

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, January 22, 2019.

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 (via Skype)
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 8, 2019. Councilor Garcia made the motion to approve the aforementioned minutes. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

Councilor Kumar made the motion to move Presentation and Information Item 1 to the beginning of the agenda. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Garcia, Palochak and Mayor McKinney all voted yes.

Presented to the Mayor and Councilors was the following Presentation and Information Item:

1. Navajo Gallup Water Supply Project Water Blending Study – Rich Giani, CH2M/Jacobs Engineering

Mr. Giani presented a power point presentation on a water blending study that was done for to assist the City in planning for the change in water quality when the Navajo Gallup Water Supply Project (NGWSP) comes on line in 2024. When the NGWSP comes on line, the City's water source will change from a ground water supply to a surface water source which will alter the chemistry of the City's water supply. Mr. Giani's presentation included the predicted impacts of current pipe scales in the Gallup water distribution system with water from the San Juan River, identification of the best suited water quality parameters that will have the least impact on the Gallup distribution water mains and recommendations for transitioning to new water quality.

Discussion followed concerning the quality of the water in the San Juan River as a result of the Gold King Mine spill a few years ago, the testing and flushing of fire hydrants which may cause the discoloration of water, the cast iron pipes that exist in Gallup's water

MINUTES

Regular City Council Meeting – 1/22/2019

Page 2

distribution system, the treatment stations that will be in place for the NGWSP to ensure water quality of the surface water supply and the ability to switch back and forth from surface water and ground water sources after the NGWSP is on line.

Mayor McKinney asked for information concerning the linear footage and the size of the cast iron pipes that currently exist in the City's distribution system as well as the cost for replacing the old pipes.

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

1. Dedication Proposal for the Two Ball Fields at Ford Canyon Park – Mayor Jackie McKinney

Mayor McKinney presented his proposal to name the Pee Wee Reese and Mickey Mantle Ball Fields at Ford Canyon Park as the Fields of Dreams in memory of David "Amos" Schmaltz. Mr. Schmaltz was a well-known, respected and dedicated baseball coach who passed away on November 19, 2018.

Councilors Landavazo, Kumar and Garcia spoke in favor of Mayor McKinney's proposal to honor Mr. Schmaltz. Mayor McKinney shared the story of how Mr. Schmaltz was given the name "Amos."

Councilor Landavazo made the motion to approve the dedication proposal for the two ball fields at Ford Canyon Park. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Kumar, Palochak and Mayor McKinney all voted yes.

2. Approval and Acceptance of the Quarterly Local Liquor Excise Tax Accountability Reports for Calendar Year 2018 – Maura Schanefelt, DWI Program Manager

Ms. Parra presented the report which summarizes the use of liquor excise tax funds by local programs and agencies during each quarter of the 2018 calendar year. The reports are prepared on a calendar basis to comply with State requirements. Ms. Parra answered questions pertaining to the 2017 and 2018 quarterly report data for JSACC.

Councilor Kumar made the motion to approve and accept the Quarterly Local Liquor Excise Tax Accountability Reports for Calendar Year 2018. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

MINUTES

Regular City Council Meeting – 1/22/2019

Page 3

3. Presentation Only: City of Gallup Behavioral Health Quarterly Reports – Debra Martinez, Behavioral Health Investment Zone (BHIZ) Manager and Sindy Bolanos-Sacoman, SBS Consulting

Ms. Martinez provided an update on the City's Behavioral Health Programs. The highlights during the past quarter include the hosting of a Suicide Survival Day in partnership with the Gallup Indian Medical Center, hosting an Open House at the Na'Nizhoozhi Center, Inc. (NCI) to provide information to the community on the new programming at NCI, hosting a site visit with a group from Sioux City regarding social detox, connecting the University of New Mexico (UNM)-Gallup with NCI on an internship program for students in the substance abuse studies program, conducting a presentation before the Legislative Health and Human Services Committee regarding alcohol outlet density, taking a team of Magistrate Judges to the annual New Mexico Drug Court Conference as they are working on creating a Drug Court in McKinley County and performing work on a resource directory which will list all treatment providers in McKinley County to be posted online. She also presented data concerning NCI, from January 2016 to December 2018, regarding monthly admissions to the detox center, 72-hour hold admits, shelter care with .000 BrAC admits and shelter care with BrAC readings. Ms. Martinez said the data shows a decrease in the number of intakes for detox at NCI (20,858 in 2016 to 17,803 in 2018) but an increase in the number of intakes for the shelter program at NCI (5,331 in 2016 to 8,307 in 2018).

