



City of Bayard
CITY COUNCIL REGULAR MEETING
January 10, 2022 at 1:30 PM
Bayard Community Center

AGENDA

WORK SESSION

SWEARING IN OF NEWLY ELECTED OFFICIALS

1. Swearing in of newly elected council members

Frances Gonzales and Jose Diaz

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC INPUT

CONSENT AGENDA

2. Approval of the minutes for regular meeting of December 13, 2021
3. Approval of the Accounts Payable report for January 10, 2022
4. Approval of Fire Report for December 2021
5. Approval of Wastewater Report for December 2021
6. Approval of attendance to Grant County Day on January 25-27, 2022 in Santa Fe and other requested meetings held during the 2022 legislative session for City Council and appropriate staff as called upon by legislative representatives.

NEW BUSINESS

7. Purchase of new computer equipment and installation for city hall, maintenance department, and library. Items to be purchased are wireless access points, battery backup, switch/ports, firewalls, keyboards/monitors, PC, docking stations, \$26,768.40.
8. Discussion on requested changes to police department structure and/or employee positions.

9. Discussion on speed bumps in city limits.

ORDINANCES/RESOLUTIONS

10. Approval of intent to adopt of Economic Development Ordinance for G-Boyz processing facility.
11. Adoption of Resolution 1-2022 Open Meetings Resolution.
12. Adoption of Resolution 2-2022 Budget Adjustments Computer Equipment.

CLOSED SESSION

13. Hiring of Joseph Gomez for FT Parks & Recreation position at the hourly rate of \$12.75 upon successful completion of all pre-employment exams and background checks.

Maintenance Department employees - possible disciplinary action

Police Department employees - discussion on working hours for employee

Adrian Badillo - increase in hourly wage of \$.25 for completion of Water Level 1 Certification

ACTION ITEMS RESULTING FROM CLOSED SESSION

14. Hiring of Joseph Gomez for FT Parks & Recreation position at the hourly rate of \$12.75 upon successful completion of all pre-employment exams and background checks.

Maintenance Department employees - possible disciplinary action

Police Department employees - discussion on working hours for employee

Adrian Badillo - increase in hourly wage of \$.25 for completion of Water Level 1 Certification

ACTION FOR PERSONNEL

15. Acceptance of resignation of Joseph Carlos and Aaron Ordonez effective December 31, 2021.

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Regular Meeting - January 24, 2022

ADJOURNMENT



City of Bayard
CITY COUNCIL REGULAR MEETING
December 13, 2021 at 1:30 PM
Bayard City Community Center

MINUTES

WORK SESSION

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

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

A quorum was present.

Others present were Linda Pafford, Frances Gonzales, Patricia Stone, Joseph Stone, Manny Garcia, Lorenzo Marquez, Sonya Dixon, Joseph Carlos, Frank Gomez Jr., Euphemio Gonzales, Mike Armendariz, Anthony Aveles, Hannah Dunnas, Kristina Ortiz and Tanya Ortiz.

APPROVAL OF THE AGENDA

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

PUBLIC INPUT

Linda Pafford came before the council to present public comment on the Cannabis Ordinance.

Frances Gonzales would like to remind everyone there is a Bayard Beautification meeting Wednesday, December 15, 2021 at 5:00 at the City Hall in Bayard. She invites the public to attend.

Manny Garcia would like to commend the City for the nice Christmas tree that was purchased.

CONSENT AGENDA

Motion made by Councilor Kelly, Seconded by Councilor Ortiz.

Mayor Fierro recommend that the name of Jason Jaeger be changed to Gerald Polk for item number four.

Councilor Kelly amended his previous motion to include the change and Councilor Ortiz seconded the motion.

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina

The following items were included within the consent agenda.

1. Approval of the Minutes of Special Meeting on November 29, 2021.
2. Approval of the Accounts Payable Report for December 13, 2021
3. Approval of the Police Report for November 2021.
4. Approval for the attendance to the NMWWA annual school for training credits for Gerald Polk on January 24-27, 2021.
5. Approval of the Wastewater Report for November 2021.

NEW BUSINESS

6. Approval of the 2022 Holiday Schedule

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

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

7. Approval of the 2022 City Council meeting schedule

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

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

8. Construction bids for the HWY 180 and HWY 356 were received and opened on December 7, 2021. The lowest bid received is from RT Electric for \$546,573.75 (base bid) and \$4,256.00 (additive alternate #1). The available grant funds is not sufficient to award the project. City staff has requested additional grant funding from NMDOT for approximately \$125,000. Recommendation is to make a contingent approval of the lighting project only if additional grant funding can be obtained.

Clerk Treasurer Ortiz stated that NMDOT has notified the Clerk that the additional funds of \$125,000 have been awarded and an amended is in process.

Recommendation is to award the construction contract contingent upon receiving the fully executed funding agreement.

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

9. Copper Little League is requesting the City of Bayard provide internet service to the concession stand in order to allow access to the security system by police and pertinent city staff.

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

ORDINANCES/RESOLUTIONS

Motion made by Councilor Medina, Seconded by Councilor Kelly.

Discussion by Councilor Medina was requested to proceed with the Ordinance adoption with the legal review recommendations and to reevaluate the ordinance in March.

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz Including Ordinance 1-2021 Cannabis Ordinance and 2-2021 Possession of Marijuana.

10. Adoption of Ordinance 1-2021 Cannabis Ordinance.
11. Adoption of Ordinance 2-2021 Rescinding Possession of Marijuana.

Consensus of the Council was to approve Ordinance 1-2021 Cannabis Ordinance and 2-2021 Possession of Marijuana in the same motion.

Motion made by Councilor Medina, Seconded by Councilor Kelly.

Discussion by Councilor Medina was requested to proceed with the Ordinance adoption with the legal review recommendations and to reevaluate the ordinance in March.

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

Ordinance No. 1-2021

SECTION 1: SHORT TITLE

Sections 1 through 11 may be cited as the "Cannabis Regulation Ordinance"

SECTION 2: RECITALS

WHEREAS, The Cannabis Regulation Act ("CRA") was signed into law on April 12, 2021.

WHEREAS, the CRA contains provisions authorizing the possession, consumption,

purchase, processing, manufacturing and transport of cannabis and cannabis related products by an individual who is at least twenty-one (21) years of age.

WHEREAS, the CRA provides the regulatory framework for the licensing and operation of cannabis establishments which are authorized to engage in the retail sale, cultivation, manufacturing of cannabis and cannabis related products; and

WHEREAS, the CRA authorizes local jurisdictions to adopt rules regulating the time, place, and manner of cannabis businesses, so long as they do not conflict with the CRA or the Dee Johnson Clean Indoor Air Act, including rules that reasonably limit the density of licenses and operating times that are consistent with neighborhood uses; and

WHEREAS, the City of Bayard ("City") desires to adopt such rules regulating the time, place, manner of cannabis businesses, and other restrictions related to cannabis establishments, and

WHEREAS, the CRA authorizes cannabis manufacturers to use chemical extraction techniques or chemical synthesis, including the use of solvents such as butane, hexane, and other flammable gasses, to extract marijuana concentrate, which poses a threat to the health, safety, and welfare of the community and increases the responsibilities of law enforcement and City departments to respond to violations of state and local laws, including building, electrical, and fire codes, and

WHEREAS, this ordinance is adopted to protect the health, safety, and welfare of the community as it relates to the regulation and use of cannabis by imposing certain time, place, and manner restrictions on cannabis producers, retailers, and manufacturers, and cannabis consumption establishments.

