City of Bayard

CITY COUNCIL REGULAR MEETING

July 26, 2021 at 1:30 PM

Bayard City Hall

AGENDA

WORK SESSION

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC INPUT

CONSENT AGENDA

1. Approval of the Minutes of Regular Meeting on July 12, 2021.
2. Approval of the Accounts Payable Report for July 26, 2021.
3. Approval of Police Report for June 2021.

OLD BUSINESS

4. Discussion/Approval of modifications to community center rental contract (fees, operating hours, terms and conditions).

NEW BUSINESS

5. Approval of Cobre High School Homecoming Parade and municipal assistance on September 9, 2021.
6. Approval of the annual contract rate increase as allowed by current contract - increase is 4.16%.
7. Approval of the June 30, 2021 Financial Statements and End of Year Budget Adjustments.
8. Approval of the 2022 Fiscal Budget as approved by NM Department of Finance and Administration

ORDINANCES/RESOLUTIONS

9. Adoption of Resolution 13-2021 for the June 30, 2021 Financial Statements and End of Year Adjustments.

10. Adoption of Resolution 14-2021 Fiscal Year 2022 Final Budget

CLOSED SESSION

Pursuant to 10-15-1(H-2) NMSA 1978 for personnel

1. Termination of Brandi Pyron as Bayard Police Officer
2. Mark Diaz - confirmation of hire date as park & recreation position
3. Hiring of Custodian and Humane/Code Enforcement Officer

ACTION ITEMS RESULTING FROM CLOSED SESSION

ACTION FOR PERSONNEL

11. Officer Brandi Pyron - Approval of termination of employment as police officer as recommended by Mayor Fierro.

12. Mark Diaz certification of employment as Parks and Recreation employee with the standard introductory period and completion of all pre-employment exams. Mr. Diaz declined the offer of employment as custodian. Due to two additional individuals declining offers or not completing pre-employment exams, Mr. Diaz accepted the parks & recreation position. Approval is to confirm employment with a hire date of May 20, 2021 at the rate of $11.00 per hour (also received the $2.00 increase effective on July 3, 2021.

13. Custodian

    Recommendation is to hire Joe Sierra at the hourly wage of $12.00 upon successful completion of all pre-employment exams and background checks with the standard introductory rate.

    Humane Officer/Code Enforcement Officer

    Recommendation is to hire Samuel Ogas at the hourly wage of $13.50 upon successful completion of all pre-employment exams and background checks with the standard introductory rate.

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Regular Meeting - August 9, 2021

ADJOURNMENT

City of Bayard

CITY COUNCIL REGULAR MEETING

July 12, 2021 at 1:30 PM

Bayard City Hall

MINUTES

WORK SESSION

Work session was not 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
Councilor Adrian Ortiz

A quorum was present.

Others in attendance were Aaron Ordonez, Joe Carlos, Jesue Lopez, Melissa Maynes, Rayne Maynes, Cobre Wrestling, Benjamin Young, Anthony Aveles, Vernon Cravens, Michelle Ortiz, Hanna Dumas, Sherri Edwards, Euphemio Gonzalez and Kristina Ortiz.

APPROVAL OF THE AGENDA

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PUBLIC INPUT

Michelle Ortiz - Mrs. Ortiz lives at 1161 S. Canyon Street and wishes to request assistance due to flooding each time it rains from runoff of streets. She has already used trenches and sandbags. Council directed staff to look into easements for drainage or other utilities for the area and get a determination if the city can assist with this issue. Staff stated that the area is private property and the city may only have small utility line easements.

CONSENT AGENDA

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

The following items were included within the consent agenda:

1. Approval of the Minutes of June 28, 2021 and Special Meeting of June 29, 2021

2. Approval of the Accounts Payable Report for July 12, 2021.

OLD BUSINESS

postpone

3. Request of donation of the medical clinic building owned by Grant County and discussion and approval of intended use to be provided to County of Grant to proceed with property transfer.

   Motion made by Councilor Medina to postpone action until further information is aquired on teh building and procedures for transfer, Seconded by Mayor Pro-tem Villanueva.
   Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

NEW BUSINESS

4. Adoption of Proclamation for Cobre High School Wrestling Team

   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

   Coach Maynes, Arthur Quintana, Aidan Quintana and John Roybal accepted the proclamation.

5. Approval of Work Order No. 6 for Trumm Engineering for services pertaining to geotechnical investigation, survey and railroad right of entry fee for the north side property of the influent line project for a total up to $10,810 not including gross receipts taxes.

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

6. Approval to enter into legal services contract with Mynatt Martinez Springer under professional services under $60,000.

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

7. Discussion and Action on newly enacted Cannabis Regulation Act

   Clerk Treasurer Ortiz stated that information has been distributed by NM Regulation and Licensing Division requesting municipalities to take swift action to implement local regulations relating to the new Cannabis Regulation Act.

8. Discussion/Approval of modifications to community center rental contract (fees, operating hours, terms and conditions).

