

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico held in the Council Chambers at Gallup City Hall, 110 West Aztec Avenue at 6:00 p.m. on Tuesday, June 27, 2023.

The meeting was called to order by Mayor Bonaguidi.

Upon roll call, the following were present:

Mayor:	Louie Bonaguidi
Councilors:	Linda Garcia Michael Schaaf
Absent:	Sarah Piano, Councilor Fran Palochak, Councilor
Also present:	Jon DeYoung, Interim City Manager David Eason, City Attorney

Presented to the Mayor and Councilor was the following Presentation and Information Item:

1. Library Advisory Board Presentation – Lynn Isaacson and Janet Li Tempest, Library Advisory Board Members

Mr. Isaacson presented a PowerPoint presentation on behalf of the Library Advisory Board, comprised of 7 members, created to advise City Council concerning matters related to the Octavia Fellin Library and to recommend policies that support the library's mission by working closely with Tammi Moe, Library Director and staff. He said the primary focus the past few years has been the construction, design and location of a new facility as well as observation of how the library managed COVID by transitioning from in-person to virtual and back to in-person. He explained the implementation of an Executive Planning Committee comprised of 22 members from around the area intended to provide a comprehensive experience and incorporate something that works for what should be considered a regional library. The PowerPoint consisted of progress after the global pandemic with regard to the Octavia Fellin Public Library and the Children's Library, new and old library amenities, technology available, outdoor lockers for after-hours book pick up, aesthetics, New Mexico Family Pass, Makerspace inside the Children's Library and Sage the library's mascot. Mr. Isaacson highlighted a list of numerous available programs for adults and children. He recognized Ms. Moe for winning the prestigious National 2022 I Love My Librarian Award and the opportunity to host the Smithsonian exhibit. He encouraged everyone to become a library user by obtaining a free library card and downloading the Libby App, the importance of a functional library, provided a detailed list of all programs and a request to schedule a Work Session to discuss the design of the new library facility.

Discussion followed regarding the visible number of people who frequent the library.

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Dr. Janet Li Tempest commended Ms. Moe, Betty Martin and Johnson Bordy and all Library staff for the work they put in to all the programs, especially the Children's Library, with the Makerspace being the fastest growing program.

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

1. Approval of the Annual Chamber of Commerce Contract for Tourism Related Services
2. Approval of FY24 First Responders Comprehensive Addiction Recovery Act (FR-CARA) Agreement and Budget Adjustment
3. Budget Adjustment to Cover Expenses for the BOR Grant #R18AP00264 Project GR2064
4. Recommendation of Bid Award, Formal Bid No. 2310 for Water Distribution, Wastewater Collection and Street Drainage System Improvements

Councilor Schaaf made the motion to approve items 1-4 of the Consent Agenda. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia and Mayor Bonaguidi all voted yes.

Mr. DeYoung requested Item 4 of the Discussion / Action Topics be tabled and will be brought back to Council at a later date.

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

1. Request for Street and Roadway Closures for the Gallup Inter-Tribal Indian Ceremonial Parades and 5k Run/Walk – Kyle Tom, Gallup Ceremonial Board Association President

Mr. Tom presented the proposed street closures in celebration of the 101st Annual Gallup Inter-Tribal Ceremonial. He said the parades will be held on Thursday, August 10, 2023 at 7:00 p.m. and Saturday, August 12, 2023 at 10:00 a.m. He provided a map depicting the participant line up on Historic Hwy 66 traveling east to First Street and then Coal Avenue ending at 8th Street. He explained collaborative efforts with City staff, New Mexico State Police, McKinley County Fire Department, Office of Emergency Management and the New Mexico Department of Transportation to close off necessary streets and request removal of vehicles starting at 2:00 p.m. on August 10th and at 12:00 p.m. up to 6:00 a.m. on August 12th. In addition, Mr. Tom requested a closure on Mendoza Boulevard for their 5k run on Saturday, August 5th from 6:30 a.m. to 10:00 a.m.

Councilor Garcia made a motion to approve the street and roadway closures. Seconded by Councilor Schaaf. Roll call: Councilors Garcia, Schaaf and Mayor Bonaguidi all voted yes.

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2. Ordinance No. S2023-6; Case No. TXT2023-0090002, Hozho Academy, Proposed Text Amendment to Allow Eighty-Foot (80') Tall 115,200 Square Feet Air Supported Athletic Dome Structure Within the General Commercial (GC) Zone District – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain presented the proposed ordinance on behalf of Hozho Academy for a text amendment, recently discussed by the City Council and the Planning and Zoning Commission at their respective meetings. Direction was provided to Planning and Development staff to create language within the regulation that would allow these types of structures as accessory uses to schools. He said the City's consultants conducted their research and came up with solid regulations that will work for all parties, as well as the community. Mr. Strain explained Mr. Balok's request for a text amendment that would allow the placement of the Air Supported Structure at Hozho Academy located at 515 Park Avenue, which the current code does not allow Air Supported Structures as a principal, conditional or accessory use within the General Commercial Zone District. Hozho Academy is requesting to have a stand-alone Air Supported Structure, measuring 240' in width, 480 in length, an overall area 115,200 square feet and 80' high. Hozho Academy claimed the structure would only be used during school hours for physical education and would be available to the public during the off-season for sporting events, therefore would require no additional parking. Staff provided text amendments that would allow educational facilities located within the General Commercial and Heavy Commercial Zone Districts to place Air Supported Structures upon their property with certain use specific standards and why Heavy Commercial Zone Districts were also included. Mr. Strain detailed the proposed revisions compared to the current code including Table 10-3-1, Use Table; Section 10-3-C-b-iii, Educational Facility, Primary/Secondary to accommodate the Air Supported Structures as a conditional accessory use with necessary approval by a Public Hearing; Section 10-3-C-jj, new specific standard Section for Air Supported Structures; Table 10-4-4, require Off-Street Parking Supply minimum parking standard requirements for Educational Facilities and Section 10-6, the addition of a definition for Air Supported Structures. He also explained under the current parking regulation, Hozho Academy is required to have a minimum of 275 off-street parking spaces for the school, however the current available spaces are 176, leaving the school short 99 spaces from the minimum number of spaces required. For this reason, the school is non-conforming meaning, in its current state, the Air Structure is not permitted unless the principal school use comes into compliance with the current parking standard, however the proposed text amendment to reduce the number of parking spaces from 5 per 1,000 square feet of floor to 4 spaces would reduce the shortage from 99 to 44 spaces, requiring a total of 220 off-street parking spaces bringing the school into compliance and allowing placement of the proposed structure. Mr. Strain stated the findings of staff that the proposed amendments to the City of Gallup Land Development Standards concerning Air Supported Structures would provide minimum health, safety and welfare standards to

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protect the general public from any adverse effects that the proposed Air Supported Structure may pose. The Planning and Zoning Commission sends their positive recommendation following review at their meeting held on June 14 2023, by Resolution No. RP2023-5 and requested City Council approval or denial based on this testimony and any testimony provided by the applicant.

Mr. Balok provided further details regarding the structure and how they intend on utilizing it. He said they have no intentions to use the facility as a stadium or an arena and they are preparing to expand the area for additional parking contingent on funding. He also included details regarding the parking as it stands when multiple events happen in the area and ADA compliant restrooms according to code.

Councilor Schaaf noted the number of calls he has received from citizens in opposition of the structure and the potential eyesore.

Councilor Garcia expressed concern it will become a nuisance to the area. She questioned the success rate of similar structures elsewhere.

Further discussion followed regarding similar cities, the high cost of conventional construction, goals to keep kids more active and out of trouble and the fact that it would be the largest indoor athletic center in the State.

Mayor Bonaguidi expressed optimism and support of the facility and said the City is ready for new ideas.

Mayor Bonaguidi made a motion to approve Ordinance No. S2023-6. Seconded by Councilor Garcia. Roll call: Mayor Bonaguidi and Councilor Garcia voted yes. Councilor Schaaf voted no. Motion carried.

3. Budget Adjustment to Cover Monthly Environmental Gross Receipts Tax (EGRT) for the Northwest New Mexico Regional Solid Waste Authority (NWNMRSWA) – Adrian Marrufo, Solid Waste, Waste Water, Water Director

Mr. Marrufo said on December 13, 2022, City Council approved Resolution No. R2022-50, confirming the financial Operating Commitment pursuant to the Joint Powers Agreement (JPA) with NWNMRSWA. He explained the JPA was established in 1993 with the City of Gallup, McKinley County, Cibola County, City of Grants and Village of Milan where all parties fund the Authority by contributing 50% of each party's annual Environmental Gross Receipts Tax (EGRT) for operations support and is to be reevaluated every five (5) years and revisions made if necessary. He said the Authority had an EGRT Intercept Agreement with the parties and the New Mexico Finance Authority (NMFA) that covered the Authority's debt service, however the agreement was terminated upon full execution of the debt in May 2022 and the New Mexico Taxation and Revenue has been remitting the full EGRT amount to each entity since May 2022. Mr. Marrufo said during the referenced City Council Meeting, FY2022 – FY2023

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distribution amounts were estimated at \$20,000 per month but the EGRT is going up increasing the reimbursements to about \$25,000 to \$30,000. Current payouts from July 2022 – February 2023 totaled \$212,180. With consideration of two payouts from FY 2022 to be paid from FY 2023 budget, Solid Waste operating budget will be left with a remaining balance of only \$10,000. Mr. Marrufo provided a breakdown of the distribution months and amounts owed to NWNMRSWA and requested \$120,000 from Enterprise Fund 504 into their operating budget.

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

4. Resolution No. R2023-15 New Electric Rate for Groundwater Wells – Charles Nourse, Electric Director

Councilor Schaaf made the motion to table the item. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia and Mayor Bonaguidi all voted yes. Item tabled.

Comments by the Public on Non-Agenda Items

Pablo Martinez addressed efforts with regard to the ordinance he previously submitted to Mayor and Council for a Sanctuary City, said he will continue to push the matter and thanked everyone for allowing him to speak.

Dr. Connie Liu said those in opposition of the ordinance are also determined to promote and advocate for bodily autonomy for all patients regardless of beliefs.

Andrea Butler, called in to speak against abortion.

Jean Phillips also addressed Council regarding concerns with laws that would negatively affect women's healthcare.

Comments by the Mayor and Councilors

Mayor Bonaguidi mentioned the exciting past couple of weeks with multiple events including the Lion's Club Rodeo, the Best of the Best Rodeo, a Pow Wow and two weddings at Red Rock Park.

Councilor Schaaf thanked Fire Department staff and Police Department staff for their quick response to a fire behind Front Row Seat. He also thanked Robert Hamblen and staff for directing traffic at the Best of the Best Rodeo, all the participants and attendants of the event and Tommy Mims for the providing transportation. He also announced the 13th Annual City Clean-up for the Midwest and Northside of the city and thanked all City employees for all they do.

Comments by the City Manager and City Attorney

Mr. DeYoung thanked the Mayor and Councilors and said he is looking forward to serving the community.

Councilor Schaaf made a motion to adjourn. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia and Mayor Bonaguidi all voted yes.



ATTEST:

A handwritten signature in blue ink, appearing to read "Alicia Palacios", is written over a horizontal line.

Alicia Palacios, Deputy City Clerk

A handwritten signature in blue ink, appearing to read "Louie Bonaguidi", is written over a horizontal line.

Louie Bonaguidi, Mayor