Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 6:00 p.m. on Tuesday, May 28, 2019. The open regular session was held in full conformity with the laws and ordinances and rules of the Municipality.

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

**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:

**CITY MANAGER**      Rob Mayes

**ASSISTANT CITY MANAGER**        Julie Baird

**CITY ATTORNEY**        Jennifer Breakell

**DEPUTY CITY CLERK**        Andrea Jones

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

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

Chief Procurement Officer Kristi Benson led the Pledge of Allegiance.

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

*MINUTES:* The minutes of the Regular Meeting of the City Council held May 14, 2019 and the minutes of the Special Work Sessions of the City Council held May 7, 2019 and May 13, 2019.

*GRANT AWARD NUMBER G19SNO010A between the City and the Office of National Drug Control Policy for funding in the amount of $352,500 for the Region II High Intensity Drug Trafficking Area (HIDTA) Narcotics Task Force from January 1, 2019 to December 31, 2020.

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

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

**RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION:**

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

*(1)* Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Action Summary to approve Petition No. 2C 19-33
from Tristan Hawkins requesting a zone change from the LNC, Local Neighborhood Commercial, District to the MU, Mixed-Use, District and to grant variances to allow a five-foot rear yard setback and to allow for one off-street parking space in the front yard area for property located at 401 North Auburn Avenue.

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

AQUATICS DIVISION/HOURS OF OPERATION, PRICING AND PASS STRUCTURE

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

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

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

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

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

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

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

GRANT APPLICATION/RECREATION ECONOMY FOR RURAL COMMUNITIES PLANNING ASSISTANCE PROGRAM

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

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

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

REAPPOINTMENTS TO THE PLANNING AND ZONING COMMISSION

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

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

COUNCIL BUSINESS

Recognition of City staff and volunteers

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

Commendation of City staff

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

CITY MANAGER BUSINESS

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

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

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

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

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

Those voting nay: None
The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2019-1714 was duly passed and adopted as amended.

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

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

Gwynhaven Park

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

Miniature Golf

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

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

State of New Mexico Land Swap

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

Riverside Market Kiosk

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

Southside River Trail

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

RECOGNITION OF CORY STYRON

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

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

CITY ATTORNEY BUSINESS

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


After consideration of Resolution No. 2019-1715, a motion was made by Councilor Rodgers, seconded by Councilor Sharer that said resolution be passed and adopted as presented. The roll was called with the following result:

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

Those voting nay:  None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2019-1715 was duly passed and adopted.

CITY CLERK BUSINESS

Local Election Act/Permission to Publish Ordinance

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

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

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

Those voting nay: None

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

CLOSED MEETING

A motion was made by Councilor Sharer, seconded by Councilor Rodgers to close the meeting to discuss request for proposals for the Farmington Comprehensive Plan 2040, pursuant to Section 10-15-1H(6) NMSA
1978. The roll was called with the following result:

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

Those voting nay: None

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

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

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

The open meeting was reconvened by the Mayor at 7:47 p.m. with all members of the Council being present.

REQUEST FOR PROPOSALS/FARMINGTON COMPREHENSIVE PLAN 2040

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

Following brief discussion, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to award the proposal for the Farmington Comprehensive Plan 2040 to Logan Simpson Design, Inc., and upon voice vote the motion carried unanimously.

There being no further business to come before the Council, a motion was made by Councilor Sharer, seconded by Councilor Jakino to adjourn the meeting at 7:50 p.m., and upon voice vote the motion carried unanimously.

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

Approved this 11th day of June, 2019.

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

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk