

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, MAY 9, 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

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](#)

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. Presentation Item

1. Presentation By Run For The Wall

John Staub, President of the Run for the Wall Board of Directors, will address the Mayor and Councilors regarding Gallup's support for Run for the Wall.

Fiscal Impact: None - presentation item.

Recommendation: None - presentation item.

Speaker's Name John Staub

Documents:

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 1-5 on the Consent Agenda by unanimous vote:

1. Approval Of Minutes

April 12, 2023 Work Session

April 25, 2023 Regular Meeting

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

Documents:

[DRAFT MINUTES APR 12 2023 WORK SESSION.PDF](#)
[DRAFT MINUTES APR 25 2023 REG MTG.PDF](#)

2. Appointments To The Planning And Zoning Commission

Kent Wilson, Keegan Mackenzie-Chavez, Fran Pawlowski and Johnty Cresto are recommended for reappointment to serve on the Planning and Zoning Commission. The terms of these members will expire on May 31, 2023 and all four members have expressed interest in serving another two-year term.

Fiscal Impact: None.
Recommendation: Approve the reappointments.
Speaker's Name Mayor Louie Bonaguidi

Documents:

[MEMO TO COUNCIL PLANNING AND ZONING COMM APPTS.PDF](#)

3. Resolution No. R2023-9; Approval Of NM Economic Development Capital Outlay Public Infrastructure Grant Agreement

The City of Gallup has received a revised grant agreement in the amount of \$986,908.33 from the New Mexico Economic Development Department. This funding will be used to plan, design and construct infrastructure improvements in the mainstreet district and local arts and cultural district. Based on project readiness, this new grant will be used for the Gallup MainStreet's Avenue Commons Alley/Paseo Project.

This grant agreement will terminate and replace the previous NMMS Capital Outlay Public Infrastructure /New Mexico MainStreet grant agreement # 419-A21F2103-2306 for \$600,000.

Recommendation:

Approval NMMS Capital Outlay Public Infrastructure grant agreement and approval of budget adjustment and expenditures in the amount of \$986,908.33.

Fiscal Impact: 20% match in the amount of \$197,384.66 has been budgeted.

Recommendation: Recommendation in the summary

Speaker's Name Maryann Ustick, City Manager

Documents:

[NMMS CO_TERMINATION-NEW AWARD LTR.PDF](#)
[FINAL GALLUP FY21 GRANT AGREEMENT.PDF](#)
[RESOLUTION NO. R2023-9.PDF](#)
[RESOLUTION NO R2023-6.PDF](#)

4. Budget Adjustment To Cover Fuel And Vehicle Expenses In Enterprise Fund 504 - Solid Waste Operating Budget

The Solid Waste Department is requesting a budget adjustment in the amount of \$60,000 from fund 504 operating cash. Due to the continuous price increases for equipment parts and fuel, the operating budget accounts have been depleted. These funds will be necessary to continue daily operations.

Vehicle Maintenance = \$25,000

Fuel Expense = \$35,000

Fiscal Impact: \$60,000 from Fund 504 Operating Cash into the following accounts: 504-6064-445.44-50 Vehicle Maint and 504-6064-445.44-51 - Fuel

Recommendation: Approval of requested budget adjustment

Speaker's Name Adrian Marrufo - Acting Director SW/W/WW

5. Recommendation Of Bid Award, Formal Bid No. 2309 To Clean Infusion LLC. Of Columbia, Missouri, For Installation Of New Wastewater Treatment Plant Aerobic Digester Blower Piping

Clean Infusion LLC of Columbia, Missouri was the sole bidder for Formal Bid No. 2309 in the amount of \$204,405.14, including New Mexico Gross Receipts Tax.

The Digester blower lines are a critical part of the process to supply Dissolved Oxygen (D.O.) to the Digesters. The blowers are critical to ensure that healthy mature microorganisms are being maintained to enhance the biological treatment in the digester basins. The replacement of the digester airlines to the digester system will ensure the ability of the blowers to run in a more efficient manner. This will allow lower operating electrical cost and lower overall maintenance cost

on the blowers.

Scope of work: Provide new 10.75-inch OD Sch 40 steel welded blower pipe at the City of Gallup Wastewater Treatment Plant as indicated in the attached detail drawing. Work shall include all steel pipe supports including concrete footing for each support. In addition, work shall include penetrating of the existing blower building walls and using the existing pipe as supports within the building. Demolition will involve removing the existing or ductile steel blower pipe at both the existing blower building and the existing digester. All remaining underground steel blower pipe shall be filled with sand and abandoned in place.

Fiscal Impact: None. Expenditures of 2023 ARPA funding in Fund 260, project GR2302

Recommendation: Approval of Bid Award 2309

Speaker's Name Adrian Marrufo - Acting Director SW/W/WW

Documents:

[RECOMMENDATION OF AWARD_WWTP AEROBIC DIGESTER BLOWER PIPING.PDF](#)

[BID TAB AEROBIC DIGESTER OVERHEAD STEEL AIR PIPING IMPROVEMENTS.PDF](#)

[WWTP AEROBIC DIGESTER OVERHEAD BLOWER PIPING SPEC BOOK.PDF](#)

E. Discussion/Action Topics

1. Resolution No. R2023-10; Economic Development Week

The Greater Gallup Economic Development Corporation (GGEDC) is requesting approval of Resolution No. R2023-10, recognizing the week of May 8-13, 2023 as Economic Development Week in the City of Gallup.

Fiscal Impact: None.

Recommendation: GGEDC recommends approval of Resolution No. R2023-10.

Speaker's Name Bruce Armstrong, GGEDC

Documents:

[RESOLUTION FOR ECONOMIC DEVELOPMENT WEEK 2023.PDF](#)

2. Wholesaler Liquor Location Application Submitted By Premier Distributing Co., LLC

Premier Distributing Company, LLC ("Premier") submitted a Wholesaler Liquor Location Application to the State's Regulation & Licensing Department on January 20, 2023. A copy of the Application is attached. In summary, the Application seeks approval for the issuance of a new Wholesaler Liquor License to Premier for licensed premises at 3534 Sanostee Drive; Gallup, New Mexico.

The City has been informed that licensed premises is currently in use as a liquor wholesaler location, and that the Application has been submitted due to change in ownership or control. The Director of the Alcoholic Beverage Control Division

of the State's Regulation & Licensing Department has reviewed the Application and granted preliminary approval on or about March 9, 2023, notice of which was received by the City Clerk on March 23, 2023.

This matter is before the Council for quasi-judicial hearing on the question whether the Department should approve or disapprove the Application. The City's hearing power derives from its status as a Local Option District under the Liquor Control Act, Chapter 60, Articles 3A, 5A, 6A, 6B, 6C, 6E, 7A, 7B and 8A NMSA. Certain procedures attending the hearing and the standards by which the Application may be approved or disapproved are set forth in NMSA 60-6B-4. Under that provision, a hearing must occur within forty-five (45) days after the City's receipt of a notice of the Director's preliminary approval. The forty-five day deadline may be extended by the Director, and in this case an extension has been granted to May 9, 2023. If the City's decision is to approve or disapprove the Application, notice must be given to the Director within thirty (30) days following the hearing and, in the case of disapproval, the notice must set forth the reasons for disapproval and include a copy of the minutes of the hearing. If the City does not approve or disapprove the Application within thirty (30) days following the hearing, the Director may approve the Application. Otherwise, the Director is bound by the City's decision.

Additional information pertinent to the conduct of the hearing and the standards for decision will be supplied at the hearing

Fiscal Impact: None
Recommendation: None. This is a quasi-judicial hearing.
Speaker's Name David Eason, City Attorney

Documents:

[PREMIER DISTRIBUTING WHOLESALER APPLICATION.PDF](#)

3. Request For Street And Parking Lot Closures For The Gallup Lions Club Rodeo Parade, Barbeque And Related Events To Be Held On Saturday, June 10, 2023

The Gallup Lions Club will present their request for the closure of Aztec Avenue from 8th Street to Puerco Drive for the route of the parade. The request also includes the closure of Aztec Avenue from the Wa-Fd driveway to 2nd Street, the closure of the GJU/Children's parking lot and the closure of the Courthouse Square north parking lots for the Downtown Lions' Celebration.

Fiscal Impact: TBD - City staff to provide support services for the event.
Recommendation: The Gallup Lions Club recommends approval of the street and parking lot closures.
Speaker's Name Roxana Yazzie, Gallup Lions Club

Documents:

[EVENT PERMIT GALLUP LIONS CLUB RODEO PARADE 2023.PDF](#)

4. Request For Street And Parking Lot Closures And Request For Special Dispenser's Permit For The Annual Gallup Route 66 Freedom Ride, Flight, And Cruise Event And Classic Car Show To Be Held During The Last Weekend In July, 2023

The Business Improvement District (BID) is requesting approval of various street and parking lot closures for the event. The BID is also requesting approval to obtain a Special Dispenser's Permit for a beer garden to be located at the Court House Plaza parking lot.

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 ROUTE 66 FREEDOM RIDE FLIGHT CRUISE.PDF](#)

5. Update Of Finance Cash Control Policy

During the budget workshop with City Council, the Council directed me to adjust the cash policy to change the general fund minimum balance from 25% of expenditures to 20% of expenditures. We also discussed formalizing the operational policy of transferring the unexpended general fund budget cash balance at fiscal year end to the vehicle replacement fund and a capital improvement fund. Both of these items are included in the attached policy for your review and approval.

Please note that in order to approve the budget, this policy update is required so that sufficient cash balances for the general fund will be maintained per policy.

Fiscal Impact: This reduces cash on hand from 25% of budgeted expenditures to a 20% balance. The amount will vary by fiscal year.
Recommendation: Approval of the updated Cash Controls policy.
Speaker's Name Patty Holland

Documents:

[7. CASH CONTROLS 2023 05 09.PDF](#)

6. Resolution No. R2023-8; Approving FY 2024 Preliminary Budget

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 2024 Preliminary Budget. The approved budget along with documentation of approval is due to DFA by June 1, 2023.

Fiscal Impact: This budget will define anticipated revenue as well as spending parameters of the coming fiscal year for each fund.
Recommendation: Approval of Resolution R2023-8 for the Preliminary Budget Adoption
Speaker's Name Patty Holland

Documents:

[BUDGET RESOLUTION FY24 PRELIMINARY ADOPTION.PDF](#)
[SUMMARY BUDGET PRELIMINARY FY 2024.PDF](#)

7. Budget Adjustment Approval For TIF Transfer

The City Council passed Resolution R2017-8 authorizing the Gallup downtown tax increment financing district. Under the resolution when tax assessments for any year exceed the base year amount, those funds are set aside for future funding of redevelopment projects. The latest report from McKinley County assessor's reveals the first such increase. We have seen an increase in assessed value of the district in the amount of \$17,305.32. In accordance to the resolution this amount will be transferred to the special revenue fund set up specifically for the accumulation of these specially designated funds.

I am asking for a budget adjustment approval to revenue and expenditures in the amount of \$17,306 to accommodate this transfer.

Fiscal Impact:	Budget adjustment in revenue and expenditures in the amount of \$17,306.
Recommendation:	Approve budget adjustments listed above
Speaker's Name	Patty Holland

F. Information Item

1. Tourism Office Update

The City of Gallup Tourism Office respectfully requests the opportunity to give an update presentation to the Mayor and City Council and answer questions they might have. We anticipate the presentation will take 10-15 minutes, unless more information is requested or we receive questions. We plan to utilize a PowerPoint slideshow in this presentation.

Fiscal Impact:	None.
Recommendation:	Respectfully request time to present.
Speaker's Name	Matt Robinson - Tourism & Marketing Manager; Emma Farley - Marketing & Project Coordinator

G. Comments By Public On Non-Agenda Items

Members of the public are invited to comment on matters not appearing on the meeting agenda.

H. Comments By Mayor And City Councilors

I. Comments By City Manager And City Attorney

J. Motion To Adjourn

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.