

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec, at 7:00 p.m. on Tuesday, February 23, 2010.

The meeting was called to order by Mayor Harry Mendoza.

Upon roll call, the following were present:

Mayor: Harry Mendoza

Councilors: John J. Azua
Mike Enfield
Allan Landavazo
E. Bryan Wall

Also present: R. David Pederson, City Attorney/Acting
City Manager

Mayor Mendoza presented a Certificate of Recognition and Acknowledgement from the Mexico State Senate which designated February 11, 2010 as McKinley County and City of Gallup Day at the New Mexico Legislature. A copy of said Certificate is attached hereto and made a part of these official Minutes.

Mayor Mendoza said the adjournment into closed session for the purpose of discussing personnel matters concerning the public hearing requested by Gerald Herrera, City Manager, will be moved towards the end of this Regular Session.

Presented to the Mayor and Councilors for their approval were the Minutes of the Work Session and Regular Session of February 9, 2010.

Councilor Enfield made the motion to approve the aforementioned Minutes. Seconded by Councilor Wall. Roll call: Councilors Enfield, Wall, Landavazo, Azua and Mayor Mendoza all voted aye.

Presented to the Mayor and Councilors were the following Consent Agenda Items:

1. Resolution R2010-10; A Resolution Supporting Public and Private Investment in an Inclusive Local Green Economy by Focusing Funds from the American Reinvestment and Recovery Act (ARRA) of 2009 on Green-Collar Job Creation and Training – Anna Rondon, Coordinator, New Energy Economy/1Sky NM

Mayor Mendoza presented the proposed Resolution which supports the creation of green-collar jobs and training. He also recommended the appointment of Ms. Rondon as the City's coordinator to secure ARRA funding for green-collar initiatives.

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2. Resolution R2010-8; A Resolution Authorizing the Execution and Delivery of a Water Project Fund Grant Agreement By and Between the New Mexico Water Trust Board and the New Mexico Finance Authority (the "Grantors") and the City of Gallup (the "Grantee") in the Amount of \$5,883,865 (Grant No. 111-WTB) – Lance Allgood, Executive Director, Gallup Joint Utilities
3. Resolution R2010-9; A Resolution Authorizing the Execution and Delivery of a Water Project Fund Grant Agreement By and Between the New Mexico Water Trust Board and the New Mexico Finance Authority (the "Grantors") and the City of Gallup (the "Grantee") in the Amount of \$1,601,856 (Grant No. 150-WTB) – Lance Allgood, Executive Director, Gallup Joint Utilities

Mr. Allgood presented the proposed Resolutions for the design and construction of the Gallup Regional System Phase III of the Navajo-Gallup Water Supply Project. The total amount of funds received through the Water Trust Board Grants, including the two aforementioned grants, is about \$15 million. The 20% matches required for both grants are being met by the Indian Health Service for their construction commitment toward the project.

4. Approval of Fiscal Year 2009 Audit Report and Final Payment to Griego Professional Services, LLC – Judi Starkovich, Executive Director, Administrative Services Division

Mrs. Starkovich provided an overview of the following:

- Annual audit process
- Independent Auditors' Report
- Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards
- Report on Compliance with Requirements Applicable to Each Major Program and Internal Control Over Compliance in Accordance with OMB Circular A-133

Overall, there were two findings in the audit concerning the timeliness of deposits and itemized receipts. Management has submitted responses to both findings to correct the deficiencies. The auditor's report expresses an unqualified opinion on the City's financial statements, which is the best opinion that can be obtained from an audit. Since the audit is complete, staff is recommending approval of the final payment to the City's auditor, Griego Professional Services, LLC, in the amount of \$11,595.94. The total cost of the audit is \$37,406.26.

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Mayor Mendoza said the auditor praised Mrs. Starkovich and her staff for their work in maintaining the City's financial statements.

Councilor Azua made the motion to approve Consent Agenda Items 1-4, including the appointment of Anna Rondon to serve as the City's coordinator to secure ARRA funding for green-collar initiatives. Seconded by Councilor Landavazo. Roll call: Councilors Azua, Landavazo, Wall, Enfield and Mayor Mendoza all voted aye.

Mayor Mendoza welcomed and acknowledged the students in the audience.

