>
<td></td>
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<tr>
<td>Comcast Cable</td>
<td>M. Johnson</td>
<td></td>
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<tr>
<td>CH2MHILL OMI</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surface Land Negotiator for BP</td>
<td>M. Venzara</td>
<td></td>
</tr>
<tr>
<td>Farmington School District</td>
<td>C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
ETITION APPLICATION

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

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
- ☑ Variance (ARB)
- ☑ Zone Change to ______ District
- ☑ Temporary Use Permit
- ☑ Proposed Length of Use:
- ☑ Well site equipment modification

INFORMATION

Applicant's Name: Lifechoices LLC
Address: 2670 Pinon Frontage Rd
E-Mail: olufumi@adol.com
Telephone: 612-328-4819
Relationship to Property Owner: Buyer

Project Location: 2670 Pinon Frontage Rd
Existing Use: Empty Lot
Proposed Use: Inpatient Treatment Center
Current Zoning: Office/Professional
Assessor's Parcel I.D. and/or Tax I.D. Number: TIN: 83-3656353

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

If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: Christiana Greene
E-Mail: olufumi@adol.com
Phone: 612-328-4819
Address: 5701 Shingle Creek Pkwy, Suite 650
Brooklyn Center, MN 55421

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary, Specific type of ownership interest, Fee, Estate Contracts, Option to Purchase)

Name: Nathan Kelly
Phone: 505-360-6778
Address:

MORTGAGE HOLDERS (if any)

Name: 
Phone: 
Address:

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 and consent that all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for unauthorized 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 meeting following the P&Z review.

Name: Christiana Greene
Address: 5701 Shingle Creek Pkwy, Suite 650

Owner's Signature: __________________________

STAFF USE ONLY

Staff Use: ☑ Blue Line copies of Plans

☐ Ownership Report (subject and surrounding properties)

☐ Legal Description

☐ Detailed Statement of Proposed Use

- 4.24 -
LIFE CHOICES
Chemical Health Services
2670 Pinon Frontage Road
Farmington, NM 87401
Tel: 763-762-6708
Fax: 763-762-6537

Wednesday, May 22, 2019

Letter of Intent to open an Inpatient/Outpatient Chemical Dependency Treatment Center

Lifechoices, LLC intends to open a Rule31 Chemical and Mental Health Inpatient and Outpatient Clinic, Farmington, New Mexico. Lifechoices mission is to provide a safe, caring, and therapeutic environment for those suffering from drug and alcohol addiction. We provide a customized, and patient-centered treatment approach that promotes long-term recovery. With the flexibility of services, our programs help get the client’s life back on track and to remain within a supportive family and community environment.

Lifechoices, LLC purposed location will be 2670 Pinon Frontage Road, Farmington, NM 87401.

The purpose of Lifechoices LLC is to provide Inpatient and Outpatient substance use treatment, comprehensive assessments, peer support, and care coordination to men and women age 18 and older, who meet the criteria for substance abuse disorders, and may have a co-occurring disorder in mental health. We will also provide a continuum of behavioral health, substance abuse and Mental Health services, to individuals and families in the New Mexico area, to improve the quality of their lives, and empower clients to participate in their communities at their highest level of functioning. The program goal is to help each individual function independently in the community, without further chemical health problems and find their path to recovery.

Lifechoices, LLC seeks to address the whole person, and to provide a bridge to recovery. We know that there are many pathways to recovery. We provide clients the resources to support, and to navigate systems and factors that interfere with recovery such as addiction, homelessness, mental health issues, relationship problems, legal issues, living environment and strategies for dealing with stress in daily living.

The overachieving purpose, is to help people improve the quality of their lives by providing these services.
We are therefore requesting a special use permit, for this proposed facility, so we can prepare for licensing.

USE OF PROPOSED SPACE

The proposed space will have 30 rooms of living space. Each equipped with a bathroom, and 2 beds. There will also be 5 large conference rooms for groups, a visiting area, a kitchen and dining room, a meditation room, a movie room, a reading library, Bathrooms, storage rooms and Janitor closet. There
will also be about 16 offices for on-site staff. There will be about 16 people on staff, with 4 – 6 after
hours staff. There also will be 24 hour security for this facility. Parking will be on the proposed lot

Because this is an inpatient facility, the clients are not allowed to leave the premises without staff
approval, and must be accompanied by a staff member. All programming events will be on the premises.
WARRANTY DEED
LINCOLN VALLEY LAND COMPANY, a New Mexico Corporation

TO:
THE DEEDRECORD AND PROTECTIVE OFFICE OF MORA, CODE 1747

The following described real estate:
The South one-half of the Southwest one-quarter of the Southwest one-quarter of the Southwest one-quarter of the Southeast one-quarter of Section Twenty-six (26), Township Thirty (30) North of Range Thirteen (13) West, N.M.,

Subject to easements, reservations and restrictions of record or in place.

WITNESS: 

LINCOLN VALLEY LAND COMPANY

ACKNOWLEDGMENT FOR NATURAL PERSONS
STATE OF NEW MEXICO
COUNTY OF CHAVES
This instrument was acknowledged before me on DECEMBER 16, 1993, by:
ROM GREEN, VICE PRESIDENT

For Recorder's Use Only
FILED OR RECORDED ON BOOK 124 PAGE 879 SANTUAN COUNTY, NEW MEXICO
DEC 28 1993

ACKNOWLEDGMENT FOR CORPORATION
STATE OF NEW MEXICO
COUNTY OF CHAVES
This instrument was acknowledged before me on DECEMBER 16, 1993, by:
LINCOLN VALLEY LAND COMPANY
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. SUP 19-46 - a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center in the OP Office Professional District, for property located at 2670 Piñon Frontage Road, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
The S/2SW/4SW/4Sf/4 and the NW/4SW/4SW/4Sf/4 of Section 26, Township 30 North of Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Otherwise known as 2670 Piñon Frontage Road

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, June 13, 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 25, 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
SPECIAL USE PERMIT
PETITION NO. SUP 19-46

May 21, 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 Life Choices, LLC., represented by Christiana Greene, for a special use permit for an inpatient treatment center (group care facility) in the OP, Office Professional District, for property located at 2670 Piñon Frontage Road, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
The S/2SW/4SW/4SE14 and the NW/4SW/4SW/4SE/4 of Section 26, Township 30 North of Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico. 
Otherwise known as 2670 Piñon Frontage Road

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, June 13 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 25, 2019 at 6:00 p.m., in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons of interest and citizens are invited to attend said hearing.

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

If you have any questions or would like additional information regarding this notice or the petition, please contact Helen Landaverde at 505-599-1282 or hlandaverde@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:

That part of the South Half of the Southwest Quarter of the Southeast Quarter (S/2SW/4SW/4SE/4) and the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (NW/4SW/4SW/4SE/4) of Section Twenty-Six (26), Township Thirty (30) North of Range Thirteen (13) West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

TRACT 1 & 8
The Benevolent and Protective Order of Elks, Lodge 1747
801 Municipal Drive
Farmington, NM 87401

That part of the S/2SW/4SW/4SE/4 and the NW/4SW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1174, page 899

AND

That part of the NE/4SW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1115, page 47
Book 1115, page 48

TRACT 2
Robert T. Horvath
303 Canyon View Drive
Farmington, NM 87401

That part of the SE/4SE/4SW/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 406, page 172

TRACT 3
Elizabeth Anne McBride Living Trust
1703 Chaco Avenue
Farmington, NM 87401

That part of the N/2SE/4SE/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 726, page 102
Book 1374, page 549
Book 1496, page 531
TRACT 4
Edgar Harold Lohmann
9928 Wagner Lane
Westminister, CO 80031

That part of the NE/4SE/4SE/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 691, page 593
Book 1203, page 286

TRACT 5 & 6
Craig M. Horn and Linda D.C. Horn Living Trust
3600 North Coronado Avenue
Farmington, NM 87401

That part of the SE/4NE/4SE/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1488, page 776

AND

That part of the SW/4NW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1159, page 721

TRACT 7
Snowmass Corporation
1009 Ridgeway Place, Suite 204
Farmington, NM 87401

That part of the SE/4NW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1110, page 945

TRACT 9
Phillip Robert Vouterin, Gloria V. Quintana and Christine M. Vouterin Revocable Trust
1624 Erbba NE
Albuquerque, NM 87112

That part of the NW/4SE/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1330, page 857
Book 1330, page 858
Book 1606, page 460

TRACT 10
Anumas Land Company, I.L.C.
2650 East Pinon Frontage Road, Suite 200
Farmington, NM 87402

Unit 1 of the COLLEGE HILLS PROFESSIONAL PLAZA, in the City of Farmington, San Juan County, New Mexico, filed for record April 12, 2011.

Book 1544, page 518
AND

Jack O. Smalley and Lisa R. Smalley
5711 Tee Drive
Farmington, NM 87402

Unit 2 of the COLLEGE HILLS PROFESSIONAL PLAZA, in the City of Farmington, San Juan County, New Mexico, filed for record April 12, 2011.

Book 1544, page 161

AND

College Hills Professional Plaza LLC
1509 Knudsen
Farmington, NM 87401

Unit 3 of the COLLEGE HILLS PROFESSIONAL PLAZA, in the City of Farmington, San Juan County, New Mexico, filed for record April 12, 2011.

Book 1526, page 11

AND

Unit 4 of the COLLEGE HILLS PROFESSIONAL PLAZA, in the City of Farmington, San Juan County, New Mexico, filed for record April 12, 2011.

Book 1526, page 11

TRACT II

San Juan College
4601 College Boulevard
Farmington, NM 87402

That part of the S/2NE/4, N/2NE/4, E/2NW/4, SW/4, SW/4SE/4, W/2SE/4SF/4, S/2SE/4SE/4SE/4SE/4 and N/2NE/4SE/4SE/4SE/4 all in Section 35, Township 30 North, Range 13 West, and Lot 1 of Section 2, Township 29, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 641, page 278
Book 647, page 108
Book 912, page 387
Book 942, page 505
Book 1062, page 111
Book 1100, page 273

TO: May 1, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: Lorraine Austin, Abstractor
Memo

To: Mayor Duckett and Members of the City Council
From: Francisco Alvarado
Date: June 25, 2019
Subject: Discussion of and direction to staff regarding Federal Fiscal Year 2019 Community Development Block Grant (CDBG) Capital Project Funds; Update on Timeliness and 2018 Capital Projects

CDBG Staff made a call for suggestions to Department Heads for Capital Projects on May 17. A total of $236,397 is available for 2019 Capital Projects.

