



City of Bayard
CITY COUNCIL REGULAR MEETING

June 26, 2023 at 5:00 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-During this portion of our meeting, we welcome your suggestions and want to hear your concerns. This is not a question and answer period; speakers will be limited to five (5) minutes. Any individual who would like to discuss an item in more depth may request to be placed on a future agenda.

CONSENT AGENDA

1. Approval of the Minutes of Regular Meeting on June 12, 2023.
2. Approval of the Accounts Payable Report for June 26, 2023.
3. Approval of the Bayard Police Report for May 2023.
4. Approval of the Bayard ACO/Code Enforcement Report for May 2023.
5. Approval for Mikey Paez to attend NM Rural Water Association Workshop on July 14, 2023 in Las Cruces, NM.

OLD BUSINESS

6. Discussion/ Approval to move forward with WNM Communications for City Phones.
7. Discussion/Approval for WWTP Project Agreement between Freeport and City of Bayard.

NEW BUSINESS

8. Approval of recommendation to award Southwest Disposal for Solid Waste services.

ACTION FOR PERSONNEL

- [9.](#) Discussion/Approval to remove Stephen Estrada from probation status with a 5% increase.
- [10.](#) Hiring of Christopher Palomarez for Mechanic at the hourly rate of \$20.00 upon successful completion of all pre-employment exams and background reviews.
11. Hiring of David Salgado for Maintenance at the hourly rate of \$14.50 upon successful completion of all pre-employment exams and background reviews.

DEPARTMENT HEAD REPORTS

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Regular Meeting – July 10, 2023

ADJOURNMENT



City of Bayard
CITY COUNCIL REGULAR MEETING

June 12, 2023 at 5:00 PM

Bayard City Hall

MINUTES

WORK SESSION

City Clerk-Treasure Valenzuela stated the Silver City Daily Press published the City has \$7 million surplus. The city dose not have 7 million surplus that money is already allocated to different projects. Clerk-Treasure Valenzuela dose not recommend raises for the city employees at this time. Further discussion will be done at the next budget work session on June 26, 2023.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Chon Fierro
 Councilor Eloy Medina
 Councilor Frances Gonzales
 Councilor Jose Diaz

ABSENT

Mayor Pro-tem Raul Villanueva

Others in attendance were Griffin, James Ervin, Jade Wilson, Larry Ojinaga, Matt Brown, Gabriel Ramos, Hector Carrillo, Robert Terrazas, Michael Paez, Sonya Dixon, Jenny Castanon, Euphemio Gonzalez, Mike Armendariz, Gary Arellano, Marlana Valenzuela, and Tanya Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.
 Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

PUBLIC INPUT

James Ervin stated he has lived in Bayard for 7 years and not much has changed but the price of water. He stated Mayor Fierro has been Mayor for 3 and a half years also, on the council for years and nothing has been done and he believes there is a crisis of leadership. He suggested the immediate resignation of the Mayor.

Jade Wilson stated for item # 11 for a speed bump to be placed on East Street there is already stop signs on each corner and she hope this is considered in the approval. She thanked Police Chief Carrillo for staying concise on his budget. Also, if there has been any other grants obtained or any pending since the last council meeting?

CONSENT AGENDA

Motion made by Councilor Gonzales to add Police Chief Carrillo to speak on attorney Matthew Bradburn, Seconded by Councilor Diaz.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz. Police Chief Carrillo stated over the last few weeks he has spoke about having reliable legal council so he has reached out to attorney Matthew Bradburn. Matthew Bradburn stated this is his 30 year as a lawyer. Mr. Bradburn has a contract with the Silver City Police Department. Silver City pays him a flat fee every month and when they get cases like misdemeanor cases they direct the cases to him. This is a contract with Silver City but he is representing the state of New Mexico. The SCPD officers know he is available to them at any time by phone or they can stop by his office. Him working at the DA office he has gotten to know all of the police departments in this area. Him and the police chief have worked together at the DA's office and he know what kind of work he does.

Police Chief Carrillo stated he is going through his budget very thorough to see where he can cut thing and have money to pay for Mr. Bradburn's services.

Mr. Bradburn and Chief Carrillo will sit down and talk about a number amount for a contract and present this to the Mayor and Council.

Councilor Gonzales aske what is the difference between Mr. Perkins and Mr. Bradburn's service?

Mr. Bradburn stated to his understanding Mr. Perkins provides civil law legal services to the City of Bayard. The city can call Mr. Perkins and ask for legal advice. Mr. Bradburn would provide special prosecution services, prosecution criminal laws of the state of New Mexico and not general civil legal advice. Mr. Bradburn would be available to the Bayard Police Department also so any general questions.

1. Approval of the Minutes of Regular Meeting on May 22, 2023 and Special Meeting on May 31, 2023.
2. Approval of Accounts Payable Report for June 12, 2023.
3. Approval of the Maintenance Report for May 2023.
4. Approval of Wastewater Treatment Plant Report for May 2023.
5. Approval of Bayard Fire Report for May 2023.
6. Approval of Bayard Municipal Court Report for May 2023.

