

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, JANUARY 10, 2023; 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](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. Pledge Of Allegiance

The members of the body and the public are invited to recite the Pledge of Allegiance.

B. Roll Call

C. 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 1-9 on the Consent Agenda by unanimous vote:

1. Resolution No. R2023-1; Annual Determination Of Notice Under The Open Meetings Act

The New Mexico Open Meetings Act requires all public bodies to provide reasonable notice to the public of all its meetings. The Act also requires public bodies to determine its notice procedures at least once a year in a public meeting. While the Open Meetings Act itself does not impose any specific requirements, other than an agenda being available 72 hours in advance of each meeting, the New Mexico Attorney General will consider the following notice procedure as reasonable: 1) 10 days advance notice for regular meetings; 2) 3 days advance notice for special meetings; and 3) 24 hours advance notice for emergency meetings, unless the threat of personal injury or property damage requires less notice. The proposed resolution contains the Attorney General's recommendations for providing notice to the public of all City Council meetings. The resolution also provides the requisite information for the regular meetings of the City Council to be held on the second and fourth Tuesdays of each month at 6:00 p.m.

Fiscal Impact: None.
Recommendation: Approve Resolution No. R2023-1.
Speaker's Name Alfred Abeita II, City Clerk

Documents:

[R2023-1 ANNUAL OPEN MEETINGS RESOLUTION.PDF](#)

2. West Logan Avenue (6th To 9th St.) Street And Drainage Project Construction Contract Award

Construction Bids for the West Logan Avenue Street and Drainage reconstruction project were opened on November 22, 2022. There were two responsive bidders with the lowest bid of \$1,253,672.42 from H.O. Construction of Albuquerque, NM including NMGRT. Attached is the letter of recommendation and bid tabulation sheet from DePauli Engineering & Surveying, LLC who is the design engineering firm for the project.

After reviewing the bid tabulation sheet and receiving a concurrence from the New Mexico Department of Finance and Administration the proposal of the \$1,253,672.42 including NMGRT leaves a shortage of \$92,240.42.

Staff respectfully requests City Council to authorize an expenditure budget off \$47,500.00 from Account #216-1534-454.44-37. Authorize an expenditure budget of \$45,000.00 from FY 22 GF Fund 101. Totaling \$92,500.00, in order to cover the shortfall in the construction budget.

Fiscal Impact: City Council authorize an expenditure budget of \$47,500.00 from 216-1534-454.44-37. Authorize an expenditure budget in the amount of \$45,000.00 from FY 22 GF Fund 101, in order to cover the shortfall in the construction project.
Recommendation: Recommend award of contract and approval of budget as requested.
Speaker's Name Clyde "C.B." Strain, Planning & Development Director

Documents:

[CERTIFIED BID TABS - BID NO. 2222.PDF](#)
[RECOMMENDATION OF AWARD BID NO. 2222.PDF](#)

3. Acceptance Of Sky City Right-Of-Way Dedication For NGWSP Connection

This is a dedication from Gallup Land Partners of a strip of land just outside of the city limits at the end of Cliff Dr. The purpose is to allow construction of a pipeline with a pressure reducing valve to tie the City's water system into Reach 27.6 of the Navajo Gallup Water Supply Project. The Reach 27.6 segment of NGWSP has already been constructed.

Fiscal Impact: None
Recommendation: Acceptance of the Dedication
Speaker's Name: Adrian Marrufo

Documents:

[SKY CITY ROW LOCATION.PDF](#)
[SKY CITY ROW DEDICATION.PDF](#)

4. Budget Adjustment For A Sub-Grant Agreement For The McKinley County DWI Task Force Naming The Gallup Police Department As The Sub-Grantee In The Amount Of \$24,000.

As part of the McKinley County DWI Task force, the Gallup Police Department, as the sub-grantee, was awarded a sub-grant in the amount of \$24,000. As the sub-grantee, the Gallup Police Department is to implement Driving While Impaired (DWI) sobriety checkpoints and saturation patrols aimed at reducing alcohol related crashes, injuries, and deaths in McKinley County and in partnership with the following agencies: NM Department of Public Safety, McKinley County Sheriff's Office, Navajo Nation Police Department, Zuni Police Department, and the Ramah Police Department. All required signatures have been fully executed and the Gallup Police Department therefore requests approval of the sub-grant agreement for the total amount awarded.

Attachment: McKinley County DWI Task Force Sub-Grant Agreement.

Fiscal Impact: Budget adjustment in revenue - DWI Task Force Sub-Grant Agreement revenue in the amount of \$24,000.
Recommendation: Acceptance & approval of the DWI Task Force Sub-Grant Agreement in the amount of \$24,000.
Speaker's Name: Erin Toadlena-Pablo

Documents:

[DWI TASK FORCE AGREEMENT 2023.PDF](#)

5. Budget Adjustment For Acting Deputy Chief Position For The Gallup Police Department

The Gallup Police Department, as part of its command staff structure, is reimplementing the Deputy Chief of Police position which is currently vacant and unfunded for the 2023 fiscal year. The intent of this budget adjustment is to re-activate this position for the remaining 2023 fiscal year and subsequent years.

The acting Deputy Chief would be selected internally from the one of the two current Captain positions thereby vacating one Captain position for the remainder of the fiscal year. The proposed annual salary for the acting Deputy Chief would be \$103,364.35 plus benefits. The current annual Gallup Police Captain salary is \$86,136.96 plus benefits.

The Gallup Police Department would utilize a current Captain's salary and supplement it with \$12,291 from the unexpended salary and wages 101 account for sworn police officers for the remaining six months of the fiscal year.

Fiscal Impact: Utilization of \$12,291 from the unexpended salary and wages account (101-2011-421.41-20) for the Acting Deputy Chief position.

Recommendation: Approval of a budget adjustment in account 101 in the amount of \$12,291 for the Acting Deputy Chief

Speaker's Name Franklin Boyd - Chief of Police

Documents:

[JOB DESCRIPTION DEPUTY POLICE CHIEF 7-18-19.PDF](#)

6. Acceptance Of Award Of Funding From The Department Of Finance And Administration In The Amount Of \$50,000.00 For Grants Management For Local Governments And Local Councils Of Government.

Staff received the following 2022 Legislative Grant Agreement from the New Mexico Department of Finance. 22-ZG5032-13 for grants management for local governments and local councils of government. Funds NOT expended by June 30th, 2023 will be reverted to the State of New Mexico's general fund.

Due to time constraints to expend these funds, city will be signing an Interagency Services Agreement with the NWNM Council of Governments to utilize these funds to contract with experienced grant writers to assist the city in applying for federal and state grants (see attached agreement).

Fiscal Impact: Project revenue and expenditure budget in the amount of \$50,000.00 in Fund 391.

Recommendation: Approve requested revenue and expenditure budget Fund 391.

Speaker's Name Maryann Ustick, City Manager

Documents:

[GALLUP 22-ZG5032-13 CAPACITY BLDG GRANT.PDF](#)
[GALLUP-NWNMCOG ISA GRANTWRITING, DECEMBER 2022.PDF](#)

7. Best Of The Best Rodeo Budget For The Current Fiscal Year

This will be the Best of the Best Rodeo's eighth year as a community event. This year the City of Gallup has the opportunity to partner with McKinley County on the event. The County, being the operator of Red Rock Park, has agreed to not charge the City for the use of Red Rock Park during the event and has offered staff support as well. In order to put on the event, staff will need funding. All expenditures for the event will be the responsibility of the City and all revenue received from the event will go to the City. The Best of the Best Rodeo will be June 21-24, 2023.

Fiscal Impact: Budget adjustment for revenue of \$364,750 and expenditures of \$341,000 from and to fund 590 as well as a budget adjustment from lodgers tax fund 214 for expenditures in the amount of \$45,000.

Recommendation: Approval of the Best of the Best Rodeo Budget

Speaker's Name JM DeYoung

Documents:

[BEST OF THE BEST BUDGET 2023.PDF](#)

8. Promotion Contract With Walt Eddy For The Best Of The Best Rodeo

Going into the eighth year of the Best of the Best Rodeo, there have been no changes to the previous year's promotional contract with Walt Eddy. The contract is attached for review.

Fiscal Impact: All sums are payable from the rodeo budget

Recommendation: Approval of contract with Walt Eddy

Speaker's Name JM DeYoung

Documents:

[2023 BOB CONTRACT_WALT EDDY.PDF](#)

9. Approval Of Budget Adjustment And FTE Legal Assistant Position

With the retirement of the City Attorney, staff recommends returning the Legal Secretary position back to an FTE position as a Legal Assistant to assist and support the new City Attorney.

Recommendation:

Approve budget adjustment in the amount of \$11,660 and approve adding a full time position in the budget.

Fiscal Impact: \$11,660 in salaries and benefits.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick, City Manager

D. Discussion/Action Topics

1. Request For Street, Parking Lot And Alleyway Closures For A Film Shoot To Be Held On January 20, 2023

Stalwart Productions, LLC, has submitted a request for the closure of 5th Street between Highway 66 and Coal Avenue, the alleyway between Highway 66 and Coal Avenue from 3rd Street to 5th Street and the parking lot west of the Rex Museum. The purpose of the closures is to film scenes for the TV series *Dark Winds*.

Fiscal Impact: TBD
Recommendation: Stalwart Productions recommends approval of the street and alleyway closures.
Speaker's Name John Lucas, Stalwart Productions, LLC

Documents:

[EVENT PERMIT - DARK WINDS FILM SHOOT JAN 20 2023.PDF](#)

2. Ordinance No. S2023-1; Text Amendment Revising Certain Zoning Regulations Regarding Cannabis By Amending Sections 10-3-C-C, 10-3-C-J, 10-3-C-K, 10-3-C-U, 10-4-A-A, And 10-6, Of The City Of Gallup Land Development Standards

Attached for the City Council's review is staff's briefing memo requesting approval of Ordinance No. S2023-1 draft language amending the zoning regulations regarding Cannabis.

Fiscal Impact: None
Recommendation: Staff recommends approval of Ordinance No. S2023-1
Speaker's Name Nikki Lee

Documents:

[CC MEMO TEXT AMENDMENT.PDF](#)
[ORDINANCE CANNABIS TEXT AMENDMENT S2023-1.PDF](#)
[RP2022-15.PDF](#)
[CC ATTACHMENTS FOR 01.10.2023.PDF](#)

E. Presentation And Information Items

1. Report On The 100th Annual Gallup Inter-Tribal Indian Ceremonial

Kyle Tom, President of the Gallup Inter-Tribal Indian Ceremonial Association Board, will provide the report.

Fiscal Impact: None - presentation item.
Recommendation: None - presentation item.
Speaker's Name Kyle Tom

Documents:

2. Hasler Valley Road Extension And Improvements

Michael Daly will provide a presentation on the proposed extension and improvement of Hasler Valley Road to Red Rock Park. He will also present a request for the City of Gallup to join McKinley County to make the project a priority.

Fiscal Impact: None - presentation item.

Recommendation: None - presentation item.

Speaker's Name Michael Daly

Documents:

[HASLER VALLEY ROAD - PRESENTATION TO THE CITY OF GALLUP.PDF](#)

[VESTA HENRY LTR_HASLER REDESIGN.PDF](#)

3. Information Regarding Neighboring Water Systems

Michael Daly will provide information on news and plans of three nearby public water systems.

Fiscal Impact: None - presentation item.

Recommendation: None - presentation item.

Speaker's Name Michael Daly

Documents:

[PRESENTATION OUTLINE TO CITY OF GALLUP.PDF](#)

4. Tiny Art Project Proposal

Rose Eason, Executive Director, GallupARTS and Michael Bulloch, Executive Director, Gallup Mainstreet Arts and Cultural District, will provide a presentation on the proposed Tiny Art Project.

Fiscal Impact: None - presentation item.

Recommendation: None - presentation item.

Speaker's Name Rose Eason and Michael Bulloch

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.