

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, MAY 8, 2018; 6:00 P.M. CITY COUNCIL CHAMBERS



Jackie McKinney, Mayor

Linda Garcia, Councilor, Dist. 1 Allan Landavazo, Councilor, Dist. 2
Yogash Kumar, Councilor, Dist. 3 Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager
Curtis Hayes, City Attorney

A. **Pledge Of Allegiance**

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

B. **Roll Call**

C. **Approval Of Minutes**

Regular Meeting of April 24, 2018
Special Meeting of April 25, 2018

Documents:

[DRAFT MINUTES - APR 24 2018 REG MTG.PDF](#)
[DRAFT MINUTES - APR 25 2018 SP MTG.PDF](#)

D. **Discussion/Action Topics**

1. **Request For Street Closures For The Gallup Lions Club Downtown Hoedown Parade And Barbeque To Be Held Saturday, June 9, 2018**

The Gallup Lions Club is requesting the closure of Aztec Avenue from 8th Street to 1st Street for the parade. The parade is scheduled to begin at 11:00 a.m. The Lions Club is also requesting the closure Aztec Avenue between 2nd and 3rd Streets and the lower parking lot at the Downtown Courthouse Plaza for the Barbeque, Battle of the Bands and Car Show. The activities at the Courthouse Plaza are scheduled to begin at 12:00 p.m.

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

Recommendation: Staff recommends approval of the street and parking lot closures.

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

Documents:

[2018 EVENT PERMIT - GALLUP LIONS CLUB RODEO PARADE BBQ.PDF](#)

2. Request For Amendment To The Agreement Between The Gallup Lions Club And The City Of Gallup Concerning Red Rock Park Fees

The current agreement allows the City to receive one-half of the parking fees charged by the Lions Club or its parking vendor during the Annual Lions Club Rodeo. The Lions Club is requesting an amendment to the agreement to allow them to retain all of the parking fees collected by applying the value of their community service against the collected parking fees.

Fiscal Impact: Loss of approximately \$4,300 in parking fee revenue.

Recommendation: None.

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

Documents:

[REQUEST FOR AMENDMENT TO AGMT WITH LIONS CLUB ON RED ROCK PARK FEES.PDF](#)

3. Hasler Valley Solid Waste Facility Bid - Recommendation Of Award And Budget Adjustment

Bids were opened for the project City of Gallup - Hasler Valley Road Solid Waste Facility – Bid Invitation No. 1806, on April 3rd, 2018 at 2:00pm.

The City of Gallup received two (2) bids. Both bids were complete and acceptable. Bid Tabulation is attached (Attachment 1). Low bid was submitted by Murphy Builders, Inc. of Gallup, NM. Total base bid plus three add alternates was \$2,988,789.21.

Construction of this facility was budgeted for FY18 in the amount of \$2.3 million. In order to begin construction of the facility in FY18, the City needs to approve the bid award and allow the transfer of the remaining balance from FY18 Capital Account in the amount of \$95,783 and from the Solid Waste Enterprise Fund Balance in the amount of \$868,055. A summary of funding options is shown in Attachment 2 to this agenda item. Funds from the FY18 Capital Account are available due to savings in truck and equipment purchases. The requested transfer from the Solid Waste Enterprise Fund will leave a balance of approximately \$2 million.

Fiscal Impact: Transfer of the remaining balance from FY18 Capital Account in the amount of \$95,783. This amount was budgeted for purchase of new solid waste collection units. Transfer of \$868,055 from Solid Waste Enterprise Fund Balance.

