

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, MAY 12, 2020; 6:00 P.M.



Louis 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, it will be accessible to the public 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 comments on non-agenda items toward the end of the meeting. 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 Meetings of April 22 & 23, 2020
Regular Meeting of April 28, 2020

(Draft minutes of the April 28th Regular Meeting will be available on Monday, May 11th).

Documents:

[DRAFT MINUTES APR 22 2020 SP MTG.PDF](#)

D. Discussion/Action Topics

1. Resolution No. R2020-13; FY 2021 Preliminary 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 2021 Preliminary Budget. The approved budget along with documentation of approval is due to DFA by June 1, 2020.

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 preliminary budget for Fiscal Year 2021.

Speaker's Name Patty Holland

Documents:

[BUDGET RESOLUTION FY21 PRELIMINARY ADOPTION.PDF](#)
[BUDGET 300 2020 04 15 NOTES.PDF](#)
[BUDGET 300 2020 04 15 1.PDF](#)

2. Ordinance No. S2020-4; Emergency Mask And Face Covering Ordinance

The proposed ordinance creates three mandates intended to aid in campaign by the City to prevent the transmission of the COVID19 virus. First it requires that anyone over the age of two wear a mask or face covering while in a public place. The CDC recommends that infants under the age of two not wear masks or face coverings. This portion of the ordinance exempts people that are in vehicles by themselves or with immediate family members, and people engaged in recreational activities that do not place them in close proximity to non-family members. It also exempts employees of businesses open to the public as such employees are required to wear masks or face coverings by the NM Department of Health Public Health Order that becomes effective May 11, 2020.

The second requirement is that businesses (including non-profits and government entities) open to the public and food establishments that operated drive through or curb-side pick-up services, must require customers over the age of two to wear masks or face coverings.

The third requirement is that the businesses covered by the second requirement must post a notice advising the public that they must wear a mask or face covering while within the business or while utilizing the drive through window or curb-side pick-up service, and that if they do not do so, they will be denied entry, removed from the premises, or denied service, as the case may be.

Fiscal Impact: None

Recommendation: Approval of the ordinance

Speaker's Name Curtis Hayes

Documents:

[MASK ORDINANCE 5-8-20.PDF](#)
[APPENDIX A NOTICE.PDF](#)
[APPENDIX B NOTICE.PDF](#)

3. Approval Of Quitclaim Deed To Pueblo Of Zuni

The City of Gallup, in its settlement with the Zuni Pueblo over Zuni's protest of Gallup's G-22 water rights application, agreed that if the G-22 application was approved by the State Engineer, the City would do certain things. One of those items was to transfer a one-acre abandoned well site that is adjacent to the Pueblo of Zuni. The City acquired the property in 1982 but never developed the well site because the basin was closed by the State Engineer and could not be developed and can never be developed.

The State Engineer approved the City of Gallup G-22 application on April 8, 2020 and it became final 30 days later on May 8, 2020. In accordance with the settlement agreement, approval of the quitclaim deed by the City Council is needed transferring the one-acre site to the Pueblo of Zuni.

Attached for information are the following:

- 1 - Form of proposed Quitclaim Deed.
- 2 - Settlement Agreement with Zuni Pueblo. **(Paragraph 6 is the one being complied with).**
- 3 - Copy of deed to the City of Gallup in 1982.
- 4 - Copy of survey in 1982.

Fiscal Impact:	There is no fiscal impact to the City, other than the original cost of the one-acre site 38 years ago.
Recommendation:	Approve Quitclaim Deed to the Pueblo of Zuni.
Speaker's Name	Curtis Hayes and Dennis Romero

Documents:

[ZUNI G22 QUITCLAIM.PDF](#)
[G22 SETTLEMENT ZUNI DOCUMENT.PDF](#)
[DANOFF WELL FIELD SITE 5.PDF](#)

4. Request To Award Navajo Gallup Water Supply Project (NGWSP), Reach 27.10 - Formal Bid No. 2007

The lowest qualified bidder for NGWSP Reach 27.10 (Formal Bid 2007) was SmithCo. Construction, Inc. of Caballo, NM with a total bid of \$7,321,201.84.

WTB Grant/Loan #4823 will cover \$2,868,106 of the project cost. The remaining \$4,453,095.84 will be funded via USBR Cooperative Agreement No. R11AC40002.

This NGWSP Reach is listed to begin construction in the CIP this coming fiscal year.

The project consists of constructing a 3.0 MG welded steel reservoir, a pump station, and altitude valve station, and an altitude valve vault at Cresto Water Tank along with installing approximately 9,450 linear feet of 16" CL350 ductile iron waterline, 3,380 linear feet of 12" CL 235 DR18 C900 PVC waterline, a 212 linear foot jack and bore crossing of NM State Road 602 with a 12" carrier pipe in a 20" steel casing and tie-ins to existing waterline lines. Work will also include air release stations, valves, fittings, specials, grading, excavation, trenching, backfilling, and compaction. Asphalt, gravel road surfacing and fencing will also be required.

This project is located south of Gallup, New Mexico. The 16" waterline begins on the south side of Mendoza Road immediately south of the airport, runs southeast to the tank and pump station site. The site is located along the Old Zuni Road east of the intersection of Dusty Road and Cipriano Street. The 12" water line then runs east from the tank and pump station site, crosses NM State Road 602 and ends at the intersection of Dee Ann Ave and NM State Road 602.

Recommendation:

Staff recommends award of Reach 27.10, Formal Bid 2007 to SmithCo. Construction Inc. in the amount of \$7,321,202.

Fiscal Impact: Fiscal impact is a total revenue and expenditure of \$7,321,202. Revenue will come from two sources: USBR Cooperative Agreement No. R11AC40002 and Water Trust Board Loan/Grant #4823.

Recommendation: Please see above.

Speaker's Name: Dennis Romero

Documents:

- [ATTACHMENT 1 - NGWSP REACH 27.10 RECOMMENDATION OF AWARD.PDF](#)
- [ATTACHEMENT 2 - BID TABULATIONS REACH 27.10 PDF.PDF](#)
- [ATTACHMENT 3 - GALLUP REGIONAL SYSTEM MAP.PDF](#)

5. Request To Approve Budget Adjustment For Navajo Gallup Water Supply Project (NGWSP) Reach 27.9, Change Order No. 4

The following items and costs are included in the proposed NGWSP Reach 27.9, Change Order No. 4 (Attachment 1):

Item	Description	Quantity	Unit Price	Amount
CO 4.1	All labor, equipment and material required to install additional fittings at Sta. 35+89 and Sta. 44+41 needed to reduce from the 24-inch water main to six-inch piping for new water meters	Lump Sum	\$4,773.63	\$4,773.63
CO 4.2	All labor and equipment required to distribute ductile iron pipe at the lay down yard. In order to save on a 30% increase in supplier pricing, Adame Construction ordered the full amount of ductile iron pipe at	Lump Sum	\$72,048.22	\$72,048.22

	the beginning of the project, had to unload it all at lay down yard and then redistribute across waterline alignment.			
CO 4.3	Material required to supply the City of Gallup with a new Smartrol Meter Display Unit at Kachina PRV in order to replace the existing one which was no longer in service.	Lump Sum	\$2,392.00	\$2,392.00
Subtotal:				\$79,213.85
NMGRT @ 8.3125%:				\$6,584.65
Total Cost for Change Order No. 4:				\$85,798.50

Item CO 4.1 is required to meet City's obligation in an easement agreement with landowners that granted an easement for the 24-inch waterline along Kachina Road.

Item CO 4.2 was a cost incurred at the request of the City. The City requested the contractor order and take delivery of ductile iron pipe prior to a March 2018 25% tariff on ductile iron pipe. While a cost of \$72,048.22 was incurred by pre-delivery, net savings to the project by accepting delivery of material prior to the tariff being imposed was approximately \$450,000.

Item CO 4.3 was proposed after an existing meter display stopped functioning during the project.

NGWSP Reach 27.9 can be seen in the Gallup Regional System Map (Attachment 2).

Fiscal Impact: Fiscal impact will be a revenue of \$85,798.50 into the project budget and an accompanying expenditure of \$85,798.50 from the project budget. Revenue will come from USBR Cooperative Agreement No. R11AC40002.

Recommendation: Staff recommends approval of Change Order No. 4 and associated budget adjustments.

Speaker's Name: Dennis Romero

Documents:

[ATTACHMENT 1 - PROPOSED CHANGE ORDER 4.PDF](#)
[ATTACHMENT 2- GALLUP REGIONAL SYSTEM MAP.PDF](#)

6. Approval Of NWNMCOG Contract

NWNMCOG has submitted a contract to extend city membership for an additional year at the same cost as FY2020. In addition, this contract will continue the services provided by the NWNMCOG as outlined in the attached two year Direct Services Work Program (which will be updated in July.)

Attachments:

- 1) Membership Agreement FY2021
- 2) Board of Directors Appointment Form FY2020 and 2021
- 3) Two Year (FY2019 and FY2020) 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 city representatives to the COG Board: Mayor Louie Bonaguidi, Councilor Fran Palochak, Maryann Ustick, Allan Landavazo and Jon DeYoung as an alternate.

Fiscal Impact: \$65,000 which is the amount budgeted for FY2021

Recommendation: Please see above

Speaker's Name Maryann Ustick

Documents:

[MEMBERSHIP AGREEMENT_FY2021.PDF](#)
[COG BD_APPT FORM_GALLUP_2021.PDF](#)
[FY19_FY20 DIRECT SERVICES WORK PROGRAM.PDF](#)

7. Appointment Of Mayor Louis Bonaguidi To The Jail Authority Board

Former Mayor Jackie McKinney previously held one of the two positions representing the City on the Jail Authority Board. Mayor Bonaguidi is recommended for appointment to fill the vacancy on the board.

Fiscal Impact: None.

Recommendation: Appoint Mayor Bonaguidi to the Jail Authority Board

Speaker's Name Mayor Louie Bonaguidi

Documents:

[APT MAYOR BONAGUIDI TO JAB.PDF](#)

E. Comments By Public On Non-Agenda Items

The public is invited to comment on matters not appearing on the published meeting agenda.

F. Comments By Mayor And City Councilors

G. Comments By City Manager And City Attorney

H. 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.

