

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, April 27, 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 Manager & City Attorney

The Mayor and Councilors proceeded with the agenda from the previous Work Session:

3. **First Reading:** A Proposed Parameters Ordinance Authorizing the Issuance of City of Gallup Gross Receipts Tax Refunding and Improvement Revenue Bonds, Series 2010 – Mark Valenzuela, George K. Baum & Company and R. David Pederson, City Manager/City Attorney

Mr. Valenzuela presented the financing schedule and the first reading of the proposed Ordinance authorizing the refunding of the Series 2000 Bonds and the issuance of new bonds in the amount of \$12 to \$13 million for capital improvement projects. Chris Muirhead of the Modrall Sperling Law Firm said the proposed Ordinance will be considered by the Mayor and Councilors during the May 25, 2010 Regular Council Meeting. Mr. Muirhead said the projects are listed as broadly as permitted under state statute in order to provide maximum flexibility for the City. The City will pledge its state shared gross receipts tax revenues and the capital outlay gross receipts tax revenues for repayment of the debt. Mr. Muirhead also said the proposed Resolution Declaring the Intent of the City Council to consider the adoption of the Parameters Ordinance will be presented during the Regular Meeting Agenda.

Councilor Enfield asked if the refunding of the bonds is one scenario and the issuance of new bonds is another scenario. Mr. Muirhead said the Bond Ordinance addresses both issues as the Mayor and Councilors will have flexibility to determine the use of the bond proceeds until the adoption of the Ordinance on May 25, 2010.

Mr. Pederson said staff will be working on the actual cost estimates for the projects to be considered under the bond issue.

Mayor Mendoza recommended the presentation of Consent Agenda Item 1 of the Regular Session Agenda at this time:

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1. Resolution R2010-17; A Resolution Declaring the Intent of the City Council of the City of Gallup, New Mexico to Consider for Adoption an Ordinance Authorizing Issuance of the City of Gallup, New Mexico Gross Receipts Tax Refunding and Improvement Revenue Bonds, Series 2010 – R. David Pederson, City Manager/City Attorney

Mr. Pederson recommended the approval of Resolution R2010-17 which will allow the City's financial advisors to move forward the preparations and requirements for the proposed bond issue.

Councilor Enfield made the motion to approve Resolution R2010-17. Seconded by Councilor Landavazo. Roll call: Councilors Enfield, Landavazo, Azua, Wall and Mayor Mendoza all voted aye.

The Mayor and Councilors returned to the Work Session Agenda. The following item was presented to the Mayor and Councilors for discussion only:

4. Update on Governor's Conference on Tourism – Bill Lee, Gallup-McKinley County Chamber of Commerce and Debbie Garcia, Economic Development Department

Mr. Lee said \$5.7 billion in revenue was generated by tourism in the State of New Mexico this past year. Mr. Lee said the Governor's Conference featured a photo of the Red Rock Balloon Rally on the conference agenda and a 20' x 13' banner featuring hot air balloons flying up against the rocks at Red Rock Park was on display in the main conference area where the meeting took place. The State's new marketing campaign entitled "Be Enchanted" is very impressive and features an ad filmed and photographed at Red Rock Park. Tourism is going to be more regionally and locally based as efforts will be focused on keeping New Mexicans traveling within New Mexico. The New Mexico Department of Tourism has created "A Day of Enchantment Campaign" which features a contest which will award \$10,000 for taking the best photo capturing the best moment of enchantment. The Gallup Chamber of Commerce and the Convention and Visitors Bureau were able to obtain \$36,650 last year in marketing co-op grants which will be used for a DVD production project which will highlight Gallup's annual events and surrounding attractions, funding for an advertising campaign for the Inter-Tribal Indian Ceremonial and funding for the Visitors Guide. Mr. Lee and Ms. Garcia have established relationships with the Department of Tourism and will be working on promoting Gallup in the upcoming New Mexico Centennial. Mr. Lee provided an overview of the Route 66 Freedom Ride and Flight, which will take place on May 15-16, 2010. The Freedom Ride and Flight will also feature the launch of a one person gas balloon from Gallup to be flown at 42,000 feet in the air, which will be a world record attempt. Other upcoming events taking place in Gallup will be the Fireball Run, the New

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Mexico Rural Economic Development Conference, Route 66 Motor Tour, and the New Mexico Energy and Management Services Conference. Mr. Lee said a bid will also be made to host the 2011 Tourism Association of New Mexico Marketing and Research Conference.

