

AGENDA

GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, OCTOBER 27, 2020; 6:00 P.M.



Louie 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, the meeting will be accessible 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.
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

Regular Meeting of October 13, 2020

Documents:

[DRAFT MINUTES OCT 13 2020 REG MTG.PDF](#)

D. Presentation Of Proclamation

Kiwanis Club of Gallup's Centennial

E. Discussion/Action Topics

1. Case No. 2020-00300007, Final Plat Review And Approval Of City Of Gallup, Aequitas Education And Joshua Generation For Jesus Minor Subdivision

The City of Gallup, Aequitas Education and Joshua Generation for Jesus, property owners, have petitioned the Gallup City Council for final plat review and approval of a Minor Subdivision; Replat No. 1 of Bernard T. Espelage Addition Within Section 21, T15N, R18W, N.M.P.M. & Lots 1-5, and A Portion of Lot 6, Block G, First Unit of Burke-George Heights & Lot 6, Replat of Blocks F, H & J in the First Unit of Burke-George Heights Addition & City Tank Site Described as A Tract Known as the Southwestern Hill Reservoir Site Being Situated in the SE ¼ of the NE ¼ of Section 21, T15N R18W, Containing 0.64 Acres M/L & Sports Complex Described As 56.691 Acres M/L in Sec. 21 T15N R18W, N. of Bypass Hwy & A Tract of Land Within 21 15 18 Lying Within the Bernard T. Espelage Containing 4.027 Acres M/L. Also requesting for the City of Gallup to dedicate and vacate several existing and non-existing City right-of-ways and renaming an existing City right-of-way. The properties are located at 405, 425, 515 & 925 Park Avenue and 1380 Elva Drive; subdivision contains 92.6448 acres M/L which includes the dedicated, vacated, and renamed right-of-way portions.

See attached briefing memo.

Fiscal Impact: None
Recommendation: Staff recommends that City Council approve final minor subdivision plat for recording
Speaker's Name C.B. Strain

Documents:

[AEQUITAS EDUCATION, CITY OF GALLUP AND JOSHUA GENERATION FOR JESUS FINAL PLAT MEMO, CITY COUNCIL.PDF](#)
[AEQUITAS EDUCATION SUBDIVISION, SUBDIVISION AGREEMENT.PDF](#)
[GTF COMMENTS FOR CC.PDF](#)
[FINAL PLAT 10.09.2020 COLOR NOTES.PDF](#)

2. Essential Business Exception: Filming At Red Rock Park

The State of New Mexico has granted film productions an essential business exemption under the media portion of the Public Health Order. The production "Canyon del Muerte" has requested the use of Red Rock Park Convention Center, parking lots, and the south field to utilize as a staging area/home base during their filming time on the Navajo Nation. The Navajo Nation has agreed to a variance of their Public Health Order to allow the production to film on tribal land.

As Red Rock Park is closed, Canyon del Muerte is seeking permission to rent the facility for approximately five days beginning November 16th. The production has been green-lit by the State of New Mexico Film Office and their COVID-19 safety plan has been approved by the State and several labor unions.

Staff is requesting permission to temporarily open the facility and issue a contract for the production.

Fiscal Impact: Revenues from facility rental (to be determined)
Recommendation: Approval to temporarily open Red Rock Park Convention Center for the production Canyon del Muerte
Speaker's Name Jennifer Lazarz

Documents:

[RED ROCKS PARKING PROPOSAL.PDF](#)
[CDM COVID19 H S PROTOCOLS 092420.PDF](#)

3. **Resolution No. R2020-35; NMFA Planning Grant Award**

The City of Gallup was awarded a \$50,000.00 no match grant from the New Mexico Finance Authority (NMFA) in . The purpose of the grant is to develop a Economic Development Feasibility Study. This was conducted in partnership with the Greater Gallup Economic Development Corporation (GGEDC).

The GGEDC sought Requests for Proposals (RFP's) went out and three firms responded. A committee created by the GGEDC, which included the Chamber of Commerce, Gallup Mainstreet, GallupARTS, BID, SBDC, COG, and a representative from the City evaluated each proposal and made a recommendation to award the project to Place Dynamics. Place Dynamics produced a report titled "City of Gallup Market Study 2020."

The analysis focused on establishing our local and regional retail trade areas, defining our market area characteristics and demographics, examining the visitor market. The plan then outlines an analysis of the market with prospective retail, dining, and lodging targets.

The Retail Market Analysis made recommendations for developing our retail sectors. The document includes information from the GGEDC's Retail Focused Round Table from January of 2020, contact information for targeted businesses, and then in May of 2020, the contractor was tasked with amending the document to include a response to COVID-19.

The City of Gallup is required to adopt resolution R2020-35. authorizing the execution and delivery of the local government planning grant agreement between the New Mexico Finance Authority and the City for the \$50,000 grant award.

The GGEDC will present the Market Study findings at another date.