Ms. Bolanos-Sacoman provided an overview of the data of the BHIZ programs provided at Rehoboth McKinley Christian Hospital (RMCH), including the Work-Rehab Program, the number of clients enrolled in the GED program as well as the number of GED graduates and the reasons for clients leaving the Work-Rehab Program. She provided an overview of the data pertaining to the BHIZ programs provided at NCI, including statistics concerning the population served, the volume of duplicate visits, the treatment interest of clients, case management counts and case management services offered. Ms. Bolanos-Sacoman also provided an update on the services provided under the Preventing Alcohol Related Deaths (PARD) Program.

Discussion followed concerning the declining number of intakes for detox services and the increased number of intakes for shelter services at NCI and whether people are making better choices knowing that they do not need to get intoxicated in order to obtain shelter at NCI. The recent federal government shutdown which may affect the use of the PARD grant was also discussed.

4. FY 19 Part 4 Lodgers Tax Grant Award Recommendation – Jennifer Lazarz, Tourism and Marketing Manager

MINUTES

Regular City Council Meeting – 1/22/2019

Page 4

Ms. Lazarz presented the Lodgers Tax Committee recommendations for funding in FY 19: Race at the Rocks, \$6,000; Red Rock Classic Team Roping, \$8,500; Classic Invitational & Spit Fire Breakaway (new events, one application), \$4,500; and Red Rock Trailer Roping, \$6,000. The total amount of the funding that is recommended is \$25,000.

Mayor McKinney said the Lodgers Tax Committee would also like to remind the public that the final date to submit for the FY 19 award consideration is March 1st. Events that had been funded in previous years but have not yet submitted an application have been E-mailed by the Tourism Manager.

Councilor Landavazo made the motion to approve the FY 19 Part 4 Lodgers Tax Grant Award Recommendations. Seconded by Councilor Garcia. Councilors Landavazo, Garcia, Palochak and Mayor McKinney all voted yes. Councilor Kumar abstained. Motion carried.

5. FY 20 Lodgers Tax Application and Reimbursement Information – Jennifer Lazarz, Tourism and Marketing Manager

Ms. Lazarz provided an overview of the revisions made to the FY 20 Lodgers Tax Grant Application, Reimbursement Guide and Evaluation Form. The following changes have been made to the process: applications will be accepted by E-mail, a photo requirement has been implemented for marketing purposes, most of the questions on the application have been eliminated, a question was added to request a schedule of events, the funding chart was updated and a budget chart was added to the application.

Discussion followed concerning the following language in the Lodgers Tax Application and Instructions concerning the timeline for funding requests and reimbursement rules: *“Unless explicitly authorized by the City Council, event promoters may not contract with or authorize payment to themselves, family members (the definition of family members is included in the instructions), or any entity in which the event promoter has a financial interest to provide services (services include design, website update, file downloads, etc. Services are typically but not always billable by time).”*

Councilor Landavazo expressed his concerns with the previously stated provision in the application instructions, since there are event promoters that possess talents to help their events. He said if an event sponsor prefers to have a family member perform a service, he recommended requiring the event sponsor to provide three qualified bids for the service to ensure that lodgers tax funds are not overspent for an event.

Mr. Hayes said City staff was concerned about transparency. He said when an event promoter’s application and budget is submitted to the City Council for approval, the use

MINUTES

Regular City Council Meeting – 1/22/2019

Page 5

of a family member's services would need to be disclosed and permission would need to be granted by the Mayor and Councilors at that time. Mr. Hayes also said if three quotes are required for services, there may be situations where an event promoter may not be able to obtain three quotes for some services. He recommended language in the application instructions that would not require three quotes for services if the event promoter is able to submit documentation justifying the limited amount of providers to perform the required services. Overall, Mr. Hayes said the process needs to be done in a transparent fashion.

Ms. Lazarz said there is ample opportunity for event promoters to obtain quotes since there are three to five providers in various service sectors the community. To resolve the matter, she presented the following language to be included on page one of the Lodgers Tax Application and Instructions, which was drafted by Mr. Hayes: *"The event promoter must obtain and submit three written quotes for the required service unless the event promoter submits documentation showing that a good faith review of available sources was conducted and there are not three available sources for the required service."*

Councilor Palochak voiced her concerns about not being able to use family members in the process.

