

## AGENDA

### GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, MARCH 23, 2021; 6:00 P.M.



Louie Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1      Michael Schaaf, Councilor, Dist. 2  
Yogash Kumar, Councilor, Dist. 3      Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager  
Curtis Hayes, City Attorney

**PUBLIC NOTICE: In accordance with the public health order issued by the New Mexico Department of Health, the meeting will be physically closed to the public; however, the meeting will be accessible via the following technology service:**

Facebook Live stream through the City of Gallup's Facebook Page:  
<https://www.facebook.com/CityOfGallup/>

**Members of the public may submit comment on non-agenda items. Please call 863-1254 to leave your name and a return phone number.**

**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**

Special Meeting of March 2, 2021  
Regular Meeting of March 9, 2021

Documents:

[DRAFT MINUTES MAR 2 2021 SP MTG.PDF](#)  
[DRAFT MINUTES MAR 9 2021 REG MTG.PDF](#)

**D. Presentation And Information Items**

## 1. 2021 Legislative Update

State Representative Patty Lundstrom will provide an update on the 2021 New Mexico Legislative Session.

Fiscal Impact: None.  
Recommendation: No action required - presentation item.  
Speaker's Name State Representative Patty Lundstrom

## 2. Strategic Plan Update

Each year the City of Gallup develops a strategic plan to help guide staff and track deliverables for the community.

Fiscal Impact: None.  
Recommendation: No action required - presentation item.  
Speaker's Name Jon DeYoung

Documents:

[STRATEGIC PLAN TRACKING SHEET 2020-2021.PDF](#)

## E. Discussion/Action Topics

### 1. Restore Funding For Furloughed Indoor Recreation Facility Positions

City Council approved the FY 2021 Budget which reduced many city services due to the impact of the pandemic on revenues and the restrictions on in person gatherings. City Council approved the closure of the following indoor recreation facilities: Larry Brian Mitchell, Harold Runnels, Aquatic Center, El Morro Theatre and Events Center, Cecil Garcia Fitness Center and Red Rock Park Convention Center and Arena through September 30, 2020. This action included a furlough of fifty-four full time, part-time and seasonal positions through September 30, 2020. Due to the Governor's Public Health Order restrictions, the staff furlough and closure of indoor recreation facilities were extended multiple times through March 23, 2021.

Since McKinley County has now moved from the Red Level of restrictions in the Governor's Public Health Order to the Green Level, Indoor Recreation facilities can be open with varying levels of occupancy restrictions based on the use. Based on a review of the Green Level of restrictions on indoor recreation in the Public Health Order, staff has concluded that the following furloughed positions should be brought back to work and funded effective March 24, 2021 so these facilities can be reopened to the public:

1. Cecil Garcia Fitness Center (Opening April 1, 2021): Supervisor (1), Maintainer (1) and Recreation Coordinators (2)
2. Gallup Aquatic Center (Opening April 12, 2021): Supervisor (1), Head Lifeguard (1), Maintainer (1) and Part-time Lifeguards (3)
3. Larry Brian Mitchell (Opening April 12, 2021): Recreation Coordinators (2)
4. El Morro Theatre and Events Center: Theatre Manager (1)

The following furloughed positions should be brought back to work and funded effective April 23, 2021 so the El Morro Theatre can be reopened to the public:

1. El Morro Theatre (Opening April 30, 2021): Part-time Theatre Assistants

(4)

Staff is recommending that the Harold Runnels facility and Red Rock Park (does not include the campground) remain closed pending a decision by City Council on the upcoming FY 2022 Budget. Three existing employees, funded by Lodgers Tax, remain at Red Rock Park to oversee maintenance of the convention center, arena and park and operation of the campground.

Recommendation:

Approve the reopening of Cecil Garcia Fitness Center (April 1, 2021), Gallup Aquatic Center (April 12, 2021), Larry Brian Mitchell (April 12, 2021) and El Morro Theatre and Events Center (April 30, 2021) and restore funding for the following positions furloughed in the FY 2021 budget:

1. Supervisor, Maintainer and two (2) Recreation Coordinators at Cecil Garcia Fitness Center on March 24, 2021
2. Supervisor, Head Lifeguard, Maintainer and three (3) Part-time Lifeguards at Gallup Aquatic Center on March 24, 2021
3. Two (2) Recreation Coordinators at Larry Brian Mitchell Center on March 24, 2021
4. Theatre Manager at El Morro Theatre and Events Center on March 24, 2021
5. Four (4) Part-time Theatre Assistants at El Morro Theatre on April 23, 2021.

Fiscal Impact: Approximately \$53,000 per month when all furloughed positions are funded.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick

Documents:

[FURLOUGHED POSITIONS\\_FACILITIES.PDF](#)

**2. Request For Budget Adjustment For Change Order No. 1 For Marce Court Sewer Line Repair (Formal Bid 2016)**

The City of Gallup advertised for bids for the replacement of a sewer line located at Marce Court.

