

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec, at 6:00 p.m. on Tuesday, June 12, 2012.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor:	Jackie McKinney
Councilors:	Mike Enfield Cecil Garcia Allan Landavazo E. Bryan Wall
Also present:	Dan Dible, City Manager George Kozeliski, City Attorney

Presented to the Mayor and Councilors were the Minutes of the Regular Meeting of May 22, 2012.

Councilor Enfield made the motion to approve the aforementioned Minutes. Seconded by Councilor Landavazo. Roll call: Councilors Enfield, Landavazo, Garcia, Wall, and Mayor McKinney all voted aye.

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

1. Discussion Only: Proposed Plans for Redistricting the Gallup City Council – Michael Sharp, Research and Polling, Inc.

Mr. Sharp presented a second presentation to generate public input and discussion for redrawing the City Council district boundaries based on data from the 2010 Census. He presented an overview of the five principles for redistricting, Redistricting Plans A, B and C which were presented at the May 8, 2012 Regular Meeting and a new Plan A-1 which is based on the only recommendation received to include all of Precinct 43 into District 3 to avoid a precinct split. A copy of Plan A-1 is attached hereto and made a part of these official Minutes. If Plan A-1 is adopted by the Mayor and Councilors, it would move Councilor Enfield into District 3. Councilor Enfield would be allowed to continue to serve as District 1 Councilor until his term expires at the next Regular Municipal Election in March 2013. Plans A and B would have two precinct splits, Plan A-1 would have one precinct split and Plan C would have no precinct splits.

Councilor Landavazo asked about the revisions of the Council district boundaries and the populations of the four districts. Mr. Sharp said all of the redistricting plans are within $\pm 5\%$ of the ideal population standard for each district which is considered substantially equal under the principles for redistricting.

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Councilor Wall asked if Plan A-1 was the plan that was recommended for adoption. Mr. Sharp said all of the four plans are options for the Council to consider as each plan meets the legal criteria for redistricting. Councilor Wall said he preferred Plan A-1.

Mayor McKinney asked if a third presentation was necessary for the redistricting process. Mr. Sharp responded no unless the Council would like for him to prepare another presentation; however, the Mayor and Councilors may adopt a final plan as early as the next Regular Meeting.

2. Gross Receipts Tax Refunding Revenue Bonds Series 2012:

- a. Resolution No. R2012-26; Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority to Refund Certain Maturities of the City's Outstanding Sales Tax Refunding and Improvement Revenue Bonds, Series 2004A
- b. First Reading: An Ordinance Authorizing the Issuance of the City of Gallup, New Mexico Gross Receipts Tax Refunding Revenue Bonds, Series 2012

– RBC Capital Markets and Modrall Spering Law Firm

Paul Cassidy of RBC Capital Markets said the City's Series 2004 State Shared Gross Receipts Tax Revenue Bonds has an average interest rate that is higher than the current market rates which can be called within 18 months of the issuance of the bonds. The current average interest rate for the 2004 bonds is 4.64% which can be replaced which an all-inclusive interest rate of 2.66% in today's market. The final maturity date of the bonds is June 1, 2024, which is no longer than the original maturity date of the bonds that were originally approved. Mr. Cassidy recommended submitting an application to the New Mexico Finance Authority (NMFA) to piggy back off the State's bond bank due to its high AA/AAA rating which will result in obtaining the lowest interest rate in the market. Based upon current market rates, by refunding the 2004 bonds may generate about \$948,000 in present value savings or about \$91,000 on average annually. In addition to applying to the NMFA, the City has the option of entering the public markets by getting the bonds rated, hiring an underwriter, and to issue the bonds at an earlier time frame. The proposed bond ordinance will allow the City to pursue either option depending on the conditions of the market. The issue size is a little over \$9 million in total funds and the actual issue size is about \$8.44 million.

Councilor Wall asked if the interest rates can be locked-in and if so, how much would it

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cost to lock-in the rates. Mr. Cassidy said the City would need to meet the requirements set forth by the State Board of Finance; however, in doing so it would be expensive to the City, especially for an issue size of \$8 million to \$9 million.

Duane Brown of the Modrall Sperling Law Firm said the proposed Resolution would authorize the submission of an application to the NMFA for financial assistance and project approval for the refunding of the bonds. The first reading of the proposed Ordinance would authorize the publication of the Ordinance for formal action to be taken at the July 10, 2012 Regular Meeting.

Councilor Landavazo asked how the interest rates have historically fared during an election year. Mr. Cassidy said interest rates generally stay down and steady through the election process. Although there is no guarantee that the interest rates will remain low or steady, Mr. Cassidy does not believe there is any rush to immediately access the market.

Councilor Wall made the motion to approve Resolution No. R2012-26. Seconded by Councilor Enfield. Roll call: Councilors Wall, Enfield, Landavazo, Garcia and Mayor McKinney all voted aye.

Councilor Enfield then made the motion to authorize the publication of the Ordinance Authorizing the Issuance of the City of Gallup, New Mexico Gross Receipts Tax Refunding Revenue Bonds, Series 2012. Seconded by Councilor Wall. Roll call: Councilors Enfield, Wall, Landavazo, Garcia and Mayor McKinney all voted aye.

