

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 24, 2020.

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**

Presented to the Mayor and Councilors for their approval was the Minutes of the Regular Meeting of March 10, 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 Garcia abstained. Motion carried.

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

1. Appointment of a Mayor Pro Tempore – Mayor Jackie McKinney

Mayor McKinney thanked Councilor Landavazo for his service as Mayor Pro Tempore for the past nine years. Mayor McKinney recommended the appointment of Councilor Palochak to serve as Mayor Pro Tempore.

Councilor Garcia made the motion to appoint Councilor Palochak as Mayor Pro Tempore. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all votes yes.

2. Application for Private Security Guard Business License by T.R.I.B.E. LLC d/b/a T.R.I.B.E. Security Service – Chief Franklin Boyd, Gallup Police Department

Chief Boyd said T.R.I.B.E. Security Service has submitted the proper application and supporting documentation for the business license. In accordance with Section 3-11-4 of the City Code, Chief Boyd certified his determination that the public convenience and

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necessity would be served by the issuance of the license. He introduced Michael Singer, owner of T.R.I.B.E. Security Service.

Councilor Palochak spoke in favor of additional security guard services in Gallup.

Mr. Singer provided a brief overview of his business. He answered questions posed by the Mayor McKinney.

Councilor Palochak made the motion to approve the application for a private security guard business license by T.R.I.B.E., LLC d/b/a T.R.I.B.E. Security Service. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Garcia, Kumar and Mayor McKinney all voted yes.

3. Indian Hills Park Ballfield Lighting Project Award – Stan Henderson, Public Works Director

Mr. Henderson said the project consists of replacing the high mast field lights at Indian Hills Park Ballfield. The engineer of record for the project is CDM Smith of Albuquerque. Bids were opened on March 17, 2020 with five bidders. The apparent low bidder is Bixby Electric of Albuquerque with a bid of \$231,986.96 including gross receipts tax. There is no fiscal impact to the City since the State Legislature appropriated \$350,000 for the project. He recommended award of the contract for the project to Bixby Electric in the amount of \$231,986.96 including gross receipts tax.

Councilor Landavazo asked about the use of the remaining allocation from the State for other costs of the project, including engineering services. Mr. Henderson said the remaining balance will be used for possible change orders for other electrical issues that may be discovered in the project. Discussion followed regarding other electrical issues at the park that may be addressed with the funding, including the scoreboard and lighting issues in the press box, concession stand and parking lot.

Councilor Landavazo made the motion to approve the Indian Hills Park Ballfield Lighting Project Award. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

4. Resolution No. R2020-11; East Nizhoni Blvd. Reconstruction MAP Resolution – Stan Henderson, Public Works Director

Mr. Henderson presented the proposed resolution for the City's Municipal Arterial Program (MAP) application to the New Mexico Department of Transportation for funding

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the reconstruction of East Nizhoni Boulevard between Second Street and College Drive. The project includes the reconstruction of the roadway, pedestrian safety improvements and storm drainage improvements. If the application is approved, the City will need to match 25% of the construction costs. This amount could vary from \$175,000 to \$500,000.

Councilor Kumar made the motion to approve Resolution No. R2020-11; East Nizhoni Boulevard Reconstruction MAP Resolution. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

5. 5th Street Pole Change Out – John Wheeler, Electric Director

Mr. Wheeler said the current pole in front of Rico Motors is in poor condition and needs to be replaced. As part of the alley beautification projects, this pole will receive the brunt of the termination points for communication networks as well as triple circuit electric distribution lines. City staff received two responsive bids for the project. He recommended award of the contract to the low responsive bidder, 4G Electric, Inc. of Clovis, in the amount of \$48,740.63 including gross receipts tax. He also recommended a budget adjustment in the amount of \$48,740.63 from account number 507-0000-101-10-01 to account number 507-6061-442-44-91.

Discussion followed concerning the reason for replacing the wood pole with another wood pole due to the excessive costs for metal poles. Mr. Wheeler said wood poles that were installed in 1947 are still standing.

Councilor Garcia made the motion to approve the 5th Street Pole Change Out. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

6. Allison Substation Design Shortfall – John Wheeler, Electric Director

Mr. Wheeler said there were a couple of items that were excluded from the design of the project. The design for getting the transmission line attached to the substation and the distribution takeoffs to just outside the substation fence were not included. He requested a budget adjustment in the amount of \$61,630 to accommodate the design of these facilities by ESC of Fort Collins, Colorado. The budget adjustment requires the transfer of funds from account number 507-0000-101-10-01 to capital account number 307-6061-442-48-99, project number CI1771.

Discussion followed concerning the timeframe for having the substation energized, the current status of the substation and the estimated costs for the project.

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Councilor Palochak made the motion to approve the budget adjustment for the transfer of funds in the amount of \$61,630 from fund balance 507-0000-101-10-01 to capital account number 307-6061-442-48-99, project number CI1771. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

7. Request for Budget Adjustment for Water Utility Miscellaneous Repair Fund – Dennis Romero, Water and Sanitation Director

Mr. Romero presented the request for the budget adjustment in the amount of \$100,000 from the Water Enterprise Fund to the Miscellaneous Maintenance and Repair Fund for unplanned repairs and improvements to the water production, transmission and distribution system. Last fiscal year, only \$37,000 from the annual budget of \$250,000 was used for unplanned repairs; however, due to an increased number of unforeseen repairs to the system this fiscal year, the budget line item is close to being depleted.

Councilor Kumar made the motion to approve the request for a budget adjustment for the Water Utility Miscellaneous Repair Fund in the amount of \$100,000. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

8. Request for Approval of Change Order and Budget Adjustment for Oxidation Ditch Brush Replacement Project – Dennis Romero, Water and Sanitation Director

Mr. Romero said the replacement and relocation of an electric brush assembly for the oxidation ditch at the Wastewater Treatment Plant was approved in the Fiscal Year 2019 Capital Improvement Plan (CIP) in the amount of \$30,000. The work has been completed; however, the cost for the project came in at \$4,642.28 over budget. The additional cost is attributed to the electrical work for the project. Mr. Romero requested a budget adjustment in the amount of \$4,650 from the Water Enterprise Fund to Project CI2010 to cover the final payment for the project.

Councilor Palochak said the amount of the budget adjustment was minimal and supports the improvements to the Wastewater Treatment Plant to address issues with odor.

Councilor Palochak made the motion to approve the change order and budget adjustment for the Oxidation Ditch Brush Replacement Project in the amount of \$4,650. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo and Mayor McKinney all voted yes.

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9. Request for Approval of Budget Adjustment from Water and Wastewater Enterprise Funds for Overtime Costs – Dennis Romero, Water and Sanitation Director

Mr. Romero said there has been an increased number of unscheduled repairs to both the water and wastewater systems. To address overtime costs, previous budget adjustments have been made from other line items in both the water and wastewater budgets. Rather than causing further stress on the current budgets, Mr. Romero recommended a budget transfer in the amount of \$20,000 from the Water Enterprise Fund and a \$10,000 budget transfer from the Wastewater Enterprise Fund. The budget transfers will cover overtime costs until the end of the fiscal year.

Councilor Kumar made the motion to approve the budget adjustment from Water and Wastewater Enterprise Funds for overtime costs. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia and Mayor McKinney all voted yes.

Mr. Romero provided an update on two water leaks and the work being done by Dallago Corporation to install a 10-inch waterline tie-in running north and south on Second Street and a 6-inch waterline tie-in running east and west on Coal Avenue. City crews believe when water service was restored for the tie-in work, it was reopened too quickly which created leaks at First Street and Coal Avenue and Aztec Avenue and Woodrow Drive.