Mayor Mendoza thanked Mr. Lee and Ms. Garcia for their work. Councilor Azua asked if there have been any improvements in the State's funding allocations for tourism. Mr. Lee responded no as \$250,000 has been cut in marking co-op grants. Mr. Lee also said tourism is in jeopardy of losing more money based on current financial condition of the State.

Mr. Pederson congratulated Mr. Lee for being appointed to the State Tourism Association of New Mexico Board.

The Mayor and Councilor proceeded with the Regular Meeting Agenda.

The Mayor and Councilors presented a Certificate of Appreciation to Perry Null and Wilford Begay of Perry Null Trading Company for producing a silver eagle dancer kachina which has become a permanent fixture aboard the USS New Mexico, a Virginia-class nuclear attack submarine. The Mayor and Councilors also presented a Certificate of Appreciation to Reserve Sgt. John Goins of the McKinley County Sheriff's Department, for being a recipient of the 2010 Law Enforcement Recognition Honoring Heroes Award. Yolanda Azua of the DWI Awareness Committee also presented a gift to Sgt. Goins for his exemplary service in combating DWI. The Mayor and Councilors presented a proclamation declaring Friday, April 30, 2010 as DWI Awareness Day and a proclamation declaring Saturday, May 8, 2010 as National Train Day.

Presented to the Mayor and Councilors for their approval were the Minutes of the Work Session and Regular Session of April 13, 2010.

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

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

2. Request for the Closure of Aztec Avenue from Eleventh Street to Second Street for the Annual Memorial Day Parade to be Held on Monday, May 31, 2010 – Lisa Baca Diaz

Mayor Mendoza asked if there were any questions concerning the proposed street closures. There were none.

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3. Resolution R2010-16; A Resolution by the Gallup City Council Directed to the State of New Mexico Energy, Minerals and Natural Resources Department-State Parks Division Under the New Mexico Recreational Trails Fiscal Year 2010 Grant Program for a Motorized Diversified Use Trails Project – Clyde (C.B.) Strain, Community Planner

Mr. Strain presented the proposed Resolution supporting the grant application to the Recreational Trails Program (RTP) for Phase III of the All Terrain Vehicles/Off Highway Vehicles (ATV/OHV) Park Project. He also presented the Five Year Development Plan for the project which illustrates the description of the work under the various phases of the project. The grant application will be for \$150,000 which will be used for archaeological clearances and engineering, site and facilities design, signage, tract and trails construction for an additional 10 miles, additional site amenities and fencing/access control. The grant requires an 80/20 match with RTP providing 80% of the funds and the City providing 20%. The City may utilize the in-kind services provided by the Youth Conservation Corps (YCC) and the Red Rock Motor Sports as its contribution towards the 20% match. As a result of the contribution of in-kind services, RTP will provide \$115,000 (76% of the grant), the City \$25,000 (17% of the grant) and the in-kind services amount to \$10,000 (7% of the grant) for a total of \$150,000.

4. Ordinance C2010-4; An Ordinance Concerning Zoning; Amending Title 10 (Land Development Standards) Chapter 3 (Definitions and Illustrations) Section 10-3-2 (General Definitions) of the Municipal Code of the City of Gallup by Deleting Certain Definitions Relating to Floodplain or Flood Prone Areas – Clyde (C.B.) Strain, Community Planner

Mr. Strain said the proposed text amendment replaces the outdated definitions with new definitions in accordance with the previous revisions made to the Land Development Standards concerning Floodplain Zoning Regulations.

Councilor Landavazo made the motion to approve Consent Agenda Items 2-4. Seconded by Councilor Wall. Roll call: Councilors Landavazo, Wall, Enfield, Azua and Mayor Mendoza all voted aye.

The following Discussion/Action Topic was presented to the Mayor and Councilors:

5. Approval of a Temporary Pay Increase for the City Manager – Mayor Harry Mendoza

Mayor Mendoza said the matter was discussed during the closed session which was held during the last regular meeting.

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Councilor Enfield made the motion to approve a 10% temporary pay increase for the City Manager. Seconded by Councilor Wall. Roll call: Councilors Enfield, Wall, Landavazo, Azua and Mayor Mendoza all voted aye.

Comments by Public on Non-Agenda Items:

Esco Chavez asked the Mayor and Councilors to consider a new library and a new building for the Boys and Girls Club with the use of the proceeds of the bond issue.

Comments by Mayor and City Councilors:

Mayor Mendoza asked when the open truck service for trash collection will take place. Lance Allgood, Executive Director, Gallup Joint Utilities Division, said the service will be provided during the month of May and customers may call the Solid Waste Department to schedule an appointment for collection. As a side note, Mr. Pederson said the City of Farmington decided to cut down on the amount of open dumpster trash picks due to budget constraints.

Comments by City Manager:

Mr. Pederson said Blue Cross Blue Shield of New Mexico has been given the authority to raise insurance premiums over 20%. The increase does not currently affect the City of Gallup; however, he believes there will be a significant increase in premiums when the current contract with Blue Cross Blue Shield expires. He will work with Judi Starkovich, Executive Director, Administrative Services Division, on a contingency plan on the matter and hopes that employees will not be forced to contribute more money for insurance in lieu of pay increases. Mayor Mendoza recommended placing the City's insurance coverage out for competitive bid at the proper time and to carefully review the proposals submitted. Mr. Pederson also said the budget for next fiscal year will be presented to the Mayor and Councilors for their review and discussion at the next regular meeting. Mr. Pederson said the requests for capital outlay and additional personnel have been deferred until a later time in order to produce a balance budget. Purchases this fiscal year will be cut earlier than usual. Mr. Pederson said Chief Robert Cron, Gallup Police Department, has been appointed as the representative for the State of New Mexico to the Rocky Mountain Information Network. The law enforcement network shares intelligence related to gang, drug trafficking and interstate crimes. Mr. Pederson commended Chief Cron for his appointment and involvement in the Network. Based on recent legislation by the State of Arizona concerning enforcement mechanisms allowed to verify a person's immigration status, Mr. Pederson recommended the creation of a City policy to prohibit City of Gallup employees to travel and to attend training sessions, conferences and seminars in Arizona. Mr. Pederson said he does not want to send any employees to a place where they may be subjected to harassment by government officials based on the way they look or speak. Mr. Pederson said the issue is a moral issue and unless the State of Arizona repeals the law or if the law is overturned by the courts, the City of Gallup does not have to do

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business with the State of Arizona. Unless the Mayor and Councilors have any objections, he will proceed with the creation of the policy. Mayor Mendoza said he did not have any problems returning from his vacation in Mexico; however, he was not sure if he was going to be harassed while traveling through Arizona. Councilor Wall said there are about half of a million people that immigrate to Arizona from Mexico illegally. Councilor Wall said the illegal immigrants send their children to schools in Arizona, receive medical care and the federal government does not provide any funding for the expenses incurred by the illegal immigrants. The Arizona economy is down due to the low real estate market and New Mexico will soon have the same problem unless the federal government steps up to the plate and provides help in addressing the problem. Mr. Pederson said he did not agree with violating people's constitutional rights based on their appearance and the new law is an ill advised way of handing such problems. Councilor Azua commended Mr. Pederson and said he will support the creation of the proposed policy.

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



Harry Mendoza, Mayor

ATTEST:



Alfred Abeita, City Clerk

Approved 5/11/2010