

Minutes of the Special 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 4:30 p.m. on Tuesday, February 13, 2018.

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 Curtis Hayes, City Attorney

The Mayor and Councilors conducted a Work Session to discuss the following item:

1. Waste Water Financial Plan - Maryann Ustick, City Manager and Paul Cassidy, RBC Capital Markets

Ms. Ustick said Mr. Cassidy was unable to attend the meeting due to illness. Ms. Ustick said the purpose of the work session is to provide an overview of the financial status of the Wastewater Enterprise Fund as well as recommendations for a proposed rate increase.

Dennis Romero, Director, Gallup Water and Sanitation Department, provided a brief overview on the proposed Capital Improvement Plan for the Wastewater Utility and the projected revenue requirements for the projects. He also provided information on proposed work to either replace or repair the sewer line at Verdi Drive and Aztec Avenue.

Evan Kist, RBC Capital Markets, said his company was tasked with evaluating the cash flow of the Wastewater Utility with the objective of accomplishing the following: 1) generate sufficient cash flow and an operational balance; 2) provide adequate debt service coverage; and 3) provide long term financial stability for the Wastewater System. He said a proposed Ordinance with a recommended rate plan for wastewater services will be presented to the Mayor and Councilors for their consideration in March or April 2018. Mr. Kist provided a power point presentation concerning the proposed wastewater rate schedule, rate comparison amongst other cities for residential, multifamily dwelling and commercial customers, a financial overview of the Wastewater Utility with the proposed Capital Improvement Plan and financial planning for the improvements. Mr. Kist, Mr. Romero, Patty Holland, Chief Financial Officer and Ms. Ustick answered questions posed by the Mayor and Councilors regarding the information and proposals presented.

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Discussion followed regarding the possibility of enacting the new rate plan prior to July 1, 2018, advising customers regarding the use of the proceeds from the rate increase once it is implemented and considerations for low income and elderly customers under the proposed rate plan.

There was no action taken by the Mayor and Councilors on the proposed wastewater rate plan, wastewater financial plan or Capital Improvement Plan for the wastewater system.

There being no further business, the Work Session adjourned until the Regular Meeting at 6:00 p.m.



Jackie McKinney, Mayor



ATTEST:



Alfred Abejta II, City Clerk

Approved 2/27/2018

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, February 13, 2018.

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 Curtis Hayes, City Attorney

Presented to the Mayor and Councilors for their approval were the Minutes of the Regular Meeting of January 23, 2018.

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

Mayor McKinney recognized the following members of the audience: Dr. James Malm, Chief Executive Officer, University of New Mexico-Gallup (UNM-Gallup), Matthew Alcalá, the City's new Director of Golf and his wife Laura. Jon DeYoung, Assistant City Manager, provided a brief summary on Mr. Alcalá's background.

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

1. Approval of Collective Bargaining Agreement Between the City of Gallup and Gallup Fire Fighters Union, International Association of Fire Fighters (IAFF), Local 4296 – Klo Abeita, Human Resources Director

Ms. Abeita presented the Settlement Agreement between the City and the Gallup Fire Fighters Union. She said the Fire Fighters Union did not come forward to open negotiations during the period of time specified in the current Collective Bargaining Agreement. Rather than dealing with the effects of an agreement that would have expired, both parties agreed to extend the conditions of the current agreement for one month and to open negotiations that were limited to the scope of insurance, compensation and the terms of the agreement. Based on negotiations, the proposed Settlement Agreement will allow the conditions of the current Collective Bargaining Agreement between both parties to continue in full force and in effect for a period of 12 additional

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months and it will allow the Fire Fighters Union to participate in the City's Safety Incentive Program. Ms. Abeita said the proposed Settlement Agreement was ratified by the Fire Fighters Union last week and the City's fiscal impact of \$10,152 for the safety incentives will come from the Risk Management Fund.

Ms. Ustick said if the Settlement Agreement is approved, the City will make the safety incentive pay immediately available to eligible fire fighters and in December 2018, when the safety incentive pay is made to other eligible City employees.

Mayor McKinney commended the Gallup Fire Department for the work they do in the community.

Councilor Kumar made the motion to approve the Collective Bargaining Agreement between the City of Gallup and the Gallup Fire Fighters Union, International Association of Fire Fighters, Local 4296. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

Mayor McKinney expressed his condolences to the employees of the Gallup Fire Department regarding the passing of retired Fire Chief Robert Garcia.

