City of Bayard

CITY COUNCIL REGULAR MEETING

February 22, 2021 at 2:00 PM

Bayard City Hall

AGENDA

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

ACTION ITEMS RESULTING FROM CLOSED SESSION

Disciplinary action for Cody Dove and Brandi Pyron

CONSENT AGENDA

1. Approval of the Minutes of Regular Meeting on February 11, 2021.
2. Approval of the Minutes for the CDBG Close Our Public Hearing on February 17, 2021.
3. Approval of the Accounts Payable Report for February 22, 2021
4. Approval of the Police Reports for December 2020 and January 2021
5. Approval of attendance to Level 4 Wastewater Testing for Robert Terrazas as testing becomes available.

PUBLIC INPUT

NEW BUSINESS

6. Discussion and approval of the 2021 LGRF Project Application

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Budget Work Session - March 29, 2021, April 19, 2021 and May 17, 2021

Regular Meeting - March 8, 2021

ADJOURNMENT

City of Bayard
CITY COUNCIL REGULAR MEETING
February 11, 2021 at 1:30 PM
Bayard City Hall

MINUTES

WORK SESSION

No work session was held.

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

ABSENT
Councilor Adrian Ortiz

Others in attendance were Kristina Ortiz, Clerk Treasurer

APPROVAL OF THE AGENDA

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

PUBLIC INPUT

No public input as required by the legal notice.

CONSENT AGENDA

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

Items included within the consent agenda are as follows:

1. Approval of the Minutes of Regular Meeting on January 25, 2021.
2. Approval of the Accounts Payable Report for February 8, 2021.

3. Approval of the Fire Report for January 2021.

NEW BUSINESS

4. Approval of the Bayard Comprehensive Plan

   Phyllis Taylor of Site Southwest presented the Comprehensive Plan.

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

5. Installation of 600' steel line at wastewater facility to connect reconnect reclamation plant to distribution box along east fence line - Badger Western Exploration, Inc $59,990.00 excluding tax.

   Badger Western Exploration has provided a cost estimate to install 600" steel line at the wastewater facility to connect the reclamation plant to the distribution box along the east property line. Request is to move forward with Badger Western Exploration if no other cost estimates as submitted.

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

ORDINANCES/RESOLUTIONS

6. Adoption of Resolution 2-2021 Financial Statements and Budget Adjustments for the period ending on December 31, 2020.

   Resolution 2-2021 for the December 31, 2020 Financial Statements and budget adjustments was left off the agenda from the January 25, 2021 meeting. The financial statements were previously approved but is required to have a resolution.

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

7. Adoption of Resolution 3-2021 Comprehensive Plan

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

ACTION FOR PERSONNEL

8. Appointment of Anthony Aveles as the Public Works Director effective on March 27, 2021 at the salary amount of TBD by City Council.

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

MAYOR AND COUNCILORS REPORTS

Councilor Villanueva stated that he is confident that Mr. Aveles will do a good job as the Public Works Director.

NEXT MEETING DATE:

Regular Meeting - February 22, 2021

February 23, 2021 5:30 Bayard Community Center with Hurley

ADJOURNMENT

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

MEETING ADJOURNED AT 2:42 P.M.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

City of Bayard

CDBG CLOSE OUT HEARING

February 17, 2021 at 2:00 PM

Bayard City Hall

MINUTES

WORK SESSION

PUBLIC INPUT

EXHIBIT 1-Q-2

CDBG PUBLIC MEETING AGENDA WITH REQUIRED ELEMENTS

POST-PROJECT SELECTION FOR CDBG PUBLIC MEETING

1. Welcome

• The City of Bayard has chosen to proceed with a CDBG application for this proposed project: Wastewater System Improvements

• Construction of influent wastewater line and entrance works station.

• This meeting will cover the Community Development Block Grant (CDBG) Program. It will cover the purpose of the program, eligible/ineligible applicants, eligible/ineligible activities and provide local citizens with the opportunity to provide feedback, commentary and pose questions about the project selected by the City of Bayard.

2. Purpose and History of CDBG

• Program Objectives

o Benefit principally low and moderate income families.

o Aid in the prevention of slum or blight.

o Meet urgent community development needs where an existing condition poses a threat to the health and welfare of the community and other financial resources are not available.

o Eligible Applicants

o Infrastructure grants: all counties, incorporated municipalities and New Mexico Mortgage Finance Authorityo

Planning grants: all counties, incorporated municipalities, New Mexico Mortgage Finance Authority, water associations, sanitation districts, land grants, public nonprofit groups, council of governments and mutual domestic water consumer associations

- Ineligible Applicants

o Indian Pueblos and Tribes may receive funding directly from the U.S. Department of Housing and Urban Development (HUD).

o Entitlement cities (Albuquerque, Farmington, Las Cruces, Rio Rancho and Santa Fe) receive funding directly from HUD.

- Eligible Activities

 Community Infrastructure: water; sewer systems (including storm sewers); solid waste disposal systems; street improvements (roads, streets, curbs, gutters, sidewalks, traffic control devices, street lighting, parking facilities, municipal utilities).

 Public Facility: real property acquisition; construction or improvement of structures (community centers, senior citizen centers, homeless shelters, domestic violence shelters, substance abuse facilities, nonresidential centers for the handicapped such as sheltered workshops); other community facilities designed to provide health, social, recreational or similar community services for residents.

 Housing: real property acquisition; rehabilitation; clearance; provision of public facilities to increase housing opportunities; code enforcement; historic preservation activities; a maximum of $65,000 in CDBG funds per home can be used on rehab/repair activities.

 Economic Development: assists businesses in creating new jobs for low and moderate income persons; creation of businesses owned by community residents.

 Planning: grant assistance must be used for a comprehensive plan if there has not been a current or updated plan within the last five years; asset management plan; development of codes and ordinances; feasibility studies; base mapping, aerial photography, GIS systems; limit of $50,000.

 Colonias: the State of New Mexico is obligated to allocate 10% of the total CDBG funding each year to eligible projects in designated Colonias.

- Applicant must be:

- Designated Colonia prior to November 1990; and

- Located within 150 miles of the U.S./Mexico border

- Project must address:

- Lack of potable water supply; or

- Inadequate sewage system; or

- Lack of decent, safe and sanitary housing

- Ineligible Activities

o Construction or rehabilitation of buildings used for the general conduct of government such as city halls or courthouses. The only exception is to make a public or government operating facility ADA-compliant.

o General operation and maintenance expenses of public facilities.

o Income maintenance programs.

o Housing allowance payments and mortgage subsidies, including but not limited to expenditures for the use of equipment or premises for any political activities.

- Costs involved in preparing applications and securing funding.

- Program Requirements

o Applicants must conduct at least one public meeting prior to selecting a project to advise citizens of estimated CDBG funds available; types of projects available; obtain recommendations from citizens regarding community development and housing needs. A minimum of three meetings is recommended.

o Citizen participation must be encouraged with emphasis on low and moderate income persons by publishing public meeting notices in English and Spanish, and using other means such as media or posting flyers in an effort to reach the public.

o Recommendations from the public are to be considered and the project is selected at an official regularly scheduled meeting of the governing body.

o Each CDBG application must address at least one of the three national objectives: 1) activities must benefit low and moderate income persons 2) prevention of slum and blight 3) must meet urgent or life threatening community development need.

- Application Requirements

 All applications must include a full and phased scope of work, to include corresponding budgets.

 Application requests are limited to a maximum of $500,000 without certified cost estimates and $750,000 with certified cost estimates.

 Projects (both full and phased) must be fully functional on a stand-alone basis once awarded funds have been expended.

 Projects must be completed within twenty-four (24) months of a fully executed grant agreement.

 A previous year's unfunded CDBG application must be updated and resubmitted if the applicant, after conducting the required public hearings, determined that the project is still viable and a priority for the community.

o Rural communities must provide a minimum 5% cash match

- Municipalities: 3,000 residents or less
- Counties: 25,000 residents or less

o Non-Rural communities must provide a 10% cash match

- Municipalities: more than 3,000 residents
- Counties: more than 25,000 residents

o Applications are scored by rating certain criteria such as description and need; benefit to low and moderate income persons; leveraging; citizen participation; planning; feasibility and readiness; user fees and revenues; and cost benefit. The Community Development Council (CDC) also will take into consideration current economic situations, if the entity was funded last year and application presentation.

