

**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, March 10, 2020.**

**The meeting was called to order by Mayor Jackie McKinney.**

**Upon roll call, the following were present:**

<b>Mayor:</b>	<b>Jackie McKinney</b>
<b>Councilors:</b>	<b>Allan Landavazo Yogash Kumar Fran Palochak</b>
<b>Absent:</b>	<b>Linda Garcia, Councilor</b>
<b>Also present:</b>	<b>Jon DeYoung, Assistant City Manager Curtis Hayes, City Attorney</b>

**Mayor McKinney said Councilor Garcia's absence shall be recorded as an excused absence.**

**Presented to the Mayor and Councilors for their approval were the Minutes of the Regular Meetings of February 18 and 25, 2020.**

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

**Councilor Landavazo recognized members from Boy Scout Troop 40 who were present in the audience.**

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

- 1. Budget Adjustment for Alleyway Beautification Project – John Wheeler, Electric Director**

**Mr. Wheeler said the Alleyway Beautification Project (Project No. JU1903), which is funded through Fund 307, had an original budget allocation of \$300,000 to complete the project. Staff attempted to bid the project over several months and have received no viable bids. Staff also tried tying projects together to make them more attractive to bidders; however, there were no bids received. In working with Bixby Electric of Albuquerque, the company submitted a quote to complete the electrical work in the alley from First Street to the Downtown Walkway. Mr. Wheeler recommended a budget**

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adjustment in the amount of \$680,121.98 plus a 5% contingency of \$35,000 for a total of \$715,121.98, rounded to \$715,130, from Fund 507 for the project. He also recommended approval of the contract with Bixby Electric for the project in the amount of \$980,121.98.

Mr. Wheeler answered questions regarding the approximate timeframe for the project and the work to be done under the contract.

Councilor Landavazo made the motion to approve the budget adjustment for the Alleyway Beautification Project in the amount of \$715,130 from Fund 507. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar and Mayor McKinney all voted yes.

### **2. Wood Pole Inspection Program Contract – John Wheeler, Electric Director**

Mr. Wheeler said wood poles are susceptible to rot from the elements and especially below ground. The industry standard for testing wood poles for decay is at least every ten years. The poles in Gallup have not been tested in sixteen years. There are 8,242 wood poles in the electric system infrastructure. An RFP was developed and solicited for the Wood Pole Inspection Program and three proposals were received from Alamon, Davey Tree and Osmose. Based on the ranking and evaluation of the proposals submitted, Osmose received the highest rating. The quoted price per pole is \$36.27, which would bring the total cost of the project to \$298,937.34. The cost of the project will be less than the amount that was quoted since not every pole will receive all facets of testing. In addition to awarding the contract to Osmose, Mr. Wheeler recommended a budget adjustment in the amount of \$298,940 from Fund 507 to Fund 307 to cover the costs of the project.

Discussion followed concerning the proposed work to remove and replace poles that fail inspection under the proposed program and the excessive costs associated for removing and replacing each pole.

Councilor Kumar made the motion to approve the Wood Pole Inspection Program Contract and the related budget adjustment in the amount of \$298,940 from Fund 507 to account number 307-6061-442.45-30. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo and Mayor McKinney all voted yes.

### **3. Request for a Budget Transfer to Purchase an Arena Groomer – Vince Alonzo, Parks and Recreation Director**

Mr. Alonzo presented the request for a budget transfer, in the amount of \$8,000 from

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Councilor Landavazo's discretionary fund, for the purchase of an arena groomer for Red Rock Park.

Councilor Palochak made the motion to approve the request for a budget transfer of \$8,000 from Councilor Landavazo's discretionary fund for the purchase of an arena groomer. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Landavazo and Mayor McKinney all voted yes.

