

AGENDA

**GALLUP CITY COUNCIL
TUESDAY, JULY 24, 2018
SPECIAL MEETING - 4:00 P.M.
REGULAR MEETING - 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. Special Meeting - 4:00 P.M.

B. Roll Call

C. Work Session

1. Drought Contingency Plan

Summary: The Northwest New Mexico Council of Governments has been working with the City of Gallup on completing a drought contingency plan under a United States Bureau of Reclamation grant. Input from the City Council is needed to finalize the plan, which will be presented for final approval at the August 14, 2018 Regular Meeting.

Fiscal Impact: None.

Recommendation: None at this time.

Speaker's Name Evan Williams, Deputy Director, Northwest New Mexico
Council of Governments

Documents:

[DRAFT_DCP-GALLUPNM_13JUL2018.PDF](#)

2. Cecil Garcia Fitness Center Rehabilitation Project Programming Document

Summary: Huitt-Zollars (HZI) of Albuquerque, NM has been commissioned by the City for a conceptual design study for a proposed rehabilitation of the Cecil Garcia Fitness Center. To that end, HZI has held two public input meetings.

To finalize the study, we need to present conceptual options for the City Council's consideration and input. Because of project funding constraints, a new facility is NOT being considered by this study. The scope of work focuses solely on rehabilitating the existing building shell.

Facility was originally constructed in 1979. City took over operation in 1999. Since then, the facility is now showing its age, and the usage of the building has outgrown the space as now configured.

Fiscal Impact: None at this time. However, if the City proceeds with rehabilitation of the facility, the conceptual estimate is ~ \$2,000,000. A new facility will cost approximately twice what a rehabilitation project will cost.

Please note that all estimates are conceptual in nature with an error order of magnitude of -25% to +75%. Costs will be refined as the project is planned, programmed, designed, and constructed.

Recommendation: None. Staff is seeking City Council's input as to the City's preferred option in order to finalize the study. When finalized, the study will serve as the basis and justification for programming future design and construction funding as directed and prioritized by the City Council.

Fiscal Impact: See Discussion Above.

Recommendation: See Discussion Above.

Speaker's Name Stanley Henderson, Public Works Director

Documents:

[C-G CECIL GARCIA FITNESS CENTER PROGRAM REPORT - DRAFT.PDF](#)
[ESTIMATING ACCURACY TRUMPET.PDF](#)

3. Conceptual Design Report For Red Rock Park RV Campground Reconstruction Project

Summary: Huitt-Zollars (HZI) of Albuquerque, NM has been commissioned by the City for a conceptual design study for a proposed reconstruction of the east RV campground at Red Rock Park. To finalize the study, we need to present conceptual options for the City Council's consideration and input.

Facility was originally designed and constructed in the 1970's. In its present condition, it cannot accommodate many of today's new and larger RV models.

Fiscal Impact: None at this time. However, if the City proceeds with rehabilitation of the facility, the conceptual estimate is \$2,500,00.

Please note that all estimates are conceptual in nature with an error order of magnitude of -25% to +75%. Costs will be refined as the project is planned, programmed, designed, and constructed.

Recommendation: None. Staff is seeking City Council's input as to the City's preferred option in order to finalize the study. When finalized, the study will serve

as the basis and justification for programming future design and construction funding as guided by the City Council.

Fiscal Impact: See Discussion Above.
Recommendation: See Discussion Above.
Speaker's Name Stanley Henderson, Public Works Director

Documents:

[RED ROCK RV PARK - DRAFT062018.PDF](#)
[ESTIMATING ACCURACY TRUMPET.PDF](#)

D. Recess Until 6:00 P.M.

E. Regular Meeting - 6:00 P.M.

F. Pledge Of Allegiance

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

G. Roll Call

H. Approval Of Minutes

Regular Meeting of July 10, 2018

Documents:

[DRAFT MINUTES JULY 10 2018 REG MTG.PDF](#)

I. Discussion/Action Topics

1. Amendment To The Existing Event Permit For ArtsCrawl

Summary: gallupARTS is requesting an amendment to the existing event permit for the street closures for the monthly ArtsCrawl. Rather than closing the streets from 6:00 p.m. to 9:00 p.m., gallupARTS is requesting the closure of the streets from 6:00 p.m. to 10:00 p.m. By extending the time for the street closures by one hour, it will provide ample time for the clean-up and teardown of the event.

Fiscal Impact: The City will continue to provide support services for the safe closure of the streets for the event.
Recommendation: gallupARTS is recommending approval of the amendment to Event Permit #2018-3.
Speaker's Name Rose Eason, Executive Director, gallupARTS

Documents:

[EVENT PERMIT 2018-3.PDF](#)

2. Ordinance No. C2018-9; An Ordinance Creating The Keep Gallup Clean And Beautiful Board

The City of Gallup joined the Keep America Beautiful program within FY18. As part of that program's requirements and the City's continued efforts to beautify and clean our community, the City must have an ordinance that creates the

"Keep Gallup Clean and Beautiful" (KGCB) board.

The purpose of the KGCB board shall be to serve as an advisory board to the Gallup City Council concerning matters relative to Keep America Beautiful issues.

The board shall make recommendations that focus on the areas of community improvement, education, litter prevention, beautification, waste reduction and recycling projects to the Mayor and City Council.

The board shall have the following responsibilities:

1. Collaborate with the City of Gallup regarding community education and marketing related to areas of litter prevention, beautification, and waste reduction and recycling;
2. Monitor City performance from data collected and examined under the Keep America Beautiful, Inc. Affiliate System guidelines and make an annual report to the City Council; and
3. Collaborate with the City of Gallup regarding community cleanup initiatives and programs
4. Carry out such other tasks as the City Council may designate.

Fiscal Impact: None
Recommendation: Approval of the Keep Gallup Clean and Beautiful Ordinance
Speaker's Name Jennifer Lazarz

Documents:

[KGCB ORDINANCE BYLAWS 7618C2018 JULY 20.DOC](#)

3. Resolution No. R2018-20; Fiscal Year 2018 Q4 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 July 31, 2018.

This revision encompasses all budget changes processed April 1, 2018 thru June 30, 2018 (Quarter 4 of FY2018).

Fiscal Impact: None
Recommendation: Staff recommends approval of the budget adjustments and report of actuals.
Speaker's Name Patty Holland

Documents:

[2018 CITY COUNCIL 4TH QTR.PDF](#)
[GALLUP 13-114 06-30-18.PDF](#)
[BUDGET RESOLUTION FY18 Q4.DOCX](#)

4. Resolution No. R2018-21; Reinstating The Water High Efficiency (HE) REBATE Incentive Programs

Summary: The Water & Sanitation Department would like to reinstate the ongoing water conservation: High Efficiency Toilet (HET) & Showerhead, High-Efficiency Clothes Washer (HEW), Rain Barrel, Refrigerator, and Xeriscape rebates for two more years.

These rebate programs effectively reduce withdrawals from Gallup's declining ground water resources, helping protect Gallup's limited ground water resources which is a regional issue.

Fiscal Impact: Account 506-6063-444.47.05 currently has \$3,000 budgeted for this fiscal year.

Recommendation: Approve the Resolution R2018-__ to reinstate the Water High Efficiency (HE) REBATE Incentive Program

Speaker's Name Elizabeth Barriga

Documents:

[REBATES RESOLUTION 6-26-2018.PDF](#)

5. Professional Services Agreement For Rehoboth McKinley Christian Health Care Services Behavioral Health

The FY 2019 BHIZ Budget allocates a total of \$105,000 in funding for RMCHCS Work Services Program, Case Management, Aftercare (120 Program) and GED Services. Services will be tracked in order to evaluate effectiveness. This contract is effective July 1, 2018, in order to be able to utilize the FY 2019 BHIZ funds allocated for intensive services starting on July 1, 2018.

Fiscal Impact: Professional Services Agreement will be funded with Behavioral Health Investment Zone (BHIZ) funds in the amount of \$105,000. No input of general funds.

Recommendation: Approve Professional Services Agreement in the amount of \$105,000 with RMCHCS

Speaker's Name Debra L. Martinez

Documents:

[RMCH FY19 105 DRAFT FINAL 1.PDF](#)

6. Approval Of Gallup Detoxification Center Intensive Services Agreement

The FY 2019 BHIZ Budget allocates a total of \$141,000 in funding for NCI intensive counseling and case management services. Services will be tracked in order to evaluate the effectiveness. This Contract is effective July 1, 2018, in order to be able to utilize the FY 2018 BHIZ funds allocated for intensive services starting on July 1, 2018.

Fiscal Impact: Intensive Service Agreement will be funded with Behavioral

Health Investment Zone (BHIZ) funds in the amount of \$141,000.

