

Minutes of the Regular Meeting of the City Council, City of Gallup, New Mexico held in the Council Chambers at Gallup City Hall, 110 W. Aztec Avenue, at 6:00 p.m. on Tuesday, January 28, 2020.

The Meeting was called to order by Mayor McKinney:

Upon roll call, the following were present:

Mayor: Jackie McKinney

**Councilors: Linda Garcia
Allan Landavazo
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 Meeting on January 14, 2020.

Councilor Palochak made the motion to approve the aforementioned minutes. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

Presented to the Mayor and Councilors was the following Presentation and Information Item:

- 1. Presentation of Event Economics and Marketing Analysis Results by Southwest Planning – Rachelle Howell**

Ms. Howell presented a PowerPoint presentation containing the results of an analysis conducted on three (3) events held in the City including Wild Thing Championship Bull Riding, Gallup Film Festival and Red Rock Balloon Rally. Areas reviewed were economic contribution, demographics and attendance using attendee surveys accompanied by an attendance estimation.

Discussion followed regarding the Balloon Rally's Balloon Glow held at Rio West Mall and how attendants of the event were separated from those going to the mall in addition to the methodology used to determine out-of-town versus local attendees and the process used in disseminating the surveys.

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

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1. Budget Adjustment for Comcast Cares Grant – Jennifer Lazarz, Tourism and Marketing Manager

Ms. Lazarz said the City partnered with Comcast Cares to conduct a community cleanup and because of those efforts, the National Comcast Cares awarded the City a grant in the amount of \$1,938.14 for future beautification projects within the City of Gallup.

Councilor Garcia made the motion to approve the grant in the amount of \$1,939.14. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Landavazo, Kumar and Mayor McKinney all voted yes.

2. Budget Adjustment for Travel & Adventure Show Grant – Jennifer Lazarz, Tourism and Marketing Manager

Ms. Lazarz presented the grant offered by the State of New Mexico with a 50% match from the City in the amount of \$4,500.00 for Travel and Adventure Show booth fees in Denver, Chicago and Dallas to be reimbursed after participation.

Brief discussion followed regarding the City's match, which was previously allocated and a request for a follow-up report after the shows. Ms. Lazarz provided information from a show she participated in Denver and agreed to provide information pertaining to the listed shows as requested.

Councilor Kumar made the motion to approve the budget adjustment for Travel and Adventure Show Grant. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Palochak, Garcia and Mayor McKinney all voted yes.

3. Ordinance No. S2020-2; Side Street Yard Text Amendment for Corner Lots within Residential and Commercial Zone Districts – C.B. Strain, Planning and Development Director

Mr. Strain presented the proposed Ordinance creating new text regulating the side street yard setbacks for corner lots, which was not included in the new Land Development Standards. Mr. Strain provided an illustration and explanation for the setbacks including safety, noise and open space and provided the setback length for each district. Based on a positive recommendation from Gallup Planning and Zoning Commission, Mr. Strain requested approval of the text amendment.

Mr. Strain provided clarification regarding Commercial zoned districts.

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Councilor Kumar made the motion to approve Ordinance No. S2020-2. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

4. 2020 CDBG Program Project Selection – Angelina Grey, NMNWCOG Associate Planner

Ms. Grey provided a PowerPoint presentation regarding the City's options in choosing a project for the Community Development Block Grant Project (CDBG). A copy of the PowerPoint is attached hereto and made a part of these official minutes.

Brief discussion followed regarding Low-and-Moderate Income (LMI) surveys having been conducted in the listed neighborhoods, specifically the Chihuahuita area.

Ms. Grey provided clarification regarding the deadlines included in the presentation and the selection of one project.

Mayor McKinney explained Council's choice between the West Logan project and Romero Circle as well as the selection of a new project not listed.

Councilor Palochak questioned the LMI deadline for the Chihuahuita area and whose responsibility it is for conducting the survey. She also expressed her advocacy for the area, the probability of meeting the income requirements and the length of time for those that live in the area have been waiting for the much needed improvements.

Discussion followed regarding the availability of engineer estimates, the phasing of projects, certain wording included in the PowerPoint and the potential to change with the upcoming Census.

Councilor Landavazo and Councilor Garcia agreed with Councilor Palochak on the necessary improvements.

Councilor Palochak made the motion to accept Project A; West Logan Avenue Project, 6th Street to 8th Street, drainage and reconstruction for the 2020 CDBG Program Project. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Landavazo, Kumar and Mayor McKinney all voted yes.