#### **4. Acceptance of Land Donation for Navajo Gallup Water Supply Project (NGWSP) Pumping Station and Storage Tank – Curtis Hayes, City Attorney**

Mr. Hayes said the proposed transaction is part of acquiring easements and ownership of land needed for construction of Reach 27.10 of the Gallup Regional System of the NGWSP. This reach will consist of 16-inch and 12-inch pipelines running from Mendoza Boulevard to the intersection of Highway 602 and Dee Ann Street. An additional component will be a pumping station with a storage tank and other appurtenances. A family trust comprised of Linda Sue Lyons, Maureen Barnes and Kathleen Baughman, are willing to donate 4.85 acres of land for the construction of the project facility. Included in the proposed transaction is approximately one mile of easement for the construction of the 16-inch waterline. In exchange for the donation, the City will provide the family trust six water taps and will bill the family trust at the "in-city" water rate for their water usage. Mr. Hayes recommended acceptance of the special warranty deed granted to the City by the family trust.

Councilor Landavazo made the motion to approve the acceptance of land donation for the Navajo Gallup Water Supply Project pumping station and storage tank. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar and Mayor McKinney all voted yes.

#### **5. Park Avenue and New Mexico Highway 602 Traffic Impact Analysis – Stan Henderson, Public Works Director**

Mr. Henderson said the New Mexico Department of Transportation directed a traffic impact analysis to be conducted for the intersection of Park Avenue and NM 602. The City is in receipt of a proposal submitted by Terry O. Brown, P.E. of Albuquerque. The proposed study is currently not budgeted and not part of the 2019-2020 Community Improvement Plan. The total amount for the work to be done under the proposal is \$26,159.69 and funding has been identified in the General Fund balance. Mr. Henderson recommended the creation of a project line item within the City's 19/20 budget, approve the transfer of \$26,200 from the General Fund balance into the project line item and approve the expenditure of \$26,200 for the traffic impact analysis.

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Councilor Kumar made the motion to approve the Park Avenue and New Mexico Highway 602 Traffic Impact Analysis in the amount of \$26,200. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

### **6. Budget Increase for Octavia Fellin Public Library (OFPL) – Tammi Moe, Library Director**

Ms. Moe said the City has been awarded funding from the State of New Mexico Department of Cultural Affairs, State Library Division, in the amount of \$130,161.90 contingent on the sales of General Obligation (GO) Bonds. The GO bond funds can be used for equipment, library furniture, fixtures and supplemental library resources, including print, non-print and electronic resources, collaborative library resources and information technology projects and for the purchase and installation of broadband internet equipment and infrastructure. Staff recommends usage of \$100,000 of the funding to upgrade and intergrade the library system to a more robust system to interface with the bibliographic utility used for intellectual processing of all the library materials, \$24,000 will be used to upgrade the public computer work stations and approximately \$6,000 will be used to purchase archival supplies. She recommended approval of the proposed budget increase in revenue and expenditures in the amount of \$130,161.90.

Councilor Palochak made the motion to approve the budget increase for the Octavia Fellin Public Library in the amount of \$130,161.90 from the GO bond funds. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar and Mayor McKinney all voted yes.

### **7. Official Results of the March 3, 2020 Municipal Officer Election – Alfred Abeita II, City Clerk**

Mr. Abeita presented the election results which were canvassed and certified by the McKinley County Board of Commissioners earlier in the day. A copy of the Certification of Canvass Results and Election Summary Report are attached hereto and made a part of these official minutes. During the canvassing process, there were three minor changes made to the results from election night. One provisional ballot and one absentee ballot delivered to a polling location prior to the closing of the polls needed to be included in the results. By counting both ballots, Sammy Chioda received two more votes in the Mayor's race and Jackie McKinney and Earl Andrew Yearley each received one additional vote in the Municipal Judge's race. Overall, there were no other changes made to change the outcome of the election. Since the County Commission certified the results of the election, there is no further action required. Mr. Abeita answered questions pertaining to

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the unresolved write-in section listed under the District 4 Councilor race in the Election Summary Report.