A total of five (5) projects were submitted by two (2) departments:

Public Works Proposed ADA Upgrades –

1) Multi-use pathway improvements are needed throughout the City of Farmington to promote connections for multi-modal means of transportation including pedestrian and bicycles. The City's Public Works Department is proposing to complete a bicycle lane connection between Cedar Street and Butler Avenue per the City Traffic Engineers "Accessible Improvements Ideas for on Street Bikeways" report. The proposed project area on Broadway, between the bridge and Butler Avenue, is located within a low-to-moderate income area.

The City of Farmington's Public Works Department is requesting CDBG funding for the portion of the project area that is from the bridge through the intersection of Scott Avenue. The proposed roadway improvements for the implementation of a bike lane on Broadway and pedestrian improvements at the intersection of Scott Ave will included, but may not be limited to: median removal, repaving, restriping to add two (2) five (5) foot bike lanes, and retrofitting eight (8) pedestrian ramps to meet American with Disabilities (ADA) standards.

The cost of the project between the bridge and Scott Avenue is approximately $115,000. Alternative funding will be used for bike lane connections outside of areas eligible for CDBG funds and may be completed at a later date.

2) Pedestrian ramps and sidewalks within the area between Animas and Maple Street, south of Broadway Avenue are in need of improvements for compliance with ADA standards. A combination of 28 pedestrian ramp and sidewalk improvements for ADA compliance will be completed for this project.

The location will be the area between Animas and Maple Street, south of Broadway, where connections from Broadway Avenue to City of Farmington Facilities are needed.

The cost of the project will be approximately $112,000.
Parks, Recreation & Cultural Affairs (PRCA) Proposed ADA Upgrades –

3) Farmington Recreation Center:
   • Upgrade bathroom stall doors, hardware, grab bars, and toilet paper dispensers.
   • Replace toilet tanks and flushing mechanisms.
   • Replace lockers include ADA accessible units.
   • Replace benches with ADA accessible units.
   • Create ADA accessible levers in shower.
   • Retrofit sink and gang showers to allow ADA access.

   The cost of the project will be approximately $55,250.

4) Farmington Indian Center:
   • Increase indoor widths.
   • Upgrade bathroom stall doors, hardware, grab bars, and toilet paper dispensers.
   • Replace toilet tanks and flushing mechanisms.
   • Correct non-compliant floor slopes.
   • Replace lockers include ADA accessible units.
   • Create ADA accessible levers in shower.
   • Retrofit gang showers to allow ADA access.

   The cost of the project will be approximately $43,750.

5) Berg Park:
   • Repair damaged concrete, bevel edges within concrete, or create ramps to accessible routes.
   • Correct or repair non-compliant ramp slopes at all existing ramped entries.
   • Rehabilitate concrete paths along accessible routes.

   The cost of the project will be approximately $16,171.25.

Representatives of those departments plan to present their proposals to you at the meeting. In light of the recent timeliness concern with HUD, a question to ask is how soon after October 1 (beginning of FFY2019) will these projects be ready for construction.

CDBG Staff is asking for direction from the City Council regarding the selection of project(s). Once selected, the project(s) will be included in the First Year Annual Action Plan of the 2019-2023 Consolidated Plan, scheduled for your consideration on August 13.

Update on Timeliness and 2018 Capital Projects

Stephanie Herrera/HUD advised on May 2 that the City’s Timeliness is currently at 1.08, which means the City is on track to be within the regulatory standard (less than 1.50) when the test is due in August. Both the grants for the Boys & Girls Club Teen Center (2016) and the Public Works ADA Improvements (2017) have been spent down.

Of the 2018 Capital Projects, the environmental review for the Bonnie Dallas Senior Center ADA Improvements has begun and the substantial amendment to reallocate the $130,000 designated for a homeless shelter to PRCA ADA Improvements (Exterior-Sycamore Park Community Center, Exterior-Farmington Recreation Center, and Civitan Park North). It is either planned that the Substantial Amendment will be included in the First Year Annual Action Plan in the Consolidated Plan or be prepared separately after the Consolidated Plan has been completed.
RESOLUTION NO. 2019-1718

A RESOLUTION APPROVING THE FIFTH REVISION TO THE FY2019 BUDGET AND REQUESTING STATE APPROVAL

WHEREAS, the City Council of the City of Farmington hereby finds that it is necessary and proper to make this fifth revision to the City's FY2019 budget due to various revenue and expense budget adjustments; and

WHEREAS, revenue will be increased by $1,219,000 for a total revenue budget of $232,154,698 and expenditures will increase by $2,508,149 for a total expenditure budget of $283,122,479; and

WHEREAS, the City has sufficient financial resources to fund this revision; and

WHEREAS, it is necessary to submit these budget adjustments to the New Mexico Department of Finance and Administration for review and approval.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Farmington:

That the attached fifth revision to the City of Farmington's FY2019 Budget is hereby approved; and

That a copy of this Resolution and the approved budget revision shall be forwarded to the Department of Finance and Administration for state review and approval.