   Discussion was held on the current rental contracts and rates of the community center. Staff is still gathering additional data on other venues in the area. Clerk Treasurer discussed increasing rental deposit amounts, setting a single rate for all users and considered a reduced fee for funeral gatherings. Councilor Medina inquired on collecting fees to pay an individual as a monitor during events. Further discussion with possible action is requested for the July 26, 2021 meeting.

CLOSED SESSION

Pursuant to State Statues 10-15-1(H-7) for litigation – subject to the attorney-client privilege pertaining to threatened or pending litigation

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

Councilor Kelly voted yes, Councilor Ortiz voted yes, Councilor Medina voted yes, Councilor Villanueva voted yes.

Return to Open Session certifying the only items discussed were pursuant to State Statues 10-15-1(H-7) for litigation - subject to the attorney-client privilege pertaining to threatened or pending litigation.

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

Councilor Kelly inquired on the committee meeting for review of the Personnel Policy. Requested the meeting be held next week. Councilor Kelly stated that he have reviewed the policy and although some areas need to be addressed due to changes in legislation, the majority of the policy seems to be appropriate.

Councilor Ortiz stated that the benefit baseball tournament will be on July 17-18 from 8am - 8pm.

Officer Carlos stated that the department is trying to catch up with reports, Ms. Diaz is rearranging the office and looking for missing reports.

Public Works Director Aveles stated that the crew is working on the well field road and would like to start taking training classes for management and supervision.

Mayor Fierro requested that the beams of the gazebo at the park be repainted, and the tables be looked at, possibly move the fence around the skatepark closer to the restrooms to give access for clean-up, requested a large garbage can at the little league concession stand, requested to have a bin for the maintenance to collect metal, asked for a baby swing to be installed at the park as well as lighting for the flagpole at the Welcome sign.

NEXT MEETING DATE:

Regular Meeting - July 26, 2021

ADJOURNMENT

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

MEETING ADJOURNED AT 4:00 P.M.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

ACCOUNTS PAID
July 26 2021

GENERAL FUND - 10

Century link	Monthly Phone and Fax service CH/PD		$	614.79
Krystal Mountain Water	Purified cold drinking water CH & PD		$	19.01
NM Municipal Clerks	Annual Dues for Kristy Ortiz		$	110.00
NM Municipal Clerks	Annual Dues for Marlena Valenzuela		$	60.00
Wimactel	Payphone for skate park		$	76.70
Lopez attorneys at law	Work done in regarding chief Alirez		$	297.00
NM Municipal League	Yearly Membership dues for CH&PD			$683.32
Silver City Daily Press	Classified ads for Utility accounts/Water Report		$	369.74
Bank of America Microsoft	Online Services		$	416.30
PNM	Monthly Electrical usage christmas		$	17.01
PNM	Monthly Electrical Usage pkloop&unit star		$	161.77
PNM	Monthly Electrical Usage animal shelter		$	19.14
Xfinity	Monthly Services		$	11.29
AT&T	Monthly cell phone usage CH&PD		$	116.68
NM Municipal league	Yearly Membership dues		$	341.67
TOTAL:			**$**	**3,314.42**

JNT W/S O&M FUND - 150

Century Link	Monthly phone and fax services			$75.22
Krystal Mountain Water	purified cold drinking water		$	41.21
NM Municipal League	Yearly Membership dues		$	341.67
AT&T	Monthly cell phone usage		$	56.39
TOTAL:				**$514.49**

JNT WASTEWATER FUND - 170

Century link	Monthly phone and fax services		$	328.33
Krystal Mountain Water	Purified cold drinking water		$	7.40
NM Municipal Enviromental	Yearly Dues for Jason Jeager		$	100.00
The UPS Store	Overnighted Routine water samples WWTP	7/13/2021	$	231.53
The UPS Store	Shipping of routine water samples WWT	7/19/2021	$	185.56
The UPS Store	Shipping of routine water samples WWT	7/21/2021	$	206.76
Danner /Jason Jaeger	Saftey work boots Jason Jaeger		$	150.00
Hall Enviormental	Routine Water Tests 07/13/2021		$	241.64
Hall Enviormental	Routine Water Tests 07/19/2021		$	354.91
HughesNet	Monthly Internet Service for WWTP		$	139.47
NM Municipal League	Yearly Membership dues		$	341.67
Xerox	Base Charge and Monthly maint and supplys		$	122.58
PNM	Monthly Electricity usage		$	10,561.80
The UPS store	Shipping of routine water samples WWTP		$	185.56
AT&T	Monthly cell phone usage		$	85.63
TOTAL:			**$**	**13,242.84**

COMMUNITY CENTER FUND - 200

Century Link	Monthly phone and fax services		$	224.17
TOTAL:			**$**	**224.17**

LIBRARY FUND - 210

Century Link	Monthly phone and fax services	$	163.40
Krystal Mountain Water	Purified cold drinking water	$	14.80
NM Minicipal Librairans	Annual Dues Sonya Dixon	$	50.00
Silver City Sun News	Subscription for 6/1/2021-8/31/2021	$	15.24
PNM	Monthly Electrical udage	$	540.89
The Atlantic magazine	Yearly Subscription renewel	$	64.95
TOTAL:		**$**	**849.28**

