

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, AUGUST 28, 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**

Regular Meeting of August 14, 2018

Documents:

[DRAFT MINUTES - AUG 14 2018 REG MTG.PDF](#)

D. **Discussion/Action Topics**

1. **Ordinance No. C2018-10; Adoption Of The New Land Development Standards 2018**

Ordinance No. C2018-10; Amending the Municipal Code of the City of Gallup by repealing in its entirety the existing Title 10, Land Development Standards of the City of Gallup Municipal Code and adopting a new Title 10 Land Development Standards 2018 of the City of Gallup Municipal Code.

See attached memo.

Hard copy of entire Land Development Standards 2018 will be distributed prior to

meeting.

Fiscal Impact: None
Recommendation: See attached Memo
Speaker's Name C.B. Strain, Planning and Development Director

Documents:

[LAND DEVELOPMENT STANDARDS 2018 UPDATE MEMO.PDF](#)
[RESOLUTION OF RECOMMENDATION RP2018-06 SIGNED.PDF](#)
[ORDINANCE NO. C2018-10 ADOPTING NEW LDS.DOCX](#)

2. Adoption Of City Of Gallup Drought Contingency Plan

Council consideration and potential acceptance/adoption of the City of Gallup's Drought Contingency Plan that was funded through a US Bureau of Reclamation (BOR) and managed by the NW New Mexico Council of Governments.

A presentation of this plan was provided at the July 24th City Council work session.

Recommendation:

Staff recommends acceptance and adoption of this plan, and authorizing City Manager to negotiate, finalize, and submit this Plan to the US Bureau of Reclamation.

Fiscal Impact: None noted for adoption of plan.
Recommendation: See Above
Speaker's Name Evan Williams, NWNMCOG

Documents:

[FINAL_DCP-GALLUPNM_21AUG2018_W_APPENDICES.PDF](#)
[DCP PRESENTATION FILE - 2018.08.28.PDF](#)

3. Request For Street Closure On September 15, 2018 For Beehive Homes Community Carnival

Beehive Homes of Gallup will be hosting a family carnival on Saturday, September 15, 2018 from 10:00 a.m. to 2:00 p.m. The carnival will take place at their facility at 600 Gurley Avenue. Beehive Homes is requesting the closure of Gurley Avenue from the stop sign near 600 Gurley Avenue to the corner of Mariyana Street by the water tank.

Fiscal Impact: TBD - City staff to provide support services for the event.
Recommendation: Beehive Homes of Gallup recommends approval of their request.
Speaker's Name Mary Patten, Administrator, Beehive Homes of Gallup

Documents:

4. Request For Street Closure On September 15, 2018 For The Gallup Film Festival

The Gallup Film Festival will take place September 13-15, 2018 in downtown Gallup. The event coordinators are requesting the closure of Second Street between Aztec Avenue and Coal Avenue beginning at 4:00 a.m. until 11:00 p.m. on Saturday, September 15, 2018.

Fiscal Impact: TBD - City staff to provide support services for the event.
Recommendation: The Gallup Film Festival recommends approval of their request.
Speaker's Name Knifewing Segura, Gallup Film Festival

Documents:

5. Ordinance No. C2018-11; Amendments To Fire Code Concerning Fire Safety Systems

Contractors are performing work on fire protection equipment or systems within the City of Gallup. The State Fire Marshal's Office has a Certificate of Fitness (COF) program as outlined in NM Administrative Code Title 10, Chapter 25, Part 2 which addresses the requirement for a COF and allows for Local Authorities Having Jurisdiction to require a State or Local COF. The State Fire Marshal's Office has been understaffed in recent years and does not enforce their regulation in jurisdiction that have a review process for fire protection systems. This ordinance would allow the City to take enforcement action against contractors that do not obtain a COF from the state fire marshal. The goal of this amendment to the Fire Code is to keep the people residing in and visiting Gallup safe by insuring that companies are qualified to install and maintain these life safety systems.

Fiscal Impact: None
Recommendation: Approval of the amendments to the Fire Code
Speaker's Name Jacob LaCroix

Documents:

6. Ordinance No. C2018-12; Amendment To Inspection Of Buildings Ordinance

Currently, the Article in the Gallup City Code that outlines the duties and authority of the Fire Department has a section which mandates that the department "inspect buildings and premises within the city limits once monthly . . ." While it is arguable what this provision actually requires, it seems to require all buildings and premises to be inspected every month. That is not a reasonable requirement and the department does not have the resources to do so. Therefore, this amendment proposes that the ordinance only require inspections "at such times as they may deem proper." The Fire Department can then, by way of a policy, develop an inspection schedule.

Fiscal Impact: None

Recommendation: Adoption of the amendment.

Speaker's Name Jacob LaCroix

Documents:

[INSPECTION OF BUILDINGS ORDINANCE REDLINE.PDF](#)

[INSPECTION OF BUILDINGS ORDINANCE FINAL.PDF](#)

7. Appointments To The Keep Gallup Clean And Beautiful Board

Judy Conejo, John Ortiz and Britnie Burds are recommended for appointment to the Keep Gallup Clean and Beautiful (KGCB) Board.

Fiscal Impact: None.

Recommendation: Appoint Judy Conejo, John Ortiz and Britnie Burds to the KGCB Board.

Speaker's Name Mayor Jackie McKinney

Documents:

[APT LETTER - KGCB BOARD.PDF](#)

8. Acceptance Of The 2017 DOJ Edward Byrne Memorial Justice Assistance Grant Award.

The U.S. Department of Justice (DOJ) has granted funding through the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence. For the year 2017, the DOJ has awarded a grant in the amount of \$ 38,686.00 to the City of Gallup and McKinley County.

Fiscal Impact: No matching funds. \$38,686.00 to be budgeted revenue and qualified expenditures

Recommendation: Approval of DOJ JAG revenue and expenditures.

Speaker's Name Franklin Boyd

Documents:

[JAG 2017-DJ-BX-0341 GRANT 38_686.PDF](#)

9. Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2018

The U.S. Department of Justice (DOJ) has grant funding available through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence. In order to receive funding the governing body and citizens must have notice that we are applying for the grant and an opportunity to comment.

Fiscal Impact: If awarded, the total amount will be \$35,513.00. *See attached MOU between the City of Gallup and McKinley County.

Recommendation: None / Discussion only item.

Speaker's Name Franklin Boyd

Documents:

[2018 K9 JAG.PDF](#)

10. Request For Budget Transfer For Navajo Gallup Water Supply Project (NGWSP) Legal Services

The Council recently approved the selection of the law firm Stelzner, Winter, Warburton, Flores, Sanchez and Dawes, P.A. (the "Law Firm") for legal services associated with utilities matters.

The Law Firm has provided legal services associated with the NGWSP for the past several years. The NGWSP will be in various planning, design and construction phases until December 2024. In order to continue using this firm to negotiate, analyze and draft contractual agreements and other matters involving legal analyses, Staff requests a budget transfer from reserves in the amount of \$50,000 from the Water Enterprise Fund to 306-6063-444.45-30, Project No. CP1128 to have the Law Firm continue its work with NGWSP.

Recommendation: Staff recommends approval of transfer of funds from Water Enterprise Funds to 306-6063-444.45-30, Project No. CP1128.

Fiscal Impact: A budget increase of up to \$50,000 from Water Enterprise Fund and into 306-6063-444.45-30, Project No. CP1128.

Recommendation: See Above.

Speaker's Name Dennis Romero

Documents:

[NGWSP LEGAL SCOPE OF WORK 08282018.PDF](#)

11. Approval Of Revised 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 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.

The agreement will be provided prior to the meeting.

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

E. Comments By Public On Non-Agenda Items

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

F. Comments By Mayor And City Councilors

G. Comments By City Manager And City Attorney

H. 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.