

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, OCTOBER 23, 2018; 6:00 P.M. CITY COUNCIL CHAMBERS



Jackie McKinney, Mayor

Linda Garcia, Councilor, Dist. 1 Allan Landavazo, Councilor, Dist. 2
Yogash Kumar, Councilor, Dist. 3 Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager
Curtis Hayes, City Attorney

A. **Pledge Of Allegiance**

The members of the body and the public are invited to recite the Pledge of Allegiance.

B. **Roll Call**

C. **Approval Of Minutes**

Regular Meeting of October 9, 2018

Documents:

[DRAFT MINUTES OCT 9 2018 REG MTG.PDF](#)

D. **Discussion/Action Topics**

1. **Ordinance No. S2018-3; Haven H. Tiley Request To Vacate A Public Utility Easement**

Mr. Haven H. Tiley, property owner, has petitioned the Gallup City Council for vacation of a 12' wide, 128' long public utility easement (P.U.E.) on the property located at 411 Bortot Drive; more particularly described as Lot 6, Block 4, Bortot Subdivision.

When the Bortot Subdivision was platted in 1976 there was a twelve foot (12') public utility easement (P.U.E.) dedicated along the southern property boundary

line of lot 6. Utilities were never installed within this easement and there is no plan to install utilities within this easement anytime in the future. There are currently two existing structures encroaching into the easement making the structures non-conforming. The property owner wishes to vacate the existing public utility easement in order to bring the existing structures that are encroaching into the easement into compliance.

After reviewing this request the Gallup Task Force (GTF) has no issues with the proposed vacation of the public utility easements. GTF comments are included in your agenda packet for review.

It is the findings of staff based on Gallup Task Force (GTF) comments that Gallup Electrical Department has no issues with vacation of the described 12' wide 128' long public utility easement along the southern property boundary line of said property.

Gallup Planning and Zoning Commission reviewed this request at their regular meeting on October 10, 2018 and sends a positive recommendation for vacation of said public utility easement (P.U.E.) with Resolution of Recommendation No. RP2018-11.

Fiscal Impact:	None
Recommendation:	See recommendation in the above description.
Speaker's Name	C.B. Strain

Documents:

[HAVEN H. TILEY 12 FOOT PUE VACATION ORDINANCE.PDF](#)
[HAVEN H. TILEY EASEMENT VACATION SURVEY.PDF](#)
[HAVEN H. TILEY VACATION REQUEST RESOLUTION OF RECOMMENDATION NO. RP2018-11.PDF](#)
[HAVEN H. TILEY EASEMENT VACATION GTF COMMENTS.PDF](#)

2. Resolution No. R2018-30; Repeal Of The Official City Of Gallup Zoning Map And Adoption Of A New Official City Of Gallup Zoning Map

The City of Gallup Planning and Development Department has petitioned the Gallup City Council to repeal in its entirety the existing Official City of Gallup Zoning Map and adopt a new Official City of Gallup Zoning Map to coincide with the newly adopted Gallup Land Development Standards which eliminated all previous zoning district designations and adopted new zoning district designations.

On August 28, 2018 the Gallup City Council adopted the new City of Gallup Land Development Standards. As part of the adoption all previous zoning district designations were eliminated and new zoning district designations were adopted. The number of zoning districts was also reduced from twenty two districts to thirteen districts. The existing Official City of Gallup Zoning Map now must be repealed in its entirety and a new Official City of Gallup Zoning Map must be adopted to reflect the new zoning districts that were created and adopted with the new Land Development Standards.

City Code requires all comprehensive changes to the Official Zoning Map to be approved by City Council. The Planning and Zoning Commission is required to

send recommendation to City Council for any comprehensive changes to the Official City of Gallup Zoning Map.

The Planning and Zoning Commission reviewed this request at their regular meeting on October 10, 2018 and sends a positive recommendation for approval with Resolution of Recommendation No. RP2018-09

A demonstration of the new Official City of Gallup Zoning Map will be given to City Council by the GIS Department during the October 23rd City Council meeting.

