

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico held at Gallup City Hall, 110 W. Aztec Avenue, at 6:00 p.m. on Tuesday, June 9, 2020.

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 submit comments during the public hearing on the proposed fireworks restrictions and on non-agenda items later in the meeting.

Upon roll call, the following were present:

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

Presented to the Mayor and Councilors for their approval were the Minutes of the Regular Meeting of May 26, 2020.

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

Mayor Bonaguidi and Councilors presented a Proclamation declaring June 13, 2020 as New Mexico Heart Walk Day.

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

1. Resolution No. R2020-15; Adoption of the Comprehensive Housing Analysis for the Greater Gallup Area – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain provided an update regarding the legislative appropriation, secured by Representative Patty Lundstrom, in the amount of \$100,000 to perform the study and determine midrange housing needs. Mr. Strain said Requests for Proposals (RFP's) went out and five (5) firms responded. After thorough review of the proposals by the RFP committee, Sites Southwest was awarded the project. Mr. Strain introduced Phyllis Taylor and Rosemary Dudley of Sites Southwest. Ms. Taylor presented a power point presentation highlighting the purpose of the study, working group goals, survey responses, stakeholder outreach, funding, the overall needs of a continuum of housing types in the City and productive use of vacant buildings. A copy of the power point

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presentation is attached hereto, labeled as Exhibit A and made a part of these official Minutes.

Discussion followed regarding a flow chart of incentives specific to the City's needs, vacant buildings, the high cost to build infrastructure, the proposed creation of a Housing Task Force to promote progress and staff's attendance at the upcoming Center for Community Progress Training.

Councilor Palochak made the motion to approve Resolution No. R2020-15; Adoption of the Comprehensive Housing Analysis for the Greater Gallup Area. Seconded by Councilor Schaaf. Roll call: Councilors Palochak, Schaaf, Kumar, Garcia and Mayor Bonaguidi all voted yes.

2. Resolution No. R2020-16; FY 2021 Budget Adoption – Patty Holland, Chief Financial Officer

Ms. Holland presented the Fiscal Year 2021 Budget for final approval and submission to the New Mexico Department of Finance and Administration (DFA) by July 31, 2020. Ms. Holland provided a power point presentation highlighting necessary cuts made to the initial budget as a result of the COVID-19 pandemic and a projected 30% reduction in the Gross Receipts Tax (GRT) revenues. Some of the major adjustments included general department cuts in the amount of \$1.4 million, the use of \$3.5 million of the City's cash fund balance, staff furloughs and position eliminations. A copy of the power point presentation is attached hereto, labeled as Exhibit B and made a part of these official Minutes.

The Mayor and Councilors thanked staff for their work on the budget and the tough choices that had to be made to balance the budget, including the eliminated and furloughed positions.

Councilor Schaaf made the motion to approve Resolution No. R2020-16; FY 2021 Budget Adoption. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

3. **Public Hearing:** Proclamation Declaring Extreme Drought Conditions: Restricting Fireworks – Jesus "Chuy" Morales, Fire Chief

Fire Marshall Jacob LaCroix presented the proclamation to restrict certain aerial fireworks. As of June 2, 2020, the drought monitor showed the conditions in Gallup between moderate to severe. Fire Marshall LaCroix noted McKinley County did not approve a similar proclamation; therefore, restrictions would only effect the City. The

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4th of July Fireworks display is not included in the Proclamation but it could be added should the Mayor and Councilors decide to do so.

Discussion followed regarding dry weeds throughout the city and the risk of fire, the dates permitted to sell fireworks, the effective date of the proposed proclamation and enforcement issues that arise when the city imposes fireworks restrictions and the county does not follow suit. Ms. Ustick provided clarification regarding the City's fireworks display.

There was no public comment presented during the public hearing.

Councilor Garcia made the motion to approve the Proclamation Declaring Extreme Drought Conditions and Restricting Fireworks. Seconded by Councilor Palochak. Roll call: Councilors Garcia and Palochak voted yes. Councilors Schaaf, Kumar and Mayor Bonaguidi voted no. Motion failed.

4. Ordinance No. S2020-6; Repeal of the Ban on Alcohol Sales at Convenience Stores – Curtis Hayes, City Attorney

Mr. Hayes presented the proposed Ordinance, which would repeal the ordinance adopted on April 14, 2020 prohibiting the sale of alcohol at convenience stores. The reasons for the ban included limiting exposure of the COVID-19 virus to the homeless population. Mr. Hayes said at the time, the City did not have the resources to isolate individuals who tested positive for the virus or who had been exposed whereas now, there is system in place. Package liquor stores were closed pursuant to a Public Health Order issued by the New Mexico Department of Health, which has since been lifted. Therefore, there no longer exists a reasonable basis to single out convenience stores, who have cooperated and remained compliant of the ordinance, as the only category of licensed dispensers not allowed to sell alcohol.

The Mayor and Councilors expressed their appreciation to the convenience stores for following the ordinance and understanding the severity of the situation.

Councilor Schaaf made the motion to approve Ordinance No. S2020-6; Repeal of the Ban of Alcohol Sales at Convenience Stores. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia, Palochak, Kumar and Mayor Bonaguidi.

5. Contract and Budget Adjustment for the State Behavioral Health Investment Zone (BHIZ) Grant – Debra Martinez, Behavioral Health Investment Zone Manager

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Ms. Martinez presented the budget adjustment and FY 2021 contract, which is a six (6) month extension to the existing five (5) year grant.

