

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at Gallup City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, September 27, 2016.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor:	Jackie McKinney
Councilors:	Linda Garcia Allan Landavazo Yogash Kumar Fran Palochak
Also present:	Maryann Ustick, City Manager George Kozeliski, City Attorney

Presented to the Mayor and Councilors were the Minutes of the Regular Meeting of September 13, 2016.

Councilor Kumar made the motion to approve the aforementioned Minutes. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia and Mayor McKinney all voted yes.

The Mayor and Councilors presented a Proclamation declaring each Friday in October 2016 as "Pink Day" and the entire month of October 2016 as "Breast Cancer Awareness Month." David Conejo, Chief Executive Officer, Rehoboth McKinley Christian Health Care Services, accepted the Proclamation.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

1. Greater Gallup Economic Development Corporation (GGEDC) Annual Report – Patty Lundstrom, Executive Director, Greater Gallup Economic Development Corporation

Ms. Lundstrom provided a power point presentation on the GGEDC's Annual Report. The report consisted of the GGEDC's policy framework; organizational overview; implementing an asset-based economic development strategy for infrastructure development; business attraction and recruitment; business retention and expansion; marketing through an effective website presence; stakeholder engagement through the Gallup Executive Directors Alliance (GEDA) and economic roundtables; new opportunities through the Rural Infrastructure Tax Credit, Gallup Regional Broadband, medical health research Cluster and truck stop super center; and the financial review of the GGEDC. Ms. Lundstrom answered questions regarding the proposed truck stop super center and the proposed energy logistics park.

MINUTES

Regular City Council Meeting – 9/27/2016

Page 2

Mayor McKinney asked Ms. Lundstrom in her role as State Representative, to keep the City abreast of proposed legislation that may be detrimental to the City in the upcoming Special Session of the New Mexico Legislature.

Councilor Palochak made the motion to accept the Greater Gallup Economic Development Corporation Annual Report. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

2. Rudy Radosevich Memorial Sculpture – Bill Siebersma

Mr. Siebersma presented the request to place the Rudy Radosevich Memorial Sculpture at the southwest corner of Second Street and Aztec Avenue or at the Downtown Walkway west of the Octavia Fellin Children's Library.

Mayor McKinney recommended placing the sculpture in front of the Gallup Bike Park on East Aztec Avenue. Mr. Siebersma said the consensus of the Memorial Committee and the Business Improvement District was to place the sculpture in the vicinity of the downtown area; however, the Gallup Bike Park location was never originally considered by either group. Although Mr. Siebersma personally preferred a location in the downtown area for placing the sculpture, he said he would take the matter back to the Memorial Committee to get their input on Gallup Bike Park location.

Discussion followed concerning the proposed locations for the placement of the sculpture.

Councilor Garcia supports Mayor McKinney's recommendation of placing the sculpture at the Gallup Bike Park. By doing so, Councilor Garcia proposed changing the name of the Gallup Bike Park to the Rudy Radosevich Memorial Park.

Mayor McKinney recommended approval of the project without the designation of a site for placement of the sculpture and allow the Memorial Committee to work with Ms. Ustick on selecting a site for the sculpture. Mayor McKinney also said if the sculpture is placed at the Gallup Bike Park, the City would also offer the changing of the bike park's name to the Rudy Radosevich Memorial Park.

Councilor Garcia made the motion to approve the Rudy Radosevich Memorial Sculpture without the designation of a site for placement of the sculpture. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

MINUTES

Regular City Council Meeting – 9/27/2016

Page 3

3. Resolution No. R2016-41; Approving Submission of an Application to the New Mexico Water Trust Board for the Funding of Project 9 of the Navajo-Gallup Water Supply Project (NGWSP) – Dennis Romero, Water and Sanitation Director

Mr. Romero provided an overview of the proposed project which includes the installation of a 24-inch waterline from the terminus of Project 5 to the City's main water system. The extent of the waterline is approximately 3.2 miles in a north-south direction. Additionally, there is a lateral portion of Project 9, a 16-inch waterline that begins mid-way through the project and extends about 0.4 miles eastward, terminating at the Gibson Pressure Reducing Valve (PRV) Station. The amount requested from the Water Trust Board for Project 9 is \$6,750,000.