MUNNICIPAL STREET FUND - 240

TOTAL:

MUNICIPAL COURT FUND - 20

Century Link	Monthly phone and fax services	$	128.14
Administrative office	of the Courts Monthly fee Report	$	148.00
NM Judicial Education	Monthly Fee Report	$	73.00
NM Judges Association	Annual Dues Invoice Jose Sandoval	$	150.00
NM Judges Association	Annual Dues Invoice Kathy Morones	$	60.00
NM Municipal League	Yearly Membership dues	$	341.67
TOTAL:		**$**	**900.81**

FIRE FUND- 30

Century Link	Monthly phone and Fax service		$229.20
NFPA	Yearly Membership renewel	$	175.00
AT&T	Monthly cell phone usage	$	41.03
TOTAL:		**$**	**445.23**

LAW ENFORCEMENT FUND - 60

TOTAL:

Solid Waste -160

NM Municipal League	Yearly Membership dues	$	341.67
TOTAL:		**$**	**341.67**

TOTAL: **$19,832.91**

ACCOUNTS PAYABLES
July 26 2021

GENERAL FUND - 10

Sun Valley Hardware	Stihl Weedeater for Parks and Rec	$	368.95
Mikes Tires	Flat repair for police unit #50 Ordonez	$	15.98
TOTAL:		**$**	**384.93**

JNT W/S O&M FUND - 150

Wal Mart	Supplies for Maintenance labeling/inventory	$	35.33
Bank of America Visa	One way flight to pick up Bucket truck	$	69.88
Sun Valley True Value hardware	Solar lights for Fire dept Conex Storage	$	190.77
Core and Main	Maintenance water supplies	$	3,343.26
TOTAL:		**$**	**3,639.24**

JNT WASTEWATER FUND - 170

Keenan Supply	Saf-t-flo for Chlorine Injector @ rec plant	$	872.83
TOTAL:		**$**	**872.83**

COMMUNITY CENTER FUND - 200

TOTAL:		**$**	**-**

LIBRARY FUND - 210

Demco	Library office supplies	$	192.08
Bank of America for Wal Mart.com	Office supplies and euiptment for SRP	$	200.92
TOTAL:		**$**	**393.00**

MUNNICIPAL STREET FUND - 240

TOTAL:

MUNICIPAL COURT FUND - 20

Quill	HP Printer Ink for MC	$	175.48
TOTAL:		**$**	**175.48**

FIRE FUND- 30

TOTAL:		**$**	**-**

LAW ENFORCEMENT FUND - 60

TOTAL:		**$**	**-**

TOTAL: **$5,465.48**

BAYARD POLICE DEPARTMENT
MONTHLY REPORT
JUNE, 2021

Traffic Activity

Accidents	4
Citations Issued	70
Municipal 59	
Magistrate 11	
Stop Sign 8	
DWI	0
Motorist Assists	1
Suspicious Vehicle or person	25
Abandoned vehicle	1
Reckless driver	12
Parking violation	1
Traffic complaints	2

Criminal Activity

Arrests	4
Burglary/Larceny	
Criminal damage	9
Domestic calls	14
Inj./Tamp. with vehicle	2
Harassment	8
Fraud	3
B&E	2
Battery	1
Battery on PO	1
ID theft	1
Disturbances	7
Fight	2
Shooting incident	1
Unwanted subject	7

General Activity

Abandoned 911	1
Civil stand by	1
Escorts	1
Driving tests	2
Welfare check	18
Meetings	5
Training	1
Follow up investigations	7
Alarm	5
Noise complaints	6
Citizen contacts/assists	16
Shots fired	4
ACO calls	18
Dog bite: 1	
Criminal trespass	4
DVO violation	1

Civil matter	1
Custodial interference	1
Fireworks	1
Grass fire	1
Agency assists	2

Juvenile Activity

Arrests	0

Offense/Incident reports generated 25

Shooting incident
Battery against a household member
Fraud
Criminal damage to property
Informational: verbal domestic
Harassment
Disturbance
Battery on household member; Criminal damage
Medical welfare check
Warrant arrest x 2
Unwanted subject
Suspected B&E
Informational-criminal damage to property
Property damage
Fraud
Criminal damage to property
Informational-domestic call
Informational-domestic call
Arrest warrant
Battery
Fraud informational
Battery on a peace officer
Criminal damage to property
Dog bite
Harassment

BAYARD COMMUNITY CENTER RENTAL AGREEMENT

City Hall, 800 Central Avenue, PO Box 728, Bayard, NM 88023
Phone: (575) 537-3327 Fax: (575) 537-5271

Auditorium Rental Agreement large room

Bayard Community Center Rental Agreement is non-transferable and is only valid for the rooms, times and event(s) specified in the rental contract. Renter/User agrees to comply with all guidelines and policies as set forth in the agreement. If there are any changes to this agreement, the City of Bayard reserves the right to require a new agreement to be approved by the City/or its appointed representative and the renter/user. The Bayard Community Center is hereafter referred to as the "Center".