Following discussion, Councilor Landavazo made the motion to approve the FY 20 Lodgers Tax Application and Reimbursement Information with the attachment of the E-mail read into the record by Ms. Lazarz concerning the quotes and the services for lodgers tax funding. Seconded by Councilor Kumar. Roll call: Councilors Landavazo, Kumar, Garcia, Palochak and Mayor McKinney all voted yes.

6. Approval of Budget Adjustment for \$15,510 for Three (3) New Police Vehicle Camera Systems – Franklin Boyd, Acting Chief of Police

Capt. Edwin Yazzie of the Gallup Police Department presented the request to transfer and expend funding in the amount of \$15,510 for Watch Guard police vehicle in-unit camera systems. In the last few months, the Police Department has increased patrol services by ten additional uniformed patrol officer positions which requires more marked patrol vehicles for citizen calls for service.

Mayor McKinney pointed out that there would be no impact to the general fund regarding the requested budget adjustment.

Discussion followed concerning the number of police vehicles that have camera systems in the units.

MINUTES

Regular City Council Meeting – 1/22/2019

Page 6

Councilor Kumar made the motion to approve the budget adjustment for \$15,510 for three new police vehicle camera systems. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

7. Approval of Grant Agreement, Contract Number TS04540 (ENDWI, BKLUP, CIOT, AND STEP) Between the NM Dept. of Transportation and the City of Gallup and Budget Adjustment of \$51,918.00 – Franklin Boyd, Acting Chief of Police

Capt. Yazzie presented the proposed grant agreement with the New Mexico Department of Transportation for the following traffic enforcement projects: 1) End Driving While Impaired (ENDWI); 2) Buckle Up (BKLUP)/Click It or Ticket (CIOT); and 3) Selective Traffic Enforcement Program (STEP/100 Days and Nights of Summer. Capt. Yazzie asked for approval of the grant agreement and the budget adjustment in the amount of \$51,918.00 for revenue and expenditure of the grant.

Sgt. Emery Holly provided an overview of the traffic enforcement programs and how the Gallup Police Department administers the programs in accordance with the grant agreement.

Mayor McKinney said there will be no impact to the general fund and the grant agreement does not require matching funds from the City.

Councilor Kumar made the motion to approve the Grant Agreement, Contract Number TS04540 (ENDWI, BKLUP, CIOT, AND STEP) between the New Mexico Department of Transportation and the City of Gallup and the Budget Adjustment of \$51,918.00. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Garcia, Palochak and Mayor McKinney all voted yes.

8. Request for Budget Adjustment for Engineering Design Work-Lincoln Avenue to Strong Water and Sewer Lines – Dennis Romero, Water and Sanitation Director

Mr. Romero said the project was originally scheduled for FY 21; however, with the impending street mill and overlay work on Lincoln Avenue scheduled for summer 2019, the Public Works Department is requesting completion of the water and sewer line project prior to proceeding with the milling and overlay project. Mr. Romero provided a handout with the estimated quantities and the description of the materials for the water and sewer line improvements to be included in the design of the project. DePauli Engineering has submitted a cost proposal for the engineering design in the amount of \$62,500. Mr.

MINUTES

Regular City Council Meeting – 1/22/2019

Page 7

Romero recommended a budget adjustment from Fund 202 in the amount of \$62,500 to complete the engineering design. He answered questions pertaining to the difference in the linear feet of materials needed for the new water line compared to the materials needed for new sewer line.

Councilor Garcia made the motion to approve the request for budget adjustment for the engineering design work for the Lincoln Avenue to Strong water and sewer lines. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

9. Request for Budget Adjustment for Change Order No. 5 for Reach 27.7A and 27.13 Construction of the Navajo Gallup Water Supply Project – Dennis Romero, Water and Sanitation Director

Mr. Romero said Change Order No. 5 consists of the replacement of the expansion joints in the Heaton Pump Station and Cresto II Booster Station. The new Safe Drinking Water Act (SDWA) regulations require NSF 61 approved material to be used in public drinking water systems. NSF 61 added a requirement for expansion joint materials in 2016. The Heaton Pump Station was designed and built prior to 2016 in which the design was approved by the New Mexico Environment Department (NMED). The Cresto II Booster Station was also designed prior to 2016 and the design was also approved by the NMED. Based on a recent NMED Sanitary Survey conducted in November, 2018, the inspector called out the NSF 61 standard and directed the replacement of the expansion joints. Change Order No. 5 also includes additional labor, materials and equipment required to re-install the power riser at Crest II Booster Station. The riser was pre-built for a twenty-five foot pole in accordance with the design plans; however, a forty foot pole was installed by the City which required the contractor to re-install the power riser cable to reach the forty foot pole. Mr. Romero requested approval of a budget adjustment in the amount of \$42,935.42 in revenues and expenses in Fund 306 to cover the cost of the change order. Mr. Romero also answered questions regarding the new expansion joints to be replaced at both stations.