Councilor Palochak made the motion to approve Resolution No. R2016-41. Seconded By Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

4. Temporary 30-Day Contract with CH2M Hill for the Operation of the Wastewater Treatment Plant – Dennis Romero, Water and Sanitation Director

Mr. Romero said City staff is in the process of negotiating a long-term Design, Build, Operate (DBO) contract with CH2M Hill for the operation of the Wastewater Treatment Plant. Since the City desires to cover any contingency in the contract, a lengthy and detailed contract is still being reviewed by CH2M Hill at this time. The proposed temporary 30-day contract will allow CH2M Hill to begin work on October 1, 2016 with the goal of executing the full DBO contract by November 1, 2016. The total cost for executing the temporary contract is \$106,695.00. Mr. Romero introduced representatives from CH2M Hill to the Mayor and Councilors.

Discussion followed concerning the continuation and management of the City's odor control program and the proposed capital project upgrades to be implemented by CH2M Hill under the DBO contract.

Following discussion, Councilor Palochak made the motion to approve the Temporary 30-Day Contract with CH2M Hill for the Operation of the Wastewater Treatment Plant. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

MINUTES

Regular City Council Meeting – 9/27/2016

Page 4

5. Request for Proposals (RFPs) for Veterinarian Services and Animal Shelter Services and Approval of Budget Adjustment for Both Services – Frances Rodriguez, Purchasing Director and Patty Holland, Chief Financial Officer

Ms. Rodriguez provided an overview of the RFP process as well as the results of the proposals submitted for both services. The proposals were reviewed by the RFP Evaluation Committee and the Gallup-McKinley County Animal Control Authority Board. The Board sends a positive recommendation to the Mayor and Councilors to award the Veterinarian Services RFP to Dr. Clinton Balok, DVM and to award the Animal Shelter Services RFP to the McKinley County Humane Society.

Ms. Holland said the initial budget for Animal Control was established prior to the implementation of the Joint Powers Agreement with the County. In order to fully fund both contracts, it will require an additional \$135,138 (60% share) from the City and \$90,093 (40% share) from the County. Ms. Holland requested approval of the transfer of \$225,231 from the General Fund to cover the budget deficiency as City staff will work with the County to adjust the amounts specified in the Joint Powers Agreement.

Discussion followed concerning possible changes that may be needed to the Joint Powers Agreement pending future discussions and evaluation of statistics with the County.

Following discussion, Councilor Kumar made the motion to approve the Request for Proposals (RFPs) for Veterinarian Services and Animal Shelter Services and Approval of the Budget Adjustment for Both Services. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

6. Public Notice Given Pursuant to Section 10-16-7 of the Governmental Conduct Act that a Public Officer or Employee, Namely Cosy Balok, has a Substantial Interest as the Spouse of a Contractor, Namely Dr. Clinton J. Balok, DVM, with Whom the City of Gallup is Going to Contract with for Veterinarian Services – George Kozeliski, City Attorney

Mr. Kozeliski presented the public notice as required by the Governmental Conduct Act of New Mexico.

7. Disposition of Surplus Vehicles by Means of the City's Online Auction – Patty Holland, Chief Financial Officer

Ms. Holland presented information concerning two surplus vehicles that have a resale

MINUTES

Regular City Council Meeting – 9/27/2016

Page 5

value of over \$2,500: a 1991 Pierce Arrow Aerial Ladder Truck and a 1993 Pierce Fire Engine. Ms. Holland said both vehicles have been replaced and recommended disposing of them through the City's online auction.

Councilor Kumar made the motion to approve the Disposition of Surplus Vehicles by Means of the City's Online Auction. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

8. Budget Adjustment for Police Vehicle Cameras – Patty Holland, Chief Financial Officer

Ms. Holland said \$300,000 has already been budgeted for the cameras; however, an additional \$25,000 is needed to cover the full cost of the project. She recommended a budget adjustment in the amount of \$25,000 to be budgeted in Fund 311 from reserves on hand.

