

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, JUNE 28, 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 And Information Item

1. **Update on the Navajo Gallup Water Supply Project - Kurt Spolar, Marc DePauli and Tim Bodell**

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 1-13 on the Consent Agenda by unanimous vote:

1. Approval Of Minutes

Regular Meeting of June 14, 2022

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

Documents:

[DRAFT MINUTES JUNE 14 2022 REG MTG.PDF](#)

2. Approval Of Budget Adjustment For FY23 Tourism Cooperative Marketing Grant

The City of Gallup Tourism & Marketing Department received a FY23 Cooperative Marketing Grant from the State of New Mexico Tourism Department. This grant includes the following services at a 2:1 match (we pay the state 1/3 of the cost, they execute the services with their contracted vendors)

- o Crowdsourced photo and video management
- o Social content package- 12 months
- o Video & Still photoshoot
- o Google SEM (Search Engine Management) Managed Search (paid advertising on Google to boost a traveler's chances of discovering our website)

Additionally, we received a 2:1 match for advertising in Route Magazine. This match is through the grant's flex program, so the city tourism department will execute the ad buy and get reimbursed by the State for 2/3 of the cost.

Fiscal Impact: \$7200 reimbursement by the State of New Mexico Tourism Department. All additional matching funds were included in the FY23 annual budget.
Recommendation: Approval of budget adjustment for revenues from NMTD grant
Speaker's Name Jennifer Lazarz

Documents:

[GALLUP CITY AWARD LETTER .PDF](#)
[GALLUP, CITY OF AWARD SUMMARY.PDF](#)
[SIGNED GALLUP_CITY_FY-23_COOP_AGREEMENT1.PDF](#)

3. Budget Adjustment For Projects Related To SCADA

Staff is recommending a budget adjustment in the amount of \$40,000 to project No. JU1510. This will facilitate having our contract engineers available for

troubleshooting of various data acquisition issues and to design SCADA equipment that will operate metering and relay equipment in the Noe substation. With approval of this budget adjustment we will determine appropriate purchase orders and encumbrances for the two projects.

Fiscal Impact: A budget adjustment in the amount of \$40,000 from the available cash in Fund 507 into Project No. JU1510.

Recommendation: Staff recommends approval of this budget adjustment.

Speaker's Name John Wheeler

Documents:

[GALLUP NOE SCADA UPGRADE.PDF](#)
[SCADA MISC SUPPORT SERVICES.PDF](#)

4. **Budget Adjustment For Purchases For Resale**

Staff is requesting a budget adjustment of \$400,000 to pay for expected overages of power costs above budgeted amounts. This is caused by changes in power purchases from WAPA due to drought conditions in the Federal hydro system. We have to then purchase that shortfall of power from CDEC at a higher price, estimated at \$200,000. WAPA has yet to bill us for the Water System Power Contract agreement for April, May and June and that will be an additional \$117,000. We are including a \$83,000 cushion as we have no idea from month to month as to the changes in the amount of WAPA we will receive, plus our PNM transmission services have taken some wild swings the last couple of months.

Fiscal Impact: Fiscal impact is a transfer of available funds from account 507.

Recommendation: Staff recommends approval of this budget adjustment.

Speaker's Name John Wheeler

5. **Gallup Christian Center, Inc. Requested Easement**

Staff is recommending approval of the attached utility easement the Gallup Christian Center, Inc is proposing which will allow an underground line to be built to a new building on their property.

Fiscal Impact: There is no fiscal impact to the City.

Recommendation: Staff recommends the approval of this easement.

Speaker's Name John Wheeler

Documents:

[GALLUP CHRISTIAN CENTER.PDF](#)

6. **Plaza Street Partners, LLC Request For A Utility Easement**

Staff is recommending approval of an attached easement requested by Plaza Street Partners, LLC. This easement will facilitate providing electric power to a new Popeye's restaurant.

Fiscal Impact: There is no fiscal impact to the City

Recommendation: Staff recommends approval of this utility easement.

Speaker's Name John Wheeler

Documents:

[PLAZA STREET PARTNERS EASEMENT.PDF](#)

7. Approval Of Forecasting Contract With Enchantment Energy Consulting, LLC

Staff is requesting approval for the City Manager to execute a contract with Enchantment Energy Consulting, LLC to provide for forecasting services of power and energy for the City of Gallup. The forecasting will involve the determination of how much transmission capacity is needed to serve customers on an hourly basis. Once it is forecasted, the transmission providers will schedule that capacity in the amounts needed. This is a critical need as the City, with its legal and power consultants, has determined that the service formerly provided by Continental Divide and Tri-State was not of benefit to the City. Staff is also recommending a Budget Adjustment in the amount of \$200,000 which will cover the cost of these services until July 1, 2025.