General

A. The renter of the facility shall be 21 years of age.

B. An individual requesting a reservation under resident status must provide proof of Bayard residency.

C. Any sound system, video, music, etc. shall be kept at a low volume so as not to disturb others using the facility.

D. Failure to comply with any of the terms of the Rental Agreement shall cause immediate removal from the premises and forfeiture of all fees and deposits.

E. Renter must be present during the period of the rental from set-up through clean-up and shall be responsible for check out of the facility to become eligible for the refund of the deposit.

Rental Fees

A. **Booking Fee:** All rentals require a non-refundable booking fee of $20 Resident/$25 Non-Resident, paid in advance to hold the event date. This booking fee applies to all renters of the Center. This one-time fee must be paid by cash, money order or cashier's check.

B. **Rental Fees:** All Fees and Deposits: Must be paid by cash, money order or cashier's check

Available Rental Time: Sunday – Thursday 8 am to 9 pm
Friday & Saturday 8 am to 11 pm

Use of facilities to set-up or clean-up are charged at additional day's rental rate.
Sample:Set-up (Friday) $175.00
Event (Saturday) $175.00
Clean-up (Sunday) $175.00 Total Rental Rate = $525.00

Residents (R):
Booking Fee: $20.00
Security Deposit: $75.00
Day Rate: $175.00
Kitchen: $25.00 per event – with rental of auditorium
Full Use: $100.00 per day – without rental of other room

Non – Residents (NR):
Booking Fee: $25.00
Security Deposit: $100.00
Day Rate: $225.00
Kitchen: $35.00 per event – with rental of auditorium
Full Use: $150.00 per day – without rental of other room

Security Deposit Fee: The purpose of the security deposit is to ensure proper clean-up and care of the facility.

1. If the facility is left dirty and/or damaged by the renter, the City shall retain all or part of the deposit.
2. The security deposit must be paid to the City two weeks after booking fee is made. If event is scheduled within two weeks of booking fee, then all fees and deposits are due on day of booking.
3. If costs to clean and /or repair the facility exceed the amount of the security deposit, the renter shall be responsible for the additional costs. If the renter fails to pay the additional costs, as requested by the City staff, the renter shall be responsible for all collection costs and/or attorney's fees.

C. Cancellations and Forfeits:

1. The rental payments are due in full 20 days before the scheduled event date or at the time the reservation is made. Should the rental payment not be made in full prior to 20 days of the event, the event will be considered canceled and all fees collected will be forfeited. If event is scheduled within two weeks of booking fee, then all fees and deposits are due on day of booking.

2. Renter must provide notice of cancellation of a reservation to become eligible for a full or partial refund of the deposit or rental fees.

Notice of Cancellation	Percentage of Refund of Deposit and Rental Fee
20 calendar days prior or more	100% (Less administrative fee of 10%)
10-19 calendar days prior	50% (Less administrative fee of 10%)
Less than 10 calendar days	Rental considered cancelled – all fees collected are forfeited.

Keys

Keys for events may be picked up 30 minutes prior to time shown on agreement or before 4:30 for weekend events. Key shall be returned to City Hall immediately after use of the facility or on Monday when event is on weekend.

Food and Drink

1. **Alcohol: This facility and premises is alcohol and drug free.** Bayard Police Officers conduct frequent patrols of the facility and premises and are authorized to enter the facility. Police Officers are authorized to conduct inspections of the facility and conduct immediate termination of the event should violations be occurring. Violations will cause forfeiture of deposit and fees.

2. Use of the kitchen facility is available at the listed hourly rate.

Set-up and Clean-up and Facility Care

1. No decorations will be permitted which are taped, tacked, stapled, nailed, or otherwise fastened to the walls, ceilings, doors, or floors of the facility. Open flames such as candles or burners are only allowed when used with appropriate devices.

2. Renter is responsible for removing all tape from the tables where table cloths and decorations are secured to. No table covering may be tacked, stapled, nailed, or fastened in any manner which will damage the tables.

3. Rental of the facility includes the use of tables and chairs and renter is responsible for re-stacking of these during clean-up.

4. Renter is responsible for set-up and clean-up of the event. This shall include, but is not limited to: setting up tables and chairs, cleaning floors, cleaning of restrooms, emptying trash to appropriate trash dumpsters, wiping off tables and chairs, sinks, etc.

5. The City shall provide the following cleaning equipment and supplies: broom and dust pan, mop and bucket, trash bags, all-purpose cleaner and floor cleaner and towels for such cleaners. Garbage containers must be cleaned of spills and trash.

6. Renter is responsible for leaving the parking lot free of trash and debris from the event.

7. Smoking is prohibited within the facility and within 25 feet of all entrances. Bayard City Ordinance 11-2006. Renter is responsible for disposing of cigarette butts in the proper receptacles.