Mayor McKinney asked Mr. Hayes to review the matter to see if the City has any recourse in addressing the issue with the NMED since the material for the expansion joints for both stations met the required standards that were in place at the time and were approved by the NMED.

Councilor Landavazo made the motion to approve the request for a budget adjustment for Change Order No. 5 for Reach 27.7A and 27.13 construction of the Navajo Gallup Water Supply Project. Seconded by Councilor Kumar. Roll call: Councilors Landavazo, Kumar, Garcia, Palochak and Mayor McKinney all voted yes.

MINUTES

Regular City Council Meeting – 1/22/2019

Page 8

10. Budget Adjustment for Fox Run Golf Course – Matthew Alcala, Director of Golf

Mr. Alcala presented his request for a total budget increase of \$100,000 for the FY 19 budget. The requested funds will cover the cost of purchases that were carried over from the previous year, as well as unforeseen needs around the golf course. \$45,000 will be used for seed, hydro mulch and fertilizer; \$30,000 will be split into three accounts to replenish funds that were removed to cover costs throughout the year; \$10,000 to be used to replace the valve between ponds 1 and 2; and \$15,000 to be used to purchase a weather station, which is needed to provide crucial data used to conserve water and lowers the electrical use at the golf course. Mr. Alcala responded to questions regarding the proposed valve replacement for the affluent line from the Wastewater Treatment Plant and the cost and options for improving or replacing the current weather station.

Councilor Garcia made the motion to approve the budget adjustment for the Fox Run Golf Course. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

11. Resolution No. R2019-2; 2nd Quarter FY 2019 Budget Adjustments and Report of Actuals – Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed resolution which encompasses all budget changes processed October 1, 2018 through December 31, 2018. She provided an overview of the budget changes as well as the Report of Actuals for the last quarter. Ms. Holland answered questions pertaining to the City's fund balances and investments.

Councilor Kumar made the motion to approve Resolution No. R2019-2; 2nd Quarter Fiscal Year 2019 Budget Adjustments and Report of Actuals. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Garcia, Palochak and Mayor McKinney all voted yes.

12. Animal Control Budget Increase for Bullet Proof Body Armor – C.B. Strain, Planning and Development Director

Mr. Strain presented the request for an operating budget increase in the amount of \$3,000 to purchase bullet proof body armor and outer carriers for the Animal Control Officers and Animal Control Coordinator. The request was presented to the Gallup McKinley County Animal Control Authority Board and the Board sends its positive recommendation to the City Council for approval of the budget increase. Mr. Strain said the Animal Control Officers deal with stressful, hostile and dangerous situations with animal owners which has prompted the request for funds to purchase the body armor.

MINUTES

Regular City Council Meeting – 1/22/2019

Page 9

Cozy Balok, Animal Control Coordinator, provided information from Animal Control Training Services (ACTS) concerning the situations Animal Control Officers face as they deal with aggressive and dangerous behavior from both animals and humans. Both Ms. Balok and Tiffany Hubbard, Animal Control Officer, provided their own accounts of the dangerous situations they have experienced in carrying out their duties. Ms. Balok answered questions pertaining to the specifications of the body armor to be purchased, the proactive measures taken by other units across the country to increase the protection of Animal Control Officers, funding to be provided by the County in their 40% cost share for animal control, the number of calls for service within the city limits and the number of calls out in the county, the calls for service after hours and the use of other personal protective equipment by Animal Control Officers.

Councilor Kumar made the motion to approve the Animal Control budget increase for bullet proof body armor in the amount of \$3,000. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

13. 2019 CDBG Fair Housing Proclamation – Stan Henderson, Public Works Director

Mr. Henderson said as a requirement for Community Development Block Grant (CDBG) funding, each local government must annually certify that it will affirmatively further fair housing. He presented the proposed Fair Housing Proclamation which publicizes the City's commitment to fair housing and proclaims Tuesday, February 18, 2019 as Fair Housing Day in Gallup.

