

D. Motion To Adjourn Into Closed Session

For the Purpose of Discussing Matters Subject to Attorney-Client Privilege Pertaining to Litigation; Specifically, Athens LLC v. Alcohol and Gaming Division and City of Gallup, Pursuant to NMSA Section 10-15-1(H)(7)

E. Recess Until 6:00 P.M.

F. Regular Meeting - 6:00 P.M.

G. Pledge Of Allegiance

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

H. Roll Call

I. Certification For The Record Of The Matters Discussed During The Closed Session At The Special Meeting Of May 9, 2019

J. Approval Of Minutes

Regular Meeting of April 23, 2019
Special Meeting of April 25, 2019

Documents:

[DRAFT MINUTES APR 23 2019 REG MTG.PDF](#)
[DRAFT MINUTES APR 25 2019 SP MTG.PDF](#)

K. Presentation Of Awards

Winners of 2019 Water & Energy Awareness Day T-Shirt Contest

L. Discussion/Action Topics

1. Request For Street Closures For Closing Ceremony At Roosevelt Elementary School To Be Held On Friday, May 17, 2019

The Gallup McKinley County Schools (GMCS) and Roosevelt Elementary School are requesting approval to close Logan Avenue from Woodrow Drive to Cliff Drive on Friday, May 17, 2019 from 1:00 p.m. to 3:00 p.m. A closing ceremony will be held for the community and families of the school.

Fiscal Impact:	TBD - City staff to provide support services for closing the streets.
Recommendation:	GMCS and Roosevelt Elementary recommend approval of the street closure.
Speaker's Name	Ron Triplehorn, Asst. Principal, Roosevelt Elementary School

Documents:

[EVENT PERMIT - CLOSING CEREMONY ROOSEVELT ELEM SCHOOL.PDF](#)

2. Request For Street Closures For The Annual Memorial Day And Veterans

Day Parades

Randal Henry of the Gallup-McKinley Veterans Committee will present the request for the closure of Aztec Avenue from Hillcrest Cemetery to the Courthouse Plaza for both parades and ceremonies.

Fiscal Impact: TBD - staff to provide support services for both City sponsored events.

Recommendation: Staff recommends approval of the requested street closures.

Speaker's Name Randal Henry, Gallup McKinley Veterans Committee

Documents:

[EVENT PERMIT - 2019 MEMORIAL DAY AND VETERANS DAY PARADES.PDF](#)

3. Request For Street Closures For The Gallup Lions Club Rodeo Parade To Be Held On Saturday, June 15, 2019

The Gallup Lions Club will present their request for the closure of Aztec Avenue from 8th Street to 1st Street for the parade. Lions Club representatives will also provide an overview of the events to held during the 71st Annual Rodeo.

Fiscal Impact: TBD - City staff to provide support services for street/parking lot closures and usage of the Courthouse Plaza for events.

Recommendation: Gallup Lions Club recommends approval of the street closures.

Speaker's Name John Sakasitz and Linda Hite, Gallup Lions Club

Documents:

[EVENT PERMIT - GALLUP LIONS CLUB RODEO PARADE.PDF](#)

4. Request For The Waiver Of Fees For Use Of Red Rock Park And To Retain Parking Fees Assessed For The Gallup Lions Club Rodeo

The 71st Annual Gallup Lions Club Rodeo will be held June 12-15, 2019 at Red Rock Park. The Lions Club has presented documentation pertaining to the value of their community service projects conducted over the year as required by the Agreement Waiver for Red Rock Park Fees between the City and the Lions Club. The Lions Club is also requesting to retain all of the parking fees collected at the rodeo by applying the value of the community service projects to the parking fees to be collected, in addition to the usage fees for Red Rock Park. The total value of the Lions Club community service projects over the year amount to \$37,909.

Fiscal Impact: Loss of \$15,150 in revenue to the City for the usage of Red Rock Park and the loss of approximately \$4,300 in parking fee revenue.

