

## AGENDA

**GALLUP CITY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 13, 2024; 6:00 P.M.  
CITY COUNCIL CHAMBERS  
GALLUP CITY HALL, 110 WEST AZTEC AVENUE**



Louie Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1  
Sarah Piano, Councilor, Dist. 3

Michael Schaaf, Councilor, Dist. 2  
Ron Molina, Councilor, Dist. 4

Jon DeYoung, Interim City Manager  
David Eason, City Attorney

**The meeting will be accessible through the City of Gallup's Facebook Page:**

[City of Gallup, New Mexico Government - Home | Facebook](#)

**Members of the public may submit comment either in person or by telephone. To submit comment by telephone, please call 505-863-1254 to leave your name and a return phone number.**

**A. Roll Call**

**B. Pledge Of Allegiance**

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

**C. Certification For The Record Of The Matters Discussed During The Closed Session Held On February 13, 2024 At 4:00 P.M.**

**D. Comments By Public On Non-Agenda Items**

Members of the public are invited to comment on matters not appearing on the meeting agenda. A time limit of two (2) minutes per person will be allowed.

## E. Opening Discussion/Action Topic

### Action Regarding Matters Discussed During the Closed Session

Speaker: Mayor Louie Bonaguidi

## F. Consent Agenda

These items are placed on the Consent Agenda so City Council can designate by unanimous consent those routine items they wish to be approved or acknowledged by one motion. If any item does not meet the approval of all Council members or if a citizen so requests, it will be heard as a separate item.

### Action Needed:

Motion to approve or acknowledge Items 1-5 on the Consent Agenda by unanimous vote:

#### 1. Request For Parking Lot Closure For The Annual New Mexico State Police Conference And Vehicle Inspections To Be Held On Monday, April 29, 2024

The New Mexico State Police is requesting the closure of the lower parking lot north of the Courthouse Square from 8:00 a.m. to 4:00 p.m. on Monday, April 29, 2024. The State Police will be conducting their annual conference at the El Morro Events Center and their vehicle inspections at the Courthouse Square lower parking lot.

Fiscal Impact: None.  
Recommendation: NMSP recommends approval of the parking lot closure.  
Speaker's Name: Capt. Lauren Milligan, New Mexico State Police

Documents:

[EVENT PERMIT - NMSP CONFERENCE VEHICLE INSPECTIONS 2024.PDF](#)

#### 2. Request For Parking Lot Closures For Friday Night Rides-Cars & Coffee Events To Be Held On The First Friday Of The Month From April To November 2024

Camille's Sidewalk Cafe will present a request to close the City parking lots located in the northern section of the Courthouse Square for their car show. The monthly event will take place on the first Friday of the month, from April to November 2024, beginning at 6:00 p.m. Each event will conclude by 9:00 p.m.

Fiscal Impact: None.  
Recommendation: Camille's Sidewalk Cafe recommends approval of the parking lot closures.  
Speaker's Name: Bryanny Rich

Documents:

[EVENT PERMIT - FRIDAY NIGHT RIDES 2024.PDF](#)

### 3. Approval Of Enhancing Arts Services And Programs Contract Award

The City of Gallup previously received and accepted a legislative appropriation grant in the amount of \$75,000 for arts programming and projects in Gallup and McKinley County. The RFP for the project was published on November 25, 2023, and closed on December 14, 2023. One proposal was received and the Bid Tabulation is provided.

Funding was previously approved by Council with the acceptance of Appropriation No. 23-ZH9248 and a project was created.

Recommendation:

Staff recommends the approval of the award contract to GallupARTS and expenditures in the amount of \$75,000.

Fiscal Impact: None, funds for the project are budgeted in Project No. LA2407.

Recommendation: See recommendation in the summary.

Speaker's Name: Natasha Webster, Executive Assistant

Documents:

[CITY OF GALLUP\\_23-ZH9248.PDF](#)

[RFP TABULATION 2023.2024.07.P ENHANCING ARTS SERVICES AND PROGRAMS.PDF](#)

### 4. Airport And Sky City Pressure Reducing Station Final Pay Request

Airport and Sky City pressure reducing station project was completed in 2023, by abandoning the existing old pressure reducing station and building a new pressure reducing station in the existing Airport PRV station and construction of new pressure reducing station at Sky City. The change in the project scope was for the following 5 additional jobs at Airport and Sky City PRV stations.

1) Additional labor and equipment for standby time experienced during the night time waterline tie-in at Sky City.

2) Installation of two additional bollards to protect the air release valve at Sky City. Construction of new access road required that the bollards be placed on the corners of all of air release pads.

3) Labor and equipment required to install an additional 10 linear feet of chain link fence for proper spacing away from new gate valves and additional concrete to increase length of hotbox enclosure foundation.

4) Additional labor, equipment and material to fabricate chain link fence and install a second personnel gate on the west side of the Sky City PRV site to allow more working room for city personnel on the west side of the hotbox enclosure.

5) For labor, equipment and material to replace the electrical panel backing at Airport PRV station.

The original City contracted amount for construction and project management was \$ 358,272.38. After one revision by change orders No. 1, the City contracted amount was increased to \$ 15,455.15.

Change Order No. 2 was received by the City and issued by DePauli Engineering to revise the City contract to \$391,990.53, an increase of \$18,263.00. The change in the project scope was for the additional work required in the Airport and Sky city PRV stations.

A budget adjustment or transfer is not required since there are enough funds in the project to cover the Change Order.

Fiscal Impact: There is no Fiscal Impact since there are leftover funds in the project.

Recommendation: The Water Department recommends the approval of Change Order No. 2 and Final Pay Request.

Speaker's Name Clark Tallis

Documents:

[AIRPORT AND SKY CITY PR PE 4 FINAL.PDF](#)

**5. Award Of Contact, Formal Bid 2325, Sewer Improvements North Side Sewer Line Interceptor**

The Water and Wastewater Dept is recommending the award of the project, Sewer Improvements Northside Sewer line Interceptor, to DUB-L-EE, LLC of Albuquerque, NM in the total amount of \$4,283,076.56 including the New Mexico Gross Receipts Tax.

This project proposes to install approximately 5,200 ft of sewer line, manholes, a BNSF railroad crossing, a Puerco River crossing, Allison Road Crossing, and an I-40 crossing.

Funding for the project is from:

- NMDFA Fund 89200 Capital Appropriation Project 20-E27755 in the amount of \$1,644,314.56

- NMED Loan CWSRF-065 in the amount of \$2,638,762.00

Fiscal Impact: Funding has been approved and set up.

Recommendation: The Water and Wastewater Dept recommends award of the contract to DUB-L-EE, LLC

Speaker's Name Clark Tallis

Documents:

## G. Discussion/Action Topics

### 1. Resolution No. R2024 7; Accepting The FY 2023 Audit

The Audit for Fiscal Year 2023 was conducted by Hinkle + Landers. The report was filed timely and has been approved for release by the Office of the State Auditor. We are proud to inform you that an unmodified opinion was issued for both the financial statements and the federal awards. There is one finding for the City of Gallup in this report.

Finance and City Management will continue to work hard at ensuring we continue to maintain proper reporting with good controls, policies and adherence to those controls and policies.

Fiscal Impact: Having an unmodified opinion and only one finding is crucial to ensure no difficulties in state or federal funding as we have seen in prior years.

Recommendation: Staff recommends approval of Resolution No. R2024-7

Speaker's Name Patty Holland and Farley Vener

Documents:

[AUDIT RESOLUTION FY 2023.PDF](#)

[CITY OF GALLUP PUBLIC PRESENTATION OF RESULTS 2023.PDF](#)

### 2. Budget Adjustment To Fund Vehicle Replacement And Building Renewal & Replacement Funds

We have ended fiscal year 2023 with unspent expenditure funding in the general fund in the amount of \$12,459,125. The current policy is that we will move these funds into the vehicle replacement fund and building renewal and replacement fund to help with the purchase of general fund equipment and vehicle needs as well as general fund building needs for FY 2025. I am requesting budget authority to transfer these funds from the general fund into these funds as defined in policy.