3. Joint Utility Refunding Revenue Bonds Series 2012:
 - a. Resolution No. R2012-27; Authorizing and Approving submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority to Refund the City's Outstanding Joint Utility Bonds and Loans
 - b. First Reading: An Ordinance Authorizing the Issuance of the City of Gallup New Mexico Joint Water and Sewer System Refunding Revenue Bonds, Series 2012

– RBC Capital Markets and Modrall Sperling Law Firm

Mr. Cassidy said the issue size is approximately over \$20 million and the proceeds will be used to refinance two outstanding joint utility bond issues and an outstanding loan. The two bond issues are secured by the City's joint electric, water and waste water

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system revenues and the New Mexico Environment Department (NMED) Loan is secured by waste water system revenues only. The electric system has no outstanding related debt; therefore, he recommended removing the electric system revenues from the pledge. The average annual savings will be \$206,000, the all-inclusive rate in today's market is 2.40%, the final maturity date of the bonds will be 2025 and the debt will not be extended. He also recommended approval of the proposed Resolution which would authorize the filing an application with the NMFA for financial assistance to refund the outstanding joint utility bonds and loans. The proposed Ordinance also provides flexibility to enter into the public market, as a second option, should it be advantageous to do so.

Councilor Landavazo asked about the savings over the life of the bonds. Mr. Cassidy said the proposed refunding of the joint utility revenue bonds and loans would generate a positive present value savings of approximately \$1.45 million.

Councilor Landavazo made the motion to approve Resolution No. R2012-27. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Wall, Enfield and Mayor McKinney all voted aye.

Councilor Landavazo then made the motion to authorize the publication of the Ordinance Authorizing the Issuance of the City of Gallup, New Mexico Joint Water and Sewer System Refunding Revenue Bonds, Series 2012. Seconded by Councilor Wall. Roll call: Councilors Landavazo, Wall, Enfield, Garcia and Mayor McKinney all voted aye.

4. Water Supply, Electrical, Solid Waste and Sewer Service Agreement with the Rehoboth Christian School Association – George Kozeliski, City Attorney

Mr. Kozeliski provided an overview of the provision of utility services to the Rehoboth Christian School Association during the past 50 years. The Association has expressed concerns that their existing water wells may fail due to the age and deterioration of the wells. Rather than provide funding to the Association to improve their water system, Mr. Kozeliski recommended the sale of domestic water to Rehoboth, since the City already provides electrical, solid waste and sewer services. Mr. Kozeliski made reference to paragraph 13 of the proposed Agreement, where the City will sell water to Rehoboth at the commercial City rate for seven years and if Rehoboth is not annexed to the City upon the completion of seven years, the City will sell water to Rehoboth at one and one-half times the commercial rate.

Dan Aukeman of the Rehoboth Christian School Association, provided information

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concerning the improvements made to the Rehoboth Village Subdivision and the Rehoboth Christian School. Councilor Enfield said he would like to move forward with the annexation of Rehoboth. Mayor McKinney said Rehoboth Christian School is an asset to the community and looks forward to the annexation of the Rehoboth properties to the city in the future. Councilor Wall agreed and asked if the large parcel of land located west of Rehoboth would be annexed to the city. Mr. Aukeman responded yes; however, he was not sure if the owner is in a position to do so at this time. Mr. Aukeman said Rehoboth is in discussions with the City to include a commercial corridor to the school in the proposed annexation. The total property in the holding company is about 800 acres. Councilor Landavazo said the proposed agreement with Rehoboth is a good step towards buying, building and believing in Gallup.

Following discussion, Councilor Enfield made the motion to approve the Water Supply, Electrical, Solid Waste and Sewer Service Agreement with the Rehoboth Christian School Association. Seconded by Councilor Landavazo. Roll call: Councilors Enfield, Landavazo, Garcia, Wall and Mayor McKinney all voted aye.

5. Ordinance No. C2012-4; An Ordinance Concerning Nuisance Abatement and Problem Property Forfeiture – George Kozeliski, City Attorney

Mr. Kozeliski said the proposed Ordinance clears up inconsistencies in the existing Ordinance and will help comply with recent interpretations of nuisance laws in the State of New Mexico. The City of Albuquerque has an aggressive Nuisance Abatement and Problem Forfeiture Ordinance which resulted in a class action lawsuit against the City of Albuquerque concerning the lack of standards within the Ordinance. The proposed Ordinance requires objective standards to be met in order to prove that a certain property is a nuisance. The City's existing Ordinance will be difficult to enforce in court and recommend the adoption of the new Ordinance.

Councilor Wall asked if the proposed Ordinance addresses dilapidated structures and junk on local properties. Mr. Kozeliski said the proposed Ordinance addressing such matters will be presented to the Mayor and Councilors for action at the next Regular Meeting. Mr. Kozeliski said the proposed Ordinance will address nuisances, such as meth labs and prostitution.

Mayor McKinney pointed out that the proposed Ordinance addresses illegal fireworks as the City has the strictest laws available in the state.

