

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, APRIL 27, 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 and Regular Meetings of April 13, 2021
Special Meeting of April 15, 2021

Documents:

DRAFT MINUTES APR 13 2021 SP MTG.PDF
DRAFT MINUTES APR 13 2021 REG MTG.PDF
DRAFT MINUTES APR 15 2021 SP MTG.PDF

D. Presentation Of Proclamation

Motorcycle Awareness Month - May, 2021

E. Presentation And Information Items

1. Update On The Gallup Inter-Tribal Ceremonial By The State Tourism Department

The following representatives of the New Mexico Tourism Department will provide an update on the Ceremonial:

Cabinet Secretary Jen Schroer
General Counsel Allison Martinez
Ceremonial Office Executive Director Melissa Sanchez

Fiscal Impact: None.

Recommendation: No action required - presentation item.

Speaker's Name Cabinet Secretary Jen Schroer and NM Tourism Department Representatives

F. Discussion/Action Topics

1. Resolution No. R2021-15; National Economic Development Week

The Greater Gallup Economic Development Corporation (GGEDC) is requesting approval of Resolution No. R2021-15, recognizing the week of May 9 - 15, 2021 as "National Economic Development Week" in the City of Gallup.

Fiscal Impact: None

Recommendation: GGEDC recommends approval of Resolution No. R2021-15

Speaker's Name Bruce Armstrong

Documents:

[ECONOMIC DEVELOPMENT WEEK_RESOLUTION R2021-15.PDF](#)

2. Resolution R2021-11; Accepting FY 20 Audit

The Audit for Fiscal Year 2020 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. For the second year in a row, there are no findings.

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

Fiscal Impact: Having an unmodified opinion and no findings 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. R2020-11

Speaker's Name Patty Holland

Documents:

3. Resolution No. R2021-14; 3rd Quarter FY 2021 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 April 30, 2021.

Fiscal Impact: None
Recommendation: Approve resolution R2021-14, report of actuals and budget adjustment report
Speaker's Name: Patty Holland

Documents:

[REPORT RECAP - FISCAL YEAR 2020-2021 - GALLUP ROA.PDF](#)
[ADJUSTMENT RECAP FOR FISCAL YEAR 2020-2021 - GALLUP BAR.PDF](#)
[FY 2021 Q3 CC.PDF](#)
[RESOLUTION FOR BUDGET ADJUSTMENT.PDF](#)

4. Request For A Budget Increase To The Coal Avenue Commons Project Budget To Complete Construction Of The Downtown Walkway.

Request for a project budget increase to the Coal Avenue Commons project budget in the amount of \$460,000.00 from Fund 101 to Project No. CP2014 in order to complete the downtown walkway between the alley and Coal Avenue.

The downtown walkway was slated to be completed during Phase II of the Coal Avenue Commons project and was not bid as part of Phase I, however, because the walkway needed to be excavated in order to install required utilities for Phase I of the Coal Avenue Commons project it was decided that it would be in the best interest of the City to proceed with completion of the walkway in order to prevent having to excavate the area twice which would disrupt downtown pedestrian traffic for a second time which in turn would disrupt business activity in the area.

A determination was made by the Purchasing Director that because the walkway needed to be excavated anyway as part of Phase I and because the scope of work was actually decreased as well as the cost, the project would not have to go out to bid and could be handled by change order without violating procurement regulations. Please see attached determination.

Fiscal Impact: \$460,000.00 from Fund 101 to project No. CP2014
Recommendation: Recommend approval of budget increase of \$460,000.00 from Fund 101 to project No. CP2014
Speaker's Name: C.B. Strain

Documents:

5. Resolution No. R2021-13; New Mexico Finance Authority (NMFA) Planning Grant Submission Approval To Update The City Of Gallup Growth Management Master Plan (GMMP).

City staff is requesting authorization and approval for submission of a completed application for assistance and project approval to the New Mexico Finance Authority (NMFA) in order to secure funding in the amount of \$50,000.00 to update the City of Gallup Growth Management Master Plan (GMMP).

State law requires that all municipalities have an adopted master plan and that the plan be updated every five (5) years. The City's Growth Management Master Plan was last updated in 2016 so the five (5) year update requirement comes due this year.

The plan itself contains several elements, those elements are; Existing Conditions, Land Use, Transportation, Urban Design, Economic Development, Trails and Open Space, Housing, Facilities and Parks, Water, Utilities and Hazards Mitigation. As part of this update we plan on significantly expanding on the Economic Development element of the plan so that it can be both tied to the plan itself or be utilized as a stand alone document if needed. The City's economic development strategy will be the focus here.

The City was able to secure funding in the amount of \$150,000.00 to develop a Parks and Recreation Master Plan. Instead of having a separate stand alone plan related to parks and recreation the decision was made to use that funding to put towards the GMMP update and expand the existing Trails and Open Space, and Parks elements of the plan to make the economic development connection of recreation development as an economic strategy so there would be a planning element section focused on recreation development. We opted to incorporate this into the GMMP for two reasons, 1. Focused ED strategy, 2. to get some of the parks plan scope completed.

Lastly, we may also want to incorporate Tourism into the proposal as a separate planning element section in the GMMP. It was incorporated within the Economic Development element in the current GMMP but by pulling it out and having it as its own planning element section gives it more weight and added direction while being a Focused ED Strategy like Recreational Development.

Fiscal Impact: None at this time, this request is for approval to submit the grant application only.

Recommendation: Accept Resolution No. R2021-13 to allow for submission of NMFA Grant Application

Speaker's Name C.B. Strain

Documents:

[RESOLUTION NO. R2021-13 FOR NMFA_LGPF APPLICATION SUBMISSION.PDF](#)
[DYNAMIC FORM ENTRY1.PDF](#)

6. Acceptance Of A U.S. Department Of Transportation Federal Aviation Administration, Airports Division, Airport Coronavirus Relief Grant Program (ACRGP) Grant Agreement

Staff is requesting the City Council's consideration and acceptance of a U.S. Department of Transportation Federal Aviation Administration Airport Coronavirus

Relief Grant Program (ACRGP) Grant Agreement for ACRGP Grant Number 3-35-0019-029-2021, with a grant amount of \$13,000.00. This grant is a 100% reimbursable, no match grant.

In order to execute this grant the governing body is required to provide authority to City Manager Maryann Ustick to execute the grant. Once executed by the City Manager, followed by the City Attorney's certification the grant shall become valid.

This ACRGP Grant is provided in accordance with the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA Act or "the ACT"), Division M of Public Law 11-260 and is intended to provide eligible Sponsors with funding costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments.

The purpose of this ACRGP Grant is to prevent, prepare for, and respond to coronavirus. Funds provided under this ACRGP Grant Agreement must only be used for purposes directly related to the airport. Such purposes can include the reimbursement of an airport's operational and maintenance expenses or debt service payments in accordance with the limitations prescribed in the Act. ACRGP Grants may be used to reimburse airport operational and maintenance expenses directly related to Gallup Municipal incurred no earlier than January 20 2020. ACRGP Grants also may be used to reimburse a Sponsor's payment of debt service where such payments occur on or after December 27, 2020. Funds provided under this ACRGP Grant Agreement will be governed by the same principles that govern "airport revenue." New airport development projects not directly related to combating the spread of pathogens and approved by the FAA for such purposes, may not be funded with this Grant.

Fiscal Impact:	None. \$13,000.00, 100% reimbursable grant with no matching funds required.
Recommendation:	Staff recommends acceptance of said Grant Agreement for Grant No. 3-35-0019-029-2021
Speaker's Name	C.B. Strain

Documents:

[GUP-SWG-3-35-0019-029-2021-GRANT AGREEMENT \(PART 1\) - SIGNED.PDF](#)

7. Retroactive Approval - Maloney Sewer Repair - City Of Gallup Emergency Procurement No. JU2150

A portion of the wastewater collections system has failed underneath Maloney Ave, near the intersection of 9th and Maloney. This project consists of installing approximately 40 linear feet of sewer line to repair an existing 15-inch vitrified clay sewer line. The line may be repaired with 15-inch SDR 35, 18-inch PS 46, or 18inch C900 CL 325 pipe. Work will also include connection to existing 15" vitrified clay pipe, bypass pumping, fittings, specials, trenching, backfilling, compaction, transfer of existing sewer services, and traffic control. Asphalt pavement patch with NMDOT striping will also be required.

An acceralated bid schedule was conducted due to the emergent issues the failed line presented. Bids were open on March 30th. The lowest responsive bidder was Horizon Enterprises Plumbing and Heating, Inc. / D'Bonaguidi Construction of Gallup, NM, with a bid of \$79,393.06. Bid tabulation is attached. Engineer's recommendation of award letter will be made available to City Council during the Regular Meeting.

There is currently \$45,109.24 remaining in the Wastewater Maintenance and Repair budget line item. An additional \$34,283.82 is required to complete this repair project.

Staff requests a budget adjustment of \$42,285 from Fund 508, Wastewater Enterprise Fund for this work and retroactive approval of bid award to Horizon Enterprises / D'Bonaguidi Construction. The budget adjustment represents the additional \$34,283.82 required to complete this repair project and an approximately 10% contingency of approximately \$8,000.

Recommendation:

Staff recommends a budget adjustment of \$42,285 from Fund 508 and retroactive approval of bid award to Horizon Enterprises Plumbing and Heating, Inc. / D'Bonaguidi Construction of Gallup, NM, with a low bid of \$79,393.06.

Fiscal Impact: Budget adjustment of \$42,285 which includes a 10% contingency. Expenditure of \$79,393.06, with a contingency of \$8,000.

Recommendation: Please see above.

Speaker's Name Dennis Romero

Documents:

[TABULATION BID EMERGENCY PROJECT NO. JU2150 \(1\).PDF](#)

8. Request To Approve Bid Award For Maloney Avenue Waterline Replacement (Bid No. 2105) And Associated Budget Adjustment

This project consists of installing approximately 2000 linear feet of new 8-inch AWWA C-900 DR-18 PVC waterline. Work for waterline shall include fittings, appurtenances, trenching, bedding, backfilling, compaction, transfer of water services, fire hydrants, gate valves, and traffic control. Sidewalk, curb and gutter, asphalt, and driveway removal and replacement are also included. This project is located in Gallup, NM on Maloney Avenue and runs from 2nd Street to 7th Street.

The Maloney Ave. Waterline Replacement Project (Project No. JU1843) was put out to bid, with a bid opening taking place on April 6th. The lowest responsive bidder was Adame Construction, LLC, or Los Lunas, NM, with a bid of \$578,843.66, including NM Gross Receipts Tax. This bid was lower than the Engineer's Estimate of \$722,877.63 by \$144,033.97.

There is currently \$282,842.18 budgeted for this project. A budget adjustment of at least \$296,001.48 is required to move forward with the bid award and the project.

Staff requests a budget adjustment of \$326,900 from Fund 506, Water Enterprise Fund and contract award of \$578,843.66 to Adame Construction, LLC. This amount represents the low bid plus an approximately 10% project contingency.

The Engineer's Estimate, Bid Tabulation and Recommendation of Award are attached.

Fiscal Impact:

Staff recommends a budget adjustment of \$326,900 from Fund 506 to supplement current budget of \$282,842.18, with a 10% project contingency,

and award of contract to Adame Construction, LLC for Project JU1843, Maloney Ave Waterline Replacement Project.

Recommendation:

Staff requests a budget adjustment of \$326,900 from Fund 506, Water Enterprise Fund and contract award of \$578,843.66 to Adame Construction, LLC.

Fiscal Impact: Please see above.

Recommendation: Please see above.

Speaker's Name Dennis Romero

Documents:

[RECOMMENDATION OF AWARD.PDF](#)
[MALONEY WATERLINE ENGINEER ESTIMATE.PDF](#)
[BID TABULATIONS.PDF](#)

9. Wild Thing Championship Bull Riding

Larry Peterson addressed the Mayor and Councilors on April 13, 2021, regarding the possibility of holding the event this year. The dates for holding this year's event will be July 9-10, 2021. This of course will depend on where we are regarding COVID-19 restrictions and guidelines.

Staff is seeking direction on moving forward to plan and prepare for the event.

Fiscal Impact: No impact to the City for holding the event.

Recommendation: Approve holding Wild Thing Championship Bull Riding on July 9-10, 2021.

Speaker's Name Vince Alonzo

10. Reappointment Of Lynn Isaacson To The Octavia Fellin Public Library Advisory Board

Lynn Isaacson's term has expired and is recommended for reappointment to the board.

Fiscal Impact: None.

Recommendation: Reappoint Lynn Isaacson to the Library Advisory Board

Speaker's Name Mayor Louie Bonaguidi

Documents:

[LYNN ISAACSON APPOINTMENT.PDF](#)

G. Information/Discussion Items

1. Lexington Update

An update on the Lexington Hotel project will be provided to the Council.

Fiscal Impact: None

Recommendation: None-Presentation Only

Speaker's Name Debra L. Martinez

Documents:

[LEXINGTON SITE VISIT 4.20.21.PDF](#)

2. Proposal To Hold Work Sessions On A Regular Basis

Mayor Louie Bonaguidi will present a proposal to conduct City Council work sessions on the first and third Tuesdays of the month at 4:00 p.m. Please refer to the attached memorandum.

Fiscal Impact: None.

Recommendation: None - item for discussion only.

Speaker's Name Mayor Louie Bonaguidi

Documents:

[WORK SESSION PROPOSAL.PDF](#)

H. Comments By Public On Non-Agenda Items

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

I. Comments By Mayor And City Councilors

J. Comments By City Manager And City Attorney

K. 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.