### 8. Resolution No. R2020-9; Runoff Election Resolution – Alfred Abeita II, City Clerk

Mr. Abeita said the City Charter requires a candidate to receive 40% of the votes, plus one vote, cast for a particular office or a runoff election shall be held within 30 days after certification of the results of the election. The Charter further requires that the two qualified candidates who receive the highest number of votes cast for the office automatically becomes the candidates in a runoff election without filing a declaration of candidacy. At the March 3, 2020 Municipal Officer Election, none of the candidates for the office of Mayor received the required percentage of votes cast to be elected; therefore a runoff election shall be held on March 31, 2020, which is the date specified by Resolution No. R2019-43, the resolution calling for the March 3<sup>rd</sup> election. The two candidates receiving the most votes for the office of Mayor was Sammy Chioda with 1,349 votes (39.63%) and Louis O. Bonaguidi with 987 votes (29.00%). Staff is proposing the use of the same Voter Convenience Centers as the March 3<sup>rd</sup> election. To be consistent with the City's past practices, staff is also proposing a five-day early voting period from Monday, March 23, 2020 through Friday, March 27, 2020 during regular business hours. Absentee voting will begin as soon as possible as soon as the absentee ballots become available. The last day for the City Clerk to mail absentee ballots to eligible voters will be on Friday, March 27, 2020 at 5:00 p.m. As provided by the City Charter, eligibility to vote in the runoff election will be the same as the March 3<sup>rd</sup> election. Costs for conducting the runoff election are estimated at \$28,000. There are sufficient funds available in the City Clerk's Election Expense Account.

Councilor Landavazo recommended extending the early voting period to Saturday, March 28, 2020. He said he received many requests from voters expressing the fact that they are off from work and would like to vote on Saturday. Following discussion, it was the consensus of the Mayor and Councilors to set the time for early voting on March 28<sup>th</sup> from 10:00 a.m. to 6:00 p.m.

Councilor Landavazo made the motion to approve Resolution No. R2020-9, Runoff Election Resolution and to extend the early voting period to Saturday, March 28, 2020 from 10:00 a.m. to 6:00 p.m. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar and Mayor McKinney all voted yes.

The following Presentation and Information item was presented to the Mayor and Councilors:

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1. Proposed DWI Memorial Wall – Jennifer Bates, President, A Hope and A Future, Inc.

Ms. Bates provided a presentation on her organization's proposal to construct a DWI Memorial Wall on the corner of the Miyamura Overpass and Montoya Boulevard, east of the "We the People" sculpture. She provided details about a tragic accident that occurred near Kayenta, Arizona in 2017 which affected her in a way to bring awareness about the problem with drunk driving. The accident involved the daughter of a school bus driver in the Kayenta School District. The school bus driver's daughter stepped off the bus and was struck and killed by a drunk driver in front of her dad and the children on the bus. Ms. Bates introduced the members of the family from Chilchinbeto, Arizona who lost their loved one in this tragic accident: Edward and Christina Tsosie and Marie Nephew. Three years later, the family is still in court dealing with the drunk driver who caused the accident. Ms. Bates has been in contact with Murphy Builders and Mayor McKinney about the construction of the memorial wall, which will be 8-feet in height, with large lettering with space for plaques to be mounted on the wall. The cost of the construction is estimated between \$35,000 and \$50,000.

Discussion followed concerning the City owned property at the corner of Miyamura Overpass and Montoya Boulevard, which must be used as a recreational park.

Councilor Palochak spoke in favor of the proposal because the wall would memorialize the loved ones lost in the community and the problem with drunk driving is so prevalent in the area. She is willing to use some of her discretionary funds towards the project.

Mr. Tsosie addressed the Mayor and Councilors and shared his experience in witnessing the tragic death of his daughter. He and his family traveled to Gallup to show support of Ms. Bates and her organization's endeavors. He also asked the Mayor and Councilors to approve the project.

On behalf of the Council, Mayor McKinney expressed their condolences to the Tsosie family. Mayor McKinney recommended having City staff review the proposed site as well as any other potential site for the project. He would also like to meet with Mr. DeYoung regarding potential funding for the project.