Councilor Garcia asked if the proposed Ordinance will address nuisances where residents have complete disregard for their neighbors. He said there is a problem with an individual in the Stagecoach area disturbing the peace which is affecting the nearby

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neighbors. Mr. Kozeliski said the Ordinance will address the problem if there is a conviction against the individual. Under the current Ordinance, it only requires three calls to a certain location in order to deem the property a nuisance. Since there is a lack of required standards in the current Ordinance, such as a lack of convictions against the owner or resident, enforcement under the current Ordinance may result in a lawsuit as with the City of Albuquerque. Although it is a difficult task to obtain convictions on nuisances, Mr. Kozeliski stressed that the City has to prove objectively that the nuisance exists in order to proceed with the enforcement of the new Ordinance. Councilor Garcia said something has to be done against the individual disturbing the peace in the Stagecoach area. Mr. Kozeliski said he understands Councilor Garcia's concerns; however, Mr. Kozeliski said he feels more comfortable enforcing the new Ordinance in court rather than the current Ordinance.

Felix Martinez, 1724 Camino del Sol, said the property of the individual that Councilor Garcia is referring to is located across from Mr. Martinez's residence. Mr. Martinez said the nuisance has existed for more than a year as he and his neighbors have called the police on numerous occasions to report the nuisance. The individual disturbs the tranquility of the neighborhood by placing his speakers in the window of his residents and plays loud music containing obscene lyrics. When the police officers respond to the calls, the individual turns down the volume of the music and when the police officers leave the property, the individual turns the volume of the music back up again. As a retired police officer, Mr. Martinez expressed concerns with tying-up the Police Department's resources with this type of problem as the Police Department has more important calls to respond to. He asked the Mayor and Councilors for their help in addressing the problem.

Mayor McKinney asked Robert Cron, Police Chief, and Mr. Kozeliski about possible solutions to the problem through the court system. Chief Cron said his department is monitoring the situation as the individual has been arrested for assaulting a police officer on two different occasions. Chief Cron said he understands it is difficult to ask the neighbors to be patient with some of the ordinances the City has; however, he must ask them to do so as the City must protect itself from civil liability. Although the individual has been arrested for the offense, the individual has to be convicted through the court system. Chief Cron said ordinance changes and amendments have helped the Police Department. Mayor McKinney asked Mr. Kozeliski if the Council is able to do anything to address the problem if it is not addressed by the court system. Mr. Kozeliski said the new Ordinance would allow the City to pursue civil or criminal action against the property owner. Regarding the nuisance problem in the Stagecoach area, under the new Ordinance, the City would be taking away the property from the offender's mother and father.

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Candelaria Mazon, 1726 Camino del Sol, said the same individual has damaged her vehicles, broken into her home and raped her daughter. The individual also rang her door bell at 4:00 A.M. and demanded to use her vehicle. She asked the Mayor and Councilors to resolve the problems that the neighborhood is having with the individual.

Mayor McKinney recommended adoption of the new Ordinance which will be more effective than the current Ordinance. Mayor McKinney also asked Chief Cron to have police officers patrol the neighborhood as frequently as possible. Councilor Wall agreed and said the subject individual needs to be taken off the streets as soon as possible.

Councilor Garcia said his parents were terrorized by similar nuisances for so long as this type of behavior has to stop. He would like additional "teeth" put into the Ordinance before someone gets killed.

Following discussion, Councilor Garcia made the motion to adopt Ordinance No. C2012-4. Seconded by Councilor Wall. Roll call: Councilors Garcia, Wall, Enfield, Landavazo and Mayor McKinney all voted aye.

6. Ordinance No. C2012-5; An Ordinance Prohibiting the Use of All Motorized Vehicles on Designated Open Space, Walking, Hiking and Biking Trails – George Kozeliski, City Attorney

Mr. Kozeliski said over the past eight years, the City has obtained open space easements and deeded property for walking, hiking and biking trails inside the city limits. In order to protect the properties and easements from damage caused by motorized vehicles, he recommended approval of the proposed Ordinance which would prohibit motorized vehicles on or within twenty feet of any walking, hiking or bicycle trail or unimproved trail and open space areas which have been identified as such by the posting of signs or notices.

Councilor Wall recommended prohibiting motorized vehicles within 50 to 100 feet from any walking, hiking or biking trail due to the speeds of motorized vehicles. Mayor McKinney disagreed and said if motorized vehicles are prohibited within 20 feet from any walking, hiking or biking trail the vehicles will not be within close vicinity of the trails due to the terrain and the path of the trails. Mayor McKinney said there is plenty of space for motorized vehicles other than designated and posted walking, hiking and biking trails. Councilor Landavazo said he walks and runs on the trails quite often and when a person gets outside the trails itself, the area is unimproved for motorized vehicles. Councilor Wall asked if there are any fines for violating the proposed Ordinance. Mr. Kozeliski said violation of the proposed Ordinance is a petty misdemeanor resulting in a fine of \$500. Councilor Wall recommended posting the fines on the designated walking, hiking and biking trails.

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Following discussion, Councilor Enfield made the motion to approve Ordinance No. C2012-5. Seconded by Councilor Landavazo. Roll call: Councilors Enfield, Landavazo, Garcia, Wall and Mayor McKinney all voted aye.

The Mayor and Councilors presented a Commendation and a Certificate of Retirement to Michael H. Perez, retiring Vehicle Shop Mechanic, for 26 years of service to the City of Gallup. Mr. Perez thanked the Mayor and Councilors for the award and shared his personal experiences working for the City of Gallup.