Fiscal Impact: \$50,000 no match grant.
Recommendation: Approval of Resolution No. R2020-35.
Speaker's Name Jennifer Lazarz

Documents:

[GALLUP PG-5010 AUTHORIZING RESOLUTION 10.27.2020.PDF](#)
[GALLUP PG-5010 PLANNING GRANT 11.6.2020.PDF](#)
[GALLUP PG-5010 GRANTEE CERTIFICATE.PDF](#)

4. **Highway 491 16-Inch Waterline Project (Project No JU1846) - Construction Oversight Services**

Due to (1) an increase in costs caused by additional boring underneath Highway 491 and reworking of a connection to the Gamerco Water and Sanitation District; and (2) the omission of a portion of construction oversight services in the original request for engineering services that went before the City Council for the Highway 491 Waterline Project, the funds encumbered under Purchase Order (PO) 89204, for professional engineering services and construction management oversight

have been depleted.

A total of \$35,808.33 is required to pay a final invoice to the engineering firm, DePauli Engineering Services, for their work on this project. Attachment 1 is a detailed list of costs covered by this request.

Currently, the project budget has \$49,498.26 encumbered for final payment to the contractor, Adame Construction, with the final pay application at approximately \$15,000, which can be met with the \$49,498.26 encumbered to Adame Construction.

In addition, \$38,588.88 is available and unencumbered in the project budget for professional engineering services.

Staff requests that the Council approve \$35,808.33 from the available project budget to pay the final invoice to the engineering firm.

Fiscal Impact: Expenditure of \$35,808.33 from the project budget to increase PO 89204. No budget adjustment is required.
Recommendation: Staff recommends increasing PO 89204 by \$35,808.33.
Speaker's Name: Dennis Romero

Documents:

[HWY 491 WATERLINE CM PO 89204 INCREASE \(1\).PDF](#)

5. Award Of Contract For Gallup Municipal Airport West Apron Pavement Preservation Project

The Gallup City Council at their August 24, 2020 regular City Council Meeting accepted New Mexico Department of Transportation Aviation Grant Agreement A-1330, Contract No. AVA1300, Project No. GUP-20-02 for a 100% reimbursable, no match grant in the amount of \$139,500.00 for West Apron Pavement Preservation for the Gallup Municipal Airport.

Bids for the project opened on October 22, 2020. There was one (1) response. See attached Bid Tabulation Sheet

Item	Descriptions	Quantity	American Road Maintenance
1	City of Gallup Municipal Airport West Apron Pavement Preservation Project	Lump Sum	\$102,522.50
	NM Res. Cont. (C) Veteran (V) Pref.		YES (C)
	Base Bid Items 1		\$102,522.50
	NM Gross Receipts Tax @ 8.3125%		\$8,522.08
	Grand Total W/ Tax		\$111,044.68

Staff considers American Road Maintenance to be the "responsive low bidder" and their bid to be a "fair and reasonable" price. American Road Maintenance holds all of the necessary licenses required to perform the requested scope work as described in Formal Bid No. 2032.

Fiscal Impact: \$111,044.68 to be reimbursed to the City of Gallup from New Mexico Department of Transportation Aviation Grant Agreement A-1330, Contract No. AVA1300, Project No. GUP-20-02.

Recommendation: Recommendation to award of contract to American Road Maintenance in the amount of \$111,044.68

Speaker's Name C.B. Strain

6. Budget Adjustment And Contract Approval For Additional Alley Project

In an effort to accommodate the Coal Avenue Project Lighting, the Electric Department Staff determined that a portion of the Phase II alley project needed to be moved up in timeline. Since Bixby Electric was the Contractor of record on the Phase I project, Staff Requested Bixby to provide a quote to do the additional work. The quote is in the amount of \$505,547.39 which includes GRT of \$38,798.50. Funds for this project will come out of the reserve funds in Fund 507.

The additional work will require the Contractor to install conduits, cable and equipment, through the walkway into the Zecca parking area, adjacent to the walkway. This will allow the Coal Avenue Commons project contractors to attach to this project and provide electricity to the Coal Avenue lighting.

Considering the complexity of the work to be done in the alley I added a small contingency of \$9,452.61.

Staff is requesting approval of a budget adjustment in the amount of \$515,000.00 and approval of a contract, under State Price Agreement #70-000-17-0063, with Bixby Electric to accomplish this additional work.

Fiscal Impact: The fiscal impact will be a budget adjustment in the amount of \$515,000.00 from reserve funds in Account 507 into Project JU1903 in Account 307-6061-442-48-99.

Recommendation: Staff recommends approval of the budget adjustment and additional scope to the Bixby contract.

Speaker's Name John Wheeler

Documents:

[PHASE I ALLEY CHANGE ORDER.PDF](#)

7. Resolution No. R2020-34; 1st Quarter FY 2021 Budget Adjustments And Report Of Actuals

Each quarter, the Finance department reviews any changes to the budget and submits these changes to council for approval. The following areas are reviewed: personnel, operations, capital outlay and transfers in and out of each fund. The Department of Finance and Administration (DFA) requires Council to pass a resolution for all budget increases, decreases, and transfers between funds. DFA further requires approval of the report of actuals showing cumulative activity for the fiscal year. The report to DFA regarding budget revisions is due October 31, 2020.

This revision encompasses all budget changes processed July 1, 2020 thru September 30, 2020 (Quarter 1 of FY 2021).

Fiscal Impact: None
Recommendation: Staff recommends approval of the budget adjustments and report of actuals.
Speaker's Name Patty Holland

Documents:

[BUDGET RESOLUTION FY21 Q1.PDF](#)
[REPORT RECAP FY2021 Q1 ROA.PDF](#)
[1ST QTR BA RECAP.PDF](#)
[REPORT RECAP FY2021 Q1 BAR.PDF](#)

8. Extension Of Closure Of Indoor Recreation Facilities And Staff Furloughs

On June 9, 2020, City Council approved the FY 2021 City Budget which included many reductions in services due to the impact of the COVID pandemic on city revenues and to the Governor's Public Health Orders restricting in person gatherings. As part of the FY 2021 budget, Council approved the closure of the following indoor recreation facilities: Larry Brian Mitchell, Harold Runnels, Aquatic Center, El Morro Theatre and Events Center, Cecil Garcia Fitness Center and Red Rock Park Convention Center and Arena through September 30, 2020. This action also included a furlough of fifty-four full time, part-time and seasonal positions through September 30, 2020. (See attached list.) On September 22, 2020, City Council approved an extension of the furlough and closure of city recreational facilities through October 31, 2020. Because we do not know when indoor recreation facilities will be allowed to reopen under the Governor's Public Health Order, staff is recommending that, in order to provide furloughed staff with appropriate notice, the furlough of recreation facility staff be extended to November 30, 2020, and the recreation facilities remain closed through this period. Should the Governor's Public Health Order permit the reopening of indoor recreation facilities, staff will recommend to the Council that the furlough be ended with proper notice to the affected staff.

Recommendation:

Approve extension of the furlough of indoor recreation facility staff positions through November 30, 2020 and the continued closure of Larry Brian Mitchell, Harold Runnels, Aquatic Center, El Morro Theatre and Events Center, Cecil Garcia Fitness Center and Red Rock Park Convention Center and Arena through November 30, 2020, pending future changes in the Governor's Public Health Order.

Fiscal Impact: Approximately \$53,000 per month in reduction of expenditures for staffing.
Recommendation: See recommendation in the summary.
Speaker's Name Maryann Ustick

Documents:

[FY 2021 BUDGET LIST OF FURLOUGHED POSITIONS.PDF](#)
[FY 2021 KEY BUDGET REDUCTIONS.PDF](#)

9. Intergovernmental Services Agreement With McKinley County For Wellness Hotel

Due to the COVID Pandemic, congregate shelters in our community are either closed or operating at reduced capacity. Consequently, our community is in desperate need of shelter, especially during the cold months of the year, to house persons who are most at risk during this pandemic. The city received approximately \$900,000 in federal Cares Act funding from the state which was not sufficient to fund the Wellness Hotel Program for which the city applied. McKinley County received significantly more federal Cares Act funding from the state (\$16 million) and the county is willing to fund the Wellness Hotel Program provided the city administers this program.

The County has agreed to fund the Wellness Hotel Program in the amount of \$350,000 through December 30, 2020, which is the current end date for federal Cares Act funding. The Wellness Hotel Program will reduce the density of the congregate shelter population by providing a non-congregate shelter option for homeless individuals most at risk of severe impacts if they were to contract COVID19 because of age or underlying medical/risk conditions. This will be a shelter program for COVID negative persons.

City Behavioral Health Investment Zone (BHIZ) staff will be responsible for the administration of these Cares Act funds for the Wellness Hotel, which includes contracting with a hotel (Days Inn located at 1603 W. Historic Highway 66) which will provide rooms, meals and security for up to 42 individuals and 8 doubles.

City BHIZ staff will also contract with a medical director and a site coordinator for this program as well as communicate daily with community partners, monitor data collection, provide reports and troubleshoot any issues.

Recommendation:

Approve the Intergovernmental Services Agreement between McKinley County and the City of Gallup to implement the Wellness Hotel Program funded by federal Cares Act funding in the amount of \$350,000 and authorize the City Manager to enter into contracts for hotel, meal and security services and medical and site coordination services and approve the revenues and expenditures for this program.

Fiscal Impact: McKinley County has allocated \$350,000 of its Cares Act funding through the state for this program. City will have to “front” the funding for contracts under this program which County will reimburse.

Recommendation: See recommendation in the summary.

Speaker's Name Maryann Ustick

Documents:

[COUNTY_CITY IGA HOTEL WELLNESS CARES ACT_20201021.PDF](#)
[WELLNESS HOTEL LTR TO COUNTY.PDF](#)

F. Comments By Public On Non-Agenda Items

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