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

None.

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

Councilor Palochak express her condolences to Councilor Garcia and her family on the

loss of her mother this week. Councilor Palochak thanked the City’s employees for the hard work they do for the community.

Councilor Landavazo expressed his condolences to Councilor Garcia and her family. He said he grew up in the same neighborhood as Councilor Garcia and knew her mother very well.


Councilor Kumar expressed his condolences to Councilor Garcia and her family. He remembers how Councilor Garcia and her mother would attend many community functions together. Councilor Kumar also encouraged everyone to wash their hands, to be careful and to take steps in preventing the spread of the coronavirus.

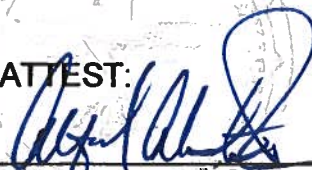
Mayor McKinney said his thoughts go out to Councilor Garcia and her family as well. He also said the City is in receipt of the notices from the Department of Health regarding the coronavirus and is disseminating the information to the public. He said residents do not need to panic; however, the situation is serious enough for everyone to be cognizant of. He said everyone will be fine as long as the public follows the instructions of the medical professionals at the Department of Health.

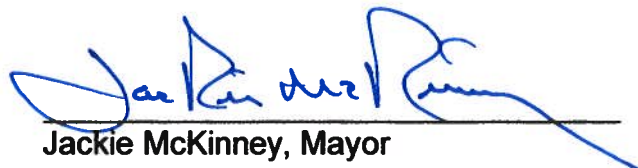
**Comments by City Manager and City Attorney**

At the request of Mr. DeYoung, Chief Jesus “Chuy” Morales, Gallup Fire Department, provided an update on the Joint Information Center and Local Emergency Planning Committee meetings he attended regarding the COVID-19 coronavirus outbreak. He said the Centers for Disease Control (CDC) and the New Mexico Department of Health will provide guidance in the dissemination of information to the public on how to prevent the spread of the coronavirus. Chief Morales encouraged everyone feeling sick to stay home and he also discouraged people from traveling. He said it was a matter of time before the virus reaches the community.

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



ATTEST:  
  
Alfred Abeita II, City Clerk



Jackie McKinney, Mayor



## CERTIFICATION OF CANVASS RESULTS

We, the undersigned Board of County Commissioners acting as the Board of Canvassers of McKinley County, State of New Mexico, canvass the Municipal Officer Election held in Gallup, New Mexico, March 3, 2020, certify that the canvass results sent to the office of secretary of state is a correct canvass of returns of said election.

WITNESS the Honorable Board of County Commissioners, March 10, 2020  
Date

ATTEST:

Clerk

Member

Chairman

Member

Member



SEAL

Member

Member



# Election Summary Report

General Election

City of Gallup

March 03, 2020

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups

Precincts Reported: 0 of 27 (0.00%)

Registered Voters: 3,544 of 0 (N/A)

Ballots Cast: 3,544

## MAYOR CITY OF GALLUP (Vote for 1)

Precincts Reported: 0 of 27 (0.00%)

		Total	
Times Cast		3,413 / 0	N/A
Candidate	Party	Total	
JAYSON M GOMEZ		228	
CHARLES W VAN DRUNEN		721	
YOLANDA E AHASTEEN-AZUA		119	
LOUIS O BONAGUIDI		987	
SAMMY CHIODA		1,349	
Total Votes		3,404	
		Total	
Unresolved Write-In		0	

## COUNCILOR DISTRICT 2 CITY OF GALLUP-DISTRICT 2 (Vote for 1)

Precincts Reported: 0 of 7 (0.00%)

		Total	
Times Cast		668 / 0	N/A
Candidate	Party	Total	
ROGER ALLAN LANDAVAZO		309	
MICHAEL W SCHAAF		348	
Total Votes		657	
		Total	
Unresolved Write-In		0	

## COUNCILOR DISTRICT 4 CITY OF GALLUP-DISTRICT 4 (Vote for 1)

Precincts Reported: 0 of 7 (0.00%)

		Total	
Times Cast		772 / 0	N/A
Candidate	Party	Total	
FRANCISCA 'FRAN' P PALOCHAK		440	
Total Votes		570	
		Total	
Levii F Saucedo	WRITE-IN	130	
Unresolved Write-In		169	

## MUNICIPAL JUDGE CITY OF GALLUP (Vote for 1)

Precincts Reported: 0 of 27 (0.00%)

		Total	
Times Cast		3,414 / 0	N/A
Candidate	Party	Total	
JANEL L GRIEGO		1,509	
JACKIE D MCKINNEY		654	
EARL ANDREW YEARLEY		1,216	
Total Votes		3,379	
		Total	
Unresolved Write-In		0	

CITY CLERK'S WORKSHEET

MARCH 3, 2020 MUNICIPAL OFFICER ELECTION  
OFFICIAL RESULTS

CANDIDATE	SOUTHSIDE FIRE STATION #1	NORTHSIDE FIRE STATION #2	EASTSIDE FIRE STATION #3	WESTSIDE FIRE STATION #4	LARRY BRIAN MITCHELL RECREATION CENTER	MCKINLEY COUNTY COURTHOUSE ROTUNDA	EARLY VOTING	ABSENTEE VOTING	* Hand-Tally	TOTALS	PERCENTAGE	
<b>TOTAL BALLOTS CAST</b>	<b>600</b>	<b>224</b>	<b>490</b>	<b>162</b>	<b>259</b>	<b>635</b>	<b>981</b>	<b>60</b>	<b>2</b>	<b>3413</b>		
<b>MAYOR</b>												
Jayson M. Gomez	36	26	25	7	34	37	63	0		228	6.70%	
Charles W. Van Drunen	129	17	138	30	32	157	209	9		721	21.18%	
Yolanda E. Ahasteen-Azua	17	2	19	10	9	38	24	0		119	3.50%	
Louis O. Bonaguidi	174	85	118	43	64	170	307	26		987	29.00%	
Sammy Chioda	243	93	190	70	120	231	375	25	2	1349	39.63%	
<b>TOTAL COUNT - MAYOR</b>										<b>3404</b>		
<b>DISTRICT #2 COUNCILOR</b>												
Roger Allan Landavazo	15	11	173	0	19	26	64	1		309	47.03%	
Michael W. Schaaf	15	6	207	1	9	44	62	4		348	52.97%	
<b>TOTAL COUNT - DISTRICT #2 COUNCILOR</b>										<b>657</b>		
<b>DISTRICT #4 COUNCILOR</b>												
Francisca "Fran" P. Palochak	100	18	12	96	10	100	99	5		440	77.19%	
Levi F. Saucedo (Declared Write-in)	34	6	6	26	5	18	35	0		130	22.81%	
<b>TOTAL COUNT - DISTRICT #4 COUNCILOR</b>										<b>570</b>		
<b>MUNICIPAL JUDGE</b>												
Janell L. Griego	255	114	242	56	126	278	416	22		1509	44.66%	
Jackie D. McKinney	106	28	92	36	37	141	201	12	1	654	19.35%	
Earl Andrew Yearley	235	82	152	69	94	209	349	25	1	1216	35.99%	
<b>TOTAL COUNT - MUNICIPAL JUDGE</b>										<b>3379</b>		
<b>TOTAL ELIGIBLE VOTERS: 12,170</b>			<b>TOTAL PUBLIC COUNT: 3413</b>						<b>TURN OUT:</b>		<b>28.04%</b>	

\* Hally Tally: Includes 1 Provisional Ballot during EV & 1 Absentee Ballot delivered to polling location before 7 p.m.

(Total of 3 Provisional Ballots were cast. Result: 1 qualified and 2 disqualified).