7. Liquor Excise Tax Joint Powers Agreement with McKinley County – George Kozeliski, City Attorney

Mr. Kozeliski said the proposed Agreement was prepared by the County and submitted to the City for approval. He recommended that the Mayor and Councilors do not approve the proposed Agreement due to the proposed disbursement of liquor excise tax funds as follows: 75% to the City and County and 25% for other programs. The City is recommending the allocation of 95% of the liquor excise tax funds to the City and County and 5% for other programs. Since the Na’Nizhoozhi Center, Inc. (NCI) will not be receiving its annual operational funding, the City believes most of the liquor excise tax funds should be allocated for the operation of NCI. The City also needs additional liquor excise tax funds to operate its protective custody program.

Councilor Wall said by altering the usual disbursement of the liquor excise tax funds, some of the substance abuse prevention programs that are funded by 25% of liquor excise tax funds, will suffer. He said the prevention programs are a major objective in combating substance abuse by educating the youth of the community. He cited success statistics reported in the Gallup Independent where there is a drop in risky behavior among high school students that can be attributed to the prevention programs. Substance abuse prevention is very important and by reducing the percentage from 25% to 5% for the Request for Proposal (RFP) process, there will be inadequate funds to continue most of the prevention programs. He recommended the continuation of the usual disbursement of liquor excise tax funds on a 75%/25% basis.

Richard Kontz, McKinley County Manager, recognized the following members of the Liquor Excise Tax Committee: Anthony Dimas and Danny Diaz representing the County; Councilor Wall and Judi Starkovich representing the City; and Ernest Becenti, member at-large. He asked the Mayor and Councilors to review the information concerning the public hearing on the allocation of liquor excise tax funds prior to taking action on the proposed Agreement. During the past fiscal year, he said 75% of the liquor excise tax funds have been allocated in the following manner: \$100,000 for the DWI Program, \$300,000 for the Adult Detention Center; \$10,000 for NCI; \$150,000 for

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the Juvenile Substance Abuse Program; \$150,000 for the Gallup Police Department Protective Custody Program; and \$60,000 for Health Alliance. The \$100,000 for the DWI Program leverages an additional \$700,000 for the program. The \$150,000 funding for the Juvenile Substance Abuse Program also leverages additional funds. During the past fiscal year, 25% of liquor excise tax funds were used for the RFP process to fund the following prevention and educational programs: \$10,000 for Hands of Hope; \$50,000 for NCI; \$30,000 for Boys and Girls Club; \$10,000 for NIYLP; \$10,000 for CHRY; \$20,000 for Thoreau Community Center; \$50,000 for Battered Families; \$25,000 for Connections; and \$25,000 for YTC. There is an anticipated \$1 million to \$1.1 million in liquor excise tax funds to be allocated this fiscal year. Under the proposed agreement, about \$825,000 will be available to fund priorities for under the 75% share of the allocation of the liquor excise tax funds and \$275,000 for the 25% share of funds for funding programs through the RFP process. Under the City's proposal, it would lower the amount of liquor excise tax funds available to about \$55,000 for prevention and educational programs that are funded through the RFP process. He presented his reasons for providing 25% of the liquor excise tax funds for the educational and prevention programs versus providing 95% of the funding for programs focused on a revolving door process for chronic alcoholics. After receiving information concerning the City's proposal of altering the percentages for funding, the RFP process has been suspended for this fiscal year. Since the RFPs have already been advertised, the Committee has already received RFPs totaling more than \$400,000 for prevention and educational programs. Rather than voting against the proposed Agreement, he asked the Mayor and Councilors to consider tabling the Agreement in order to obtain additional information regarding the matter.

Mr. Dimas expressed concerns with not being able to provide liquor excise tax funds to important prevention and educational programs for the area's youth under the City's proposal. He said if an agreement is not approved between the City and County, liquor excise tax funding will not be provided to the prevention and educational programs after July 1, 2012 until an agreement is reached by both parties.

Barbara Lambert of Battered Family Services said her organization has experienced a 40% cut in their funding (a reduction of \$1.2 million per year to about \$800,000) due to the State's budget deficit. She presented an overview of the services provided by Battered Family Services to combat domestic violence in Gallup and McKinley County; not only to provide services to the victims but to the offenders as well. She said that her organization cannot sustain another funding cut since the administrative fees to operate their programs are down to 8.5% when the industry standard in non-profit administrative fees is about 12.5%. She asked the Mayor and Councilors to keep the disbursement of liquor excise tax funds for prevention and educational programs at the current level of 25%.

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Jay Azua, Director of Programs at NCI, said the issue that needs to be addressed is how to appropriate money needed for harm's reduction. The supplemental funding from the Navajo Nation that NCI has relied upon for the past 20 years has been cut by 100%. Although prevention programs have always been in place, the programs should continue to receive funding, including the Juvenile Crisis Center which is a smaller version of NCI. He provided statistics concerning alcohol related deaths, accidents and violent crimes. During the past 20 years since NCI was established, the alcohol related deaths and incidents on the streets of Gallup have been reduced from 34,000 per year to roughly 18,000 to 20,000 per year. He said there is no question that all of the prevention and educational programs are seriously needed in this community; however, it is his opinion, that this issue is a preemptive strike for the devastating consequences that would happen if NCI was closed. He asked the Mayor and Councilors not to cut any of liquor excise tax funding to the prevention and educational programs and to consider the application of this preemptive strike to help allay the possibility of NCI shutting its doors. He does not believe NCI will be forced to close its doors and understands how the City wants to have a say on how the funds are allocated. All of the programs at NCI centers on the social detox services and without detox, there is no NCI. The annual budget of NCI is about \$4.5 million with \$1.1 million of that amount being previously allocated from the Navajo Nation.