8. Firearms are prohibited on the premises.

Capacity

The Center auditorium has a maximum occupant capacity of 250 persons including children. It is unlawful to exceed this capacity. This is not the amount of available seating.

Minor Children

Minors shall be supervised by an adult 21 years of age at the following ratio:

Age: 0-12 years requires 1 adult per 4 children
Age: 13-17 requires 1 adult per 10 young adults

_____ _____

Renter Signature Date

_____ _____

Employee Signature Date

BAYARD COMMUNITY CENTER
RENTAL AGREEMENT
AUDITORIUM

Resident: _____ Non Resident: _____

Name of Renter: _____

Address: _____

Home Phone: _____ Alternate Phone: _____

Event Date: _____

Rental Time: Begin: _____ am/pm End: _____ am/pm

Fees:

Booking Fee $20.00 Resident $25.00 Non-Resident

Date Paid: _____ Rec #: _____ Amount: _____ Employee: _____

Security Deposit $75.00 Residnet $100.00 Non-Resident

Date Paid: _____ Rec #: _____ Amount: _____ Employee: _____

Date Paid: _____ Rec #: _____ Amount: _____ Employee: _____

Rental Fee Total: _____

Date Paid: _____ Rec #: _____ Amount: _____ Employee: _____

Date Paid: _____ Rec #: _____ Amount: _____ Employee: _____

Date Paid: _____ Rec #: _____ Amount: _____ Employee: _____

I, the undersigned, representing myself and the above named organization, do hereby, have read and agree to be bound by and comply with all of the terms and conditions listed in the Bayard Community Center Rental Agreement. I agree to be present and responsible during the event. Further, I accept responsibility for damages caused to the building, equipment, furnishings, and surrounding areas.

I understand and agree that neither City of Bayard nor any of its employees shall incur any liability for any injury to persons or damage to property experienced by the use of this facility. I further agree that the city shall be held harmless from any and all liability arising out of the renter's use of the Community Center or other City facilities.

I agree that violation of any of the terms of this agreement INCLUDING VIOLATION OF ALCOHOL, may be cause for the event rental to be revoked, without notice, and may result in immediate removal from the premises and forfeiture of my deposit.

_____ _____ _____

Signature of Renter Date Employee Signature

Renter deposit is approved for refund after satisfactory inspection by the City Staff

_____ _____

Employee Signature Date Return Deposit? Yes No

FORFEITURE SCHEDULE

Event Date: _____

20 Day Period: _____

Cancelation Date: _____

g. C. Convenc Center.

BAYARD COMMUNITY CENTER RENTAL AGREEMENT

City Hall, 800 Central Avenue, PO Box 728, Bayard, NM 88023
Phone: (575) 537-3327 Fax: (575) 537-5271

Rental Agreement
Government and Non-Profit

Bayard Community Center Rental Agreement is non-transferable and is only valid for the rooms, times and event(s) specified in the rental contract. Renter/User agrees to comply with all guidelines and policies as set forth in the agreement. If there are any changes to this agreement, the City of Bayard reserves the right to require a new agreement to be approved by the City/or its appointed representative and the renter/user. The Bayard Community Center is hereafter referred to as the "Center".

General

A. The renter of the facility shall be 21 years of age.

B. An individual requesting a reservation under resident status must provide proof of Bayard residency.

C. Any sound system, video, music, etc. shall be kept at a low volume so as not to disturb others using the facility.

D. Failure to comply with any of the terms of the Rental Agreement shall cause immediate removal from the premises and forfeiture of all fees and deposits.

E. Renter must be present during the period of the reservation from set-up through clean-up and shall be responsible for check out of the facility to become eligible for the refund of the deposit.

Rental Fees

A. **Booking Fee:** N/A

B. **Rental Fees:** All Fees and Deposits: Must be paid by cash, money order or cashier's check

Booking Fee: N/A
Security Deposit: $25.00
Rental Fee: $10.00 per hour
Key Deposit: $20.00
Kitchen: $10.00 per event – only with auditorium rental
Full Use: $75.00 per day – without rental of auditorium

Board Room is limited to pastries and coffee only (food and drink)*

Available Rental Time: Sunday – Thursday 8 am to 9 pm
Friday & Saturday 8 am to 11 pm

Rental time includes set-up and clean-up time.

C. **Security Deposit Fee:** The purpose of the security deposit is to ensure proper clean-up and care of the facility.
   1. If the facility is left dirty and/or damaged by the renter, the City shall retain all or part of the deposit.
   2. The security deposit must be paid to the City at the time reservation is made. Rental fees must be paid 20 days prior to scheduled event or at the time the reservation is made if less than 20 days to the event.
   3. If costs to clean and /or repair the facility exceed the amount of the security deposit, the renter shall be responsible for the additional costs. If the renter fails to pay the additional costs, as requested by the City staff, the renter shall be responsible for all collection costs and/or attorney's fees.