Fiscal Impact: None
Recommendation: See recommendation in above description.
Speaker's Name C.B. Strain

Documents:

[OFFICIAL CITY OF GALLUP ZONING MAP REPEAL AND ADOPTION RESOLUTION NO. R2018-30 \(1\).PDF](#)
[SIGNED RESOLUTION OF RECOMMENDATION NO. RP2018-09.PDF](#)

3. Ordinance No. C2018-13; An Ordinance To Update Reference To The NM Uniform Traffic Ordinance

The City of Gallup has adopted the 2010 New Mexico Uniform Traffic Ordinance. However, the DWI section was amended. That section of the City Code refers to the 1990 New Mexico Uniform Traffic Ordinance. This amendment simply updates that reference to the current Uniform Traffic Ordinance.

Fiscal Impact: None.
Recommendation: Adoption of the ordinance.
Speaker's Name Curtis Hayes

Documents:

[6-1-2 AMENDMENT.PDF](#)

4. Ordinance No. C2018-14; Penalty Assessment Program Ordinance

A "penalty assessment" is a set fine for minor traffic violations. When an offender is ticketed by an officer, the offender can choose to pay the penalty assessment rather than go to court. Currently, the City of Gallup does not have a schedule of fines in our traffic ordinance. The city's tickets are using an outdated schedule based on the schedule that is set in state statute for magistrate courts, not municipal courts. This ordinance would establish a schedule of fines and a procedure for collection of payments that applies to municipal court. It is based on the New Mexico Uniform Traffic Ordinance.

Fiscal Impact: None.
Recommendation: Adoption of the ordinance.
Speaker's Name Curtis Hayes

Documents:

5. Resolution No. R2018-32; 1st Quarter FY2019 Budget Adjustments And Report Of Actuals

Each quarter, the Finance department reviews any changes to the budget and submits these changes to council for approval. The following areas are reviewed: personnel, operations, capital outlay and transfers in and out of each fund. The Department of Finance and Administration (DFA) requires Council to pass a resolution for all budget increases, decreases, and transfers between funds. DFA further requires approval of the report of actuals showing cumulative activity for the fiscal year. The report to DFA regarding budget revisions is due October 31, 2018.

This revision encompasses all budget changes processed July 1, 2018 thru September 30, 2018 (Quarter 1 of FY2019).

Fiscal Impact: None
Recommendation: Staff recommends approval of the budget adjustments and report of actuals.
Speaker's Name: Patty Holland

Documents:

[BUDGET RESOLUTION FY18 Q4.DOCX](#)
[LGBMS ROA Q1.PDF](#)
[BAR Q1.PDF](#)

6. Resolution R2018-31; A Resolution Requesting Temporary Water Service Outside City Limits

Oscar Renda Contracting, Inc. is a Southland Holding company, based out of Dallas, Texas. Oscar Renda Contracting, Inc. won the \$62.5 million bid for NGWSP Blocks 9-11. Their project site is located across Highway 491 to the northeast of the Yatahey Pump Station.

Oscar Renda Contracting (ORC) has requested temporary water service outside of City Limits to support their project trailer and for limited use during concrete pouring operations (Attachment 1).

City of Gallup Code, specifically 8-1-7 B (3), states *"Nothing in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract, the furnishing of water service to any user outside the corporate limits that may be individuals or private legal entities upon conditions set by the city council in its sole discretion. (Ord. 2016-6, 5-24-2016) (Attachment 2)*

With respect to water usage, ORC will use up to an estimated 20,000-80,000 gallons of water per month (11,000 gallons per day when mixing concrete). With respect to fiscal impacts, it will mean additional revenue between \$650-1,000 per month for the next 12-18 months for the water enterprise fund.

There will be no additional costs to the City to produce and supply water to ORC. The only additional cost incurred by the City is the installation of the meter and meter can; however, this cost will be borne by the customer (\$3,870)

Resolution R2018-31 is attached, with conditions for temporary service (Attachment 3).

Fiscal Impact: Additional revenue between \$650-4,000 per month for the next 12-18 months for the water enterprise fund

Recommendation: Staff recommends approval of Resolution R2018-31 for temporary water service outside City Limits.

Speaker's Name Dennis Romero

Documents:

[ATTACHMENT 1 - OSCAR RENDA REQUEST LETTER.PDF](#)
[ATTACHMENT 2 - GALLUP CITY CODE TITLE 8 CHAPTER 6.PDF](#)
[ATTACHMENT 3 - R2018-31 CITY OF GALLUP WATER SERVICE.DOCX](#)

7. Request For Budget Adjustment For Change Order No. 4 For Reach 27.7A And 27.13 Construction Of The Navajo Gallup Water Supply Project

The Council approved the selection of the construction of Reach 27.7A and 27.13 to Smithco Construction in the amount of \$6,459,277.05 where \$4,295,167 was paid from WTB #334 and the remainder will be paid through the USBR Cooperative Agreement in the amount of \$2,164,110.05.