Councilor Wall said he thought NCI received more money than \$4.5 million for its operations. Mr. Azua said \$4.5 million funds the overall operations of the STDs program, residential 60-day program, 30-day treatment program, 14 and 30-day first step program, family interventions, outpatient counseling and residential treatment. The operation of the detox center itself requires at least \$1.1 million. NCI receives funding through grants for the wrap-around programs with some of the grants expected to expire soon. Mr. Azua believes the Navajo Nation is waiting to see how the City and the County negotiate the proposed Agreement before they consider their own financial contribution to NCI. Mr. Azua also said NCI and the Juvenile Crisis Center should be at the heart of the initiatives, concerns and conscience of the community for the problems and the devastation caused by alcohol. Councilor Wall said he thought NCI received additional grants that would result in a total budget for NCI at about \$10 million. Mr. Azua said the facility originally cost about \$6 million to \$11 million and to replace the facility now would cost three times the original costs. Mr. Kozeliski said the purpose of the liquor excise tax when it was first imposed was to pay-off the bonds for the NCI facility. When the bonds were paid-off during the Pena Administration, it resulted in a large amount of available funds for other programs and organizations. Mr. Kozeliski recommended tabling the proposed Agreement in order to review the history concerning the liquor excise tax since it was first imposed. Mr. Kozeliski also said he does not believe there is a drop dead date requiring the approval of the Agreement by June 30, 2012. Although the previous Agreement expired in 2010, the liquor excise tax funds

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have been continuously allocated by the Committee since that time without a valid agreement in place.

Regarding the creation of the problem of alcoholism in the community, Mayor McKinney reminded everyone that the Navajo Nation has built a casino in the community that furnishes alcohol that takes money away from their own people. Mayor McKinney said the Navajo Nation is part of the problem now. The original Congressional appropriation of \$1.5 million previously had the language specified in the legislation for alcohol treatment in Gallup. The Navajo Nation successfully had the language changed in the appropriation and removed the language specifying alcohol treatment in Gallup during the past two to three years. The Navajo Nation is receiving the federal allocation through the Indian Health Service and is utilizing the funds for programs other than NCI. Mayor McKinney recommended tabling the proposed Agreement and during the interim, the City, County and the Committee could work towards a more favorable Joint Powers Agreement.

Kimberly Ross-Toledo, Executive Director, Coalition for Health and Resilient Youth, recommended increasing the percentage of the liquor excise tax that is imposed. She asked that the tax percentage be increased when she previously served as a Committee member; however, the Committee, City and County refused to consider her recommendation. She said it will take a united front involving the City, County, Navajo Nation and the community to take on the liquor industry to obtain the funding needed to address the problem.

Mayor McKinney called for a recess at 8:08 P.M.

Mayor McKinney called the meeting back to order at 8:20 P.M.

Discussion continued concerning Discussion/Action Topic #7.

Councilor Enfield recommended tabling the proposed Agreement and would like to obtain additional information on the matter. Councilor Garcia said the City Attorney has concerns on this issue and would like to obtain additional information as well.

Councilor Enfield made the motion to table the Liquor Excise Tax Joint Powers Agreement with McKinley County. Seconded by Councilor Garcia. Roll call: Councilors Enfield, Garcia, Landavazo, Wall and Mayor McKinney all voted aye.

8. Economic Development Services Contract Award, RFP No. 2011/2012/11/P – Ron Caviggia, Purchasing Director

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Mr. Dible said the City solicited an RFP for professional services to provide economic development services for the City. He provided an overview of the sole response submitted by the Greater Gallup Economic Development Corporation (GGEDC). The contract amount will be \$250,000 per year and will be funded by the Electric Utility Fund since Gallup Joint Utilities is a stakeholder and a direct beneficiary in economic development. He said outstanding Economic Development Board has been established as they will take advantage of the opportunities that are available, including transportation.

Councilor Enfield recommended that anywhere in the contract where it states, "written approval of the City", be changed to "written approval of the City Manager." Tommy Haws, President of the GGEDC, said the proposed amendment to the contract would be acceptable to the GGEDC. Mr. Dible said the proposed amendment made sense since the functions that take place in the economic development environment are confidential and it is necessary to keep such interactions as low key and private as possible.

Councilor Wall made the motion to award the contract to the GGEDC. Seconded by Councilor Enfield. Roll call: Councilors Wall, Enfield, Landavazo, Garcia and Mayor McKinney all voted aye.

9. Collective Bargaining Services Contract Award, RFP No. 2011/2012/12/P
– Ron Caviggia, Purchasing Director

Mr. Dible said the City previously contracted for professional labor relations services for the past six or seven months and to have the contractor act as the chief negotiator for the City during union negotiations. The RFP was contested; however, all of the proposals were evaluated by the RFP committee as the committee members strongly support the award of the contract to Management Associates.

Councilor Landavazo made the motion to award the contract to Management Associates. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Wall, Enfield and Mayor McKinney all voted aye.

Comments by Public on Non-Agenda Items

None.