Recommendation: Staff recommends bid award to Murphy Builders, Inc. and associated budget adjustments/transfers

Speaker's Name Adrian Maruffo

Documents:

[ATTACHMENT 1 - HASLER VALLEY SOLID WASTE FACILITY BID TAB.PDF](#)

[ATTACHMENT 2 - HASLER VALLEY SOLID WASTE FACILITY FUNDING SUMMARY.PDF](#)

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

SUMMARY: In the past the Gallup BID has paid for downtown clean-up services by hiring laborers through Care 66. This Care 66 program 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 met with the BID Board on April 18, 2018 and discussed BID funding for two part-time seasonal Parks Laborer position for a twelve week period to be dedicated to clean up services within the BID district. The BID Board concurred with this proposal but could not take action as this item was not posted to do so. Since time is of the essence to hire these two positions, this proposal is contingent on the BID's formal vote at their next meeting on May 15, 2018. If 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 city will invoice BID monthly for the cost.

Fiscal Impact: None. Positions will be funded with BID funds. City will invoice the BID for these services on a monthly basis.

Recommendation: Approve the hiring of two part-time seasonal Park Laborer positions for twelve weeks (during tourist

Speaker's Name Maryann Ustick

5. Ordinance No. C2018-6; An Ordinance Concerning An Increase To The Rates For Wastewater Service, Repealing And Replacing Title 8 Chapter 6 Section 8 Of The Municipal Code Of The City Of Gallup In Its Entirety

Summary:

As detailed in the February 13, 2018, Special Meeting of the Gallup City Council, the Wastewater Financial Plan developed by RBC Capital shows the need for a 20% increase in wastewater utility rates to meet operation, maintenance, personnel and capital needs for the City's Wastewater Utility. A 20% increase in wastewater rates will result in an increase in the average ratepayer's bill of approximately \$6 per month.

The attached ordinance (Attachment 1) is submitted for Council's consideration. A comparison of rates in the area is shown in Attachment 2.

Please note that the connection fee is not addressed in this ordinance. This fee will need to be adjusted in the near future; however, as this "tap in," or service, fee will affect future development, Staff recommends that, in addition to further public comment, the following groups be allowed to provide input on this fee: Chamber of Commerce, Business Improvement District Board, Land Use Development Steering Committee and Planning and Zoning Committee.

Fiscal Impact: Approximately 20% increase to Wastewater Enterprise Fund revenue.

Recommendation: Staff recommends approval of Ordinance

Speaker's Name Dennis Romero

Documents:

[ATTACHMENT 1 - WASTEWATER RATE ORDINANCE.PDF](#)

[ATTACHMENT 2 - WASTEWATER COMPARISON.PDF](#)

6. Proclamation Declaring Extreme Or Severe Drought Conditions; Restricted Sale And Use Of Fireworks

Due to the drought conditions as reported by the National Weather Service, New Mexico Forest Service, and the visible dry conditions within the City of Gallup it is recommended that a Proclamation be approved for the declaration of Extreme and severe drought conditions and the restrictions of fireworks use and sales within the City of Gallup. Please see attached Informational.

Fiscal Impact: No fiscal impact projected.

Recommendation: Recommend approving Proclamation Declaring Extreme or severe drought conditions; restricted Sale And

Speaker's Name Jacob LaCroix, Fire Marshal

Documents:

[FIREWORKS INFORMATION.PDF](#)

[2018 FIREWORKS PROCLAMATION EXTREME DROUGHT COND.PDF](#)

[FIREWORKS PPT.PDF](#)

7. Adopt Resolution R2018-14 To Approve Contract 17-SLC-0888 Between City Of Gallup And Western Area Power Administration For Firm Electric Service

The City's current contract (87-SLC-0017) with Western Area Power Administration (WAPA) became effective October 1, 1989 and continues through September 30, 2024. WAPA is continuing its commitment to customers with existing contracts. The resources supplying this power are the Salt Lake City Area Integrated Projects which include 11 hydroelectric power plants with a combined capacity of 1816 MW. Gallup's allocation from these projects is 3.341 MW during the winter season and 3.198 MW during the summer season. This contract provides approximately 12% of Gallup's total electric requirements. The average cost of WAPA power in FY 2017 was \$26.20 per MWH. Continental Divide's cost in FY 2017 was \$46.66 per MWH. For FY 2019, Continental's cost will be \$49.50 per MWH and the cost from Standard Solar will be \$47.50 per MWH. WAPA power is by far our lowest cost resource.