WHEREAS, the City requires compliance with all applicable laws regarding the retail sale, cultivation, and manufacturing of cannabis and cannabis related products. Nothing in this Ordinance is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, or use of cannabis or cannabis products in violation of any applicable law.

SECTION 3: DEFINITIONS

As used in the Cannabis Regulation Ordinance

A. "cannabis" or "marijuana":

(1) means all parts of the plant genus Cannabis containing a delta-9-tetrahydrocannabinol concentration of more than three-tenths percent on a dry weight basis, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin; and

(2) does not include:

(a) the mature stalks of the plant; fiber produced from the stalks; oil or cake made from the seeds of the plant; any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake; or the sterilized seed of the plant that is incapable of germination; or

(b) the weight of any other ingredient combined with cannabis products to prepare topical or oral administrations, food, drink or another product;

B. "cannabis consumption area" means an area where cannabis products may be served and consumed;

C. "cannabis courier" means a person that transports cannabis products to qualified patients, primary caregivers or reciprocal participants or directly to consumers;

D. "cannabis establishment" means:

- (1) a cannabis testing laboratory;
- (2) a cannabis manufacturer;
- (3) a cannabis producer;
- (4) a cannabis retailer;
- (5) a cannabis research laboratory;
- (6) a vertically integrated cannabis establishment;
- (7) a cannabis producer microbusiness; or
- (8) an integrated cannabis microbusiness;

E. "cannabis extract":

(1) means a product obtained by separating resins, tetrahydrocannabinols or other substances from cannabis by extraction methods approved by the division; and

(2) does not include the weight of any other ingredient combined with cannabis extract to prepare topical or oral administrations, food, drink or another product;

F. "cannabis flowers" means only the flowers of a cannabis plant;

G. "cannabis manufacturer" means a person that:

- (1) manufactures cannabis products;
- (2) packages cannabis products;

(3) has cannabis products tested by a cannabis testing laboratory; or

(4) purchases, acquires, sells or transports wholesale cannabis products to other cannabis establishments;

H. "cannabis producer" means a person that:

(1) cultivates cannabis plants;

(2) has unprocessed cannabis products tested by a cannabis testing laboratory;

(3) transports unprocessed cannabis products only to other cannabis establishments; or

(4) sells cannabis products wholesale;

I. "cannabis producer microbusiness" means a cannabis producer at a single licensed premises that possesses no more than two hundred total mature cannabis plants at any one time;

J. "cannabis product" means a product that is or that contains cannabis or cannabis extract, including edible or topical products that may also contain other ingredients;

K. "cannabis research laboratory" means a facility that produces or possesses cannabis products and all parts of the plant genus *Cannabis* for the purpose of studying cannabis cultivation, characteristics or uses;

L. "cannabis retailer" means a person that sells cannabis products to qualified patients, primary caregivers or reciprocal participants or directly to consumers;

M. "cannabis server permit" means an authorization that allows a person to directly offer, sell or serve cannabis or cannabis products as part of commercial cannabis activity in a cannabis consumption area;

N. "cannabis server permit education provider" means a person that provides cannabis server education courses and examinations;

O. "cannabis testing laboratory" means a person that samples, collects and tests cannabis products and transports cannabis products for the purpose of testing;

P. "cannabis training and education program" means a practical or academic curriculum offered by a New Mexico public post-secondary educational institution designed to prepare students for participation in the cannabis industry;

Q. "chemical extraction" means the process of separating resins, tetrahydrocannabinols, or other substances from cannabis;

R. "chemical synthesis" means the artificial execution of useful chemical reactions to

obtain one or several products that undergo a transformation when subjected to certain conditions;

S. "commercial cannabis activity":

(1) means the cultivation, production, possession, manufacture, storage, testing, researching, labeling, transportation, couriering, purchase for resale, sale or consignment of cannabis products; and

(2) does not include activities related only to the medical cannabis program, to cannabis training and education programs or to the personal cultivation or use of cannabis;

T. "consumer" means a person twenty-one years of age or older who purchases, acquires, owns, possesses or uses a cannabis product for a purpose other than resale;

U. "Department" means the Regulation and Licensing Department of the State of New Mexico;

V. "homegrown" or "homemade" means grown or made for purposes that are not dependent or conditioned upon the provision or receipt of financial consideration;

W. "household" means a housing unit and includes any place in or around the housing unit at which an occupant of the housing unit produces, manufactures, keeps or stores homegrown cannabis or homemade cannabis products;

X. "immature cannabis plant" means a cannabis plant that has no observable flowers or buds;

Y. "integrated cannabis microbusiness" means a person that is authorized to conduct one or more of the following:

(1) production of cannabis at a single licensed premises; provided that the person shall not possess more than two hundred total mature cannabis plants at any one time;

(2) manufacture of cannabis products at a single licensed premise;

(3) sales and transportation of only cannabis products produced or manufactured by that person;

(4) operation of only one retail establishment; and

(5) couriering of cannabis products to qualified patients, primary caregivers or reciprocal participants or directly to consumers;

Z. "licensed premises" means a location that includes:

(1) all enclosed public and private areas at the location that are used in the business and includes offices, kitchens, restrooms and storerooms;

(2) all areas outside of a building that are specifically included in the license for the production, manufacturing, wholesale sale or retail sale of cannabis products; and

(3) with respect to a location that is specifically licensed for the production of cannabis outside of a building, the entire unit of land that is created by subsection or partition of land that the licensee owns, leases or has a right to occupy;

AA. "manufacture" means to compound, blend, extract, infuse, package or otherwise prepare a cannabis product;

BB. "public place" means a place to which the general public has access and includes hallways, lobbies and other parts of apartment houses and hotels that do not constitute rooms or apartments designed for actual residence; highways; streets; schools; places of amusement; parks; playgrounds; and places used in connection with public passenger transportation;

CC. "retail establishment" means a location at which cannabis products are sold to qualified patients, primary caregivers and reciprocal participants and directly to consumers;

SECTION 4: PUBLIC PROPERTY RESTRICTIONS

- A. The use, sale, cultivation, manufacture, production, storage or distribution of cannabis or cannabis products is prohibited on property that is occupied, owned, controlled or operated by the City.
- B It is unlawful for an individual to use cannabis products on property that is occupied, owned, controlled, or operated by the City.
- C. It is unlawful for an individual to use cannabis products in any public place, excluding those locations that are properly licensed cannabis consumption lounges.

SECTION 5: PERMIT PROCEDURES FOR CANNABIS RELATED ACTIVITIES.

- A. Cannabis related activities, approval and permit required.

