

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 15, 2011.

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. Presented to the Mayor and Councilors was the following discussion item:

3. Proposed Amendments to the Gallup Municipal Code Concerning Delinquent Utility Accounts – R. David Pederson, City Manager/City Attorney

Mr. Pederson presented an overview of the proposed amendments to the City's Ordinance concerning delinquent utility accounts. A copy of the proposed amendments entitled "Draft Utility Billing and Collection Ordinance" is attached hereto and made part of these official Minutes. Mr. Pederson said the proposed Ordinance would shorten the time frames involved in the billing process and the reaction time for City staff to address delinquent accounts. Regarding #5 of the proposed amendments, Mr. Pederson said Councilor Enfield recommended allowing City staff to authorize payment agreements for accounts under \$1,000 and the City Manager should authorize agreements over \$1,000. Mr. Pederson said he will also include a provision in the proposed Ordinance, similar to state law, to address accounts holders that are seriously or chronically ill.

Mayor Mendoza asked if the problem as been addressed with City staff holding payments for several days before applying the payments to customer accounts. Mayor Mendoza said the seven days specified by the proposed Ordinance would make a difference if a customer did not pay their bill on time. Mr. Pederson said he was not aware of the problem as there would be no reason to hold the payments from being applied and deposited. Mr. Pederson said he would look into the matter.

Councilor Enfield asked if the property owners would be responsible for outstanding bills that are left behind and not paid by vacating tenants. Mr. Pederson said the property

## MINUTES

Regular City Council Meeting – 2/15/2011

Page 2

owner would not be responsible for any outstanding bills for their tenants as long as the property owner submits a disclaimer to the City. In addition to shortening the time periods in the City's billing system, Mr. Pederson said the City is requiring customers to pay a two month service deposit based on the historical usage for each location in an effort to minimize the City's financial losses for outstanding utility bills.

Following discussion, the Mayor and Councilors proceeded with the Agenda of the current Regular Meeting.

Presented to the Mayor and Councilors were the Minutes of the Work Session and Regular Session of January 11, 2011 and the Minutes of the Work Session and Regular Session of January 25, 2011.

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

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

1. Resolution No. R2011-5; A Resolution Endorsing the Bureau of Reclamation (BOR) Grant #R11SF40009 Application and Implementation of the City of Gallup "Smart Toilet" High Efficiency Toilet Distribution Program – Lance Allgood, Executive Director, Gallup Joint Utilities Division

Mr. Allgood said the previous Application for the BOR Grant was unsuccessful and City staff is proposing to submit a second application for the funds. If the City is successful in obtaining the grant, \$50,000 will be provided by the BOR to provide high efficiency toilets to qualified customers to be installed by a licensed plumber. The grant requires a City match of \$25,000 which will be fulfilled by providing in-kind service hours by City staff and environmental gross receipts tax funds.

Councilor Wall asked how a licensed plumber is selected for the program. Mr. Allgood said three contractors for the program will be selected through a competitive bid process.

2. Resolution R2011-6; Fiscal Year 2011 Budget Revision #2 – Judi Starkovich, Executive Director, Administrative Services Division

Mrs. Starkovich said the budget revision encompasses all budget changes processed

## MINUTES

Regular City Council Meeting – 2/15/2011

Page 3

through December 31, 2010. There is an increase in general fund expenditures of \$72,946 and revenues will be increased by \$103,620, primarily for grants received for the Police Department law enforcement programs. For the general fund, the City will continue to maintain its 11% reserve requirement established by the Mayor and Councilors. In a few days, the City will be receiving its gross receipts tax distribution from the State for the retail sales during the past Christmas shopping season.

Councilor Enfield asked for an estimate of the gross receipts tax distribution for the past Christmas shopping season. Mrs. Starkovich said she is hoping the distribution will be over \$2 million. Mr. Pederson said the City's lodgers' tax and gasoline tax revenues have recently increased and departments have managed to keep their expenditures at or below budgeted levels. Mrs. Starkovich said departments will also need to maintain expenditures for employee overtime and to refrain from hiring seasonal employees earlier than needed.

Following discussion, Councilor Azua made the motion to approve Consent Agenda Items 1 and 2. Seconded by Councilor Enfield. Roll call: Councilors Azua, Enfield, Wall, Landavazo and Mayor Mendoza all voted aye.

### **Comments by Public on Non-Agenda Items**

Jay Dee Pfannenstiel thanked the Mayor and Councilors for providing transportation for local seniors to travel to Santa Fe for Seniors Day during the current Legislative Session. Mr. Pfannenstiel expressed his concerns with not being permitted to attend a meeting taking place with the Retired Senior Volunteer Program (RSVP). Mr. Pederson said RSVP does not formulate public policy and normally conducts their program discussions with interested seniors during open meetings. Mr. Pederson said he would look into the matter. Councilor Enfield said there will be a public hearing on Thursday, February 24, 2011 at 1:30 P.M. at the Northside Boys and Girls Club Gymnasium to discuss the Northside Multi-Generational Center Revitalization Project. Councilor Enfield said he was invited to attend the meeting in question to discuss a proposed design that will be presented during the public hearing on February 24<sup>th</sup>. Mr. Pfannenstiel said he was involved in the project and was very concerned about not being permitted to attend the private meeting concerning the project.

### **Comments by Mayor and City Councilors**

Mayor Mendoza said the Gallup Housing Authority inspected the work of improvements done at the Ford Canyon Senior Citizens Housing Project earlier in the day. When he first became Mayor, there was an 80% vacancy rate for public senior housing and based on the improvements made by the Gallup Housing Authority, there is currently an 80% occupancy rate. He commended the work of the Gallup Housing Authority for the

## MINUTES

Regular City Council Meeting – 2/15/2011

Page 4

recent improvements made in the amount of \$400,000. He asked Mr. Pederson to draft a letter from the City to the Gallup Housing Authority commending them for their work.

### **Comments by City Manager**

Mr. Pederson recommended rescheduling the next Regular Meeting to Wednesday, March 9, 2011 due the March 8, 2011 Regular Municipal Election. C.B. Strain, City Planner, recommended moving the regularly scheduled Planning and Zoning Commission meeting, which is scheduled for March 9, 2011, from the City Council Chambers to the Gallup Joint Utilities Administration Conference Room. There were no objections from the Mayor and Councilors.

Rather than adjourning into Closed Session for the purpose of discussing personnel matters, Mr. Pederson informed the Mayor and Councilors that he requested the resignation Pete Kelly, Economic Development Director. Mr. Pederson said Mr. Kelly was given time to consider a severance package that was offered to him and at 4:00 p.m. today, Mr. Kelly advised that he would not accept the severance package. As a result, Mr. Pederson advised that Mr. Kelly was terminated from City employment.

Mayor Mendoza said the City's Grant Writer has obtained a total of \$823,824 in grants to the City since the Grant Writer started his employment with the City in January, 2009. Mayor Mendoza also said the Grant Writer is currently working on the Choice Neighborhood's Grant for \$20 million, America's Historical and Cultural Organization and Implementation Grants for \$200,000, BOR Challenge Grants for a total of \$48,000, Rural Innovation Fund for \$2 million, Environmental Work Force Development and Job Training Grant for \$300,000, and a Rural Sexual Assault Assistance Grant for \$600,000.

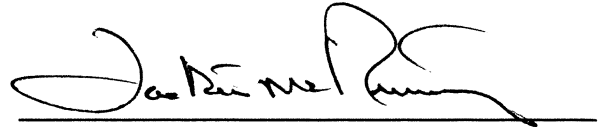
Based on Mr. Kelly's departure, Mr. Pederson said Kevin Killough, Grant Writer and Debbie Garcia, Convention and Visitors Bureau Specialist, will report to Judi Starkovich, Executive Director, Administrative Services Division until further notice. The responsibility of the Northside and Southside Senior Centers will be transferred to Ben Welch, Executive Director, Parks and Recreation Division until further notice. Mr. Pederson said he met with Jeff Kiely and Bob Kuipers of the Northwest New Mexico Council of Governments concerning an upcoming Economic Development Leadership meeting and asked them to provide information to City staff from the meeting. Mr. Pederson also said the Economic Development Director's position will not be immediately filled.

MINUTES

Regular City Council Meeting – 2/15/2011

Page 5

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



Jackie McKinney, Mayor

ATTEST:

  
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Alfred Abeita, City Clerk

Approved 3/22/2011