

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, SEPTEMBER 25, 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 September 11, 2018

Documents:

[DRAFT MINUTES - SEPT 11 2018 SP MTG.PDF](#)
[DRAFT MINUTES - SEPT 11 2018 REG MTG.PDF](#)

D. **Discussion/Action Topics**

1. **Request For Street Closure For The Hiroshi Miyamura High School Homecoming Parade To Be Held On Thursday, October 11, 2018**

Miyamura High School (MHS) is requesting approval of the closure of Aztec Avenue from 8th Street to 1st Street for the 2018 MHS Homecoming Parade. The proposed street closure is set in accordance with the standardized parade route approved by the City Council in May, 2018.

Fiscal Impact: TBD - City staff to provide support services for the event.

Recommendation: Miyamura High School recommends approval of the street closure.

Speaker's Name Shinae Reid, Miyamura High School

Documents:

[EVENT PERMIT - MHS HOMECOMING PARADE.PDF](#)

2. Design Direction For Coal Avenue Commons Construction Project

Briefing Summary: Following up Staff and the A/E's presentation of 9/11/18, Staff needs the City Council's guidance, and it's preferred design option that will - in turn - set the theme for the finished construction project:

- Option 1 - Traditional Mainstreet.
- Option 2 - Mainstreet with Parklets
- Option 3 - Plaza Street

See attachment (a) for the A/E's presentation.

Fiscal Impact: "To be determined" with the final construction drawings.

Recommendation: Option 3 is the recommended option based on public input.

Fiscal Impact: See Comments Above.

Recommendation: See Comments Above.

Speaker's Name Stanley Henderson - Public Works Director

Documents:

[18-09-25_2A COAL AVE COMMONS DSGN OPTIONS.PDF](#)

3. Resoluton No. R2018-28; Transportation Alternative Program Funding Application

Briefing Summary: City Staff desires submitting an application for FHWA's Transportation Alternative Program (TAP) as part of the future funding required for the Coal Avenue Commons Construction Project. To that end, a resolution of sponsorship and intent is required by NMDOT from the City Council.

Fiscal Impact: Construction of Coal Avenue Commons is conceptually estimated at \$2M to \$3M. The TAP funding application will be for \$1M including \$854,400 from FHWA via NMDOT and a **direct fiscal impact on the City for \$145,600 in the 19-2020 CIP budget.**

Recommendation: Approve the resolution of project sponsorship and intent as attached.

Fiscal Impact: See Comments Above.

Recommendation: See Comments Above.

Speaker's Name Stanley Henderson - Public Works Director

Documents:

[18-09-25_3A RESOLUTION RE COAL AVE COMMONS TAP FDG RQT.PDF](#)

4. **Resolution No. R2018-29; State Grant Acceptance For Veterans Cemetery Access Road Construction Project**

Briefing Summary: 2018 NM Legislature appropriated \$335,500 to offset construction costs for the Veterans Cemetery Access Road Construction Project. Appropriation requires acceptance by the City Council. See attachment (a).

Fiscal Impact: None. Funding will be used for the Veterans Cemetery Access Road Construction Project.

Recommendation: Accept the NM Legislature's appropriation for the subject project and approve the attached resolution. See attachment (b).

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

Documents:

[18-09-25_1A VET CEMETERY ACCESS RD LEGISLATIVE GRANT AGREEMENT.PDF](#)
[18-09-25_1B RESOLUTION RE VETERANS CEMETERY ACCESS RD GRANT.PDF](#)

5. **Budget Transfer For Aquatic Center Pool Re-Plaster Project**

Council had approved the funds to re-plaster the slide pool as well as the activity pool at the Aquatic Center. Due to the JPA in place we need to move the funds for the pool re-plaster from the Facility Maintenance account to the Aquatic Center account to track expenditures properly.

Fiscal Impact: None - Transfer of funds from Facilities to Aquatic Center.
Recommendation: Recommended approval of transfer of funds from Facilities to Aquatic Center for pool re-plaster
Speaker's Name Marc Lujan

Documents:

[SCANNED FROM CITY OF GALLUP RISK MANAGEMENT \(9\).PDF](#)

6. **Resolution No. R2018-27; Opposing Rail Transportation Of Nuclear Waste Through Gallup**

Holtec International has applied to the Nuclear Regulatory Commission for a license to store radioactive waste in a temporary (up to forty years) underground storage facility in Lea County. The NRC held public hearings including one in Gallup on May 21, 2018. The public comment period closed on July 31, 2018. The plan is to store waste at this temporary site until a permanent storage location can be identified and built.

The issue is whether spent waste should be transported to and stored at a single temporary site or should be stored at the generation site in hardened on-site storage facilities. Five cities and counties in New Mexico (Albuquerque, Jal. Lake Arthur, Las Cruces, and Bernalillo County) have adopted resolutions opposing the transportation of spent waste through their jurisdiction to a single temporary storage facility in Lea County. Hobbs, Carlsbad, Eddy County, and Lea County have created the Eddy Lea Energy Alliance to support the Holtec

application.

Fiscal Impact: None
Recommendation: None
Speaker's Name Curtis Hayes

Documents:

[HOLTEC RESOLUTION.PDF](#)

E. Presentation And Information Items

1. Vendor Permit Ordinance

Staff is seeking council and public input on possible amendments to the vendor permit ordinance. Some of the issues include:

1. The current ordinance has a confusing array of fees that apply to the different classifications of vendor permits. The current fee structure is not only confusing, but the fees vary wildly between the different types of permits. A fee should be reasonably related to the cost of administering and enforcing the ordinance. The draft proposal attempts to make the fees consistent with that principle.
2. The exemption for "authentic handcrafted Native American arts and crafts items, crafted by the artisan/vendor" raises two issues. First is whether there should be an exemption for these and for "agricultural produce grown by the vendor." Second is whether the exemption should only apply to Native American artisan/vendors. That restriction is legally defensible as there is 10th Circuit Court of Appeals case upholding the restrictions requiring vendors at the Museum of New Mexico and Palace of the Governors in Santa Fe to be Native American. However, Santa Fe has an extensive vetting process that vendors must go through to insure that they meet the requirements.
3. The provision dealing with special events vendor permits is not clear as to when it applies and it is not currently being used. There are three options in the draft ordinance. One is to eliminate this provision. One is to require a special events permit in addition to the "regular" vendor permit. The third is to give the special event sponsor the authority to regulate which vendors are allowed at its special event.
4. The allowed hours of operation are currently 8:00 am to 8:00 pm. The issue is whether those hours should be expanded.
5. Some of the vendor location restrictions in 3-4-14 do not make sense when a special event such as Arts Crawl is being held.

Fiscal Impact: As fees are generally being lowered, there would be some reduction in revenue to the city.
Recommendation: None at this time.
Speaker's Name Curtis Hayes

Documents:

[VENDOR ORDINANCE DRAFT.PDF](#)
[LICENSE TYPES.PDF](#)

F. Comments By Public On Non-Agenda Items

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

G. Comments By Mayor And City Councilors

H. Comments By City Manager And City Attorney

I. 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.