

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, August 28, 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 (via telephone) 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 August 14, 2018.

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

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

1. Ordinance No. C2018-10; Adoption of the New Land Development Standards 2018 – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain introduced consultants Katrina Arndt of Dekker Perich Sabatini and Aaron Sussman of Bohannon Huston, who provided a brief overview of the Land Development Standards update process. Mr. Sussman stated, with the recommendation of the City of Gallup's Growth Management Plan, the project began during the spring of 2017 with the intent of updating the current code, which had not been significantly updated in about 20 years. A Diagnostic Report was completed to establish how well the current code functions while reviewing examples of similar New Mexican cities. The main principles of the code include user friendliness and flexibility. During the review process all proposed changes and provisions were vetted through a steering committee, identified by the City of Gallup.

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Ms. Arndt, who worked on the zoning portion of the code, explained the importance of flexibility, predictability and provided a brief explanation of Overlay Districts, district consolidation, the utilization of tables and illustrations.

Mr. Strain explained certain issues with the current code and the need for an update that would provide best practices and flexibility to promote development. He also commented on the number of steering committee meetings, public hearings, workshops and Planning and Zoning Commission Meetings held within the last year to gather public input and provide updates as well as to work out any concerns. The Planning and Zoning Commission sent a positive recommendation to the City Council at their regularly scheduled meeting on August 8, 2018. However, after briefing with City Council members, certain language was proposed regarding sidewalk improvements for single family residential dwellings existing that have a renovation or above ground structural modification: additions, renovations and above ground structural modifications to existing single family residential dwellings with a project evaluation equal to or exceeding \$75,000, up to 10% of the project evaluation is required for improving pedestrian infrastructure. If existing pedestrian infrastructure is deteriorating or damaged the City of Gallup may match the valuation of pedestrian infrastructure improvements for up to 50% of the determined value. If existing pedestrian infrastructure was compliant at the time of installation and is in good condition but does not comply with the current standard, the existing infrastructure may remain in place. Any components of existing pedestrian infrastructure i.e. sidewalks, stones, curb and gutter sections that are deteriorated or damaged shall be replaced and shall match the remaining components of existing pedestrian infrastructure. Whenever there is gap within existing pedestrian infrastructure between properties that is related to an addition, a renovation or above ground modification to an existing single family dwelling with a project evaluation as described above pedestrian infrastructure shall be installed as required for new construction. Under the current Land Development Standards, for renovations, above ground structural modifications, and additions to any existing structure where the evaluation was equal to or exceeded \$50,000., up to 20% of that value was to go towards pedestrian infrastructure, if the improvements are needed.

Mr. Rick Murphy, member of the steering committee and Mr. Bill Lee, Gallup Chamber of Commerce CEO, commended all who worked on the document and expressed their support of the changes made as well as the Planning and Zoning Commission's commitment to making additional changes as needed in the future. Mr. Lee is forming a committee, at the recommendation of Ms. Ustick, to continue to follow and update the Planning and Zoning Committee as issues arise with the new code.

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Mayor and Council all commended all who worked on the document and noted it is a living document that can be changed as issues arise.

Mr. Strain answered questions posed by Councilor Kumar concerning other possible considerations for width requirements for pedestrian infrastructure and parking space size requirements.

Brief discussion followed regarding an applicant canceling a current building permit and reapplying after the code is implemented.

Mayor McKinney expressed his support of the new document and accommodating developers in the future.

Councilor Kumar made the motion to approve Ordinance No. C2018-10; Adoption of the New Land Development Standards 2018 subject to the sidewalk recommendations presented for a single family dwelling, \$75,000 and the cost of 10% for pedestrian sidewalk safety. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Palochak, Garcia and Mayor McKinney all voted yes.

2. Adoption of City of Gallup Drought Contingency Plan – Evan Williams, Northwest New Mexico Council of Governments

Mr. Williams said the Drought Contingency Plan was funded in part by the Bureau of Reclamation Grant the City was awarded with the help of Elizabeth Barriga, Water Conservation Coordinator and Dennis Romero, Gallup Utilities Executive Director. Mr. Williams introduced Jim Honea, CH2M Representative, who presented a brief PowerPoint presentation and highlighted changes made since the July 24, 2018 presentation at the City Council Work Session.

Mayor McKinney clarified that the City of Gallup is not currently in a water drought and the Contingency Plan is in preparation of such an occurrence in the future. He also expressed opposition of a rate structure being included due to the uncertainty of important factors.

Councilor Landavazo stated he was also concerned with the rate schedule and the lack of enforceability.

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Discussion followed regarding the rate structure and whether or not the grant requires it. Ms. Ustick said that any water rate change would have to go through the Ordinance adoption process regardless of what the plan includes, therefore, she recommended eliminating number amounts completely.