OLD BUSINESS

7. Discussion from Matt at Western Communications on updating city phones.

Matt Brown from Western Communication stated he installed the phone system for the City of Bayard a long time ago and these phone now are at the end of life and they can no longer service them. Mr. Brown did a audit at the city hall, wastewater, maintenance, and library. There will be a monthly savings and a new phone system. Over a 36 month period the city would be saving over \$7,600. The town of Silver City, Grant County, City of Deming, Luna County and many others business has this phone system.

The council will review the audit and this will be placed on the next meetings agenda.

8. Update for Rosemary Ruiz on status of survey and appraisal for city property.

City Clerk-Treasure Valenzuela stated she did get in contact with a surveyor, he will do a survey for the property and then he will do a survey on the portion that is wanting to be bought. This will take anywhere from 2 to 3 weeks. After this is done a appraisal will need to be done on the lot as a whole and an other one on the portion that is wanting to be bought. This time frame in whole will be around 3 to 6 weeks.

Councilor Diaz asked that the city stays in contact with Mrs. Ruiz and it be placed on the agenda when this is all complete.

9. Discussion from Larry Ojinaga on Vacant Building Ordinance Status.

City Clerk-Treasure Valenzuela stated she did reach out to the city attorney and did let him know this item was being placed on the agenda for tonight and he still did not call back. This is a action item on the agenda for an intend to adopt and we can move forward and have public meetings on this.

Larry Ojinaga asked why the city has an attorney that dose not answer the phone calls from the city and why does the city still have him as an attorney? and also the auditor he was late on the audit and the city lost a lot of money.

Councilor Medina stated the city has contracts with them and he has asked the Clerk to provide all contracts to see when they end.

10. Discussion/Approval of City of Bayard Wastewater Treatment Plant Project Agreement.

City Clerk-Treasure Valenzuela stated this is the agreement for the million dollars that Freeport donated to the City. In this agreement it states the city will disperse the money in three payments and would like to be updated on the progress of moving forward with the project. This project is underway with planning and design.

Councilor Diaz stated when the project is done and produces reclaimed water, Freeport will have first right to the water.

City Clerk-Treasure Valenzuela this is for review and if there is any changes that the council would like change they are willing to accommodate the city. There will be a meeting at the end of the month and Clerk would like to have any questions that the council would like to be answered.

Motion made by Councilor Medina to postpone, Seconded by Councilor Gonzales.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

NEW BUSINESS

11. Discussion/Approval of Speed Bump Petition for 100 Block of N. East St.

Councilor Diaz asked Police Chief Carrillo if he has been giving citations on this street?

Police Chief Carrillo stated he has gotten some calls for the stop sign closer to the maintenance shop.

Council Diaz stated there is a lot of speed bumps and then stop signs, his concern is that there will be a lot of wear and tare on vehicles and the residents will have claims on the city.

Clerk-Treasure Valenzuela stated on her street there is a speed bump in front of her house and did no good. Everyone still speeds through her street.

Councilor Medina would like for Chief Carrillo to speak with the four individuals that are on the petition and see if he can resolve their issues before placing a speed bump.

Motion made by Councilor Diaz postpone for next meeting, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

12. Discussion to possibly contract someone to complete the re-addressing of City of Bayard.

Clerk-Treasure Valenzuela stated she has not gotten any numbers for this project she would like to get this going. She has residents calling and asking when this will be done. One resident stated this project has been going on for eight years.

Councilor Gonzales stated when the new clerk starts and the city hall workers are done with training maybe one of them and be assigned to this project.

Councilor Diaz stated to get with the Town Manager from Santa Clara because they just finished with readdressing there.

Councilor Medina would like for our grant writer to look for a grant to contract this project.

13. Discussion from Reyna Garay on easement for property on Lady of Fatima Shrine.

Reyna Garay would like for the city to provide access to the church property to Lady of Fatima Shrine from Mayo Street. On the original deed there is access through Elm Street and Cactus Street and she is asking for the city to provide access from Cactus/Mayo Street. Mrs. Garay will start working on the shrine and would like for the city to help with this access.

Councilor Medina asked the street of Cactus/Mayo is where she would like for the city to provide a road to go all the way up to the shrine?

Mrs. Garay stated yes.

Mayor Fierro stated Superintendent Paez and himself did go out to Mayo Street and this is going to take heavy equipment and the city does not go in to private property.

Councilor Diaz asked if Mrs. Garay had an estimated cost? or a proposals? She could not do this because this is church property. Diaz asked how soon will this project start? Diaz would like for this to be done close to the time her project will begin. He does not want for the city to do the work for the access road and then a year later the project began and the city has to do this all over again.

Mrs. Garay stated right now she has met with a civil engineer and he is helping her with the plans. Her Charity Divine Mercy is based on donations. The people that are helping her on pro bono and she is at the mercy of their time. She is hoping when her project is finished this will bring in a lot of revenue for Bayard.

Mayor Fierro stated once Mrs. Garay has her plans to come back to the meetings and they will see what the city can do.

Councilor Medina asked why isn't the road coming off North isn't being used? Mrs. Garay stated it is in very bad disrepair. She does want this to have two roads entrance and exit.

Councilor Gonzales asked Superintendent Paez how much would this cost the city? Paez stated he isn't sure his concern is the drainage. This is a hill and all the water will be coming down the hill to the street and he's hoping it will not damage the houses that are in that area. He stated that the city would have to create a drainage plan for these houses.

Councilor Medina ask Paez if he could go to the road and make an assessment on North Street. He believes the road off of Mayo is going to be very difficult to make a road. He is concerned about the safety of the workers.

Councilor Diaz stated once Mrs. Garay has all her plans and funding ready to come to the city and the city will help her in anyway the city can.

14. Discussion for possibly leasing or selling the HMS Building owned by City of Bayard.

Clerk-Treasure Valenzuela stated there is someone that is interested in leasing or buying the building. The Mayor and herself had a meeting with him. He dose know a lot of work needs to be done. His plans are to bring in a dispensary.

Councilor Medina asked if he knows the level of works that needs to be done? The reason the HMS left is because of the foundation and the stability of the structure. Also, there is a sewer main that runs under the building. He would like for a contract to be signed that reliefs the city of all liabilities.

15. Oral Presentations for Solid Waste RFP #SWCS 2023.

- A. Universal Waste Systems

- B. Southwest Disposal

Clerk Valenzuela stated this was her first RFP and did not realize that the bidders are to present to the committee, so that was done and she still has to look over the numbers they brought and she will be placing this on the next agenda for approval.

16. Prestation by Ernie Byers from Universal Waste Systems.

ORDINANCES/RESOLUTIONS

17. Approval of Intent to Adopt ordinance for Neglected/Vacant Residential and Commercial Structures.

Clerk-Treasure Valenzuela stated she would like to get this adopted so she can set up public hearings and get the residents input. There is residents that are asking about this a lot.

Motion made by Councilor Diaz to correct the errors and move forward, Seconded by Councilor Gonzales.

Councilor Medina asked if the home is abandon the city will charge \$300 a year? Valenzuela stated only if it is neglected. The code enforcer will need some training on how to determine if the home is abandon/neglected.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

ACTION FOR PERSONNEL

18. Approval of Resignation for Judge Jose Sandoval.
Motion made by Councilor Diaz, Seconded by Councilor Medina.
Councilor Diaz thanked the Judge for his years of service.

Judge Sandoval thanked the public for him to be able to serve the community. He stated he has served our Country, El Grito, as parole officer, and bar tender. He stated it has been an honor and privilege to serve the community.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

19. Discussion/ Approval to Remove Wastewater Treatment Plant Employee Stephen Estrada from Introductory Status.

Robert Terrazas Wastewater Supervisor stated he would like Stephen Estrada to be removed from introductory status to regular status with a pay increase of 5%.

Councilor Diaz stated it has always been a 25 cent raise this is what it is budgeted at, he dose not agree with it.

Mr. Terrazas would like for this to be placed on the next agenda to see if Stephen can get a 5% and not 25 cents.

Motion made by Councilor Diaz to postpone for next meeting, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

20. Discussion/Approval of Hiring City Clerk-Treasurer and Custodian.

Motion made by Councilor Diaz to enter closed session , Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz.

Motion made by Councilor Gonzales to enter open session , Seconded by Councilor Diaz.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz.

Motion made by Councilor Diaz to hire custodian William Level at the starting pay of \$27,040 a year, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz.

Motion made by Councilor Diaz to hire of city clerk Gabriel Ramos at the starting pay of \$91,520 a year, with benefits Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz.

Motion made by Councilor Diaz postpone the hiring of a maintenance worker until next meeting, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz.

MAYOR AND COUNCILORS REPORTS

Wastewater Director Terrazas stated the work at the Wastewater Treatment Plant is coming along and should be finished the end of July early August. Mayor Fierro asked if the pump has been installed? Mr. Terrazas stated no he still needs to order it and he will install it.

Clerk-Treasure Valenzuela if the Mayor can appoint a councilor to the Planning and Zoning Committee so she can advertise for meetings.

Mayor Fierro stated he will appoint Councilor Gonzales to that committee.

Police Chief Carrillo stated he has a lot of equipment in the back of the police station such as shooting targets, a police tailor and the Fire Chief has a rescue unit coming in soon. So his question was why can't they utilize the old fire station. He knows there is a lot of stuff from the Grant County Sheriff's office being stored in there. Maybe we can share it because he needs a place to put the things that are sitting outside.

Councilor Medina stated Gila Regional has a contract with the city.

Councilor Diaz stated hopefully the county will start moving their things in the next couple of weeks and Carrillo and get with Medina to see what can happen.

MAYOR AND COUNCILORS REPORTS

Councilor Diaz thanked to employees and the public for attending the meetings. He know sometimes it seems like nothing is getting done but there are a lot of obstacles and sometimes things don't happen over night and please bear with them. Election time is coming up in November there will be some position open and you all are welcome to join. He believes the Mayor is doing a good job and he needs to move forward. The Mayor and Council has done a lot for Bayard and they have a lot of great people working for Bayard.

Mayor Fierro thanked all the departments for all their hard work.

NEXT MEETING DATE:

Budget Work Session - June 26, 2023

Regular Meeting - June 26, 2023

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

ADJOURNMENT 8:03 pm

Chon Fierro
Mayor

ATTEST:

Marlena Valenzuela
Clerk Treasurer

ACCOUNTS PAYABLES**26-Jun-23****GENERAL FUND - 10**

Ace Hardware	Running Ticket-City Hall	\$ 22.11
Ace Hardware	Running Ticket- Parks	\$ 483.86
Ace Hardware	Running Ticket- PD	\$ 25.16
Southwest Concrete	Bottom Field and Fire Station Park	\$ 894.25
L.C Locksmith	Work on Door for Pub Safety Bldg	\$ 2,753.44
Bank of America	Rotor and Brakes Unit 102-PD	\$ 595.14
Amazon	Janitorial Supplies-City Hall	\$ 224.81
Amazon	Janitorial Supplies-PD	\$ 224.81
Bank of America	Dog Food	\$ 47.14
TOTAL:		\$ 5,270.72

JNT W/S O&M FUND - 150

Ace Hardware	Running Ticket	\$ 425.19
Sierra Communication	Reprogram and Repair Radios	\$ 758.40
Baker Utility	Badger Meter Training	\$ 1,804.81
Amazon	Janitorial Supplies	\$ 224.81
Wal-Mart	Bleach for Boosters	\$ 279.18
TOTAL:		\$ 3,492.39

Sewer Operations- 155

Baker Utility	Badger Meter Training	\$ 1,804.82
TOTAL:		\$ 1,804.82

JNT WASTEWATER FUND - 170

Ace Hardware	Running Ticket	\$ 152.78
Ovivo USA, LLC	Parts and Tech Service	\$ 4,832.00
Amazon	Janitorial Supplies	\$ 224.81
M&M Auto	Recharge A/C Dump Truck	\$ 89.47
Interactive Controls	Screw Press Run Status & Alarm	\$ 2,400.00
TOTAL:		\$ 7,699.06

COMMUNITY CENTER FUND - 200

Ace Hardware	Running Ticket	\$ 292.47
L.C Locksmith	Re-Key Front Door	\$ 81.14
Amazon	Janitorial Supplies	\$ 224.82
TOTAL:		\$ 292.47

LIBRARY FUND - 210

Ace Hardware	Running Ticket	\$ 36.51
L.C Locksmith	Entry Door Work	\$ 1,860.87
Amazon	Janitorial Supplies	\$ 224.82
TOTAL:		\$ 2,122.20

MUNICIPAL COURT FUND - 20

Ace Hardware	Running Ticket	\$	22.11
Amazon	Janitorial Supplies	\$	224.81
TOTAL:		\$	22.11

FIRE FUND- 30

Ace Hardware	Running Ticket	\$	22.11
Amazon	Janitorial Supplies	\$	224.81
TOTAL:		\$	246.92

TOTAL: \$ 20,950.69

ACCOUNTS PAID**26-Jun-23****GENERAL FUND - 10**

AT&T Mobility	Cell Phone Services-City Hall	\$ 60.60
AT&T Mobility	Cell Phone Services- PD	\$ 60.61
Lumen	Long-Distance Calls-City Hall	\$ 7.85
Lumen	Long-Distance Calls-PD	\$ 1.25
PNM	Electricity for Unit-Xmas	\$ 16.92
PNM	Electricity for 208 Ave Pkloop	\$ 78.70
Lexis Nexis	Online Subscription-PD	\$ 431.00
Samsara	GPS Services-City Hall	\$ 1,055.95
Samsara	GPS Services-PD	\$ 1,055.95
Vivint	Security System-City Hall	\$ 61.73
Blue Wolf	Investigative work	\$ 220.00
Comcast	Internet Service-PD	\$ 194.01
Comcast	Internet Service- Parks	\$ 156.49
Albuquerque Journal	BID Proposal	\$ 15.79
Century Link	Phone & Fax Services-PD	\$ 474.12
Century Link	Phone & Fax Services-City Hall	\$ 309.48
Wex	Fuel for Vehicles-PD	\$ 1,612.39
TOTAL:		\$ 5,812.84

JNT W/S O&M FUND - 150

PNM	Cameron Creek Wells	\$34.63
Comcast	Internet Services	\$128.06
Samsara	GPS Services	\$1,055.95
Vivint	Security System	\$75.83
Century Link	Phone & Fax Services	\$ 78.99
Wex	Fuel for Vehicles	\$ 722.29
TOTAL:		\$2,095.75

JNT WASTEWATER FUND - 170

AT&T Mobility	Cell Phone Services	\$ 84.11
HughesNet	Internet Services	\$ 139.32
American Linen	Laundry Services	\$ 97.04
Samsara	GPS Services	\$1,055.95
Hall Environmental Lab	Plant Testing	\$291.54
El Paso Times	Legal Notice	\$ 124.21
The UPS Store	Shipping of Plant Test	\$ 490.05
Century Link	Phone & Fax Services	\$ 351.76
Wex	Fuel for Vehicles	\$ 266.87
TOTAL:		\$ 2,900.85

COMMUNITY CENTER FUND - 200

NM Gas Company	Natural Gas Services	\$ 38.57
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Century Link	Phone & Fax Services	\$ 232.67
TOTAL:		\$ 271.24

LIBRARY FUND - 210

Lumen	Long-Distance Calls	\$ 1.93
LC Sun News	Subscription	\$ 13.61
Vivint	Security System	\$ 58.86
Archaeology	Subscription	\$ 19.97
Comcast	Internet Services	\$ 291.01
Century Link	Phone & Fax Services	\$ 171.16
TOTAL:		\$ 556.54

MUNICIPAL STREET FUND - 240

Wex	Fuel for City Vehicles	\$ 481.53
TOTAL:		\$ 481.53

MUNICIPAL COURT FUND - 20

Lumen	Long-Distance Calls	\$ 1.30
Comcast	Internet Services	\$ 244.85
Albuquerque Journal	BID Proposal	\$ 15.79
Century Link	Phone & Fax Services	\$ 135.70
TOTAL:		\$ 397.64

FIRE FUND- 30

Gregory Koury, MD	Medical Director Services	\$1,000.00
Comcast	Internet Services	\$122.42
Albuquerque Journal	BID Proposal	\$15.79
Century Link	Phone & Fax Services	\$138.13
Wex	Fuel for Vehicles	\$ 204.22
TOTAL:		\$1,480.56

Inmate Billing- 50

GC Detention Center	Miranda Maria	\$94.00
GC Detention Center	Estella Torres	\$94.00
TOTAL:		\$188.00

Solid Waste -160

Samsara	GPS Services	\$1,055.95
TOTAL:		\$1,055.95

GRAND TOTAL:		\$ 15,240.90
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**BAYARD POLICE DEPARTMENT
MONTHLY REPORT
MAY, 2023**

Traffic Activity

Accidents	3
TRAFFIC STOPS	25
Citations Issued	10
Municipal	9
Magistrate	0
Stop Sign	0
Written warning	0
DWI	0
Reckless driver	4
Abandoned vehicle	2

Criminal Activity

Arrests	8
Burglary/Larceny	3
Criminal damage	4
Domestic calls	8
Harassment	7
Unwanted subject	6
Shoplifting	2
Disturbance	2
Agg. Assault	1
Breaking & Entering	2
DVO violation	1
Fight	1
Assault	1

General Activity

Suspicious Activity	29
Civil stand by	2
Welfare check	13
Meetings	8
Training	1
Follow up investigations	7
Citizen contacts	5
Alarms	6
Criminal trespass warnings	5
Dog bite	1
Animal calls	5
Child exchange	1
Shots fired	1
School threats	2
Frequent patrols	8
Civil matter	3
Loud music	2
Child exchange	5
Request for public service	9

Citizen assists	9
Shots fired	3
Mental health complaint	2
Suicide threat	1
Informational complaint	1
Attempt to locate	2
Missing child report (located)	1
Unattended death	1
Found property	1

Juvenile Activity

Arrests	0
Juvenile citations	2
Narcotic violations	2
School threats	2

Offense/Incident reports generated 19

Warrant arrest x 2	
Agg assault	
Breaking & Entering (False reporting)	
Breaking & Entering	
Larceny	
Burglary	
Battery on household member	
Criminal trespass	
Disorderly conduct	
Criminal damage to property	
False reporting	
Use/Possession of drug paraphernalia	
Warrant arrest	
Assault-school	
Criminal damage to property	
Harassment	
Animal incident	
Missing child	
Domestic disturbance	

TOTAL CALLS IN BAYARD HANDLED BY GRANT COUNTY SHERIFF'S DEPARTMENT 21

Aggravated assault	1
Suspicious activity	6
Breaking & Entering	1
Animal calls	2
Alarm calls	2
Unwanted subject	3
Burglary	1
Welfare check	3
Civil matter	1
Shots fired	1

BAYARD ANIMAL CONTROL/CODE ENFORCEMENT MONTHLY ACTIVITY REPORT

Item 4.

OFFICER: FRANKIE GOMEZ #949

MONTH OF: MAY, 2023

DATE	TIME RECEIVED	SORCE OF COMPLAINT	COMPLAINANT, LOCATION, TYPE OF ACTIVITY AND ACTION TAKEN
05/01/23	1216	ANIMAL	320 PERU ST-CAT IN TRAP #942 HANDLED
05/01/23	1927	ANIMAL	803 WATSON-DOGS ACROSS STREET ALMOST BIT MAN WALKING #942 HANDLED-DOGS BELONG AT 802 WATSON AND WERE PUT BACK INSIDE
05/03/23	1040	BUSY	#949-OUT OF JURISDICTION
05/03/23	1144	ANIMAL	102 N. FRANEY ST
05/03/23	1358	ANIMAL	102 N. FRANEY ST #949 ISSUED VERBAL WARNING
05/04/23	1122	BUSY	#949-OUT OF JURISDICTION
05/04/23	1727	ANIMAL	107 FOY ST.-PUPPY IN HER YARD #945 HANDLED
05/05/23	1140	ANIMAL	711 FAHEY ST.-DOGS LEFT ALONE INSIDE HOME #942 HANDLED
05/08/23	0937	ANIMAL	100 RUNNELS DR.-DOG LOOSE #949 HAD NEGATIVE CONTACT
05/09/23	2028	ANIMAL	803 WATSON-BARKING DOGS #943-OWNERS PUT DOGS BACK INSIDE
05/11/23	0928	ANIMAL	905 ROGERS ST-DOGS RUNNING LOOSE #949 DID SPPEAK WITH OWNER OF DOGS
05/11/23	2233	ANIMAL	803 WATSON ST-DOG BARKING GCSO RESPONDING-PRO CALLED BACK AND SAID NO LONGER NEEDS ANYONE TO RESPOND-DOGS STOPPED BARKING
05/12/23	0952	CODES	814 EMPIRE ST-ISSUES WITH SEWAGE/SEPTIC NEED TO BE CORRECTED
05/14/23	2022	ANIMAL	SNELL MIDDLE SCHOOL-LOST BLK WHITE POODLE
05/14/23	2129	ANIMAL	803 WATSON ST.-BARKING DOGS #945 RESPONDED
05/15/23	0936	ANIMAL	803 WATSON ST. LOOSE DOGS IN AREA #949 RESPONDED

05/15/23	1013	ANIMAL	801 TOM FOY BLVD-3 DOGS RUNNING LOOSE IN AND OUT OF TRAFFIC #949 NEGATIVE CONTACT	Item 4.
05/15/23	1056	CODES	403 POPLAR ST-PNM REPORT OF EXTENSION CORD RUNNING FROM METER #949 ASSISTED IN LOCATING ADDRESS	
05/15/23	1303	ANIMAL	710 FAHEY ST-DOG RUNNING LOOSE #949-OWNERS PICKED UP THE DOG	
05/16/23	2003	ANIMAL	HWY. 180 mm123-124 – PITBULL RUNNING LOOSE	
05/17/23	1223	ANIMAL	CHEVRON-INJURED DOG #949 RESPONDED	
05/18/23	0431	ANIMAL	803 WATSON-BARKING DOGS GCSO #9 RESPONDED	
05/18/23	0903	ANIMAL	CHINO STREET #949 FOLLOWING UP	
05/23/23	1156	ANIMAL	COFFEY STREET-GARBAGE TRUCK RAN OVRER DOG #949 RESPONDED	
05/27/23	1504	ANIMAL	511 ORCHARD-DOG INCIDENT #943 & #945 NEG CONTACT WITH DOG OWNER	
5/29/23	0247	ANIMAL	712 WINIFRED ST-PITBULLS BARKING NON STOP GCSO #11 & #15 RESPONDED- OWNERS TOOK DOGS INSIDE	

Animal Control Activity

Complaints Answered 10
 Canines picked up 5
 Felines picked up 3
 Citations issued 4
 Skunks 0
 VERBAL WARNINGS: 1

Code Enforcement Activity

Complaints Answered 1
 Complaints Pending 0
 Complaints Completed 0
 Citations Issued 0
 Letters Sent 0
 VERBAL WARNINGS: 3



New Mexico Rural Water Association RTCR Workshops 2023

Day	Date	Time	Location	Workshop
Friday	July 14	8AM – 5 PM	Las Cruces – Las Cruces Convention Center 680 E University Ave, Las Cruces, NM 88001	RTCR
Tues	July 18	8AM – 5PM	Albuquerque– New Mexico Environment Dept. Rio Grande Room, 121 Tijeras Ave. NE, Albuquerque, 87102	RTCR

These Workshops are offered **FREE of charge**. They are worth eight (8) Water Operator and Sampler Certification credits as well as Board Training credits. The Revised Total Coliform Rule (RTCR) workshop is also State of New Mexico Environment Department approved to authorize New Mexico certified water operators to conduct Level 1 and Level 2 Assessments, if triggered. Space is limited so please pre-register.

Email ruth@nmrwa.org with your Name, Phone Number, Water System, and Operator ID # if applicable.

P. O. Box 728
800 Central Avenue
Bayard, New Mexico 88023

Phone 575 - 537-3327
Fax 575 - 537-5271
cityofbayard@cityofbayardnm.com

CITY OF BAYARD WASTEWATER TREATMENT PLANT PROJECT AGREEMENT

RECITALS

A. Bayard intends to obtain federal, state or other grant funding ("Grant") to assist with the construction of certain infrastructure improvements to the Bayard Regional Wastewater Treatment Plant ("WWTP") for purposes of increasing its capacity and assuring its ability to meet applicable regulatory and permit requirements ("Project").

B. The Grant is expected to require a cash match ("Match"), the cost of which would likely be absorbed by WWTP customers, including residents in Bayard, Santa Clara and Hurley.

C. The WWTP produces treated effluent which is currently transported to Chino's tailings facility for disposal ("Reclaimed Water").

D. The Project may enable the WWTP to produce additional and/or higher-quality Reclaimed Water able to be utilized in certain applications under applicable regulations. Chino is interested in acquiring the right to purchase all Reclaimed Water that may be produced by the WWTP after completion of the Project.

E. Chino is willing to provide funds up to one million dollars (\$ 1 to meet the Match requirement to facilitate the completion of the Project in exchange for a right of first refusal for the Reclaimed Water, conditioned on Bayard meeting certain progress milestones towards completion of the Project ("Milestones").

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties mutually agree as follows:

1. Recitals. The foregoing Recitals are hereby made a part of this Agreement.
2. Grant Funding. Bayard will be responsible for all aspects of securing Grant funding, administering the Grant(s), and all aspects of Project design, engineering, permitting, completion, and maintenance.
3. Milestones. The Parties will meet annually for Bayard to provide Chino an update on the progress of the Project, and to set progress Milestones for the upcoming year. A reasonable cure period will be allowed in the event Bayard fails to meet a Project Milestone, but is making reasonable progress, in Chino's reasonable discretion.
4. Chino Matching Funds. Chino will provide funds up to a total of one million dollars

(\$ 1,000,000), to meet Match requirements of Grant(s) Bayard secures for the Project within three (3) years from the date of execution of this Agreement, provided Bayard meets the Milestones, to be disbursed as follows:

(a) Three hundred thousand dollars (\$300,000) upon the award of Grant funds to Bayard for the Project ("Initial Payment").

(b) Three hundred thousand dollars (\$300,000) on the first (1st) anniversary of the Initial Payment.

(c) Four hundred thousand dollars (\$400,000) on the second (2nd) anniversary of the Initial Payment.

(d) If the total amount of Match required by the Grant(s) is less than one million dollars (\$ 1,000,000), the total amount of Chino Matching Funds will be reduced to equal the total amount of Match funds required, and the above payment schedule will be adjusted accordingly.

5. Grant Requirement. Bayard shall proceed in compliance with all aspects of the Grant requirements to develop the Project and shall meet any milestones and requirements of the Grant, which will be incorporated as additional Milestones to be timely achieved in compliance with this Agreement.

6. Termination. If Bayard is unable to meet a Milestone, and any cure period has lapsed, Chino may elect to terminate this Agreement.

7. Right of First Refusal. In the event the Project is completed and the WWTP produces and makes available for sale Reclaimed Water, Chino shall have a right of first refusal ("ROFR") for all such available quantities of Reclaimed Water produced by the WWTP that Chino may elect to purchase, in its sole discretion. Bayard shall provide Chino a written notice of its ability to sell Reclaimed Water, and the class of Reclaimed Water under applicable regulations, at least ninety (90) days before Reclaimed Water first becomes available ("Availability Notice"). If Bayard has received a bona fide, written offer or offers from an unrelated third-party ("Offer") to purchase Reclaimed Water from the WWTP, Bayard shall provide Chino a copy of the Offer(s) with the Availability Notice. If no Offer(s) has been received, Bayard shall propose a purchase price for the Reclaimed Water in the Availability Notice reflecting fair market value.

If Chino elects to exercise the ROFR, Chino shall notify Bayard within thirty (30) days of receipt of the Availability Notice ("Chino Notice"), and the Parties shall negotiate a written contract for the purchase and sale of the Reclaimed Water ("Contract") in good faith with the objective of executing the Contract prior to the Reclaimed Water being available. The price for the Reclaimed Water shall be the highest price proposed in any Offer provided with the Availability Notice, or, if no Offer has been provided, the price shall be the Purchase Price proposed by Bayard reflecting the fair market value of the Reclaimed Water ("Purchase Price"). However, Chino may dispute the Purchase Price by providing written notice to Bayard in the Chino Notice, in which event the Parties shall negotiate in good faith to agree upon the Purchase Price. If the Parties cannot reach agreement on the Purchase Price, the Parties shall by mutual agreement, select one independent

valuation individual or firm qualified to value Reclaimed Water in New Mexico ("Appraiser"), and the Appraiser shall determine the fair market value of the Reclaimed Water, which value shall be used as the Purchase Price. Chino shall bear the costs of the valuation if the valuation is equal to or greater than one hundred percent (100%) of the purchase price proposed by Bayard; otherwise, Bayard shall bear the costs of the valuation.

8. Governing Law. The Parties' respective rights and obligations hereunder shall be governed by and construed in accordance with laws of the State of New Mexico without regard to conflicts of laws principles.

9. Regional Water Project. The conditions of this Agreement are contingent upon the completion of the Grant County Regional Water Project initiated by the local governments.

10. Cooperation. Each Party will act in good faith in implementing this Agreement and shall provide such cooperation required to obtain any permits or approvals required, and to comply with relevant laws, rules, or regulations.

11. Disputes. The Parties shall first attempt to resolve any disputes under this Agreement by informal negotiation before initiating litigation.

12. Amendment. This Agreement may only be amended via a written document signed by both Parties.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed the day and year first above written.

FREEPORT-MCMORAN CHINO MINES
A New Mexico General Partnership

By: FREEPORT-MCMORAN CHINO, INC., a
Delaware corporation, Its General Partner

By: _____
Randy Ellison, Its President

By: Chino Acquisition LLC, a Delaware limited
liability company, Its General Partner

By: _____
Randy Ellison, Its President

CITY OF BAYARD

By: _____

Its: _____

City of Bayard

P. O. Box 728
800 Central Avenue
Bayard, New Mexico 88023

Phone 575 - 537-3327
Fax 575 - 537-5271
cityofbayard@cityofbayardnm.com

June 26, 2023

Bayard City Council
P.O. Box 728
Bayard, NM 88023

RE: 2023 Solid Waste Collections

Dear Mayor and Council,

The 2024 Solid Waste Proposal opening was held on May 24, 2023 at 2:00 p.m. Four requests for proposals were requested. Two proposals were received and evaluated by a panel of three individuals.

RFP #2023 SWCS was ranked on a possible point system of 1980 points.

Universal Waste Systems received a total of 1595 points.
Southwest Disposal received a total of 1805 points.

It is my recommendation to award the Solid Waste Collections contract to Southwest Disposal.

Thank You,

Marlena Valenzuela
Deputy Clerk

June 20, 2023

City of Bayard

Attn: Mayor

800 Central Ave.

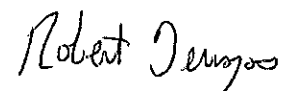
Bayard, NM 88023

RE: Probation

Dear Mayor and Council

I Robert Terrazas Supervisor of the Wastewater Treatment Plant would like to remove Stephen Estrada from probationary Status to Full Time Status. And I would like to see him get a 5% raise.

Sincerely,



Robert Terrazas

City of Bayard Public Works



Tel: 575.537.5384
Fax: 575.537.5271

800 Central Ave.
Bayard NM, 88023

Email: bayardmaint@cityofbayardnm.com

June 16, 2023

Mayor and Members of the Council,

RE: Recommendation to hire.

Based on the interviews that were conducted on June 16, 2023 for the position of mechanic within the Maintenance Department. It is my Michael Paez Public Works Director recommendation to hire Mr. Christopher Palomarez as Mechanic at the proposed starting salary of \$20.00 hourly and a \$.50 increase after completing the 6-month new employee introductory period. Mr. Palomarez has an Associate of Applied Science Degree in Diesel technology from Southwest University in El Paso TX. It was stated during the interview that the annual salary is \$38,480 to \$41,600. This position's current budgeted salary is starting pay at \$18.50 hourly. Based upon the interview, work experience, and qualification certifications, and has a AAS degree. Mr. Palomarez, meet and or exceed what the City is requiring of the Mechanic Position. I strongly feel that the starting pay needs to be starting out at \$20.00 hourly.

I Michael Paez recommend the hire of Mr. David Salgado as a Maintenance Worker. The starting pay for the maintenance worker is \$14.50 an hour.

I Michael Paez recommend that we conditionally hire if at all possible Mr. Christopher Palomarez, and Mr. David Salgado, in order to speed up the process of back ground checks and physicals.

Sincerely

A handwritten signature in black ink, appearing to read 'Michael Paez', is written over a white background.

Michael Paez
City of Bayard Public Works Director
Office: 575.537.5384
Cell: 575.590.1258
Email: bayardmaint@cityofbayardnm.com
Po Box 728 Bayard NM 88023