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

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk
<table>
<thead>
<tr>
<th>Fund Title</th>
<th>Fund Number</th>
<th>UNAUDITED BEGINNING CASH BALANCE</th>
<th>BUDGETED REVENUES</th>
<th>BUDGETED TRANSFERS</th>
<th>BUDGETED EXPENDITURES</th>
<th>ESTIMATED ENDING FUND CASH BALANCE</th>
<th>LOCAL RESERVES UNAVAILABLE FOR BUDGETING</th>
<th>ADJUSTED ENDING CASH RESERVES</th>
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<td>Sanitation Enterprise</td>
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<td>204</td>
<td>Lake Farmington Shade Structures, Marketing Material and Message Boards GRT</td>
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<td>Comprehensive Plan</td>
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<td>204</td>
<td>Bike Path Expansion</td>
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Budget Council approved projects for the Community Transformation and Economic Diversification GRT Fund.

2.14 Increasing Access to Healthy Food Grant Revenue | PRCA Gifts and Grants Fund | 214-0000-365.80-09 | 25,000 | 299 |
| 214 | Increasing Access to Healthy Food Grant training | PRCA Gifts and Grants Fund | 214-3505-458.60-16 | 25,000 | 299 |

- 214 Raid Grant Revenue | PRCA Gifts and Grants Fund | 214-0000-334.10-21 | 5,000 | 299 |
| 214 | Raid Grant Expenditure (Recycling and Illegal Dumping Grant) | PRCA Gifts and Grants Fund | 214-3519-458.60-21 | 30,000 | 30,000 |

Grant award and donation/gift adjust to actual.
MEMO

DATE: June 18, 2019
TO: Jennifer Breakell, City Attorney
FROM: David Sypher, Public Works Director
RE: 2019 Recycling Processing Fees

Attached for your review is a letter prepared by Dan Darnell, NM Public Sector Manager for Waste Management, describing the elements of the proposed rate adjustments to the 2019 rates, including recycling process fees, landfill disposal costs, CPI and fuel review.

Also attached are two ordinance draft copies, one includes “at your door” service, the other does not include “at your door” services. We will require direction from Council in our request to draft/publish on which ordinance they desire.

Attachments
May 9, 2019

David Sypher, Public Works Director
City of Farmington
800 Municipal Drive
Farmington, NM 87401

Re: 2019 Recycling Processing Fees, Landfill Disposal Costs, CPI and Fuel Review

Dear David:

It has been a pleasure serving you and the citizens of Farmington during the past year. We will continue to focus on providing a high quality service in as cost effective a manner as possible. As per our discussions, this letter will be addressing four adjustment items, specifically, recycling processing and a landfill disposal adjustment, both of which will go into effect July 1, 2019; as well as your annual CPI and fuel review, which will go into effect September 1, 2019.

Pursuant to Section IV.32(g) of the Agreement for Solid Waste Collection Services between the City of Farmington and Waste Management of New Mexico, Inc., adjustments can be requested for any increase in recycling processing or disposal costs. Over the past 12 months the costs per ton to process recycling materials have increased from $30.00 to blended rate of $63.77 per ton. This is an increase of $33.77 per ton, or an increase of 112.57% increase. The adjustment needed calculates out to $0.25 per household. We are requesting a rate adjustment of $0.25 per household to cover these recycling disposal costs. This increase would be effective beginning July 1, 2019.

Pursuant to Section IV.32(d) of the Agreement, adjustments can be requested for any increase in the cost of disposing of municipal solid waste. Recently the San Juan County landfill has adjusted their disposal fees up by 3.7% CPI only. I have attached the documentation concerning this increase. We are requesting a rate adjustment of $0.09 per home to cover these increased solid waste disposal costs. This increase would be effective beginning July 1, 2019.

Pursuant to Section IV.32(a) of the Agreement, figures for the prior calendar year of the All Urban Consumers: Water and Sewer and Trash collection services (CPI) as published by the U.S. Department of Labor, Bureau of Labor Statistics are used in the calculation for any rate adjustments. This index, CUSR0000SEHG, using a December point to point method of calculation, shows that your rates will be adjusted upwards by 75% of the 4.47%, seasonally adjusted index. This equals a 3.35% increase, or $0.57 per home, effective September 1, 2019.

We have reviewed the fuel cost adjustment pursuant to Section IV.32(b) using the Retail On-Highway Diesel Prices Index for the Rocky Mountain Region for the week including March 1 and ascertained there was a Material Change in the cost of fuel, greater than 10% of the base fuel rate. The prices went from the base fuel rate of $2.79 to $3.22, an increase of 15%. The line of business increases will be: Residential 0.65%, Residential Recycling 0.34% ($0.10 per home), Commercial 0.56%, Commercial Extras & Recycling 0.81% and Roll Off 1.25%, effective September 1, 2019.

I have been asked to include the cost for the Waste Management At Your Door special waste collection services to handle household hazardous and e-Waste materials. As discussed, the cost to implement this program would be $1.05 per home per month; however, if we used the $30,000 per year which we are paying the City for a household hazardous waste program, the cost to implement this program would decrease to $0.87 per home per month. I am including this in my overview below, and am providing a new rate sheet, attached, which will replace the rates found in Exhibit B-2.
Here is a quick breakdown of the impact to residential rates per household.