The new contract continues the same power delivery allotments as in the current power contracts through September 30, 2057. There is no rate change proposed at this time, but WAPA can initiate a change of the rate during the current contract term or the new contract term through the federal rulemaking process. WAPA has the option of adjusting the contract delivery amounts due to changes in hydrology or river operations, upon five years' notice to the City. The new contract provides for WAPA to allocate to the City any environmental attributes of the power purchased by the City (Renewable Energy Credits). The new contract references new General Power Contract Provisions and new Creditworthiness Procedures.

Fiscal Impact: Delivery under the new contract will begin October 1, 2024, but certain provisions of the new contract will apply during

the remaining term of the existing contract. There is no anticipated fiscal impact during the current fiscal year.

Recommendation: Staff recommends adoption of resolution R2018-14 authorizing execution of contract 17-SLC-0888

Speaker's Name Richard Matzke, Electric Director

Documents:

[RESOLUTION R2018-14.DOCX](#)
[3. EXHIBIT A.PDF](#)
[4. SLIP POWER RATES.PDF](#)
[2. CONTRACT 17-SLC-0888.PDF](#)
[CRSPMC-AT-A-GLANCE.PDF](#)

8. Police Department New Officer Hire On Incentive

Hiring Incentive Proposal for Police Department

New Hires

1. Gallup PD will offer a \$5,000 bonus for all newly hired officers.
2. The bonus would be paid out as follows:
 1. \$1,000 payment at successful completion of State Law Enforcement Academy
 2. \$4,000 payment upon successful completion of the probation period. This will also include the signing of a three (3) year commitment contract. (Reimbursement will be calculated based on time served and time remaining on the contract)

Lateral Transfer New Hires (Out Of State Certification)

1. Gallup PD will offer the same \$7,500 bonus for lateral transfers.
 1. \$2,500 payment at successful completion of State Law Enforcement Academy Certification By Waiver Course.
 2. \$5,000 payment upon successful completion of the probation period. This will also include the signing of a three (3) year commitment contract. (Reimbursement will be calculated based on time served and time remaining on the contract)

Lateral Transfer New Hires (State of New Mexico Certification)

1. Gallup PD will offer the same \$7,500 bonus for lateral transfers.
 1. \$2,500 payment 30 days following hire date.
 2. \$5,000 payment upon successful completion of the probation period. This will also include the signing of a three (3) year commitment contract. (Reimbursement will be calculated based on time served and time remaining on the contract)

Fiscal Impact

The Police Department will temporarily relinquish one (1) Full Time Employee, Certified Police Officer position (from 72 FTE to 71 FTE Certified Officer positions). This will allow for approx. \$50,000 in funds to be utilized for this program. **This would have no fiscal impact on the City**. However, if the Police

Department reaches 71 FTE during any fiscal year while the program is running, the City is requested to return the one (1) FTE Certified Officer position, with approval from Mayor and City Council, to bring the FTE to 72 Officers.

As you know, our recruiting has been successful but as we hire more Officers, we tend to lose current Officers. I believe that by offering this Sign On incentive, our numbers will continue to rise for recruiting. One of our biggest obstacles in recruiting is that other Departments, Albuquerque, State Police, Hobbs Police, and Farmington Police all offer signing bonuses. I believe that with the recruits that we attract now, which are generally from the immediate area surrounding Gallup, would increase in scope to include areas of the rest of New Mexico, Arizona and Colorado. I believe this would make us more competitive in the recruiting and retention markets for our area.

Fiscal Impact: NONE
Recommendation: Staff recommends approval of this incentive.
Speaker's Name Phillip C. Hart, Chief of Police

9. Agreement With New Mexico High School And Junior High School Rodeo Associations

The City was successful in its response to the RFP from the High School Rodeo and Junior High School Rodeo associations and has been awarded the state high school and junior high school state finals. The terms of the contract are identical to last year's dual hosted championships. The finals will be held at Red Rock Park over Memorial Day weekend.