3. Objective of this Meeting

The purpose of this meeting is to gather information from the local community about the proposed project. Community members must keep in mind the parameters of the CDBG program in terms of eligibility and other required elements. We will now discuss some of the current and/or previous CDBG projects that have impacted our community and then we will take questions from the audience as well as receive input regarding the proposed project.

4. Current and Past CDBG Projects Discussion

The most current completed CDBG project was for Maple and E. Elm Street – Street and Drainage Improvements. Maple and E. Elm had rehabilitation of the roadway and included a new storm water drain from E. Elm to Maple.

5. Questions

6. Citizen Input

This meeting is to gather any public comment on past, current or future CDBG Projects. No comments were received.

7. Adjourn

ACCOUNTS PAID
February 22,2021

GENERAL FUND - 10

Arenas Valley Amimal	ACO Monthly Uthanasia	$	69.29
Abila	Quartley Accounting Software CH&PD	$	638.63
Century Link	Monthly Services PD and CH	$	579.42
Wimactel	payphone at skate park	$	76.70
Comcast	Monthly Business Services CH&PD	$	226.92
W&N Enterprise	Monthly Gasoline charge for CH&PD	$	1,441.23
Century Link	Monthly Long distance charge	$	10.95
Comcast/Xfinity	Monthly Service at Fire Department	$	45.95
TOTAL:		**$**	**3,089.09**

JNT W/S O&M FUND - 150

Abila	Quartley Accounting software		319.38
Century Link	Monthly Services		71.68
W&N Enterprises	Monthly Gasoline Service		301.77
Comcast	Monthly Business Servcices		116.08
USA Bluebook	First Aid equiptment		1267.44
Total:		**$**	**2,076.35**

JNT WASTEWATER FUND - 170

Abila	Quartley accounting Software	$	319.38
Century link	Monthly Services	$	311.79
Xerox	Supplies and Maintenance	$	31.63
The UPS store	Overnight shipping water samples	$	174.74
W&N Enterprise	Monthly Gasoline service	$	96.00
Hall Enviormental	Overnight shipping Plant test /water samples	$	532.69
PNM	Monthly Electric usage for WWTP	$	9,012.49
TOTAL:		**$**	**10,478.72**

COMMUNITY CENTER FUND - 200

Century Link	Monthly Services	$	223.87
TOTAL:		**$**	**223.87**

LIBRARY FUND - 210

Century link	Monthly Sevices	$	158.44
Comcast	Monthly Business Services	$	286.03
Silver City Sun News	Monthly Subscription	$	19.88
TOTAL:		**$**	**464.35**

MUNNICIPAL STREET FUND - 240

Abila	Quartley accounting software	$	319.38
TOTAL:		**$**	**319.38**

MUNICIPAL COURT FUND - 20

MC Admin office of the courts	Monthly fee report	$	36.00
NM Education Center	Education fee	$	19.00

Caselle	Monthly Contract support and Maintenance	$	173.00
Abila	Quartley accounting software	$	319.38
Comcast	Monthly Business services	$	36.51
TOTAL:		**$**	**583.89**

FIRE FUND- 30

Abila	Quartley accounting software	$	319.38
Century Link	Monthly Services	$	70.34
Comcast	Monthly Business Services	$	68.63
W&N Enterprise	Monthly Gasoline Chagre	$	153.00
TOTAL:		**$**	**611.35**

Solid Waste -160

Abila	Quartley accounting software	$	319.38
TOTAL:		**$**	**319.38**

TOTAL:		**$**	**13,000.94**

ACCOUNTS PAYABLES
February 22,2021

GENERAL FUND - 10

Ace Hardware	Monthl;y running ticket PD	$	33.29
J and S Plumbing	Replaced and installed heater cooler unit PD	$	5,562.00
TOTAL:		**$**	**5,595.29**

JNT W/S O&M FUND - 150

Ace Hardare	Monthly running ticket	$	518.73
Suntreat	Salt for water softners	$	358.00
Dement Electric	Troubleshoot and repair Chlorine Injector	$	107.88
USA Blubook	First Aid Equiptment for Maintenance	$	1,267.44
TOTAL:		**$**	**2,252.05**

JNT WASTEWATER FUND - 170

Ace Hardware	Monthly running ticket	$	206.39
Biotraid Enviormental	static mixer and solenoid WWTP repairs	$	423.17
Mikes Tires	Flat repair on F150	$	15.00
Hach Co.	Parts for Repairs @ WWTP	$	4,139.85
McCometer	Prop reset Meter Calibration	$	283.84
TOTAL:		**$**	**5,068.25**

LIBRARY FUND - 210

Ace Hardware	Monthly running ticket	$	17.01
Amazon	Per Capita DVD Order	$	863.24
TOTAL:		**$**	**880.25**

Fire Fund-30

Sierra Emergency Outfitters LLC	Class A PM service/Repairs	$	5,603.05
Morning Star	Reflective gear for FD	$	343.00
TOTAL:		**$**	**5,946.05**

GRAND TOTAL: **$ 19,741.89**

BAYARD POLICE DEPARTMENT
MONTHLY REPORT
December, 2020

Traffic Activity

Accidents	4
Citations Issued	7
Municipal 5	
Magistrate 2	
Stop Sign 2	
DWI	0
Motorist Assists	1
Suspicious Vehicle or person	2
Reckless driver	1
Missing or Stolen vehicle	2
Recovered: 1	

Criminal Activity

Arrests	2
Burglary/Larceny	2
Criminal damage	2
Domestic calls	2
Inj./Tamp. with vehicle	1
Harassment	2
Unwanted subject	1
Shoplifting	1
Aggravated Battery	2
Identity theft	1
Battery on a PO	1
Fraud	1
B&E	1

General Activity

Abandoned 911	1
Civil stand by	1
Escorts	1
Welfare check	1
Meetings/classes	1
Follow up investigations	1
Alarm	2
Fight	1
Noise complaints	2
Miscellaneous death	1
Missing person	1
Shots fired	1
Animal call	1
Smoke	1
Civil matter	1
Open door	1

Juvenile Activity

Arrests	0

Animal Control Activity

Complaints Answered	10
Canines picked up	6
Felines picked up	3
Citations issued	0
Skunks	0
Other:	

Code Enforcement Activity

Complaints Answered	6
Complaints Pending	1
Complaints Completed	5
Citations Issued	0
Letters Sent	1

NOTES:

Offense/Incident reports generated 5

Criminal damage to property
Aggravated Assault
Criminal Damage
Pending
Theft of Identity
Assault and battery on healthcare personnel; Battery on Peace Officer

BAYARD POLICE DEPARTMENT
MONTHLY REPORT
JANUARY, 2021

Traffic Activity

Accidents	4
Citations Issued	22
Municipal 13	
Magistrate 9	
Stop Sign 9	
DWI	1
Motorist Assists	2
Suspicious Vehicle or person	3
Abandoned vehicle	1
Reckless driver	3
Missing or Stolen vehicle	2

Criminal Activity

Arrests	7
Burglary/Larceny	2
Criminal damage	3
Domestic calls	3
Inj./Tamp. with vehicle	1
Harassment	1
Unwanted subject	1
Shoplifting	1
Resisting, Obstructing an officer	3
Loud noise complaints	3
Threats	1
Battery on a Police officer	2
Criminal Trespass	1
Fight	1
Agg. Assault	2
Battery	1
Fraud/Embezzlement	1
DV Violation	1
B & E	1
Child Abuse	1
Counterfeit money	1

General Activity

Abandoned 911	1
Civil stand by	1
Escorts	2
Welfare check	1
Follow up investigations	1
Alarm	1
Towed vehicle	2
Drunk subject	1
Shots fired	1
Animal calls	2

Custodial interference	1
Fire	1
Child exchange	1
Civil matter	1
Open door	1
Trespass warning	1
Overdose	1
Suicide threat	1

Juvenile Activity

Arrests	0
Runaway	2

Animal Control Activity

Complaints Answered	12
Canines picked up	18
Felines picked up	5
Citations issued	4
Skunks	1
Other:	

Code Enforcement Activity

Complaints Answered	4
Complaints Pending	1
Letters Sent	2

NOTES:

Offense/Incident reports generated 11

Battery against a household member
Battery against a household member
Agg. DWI; Reckless; Battery on a peace officer
Criminal damage
Resisting, evading, obstructing
Battery on a peace officer
Resisting, evading, obstructing, Reckless driving; Driving w/ lic. Suspended/revoked
Criminal damage; Criminal trespass
Towed vehicle
Towed vehicle
Battery against household member; Deprivation of property of a household member
Runaway

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

February 22, 2021

Mr. Trent Doolittle, P.E., District Engineer
c/o Ms. Debbie Hudson, LGRF
Department of Transportation
District 1
2912 E. Pine Street
Deming, NM 88030

RE: FY 2021/2022 Local Government Road Fund Program

Dear Mr. Doolittle,

The City of Bayard is requesting consideration for funding administered by the New Mexico Department of Transportation department to complete design/engineering, and including pothole and crack repair, subgrade and pavement rehabilitation improvements of city streets within the City of Bayard for the following proposed project under the Fiscal year 2021/2022 Local Government Road Fund Program.

The proposed project location is for local streets as listed below within the City of Bayard.

Street Name	Begin	End
North Street (Intersection)	North St	N. East St
N. East Street	Hwy 356	Mayo St
Mayo Street	Hwy 356	N. Foy St
Rosemary Street	Rosemary St	Grant Street
Bard Street	Royal St	Joan St
Fahey Street	Fahey St	Royal St
Dayhill Street	Royal St	Erie St
N. Foy Street	Copper St	Hwy 356
Park Street	S. Franey St	S. East St
Cofee Street	Ruby St	Hwy 356
N. Canyon Street	Hurley St	Vanadium St
Poplar Street	Pine St	East End
Orchard St	Hurley St	Asarco St

The scope of work is for design and engineering for pothole and crack repair, subgrade and pavement rehabilitation from within the City of Bayard as listed above.

The City of Bayard certifies that the work performed under said proposals are on public byways and all improvements are intended for the benefit and convenience to better serve the residents of the community.

We would like to take this opportunity to thank your organization for providing municipalities such as ours with a means with which to attempt to improve our communities. If you should have any questions, please do not hesitate to contact us at (575) 537-3327.

