

## AGENDA

### GALLUP CITY COUNCIL SPECIAL MEETING TUESDAY, APRIL 5, 2022; 11:00 A.M. CITY COUNCIL CHAMBERS



Louie Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1

Michael Schaaf, Councilor, Dist. 2

Sarah Piano, Councilor, Dist. 3

Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager

Curtis Hayes, City Attorney

**The meeting will be accessible through the City of Gallup's Facebook Page:**

[City of Gallup, New Mexico Government - Home | Facebook](#)

#### **A. Pledge Of Allegiance**

The members of the body and the public are invited to recite the Pledge of Allegiance.

#### **B. Roll Call**

#### **C. Discussion/Action Topics**

##### **1. Approval Of MOU Between State Intertribal Ceremonial Office And The City Of Gallup**

Summary: The State Intertribal Indian Ceremonial requests entering into a Memorandum of Understanding (MOU) with the City of Gallup regarding City of Gallup facilities, services, and lodger's tax marketing fund allocation.

##### **1. Obligations of ICO.**

- A. ICO shall conduct the 100<sup>th</sup> Anniversary Gallup Intertribal Ceremonial events agreed upon with the local Gallup Inter-Tribal Indian Ceremonial Association (GITICA) per the

production schedule attached hereto as “Exhibit A.”

- B. ICO shall complete and submit a Special Event Permit application for the parade to be held on August 4, 2022, on or before July 1, 2022.
- C. ICO will develop and execute a comprehensive marketing plan, including but not limited to local, regional, and national print, radio, digital and social media.
- D. On or before **December 31, 2022**, ICO will provide to the City an impact report that includes market reach, marketing expenditures, and the economic impact of the event.

## **2. Obligations of City.**

- A. The City of Gallup will provide Lodger’s Tax marketing funding support in the amount of \$75,000 to the ICO. The City also agrees to only fund marketing through the ICO in order to ensure cohesive branding, market reach, and audience targeting.
- B. The City will collaborate with ICO to cross-promote the 2022 Gallup Intertribal Ceremonial event utilizing City-managed social media channels and the visitgallup.com platform.
- C. The City will allow the ICO usage of the following facilities and spaces for August 2-6, 2022 with no fees and including the site-related administrative support for the event:
  - i. Red Rock Park west vendor row/walkway
  - ii. Convention Center lobby, dining room, patio, two (2) conference rooms, kitchen, enclosed patio
  - iii. Arena
  - iv. Amphitheater
  - v. Hospitality Building rooms & outdoor patio with grill
  - vi. Museum Building common areas
  - vii. Plaza outside the museum building
  - viii. Pow Wow Arena
  - ix. Parking Lots: main, handicap, and areas surrounding the old performer’s quarters, the overflow lot, north of the arena, southern most lot.
  - x. Ticket offices
  - xi. Concessions & Rodeo Office

D. The City agrees to allow the ICO usage of the following facilities and spaces for August 7-10, 2022 with no fees and including the site-related administrative support for the event:

- i. El Morro Theatre & Events Center

E. The City will provide support services for the following:

- i. Grounds cleanup and general maintenance at Red Rock Park prior to the event
- ii. Grate and pack ground surfaces at Pow Wow Arena, Amphitheater & Main Arena
- iii. Road closures, pre/post-parade route cleanup & bleachers, and public safety/emergency services support for the parade to be held on August 4, 2022.
- iv. Public safety and emergency services for August 5<sup>th</sup> and 6<sup>th</sup> events.

Fiscal Impact:	\$75,000 in lodger's tax fund balance for marketing of the 100th Ceremonial
Recommendation:	Approval of the MOU between ICO and City of Gallup, budget adjustment and expenditure
Speaker's Name	Melissa Sanchez, State Intertribal Ceremonial Office

Documents:

[PLEASE\\_DOCUSIGN\\_FY23\\_ICO\\_GALLUP\\_AGREEMENT\\_3-.PDF](#)

## 2. **Approval Of Land Exchange Agreement With Gallup McKinley County Schools**

This agenda item requests Council approval for the City to enter into the attached land exchange agreement with the Gallup McKinley County School District. It is important to both the City and the School District that this exchange occur as soon as possible.

The City's urgency is due to funding to complete a new public safety building becoming available July 1. As the existing building will remain in operation during construction, the City needs land and a building, preferably in close proximity to the public safety building, to securely store impounded vehicles and other evidentiary items. The School District is relocating its bus facility and will no longer need the "bus barn" property that is located immediately to the south of the public safety building.

The School District's urgency is that it has obtained funding to construct housing for teachers that are employed by the School District, but does not currently own land that is appropriately located on which to build such housing. The City owns property south of Rocky View Elementary that was at one time intended to be used for a National Guard Armory but has remained vacant as the Armory was ultimately built on Hasler Valley Road and the City has no use for the property.

Both properties were appraised by American Property-Consultants and Appraisers and the appraised values are essentially identical with the property currently owned by the School District having an appraised value of \$675,000 and the property currently owned by the City having an appraised value of \$685,000.

For the most part, the terms of proposed land exchange agreement are standard terms included in land purchase agreements, however there are some contingencies that are unique. They include:

1. The School District must obtain Public Education Department and State Board of Finance approval. While there is no reason to suspect that such approval will not be obtained, the agreement is contingent upon the approvals.
2. State law and the Gallup Subdivision Regulations require that the property the City will acquire be subdivided prior to sale. The property that the School District will acquire is not currently zoned for multi-family housing which is the type of housing that the School District intends to build. NM appellate courts have never addressed the issue of whether school districts are subject to municipal zoning regulation. A 2005 NM Attorney General's opinion answers the question with an unequivocal "maybe." Historically, GMCS has complied with Gallup's zoning requirements.) Therefore the agreement is contingent upon approval of a subdivision plat for the bus barn property and a zoning change for the property the School District will be acquiring. As those approvals are granted by the City, the contingency is for the protection of the School District.
3. The City would like to obtain a Phase I Environmental report on the bus barn property. While there aren't currently any concerns about environmental hazards on the property, if environmental hazards are located in the future, current law would prevent the City from obtaining Brownfields funding unless a Phase I is conducted prior to it obtaining title to the property. If the Phase I does reveal potentially significant environmental concerns, the City may terminate the agreement.

Fiscal Impact:	Cost of a Phase I Environmental Report (approx. \$3000).
Recommendation:	approval of the land exchange agreement with GMCS
Speaker's Name	Curtis Hayes

Documents:

LAND EXCHANGE AGREEMENT 3-31-22 DRAFT.PDF  
BUS BARN PROPERTY.PDF  
CITY OWNED PROPERTY.PDF

**D. Motion To Adjourn**

Pursuant to the “Open Meetings Act”, NMSA 1978, Section 10-15-1 through 10-15-4 of the State of New Mexico, this Agenda was posted at a place freely accessible to the public 72 hours in advance of the scheduled meeting.