Comments by Mayor and City Councilors

Councilor Landavazo commended Gerald O'Hara for his work in organizing the "Welcome to the Neighborhood" cookout for the Gallup Fire Department personnel which took place at the new Eastside Fire Station last month. Mr. O'Hara was not present at the last Regular Meeting when Councilor Landavazo first presented his

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comments commending Mr. O'Hara. Councilor Landavazo also encouraged all citizens to "buy, build and believe Gallup, by shopping and obtaining services at local businesses.

Councilor Wall recommended that the Gallup Fire Department offer assistance with the firefighting efforts at the wild land fires burning near Ruidoso. He also suggested having a local celebration for New Mexico's Centennial. There were successful events that took place this past weekend, including the many gifts that were given to local children during the Kids Wish Network event. The Gallup Lions Club Rodeo Parade, the ATVs and Motocross events, and the Downtown Arts Crawl were successful events as well. He commended Mayor McKinney, the Chamber of Commerce, City staff, event organizers and participants for their work and participation. He also commended Stan Henderson, Executive Director, Public Works Department, for his work in securing a Federal Aviation Administration grant in the amount of \$803,000 for drainage improvements at the airport.

Councilor Garcia asked for a presentation at the next Regular Meeting from Johnny Greene, Fire Chief, regarding the Fire Department's strategy for the upcoming fireworks season under the current severe drought conditions. If the severe drought conditions continue, Councilor Garcia asked if the Council would be able to ban fireworks. Mr. Kozeliski said the City has the most restrictive Ordinance allowed by State law. Since the County permits the sale of all types of fireworks, local residents purchase their fireworks from county vendors to use within the city limits. The Police and Fire Departments lack the manpower to efficiently enforce the City's ordinance. Based on a meeting he had with Chief Cron and John Allen, Deputy Police Chief, Councilor Garcia expressed concerns with the lack of manpower within the Police Department and not being able to enforce all of the City's ordinances. Chief Cron said the Police Department is enforcing the cell phone ordinance as police officers are advised during their briefing to issue at least two cellphone citations during their shift. Since he began his appointment as Chief five years ago, the number of intoxicated individuals that are being picked-up increased from 900 per month to 1,700 per month. Chief Cron explained how people purchase their liquor in Gallup, go out into the county to get intoxicated, and then coming back into Gallup to cause problems. Although there have not been many traffic citations issued, police officers are successfully catching burglaries in the act and focusing on property crimes. The priorities of the Police Department are violent crime, property crime and keeping meth out of the city. The City's seven narcotic agents are trying to serve one arrest warrant and one search warrant per week as well as focusing on the procurers and sellers of drugs residing in the county that are creating problems within the city limits. The City's narcotic agents are not receiving any help from the New Mexico State Police nor from the McKinley County Sheriff's Department. Chief Cron said he does not believe in having police

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officers chase their tails by changing the priorities and goals of the department that they currently have in place. As other issues arise, the issues will be addressed as quickly and efficiently as possible; however, traffic issues will continue to be towards the bottom of their list of priorities. Councilor Landavazo expressed his concerns with the serious threat to the public's safety when motorists speed, text and talk on their cell phones while driving, etc. Since the hiring of police officers has been a problem, Councilor Landavazo asked if the recruiting methods for the Police Department are being addressed. Councilor Landavazo said he does not want to continue to have the same problem with the hiring of police officers a year from now and would like the recruitment process improved. Mr. Dible said the City will probably have the same recruitment problem a year from now because he has seen the problem continue to exist for 30 years now. Every Police Department in the state is having recruitment problems because people do not want to become police officers and even though the hiring standards have been lowered, people are unable to pass background checks. Mr. Dible said he is thrilled about the Gallup Police Department due to the existence of Native American police officers working in a border town like Gallup. Councilor Landavazo said he was not saying that being fully staffed was a measure of success; however, the success would be for the Police Department to change its recruitment methods and incentives. Chief Cron said the offenses that are disqualifying police officer applicants are narcotics use, domestic violence, and felony convictions. Recruitment officers are trying to educate students at the mid-school level by informing the students of the offenses that will disqualify them from being employed as police officers. Applicants are also being disqualified for failing the reading and writing exam as well as the psychological exam. The Police Chiefs' Association is also trying to address the recruitment methods by evaluating issues, such as the physical tests that are required for the applicants. Councilor Landavazo asked about enticing police officers from larger cities to come and work in smaller communities. Chief Cron said the Police Chiefs' Association is trying to address the issue as experienced police officers from out-of-state have applied for positions in New Mexico; however, the out of state police officers are subject to New Mexico's harsh physical testing requirements. Chief Cron also said the Police Department's recruitment officers have been trained and are addressing the problems as much as they can. Mr. Dible also said there are recruitment problems due to the State's double-dipping law and having experienced police chiefs from out-of-state that are 45 to 50 years old and having to run 1½ mile under twelve minutes in order to become certified in New Mexico.

Mayor McKinney said he was invited to a reception for the induction of 60 to 70 army recruits coming from the Gallup area. He realized the competition the Police Department has in their recruitment efforts. Mayor McKinney also thanked the volunteers that assisted with the Kids Wish Network event that recently took place. The large percentage of children receiving gifts was boys and girls between 3 and 6 years

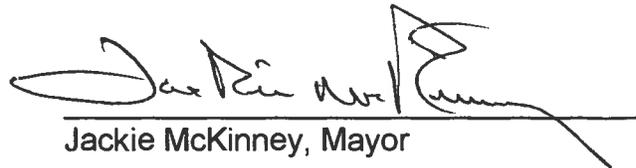
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old. 1,300 gifts were given away and 500 of the pre-qualified gifts that were not picked up will be used for other charitable events. The National Junior High School Rodeo Finals will begin a week from this Thursday, which will be a large event that will draw many participants and visitors from across the country.

