City of Bayard

CITY COUNCIL SPECIAL MEETING

June 08, 2021 at 2:00 PM

Bayard City Hall

MINUTES

WORK SESSION

CALL TO ORDER: Mayor Chon S. Fierro

PRESENT

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

Others present were Anthony Aveles, Jason Jaeger, Chief Alirez, and Kristina Ortiz.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

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

PUBLIC INPUT

CONSENT AGENDA

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

The following items were included in the consent agenda.

1. Approval of Minutes of Regular Meeting of May 24, 2021
2. Approval of the Accounts Payable Report for June 8, 2021
3. Approval of the Police Report for April 2021

NEW BUSINESS

4. Stone, McGee & Co. - Mike Stone, 2020 Audit Report presentation and approval.

Mr. Mike Stone presented the 2020 Audit and state that is was given the best rating available. The only finding was for a late audit report relating to staff availability of the auditors office. Mr. Stone stated that the finance staff does a wonderful job in preparing the required documents for the audit.

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

5. Approval of the purchase of Christmas decorations for the street light poles from Temple Display.

Clerk Treasurer Ortiz presented a quote from Temple Display for street light pole Christmas decorations for a total of $34,032.60. City Council also inquired on purchasing of decorations for the municipal buildings with the excess allocated budget for decorations. Mayor Fierro inquired on decorations such as a large tree for the recreation areas. Clerk Treasurer Ortiz stated that the Department of Finance & Administration has approved purchasing decorations to be used at Bayard recreation areas. Clerk Treasurer Ortiz stated that recreation funding needs to be spent due to expiration dates and not enough funding available to construct the new concession stand. A consensus of the Council would be needed to proceed with the purchase of decorations for the recreation sites.

Item up for vote is the purchase of street light pole decorations from Temple Display for $34,032.60.

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

ORDINANCES/RESOLUTIONS

6. Adoption of Resolution 9-2021 for the 2020 Fiscal Audit

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

RESOLUTION 9-2021

ACCEPTANCE AND APPROVAL OF THE FY18 AUDIT

WHEREAS, the City of Bayard is required by statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2020; and,

WHEREAS, the Bayard City Council has directed the accomplishment of the audit for FY20 be completed; and,

WHEREAS, this audit has been completed and presented to the Bayard City Council per the May 25, 2021 Letter from the Statue Auditor authorizing release of the FY20 audit.

WHEREAS, NMAC 2.2.2.10 (M) (4) provides in pertinent part that "Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable;" and,

NOW THEREFORE, BE IT RESOLVED, that the **Bayard City Council** does hereby accept and approve the completed audit report and findings as indicated within this document.

ACCEPTED AND APPROVED this 8th day of June, 2021 in regular session by the Bayard City Council, at Bayard, Grant County, New Mexico.

//s//_____
CHON S. FIERRO, MAYOR

//s//_____
RAUL VILLANUEVA, MAYOR PRO-TEM

//s//_____
ELOY MEDINA, COUNCILOR

//s//_____
ADRIAN ORTIZ, COUNCILOR

//s//_____
CHARLES L. KELLY, COUNCILOR

ATTEST BY:

//s//_____
KRISTINA ORTIZ, MMC
CLERK TREASURER

7. Adoption of Resolution 10-2021 for N. Foy Street and Drainage Improvements, for the participation in the Transportation Project Fund Program. Total project cost $65,400 (state $62,130, local $3,270).

   Clerk Treasurer Ortiz stated that funding under the Local Transportation Program was available and requested approval to proceed with applying for design services funding for the N. Foy Street project. Match is 5% (state $62,130, local $3,270).

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

RESOLUTION NO. 10-2021

A RESOLUTION SUPPORTING AN APPLICATION
and
PLEDGE OF MATCHING FUNDS
for
FISCAL YEAR 2022 TRANSPORTATION PROJECT FUND

WHEREAS, the New Mexico Department of Transportation is soliciting applications for the Department's Fiscal Year 2022 Transportation Project Fund; and

WHEREAS, the purpose of the Transportation Project Fund is to assist local and tribal governments with the following: (1) environmental and other studies; (2) planning; (3) design; (4) construction; and (5) acquisition of rights of way necessary for the development of transportation infrastructure, which includes highways, streets, roadways, bridges, crossing structures and parking facilities, including all areas for vehicular use for travel, ingress, egress and parking; and

WHEREAS, having reviewed and considered the regulations and the application covering administration and use of said funds; and

WHEREAS, having determined that N. Foy Street – Bayard Housing Authority north entrance off of Copper Street north to Town Limits qualifies for grant funding; and

WHEREAS, in official session that the **City of Bayard** determines, resolves, and orders as follows:

That the project N. Foy Street – Bayard Housing Authority north entrance off of Copper Street north to Town Limits has a priority standing.

NOW THEREFORE BE IT RESOLVED that the **City of Bayard** endorses and supports an application for the Fiscal Year 2022 Transportation Project Fund and pledges 5% matching funds for **Design** of paving, curb & gutter, and drainage Improvements on N. Foy Street – Bayard Housing Authority north entrance off of Copper Street north to Town Limits within the **City of Bayard** to include project management assistance, geotechnical investigation, final drainage analysis, and final design, and

HEREBY requests that the New Mexico Department of Transportation consider and approve said application being in accordance with the regulations governing use and expenditures of said funds.

PASSED, APPROVED, and ADOPTED by the governing body of the **City of Bayard** at its meeting of June 8, 2021.

//s//_____
Chon S. Fierro, Mayor

ATTEST:

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

8. Adoption of Resolution 11-2021 for the 2021 Municipal Election.

   Clerk Treasurer Ortiz stated that a resolution was required to be submitted to the Grant County Clerk indicating the positions up for the 2021 election which would be two positions for City Council.

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

RESOLUTION NO. 11-2021

REGULAR LOCAL ELECTION

WHEREAS, the Governing Body of the City of Bayard, New Mexico has opted into the Local Election Act, Article 1, Section 1-22-3.1 of the NMSA 1978; and

WHEREAS, the Governing Body of the City of Bayard wishes to convey the correct and complete election information to the Grant County Clerk as required by 1-22-4(A)

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYARD, STATE OF NEW MEXICO THAT:

A. A regular local election is to be held on November 2, 2021; and

B. At the regular local election, persons shall be elected to fill the following municipal elective offices:

   1. **ONE Councilor for a four-year term.**

   2. **ONE Councilor for a four-year term.**

C. All Declarations of Candidacy shall be filed in the Office of the County Clerk on August 24, 2021, between the hours of 9:00 a.m. and 5:00 p.m.

D. All Declaration of Candidacy for write-in candidates shall be filed in the Office of the County Clerk on August 31, 2021, between the hours of 9:00 a.m. and 5:00 p.m.

PASSED, APPROVED AND ADOPTED by the City Council of Bayard on this 8th day of June 2021 in open session, at Bayard, Grant County, New Mexico.

*//s//*_____
Chon S. Fierro
Mayor

ATTEST:

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

MAYOR AND COUNCILORS REPORTS

Mayor Fierro thanked the maintenance department for their hard work at the t-ball field and pothole repairs. Mayor Fierro asked Chief Alirez about citing individuals for uncovered loads.

Clerk Ortiz stated that the City Council would need to provide a consensus on the purchase of recreation decorations. It is the consensus of the Council to move forward with the purchase of recreation decorations.

Clerk Ortiz stated that the NMDOT contacted the City to state that $108,000 (project total) was approved from the Municipal Arterial Program under the Local Government Road Fund Application. The City Council at the next regular meeting will be required to adopt a resolution with the understanding that the funding will require an additional $17,000 cash match that what was listed in the original application. The funding breakdown is state $81,000 and local $27,000 for a project total of $108,000.

Mayor Fierro asked Chief Alirez if the Fire Department could access the police frequency. Clerk Ortiz stated that the Fire Department is not able to make contact with the police during emergencies. Chief Alirez stated that the frequency needs to be programed into the fire department radios. Clerk Ortiz requested the contact information for the programmer.

NEXT MEETING DATE:

Regular Meeting - June 28, 2021

ADJOURNMENT

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

MEETING ADJOURNED AT 2:48 P.M.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer