

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, November 19, 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 Jeanine Bingham-Kelly Janis Jakino

constituting all the members of the Governing Body.

Also present were:

CITY MANAGER	Rob Mayes
ASSISTANT CITY MANAGER	Julie Baird
CITY ATTORNEY	Jennifer Breakell
CITY CLERK	Dianne Smylie
DEPUTY CITY CLERK	Andrea Jones

#### EMPLOYEE OF THE MONTH PROGRAM AWARD

Employee Council President Joanna Oliver recognized Materials Specialist Chris "Nez" Oliver-Nez as the Employee of the Month award recipient for October 2019. Mr. Oliver-Nez was presented with a plaque and gift certificate and the Mayor and Council expressed their appreciation for his dedication to the City.

#### GOVERNMENT FINANCE OFFICERS ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING, DISTINGUISHED BUDGET PRESENTATION AND OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING

Mayor Duckett proudly announced that the Administrative Services Department has received the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for 25 consecutive years, the Distinguished Budget Presentation Award for 22 consecutive years and the Popular Annual Financial Reporting Award for 9 consecutive years. He noted that Farmington is one of only four municipalities in the state to receive all three budget and financial reporting awards within the same year.

Administrative Services Director Teresa Emrich proudly introduced Deputy Administrative Services Director Brooke Quintana, Staff Accountants Sarah Talley, Michelle Bedonie, Ross DeVargas and Natasha Arthur and Enterprise Accountant Sheree Wilson.

The Mayor and Council commended staff for their professionalism and expertise and the presentation was concluded with a hearty round of applause and a group photograph.

#### CHATTEL INVENTORY LIST

Deputy Administrative Services Director Brooke Quintana explained that to be in compliance with Section 12-6-10 NMSA 1978, the New Mexico State Auditor has advised that a listing of moveable chattel (equipment costing more than \$5,000) be approved annually by the Council. She pointed out that the full list is included in the agenda packet and noted that staff audits 20 percent of the City's assets every year.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to approve the chattel inventory list, as presented, and upon voice vote the motion carried unanimously.

PETITION NO. ZC 19-89 CONCERNING 4109 EAST MAIN STREET

- (1) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Division Petition Report to approve Petition No. ZC 19-89 from Halliburton Oil Well Cementing Co., represented by Chuck Hagan of Dimmick Realty, requesting a zone change from the IND, Industrial, District to the GC, General Commercial, District for 9.94 acres of property located at 4109 East Main Street subject to:
- (a) all commercial development abiding by Section 5 - Development Standards of the Unified Development Code ("UDC"). The Development Standards must be included with any development permit (building permit) as part of the design and plan submission. All conditions of Section 5 of the UDC must be met before a building permit is issued and all improvements must be constructed before a certificate of occupancy is issued;
  - (b) all non-residential development requiring a grading and drainage plan prepared by a New Mexico licensed engineer. The plan must be submitted and approved prior to obtaining a building permit; and
  - (c) easements for existing water and wastewater infrastructure being granted to the City prior to redevelopment of the property.

Utilizing a PowerPoint presentation, Planning Manager Beth Escobar reported that the petitioner is in the process of relocating its use and vacating the subject property and stated that the zone change request from the Industrial ("IND") District to the General Commercial ("GC") District makes the property more marketable. In addition, she noted that the property is currently in escrow with Prestige Companies from Texas and stated that a Phase I environmental study has been finished and remediation is to be completed by the petitioner. Ms. Escobar provided images of the subject property and pointed out that the surrounding zoning is GC to the west, south and north, Single-Family Residential (SF-7) to the north and IND to the east, noting that the zone change is consistent with the Comprehensive Plan and is compatible with the land use and character of the area. She stated that residential protections would be addressed during the site plan review process for any new commercial development on the subject property and she announced that it is the recommendation of staff and the Planning and Zoning Commission to approve the petition as presented.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Jakino to approve Petition No. ZC 19-89 and grant a zone change from the IND, Industrial, District to the GC, General Commercial, District for 9.94 acres of property located at 4109 East Main Street, subject to conditions (a) through (c), as recommended, and upon voice vote the motion carried unanimously.

PROPOSED ORDINANCE AMENDING SECTION 8-12-7 OF THE CITY CODE DEALING WITH EXEMPTIONS TO THE LODGERS' TAX

City Attorney Jennifer Breakell requested permission to draft a proposed ordinance to remove the lodgers' tax exemption for short-term rentals to align with recently-passed legislation.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to direct the City Attorney to draft a proposed ordinance in accordance with State Statutes, and upon voice vote the motion carried unanimously.

APPOINTMENT TO THE PARKS, RECREATION AND CULTURAL AFFAIRS COMMISSION

Mayor Duckett asked the Council's consideration of the appointment of Kenneth LaCasse (term to September, 2022) as a member of the Parks, Recreation and Cultural Affairs Commission.

Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to confirm the appointment of Kenneth LaCasse as a member of the Parks, Recreation and Cultural Affairs Commission, as

recommended by the Mayor, and upon voice vote the motion carried unanimously.

PROPOSED ORDINANCE AMENDING CHAPTER 20 OF THE CITY CODE DEALING WITH SWIMMING AT LAKE FARMINGTON

City Manager Rob Mayes requested permission to draft a proposed ordinance to address open swimming and staged rescue operations at Lake Farmington and he announced that a more in-depth discussion can take place once the ordinance has been drafted.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to direct the City Attorney to draft a proposed ordinance in accordance with State Statutes, 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 limited personnel matters (City Manager and City Attorney performance), pursuant to Section 10-15-1H(2) NMSA 1978. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly Janis Jakino
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Those voting nay:	None
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The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried.

The Mayor convened the closed meeting at 9:31 a.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 Sharer, seconded by Councilor Rodgers to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 10:12 a.m. with all members of the Council being present.

COMPENSATION FOR THE CITY MANAGER AND CITY ATTORNEY

Mayor Duckett announced that he has initiated a salary adjustment consideration for City Manager Rob Mayes and City Attorney Jennifer Breakell based on their important day-to-day performances and dedication to keeping San Juan Generating Station ("SJGS") operational. He stated that he is recommending a 12.9% salary increase from \$171,013 to \$193,000 for Mr. Mayes based on the \$185,000 average salary for city managers in New Mexico excluding Albuquerque. He reported that he used the same approach with Ms. Breakell and announced that he is recommending a 13.2% salary increase from \$106,578 to \$120,000 based on the \$134,667 average salary for city attorneys in New Mexico.

At the recommendation of the Mayor, a motion was made by Councilor Rodgers, seconded by Councilor Jakino to authorize a 12.9% salary increase for the City Manager and a 13.2% salary increase for the City Attorney, and upon voice vote the motion carried unanimously.

Mayor Duckett announced that he believes that the salary increases are worthwhile and he asked for the Council's comments.

Councilor Rodgers expressed her appreciation for the leadership and quality performance exhibited from both Mr. Mayes and Ms. Breakell and she stated that she believes that the salary increases are fully justifiable.

Councilor Sharer contended that Mr. Mayes and Ms. Breakell could find employment elsewhere for a much higher salary and stated that the only way for the Council to show its appreciation for what they both have accomplished is through their paycheck. He expressed his sincere