Comments by City Manager and City Attorney

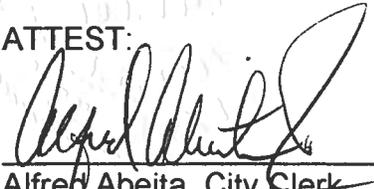
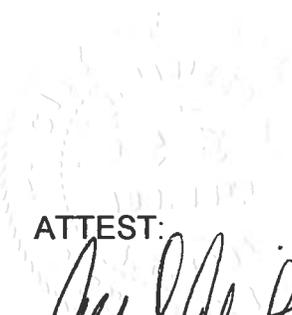
None.

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



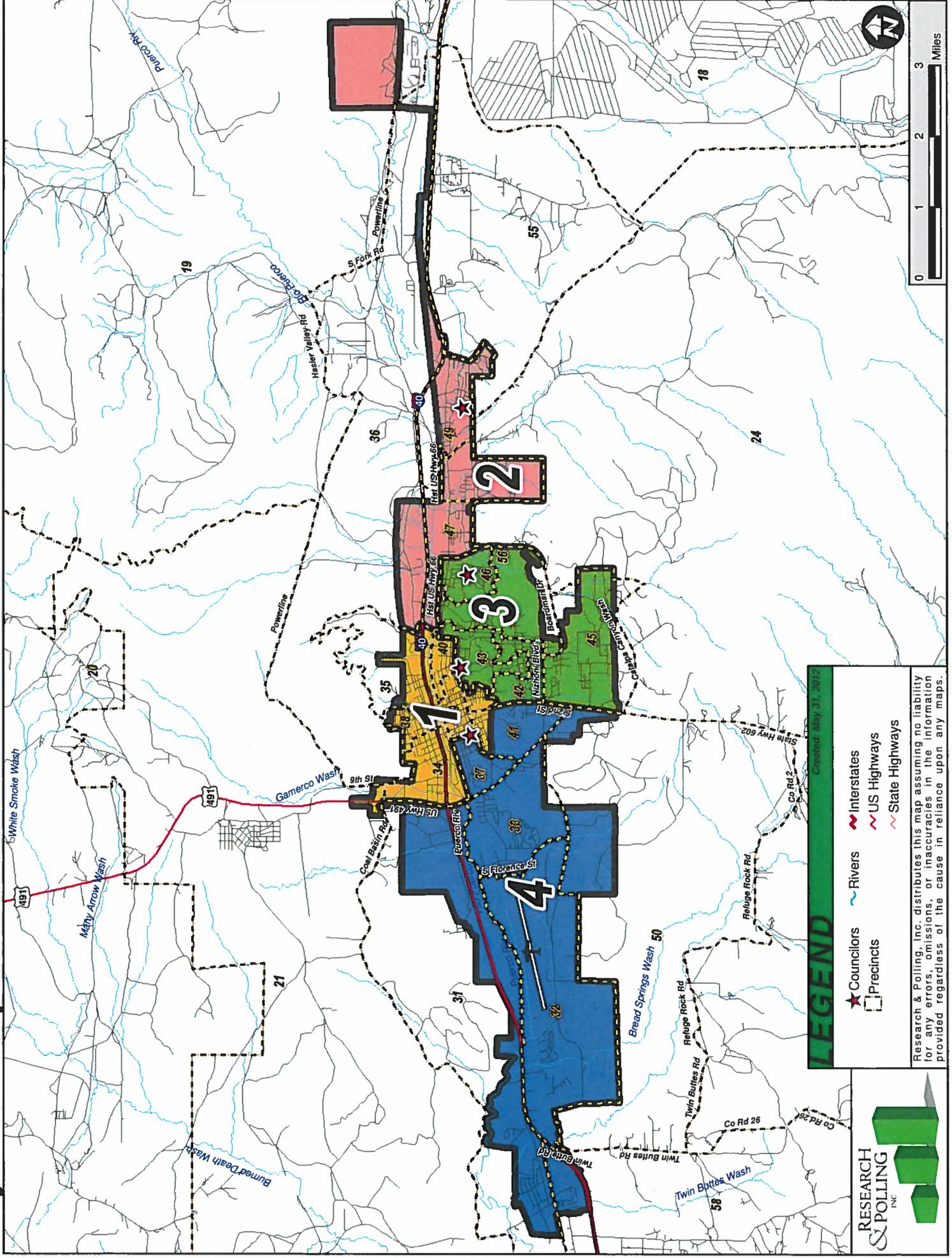
Jackie McKinney, Mayor

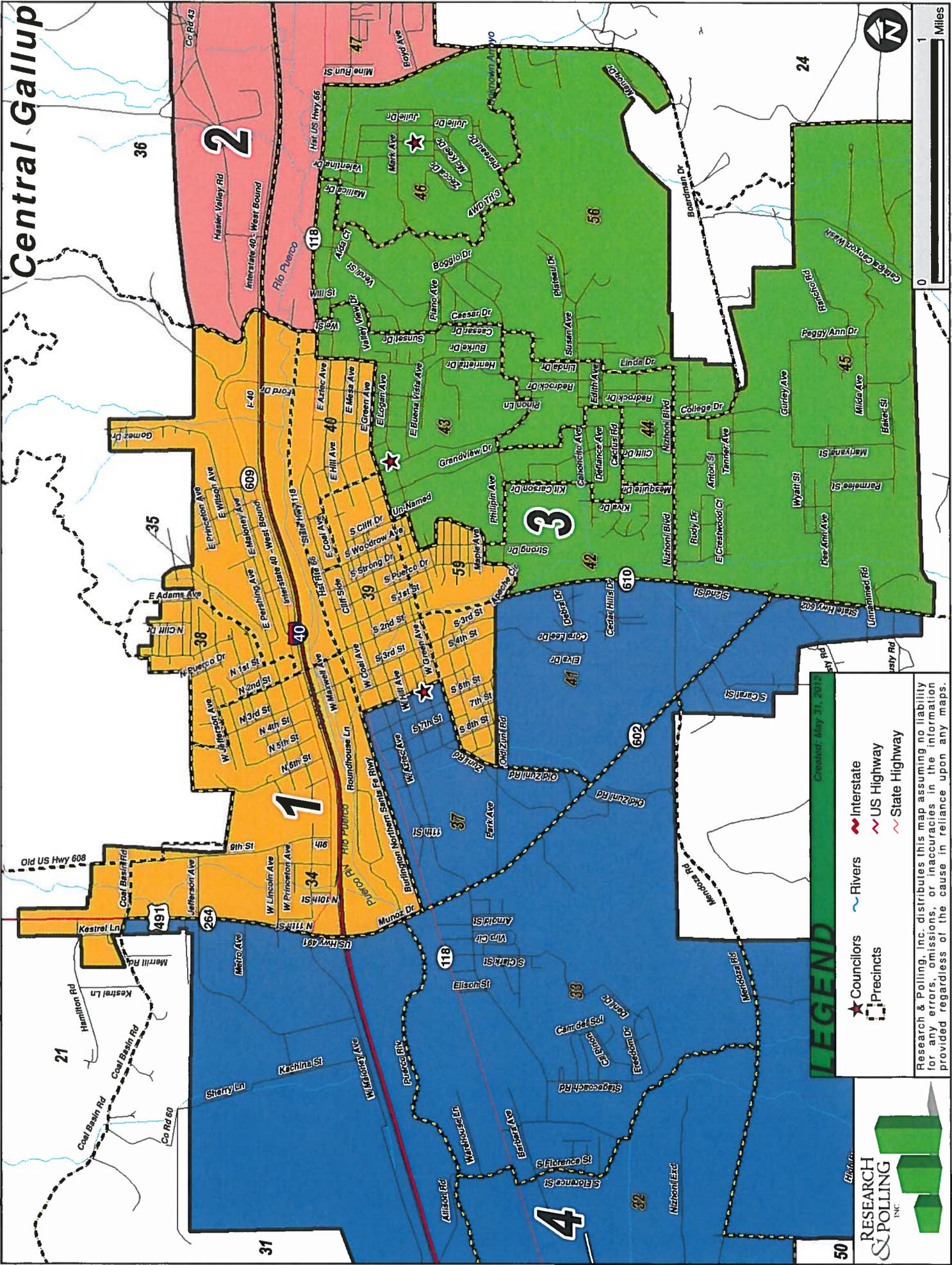
ATTEST:



Alfred Abeita, City Clerk

Approved 6/26/2012





LEGEND

- ★ Councilors
- ▭ Precincts
- ~ Rivers
- == Interstate
- US Highway
- == State Highway

Created: May 31, 2012

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District	Pop	Deviation	Hispanic	Non-Hispanic Origin				
				White	Native American	Black	Asian	Other Races
1	5,652	232 4.3%	2,160 38.2%	994 17.6%	2,215 39.2%	66 1.2%	47 0.8%	170 3.0%
18+	4,017		1,536 38.2%	872 21.7%	1,428 35.5%	61 1.5%	40 1.0%	80 2.0%
2	5,303	-117 -2.2%	1,502 28.3%	897 16.9%	2,674 50.4%	31 0.6%	45 0.8%	154 2.9%
18+	3,623		932 25.7%	725 20.0%	1,838 50.7%	24 0.7%	33 0.9%	71 2.0%
3	5,265	-155 -2.9%	1,406 26.7%	2,221 42.2%	1,103 20.9%	78 1.5%	269 5.1%	188 3.6%
18+	3,992		933 23.4%	1,854 46.4%	837 21.0%	58 1.5%	203 5.1%	107 2.7%
4	5,458	38 0.7%	1,796 32.9%	671 12.3%	2,756 50.5%	48 0.9%	49 0.9%	138 2.5%
18+	3,426		1,143 33.4%	545 15.9%	1,604 46.8%	41 1.2%	40 1.2%	53 1.5%
Totals	21,678	Ideal: 5,420	6,864 31.7%	4,783 22.1%	8,748 40.4%	223 1.0%	410 1.9%	650 2.5%
18+	15,058		4,544 30.2%	3,996 26.5%	5,707 37.9%	184 1.2%	316 2.1%	311 1.5%