Councilor Landavazo made the motion to adopt the City of Gallup Drought Contingency Plan with the removal of the rate chart but allowing the City Manager to bring a recommendation back to Mayor and Council. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Palochak, Kumar and Mayor McKinney all voted yes.

2. Request for Street Closures on September 15, 2018 for Beehive Homes Community Carnival – Mary Patten, Administrator, Beehive Homes of Gallup

Ms. Patten presented the request to close Gurley Avenue from the stop sign near 600 Gurley Avenue to the corner of Mariyana Street near the water tank from 10:00 a.m. to 2:00 p.m. on September 15, 2018.

Councilor Garcia made the motion to approve the request from Beehive Homes of Gallup for street closures for a family carnival to be held Saturday September 15, 2018. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Palochak, Landavazo and Mayor McKinney all voted yes.

4. Request for Street Closure on September 15, 2018 for the Gallup Film Festival – Knifewing Segura, Gallup Film Festival

Mr. Segura presented the request for street closures on Second Street, from Aztec Avenue to Coal Avenue from 4:00 a.m. to 11:00 p.m. on September 15, 2018. He provided a brief overview of guests scheduled to attend the event.

Councilor Landavazo made the motion to approve the street closures on September 15, 2018 for the Gallup Film Festival from Aztec Ave. to Coal Ave. on Second St. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Palochak, Kumar and Mayor McKinney all voted yes.

5. Ordinance No C2018-11: Amendments to Fire Code Concerning Fire Safety Systems – Jacob LaCroix, Gallup Fire Marshall

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Fire Marshal LaCroix presented the proposed amendment to the Fire Code regarding the Certificate of Fitness requirement, as outlined in the NM Administrative Code, which will allow the City to take enforcement action against contractors working on fire alarms, sprinkler systems, etc. who do not obtain one while also ensuring companies are qualified.

Brief discussion followed regarding the number of contractors who currently possess the required certificates in and around Gallup. Fire Marshal LaCroix clarified that any contractor providing this type of service in the State of New Mexico would be required to obtain a Certificate of Insurance.

Councilor Kumar made the motion to approve Ordinance No C2018-11; Amendments to Fire Code Concerning Fire Safety Systems. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

6. Ordinance No. C2018-12; Amendment to Inspection of Buildings Ordinance – Jacob LaCroix, Gallup Fire Marshall

Fire Marshal LaCroix presented the proposed ordinance amending the requirement to provide monthly inspections of all buildings within the city limits. The ordinance requires the inspections at such times as the Fire Department may deem proper, since the department does not have the resources to conduct the inspection of all buildings on a monthly basis.

Councilor Kumar made the motion to approve Ordinance No. C2018-12; Amendment to Inspection of Buildings Ordinance. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

7. Appointments to The Keep Gallup Clean and Beautiful Board – Mayor Jackie McKinney

Mayor McKinney recommended the appointment of Judy Conejo, John Ortiz and Britnie Burds to serve on the Keep Gallup Clean and Beautiful Board.

Councilor Palochak expressed her support of the proposed board members.

Councilor Landavazo made the motion to approve the appointments of the Keep Gallup Clean and Beautiful Board as presented. Seconded by Councilor Kumar. Roll call: Councilors Landavazo, Kumar, Palochak, Garcia and Mayor McKinney all voted yes.

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8. Acceptance of the 2017 DOJ Edward Byrne Memorial Justice Assistance Grant Award – Franklin Boyd, Acting Chief of Police

Acting Chief Boyd presented the 2018 Department of Justice (DOJ) Edward Byrne Memorial Grant in the amount \$38,686. According to a Memorandum of Agreement (MOA) executed last year with McKinley County, the County will receive \$14,686 while the City of Gallup will receive \$24,000, to be used on the Gallup Police Department's K-9 Program.

Mayor McKinney clarified the City's amount of \$24,000, which is stipulated in the MOA.

Discussion followed regarding the number of K-9 officers and dogs, the acquisition of the dogs, the amount of training required and the K-9's forever-home upon retirement.

Councilor Garcia made the motion to approve acceptance of the 2017 Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant award. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Palochak, Landavazo and Mayor McKinney all voted yes.

9. Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2018 – Franklin Boyd, Acting Chief of Police

Acting Chief Boyd presented the 2018 Edward Byrne Memorial Justice Assistance Grant in the amount \$35,153. with \$15,000 going to McKinley County and \$20,513. going to the City of Gallup Police Department for K-9 training as stipulated in the MOA executed August 2018.

Mayor McKinney commented on the work staff has put in to get grant funding with no match requirement.

As part of the grant requirement, Mayor McKinney, called for public comment concerning the grant. There was no public comment presented. Acting Chief Boyd thanked Jon DeYoung, Assistant City Manager and Jeanette Fortney of the Finance Department for their assistance in acquiring the grant.

