City of Bayard

CITY COUNCIL REGULAR MEETING

August 24, 2020 at 1:30 PM

Bayard City Hall

AGENDA

WORK SESSION

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC INPUT

CONSENT AGENDA

1. Approval of the Minutes of Regular Meeting on August 10, 2020.
2. Approval of the Accounts Payable Report for August 24, 2020.
3. Approval of the Police Department Report for the month of July 2020.
4. Managing Up, Across and Down: Multi-Level Organizational Interactions for Marlena Valenzuela on August 26, 2020 $50.00.

   Train the Trainer - Emergency Vehicle Driving Adrian Romero $100

   Train the Trainer - Defensive Driving Cody Dove $100
5. Resignation of Police Officer German Pena effective July 31, 2020.

OLD BUSINESS

6. Acceptance of the 2021 Fiscal Budget approved by Department of Finance and Administration received on August 13, 2020.
7. Engineers recommendation is to reject all bids. Bids received were over the available project funds. This is the second bid request on this project.

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Regular Meeting - September 14, 2020

ICIP Work Session - September 1, 2020 2:00 p.m. (Public Input)

ADJOURNMENT

City of Bayard
CITY COUNCIL REGULAR MEETING
August 10, 2020 at 1:30 PM
Bayard City Hall

MINUTES

WORK SESSION

Discussion was held relating to agenda items.

Amendments to the Cemetery Rules and Regulations for Part IV - Graves and Markers. No further changes were recommended.

Amendment to Well #3 Engineering Services for an increase of $3,872.75 excluding gross receipts tax for the work required due to the rebid of the project. No further changes recommended.

Destruction of municipal records according to Resolution 6-2019 Municipal Records Retention Policy and Email Retention Guidelines. Approximately 377 boxes will be destroyed. No further questions.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT
Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Charles Kelly
Councilor Eloy Medina
Councilor Adrian Ortiz

A quorum was present.

Additional individuals in attendance were Fire Chief Gonzalez, Adrian Romero and Kristina Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Kelly, Seconded by Councilor Medina.
Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina

PUBLIC INPUT

No public input was received at required in the legal notice.

CONSENT AGENDA

Motion made by Councilor Medina, Seconded by Councilor Kelly.
Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina.

The following items were part of the consent agenda.

1. Minutes of Regular Meeting on July 27, 2020.

2. Accounts payable report for the period ending August 10, 2020.

3. Wastewater report for the month of July 2020.

4. Fire report for the month of July 2020.

OLD BUSINESS

5. Approval of an amendment to the Rules and Regulations of the Bayard Cemetery to remove the flat plaque requirement and allowing for upright monuments and section wording for Part IV.

   Cemetery Rules and Regulations Part IV - Graves and Markers new language to read as follows:

   - Prohibited items on graves or lots are: coping, gravel, decorative rocks, plants, trellises, metal fixtures, frames or boxes, and chairs and settees.
   - No enclosures of any kind shall be permitted around any grave or lot.
   - Monuments are recommended to be installed by a pre-approved monument company.
   - Monuments/markers must be installed on a cement pad. Each grave monument/marker shall be installed on the top center of the grave it identifies. Prior to the installation of a grave monument/marker, a City employee will stakeout the grave space for the correct placement of the monument/marker.
   - The City will have the authority to enter upon any lot and remove any objectionable or prohibited items, including but not limited to, copings that may have been placed there contrary to the regulations.
   - The City shall provide all landscaping and planting in the cemetery.

Motion made by Councilor Kelly, Seconded by Councilor Medina.
Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina

NEW BUSINESS

6. Increasing the professional services fees related to the rebid of the Well #3 Project for the amount of $3,872.75 excluding gross receipts taxes. The fees pertain to the second bid process for the project.

Well #3 Engineering Services Work Order would authorize an increase of fees in the amount of $3,872.75 excluding gross receipts tax, for work required for the rebid of project.

