

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico held virtually at Gallup City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, May 11, 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:

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 Special and Regular Meetings of April 27, 2021.

Councilor Schaaf made the motion to approve the Minutes of the Special Meeting held on April 27, 2021. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

Councilor Schaaf made the motion to approve the Minutes of the Regular Meeting of April 27, 2021. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Kumar, Garcia and Mayor Bonaguidi all voted yes.

The Mayor and Councilors presented a Proclamation proclaiming the week of May 16-22, 2021 as Emergency Medical Services week. Chief Jesus "Chuy" Morales of the Gallup Fire Department accepted the Proclamation.

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

1. Resolution R2021-16; Approving FY 2022 Preliminary Budget – Patty Holland, Chief Financial Officer

Ms. Holland presented a power point presentation on the proposed budget for Fiscal Year 2021, which is due to the Department of Finance (DFA) by the end of the month. A copy of the power point presentation, labeled, "*Exhibit A*," is attached hereto and made a part of these official Minutes. Ms. Holland said the final budget will be brought to the Council for approval at a later date and requested approval of the proposed Resolution.

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Councilor Palochak made the motion to approve Resolution No. R2021-16; Approving FY 2022 Preliminary Budget. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

2. Ordinance No. C2021-1; Amendments to the Gallup-Metro Animal Ordinance – Cutis Hayes, City Attorney

Mr. Hayes presented the proposed amendments on behalf of the Animal Control Board's recommendation, on April 13, 2021, to eliminate confusion and expedite the process. Mr. Hayes provided information regarding the State's adoption of the Dangerous Dog Act in 2005 and how adding it to the City's Animal Control ordinance affected other sections of the code. Mr. Hayes noted the similar definitions of *dangerous dog* and *vicious animal* and said the proposed ordinance would remove the "*Dangerous Dog Section*," in addition to the categories of dangerous dog and potentially dangerous dog. It would also create a simpler administrative procedure while giving the Animal Control Division authority to determine whether an animal is vicious or dangerous. Mr. Hayes said the administrative repeal procedure already exists in the ordinance, however, the proposed ordinance would shorten time frames to conduct hearings and render final decisions. He said the proposed ordinance would give the City Manager authority to adopt rules concerning animals at city parks and recreation facilities and permit citations to Municipal Court.

Brief discussion followed regarding the Dog Park, enforcement of the ordinance, visible signage with contact phone numbers, transients in the area, sanitization of the park and the City's responsibility to police the area.

Councilor Garcia made the motion to approve Ordinance No. C2021-1; Amendments to the Gallup-Metro Animal Ordinance. Seconded by Councilor Schaaf. Roll call: Councilors Garcia, Schaaf, Kumar, Palochak and Mayor Bonaguidi all voted yes.

3. Youth Conservation Corps (YCC) Grant Award & Budget Adjustment – JM DeYoung, Assistant City Manager

Mr. DeYoung presented the Grant Award and budget adjustment in the amount of \$144,500.64 for the State of New Mexico's FY21/22 Youth Conservation Corps program to fund tasks performed or expenses directly related to projects outlined in the grant. Mr. DeYoung expressed appreciation to the Northwest New Mexico Council of Government (NWNMCOG) staff, including Executive Director, Evan Williams, for writing the grant, McKinley County for their monetary contribution and Vince Alonzo and Parks Department staff for facilitating tasks to YCC members and working with Finance Department staff to submit all necessary documentation.

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Councilor Schaaf made the motion to approve the YCC Grant Award and budget adjustment in the amount of \$144,500.64 for the State of New Mexico's FY21/22. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

4. Budget Adjustment for 4th of July Fireworks – Jon DeYoung, Assistant City Manager

Mr. DeYoung presented the proposed budget adjustment in the amount of \$15,000 for the 4th of July Fireworks display. He said funding was not previously budgeted due to the COVID-19 public health crisis and the loss of revenue in lodger's tax, therefore, he requested funds to be transferred from general fund cash reserves.

Councilor Schaaf made the motion to approve the budget adjustment in the amount of \$15,000 for the 4th of July fireworks display, 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 Presentation and Information Items:

1. Presentation on Lodger Tax Funding for Events – Anna Connell, Holiday Inn Express, General Manager and Jennifer Lazarz, Tourism and Marketing Manager

Ms. Connell provided information regarding a Lodger Tax Committee meeting with Mr. Hayes where they discussed funding laws and the importance of creating clear boundaries when allocating funds.