Fiscal Impact: Budget and expenditure increase in transfers in/out in the amount of \$12,459,125

Recommendation: Approve budget adjustments listed above

Speaker's Name Patty Holland

### 3. Approval Of A Professional Services Proposal From Huitt-Zollers, Inc. For Schematic, Design Development And Construction Document Phases For The Regional Animal Shelter

Attached for the City Council's consideration and approval is the professional services fee proposal from Huitt-Zollers, Inc. of Albuquerque, NM. Said services are for the Schematic, Design Development and Construction documents of the Regional Animal Shelter project.

City Council approved Resolution No. R2021-10 for \$261,000.00 on March 9, 2021, Resolution No, R2022-30 for \$150,000.00 on August 23, 2022, and R2023-32 for \$400,000.00 on September 26, 2023 accepting the Grant Agreements to

fund the Regional Animal Shelter. As stated in the grant agreement all Appropriation Amounts minus the 1% allocation for the Arts in Public Places (AIPP amount).

Huitt-Zollers, Inc. proposal is for \$594,735.75 per the enclosed Fee Proposal.

Fiscal Impact: Fiscal Impact is \$594,735.75. All funds associated with the project have been designated with the accept grant agreements. All funds are designated to the following projects: LA2126 - \$146,366.00, LA2307 - \$148,500.00 and LA2410 - \$299,869.75 less AIPP.

Recommendation: Staff recommends approval of said fee proposal for the Schematic, Design and Construction documents.

Speaker's Name Clyde "C.B." Strain, Planning & Development Director

Documents:

[C-G REGION ANIMAL SHELTER LETTER PROPOSAL 09202023.PDF](#)

#### 4. **Public Hearing: Restaurant Liquor License Application Submitted By King Dragon 1212, LLC**

King Dragon 1212, LLC ("King Dragon") submitted a Restaurant Liquor License Application to the State's Regulation & Licensing Department on November 17, 2023. A copy of the Application is attached. In summary, the Application seeks approval for the issuance of a new Restaurant A – Beer and Wine Liquor License with on premise consumption to King Dragon for licensed premises at 1212 US 491; Gallup, New Mexico. The City has been informed that licensed premises is currently in use as a restaurant location, and that the Application has been submitted due to change in ownership or control. The Director of the Alcoholic Beverage Control Division of the State's Regulation & Licensing Department has reviewed the Application. The Director granted preliminary approval on or about December 22, 2023, notice of which was received by the City Clerk on January 2, 2024.

This matter is before the Council for quasi-judicial hearing on the question whether the Department should approve or disapprove the Application. The City's hearing power derives from its status as a Local Option District under the Liquor Control Act, Chapter 60, Articles 3A, 5A, 6A, 6B, 6C, 6E, 7A, 7B and 8A NMSA.

Certain procedures attending the hearing and the standards by which the Application may be approved or disapproved are set forth in NMSA 60-6B-4.

Under that provision, a hearing must occur within forty-five (45) days after the City's receipt of a notice of the Director's preliminary approval. If the City's decision is to approve or disapprove the Application, notice must be given to the Director within thirty (30) days following the hearing and, in the case of disapproval, the notice must set forth the reasons for disapproval and include a copy of the minutes of the hearing. If the City does not approve or disapprove the Application within thirty (30) days following the hearing, the Director may approve the Application.

Fiscal Impact: None.

Recommendation: None. This is a quasi-judicial hearing.

Speaker's Name David Eason

Documents:

**H. Comments By Mayor And City Councilors**

**I. Comments By City Manager And City Attorney**

**J. Motion To Adjourn**

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.