

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, October 27, 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.

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 October 13, 2020.

Councilor Schaaf made the motion to approve the Minutes of the Regular Meeting of October 13, 2020. Seconded by Councilor Garcia. Roll call: Councilors Schaaf, Garcia, Kumar, Palochak and Mayor Bonaguidi all voted yes.

The Mayor and Councilors presented a proclamation honoring the Kiwanis Club of Gallup for their centennial year. John Lewis Taylor of the Kiwanis Club thanked the Mayor and Councilors for the proclamation.

Presented to the Mayor and Councilors for their approval were the following 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 – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain presented the final minor subdivision plat to the Mayor and Councilors for their approval. The area is located at the current Cathedral School on Elva Drive and involves the City owned property to the west at the Sports Complex and land owned by Joshua Generation for Jesus across the street to the east. The purpose of the proposed subdivision is to reduce the number of lots from 11 to 3 and to correct all rights-of-way issues within the subdivision, which includes vacating portions of existing rights-of-way, and dedicating new rights-of-way. The request also includes vacating existing public

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utility easements. Mr. Strain provided an overview of the areas to be vacated and the dedication of new rights-of-way, including the area to be dedicated as Elva Drive and the area to be renamed Elva Place.

Councilor Palochak made the motion to approve Case No. 2020-00300007, Final Plat Review and Approval of the City of Gallup, Aequitas Education and Joshua Generation for Jesus Minor Subdivision, including the vacation of the portions of the existing right-of-way and existing public utility easements as presented. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

2. Essential Business Exception: Filming at Red Rock Park – Jennifer Lazarz, Tourism and Marketing Director

Ms. Lazarz said the production of Canyon del Muerto has requested the use of the Red Rock Park Convention Center and the adjacent parking lots to be used as a base camp and staging area for a one week production for a television series. In accordance with the State's Public Health Order, the production is a qualified essential business and has submitted the required paperwork to the State to comply with COVID-19 safety practices. The production schedule has fluctuated since the production team is working with the Navajo Nation on obtaining permission to access certain areas. The production team is requesting use of the Red Rock Park facility for approximately one week.

Councilor Schaaf spoke in favor of the use of Red Rock Park for the production; however, he asked if the City could request an acknowledgment in the film for granting the use of Red Rock Park. Ms. Lazarz said the City can include the request in the contract for use of the facility.

Councilor Schaaf made the motion to approve the temporary opening of Red Rock Park Convention Center for the production of Canyon del Muerto. Seconded by Councilor Kumar. Roll call: Councilors Schaaf, Kumar, Garcia, Palochak and Mayor Bonaguidi all voted yes.

3. Resolution No. R2020-35; NMFA Planning Grant Award – Jennifer Lazarz, Tourism and Marketing Director

Ms. Lazarz said the City received a grant in the amount of \$50,000 from the New Mexico Finance Authority (NMFA) to conduct a retail market analysis this past year. She recommended approval of the proposed resolution accepting the award of the grant. The

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retail market analysis will be presented to the Mayor and Councilors at a work session in December.

Councilor Kumar made the motion to approve Resolution No. R2020-35; New Mexico Finance Authority Planning Grant for \$50,000. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

4. Highway 491 16-Inch Waterline Project (Project No. JU1846)-Construction Oversight Services – Dennis Romero, Director, Gallup Water and Sanitation Department

Mr. Romero said due to an increase in costs caused by additional boring underneath Highway 491, the reworking of a connection to the Gamerco Water and Sanitation District and the omission of a portion of construction oversight services in the original request for engineering services that previously went before Mayor and Councilors for the project, the funds encumbered in the purchase order for professional engineering services and construction management oversight have been depleted. He requested approval for an increase to the purchase order to DePauli Engineering Services in the amount of \$35,808.33 to cover these costs. Funds are already budgeted for the project. As a side note, the final pay request to the project's contractor, Adame Construction, is going to come in about \$38,000 under budget for the entire project.

