

## McKinney asks governor to proclaim a state of emergency

Written by By Beth Blakeman Associate Editor  
Friday, 08 May 2020 05:37

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## Governor creates Navajo Nation Rapid Response Team

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Gallup's outgoing mayor Jackie McKinney asked for a state of emergency within the City of Gallup April 30. McKinney called on the governor to declare a state of emergency pursuant to "the Riot Control Act" (NMSA 1978 12-10-16 through 12-10-21) within the boundaries of the City of Gallup.

In his letter, McKinney said, "This request is being made as a result of the COVID-19 outbreak in our community, which constitutes an unprecedented health crisis. The virus has caused many deaths, stretched our medical facilities and resources to their capacity, and adversely impacted the welfare of the City of Gallup. Our community is unable to adequately address the outbreak without the imposition of certain restrictions necessary to regulate social distancing, public gatherings, sales of good[s], and the use of public streets."

The act to which McKinney refers states in Section 12-10-17 – Proclamation of emergency that "Upon request of the mayor of a municipality or the sheriff of a county or a majority of the members of the governing body of the municipality or county having jurisdiction and after finding that a public disorder, disaster or emergency which affects life or property exists in the state, the governor may proclaim a state of emergency in the area affected. The proclamation becomes effective immediately upon its signing by the governor, but the governor shall give public notice of its contents through the public press and other news media."

In Section 12-10-18 – Emergency restrictions, it lists that the governor may prohibit by proclamation any person being on public streets, parks or locations during specific hours; gatherings; the sale or purchase of or dispensing of alcoholic beverages; the use of certain streets and other activities to help maintain life, property or the public peace.

Now, that Louie Bonaguidi has been sworn in as Gallup's new mayor to take office at 12:01 am May 1, he will be the person who will take on this new challenge.

At her COVID-19 update on April 30, Lujan-Grisham did not respond to the request from McKinney. She did, however, respond privately to the letter.

Bonaguidi told the *Gallup Sun* that Lujan Grisham said, "You tell me what you want and we'll

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see if we can do it.”

Bonaguidi, says he doesn't know what his first act as mayor will be. He says he plans to go to the office May 1 and may be meeting with the governor on that day. He says if any actions are taken in connection with McKinney's letter, they will first go through a number of people.

“I can't make any decision without the council,” he said.

During the April 30 update, the governor's Human Services Secretary Dr. David Scrase displayed a slide showing the extent of the spread of COVID-19 in McKinley County, indicating health care is at maximum capacity.

For that reason, he explained, the state has begun a process to transfer people to other locations. Scrase said approximately 40 people were transferred to beds in Albuquerque during the week of April 19 and another 30 were transferred during the week of April 26.

He added that Albuquerque ICUs are now overfull and working on doubling capacity to take in these patients.

Lujan Grisham did mention one way in which her team in Santa Fe is working to help the Navajo Nation. On April 30 she announced the creation of a Navajo Nation Rapid Response Team made up of nine members including:

Kevin Washburn, former Assistant Secretary for Indian Affairs

Brig Gen Miguel Aguilar, N.M. National Guard

Dr. Michele Suina, Cochiti Pueblo

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Dr. Kevin English, Albuquerque Area SW Tribal Epidemiology Center

Dr. Paul Roth, UNM Health Sciences

Dr. Leonard Thomas, Indian Health Service

Dr. Alex Eastman, U.S. Homeland Security

Roselyn Tso, Navajo Indian Health Service

Dr. Sara Lathrop, Office of the Medical Investigator

In terms of the general population of the state, the governor announced that the current public health order will expire at midnight April 30.

A new public health order begins May 1 and continues through May 15.

The differences include the following:

Non-essential retailers will be permitted to open up with curbside pickup and delivery service where allowed by their licenses.

State parks can reopen on a modified basis.

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Pet services such as grooming shops will be permitted to operate.

Veterinarians will be allowed to operate.

Golf course can open for golf only. There will be no dine-in food service or retail.

Gun stores can operate by appointment only.

Remaining closed will be offices, workspaces, retailers, dine-in restaurants and bars, indoor malls, gyms, salons, theaters, and casinos.

Mass gatherings are prohibited.

A 14-day quarantine order remains in place for out-of-state airport arrivals.

“It’s one thing to stay at home and not have to wear a mask,” she said... “That’s hard, but easy to manage... Now I’m asking you to potentially leave the house... But I want you wearing a face covering.”

As for the newly sworn-in mayor, Bonaguidi, mentioned his disappointment with the April 30 McKinley County Commission two-to-one-vote against making mask use mandatory.

“People should enforce it themselves,” he said.

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