

City Council discusses amendments to Business Improvement District ordinance

Written by By Cody Begaye Sun Correspondent
Friday, 28 February 2020 06:39



Possible reduction of voting members

The Gallup City Council heard the reading of an ordinance that amends the Business Improvement District Ordinance to bring the BID into compliance with the New Mexico statute that enables the creation of BID districts at their Feb. 18 meeting.

This is the aftermath of a lengthy discussion the council had with several members of the BID during their meeting Dec. 10. The council debated whether or not to dissolve the BID or update the ordinance with clear directions to guide the BID into fulfilling its duties.

Some of the amendments requested by city councilors in the December meeting included the requirement of a monthly report, individual contact with BID members by the Executive Director, and an annual meeting with the members to receive their input.

Another amendment specified by City Attorney Curtis Hayes was a timeline of activities, which states several factors, including setting a date for the previously mentioned annual meeting for BID members, and what should be discussed there.

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“The property owners and businesses within the district [will] express to the BID board how the businesses and property owners affected by the BID feel that the BID should manage its money,” Hayes said. “The theory is the management team would take that input and develop a budget and a list of projects and improvements the BID wants to undertake for the next year.”

Another ordinance item Hayes wanted to specify was the amendment to reduce the number of voting members on the BID from nine to seven.

“The original BID ordinance provided for nine voting members, but two of those were city members,” Hayes said. “When we re-upped the BID last year, we increased the voting membership of non-city members by two. It’s reducing it back to where it was previous to re-upping the BID.”

Francis Bee, BID executive director, was present at the meeting and said the board is happy with the proposed amendments. But he indicated one potential issue, which is a match of funds by the city.

These funds are provided when the council elects to match the revenue raised by the BID assessments, through benefit fees assessed to property and business owners, up to a dollar-for-dollar match.

The City Council would determine the percentage of the match after a progress report by Sept. 30, which can be up to 100% of the BID assessment revenue.

“If we don’t know about the proposed match [rate], we won’t be able to make our plans,” Bee said.

Mayor Jackie McKinney said it sounded like Bee was coming to the City Council with fears the council would take the city match away.

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“As long as people stand in compliance, that would never happen,” McKinney said. “We got to this point, not because we wanted to be here, but because of a petition from half your business district in what they felt the progress was, along with the director’s position.”

“As long as you have your ducks in a row, keep your nose clean, and do what the statute says you should do, there shouldn’t be a problem,” McKinney added.

Dist. 4 Fran Palochak said she strongly advocates for all of the amendments to the BID on behalf of all of the businesses and property owners within the district.

“I have to insist you visit all your shareholders,” Palochak said to Bee. “They have a right to know you and know what you’re doing, to attend an annual meeting. These are the people that are funding the BID. When you’re having a BID annual meeting, we can attend, your paying members can attend. It is not your BID, it is their BID. They are paying for it. They have a right to have a voice.”

The ordinance with the BID amendments was approved by the council with a 4-0 vote.

By Cody Begaye
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