5. Resolution No. R2020-4; 2020 CDBG Procurement Policy Adoption – Stan Henderson, Public Works Director

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Mr. Henderson said the New Mexico Department of Finance and Administration requires the City to annually adopt a procurement policy for Community Development Block Grant (CDBG) projects. The proposed resolution would certify the City's compliance with Federal and New Mexico Procurement Codes.

Councilor Landavazo made the motion to approve Resolution No. R2020-4. Seconded by Councilor Kumar. Roll call: Councilors Landavazo, Kumar, Palochak, Garcia and Mayor McKinney all voted yes.

6. Resolution No. R2020-5; CDBG Housing and Urban Development Section 3 Plan – Stan Henderson, Public Works Director

Mr. Henderson said Section 3 is a provision of the Housing and Urban Development (HUD) Act of 1968 that helps foster local economic development, neighborhood economic improvement and individual self-sufficiency. The program requires recipients of certain HUD financial assistance such as CDBG funds, to provide job training employment and contracting opportunities for low or very low income residents in connection with projects and activities in their community to the greatest extent feasible. The proposed Resolution and HUD Section 3 Plan must be adopted on an annual basis for CDBG projects.

Councilor Palochak made the motion to approve Resolution No. R2020-5; CDBG Housing and Urban Development Section 3 Plan. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Landavazo, Garcia and Mayor McKinney all voted yes.

7. Resolution No. R2020-6; 2020 CDBG Residential Anti-Displacement and Relocation Assistance Plan

Mr. Henderson said when federal funds, such as CDBG funds are used in a project involving the acquisition, rehabilitation, or demolition of real property, the Uniform Relocation Assistance and Real Properties Acquisition Policies Act (URA) may apply. The purpose of the URA is to provide fair and equitable treatment for persons whose real property is acquired or for person displaced as a result of a CDBG funded project or activity. The proposed resolution and Residential Anti-Displacement and Relocation Assistance Plan must be adopted by resolution on an annual basis regardless of whether the City undertaking relocation activities.

Councilor Kumar made the motion to approve Resolution No. R2020-6; 2020 CDBG Residential Anti-Displacement and Relocation Assistance Plan. Seconded by Councilor

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Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

8. Resolution No. R2020-7; 2020 CDBG Citizens Participation Plan – Stan Henderson, Public Works Director

Mr. Henderson said the Citizen Participation Plan is a federal requirement for grantees receiving CDBG funds. The Citizen Participation Plan states that citizens will be provided with reasonable notice and timely access to local meetings to solicit their input and project ideas for the CDBG projects. The proposed Resolution and Citizen Participation Plan must be adopted on an annual basis for CDBG projects.

Councilor Palochak made the motion to approve Resolution No. R2020-7; 2020 CDBG Citizens Participation Plan. Seconded by Councilor Landavazo. Roll Call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

9. 2020 CDBG Fair Housing Proclamation – Stan Henderson, Public Works Director

Mr. Henderson said as a requirement for CDBG funding, each local government must annually certify that it will affirmatively further fair housing. He presented the proposed Fair Housing Proclamation which publicizes the City's commitment to fair housing and proclaims Tuesday, February 17, 2020 as Fair Housing Day in Gallup.

Councilor Palochak made the motion to approve the 2020 CDBG Fair Housing Proclamation. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Landavazo, Garcia and Mayor McKinney all voted yes.

10. Resolution No. R2020-2; 2nd Quarter FY 2020 Budget Adjustments and Report of Actuals – Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed resolution which encompasses all budget changes processed October 1, 2019 through December 31, 2019.

Discussion followed regarding a clean-up measure of legislative funding in the amount of \$900,000, the City's General Fund Cash Reserve balance which exceeds the State's requirement of 12%, the distribution of internet sales and concerns for small town businesses competing with internet sales.

Councilor Landavazo made the motion to approve Resolution No. R2020-2; 2nd Quarter FY2020 Budget Adjustments and Report of Actuals. Seconded by Councilor Palochak. Roll call: Landavazo, Palochak, Kumar, Garcia and Mayor McKinney all voted yes.

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11. Budget Adjustment to Cover the Cost of New Mexico Municipal League Dues – Maryann Ustick, City Manager

Ms. Ustick said the City pays annual dues to the New Mexico Municipal League. Due to an increase from last year's fees of \$44,000 to this year of \$45,950, a budget adjustment of \$1,950. is needed. A purchase order was created for the original amount to pay the first half, leaving a balance of \$21,025.

Councilor Kumar made the motion to approve the budget adjustment to cover the cost of NM Municipal League dues in the amount of \$1,950. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Palochak, Landavazo and Mayor McKinney all voted yes.