D. Cancellations and Forfeits:

1. Should the deposit and/or rental payment not be made in full prior to 20 days of the event, the event will be considered canceled and all fees collected will be forfeited.

2. Renter must provide notice of cancellation of a reservation at least 20 days in advance of the reservation to become eligible for a full or partial refund of the deposit or rental fees.

Keys

Renters will be allowed to secure a key with a key deposit for the term of the rental.

Food and Drink

1. **Alcohol: This facility and premises is alcohol and drug free.** Bayard Police Officers conduct frequent patrols of the facility and premises and are authorized to enter the facility. Police Officers are authorized to conduct inspections of the facility and conduct immediate termination of the event should violations be occurring. Violations will cause forfeiture of deposit and fees.

2. Food and drinks in the board room are limited to pastries and coffee.

3. Use of the kitchen facility is available at the listed hourly rate.

Set-up and Clean-up and Facility Care

1. All set-up and clean-up time is scheduled as part of the rental times.

2. No decorations will be permitted which are taped, tacked, stapled, nailed, or otherwise fastened to the walls, ceilings, doors, or floors of the facility. Open flames such as candles or burners are not allowed in board room. If used in auditorium, appropriate devices must be used.

3. Renter is responsible for removing all tape from the tables where table cloths and decoractions are secured to. No table covering may be tacked, stapled, nailed, or fastened in any manner which will damage the tables.

4. Rental of the facility includes the use of tables and chairs and renter is responsible for re-stacking of these during clean-up.

5. Renter is responsible for set-up and clean-up of the event. This shall include, but is not limited to: setting up tables and chairs, cleaning floors, cleaning restrooms, emptying trash to appropriate trash dumpsters, wiping off tables and chairs, sinks, etc.

6. The City shall provide the following cleaning equipment and supplies: broom and dust pan, mop and bucket, trash bags, all-purpose cleaner and floor cleaner and towels for such cleaners. Garbage containers must be cleaned of spills and trash.

7. Renter is responsible for leaving the parking lot free of trash and debris from the event.

8. Smoking is prohibited within the facility and within 25 feet of all entrances. Bayard City Ordinance 11-2006. Renter is responsible for disposing of cigarette butts in the proper receptacles.

9. Firearms are prohibited on the premises.

Capacity

The Center auditorium has a maximum capacity of 250 persons including children. Board Room has a maximum capacity of 35. It is unlawful to exceed this capacity.

Minor Children

Minors shall be supervised by an adult 21 years of age at the following ratio:

Age: 0-12 years requires 1 adult per 4 children
Age: 13-17 requires 1 adult per 10 young adults

_____ _____

Renter Signature Date

_____ _____

Employee Signature Date

BAYARD COMMUNITY CENTER RENTAL AGREEMENT

City Hall, 800 Central Avenue, PO Box 728, Bayard, NM 88023
Phone: (575) 537-3327 Fax: (575) 537-5271

Rental Agreement – Board Room

Bayard Community Center Rental Agreement is non-transferable and is only valid for the Board Room for meeting purposes only. Renter/User agrees to comply with all guidelines and policies as set forth in the agreement. If there are any changes to this agreement, the City of Bayard reserves the right to require a new agreement to be approved by the City/or its appointed representative and the renter/user. The Bayard Community Center is hereafter referred to as the "Center".

General

A. The renter of the facility shall be 21 years of age.

B. An individual requesting a reservation under resident status must provide proof of Bayard residency.

C. Any sound system, video, music, etc. shall be kept at a low volume so as not to disturb others using the facility.

D. Failure to comply with any of the terms of the Rental Agreement shall cause immediate removal from the premises and forfeiture of all fees and deposits.

E. Renter must be present during the period of the reservation from set-up through clean-up and shall be responsible for check out of the facility to become eligible for the refund of the deposit.

Rental Fees

A. **Booking Fee:** N/A

B. **Rental Fees:** All Fees and Deposits: Must be paid by cash, money order or cashier's check

Booking Fee: N/A
Security Deposit: $25.00
Rental Fee: $25.00 per hour
Key Deposit: $20.00
Kitchen: N/A for Board Room Rental

Available Rental Time: Sunday – Thursday 8 am to 9 pm
Friday & Saturday 8 am to 11 pm

Rental time includes set-up and clean-up time.

C. **Security Deposit Fee:** The purpose of the security deposit is to ensure proper clean-up and care of the facility.
   1. If the facility is left dirty and/or damaged by the renter, the City shall retain all or part of the deposit.
   2. The security deposit must be paid to the City at the time the reservation is made. Rental fees must be paid 20 days prior to scheduled event or at the time the reservation is made if less than 20 days to the event.

3. If costs to clean and /or repair the facility exceed the amount of the security deposit, the renter shall be responsible for the additional costs. If the renter fails to pay the additional costs, as requested by the City staff, the renter shall be responsible for all collection costs and/or attorney's fees.

D. Cancellations and Forfeits:

1. Should the deposit and/or rental payment not be made in full prior to 20 days of the event, the event will be considered canceled and all fees collected will be forfeited.

2. Renter must provide notice of cancellation of a reservation at least 20 days in advance of the reservation to become eligible for a full or partial refund of the deposit or rental fees.

Keys

Renters will be allowed to secure a key with a key deposit for the term of the rental.

Food and Drink

1. **Alcohol: This facility and premises is alcohol and drug free.** Bayard Police Officers conduct frequent patrols of the facility and premises and are authorized to enter the facility. Police Officers are authorized to conduct inspections of the facility and conduct immediate termination of the event should violations be occurring. Violations will cause forfeiture of deposit and fees.

2. Food and drinks in the board room is limited to pastries and coffee.

3. Use of the kitchen facility is not available with the rental of the Board Room.

Set-up and Clean-up and Facility Care

1. All set-up and clean-up time is scheduled as part of the rental times.

2. No decorations will be permitted which are taped, tacked, stapled, nailed, or otherwise fastened to the walls, ceilings, doors, or floors of the facility. Open flames such as candles or burners are not allowed in the board room.

3. Renter is responsible for removing all tape from the tables where table cloths and decorations are secured to. No table covering may be tacked, stapled, nailed, or fastened in any manner which will damage the tables.

4. Rental of the facility includes the use of tables and chairs and renter is responsible for re-stacking of these during clean-up.

5. Renter is responsible for set-up and clean-up of the event. This shall include, but is not limited to: setting up tables and chairs, cleaning floors, cleaning restrooms, emptying trash to appropriate trash dumpsters, wiping off tables and chairs, sinks, etc.

6. The City shall provide the following cleaning equipment and supplies: broom and dust pan, mop and bucket, trash bags, all-purpose cleaner and floor cleaner and towels for such cleaners. Garbage containers must be cleaned of spills and trash.

7. Renter is responsible for leaving the parking lot free of trash and debris from the event.

8. Smoking is prohibited within the facility and within 25 feet of all entrances. Bayard City Ordinance 11-2006. Renter is responsible for disposing of cigarette butts in the proper receptacles.

9. Firearms are prohibited on the premises.

Capacity

Board Room has a maximum capacity of 35. It is unlawful to exceed this capacity.

Minor Children

Minors shall be supervised by an adult 21 years of age at the following ratio:

Age: 0-12 years requires 1 adult per 4 children
Age: 13-17 requires 1 adult per 10 young adults

_____ _____

Renter Signature Date

_____ _____

Employee Signature Date

Home of the Indians

COBRE HIGH SCHOOL

P.O. Box 749
1300 Tom Foy Blvd.
Bayard, New Mexico 88023
Phone: (575) 537-4020 Fax: (575) 537-4090

7/21/21

Bayard City Council Members

Let me start by thanking you for the continued support you have given Cobre High School. This year Cobre is having the homecoming football game on September 10, 2021. Cobre is requesting police and fire department assistance with the annual painting of the C on Thursday September 9th and with the parade on Friday September 10th. The parade will begin at 2:00 pm. Thank you for you continued support.

Thank you

Nelson Diaz
Cobre High Athletic Director

SOUTHWEST DISPOSAL

June 29, 2021

Kristy Ortiz
City of Bayard
800 Central Ave
Bayard, NM 88023

Dear Ms. Ortiz:

A special thanks to you and the City of Bayard for the privilege of serving your fine community with our waste collection service.

As per the contract, we request that our rates be adjusted and revised to reflect the increase in the Consumer Price Index from April 2020 (256.39) to April 2021 (267.05). This translates into a 4.16% increase on all current rates effective July 1, 2021.

In closing, let me add that we are committed to providing the City of Bayard legendary waste collection service, which promotes the ongoing health and welfare of your community. Attached you will find a new rate schedule. If you have any questions, please feel free to contact me at (575) 524-8482.

Sincerely,

Pamela Ray

Pamela Ray
Site Manager
(575) 545-1983
pamelai@wcnx.org

P.O. Box 369 • Las Cruces, New Mexico 88004-0369 • 505 524-8482

Annual Increase Schedule

Trash Service

July 2021

Residential - In Limits

Base Rate	CPI Rate	CPI Increase	Total Rate
$ 13.73	4.16%	$ 0.57	$ **14.30**

Residential - Out of Limits

Base Rate	CPI Rate	CPI Increase	Total Rate
$ 16.76	4.16%	$ 0.70	$ **17.46**

Commercial

Cubic Yard Base = $5.95

5.71*4.16%

Formula

bins x # pick-ups # cubic feet x $5.95 x 52 (# of weeks) divided by 12 (# of months in year) + (10% per bin).

