

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, October 23, 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:	Jon DeYoung, Assistant City Manager Curtis Hayes, City Attorney

Presented to the Mayor and Councilors for their approval were the Minutes of the Regular Meeting of October 9, 2018.

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

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

1. Ordinance No. S2018-3; Haven H. Tiley Request to Vacate a Public Utility Easement – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain presented the request on behalf of Mr. Haven Tiley, property owner, who petitioned the City for vacation of a 12' wide, 128' long public utility easement (P.U.E.) on the property located at 411 Bortot Drive. Mr. Strain stated when the Bortot subdivision was platted in 1976 there was a twelve (12') P.U.E. dedicated along the southern property boundary line of lot 6 with no plan to install utilities within the easement now or in the future. The property owner wishes to vacate the existing public utility easement to bring the existing encroaching structures into compliance and allow him to build an addition. Based on comments from the Gallup Task Force and the Gallup Electric Department, as well as a positive recommendation from Gallup Planning and Zoning, Mr. Strain requested approval of the vacation.

Councilor Landavazo made the motion to approve Ordinance No. S2018-3; Haven H. Tiley request to vacate a Public Utility Easement. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar, Garcia and Mayor McKinney all voted yes.

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2. Resolution No. R2018-30; Repeal of the Official City of Gallup Zoning Map and Adoption of a New Official City of Gallup Zoning Map – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain stated on August 28, 2018, the Gallup City Council adopted the new City of Gallup Land Development Standards, including new zoning district designations, which reduced and renumbered the districts. As a result, a new Official City of Gallup Zoning map must be adopted to reflect the new zoning districts. Mr. Strain said all land uses are the same; there were no nonconformities created and all comprehensive changes require City Council approval. The Planning and Zoning Commission has reviewed the proposed request and sent a positive recommendation to the City Council.

Rick Padilla, Geographic Information Systems (GIS) Coordinator, provided a brief demonstration of the online map and how to access it.

Councilor Kumar recommended adding a link to the map under the Planning Department section of the website.

Councilor Kumar made the motion to approve Resolution No. R2018-30; Repeal of the official City of Gallup Zoning Map and Adoption of a New Official City of Gallup Zoning Map. Seconded by Councilor Garcia. Roll Call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

3. Ordinance No. C2018-13; An Ordinance to Update Reference to the New Mexico Uniform Traffic Ordinance - Curtis Hayes, City Attorney

Mr. Hayes said the City of Gallup adopted the 2010 New Mexico Uniform Traffic Ordinance; however, the DWI section of the code, as amended by Council, refers to the 1990 New Mexico Traffic Ordinance. Mr. Hayes requested updating the reference to 2010.

Councilor Garcia made the motion to approve Ordinance No. C2018-13; An Ordinance to Update Reference to the New Mexico Uniform Traffic Ordinance. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Palochak, Landavazo and Mayor McKinney all voted yes.

4. Ordinance No. C2018-14; Penalty Assessment Program Ordinance – Curtis Hayes, City Attorney

Mr. Hayes explained the lack of a penalty assessment fee schedule for minor traffic violations under the Uniform Traffic Ordinance. Currently, the City of Gallup is using an

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outdated fee schedule based on state statute for Magistrate Courts. He also provided a brief comparison of minimum fees between Magistrate Courts and Municipal Courts.

Acting Chief Boyd provided information on the penalty assessment schedule being used and stated the current fees are lower than the fees included in the proposed Ordinance.

Mayor McKinney commented on the dollar amount of certain fees and the procedure for paying said fees.

Councilor Landavazo made the motion to approve Ordinance No. C2018-14; Penalty Assessment Program Ordinance. Seconded by Councilor Garcia. Roll Call: Councilors Landavazo, Garcia, Palochak, Kumar and Mayor McKinney all voted yes.

5. Resolution No. R2018-32; 1st Quarter FY2019 Budget Adjustment and Report of Actuals – Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed Resolution which encompasses all budget changes processed July 1, 2018 thru September 30, 2018. She provided an overview of the budget adjustments as well as the Report of Actuals, which is done on a new electronic format called Budget Management Systems, for the quarter. Ms. Holland provided a brief explanation on how the new program calculates data.

Brief discussion followed regarding cash reserve amounts and future financial planning and goals.

Councilor Palochak made the motion to approve R2018-32; 1st Quarter Budget Adjustment and Report of Actuals. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

6. Resolution No. R2018-31; A Resolution Requesting Temporary Water Service Outside City Limits – Dennis Romero, Gallup Joint Utilities Executive Director

Mr. Romero presented the request on behalf of Oscar Renda Contracting, Inc. (ORC), for temporary water service outside city limits, located across Highway 491, northeast of the Yatahey Pump Station. ORC was awarded the \$62.5 million bid for work on certain sections of the Navajo Gallup Water Supply Project (NGWSP). The water will be used to support their project trailer and concrete pouring operations. Mr. Romero stated ORC will use an estimated 20,000 to 80,000 gallons of water per month and will be charged the county rate, therefore, increasing revenue to the City in between \$650 to \$4000 per month.

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Mayor McKinney commented on the benefits of assisting with the NGWSP for water provided in the future.

Councilor Kumar made the motion to approve Resolution No. R2018-31; Requesting Temporary Water Service Outside the City Limits. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia and Mayor McKinney all voted yes.

7. Request for Budget Adjustment for Change Order No. 4 for Reach 27.7A and 27.13 Construction of the Navajo Gallup Water Supply Project – Dennis Romero, Gallup Joint Utilities, Executive Director

Mr. Romero presented the budget adjustment request for change order #4 in the amount of \$11,486.70 and provided a brief financial explanation pertaining to the City's cost share for the NGWSP. He also gave a summary of the scope of work to be completed for the Reaches.

Brief discussion followed regarding the availability of water in addition to Church Rock Elementary and the continued resources necessary to meet the water needs for the entire community.

Councilor Landavazo made the motion to approve budget adjustment for Change Order No. 4 for Reaches 27.7 and 27.13, Construction of the Navajo Gallup Water Supply Project. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar, Garcia and Mayor McKinney all voted yes.

8. Reappointment of Terry Proffitt, Brenda Duran and Eric Begay to the Labor Management Relations Board – Mayor Jackie McKinney

Mayor McKinney recommended approval of the reappointments of Terry Proffitt, Brenda Duran and Eric Begay to the Board.

Councilor Palochak made the motion to approve the reappointment of Terry Proffitt, Brenda Duran and Eric Begay to the Labor Management Relations Board. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

9. Approval of Budget Adjustment for FY 2018 Funding for Veterans Center Management Agreement – Jon DeYoung, Assistant City Manager

Mr. DeYoung reminded the Mayor and Councilors of the Management Agreement and

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annual funding for the agreement in the amount of \$6,000, which was approved on March 28, 2017. Due to some changes, the Chamber of Commerce, the current fiscal agent for the Veterans Committee, did not bill the City for Fiscal Year 2018 of the agreement. Mr. DeYoung requested a budget increase from General Fund balance in the amount of \$6,000 to pay for the Veteran's Center Management Agreement.

Councilor Palochak made the motion to approve the budget adjustment for FY 2018 funding for Veterans Center Management Agreement. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Landavazo, Garcia and Mayor McKinney all voted yes.

10. New Regional Animal Control Shelter Programming & Concept Development Study – Stanley Henderson, Public Works Director

Mr. Henderson said as part of the 2018-2019 Community Improvement Plan, the City Council funded \$40,000 for design conception and fiscal programming of a new Regional Animal Control Shelter. In accordance with the Architectural Professional Service contract for programming and concept development, staff solicited a proposal from Huitt-Zollars (HZI), similar to the study done for a new Regional Library. However, this study will also include identifying several site locations for City Council's consideration. HZI's proposal totaled \$49,793.07 and only includes four site visits from Albuquerque to Gallup. In addition, any change in Albuquerque's GRT prior to completion may also affect the final cost.

Mr. Henderson requested \$9,794 to award the bid, which has been identified by City staff in the General Fund cash balance and award the programming and conceptual design development study to HZI of Albuquerque, New Mexico.

