

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, December 14, 2021.

The meeting was called to order by Mayor Louie Bonaguidi. Upon roll call, the following were present:

Mayor: Louie Bonaguidi

Councilors: Linda Garcia
Michael Schaaf
Yogash Kumar
Fran Palochak

Also present: Maryann Ustick, City Manager
Curtis Hayes, City Attorney

Presented to the Mayor and Councilors were the following presentation and information items:

1. Presentation of the Business Improvement District Annual Report – Anna Biava, President

Ms. Biava presented the BID's Annual Report highlighting various BID programs including the façade program, downtown security patrol, ArtsCrawl and the expansion of the Streetliner Project. She also provided information on multiple collaborative efforts, west side improvement plans and economic development. A copy of the report is attached hereto and made a part of these official Minutes.

Francis Bee, Executive Director, answered questions posed by the Mayor and Councilors regarding the Lowes property and structure. No action was taken by the Mayor and Councilors.

2. City of Gallup Fire Department Prevention Program – Jesus Morales, Fire Chief

Chief Morales presented information regarding the Compliance Engine, an internet-based tool used by Fire Prevention Bureaus to track and drive inspection of fire protection systems and reduce false alarm activity. Chief Morales explained the benefits to Fire Department personnel as well as businesses, program capabilities and cloud data security. He also provided a section of the Fire Code that would authorize Fire Department staff to proceed with the program.

Discussion followed regarding the lack of available technicians qualified to provide necessary inspections and follow-up, the importance of maintaining open communication with Fire Department staff regarding such issues, clarification regarding third-party inspection fees, continuous fire inspection procedures, consequences of non-

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compliance and qualification verification of businesses providing inspections. No action was taken by the Mayor and Councilors.

Presented to the Mayor and Councilors were the following Consent Agenda Items:

1. Approval of Minutes from the November 9, 2021 Regular Meeting, November 10, 2021 Special Meeting and November 16, 2021 Special Meeting.
2. Budget Adjustment and Contract Approval for Grant Agreement Between NM Outdoor Recreation Division and City of Gallup.
3. Senior Center Budget Adjustment Request and Resolution Approval.
4. Recommendation of Bid Award for Lincoln Avenue, Vega Avenue and Strong Drive Waterline Replacement; Formal Bid No. 2116.
5. Budget Adjustment for Water Fund 506; Equipment Maintenance.
6. Budget Adjustment to Cover Utility Expenses in Fund 506; Water Operating Budget.
7. Budget Adjustment Request for NM 118 and Ford Drive; Water, Sewer and Street Improvement Project.
8. Budget Adjustment and Purchase of Sectionalizing Equipment.
9. Approval of a Professional Services Proposal from DePauli Engineering and Surveying (DES) for Bidding Assistance and Construction Management Services for the West Logan Avenue Reconstruction Project.
10. Resolution No. R2021-43; Requesting a Time Extension from the New Mexico Department of Transportation (NMDOT) for its FY 20-2021 Cooperative Funding.
11. Cancellation of the December 28, 2021 Regular Meeting.

Councilor Schaaf made the motion to approve Consent Agenda Items 1-11. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

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1. Approval of Grant Application for Rural Air Service Enhancement Program to NMDOT Aviation Division – Maryann Ustick, City Manager and Jeff Kiely, Consultant

Ms. Ustick reviewed the recommendation to approve the submission of the grant agreement to NMDOT Aviation Division for a \$3.5 million grant; \$1.75 million per year for two years, which would subsidize air passenger service out of the Gallup Municipal Airport and approve a commitment of a 10% match for up to a total of \$350,000 resulting in a total project cost of up to \$3,850,000. Ms. Ustick provided information regarding the Rural Air Service Enhancement (RASE) passed by the legislature during the last session, the RFP process for qualified air carriers, use of EDA grant funding to conduct an Air Market Study and provided information acquired from that study thus far. She also mentioned improvements as well as future plans for the airport and thanked Mr. Keily for preparing the grant agreement. Mr. Keily mentioned economic benefits, future grant opportunities and the importance of airport improvements.

Brief discussion followed regarding the subsidies to the selected carrier and necessary reporting needed to qualify.

Councilor Kumar made the motion to approve the grant application for Rural Air Service Enhancement Program to NMDOT Aviation Division. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Schaaf, Palochak and Mayor Bonaguidi all voted yes.

2. Adoption of Ordinance No. S2021-9; Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement by and Between the New Mexico Finance Authority (NMFA) and the City of Gallup for the Navajo Gallup Water Supply Project (NGWSP) – Adrian Marrufo, Acting Water/Wastewater Director

Mr. Marrufo presented the proposed ordinance to authorize the execution and delivery of a Water Project Fund Loan/Grant Agreement with NMFA in the amount of \$7,708,271, including a loan amount of \$3,083,308 to finance construction costs for Reach 27.7B of the NGWSP and connect Reaches 27.6 and 27.7A from White Cliffs to Red Rock State Park. He said the project will consist of 3.6 miles of 18" waterline, a meter station connecting Reaches 14.3 and 14.4 and will serve as an alternative road to Red Rock State Park in the future. Mr. Marrufo said the loan/grant agreement will also include the design and construction of a conjunctive use supplemental groundwater supply well located in the G-80/SJ491 in the Yahtahey, New Mexico well field and explained future plans to drill and equip to provide water to Gallup and surrounding areas to offset delays in surface water from the San Juan River.

Brief discussion followed regarding a timeline with regard to the Ceremonial.

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Councilor Palochak made the motion to approve Ordinance No. S2021-9, as presented. Seconded by Councilor Schaaf. Roll call: Councilors Palochak, Schaaf, Kumar, Garcia and Mayor Bonaguidi all voted yes.

3. Ordinance No. S2021-10; Text Amendment to the City of Gallup Land Development Standards to Allow Multi-Family Development within the Heavy Commercial (HC) and General Commercial (GC) Zone Districts as a Conditional use – Clyde Strain, Planning and Development Director

Mr. Strain presented the proposed ordinance allowing multi-family uses within Heavy Commercial and General Commercial Zone Districts as conditional use by amending Sections 10-2-V-B-c and 10-6 of the City of Gallup Land Development Standards. The reason for the proposed amendment is due to the shortage of affordable market rate housing in the Gallup area and the abandoned or vacant motel structure problem. He provided details of the current code and changes that would be made under the proposed ordinance. Mr. Strain said several requests have been made for conversions of existing motels or hotels that are no longer in service; therefore, staff saw this as an opportunity to allow for redevelopment and repurposing of existing structures as well as new infill projects. Owners of these developments will be required to obtain Conditional Use Permit approval to ensure that all district specific standards are met and allow public participation in the process. The Gallup Planning and Zoning Commission reviewed and recommended approval the text amendment at the December 8, 2021 meeting by way of Resolution of Recommendation No. RP2021-9.

Discussion followed regarding the approval process, the lot size requirement, permissible mixed use within the Heavy Commercial Zone District, adverse effects of changes made to zoning and growth opportunity on the west side.

Councilor Palochak made the motion to approve Ordinance No. S2021-10, as presented. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

4. Budget Adjustment and Purchase of Property – John Wheeler, Electric Director

Mr. Wheeler presented the budget adjustment in the amount of \$190,000 for the purchase of land from John Roper and George Athens of Aztec Rentals LLC to develop a headquarters building, truck and equipment parking and warehousing Electric Department materials. He provided an overview of the purchase agreement contingencies as well as a proposal from Huitt-Zollars for the design and estimated cost of construction.

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Councilor Palochak made the motion to approve the budget adjustment and purchase of property. Seconded by Schaaf. Roll call: Councilors Palochak, Schaaf, Kumar, Garcia and Mayor Bonaguidi all voted yes.

5. Resolution No. R2021-45; Parks and Recreation Fees and Policies – Vince Alonzo, Parks and Recreation Director

Mr. Alonzo requested approval to increase the fees at the Cecil Garcia Fitness Center and Larry Brian Mitchell Recreation Center, the implementation of a fee schedule at Harold Runnels Athletic Complex and amendments pertaining to the City of Gallup Parks and Recreations Facilities Usage Agreement as discussed at the Special Meeting held on December 7, 2021.

Brief discussion followed regarding the reopening of the Harold Runnels Athletic Complex mid-March or April 2022, which will require additional positions pending the Mayor and Councilors' approval.

Councilor Schaaf made the motion to approve the Parks and Recreation fees and policies. Seconded by Councilor Kumar. Roll call: Councilors Schaaf, Kumar, Garcia and Palochak all voted yes.

6. Resolution No. R2021-42; A Resolution Amending the of the Runoff Election for the 2022 Municipal Officer Election, if a Runoff Election is Necessary – Alfred Abeita, City Clerk

Mr. Abeita presented the proposed Resolution in response to the Secretary of State's recommendation to hold potential runoff elections on one specific date for the purpose of streamlining the online voting services and automated functions used for holding elections. Mr. Abeita said the date would change from April 5, 2022 to Tuesday April 12, 2022 with the City of Rio Rancho and the City of Las Vegas, who have already set their potential runoff date. By extending the date for a runoff election, he said it would provide additional time for voters to return their absentee ballots to the City Clerk and it would provide the possibility of extending the period for Early Voting.

Councilor Palochak made the motion to approve Resolution No. R2021-42, as presented. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

7. Resolution No. R2021-44; Requesting that Redistricting of State House and Senate Districts Ensure the Preservation of Communities of Interest – Curtis Hayes, City Attorney

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Mr. Hayes presented the proposed resolution in response to the New Mexico Legislature's current session creating new House and Senate Districts that are substantially equal in population and comply with federal and state laws to preserve communities of interest and the core of existing districts. Mr. Hayes provided information regarding the Citizen Redistricting Committee's recommendation with regard to those districts that currently include residents of Gallup, including Senate Districts 3 and 4 and House Districts 5 and 9; while prioritizing traditional race-neutral districting principles and maintaining a population of voting age adults of 60% Native American, therefore creating districts that combine residents from Gallup and surrounding areas that share common economic, social or cultural interest.

Brief discussion followed regarding concerns with Senator George Munoz's current district and the possibility of moving him out, thereby removing a beneficial leader from the community.

Councilor Schaaf made the motion to approve the resolution requesting that redistricting of State House and Senate Districts ensure the preservation of communities of interest, R2021-44. Seconded by Councilor Kumar. Roll call: Councilors Schaaf, Kumar, Garcia, Palochak and Mayor Bonaguidi all voted yes.

Comments by Public on Non-Agenda Items

None.

Comments by Manager and City Attorney

Mr. Hayes offered to provide any needed explanation regarding the precinct maps he included in the redistricting presentation. He also provided a brief update on the purchase of property for the Electric Department headquarters.

At the request of Ms. Ustick, Mr. Wheeler provided an update regarding the traffic signals at the intersection of Ford Drive and NM 118. He said a contractor accidentally hit one of the electrical conduits to the signal control cabinet which resulted in the failure of signals at the intersection. He said the State is recommending the replacement of wiring to all four sections of the system; however, the City only has enough wire to replace the damaged section of the system. He said crews will repair the damaged section and will have the signals back in operation by this coming Friday afternoon. Crews will replace the wiring for the remaining sections of the system when they receive additional wiring materials.

Ms. Ustick reminded the Mayor and Councilors of the Economic 101 Training on December 20, 2021 at 9:30 a.m. at the El Morro Events Center. She wished everyone a Merry Christmas and Happy New Year and thanked City staff for all they do.

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Comments by Mayor and Councilors

The Mayor and Councilors thanked City staff for their hard work and continued efforts through another difficult year due to the pandemic. They wished everyone a Merry Christmas and Happy New Year.

Councilor Palochak commended YDDC on their annual report and completed projects. She thanked all City Staff and expressed hope for a staff celebration next year.

Councilor Garcia thanked Chee and Timaris Montano of State Farm Insurance for sponsoring this year's "Shop with a Cop," as well as other contributors and participants.

Mayor Bonaguidi thanked Patty Holland, Chief Financial Officer, for all her help with the City's financials, the Street Department for all street improvements that were done, Metro Animal Control for all their efforts with the multiple issues throughout the year, the Solid Waste Department for their constancy and all City staff.

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

Louie Bonaguidi, Mayor

ATTEST:

Alicia Palacios, Deputy City Clerk