Recommendation: Gallup Lions Club recommends approval of the waiver

Speaker's Name Dr. Linda Hite, Gallup Lions Club

Documents:

[GALLUP LIONS CLUB REQUEST.PDF](#)

5. Lease Agreement For Cultural Center With Southwest Indian Foundation

The lease agreement with SWIF regarding the Cultural Center has expired. The attached proposal generally tracks the expired lease, however there are some new provisions including:

1. The City may terminate the lease, regardless of whether SWIF has breached the lease, by providing 24 months notice. The previous lease only allowed the City to terminate if SWIF was in breach. This allows future administrations flexibility regarding the use of the Cultural Center.
2. Ties the in-kind contribution towards rent solely to the payment of salaries of SWIF personnel that work at the Cultural Center. The previous agreement had a number of items that could be applied towards the rental obligation.
3. Requires SWIF to maintain the Cultural Center as open to the public a minimum of 50 hours per week.
4. Removes the east parking lot from the area that SWIF is leasing.

Fiscal Impact: None, The lease retains the City's obligation to provide janitorial services to some of the interior of the building and to maintain the exterior, parking lots, and landscaping. These items are covered by the existing budget for facilities maintenance.

Recommendation: Approval of the lease.

Speaker's Name Curtis Hayes

Documents:

[SWIF LEASE AGREEMENT 4-24-19 DRAFT.PDF](#)

6. Resolution No. R2019-17; Local Liquor Excise Tax Distribution Resolution

The amount of Local Liquor Excise Tax collected during FY 18 is \$1,486,544.00. The LET Task Force, comprised of representatives from the County and the City, has met and recommends that the funds be distributed in FY20 as follows:

- \$50,000.00 as reserve
- \$835,000.00 for the operations at the Gallup Detox Center
- \$150,000.00 for the Protective Custody Program
- \$200,000.00 for the County's JSACC program
- \$100,000.00 for the County DWI program
- \$150,000.00 for the Jail Treatment
- \$1544.00 as unexpended

Both the City Council and the County Commission must approve the recommendation of the LET Task Force for it to be implemented.

Fiscal Impact: Distribution to the City in the total amount of \$985,000.

Recommendation: Approval of the resolution

Speaker's Name Curtis Hayes

Documents:

[LET RESOLUTION JOINT DISTRIBUTION FY20 FINAL FOR ADOPTION MAY 2019.PDF](#)

7. Appeal Of Athens LLC V. Alcohol & Gaming Division And The City Of Gallup

On February 17, 2017, The City Council conducted a hearing on the application of Athens LLC to transfer a liquor license to a location at the corner of Ninth and Maloney. The City Council disapproved the transfer. This decision was upheld by

the Alcohol and Gaming Division. Athens LLC then appealed that decision to the New Mexico District Court in Santa Fe on February 19, 2018. The District Court judge reversed the decision of the Alcohol and Gaming Division on April 25, 2019. The City has thirty days in which to appeal the District Court Decision to the New Mexico Court of Appeals. Counsel for the Alcohol and Gaming Division has indicated that it plans to appeal the decision. This item is to decide whether to join in that appeal. The decision of the District Court is attached.

Fiscal Impact: None
Recommendation: Authorized the City Attorney to file an appeal on behalf of the City.
Speaker's Name Curtis Hayes

Documents:

[20190425091718785.PDF](#)

8. Management Agreement: Grandview Water Tank Property - Joint Use

The City of Gallup would like to enter into a Joint Use Management Agreement with Sacred Wind at the Grandview Water Tank property located at 1400 S. Grandview Dr. in Gallup, NM.

The City of Gallup requires internet services at several remote locations and a couple of downtown locations that would require substantial construction costs to get internet to the locations or limited internet speeds that would not meet the needs of the city, depending on the internet provider.

Sacred Wind would like to add these sites to our current internet services with them as well as provide internet services to local businesses in the area. They would accomplish this by installing wireless access points on a utility pole within the property to their cabinet on the property, just outside the access fence. Each location served would have an access point installed on their facility to receive internet.

This is a mutually beneficial agreement to the City of Gallup and Sacred Wind and will benefit the community by adding more competition to the market. Sacred Wind is actively seeking redundancy and is the only Internet Service provider currently operating within the City to be actively working on it. This could greatly enhance the entire community's broadband internet stability in the near future.

The agreement is for five years and a 30-day written notice to opt-out for any reason by both parties.