Councilor Palochak made the motion to approve the contract and budget adjustment for the State BHIZ Grant. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes. Councilor Kumar was temporarily absent due to technical difficulties.

6. Approval of Gallup Detoxification Center Intensive Services Agreement – Debra Martinez, Behavioral Health Investment Zone Manager

Ms. Martinez explained as part of the BHIZ extension, a total of \$80,000 will be granted to NCI for six (6) months for the purpose of funding intensive counseling in addition to case management services.

Discussion followed regarding program funding beyond the six (6) month period and the need for the program.

Councilor Garcia made the motion to approve the Gallup Detoxification Center Intensive Services Agreement. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Schaaf, Kumar and Mayor Bonaguidi all voted yes.

7. Request to Award Bid for Marce Court Sewer Improvements (Formal Bid No. 2016) and Associated Budget Adjustments – Dennis Romero, Water and Sanitation Director

Mr. Romero explained the intent of including the project in the upcoming fiscal year's ICIP budget; however, upon investigation and inspection during calendar year 2019, staff found approximately 500 feet of 8 inch sewer line in the Marce Court area was failing and creating a potential public health hazard. Wastewater Collection crews have monitored the area, while the Water and Sanitation Department along with Depauli Engineering Services developed a design and set of bid documents to replace this section of sewer line. Dallago Corporation of Gallup submitted the apparent low bid at \$199,295, which was certified by the Engineer of Record, along with a recommendation of award. Mr. Romero provided a table indicating ways to fund the project with existing funds including funds from completed projects, a \$15,000 contribution from the Gallup Housing Authority and \$128,650 from FY 2021 Waste Water Miscellaneous Network Repair (MNR) funding.

Councilor Palochak commended Mr. Romero for his work in finding funding for the project and for being proactive.

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Councilor Kumar made the motion to approve the award of the bid for Marce Court Sewer improvements (Formal Bid No. 2019) and associated budget adjustments. Seconded by Councilor Schaaf. Roll call: Councilors Kumar, Schaaf, Garcia, Palochak and Mayor Bonaguidi.

8. Budget Adjustment for Change Order No. 1-Coal and 9th Street Waterline – Dennis Romero, Water and Sanitation Director

Mr. Romero said while working on the water line replacement project at 9th Street and Coal Avenue, the contractor and Field Engineer exposed an old water meter and sewer line to a lot in the area. In accordance with the City Code, Section 8-1-4, in the event of a changeover connection, where a connection is changed from an old or existing water main to a new or other water main, the city shall bear the whole cost. Mr. Romero said in order to complete the water line project the City authorized the replacement of the water and sewer service lines to the lot, by Change Order No. 1 in the amount of \$9,470.85 an increase of \$105,496.38 for a revised value of \$114,967.23.

Councilor Palochak made the motion to approve the budget adjustment for Change Order No. 1 for the Coal and 9th Street water line. Seconded by Councilor Schaaf. Roll call: Councilors Palochak, Schaaf, Kumar, Garcia and Mayor Bonaguidi all voted yes.

9. Budget Adjustment Request-Wastewater FY2020 Closeout – Dennis Romero, Water and Sanitation Director

Mr. Romero said this was the first year the City paid its own utilities, including water and electric, by a transfer of funds. As a result, the Water and Sanitation Department met its commitment to pay utility costs for the Wastewater Treatment Plant (WWTP); however, they are \$74,807.68 short their budget to pay the final invoice from Jacobs and to close out all WWTP costs for this fiscal year. Mr. Romero requested a budget transfer of \$75,000. from Fund 508.

Councilor Kumar made the motion to approve budget adjustment request of \$75,000 for the Wastewater FY 2020 closeout. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

10. Budget Adjustment for Walmart Community Grant Award – Captain Erin Toadlena-Pablo, Gallup Police Department

Captain Toadlena-Pablo presented the proposed budget adjustment for revenue and expenditure of the Walmart Community Grant award in the amount of \$2,500. The

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funds will be used to purchase Microsoft Office software for police vehicle mounted laptops.

Councilor Palochak made the motion to approve the budget adjustment for Walmart Community Grant Award in the amount of \$2,500. Seconded by Councilor Garcia. Roll call: Councilor Palochak, Garcia, Schaaf, Kumar and Mayor Bonaguidi all voted yes.

Comments by Public on Non-Agenda Items

None.

Comments by Manager and City Attorney

Ms. Ustick thanked the Mayor and Councilors for their approval of the budget. She expressed hopes of restoring some cuts in December and she acknowledged the Budget Committee for their work. She also provided an update regarding a reopening plan for city facilities, excluding recreation facilities.

Comments by Mayor and Councilors

Mayor Bonaguidi commended everyone who contributed to the budget, including the department heads for their support.

Councilor Palochak thanked Walmart for the grant award and commended the protestors in their peaceful demonstration regarding the Black Lives Matter movement. She also expressed her appreciation to Gallup Police Officers for their support.

Councilor Garcia commended the protestors for practicing their First Amendment rights to assemble and peacefully protest, the downtown business owners who invoked their Second Amendment right to bear arms and thanked Chief Boyd, the Gallup Police Department, McKinley County Sheriff's Department and the State Police for all their work.

Councilor Kumar commended City staff for their work on the budget and praised the Police Department for all they do for the community.

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

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Mayor Louie Bonaguidi

ATTEST:

Alicia Palacios, Deputy City Clerk