Sincerely,

Kristina Ortiz, MMC
Clerk Treasurer

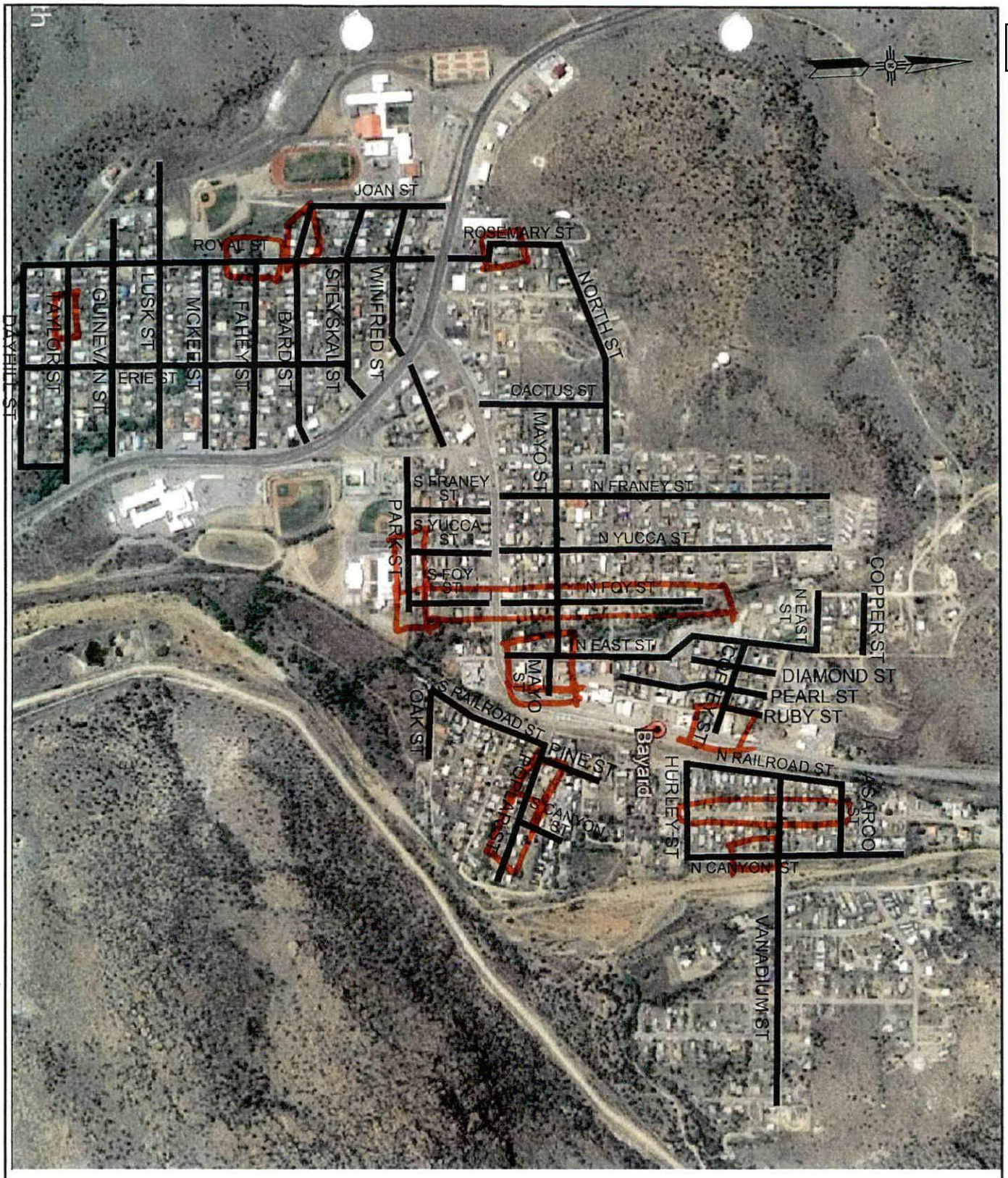
PRELIMINARY
COSTS AND QUANTITIES

ENTITY: City of Bayard

TERMINI:	Street Name	Begin	End
	North Street (Intersection)	North St	N. East St
	N. East Street	Hwy 356	Mayo St
	Mayo Street	Hwy 356	N. Foy St
	Rosemary Street	Rosemary St	Grant Street
	Bard Street	Royal St	Joan St
	Fahey Street	Fahey St	Royal St
	Dayhill Street	Royal St	Erie St
	N. Foy Street	Copper St	Hwy 356
	Park Street	S. Franey St	S. East St
	Cofee Street	Ruby St	Hwy 356
	N. Canyon Street	Hurley St	Vanadium St
	Poplar Street	Pine St	East End
	Orchard St	Hurley St	Asarco St

SCOPE OF WORK: Design/engineering, and including pothole & crack repair, subgrade prep & pavement rehab.

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT COST	ESTIMATED COST
					$0.00
1	NMDOT Certifications	1	1	3000	$3,000.00
2	Tax	1	3000	8%	$240.00
					$0.00
3	Subgrade and pavement rehabilitation	sq ft	1714	60	$102,840.00
4	Tax	1	102840	7.875%	$2,830.35
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$108,910.35



PROJECT AREA

Stantec

3400 HIGHWAY 180 EAST SUITE A
SILVER CITY, NEW MEXICO 88061
(575) 538-5395 (OFFICE)
(575) 538-5410 (FAX)

REVISIONS

DRAWING
CITY OF BAYARD
VARIOUS STREETS

DWG BY: AR
JOB #

SHEET

DATE
MARCH 2019

PROJECT
FY 2019-2020 COOP
ROADWAY AND DRAINAGE IMPROVEMENTS

C:\Users\alrubio\Desktop\2019-2020 BAYARD STREETS.dwg