Fiscal Impact: See attached agreement: 1. City: Reduced internet costs for the 6 locations listed. 2. Sacred Wind: 3% Franchise Fee as part of the signed Franchise Agreement in November 2017.
Recommendation: Approve Management Agreement
Speaker's Name Brian Archuleta

Documents:

[SACRED WIND - GRANDVIEW PROPERTY - APR 19.PDF](#)

9. Approval Of Two Part-Time Seasonal Park Laborer Positions For Downtown

In the past, the Business Improvement District (BID) has paid for downtown clean-up services by hiring laborers through CARE 66. The program under CARE 66 has not been available for the past few years and the downtown is in need of daily cleanup during the tourist season for litter, weed control, power washing sidewalks, cleaning tree grates, graffiti abatement and more. City staff is proposing the same arrangement the City had with the BID last year by allowing the BID to fund two part-time seasonal Parks Laborer positions for a twelve week period to be dedicated to clean-up areas within the BID. Since time is of the essence to hire these two positions, this proposal is contingent on the BID Board's formal vote at their May monthly meeting. If the City Council approves, these positions will be advertised immediately but not hired until approval of the funding by the BID Board. The BID funding for these two positions will be up to \$5,000 and the City will invoice the BID monthly for the cost.

Fiscal Impact: Budget adjustment of revenue and expenditures for \$5,000 for the project.

Recommendation: Approve the program and related revenue and expenditure budget adjustments.

Speaker's Name Vince Alonzo, Parks and Recreation Director

10. Approval Of Budget Adjustment For \$67,993 For Eighteen (18) Panasonic Tough-Books And \$12,300 For The Public Safety Building Utility Balance.

Summary: The Gallup Police Department is seeking a budget adjustment to transfer and expend funding for 18 Panasonic Tough-book laptops in the amount of \$67,993.00. The cost for each Tough-book is \$3,773.21 (+ \$75 for shipping) for a grand total of: \$67,992.78.

The Department is also seeking to transfer \$12,300 from three other operational accounts to the utility account (see attachment) to pay the negative balance.

Note: With only an initial approved partial purchase of 42 Tough-books for the FY 2020 CIP, there is a balance of 26 still needed for the original requested total of 68 (42 patrol officer in-car tough-books, 8 Community Service Aids, 11 Detectives, 7 Narcotic agents / Command Staff = 68). This transfer will enable the Department to purchase 18 of the remaining 26.

Fiscal Impact: Transfer of funds from Department operational accounts (see attachment) to Equipment & Machinery account: 101-2011-421-48-20 in the amount of \$67,993 and to the Utility account 101-2013-421-47-16 in the amount of \$12,300. Grand total: \$80,293.

Recommendation: Approve transfer and expenditure of \$80,290 for 18 PD tough-books and utilities.

Speaker's Name Franklin Boyd

Documents:

[CITY COUNCIL AGENDA REF TOUGH-BOOKS.PDF](#)

11. Approve Annual Audit Contract For FY 2019

The City of Gallup issued an RFP for audit services and has selected the firm Hinkle + Landers, PC for a term of three years.

Fiscal Impact: Cost for FY 2019 audit will be 70,119 and will be in the proposed budget.
Recommendation: Approve contract for audit services.
Speaker's Name: Patty Holland

Documents:

[CITY OF GALLUP OSA CONTRACT YR 1.PDF](#)

12. Request Approval To Transfer \$30,000 From Street Light Signals Sign #507-6061-442-48-90 To Light Maintenance Acct. # 507-6061-442-44-95

The City of Gallup Electrical Interim Director Eric Babcock is requesting a transfer of \$30,000 from Street light Signals Sign #507-6061-442-48-90 to Street Light Maintenance Acct #507-6061-442-44-95. The purpose of this is to continue to repair street lighting for the rest of the fiscal year.

Note: This \$30,000 was set aside in capital for street light repairs.

Fiscal Impact: Street light budgeted funds of \$30,000 will be transferred from street light project to street light maintenance account.
Recommendation: Staff recommends approval of transfer of funds to continue street light maintenance
Speaker's Name: Eric G. Babcock

13. Request Approval To Transfer \$20,000 From Capital Vehicle Account To Transformer Account.

The City of Gallup Electrical Director Eric Babcock is requesting to transfer \$20,000 from Capital Vehicle Account #507-6061-442-48-70 into Capital Transformer Account # 507-6061-442-48-21. Approved capital funds from vehicle account is through savings paid for on new vehicles this fiscal year.

