

**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, October 26, 2021.**

**The meeting was called to order by Mayor Louie Bonaguidi. He provided instructions to the public viewing the meeting through Facebook Live on how to provide comment on non-agenda items.**

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

<b>Mayor:</b>	<b>Louie Bonaguidi</b>
<b>Councilors:</b>	<b>Linda Garcia Michael Schaaf Yogash Kumar Fran Palochak</b>
<b>Also present:</b>	<b>Maryann Ustick, City Manager Curtis Hayes, City Attorney</b>

**Mayor and Councilors presented a Proclamation declaring November 2021 as Family Court Awareness Month. Tina Swithin, Founder of One Mom's Battle and creator of Family Court Awareness Month, highlighted issues found within the family court system, the importance child safety and expressed appreciation to Mayor and Council for their support.**

**Presented to the Mayor and Councilors were the following Consent Agenda Items:**

- 1. Approval of Minutes from the Regular Meeting of October 12, 2021**
- 2. Request for Street Closures for the Annual Christmas Parade to be Held on Saturday, December 4, 2021 at 1:00 PM**
- 3. Resolution No. R2021-37; Election Resolution of the City of Gallup New Mexico**
- 4. Certification of FY2021 Asset Inventory**
- 5. Resolution No. R2021-38; 1<sup>st</sup> Quarter FY2022 Budget Adjustment and Report of Actuals**
- 6. Budget Adjustment Request for Maloney Ave Sewer Project**
- 7. Planning and Development Department Budget Adjustment Request in the Amount of \$15,000. for Professional Services**

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- 8. Budget Adjustment for the Purchase of a Professional Grade Drone for the Gallup Police Department**
- 9. Award of Formal Bid 2115 – Maintenance Shop Exhaust System and Budget Adjustment**
- 10. Approve Publication of Outstanding Warrants and Budget Adjustment**
- 11. Change Order and Budget Adjustment Request for SCADA Improvements**
- 12. Resolution No. R2021-40; Approval and Acceptance of a Department of Finance and Administration (DFA) Grant in the Amount of \$2,000,000.**

Councilor Palochak requested the removal of Item #10 from the Consent Agenda to be discussed separately.

Councilor Schaaf made the motion to approve Consent Agenda Items 1 through 12 with the exception of Consent Agenda Item 10. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Kumar and Garcia voted yes. Mayor Bonaguidi voted yes to the aforementioned items with the exception of Consent Agenda Item 10 and abstaining from Consent Agenda Item 6.

Presented to the Mayor and Councilors was the following item:

- 10. Approve Publication of Outstanding Warrants and Budget Adjustment – Maryann Ustick, City Manager**

Ms. Ustick presented information regarding the warrants and a discussion that took place at a crime forum sponsored by the McKinley County Chamber of Commerce, including the Municipal Court's 6,000 outstanding warrants. As a result of the discussion, the Sheriff's Department offered their assistance in serving the warrants and the Gallup Independent proposed to publish the entire list of warrants at half the regular price per page, which the county and city agreed to split. With support from Municipal Judge Janell Griego, Ms. Ustick requested a total of \$3,032.95 to be transferred from the General Fund Reserves.

Discussion followed regarding the intent and possible errors in publication, the address verification process, phrasing included in the publication, results from the Municipal Court's Self-Surrender week and success in the past publication of names. McKinley County Undersheriff James Maiorano answered questions regarding the warrants.

Councilor Palochak requested a reported total in response to the publication.

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Councilor Schaaf made the motion to approve the publication of outstanding warrants and the budget adjustment, as presented. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia, Kumar, Palochak and Mayor Bonaguidi all voted yes.

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

1. Approval of Resolution R2021-39 Authorizing and Approving Submission of NMFA Application – Maryann Ustick, City Manager and Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed resolution to move forward in the bond process, previously approved by Council and to authorize submission of the application to the New Mexico Finance Authority (NMFA) in an effort to obtain funding by January 2022.

Councilor Kumar made the motion to approve Resolution R2021-39; authorizing and approving submission of NMFA application. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Schaaf, Garcia and Mayor Bonaguidi all voted yes.

2. Ordinance No. S2021-7; Ordinance Donating Nine Lots in the Sunshine Canyon Subdivision to the Gallup Housing Authority – Curtis Hayes, City Attorney and John Wheeler, Electric Director

Mr. Hayes presented an aerial map depicting city property Electric Department staff deemed appropriate for replacing Sunshine Substation.

John Wheeler, Electric Director, provided information and determining factors regarding the construction of a new Sunshine Substation, subsequently eliminating the Mendoza Substation. This would save the City \$440,000 on the Point-to-Point Transmission agreement for the year 2022 regardless of the use of power and only using Tri-State Generation in an emergency per their policy. Mr. Wheeler also provided information regarding the construction of the substation.

Brief discussion followed regarding the construction time of the new Substation and clarification regarding the operation of the old Sunshine Substation and the old Allison Substation.

Mr. Hayes said an ownership issue was discovered in which the subdivision plat includes two parcels of land previously deeded separately to the City and the Housing Authority. A portion of the subdivision that is owned by the City shows an easement dedicated to build a portion of Reach 27.6 of the Navajo Gallup Water Supply Project Pipeline. Mr. Hayes provided the easement survey containing three houses built on lots

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8, 9 and 10 which are in the portion owned by the City. He explained the purpose of the ordinance would be to transfer the three lots to the Housing Authority, in addition to the donation of six additional lots, which would permit additional affordable housing units in the future.

Councilor Garcia made the motion to approve Ordinance No. S2021-7; Ordinance Donating Nine Lots in the Sunshine Canyon Subdivision to the Gallup Housing Authority. Seconded by Councilor Schaaf. Roll call: Councilors Garcia, Schaaf, Palochak, Kumar and Mayor Bonaguidi all voted yes.

3. Authorization to Proceed with Sale of 313 Boardman (former First Financial Building) – Curtis Hayes, City Attorney and Maryann Ustick, City Manager

Ms. Hayes provided information with regard to the history of the property including ownership, a ground lease with First Financial Credit Union, a substantial fire in 2017 and the credit union's donation of the building to the City. However, the City does not have any use for the building; therefore, the City is requesting to sell the property by way of a public sale, which requires several steps with this being the start of the process.

Brief discussion took place regarding the state and limited access to state roads, including Boardman Drive.

Councilor Palochak made the motion to approve the authorization to proceed with the sale of 313 Boardman. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

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

Undersheriff Maiorano remembered Officer Larry Brian Mitchel of the Gallup Police Department, who was killed in the line of duty in May 2001. He thanked City officials for ensuring that Officer Mitchell's name will be returned to the Larry Brian Mitchell Recreation Center after renovations to the building are complete.

Councilor Schaaf made the motion to adjourn into closed session for the purpose of discussing the purchase, acquisition or disposal of real property. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

The Mayor and Councilors adjourned into closed session pursuant to §10-15-1-H(8) NMSA 1978 Comp. (as revised)

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Following the closed session, Councilor Schaaf made the motion to reconvene the Regular Meeting. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

Mr. Hayes certified for the record that the only topic discussed during the closed session was the purchase, acquisition or disposal of real property and that no action was taken by the Mayor and Councilors during the closed session.

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

Mayor Bonaguidi mentioned Item 12 regarding the \$2 million grant for communities hit the hardest by COVID and expressed appreciation to Senator George Munoz for helping the City acquire the funding.

Councilor Palochak said she recently attended a DWI appreciation dinner to honor law enforcement officers, participated in the Domestic Violence Walk and announced an information session held at the Howard Johnsons Hotel on October 27th regarding Domestic Violence awareness.

Councilor Schaaf announced the Street Department's acquisition of the new milling machine. He also thanked the Gallup Police Department for their quick response and retrieval of his stolen license plate.

Councilor Kumar mentioned a discussion he had with Fire Chief Jesus "Chuy" Morales regarding the different types of smoke detectors and carbon monoxide detectors. Councilor Kumar increased his personal donation from \$1,000 to \$2,000 for the purchase of both smoke detectors and carbon monoxide detectors to be installed in local homes. Chief Morales thanked Councilor Kumar and stated Fire Department staff are busy with the installations.

Councilor Garcia listed the officers recognized at the DWI Appreciation Dinner including, Officer Richard Rangel, Officer Dominic Molina and Officer Julio Yazzie, recognized Chief Boyd for his accomplishments with the Police Department, commended everyone who helped organize the event and remembered Officer Larry Brian Mitchel. She provided information regarding the Domestic Violence Walk and the importance of continued support of their initiatives. She also announced the 11th Annual Four Corners TDFL Tournament this Saturday and Sunday.

### **Comments by City Manager and City Attorney**

Ms. Ustick announced the City's redistricting of political districts before the March 1<sup>st</sup> Election and the obligation of future Special Meetings to gather community input.

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Mr. Hayes stressed the narrowed timeframe provided for redistricting considering the election in March 2022.

Councilor Schaaf made the motion to adjourn the meeting. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.



  
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Louie Bonaguidi, Mayor

**ATTEST:**

  
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Alicia Palacios, Deputy City Clerk