Fiscal Impact: \$50,000 from Lodgers' Tax.
Recommendation: Approval of agreement to host state finals and use \$50,000 in Lodgers' Tax.
Speaker's Name Brian Archuleta

Documents:

[AGREEMENT WITH NMHRSA AND NMJHRA - 3 MAY 18.PDF](#)

10. Ordinance No. C2018-7; An Ordinance Amending Title 4 Of The Gallup City Code By Adding A New Chapter 11 Which Prohibits The Use Of Single Use Plastic Carryout Bags By Retailers, Establishing Exemptions From The Ordinance's Requirements, Establishing A Penalty, And Providing For An Operative Date Six Months From The Date Of Adoption

This ordinance is modeled on Silver City's ordinance and is a straightforward ban on the thin plastic bags that are so often seen as litter. The ordinance requires retailers to use either reusable bags, recyclable paper bags, or cardboard boxes. Food banks, restaurants and take-out food establishments are exempted from the ordinance. The ordinance does not become effective until six months after adoption to give retailers enough time to change their practices. Municipalities have addressed the issue of single use plastic bags in different ways depending upon the goals of the municipality. Where the goal is simply to reduce the volume of litter in the community, the Silver City model is followed. Some municipalities such as Santa Fe have additional goals such as encouraging the use of reusable bags by consumers. These ordinances have additional components such as a fee system where consumers that don't provide their own bags are charge a fee per bag for paper or other types of bags that are provided by the retailer. For example, Santa Fe requires retailers to charge a fee of at

least ten cents per paper bag provided by the retailer. The Santa Fe ordinance also provides for an administrative fine that doesn't go through Municipal Court. This requires the city to have a hearing officer to conduct hearings where a retailer contests the imposition of an administrative fine. The input provided by the Sustainable Gallup Board is that Gallup should focus on the litter problem initially and adopt a Silver City type ordinance. After some experience with that, the City could look at adding provisions such as are in the Santa Fe ordinance if it is felt that the City of Gallup wants to expand the scope of the ordinance beyond simply reducing the volume of litter. It was also felt that enforcement of the ordinance should be through Municipal Court rather than setting up a new administrative process.

Fiscal Impact: None
Recommendation: Adoption of the ordinance
Speaker's Name Curtis Hayes

Documents:

[PLASTIC BAG ORDINANCE FINAL.PDF](#)

E. Presentation And Information Items

1. FY 18 Quarterly Behavioral Health Program Reports

SUMMARY:

A quarterly update on behavioral health programs.

Fiscal Impact: None
Recommendation: Presentation only
Speaker's Name Debra L. Martinez

Documents:

[PARD QTRLY REPORT FY 2018 \(2ND QTR\) 4_30_18 \(1\).PDF](#)
[MCBHIZ 3RD QUARTER HIGHLIGHTS \(2\)FINAL.PDF](#)

2. Geographic Information System (GIS) Strategic Plan

This is a brief overview of the GIS Strategic Plan for 2018-2022. We will discuss why we did the plan, how it integrates with the City's Strategic Plan, briefly discuss the vision and goals, and provide a couple of benefits of the plan.

Fiscal Impact: None
Recommendation: Presentation only
Speaker's Name Brian Archuleta - Director of Technology Services

Documents:

[GIS STRATEGIC PLAN - 2018.PDF](#)

F. Motion To Adjourn Into Closed Session

For the purpose of discussing the possible acquisition of real property, pursuant to NMSA 10-15-1(H)(8).

G. Motion To Reconvene Regular Meeting

H. Certification For The Record Of The Matters Discussed During The Closed Session

I. Comments By Public On Non-Agenda Items

The public is invited to comment on items not appearing on the published meeting agenda.

J. Comments By Mayor And City Councilors

K. Comments By City Manager And City Attorney

L. 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.