Bids were accepted and the bid was awarded to Dallago Corporation in the amount of \$199,925.

Due to some additional work that needed to be done and adjustment of final quantities, a change order was submitted for that work. The additional work was necessary due to unforeseen site conditions, which involved the deterioration of existing sewer lines and manholes that were originally not slated for replacement. Replacement of these manholes required bypass pumping, as detailed in Attachment 1, which led to a higher cost.

Change Order No. 1 - Final has been proposed in the amount of \$11,976.87.

A budget adjustment will be necessary in order to process the change order. A budget adjustment in the amount of \$11,980 is requested from the Operating Cash in Fund 508.

Fiscal Impact: A budget adjustment in the amount of \$11,980 from the Operating Cash in Fund 508.

Recommendation: Approval of Change Order No. 1 - Final and the necessary budget adjustment.

Speaker's Name Dennis Romero

Documents:

[MARCE COURT CHANGE ORDER NO. 1-FINAL.PDF](#)

### **3. Request For Budget Adjustment In Overtime In Water Dept And Budget Adjustment For FICA In Wastewater**

Due to a higher than average demand for repair services in the water distribution system, the amount of funding budgeted for overtime for the water department this fiscal year is close to being fully depleted.

Due to associated increases in overtime in the wastewater collections system, a budget adjustment for the FICA-Social Security and FICA-Medicare budget line items is needed in the wastewater budget.

Staff requests a budget adjustment of \$65,000 into the overtime budget line item to carry through the end of the fiscal year. Budget adjustment would come from Fund 506, Water Enterprise Fund.

Staff requests a budget adjustment of \$6,000 into the FICA-Medicare line item to carry through the end of the fiscal year. Budget adjustment would come from Fund 508, Wastewater Enterprise Fund.

Staff requests a budget adjustment of \$10,000 into the FICA-Social Security line item to carry through the end of the fiscal year. Budget adjustment would come from Fund 508, Wastewater Enterprise Fund.

#### Fiscal Impacts:

1. Budget adjustment of \$65,000 into the Overtime budget line item from Fund 506.
2. Budget adjustment of \$6,000 into the FICA-Medicare budget line item from Fund 508.
3. Budget adjustment of \$10,000 into the FICA-Social Security budget line item from Fund 508.

#### Recommendation:

Staff recommends approval of

1. Budget adjustment of \$65,000 into the Overtime budget line item from Fund 506.
2. Budget adjustment of \$6,000 into the FICA-Medicare budget line item from Fund 508.
3. Budget adjustment of \$10,000 into the FICA-Social Security budget line item from Fund 508.

Fiscal Impact: Please see above.

Recommendation: Please see above.

Speaker's Name Dennis Romero

**4. Request To Increase Budget - Bidding Assistance And Construction Management Services Maloney Waterline Replacement**

Design and construction oversight services for the Maloney Waterline Replacement project were awarded to DePauli Engineering Services via purchase order (PO) #92367 under RFP No. 2018/2019/07/P. PO #92637 was issued on July 28, 2020.

Design is complete and the project is currently out to bid (Formal Bid 2105). Due to NMDOT requirements, the design and bid package had to include a bid line item to fill the line that will be abandoned with grout. Water and Sanitation Department (WSD) Staff attempted to negotiate with NMDOT to waive this task, as it has never been required by NMDOT in a City of Gallup WSD project before. However, NMDOT would not engage in negotiations over this matter.

As a result of the increased design efforts, inclusive of NMDOT Utility Permitting efforts, coupled with the additional construction inspection and oversight services due to the grouting of the abandoned line, the engineering costs for the project have increased.

As seen in the attached request, engineering and construction oversight costs have increased by \$67,158.30. In order to move forward with the project, an increase to PO#92367 from budgeted project funds in Project JU1843 is required.

Staff requests approval of an increase in PO#92637 by \$67,200 from budgeted project funds to complete this work. This increase in fees may mean that a budget adjustment will be required after bids are opened on April 6, 2021, for construction.

Fiscal Impact: Increase in engineering services of \$67,200 from current project budget, Project No. JU1843.

Recommendation: Staff recommends approval increase of \$67,200 from budgeted project funds.

Speaker's Name Dennis Romero

Documents:

[MALONEY WATERLINE PO 923637 INCREASE FOR CM.PDF](#)

**5. Request For Budget Adjustment - Santa Fe Wells No. 11 And 12**

Due to the need to solicit bids three times before responsive, qualified bids were received, engineering service costs for Projects CI1751 and CI1754, Water Well 12 Demolition and Water Well 11 Rehabilitation, respectively, have risen. Projects CI1751 and CI1754 were bundled together in a bid package and awarded to SmithCo Construction, LLC and Alpha Southwest, Inc., respectively, on December 8, 2020.

Purchase Order (PO) #90178 was issued to DePauli Engineering Services for Construction Management Services for both projects on June 18, 2020.

