

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held at Gallup City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, September 8, 2020.

The meeting was called to order by Mayor Louie Bonaguidi. He provided instructions to the public viewing the meeting through Facebook Live on how to provide comment on the Edward Byrne Memorial Justice Assistance Grant Program 2020 (Discussion/Action Topic #5) and on non-agenda items.

Upon roll call, the following were present:

Mayor:	Louie Bonaguidi
Councilors:	Linda Garcia Michael Schaaf Fran Palochak
Absent:	Yogash Kumar, Councilor
Also present:	Maryann Ustick, City Manager Curtis Hayes, City Attorney

Presented to the Mayor and Councilors for their approval were the Minutes of the Special Meeting of August 24, 2020.

Councilor Schaaf motion to approve the aforementioned minutes. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak and Mayor Bonaguidi all voted yes. Councilor Garcia abstained. Motion carried.

Presented to the Mayor and Councilors for their approval were the following Discussion/Action topics:

1. Acceptance of CARES Act Funding – Maryann Ustick, City Manager

Ms. Ustick presented two CARES Act Grant awards from the State of New Mexico as part of the Federal Cares Act, passed earlier this year. She provided details regarding the small business grant in the amount of \$2,130,000, which is about half of what was requested, to help local businesses. Ms. Ustick said \$106,500 of which can be allocated for administrative costs, such as staff overtime and assistance from the Chamber of Commerce. The limit, per business is \$10,000 and will be on a first come first serve basis until funds are depleted. She also provided information regarding the grant award received for reimbursement to the City for COVID related expenses, in the amount of \$918,581. Ms. Ustick provided a brief list of expenses the grant will fund and pointed out the City did not receive the entire requested amount; therefore, certain programs will not be funded, such as the hotel shelter program and eviction protection. More information

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regarding the small business grant program will be provided after a scheduled training on September 16, 2020.

Councilor Palochak made the motion to approve the acceptance of CARES Act funding in the amount of \$3,048,581 and an expenditure adjustment in the amount of \$106,500. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

2. Resolution No. R2020-27; Annual Infrastructure Capital Improvement Plan (ICIP) Submission – Clyde (C.B.) Strain, Planning & Development Director

Mr. Strain said the State Department of Finance and Administration (DFA) requires local governments to develop and annually submit a five (5) year ICIP defining development need and funding sources. The plan is then used by State agencies involved in funding local government projects to analyze proposed capital outlay bills during the State Legislative sessions. Mr. Strain provided a list of all proposed ICIP projects for the next five (5) years as approved by City Council during the 2020-2021 budget process. All project estimates are conceptual and are refined as each project is planned, programmed, designed and constructed and presented a visualization of project cost refinement. According to DFA, no changes can be made after submission, tentative identification of the 2021 top five legislative priorities and approval of the projects listed in the form of a resolution are required before the State Legislature convenes and is due by September 18, 2020.

Mr. Strain said there is no fiscal impact; however, the ICIP may be used as a consideration by the Governor, state agencies and the State Legislature in their grant approval process. Mr. Strain recommended the Mayor and Councilors identify the City's top five (5) tentative projects for legislative funding as listed:

1. New Public Safety Building Construction Project
2. Coal Avenue Commons Construction Project Phase 2
3. East Nizhoni Boulevard Reconstruction Project
4. New Regional Library Building Construction Project
5. West Logan Avenue Improvements

Mr. Strain encouraged the Mayor and Councilors to identify a site for the Regional Library Building as soon as possible.

Councilor Palochak expressed the importance of keeping the Regional Library Construction on the priority list, the need for a new and improved facility based on the

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amount of people who utilize it and the responsibility of all three governments to see this project through. She also expressed her support of keeping all the planned projects on the priority list.

Mayor Bonaguidi also expressed his support of retaining the listed projects as a priority, especially Nizhoni Boulevard Reconstruction.

Councilor Garcia made the motion to approve Resolution No. R2020-27, the Annual New Mexico Infrastructure Capital Improvement Plan Submission. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Schaaf and Mayor Bonaguidi all voted yes.

3. Resolution No. R2020-28; Acceptance of State of New Mexico DFA Fund 89200 Capital Appropriation Project Grant Agreement for TDFL Field Improvements – Clyde (C.B.) Strain, Planning & Development Director

Mr. Strain presented the proposed resolution to approve Grant Agreement 20-E2627 in the amount of \$100,000 to plan, design, construct, repair and improve facilities at the Tony Dorsett Touchdown Football League located at Washington Park. He said the grant is 100% reimbursable and requested to change the designated grantee points of contact to Vince Alonzo, Parks and Recreation Director and Patty Holland, Chief Financial Officer.