- As of July 1, 2019, the residential rates would go from $12.12 for MSW and $4.70 for Recycle, to $12.21 for MSW ($0.09 increase) and $4.95 for Recycle ($0.25 increase).

- Then, effective August 1, 2019, with the implementation of the At Your Door program, the residential rates would increase $0.87 to $13.08, and the Recycle rate would remain at $4.95.

- Effective September 1, 2019, with the implementation of the CPI and fuel, the residential rates would go to $13.57 for MSW (an overall increase from the current rates of $1.45) and $5.13 for Recycling (an overall increase from the current rates of $0.43).

- The overall impact would be an increase of $1.88 per household after all adjustments are made.

We have had discussions about how to implement these increases by August 1, 2019, and toward that end, here is a suggested path forward. The City might want to implement the entire increase on August 1, 2019. WM would only implement the landfill and recycling increases July 1, 2019 but would want to implement the CPI and Fuel adjustment until September 1, 2019. The City has agreed to pay the one-month increase (for July 2019) in the following amounts: Residential MSW is $1,727.46; Residential Recycling is $2,142.75; Commercial MSW is $1,816.36; Commercial Recycling is $408.37; and the Recycling Drop Off Center is $611.61. The total expense for all lines of business would be $6,706.55. This would effectively move the anniversary date of the contract from September 1 to August 1, to begin August 1, 2020 by an amendment to the Contract. The City would not see an increase from CPI and fuel from us until September 1st. This would put the City on an August to July Contract cycle. This seems like a clean way to implement the adjustments using a single ordinance change, and I hope this gets us both where we need to be.

I was asked to be prepared to discuss the costs associated with providing bulky item pickup service.

We could offer bulky item pickup at $50 per service (up to three bulky items), directly billed to the customer who wishes to use it. This would be by private contract between the resident who needs the service and Waste Management. Our local hauling site would be dedicating two days per month to picking up bulky items. To use this service, a resident would simply need to call in and set an appointment. At the appointed time WM would come by and pick up their items. Bulky items would include appliances, furniture, mattresses, box springs and other such items too large to place in a trash cart. As an option we could offer bulk item pickup built into the rates for an additional $0.53 per household per month (this calculates to $6.36 per year). Spreading the cost across the total number of households in the community will keep the per-use cost down significantly. Either way, the service would be available to anyone who requests it.

I look forward to presenting to council at the May 21st work session, but I wanted to confirm with you that my letter has captured everything we would like the council to consider. Please review and let me know when you would like to discuss. If you have any further questions, please feel free to call me at 505-382-3274.

Respectfully,

Dan Darnell
New Mexico Public Sector Manager
Waste Management of New Mexico
(505) 891-6978 Office; (505) 382-3274 Mobile
ddarnell@wm.com
ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 23-2-7 OF THE FARMINGTON CITY CODE
ESTABLISHING RESIDENTIAL AND COMMERCIAL CHARGES FOR SANITATION
SERVICE

WHEREAS, the City of Farmington has contracted with Waste
Management of New Mexico, Inc., to provide solid waste sanitation
disposal services for the City; and

WHEREAS, said contract became effective September 1, 2016, and
certain rates and fees for sanitation service need to be amended to
comply with the annual required Consumer Price Index (CPI) and fuel rate
adjustment provisions of the Contract; and

WHEREAS, San Juan County has adjusted their landfill fees to the
Consumer Price Index (CPI); and

WHEREAS, Waste Management requires a rate adjustment due to the
decline in the recycling commodity rates; and

WHEREAS, the City of Farmington desires to add Electronic and
Household Hazardous Waste (HHW) services “at the door”; and

WHEREAS, amendments to Section 23-2-7 of the Farmington City Code
will allow the City to fulfill its obligations under the contract.

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

SECTION 1:  Sec. 23-2-7(a)(1) of the Farmington City Code (Individual
residential solid waste and curbside recycling service – four units or
less) is amended by deleting the figure $12.12 and substituting the
figure $14.66, by deleting the figure $4.70 and substituting the figure
$5.54, by deleting the figure $3.23 and substituting the figure $3.73 and
by deleting the figure $4.18 and substituting the figure $4.96.

SECTION 2:  Sec. 23-2-7(b) of the Farmington City Code (Business and home
occupation service rates) is amended by deleting the figure $18.39 and
substituting the figure $19.11 and by deleting the figure $16.55 and
substituting the figure $17.20.