Councilor Azua made the motion to adjourn into closed session for the purpose of discussing personnel matters concerning the public hearing requested by Gerald Herrera, City Manager. Seconded by Councilor Enfield. Roll call: Councilors Azua, Enfield, Wall, Landavazo and Mayor Mendoza all voted aye.

The Mayor and Councilors adjourned into closed session, pursuant to Section 10-15-1-H.(2) of the Open Meetings Act, NMSA 1978.

Following the closed session, Councilor Enfield made the motion to reconvene the Regular Session. Seconded by Councilor Azua. Roll call: Councilors Enfield, Azua, Landavazo, Wall and Mayor Mendoza all voted aye.

Mr. Pederson certified for the record that the only matters discussed during the closed session were limited personnel matters concerning the public hearing requested by Gerald Herrera, City Manager, and there were no votes taken during the closed session, pursuant to Section 10-15-1-I.(1) of the Open Meeting Act, NMSA 1978.

Comments by Public on Non-Agenda Items:

None.

Comments by Mayor and City Councilors:

None.

Comments by City Manager:

Mr. Pederson said the public hearing requested by Mr. Herrera will be held on Thursday, March 4, 2010 at 7:00 p.m. at the El Morro Theater. Also, the March 9, 2010 Regular Session will be rescheduled for Thursday, March 11, 2010 since Mayor Mendoza will be in Washington, D.C. on official business. The Work Session on March 11th will be at 6:00 p.m. and the Regular Session at 7:00 P.M.

Councilor Wall asked why the public hearing needs to be advertised. Mr. Pederson said the City must inform the public that a quorum of the City Council will be present during

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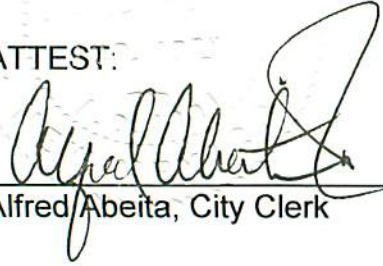
the public hearing as required by the Open Meetings Act. Councilor Wall said he understood the requirements under the Open Meetings Act; however he did not want numerous advertisements processed for the public hearing. Mr. Pederson said one small display ad will appear in both the Gallup Independent and the Gallup Herald.

There being no further business, Councilor Landavazo made the motion to adjourn the meeting. Seconded by Councilor Enfield. Roll call: Councilors Landavazo, Enfield, Wall, Azua and Mayor Mendoza all voted aye.



Harry Mendoza, Mayor

ATTEST:



Alfred Abeita, City Clerk

Approved 3/11/2010


The Legislature
of the
State of New Mexico

FORTY-NINTH LEGISLATURE
SECOND SESSION, 2010

The New Mexico State Senate
Does Hereby Extend its Recognition and Acknowledgment to
McKINLEY COUNTY AND CITY OF GALLUP

WHEREAS, McKinley County and the City of Gallup are the northwestern gateway to New Mexico; and

WHEREAS, McKinley County and the City of Gallup reflect the rich cultural, recreational and economic diversity of New Mexico; and

WHEREAS, McKinley County has the greatest number of Native American residents of any New Mexico County and is the home of the members of the Navajo Nation and the Pueblo of Zuni who reside in New Mexico; and

WHEREAS, McKinley County is the home of Red Rock Park and of one of the largest gatherings of Native Americans, the Annual Intertribal Indian Ceremonial; and

WHEREAS, McKinley County incorporates the Continental Divide, which separates the watersheds of the Pacific and Atlantic Oceans; and

WHEREAS, the City of Gallup is the home of the Gallup National Historic District; and

WHEREAS, the City of Gallup is a center of commerce for the members of the Navajo Nation and has been a corridor for cross-country rail traffic since the nineteenth century;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that February 11, 2010 be designated as "McKinley County and City of Gallup Day" at the New Mexico Senate to honor and showcase the many facets of McKinley County and of the City of Gallup; and

BE IT FURTHER RESOLVED that copies be transmitted to the Board of County Commissioners of McKinley County and to the Mayor and City Council of the City of Gallup.

Signed and Sealed at The Capitol,
in the City of Santa Fe.




Timothy Z. Jennings, President Pro Tem
New Mexico State Senate


Senator George K. Muñoz
New Mexico State Senate


Lenore M. Naranjo, Chief Clerk
New Mexico State Senate