Councilor Garcia made the motion to approve the Budget Adjustment for Police Vehicle Cameras as presented. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

9. Appointment of Bebe Sarmiento to the Gallup-McKinley County Veterans' Committee – Mayor Jackie McKinney

Mayor McKinney recommended the appointment of Ms. Sarmiento to the Committee.

Councilor Palochak made the motion to approve the appointment of Bebe Sarmiento to the Gallup-McKinley County Veterans' Committee. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

10. Resolution No. R2016-40; Indigenous People's Day – Mayor Jackie McKinney

Mayor McKinney presented the proposed Resolution declaring the second Monday in October as Indigenous People's Day in Gallup.

Councilor Landavazo said he spent some time reviewing the matter, including the designation of August 8th as International Day of the World's Indigenous People by the United Nations. Since there is a day already established for the international designation, he recommended amending the proposed Resolution to declare a locally designated Indigenous People's Day.

MINUTES

Regular City Council Meeting – 9/27/2016

Page 6

Councilor Palochak advised that McKinley County designed a local Indigenous People's Day. She believes the City should follow suit by declaring an Indigenous People's Day.

Councilors Kumar, Garcia and Mayor McKinney also expressed their support of an Indigenous People's Day in Gallup.

Mervyn Tilden addressed the Mayor and Councilors to voice his support of the proposed Resolution. Mr. Tilden also spoke in opposition to the observance of Columbus Day. He invited the Mayor and Councilors to stand with him in front of the Gallup Cultural Center on October 10, 2016 from 12:00 p.m. to 5:00 p.m. to show their support of Indigenous People's Day.

Councilor Landavazo made the motion to approve Resolution No. R2016-40 and to amend the Resolution to read "City of Gallup Indigenous People's Day." Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

Presented to the Mayor and Councilors were the following Presentation and Information Items:

1. Presentation on Panhandling – Lt. Billy Padavich, Gallup Police Department

Lt. Padavich presented the 2016 Gallup Police Department's Aggressive Solicitation and Drinking in Public Report. A copy of Lt. Padavich's presentation is attached hereto, marked as Exhibit A and made a part of these official Minutes. Lt. Padavich answered questions concerning the enforcement operations to curtail aggressive solicitation and public drinking and illegal solicitations on public right-of-ways.

2. Demonstration of New Tourism Website – Jennifer Lazarz, Acting Tourism and Marketing Manager

Ms. Lazarz provided an overview and demonstration of the City's new tourism website and branding initiative at GallupRealTrue.com. The website provides in depth information about local hotels, restaurants, attractions, activities and events in Gallup. Ms. Lazarz answered questions regarding the accessibility of the website through the use of search engines on the internet.

Comments by Public on Non-Agenda Items

None.

MINUTES

Regular City Council Meeting – 9/27/2016

Page 7

Comments by Mayor and City Councilors

Councilor Garcia thanked Mary Ellen Pellington, Director, Octavia Fellin Public Library, for the Library's recognition of Hispanic Month. Councilor Garcia said the City is blessed to have Ms. Sarmiento on the Gallup-McKinley County Veterans' Committee. Councilor Garcia encouraged everyone to wear pink on Fridays during the month of October. She will also hold a Northside Neighborhood Meeting on Wednesday, September 28, 2016 at 6:30 p.m. at the Northside Senior Center.

Councilor Kumar said he was happy the Council approved the Resolution declaring an Indigenous People's Day. He also thanked Ms. Lazarz and the City's consultants for their work on the new tourism website.

Councilor Landavazo said the Squash Blossom Classic, which took place two weekends ago, was a very successful event. He also encouraged everyone to "keep building Gallup."

Councilor Palochak provided an overview of her meetings with the families who experienced property damage during the recent water break on South Fifth Street. She also commented on a recent structure fire that occurred at a home in her district. Councilor Palochak also provided a summary of the Breast Cancer Awareness Month activities and she encouraged local entities to decorate their offices in pink. Additional information on the aforementioned activities will be disseminated to the public through fliers and E-mail.