2. Approval of Emergency Procurement and Budget Adjustment for Temporary Pumping Services by Dallago Corporation for the Indian Hills Lift Station – Dennis Romero, Director, Gallup Water and Sanitation Department

Mr. Romero said the Indian Hills Lift Station failed on November 25, 2017, which led to the discharge of raw wastewater into the environment over a day and a half. As a temporary solution to the problem, the City directed Dallago Corporation to install a series of pipes from manholes upstream of the lift station into pumps that were leased from a company from Aztec. The work not only prevented the discharge of raw wastewater into the environment, it restored movement of wastewater from the east side of the City's wastewater collection system to the Wastewater Treatment Plant. If the City continued to allow the discharge of raw wastewater into the environment, the City could have been penalized with a monetary fine by the Environmental Protection Agency for violations of the Clean Water Act. Mr. Romero said the fiscal impact for the emergency work is estimated to be about \$220,000 to \$230,000; however, the costs to the City are not to exceed \$275,000 under the max-bid contract with Dallago Corporation. He recommend approval of the emergency procurement and budget adjustment for the temporary pumping services in an amount not to exceed \$275,000 for the Indian Hills Lift Station. He also said the cost for the work was also included in the cash flow analysis and the Capital Improvement Program as discussed during the previous work session.

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Discussion followed concerning the time frame for bringing the new pumps online, the work being done by Dallago Corporation to increase the capacity of system to allow for future growth on the east side of town and the damage that was done to both pumps and electrical controls at the lift station.

Councilor Landavazo made the motion to approve the emergency procurement and budget adjustment for the temporary pumping services by Dallago Corporation for the Indian Hills Lift Station as presented. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

3. Resolution No. R2018-5; 2018 Community Development Block Grant (CDBG) Residential Anti-Displacement and Relocation Assistance Plan – Stan Henderson, Public Works Director
4. Resolution No. R2018-6; 2018 CDBG Citizens Participation Plan – Stan Henderson, Public Works Director
5. 2018 CDBG Fair Housing Proclamation – Stan Henderson, Public Works Director
6. Resolution No. R2018-7; 2018 CDBG Housing and Urban Development (HUD) Section 3 Plan – Stan Henderson, Public Works Director
7. Resolution No. R2018-8; 2018 CDBG Procurement Policy Adoption – Stan Henderson, Public Works Director

Mr. Henderson presented Discussion/Action Topics 3 through 7 as required for the City's participation in the CDBG Program. There were no questions posed by the Mayor and Councilors regarding the City's annual requirement.

Discussion/Action Topic 3: Councilor Garcia made the motion to approve Resolution No. R2018-5. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

Discussion/Action Topic 4: Councilor Palochak made the motion to approve Resolution No. R2018-6. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

Discussion/Action Topic 5: Councilor Kumar made the motion to approve the 2018 CDBG Fair Housing Proclamation. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

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Discussion/Action Topic 6: Councilor Landavazo made the motion to approve Resolution No. R2018-7. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

Discussion/Action Topic 7: Councilor Palochak made the motion to approve Resolution No. R2018-8. Seconded by councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo and Mayor McKinney all voted yes.

8. Fiscal Year (FY) 2017-2018 Whole Block Sidewalk Reconstruction Program – Stan Henderson, Public Works Director

Based on the discussion from the December 12, 2017 Regular Council Meeting, Mr. Henderson presented recommendations for the program for FY18:

District 1: #1 Marguerite Franco Street north from Miyamura to Wilson Ave; OR  
#2 Country Club Drive north from Logan Ave. to Aztec Ave.; OR  
#3 Bike Park periphery from Grandview Ave to Aztec Ave.

District 2: #1 Church Rock Street west from Toltec Drive to Tocito Trail; OR  
#2 Church Rock Place.

District 3: #1 Linda Drive from Nizhoni Blvd. to Sophie Ave.; OR  
#2 Mariyana Street from Nizhoni Blvd. to Sagebrush Ave.

District 4: #1 West Aztec Ave. from NM 602 to Dean Street; OR  
#2 Viro Circle south from Aztec Ave. to Copper Ave.

Mr. Henderson said the fiscal impact will be determined as part of the 2018-2019 Community Improvement Program budget based on final design and cost estimates. The Mayor and Councilors previously appropriated \$800,000 for this fiscal year's program, which is sufficient for the engineering costs of the program, but it is not sufficient for the total reconstruction costs for all nine neighborhoods. Mr. Henderson recommended proceeding with the four streets labeled #1 in each district, which will cost about \$1.5 million or less for reconstruction.

Councilor Palochak asked that the project labeled as #2 in District 4 be selected as the priority in her district. She believes the current conditions in the Viro Circle area is more critical than the area on Aztec Avenue from NM 602 to Dean Street.

Mr. Henderson answered questions posed by Councilor Garcia regarding the project alternatives in her district.

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Following discussion, Councilor Landavazo made the motion to approve the Fiscal Year 2017-2018 Whole Block Sidewalk Reconstruction Program as amended. 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. 2017 Gallup Fire Department Annual Report – Chief Eric Babcock, Gallup Fire Department

Chief Babcock presented a brief introduction to the report. The following staff members of the Gallup Fire Department addressed the Mayor and Councilors regarding their respective sections of the report: Deputy Fire Chief Jesus Morales, Administration; Emergency Management Specialist Karen Carlisle, Emergency Management; Battalion Fire Chief Jonathan Dayton, Operations; Assistant Fire Chief Michael Hoffman, Safety and Training; Fire Marshall Jacob Lacroix, Fire Prevention; and Chief Babcock, Recognition.