Completion of the project will require additional work that is stated in Change Order No. 4. This will add a total of \$11,486.70 to the project.

Scope of Work is attached: Summary of scope:

1. Expose and remove an existing 6-inch by 2-inch reducer on an NTUA water line south of Challenger Road. Replace source of water to Churchrock Elementary School from existing line to new NGWSP Reach 27.7A line.
2. Apply epoxy floor coating in addition to original design to Church Rock Meter Station, Sacred Heart Controls Building and Cresto II Booster Station.

Staff requests approval of Change Order No. 4 and the necessary budget adjustments in the amount of \$11,486.70 in order to fund this project.

Recommendation:

Recommend approval of a budget adjustment in the amount of \$11,487 for the project in revenues and expenses in Fund 306.

Fiscal Impact: A budget increase of \$11,487 with necessary budget adjustments in revenues and expenses in Fund 306. No net impact to City Budget.

Recommendation: See Above

Speaker's Name Dennis Romero

Documents:

[ATTACHMENT NO. 1 - CHANGE ORDER 4.PDF](#)

8. Reappointment Of Terry Proffitt, Brenda Duran And Eric Begay To The Labor Management Relations Board

The current makeup of the Labor Management Relations Board consists of the following members: Terry Proffitt representing management, Brenda Duran

representing labor and Eric Begay serving on the recommendation of the first two appointees of the board. The terms of the board members have expired and the members have all expressed interest to serve another one-year term.

Fiscal Impact: None.
Recommendation: Reappoint Terry Proffitt, Brenda Duran and Eric Begay to the Labor Management Relations Board
Speaker's Name Mayor Jackie McKinney

Documents:

[LABOR MANAGEMENT RELATIONS BOARD.PDF](#)

9. **Approval Of Budget Adjustment For FY 2018 Funding For Veterans Center Management Agreement**

Summary: The agreement for management of the Veterans' Center was approved by Council on March 28, 2017 and expires on June 30, 2019. City Council also approved annual funding in the amount of \$6,000 for Veterans Center management services in the FY 2018 and FY 2019 General Fund budget. When the NWNM Council of Governments ceased being the fiscal agent for the Veterans Committee, the Chamber of Commerce was approached to serve as the fiscal agent. Unfortunately, due to unforeseen circumstances, the Chamber did not invoice the City for the FY 2018 allocation of \$6,000. Consequently, the Veterans Committee is requesting that these funds be provided retroactively.

Fiscal Impact: Request a budget increase of \$6,000 from General Fund balance to pay for FY 2018 funding for the Veterans Center Management Agreement.
Recommendation: Approve \$6,000 budget adjustment from GF fund balance to 101-1025-411.47-05 for FY18 mgmt. agreement
Speaker's Name Maryann Ustick

Documents:

[VETERANS_MANAGEMENT_AGREEMENT.PDF](#)

10. **New Regional Animal Control Shelter Programming & Concept Development Study**

Briefing Summary: As part of the 18-2019 Community Improvement Plan, the City Council funded \$40K for design conception and fiscal programming of a new Regional Animal Control Shelter. To that end, Staff has solicited a proposal from Huitt-Zollars (HZI) - via our Architectural Professional Services contract - for programming and concept development.

This study will be similar in effort to the study done by HZI for a new Regional Library. However, this study will also include identifying several site locations for the City Council's consideration. HZI's proposal for this work is \$49,793.07.

(See attachment (a).)

Fiscal Impact: \$40,000 has already been approved by the City Council as part

of the CIP budget. An additional \$9,793.07 (say \$9,794) is required for award of the work. The required balance has been identified by Staff in the General Fund cash balance.

Please note that HZI's proposal only includes four site visits from Albuquerque to Gallup. Depending on the level of public involvement and site investigation required, more visits may be necessary. In addition, any change in Albuquerque's 7.875% GRT before project completion may also affect the final study cost.

Recommendation:

1. Approve the budget increase of \$9,794 from the General Fund cash balance into the CIP project line item.
2. Award the programming and conceptual development study to HZI of Albuquerque, NM for \$49,793.07 including NMGRT.