SECTION 3:  Sec. 23-2-7(c) of the Farmington City Code (Commercial
container service rates) is amended by deleting the "Container (Bin) Rate
Schedule" and substituting the following "Container (Bin) Rate Schedule":

- 7.3 -
INCLUDES
"AT YOUR DOOR"

CONTAINER (BIN) RATE SCHEDULE

<table>
<thead>
<tr>
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<th>Frequency of Collections Per Week</th>
</tr>
</thead>
<tbody>
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<td>Cu.Yd.</td>
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</tr>
<tr>
<td>1/2 or less</td>
<td>51.69 86.46 121.19 155.82 190.56 225.25 260.25</td>
</tr>
<tr>
<td>2</td>
<td>68.75 108.89 149.04 189.16 229.33 269.47 309.60</td>
</tr>
<tr>
<td>3</td>
<td>80.98 139.86 189.89 244.26 298.72 353.20 407.56</td>
</tr>
<tr>
<td>4</td>
<td>97.34 162.62 227.98 293.31 358.62 423.57 489.17</td>
</tr>
<tr>
<td>6</td>
<td>128.63 210.26 297.16 373.62 455.19 536.82 618.48</td>
</tr>
<tr>
<td>8</td>
<td>170.76 260.67 350.44 440.25 530.01 619.85 709.63</td>
</tr>
</tbody>
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SECTION 4: Sec. 23-2-7(d)(1) of the Farmington City Code (Extra Collections) is amended to read as follows:

Extra collections. Extra collection charges requiring more than seven collections per week.

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</tr>
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<td>4</td>
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SECTION 5: Sec. 23-2-7(d)(2) of the Farmington City Code (Lid Lock service charges) a. "Non-automatic lock" is amended by deleting the figure $3.60 and substituting the figure $3.75; b. "Automatic Locks" is amended by deleting the figure $5.47 and substituting the figure $5.70, and deleting the figure $10.96 and substituting the figure $11.41.

SECTION 6: Sec. 23-2-7(d)(3) of the Farmington City Code (Special access service charge) is amended by deleting the "Collections Per Week" and "Rate" schedule and substituting the following "Collections Per Week" and "Rate" schedule:

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(This is a direct bill fee provided for information and includes the 6% franchise fee.)

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<td></td>
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<tr>
<td>2</td>
<td>$42.71</td>
</tr>
<tr>
<td>3</td>
<td>55.51</td>
</tr>
<tr>
<td>4</td>
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SECTION 9: The current paragraph (5) of Sec. 23-2-7(d) is now paragraph (6).

SECTION 9: The above rates will become effective the first cycle billing in September 2019.

SECTION 12: That the remaining provisions of Chapter 23 of the Farmington City Code shall remain unchanged.

PASSED, SIGNED, APPROVED and ADOPTED this 23rd day of July 2019.

/s/
Nate Duckett, Mayor

SEAL

ATTEST:

/s/
Dianne Smylie, City Clerk
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</tr>
<tr>
<td>179.89</td>
<td>8</td>
</tr>
</tbody>
</table>

SECTION 5: Sec. 23-2-7(d)(2) of the Farmington City Code (Lid Lock service charges) a. "Non-automatic lock" is amended by deleting the figure $3.60 and substituting the figure $3.75; b. "Automatic Locks" is amended by deleting the figure $5.47 and substituting the figure $5.70, and deleting the figure $10.96 and substituting the figure $11.41.

SECTION 6: Sec. 23-2-7(d)(3) of the Farmington City Code (Special access service charge) is amended by deleting the “Collections Per Week” and “Rate” schedule and substituting the following “Collections Per Week” and “Rate” schedule:

<table>
<thead>
<tr>
<th>Collections Per Week</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$13.25</td>
</tr>
<tr>
<td>2</td>
<td>26.46</td>
</tr>
<tr>
<td>3</td>
<td>39.68</td>
</tr>
<tr>
<td>4</td>
<td>52.96</td>
</tr>
<tr>
<td>5</td>
<td>66.14</td>
</tr>
<tr>
<td>6</td>
<td>79.39</td>
</tr>
</tbody>
</table>
SECTION 7: Sec. 23-2-7(d)(4) of the Farmington City Code (Commercial corrugated cardboard collection service) is amended by deleting the “Frequency of Collections Per Week Monthly Charges” and substituting the following “Frequency of Collections Per Week Monthly Charges” schedule:
(This is a direct bill fee provided for information and includes the 6% franchise fee.)

<table>
<thead>
<tr>
<th>Container Size in Cubic Yards</th>
<th>Frequency of Collections Per Week Monthly Charges</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>$42.71</td>
</tr>
<tr>
<td>3</td>
<td>55.51</td>
</tr>
<tr>
<td>4</td>
<td>68.31</td>
</tr>
<tr>
<td>6</td>
<td>93.92</td>
</tr>
<tr>
<td>8</td>
<td>128.08</td>
</tr>
</tbody>
</table>

SECTION 8: A new paragraph (5) of Sec. 23-2-7(d) (Commercial polycart recycle service rates) is added as follows:

(5) Commercial polycart recycle service rates. Charges for polycart commercial recycle service shall be as follows per polycart for all businesses that elect to use and pay for this service:

<table>
<thead>
<tr>
<th>Frequency of Collections</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Every other week</td>
<td>$13.90</td>
</tr>
<tr>
<td>Weekly</td>
<td>20.85</td>
</tr>
</tbody>
</table>

SECTION 9: The above rates will become effective the first cycle billing in September 2019.

SECTION 12: That the remaining provisions of Chapter 23 of the Farmington City Code shall remain unchanged.

PASSED, SIGNED, APPROVED and ADOPTED this 23rd day of July 2019.

/s/
Nate Duckett, Mayor

SEAL

ATTEST:

/s/
Dianne Smylie, City Clerk
ORDINANCE NO. 2019-1318

AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 TO OPT INTO 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:

Diane Smylie, City Clerk
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, June 11, 2019. The open regular session was held in full conformity with the laws and ordinances and rules of the Municipality.

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

**MAYOR**
Nate Duckett

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

constituting all members of said Governing Body.

Also present were:

**ASSISTANT CITY MANAGER**
Julie Baird

**CITY ATTORNEY**
Jennifer Breakell

**CITY CLERK**
Dianne Smylie

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

**INVOCATION:** The invocation was offered by Pastor Gary McMillan of Providence Presbyterian Church.

Farmington High School Salutatorian Kaleb Herman 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 28, 2019 and the minutes of the Regular Work Session of the City Council held May 21, 2019.

*DECLARATION OF SURPLUS PROPERTY:* The Chief Procurement Officer recommended that worn-out, unusable or obsolete vehicles (General Services) be declared surplus to the needs of the City and not essential for municipal purposes, and that the City Manager or his designee be authorized to dispose of such surplus property pursuant to State Statutes.

*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).

*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).

*WARRANTS PAYABLE for the time period of May 26, 2019 through June 8, 2019, for current and prior years, in the amount of $10,253,061.34.

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.
RECOGNITION/VALEDICTORIANS, SALUTATORIANS & STATE CHAMPIONS

Mayor Duckett recognized the Class of 2019 Valedictorians and Salutatorians from Navajo Preparatory School ("Navajo Prep"), Farmington High School ("FHS"), Piedra Vista High School ("PVHS") and Rocinante High School. He presented Navajo Prep Valedictorian Xander Jones and Salutatorian Irvilinda Bahe, FHS Valedictorian Emily Nguyen and Salutatorian Kaleb Herman, PVHS Valedictorian Reagan Scheidt and Salutatorian Corbyn Foster and Rocinante Valedictorian Alize Garcia and Salutatorian Elizabeth Walsh with the Mayor's Outstanding Achievement Award.

He also presented various teams, athletes and coaches from Farmington and Piedra Vista High Schools with the Mayor's Outstanding Achievement Award for winning State championships. The presentations were concluded with a hearty round of applause.

RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION:

*CONSENT AGENDA: Public Works/Community Development Director David Sypher requested that the Planning and Zoning Commission recommendations 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 items 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 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.

*(2) 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.

*(3) 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; and
(b) all zoning, building and fire codes being met prior to the issuance of a building permit.

There being no requests to remove any items, 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.
SAN JUAN COUNTY TRASH REPORTER MOBILE APP

Utilizing a PowerPoint presentation, San Juan County GIS Manager Sherice Snell reported that illegal dumping was a major concern expressed by local residents during an outdoor recreation industry initiative public meeting held in April, 2018. As a result, she proudly reported that San Juan County developed a free mobile app that is now available on Google Play and iTunes whereby citizens can report illegal dumping. She noted that, to date, 112 sites have been reported with 41 of those sites being cleaned. She also noted that seven sites are being transferred to the San Juan County Sheriff’s Office for investigation of poaching and other concerns. In closing, she reported that 34.5 tons of trash have been removed from public lands in just over six months at a cost of approximately $1,311 in landfill fees.

In response to inquiry from Mayor Duckett, Ms. Snell confirmed that there are sites where illegal dumping is a constant problem with the Glade Run Area being the primary spot. Mayor Duckett contended that illegal dumping is a deterrent to the growth of the outdoor recreation industry. He suggested that signs and/or cameras be installed at the entrance to Glade Run and questioned whether the household bulk item/hazardous materials pickup service proposed by Waste Management would help deter the problems.

Following further discussion, it was the consensus of the Council to direct staff to identify the most common illegal dumping sites and to recommend to the Council whether a “No Dumping” and/or “Under Surveillance” sign should be erected.

SAN JUAN COLLEGE HARVEST FOOD HUB AND KITCHEN

Utilizing a PowerPoint presentation, ORII/Economic Development Director Warren Unsicker reported that San Juan College is proposing to utilize the former “Roof” facility located at 310 West Animas Street for a Harvest Kitchen and Food Hub. He explained that a food hub is a business or organization that actively manages the aggregation, distribution and marketing of source-identified food products, primarily from local and regional producers, for the purpose of strengthening capacity and access to wholesale, retail and institutional markets. He reported that food hubs generally have a positive economic, social and environmental impact on a community and fulfills a critical gap in the regional food system. He also reported that it catalyzes entrepreneurship and enhances the outdoor recreation industry initiative. Mr. Unsicker pointed out that San Juan College has applied for grant funding for the purpose of purchasing commercial-grade kitchen equipment for the facility and noted that the City’s contribution to the project is the use of the building. Assistant City Manager Julie Baird noted that staff is continuing to negotiate with San Juan College with regard to the cost of the renovations of the facility, but pointed out that there are no loadbearing walls and that the proposed improvements are minor in nature.

Mayor Duckett expressed his full support of the program.

In response to inquiry from Councilor Rodgers, San Juan College Project Manager Erin Havens reported that most food hubs across the country charge a 20 percent markup to the farmers to pay for distribution and storage costs, but pointed out that they keep the source identification which is a benefit. She also noted that the kitchen will be available for rent at a cost of $15 to $25 per hour. Responding to a question from Councilor Sharer, Ms. Havens confirmed that the foods being offered for sale at the facility will be prepackaged and that food will not be consumed on-site. She also noted that a truck has been purchased with grant funds for the purpose of selling local produce at the Farmers Market and other venues, such as the Bonnie Dallas Senior Center.

