



City of Bayard
CITY COUNCIL REGULAR MEETING
September 26, 2022 at 5:30 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 September 12, 2022
2. Approval of the Accounts Payable Report for September 26, 2022.
3. Approval of the Police Report for August, 2022.
4. Approval of the Wastewater Treatment Plant Report for August, 2022.

NEW BUSINESS

5. Approval of the Request for Water Tap on 920 North Street Juan Rogers.
6. Approval of Police Program with Mounted Patrol.
7. Discussion/Approval of Contract for Federal Government Relations Consulting & Lobbying Services.

ORDINANCES/RESOLUTIONS

8. Adoption of the Resolution 23-2022 Credit Card Processing and Electronic Transfers.
9. Adoption of the Resolution 25-2022 of Sale of Land on McKee Street.
10. Adoption of Resolution 26-2022 State Plan for Deferred Compensation.

ACTION FOR PERSONNEL

- [11.](#) Approval to remove Michelle Holguin from introductory status to regular employment status with an increase of \$0.75.

CLOSED SESSION pursuant to 10-15-1 (H-2) NMSA 1978 for limited personnel matters

12. Review/Discussion of internal investigation of Wastewater Department.

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Regular Meeting - October 11, 2022

ADJOURNMENT



City of Bayard
CITY COUNCIL REGULAR MEETING
September 12, 2022 at 5:30 PM
Bayard Community Center

MINUTES

WORK SESSION

Consent Agenda

Clerk/Treasurer Kristy stated the Municipal Clerks Certification Institute is for Marlena Valenzuela.

Councilor Diaz asked who would be attending the Grant Writing Training.

Clerk/Treasurer Kristy stated she wasn't sure who would be available to go. She suggested maybe one from each department.

Councilor Gonzales stated maybe one of the councilor can attend. She would be available to attend the training.

New Business

Clerk/Treasurer Kristy stated the Fire Department is applying for state funds and part of the requirement is to have a Fire Stipend Policy. So this fire stipend policy is just for discussion no action will be taken today.

Clerk/Treasurer Kristy stated these three projects are approved by the New Mexico Colonias Infrastructure Program each are required a 10% cash match. Water and sewer combined the amount will be \$24,870. That will come out of the water and sewer acquisition reserved account and the wastewater in the amount of \$10,000 will be coming out of the regular operation fund. This needs to be approved by council.

2024-2028 Infrastructure Capital Improvement Plan is project for ICIP in order are wastewater system improvements, sewer system improvements, upgrade water distribution system, street improvements project, sewer vac truck, public safety equipment, fire truck, splash pad, city hall renovation project, recreation facility and property improvements, drainage improvements, outdoor library extension, community center improvements, equipment purchase, fire station, solar project, public safety improvements, ADA municipal improvements, Hurley Avenue improvement, train depot improvements, cemetery fencing, mine mill museum, and HMS clinic building.

City Council Meeting Time

Clerk/Treasurer Kristy stated at the last meeting it was brought up to change the regular meeting to start at 5:30pm and eliminate the work session.

Councilor Villanueva stated he would like to get the public's input on this discussion.

Mayor Fierro stated he brought this up at the last meeting because things are discussed in the work session and then more discussion is going on at the regular meeting. The reason for the work session is to discuss the items on the agenda and the regular meeting will go faster. He does not see a point in the work session.

Covid-19 Administrative Leave Adjustments

Clerk/Treasurer Kristy stated this is the leave that employees take while being out of work with Covid-19 or taking care of someone with the virus.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Eloy Medina
Councilor Frances Gonzales
Councilor Jose Diaz

A quorum was present. Others in attendance were Dolores Charon, Rafael Jimenez, Manuel Garcia, Larry Ojinaga, Jade Wilson, Jo Lutz, Joan Perez, Jesus Perez, Denise Galaz, Betty Tovar, Marisela Silva, Rudy Martinez, Garry Stanker, Pamela Stanker, Helen Doporto, Matthew Valenzuela, Felipe Jauregui, Guy Gutierrez Jr., Euphemio Gonzalez, Gary Arellano, Mike Armendariz, Jason Jaeger, Marlena Valenzuela, Hector Carrillo, Sonya Dixon, Kristy Ortiz, and Tanya Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Diaz, with a change of moving Senior League Proclamation up before public input. Seconded by Councilor Medina.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

1. Proclamation for Senior League Boys and Senior League Girls Teams was presented.

PUBLIC INPUT

Jesus Perez stated he was worried about his next door neighbor's abandoned house. He has been fighting this since 2017. His neighbor has received a citation but his weeds are overgrown again. There is brown water inside the house and the roof is fallen in. He does not know his neighbor has health issues but so does he and his wife. He needs to take care of his and his wife's health. If there is a fire at his neighbor's house, his house and cars will have smoke damage. This is his concern and it should be a concern to the councilor also.

Joan Perez stated what she is worried about is the black mold this is in her neighbor's house. The house stinks and she is worried about the mold going into her house. She is worried about her health and understands the neighbor have health issues also but something has to be done.

Police Chief Carrillo stated tomorrow and Wednesday the gentleman will be cleaning the yard. The neighbor was cited in the municipal court.

Pamela Stanker is a resident from Handover. She stated Matthew Valenzuela helped distribute food boxes and he is a great help to his community. Also the money from his shop is great revenue for Bayard and she supports Matthew Valenzuela.

Rudy Martinez stated he received a call from a gentleman that works in DC. He is willing to travel to Bayard. He helps to get funding for water and wastewater. He will provide Kristy with all his contact information.

Dolores Charon stated Silver City participates in "Paint the town Purple" in October. She asked if Bayard can participate. She has contact information for the lady that is in charge of the event and would like to get the businesses of Bayard involved. She let Police Chief Carrillo know El Refugio has domestic violence training October 18-19. She has some information on the training and will provide it to him. She is going to help and start getting the Paint the town Purple event stated in Bayard.

Gary Stanker asked if this is a list of projects that the city is promoting?

Clerk/Treasure Kristy provided him a copy of the ICIP worksheet.

Ralph Jimenez Copper Little League President thanked the council for another season. Elections will be held in October for officers for the Copper Little League. On behalf of the the board of directors and himself he thanked the girls in City Hall he stated the girls are a great asset to the little league program and to the City of Bayard. He also thanked the council members for allowing them to use the baseball fields. He thanked Bayard Maintenance department for all there hard work and having the nicest fields in the state. He has traveled the state to others fields and Bayard has one of the nicest and last he thanked the council for watching out for the future.

Matthew Valenzuela would like to know what is going on with his business license. He also stated when Eddie Sedillos worked for the city he would take him business and now that Eddie is no longer working for the city Matthew has not had an business from the city and would like to know why. He has been working hard by himself and would like to know why he has not got his license. He stated he helps his community and he works hard.

Councilor Diaz stated when his license was not renewed there was a criteria that needed to be met. If Matthew feels like all that has been taken care of he can go in to city hall and reapply for his business license. If Matthew gets clearance from the Fire Chief, Police Chief, Fire Marshal, EPA, and Code Enforcer and he is in compliance with all city ordinance he can be placed back on the next City Council agenda the get approved. There has been a lot of issues for many years. This issue has taken a long time to get addressed but now Matthew has some time to address these issues and work on them.

Matthew stated he has been going this job since he was little and now the council is trying to tell him how to do his job.

Councilor Diaz stated they are not trying to tell him how to do his job. They are asking for him to abide by the City Ordinance. And Councilor Diaz advised Matthew to go by city hall and put your self on the agenda for the next council meeting.

Guy Gutierrez Jr. would like to know what is going on with Matthew's business license also. He stated Matthew is a hard working man. He dose not charge everybody and he is a real good man to the low class like himself. He stated everyone dose not have a lot of money to go to Big O Tire and get a tire for a lot and Matthew would help people out in a situation like this. The council has to understand Matthew needs to work to be able to get the thing done. Guy thinks Matthew needs more respect then what he is receiving. Matthew has helped him out a lot.

Felipe Jaurequi stated he is attending the meeting on behalf of Mr. Valenzuela, Mr. Valenzuela has been a lot of great and many jobs for him. He appreciates him and he dose not see anyone else in Grant County that will show up to his house in 5 minuets and do the work that he needs done. He hopes that the council gives Matthew a second change. Mr. Valenzuela has not committed a murder or anything like that and he is just trying to make a living.

Helen Doporto stated she is at the meeting to support Mr. Valenzuela he helps everyone. He is running a auto shop. She asked they are the council trying to close the business? We need to keep the people business in Bayard but the council is trying to push them out to Silver City or Las Cruces.