Fiscal Impact: No new additional funds required. Fund transfer paid through savings from approved capital vehicle account #507-6061-442.48-70 into transformer account #507-6061-442.48-21.
Recommendation: Staff recommends approval of transfer from capital vehicle account into capital transformer account.
Speaker's Name: Eric G. Babcock

14. Resolution No. R2019-19; Grant Approval For Courthouse Square Veterans Memorial

Summary: As part of the 2019-2020 State budget, State Legislature appropriated the City \$50,000 for new Veterans Memorial pillars located in the Courthouse Square.

Fiscal Impact: None. No match is required of the City.

Recommendation: Accept the State grant for \$50,000; change the designated grantee points of contact to Mr. Vince Alonzo, Parks & Recreation Director and Ms Patty Holland, Chief Financial Officer; and approve the attached resolution.

Fiscal Impact: See Description Above.
Recommendation: See Description Above.
Speaker's Name Stanley Henderson - Public Works Director

Documents:

[19-05-14_4A VETERANS MEMORIAL PILLARS GRANT.PDF](#)
[19-05-14_4B RESOLUTION RE VETERANS MEMORIAL PILLARS.PDF](#)

15. Resolution No. R2019-20; Grant Approval For Indian Hills Park Lighting

Summary: As part of the 2019-2020 State budget, State Legislature appropriated the City \$100,000 for new replacing lighting at the Indian Hills Ballpark. Project has been previously designed, and it is awaiting construction funding to advertise for construction bids.

Fiscal Impact: None. No match is required of the City. However, City Council has appropriated \$350,000 in its 2019-2020 budget for a total project budget of \$450,000.

Recommendation: Accept the State grant for \$100,000; change the designated grantee points of contact to Mr. Vince Alonzo, Parks And Recreation Director, and Ms Patty Holland, Chief Financial Officer; and approve the attached resolution.

Fiscal Impact: See Description Above.
Recommendation: See Description Above.
Speaker's Name Stanley Henderson - Public Works Director

Documents:

[19-05-14_1B RESOLUTION RE IH BALLFIELD LIGHTING.PDF](#)
[19-05-14_1A IH PARK BALLFIELD LIGHTING GRANT.PDF](#)

16. Resolution No. R2019-21; Grant Approval For Playground Of Dreams Picnic Shelter

Summary: As part of the 2019-2020 State budget, State Legislature appropriated the City \$75,000 for a new picnic shelter at the Playground Of Dreams.

Fiscal Impact: None. No match is required of the City.

Recommendation: Accept the State grant for \$75,000; change the designated grantee points of contact to Mr. Vince Alonzo, Parks & Recreation Director and Ms Patty Holland, Chief Financial Officer; and approve the attached resolution.

Fiscal Impact: See Description Above.
Recommendation: See Description Above.
Speaker's Name Stanley Henderson - Public Works Director

Documents:

[19-05-14_2B RESOLUTION RE POD PICNIC SHELTER.PDF](#)
[19-05-14_2A POD PICNIC SHELTER GRANT.PDF](#)

17. Resolution No. R2019-22; Grant Approval For Police Vehicles Procurement Funding

Summary: As part of the 2019-2020 State budget, State Legislature appropriated the City \$455,000 for new police vehicles and associated equipment.

Fiscal Impact: None. No match is required of the City.

Recommendation: Accept the State grant for \$455,000; change the designated grantee points of contact to Mr. Franklin Boyd, Police Chief and Ms Patty Holland, Chief Financial Officer; and approve the attached resolution.

Fiscal Impact: See Description Above.
Recommendation: See Description Above.
Speaker's Name Stanley Henderson - Public Works Director

Documents:

[19-05-14_3B RESOLUTION RE POLICE DEPT VEHICLES.PDF](#)
[19-05-14_3A POLICE DEPT VEHICLE GRANT.PDF](#)

M. Comments By Public On Non-Agenda Items

1. Daniel Francis Eggink

N. Comments By Mayor And City Councilors

O. Comments By City Manager And City Attorney

P. Motion To Adjourn

Auxiliary aides for the disabled are available upon request. Please contact Alfred Abeita, City Clerk, at 505-863-1254 at least (1) week prior to the meeting or as soon as possible in advance of the meeting to make any necessary arrangements.

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.