

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, JUNE 13, 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. Legislative Updates

1. Senator George Munoz

2. AJ Forte, New Mexico Municipal League

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 1-8 on the Consent Agenda by unanimous vote:

1. Approval Of Minutes

Regular Meeting of May 9, 2023

Regular Meeting of May 23, 2023

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

Documents:

[DRAFT MINUTES MAY 9 2023 REG MTG.PDF](#)
[DRAFT MINUTES MAY 23 2023 REG MTG.PDF](#)

2. Request For Street Closure For The Grand Opening Of Champion Ford To Be Held On July 15, 2023

Champion Ford is requesting the closure of Coal Avenue from 7th Street to 8th Street for their Grand Opening Celebration to be held on Saturday, July 15, 2023.

Fiscal Impact: TBD - City staff to provide support services for the event.
Recommendation: Champion Ford recommends approval of the street closure request.
Speaker's Name Mary Ann Armijo, Marketing Manager, Champion Ford

Documents:

[EVENT PERMIT - CHAMPION FORD GRAND OPENING.PDF](#)

3. Appointment Of Dr. Sabrina Ezzell To The Planning And Zoning Commission

Dr. Ezzell is recommended for appointment to serve on the Planning and Zoning Commission. The appointment is for a two-year term.

Fiscal Impact: None.
Recommendation: Approve the appointment of Dr. Sabrina Ezzell to the Planning and Zoning Commission.
Speaker's Name Mayor Louie Bonaguidi

Documents:

[APT DR SABRINA EZZELL.PDF](#)

4. Approval Of Professional Services Agreement With SBS Evaluation & Program Development Specialist

The FY24 Indian Health Services Preventing Alcohol-Related Deaths Grant has

allocated \$160,000 for the administration of Evaluation Services. This Contract is effective from July 1, 2023, to April 30, 2024. Typically evaluation cost is 10- 20% of a grant. Evaluation is a required component of the PARD grant and will include the additional evaluation of all-new programs. Evaluation will include a comprehensive evaluation plan with clearly identified measurable outcomes; a timeline for finalizing the set of intended outcomes, metrics for measuring quality; and a timeline for when milestones and outcomes will be achieved.

Fiscal Impact: The Professional Service Agreement with SBS Evaluation & Program Development will be funded by Indian Health Services Preventing Alcohol-Related Deaths funds in the amount of \$160,000.

Recommendation: Approval of the Professional Service Agreement with SBS Evaluation in the amount of \$160,000.

Speaker's Name Debra L Martinez, Behavioral Health Manager

5. **NMDOT Grant For Gallup Trade Port**

The City has been awarded a grant from the New Mexico Department of Transportation (NMDOT) in the amount of one million dollars to secure professional services to complete an economic and transportation analysis of the Gallup Trade Port and provide financial support for the service agreement with the United States Customs and Border Protection (Foreign Trade Zone/User Fee Airport) to be located at Gallup Municipal Airport. Greater Gallup Economic Development Corporation (under its existing Economic Services Agreement with the city) will assist to the city to complete the required economic analysis in order to apply for the FTZ/User Fee Airport designation and service agreement. These funds may also be used to plan for the required FTZ/User Fee Airport facilities at the Gallup Municipal Airport.

Recommendation:

Approve Fund 93100 Project Agreement with the New Mexico Department of Transportation in the amount of one million dollars to fund professional services for the Gallup Trade Port.

Fiscal Impact: No city match is required for one million in NMDOT Planning Grant funds.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick, City Manager

Documents:

[TRADE PORT ANALYSIS AGREEMENT.PDF](#)

6. **Approval Of Resolution No. R2023-14 To Accept The Federal Aviation Administration's Grant Agreement, The New Mexico Department Of Transportation Aviation Division Grant Agreement, And Award Of Contract To Armstrong Consultants, Inc. For Task Order "A" Airport Master Plan.**

Public Works-Airport Division is requesting for the City Council's approval of Resolution No. 2023-14 for the above-mentioned agreements. The funding will be utilized to hire Armstrong Consultants who is the City of Gallup Municipal Airports contracted Architectural, Engineering, and Planning Services to

complete the Airport Master Plan.

Staff is respectfully asking for the approval of the Award of Contract to Armstrong Consultants, Incorporated. Procuring their professional services once again will help expedite the process of completing the project in a timely manner for Task Order "A" Airport Master Plan.

FAA Grant No. 3-35-0019-031-2023 in the amount of \$300,000 and NMDOT Aviation Grant No. GUP-23-02 in the amount of \$81,787 plus City Sponsor Share of \$3,856 to complete the Gallup Municipal Airport Master Plan. In-turn the Master Plan will meet future airport design standards for air and landside development needs over a twenty-year planning period. The FAA uses the Master Plan to justify and support future Airport Improvement Program Grants. Both grants are reimbursable. The existing plan is outdated and was last done in 2005.

The total Award amount is \$385,643 that includes NMGRT of 8.1875%. The breakdown is 90/9/1 which is 90% funded by the FAA at an amount of \$300,000; and 9% funded by the State at an amount of \$81,787; and 1% City match of \$3,856. Matching funds have already been budgeted in the Airport CIP and placed in the Fund 515 for this project.

Fiscal Impact: Revenue and Expenditures budget in the amount of \$381,787 to be set in fund 308. The expenditure budget in the amount of \$3,856 from operating Fund 515 for City Share.

Recommendation: Staff request approval of Resolution No. 2023-14 and approval of revenue and expenditure budget.

Speaker's Name Robert Hamblen

Documents:

[RESOLUTION - AIRPORT MASTER PLAN - FOR 6.13.PDF](#)
[GUP-SWG-3-35-0019-031-2023-GRANT AGREEMENT - UNSIGNED.PDF](#)
[GUP-23-02 MASTER PLAN UPDATE_.PDF](#)
[FINAL - GALLUP AMP SOW WITH CONTRACT ATTACHMENT A.PDF](#)

7. Lodger's Tax Grant Recommendation

The Lodger's Tax Committee has approved several applications for consideration by the City Council. The Tourism Office respectfully requests approval to fund the marketing plans of these events through the Lodger's Tax Grant Program.

101st Gallup InterTribal Ceremonial - August 4-13 - \$50,000

This event is billed as a celebration of Native American culture and identity. The event is planned for several days in August and will feature traditional dances, rodeo events, an art show, and more. The organizer is requesting \$50,000 for marketing the event, which is expected to draw approximately 85,000 in attendance. The overall event budget is \$787,500.

Freedom Ride Flight Cruise - July 28-30 - \$14,473

This is an annual event which takes place in downtown Gallup and Courthouse Plaza and features a car show, circus troupe, bands, food, vendors, and the "Tunnel of Fire" motorcycle exhibition. The applicant expects 5,000 in attendance. The organizer is requesting \$14,473 and the event has an overall budget of \$26,531.

WildThing Championship Bullriding - July 7-8 - \$33,950

This is another longstanding event in Gallup. It will feature two days of rodeo events at Red Rock Park including music and entertainment. The organizer is requesting \$33,950 for marketing and the event has an overall budget of \$185,910. The organizer expects 9,000 in attendance. Proceeds from this event benefit the Manuelito Children's Home.

Fiscal Impact: 101st Gallup InterTribal Ceremonial - \$50,000 Freedom Ride Flight Cruise - \$14,473 WildThing Championship Bullriding - \$33,950 Total: \$98,423

Recommendation: Respectfully request approval

Speaker's Name Matt Robinson - Tourism & Marketing Manager

Documents:

[WILD THING 2023.PDF](#)

[FREEDOM RIDE BID 2023.PDF](#)

[CEREMONIAL 2023.PDF](#)

8. City Of Gallup Senior Budget Adjustment Request

The Sr. Program is requesting a Budget Adjustment of **\$24,368.65** from the Senior Program Fund Balance to close-out FY 22-23 outstanding/future Direct Service invoices associated with the Gallup Senior Program.

1. Shamrock outstanding (May/June) - \$15,716.61
2. Shamrock future invoices (June 14, 21, & 28) - \$8,000.00
3. Auto-Chlor - \$76.29
4. Morty's LLC (Grease Trap Cleaning) - \$575.75

Fiscal Impact: Adjustment will increase the Senior Program budget revenue & expenditures by \$24,368.65.

Recommendation: Accept the Budget Adjustment Request of \$24,368.65 from the Senior Program Fund Balance.

Speaker's Name Kimberly Ross-Toledo

Documents:

[OUTSTANDING SHAMROCK INVOICES_MAY AND JUNE 2023_6-8-2023.PDF](#)

[SR. PROGRAM FY 22-23 BUDGET OVERVIEW_6-8-2023.PDF](#)

[AUTO-CHLOR INVOICE_MAY 2023_6-6-2023.PDF](#)

[MORTYS LLC._GREASE TRAP CLEANING_5-23-2023.PDF](#)

E. Discussion/Action Topics

1. Appointment Of An Interim City Manager

City Manager Maryann Ustick will be retiring effective June 19, 2023. Article III, Section 1 of the City of Gallup Charter provides for the following: *"During the period of any vacancy or extended absence in the office of the City Manager, the City Council shall appoint an acting City Manager."* Jon DeYoung is

recommended for appointment as Acting City Manager until such time a City Manager is hired. Mr. DeYoung's appointment will be effective June 20, 2023.

Fiscal Impact: None.
Recommendation: Approve the appointment of Jon DeYoung as Acting City Manager.
Speaker's Name Mayor Louie Bonaguidi

2. Resolution No. R2023-13; Approving The FY 2024 Initial 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 Initial Budget. The approved budget along with documentation of approval is due to DFA by July 31, 2023.

This budget is exactly the same as the preliminary budget approved on May 9, 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 R2023-13 for the Initial budget adoption
Speaker's Name Patty Holland

Documents:

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

3. Indigenous Dance & Arts Program Agreement

The City of Gallup Tourism & Marketing Office has worked to find a vendor who can organize and hold Indigenous dances for the community and tourists. After two rounds of requests for proposals receiving no responses, staff approached the Southwest Indian Foundation to develop a program. SWIF staff have created a robust program of events for an Indigenous Dance & Arts Program to be held at the George Galanis Multicultural Center from June 19 through August 5, 2023. This proposed agreement is similar to past agreements for the dance program, but this year's proposed programming is expanded in scope compared to previous programs. If this agreement is approved, Indigenous dances will be held on four days throughout the week: Monday, Wednesday, Friday, and twice on Saturday. Each dance will include art demonstrations. SWIF also has plans for several complimentary events, such as a hip hop competition, Gourd Dance, and health fair.

Fiscal Impact: Total cost of agreement is \$67,125
Recommendation: Respectfully request approval
Speaker's Name Matt Robinson - Tourism & Marketing Manager

Documents:

[INDIGENOUS DANCE AND ARTS PROGRAM 2023.PDF](#)

4. Approval Of Preventing Alcohol Related Deaths Agreement And Budget Adjustment

The City in partnership with NCI and SBS Consulting applied for Preventing Alcohol-Related Deaths (PARD) continuing grant funds in the amount of \$2,000,000. This funding supports the expanded and enhanced social detox, treatment, transportation, and peer support services/case management services to the preventing alcohol-related deaths community.

Fiscal Impact: Budget adjustment in the amount of \$2,000,000 in revenue and expenditures for related PARD services and expenditures.

Recommendation: Approve PARD Cooperative Agreement and Approve budget adjustment of revenue and expenditures.

Speaker's Name Debra L Martinez, Behavioral Health Manager

Documents:

[PARD COOPERATIVE AGREEMENT FY24.PDF](#)

5. Approval Of NCI Preventing Alcohol Related Deaths Agreement

The FY24 Indian Health Services Preventing Alcohol-Related Deaths Grant has allocated \$550,000 for the administration of Social Detox, Expanded Shelter, and Peer Support/Case Management Services.

Fiscal Impact: Social Detox, Expanded Shelter, and Peer Support/ Case Management Services Agreement will be funded by the Indian Health Services Preventing Alcohol-Related Death Funds in the amount of \$550,000.

Recommendation: Approval of NCI PARD Agreement.

Speaker's Name Debra L Martinez, Behavioral Health Manager

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

The FY24 NCI Detox Administration and Operations Agreement and budget adjustment for \$417,600. This includes administrative costs and the operation of the Protective Custody component. This Agreement is effective from July 1, 2023, to December 31, 2023.

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 \$417,600.

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

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

7. NMDOT Grant For Interstate 40 East And West Interchanges Planning/Design

The City has been awarded a grant from the New Mexico Department of Transportation (NMDOT) in the amount of four million dollars to secure professional services to plan and redesign the east and west interchanges to support future economic development activities and increased travel demand. City staff do not have the capacity, expertise or resources to implement this planning and redesign of interstate highway interchanges. City staff is recommending approval of an Interagency Services Agreement (ISA) between the city and the NWNM Council of Governments to manage and implement this NMDOT Planning Grant. See attached Interagency Services Agreement with NWNMCOG. COG staff will also handle the billing and payment of subcontractors to implement this grant project.

Recommendation:

Approve Fund 93100 Project Agreement with the New Mexico Department of Transportation in the amount of four million dollars to fund professional services for the planning/design of the East and West Interchanges of Interstate 40 and approve an Interagency Services Agreement with the NWNMCOG to manage and implement this grant.

Fiscal Impact:	No city funds are required for this four million in Planning Grant funds.
Recommendation:	See recommendation in the summary.
Speaker's Name	Maryann Ustick, City Manager

Documents:

[I40_NM118_EAST_WEST INTERCHANGE AGREEMENT.PDF](#)
[GLP_NWNMCOG_IGA_I40 GRANT.PDF](#)

8. Amendment To Project Agreements For Second And Third Street Railway-Highway Crossings Design

The New Mexico Department of Transportation and the City of Gallup entered into a Cooperative Agreement on July 8, 2021, to design pedestrian safety improvements for the Second and Third Streets grade crossings. Based on meetings with NMDOT, BNSF and the City with the city's design consultant, Wilson and Company, NMDOT is providing additional funding for design of the following improvements needed at these two rail crossings:

1. Addition of warning devices
2. A reduction in travel lanes at the crossings
3. Fencing and signal improvements

NMDOT is providing additional federal Railway-Highway Crossings Program (RHCP) Funds in the amount of \$48,393 and a state match of \$9,877 (total of \$98,770) for each of the two Rail crossings at Second and Third Streets so the design of these pedestrian safety projects can move forward to completion and subsequent construction funding. The City is responsible for any additional funding needed to design any additional improvements needed to qualify for a

Quiet Zone designation.

Recommendation:

Approve Amendment to Cooperative Project Agreement for Design Work (Control Number CN 6101480) for Second Street grade crossing improvements in the amended total project funding amount of \$98,770; approve Amendment to Cooperative Project Agreement for Design Work (Control Number CN 6101470) for Third Street grade crossing improvements in the amended total project funding amount of \$98,770; and approve budget adjustment for the additional project funds in the amount of \$58,270 for Second Street Grade Crossing and \$58,270 for Third Street Grade Crossing.

Fiscal Impact: No city matching funds are required for these project amendments.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick, City Manager & Robert Hamblen, Public Works Director

Documents:

[AMEND 1_COOPERATIVE PROJECT AGMT_DESIGN WORK 2ND ST.PDF](#)
[COOPERATIVE PROJECT AGREEMENT CN 6101480_2ND ST.PDF](#)
[AMEND 1_COOPERATIVE PROJECT AGMT_DESIGN WORK 3RD ST.PDF](#)
[COOPERATIVE PROJECT AGREEMENT CN 6101470_3RD ST.PDF](#)
[GALLUP PEDESTRIAN IMPROVEMENTS_2ND ST.PDF](#)
[GALLUP PEDESTRIAN IMPROVEMENTS_3RD ST.PDF](#)

9. Ordinance No. C2023-3; Cannabis Tax Use Ordinance

The proposed ordinance would enact a new Chapter 2G to Title 3 of the Gallup City Code directing the use of the Cannabis Excise Tax as follows: on and after July 1, 2023, all Cannabis Tax Revenue received by the City shall be budgeted and used solely to obtain and install capital equipment for and improvements to Gallup Parks and Recreation facilities and/or to pay indebtedness incurred by the City to obtain and install capital equipment for and improvements to Gallup Parks and Recreation facilities, and for no other purpose.

Fiscal Impact: Revenues and expenses are to be determined.

Recommendation: Approve Ordinance No. C2023-3.

Speaker's Name David Eason, City Attorney

Documents:

[CANNABIS TAX ORDINANCE.PDF](#)

F. Presentation, Information And Discussion Items

1. Discussion Regarding The City's Current DWI Ordinance

City Attorney David Eason will address the Mayor and Councilors regarding the sentencing requirements under the City's current DWI Ordinance.

Fiscal Impact: None - discussion only.
Recommendation: None - discussion only.
Speaker's Name David Eason

2. Presentation On The New Mexico National Guard Challenge Academy

Sean Begaye, Admissions Advisor with the New Mexico National Guard Youth Challenge Academy, will provide a 10 minute presentation about the academy.

Fiscal Impact: None - presentation item.
Recommendation: None - presentation item.
Speaker's Name Sean Begaye

Documents:

[NMYCA ADMISSION FLYERS.PDF](#)

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

1. Water Emergency Update - Maryann Ustick, City Manager

J. 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.