Councilor Garcia made the motion to approve the Highway 491 16-Inch Waterline Project, Project No. JU1846, Construction Oversight Services, adjusting the budget expenditure to \$35,808.33. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

5. Award of Contract for Gallup Municipal Airport West Apron Pavement Preservation Project – Clyde (C.B.) Strain, Planning and Development Director

Mr. Strain reminded the Mayor and Councilors of their approval at their regular meeting of August 24, 2020, to accept the New Mexico Department of Transportation Aviation Grant in the amount of \$139,500 for the project. Bids were opened for the project on October 22, 2020 with one response submitted by American Road Maintenance in the amount of \$111,044.68. Staff considers the bid to be fair and reasonable; therefore, Mr. Strain recommended award of the bid to American Road Maintenance in the amount of \$111,044.68.

Councilor Kumar made the motion to approve the award of contract for the Gallup Municipal Airport West Apron Pavement Preservation Project to American Road

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Maintenance in the amount of \$111,044.68. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Schaaf, Garcia and Mayor Bonaguidi all voted yes.

6. Budget Adjustment and Contract Approval for Additional Alley Project – John Wheeler, Electric Director

Mr. Wheeler said 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 the timeline. Since Bixby Electric was the contractor of record on the Phase I project, staff requested Bixby Electric to provide a quote to do the additional work. The quote is in the amount of \$505,547.39, which includes gross receipts tax of \$38,798.50. Funds for this project will come from the reserve funds in Fund 507. The additional work will require the contractor to install conduit, cable and equipment through the walkway into the Zecca parking area adjacent to the walkway. This will also 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, a small contingency of \$9,452.61 has been added to the project budget. Staff recommends approval of a budget adjustment in the amount of \$515,000 and approval of a contract, under the State Price Agreement, with Bixby Electric to accomplish this additional work.

Councilor Palochak made the motion to approve the budget adjustment and contract approval in the amount of \$515,000 from reserve funds in Account 507 into Project JU1903 in Account 307-6061-442-48-99 and to approve the additional scope of work to the Bixby Electric contract. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Schaaf, Kumar and Mayor Bonaguidi all voted yes.

7. Resolution No. R2020-34; 1st Quarter FY 2021 Budget Adjustments and Report of Actuals – Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed resolution which encompasses all budget changes processed July 1, 2020 through September 30, 2020. She provided an overview and highlighted certain budget revisions made during the quarter as well as the required report of actuals showing cumulative activity for the quarter. The reports need to be submitted to the Department of Finance and Administration (DFA) by October 31, 2020.

Councilor Kumar made the motion to approve Resolution No. R2020-34; 1st Quarter Fiscal Year 2021 Budget Adjustments and Report of Actuals. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Schaaf, Palochak and Mayor Bonaguidi all voted yes.

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8. Extension of Closure of Indoor Recreation Facilities and Staff Furloughs – Maryann Ustick, City Manager

Ms. Ustick reminded the Mayor and Councilors of their approval of the FY 2021 Budget in June 2020, which included many reductions in services due to the impact of the COVID-19 pandemic on City revenues and the State's public health orders restricting in-person gatherings. As part of the FY 2020 Budget, the Mayor and Councilors approved the closure of the City's indoor recreational facilities through September 30, 2020, which also included a furlough of 54 full-time, part-time and seasonal positions for the same timeframe. On September 22, 2020, the Mayor and Councilors approved an extension of the furloughs and closure of the City's recreational facilities through October 31, 2020. Since there has been no change in the State's public health order for indoor recreational facilities, staff is recommending extension of the closure of indoor recreational facilities and the employee furloughs through November 30, 2020. The closure of the facilities include the Larry Brian Mitchell Recreation Center; Harold Runnels Athletic Complex; Gallup Aquatic Center; El Morro Theatre & Events Center; Cecil Garcia Fitness Center and Red Rock Park Convention Center and Arena. If the public health order is amended to allow the opening of the facilities, staff will recommend to the Mayor and Councilors to end the furlough with proper notice being given to the affected staff to return to work. Although 54 positions staff these facilities, many of these positions are seasonal and were not hired this year. As a result, there are 17 existing employees who are affected by the furlough as the City continues to pay for their health insurance costs for the duration of the furlough.

Councilor Kumar made the motion to approve the extension of the closure of indoor recreation facilities and staff furloughs through November 30, 2020. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Garcia, Schaaf and Mayor Bonaguidi all voted yes.

9. Intergovernmental Services Agreement with McKinley County for Wellness Hotel Program – Maryann Ustick, City Manager

For clarification, Ms. Ustick said the proposed agreement with the County is not for the Quarantine Hotel Program which is funded by the State Department of Health. Due to the COVID-19 pandemic, congregate shelters in the community are either closed or operating at a reduced capacity, which results in challenges with how to shelter homeless people who are COVID negative and at risk. The City applied to the State for federal CARES Act funding; however, the amount received by the City was not sufficient to fund the Wellness Hotel Program. Since the County received a larger amount of CARES Act funding from the State, the County is willing to fund the Wellness Hotel Program provided the City administers the program. The County Commission met earlier in the day and

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approved the Intergovernmental Services Agreement which will provide \$350,000 for the program through December 30, 2020, which is the end date for the federal CARES Act funding. Overall, the program will provide a non-congregate shelter option for homeless individuals most at risk because of age or underlying medical conditions. It also provides rooms, meals and security for up to 42 individuals and 8 doubles. The City's Behavioral Health Investment Zone (BHIZ) staff will administer the program and will also contract with a medical director and a site coordinator for the program.

Debra Martinez, BHIZ Manager, provided an overview of the admissions process for the program. Discussion followed concerning the referral process to be used by local agencies.

Ms. Ustick also asked the Mayor and Councilors to authorize her as City Manager to enter into contracts for the hotel, meals, security services, medical and site coordination for the program. She also asked for approval of the revenues and expenditures for the program since the City will have to front the funding for the contracts under the program in which the County will reimburse.

Councilor Palochak thanked McKinley County officials for their support of the program.

Councilor Palochak made the motion to approve the Intergovernmental Services Agreement with McKinley County for the Wellness Hotel funding in the amount of \$350,000 from the County's CARES Act funds through the State for the program, accepting the money as a revenue and disbursing the same from City coffers for reimbursement from the CARES Act funds and to authorize the City Manager to enter into contracts for the program. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Schaaf and Mayor Bonaguidi all voted yes.

Comments by Public on Non-Agenda Items

None.

Comments by City Manager and City Attorney

Ms. Ustick provided information on the COVID-19 Housing Cost Assistance Program which provides funding from the New Mexico Mortgage Finance Authority to New Mexicans impacted by COVID-19 with mortgage and rental assistance.

At the request of Ms. Ustick, Ms. Lazarz provided an update on the Small Business Continuity Grant Program which provides assistance to local businesses impacted by COVID-19. Federal CARES Act funding from the State has been provided to the City for the program.

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Comments by Mayor and City Councilors


Councilor Palochak congratulated the Kiwanis Club of Gallup for their 100th anniversary. She reminded everyone to wear their masks, to socially distance themselves from one another and to do their shopping in Gallup.

Councilor Garcia thanked McKinley County officials and Ms. Martinez and her staff for their work in implementing and administering the Wellness Hotel Program.

Councilor Kumar thanked Ms. Martinez and the entire City staff for their work during this difficult year.

Mayor Bonaguidi commented on the Coal Avenue Commons Project and announced the reopening of Third Street downtown. He said it was encouraging to see the government assisting small businesses through the Small Business Continuity Grant Program. The Mayor also thanked the County for their support with the Wellness Hotel Program. He also encouraged everyone to wear their masks because the COVID infection numbers are increasing.

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



Louie Bonaguidi, Mayor


ATTEST:


Alfred Abeita II, City Clerk

Approved 11/10/2020