1 x 1 x 1.5 x 5.95 x 52 / 12	10%		
$ 38.68	$ 3.87	$ 42.55	

Large Commercial

$ **42.55** Per Bin - Per pick-up

Medium Commercial

$ **42.55** Per Small Bin - Serviced three times a week

Small Commercial

$ **21.28** Per Bin - Per pick-up

MICHELLE LUJAN GRISHAM
GOVERNOR

DONNIE J. QUINTANA
DIRECTOR

DEBORAH K. ROMER
CABINET SECRETARY

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

June 18, 2021

The Honorable Chon Fierro
PO Box 728,
Bayard, NM 88023

Dear Mayor Fierro:

In accordance with Section 6-6-2B NMSA 1978, the Department of Finance and Administration, Local Government Division (LGD) has examined the proposed budget of your local government entity for Fiscal Year 2021-22 and hereby grants approval and certification for use. Sufficient resources appear to be available to cover proposed budgeted expenditures. However, we must point out that the final approval will be certified no later than the first Monday of September 2021.

Approval and certification of your final budget is contingent upon submission of the following by no later than **July 31, 2021**:

- A resolution adopting the 2021-22 operating budget
- The June 30, 2021 (4th) quarter financial report
- A resolution approving the June 30, 2021 (4th quarter) financial report
- Debt service schedule which reconciles with budgeted amounts
- Investment schedule which reconciles with budgeted amounts on recap
- Budget Work Plan questionnaire
- Revised unaudited beginning cash balances as of July 1, 2021 that agree with ending cash balances as of June 30, 2021 per the 4th quarter financial report
- To avoid reporting negative unaudited beginning cash balances for any Fund (if negative balances exist at June 30th) it is highly recommended that a final budget adjustment resolution (BAR) must be prepared, approved and submitted by the July 31st deadline with temporary transfers from General Fund to any Fund showing a negative beginning cash balance
- Adjustments/revisions discussed with staff (attached)

Please note final budget certification will be "conditional" if one or both of the following situations apply:

- Pursuant to the *Budget Certification of Local Public Bodies* rule 2.2.3 NMAC if your entity's Fiscal Year 2020 audit has not been filed with the Office of the State Auditor; and/or
- Pursuant to Section 6-6-2K NMSA 1978 if your entity's Fiscal Year 2021-22 budget was not submitted on the Local Government Budget Management System (LGBMS)

If you have questions regarding this matter, please call Stephanie Ortiz of my staff at 505-396-1783, or via email at StephanieD.Ortiz@state.nm.us.

Sincerely,

Brenda L. Suazo-Dilas

On behalf of:
Donnie J. Quintana, Director
Local Government Division

xc: file

City of Bayard

DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION'S ADJUSTMENTS TO THE FISCAL YEAR 2021-22 BUDGET:

FUND	EXPLANATION
LEPF	Please note: these grant revenues must be fully expended in the fiscal year. State law prohibits accumulation of grant revenue in this fund. Furthermore, if there will be a carryover amount, approval must be requested in the LGD carryover request form.
Debt	Verify and adjust detailed budget document to agree with amounts listed on the Debt Schedule.
GRT	Verify, and adjust if necessary, Gross Receipts Tax Revenue to accommodate budgeted expenditures.
Property Tax	Verify, and adjust if necessary, Property Tax Revenue to accommodate budgeted expenditures.

NOTE:
Please note that the General Fund cash balance is being depleted **-11.23%**. If not addressed in the interim prior to final budget submission, the governing body will be warned of this occurrence in the final budget approval letter.

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 13-2021

WHEREAS, the Bayard City Council in regular session on July 26, 2021 did propose to make certain budgetary adjustments; and

WHEREAS, the Council does hereby authorize the attached listing of budgetary adjustments for the June 30, 2021 financial statements as listed in Exhibit A.

WHEREAS, the Council does hereby approve the June 30, 2021 Financial Statements and budget adjustments as presented.

NOW THEREFORE, the Council does hereby accept and approve the budgetary adjustments and June 30, 2021 Financial Statements.

Done at Bayard, New Mexico, this 26th day of July 2021.

_____
Chon S. Fierro
Mayor

ATTEST:

_____
Kristina Ortiz, MMC
Clerk Treasurer

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 14-2021

WHEREAS, the governing body of the City of Bayard, State of New Mexico has developed a final operating budget for the fiscal year 2022; and

WHEREAS, said final budget was developed on the basis of need and through cooperation of all departments, elected official's and department supervisor's; and

WHEREAS, the official meeting for the public input and review of the proposed budget requirements were held on March 29, 2021 and April 19, 2021 in compliance with the requirements of the state open meeting law, and it is the majority opinion of this governing board that the proposed budget meets the requirements as currently determined for the 2022 fiscal year.

NOW THEREFORE, be it resolved by the City Council of the City of Bayard, State of New Mexico, that this 2022 Final Budget, June 30, 2021 Financial Statements and year end budget adjustments are **PASSED, APPROVED AND ADOPTED** this 26th day of July, 2021.

Chon S. Fierro
Mayor

Raul Villanueva
Mayor Pro-tem

Eloy Medina
Councilor

Adrian Ortiz
Councilor

Charles L. Kelly
Councilor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer