

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 4:00 p.m. on Tuesday, July 24, 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

Mayor McKinney recognized John Pena, former Mayor and Grant Foutz, Municipal Judge, in the audience.

The Mayor and Councilors conducted a Work Session concerning the following discussion items:

1. Drought Contingency Plan – Evan Williams, Deputy Director, Northwest New Mexico Council of Governments (NWNMCOG)

Mr. Williams said the NWNMCOG has been working with the City on a drought contingency plan under a grant provided by the Bureau of Reclamation. He introduced Jim Honea of Jacobs (formerly CH2M Hill), who provided a power point presentation on the drought contingency plan, which is currently in draft form. A copy of the power point presentation is attached hereto, marked as **Exhibit A** and made a part of these official Minutes.

Discussion followed concerning the use of affluent water at the golf course and the amount of affluent water that is discharged into the Rio Puerco, the average residential use of water, concerns with how a high rate structure would affect residents on fixed incomes when such rates are implemented during stages of severe or extreme drought conditions, the low amount of water currently being used that is available in the City's well system, other cities with emergency rate structures and tiered water rate structures which may be implemented during severe or extreme drought conditions and restrictions for commercial car washes during severe or extreme drought conditions.

Ms. Ustick said the proposed drought contingency plan will be presented to the Mayor and Councilors for their approval at the August 28, 2018 Regular Meeting.

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2. Cecil Garcia Fitness Center Rehabilitation Project Programming Document – Stan Henderson, Public Works Director

Mr. Henderson said the facility was originally constructed in 1979 as the City took over the facility in 1999. The facility is now showing its age and the usage of the building has outgrown the space as now configured. Huitt-Zollars of Albuquerque has been commissioned by the City to perform a conceptual design study for a proposed rehabilitation of the facility. Two public meetings have been conducted to obtain input for the study. The study is now being presented to the Mayor and Councilors for their input and consideration.

Joe Gallegos, Jose Zelaya and Carlos DeAnda of Huitt-Zollars provided a power point presentation on the existing conditions of the facility, the results of the questionnaires completed by users of the facility, the floor plan options from the study, the preferred option selected by users of the facility (which is a combination of the first and fourth options) and the opinion of probable cost to rehabilitate the facility. A copy of the power point presentation is attached hereto, marked as **Exhibit B** and made a part of these official Minutes.

Discussion followed concerning the City-owned land south of the facility, the need to analyze the condition of the current fitness equipment at the facility and whether the underground mines in the area will affect the foundation of the facility.

Anthony Martinez, Fitness Center Manager, responded to questions regarding the condition of the current fitness equipment and the size and usage of the basketball court at the facility. Mayor McKinney instructed Ms. Ustick and Mr. Martinez to prepare a list of equipment that is worn and outdated in order to figure a cost estimate for the replacement of the equipment.

Mayor McKinney said the proposed rehabilitation plan needs to be included in the City's capital improvement priorities.

Fran Pawlowski presented his concerns with how the existing facility has outgrown its current space and recommended expanding the facility as part of the proposed improvements. He also presented his concerns with the need to expand the size of the restrooms, locker rooms and the parking lot. Mr. Pawlowski also submitted his comments and questions in writing to the Mayor and Councilors. A copy of Mr. Pawlowski's comments and questions are attached hereto, marked as **Exhibit C** and made a part of these official Minutes.

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Judge Foutz said he appreciates the City's efforts to improve the facility. He agreed with Mr. Pawlowski regarding his recommendations for expanding the facility as usage of the facility has increased over the years.

Mr. Pena said the donation of the land and facility by the Gurley family is the largest donation the City ever had. He said there are at least 200 members that sign-in to use the facility every day. The City's Environmental Tax Fund may be used for improvements to the facility's insulation and HVAC. He also recommended contacting the County and the New Mexico Legislature to see if they would be able to provide funding assistance.

Joann Benenati said the fitness center is one of the best quality of life assets the community has, second to the library. She explained that the facility is beneficial to the community and is used by people of all ages. She recommended the replacement of the cardio equipment at the fitness center.

3. Conceptual Design Report for Red Rock Park RV Campground Reconstruction Project – Stan Henderson, Public Works Director

Mr. Henderson said the east campground at Red Rock Park was originally constructed in the 1970's. In its present condition, the campground cannot accommodate many of today's new and larger recreational vehicle (RV) models. Huitt-Zollars has been commissioned by the City to perform a conceptual design study for a proposed reconstruction of the east RV campground.

Mr. Gallegos provided a power point presentation on the existing conditions at the campground, the four design options from the study, the preferred option as selected by City staff and the Random Order of Magnitude (ROM) cost estimate for the reconstruction of the campground. A copy of the power point presentation is attached hereto, marked as **Exhibit D** and made a part of these official Minutes.

Discussion followed concerning the design for pull-through trailers, the work being done to have a credit card reservation system in place for the campground, the loss of RV spaces at the campground under the design options in the study and if the proposed reconstruction of the campground could be phased.