(1) No person(s) or entity shall engage in the production, manufacture, or sale of cannabis or cannabis products in any zones without a valid Cannabis permit issued by the City of Bayard, permitting the specific cannabis-related activity or activities sought to be permitted on the premises. Cannabis permits are not assignable or transferable.

(2) Application and fee. Anyone wishing to conduct cannabis-related business activities must submit a completed application to the City. The application shall be returned to the City Clerk accompanied by the appropriate application fee for the use(s) to be permitted, and must set forth, at a minimum:

(a) the cannabis-related activity or activities appropriately licensed by the State Regulation and Licensing Department pursuant to the Cannabis Regulation Act.

(b) applications for permits submitted prior to receiving a temporary or final license from the Department will be refused on the basis of an incomplete application.

SECTION 6: LOCATION OF CANNABIS ESTABLISHMENTS

- A. Cannabis establishments are restricted to areas zoned as general commercial or industrial within the City of Bayard Zoning Ordinance.
- B. No commercial, retail, or medical cannabis establishments may conduct operations in areas zoned for residential use.

SECTION 7: TYPES OF CANNABIS ESTABLISHMENTS

A. **Cannabis Production.** This subsection shall apply to all applicants seeking a permit to allow for the growth of cannabis plants (i.e. cannabis producer) in quantities greater than twelve (12) mature cannabis plants for commercial purposes. Any individual seeking to grow more than twelve (12) mature cannabis plants for commercial purposes must obtain a permit to operate within the City of Bayard pursuant to this subsection.

1. The applicant shall provide:

- (a) a survey plat depicting the proposed location for the growth of cannabis, which identifies the total area to be covered.
- (b) a map that identifies the location of the business property.
- (c) the document(s) provided to the Regulation and Licensing Division (RLD) which applicant(s) utilized to apply for a cannabis producer license pursuant to the Cannabis Regulation Act and the rules adopted by the Cannabis Control Division of RLD. In lieu thereof, applicants may provide a copy of the current, valid license issued to the applicant by RLD. Temporary licenses are acceptable for purposes of this subsection. However, applicants will need to provide supplemental proof that a final license is issued by RLD in order to satisfy this requirement.
 - 1. If the applicant fails to provide documentation or provides incomplete or otherwise insufficient documentation regarding the status of their license application through RLD, the City Clerk shall inform the applicant of the deficiencies in writing and shall take no further action on the application until the deficiencies are remedied. If the applicant fails to correct the deficiencies indicated in the letter deeming the application incomplete within sixty (60) calendar days of receipt of notice of deficiencies, the application shall be considered withdrawn, and it will be returned to the applicant.

2. The City Clerk may issue a permit only upon receipt of proof that the applicant(s) received a current, valid license issued by RLD, and compliance with the additional permitting requirements set forth by the City herein.

B. **Cannabis Manufacturing.** This subsection shall apply to all applicants seeking a permit to allow for the manufacture of cannabis products, packaging of cannabis products, and the purchase, acquisition, sale or transport of wholesale cannabis products to other cannabis establishments.

1. The applicant shall provide:

- (a) a survey plat depicting the proposed location for the manufacture of cannabis, which identifies the total area to be covered.
- (b) a map that identifies the location of the business property.
- (c) the document(s) provided to the Regulation and Licensing Division (RLD) which applicant(s) utilized to apply for a cannabis manufacturer license pursuant to the Cannabis Regulation Act and the rules adopted by the Cannabis Control Division of RLD. In lieu thereof, applicants may provide a copy of the current, valid license issued to the applicant by RLD. Temporary licenses are acceptable for purposes of this subsection. However, applicants will need to provide supplemental proof that a final license is issued by RLD in order to satisfy this requirement.
 1. If the applicant fails to provide documentation or provides incomplete or otherwise insufficient documentation regarding the status of their license application through RLD, the City Clerk shall inform the applicant of the deficiencies in writing and shall take no further action on the application until the deficiencies are remedied. If the applicant fails to correct the deficiencies indicated in the letter deeming the application incomplete within sixty (60) calendar days of receipt of notice of deficiencies, the application shall be considered withdrawn, and it will be returned to the applicant.
 2. The City Clerk may issue a permit only upon receipt of proof that the applicant(s) received a current, valid license issued by RLD, and compliance with the additional permitting requirements set forth by the City herein.

C. **Cannabis Retailers** This subsection shall apply to all applicants seeking a permit to allow for the sale of cannabis and cannabis products to qualified patients, primary caregivers, reciprocal participants, or directly to consumers.

1. The applicant shall provide:

- (a) a survey plat depicting the proposed location for the manufacture of cannabis, which identifies the total area to be covered.
- (b) a map that identifies the location of the business property.
- (c) the document(s) provided to the Regulation and Licensing Division (RLD) which applicant(s) utilized to apply for a cannabis retailer license pursuant to the Cannabis Regulation Act, and the rules adopted by the Cannabis Control Division of RLD. In lieu thereof, applicants may provide a copy of the current valid license issued to the applicant by RLD. Temporary licenses are acceptable for purposes of this subsection. However, applicants will need to provide supplemental proof that a final license is issued by RLD in order to satisfy this requirement.

1. If the applicant fails to provide documentation or provides incomplete or otherwise insufficient documentation regarding the status of their license application through RLD, the City Clerk shall inform the applicant of the deficiencies in writing and shall take no further action on the application until the deficiencies are remedied. If the applicant fails to correct the deficiencies indicated in the letter deeming the application incomplete within sixty (60) calendar days of receipt of notice of deficiencies, the application shall be considered withdrawn, and it will be returned to the applicant.

2. The City Clerk may issue a permit only upon receipt of proof that applicant(s) received a current, valid license issued by RLD, and compliance with the additional permitting requirements set forth by the City herein.

SECTION 8: OPERATIONAL REQUIREMENTS

- A. Cannabis establishments must comply with all security requirements and restrictions imposed by the Cannabis Regulation Act and the rules adopted by the Cannabis Control Division of RLD.
- B. Cannabis producers must utilize odor mitigation technology or techniques to mitigate the odor created by cannabis plants and products so as not to create a nuisance to neighboring properties or establishments.
- C. Cannabis establishments may not display products, engage consumers or consummate sales outside of a fully enclosed building or structure.

D. Cannabis establishments shall provide and maintain at each premises a digital video surveillance system with a minimum camera resolution of 1280 x 720 pixels. The digital video surveillance system shall further comply with the following requirements:

- (1) the digital video surveillance system shall at all times be able to effectively and clearly record images of the area under surveillance;
- (2) each camera shall be permanently mounted and in a fixed location;
- (3) cameras shall be placed in a location that allows the camera to clearly record activity occurring on the licensed premises that digital video surveillance is required under subsection E of this section, and shall provide a clear and certain identification of any person and activities in those areas.

E. Areas of digital video surveillance: Areas that shall be recorded on the digital video surveillance system include the following:

- (1) areas where cannabis and cannabis products are cultivated, produced, manufactured, weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises;
- (2) limited-access areas;
- (3) areas storing a digital video surveillance-system storage device;
- (4) entrances and exits to the licensed premises; and
- (5) all point of sale (POS) locations to capture sale transactions.