Recommendation: Approval of Gallup Detoxification Center Intensive Services Agreement in the amount

Speaker's Name Debra L. Martinez

Documents:

[GALLUP DETOX INTENSIVE SERVICES CONTRACT FY19 141K FINAL.PDF](#)

7. Resolution No. R2018-22; FY 18-2019 Local Government Road Fund Cooperative Agreement

Summary: Attached for the City Council's consideration and approval is a resolution for the acceptance of the State's Cooperative Agreement for FY 18-2019. The New Mexico Department Of Transportation has made \$270,396.00 available for the mill and overlay paving of City streets by the PW/Streets Department.

Fiscal Impact: This State funding requires a 25% match (\$90,132.00) on the City's part for a total funding agreement of \$360,528.00. This match is budgeted within the PW/Streets Department's operations budget. State funding expires on 31 December 2019.

Recommendation: Accept the State's Cooperative Agreement for FY 18-2019, and approve the attached resolution.

Fiscal Impact: See Description Above.

Recommendation: See Description Above.

Speaker's Name Stanley Henderson, Public Works Director

Documents:

[18-07-24_1B LGRF COOPERATIVE AGREEMENT SP-6-19\(205\).PDF](#)
[18-07-24_1A RESOLUTION RE 18-2019 COOP FDG AGREEMENT.PDF](#)

8. Award Of Contract For Utility Legal Services

The contract to provide specialized legal services to the utility departments has expired. This contract provides for legal services in the following areas:

- a. Electric Utility (State Issues) – Advise and Represent the City's municipal electric utility, the Gallup Electric Utility System, primarily in regard to Regulation and Permitting.
- b. Electric Utility (Federal Issues) - Representation of the City in matters before or relating to the Federal Energy Regulatory Commission (FERC) and in regard to other regulatory issues and matters.
- c. Advise and representation in matters relating to planning and evaluation of long term power supplies, and the development and negotiation and administration of power supply agreements.
- d. Utility Operations Contracts – Advice and representation in development and negotiation of intergovernmental Operations Contracts, primarily in regard to operation of the Navajo-Gallup Water Supply Project water conveyance and power supply facilities.
- e. Wastewater and Solid Waste regulatory and permitting issues

Fiscal Impact: None. Funding is provided for in the utility departments' budgets.

Recommendation: Approve award of the contract to Stelzner, Winter, Warburton, Flores, Sanchez & Dawes, PA.

Speaker's Name Curtis Hayes

Documents:

[TABULATION 2017-2018-06P.PDF](#)

9. Award Of Contract For General Legal Services

The current contract for general legal services has expired. This contract provides for consultation with city officials and employees on any matter referred by the City Attorney. Areas of law that such services may be required include the following: Federal and state employment and labor relations law; New Mexico Tort Claims Act; Federal Civil Rights laws; public official liability; eminent domain; annexation; drafting of city ordinances, policies, and procedures; interpretation of city ordinances, drafting contracts and leases; public finance; land use and environmental law; and other areas of municipal law. Consultation with Gallup Police Department officers and other city employees with authority to enforce provisions of the Gallup City Code concerning the investigation and filing of charges. Representation of the City in Municipal Court in all prosecutions for Driving While Intoxicated, other violations when the defendant is represented by counsel, and other violation when the defendant is not represented by counsel but assistance is requested by the officer that initiated the charges. Representation of the City in any appeal from Municipal Court. Representation of the City, its officials and employees in the following types of cases: EEOC and NM Human Rights Division hearings and cases, actions to enforce the City Code through equitable actions in District Court, contract enforcement actions; collections actions; and other types of litigation that may be referred by the City Attorney.

Fiscal Impact: None, funds are already in the City Attorney's budget.

Recommendation: Approve award of contract to Mason and Isaacson.

Speaker's Name Curtis Hayes

Documents:

[TABULATION 2017-2018-07P.PDF](#)

10. Appointment Of Anna Connell To The Lodgers Tax Advisory Committee

Summary: Alexandra Griego has submitted her resignation from the Lodgers Tax Advisory Committee. Anna Connell, Medallion Hospitality, has expressed interest in filling the vacancy on the Board.

Fiscal Impact: None.

Recommendation: Approve the appointment of Anna Connell to the Lodgers Tax Advisory Committee.

Speaker's Name Mayor Jackie McKinney

Documents:

[MEMO TO COUNCIL - APT OF ANNA CONNELL.PDF](#)

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.