Ms. Lazarz presented a list of discussion points, which is attached hereto and marked as, "*Exhibit B*," and made a part of these official minutes. The key points included statutory guidelines, anti-donation, use of City employees' services, administrative costs, promotional material, prizes and awards and working with limited resources. Ms. Lazarz said the Lodger's Tax Committee made a decision to analyze event funding by the "advertise, publicize and promote," before the event and not during, determining whether an event can operate if an item is removed and restricting resale items, including space on printed materials funded by Lodger's Tax. Ms. Lazarz noted, the applications will be available on May 12 and provided deadlines for rounds 1 through 4.

Discussion followed regarding a number of topics including the limited amount of time provided to applicants in the first round, input received from event organizers, data sources used to determine community events verses "heads in beds," events, Lodgers

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Tax Committee meeting audio issues and the sale of sponsorships versus a list of sponsors on a promotional item. Councilor Palochak requested that any legal restrictions pertaining to funding come from the City Attorney.

Brief discussion followed regarding the number of Committee members and the official minutes from that meeting. Ms. Connell mentioned committee members serve on a voluntary basis and thanked Ms. Lazarz for all she does to assist the committee.

2. Presentation on Drought Restrictions – Jon Pairett, Fire Marshal

Fire Marshal Pairett presented a power point presentation and provided the current drought conditions in preparation for possible restrictions of fireworks. A copy of the power point presentation is attached hereto, marked as, “*Exhibit C,*” and made a part of these official Minutes. He included information from the National Centers for Environmental, Fire weather watch and Red Flag Warning and 4th of July Fireworks.

3. Stronger Together Partnership – Evan William, Northwest New Mexico Council of Governments Executive Director

Mr. Williams presented a letter of partnership and the Stronger Together Partnership Agreement to demonstrate support for all area applications when it comes to state and federal funding related to COVID-19 relief, strategic investments and to showcase support for initiatives and larger regional needs including access to healthcare, completion of Navajo-Gallup Water Supply Project, high speed broadband, transportation infrastructure, economic development, education, downtown revitalization, home-level investments and outdoor recreation through-out McKinley County as well as the Navajo Nation and Pueblo of Zuni. Mr. Williams said the letter can be amended and stressed the importance of all entities working together.

Brief discussion followed regarding the great service Mr. Williams provides and obligations of the City in terms of the Navajo-Gallup Water Supply Project. Mr. Williams provided clarification regarding the intent of the agreement.

Ms. Ustick volunteered to assist Mr. Williams in rewording the document in an effort to ensure all parties are satisfied.

Comments by Public on Non-Agenda Items

Kyle Tom, President of the Gallup Inter-Tribal Indian Ceremonial Association, requested the use of Red Rock Park to host an in-person rodeo and art show August 6-15, 2021. He said he spoke with Walt Eddy regarding the possibility of working together, since Mr. Eddy’s event will held at Red Rock Park August 4-7, 2021. Mr. Tom also provided

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details regarding a verbal agreement with the State Tourism Department to host the events.

Comments by Mayor and City Councilors

Councilor Kumar mentioned additional items that need to be discussed when working on the Stronger Together Partnership letter.

Councilor Palochak congratulated the Gallup High School Lady Bengals Basketball team for winning the 4A State Championship and the Rehoboth Christian School Boys Basketball team for winning the 2A Championship and expressed concerns she has with the 30-day requirement set forth in the event permit process when requesting street closures. Councilor Palochak requested a review of the code when it comes to extraordinary events. She also commended the Gallup Fire Department who recently rescued an individual after a fall at Pyramid Rock.

Councilor Garcia thanked Vince Alonzo and Parks Department staff for cleaning and maintaining Father Dunstan Park. She also thanked emergency staff for all they do, announced National Police Week from May 9-15, encouraged everyone to thank an officer and remembered fallen Officer Larry Brian Mitchell and his family.

Councilor Schaaf thanked everyone who have been vaccinated and encouraged those who have not been vaccinated to get vaccinated.

Comments by the City Manager and City Attorney

Ms. Ustick announced the next Regular City Council Meeting on May 25th will be hybrid meeting which will be conducted inside the El Morro Events Center or City Hall's Council Chambers. She said the Mayor and Councilors will meet in person along with presenters, while the public will continue to view the meeting on Facebook Live. She also announced a public meeting on May 19th at 2:00 to discuss the new Liquor Reform Act. City Clerk Al Abeita will send notification letters to all license holders and provide the Zoom link to those who request it.

Mr. Hayes highlighted one of the main items to be discussed at the May 19th public meeting are the Mayor and Councilors thoughts regarding the adoption of an "opt-in" ordinance, which would permit restaurants to serve beer, wine and spirits.

Mayor Bonaguidi agreed with Councilor Palochak regarding the event permit process when it comes to extraordinary circumstances, mentioned National Police Week and National Economic Development Week.

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

Louie Bonaguidi, Mayor

ATTEST:

Alicia Palacios, Deputy City Clerk