Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, May 21, 2019 at 9:00 a.m. in the Executive Conference Room at City Hall, 800 Municipal Drive, Farmington, New Mexico, in full conformity with the rules, regulations and ordinances of the municipality.

At such meeting the following were present, constituting a quorum:

MAYOR
Nate Duckett

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

constituting all the members of the Governing Body.

Also present were:

CITY MANAGER
Rob Mayes

CITY ATTORNEY
Jennifer Breakell

CITY CLERK
Dianne Smylie

DEPUTY CITY CLERK
Andrea Jones

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

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

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

PRESENTATIONS/PROPOSALS FOR THE FARMINGTON COMPREHENSIVE PLAN 2040

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

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

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

Logan Simpson Design, Inc.

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

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

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

RECESS

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

Councilor Sharer arrived during the recess.

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

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

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

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

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

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

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

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

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

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

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

Those voting nay: Jeanine Bingham-Kelly

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

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Rodgers that Resolution No. 2019-1713 be passed and adopted as presented. The roll was called with the following result:

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

Those voting nay: None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2019-1713 was duly passed and adopted.

RECESS

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

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

HOURS OF OPERATION, PRICING AND PASS STRUCTURE/AQUATIC FACILITIES

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

BID/ANNUAL STREET MAINTENANCE

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

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

**BID/BASE COURSE AND ASPHALT**

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

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

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

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

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

**CLOSED MEETING**

A motion was made by Councilor Rodgers, seconded by Councilor Sharer to close the meeting to discuss request for proposals for the 115kV upgrade for the Hare to Dwight Arthur Substations, pursuant to Section 10-15-1H(6) NMSSA 1978. The roll was called with the following result:

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

- Those voting nay: None

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

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

Following the closed meeting, during which meeting the matter discussed was limited only to that specified in the motion for closure, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 12:46 p.m. with all members of the Council being present.

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

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

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

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

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

Those voting nay: None

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

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

Following the closed meeting, during which meeting the matters discussed were limited only to those specified in the motion for closure, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 2:27 p.m. with all members of the Council being present and there being no further business to come before the Council, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to adjourn the meeting at 2:27 p.m., and upon voice vote the motion carried unanimously.

APPROVED this 11th day of June, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk