

AGENDA

**GALLUP CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 10, 2023; 6:00 P.M.
CITY COUNCIL CHAMBERS
GALLUP CITY HALL, 110 WEST AZTEC AVENUE**



Louie Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1

Michael Schaaf, Councilor, Dist. 2

Sarah Piano, Councilor, Dist. 3

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](https://www.facebook.com/CityofGallup)

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. 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.

D. Presentation Of Proclamations And Commendations

1. Lincoln Elementary School - 2023 National Blue Ribbon Award

2. Fire Prevention Week - October 8-14, 2023

3. Domestic Violence Awareness Month - October, 2023

E. 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 1-6 on the Consent Agenda by unanimous vote:

1. Approval Of Minutes

September 12, 2023 Joint Work Session with the Planning and Zoning Commission

September 12, 2023 Regular Meeting

September 15, 2023 Special Meeting

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

Documents:

[DRAFT MINUTES SEPT 12 2023 JT WS W P Z COMM.PDF](#)
[DRAFT MINUTES SEPT 12 2023 REG MTG.PDF](#)
[DRAFT MINUTES SEPT 15 2023 SP MTG.PDF](#)

2. Request For Street Closures For The Fire Prevention Week Parade To Be Held On Friday, October 13, 2023

McKinley County Fire & Rescue, in collaboration with the Gallup Fire Department, are requesting approval of the closure of Aztec Avenue from 8th Street to Puerco Drive for the 2023 Fire Prevention Week Parade. The proposed street closure is set in accordance with the standardized parade route established by the City Council. The parade is scheduled for 3:00 p.m.

Fiscal Impact: TBD - City staff to provide support services for the event.
Recommendation: Approve the request for street closures
Speaker's Name Chief Lawrence Montoya, McKinley County Fire & Rescue

Documents:

[EVENT PERMIT - 2023 FIRE PREVENTION WEEK PARADE.PDF](#)

3. Request For Closure Of The Lower Parking Lot At The Courthouse Square For The Day Of Play Event To Be Held On October 21, 2023

The Play Sharity Foundation is requesting approval to close the lower parking lot at the Courthouse Square for this event. The Day of Play is a free event for

children and families to enjoy with a foam party, inflatables, food trucks and many other fun sensory activities.

Fiscal Impact: TBD - City staff to provide support services for the event.
Recommendation: The Play Sharity Foundation recommends approval of the request.
Speaker's Name Laura Ippel

Documents:

[EVENT PERMIT - DAY OF PLAY.PDF](#)

4. Appointment Of Debra Martinez To The Jail Authority Board

The Joint Powers Agreement with McKinley County provides for the appointment of a five-member board for the operation of the Adult Detention Center. The Jail Authority Board is composed of three members appointed by the County and two members appointed from the City. In addition, the McKinley County Sheriff and the City's Chief of Police serve as ex-officio members of the board.

The City's current representatives on the board are Mayor Louie Bonaguidi and former Councilor Fran Palochak. Since Ms. Palochak is no longer in office, Debra Martinez, Behavioral Health Program Manager, is recommended for appointment to the board.

Fiscal Impact: None.
Recommendation: Appoint Debra Martinez to the Jail Authority Board
Speaker's Name Mayor Louie Bonaguidi

5. Budget Adjustment Approval For The Purchase Of Procurement Software

After an extensive evaluation of needs and software capabilities, staff is recommending the purchase of OpenGov Procurement. OpenGov's integrated procurement system is highly intuitive and easy-to-learn for internal users and external vendors. Staff will be able to collaborate and issue solicitations more quickly, deliver uniformity and ensure compliance. Scoring and evaluation will take place inside the software, as will contract and associated document storage. OpenGov provides very strong customer support and their software utilizes modern security protocols. Their software includes a full audit-trail of user actions and will support our record retention needs.

Governments that use OpenGov Procurement report up to a 90% reduction in time spent on the procurement process, and an increase of up to 5x in the number of qualified vendor responses which result in better pricing for goods and services.

This program will act as a force-multiplier for the procurement department, and ensure that our government is better prepared to engage the business community via a compliant and modern process. The co-operative purchasing contract that will be utilized is the NASPO Cloud Solution Contract -- Contract Number: 80-00018-00046AE.

The proposed amount represents a 25% discount off the software cost, if approved prior to 10/31/2023.

Fiscal Impact: Budget Adjustment and Expenditures from General Fund Reserve in the amount of \$46,675.54.
Recommendation: Staff Recommends Approval of the requested Budget Adjustment
Speaker's Name Frances Rodriguez, Purchasing Director

Documents:

[10102023 CARAHSOFT OPENGOV QUOTE 40864928 UPDATED 10022023.PDF](#)

6. Request Of Projects Budget Transfer

Requesting a budget transfer in the amount of \$8,000.00 dollars from the vehicle shop roof project (CI2306) to the lift and oil system project (CP2358) to cover the cost of the oil tanks in the parts room. We were told it must come out of the oil project and not the parts room project.

Fiscal Impact: None project to project transfer
Recommendation: To approve transfer between projects
Speaker's Name Marc Lujan

Documents:

[R53863 PERFORMANCE TOOL.PDF](#)

F. Discussion/Action Topics

1. Approval Of Legislative Junior Bill Appropriations For Community Health

The City of Gallup has received another 2023 Legislative Grant Agreement from the New Mexico Department of Finance, appropriation number 23-ZH9250, in the amount of \$100,000.00 to assist with community health services in Gallup and McKinley County. Funds unexpended by June 30, 2024, will be reverted to the State of New Mexico's general fund.

Fiscal Impact: Budget adjustment in revenue and expenditures in the amount of \$100,000 in Fund 391.
Recommendation: Approve acceptance of grant agreement and budget adjustment in Fund 391.
Speaker's Name JM DeYoung, Interim City Manager

Documents:

[CITY OF GALLUP 23-ZH9250_COMM HEALTH.PDF](#)

2. Approval Of Legislative Junior Bill Appropriations For Arts Programming And Projects

The City of Gallup has received a 2023 Legislative Grant Agreement from the New Mexico Department of Finance, appropriation number 23-ZH9248, in the amount of \$75,000.00 to assist with arts programming and projects in Gallup and McKinley County. Funds unexpended by June 30, 2024, will be reverted to the State of New Mexico's general fund.

Fiscal Impact: Budget adjustment in revenue and expenditures in the amount of \$75,000 in Fund 391.

Recommendation: Approve acceptance of grant agreement and budget adjustment in Fund 391.

Speaker's Name JM DeYoung, Interim City Manager

Documents:

[CITY OF GALLUP 23-ZH9248_ARTS PROGRAM.PDF](#)

3. Resolution No. R2023-33; Acceptance Of New Mexico Department Of Transportation, Transportation Project Fund (TPF) Project Grant Agreement For Phase IV Of The East Nizhoni Boulevard Reconstruction Project

The Planning and Development Department is requesting that City Council accept the New Mexico Department of Transportation, Transportation Project Fund (TPF), Grant Agreement, Project Control Number LP60040.

The purpose of this agreement is to provide Transportation Project Funds (TPF) to the City of Gallup for Phase IV of the East Nizhoni Boulevard reconstruction project. The scope of work for this project is for construction, construction management and testing for Phase IV of the project which involves the intersection at 2nd Street and Nizhoni Boulevard. This project phase will increase pedestrian safety by providing ADA compliant sidewalks, as well as replacing and updating the infrastructure including roadway, drainage and sidewalks.

The estimated total cost for the Project is Two Million Ten Thousand Dollars and No Cents (**\$2,010,000.00**) to be funded in proportional share by the parties as follows:

1. Department's (TPF) share shall be 95%
\$1,909,500.00
2. The City of Gallup's required proportional matching Share shall be 5% **\$100,500.00**
3. Total Project Cost
\$2,010,000.00

The City's required 5% proportional matching share of \$100,500.00 has already been budgeted during the City's CIP process in Project # CP2211. These monies get budgeted every year during CIP in order to cover any required matching funds that we know are going to be required for capital projects.

Staff is requesting that City Council accept the grant agreement and approve a revenue and expenditure budget in the amount of \$1,909,500.00 to cover the 95%

Transportation Project Fund share, which will be reimbursed to the City.

Fiscal Impact: Revenue and expenditure budget in the amount of \$1,909,500.00 to cover the 95% Transportation Project Fund share, which will be reimbursed to the City.

Recommendation: Approve Resolution No. R2023-33 and approve revenue and expenditure budget.

Speaker's Name C.B. Strain

Documents:

[LP60040 DRAFT CITY OF GALLUP_NIZHONI PHASE IV.PDF](#)
[RESOLUTION TPF GRANT NIZHONI BLVD. PHASE IV.PDF](#)

4. Adoption Of Ordinance No. S2023-9; Authorizing The Amended And Restated Agreement WPF-5424 Of A Water Project Fund Loan/Grant Agreement By And Between The New Mexico Finance Authority (NMFA) And The City Of Gallup For The Navajo Gallup Water Supply Project (NGWSP)

On December 14, 2021, City Council approved the execution and delivery of the loan/grant agreement via Ordinance S2021-9. Pursuant to the Ordinance, a Water Project Fund Loan/Grant Agreement (Original Agreement) was executed on January 21, 2022. That Agreement provided for funding in the total amount of seven million seven hundred eight thousand two hundred seventy-one dollars (\$7,708,271), **to take the form of 40% loan and 60% grant.**

The purpose of the proposed Ordinance No. S2023-9 is to authorize an Amended and Restated Agreement WPF-5424 between the New Mexico Finance Authority ("Finance Authority") and the City of Gallup (the "Borrower/Grantee"), in the same amount (\$7,708,271) as the Original Agreement, but containing the changes described below.

At its regular scheduled July 27, 2023 meeting, the Finance Authority gave approval for a change in the revenues pledged to support the loan to include only water system revenues. In addition, the Authority agreed to modify the financial structure of the \$7,708,271 amount to **limit the 40/60 split to the first \$4,100,000** and convert the remaining \$3,608,270 to a **10% loan, 90% grant split**. Under this structure, the City borrows \$1,640,000 of the initial \$4,100,00 and \$360,827 of the additional \$3,608,270. The grant portion will consist of \$2,460,000 of the initial \$4,100,000 and \$3,247,444 of the remaining \$3,608,270.

The total loan amount will be \$2,000,827 and the total grant amount will be \$5,707,444.

The Project consists of:

1. Reach 27.7B of the Navajo Gallup Water Supply Project will connect Reaches 27.6 and 27.7A, from White Cliffs to Red Rock State Park. The project consists of construction of 3.6 miles of 18" waterline and a meter station to connect to Reaches 14.3 and 14.4. This route will also serve as an alternative road to Red Rock Park in the future.

2. Design and construction of a conjunctive use supplemental groundwater supply well located in the G-80/SJ-1491 (Yah ta hey NM) well field. This well and other wells planned to be drilled and equipped in the near future will provide water to Gallup and the surrounding area offsetting the delay in surface water from the San Juan River.

Fiscal Impact: Revenue and expenditures of \$7,708,271 for Reach 27.7B of the NGWSP. Repayment is shown in attached WPF-5424 Loan Grant Agreement.

Recommendation: Approval of Ordinance No. S2023-9 and Related Budget Adjustment as specified above

Speaker's Name Clark Tallis - Director - Water / Wastewater

Documents:

[WPF-5424. AMENDED AND RESTATED LOAN.GRANT AGREEMENT. FINAL. 10.03.23.PDF](#)
[WPF-5424. AMENDED AND RESTATED. FINANCING SCHEDULE. V1. 09.05.23.PDF](#)
[WPF-5424. AMENDMENT. DDCR. FINAL. 10.03.23.PDF](#)
[WPF-5424. AMENDMENT. GNL. FINAL. 10.10.23.PDF](#)
[WPF-5424. AMENDMENT. ORDINANCE. FINAL. 10.03.23.PDF](#)
[WPF-5424. GNL ATTACHMENT 1.PDF](#)
[WPF-5424. GNL ATTACHMENT 2.PDF](#)

5. Ratification Of Amendment To Heading Home Professional Services Agreement And Approval Of Amendment To Lexington Lease Agreement

On October 8, 2023, Heading Home, Inc. notified the City that funding for the operation of the Lexington Hotel would expire as of September 30, 2023, and that, accordingly, Heading Home would discontinue its provision of services at the Lexington pursuant to its January 14, 2021 Professional Services Agreement (PSA) and related lease on October 1, 2023.

Through negotiation and work with Heading Home, McKinley County and others, the City has obtained an amendment to the PSA under which Heading Home will continue to provide services at the Lexington from October 1, 2023 to December 31, 2023, provided the City supplies \$50,000 in funding for those services and succeeds in raising an additional \$100,000 in funding from others. The City has committed to supply its \$50,000, has received what it considers to be reliable funding commitments from others in the approximate amount of \$80,000, and believes the remaining funding can and will be raised. However, if the funding effort falls short, Heading Home will be entitled to discontinue services before the December 31 termination date.

To assure coordination and consistency, the City has proposed an amendment to Heading Home's lease of the Lexington to provide that the lease will terminate on December 31, 2023, or earlier if the amended PSA is terminated or Heading Home discontinues services. Heading Home has agreed to the lease amendment.

Copies of the amended PSA and lease amendment are attached below.

Fiscal Impact: Additional funding of \$50,000 has been committed through available LET funding or alternative sources

Recommendation: Staff recommends ratification of the Amended PSA and approval of the Lease Amendment

Speaker's Name David Eason/JM DeYoung

Documents:

[AMENDMENT TO LEASE.PDF](#)
[AMENDMENT TO PROF SERV AGREEMENT - FINAL - CITY FULL
SIG.PDF](#)

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.