

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, May 26, 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 non-agenda items later in the meeting.

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 for their approval were the Minutes of the Regular Meeting of May 12, 2020 and the Special Meeting of May 18, 2020.

Councilor Schaaf made the motion to approve the Minutes of the Regular Meeting of May 12, 2020 and the Special Meeting of May 18, 2020. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia, Kumar, Palochak and Mayor Bonaguidi all voted yes.

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

1. Resolution No. R2020-14; Resolution for Submitting Community Development Block Grant (CDBG) Program Application – Stanley Henderson, Public Works Director

Mr. Henderson presented the proposed resolution authorizing staff to submit an application for CDBG funding for the West Logan Avenue Reconstruction Project. The project was previously selected by the City Council for CDBG funding at its meeting of January 28, 2020. The costs for the project is currently estimated at \$1.56 million. Staff will be applying for maximum CDGB funding the amount of \$750,000. The application requires a 10% match in the amount of \$75,000. The balance for the project will be \$735,000, including utility reconstruction costs.

Councilor Kumar made the motion to approve Resolution No. R2020-14; Resolution for Submitting CDBG Program Application. Seconded by Councilor Schaaf. Roll call: Councilors Kumar, Schaaf, Garcia, Palochak and Mayor Bonaguidi all voted yes.

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- 2. Funding for the Fiscal Year (FY) 2021 Levitt Amp Gallup Concert Series – Jennifer Lazarz, Tourism and Marketing Manager and Kara Smith, Gallup Mainstreet Executive Director**

Ms. Lazarz said the Gallup Mainstreet Arts & Cultural District (GMSACD) was awarded the Levitt Amp Music Series grant in December 2019. Due to public health concerns with the COVID-19 pandemic, the event has been modified in which the Levitt Foundation has agreed to role the funding into FY 21. The virtual programming will take place in late summer 2020 and the live concert series will take place in the summer of 2021. In order to maintain grant funding, the GMSACD needs a match and additional funding to support the series and to begin planning and booking of the 2020-2021 event. The City's sponsorship is in the amount of \$25,000 and will be applied toward the 1 to 1 matching portion of the program, as well as advertising and public health and safety measures. Ms. Lazarz recommended a budget adjustment for the sponsorship of the program in the amount of \$25,000.

Councilor Palochak asked if funds for the concert series sponsorship would come from the Lodgers Tax Fund. Ms. Lazarz respond yes and said there are sufficient funds available for the program.

Councilor Palochak made the motion to approve funding for the FY 21 Levitt Amp Gallup Concert Series in the amount of \$25,000 from Lodgers Tax Reserve. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Schaaf, Kumar and Mayor Bonaguidi all voted yes.

- 3. Ordinance No. S2020-5; Matthew K. & Geri Hughbanks Public Utility & Drainage Easement Vacation Request – Clyde (C.B.) Strain, Planning and Development Director**

Mr. Strain said Mr. and Mrs. Hughbanks, property owners, have petitioned the Gallup City Council for vacation of a 10-foot wide, 98.07-foot long public utility and drainage easement on their property located at 3735 Maya Drive. When the property was platted in 1997, there was a 10-foot public utility and drainage easement dedication along the northern property boundary of the lot. The owners would like to add an accessory storage structure in their back yard within the easement. Utilities were never installed within the easement and there are no plans to install utilities within the easement anytime in the future. Also, there is no draining contained with the easement. Since the property lies within an established neighborhood and all properties within the subdivision are currently serviced with City utilities, the easement is not needed by the City for any additional utility or drainage improvements. After review of the request, the Gallup Task Force had no issues with the proposed vacation of the easement. Also, the Planning and Zoning

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Commission reviewed the request at their May 13, 2020 Regular Meeting and sends a positive recommendation to the City Council for approval.

Councilor Schaaf made the motion to approve Ordinance No. S2020-5; Matthew K. & Geri Hughbanks Public Utility & Drainage Easement Vacation Request. Seconded by Councilor Kumar. Roll call: Councilors Schaaf, Kumar, Palochak, Garcia and Mayor Bonaguidi all voted yes.

4. Joseph Sanchez, Red Rock Storage, Final Subdivision Plat Approval – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain said the Planning and Zoning Commission has the authority to approve the subdivision of a property; however, since the proposed subdivision includes the vacation of a dedicated street right-of-way, the subdivision requires approval by the City Council. The property is generally located north of Nizhoni Boulevard and west of Mesquite Drive. Since the subject property was originally platted in the 1960s, there have been several re-plats and re-subdivisions of the surrounding properties. The dedicated street right-of-way within the proposed subdivision is undeveloped and land locked and is not needed. The purpose of the subdivision is to re-plate the existing lots from 14 individual lots into 1 individual lot and to vacate the street right-of-way to develop a commercial storage facility. The Planning and Zoning Commission approved the subdivision at their May 13, 2020 Regular Meeting; however, the vacation of the right-of-way requires approval by the Mayor and Councilors.

Councilor Kumar made the motion to approve the Joseph Sanchez Red Rock Storage Final Subdivision Plat as presented. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

5. Gallup Housing Authority Replat No. 1 Ford Highway 66 Addition, Final Plat Approval – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain said the Gallup Housing Authority is requesting approval of Replat No. 1 of Lots 21 through 36, Block 20 and Lots 5 through 20, Block 21, Ford Highway 66 Addition. The request also includes the vacation of a portion of the Morgan Avenue right-of-way containing 0.5503 acres. The property consists of 32 long and narrow lots containing a total of 3.3944 acres. When the Ford Highway 66 Addition was originally platted, the Morgan Avenue right-of-way was platted from Ford Drive through to Burke Drive but was never developed. When the Gallup Housing Authority constructed several residential housing units on these lots, the units were constructed within and across the dedicated Morgan Avenue right-of-way. The purpose of this subdivision is to reduce the number of lots from 32 lots into 1 lot and to vacate the undeveloped portion of Morgan Avenue lying

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within the property boundaries of the subdivision. The vacation is needed to correct any encroachment issues with buildings within the Morgan Avenue right-of-way. The property is presently fully serviced with water, wastewater and electric infrastructure; therefore, no additional infrastructure improvements are required at this time. Public utility easements will be dedicated over all existing utility infrastructure located on proposed Lot 5A to allow the City access for maintenance. The Planning and Zoning Commission approved the subdivision at their May 13, 2020 Regular Meeting; however, the vacation of the right-of-way requires approval by the Mayor and Councilors.

Councilor Palochak made the motion to approve Gallup Housing Authority Replat No. 1 Ford Highway 66 Addition Final Plat as presented. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

6. Gallup Housing Authority Replat No. 1 La Loma Subdivision, Final Plat Approval – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain said the Gallup Housing Authority is requesting final plat approval of Replat No. 1 of Lots 1 through 42, Block 4, La Loma Subdivision. The request also includes an alley right-of-way to be vacated containing 0.2411 acres. The property consists of 42 long and narrow lots containing a total of 3.2547 acres. When the La Loma Subdivision was originally platted, an alley right-of-way was in the middle of Block 4 running the entire length of the block from east to west. When the Gallup Housing Authority constructed several residential housing units on these lots, the units were constructed within and across the dedicated alley right-of-way. The purpose of this subdivision is to reduce the number of lots from 42 lots into 1 lot and to vacate the dedicated alley right-of-way. The vacation is needed to correct any encroachment issues with buildings within the alley right-of-way. The property is presently fully serviced with water, wastewater and electric infrastructure; therefore, no additional infrastructure improvements are required at this time. Public utility easements will be dedicated over all existing utility infrastructure located on proposed Lot 1A to allow the City access for maintenance. The Planning and Zoning Commission approved the subdivision at their May 13, 2020 Regular Meeting; however, the vacation of the right-of-way requires approval by the Mayor and Councilors.

Councilor Garcia made the motion to approve the Gallup Housing Authority Replat No. 1 La Loma Subdivision Final Plat as presented. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Schaaf, Kumar and Mayor Bonaguidi all voted yes.

7. Budget Adjustment for Bond Payment – Patty Holland, Chief Financial Officer

Ms. Holland recommended an adjustment to the principal payment budget in the amount of \$170,000 for a payment in June on the City's Series 2011 General Obligation (GO)

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Bonds. The payment reflects an early payment on the bond in order to utilize funding proceeds to protect the mil levy rate calculation. If the City does not demonstrate a cash need for the bond, the State will lower the rate to accommodate the City's cash needs. The total amount of the bond payment is \$330,000. The proposed restructuring of the 2017 GO Bonds will not occur in the near future since funding by the State Legislature is most likely going to be pulled back during the special session in June.

Councilor Kumar made the motion to approve the budget adjustment for the bond payment as presented. Seconded by Councilor Schaaf. Roll call: Councilors Kumar, Schaaf, Palochak, Garcia and Mayor Bonaguidi all voted yes.

8. Budget Adjustment for COVID-19 Families First Coronavirus Response Act (FFCRA) Federal Sub-Award – Jon DeYoung, Assistant City Manager

Mr. DeYoung presented the proposed contract with the Non-Metro Area Agency on Aging for an award to the Gallup Senior Program in the amount of \$25,578.76. The funds are to be used in accordance with the FFCRA for COVID-19 related expenses from March 13, 2020 to September 30, 2020 for congregate and home delivered meals at the Senior Center. He recommended a budget adjustment in the amount of \$25,578.76 for revenue and expenditure of the grant.

Councilor Kumar made the motion to approve the budget adjustment for COVID-19 FFCRA federal sub-award. Seconded by Councilor Schaaf. Roll call: Councilors Kumar, Schaaf, Garcia, Palochak and Mayor Bonaguidi all voted yes.

9. Purchase of Long Lead Items for the Construction of the New Allison Substation – John Wheeler, Electric Director

Mr. Wheeler presented the request for the purchase of items needed for the new Allison Substation. Most of these items take a while to be shipped after being ordered as staff wants to complete the construction of the substation in December. The needed items are insulators, circuit switchers, air break switches, lightening arrestors and low voltage items. Bids were solicited for these items and he recommended award to the low qualified bidder Western United in the amount of \$167,985.50.

Councilor Schaaf made the motion to approve the purchase of long lead items for the construction of the new Allison Substation. Seconded by Councilor Palochak. Roll call: Councilors Schaaf, Palochak, Garcia, Kumar and Mayor Bonaguidi all voted yes.

10. Solar Farm Capacitor Bank Purchase – John Wheeler, Electric Director

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Mr. Wheeler presented the request to purchase a capacitor bank under State Contract Number 70-000-17-00010 for the Gallup Solar Farm. This piece of equipment conditions the voltage output of the solar farm into the City's distribution system. He recommended approval of the purchase of the capacitor bank from Eaton Corporation in the amount of \$93,816.64.

Councilor Palochak made the motion to approve the purchase of the solar farm capacitor bank from Eaton Corporation in the amount of \$93,816.64. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

The following presentation and information item was presented to the Mayor and Councilors:

1. 2020 Fireworks Season Regarding City Code Related to Declaration of Drought or Other Emergency – Chief Jesus “Chuy” Morales, Gallup Fire Department

Chief Morales provided a power point presentation on the 2020 fireworks season and the provisions under the city ordinance and state statute to ban or restrict the use and sales of fireworks if it is determined that extreme or severe drought conditions exist. If these conditions exist, the Mayor and Councilors may restrict or ban the use and sales of fireworks at a hearing during their Regular Meeting on June 9, 2020. Chief Morales provided an overview on the dates when permissible fireworks may be sold at retail, the information on the U.S. Drought Monitor and Seasonal Drought Outlook from the National Weather Service, the steps to be taken to restrict or ban the sale and use of fireworks and the types of fireworks that can be banned.

Comments by Public on Non-Agenda Items

None.

Comments by Mayor and City Councilors

Councilor Kumar encouraged everyone to stay safe.

Councilor Palochak asked everyone to wear face masks when they are in public, to practice social distancing and to remember mass gatherings are prohibited during this time of crisis. She also encouraged everyone to follow all precautionary measures to help stop the spread of the COVID-19 virus.

Comments by City Manager and City Attorney

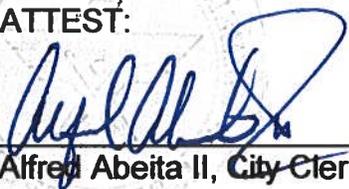
Ms. Ustick echoed Councilor Palochak's comments.

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



Louie Bonaguidi, Mayor

ATTEST:


Alfred Abeita II, City Clerk

Approved 6/9/2020