Fiscal Impact: Fiscal Impact is a budget adjustment of \$200,000 from the available cash in Fund 507.

Recommendation: Staff recommends approval of the Council to allow execution of the Contract by the City Manager.

Speaker's Name John Wheeler

Documents:

[INDEPENDENTCONTRACTORAGREEMENT-EEC-GALLUP FORECASTING 62020222 SWW 6.21.PDF](#)

8. Warehouse Budget Adjustment For Salaries, Overtime And Allowances

Purchasing Department that oversees Warehouse Department is requesting a personnel budget adjustment in the amount of \$8,500. The Budget Adjustment is necessary due to a correction in salary classification for Warehouse Supervisor.

Fiscal Impact: Budget Adjustment in the amount of \$8,500. for the Warehouse Personnel Accounts from General Fund Balance

Recommendation: Staff recommends approval of requested budget adjustment amount

Speaker's Name Frances Rodriguez, Purchasing Director

9. Appointment Of Joseph Sanchez And Councilor Linda Garcia To The Business Improvement District (BID) Board

Joseph Sanchez and Councilor Linda Garcia are recommended for appointment to the Business Improvement District (BID) Board. Please refer to the attached memorandum from Mayor Bonaguidi.

Fiscal Impact: None.

Recommendation: Appoint Councilor Linda Garcia and Joseph Sanchez to the BID Board.

Speaker's Name Mayor Louie Bonaguidi

Documents:

[APT J SANCHEZ AND L GARCIA TO BID BOARD.PDF](#)

10. Approval Of Professional Services Agreement With Fleisher Consulting, LLC

A contract for consulting services has been submitted by Fleisher Consulting, LLC for continued consulting and government relations services on behalf of the City of Gallup. The contract is for a three year term.

Recommendation:

Approve contract for Fleisher Consulting, LLC and authorize the City Manager with signature authority.

Fiscal Impact: \$64,725.00 budgeted in the FY2023 budget.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick, City Manager

Documents:

[FLEISHER CONSULTING.PDF](#)

11. Resolution No. R2022-21; East Nizhoni Boulevard Reconstruction Project Municipal Arterial Program (MAP) Cooperative Agreement Acceptance And Approval

Staff is requesting City Council's approval of Resolution No. R2022-21 thereby accepting the Municipal Arterial Program (MAP) Cooperative Agreement to partially fund Phases III and IV of the Nizhoni Boulevard Reconstruction Project. This project is broken into four phases, Phase I is design, Phase II is to reconstruct the intersection of Nizhoni Boulevard and College Drive, Phase III is to reconstruct Nizhoni Boulevard between Second Street and College Drive and Phase IV is to reconstruct the intersection of Nizhoni Boulevard and Second Street.

Phases III and IV entails reconstruction of the intersection of Nizhoni Boulevard and Second Street and Reconstruction of Nizhoni Boulevard between Second Street and College Drive which includes the roadway, pedestrian safety, drainage and underground utilities. The estimated total cost of the Project is \$4,500,000.00. The amount awarded by the Municipal Arterial Program Grant No. L600221 is \$949,823.00. The New Mexico Department of Transportation's share shall be 75% or \$712,367.00, the City of Gallup's required proportional share shall be 25% or \$237,456.00 for a total grant amount of \$949,823.00. The City's required proportional match has already been set aside for this project in Project No. CP2211, no additional matching funds need to be budgeted.

The City has submitted a Transportation Project Fund (TPF) grant application requesting 4.5M to fund the remaining balance of the project.

Fiscal Impact: Approve a revenue and expenditures budget in the amount of \$949,823.00 to Fund 218. The City's required proportional match has already been budgeted in Project No. CP2211, no additional matching funds need to be budgeted.

Recommendation: Staff recommends approval of Resolution No. R2022-21 to accept MAP Grant No. L600221

Speaker's Name C.B. Strain

Documents:

[RESOLUTION MAP FY23 GRANT ACCEPTANCE 06282022.PDF](#)
[L600221 MAP LETTER GALLUP.PDF](#)
[L600221 CITY OF GALLUP MAP.PDF](#)

12. Approval Of FY23 Agreement And Budget Adjustment Of The First Responders-Comprehensive Addiction And Recovery Act Grant (FR-CARA)

The Gallup Fire Department along with the Behavioral Health Department will be receiving a First Responders-Comprehensive Addiction and Recovery Act Grant (Short Title: FR-CARA). We will train and provide resources to first responders on carrying and administering Narcan (naloxone) for emergency reversal of known or suspected opioid overdose. The purpose of this program is to administer Narcan (naloxone) Nasal Spray for emergency reversal of known or suspected opioid overdose. We will also establish processes, protocols, mechanisms for referral to appropriate treatment and recovery support services, and safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs.

Fiscal Impact: FR-CARA Grant Agreement revenue and expenditures in the amount of \$130,000.

Recommendation: Approval of Agreement and Budget Adjustment for FR-CARA

Speaker's Name Jesus" Chuy" Morales- Fire Chief and Debra L. Martinez Behavioral Health

Documents:

[BHSD FY23_FF_BG50_FR CARA_CITY OF GALLUP.PDF](#)

13. Approval Of Contract For The Law Enforcement Assisted Diversion (LEAD) Grant

The FY2023 LEAD budget allocates a total of up to \$150,000 for the City of Gallup to operate a LEAD Program. LEAD is a pre-arrest diversion program, rooted in harm reduction, in which police officers divert individuals to intensive Case Management in lieu of arrest for low-level nonviolent crimes driven by substance use disorder and other unmet behavioral health needs. Services will be tracked in order to evaluate effectiveness. This contract is effective July 1, 2022.

Fiscal Impact: A budget adjustment of revenue and expenditures for the project.

Recommendation: Approval of the FY23 LEAD Contract and budget adjustment for FY23 expenditures

Speaker's Name Debra L. Martinez, Behavioral Health Manager

Documents:

[BHSD_FY23_SGF_BB10_SA_LEAD_CITYOFGALLUP.PDF](#)

E. Discussion/Action Topics

1. **Resolution No. R2022-22; Adoption Of The Alpine Lumber Company Site Redevelopment Plan**

The Gallup City Council at their January 11, 2022 regular City Council Meeting accepted Legislative Appropriation Number 21-ZF9136 in the amount of \$75,000.00 in order to develop an Alpine Lumber Company Site Redevelopment Plan for the purpose of economic development reuse of the old Alpine Lumber Company property.

Requests For Proposals (RFP's) went out and one (1) firm responded. The RFP Evaluation Committee evaluated the proposal and met on January 3, 2022 to score the proposal using criteria developed and included in RFP No. 2021/2022/03/P. After thorough review and discussion the Evaluation Committee selected Sites Southwest as the firm most qualified for the project. Sites Southwest was awarded the project at the regular City Council Meeting on January 11, 2022.

Sites Southwest has completed the project and a final draft document is being presented to City Council for review and adoption. Sites Southwest will give a presentation on the process, findings and recommendations of the plan.

Fiscal Impact: None, presentation and adoption of the final draft document only. All project funds were previously approved and budgeted by City Council.

Recommendation: Approval of Resolution No. R2022-22 to adopt the Alpine Lumber Company Site Redevelopment Plan

Speaker's Name Nikki Lee, Planning Manager

Documents:

[ALPINE LUMBER COMPANY SITE REDEVELOPMENT PLAN
RESOLUTION NO. R2022-22.PDF](#)

[ALPINE LUMBER COMPANY SITE PLAN_FINAL W APPENDICES.PDF
ALPINELUMBERREDEVELOPMENT_6.28.22.PDF](#)

2. **Resolution R2022-19 Reimbursement Resolution For The Effluent Line**

We are working on an application to the NMFA that was approved with resolution S2022-2 for \$5,600,000. In order to begin construction as soon as possible, the attached resolution is presented for your approval. The resolution will allow the project to move forward in advance of the loan funding and then be reimbursed by the loan proceeds.

A budget adjustment to revenue and expenditures will be necessary to facilitate this action.

Fiscal Impact: A budget adjustment of \$500,000 in revenue and expenditures in fund 202 from cash balance is requested to

initiate the project work.

Recommendation: Approve resolution R2022-19 and requested budget adjustment.

Speaker's Name Patty Holland

Documents:

[REIMBURSEMENT RESOLUTION \(W4431681X7A92D\).PDF](#)

3. **Approval Of Northwest New Mexico Council Of Governments Membership Agreement**

Northwest New Mexico Council of Governments (NWNMCOG) has submitted a two year contract for city membership for the term of July 1, 2022 through June 30, 2023. In addition, this contract will continue the services provided by the NWNMCOG as outlined in the attached two year Direct Services Work Program.

Recommendation:

Approval of contract to continue membership and continuing level of services provided by NWNMCOG as outlined in the attached work program and approval of the existing city representatives to the COG Board: Mayor Louis Bonaguidi, Councilor Fran Palochak, Councilor Michael Schaaf and Maryann Ustick, City Manager and Jon DeYoung, Assistant City Manager as a Board Alternate.

Fiscal Impact: \$66,625 budgeted in the FY2023 budget.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick, Evan Williams and Brandon Howe

Documents:

[COG BD_APPT FORM_GALLUP_2023.PDF](#)

[GALLUP_MEMBERSHIP AGREEMENT_FY2023.PDF](#)

[NWNMCOG OVERVIEW_GALLUP.PDF](#)

4. **Request For Street And Parking Lot Closures And Request For Special Dispenser's Permit For The Annual Route 66 Freedom Festival & Classic Auto Show**

The Gallup Business Improvement District (BID) is requesting approval of various street and parking lot closures for their annual event to take place during the last weekend of July 2022. The BID is also requesting approval of a Special Dispenser's Permit to be issued for the beer garden to be in place at the Courthouse Square on Saturday, July 30, 2022.

Fiscal Impact: TBD - City staff to provide support services for the event.

Recommendation: The BID recommends approval of their requests.

Speaker's Name Francis Bee, Executive Director, Gallup BID

Documents:

[EVENT PERMIT RT 66 FREEDOM FESTIVAL 2022.PDF](#)

5. Approval Of Annual Chamber Of Commerce Contract For Tourism Related Services

This agreement allows for the Gallup McKinley County Chamber of Commerce to continue to maintain and staff a year-round Visitor Information Center within their facility at 106 W Highway 66, to print a visitors guide for 2022, and includes funding for the Chamber to provide Advertising and Promotion services with the purpose of attracting visitors and increasing tourism. The contract would take effect July 1, 2022, and run through June 30, 2023.

The contract is in the amount of \$120,000 for the following services:

- a) \$15,000 for advertising and promotional services
- b) \$75,000 for the operation of the year-round Visitor Information Center
- c) \$30,000 for the 2022 Visitors Guide Production (LT funds only support the printing of the guide, the Chamber sells ads in compensation for the building and distribution of the guide.)

Fiscal Impact: \$120,000 of budgeted funds within fund 214 from FY23
Recommendation: Approval of FY23 Contract with the Gallup McKinley County Chamber of Commerce
Speaker's Name Jennifer Lazarz, Bill Lee

Documents:

[CHAMBER CONTRACT FY23 DRAFT.PDF](#)

6. Approval Of Contract With SWIF For Gallup Cultural Center Services

The City of Gallup Tourism Department is seeking approval of a contract with Southwest Indian Foundation for tourism related services at the Gallup Cultural Center to include:

- a) Cultural programming such as live demonstrations, painting weaving, and other showcases
- b) Strategic planning efforts tying together facility-wide attractions & events
- c) Museum curation and exhibit expansion
- c) Youth programming related to culture, arts, and tours
- d) Tourism-related group tour programming development and execution

Additionally, this contract only includes providing downtown summer dances 3x weekly for the month of July 2022. 2023 dance programming is subject to a future RFP and approval by City Council at a later date.

Fiscal Impact: \$60,000 from existing funds within fund 214 for FY23
Recommendation: Approval of contract with Southwest Indian Foundation for tourism related services
Speaker's Name Jennifer Lazarz, Jeremy Boucher

Documents:

7. Approval Of Agreement With NCI For Detox Administration And Operation And Budget Adjustment

The FY23 NCI Detox Administration and Operations Agreement and budget adjustment for \$420,000. This includes administrative costs and the operation of the Protective Custody component.

Fiscal Impact: The Detox Center Administration and Operations Agreement will be funded by the City of Gallup General Fund until the Liquor Excise Tax revenue resolution is signed. A budget adjustment from the General Fund in the amount of \$420,000.

Recommendation: Approval of Agreement for Administration and Operations for the Detox and budget adjustment.

Speaker's Name Debra L. Martinez, Behavioral Health Manager

Documents:

[FY22 GALLUP DETOXIFICATION CENTER LET 420K 6MTHS.PDF](#)

8. Award Of Contract For The FBO (Fixed Based Operator) For The City Of Gallup Airport

Airport Staff is requesting approval of the Award for the FBO (Fixed based operator) Contract for the City of Gallup Airport and authorize the City manager to execute the contract. The term of this Agreement shall be for a period of eight (8) years commencing on the 1st of August, 2022 and ending the 31st day July, 2030. Airport Staff will announce the Awardee during this City Council meeting.

Fiscal Impact: None. This contract could bring in potential revenues for our Airport.

Recommendation: Recommends approval of the FBO contract and authorize the City Manager to execute the contract.

Speaker's Name Robert Hamblen

Documents:

[FBO CONTRACT-DRAFT_CM_NKW \(2\).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.