Councilor Landavazo made the motion to approve the 2019 CDBG Fair Housing Proclamation. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Kumar, Palochak and Mayor McKinney all voted yes.

14. Resolution No. R2019-1; Annual Determination of Notice Under the Open Meetings Act – Al Abeita, City Clerk

Mr. Abeita said the New Mexico Open Meetings Act requires all public bodies to determine at least on an annual basis, what constitutes reasonable notice to the public of its meetings. The proposed resolution provides notice procedures, as recommended by the New Mexico Attorney General's Office, for the conduct of the regular, special, and emergency meetings of the City Council. The proposed resolution is also considered sufficient and reasonable notice of the regular meetings of the City Council to be held at 6:00 p.m. on the second and fourth Tuesdays of each month.

MINUTES

Regular City Council Meeting – 1/22/2019

Page 10

Councilor Kumar made the motion to approve Resolution No. R2019-1; Annual Determination of Notice Under the Open Meetings Act. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Garcia, Palochak and Mayor McKinney all voted yes.

Comments by Public on Non-Agenda Items

Alice Perez, Executive Director of the Community Pantry, addressed the Mayor and Councilors regarding concerns about the federal government shutdown and how it will affect the Community Pantry and the community as a whole. She asked the Mayor and Councilors for their assistance and ideas for raising the funds needed to feed families in the community. Mayor McKinney asked Ms. Ustick to stay in contact with Ms. Perez regarding a fund raising program being initiated by a local doctor.

Comments by Mayor and City Councilors

Councilor Palochak thanked everyone for their hard work.

Councilor Landavazo said there is evidence to show that City crews are working to repair the large number of potholes throughout the city. He encouraged everyone to keep building the community.

Councilor Kumar thanked the Public Works Department for their work. He informed Ms. Perez that he will donate \$1,000 to the Community Pantry.

Councilor Garcia commended City crews for working after hours under severe weather conditions. She will have a Neighborhood Meeting on Wednesday, January 23, 2019 at 6:00 p.m. at Roosevelt Elementary School. She said some community members have requested the meeting due to the pending closure of the school, the increased criminal activity in the neighborhood and issues with lighting in the area. On January 31, 2019, Councilor Garcia will have a Neighborhood Meeting at the Gallup Senior Center in the City's Clean and Beautiful Program.

Mayor McKinney commended the following departments: 1) Electric Department for installing new lighting fixtures in the downtown area and for their work to repair a downed electric pole and power lines during high winds yesterday; 2) Street Department for their extensive work to remove snow and ice and to repair potholes in the roadways of the city; and 3) Water Department for repairing water mains during inclement weather.

Comments by City Manager and City Attorney

Based on Mr. Gian's presentation, Ms. Ustick said the City has a large number of cast iron pipes that need to be replaced as staff is working on a plan to address the issue.

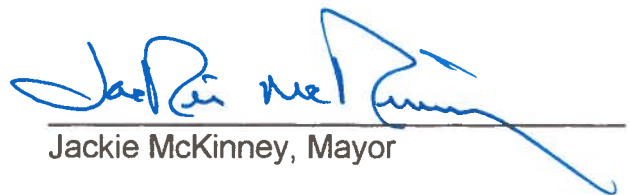
MINUTES

Regular City Council Meeting – 1/22/2019

Page 11

She said staff will present the design for the downtown alleyway water and sewer improvements at the next regular meeting. At the request of Ms. Ustick, Mr. Henderson provided an update on the work being done by the City's pothole patrol.


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



Jackie McKinney, Mayor



ATTEST:



Alfred Abeita II, City Clerk

Approved 2/12/2019



Alfred Abeita <aabeita@gallupnm.gov>

Fwd: in advance of tonight

1 message

Jennifer Lazarz <jlazarz@gallupnm.gov>
To: Alfred Abeita <aabeita@gallupnm.gov>

Tue, Jan 22, 2019 at 7:20 PM

----- Forwarded message -----

From: **Curtis Hayes** <chayes@gallupnm.gov>
Date: Tue, Jan 22, 2019 at 4:07 PM
Subject: Re: in advance of tonight
To: Jennifer Lazarz <jlazarz@gallupnm.gov>

We could insert something like:

The event promoter must obtain and submit three written quotes for the required service unless the event promoter submits documentation showing that a good faith review of available sources was conducted and there are not three available sources for the required service.