Councilor Landavazo made the motion to approve the new Regional Animal Control Shelter Program & Concept Development Study, budget increase of \$9,794 from General Fund cash balance into the CIP line item and award programming and conceptual development study to HZI of Albuquerque, New Mexico for \$49,793.07 including New Mexico Gross Receipts Tax (GRT). Seconded by Councilor Kumar. Roll call: Councilors Landavazo, Kumar, Palochak, Garcia and Mayor McKinney all voted yes.

11. New Regional Recreation Center Programming & Concept Development - Stanley Henderson, Public Works Director

Mr. Henderson said the Council also approved \$40,000 for the design conception and fiscal programming of a new Regional Recreation Center for the replacement of the

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Larry Brian Mitchel Center, as part of the 2018-2019 Community Improvement. In accordance with the Architectural Professional Services Contract, staff solicited a proposal from Huitt-Zollars (HCI) for programming and concept development, which totaled \$35,442.15. Although \$40,000 was previously approved by the Council as part of the CIP Budget, it was left out of the City's final budget and will need to be restored to the City's 2018-2019 budget. Mr. Henderson requested approval to establish a new line item reflecting the proposed amount.

Councilor Kumar made the motion to approve the new Regional Recreation Center Programming & Concept Development Study in the amount of \$35,442.15 and award the Conception Development Study to HZI of Albuquerque. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

12. New Regional Senior Center Programming & Concept Development Study – Stanley Henderson, Public Works Director

Mr. Henderson explained as part of the 2018-2019 Community Improvement Plan, the City Council funded \$40,000 for design conception and fiscal programming for a new Regional Senior Center. In accordance with the Architectural Professional Services contract, City staff solicited a proposal from HZI totaling \$43,657.60.

Mr. Henderson provided a breakdown and requested, in addition, to the 40,000 previously approved, an additional \$3,658 to award the work.

Councilor Landavazo commented on phone calls he received regarding potential property in Rehoboth for the proposed site.

Councilor Palochak made the motion to approve a budget increase of \$3,658 from Fund 219 cash balance into the CIP project line item for the new Regional Senior Center Program and to award the Programming and Conceptual Development Study to HZI of Albuquerque in the amount of \$43,657.60 including New Mexico GRT. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

13. DISCUSSION ONLY: Future and Continuation of Gallup Arts Crawl – Lynn Huenemann

Mr. Huenemann, ArtsCrawl Participant, thanked the Mayor and Councilors for adding the item to the agenda and expressed his concerns regarding the circulation of negative comments regarding the event, the transition of management of the event upon the Director, Rose Eason's, departure in December 2018 and the notion of moving the

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event to Court House Square. He also commented on the positive economic impact ArtsCrawl has had on some of the businesses located downtown, the number of young people who attend the event and the importance of maintaining the event during and after the management transition.

Mr. Huenemann introduced two downtown business owners to speak in favor of the event.

Rhonda Quintana, Owner of Quintana's Music & Indian Jewelry located at 223 West Coal Avenue, said ArtsCrawl has been instrumental in the success of her business and the driving force in bringing local customers, as well as tourists, to her store. She also submitted a petition which includes over 200 citizen's signatures, urging leaders to continue the event and to keep the event on Coal Avenue. With the uncertainty of who will take over the event and her experience in event planning and entertainment, Ms. Quintana volunteered her services to help maintain the event.

Mary Walker, Owner of Weaving in Beauty, located at 233 West Coal Avenue, commented on the number of students she has had from around the world and their positive experience at the ArtsCrawl. Ms. Walker stated she would like to see the event continue and also offered to help with the event.

Mayor McKinney read three emails, he received, into the record:

1.) From Lori Diaz, Owner of Consignment Boutique: *To Whom it Concerns. I am in support of the ArtsCrawl continuing. It's a once a month event that brings the community together. There is very little activity going on in our area, so I think this is something Gallup needs. This event is something that people love and enjoy doing. It's something for all ages to enjoy. We see people we haven't seen, we talk, eat, there's activities, shopping, interacting with one another as a community should. I, as a business owner, think this awesome to see. It also is good for business. I have a lot of people coming through my shop, The Consignment Boutique, checking out the different items and making purchases. I honestly think this is an awesome event. I wish it was twice a month.*

2.) From Colleen Brenner: *I recently heard a rumor that I hope is false, regarding the ArtsCrawl. In short, I was told some downtown business owners would like to do away with the ArtsCrawl. As someone who is a newcomer to Gallup so in some ways has the perspective of both a visitor and now resident. I think the idea of doing away with this monthly event, for lack of a better word, stupid but also short sighted. Communities and*

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visitors need events like the ArtsCrawl. They don't just need retail shops and restaurants amenities beyond consumerism are what make a place truly desirable and great. If this in fact more than a rumor, I would cast my vote strongly against doing away with the ArtsCrawl.

3.) From Keith Zudell: *Dear Mayor McKinney, I am longtime resident of Gallup and an artist. I asking you to discontinue funding for Artscrawl. It is not promoting local art or artists, as it was the intention. Most of the vendors are not selling handmade art, this is from my observation. I also question how many are from here in Gallup? And how much money do they put back into the local economy? Gallup has tried this format for ArtsCrawl and is now time to change and move on. We need something that will promote local businesses galleries and artists in Gallup and what we have is not doing so. Thank you for your time and please feel free to contact me if you'd like to talk about this in more detail.*

Mayor McKinney invited comments from the public.

Labor Persinger expressed his appreciation for arts and culture, the positive impact the ArtsCrawl has on the community and encouraged Mayor and Councilors to continue the events.

Be Sargent, OPO Gallery Co-owner, described her positive experiences attending and participating in ArtsCrawl and its ability to unify different cultures in Gallup. She also protested moving the event to the Courthouse Square, due to the limited amount of space and suggested only using Courthouse Square for overflow.

Josiana Lacrete, teacher at Chee Dodge Elementary, stated many of her students look forward to the events, especially those that travel from out of town. She suggested issues with the event should be dealt with separately, rather than closing or moving the event entirely.

Mackenzie Streissguth, teacher at Gallup High School, explained the positive impact the events have had on her students for their academic engagement and the importance of exposing young people to art.

Mr. Huenemann read an email from April and Bruce Foreman who expressed their support of the event and its continuation.

Councilor Kumar commented on the transformation of ArtsCrawl throughout the years, the wide range of different forms of art and the opportunity to connect with the community while having fun. He also said most of the events are funded by the

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Business Improvement District (BID) and pointed out the potential approval of their contract next month.

Mayor and Council commended Rose Eason, Art123 Director, and expressed their support of continuing the ArtsCrawl events after her departure.

Mayor McKinney talked about certain misconceptions of the events, including leadership, the vendor ordinance, street closure permits, the term "ArtsCrawl" and the potential of turning Coal Avenue into an event street. He urged anyone with concerns to contact him, the City Manager and/or City Attorney.

Comments by Public on Non-Agenda Items

Joanne Benenati expressed her gratitude to Fitness Center Staff for the new equipment at the facility.

Comments by Mayor and City Council

Councilor Kumar expressed his condolences about the Main Street Director who recently passed away. He also wished everyone a safe Halloween.

Councilor Landavazo urged everyone to keep building together and to stick together.

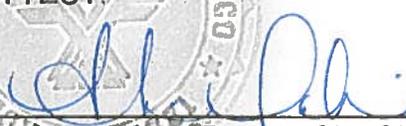
Councilor Palochak expressed her appreciation for the City and community members after a recent vacation.

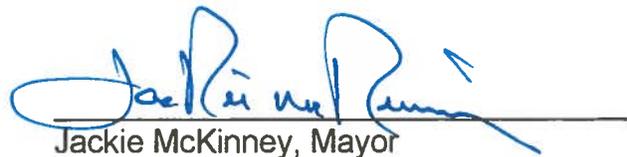
Mayor McKinney thanked everyone in attendance.

Comments by City Manager and City Attorney

None

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

 ATTEST:

Alicia Palacios, Deputy City Clerk


Jackie McKinney, Mayor