Following further consideration, it was the consensus of the Council to direct staff to continue negotiations on the renovations of the building at 310 West Animas Street for development of the San Juan College Harvest Food Hub and Kitchen.

RESOLUTION NO. 2019-1716/COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN PARTICIPATION PLAN FOR THE 2019-2023 CONSOLIDATED PLAN

The Mayor convened the public hearing for the purpose of receiving comments on the Community Development Block Grant (“CDBG”) Citizen Participation Plan for the 2019-2023 Consolidated Plan.
Utilizing a PowerPoint presentation, Associate Planner Francisco Alvarado explained the goals of the Citizen Participation Plan and the steps that were taken to make the draft plan available to the public. He also noted that the proposed plan increases the threshold for substantial amendments to avoid timeliness issues and deletes the need for a public hearing on the Consolidated Annual Performance and Evaluation Report (CAPER) since it is a financial report and not a plan. He requested adoption of Resolution No. 2019-1716 adopting the Community Development Block Grant Citizen Participation Plan for the 2019-2023 Consolidated Plan.

There being no response to the Mayor's call for comment, the public hearing was closed.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to adopt Resolution No. 2019-1716 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. 2019-1716 was duly passed and adopted.

APPOINTMENT TO THE NORTHWEST NEW MEXICO SENIORS BOARD OF DIRECTORS

The Mayor asked the Council's consideration of the appointment of Assistant Parks, Recreation & Cultural Affairs Director Natalie Spruell as a member of the Northwest New Mexico Seniors Board of Directors.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to confirm the appointment of Natalie Spruell as a member of the Northwest New Mexico Seniors Board of Directors, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

APPOINTMENTS TO THE FARMINGTON CONVENTION & VISITORS BUREAU BOARD OF DIRECTORS

The Mayor asked the Council's consideration of the appointment of Acting Administrative Services Director Teresa Emrich as the primary member and Parks, Recreation & Cultural Affairs Director Shana Reeves as the alternate member of the Farmington Convention & Visitors Bureau Board of Directors.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to confirm the appointments of Teresa Emrich and Shana Reeves as members of the Farmington Convention & Visitors Bureau Board of Directors, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Northwest New Mexico Council of Governments Representation

Mayor Duckett announced that staff is seeking interest from the Council regarding the Northwest New Mexico Council of Governments Board of Directors, noting that this position has been filled by staff following the passing of long-term member Dr. William Hall last year. He noted that the meetings are held quarterly in Gallup, New Mexico and he asked the Council for their interest in filling either the primary member or the alternate position.

Senior Citizen Rate at Lions Pool

At the request of several of his constituents, Councilor Sharer asked staff to consider implementing a Senior Citizen's rate at Lions Pool.
CITY MANAGER BUSINESS

Cancellation of the June 18, 2019 City Council Work Session

Assistant City Manager Julie Baird requested that the June 18, 2019 City Council Work Session be canceled due to the Mayor and several key personnel attending the Outdoor Retailer Summer Market in Denver, Colorado.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Jakino to cancel the June 18, 2019 City Council Work Session, and upon voice vote the motion carried unanimously.

City Clerk Dianne Smylie presented for discussion a proposed ordinance dealing with the Local Election Act. The title of such ordinance being:

AN ORDINANCE OPTING-INTO THE ELECTION OF THE CITY'S MUNICIPAL OFFICERS IN THE REGULAR LOCAL ELECTION PURSUANT TO SECTION 1-22-3.1(B) NMSA 1978.

Providing a brief overview, Ms. Smylie reiterated that staff is recommending that the City opt-in to the Local Election Act which will change the election cycle from March of even numbered years to November of odd numbered years and that the terms for the seated governing body be extended to December 31, 2021 for Councilors in Districts 1 and 2 and December 31, 2023 for the Mayor, Councilors in Districts 3 and 4 and the municipal judges. She asked for direction from the Council on how to proceed.

In response to inquiry from Councilor Rodgers, Ms. Smylie confirmed that the fee assessment was removed in House Bill 407 which will result in a cost savings of approximately $40,000 in Fiscal Year 2020 if the Council chooses the Regular Local Election cycle.

Mayor Duckett announced that he is favorable to opting-in and Councilor Sharer stated that he has not received any negative feedback on the proposed term extensions.

There being no further discussion, Ms. Smylie announced that the proposed ordinance will be presented for final action at the June 25, 2019 regular City Council meeting.

BUSINESS FROM THE FLOOR

Red Apple Transit

Addressing the Council on behalf of the National Federation of the Blind, Karen Carter, 404 W. 30th Street, questioned whether the hours of operation for the Red Apple Transit could be extended into the evening hours and whether the bus stops could be expanded. In response, General Services Director Eddie Smylie offered to meet with Ms. Carter in private to discuss her concerns.

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 7:34 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 25th day of June, 2019.

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

SEAL

ATTEST:

Dianne Smylie, City Clerk

Nate Duckett, Mayor