12. Gallup Senior Program Budget Adjustment – Kimberly Ross-Toledo, Gallup Senior Center Director

Ms. Ross-Toledo provided information regarding the Governor's End Hunger Initiative in which the Senior Center provided four (4) meals in addition to a bag of groceries, to anyone who attended, free of charge. The State of New Mexico provided reimbursement for food and vendors in the amount of \$3,880.52 which will require a budget adjustment to accept the funding. She also requested a budget adjustment in the amount of \$26,700. from the Senior Program Fund Balance to cover operation costs for the remainder of the fiscal year and provided a detailed breakdown including an emergency hire, overtime costs, building and vehicle maintenance, fuel purchases and IT services.

Mayor McKinney provided details regarding the Governor's End Hunger Initiative and the purpose of the program, commented on the success of the program and congratulated staff on their hard work organizing and executing the event.

Discussion followed regarding vehicle vandalism, steps taken to reduce the vandalism, the vehicle fleet yard and any reported vandalism and monitoring of the current yard.

Councilor Palochak made the motion to approve Gallup Senior Program budget adjustment of \$30,580.52 as presented. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

13. Resolution No. R2020-1; Annual Determination of Notice Under the Open Meetings Act – Alfred Abeita, City Clerk

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Mr. Abeita said the New Mexico Open Meetings Act requires all public bodies determine, on an annual basis, what constitutes reasonable notice to the public of its meetings. The proposed resolution includes the requirements recommended by the New Mexico Attorney General's Office for public bodies to hold their meetings and affirms the regular meetings of the Gallup City Council to be held on the 2nd and 4th Tuesday of every month at 6:00 p.m.

Councilor Garcia made the motion to approve Resolution No. R2020-1; Annual Determination of Notice Under the Open Meetings Act. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Palochak, Landavazo and Mayor McKinney all voted yes.

14. Budget Increase in Revenue and Expenditure for Census Grant – Tammie Moe, Library Director

Ms. Moe presented the grant awarded by the American Library Association in the amount of \$2,000 to support a complete population count in especially hard to count communities for the 2020 decennial census, provided details pertaining to those at risk of being undercounted, explained efforts to eliminate some of the risk factors, described the positive effects of an accurate census count, provided survey deadlines and illustrated how they will assist in the City and surrounding areas. Ms. Moe requested approval of the budget adjustment as well as spending authority of the grant.

Brief discussion followed regarding the anticipated number of laptops and tablets the grant will cover.

Councilor Palochak praised Ms. Moe for her efforts.

Councilor Palochak made the motion to approve a budget increase for the Census Grant in the amount of \$2,000. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

15. Budget Adjustment to Revenue and Expenditure for State Grants-in-Aid – Tammie Moe, Library Director

Ms. Moe said the City has been awarded funding from the State of New Mexico Department of Cultural Affairs in the amount of \$14,105.78 to support library collections, staff salaries and training, equipment and other operational expenditures associated with delivery of basic library services as defined in the code. All funds must be expended by June 31st in order to qualify for next year. Ms. Moe requested approval of the budget adjustment in addition to spending authority of the funds.

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Councilor Landavazo made the motion to approve a budget adjustment to revenue and expenditure for State Grants-in-Aid. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Kumar, Garcia and Mayor McKinney all voted yes.

Comments by Public on Non-Agenda Items

None

Comments by Mayor and Councilors

Councilor Landavazo commended Mr. Romero, Water and Wastewater Executive Director, on a presentation he conducted at a recent Council of Governments meeting regarding the Navajo-Gallup Water Project. He also commented on the progress of the LED lights that have been installed as part of the LED Lights Project and expressed agreement with citizens who have shared positive feedback with him.

Councilor Garcia also commented on the lights and how much brighter they are and thanked Ms. Moe for the great work she is doing.

Mayor McKinney commented on an article he read in the Albuquerque Journal regarding their nuisance abatement authority and the success their City Council had in removing miniatures and pint bottles of alcohol from two convenient stores using the nuisance abatement law. The amount of data in nuisance calls in certain problem areas would justify using the City's local nuisance abatement law as another step to help the issues in the City of Gallup. He asked Mr. Hayes to research the matter and provide his recommendation to Mayor and Councilors.

Comments by Manager and City Attorney

Ms. Ustick also commended Mr. Romero on his Navajo-Gallup Water presentation and said Mr. Romero will give that presentation, in an abbreviated form, while providing the cost overview and debt schedules to the Mayor and Councilors as previously requested.

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



Jackie McKinney, Mayor



Alicia Palacios, Deputy City Clerk