2. Fiscal Year 2018 Quarterly Behavioral Health Program Reports – Debra Martinez, Behavioral Health Investment Zone Program Manager

Ms. Martinez and Sindy Sacoman, Project Evaluator, provided an overview of the First Quarter Preventing Alcohol-Related Deaths (PARD) Report, data pertaining to the Behavioral Health Investment Zone (BHIZ) services provided at Na’Nizhoozhi Center, Inc. (NCI) and Rehoboth McKinley Christian Health Care Services (RMCHCS) for FY18 Second Quarter and comparable statistics for 2016 and 2017 concerning the services provided at NCI.

Discussion followed concerning the need to make out patient counseling and General Educational Development (GED) services available to non-profit organizations for the clients they serve.

### **Comments by Public on Non-Agenda Items**

Dr. Malm extended greetings to the Mayor and Councilors on behalf of UNM-Gallup and thanked them for their public service. He provided a brief overview on his personal background, the work being done by the UNM-Gallup Advisory Board and the educational programs offered by UNM-Gallup.

Anna Rondon provided information on the work being done to develop an Indigenous Women’s Council. She extended an invitation to everyone to the Stand with Native

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Women Event on Saturday, February 17, 2018 at 1:00 p.m. at the El Morro Events Center. Various issues will be discussed at the event, including the lack of available resources for women in domestic violence situations as well as equal pay for women.

Sonlatsa Jim-Martin acknowledged her ancestors and the ancestors of this native land. She said it is important to teach children about the community of Gallup and McKinley County since it is an epicenter of ancient knowledge, trade and industry. By teaching children about the community, it will help build pride and self-identity to many of the indigenous children and students in the school system. As part of the Indigenous Women's Council, she said they have been strategizing and planning on how they can help indigenous relatives living in Gallup and those who commute in and out of Gallup. She said there are many relatives who are indigent and living on the streets as there are many things that can be done for all indigenous people in the city.

Mayor McKinney said he has been working with Mr. Hayes on an Ordinance creating an Indigenous Peoples Committee. The Ordinance will be considered by the Council as early as the next regular meeting.

### **Comments by Mayor and City Councilors**

Councilor Garcia expressed her condolences to the family of retired Fire Chief Robert Garcia on his passing as well as the employees of the Gallup Fire Department. She also commended the Fire Department for all the work they do for the community. She also welcomed Mr. and Mrs. Alcala and Dr. Malm and his family to the community and wished them great success. Councilor Garcia said she will hold her next Neighborhood Meeting on Thursday, February 22, 2018 at 6:30 p.m. at the Gallup Senior Center. She thanked Chief Babcock and Ms. Carlisle for their presentation on smoke detectors at the last Neighborhood Meeting. She also will attend the Stand with Native Women's Event next Saturday.

Councilor Kumar thanked the Gallup Fire Department for the presentation on their annual report. He also commended the Gallup Fire Fighters for their safety record and for all the work they do for the City. Councilor Kumar also commented on the successful Gallup Day at the Legislature, which was held on February 1, 2018. He welcomed Dr. Malm to the community. He also encouraged everyone to walk in groups when they leave City Hall late in the evening for safety reasons.

Councilor Landavazo welcomed Dr. Malm and thanked him for choosing Gallup and being a part of the community. Councilor Landavazo commended City staff for their work and professional presentations before the Mayor and Councilors. He also commended Ms. Ustick for her work and leadership, which allows room for City employees to grow in their professions. Councilor Landavazo also thanked Ms. Jim-Martin and Ms. Rondon for their

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presentations and comments. He also encouraged everyone to continue to believe and to keep building Gallup.

Councilor Palochak expressed her condolences to the family of retired Fire Chief Robert Garcia and the staff of the Gallup Fire Department. She welcomed Dr. Malm to the community and wished him success in overseeing UNM-Gallup. Councilor Palochak extended her appreciation to the Gallup Fire Department for all their projects for the community. She also commended the BHIZ staff and consultants for their work in combating substance abuse in the community.

Mayor McKinney commended City staff for all the work they do. He also welcomed Dr. Malm and thanked him for his commitment to the community. Mayor McKinney said the current session of the New Mexico Legislature will end in a couple of days as City officials are focusing on one legislative bill that will address Gallup's fiscal constraints with the current phase-out of the State's hold harmless provisions. City officials are also focused on the City's request for capital outlay funding from the State. Mayor McKinney commended Ms. Ustick for her work and appreciates her diligence in carrying out her duties. He also commended Mr. Hayes for his work and all the legal research he has done on several issues.

**Comments by City Manager and City Attorney**

Ms. Ustick said she was honored for having served on the selection committee for the Chief Executive Officer's position at UNM-Gallup. She also announced the selection of Tammi Moe as the new Director of the Octavia Fellin Public Library.

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



ATTEST:

  
Alfred Abeita II, City Clerk

  
Jackie McKinney, Mayor

Approved 2/27/2018