Currently the engineering firm of record, DePauli Engineering Services, has requested an additional \$25,103.59 to cover remaining tasks and construction management services, as seen in the attached proposal. However, there is \$5,088.13 remaining in the budget for Project CI1751, Water Well 12 Demolition, which can be used to offset a portion of this requested increase, leaving the need

for an additional \$20,015.46 in funding required to complete the engineering services and tasks associated with each project.

Water and Sanitation Department (WSD) Staff propose using the remaining funds in in Project C11751, along with a budget adjustment of \$20,050 from Fund 506 to fund the remaining engineering services and tasks to complete both projects.

WSD Staff request a budget adjustment of \$20,050 from Fund 506 to fund the remaining engineering services and tasks, by increasing PO #90178.

Fiscal Impact: Budget adjustment of \$20,050 from Fund 506 for expenditure.  
Recommendation: Staff recommends approval of budget adjustment of \$20,050 from Fund 506.  
Speaker's Name Dennis Romero

Documents:

[SANTA FE WELL NOS. 11 AND 12 CM PO 90178 INCREASE.PDF](#)

**6. Budget Adjustment - Asset Management Plan - Lucity**

Due to COVID related issues and a change in personnel in the IT Department, the Asset Management Plan (AMP) for Utilities has not been completed, yet. However, a great deal of progress has been made. In addition, the Electric Department has opted out of this project in order to complete their asset inventory.

As such, a total of \$39,900.94 is needed to complete this project, with detailed figures shown below:

Remaining Work on Lucity Purchase Order (PO) (with tax)	\$53,029.80
Water Department Balance on Lucity PO	\$1,830.19
Water Department Balance Remaining in Budget	\$11,298.67
<b>Budget Adjustment Requested to Complete Asset Management Plan</b>	<b>\$39,900.94</b>

The Water and Sanitation Department requests a budget adjustment of \$39,100 from Fund 506 to complete the Asset Management Plan.

Recommendation:

Staff recommends approval of budget adjustment in the amount of \$39,100 to complete the asset management plan.

Fiscal Impact: Budget adjustment and expenditure of \$39,100 from Fund 506.  
Recommendation: Please see above.  
Speaker's Name Dennis Romero

Documents:

[2021-0308 GALLUP, NM SALES ORDER Q-40166-MERGED.PDF](#)

**7. Street Department Budget Adjustment For Overtime**

The Street Department is requesting a Budget Adjustment in the Amount of \$15,000.00 from the 216. Fund Balance to the Street Department Overtime Account.

The Street Department has exhausted it's Overtime Budget with snow removal and after hour call out's.

Street Department Staff is Requesting approval of this Budget Adjustment for Overtime to cover the rest of this Fiscal Year 2021 and all after hour call out's.

Fiscal Impact: Budget Adjustment from 216- Fund Balance in the Amount of \$15,000.00  
Recommendation: Staff Recommends Approval of of this Budget Adjustment from 216- Fund Balance.  
Speaker's Name Robert Hamblen

**8. Budget Adjustment To Pay For Printing And Publishing Services**

Staff is requesting a Budget Adjustment to expenditures in Fund 507 from cash balances in the amount of \$30,000.00. Due to Covid related issues the revenue and some expense categories were reduced which is now surfacing as shortfalls in funding. The printing of bills for all utilities has an expected shortfall of \$27,900.00 and we are asking for a \$2,100.00 cushion.

Staff is also requesting an additional Budget Adjustment to expenditures in Fund 507 in the amount of \$12,045.42 into Project No. JU21BB in Account 307. This expenditure is for advertising the Broadband Survey through local media. Putting this in a project will allow for the tracking of the cost of the Broadband initiative.

**FISCAL IMPACT:**

Budget adjustment in the amount of \$30,000 from Fund 507 and a budget adjustment of \$12,050 from Fund 507 to expenditures and revenues in Fund 307.

Fiscal Impact: Please see Description  
Recommendation: Staff recommends approval of this budget adjustment.  
Speaker's Name John Wheeler

**9. Budget Adjustment Increase For The Control Building For The Allison Substation**

Staff is requesting a Budget Adjustment from expenditures in Account 507 for the purpose of increasing the fund balance in Project CI1771 which has a shortfall of \$130,000.00 for the purchase of the Control Building for the Allison Substation. Council had originally approved this purchase April 28, 2020 in the amount of \$335,748.93. This increase is the result of bidding out individual pieces of a project one at a time. Entirely my fault, when I arrived as Department Director I should have stopped the project and insisted that the Engineer complete the entire design and it go out to bid as a complete project. I have six substations done in my previous life and all were done as a single bid for the entire project.

Fiscal Impact: Fiscal impact is a Budget Adjustment in the amount of \$130,000.00 from available funds in Fund 507 and Expenditures and Revenues in Fund 307.  
Recommendation: Staff recommends approval of this budget adjustment.

Speaker's Name      John Wheeler

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

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

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

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

**I. 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.