

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, APRIL 26, 2022; 6:00 P.M. CITY COUNCIL CHAMBERS



Louie Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1

Michael Schaaf, Councilor, Dist. 2

Sarah Piano, Councilor, Dist. 3

Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager

Curtis Hayes, 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 on non-agenda items either in person or by telephone.

To submit comment by telephone, 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. Presentation Of Proclamations

National Crime Victims' Rights Week - April 24-30, 2022

Motorcycle Awareness Month - May, 2022

D. 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. Approval Of Minutes

Special Meetings of April 5, 2022, April 12, 2022 and April 19, 2022

Regular Meeting of April 12, 2022

Fiscal Impact: None.
Recommendation: Approve the minutes.
Speaker's Name None.

Documents:

[DRAFT MINUTES APR 5 2022 SP MTG.PDF](#)
[DRAFT MINUTES APR 12 2022 SP MTG.PDF](#)
[DRAFT MINUTES APR 19 2022 SP MTG.PDF](#)
[DRAFT MINUTES APR 12 2022 REG MTG.PDF](#)

2. Approval Of Resolution No. R2022-9 To Accept A State Of New Mexico Department Of Economic Development Grant For The Downtown Alley Project.

Staff is requesting City Council's approval of the NM Economic Development Department (EDD) Grant No.419-A21F2103 in the amount of one hundred thousand dollars (\$100,000.00) to go towards the downtown alley reconstruction project for the alley between Aztec Avenue and Coal Avenue starting and Second Street and proceeding west to Third Street. This funding will be added to pervious funding budgeted for the finish surface work in said alley. This work consists of drainage improvements, pavers and underground trash containers.

Staff is requesting that City Council approve a revenue and expenditures budget in the amount of \$100,000.00 for the grant amount. This is a 100% reimbursable grant with no matching funds required.

Fiscal Impact: Revenue and expenditures budget in the amount of \$100,000.00. This is a 100% reimbursable grant with no required matching funds.
Recommendation: Staff recommends approval or Resolution No. R2022-9, accepting EDD Grant No. 419-A21F2103
Speaker's Name C.B. Strain

Documents:

[GALLUP FINAL FY22 CO GRANT \(1\).PDF](#)
[RESOLUTION R2022-9 NMEDD GRANT.PDF](#)

3. Award Of Contract To DePauli Engineering For Professional Services For West Logan Avenue Street Reconstruction Community Development Block

Grant (CDBG) Project.

Attached for City Council's consideration and approval is a professional services proposal from DePauli Engineering and Surveying (DES) of Gallup, NM. Said services consist of administrative services and design professional services for West Logan Avenue from 7th Street to 9th Street using CDBG funds.

Staff solicited a "Request for Proposals" (RFP for the subject services March 4, 2022. See attachment for RFP. RFPs were subsequently reviewed by a selected review committee. There was only one proposal submitted, that proposal was submitted by DePauli Engineering and Surveying. Upon review, Staff considered DePauli Engineering and Surveying's proposal to be a fair and reasonable offer. See attached cost and price detail from DePauli Engineering. The Bid Tabulation sheet is also attached for your review.

Fiscal Impact: \$234,616.79 for administrative and design services to be paid from funds already budgeted for said project in Project No. CP2107.
Recommendation: Staff recommends approval and award of contract to DES for said professional services.
Speaker's Name C.B. Strain

Documents:

- [RFP 2021.2022.09P ADMIN DESIGN W LOGAN AVE PROJECT REV022422 \(1\).PDF](#)
- [2021.2022.09.P.PDF](#)
- [RFP NO. 2021 2022 09 COST AND PRICE DETAIL \(1\) \(2\).PDF](#)

4. Youth Conservation Corps (YCC) Grant Award & Budget Adjustment

The City of Gallup has ben awarded \$ 149,999.04 for the State of New Mexico's FY22 / FY23 Youth Conservation Corps (YCC) Program year.

Fiscal Impact: This budget adjustment will budget revenues and expenditures for the task reformed or expenses directly related to the scope of work for the projects outlined in the grant.
Recommendation: Approval of the YCC grant award and budget adjustments
Speaker's Name Vincent Alonzo

5. Budget Adjustment For The Vactor Purchase In Fund 202 - Environmental Surcharge Fund

A new vactor truck for the Wastewater Dept. was purchased this year through ARP funding. The Vactor Manufacturing company recently sent notices outlining price increases for this new Vactor. See statement below:

The Material Surcharge from Navistar on the Chassis is \$3,000.00 and the Vactor 2100i Body Material Surcharge is \$3,500.00 for a total of \$6,500.00. In addition to the increases your truck will be a 2023 Model year instead of a 2022 as quoted to you that resulted in an additional cost of the chassis by \$8,431.25. I am asking if you can meet us somewhat halfway on these increases, we will absorb \$8,431.25. and ask if you will add \$6,500.00 to your PO.

Fiscal Impact: Budget adjustment of \$6,500 from fund 202 - Environmental

Surcharge Fund for final payment of the vector truck.
Recommendation: Staff recommends approval of the requested budget adjustment.
Speaker's Name Tim Bodell - Water and Sanitation Director

Documents:

[VACTOR MATERIAL SURCHARGE 03232022.PDF](#)
[VACTOR NAVISTAR CHASSIS PRICE INCREASE 12022021.PDF](#)

E. Discussion/Action Topics

1. Ordinance No. S2022-1; Gallup Christian Center, Inc. Request For Final City Council Approval For Vacation Of An Existing Utility Easement.

Case No. 2022-01000001, Gallup Christian Center, Inc., property owner, has petitioned the Gallup City Council for final approval for vacation of a fourteen foot (14') wide one hundred eighty-eight point two one foot (188.21') long utility easement within the property located at 2133 Cipriano Avenue; more particularly described as 2.08 acres M/L in NE ¼ Sec. 28 T15N R18W.

The property owners wish to construct a new structure on the described property. The existing utility easement limits the buildable area for the proposed new structure. The utility easement was dedicated on the described property in order to give access to the City to maintain an existing electric line. The existing electric line will be removed from the property as part of the new construction negating the necessity of the utility easement. Vacating the utility easement will free up property and allow for the construction of the proposed new structure on the described property.

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

It is the findings of staff based on Gallup Task Force (GTF) comments that there are no issues with vacation of the described fourteen foot (14') wide one hundred eighty-eight point two one foot (188.21') long utility easement within the property located at 2133 Cipriano Avenue.

The Gallup Planning and Zoning Commission reviewed this request at their regular meeting on April 13, 2022 and sends a positive recommendation to the City Council for approval with Resolution of Recommendation No. RP2022-4 which is included in your agenda packets.

Fiscal Impact: None, said request is for vacation of an existing utility easement only.
Recommendation: Staff recommends approval said request.
Speaker's Name C.B. Strain

Documents:

[GALLUP CHRISTIAN CENTER, INC., UTILITY EASEMENT VACATION ORDINANCE S2022-1.PDF](#)
[SIGNED RESOLUTION OF RECOMMENDATION NO. RP2022-4.PDF](#)
[GTF COMMENTS, GALLUP CHRISTIAN CENTER EASEMENT VACATION REQUEST.PDF](#)
[GALLUP CHRISTIAN CENTER, UTILITY EASEMENT VACATION SURVEY.PDF](#)

2. Approval Of Resolution No. R2022-10 To Accept A New Mexico Department Of Transportation Rural Air Service Enhancement Grant Agreement

Staff is requesting City Council's approval of Resolution No.R-2022-10; supporting and authorizing acceptance of the New Mexico Department of Transportation - Aviation Division's Rural Air Service Enhancement (RASE) Grant Agreement GUP -22-02 in the Amount of \$3,500,000.00 (\$1,750,000.00 per year for two years). The purpose of this Agreement is to provide a grant to the sponsor to support Regional Air Transportation Services (project) pursuant to the Rural Air Service Enhancement Program and to state the terms, conditions and mutual understandings of the parties to this Agreement.

The City of Gallup has a required 10% match of \$350,000.00 (\$175,000.00 per year for two years) which will bring the total to \$3,850,000.00. Staff is requesting that the City Council also to approve a revenue and expenditures budget in the amount of \$3,850,000.00 which includes the required 10% matching funds in the amount of \$350,000.00 from the Funds that are already put aside in project # AP2202.

Fiscal Impact: Grant Agreement GUP - 22-02 is reimbursable at 90% with a required match of 10% from the City of Gallup with a revenue and expenditure budget in the amount of \$3,850,000.00 Match is in Project #AP2202

Recommendation: Staff recommends approval of Resolution No, R2022-10 and acceptance of Grant Agreement #GUP-22-02

Speaker's Name Robert Hamblen

Documents:

[RASE RESOLUTION.PDF](#)
[GUP-22-02 RURAL AIR SERVICE ENHANCEMENT GRANT-2021 \(1\).PDF](#)

3. Professional Services Agreement For Construction Mitigation, GallupARTS, Coal Ave Commons Phase 2

Through this Professional Services Agreement, gallupARTS will provide:

1. Office/Meeting space for Sydney Norris IMagery to meet with downtown business entities
2. Two (2) art events/projects within the construction zone in order to drive pedestrian traffic and downtown interest to offset the impact on the businesses
 1. Art on the Fence: 100th Ceremonial Celebration
 2. Holiday Windows Project- art on the windows or unique window displays on Coal Avenue that are thematically organized to tell a classic holiday story

Fiscal Impact: \$15,000 from the General Fund balance

Recommendation: Approve Professional Services Agreement with gallupARTS for Construction Mitigation Servi

Speaker's Name CB Strain

Documents:

4. Professional Services Agreement For Construction Mitigation, Sydney Norris Imagery, Coal Ave Commons Phase 2

Through this Professional Services Agreement, Sydney Norris Imagery will provide:

1. Meeting with City Project Manager and Murphy Builders about the project and communicating the information with the general public about the progression of Coal Avenue Commons Phase 2.
2. Communication services to downtown businesses impacted by the Coal Avenue Commons Construction Project.
3. Promotion and marketing of downtown to encourage customers to continue to support downtown businesses during and after construction.

Fiscal Impact: \$35,000 from the General Fund balance
Recommendation: Approve Professional Services Agreement with Sydney Norris Imagery for Construction Mitigation Servi
Speaker's Name CB Strain

Documents:

[CONSTRUCTION MITIGATION COAL AVE PHASE 2 FINAL.PDF](#)
[SYDNEY NORRIS IMAGERY.PDF](#)

5. Ordinance No. C2022-1; Amendments To The Procurement Code Of The City Of Gallup

Amend Procurement Ordinance as the ordinance has not been updated since 2005 and due to inflation and the fluctuating market. The amendments will help ease and make the procurement process more effective.

Fiscal Impact: None
Recommendation: Approve Ordinance No. C2022-1
Speaker's Name Frances Rodriguez

Documents:

[ORDINANCE - PROCUREMENT CODE AMENDMENTS 2022.PDF](#)
[2022 PROCUREMENT CODE AMENDMENTS.PDF](#)

6. Resolution R2022-11: Approval Of Local Liquor Excise Tax Distributions

Local Liquor Excise Tax revenue is allocated to the City and the County based on the recommendations of the "LET Task Force" which is a committee comprised of City and County officials. Historically, the Task Force provided its recommendations to the City and the County prior to the beginning of the fiscal year in which the funds would be expended and the two entities could then incorporate those amounts into their respective budgets. This year, the Task Force was unable to reach agreement regarding the allocations for the current fiscal year (FY22) until it last met on April 5, 2022. Therefore, it was necessary to take \$835K from general reserve to fund the operation of Gallup Detox.

The LET Task Force is recommending the following distribution for FY22:
*\$835K to the City to pay for the operation of Gallup Detox
*\$200K to the County to operate JJASC which provides juvenile case management and prevention programs
*\$100K to the County to operate the County DWI program
*\$100K to the County to pay for detox and substance abuse treatment in the jail
*\$400K to the County to contract with Santa Fe Recovery to provide detox services
\$1,635K TOTAL OF ALLOCATIONS

Past practice of the Task Force has been to limit the initial allocations for an upcoming fiscal year to no more than the total of (the carryover balance in the fund at the beginning of the current fiscal year) and (the projected total amount of Local LET revenue to be collected in the current fiscal year).

The Task Force was provided with the actual (rather than projected) revenue of \$1,412,438.00 from FY21. While there is sufficient balance carried into FY 21 from FY20 to allow that amount to be allocated this year, it is more than \$300K higher than the average annual revenue for the past four years. Therefore, without significant increase in revenue, that amount will not be available to distribute in the future.

The Joint Resolution is on the McKinley County Commissions agenda for its April 26 meeting.

The Task Force plans to meet prior to the beginning of FY23 to make its recommendations for next fiscal.

Fiscal Impact:	Receipt of budgeted revenue
Recommendation:	approval of Resolution R2022-11
Speaker's Name	Curtis Hayes

Documents:

[RESOLUTION ON LET ALLOCATION FY 22.PDF](#)

F. Comments By Public On Non-Agenda Items

Members of the public are invited to comment on matters not appearing on the meeting agenda.

G. Comments By Mayor And City Councilors

H. Comments By City Manager And City Attorney

I. Motion To Adjourn Into Closed Session

For the purpose of discussing the acquisition of real property, pursuant to Section 10-15-1(H)(8) NMSA 1978

J. Motion To Reconvene Regular Meeting

K. Certification For The Record Of The Matters Discussed During The Closed Session

L. 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.