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

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Jackie McKinney, Mayor



ATTEST:



Alfred Abeita II, City Clerk

Approved 8/14/2018

EXHIBITS

Due to the voluminous nature of the Exhibits referenced in the Minutes of the Special City Council Meeting of July 24, 2018, please contact the City Clerk's Office at pio@gallupnm.gov or (505) 863-1254 for copies of the following documentation:

- 1.) EXHIBIT A
Power Point Presentation on the Gallup Drought Contingency Plan

- 2.) EXHIBIT B
Power Point Presentation on the Proposed Rehabilitation of the Cecil Garcia Fitness Center

- 3.) EXHIBIT C
Fran Pawlowski's Comments/Questions Regarding the Proposed Rehabilitation of the Cecil Garcia Fitness Center

- 4.) EXHIBIT D
Power Point Presentation on the Proposed Reconstruction of the East Side Campground at Red Rock Park

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 W. Aztec Ave. at 6:00 p.m. on Tuesday, July 24, 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 Fran Palochak Yogash Kumar
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 July 10, 2018.

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

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

1. Amendment to the Existing Event Permit for ArtsCrawl – Rose Eason, Executive Director, GallupARTS

Ms. Eason presented the request to extend the time for the street closures by at least one hour to accommodate larger crowds and allow adequate time for clean-up and tear-down of the event.

Discussion followed regarding the success and growth of the event and the amount of time it may take for participants to pack up. Mayor McKinney suggested adding an additional hour and a half to two hours, in addition to the one hour requested by GallupARTS.

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Councilor Kumar made the motion to approve the amendment to the existing Event Permit for ArtsCrawl until 10:30 PM or until it is safe. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia and Mayor McKinney all voted yes.

2. Ordinance No. C2018-9; An Ordinance Creating The Keep Gallup Clean and Beautiful Board – Jennifer Lazarz, Tourism and Marketing Manager

Ms. Lazarz presented the ordinance to create the board as a requirement of the Keep Gallup Clean and Beautiful program, which will qualify the City for additional grants. Ms. Lazarz provided a brief description of the responsibilities and duties of board members, including making recommendations and creating a litter index.

Councilor Palochak made the motion to approve Ordinance No C2018-9; An Ordinance creating the Keep Gallup Clean and Beautiful Board. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

Mayor McKinney requested all recommendations to be submitted to Ms. Ustick for appointment at the next regular City Council meeting.

3. Resolution No. R2018-20; Fiscal Year 2018 Q4 Budget Adjustments and Report of Actuals – Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed Resolution which encompasses all budget changes processed April 1, 2018 through June 30, 2018. She provided an overview of the budget adjustments as well as the Report of Actuals for the quarter, highlighting certain changes made to meet the Department of Finance Administration requirements.

She also stated the City Finance Department is in the process of separating all utility related projects for better tracking purposes.

Councilor Kumar made the motion to approve Resolution No. R2018-20; 4th Quarter Fiscal Year 2018 Budget Adjustments and Report of Actuals. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Palochak, Garcia and Mayor McKinney all voted yes.

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4. Resolution No. R2018-21; Reinstating the Water High Efficiency (HE) Rebate Incentive Programs – Dennis Romero, Water and Sanitation Director

Mr. Romero presented the Resolution to provide up to \$5,000 for the rebate program and provided a brief description on how the program functions.

Discussion followed regarding the reimbursement method and how much money was utilized on the program in previous years.

Councilor Garcia expressed her support of the program and commented on the numerous residents within her district that have utilized it.

Councilor Garcia made the motion to approve Resolution No. R2018-21; Reinstating the Water High Efficiency (HE) Rebate Incentive Programs. Seconded by Councilor Palochak. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

5. Professional Services Agreement for Rehoboth McKinley Christian Health Care Services Behavioral Health – Debra Martinez, Behavioral Health Investment Zone Program Manager

Ms. Martinez presented the agreement for \$105,000 in allocated funds from the Behavioral Health Investment Zone grant fund to Rehoboth-McKinley Christian Health Care Services, Inc. for the purpose of providing work services, case management, aftercare and GED services.

Discussion followed regarding the number of years the City has contributed to RMCHCS Behavioral Health programs, changes that have occurred over the years as far as participants, staffing and the amount funded last year.

Ms. Martinez said updated data from the year will be provided to Mayor and Council in August.

Councilor Palochak made the motion to approve the Professional Services Agreement for Rehoboth McKinley Christian Health Care Services Behavioral Health. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

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6. Approval of Gallup Detoxification Center Intensive Services Agreement – Debra Martinez, Behavioral Health Investment Zone Program Manager

Ms. Martinez presented the agreement and explained how the program will function.

Mayor McKinney commented on the upcoming administration change in Santa Fe and the importance of working with legislation to keep the line item in the budget and continue to fund the program.

Councilor Landavazo made the motion to approval Gallup Detoxification Center Intensive Services Agreement. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar, Garcia and Mayor McKinney all voted yes.

7. Resolution No. R2018-22; FY 18-2019 Local Government Road Fund Cooperative Agreement – Stanley Henderson, Public Works Director

Mr. Henderson presented the annual Cooperative Agreement with the New Mexico Department of Transportation in the amount of \$270,000, which is double than what was funded the previous year, and a 25% match from the City, totaling \$396,000.

Mayor McKinney commended Mr. Henderson and Ms. Ustick's foresight as well as the budget set aside by Mr. Henderson and his department which will cover the City's 25% match.

Councilor Palochak made the motion to approve Resolution No. R2018-22; FY 18-2019 Local Government Road Fund Cooperative Agreement. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Landavazo, Garcia and Mayor McKinney all voted yes.

8. Award of Contract for Utility Legal Services – Curtis Hayes, City Attorney

Mr. Hayes said with expiration of the current contract, the City issued a Request for Proposals wherein two proposals were received. The proposals received were reviewed and scored, with Stelzner Law Firm scoring substantially higher in all categories, with the exception of cost which was slightly more expensive. Due to the high quality of service, Mr. Hayes recommended the award of contract to Stelzner Law Firm.

Mayor McKinney expressed his support due to the established work history in addition to past projects Stelzner Law Firm assisted with.

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Councilor Kumar made the motion to approve the award of contract for Utility Legal Services. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Palochak, Garcia and Mayor McKinney all voted yes.

9. Award of Contract for General Legal Services – Curtis Hayes, City Attorney

Mr. Hayes said seven proposals were submitted in response to the City's Request for Proposals to provide general legal services. The proposals were reviewed and scored and due to their expertise and experience in criminal prosecution, Mr. Hayes made the recommendation to award the contract to Mason and Isaacson.

Mayor McKinney pointed out there is no fiscal impact for this or the previous legal services contract as funds were pre-budgeted during the current fiscal year.

Councilor Palochak made the motion to approve the award of contract for General Legal Services. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

10. Appointment of Anna Connell to the Lodgers Tax Advisory Committee – Mayor McKinney

Based on the resignation of Alexandra Griego from the Lodger's Tax Committee, Mayor McKinney recommended the appointment of Anna Connell to fill the vacancy.

Councilor Garcia made the motion to approve the appointment of Anna Connell to the Lodgers Tax Advisory Committee. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Landavazo, Kumar and Mayor McKinney all voted yes.

Comments by Public on Non-Agenda Items

David Tibbs, long time Gallup resident, expressed his concerns regarding a neighbor who recently started a Bed and Breakfast facility out of the home. Mr. Tibbs' concerns included lodger's tax, noise, crime and the described environment of that as a hotel.

Mayor McKinney asked Mr. Tibbs to provide his contact information to Mr. Hayes in order to set up a meeting to discuss the matter further.

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Mr. Hayes commented on new regulations included in the Land Development Standards (LDS) update and informed Mr. Tibbs of the public meetings that were held every week to discuss the LDS. The next meeting is scheduled for Wednesday, July 25, 2018 at 6:00 PM.

At the request of Mayor McKinney, Clyde (CB) Strain, Planning and Development Director, clarified the current code does not regulate Airbnb businesses, however, the new code will include regulations pertaining to these types of businesses which will require a conditional use permit to ensure there are no adverse effects to the adjacent properties.

Discussion followed regarding the issues with enforcement and how other cities are addressing them, as well as lodger's tax exemptions, business license requirements and ways to track these types of business.

Comments by Mayor and City Council

Councilor Landavazo commended the Parks Department and staff for their hard work with recent events, including those at Red Rock Park.

Councilor Kumar also thanked staff involved in recent events including street closures and after-hour events.

Mayor McKinney provided a brief update on a water conservation contest called, the Mayor's Challenge where the City won a new Toyota and was able to choose a local charity to gift it to. He invited everyone to the Court House Square on August 7, 2018 at 11:30 a.m. where the City will present Battered Families with the Toyota. Mayor McKinney also thanked Mr. Romero and Elizabeth Barriga, Water Conservation Coordinator, for their help with the contest as well as the community for participating.

Comments by City Manager and City Attorney

Ms. Ustick announced the grand opening of the Skate Park to be held on July 28, 2018 at 10:00 AM. Also scheduled that day is the Mud Run, Freedom Flight and Ride and the Veteran's Wellness event at Rio West Mall. She also mentioned the retirement of Richard Matzke, Electric Director and announced the appointment of Eric Babcock, Fire Chief as Interim Electric Director effective August 4, 2018.

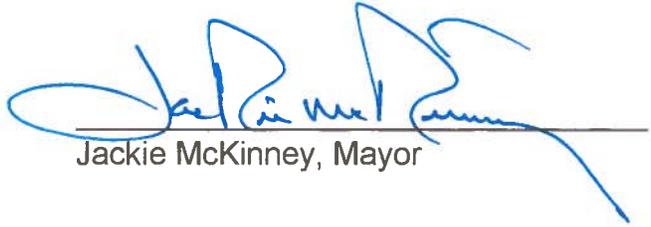
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Mayor McKinney provided specific information and times for the weekend events.

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



Jackie McKinney, Mayor



Alicia Palacios, Deputy City Clerk