F. Digital Video Surveillance Recording: Licensees shall comply with the following digital video surveillance recording requirements:

- (1) cameras shall record continuously 24 hours per day, or may be motion activated, and at a minimum of 15 frames per second (FPS);
- (2) the physical media or storage device on which digital video surveillance recordings are stored shall be secured in a manner to protect the recording from tampering or theft;
- (3) digital video surveillance recordings shall be kept for a minimum of 30 days and recordings of theft or security incidents as set forth in Subsection N of 16.8.2.8 NMAC shall be kept for a minimum of 12 months;
- (4) digital video surveillance recordings are subject to inspection by the division, and shall be kept in a manner that allows the division to view and obtain copies of the recordings at the licensed premises immediately upon request;
- (5) upon request, licensees shall send or otherwise provide copies of the recordings to the division within 48 hours;
- (6) recorded images shall clearly and accurately display the time and date of the recording; and
- (7) time shall be measured in accordance with the United States national institute standards and technology standards.

E. Cannabis establishments must provide for off-site disposal of cannabis products and other solid waste in compliance with state, federal, and local law.

F. Hours of operation for Cannabis Retailers shall be limited to the time period between 7:00 a.m. until midnight.

G. Cannabis establishments shall not provide drive-thru services for delivery of cannabis products.

SECTION 9: STANDARDS FOR DESIGNATED CANNABIS CONSUMPTION AREAS

Cannabis establishments having a Designated Cannabis Consumption Area on site shall comply with the Cannabis Regulation Act, the Dee Johnson Clean Indoor Air Act, and the rules adopted by the Cannabis Control Division of RLD. They must also satisfy the following standards required by the City:

- A. The Designated Cannabis Consumption Area shall be located in a restricted access area that employees are not required to enter as a condition of their employment.
- B. The Designated Cannabis Consumption Area shall have signage to designate established cannabis consumption areas.
- C. The Designated Cannabis Consumption Area shall have a separate heating, ventilation, and air conditioning (HVAC) system such that none of the air in the Designated Cannabis Consumption Area will be recirculated into other parts of the Cannabis establishment premises.
- D. The Designated Cannabis Consumption Area shall be completely separated from the remainder of the premises, and all doors leading to the Designated Cannabis Consumption Area shall be self-closing.

SECTION 10: VIOLATIONS AND PENALTIES

- A. It is unlawful and a violation of this article for a person to sell, cultivate, process, manufacture, store, or transport cannabis or cannabis products, if the person fails to meet all requirements in this ordinance, the Cannabis Regulation Act NMSA 1978 Sections 26-2C-1 through 42, and the rules adopted by the Cannabis Control Division of RLD.
- B. The sale of homegrown or homemade cannabis and cannabis products without a valid license issued by the State Regulation and Licensing Department is prohibited.
- C. Any person found in violation of this ordinance is subject to a fine of up to \$500 and/or imprisonment for a period of up to 90 days in jail.
- D. An individual or business may be charged with multiple offenses for continuing violations of this ordinance. To that end, violations occurring on separate calendar days shall constitute separate offenses.

SECTION 11: SEVERABILITY

If any section, subsection, paragraph, phrase, or other portion of this ordinance shall be declared invalid for any reason whatsoever by a court or competent jurisdiction, then such decision shall not affect the validity or enforceability of the remaining portions of this ordinance.

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF DECEMBER, 2021.

//s/_____
Mayor

Attest:

//s/_____
City Clerk

ORDINANCE 2-2021

AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 28 OF THE BAYARD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BAYARD, NEW MEXICO,
that
Sec. 28-6. Possession of up to eight ounces of marijuana prohibited; penalty be
rescinded in its entirety.

Language to be removed from the City of Bayard Code of Ordinances reads as follows:

Sec. 28-6. Possession of up to eight ounces of marijuana prohibited; penalty.

- (a) It is unlawful for any person intentionally to possess up to eight ounces of marijuana as defined in the Controlled Substances Act (NMSA 1978, §§ 30-31-1—30-31-40) unless it was obtained pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the Controlled Substances Act.
- (b) Any person who violates subsection (a) of this section with respect to one ounce or less of marijuana is, for the first offense, guilty of a misdemeanor and shall be punished by a fine of not less than \$50.00 nor more than \$100.00 and by imprisonment for not more than 15 days, and, for the second and subsequent offenses, guilty of a misdemeanor and shall be punished by a fine of not less than \$100.00 nor more than \$300.00 or by imprisonment for a definite term of less than 90 days or both.
- (c) Any person who violates subsection (a) of this section with respect to more than one ounce and less than eight ounces of marijuana is guilty of a misdemeanor and shall be punished by a fine of not less than \$100.00 nor more than \$300.00 or by imprisonment for a definite term less than 90 days or both.

(Ord. No. 11-87, § 1, 11-2-1987)

EFFECTIVE DATE

This ordinance shall take effect on the 13th day of December 2021.

PASSED, APPROVED AND ADOPTED this 13th day of December.

//s/_____
Chon S. Fierro
Mayor

ATTEST:

//s/_____
Kristina Ortiz, MMC, Clerk Treasurer

ACTION FOR PERSONNEL

12. Approval of the hiring of David Medrano for the Parks and Recreation position at the hourly rate of \$12.75 upon successful completion of all pre-employment exams and background checks.
13. Approval of the hiring of Michelle Holguin as the Accounts Payable Clerk at the hourly rate of \$14.50 per hour upon successful completion of all pre-employment exams and background checks.
14. Approval of hiring Cornel Stemley as Police Chief at the salary of \$58,240 (\$28.00 per hour) upon successful completion of all pre-employment exams, background checks and Certification by Waiver Program.

Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva for the hiring of David Medrano for the Parks and Recreation, Approval of the hiring of Michelle Holguin as the Accounts Payable Clerk position, Approval of hiring Cornel Stemley as Police Chief as indicated above.

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

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

Closed session was not needed.

15. Introductory Employees - removing three employees from introductory status and placing them into regular status.

Anthony Aveles - wage increase of \$2.00 per hour

Michael Paez - wage increase of \$0.50

Mark Diaz - wage increase of \$0.25

ACTION ITEMS RESULTING FROM CLOSED SESSION

16. Introductory Employees - removing three employees from introductory status and placing them into regular status effective date December 18, 2021.

Anthony Aveles - wage increase of \$2.00 per hour

Michael Paez - wage increase of \$0.50

Mark Diaz - wage increase of \$0.25

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

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

MAYOR AND COUNCILORS REPORTS

Eloy Medina thank you for the two councilors. Thanks for the Christmas tree it looks really nice.

Euphemio wanted to give his opinion he needs to deal with people with COPD and kids that move on to new drugs.

Kristy thank you Mr. Kelly for everything. Good news the railroad crossing will be fixed in the spring.

Mayor Fierro thank the maintenance department for all your work. Thank Tony for working on the loader and for getting it running. Thank the fire department and police department for work day and night. Thank the Clerk and her staff for all the work and Sonya at the library. Thank Councilor Kelly and Councilor Ortiz.

