

## AGENDA

### GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, JUNE 8, 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 during the public hearing on the proposed fireworks restrictions and 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 May 19, 2021  
Regular Meeting of May 25, 2021

Documents:

[DRAFT MINUTES - MAY 19 2021 SP MTG.PDF](#)  
[DRAFT MINUTES - MAY 25 2021 REG MTG.PDF](#)

## D. Presentation And Information Items

### 1. Overview Of Autonomous Vehicles Plan

Representatives from GLD Partners will provide a presentation on the Autonomous Vehicles Plan. Supporting documentation regarding the presentation will be provided prior to the meeting

Fiscal Impact: None.  
Recommendation: No action required - presentation item.  
Speaker's Name Adam Wasserman and Lois Yates, GLD Partners

### 2. State Inter-Tribal Ceremonial Office 99th Event Update

Melissa Sanchez, Inter-tribal Ceremonial Office Executive Director, will present an update on the 99th Virtual program, including details on the TV broadcast filming, air date, and the 2021 Queen Pageant.

Fiscal Impact: none  
Recommendation: none  
Speaker's Name Melissa Sanchez

### 3. Presentation On The McKinley County Industrial Park Project

Anthony Dimas, McKinley County Manager, along with County staff/contractor, will provide an update and overview of the project.

Fiscal Impact: None - presentation item only.  
Recommendation: No action required - presentation item.  
Speaker's Name Anthony Dimas, Jr., and staff/contractor

## E. Discussion/Action Topics

### 1. Lodgers Tax Funding For 2021 Ceremonial

The City of Gallup has historically awarded a lodger's tax grant in support of marketing for the Gallup Inter-tribal ceremonial (GITIC). Due to the State's involvement in the event based upon the state statute and the timeline necessary to support advanced marketing of the event, the City Tourism Department agreed to provide \$25,000 from the department operating budget (specific to destination marketing) of the current fiscal year (FY21). The \$25,000 allocation includes:

- \$10,000 for 7 promotional announcements that mention Gallup, per week for 2 weeks during the 6-7pm station newscasts (KOB) and promotion within the online artisan market and live-streamed Miss GITIC Queen Pageant. This also includes open and close credits for the tv-special with a net reach of over 45,000 people.
- \$15,000 for print ads, online and social media, radio ads, virtual web banners, and additional mentions of City of Gallup support at the live streamed Pageant. The include a blend of local and out of destination marketing.

The local ceremonial board has made a request for funding for the 99th Ceremonial in addition to the advertising monies allocated to the State of New Mexico. The local board has submitted an application in the amount of \$50,000.

City staff seeks direction from Council on how to proceed with a grant award from

the remaining \$58,800 for event grants for events between July 1, 2021 - June 30, 2022.

Fiscal Impact: Dependent upon council direction  
Recommendation: Direction for funding for local Ceremonial board marketing  
Speaker's Name Jennifer Lazarz

Documents:

[ICO 99TH MARKETING MEMO.PDF](#)  
[ICO CITY OF GALLUP LODGERS TAX REQUEST MAY 19 \(1\).PDF](#)  
[LOCAL CEREMONIAL BOARD APPLICATION 2021.PDF](#)

## 2. **Request For The Use Of Red Rock Park On August 6-15, 2021**

Kyle Tom, President of the Gallup Inter-Tribal Indian Ceremonial Association, will present the request to the Mayor and Councilors.

Fiscal Impact: TBD  
Recommendation: None.  
Speaker's Name Kyle Tom

Documents:

[LETTER FOR RRP USAGE 001.PDF](#)

## 3. **Gallup MainStreet Arts & Cultural District Professional Contract Agreement**

Through this Professional Contract Agreement, the Gallup MainStreet Arts & Cultural District will:

1. Maintain a legally compliant 501c3 MainStreet organization to help revitalize and support economic growth within the designated Historic MainStreet in accordance with the New Mexico MainStreet Program guidelines and objectives.
2. Connect technical assistance and financial resources provided by the New Mexico MainStreet Program to implement projects under the public-private partnership guidelines established by the biannual MOU (see attached).
3. Work closely with the City of Gallup officials, Chamber of Commerce, Gallup Business Improvement District (BID), and all organizations, individuals and entities in order to draw on resources to augment the work of its staff and Board to bring projects to completion and meet common goals.
4. Work with and coordinate activities between community civic groups, downtown businesses, financial institutions and the government; forge new and stronger relationships with public and private agencies and the downtown business community to ensure that teamwork is in place and ensure the success of the Gallup MainStreet Program and its initiatives.
5. Provide a qualified, experienced MainStreet Program Executive Director to provide compliance reporting for the Gallup MainStreet Program and help coordinate revitalization projects in the Downtown Historic and Commercial District.
6. Establish committees to design, plan and implement projects that enhance economic development within the Gallup MainStreet District, including but not limited to business development, events, public relations,

- shop local campaigns, building improvements, facade or curb appeal projects, streetscapes, place making and beautification efforts.
7. Work with the City on developing priority projects to include Infrastructure Capital Improvement Plans and seek public funding for public infrastructure projects that support district revitalization.

**Recommendation:**

Approve the Professional Contract Agreement with Gallup MainStreet Arts and Cultural District in the amount of \$40,000 for fiscal year 2022.

Fiscal Impact: \$40,000 (No fiscal impact, already in FY2022 budget)  
Recommendation: See recommendation in the summary  
Speaker's Name Maryann Ustick

Documents:

[GALLUP -MOU 2020\\_2022\\_NMMS SIGNED.PDF](#)  
[GALLUP FY22 MS CONTRACT.PDF](#)  
[GMSACD FY21 ANNUAL REPORT.PDF](#)

**4. Resolution R2021-19; FY 2022 Initial Budget Adoption**

Each year, the City of Gallup prepares an annual budget for the upcoming fiscal year. The Department of Finance and Administration (DFA) requires Council to pass a resolution to adopt the 2022 Initial Budget. The approved budget along with documentation of approval is due to DFA by July 31, 2021.

Fiscal Impact: This budget will define anticipated revenue as well as spending parameters for the coming fiscal year for each fund.  
Recommendation: Staff recommends approval of the proposed initial budget for Fiscal Year 2022  
Speaker's Name Patty Holland

Documents:

[BUDGET INITIAL 2022.PDF](#)  
[INITIAL BUDGET CHANGES.PDF](#)  
[BUDGET RESOLUTION FY 22 PRELIMINARY ADOPTION.PDF](#)

**5. Fiscal Year 2021 Budget Adjustments**

A review of the budget for the fiscal year has resulted in a few updates to the budget being needed. The primary factor that has impacted the City is that revenues have come in higher than anticipated which changes our transfers for shared revenues, franchise tax, and risk management support. There is also one debt shortage in the fire department NMFA loan that needs to be adjusted.

Shared Revenue  
505 expense \$55,000  
507 expense \$7,000  
508 expense \$2,500  
101 revenue \$64,500

Franchise Tax  
507 expense \$5,000

101 revenue \$5,000

Other insurance/Risk Management

505 expense \$30,000

507 expense \$20,000

603 revenue \$50,000

Debt service/Fire

491 revenue and expense 993

209 expense 993

Fiscal Impact: Budget adjustment to revenue and expenditures as detailed above.

Recommendation: Approval of budget adjustment to revenue and expenditures detailed above

Speaker's Name Patty Holland

## 6. Travel Policy Update

In the 2021 legislative session SB 345 was passed and signed by the Governor. This bill calls for updated travel rates annually. The updated rate will be published on May 1 each year and the City will adopt and implement those beginning on the following July 1. We have updated and attached the full policy as well as the DFA pricing sheet for your review and approval.

Fiscal Impact: Travel has been budgeted in the upcoming Fiscal Year, but this will increase the eligible reimbursement amounts for travel that the department will be required to manage throughout the year.

Recommendation: Adopt the updated policy.

Speaker's Name Patty Holland

Documents:

[3 TRAVEL AND PER DIEM 2021 UPDATE.PDF](#)  
[RATES 2021 05 01.PDF](#)

## 7. Approval Of Resolution No. R2021-18 To Allow For Application To The NMDOT Transportation Project Fund For Phase II Of Coal Avenue Commons

Staff is requesting approval of Resolution No. R2021-18 authorizing submittal of an application to the New Mexico Department of Transportation, Transportation Project Fund for a grant request in the amount of \$3,500,000.00 to complete Phase II of the Coal Avenue Commons Event Street Project. The resolution also guarantees that the City of Gallup will match Transportation Project Fund, funding with 5% matching funds in the amount of \$175,000.00. Application will be submitted on June 15th, 2021.

Fiscal Impact: None at this time, application only.

Recommendation: Staff recommends approval of Resolution No. R2021-18

Speaker's Name C.B. Strain

Documents:

[RESOLUTION R2021-18 TPF FY2021-2022 APPLICATION.PDF](#)

**8. Public Hearing: Proclamation Declaring Extreme Drought Conditions: Restricting Fireworks**

The Gallup Fire Department will present a proclamation declaring extreme or severe drought and restricting certain aerial and ground audible fireworks within the City limits.

If approved, fireworks will be restricted for 30 days.

Fiscal Impact: No fiscal Impact  
Recommendation: Staff recommends approval of a Proclamation Declaring Extreme or Severe Drought  
Speaker's Name: Jesus Morales

Documents:

[ARTICLE 2C FIREOWRKDS LICENSING AND SAFETY 2020.PDF](#)  
[PROCLAMATION.PDF](#)  
[GALLUP FIRE DEPARTMENT UPDATED DROUGHT PRESENTATION.PDF](#)

**9. Maloney Ave Sewer Project - Request For Budget Adjustment**

A portion of the wastewater collections system failed underneath Maloney Ave, near the intersection of 9th and Maloney. The original project scope consisted of installing approximately 40 linear feet of sewer line to repair an existing 15-inch vitrified clay sewer line. The line was replaced with 15-inch SDR 35. Work included 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 was also required.

\$42,285 from Fund 508 was approved for the initial 40-feet of repair. This repair was completed in mid-May 2021. However, upon trying to tie in the new line into the existing line and manhole in the area, the engineer, City staff and contractors noted that an additional 460-feet of sewer main was either beginning to collapse or had completely deteriorated in the area.

The City wastewater crew installed a 12-foot deep wastewater collections concrete manhole in the area, independently from the contractor, thereby saving approximately \$25,000 in labor and materials, and provided a new tie in point for the new sewer line.

The engineer of record, DePauli Engineering and Associates, negotiated a time and materials rate for the two contractors that were originally selected for the project via a formal bid process. As the additional failing sewer line presented a public health hazard and could have caused violations of the Clean Water Act, from a compliance perspective had wastewater backed up in the collections system into the environment, Water and Sanitation Department Staff informed the Purchasing, Finance, Legal and City Manager's Offices to obtain concurrence and approval to move forward with replacing the additoinal 460-feet of sewer line via emergency procurement channels.

The time and materials basis for both contactors totalled \$182,000 per week, with a time frame of three weeks, for a total of \$546,000. Please note that this time and materials basis is being adjusted downward via weekly and daily

negotiations between the engineer and the contractors.

The total cost is approximately 7-10% higher than parametric, historic project estimates for similar projects.

Staff requests a budget adjustment and expenditure of up to \$546,000 from Fund 202, Environmental Surcharge Tax Fund.

Attachments 1 - 5 detail the decision making process, engineer's recommendations and weekly rates.

A map of the area and required repairs is being drafted and will be presented to the City Council during its regular meeting.

Fiscal Impact:	Budget adjustment and expenditure of up to \$546,000 from Fund 202, Environmental Surcharge Tax Fund.
Recommendation:	Staff recommends approval of up to \$546,000 from Fund 202, Environmental Surcharge Tax Fund.
Speaker's Name	Dennis Romero

Documents:

[ATTACHMENT 1 - EMAIL DISCUSSION AND CONSIDERATION.PDF](#)  
[ATTACHMENT 2 - DEPAULI LETTER.PDF](#)  
[ATTACHMENT 3 - HORIZON LABOR RATES.PDF](#)  
[ATTACHMENT 4 -HORIZON PRICE LIST.PDF](#)  
[ATTACHMENT 5 - BONAGUID LABOR RATES.PDF](#)

#### 10. **Acceptance Of Donation Of Three Airport Hangars**

Gallup Flying Service holds title (as Guardian Flight Holdings. Inc.)to three hangars at the airport that they want to donate to the City. They are on land owned by the City which leases the land to Gallup Flying Service. Two of the hangars (350 and #52) are at the east end of the airport and are in need of significant repair. Hangar #36 is the quonset hut hangar that is also in a state of disrepair and is oriented in an awkward direction that interferes with the air ambulance service's use of one of its hangars. The City has desired to acquire all three of these hangars for several years in order to demolish them.

Fiscal Impact:	Loss of \$2620.00 annual rent for the three land leases.
Recommendation:	Accept the donation of the three hangars.
Speaker's Name	Curtis Hayes

Documents:

[DEED OF GIFT GALLUP FLYING SERVICE.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**

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.