Mayor McKinney provided information about a group traveling from Houston, Texas to Las Vegas, Nevada to implement the first hyperbaric oxygen chamber to be used by veterans and first responders. The group will stop here next Tuesday, October 4, 2016 at 6:30 p.m. for about 30 minutes. Mayor McKinney announced that his grandson, Dalton Sneed, will be the starting quarterback for the University of Nevada Las Vegas against Fresno State. Mayor McKinney commented City staff for their work in handling the emergencies that have recently occurred.

Comments by City Attorney and City Manager

At the request of Ms. Ustick, Chief Phillip Hart, Gallup Police Department, provided information about the Coffee with a Cop program. The program will begin on Friday, October 7, 2016 at 10:30 a.m. at Angela's Café. Chief Hart also provide details about the Police Department's Senior Volunteer Program, which will begin next week. Ms. Ustick said there will be a planned water outage on Monday, October 3, 2016 to repair the 16-inch water main at Fifth Street and Hill Avenue and Ninth Street and Lincoln Avenue. The outage will affect the Sky City area on the north side of town. Ms. Ustick said the New Mexico Self Insurer's Fund (the City's insurer) is still in the process of

MINUTES

Regular City Council Meeting – 9/27/2016

Page 8

gathering the information it needs regarding the water break at Fifth Street and Hill Avenue that caused property damage in the area. Ms. Ustick announced that Ms. Pellington was selected for the 2016 Governor's New Mexico Distinguished Public Service Award. Ms. Ustick also said Joe and Christine DiGregorio of Gallup have been selected for the Lifetime Achievement category of the 2016 Governor's New Mexico Distinguished Public Service Award.

There being no further business, Councilor Kumar made the motion to adjourn the meeting. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia and Mayor McKinney all voted yes.



Jackie McKinney, Mayor

ATTEST:



Alfred Abeita II, City Clerk

Approved 10/11/2016

EXHIBIT A

2016 Gallup Police Department

Aggressive Solicitation and Drinking in Public Report

Reporting period: March-September



Drinking in Public 338.D

- **Public Places:** It shall be unlawful to drink or consume alcoholic liquors, in any public dance hall, pool hall room, bowling alley , street, state or federal building or in any other public place, except establishments having a license to dispense alcoholic liquors. It shall also be unlawful for any licensee to give any kind of “curb service” or alcoholic liquors except in unbroken packages, outside of the building or premises at which the licensee’s business is operated except to customers seated at tables.

Aggressive Solicitation C2003-5 7-8-2003

Aggressive: Means and includes: Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitations without the person's consent

It shall be unlawful for any person to solicit by harassing or menacing another person on a public street or sidewalk or in another place open to the public, whether publicly or privately owned.

Operation Plan

Gallup Police Department began enforcement operations in several areas in the city.

Using Narcotics agents and Detectives in plain clothes.

The objective of the operations was to curtail the number of crimes and keep the public safe.

We used an operation plan to document the high traffic areas in the city of Gallup. The results of the operation were documented.

The amount of Aggressive Panhandling and Drinking in Public statistics are:

Arrests: Drinking in Public 11

Aggressive Panhandling 2

Summons: 13

Warrants: 6

During the enforcement operations it should also be noted that intoxicated subjects that were located/contacted and taken to Gallup Detox if there were no criminal violations and the person was unable to care for him or herself in accordance with the New Mexico Detoxification act.

Number of Intoxicated person taken to Gallup Detox by the Gallup Police Department 2016

January: 1525	May: 1569
February: 1562	June: 1574
March : 1623	July: 1549
April: 1685	August:1613

The average amount of persons taken to Gallup Detox per day is 50-60 by GPD only

Patrolled areas by District:

District 1

Heritage Plaza
Walmart
Home depot
El Mercado Plaza
St. Francis Church and School

District 2

Shop –r- Save west
El Dorado Lounge
Shalimar
Love's County Store
Giant West

District 3

Downtown walkway
Lowes Downtown Plaza
Giant South
Trademart Square
South 2nd Corridor

District 4

Lowes Uptown Plaza
Zecca Plaza
Giant East
Mustang East