NEXT MEETING DATE:

Regular Meeting - January 10, 2022

ADJOURNMENT

Motion made by Councilor Medina, Seconded by Councilor Ortiz.

Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

MEETING ADJOURNED AT 2:45 P.M.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

ACCOUNTS PAYABLES**10-Jan-22****GENERAL FUND - 10**

Bank of America	Dog and Cat Food	\$ 213.91
Bank of America	Generator	\$ 1,442.38
Holiday Designs	Christmas Tree	\$ 24,399.86
Denise Fredrick	Materials for Library	\$ 5,000.00
Wal-Mart	Candy for Christmas	\$ 748.64
Mike's Tire	Tire Repair for Police	\$ 15.98
Shamrock Foods	Apples, Oranges, and Peanut	\$ 725.73
Wal-Mart	Speaker	\$ 149.00
Wal-Mart	Gift cards	\$ 389.82
Amazon	Name Plates	\$ 24.17
Amazon	Christmas Decorations	\$ 1,278.81
Amazon	Center Pull Paper Towels	\$ 65.70
Amazon	Center Pull Paper Towels	\$ 65.70
TOTAL:		\$ 34,519.70

JNT W/S O&M FUND - 150

Baker Utility Supply	Alpha Gate Valves	\$ 1,714.31
Wal-Mart	Cleaning Supplies	\$ 244.04
Amazon	Center Pull Paper Towels	\$ 65.70
TOTAL:		\$ 2,024.05

JNT WASTEWATER FUND - 170

JV Kelley	Royal Purple for Blowers	\$ 1,871.94
BioTriad Environmental	Flow Meter	\$ 308.47
Amazon	Center Pull Paper Towels	\$ 65.70
TOTAL:		\$ 2,246.11

COMMUNITY CENTER FUND - 200

Amazon	Center Pull Paper Towels	\$ 65.70
TOTAL:		\$ 65.70

LIBRARY FUND - 210

Amazon	Center Pull Paper Towels	\$ 65.70
TOTAL:		\$ 65.70

FIRE FUND- 30

AirGas	O2 Tanks	\$ 176.72
TOTAL:		\$ 176.72

TOTAL: **\$ 39,097.98**

ACCOUNTS PAID**10-Jan-22****GENERAL FUND - 10**

W&N Enterprises	Gas for City Vehicles	\$ 555.57
PNM	Power Payment for Animal Shelter	\$ 45.27
Krystal Mountain Water	Drinking Water for PS	\$ 23.22
Krystal Mountain Water	Drinking Water for City Hall	\$ 29.60
Arenas Valley Animal Clinic	Office Call and Exam for one Dog	\$ 56.05
U.S. Post Office	Yearly PO Box Fee	\$ 130.00
Comcast	Monthly Internet Payment for CH	\$ 307.55
Comcast	Monthly Internet Payment for Police	\$ 146.03
Comcast	Monthly Internet Payment for PS	\$ 46.50
Bank of America	Background Check for Louis Gomez	\$ 124.43
Century Link	Monthly Phone Payment for City Hall	\$ 290.03
Century Link	Monthly Phone and Fax Payment for PS	\$ 448.10
Ricoh	Monthly Charge for Printer CH	\$ 65.33
Ricoh	Monthly Charge for Printer PS	\$ 69.40
Silver City Daily press	Work Session and Reg. Meeting Notice	\$ 33.05
Silver City Daily press	Ordinance1-2021	\$ 83.72
Silver City Daily press	AP Posting	\$ 124.64
Silver City Daily press	Police Posting	\$ 23.49
NM Gas	Monthly Gas Payment for CH	\$ 144.16
NM Gas	Monthly Gas Payment for Old Fire Station	\$ 117.43
NM Gas	Monthly Gas Payment for PS	\$ 94.07
PNM	Monthly Power Payment for Star	\$ 30.95
PNM	Monthly Power Payment for X-mas	\$ 31.43
PNM	Monthly Power Payment for Pkloop	\$ 86.76
PNM	Monthly Power Payment for CH	\$ 352.33
PNM	Monthly Power Payment for Parks	\$ 128.05
PNM	Monthly Power Payment for PS	\$ 93.87
Lumen	Monthly Long Distance Payment	\$ 7.79
AT&T	Monthly Cell Phone Payment for CH	\$ 88.16
AT&T	Monthly Cell Phone Payment for PS	\$ 42.64
Comcast	Monthly Cable Payment Fire	\$ 8.52
Public Safety Psychology Grot	Psychological Screening for Jesus Lopez	\$ 819.85
Samsara	Monthly Payment for GPS	\$ 140.44
Samsara	Monthly Payment for GPS Police	\$ 140.44
Bank of America	Monthly Payment for Zoom	\$ 161.81
Comcast	Monthly Internet Payment for CH	\$ 307.55
TOTAL:		\$ 5,398.23

JNT W/S O&M FUND - 150

W&N Enterprises	Gas for City Vehicles	\$841.36
Krystal Mountain Water	Drinking Water	\$38.02
Samsara	Monthly Payment for GPS Service	\$35.96
Century Link	Monthly Phone Payment	\$74.65
The UPS Store	Shipping	\$ 148.49
NM Gas	Monthly Gas Payment	\$ 268.61

PNM	Monthly Power Payment	\$ 2,717.92
AT&T	Monthly Cell Phone Payment	\$ 68.95
Comcast	Monthly Internet Payment	\$ 126.08
NMFMA	Membership Renewal for Kristina	\$ 35.00
Hall Environmental	Well 3 Testing	\$ 26.97
Gila Health Resources	Drug Screen Adrian Badillo	\$ 87.00
Samsara	Monthly Payment for GPS Service	\$ 176.40
TOTAL:		\$4,645.41

SEWER -155

W&N Enterprises	Gas for City Vehicles	\$ 560.90
TOTAL		\$ 560.90

JNT WASTEWATER FUND - 170

W&N Enterprises	Gas for City Vehicles	\$ 159.40
The UPS Store	Shipping for BOD Testing	\$ 569.52
Hall Environmental	Testing for WW	\$ 1,174.76
PNM	Power Payment	\$9,303.09
Krystal Mountain Water	Drinking Water	\$22.20
Xerox	Base Charge	\$ 37.00
American Linen	Laundry	\$ 141.96
Century Link	Monthly Phone Payment	\$ 328.67
HughesNet	Monthly Internet Payment	\$ 139.47
American Linen	Laundry	\$ 95.14
AT&T	Monthly Cell Phone Payment	\$ 98.16
Hall Environmental	WW Testing	\$ 888.89
Albuquerque Journal	WW RFP for General Engineering	\$ 65.07
Samsara	Monthly Payment for GPS	\$ 140.44
TOTAL:		\$ 13,163.77

COMMUNITY CENTER FUND - 200

Century Link	Monthly Phone Payment	\$ 228.39
NM Gas	Monthly Gas Payment	\$ 176.69
PNM	Monthly Power Payment	\$ 317.85
TOTAL:		\$ 722.93