Councilor Garcia expressed the need for the improvements for the community and the numerous teams who use the field every year.

Councilor Garcia made the motion to approve Resolution No. R2020-28, Acceptance of the State of New Mexico DFA Fund 89200 Capital Appropriation Project Grant Agreement for the TDFL Field Improvements, as presented. Seconded by Councilor Schaaf. Roll call: Councilor Garcia, Schaaf, Palochak and Mayor Bonaguidi all voted yes.

4. Resolution No. R2020-29; Acceptance of State of New Mexico DFA Fund 89200 Capital Appropriation Project Grant Agreement for Police Vehicles and Equipment – Clyde (C. B.) Strain, Planning & Development Director

Mr. Strain presented the proposed resolution to approve Grant Agreement 20-E2624 in the amount of \$120,000 for the purchase of equipment and vehicles for the Police Department. He said the grant is 100% reimbursable and requested to change the designated grantee points of contact to Franklin Boyd, Chief of Police and Patty Holland Chief Financial Officer.

Councilor Schaaf made the motion to approve Resolution No. R2020-29, Acceptance of

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State of New Mexico DFA Fund 89200 Capital Appropriation Project Grant Agreement for Police Vehicles and Equipment, as presented. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia, Palochak and Mayor Bonaguidi all voted yes.

5. Public Comment: Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2020 – Chief Franklin Boyd, Gallup Police Department

Chief Boyd provided notice of the City and County's intent to apply for grant funding through the Edward Byrne Memorial JAG Program. The application process also requires an opportunity for the public to provide their comments. The total amount of the grant is \$25,718 to be split between the Gallup Police Department and the McKinley County Sheriff's Department.

Discussion followed regarding the disbursement of the funds between the Gallup Police Department and the McKinley County Sheriff's Department and the possible use of the funds for both K-9 programs. There were no comments presented by the public regarding the grant.

6. Approval and Acceptance of the 2020 Coronavirus Emergency Supplement Funding (CESF) Program Grant for \$94,413 – Chief Franklin Boyd, Gallup Police Department

Chief Boyd announced the award of the CESF Program Grant in the amount of \$94,413. He provided information regarding the grant application process, a list of intended purchases and he thanked Charlotte Becenti of the Finance Department for her efforts in obtaining the grant.

Councilor Schaaf made the motion to approve and accept the 2020 Coronavirus Emergency Supplement Funding (CESF) Program Grant in the amount of \$94,413 as presented. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia and Mayor Bonaguidi all voted yes.

7. Resolution No. R2020-30; Approving Submission of an Application to the New Mexico Water Trust Board (WTB) for Funding of Project 7B of the Navajo-Gallup Water Supply Project (NGWSP) – Dennis Romero, Water and Sanitation Director

Mr. Romero provided an overview of the work to be done under Project 7B (Reach 27.7B) of the NGWSP. The scope of work consists of the installation of approximately 4 miles of a 16-inch water transmission line with appurtenances to connect Reach 27.6 and Reach 27.7B. The transmission line will deliver water directly from the Gameraco storage

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tanks to the Red Rock Park storage tanks as well as providing potable water to the eastern portion of the Gallup Regional Water System. The City is requesting up to \$4.1 million from the WTB for Project 7B. The typical split on WTB funding for the NGWSP is 60% (\$2.46 million) grant and 40% (\$1.64 million) loan. If the application is approved, a budget adjustment will be needed for up to \$4.1 million in expenditures in addition to annual loan payments of up to \$61,588 after completion of the project (0.25% interest rate, amortized over a 20 year period).

Councilor Palochak made the motion to approve Resolution No. R2020-30; Approving Submission of an Application to the New Mexico Water Trust Board for Funding of Project 7B of the Navajo-Gallup Water Supply Project. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

8. Resolution No. R2020-31; Approving Submission of an Application to New Mexico Water Trust Board for Funding of a G-80 Municipal Ground Water Well – Dennis Romero, Water and Sanitation Director

Mr. Romero said the United States Bureau of Reclamation has delayed the completion of the San Juan Lateral of the NGWSP for a period of 3 to 5 years. The delay is due to the request of other project participants to examine the feasibility of using a water storage reservoir at the San Juan Generating Station to store project water. The City had planned on receiving surface water in December 2024, thereby causing the City to transition away from its ground water municipal wells as a primary source of potable water. Because of the COVID-19 health crisis, the City has been requested repeatedly to increase its ground water diversions to assist with the water supply to the Navajo Nation and surrounding communities. Due to requests for additional City water from surrounding areas, the City worked to resolve all protests to its Water Rights Application No. G-80/SJ-1491 et al., which were filed in 1981. The City also requested an expedited approval of the application from the Office of the State Engineer. If approved, the water rights permit will lift the administrative cap on the City's G-80 well field, allowing the City to pump more ground water from its well field, if necessary. Since the City did not plan on upgrading its municipal ground water well portfolio due to its anticipated transition to surface water and due to setting aside a significant portion of its utility budget toward the NGWSP, there is now a need for funding to drill up to three ground water wells to ensure there is a reliable water supply during the delay in completion of the NGWSP. Under the proposed resolution, the City is requesting up to \$4.1 million from the WTB for the G-80 Municipal Ground Water Well Project.

Councilor Palochak made the motion to approve Resolution No. R2020-31; Approving Submission of an Application to the New Mexico Water Trust Board for Funding of a G-

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80 Municipal Ground Water Well. Seconded by Councilor Schaaf. Roll call: Councilors Palochak, Schaaf, Garcia and Mayor Bonaguidi all voted yes.

### 9. Budget Adjustment for Annual Subscriptions and E-Procurement Software Subscription – Frances Rodriguez, Purchasing Director

Ms. Rodriguez requested a budget adjustment in the amount of \$9,000 to cover the costs of various subscriptions and an E-Procurement software subscription. Due to the COVID-19 pandemic, she said it has been difficult to interact with vendors and to physically accept bids from them. The current process has resulted in lower vendor participation in the bidding process. The E-Procurement platform will provide for a larger vendor pool leading to more competitive bids to be submitted. The platform will also expedite the Requests for Proposal (RFP) process and it will assist staff in acquiring information and documents for the City's audit.

Councilor Palochak spoke in favor of the budget adjustment since there is a critical need for the E-Procurement software, especially during this pandemic.

Councilor Garcia made the motion to approve the budget adjustment in the amount of \$9,000 from the General Fund balance into Subscription Fund 101-1019-411-47-14 for Annual Subscriptions and E-Procurement Software Subscription. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Schaaf and Mayor Bonaguidi all voted yes.

### 10. Approval for SCADA Equipment Purchase – John Wheeler, Electric Director

Mr. Wheeler said staff originally used an estimate of \$285,000 to purchase the equipment needed to upgrade the City's SCADA system. In retrospect, staff should have acquired a proposal based on a quote from the manufacturer of choice. Staff accomplished a sole source proposal to use Schweitzer Laboratory equipment, which is the standard for electric utilities. The City did not receive any protests to use of sole source and therefore, Mr. Wheeler requested approval of the proposal from Schweitzer Laboratory in the amount of \$340,672.06, which includes gross receipts tax in the amount of \$26,145.06. Funding is available in account number 307-6061-442-45-90, Project No. JU1510.

Councilor Schaaf made the motion to approve the SCADA equipment purchase from Schweitzer Laboratory in the amount of \$340,672.06, which includes GRT of \$26,145.06. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia and Mayor Bonaguidi all voted yes.

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### 11. Appointment of Members to the Labor Management Relations Board – Mayor Louie Bonaguidi

Mayor Bonaguidi said the City has a Labor Management Relations Board to assist in the implementation and administration of the City's Labor Management Relations Ordinance. The board consists of three members: one member representing management, one member representing labor and one member serving on the recommendation of the first two appointees. Management recommends the appointment of Allan Landavazo to represent management and labor recommends the appointment of Tommy Gonzales to represent labor. If the Council approves these appointments, Mr. Landavazo and Mr. Gonzales will need to submit their nomination of the third member as soon as possible.

Councilor Schaaf asked about the length of the terms to be served by the proposed appointees. The City Clerk said the terms are for one year.

Councilor Palochak made the motion to approve the appointment of Allan Landavazo and Tommy Gonzales to the Labor Management Relations Board. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

### **Comments by the Public on Non-Agenda Items**

None

### **Comments by Mayor and Councilors**

The Mayor and Councilors offered their condolences to Mr. Hayes who recently lost his wife.

Councilor Palochak encouraged the public to slow down in residential areas, obey traffic laws and to wear face coverings correctly to increase effectiveness.

Councilor Garcia echoed Councilor Palochak's comments regarding speeding.

Councilor Schaaf thanked Vince Alonzo, Parks and Recreation Director, the Parks Department and the Welding Department staff for the work they did at the Indian Hills Park and the Skate Park.

### **Comments by City Manager and City Attorney**

Ms. Ustick thank everyone for their support while she was on medical leave, especially Mr. Hayes and Jon DeYoung, Assistant City Manager, who helped serve as Acting City Manager in her absence.

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There being no further business, Councilor Schaaf made the motion to adjourn. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia and Mayor Bonaguidi voted yes.

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Louie Bonaguidi, Mayor

ATTEST:

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Alicia Palacios, Deputy City Clerk