CONSENT AGENDA

Motion made by Councilor Gonzales, Seconded by Mayor Pro-tem Villanueva.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

2. Approval of the Minutes of Regular Meeting on August 22, 2022.
3. Approval of the Minutes for Infrastructure Capital Improvement Plan.
4. Approval of the Accounts Payable Report for September 12, 2022.
5. Approval of the Fire Report for August, 2022.
6. Approval for Librarian Sonya Dixon and Assistant Jennifer Castanon to attend NMLA Library Strong Conference in Albuquerque on October 26-28, 2022.
7. Approval for Louis Gomez to attend League of Zoning Officials Meeting in Taos on September 14-16, 2022
8. Approval to attend Grant Writing Training for Staff online in the amount of \$273.
9. Approval to attend Municipal Clerks Certification Institute in Albuquerque on October 23-28, 2022 for Administrative Staff.

NEW BUSINESS

10. Discussion of Fire Stipend Policy Draft.

Clerk/Treasure Kristy stated if the council had any comments or changes on this policy.

Councilor Diaz stated this is very well detailed and Kristy and the Fire Chief did a good job on it.

No action was taken.

11. Approval of Colonias Cash Match W/S Acquisition \$24,870 and W/W Operations \$10,000.

Clerk/Treasure Kristy stated this is the cash match that needs to get approved for the next step for the readiness of the notice to proceed.

Motion made by Mayor Pro-tem Villanueva, Seconded by Councilor Medina.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

12. Approval of 2024-2028 Infrastructure Capital Improvement Plan.

Clerk/Treasure Kristy stated this is the final approval of the 5 year plan so Kristy can finalize it tomorrow.

Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

13. Discussion of City Council Meeting Time.

Councilor Villanueva stated he would like to hear from the public to see what they think about changing the meeting to no work session or to kept it the same and continue to have a work session.

Councilor Diaz stated sometimes people are late to the meeting and what was discussed during the work session they have to bring it up again in the regular meeting and discuss it again. He is not here to cut the time of the meeting short he is here for the publics time. As long as business is taken care of that what matters.

Chief Gonzalez stated what takes the longest is when there is a closed session.

14. Approval of the Covid-19 Administrative Leave Adjustments.

Clerk/Treasure Kristy stated she provided the Covid-19 leave hours that was taken from employees. The policy that was approved meeting prior she is asking that the hours on the list proved be adjusted back to the employees.

Motion made by Councilor Medina, Seconded by Councilor Diaz.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales,
Councilor Diaz

ORDINANCES/RESOLUTIONS

15. Approval of Resolution 20-2022.

Clerk/Treasure Kristy stated this is the time extension for the pavement rehabilitation project. Extending the time from December 31, 2022 to December 31, 2023.

Motion made by Mayor Pro-tem Villanueva, Seconded by Councilor Medina.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales,
Councilor Diaz

16. Adoption of Resolution 21-2022 ICIP.

Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales,
Councilor Diaz

17. Adoption of Resolution 22-2022 Open Meetings.

This is to change the time for the regular meeting to state are 5:30 with no work session.

Councilor Villanueva stated he is good with keeping it as is. He knows there is a lot of repeat. But if that could be monitored he thinks that will work fine.

Councilor Gonzales agrees with Mayor Pro-tem Villanueva to leave as is. Councilor Medina agrees as is. Councilor Diaz agrees as is. No action taken.

18. Adoption of Resolution 23-2022 Credit card procedure internal controls.

Motion made by Councilor Medina to postpone, Seconded by Councilor Gonzales.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales,
Councilor Diaz

19. Adoption of Resolution 24-2022 NMDOT/TPS N. Foy Street.

Clerk/Treasure Kristy stated this is the Resolution for the construction funds for the North Foy Street project. The city was awarded \$732,000 the NMDOT local transpiration fund. This Resolution needs to be adopted so it can be submitted with the agreement for final approval from DOT.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales,
Councilor Diaz

20. Intent to Adopt Public Nuisance Ordinance and Neglected Structure Ordinance.

Clerk/Treasure Kristy stated these two ordinances are drafted from the copies from Santa Clara which has been aiding there community to help with beautification through there town. This is brought to the council to move forward to something like this. If the council would like to move forward the Intent to Adopt would need to be approved and the next step would be public comment period. Police Chief Carrillo has worked hard on this. There still might be errors that need to be corrected.

Councilor Villanueva stated he thinks this is good and this needs to be proceeded. This will better the community, it will help the residents that need there neighbors to clean up there properties. This will beautify the city and he thinks this needs to move forward.

Motion made by Councilor Gonzales, Seconded by Mayor Pro-tem Villanueva.

Councilor Diaz asked Kristy if the code enforcer can get a copy of this ordinance. This is very well detailed and he thinks is it going to help address the issues that are going on.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

MAYOR AND COUNCILORS REPORTS

Councilor Villanueva stated he would like to address the issue with the M&M Auto, he believes in to bring business in to the community. The council has had discussion with Mr. Valenzuela and his wife as to why there business license was not renewed. Mr. Valenzuela did receive some guidelines as to what needed to be done in order to get his business license to get renewed. The council is hoping he is getting things done and if it has been done he needs to come forward so he can get his license approved. The council needed to be sure everything has been taken care of to protect the neighbor and everyone else. Councilor Villanueva knows he is a good person, he has done work for his son and himself. Councilor Villanueva is not against giving him is license. There are rules that need to be followed. The people that have came to support Mr. Valenzuela he would like for them to know he already has the things he needs to take care of before getting his license renewed. We need a lot in Bayard and we all need to work together to get it done. Councilor Villanueva thanked all the employees. He said he knows everyone has been getting sick and we all just need to work through it. The job is still getting done and thanked everyone again. He thanked the people that comes to the meeting and lets him know what is going on.

Councilor Medina stated he is not against business. He has spoken with Mr. Valenzuela and he hopes he is doing what has been asked of him. The people that have come in support of him are the people that he has helped and in the time we are in now this is what people need is a brake. He believe Mr. Valenzuela belongs here in Bayard and this is why he wants an update for him and try and get him up and running again, but he dose have to comply. There are people complying about code enforcement and now that code enforcement has taken action of his business. Now it is the responsibility of the business owner to take care of the

issues. Councilor Medina got a call from resident Dave Wilguess with a concern that emergency vehicles could not get to his residence. He called Mikey and Mikey went up to Foy Street and got the road cleared to where Mr. Wilguess felt more comfortable about the road. Mr. Wilguess did give him a call and thanked him. Councilor Medina thanked the fire department for the work they did at the structure fire. He also thanked Clerk/Treasure Kristy for everything she and her staff do.

Councilor Gonzales stated September 21 is there Bayard Housing meeting, if anyone were to have any issues be sure to attend the meeting. She the Police Chief, Code Enforcer, and Kristy for putting together the ordinance for the Neglected Structures. She is glad that employee is going to training. Councilor Gonzales thanked Rudy Martinez for the money he secured for the little league when he was in office and also some of the sidewalk projects that was done when he was in office. She thanked the public for coming to the meetings and giving there input. Bayard is getting a lot of the projects done. Councilor Gonzales stated who every gets elected in the up coming election we need them to take a look at our wastewater treatment plant. Mississippi has a disaster with there wastewater plant and whoever get elected we need to get with them so we can secure money to get the wastewater plant up to par. The legislators that get elected really need to help the city to secure the money that we can get from the legislator and any other money to get it up to par. She dose not want to see a serous disaster occur and this is a serous concern for her.

Councilor Diaz stated last week he attend the New Mexico Municipal League Annual Conference and interacted with other elected officials and Ruidoso has a good strategic plan. They didn't know there were gonna need it and its always good to have one you never know when an emergency will happen. He asked Kristy ask about the water assistance program for the residences if we got approved?

Deputy Clerk Marlena stated she did talk with the lady that is in charge of the program and should be hearing back from her by the end of the week.

Councilor Diaz stated this program is to help with your water bill. If you receive any kind of assistance you should qualify for this program. They will give you \$300 and you can use it all at once for stager it out. This program is through the income support division. You go online and fill out the application. He thanked the maintenance department for the restrooms at the little league. Councilor Diaz meet up with Mike and took some pictures and saw the progress. The Beautification Committee has a trunk or treat coming up on October 30. Councilor Diaz stated the mayor and council and residents are here to help a business succeed. The council did not removed the business license from M&M Auto over night. It was based off of public input. Meeting after meeting the neighbors and residents coming in a complaining about a lot of issues going on over there. The opportunity was given to the business owner to fix the issues and at the end a final decision was given to the council. Mr. Valenzuela can reply for his license once all his criteria is taken care of. He highly recommends he reapplies and he dose agree he is a good man and he help out the community and this is what we need to do help each other out. When there is business next to each other and the two follow ordinance and the one dose not, do we lose the two business or the one business that dose not follow the ordinance and these are the decision that the council has to make. If all the rules and guidelines are followed then there is not problem. The council did not do the problem he brought the problem a pond himself.

Fire Chief Gonzalez asked about the roof at the fire department.

Clerk/Treasure Kristy stated the project will start September 15.

Fire Chief Gonzalez stated there was a nasty fire on South Foy Street they fought. They fought till 1 am and got called back a few more times for reurns.

Clerk/Treasure Kristy stated Wastewater dewatering system project is just about done. The effluent line project is starting the contractor is waiting on there supplies to come in. Dewater was just about 1.4- 1.5 million dollars, the cash match is \$97,000. The effluent line project she will know if there will be a cash match but if there is it will be \$36,000 and that project is coming out to \$2.9 million in grant funds. North Foy Street is funded and she will be getting with the engineers to submit there documents to get approved with the DOT for approval. After that they will start advertising for that project. She has not heard from the state on the Quality of Life grant for the community center. Railroad project she had the notice to proceed for the contractors from DOT. That total project cost is \$239,832. The contractors dose have a 6 month lead time for supplies.

Mayor Fierro stated Marry Chaves works for the Governs office and he helps community with fixing roads with potholes. He is willing to come to Bayard and look around to see what we need. Mayor will be giving him a call. Mayor thanked all the departments for all there work. Mayor Fierro feels the same way Councilor Medina and Councilor Villanueva feel about the M&M Auto. He dose not want business to leave but just to comply. He stated Mr. Valenzuela should go to city hall and reapply to see how they can help him. They want to help him.

NEXT MEETING DATE:

Regular Meeting - September 26, 2022

ADJOURNMENT

Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

ADJOURNMENT 7:13 p.m.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

ACCOUNTS PAYABLES**26-Sep-22****GENERAL FUND - 10**

Bank of America	Paper Towels	\$ 32.94
Bank of America	Paper Towels	\$ 32.94
Ace Hardware	Running Ticket- City Hall	\$ 27.73
Ace Hardware	Running Ticket- Parks	\$ 116.71
Wal-Mart	Folders	\$ 53.28
Bank of America	Office Desk-PD	\$ 1,252.00
Bank of America	Paper Towels	\$ 170.97
Werner Tire	New Tires, Mount & Balance- PD	\$ 2,884.64
Wal-Mart	Adult Dog Food-Animal Control	\$ 55.56
O'Reilly Auto Parts	Break Kit, Mirror-PD	\$ 1,137.78
TOTAL:		\$ 5,764.55

JNT W/S O&M FUND - 150

Bank of America	Paper Towels	\$ 32.94
Ace Hardware	Running Ticket	\$ 628.22
Morning Star	Uniforms	\$ 1,439.50
Ferguson Waterworks	Meter Resetter	\$ 304.54
Core & Main	Resetter	\$ 1,201.44
TOTAL:		\$ 3,606.64

Sewer Operations- 155

Ace Hardware	Running Ticket	\$ 99.67
TOTAL:		\$ 99.67

JNT WASTEWATER FUND - 170

Ace Hardware	Running Ticket	\$ 79.12
Dement Electric	Troubleshoot #3	\$ 2,262.75
ChemNation	Polymer	\$ 2,113.56
Keenan	Sump Pump	\$ 951.23
Cummings	Full Service/Load Bank	\$ 103.90
TOTAL:		\$ 5,510.56

COMMUNITY CENTER FUND - 200

Bank of America	Paper Towels	\$ 32.94
TOTAL:		\$ 32.94

LIBRARY FUND - 210

Bank of America	Paper Towels	\$ 32.94
Ace Hardware	Running Ticket	\$ 3.78
Amazon	Book	\$ 24.10
Amazon	Adult Books	\$ 992.33
TOTAL:		\$ 1,053.15

MUNICIPAL STREET FUND - 240

Ace Hardware	Running Ticket	\$31.48
Highway Supply, LLC	One Way Signs	\$749.65
TOTAL:		\$ 781.13

MUNICIPAL COURT FUND - 20

Bank of America	Paper Towels	\$ 32.94
TOTAL:		\$ 32.94

FIRE FUND- 30

Bank of America	Paper Towels	\$ 32.94
Morning Star	Reflective Gear	\$ 1,080.00
TOTAL:		\$ 1,112.94

LAW ENFORCEMENT FUND - 60

Amazon	Flags,Badges,Gold Pins, Batteries	\$ 379.85
TOTAL:		\$ 379.85

TOTAL:		\$ 18,374.37
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ACCOUNTS PAID**26-Sep-22****GENERAL FUND - 10**

GC Pest Control	Monthly Charge- City Hall	\$	39.24
GC Pest Control	Monthly Charge-PD	\$	14.55
GC Pest Control	Monthly Charge-Animal Control	\$	29.32
GC Pest Control	Monthly Charge-Parks	\$	17.51
Lumen	Long-Distance Calls- City Hall	\$	2.78
Lumen	Long-Distance Calls-PD	\$	2.78
NM Edge	Training for Marlena Valenzuela	\$	540.00
Lexis Nexis	Online Subscriptions	\$	161.63
Bank of America	Vivint Monthly Charge	\$	50.07
SC Daily Press	ICIP Work Session	\$	83.13
SC Daily Press	Office Closure Display	\$	62.34
AT&T	Cell Phone Payment- City Hall	\$	8.80
AT&T	Cell Phone Payment- PD	\$	72.86
PNM	Electricity	\$	56.65
NM Gas Company	Natural Gas Payment-City Hall	\$	30.41
NM Gas Company	Natural Gas Payment-PD	\$	23.55
PNM	Electricity- Animal Control	\$	19.81
Krystal Mountain Water	Drinking Water	\$	15.15
Comcast	Internet Payment-PD	\$	153.01
Comcast	Internet Payment-Parks	\$	141.49
TOTAL:		\$	1,525.08

JNT W/S O&M FUND - 150

Vivint	Monthly Charges		\$71.62
GC Pest Control	Monthly Charge		\$17.51
NM Edge	Training for Tanya Ortiz		\$540.00
AT&T	Cell Phone Payment		\$15.93
PNM	Electricity	\$	196.79
Comcast	Internet Service	\$	118.06
NM Gas Company	Natural Gas Payment	\$	35.36
TOTAL:			\$995.27

JNT WASTEWATER FUND - 170

The UPS Store	Mail WW Samples	\$	400.84
American linen	Laundry Service	\$	97.82
Hall Environmental	WW Plant Tests	\$	393.90
GC Pest Control	Monthly Charge		\$48.12
Hughes Net	Monthly Internet Charge		\$139.32
Xerox Corp	Printer Services	\$	43.97
AT&T	Cell Phone Payment	\$	70.29
PNM	Electricity	\$	7,449.83
Krystal Mountain Water	Drinking Water	\$	30.31
TOTAL:		\$	8,674.40

COMMUNITY CENTER FUND - 200

GC Pest Control	Monthly Charge	\$ 39.32
NM Environmental Dept	Food Permit Renewal	\$ 200.00
NM Gas Company	Natural Gas Payment	\$ 99.21
Humphrey's Enterprises	Grease Trap Fee	\$ 115.83
TOTAL:		\$ 454.36

LIBRARY FUND - 210

GC Pest Control	Monthly Charge	\$ 29.32
Lumen	Long Distance Calls	\$ 2.81
SC Sun News	Monthly Subscription	\$ 15.00
Bank of America	Vivint Monthly Charge	\$ 55.46
NM Gas Company	Natural Gas Payment	\$ 25.41
PNM	Electricity	\$ 413.50
Comcast	Internet Payment	\$ 291.01
NM Magazine	Subscription Fee	\$ 26.00
The Atlantic	Subscription Fee	\$ 74.99
TOTAL:		\$ 933.50

MUNICIPAL COURT FUND - 20

Blue360 Media	Criminal/Law Manual	\$ 69.75
GC Pest Control	Monthly Charge	\$ 14.54
Lumen	Long-Distance Call	\$ 2.78
NM Gas Company	Natural Gas Payment	\$ 26.35
Comcast	Internet Payment	\$94.51
TOTAL:		\$ 207.93

FIRE FUND- 30

GC Pest Control	Monthly Charge	\$14.55
Lesipol	Learning Platform	\$664.35
AT&T	Cell Phone Payment	\$15.93
NM Gas Company	Natural Gas Payment	\$93.56
WaterWay	Pump Testing	\$ 2,303.24
Comcast	Internet Payment	\$ 94.50
NFPA	Membership Services	\$ 175.00
TOTAL:		\$3,361.13

EMS Fund- 320

Lexipol	Learning Platform	\$664.35
TOTAL:		\$664.35

Solid Waste -160

NM Edge	Training for Michelle Holguin	\$540.00
TOTAL:		\$540.00

GRAND TOTAL: **\$ 17,356.02**

**BAYARD POLICE DEPARTMENT
MONTHLY REPORT
August, 2022**

Traffic Activity

Accidents	3
Traffic stops made	47
Citations Issued	20
Municipal: 19	
Magistrate: 1	
Stop Sign: 0	
DWI	1
Motorist Assists	2
Traffic complaints	1
Suspicious Vehicle or person	15
Reckless driver	5
Missing or Stolen vehicle	2

Criminal Activity

Arrests	3
Burglary/Larceny	2
Criminal damage	1
Domestic calls	9
Inj./Tamp. with vehicle	3
Harassment	4
Unwanted subject	2
Disturbance	2
Criminal Sexual Crime	1
Missing person	1
Battery	2
Breaking & Entering	2
Fight	2
Counterfeit money	1

General Activity

Abandoned 911	2
Civil stand by	5
Welfare check	7
Meetings/classes	18
Follow up investigations	15
Citizen contacts	6
Citizen assists	17
Citizen complaints	1
Alarms	7
Criminal trespass warnings	2
Custodial interference	1
Suicide threat	1
Attempt to locate	3
Child exchange	9
Request for public service	11
EMS assists	1

Animal calls	5
Lost property	1
Civil process	1
Walk-ins	2
Fireworks	1
Open door	1
Frequent patrol requests	3
Loud party/music	3
Calls to Schools	17
CHS: 5	
Snell: 3	
Elementary: 1	
Admin: 2	
Fire drills: 4	
Bomb drill: 1	
Game patrol: 1	

Juvenile Activity

Arrests	0
Runaway	4
Assault on school personnel	1
Graffiti	1

Agency Assists-NMSP

1

APPROXIMATE TOTAL CALLS FOR SERVICE**204****Animal Control Activity**

Complaints Answered	23
Canines picked up	2
Felines picked up	7
Citations issued	6
Skunks	1
Other: FOLLOW UPS	10
CLINIC	2

Code Enforcement Activity

Complaints Answered	7
Complaints Pending	4
Complaints Completed	1
Citations Issued	4
Letters Sent	0

NOTES:

City of Bayard Wastewater Treatment Plant August 2022

08-01-2022: Plant staff worked on weeds around the plant. Chino Mines asked plant staff to knock down a berm and make a road for them to get to their worksite for the effluent water pump house. Turned The #2 and #3 drying beds, pulled the sludge out of the #1 drying bed.

08-02-2022: Dement Electric came down to plant to test the #3 influent pump. Pump was found to be bad, wired-up spare pump and installed it into the influent wet well. Plant staff worked on weeds around the plant. Plant staff had a meeting at the North Hurley lift station about the pumps not working.

08-03-2022: Plant staff filled the Bobcat and Case backhoe and then filled up diesel bulk tank. Acid tank for #2 UV filled.

08-04-2022: Plant staff checked the chlorine in the wash water room, checked the fire extinguishers and eye wash stations. Worked on weeds around plant.

08-05-2022: Plant was hit with a power outage.

08-08-2022: Plant staff took in the 2021 F-150 to have rock chip repaired in windshield. Plant staff unplugged the #1 drying bed.

08-09-2022: Electrical contractors working on the screw press room had plant staff shut down the MCC2 so that they could connect their wiring. Plant staff had to monitor affected systems physically to make sure that they were running. This shut down could be the 8th time the UV system has been shut down which shortens the life of the lamps. Plant staff called out for the #3 influent wet well pump.

08-10-2022: Dement Electric came down to the plant to check on the #3 influent pump. Turn the #2 and #3 drying beds. Plant had 3 power surges. UV system ended up on the #1 UV unit.

08-11-2022: Plant staff troubleshooting chlorine issue in the rec plant. Plant experienced power surges.

08-12-2022: Leak on water bellows on the chlorine pump in the rec plant. System bypassing brine into the drain. Plant staff shut down skid pumps and filter pumps in the rec plant.

08-15-2022: Rebuilt #1 drying bed, turned the #2 and #3 drying beds.

08-16-2022: Plant staff changed out the water bellows in the rec plant. Cleaned out turbidity meter chamber, called ICI to see why alarms wouldn't clear out of system tied to the rec plant so that water could be sent to the storage tank.

08-17-2022: #1 digester dewatered to the angle iron, turned air back on and shut down the #3 digester. Turbidity meter had a glitch and was frozen.

08-18-2022: Chlorine system in the rec plant had a failure. Plant staff had to shut down the skid pumps from pumping water to the cemetery for the rest of the month due to E-Coli Being out of range on the E-Coli Test. Plant staff started to dewater the #3 digester.

08-19-2022: Plant staff arrived in the morning to find the top gate lock had been cut off and the gates wide open. Plant staff had to purchase another lock to place on the chain to lock up the gate. Plant staff worked on the chlorine system in the rec plant.

08-22-2022: Plant staff had to unplug the #2 scum pump and pump down and hose down the #2 scum pit. Turn the #2 and #3 drying beds.

08-23-2022: #2 digester didn't dewater. Plant staff finished cleaning the #2 scum pump pit.

08-24-2022: Dumped the #2 digester to the #1 drying bed. Plant staff had to replace the polymer pump hose during the pour due to a hose failure. Plant staff sprayed weeds in the drainage ditches at the Plant and the Rec Plant and sprayed the Rec plant yard.

08-25-2022: Plant staff shortened the chain at the top gate coming down to the plant. Cleaned DO probes on the aeration basins. Tried to tighten bolts on the main blower pipe in the blower room but found the gasket to be leaking and not able to seal. Sprayed the bar screen. Turned drying beds #1, #2, and #3.

08-26-2022: Chlorine system down in the Rec Plant, called Jim Hawkins to help trouble shoot it. Plant staff made a trash run.

08-29-2022: Turned the #1, #2, and #3 drying beds.

I Juan Rogers Request water
Services in my property
located in Bayard NM
920 N Street lot 11, 12.
To water the ~~threes~~.

Juan Rogers

575 652 ~~74~~
0419


9/11/22

Google Maps

Bayard

North Street, Bayard, NM

Bayard - Google Maps

*Has sewer service
Needs water tap.*



Imagery ©2022 Maxar Technologies, Map data ©2022 Google 20 ft

Account: R085209**<-Prev 44 of 56 Results Next->****Location****Account Number R085209**

Parcel Number 3-073-104-218-134

Parcel Number 3-073-104-218-134**Situs Address 920 NORTH ST****Legal Summary Subd: FOY'S #6 Block: 3**

Lot: 11 AND:- Lot: 12 0.372 AC

Owner Information**Owner Name CARBAJAL ERNESTO****Owner Address 920 NORTH ST**
BAYARD, NM 88023**Assessment History****Actual Value (2022)** \$12,500**Primary Taxable** \$4,167**Tax Area: 02B_R Tax Rate: 0.022811**

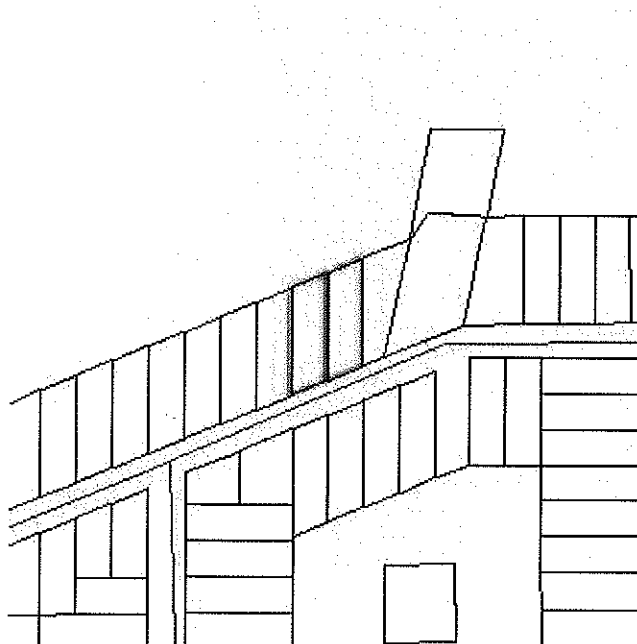
Type	Actual	Assessed	Acres	SQFT
LAND-				
RES	\$12,500	\$4,167	0.372	16204.000
IMP				

Protest**No Protests****Transfers****Recording Date**[09/21/2021](#)[11/20/2019](#)[09/13/2013](#)[09/13/2013](#)[09/13/2013](#)[09/13/2013](#)[09/13/2013](#)[06/09/2003](#)[05/28/1997](#)[04/25/1997](#)[12/31/1979](#)[11/17/1979](#)[11/17/1975](#)[06/29/1960](#)**Book Page**[B: 283 P: 4383](#)[B: 281 P: 4767](#)[B: 275 P: 4063](#)[B: 275 P: 4064](#)[B: 275 P: 4062](#)[B: 275 P: 4065](#)[B: 275 P: 4066](#)[B: 262 P: 55](#)[B: 233 P: 3207](#)[B: 234 P: 3569](#)[B: 276 P: 76](#)[B: 194 P: 87](#)[B: 194 P: 88](#)[B: 194 P: 8](#)**Tax History****Images****Tax Year****Taxes**

*2022	\$95.04
2021	\$95.04

- [Google Map](#)
- [GIS](#)

* Estimated



Land Division

NW1/4NE1/4
Section 12
T18S,R13W

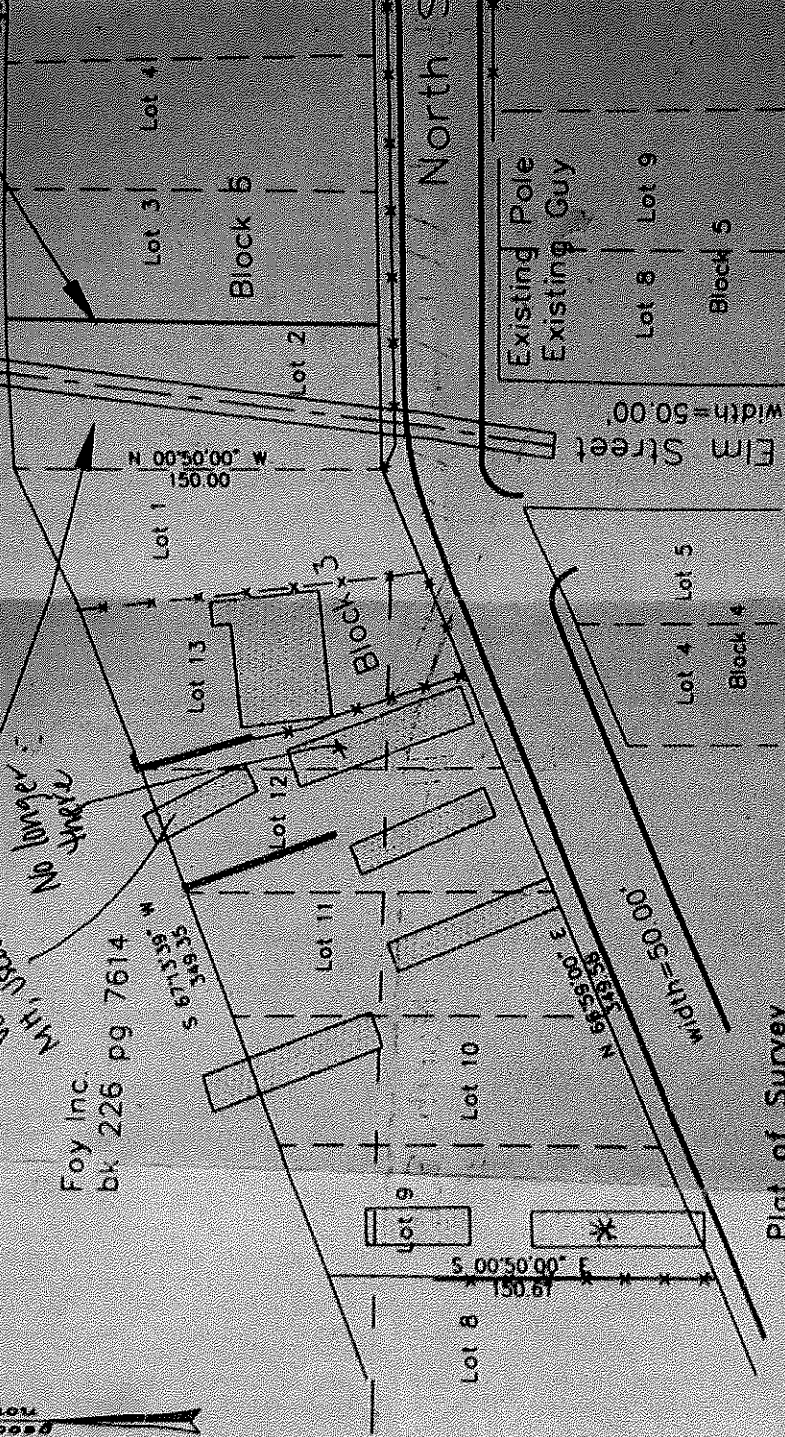


Warranty Deed
Volante, C. Toms
book 282 page 0055

Very old as shown
No longer have
MHI used as shown

Foy Inc.
bk 226 pg 7614

Amended Plat
of
Lot 13, Block 3 of
1 and 2, Block 6, Foy's
to the Village of Bayard,
County, New Mexico, and
the Plat filed in
Book 3 Page



Plat of Survey

of
Lots 9, 10, 11, 12 and 13,
Block 3, Foy's Sixth Addition
to the Village of Bayard, Grant
County, New Mexico, according to
The Plat By Herbert Watkins, filed
for Record.

C:\SURVEY\16\TOMS.DWG 07/03/12 08:03

UNNAMED DWG 06/13/01



City of Bayard Police Department

Hector D. Carrillo, Chief of Police

Item 6.

801 Central Avenue • P.O. Box 788 • Bayard, New Mexico 88023
Telephone (575) 537-3312 • Fax (575) 537-2129

09/19/2022

To whom it may concern,

At this time the Bayard Police Department is requesting the New Mexico Mounted Patrol to conduct ride along services with the Officers from the Bayard Police Department and attend special events such as Highschool Homecoming, football, volleyball and large events that are held by the City of Bayard and Cobre Consolidated Schools.

Thank you all for your consideration in this matter,

Respectfully,

A handwritten signature in black ink, appearing to read "H. Carrillo", written over a horizontal line.

Hector D. Carrillo



CAPGOV PROPOSAL & PROFESSIONAL SERVICES FEE AGREEMENT

FOR

FEDERAL GOVERNMENT RELATIONS CONSULTING & LOBBYING SERVICES

RESPECTFULLY SUBMITTED FOR CONSIDERATION TO

CITY OF BAYARD, NM

SEPTEMBER 20, 2022

CAPGOV BACKGROUND

Capitol Government Solutions, LLC (CAPGOV®) is a full-service, government relations firm in Washington, D.C. Our offices are located on Capitol Hill, a short walk from the steps of U.S. Capitol and Senate and House office buildings.

CAPGOV specializes in advising and guiding clients through the legislative and executive processes to accomplish each client's specific objective(s): whether the client's aim is federal funding, legislative, policy, procurement or regulatory/rulemaking in nature. CAPGOV has secured over \$3 billion in federal funding for its clients.

The COVID-19 pandemic has been a difficult landscape to navigate and particularly challenging for smaller, less urban localities with fewer resources. Fortunately, the federal response has been robust, setting the table for unprecedented opportunities to secure federal funding for local projects to help meet local needs. Increased federal funding exists for a wide array of infrastructure projects including, for example, water and wastewater projects, roads and rural broadband as well as funding to support critical services performed by police, fire and medical first responders.

The recent return of a form of congressional "earmarking" provides a welcome, legislative avenue to return federal tax dollars to Bayard. The hardworking residents of Bayard deserve to have a portion of their federal taxes directly benefit their local community. The cost of the City's high priority projects can be significantly offset by securing congressional directed funding.

CAPGOV PERSONNEL

CAPGOV associates have worked in the White House, for Congress, for the Pentagon, the State Department and other Executive Agencies. As such, our team consists of legislative and policy experts that have extensive experience in representing clients across the entire gambit of federal processes. The impressive education, training and career experiences of our team are not, however, what primarily sets us apart from the competition. There are many capable, experienced and well-credentialed government relations firms in Washington. What sets CAPGOV apart is our level of dedication to our clients' federal agenda and an unparalleled commitment to spending the necessary time and expending the energy required to ensure every potential opportunity is seized and that our clients have a distinct competitive advantage in the process. We are proud of our approach and most importantly the exemplary results our efforts have delivered for our clients.

PERSONELL TO BE ASSIGNED TO BAYARD

Mr. Nicholas L. Crockett, CAPGOV President & Founding Principal

Mr. Crockett will personally oversee and perform nearly all the work on behalf of Bayard. CAPGOV staff will play a support role. Mr. Crockett will seek his team's advice and counsel when their expertise or contacts would benefit Bayard. Only in extraordinary circumstances would Bayard interact with someone other than Mr. Crockett.

Considering some of the City's anticipated capital improvement projects and other needs, Mr. Crockett is uniquely positioned, and both personally and professionally connected to relevant members of Congress, congressional committees and their staff. Mr. Crockett is prepared to leverage these contacts and long-time relationships, developed over the past twenty years, to benefit Bayard's objectives.

Mr. Crockett's Bio is provided on the following page.

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BIO

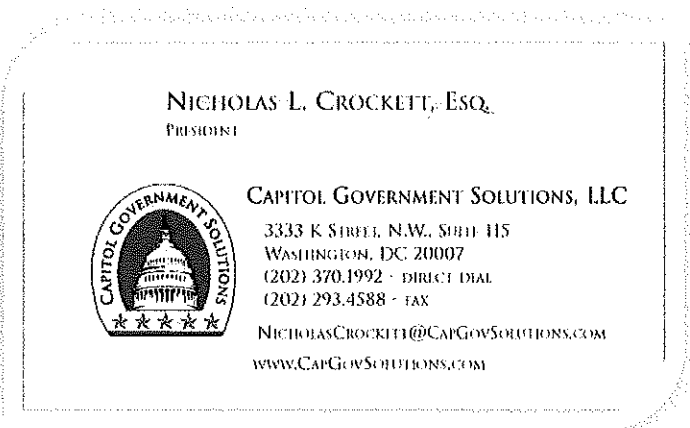
Mr. Nicholas Lee Crockett, President & Founding Principal

As President and founding principal of Capitol Government Solutions, Mr. Crockett will direct all efforts to ensure that Bayard's federal priorities are advanced in an aggressive and strategic manner. Since establishing the firm in 2007, Mr. Crockett's federal relations practice has concentrated on representing public entities such as municipalities, public utilities, transportation authorities and institutions of higher education. Mr. Crockett's practice focuses on helping his clients secure federal funding, developing and implementing federal strategies to achieve policy and legislative change, pass Congressional authorizations and achieve, at the administrative/agency level, favorable administrative rulemaking and official guidance. Mr. Crockett has secured over \$3 billion for his clients over the course of his career.

Prior to establishing Capitol Government Solutions, Mr. Crockett was a partner at the D.C. law and lobbying firm, Lee & Smith, PC. During his tenure at Lee & Smith, Mr. Crockett served as the firm's Director of Legislative and Policy Initiatives.

Over the past twenty years, Mr. Crockett has been actively involved in the political process and has worked in key positions on numerous political campaigns and on Capitol Hill. Prior to law school, Mr. Crockett taught Spanish for a year in the Virginia public school system in Rockbridge County.

Mr. Crockett was raised in Lexington, VA but lived in southern New Mexico for a couple years doing nonprofit work. He is a graduate of the University of Virginia, earning a Bachelor of Arts with Distinction, double majoring in Spanish Literature and in Latin American Political Science, with a minor in Economics. Mr. Crockett also received a Juris Doctor from the University of Virginia. He is a frequent lecturer on the Federal legislative process for universities and other groups across the country. Mr. Crockett provides training and counsel to clients and for several D.C. lobbying firms regarding federal lobbying disclosure law and best practices.



SCOPE OF SERVICES

CAPGOV shall provide all effort and materials necessary to pursue the City of Bayard's federal objectives in Washington, D.C. Community officials shall have access to CAPGOV personnel, expertise and Washington, DC offices, as needed.

- CAPGOV will, under the Direction of the Mayor, Mayor Pro-Tem and the City Council or their designee, coordinate and oversee all the City's federal lobbying activities in Washington, DC;
- CAPGOV will advise the Mayor, Mayor Pro-Tem and the City Council on federal matters;
- CAPGOV will monitor for federal funding opportunities, including direct appropriations (earmarks) and competitive grants, that match the City's needs;
- CAPGOV will perform the necessary legislative research to identify the federal budget account that matches the scale and scope of the Bayard's project(s) and confirm eligibility for congressionally directed spending (earmarks);
- CAPGOV will assist and advise Bayard in preparing and submitting federal congressional appropriations requests such as Programmatic Requests (budget plus-ups), Community Project Funding requests (earmark) and Congressional Directed Spending requests (earmark);
- CAPGOV will assist the City to brief professional congressional staff in Washington, DC on Bayard's direct appropriations requests to Senates and House offices in support of the federal funding initiatives Bayard pursues;
- CAPGOV will shepherd such congressional appropriations request through the year-long federal appropriations process including at the following stages: individual member offices, corresponding House and Senate appropriations subcommittees, House and Senate full committee mark-up, and at the Conference Committee level;
- CAPGOV will review grant solicitations to determine eligibility requirements and advise the City on actions that must be taken to ensure compliance and a timely submission;
- CAPGOV will strategize with Bayard officials and Department personnel to determine how to assemble the most competitive proposal/application possible;
- CAPGOV will help map out a working timeline and ensure the various required components of the grant are assigned and deadlines for completion imposed;
- CAPGOV will assist Bayard to create a politically tuned/sensitive narrative to help augment political support for its requests;
- CAPGOV will schedule and accompany Bayard officials to the Hill to lobby for support of its interests and priorities;
- CAPGOV will schedule and accompany Bayard officials to meet with agency officials and program managers, as needed, to build relationships and will further stress and leverage the City's support for their programs;

SCOPE OF SERVICES (continued)

- CAPGOV will participate in, as needed, agency informational webinars relating to grant solicitations the City is interested in pursuing;
- CAPGOV will represent Bayard and participate in agency working groups, as requested;
- CAPGOV will secure political support from Congressional offices, such as formal congressional letters of support for a Bayard competitive grant application, as appropriate;
- CAPGOV will work with project stakeholders in order to leverage the coalition's political capital to increase the competitiveness of the City's grant application, as circumstance warrant;
- CAPGOV will work with Bayard to acquire letters of support from important local, state and regional partners that when it is determined that doing so will increase the likelihood of success;
- CAPGOV will work closely with Bayard as the City prepares federal grant submissions and provide substantive and technical assistance as needed;
- CAPGOV will make agency inquiries as needed;
- CAPGOV will review federal funding initiatives, prior to submission, to confirm Bayard's application is complete and void of errors or omissions;
- CAPGOV will vet grant submissions for political, agency and programmatic pitfalls;
- CAPGOV will assist Bayard with any agency or congressional inquiries made prior to award announcement;
- CAPGOV will assist Bayard with post-award management issues that ensue; AND
- CAPGOV will provide other reasonable, related assistance to Bayard.

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CONTRACT DETAILS & DISCLOSURES

DISCLOSURE REGARDING “LOBBYING” ACTIVITIES

The Federal Lobbying Disclosure Act of 1995, as amended, and the Honest Leadership and Open Government Act of 2007 require that CAPGOV make certain disclosures to the U.S. Senate and the U.S. House of Representatives including any fees and costs which are incurred for “lobbying” as defined by federal law. These are public documents. Under the Byrd Amendment, federal monies may not be expended to pay for “lobbying” activities. For example, lobbying fees may not be paid out of the proceeds of a Federal transaction and must be paid with non-Federal dollars. CAPGOV will register, track, monitor and report all lobbying activity on behalf of Bayard and file Quarterly LD-2 Reports filed with Congress, in strict compliance with federal law.

DISCLOSURE OF POTENTIALLY RELEVANT, CURRENT or RECENT CLIENTS

Town of Mountainair, NM
 City of Orem, UT
 Rockbridge County, VA
 Park City, UT
 Municipal Water Districts of Orange County, CA
 Utah Transit Authority
 North Dakota State University
 Space Dynamics Laboratory (Albuquerque, NM and Logan, UT)
 Utah State University
 ARUP Laboratory
 Snow College (2-year community college)

CONTRACT FEE

CAPGOV is mindful that public entities are entrusted with scarce taxpayer dollars. Our business model and pricing reflect this sensitivity. Our approach when pricing a Proposal is: what is the lowest possible price we can offer the prospective client while still providing our trademark level of service and dedication? We believe our fee must withstand public scrutiny if we plan to maintain long-term client relationships with public entities.

With respect to Bayard, given the City’s circumstances and the scope of the challenges the lie ahead, CAPGOV is prepared to offer its services *at cost* for a period of up to 24 months. Put another way, CAPGOV is prepared to offer its services at ¼ its typical rate, sufficient to cover the firm’s anticipated overhead costs associated with representing Bayard. No profit is being charged. From time to time, CAPGOV will take on a client such as Bayard, *at cost*, out of a commitment to help communities that stand the most to benefit from federal representation but are normally deterred by the high costs of such services.

CAPGOV will provide Washington Representation (lobbying and non-lobbying consulting), in accordance with the Scope of Services, at the fixed-fee retainer rate of \$1,650 per month (\$19,800.00 annually) paid in monthly installments following the month in which services are rendered. This amount will include all reasonable expenses related directly to representing the City of Bayard, NM.

BILLING & PAYMENT

A fixed-fee retainer is standard in the Federal lobbying /consulting profession. Fixed-fee agreements enable clients to budget for lobbying and related expense and remove what can otherwise be significant fee fluctuations that are inherent to hour-based billing agreements.

Summary Statements that provide an overview of the services performed during a month with accompany CAPGOV's monthly Invoice. CAPGOV's Summary Statement and corresponding Invoice will be transmitted by the first business day of the month following the month of completed services. For example, services rendered during the month of October will be reported and billed to Bayard by the first business day of November. It is expected Bayard will pay invoices received within thirty (30) days of receipt.

TERMINATION

It is anticipated that this contract will be eligible for renewal after a period of one year. Both parties have the right to terminate the contract upon one hundred twenty (120) days written notice to the other party at any time. If there is no indication of a desire to terminate the contract after one year, this contract will automatically be renewed pursuant to the terms outlined in this Agreement.

ACCEPTANCE

If the foregoing arrangements are acceptable to you, please so indicate by signing and returning this Proposal and Fee Agreement. By signing this Proposal and Fee Agreement you represent that you, or another duly authorized representative, has the authority to execute this agreement on behalf of Bayard. This Agreement shall be binding upon Capitol Government Solutions, LLC and the City of Bayard, NM. Once signed, this Proposal will constitute a Fee Agreement, which can be modified at any time by mutual consent. It is anticipated that this Agreement will take effect upon execution.

The price and terms of this Proposal shall remain valid for 45 days.

I am delighted at the prospect of representing Bayard. If you have any questions or would like to discuss any aspect of this Proposal or Fee Agreement, please do not hesitate to contact me.

Respectfully submitted,



Nicholas L. Crockett
President & Founding Principal
Capitol Government Solutions, LLC

ACCEPTED AND AGREED TO:

By: _____

Title: _____
City of Bayard, NM

Title: _____

Date: _____

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

RESOLUTION 23-2022

CITY OF BAYARD

A RESOLUTION ADOPTION OF OPERATIONAL CREDIT CARD PROCESSING AND ELECTRONIC TRANSFERS

WHEREAS, the N.M.S.A 1978, Section 3-12-3(A)(7) (1965, as amended 1967) authorizes the governing body of a municipality to "adopt rules and regulations necessary to effect the powers granted municipalities".

WHEREAS, the Bayard City Council finds that the Policies and Procedures Manual is a necessary complement to the City ordinances codified in the Bayard Code of Ordinances, as amended, and the development of this Manual shall result in a consistent application of the City Ordinances and a more efficient municipal government better equipped to serve the public.

Whereas, N.M.S.A. 1978, Section 6-10-1.2 (2011) authorizes a local governing body to accept payment by credit card or other electronic means, and authorizes the municipality to charge a uniform convenience fee to cover costs imposed by financial institutions, but only upon the review and approval of the New Mexico Board of Finance.

NOW, THEREFORE, BE IT RESOLVED by the Bayard City Council as follows:

1. The Bayard City Council authorizes Bayard to accept electronic payments and specifies procedures on the terms and conditions of accepting payments by credit card or other electronic transfer.
2. Accepting payments by credit card or other electronic transfer enhances the efficiency of conducting business by the City of Bayard, and is consistent with the now accepted practice by the private business sector to manage transactions electronically.
3. The State Board of Finance has approved the following policies:
 - a. Employee Benefits enrollment/Changes Policy
 - b. Payments for Municipal Services
 - c. Vendor Payments
 as being consistent with the Finance Board's rules on the terms and conditions of a state agency accepting payments by credit card or electronic transfer.
4. It is in the best interests of the City of Bayard and for the convenience to its customers to economically and efficiently collect funds through electronic transfer, charging a minimal convenience fee to the customer for this service.

PASSED, APPROVED, AND ADOPTED THIS 26TH DAY OF SEPTEMBER, 2022, by the Governing Body of the City of Bayard, Grant County, New Mexico.

ATTEST:

Raul Villanueva
Mayor Pro-tem

Kristina Ortiz, MMC
Clerk Treasurer

EMPLOYEE BENEFITS ENROLLMENT/CHANGES POLICY

New Employees

The Payroll Clerk shall present to all new employees a set of printed employee benefit forms within the standard new employee information packet. Benefit change requests shall be requested in person by employee; with the PAYROLL CLERK. All forms for benefit enrollment/changes shall be returned by the EMPLOYEE - to the PAYROLL CLERK. The payroll clerk shall not receive any benefit enrollment/change requests by telephone, mail, or e-mail; these must be completed in person between the payroll clerk and employee.

Direct Deposit - Payroll

In order to establish employee direct deposit all employees must fill out the City of Bayard Direct Deposit information sheet, and SHALL submit either a voided check or a verification letter from their financial institution that certifies the employee bank account number and bank routing number. Direct deposits shall not begin until all documents are provided to the payroll clerk. Employee check voucher stubs will be available for pick-up at the city hall by the employee each payday.

Medical/Retirement Benefits

Employees SHALL provide to the payroll clerk employee benefit forms in original form; copies shall not be accepted. The payroll clerk shall process benefit enrollment and change forms as required by the benefit provider.

Benefit providers may at times require that employee enrollment or change requests be transmitted electronically by e-mail. The payroll clerk SHALL verify the provider e-mail address and SHALL use the Bayard e-mail encryption for the transmission of such documents.

Employee enrollment forms/change requests SHALL not be accepted if received by any non-employee individual, e-mail, fax, or mail.

Applicability

This policy applies to all staff within the City Hall Administration. Payroll clerk means the employee serving in the capacity of payroll clerk or in the absence of the payroll clerk. Failure to abide by this policy shall be grounds for disciplinary action.

This policy is effective immediately as of August 25, 2022.

Kristina Ortiz, MMC
Clerk-Treasurer

Employee Name

Employee Signature

Date

PAYMENTS FOR MUNICIPAL SERVICES

New Accounts

Individuals wishing to establish utility services with the City of Bayard must present themselves at city hall. City Hall staff shall provide the individual with a utility enrollment packet. The utility enrollment packet must be filled out/submitted by the primary account holder to city hall staff. The primary account holder shall present a valid ID (copy will be made by staff), to verify the identity of the individual. A water meter deposit shall be collected by cash, money order, cashier's check, or credit card. No checks shall be accepted.

Credit Card – If the water meter deposit is collected by credit card, the card name must match the individuals name on the ID presented. If names do not match, credit card payment will not be accepted.

Utility/Municipal Service Payments

Miscellaneous service payments shall only be accepted by cash, money order, cashier's check or credit card. The card name must match the individuals name on the ID presented. If names do not match, credit card payment will not be accepted.

Credit card payments SHALL only be made in person; and SHALL not be made over the phone, e-mail, fax, or mail.

Utility Account Payments

Utility account payments can be made by check, money order, cashier's check, credit card, or ACH.

Credit Card – the card name must match the individuals name on the ID presented or the name on the utility account. If names do not match, credit card payment will not be accepted.

Credit card payments SHALL only be made in person; and SHALL not be made over the phone, e-mail, fax, or mail. Credit card payments may be made online on the utility payment portal.

ACH – The primary account holder may request to have payments made by ACH. The primary account holder SHALL enroll for the service in person at city hall on the designated forms and must provide a valid ID, and voided check or a verification letter from their financial institution that certifies the bank account number and bank routing number. The bank account name SHALL match the primary utility account holder's name.

This policy may be updated from time to time to match the operating conditions of the city.

Applicability

This policy applies to all staff within the City Hall Administration. Failure to abide by this policy shall be grounds for disciplinary action. Additional municipal departments shall be added as necessary.

This policy is effective immediately as of August 25, 2022.

Kristina Ortiz, MMC
Clerk-Treasurer

Employee Name

Employee Signature

Date

VENDOR PAYMENTS

The City of Bayard conducts business with various types of vendors and service providers. In order to maintain efficient operating procedures for timely payments the city may utilize various methods of payments – check, ACH, web-based on-line portals, or credit card.

Vendor Enrollment/Registration with City – All vendors or service providers with the city must provide a W-9 form prior to initiating payments for goods or services. Vendors without a current W-9 shall be updated as soon as practical. Payments of any type will not be completed until all accounts payable processes have been completed.

CHECK – Paper checks may be issued for any vendor that has not requested payment by other methods.

ACH – Vendors requesting to receive payment by ACH must submit in writing by mail, a letter requesting the payment method change, and voided check or a verification letter from their financial institution that certifies the bank account number and bank routing number. The bank account name SHALL match the vendor's name. City staff shall verify by telephone call to the vendor that the request for change is valid. Staff must utilize alternate methods of verifying the telephone number used to make contact; and shall not refer to the telephone number(s) listed in the request for change documentation.

WEB-BASED ON-LINE PAYMENT PORTAL – city staff may elect to make vendor payments by online portal systems. Payments shall be issued using an ACH form. Electronic payment information shall be entered as Account #: 9999999999 Routing #: 999999999 in the Abila system. All ACH forms shall be signed by the staff member initiating the online payment. The date the payment was made shall also be noted on the ACH form.

CREDIT CARD – Credit card payments for goods or services shall only be made for purchases in which the vendor will not establish payment terms with the city. The purchase amount will indicate which employee shall initiate the credit card payment. Bank of America is the servicer of the city credit cards. Payments to Bank of America are made utilizing the on-line banking portal.

Applicability

This policy applies to all staff within the City Hall Administration. Failure to abide by this policy shall be grounds for disciplinary action. This policy may be updated from time to time to match the operating conditions of the city.

This policy is effective immediately as of August 25, 2022.

Kristina Ortiz, MMC
Clerk-Treasurer

Employee Name

Employee Signature

Date

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

Resolution 25-2022

SALE OF LAND ON MCKEE STREET

WHEREAS, the City of Bayard owns real estate commonly known as 715 McKee Street, and is described as follows:

Subdivision: Foy's #3; Block 7; Lot 17

Subdivision: Foy's #3; Block 7; Lot 18

Subdivision: Foy's #3; Block 7; Lot 19

WHEREAS, it has been determined that said property is in a flood plain and serves no useful purpose to Bayard, and it is not foreseeable that it will be utilized by Bayard in any manner; and

WHEREAS, the Bayard City Council has considered and determined that it is in the best interest of the City to quit claim the property to Higinio Lucero, an adjacent land owner; and

WHEREAS Higinio Lucero has agreed to pay \$3,000.00 for the aforementioned property.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Bayard shall quit claim any interest in the property as described above to Higinio Lucero for the amount of \$3,000.00.

CITY OF BAYARD

Chon S. Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
City Clerk-Treasurer

QUITCLAIM DEED

The CITY OF BAYARD, pursuant to City of Bayard Resolution 25-2022, does quitclaim, transfer, and convey to HIGINIO LUCERO, whose address is P. O. Box 1255, Bayard, NM 88023, all of its interest in the following described real estate located in Grant County, New Mexico:

Subdivision: Foy's #3; Block 7; Lot 17
 Subdivision: Foy's #3; Block 7; Lot 18
 Subdivision: Foy's #3; Block 7; Lot 19

Subject to easement and restrictions of record.

WITNESS its hand and seal this _____ day of _____, 2022.

CITY OF BAYARD

 CHON S. FIERRO, Mayor

STATE OF NEW MEXICO)
 :SS.
 COUNTY OF GRANT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by CHON S. FIERRO.

 Notary Public

My Commission Expires:

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

RESOLUTION 26-2022

CITY OF BAYARD

A RESOLUTION TO ADOPT THE STATE PLAN FOR DEFERRED COMPENSATION

Whereas, the State of New Mexico has enacted the Deferred Compensation Act (NMSA 1978 Section 10-7A-1 et seq.) which permits any local public employer to adopt the Deferred Compensation Plan as approved, pursuant to NMSA 1978 Section 10-7A-8 by the Public Employees Retirement Board, and

WHEREAS, the State of New Mexico by the Public Employees Retirement Board has established and maintains the Deferred Compensation Plan ("Plan") for participation by state employees and by local employees, and

WHEREAS, the City of Bayard, New Mexico, (hereinafter referred to as the "Participating Employer") desires to adopt the plan for participation by its employees;

WHEREAS, the Participating Employer has also determined that it wishes to encourage employee's savings for retirement by offering salary reduction contributions;

WHEREAS, the Participating Employer has reviewed the Plan;

By adopting the Plan, the City of Bayard adopts the investments and services selected by the Public Employees Retirement Board; to include the Roth investment option

1. The Employer shall abide by the terms of the plan, including amendments to the Plan made by the Public Employees Retirement Board, all investment, administrative, and other service agreements of the Plan, and all applicable provisions of the Internal revenue Code and other applicable law.
2. The employer may terminate its participation in the Plan, if it takes the following actions:
 - a. A resolution must be adopted terminating its participation in the Plan
 - b. The resolution must be filed with the Deferred Compensation Manager and the Public Employees Retirement Board within 15 working days of approval by the governing body of the local public body.
 - c. The resolution must be filed not less than two years after the date the Employer's participation became effective.

The City of Bayard Mayor has authority to execute on behalf of the City of Bayard documents to implement the Plan for the Employer, and to take action to correctly maintain the Plan under this Resolution.

PASSED, APPROVED, AND ADOPTED THIS 26TH DAY OF SEPTEMBER, 2022, by the Governing Body of the City of Bayard, Grant County, New Mexico.

Raul Villanueva
Mayor Pro-tem

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

EMPLOYER INFORMATION (please print clearly using black or blue ink)

EMPLOYER: _____

NOTICE/RESOLUTION NUMBER: _____

A RESOLUTION TO ADOPT THE STATE PLAN FOR DEFERRED COMPENSATION

WHEREAS, the State of New Mexico has enacted the Deferred Compensation Act (NMSA 1978 Section 10-7A-1 et seq.) which permits any local public employer to adopt the Deferred Compensation Plan as approved, pursuant to NMSA 1978 Section 10-7A-8 by the Public Employees Retirement Board, and

WHEREAS, the State of New Mexico, by the Public Employees Retirement Board has established and maintains the Deferred Compensation Plan ("Plan") for participation by state employees and by local employees, and

WHEREAS, the _____ of _____ New Mexico, (hereinafter referred to as the "Participating Employer") desires to adopt the Plan for participation by its employees;

WHEREAS, the Participating Employer has also determined that it wishes to encourage employee's savings for retirement by offering salary reduction contributions;

WHEREAS, the Participating Employer has reviewed the Plan;

By adopting the Plan, the _____ adopts the investments and services selected by the Public Employees Retirement Board;

☐ to include the Roth investment option

Section 1.

The Employer shall abide by the terms of the Plan, including amendments to the Plan made by the Public Employees Retirement Board, all investment, administrative, and other service agreements of the Plan, and all applicable provisions of the Internal Revenue Code and other applicable law.

Section 2.

The Employer may terminate its participation in the Plan, if it takes the following actions:

- a. A resolution must be adopted terminating its participation in the Plan
- b. The resolution must be filed with the Deferred Compensation Manager and the Public Employees Retirement Board within 15 working days of approval by the governing body of the local public body.
- c. The resolution must be filed not less than two years after the date the Employer's participation became effective.

AUTHORIZATION (signature required)

The _____ has authority to execute on behalf of the _____
(Official Title of Authorized Individual) (Employer)
documents to implement the Plan for the Employer, and to take action to correctly maintain the Plan under this Resolution.

APPROVED by the Governing Body of the _____ this _____ day of _____, 20____.
(Employer)

By: _____
(Name)

(Official Title)

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

September 23, 2022

Mayor and City Council
City of Bayard
P.O. Box 728
Bayard, NM 88023

Re: Introductory Employment Status for Michelle Holguin

Dear Mayor and City Councilors,

This letter is to request that Michelle Holguin be changed from introductory status to regular employment status as of September 26, 2022 with an increase of \$0.75. Ms. Holguin has successfully completed her introductory period.

Respectfully,



Marlena Valenzuela
Deputy Clerk