

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, APRIL 24, 2018; 6:00 P.M. CITY COUNCIL CHAMBERS



Jackie McKinney, Mayor

Linda Garcia, Councilor, Dist. 1 Allan Landavazo, Councilor, Dist. 2
Yogash Kumar, Councilor, Dist. 3 Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager
Curtis Hayes, City Attorney

A. Pledge Of Allegiance

The members of the body and the public are invited to recite the Pledge of Allegiance.

B. Roll Call

C. Approval Of Minutes

Special and Regular Meetings of April 10, 2018

(Minutes will be disseminated on Monday, April 23, 2018)

D. Presentation Of Proclamations

Child Abuse Prevention Month, April 2018

International Workers Day, May 1, 2018

E. Discussion/Action Topics

1. Resolution No. R2018-12; National Economic Development Week

The Greater Gallup Economic Development Corporation (GGEDC) is requesting approval of Resolution No. R2018-12, recognizing the week of May 7-12, 2018 as "National Economic Development Week" in the City of Gallup.

Fiscal Impact: None.

Recommendation: GGEDC recommends approval of Resolution No. R2018-12.

Speaker's Name Michael Sage, Deputy Director, GGEDC

Documents:

[RESOLUTION NO. R2018-12 - ECONOMIC DEVELOPMENT WEEK.PDF](#)

2. **PMV Real Estate Ltd. Public Utility Easement Vacation And Dedication**

Mr. Alberto Villegas, on behalf of PMV Real Estate Limited, property owner, has petitioned the Gallup City Council for a request to vacate a 10' wide, 831.88' long public utility easement (P.U.E.) on the property located at 3205 Industry Drive, and to dedicate a 10' wide, 614.23' long public utility easement (P.U.E.) along the frontage of the property. The property is located at 3205 Industry Drive and is more particularly described as, a Tract of Land in 23 15 19, the S ½ of Cont. 10.59 acres M/L.

See attached briefing memo.

Fiscal Impact: None

Recommendation: Recommendation is for approval of said request.

Speaker's Name C.B. Strain

Documents:

[PMV REAL ESTATE LTD PUE VACATION AND DEDICATION CC MEMO.PDF](#)

[ALBERTO VILLEGAS 10 FOOT PUE VACATION AND DEDICATION ORDINANCE.PDF](#)

[PMV REAL ESTATE LIMITED EASEMENT SURVEY PAGES 1 AND 2.PDF](#)

[RESOLUTION OF RECOMMENDATION FOR PUE VACATION AND DEDICATION RP2018-4.PDF](#)

[PMV REAL ESTATE LIMITED GTF COMMENTS.PDF](#)

3. **Approval Of FY19 Chamber Of Commerce Contracts**

The Chamber of Commerce Contractual Services Agreement scope of work includes \$100,000 for advertising and promotion, \$50,000 for the operation of the year-round Visitor Information Center, and \$35,000 for the development and publication of the 2019 Gallup Real True Visitors Guide. This agreement is from July 1, 2018-June 30, 2019. The total contract amount is \$185,000.00

The Summer Nightly Indian Dances Services Agreement would begin in May and extend to September of 2018. The Tourism and Marketing Manager has included an increase of \$5,000 over last year's contract. The contract increase in FY18 was to increase the amount of money and services paid to the dance groups by the Chamber. This increase is specifically for the expanded social media and/or digital marketing of the Nightly Indian Dances program to grow attendance for the event and increase foot traffic for downtown Gallup. The total contract amount is \$60,000.00

Information not presented on April 24: Per the FY18 contracts the Chamber will be making a presentation in September for both of their contracts that outlines the expenses from FY 18, updated information about Visitors Center attendance/operations, update on the annual Visitors Guide, a report on the dance groups, budget and attendance at the Nightly Indian Dances, and a

breakdown of the marketing expenditures and programs from both contracts.

Note for council: these contracts usually are presented annually in May however both Bill Lee and Jennifer Lazarz are at tourism-related conferences for the City Council dates of May.

Fiscal Impact: Chamber of Commerce Services Agreement: \$185,000 out of FY19 budget (budget pending council approval) Summer Nightly Indian Dances Agreement: \$14,000 out of FY18 budget (sufficient funding is available) and \$46,000 out of FY19 budget

Recommendation: Approval of the two annual contracts with the Chamber of Commerce

Speaker's Name Jennifer Lazarz

Documents:

[CHAMBER OF COMMERCE CONTRACTURAL SERVICES AGREEMENT FY19.DOCX](#)
[NID CONTRACT 2018.DOCX](#)

4. **Memorial Day 5K Lodgers Tax Request**

The Manuelito Children's Home has requested special consideration for funding outside of the normal Lodgers Tax timeline for their Memorial Day 5K Fun Run annual fundraiser. Their event grew as a result of their Lodgers Tax grant assistance in FY17. They request the same amount (\$5K) which we have available still in the budget. Due to the proximity of the event, this has been taken straight to council because the next Lodgers Tax Committee meeting is after the event itself.

Fiscal Impact: \$5,000, and there are sufficient remaining funds in the Grants to Subrecipients budget

Recommendation: City Council Approval of \$5,000 Lodgers Tax Grant to Manuelito Children's Home for the event

Speaker's Name Jennifer Lazarz

Documents:

[MANUELITOFUNRUN04092018.PDF](#)

5. **Fourth Of July Event Funding**

This year the City of Gallup is responsible for the 4th of July festivities. In the idea of streamlining and minimizing overtime costs to the Fire Department and Police Department, the event will not be held this year at the Sport Complex during the day. The only portion of the event to take place at the Complex will be the launch of the fireworks.

As America's Most Patriotic Small Town, we are focusing this event on our Veterans and Native American Culture by hosting an afternoon with the Black Creek Gourd Society Dancers at the Courthouse Square. Times have yet to be determined, but the program will be wrapped in with the Summer Nightly Indian Dances. Vendors will have to contact the Chamber of Commerce/Teri Fraizer for approval to vend for that one night in addition to the normal vendors they have during the Nightly Indian Dances.

The City will incur the following costs:
FY18: \$2000 marketing expenses
FY19: \$12,000 fireworks, \$500 Security expense

County Commissioner Bill Lee has pledged the funds to cover the Black Creek Gourd Society and the billing will be worked out through the Nightly Indian Dances program.

Fiscal Impact: FY18: \$2,000 advertising expense from lodgers tax promotions FY19: \$12500.00 in event expenses (to be established after the approval of the FY19 budget)

Recommendation: Approval for a project of \$14,500- \$2K from FY18 and the remainder from FY19.

Speaker's Name Jennifer Lazarz

6. 2018 Q3 Budget Adjustments And Report Of Actuals

Each quarter, the Finance department reviews any changes to the budget and submits these changes to council for approval. The following areas are reviewed: personnel, operations, capital outlay and transfers in and out of each fund. The Department of Finance and Administration (DFA) requires Council to pass a resolution for all budget increases, decreases, and transfers between funds. DFA further requires approval of the report of actuals showing cumulative activity for the fiscal year. The report to DFA regarding budget revisions is due April 30, 2018.

This revision encompasses all budget changes processed January 1, 2018 through March 31, 2018 (Quarter 3 of FY2018).

Fiscal Impact: None.

Recommendation: Staff recommends approval of the budget adjustments and report of actuals.

Speaker's Name Patty Holland

Documents:

[Q4 BAR AND ROA.PDF](#)

7. 6:00 PM CDBG Vista Ave Reconstruction Prj; Construction Contract Award For

Discussion: Bids for the subject project were opened on 27 February 2018. Low bidder is Murphy Builders (MBI) of Gallup, NM. Engineer of record is DePauli Engineering and Surveying (DES) of Gallup, NM.

Scope of work is total reconstruction of Vista Avenue including new water and sewer mains; curb and gutter, sidewalks, roadway; retaining walls; and ADA handicap ramps. In partnership with the Gallup Housing Authority, GHA will also replace the sidewalk accesses to all the housing units fronting Vista Avenue as part of this project. Contract time for completion is 120 calendar days.

Bid tab is provided as enclosure (1). DES' recommendation of award is provided as enclosure (2).

Fiscal Impact: MBI's bid for all three lots is \$1,175,476.79 including NMGRT.

Regrettably, the time required for CDBG administration overhead by NMDFA between the CDBG grant award in 2015 and now led to a substantial cost overrun. This overrun is seen primarily in the cost of concrete and the ADA ramp construction as part of the retaining walls. As such, project has a \$579,749.46 budget shortfall. See enclosure (3) for the current project budget.

Staff proposes transferring into the project budget:

\$187,424 from Fund 202 for utilities reconstruction.

\$392,326 from general cash fund for roadway reconstruction.

\$579,750.

Recommendation: Approve the transfer of additional funds into the project budget, and approve the award of the subject project to Murphy Builders for \$1,175,476.79 including NMGRT.

Fiscal Impact: See Description Above

Recommendation: See Description Above.

Speaker's Name Stanley Henderson

Documents:

[18-04-24_1A CDBG VISTA AVE BID TABULATIONS.PDF](#)

[18-04-24_1B DES LTR 18-03-12.PDF](#)

[18-04-24_1C PRJ BDGT ESTIMATE RE CDBG VISTA AVE RECONSTRUCTION.PDF](#)

8. Security Cameras - Children's Library, Octavia Fellin Library, Golf Course, Vehicle Maintenance, And City Hall

Requesting approval to do a capital improvement project to install cameras at the following locations.