Councilor Garcia made the motion to approve Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2018. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Palochak, Landavazo and Mayor McKinney all voted yes.

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10. Request for Budget Transfer for Navajo Gallup Water Supply Project (NGWSP) Legal Services – Dennis Romero, Gallup Joint Utilities Executive Director

Mr. Romero presented the request for a budget transfer in the amount of \$50,000 from the Water Enterprise Fund to Project No. CP1128 for continued legal services provided by Stelzner, Winter, Warburton, Flores, Sanchez and Dawes, P.A. (Law Firm) associated with the NGWSP. Mr. Romero requested approval of the budget transfer and project set-up for the law firm.

Mayor McKinney expressed his appreciation for the individuals affiliated with the Law Firm who have assisted the City in the past.

Mr. Romero commented on a question Councilor Kumar had at the last regular meeting held on August 14, 2018 regarding a water loading station in which the taxes were included in the flat fee of \$24,000.

Councilor Landavazo made the motion to approve the request for budget transfer for Navajo Water Supply Project (NGWSP) Legal Services. Seconded by Councilor Kumar. Roll call Councilors Landavazo, Kumar, Palochak, Garcia and Mayor McKinney all voted yes.

11. Approval of Revised Professional Services Agreement for Rehoboth McKinley Christian Health Care Services (RMCHCS) Behavioral Health – Debra Martinez, Behavioral Health Investment Zone (BHIZ) Program Manager

Ms. Martinez presented the revised agreement in the amount of \$105,000 for RMCHCS Services, including the GED Program and after-care therapy.

Mayor McKinney emphasized the yearly funding of \$105,000 to RMCHCS since the inception of the BHIZ.

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

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Comments by Public on Non-Agenda Items

Steven Holland thanked the Gallup Police Department for their professionalism and prompt response when his business was burglarized last week.

Damian and Andrea Phillips notified the Mayor and Councilors of an incident that occurred on June 29, 2018, when a drunk driver hit their home located on the corner of Patton Drive and Mazon Avenue at nearly 70-75 mph.

Discussion followed regarding the City's initiatives to ensure something similar does not happen again and the amount of traffic and homes located in the area. Ms. Ustick said she is currently working with Public Works staff and the Gallup Police Department, however, Stan Henderson, Public Works Director, is out until September 5, 2018. She will meet with Mr. Henderson when he returns and will notify Mr. and Mrs. Phillips. Mayor McKinney requested an update once a resolution has been determined.

Comments by Mayor and City Council

Councilor Palochak said she is currently in Roswell attending the New Mexico Municipal League Conference and working in the domestic violence shelter. She will also act as the Mayor's proxy later in the week where she will vote on important issues. She will do her best to represent the City at the conference.

Councilor Landavazo commented on the future development of our community, and encouraged everyone to buy, believe, and build Gallup.

Councilor Kumar thanked Mr. Strain and everyone who worked on the Land Development Standards update.

Councilor Garcia also thanked everyone involved in the update and invited everyone to attend her neighborhood meeting at the Northside Senior Center, Thursday August 30, 2018 at 6:30 p.m.

Mayor McKinney commented on the number of people he is approached by with positive things to say about City Staff, his excitement for everything accomplished this summer and he thanked everyone who attend the meetings.

Comments by City Manager and City Attorney

Ms. Ustick said the City was selected to be the site of the first Transportation Safety Plan for the State of New Mexico for which a formal Workshop will be held on

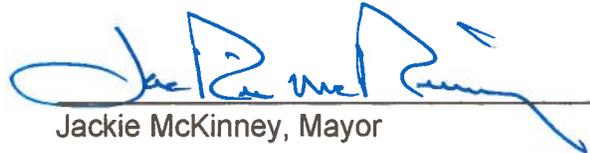
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September 11, 2018 at 5:00 p.m. The New Mexico Department of Transportation will be in attendance to provide an update of the plan, which will allow for public input, with a Stake Holders meeting on the following day to review actual recommendations. Ms. Ustick also said the Roadway Safety Audit Site Visit was completed, a Federal requirement, funded by the State for the Quiet Zone proposal at 2nd and 3rd Street. Those conducting the audit will present recommendations to the Mayor and Councilors in October 2018.

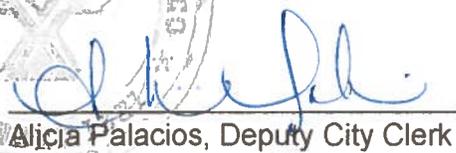
There being no further business, Councilor Kumar made the motion to adjourn the meeting. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.



Jackie McKinney, Mayor



ATTEST:



Alicia Palacios, Deputy City Clerk