LIBRARY FUND - 210

Krystal Mountain Water	Drinking Water	\$ 14.80
Comcast	Monthly Internet Payment	\$ 286.03
Century Link	Monthly Phone Payment	\$ 162.24
Ricoh	Monthly Charges for Printer	\$ 58.61
PNM	Monthly Power Payment	\$ 392.75
TOTAL:		\$ 914.43

MUNICIPAL STREET FUND - 240

W&N Enterprises	Gas for city Vehicles	\$ 279.81
Samsara	Monthly Payment for GPS Service	\$35.96
PNM	Monthly Power Payment	\$ 3,754.44
Samsara	Monthly Payment for GPS Service	\$ 35.96
TOTAL:		\$ 4,106.17

MUNICIPAL COURT FUND - 20

NM Judicial Ed Center	Monthly Judicial Ed Fee	\$ 27.00
Administrative Office	Monthly Report Fee	\$ 54.00
Caselle	Monthly Support and Maint.	\$ 173.00
Blue 360 Media	NM Criminal & Traffic Law Manual	\$ 67.75
Comcast	Monthly Internet Payment	\$52.08
NM Gas	Monthly Gas Payment	\$ 105.36
PNM	Monthly Power Payment	\$ 83.81
TOTAL:		\$ 563.00

FIRE FUND- 30

W&N Enterprise	Gas for City Vehicles	\$162.01
Comcast	Monthly Internet Payment	\$87.45
Century Link	Monthly Phone and Fax Payment	\$133.84
NM Gas	Monthly Gas Payment	\$176.86
PNM	Monthly Power Payment	\$ 157.59
AT&T	Monthly Cell Phone Payment	\$ 48.34
TOTAL:		\$766.09

Solid Waste -160

Gila Health Resources	Immunization for William Welcome	\$152.00
Samsara	Monthly Payment for GPS	\$ 140.44
TOTAL:		\$292.44

GRAND TOTAL: **\$ 25,927.06**

Bayard Fire Department

Monthly Report

December 2021

Monthly Fire Calls: There were 6 fire calls for service in December.

12/1/2021: Dispatched to 209 Hurley Ave. for a gas leak at the Bayard Community Center.

12/4/2021: Dispatched to Cobre High School to set up a Landing Zone for EMS.

12/11/2021: Dispatched out for a Parade Escort in Hanover.

12/18/2021: Dispatched for a Parade Escort in Bayard for Santa Clause.

12/23/2021: Dispatched to 514 Hill Street in North Hurley for a Grass fire.

12/31/2021: Dispatched out for a Parade Escort at the Manhattan Park.

Monthly EMS calls:

There were 47 reported EMS calls for the month of December.

<u>Bayard</u>	34 Calls
<u>Hurley</u>	9 Calls
<u>North Hurley</u>	1 Calls
<u>Fierro</u>	0 Calls
<u>Vanadium</u>	1 Calls
<u>Santa Clara</u>	2 Calls

December Training

Fire: 12/1/2021: Officers training

12/2/2021: Training consisted of Downing SCBA with full bunker gear. Pig back of E-1, E-2 Hydrant and also the use of ladders.

12/16/2021: Training consisted of making Bags of candy for the Christmas Parade.

EMS:

12/7/2021: Training consisted of Fireman rehab at fire scene and taking of vitals.

12/21/2021: Training consisted of covering Fall Injuries.

Equipment:

<u>Apparatus</u>	<u>Mileage</u>	<u>Engine Hours</u>
<u>Engine 1</u>	<u>8194.1</u>	<u>1132.3</u>
<u>Engine 2</u>	<u>13630.8</u>	<u>1132.3</u>
<u>Command 3</u>	<u>36336.7</u>	<u>3504</u>
<u>Mini</u>	<u>12263.5</u>	<u>1461.7</u>

Safety: No incidents reported this month.

Submitted by,

Juan Estrada

Bayard Fire Department

Secretary

City of Bayard Wastewater Treatment Plant

December 2021

12-01-2021: Plant staff finished installing the #2 aeration blower. Started to dewater the #3 digester.

12-02-2021: Turned the #1, #2, and #3 drying beds. Checked fire extinguishers. Dewatered the #3 digester.

12-03-2021: Finished dewatering the #3 digester. Dumped the #1, and #2 digesters to the #3 drying bed.

12-06-2021: Pulled the sludge out of the #1 and #3 drying beds and turned the #2 drying bed.

12-07-2021: Plant staff tore apart the #1 aeration blower check valve to see why blower motor would run backwards. Check valve was BO. Turned on the #2 aeration blower to see if it would stay running or if it would kick out.

12-08-2021: Plant staff filled the chlorine tank in the washwater pump room. Lubed and sprayed the headworks barscreen and made a trash run.

12-09-2021: Plant staff started to work on the clarifier sprayers.

12-13-2021: Plant staff replaced all the check valves on the aeration blowers. #1 and #2 aeration blower still kick out when run in auto. Placed a call to an electrician to come and check out the #1 and #2 aeration blowers.

12-14-2021: Turned the #2 and #3 drying beds. Dement electric came down to the plant and installed a new UPS at the effluent pump lift station and checked out the #1 and #2 aeration blowers. Found out that the overload faults were being tripped

out due to resistance in the aeration piping when digesters were low. Plant staff adjusted the aeration valves to ease the resistance off of the blowers.

12-15-2021: Plant staff calibrated the turbidity meter in the reclamation plant. Dewatered the #3 digester.

12-16-2021: Plant staff checked the amps being drawn on the #1 aeration blower and found the amps to be at 46.3 with the #1 digester at the draft tubes, the #2 digester was full. The #3 digester had 6' of clearance. Hauled sludge to the Silver City Landfill.

12-20-2021: Turned the #1, #2, and #3 drying beds.

12-21-2021: Plant staff power washed off all the oil residue that was on the aeration blowers to help keep the blower heat retention down.

12-22-2021: Finished power washing the blowers.

12-23-2021: Plant staff gathered all of the fire extinguishers around the plant to get inspected by DMCO.

12-27-2021: Turn The #1, #2, and the #3 drying beds. Shut down the #2 digester to dewater. Checked the #1 aeration blower amp draw. The amps were at 44.6

12-28-2021: Haul sludge to the Silver City landfill.

12-29-2021: Plant staff changed out the air filters on both of the UV panels. Finished dewatering the #2 digester.

12-30-2021: Plant staff checked the amp draw on the #1 aeration blower and found it to be at 45.3.

Save the Dates

Make your reservations!

La Fonda on the Plaza

January 25 - 27, 2022



Traditional Room rate:

\$104.00 single/double occupancy + taxes & parking discount

Contact Hotel directly by January 3, 2022. For reservations call

800-523-5002, Option #1 or 505-982-5511, Option #1: Group

Code: 1031235 or Event: Grant County Prospectors.

Silver City Kick-off Party

Thursday, January 20 at 5:30 p.m. (Tentative)

Dutch Treat at the Little Toad Brewery

Santa Fe — Logistics Meeting

Tuesday, January 25 at 5:30 p.m. - 6:30 p.m. at the La Fonda.
Meeting provides Grant County Day agenda and details for all Prospectors and Presenters.

Grant County Day at the Legislature

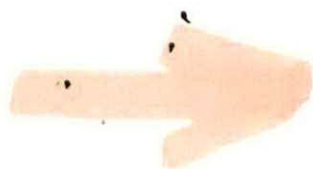
Wednesday, January 26 at 8 a.m. — Hybrid Model

Rooms TBA, Roundhouse; Zoom link <https://bit.ly/3ltF9pg>

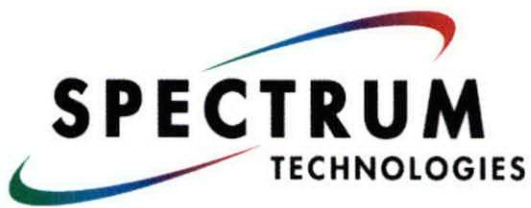
Grant County Day Legislative Reception

Wednesday, January 26 at 5:30 - 7:30 p.m.

La Fonda Ballroom



*GrantCountyProspectors.org is the
online place to find out updated event
details and zoom links.*









CUSTOM PROPOSAL

Library Network Upgrade
City of Bayard
Quote # 008729
Version 1


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Spectrum Technologies
(915) 781-2000
SpectrumIsTechnology.com



Hardware		Price	Qty	Ext. Price
	Cisco Meraki MR Wireless Access Point <ul style="list-style-type: none"> • 802.11ax 1.70 Gbit/s • 2.40 GHz, 5 GHz • MIMO Technology • 1 x Network (RJ-45) • Gigabit Ethernet • Desktop, Ceiling/Wall/Rail-mountable 	\$539.08	2	\$1,078.16
	 Cisco Meraki MR Enterprise Cloud Controller License <ul style="list-style-type: none"> • 3 Year License Validation Period 	\$250.94	2	\$501.88
	APC Smart-UPS C 1500 - AC 120 V - 900 Watt - 1440 VA - with SmartConnect <ul style="list-style-type: none"> • 2U Rack-mountable • 3 Hour Recharge • 10.10 Minute Stand-by • 120 V AC Input • 120 V AC Output • 6 x NEMA 5-15R 	\$686.50	1	\$686.50
	Cisco Meraki MS Ethernet Switch - 48 Port <ul style="list-style-type: none"> • Manageable • Gigabit Ethernet • 10/100/1000Base-T • 2 Layer Supported • Modular • 4 SFP Slots • Power Supply • Twisted Pair, Optical Fiber • 1U High • Rack-mountable, Desktop 	\$3,001.25	2	\$6,002.50
	Cisco Meraki MS Enterprise Subscription License <ul style="list-style-type: none"> • 3 Year License Validation Period 	\$323.68	2	\$647.36
	Velcro Brand ONE-WRAP Cable Ties - 100 Pack <ul style="list-style-type: none"> • 8 x 1/2" Black Cord Organization Straps 	\$19.05	1	\$19.05
Subtotal:				\$8,935.45



Project Deployment Services		Price	Qty	Ext. Price
	Network Engineering Services <u>Statement of Work:</u> <ul style="list-style-type: none">• Unbox all items and check for defects• Configure APs• Configure both switches• Go onsite• Place Meraki APs, wall mounting• Remove old switches, install new switches• Cable manage, for new switch• Install APC,• Test network, WiFi, switch	\$1,350.00	1	\$1,350.00
			Subtotal:	\$1,350.00



Library Network Upgrade

Prepared by:

Spectrum Technologies

5900 Gateway East
El Paso, Texas 79905
James Hurst
Branch Sales Manager
Ext: 3302

Prepared for:

City of Bayard

1112 Central Ave
Bayard, NM 88023
Kristina Ortiz
(575) 537-3327
cityclerk@cityofbayardnm.com

Quote Information:

Quote #: 008729

Version: 1
Delivery Date: 12/30/2021
Expiration Date: 01/28/2022

Quote Summary		Amount
Hardware		\$8,935.45
Project Deployment Services		\$1,350.00
Total:		\$10,285.45

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Spectrum Technologies

City of Bayard

Signature: _____

Name: James Hurst

Title: Branch Sales Manager

Date: 12/30/2021

Signature: _____

Name: Kristina Ortiz

Date: _____

Policy

All hardware and software items will be invoiced after being received from vendor and payment will be due upon receipt or within standard account terms as approved and based on available credit. Contracted installation services may be billed separately and due upon satisfactory completion of our services without regard to customer's use of other contractors. If applicable, please refer to the "Scope of Work" and "SpectraCare IT Support Agreement" documents for additional terms and conditions including phase-complete or milestone billing for more complex/lengthy projects.

If applicable, monthly recurring service agreements shall be effective as of the executed date and shall be for an initial term of twelve (12) months or the term of the lease (if applicable) and automatically renews for a subsequent twelve (12) month term beginning on the day immediately following the end of the term, unless either party gives the other thirty (30) days prior written notice of its intent not to renew this agreement.

For your convenience, this quotation will become an order when accepted and approved. Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. The then existing recurring payment or charge may be increased by a maximum of fifteen percent on an annual basis. Additional training or professional services can be provided at our standard rates. Any additional devices or services added to the managed services program will have an incremental cost of (determined by device/service type) per month per device. The monthly pricing will be automatically updated with the addition of a device/service.

All product returns must meet Spectrum's return policy requirement in order for Spectrum to issue a return order. Spectrum only accepts the return of products within thirty days from the date that the order was received if the product is Defective or Dead on Arrival (DOA). In no event shall Spectrum Technologies be held liable for any special, incidental, indirect, or consequential damages of any kind including those resulting from loss of data, income, profit, or any other loss arising out of or in connection with the services or use thereof even if CLIENT has been advised or has knowledge of the possibility of such damages.



CUSTOM PROPOSAL








CoB - Network Road Map
City of Bayard
Quote # 008728
Version 1




CH 10934.41
Maint 4023.54
Deploy 1485.00




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City Hall		Price	Qty	Ext. Price
	Dell Docking Station - WD19S 180W <ul style="list-style-type: none"> Product Type: Docking Station Docking Interface: USB-C Video Interfaces: HDMI, 2 x DP, USB-C 	\$434.33	5	\$2,171.65
	Cisco Meraki MS 24-Port Ethernet Switch <ul style="list-style-type: none"> 24 Ports Manageable Gigabit Ethernet 10/100/1000Base-T 2 Layer Supported Modular 4 SFP Slots Power Supply Twisted Pair, Optical Fiber 1U High Rack-mountable, Desktop 	\$2,210.17	1	\$2,210.17
	Cisco Meraki MS Enterprise Support Subscription License <ul style="list-style-type: none"> 5 Year License Validation Period 	\$312.76	1	\$312.76
	Cisco Meraki MX Network Security/Firewall Appliance <ul style="list-style-type: none"> 5 Port 10/100/1000Base-T Gigabit Ethernet 5 x RJ-45 Desktop, Wall Mountable 	\$582.22	1	\$582.22
	Cisco Meraki MX Advanced Security Subscription License <ul style="list-style-type: none"> 5 Year License Validation Period 	\$1,427.56	1	\$1,427.56
	Cisco Meraki MR Wireless Access Point <ul style="list-style-type: none"> 802.11ax 1.70 Gbit/s 2.40 GHz, 5 GHz MIMO Technology 1 x Network (RJ-45) Gigabit Ethernet Desktop, Ceiling/Wall/Rail-mountable 	\$539.08	1	\$539.08
	Cisco Meraki MR Enterprise Cloud Controller License <ul style="list-style-type: none"> 5 Year License Validation Period 	\$376.42	1	\$376.42

City Hall		Price	Qty	Ext. Price
  	Cabling Services <ul style="list-style-type: none"> • 1 CAT6 Run • 1 Meraki AP Mounted 	\$488.95	1	\$488.95
	Dell Premier Multi-Device Wireless Keyboard and Mouse <ul style="list-style-type: none"> • Device Type: Keyboard and Mouse Set • Interface: 2.4 GHz, Bluetooth 5.0 • Wireless Receiver: USB Wireless Receiver 	\$95.24	5	\$476.20
	Dell 24" Monitor <ul style="list-style-type: none"> • Device Type: LED Edgelight System • Panel Type: IPS • Aspect Ratio: 16:9 • Native Resolution: Full HD 1920 x 1080 @ 75 Hz 	\$234.94	10	\$2,349.40
Subtotal:				\$10,934.41

Maintenance		Price	Qty	Ext. Price
  	Meraki MXW Network Security/Firewall Appliance <ul style="list-style-type: none"> • 5 Port • 10/100/1000Base-T • Gigabit Ethernet • Wireless LAN IEEE 802.11ac • WEP, WPA, WPA2-PSK, WPA2-ENT • 5 x RJ-45 • Desktop, Wall Mountable 	\$783.09	1	\$783.09
	Cisco Meraki MXW Advanced Security Subscription License <ul style="list-style-type: none"> • 5 Year License Validation Period 	\$1,529.52	1	\$1,529.52
	Netgear 8-Port PoE+ Gigabit Ethernet Unmanaged Switch <ul style="list-style-type: none"> • 8 Ports • Gigabit Ethernet • 1000Base-T • 2 Layer Supported • AC Adapter • Twisted Pair • Wall Mountable, Desktop, Rack-mountable 	\$136.64	1	\$136.64

Maintenance		Price	Qty	Ext. Price
	Dell 24" Monitor <ul style="list-style-type: none"> • Device Type: LED Edgelight System • Panel Type: IPS • Aspect Ratio: 16:9 • Native Resolution: Full HD 1920 x 1080 @ 75 Hz 	\$234.94	1	\$234.94
	 Dell OptiPlex 5090 Small Form Factor <ul style="list-style-type: none"> • Desktop Computer - Black • Intel Core i7 10th Gen i7-10700 Octa-core (8 Core) 2.90 GHz • 16 GB RAM DDR4 SDRAM • 512 GB M.2 PCI Express NVMe 3.0 x4 SSD • Intel Q570 Chip • Windows 10 Pro • Intel UHD Graphics 630 • 3 Years Hardware Service w/ Onsite/In-Home Service After Remote Diagnosis 	\$1,379.35	1	\$1,379.35
Subtotal:				\$4,063.54

Project Deployment Services		Price	Qty	Ext. Price
 <p>Network Engineering Services <u>SOW - Service Ticket #174854 Network Road Map</u></p> <ul style="list-style-type: none"> • Set up Firewalls • Set up Switches • Set up Aps • Set up PC • Set up user accounts for Maintenance employees on City Hall Active Directory • Set up share for Maintenance employees on City Hall server • Drive on site • Have elite home run a drop for city hall AP • Deploy City hall docks • Deploy City hall Monitors • Deploy Firewall • Deploy Switches • Elite Home will mount the city hall AP • Set up Site to Site VPN from City Hall to Maintenance • Test Site to Site VPN from City Hall to Maintenance • Deploy new PC to Maintenance • Domain the 3 (2 laptops 1 desktop) Maintenance Computers to City Hall Domain • Set up Maintenance computers to have the Maintenance Share from the City Hall server • Deploy Monitor to Maintenance <p>This is to get City of Bayard to use their newer laptops at City Hall as desktop replacements to allow them to work faster as their current computers are slow. This is also to get them connected with a better firewall as well as Wi-Fi behind the firewall. For the Maintenance building this is to get them to have an active connection to City Hall for file Sharing as well as Utility program access (handled by vendor)</p>		\$1,485.00	1	\$1,485.00
		Subtotal:		\$1,485.00



CoB - Network Road Map

Prepared by:

Spectrum Technologies

5900 Gateway East
El Paso, Texas 79905
James Hurst
Branch Sales Manager
Ext: 3302

Prepared for:

City of Bayard

PO Box 728
Bayard, NM 88023
Kristina Ortiz
(575) 537-3327
cityclerk@cityofbayardnm.com

Quote Information:

Quote #: 008728

Version: 1
Delivery Date: 12/29/2021
Expiration Date: 01/28/2022

Quote Summary		Amount
City Hall		\$10,934.41
Maintenance		\$4,063.54
Project Deployment Services		\$1,485.00
Total:		\$16,482.95

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Spectrum Technologies

City of Bayard

Signature: _____

Name: James Hurst

Title: Branch Sales Manager

Date: 12/29/2021

Signature: _____

Name: Kristina Ortiz

Date: _____

Policy

All hardware and software items will be invoiced after being received from vendor and payment will be due upon receipt or within standard account terms as approved and based on available credit. Contracted installation services may be billed separately and due upon satisfactory completion of our services without regard to customer's use of other contractors. If applicable, please refer to the "Scope of Work" and "SpectraCare IT Support Agreement" documents for additional terms and conditions including phase-complete or milestone billing for more complex/lengthy projects.

If applicable, monthly recurring service agreements shall be effective as of the executed date and shall be for an initial term of twelve (12) months or the term of the lease (if applicable) and automatically renews for a subsequent twelve (12) month term beginning on the day immediately following the end of the term, unless either party gives the other thirty (30) days prior written notice of its intent not to renew this agreement.

For your convenience, this quotation will become an order when accepted and approved. Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. The then existing recurring payment or charge may be increased by a maximum of fifteen percent on an annual basis. Additional training or professional services can be provided at our standard rates. Any additional devices or services added to the managed services program will have an incremental cost of (determined by device/service type) per month per device. The monthly pricing will be automatically updated with the addition of a device/service.

All product returns must meet Spectrum's return policy requirement in order for Spectrum to issue a return order. Spectrum only accepts the return of products within thirty days from the date that the order was received if the product is Defective or Dead on Arrival (DOA). In no event shall Spectrum Technologies be held liable for any special, incidental, indirect, or consequential damages of any kind including those resulting from loss of data, income, profit, or any other loss arising out of or in connection with the services or use thereof even if CLIENT has been advised or has knowledge of the possibility of such damages.