1. Children's Library - 7 cameras (new cameras) \$5.7K
2. Octavia Fellin Library - 18 cameras (upgrade old analog cameras) \$6.5K
3. Fox Run Golf Course - 6 cameras (new cameras) \$5.5K
4. Vehicle Maintenance Shop - 5 cameras (new cameras) \$5K
5. City Hall - 13 cameras (upgrade old analog cameras on the 1st floor and new cameras on 2nd floor and basement) \$6K

Security became a priority focus and in several budgets for FY19. These separate projects can be accomplished under one project and within the FY18 budget from Risk Management.

Fiscal Impact: None. Funds will be used from 603-1016-414-48.45 (current balance is \$59,000) The total cost of all projects combined will be \$28,700 Once approved, a budget transfer will be done to 603-1016-414-48.20

Recommendation: Approve project to install cameras in the amount of \$28,700

Speaker's Name Brian Archuleta

Documents:

9. Approval Of Budget Increase To Cover Cost Of Point Of Sale System-Golf Proshop

Multiple point of sale systems have been researched/demoed for use in the Fox Run Pro-shop. These point of sale systems will allow the golf course to track inventory, book online tee times, and allow for the expansion into food and beverage. Attached you will find two documents pertaining to the point of sale systems we researched. The first document is a comparison of inclusion for each point of sale system, and the second document is a detailed description of the point of sale system we wish to acquire.

Fiscal Impact: \$10,000 dollar increase to line item 101-1023-432.45-90 from General Fund.

Recommendation: Recommend Approving funds for the purchase of the TeeSnap point of sale system

Speaker's Name Matthew Alcala

Documents:

[TEE SNAP \(1\).PDF](#)

[TEESNAP PROPOSAL FOR FOX RUN GC_CITY OF GALLUP_032718.PDF](#)

10. Sulfur Burner For Fox Run Golf Course

The Sulfur Burner for Fox Run Golf Course is a more cost effective/efficient method of treatment for irrigation water. Currently, the golf course is using sulfuric acid to treat irrigation water. Not only is sulfuric acid hazardous to transport but is also a financial burden. We will see a return on investment with-in two years of use, and we only have 4 treatments of sulfuric acid remaining.

Fiscal Impact: \$35,000 to be funded from general fund reserves

Recommendation: Staff recommends approval of purchase and required budget adjustment

Speaker's Name Matthew Alcala

F. Presentation And Information Item

Single Use Bag Ordinance - Curtis Hayes, City Attorney

Summary: This ordinance is modeled on Silver City's ordinance and is a straightforward ban on the thin plastic bags that are so often seen as litter. The ordinance requires retailers to use either reusable bags, recyclable paper bags, or cardboard boxes. Food banks, restaurants and take-out food establishments are exempted from the ordinance. The ordinance does not become effective until six months after adoption to give retailers enough time to change their practices. Municipalities have addressed the issue of single use plastic bags in different ways depending upon the goals of the municipality. Where the goal is simply to reduce the volume of litter in the community, the Silver City model is followed. Some municipalities such as Santa Fe have additional goals such as encouraging the use of reusable bags by consumers. These ordinances have additional components such as a fee system where consumers that don't provide their own bags are charge a fee per bag for paper or other types of bags that are provided by the retailer. For example, Santa Fe requires retailers to charge a fee of at least ten cents per paper bag provided by the retailer. The Santa Fe ordinance also provides for an administrative

fine that doesn't go through Municipal Court. This requires the city to have a hearing officer to conduct hearings where a retailer contests the imposition of an administrative fine. The input provided by the Sustainable Gallup Board is that Gallup should focus on the litter problem initially and adopt a Silver City type ordinance. After some experience with that, the City could look at adding provisions such as are in the Santa Fe ordinance if it is felt that the City of Gallup wants to expand the scope of the ordinance beyond simply reducing the volume of litter. It was also felt that enforcement of the ordinance should be through Municipal Court rather than setting up a new administrative process.

Documents:

[PLASTIC BAG ORDINANCE FINAL.PDF](#)

G. Motion To Adjourn Into Closed Session

For the purpose of discussing the following matters pursuant to NMSA 10-15-1(H)(8):

- 1) Purchase or Acquisition of Water Rights
- 2) Acquisition of Land in the Vicinity of the Wastewater Treatment Plant

H. Motion To Reconvene Regular Meeting

I. Certification For The Record Of The Matters Discussed During The Closed Session

J. Comments By Public On Non-Agenda Items

The public is invited to comment on items not appearing on the published meeting agenda.

K. Comments By Mayor And City Councilors

L. Comments By City Manager And City Attorney

M. Motion To Adjourn

Auxiliary aides for the disabled are available upon request. Please contact Alfred Abeita, City Clerk, at 505-863-1254 at least (1) week prior to the meeting or as soon as possible in advance of the meeting to make any necessary arrangements.

Pursuant to the "Open Meetings Act", NMSA 1978, Section 10-15-1 through 10-15-4 of the State of New Mexico, this Agenda was posted at a place freely accessible to the public 72 hours in advance of the scheduled meeting.