Motion made by Councilor Kelly, Seconded by Councilor Medina.
Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina

7. Approval of destruction of miscellaneous municipal records in accordance with Resolution 6-2019 Municipal Records Retention Policy and Email Retention Guidelines. Records destruction list includes approximately 377 boxes.

   Approximately 377 boxes of municipal records to be destroyed in accordance with Resolution 6-2019 Municipal Records Retention Policy and Email Retention Guidelines. Staff is preparing the final verification of boxes. Destruction certification will be completed upon record destruction performed by Shred On Site (SOS) from Deming, New Mexico.

   Motion made by Councilor Medina, Seconded by Councilor Kelly.
   Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina

MAYOR AND COUNCILORS REPORTS

Chief Gonzalez is requesting authorization for future training of department volunteers. Clerk Treasurer Ortiz stated that the requests for training need to be submitted for Council approval. Current approved training is for department volunteers to attend the Hazmat Course in Socorro, NM the following week.

Mayor Fierro stated that railroad cars are parked within municipal limits and the city has requested that the cars be located further south. No further comments by SW Railroad were received. Mayor Fierro thanked the maintenance for the park and cemetery upkeep.

NEXT MEETING DATE:

Regular Meeting - August 24, 2020

ADJOURNMENT

Motion made by Councilor Kelly, Seconded by Councilor Medina.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz.

MEETING ADJOURNED AT: 2:33 pm

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

ACCOUNTS PAYABLES
August 24, 2020

GENERAL FUND - 10

Pro Force	Weapon lights for PD	$	231.98
Home Depot	floor cleaning scrub pads	$	21.63
Ace Hardware	July running ticket	$	159.76
Overhead Doors	Parts and repairs for old Fire Station Door	$	2,033.04
Quill	Office&Jantorial Supplies for CH and PD	$	573.34
Red Dog Services	Scoreboard @Little league Park	$	4,451.75
TOTAL:		**$**	**7,471.50**

JNT W/S O&M FUND - 150

Ace Hardwre	July running ticket	$	810.21
Sun Valley	EZ cold Street Patch 50lb 56units	$	1,057.90
Morning Star	Maintence uniform Jackets/uniforms	$	2,007.00
Cirrcle Heart	Uniform Boots for Maintence Crew	$	732.01
Home Depot	Floor cleaning scrub pads	$	21.63
Bank of America	HD Scaffolding	$	550.77
Dement Electric	Test and repair capacitors	$	270.00
TOTAL:		**$**	**5,449.52**

JNT WASTEWATER FUND - 170

Dement Electric	Repairs on Influent Basin	$	3,240.57
Home Depot	Floor Cleaning Scrub pads	$	21.63
Ace Hardware	July running ticket	$	267.36
TOTAL:		**$**	**3,529.56**

COMMUNITY CENTER FUND - 200

Home depot	Floor claening scrub pads	$	21.63
TOTAL:		**$**	**21.63**

LIBRARY FUND - 210

Home Depot	Floor cleaning Scrub pads	$	21.63
TOTAL:		**$**	**21.63**

MUNNICIPAL STREET FUND - 240

Sun Valley	50lb street cold patch 56 units		$1,057.90
TOTAL:			**$1,057.90**

MUNICIPAL COURT FUND - 20

TOTAL:

FIRE FUND- 30

Bound Tree Medical	Blood pressure cuffs	$	158.14
TOTAL:		**$**	**158.14**

LAW ENFORCEMENT FUND - 60

TOTAL:

GRAND TOTAL: **$ 17,709.88**

ACCOUNTS PAID
August 24, 2020

GENERAL FUND - 10

W&N Enterprise	July gas for city vehicles City Hall	$	39.01
W&N Enterprise	July gas for city vehicles Police units	$	1,299.45
Comcast Business	Monthly service for Police Dept	$	186.03
AV Animal Clinic	office calls / Euthanasia/disposal		$74.23
WiMactel Inc.	Pay phone for Skate Park	$	76.70
El Paso Times	Legal Advertisment for Bids	$	80.46
PNM	Animal Shelter monthly Electric bill		$22.69
Silver city Daily Press	Work session and regular meeting	$	34.52
AT&T	Wireless Service CH&PD	$	132.34
Century Link	Long Distance for CH and PD	$	13.98
PNM Electric	Christmas and Pkloop & unit star	$	114.04
TOTAL:		**$**	**2,073.45**

JNT W/S O&M FUND - 150

W&N Enterprise	July gas for city vehicles	$	555.80
AT&T	Wireless Service	$	60.31
TOTAL:		**$**	**616.11**

JNT WASTEWATER FUND - 170

W&N Enterprise	July gas for city vehicles	$	204.68
The UPS store	Shipping for BOD testing WWTP	$	170.93
PNM	Monthly Electric Usage	$	9,148.97
Hall Enviormental	Plant Test	$	280.48
Aquionics	Spacer wiper Motor	$	66.00
AT&T	Wireless Service	$	89.27
Hughes Net	Internet for WWTp	$	139.47
The UPS store	Shipping for BOD testing WWTP	$	156.42
American Linen Supply	Uniforms for July for WWTP	$	154.89
Hall Enviormental	TSS & BOD Routine Plant Test	$	172.60
TOTAL:		**$**	**10,583.71**

COMMUNITY CENTER FUND - 200

TOTAL:		$	-

LIBRARY FUND - 210

Comcast	Monthly usage	$	286.03
Century Link	Long Distance	$	1.65
PNM	Electric usage for Library	$	348.90
TOTAL:		**$**	**636.58**

MUNNICIPAL STREET FUND - 240

W&N Enterprise	July gas for city vehicles	$	206.11

Caselle	Support and Maintenance Aug.&Sept	$	346.00
TOTAL:		**$**	**206.11**

MUNICIPAL COURT FUND - 20

Comcast Business	Monthly Service	$	73.01
Admin office of the courts	Court Automation Fee	$	6.00
NM Judicial Education	Education Fee	$	3.00
Century Link	Long Distance	$	1.75
TOTAL:		**$**	**83.76**

FIRE FUND- 30

W&N Enterprise	July gas for city vehicles	$	132.60
Comcast Business	Monthly Services	$	73.01
AT&T	Wireless Service	$	32.88
TOTAL:		**$**	**238.49**

LAW ENFORCEMENT FUND - 60

TOTAL:

Solid Waste -160

Total :	**$**	-
GRAND TOTAL:	**$**	**14,438.21**

BAYARD POLICE DEPARTMENT
MONTHLY REPORT
July, 2020

Traffic Activity

Accidents	4
Citations Issued	7
Magistrate: 3	
Municipal: 3	
Warnings: 1	
DWI	0
Motorist Assists	1
Suspicious Vehicle or person	3
Abandoned vehicle	1
Reckless driver	1
Missing or Stolen vehicle	1
Traffic complaint	1

Criminal Activity

Arrests	7
Burglary/Larceny	3
Criminal damage	1
Domestic calls	1
Inj./Tamp. with vehicle	2
Phone harassment	1
Harassment	1
Unwanted subject	1
Shoplifting	1
Accidental property damage	1
Criminal trespass	2
Indecent exposure	1
Battery	1
Fraud/Embezzlement	1
Breaking & entering	1
Child abuse	1

General Activity

Abandoned 911	1
Civil stand by	1
Escorts	2
Welfare check	1
Meetings/classes	1
Court arraignments	1
Follow up investigations	1
Unattended death	1
School protests	1
Alarm	1
Fight	1
Drunk subject	1
Fireworks	1
Smoke	1

Open door	1
Child exchange	1
Loud noise complaints	3
Missing person	1
Shots fired	1
DVO violation	1
Parking violation	1
ACO assists	1
Citizen contact	1
Civil matter	1
Citizen assist	1
EMS assist	1

Juvenile Activity

Arrests	0
Runaway	1

Back up calls 1

Animal Control Activity

Complaints Answered	0
Canines picked up	7
Felines picked up	8
Citations issued	0
Skunks	2
Other:	

Offense/Incident reports generated 17

Warrant arrest
Accidental property damage
Private property accident
Larceny
Warrant arrest
Warrant arrest
Unattended death
Info: School protest
Warrant arrest
Runaway
Injuring tampering with motor vehicle
Warrant x 3
Fraud

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Fall Virtual Institute #1 - August 26, 2020

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I trust content from karen@iimc.com. | Show blocked content

K karen@iimc.com
Thu 8/20/2020 1:03 PM
To: Marlena Valenzuela

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Week 1
REGISTRATION IS NOW LIVE!

Virtual Institute Session #1 - "Managing Up, Across and Down: Multi-Level Organizational Interactions"

Date: Wednesday, August 26, 2020
Time: 10:00am-12:00pm PT (1:00pm-3:00pm ET)
Fee: $50.00USD
Platform: Zoom Software - Video connection is required!
Points: 1 CMC Education or 1 MMC Advanced Education point upon completion of the required learning assessment

This session is offered by Institute Director Claire Kinane and the University of Georgia.

This session will explore and define various methods for choosing the appropriate actions and communication styles to effectively interact with internal staff and external clients, customers and vendors at all levels of an organization: those more senior than you, including your Manager or other external executives; those at peer or similar levels; and those at more junior levels than you, including direct/indirect reports or other external junior contributors. How to effectively collaborate or partner with, support, guide or influence others.

Specifics:

- This session is limited to the first 100 registrations only and is only open to IIMC members actively pursuing the CMC or MMC designation. IIMC WILL NOT be adding additional seats nor offering replays of these sessions.
- Session is open to all IIMC members regardless of State/Province/Country.
- Payment will be made using PayPal (no PayPal account required). Online credit card registrations only - no checks will be accepted. Staff is unable to manually register any participant.

MICHELLE LUJAN GRISHAM
GOVERNOR

DONNIE J. QUINTANA
DIRECTOR

DEBORAH K. ROMERO
ACTING CABINET SECRETARY

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building ♦ 407 Galisteo St. ♦ Suite 202 ♦ Santa Fe, NM 87501
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

August 13, 2020

The Honorable Chon S. Fierro
City of Bayard
PO Box 728
Bayard, NM 88023-0728

Dear Mayor Fierro:

The final budget for your local government entity for Fiscal Year 2020-2021, as approved by your governing body, has been examined and reviewed. The Department of Finance and Administration, Local Government Division (LGD) finds it has been developed in accordance with applicable statutes and budgeting guidelines, and sufficient resources appear to be available to cover budgeted expenditures. In addition, the *Budget Certification of Local Public Bodies* rule, 2.2.3 NMAC, requires that your entity's audit or "Agreed Upon Procedures" (per the *Tier System Reporting* rule, 2.2.2.16 NMAC) for Fiscal Year 2019 should have been submitted to the Office of the State Auditor as of this time. The LGD's information indicates that you are in compliance with this requirement. Therefore, in accordance with Section 6-6-2E NMSA 1978, the LGD certifies your entity's final Fiscal Year 2020-2021 budget.

Please take note that state statute requires all revenue sources be expended only for public purposes, and if applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the anti-donation clause.

Budgets approved by the LGD are required to be made a part of the minutes of your governing body according to Section 6-6-5 NMSA 1978. In addition, Section 6-6-6 NMSA 1978 provides that the approved budget is binding on local officials and governing authorities; and any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for the excess amounts.

Due to estimated expenditures and transfers exceeding estimated revenue, your entity's General Fund cash balance is being depleted by -6.14%. Careful control of expenditures and attention to revenue collection efforts is recommended to avoid further depletion of reserves.

Finally, as required by Section 6-6-2H NMSA 1978, LGD is required to approve all budget increases and transfers between funds not included in the final approved budget via submission on the Local Government Budget Management System (LGBMS).

If you have questions regarding this matter, please contact Cordy Chavez of my staff at Cordelia.chavez@state.nm.us.

Sincerely,

Brenda L. Scrapper-Dilla

On behalf of:

Donnie J. Quintana, Director
Local Government Division

xc: file

State of New Mexico
Local Government Budget Management System (LGBMS)

Budget Recap - Fiscal Year 2020-2021
Bayard (City) - Final - Analyst

Printed from LGBMS on 2020-08-12 14:25:59

Fund	Cash	Investments	Revenues	Transfers	Expenditures	Balance	Reserves	Adjusted Balance
11000 General Operating Fund	1,627,636.00	0.00	1,257,946.00	290,982.00	1,650,338.00	1,526,226.00	137,528.17	1,388,697.83
20100 Corrections	11,818.00	0.00	0.00	5,000.00	5,000.00	11,818.00	0.00	11,818.00
20600 Emergency Medical Services	309.00	0.00	5,650.00	0.00	4,300.00	1,659.00	0.00	1,659.00
20900 Fire Protection	45,035.00	0.00	89,393.00	0.00	98,093.00	36,335.00	0.00	36,335.00
21100 Law Enforcement Protection	3,269.00	0.00	21,800.00	0.00	25,069.00	0.00	0.00	0.00
21600 Municipal Street	202,236.00	123,164.00	775,077.00	19,880.00	802,363.00	317,994.00	0.00	317,994.00
30200 CDBG (HUD) Project	8,130.00	0.00	30,361.00	120.00	30,079.00	8,532.00	0.00	8,532.00
30800 Other State Funded Projects	52,468.00	0.00	171,000.00	30,000.00	209,572.00	43,896.00	0.00	43,896.00
39900 Other Capital Projects	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
40200 GRT Revenue Bond Debt Service	595,047.00	64,022.00	564,082.00	-380,072.00	73,203.00	769,876.00	0.00	769,876.00
40300 Other Revenue Bond Debt Service	255,222.00	0.00	0.00	139,274.00	97,344.00	297,152.00	0.00	297,152.00
50100 Water Enterprise	439,326.00	0.00	454,250.00	15,000.00	431,521.00	477,055.00	0.00	477,055.00
50200 Solid Waste Enterprise	201,191.00	95,807.00	464,650.00	0.00	479,292.00	282,356.00	0.00	282,356.00
50300 Wastewater/Sewer Enterprise	866,365.00	884,895.00	3,150,838.00	150,339.00	4,047,618.00	1,004,819.00	0.00	1,004,819.00
50600 Cemetery Enterprise	7,200.00	0.00	800.00	0.00	800.00	7,200.00	0.00	7,200.00
52400 Museum/Library Enterprise	2,341.00	0.00	15,500.00	30,000.00	36,575.00	11,266.00	0.00	11,266.00
59900 Other Enterprise	225,437.00	0.00	533,544.00	-300,523.00	211,474.00	246,984.00	0.00	246,984.00
70100 Meter Deposits	55,247.00	88,204.00	15,500.00	0.00	10,000.00	148,951.00	0.00	148,951.00

325,399.21 = 325,400
659,068.82 = 659,069
296,998.21 = 296,998
1,751,259.57 = 1,751,260
143,450.86 = 143,451

79900 Other Trust & Agency	3,547.00	0.00	10.00	0.00	0.00	3,557.00	0.00	3,557.00
Totals	4,601,824.00	1,256,092.00	7,550,401.00	0.00	8,212,641.00	5,195,676.00	137,528.17	5,058,147.83

$5,857,916

Q4 Ending Balance
$5,857,910.10

Difference
($5.90)
Rounding Issue

Stantec Consulting Services Inc.
3400 Highway 180 East Suite A, Silver City NM 88061-7784

Bid Certification and Recommendation Form

Project: **Re-bid City of Bayard**
Fresh Water Well #3 Rehabilitation & Re-equip
2018 Colonias Infrastructure Fund
NMFA Project No. 4627-CIF18
Stantec Project #227300245/181710740

Client: **City of Bayard**

Attention: **Mr. Chon Fierro, Mayor**

Dear Mayor Fierro:

Bids were received on August 18, 2020 at 11:00 a.m. and opened shortly thereafter. A total of two (2) responsive bids were received. Bid reports and documents for the referenced project are attached. The lowest responsive bid was received from Stewart Brothers Drilling Co. in the amount of $189,300.00 plus gross receipt tax (6.5625%) for a total bid of $201,722.81.

The bid is more than ten percent over budgeted project funds. Negotiations are not allowed as per NMSA 1978 §13-1-105§ Competitive Sealed Bids; Receipts and Acceptance of Bids.

We recommend that the bids be rejected and the City of Bayard contracted the work on the open market at the best obtainable price.

Sincerely,

Ramses Ortega, P.E. 8/20/2020
Ramses Ortega, P.E. Date
Stantec Consulting Services Inc.

Attachment: Bid Opening Sign-in Sheet
Summary of Proposals Received

Design with community in mind

Stantec

BID OPENING
SIGN-IN SHEET

Project: Re-Bid City of Bayard
Fresh Water Well #3 Rehabilitation & Re-Equip
2018 Colonias Infrastructure Fund
NMFA Project # 4627-CIF18
Stantec Project #227300245/181710740

Date: August 18, 2020 **Time:** 11:00 a.m.

NAME	COMPANY	PHONE # and E-MAIL ADDRESS
CHAD GAINES	Stewart Brothers	505.290-0370 chad@stewartbrothers.com
MARVIN Magee	Maverick Drilling	575-649-3698 info@maverickwells.com
Tanya Ortiz	City of Bayard	575.537.3327
Ramses S. Ortuya	Stantec	915-892-4533 ramses.ortuya@stantec.com

SUMMARY OF PROPOSALS RECEIVED

Project Name: Re-Bid City of Bayard
Fresh Water Well #3 Rehabilitation & Re-Equip
2018 Colonias Infrastructure Fund
NMFA Project No. 4627-CIF18

Bid Opening Date: August 18, 2020
Time: 11:00 a.m.
Place: Sealed bids submitted to Kristy Ortiz, City Clerk-Treasurer, City of Bayard, City Hall, 800 Central Avenue, Bayard, NM 88023, and shortly thereafter opened and read aloud.
Stantec Project #: 2274300245/181710740

Description	Engineer's Estimate	Stewart Brothers Drilling Company	Maverick Drilling, Inc.	D&J Pump and Well Service, LLC. (BID NON RESPONSIVE)		% OF LOW BID TO ENGINEERS ESTIMATE
Base Bid	$ 124,750.00	$ 189,300.00	$ 203,650.50	$ 116,033.80		
TOTAL PROJECT	**$ 124,750.00**	**$ 189,300.00**	**$ 203,650.50**	**$ 116,033.80**		152%
1. Bid Form (Bid Proposal)						
2. Required Bid Security						
3. List of Proposed Subcontractors						
4. List of Proposed Suppliers						
5. List of Project References						
6. Evidence of authority to do business in the state of the Proect; or a written covenant to obtain such license within the time for acceptance of Bids						
7. Contractor's License No. and NMWFS Registration No.						
8. Required Bidder Qualification Statement with supporting data; and						
9. Non Collusion Affidavit						
10. Gross Receipts Tax Notification						
11. Resident Business/Constractor Certificate						
12. Resident Veteran Business/Constractor Certificate						
13. Campaign Contribution Disclosure Form						
14. Addendum Acknowledgement						