10. Budget Adjustment for Larry Brian Mitchell Facility Repairs – Jon DeYoung, Assistant City Manager

Mr. DeYoung said the City was allocated legislative funds in the amount of \$400,000 for the replacement of the roof and wall repair and stucco work at the Larry Brian Mitchell Recreation Center. The quote for the roof replacement came in at \$246,837.09. The New Mexico Department of Finance and Administration requires the City to pay back 1.25% in an administrative fee for using the CES contract. The quote for the stucco work came in at \$216,333.61 and by adding the amount for the new roof, the total project cost is \$463,170.70. Mr. DeYoung recommended a budget adjustment in the amount of \$70,000 for the project from the General Fund to cover the cost of the project.

Discussion followed regarding the administrative fee for the CES contract and the estimated age of the building.

Councilor Landavazo made the motion to approve the budget adjustment for the Larry Brian Mitchell facility repair project in the amount of \$70,000. Seconded by Councilor Garcia. Roll call: Councilor Landavazo, Garcia, Kumar, Palochak and Mayor McKinney all voted yes.

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11. Resolution No. R2020-10; Authorizing Signatory Authority for Non-Metro Area Agency on Aging Contracts – Jon DeYoung, Assistant City Manager

Mr. DeYoung presented the proposed resolution authorizing the City Manager to sign contracts with the Non-Metro Area Agency on Aging.

Councilor Palochak made the motion to approve Resolution No. R2020-10; Authorizing the City Manager as Signatory Authority for the Non-Metro Area Agency on Aging Contracts. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo and Mayor McKinney all voted yes.

12. Cancellation of the April 14, 2020 Regular Council Meeting – Maryann Ustick, City Manager

Ms. Ustick recommended the cancellation of the April 14, 2020 Regular Council Meeting due to the public health order issued by the New Mexico Department of Health concerning the COVID-19 pandemic. Upcoming meetings will be held to address essential matters and if an emergency or a major issue comes up, a special meeting will be called. Ms. Ustick said a CIP work shop was going to be held on April 14th; however, the work shop has been canceled due to the uncertainty of the City's finances due to the pandemic. Essential maintenance and replacement items will be included in the budget for the new fiscal year as staff does not recommend any new projects at this time and to have cash available to support operating expenses.

Councilor Palochak made the motion to cancel the April 14, 2020 Regular Council Meeting. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo and Mayor McKinney all voted yes.

Comments by Public on Non-Agenda Items

Cody Begay, reporter with the Gallup Sun, asked about measures to be implemented for protecting the homeless population during the pandemic. Mayor McKinney said a conference call with the Governor's staff in Santa Fe was held last Friday, to discuss issues with administering COVID-19 tests to homeless individuals. As of today, a local hotel has offered to utilize part of their facility to sequester individuals during their testing period. Mayor McKinney provided information on the discussions regarding this plan and the work that needs to be done to implement and manage it. Matters addressing the individuals taken to the Gallup Detox Center and Indian Health Services during the pandemic was also discussed.

Justin Benson said the Business Improvement District was supposed to have a meeting

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at the end of this month, which was scheduled and likely canceled by now. He said he heard a rumor that the meeting was scheduled; however, he never received notice in the mail about the meeting nor did the other property owners he spoke to.

Comments by Mayor and City Councilors

Mayor McKinney read and presented the following commendation on behalf of the Council:

HONORING CITY COUNCILOR ROGER ALLAN LANDAVAZO

WHEREAS: Allan Landavazo was born and raised in Gallup and graduated from Gallup High School. For many years, he has been and continues to manage a successful local business and utilize his knowledge and experience to serve and contribute to the community of Gallup; and

WHEREAS: Councilor Landavazo was elected as City Councilor of District 2 in March 2007 and continued to serve until March 31, 2020. In 2011, the Council elected Councilor Landavazo to serve as Mayor Pro Tem; and

WHEREAS: Councilor Landavazo has faithfully represented his constituents and advocated for programs that improve the quality of life for the community; and

WHEREAS: Councilor Landavazo has also dedicated his time to the community of the City of Gallup. He has been active in local soccer programs, served on the Rehoboth school board and continues to serve on the board of Northwest New Mexico Council of Governments and Adventure Gallup; and

WHEREAS: During his term as the City Councilor of District 2, Allan Landavazo has displayed exceptional commitment and exemplary service to the City of Gallup; and

WHEREAS: The Gallup City Council, by unanimous consent, wishes to express its deep appreciation for thirteen years of service.

NOW THEREFORE, BE IT RESOLVED, that the members of the Gallup City Council: Mayor Jackie McKinney and City Councilors Linda Garcia, Yogash Kumar, and Fran Palochak do hereby commend:

ROGER ALLAN LANDAVAZO

For his outstanding contributions to the City of Gallup and wish him success in his future endeavors.

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To continue his comments, Mayor McKinney also announced the provisions of the updated public health order which was issued by the New Mexico Department of Health yesterday. The latest order has been posted on the City's website and Facebook page. Mayor McKinney said he provided a two minute public service announcement to all radio stations in Gallup to advise the public and encourage them to distance themselves from one another, to stay at home and if they need to go out to obtain necessities, to only have one family member obtain the necessities from essential businesses during the pandemic. He realizes the hardships many people are facing by having to stay at home because they may be losing income. Some people may have issues with having their children stay at home because they have to find activities to keep them busy. He also thanked and commended City employees who are working to provide essential services that are needed during this time.

Councilor Landavazo thanked the City employees for their work throughout the years. He also thanked the department heads for leading their departments to get things done. He recognized Mr. Henderson, Vince Alonzo, Parks and Recreation Director, Mr. Hayes and Ms. Ustick for their work and professionalism. Councilor Landavazo thanked the current and past Council members he worked with for their support and the efforts they accomplished. He commended Mayor McKinney for his accomplishments and for taking on the hard challenges they faced during his tenure. Councilor Landavazo also thanked Sandra McKinney for her support during her husband's administration.

Councilor Palochak encouraged everyone to stay at home, if they are able to, during the pandemic. She thanked Councilor Landavazo for being her mentor and for their excellent working relationship. Councilor Palochak wished Councilor Landavazo the very best in his future. She also wished everyone the very best during these difficult times and encouraged all City employees to stay strong.

Councilor Kumar said it was a pleasure serving with Councilor Landavazo as they were able to work well as a team and accomplish many projects together under Mayor McKinney's leadership. Councilor Kumar said he appreciates everything Councilor Landavazo has done and is sure Councilor Landavazo will continue to be involved in the community. Councilor Kumar asked City staff to be safe, to be careful and he encouraged everyone to maintain their distance from one another.

Councilor Garcia said she has known Councilor Landavazo since they grew up in the Indian Hills area. She has known Councilor Landavazo as a man of God, a man of integrity and always followed through with what he said. Councilor Garcia said Councilor Landavazo was also her mentor and took the time to help her to get accustomed to her position when she was first elected. Councilor Garcia said the Council should always say

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and believe in the words always stated by Councilor Landavazo, “buy, build and believe Gallup.” Councilor Garcia also thanked everyone for their condolences on the passing of her mother.

Comments by City Manager and City Attorney

Mr. Hayes provided information regarding an order from the New Mexico Supreme Court that provides a temporary stay on evictions for tenants showing their inability to pay their rent. The order was issued earlier in the afternoon. Mr. Hayes said it was pleasure working with Councilor Landavazo.

Ms. Ustick said Councilor Landavazo is a City Manager’s dream because of his thoroughness, his preparedness and the tough questions he poses to City staff. Councilor Landavazo represents his constituents very well and because of his professionalism and integrity, City staff are better employees as a result of working with him. Ms. Ustick provided updated information on the public health orders issued by the State and how the City is complying with those orders. Discussion followed concerning the enforcement on the closure of the skate park, preparation of letters for employees showing proof they provide essential services, the Frequently Asked Questions (FAQs) regarding the State’s public health order and the precautions that are being taken by City staff to comply with the public health order while administering the runoff election.

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


Jackie McKinney, Mayor


ATTEST:


Alfred Abeita II, City Clerk

Approved 4/28/2020