Fiscal Impact: Budget increase of \$9,794 from the GF cash balance into the CIP prj line item. See Comments Above

Recommendation: See Comments Above

Speaker's Name Stanley Henderson - Public Works Director

Documents:

[18-10-23_1A HZI PROPOSAL RE ANIMAL CNTRL SHELTER STDY.PDF](#)

11. New Regional Recreation Center Programming & Concept Development Study

Briefing Summary: As part of the 18-2019 Community Improvement Plan, the City Council funded \$40K for design conception and fiscal programming of a new Regional Recreation Center. To that end, Staff has solicited a proposal from Huitt-Zollars (HZI) - via our Architectural Professional Services contract - for programming and concept development.

This study will be similar in effort to the study done by HZI for a new Regional Library. HZI's proposal for this work is \$35,442.15. (See attachment (a).)

Fiscal Impact: \$40,000 has already been approved by the City Council as part of the CIP budget. However, Staff has discovered that the \$40,000 initial budget as approved by the City Council in the CIP was missed in the final City budget. To that end, the project budget needs restored to the City's 18-2019 budget. This funding has been identified by Staff in the General Fund cash balance.

Please note that HZI's proposal only includes four site visits from Albuquerque to Gallup. Depending on the level of public involvement and site investigation required, more visits may be necessary. In addition, any change in Albuquerque's 7.875% GRT before project completion may also

affect the final study cost.

Recommendation:

1. Approve \$35,443 project budget from the General Fund cash balance.
2. Award the programming and conceptual development study to HZI of Albuquerque, NM for \$35,442.15 including NMGRT.

Fiscal Impact: Budget increase of \$35,443 from the GF cash balance into a CIP prj line item. See Comments Above

Recommendation: See Comments Above

Speaker's Name Stanley Henderson - Public Works Director

Documents:

[18-10-23_2A HZI PROPOSAL RE GALLUP REC CENTER STDY.PDF](#)

12. New Regional Senior Center Programming & Concept Development Study

Briefing Summary: As part of the 18-2019 Community Improvement Plan, the City Council funded \$40K for design conception and fiscal programming of a new Regional Senior Center. Accordingly, Staff has solicited a proposal from Huitt-Zollars (HZI) - via our Architectural Professional Services contract - for programming and concept development.

This study will be similar in effort to the study done by HZI for a new Regional Library. However, this study will also include identifying several site locations for the City Council's consideration. HZI's proposal for this work is \$43,657.60. (See attachment (a).)

Fiscal Impact: \$40,000 has already been approved by the City Council as part of the CIP budget. An additional \$3,657.60 (say \$3,658) is required for award of the work. The required balance has been identified by Staff in the Fund 219 cash balance.

Please note that HZI's proposal only includes four site visits from Albuquerque to Gallup. Depending on the level of public involvement and site investigation required, more visits may be necessary. In addition, any change in Albuquerque's 7.875% GRT before project completion may also affect the final study cost.

Recommendation:

1. Approve the budget increase of \$3,658 from the Fund 219 cash balance into the CIP project line item.
2. Award the programming and conceptual development study to HZI of Albuquerque, NM for \$43,657.60 including NMGRT.

Fiscal Impact: Budget increase of \$3,658 from the Fund 219 cash balance

into the CIP prj line item. See Comments Above

Recommendation: See Comments Above

Speaker's Name Stanley Henderson - Public Works Director

Documents:

[18-10-23_3A HZI PROPOSAL RE GALLUP SENIOR CENTER STDY.PDF](#)

13. DISCUSSION ONLY: Future And Continuation Of Gallup Arts Crawl

Please refer to the attached document.

Fiscal Impact: None.

Recommendation: None - discussion only.

Speaker's Name Lynn Huenemann

Documents:

[L HUENEMANN REQUEST.PDF](#)

E. Comments By Public On Non-Agenda Items

The public is invited to comment on items not appearing on the published meeting agenda.

F. Comments By Mayor And City Councilors

G. Motion To Adjourn

Auxiliary aides for the disabled are available upon request. Please contact Alfred Abeita, City Clerk, at 505-863-1254 at least (1) week prior to the meeting or as soon as possible in advance of the meeting to make any necessary arrangements.

Pursuant to the "Open Meetings Act", NMSA 1978, Section 10-15-1 through 10-15-4 of the State of New Mexico, this Agenda was posted at a place freely accessible to the public 72 hours in advance of the scheduled meeting.