



City of Bayard
CITY COUNCIL REGULAR MEETING
November 19, 2025 at 4:30 PM
Bayard City Hall

AGENDA

CALL TO ORDER: Mayor John L. Ojinaga

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC INPUT

During this portion of our meeting, we welcome your suggestions and want to hear your concerns. This is not a question and answer period; speakers will be limited to three (3) minutes. Any individual who would like to discuss an item in more depth may request to be placed on a future agenda. Request forms are available at City Hall.

CONSENT AGENDA

2. Approval of Regular Meeting Minutes for October 15, 2025
3. Approval of Accounts Payable Report
4. Approval of Police Department Reports
5. Approval of Maintenance Report
6. Approval of Wastewater Report
7. Approval of Fire Department Report
8. Approval of Municipal Court Report
9. Approval of Library Report
10. Approval for Council and City employees to attend Legislative Sessions in January 2026
11. 2026 Holiday Schedule
12. 2026 Regular Council Meeting Schedule

NEW BUSINESS

13. Discussion/Action- Presentation by Jason Quintana on a Community Gym
14. Discussion/Action- Appointment of Mary Paino to Beautification Committee Board
15. Discussion/Action- Renewal of City of Bayard Wastewater Treatment Plant Project Agreement with Freeport-McMoran Chino Mines, Inc
16. Discussion/Action- Contract Better City and Teska Associates for the Bayard Community Vision & Development Plan for Foy Property
17. Discussion/Action- Capital Outlay Requests for 2026 Legislative Session
18. Discussion/Action- Purchase of Maintenance and Wastewater Vehicles

ORDINANCES/RESOLUTIONS

19. Discussion/Action- Resolution 20-2025 A Resolution Adopting the 2025-2030 Bayard Community Forest Management Plan
20. Discussion/Action- Resolution 21-2025- A Resolution Authorizing the City of Bayard to Enter Into The Design Funding Agreement Among the State of New Mexico Interstate Stream Commission, City of Bayard, The Village of Santa Clara, and the Town of Silver City
21. Discussion/Action- Resolution 22-2025 Authorizing the Purchase by Warranty Deed for 610 Rosemary Street, Bayard NM
22. Discussion/Action- Resolution 23-2025 Authorizing the Purchase by Warranty Deed at 414 N. Railroad Street, Bayard, NM
23. Discussion/Action- Resolution 24-2025 Open Meeting Act
24. Discussion/Action- Resolution 25-2025 Budget Adjustments

CLOSED SESSION

25. Closed Session May Be Held Pursuant to 10-15-1 NMSA 1978 (H-2) Limited Personnel Matters for Police Department

ACTION ITEMS RESULTING FROM CLOSED SESSION**ACTION FOR PERSONNEL**

26. Discussion/Action- Hire Police Officer

DEPARTMENT HEAD REPORTS**MAYOR AND COUNCILORS REPORTS**

NEXT MEETING DATE:

Regular Meeting - December 17, 2025

ADJOURNMENT



City of Bayard
CITY COUNCIL REGULAR MEETING
October 15, 2025 at 4:30 PM
Bayard City Hall

MINUTES

CALL TO ORDER: Mayor John L. Ojinaga (4:30 p.m.)

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor John L. Ojinaga
Mayor Pro Tem Eloy Medina
Councilor Frances Gonzales (by telephone)
Councilor Eloy Gonzales
Councilor Gilbert Ortiz

Others in attendance Michael Armendariz, Susie Armendariz, Dolores Charon, Gene Hood, Cordell Jones, Elysha Montoya, Marcela Johnson, Steve Potts, Helen Schruf, Gabe Gonzales, Ty Warhank, Hector Carrillo, Renee Provencio, Sam Arellano, Martha Salas, and Tanya Ortiz.

APPROVAL OF THE AGENDA

PROCLAMATION

Mayor Ojinaga read the Domestic Awareness Month Proclamation.

1. Domestic Awareness Month

2025 DOMESTIC VIOLENCE AWARENESS MONTH

PROCLAMATION

WHEREAS, domestic violence is a serious crime that affects individuals and families of every age, background, and circumstance, leaving long-lasting physical, emotional, and economic impacts on survivors and communities; and

WHEREAS, since 2011, our community has lost 14 lives to domestic violence-related homicides, each representing a family forever changed and a life taken far too soon; and

WHEREAS, the devastating consequences of domestic violence reach beyond individual victims, affecting children, extended families, workplaces, and the safety and well-being of our entire community; More than 16 million people in the U.S. suffer from intimate partner abuse per year; and

WHEREAS, El Refugio, Inc. provides critical services including emergency shelter, advocacy, counseling, prevention, and offender intervention programs. From July 1, 2024, to June 30, 2025, El Refugio served 286 victims/survivors of domestic violence; 84 offenders participated in the Domestic Violence Offender Treatment Program; 1,174 emergency shelter nights and 7,362 meals were provided; 45 individuals transitioned into permanent housing; 62 orders of protections were issued; and 212 crisis calls were answered, and

WHEREAS, raising awareness and fostering community engagement are essential to preventing domestic violence, supporting survivors, and honoring the memory of those whose lives were taken, sending a clear message of zero tolerance for violence, and educating our legislators on the urgent need for continued support and resources; and

WHEREAS, City of Bayard has a moral obligation to help prevent domestic violence, address its brutal and destructive effects by making the elimination of domestic violence a local priority; and

NOW, THEREFORE, I hereby proclaim the month of October 2025 to be:

"Domestic Violence Awareness Month"

In the City of Bayard, New Mexico and calls upon all citizens, law enforcement, community organizations, health officials, faith groups, schools, and our legal system to join in the effort to end domestic violence, support survivors, hold offenders accountable, and work together toward a future free of violence.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the City of Bayard to be affixed in Bayard this 15th day of October 2025.

John L. Ojinaga, Mayor

Attest:

Martha Salas, City Clerk Treasurer

PUBLIC INPUT

Elysha Montoya came before the council for an update on the Community Garden, the committee has received funding for the garden. They are keeping involved in the community and participating in community events. She will be giving a final design of the community garden by the end of the year.

Steve Potts was upset about his neighbors yard on Rosemary and Grant Street. He would like for the yard to be cleaned up and is worried it is a fire hazard. Mr. Potts would like for the city to make the property owner clean it up or he will be contacting his attorney.

PLANNING AND ZONING

2. Discussion/Action- A Variance Request by Resident at 805 Bard Street

Mr. Jones the Planning and Zoning Chair stated the committee had a meeting the day before and Mr. Armendariz on Bard Street is wanting to build a carport in the front yard. They have met all the requirements and recommend this gets approved.

Motion made by Mayor Pro Medina, Seconded by Councilor E. Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz

Voting Abstaining: Councilor F. Gonzales

CONSENT AGENDA

Motion made by Mayor Pro Medina, Seconded by Councilor Eloy Gonzales.

Voting Yea: Mayor Pro Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

3. Approval of Workshop Minutes for September 15, 2025
4. Approval of Regular Meeting Minutes for September 17, 2025
5. Approval of Special Meeting Minutes for September 26, 2025
6. Approval of Accounts Payable Report
7. Approval of Police Department Reports
8. Approval of Maintenance Report
9. Approval of Wastewater Report
10. Approval of Fire Department Report
11. Approval of Municipal Court Report
12. Approval for Maintenance employees to Attend the NMRWA 15th Annual Southern Fall Conference in Las Cruces, NM on October 28-30, 2025
13. Approval for City Employees to attend the 28th Annual NM Infrastructure Finance Conference Albuquerque Convention Center Albuquerque, New Mexico November 3 - 7, 2025

OLD BUSINESS

14. Discussion/Action- Travel by Airline for City Employees or Council

Discussion on this item was taken. Mayor Ojinaga recommend flights for emergency only and not for week long meetings. Councilor Frances Gonzales stated she had talked to an attorney from the American Disabilities Act about a person who should be accommodated due to ADA. Councilor Frances Gonzales also said if this agenda item was denied there could be a future employee who might take it further. City Clerk Salas wanted to make clear this agenda item was not about ADA in the beginning. Councilor Frances Gonzales brought up her ADA issue when Mayor Ojinaga denied her travel by airline.

Motion made by Councilor Eloy Gonzales, Seconded by Councilor Ortiz.
Voting Yea: Councilor Eloy Gonzales, Councilor Ortiz, Mayor Ojinaga (Tie Breaker)
Voting Nay: Mayor Pro Tem Medina, Councilor Frances Gonzales

15. Discussion/Action- Water Contract

Motion made by Mayor Pro Medina, Seconded by Councilor Eloy Gonzales.
Voting Yea: Mayor Pro Tem Medina, Councilor Frances Gonzales, Councilor Eloy Gonzales, Councilor Ortiz

16. Discussion/Action-Wastewater Contract

Motion made by Mayor Pro Tem Medina, Seconded by Councilor E. Gonzales.
Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

NEW BUSINESS

17. Discussion/Action- Mining District Senior Center

Recently Santa Clara was asked to take over the Senior Center for the Mining District. Santa Clara presented a report on the Mining District Senior Center. The request for assistance from the City of Bayard is \$23,000 for the current fiscal. Every fiscal year the assistance amount will be revisited.

Motion made by Mayor Pro Tem Medina, Seconded by Councilor Eloy Gonzales.
Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

18. Discussion/Action- Stantec- Task Order #4- 2024 Colonias Chlorination System Improvements

Motion made by Councilor Eloy Gonzales, Seconded by Councilor Ortiz.

Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

19. Discussion/Action- Purchase a Used Vehicle for Code Enforcement from NM State Police

Motion made to postpone this item by Councilor Eloy Gonzales, Seconded by Councilor Ortiz.

Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

ORDINANCES/RESOLUTIONS

20. Discussion/Action- Resolution No. 19-2025 Ratifying a Certain Agreement Between the City of Bayard and The Southwest New Mexico Council of Governments

Motion made by Mayor Pro Tem Medina, Seconded by Councilor Eloy Gonzales.
Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

RESOLUTION NO. 19-2025

RESOLUTION OF THE CITY OF BAYARD RATIFYING A CERTAIN AGREEMENT BETWEEN THE CITY OF BAYARD AND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED OCTOBER 15, 2025, AND AUTHORIZING THE EXECUTIVE OF SAME BY THE PROPER OFFICIAL OF THE CITY OF BAYARD.

WHEREAS, the City of Bayard is a member of and desires to have the services of the Southwest New Mexico Council of Governments; and

WHEREAS, it is necessary that an agreement setting forth the services to be performed by the Southwest New Mexico Council of Governments for the City of Bayard be entered into and it is a requirement of the New Mexico State Laws; and

WHEREAS, it is necessary to set forth the sum to be paid by the City of Bayard to the Southwest New Mexico Council of Governments, as annual dues, for said services; and

WHEREAS, it is the desire of the City of Bayard to accomplish these purposes:

NOW THEREFORE BE IT RESOLVED BY THE CITY OF BAYARD THAT:

Done this 15th day of October, 2025 in Regular Council Session, at City Hall, Bayard, NM

John L. Ojinaga, Mayor

ATTEST:

Martha Salas, City Clerk Treasurer

CLOSED SESSION

21. Closed Session May Be Held Pursuant to 10-15-1 NMSA 1978 (H-2) Limited Personnel Matters for Police Department (5:37 p.m.)

Motion made by Mayor Pro Tem Medina to enter closed session, Seconded by Councilor Eloy Gonzales.

Roll Call Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

(Open Session at 6:01 p.m.)

Motion made by Mayor Pro Medina to enter open session, Seconded by Councilor Eloy Gonzales.

Roll Call Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

ACTION ITEMS RESULTING FROM CLOSED SESSION

ACTION FOR PERSONNEL

22. Discussion/Action- First Line Supervisor Completion Salary Increase - Police Officer

Motion made by Mayor Pro Tem Medina to give Delila Chavez get a pay increase of \$1, Seconded by Councilor Frances Gonzales.

Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

23. Discussion/Action- Hire Full Time Animal Control/Cross Walk Guard

Motion made by Mayor Pro Tem Medina to hire Ricardo Aguirre paying \$17.50 an hour, Seconded by Councilor Eloy Gonzales.

Voting Yea: Mayor Pro Tem Medina, Councilor Eloy Gonzales, Councilor Frances Gonzales, Councilor Ortiz

DEPARTMENT HEAD REPORTS

Gabe Gonzales Fire Chief read his monthly fire report. The department is looking in to a new reporting system. This system will cost \$10,900. They department has training scheduled for the month.

Head Librarian Renee Provence the library did not get the out door equity grant. There will be more funding and will try it again. They library did receive a whisper booth from the State Library and is already be utilized. There will be a Día de los Muertos the Mining District festa on November 1st at the Bayard Community Park.

Beautification Committee Bingo will be November 23, 2025. At the last meeting the committee voted to increase gift cards for the holiday decorations contest 6 \$150 gift cards and there will not be any places there will only be 6 nicest homes.

Hector Carrillo Police Chief the back parking lot at the police department has been expanded by the main department and thanked them for that. The issue from public input from Mr. Potts has been addressed by the Code Enforcer.

Sam Arellano Public Works Director stated the maintenance department are working on irrigation at the parks for the planning of the trees and the planting of the tree will start next Tuesday. The expansion of the parking at the police department is done. The new chlorine pump is installed and continue to test everyday and all test have been on target. The depot is being cleaned out and getting things organized there. The department is working on the little league dugouts at the bottom field. The cleaning of the tanks have been done. All test that go to the Silver City Wastewater have came back good.

Mayor Ojinaga stated with the big rain that just happen caused a lot of water drain to the wastewater plant, a meeting has been planned to try and figure out a salutation so this will not happen again.

Martha Salas Clerk Treasurer stated their office is still working on audit items for the auditor. Quarterly reports are being completed by herself and the Deputy Clerk. Salas applied for the Animal Welfare Grant for the animal shelter. New Mexico BARC did help with pictures.

MAYOR AND COUNCILORS REPORTS

Councilor Frances Gonzales October 29 at 4:30 Truck or Treat at the Cobre High.

Councilor Eloy Gonzales he wanted an update on the Blake's Lota Burger.

Councilor Gilbert Ortiz when to the little league games and the field looked really good.

Mayor Ojinaga stated everyone is working together. All of the communities are working together.

NEXT MEETING DATE:

Regular Meeting - Wednesday, November 19, 2025 at 4:30 p.m.

ADJOURNMENT- (6:43pm)

John L. Ojinaga
Mayor

ATTEST:

Martha Salas, Clerk Treasurer

ACCOUNTS PAYABLESVENDORDESCRIPTIONAMOUNTP.O.

<u>GENERAL FUND - 10-31 Police</u>		<u>P.O.</u>
PNM	Monthly City Street Light Bill	\$150.32
Grant County Regional Dispatch	Quarter 1 call volume FY-25/26	\$2,127.64
WNM Communications	Monthly Desk Phones	\$105.03
Century Link	Monthly Fax Lines	\$239.81
Abila	Accounting Software	\$132.70
Spectrum	Monthly IT	\$1,398.18
Xfinity	Monthly Internet Bill	\$244.85
Krystal Mountain Water	5 Gallon Drinking Water	\$19.22
Grant County Pest Control	Monthly Pest Control	\$14.55
Ace Hardware	Miscellaneous Shop Supplies for September	\$102.57
Oreilly	Vehicle Supplies	\$92.13
Valvoline Global Online	Oil for City Vehicles	\$313.47
Southwest NM Council of Governments	FY 2025-2026 Member's Dues	\$388.53
NM Gas Co	Monthly Bill	\$9.56
WEX	September Fuel Usage	\$2,888.11
Foxworth	Chain Posts	\$173.99
PNM	Monthly City Street Light Bill	\$107.37
Richo	Monthly Printer Services	\$41.17
SBA Monarch Towers	Tower Site Rental	\$319.07
Spectrum Technologies	Monthly IT Services	\$1,398.18
Oreilly	Parts for Police Vehicle	\$209.71
Amazon	Quarterly Office Supplies	\$322.23
Quill	Quarterly Office Supplies	\$291.92
T-Mobile	Monthly Geotabs	\$129.15
T-Mobile	Monthly Cell Phone Bill	\$743.13
Lexis Nexis	Software for Police	\$215.25
TOTAL		\$12,177.84

<u>GENERAL FUND - 10-24 City Hall</u>		<u>P.O.</u>
PNM	Monthly City Street Light Bill	\$773.69
Copies on the Run	Time Cards	\$7.50
WNM Communications	Monthly Desk Phones	\$210.06
Xfinity	Monthly Internet Bill	\$312.46
Century Link	Monthly Fax Lines	\$118.57

Abila	Accounting Software	\$132.70	
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$401.04	
Spectrum	Monthly IT	\$4,401.25	
Krystal Mountain Water	5 Gallon Drinking Water	\$15.14	
Grant County Pest Control	Monthly Pest Control	\$38.91	11314
Benny's Garage Doors	New Bay Door at the Old Fire Station	\$13,028.01	11457
Oreilly	Vehicle Supplies	\$59.01	11483
Valvoline Global Online	Oil for City Vehicles	\$70.44	
Southwest NM Council of Governments	FY 2025-2026 Member's Dues	\$388.53	
NM Gas Co	Monthly Bill for city hall	\$35.24	
NM Gas Co	Monthly Bill for old fire station	\$39.59	
Airgas	Oxygen Cylinder Rental for EMS	\$82.55	
WEX	September Fuel Usage	\$64.96	
PNM	206 Hurley Ave Unit PKLOOP	\$83.84	
PNM	606 Alta Vista Unit Star	\$47.41	
PNM	603 Tom Foy Blvd Unit X-mas	\$25.09	
PNM	Monthly City Street Light Bill	\$557.78	
Richo	Monthly Printer Services	\$41.16	
Silver City Daily Press	Regular Meeting publishing	\$33.08	
Callie Gilmore Mays	911 Addressing Project Oct 13- Oct 24	\$87.18	
Spectrum	Monthly Printer Payment	\$60.00	
Spectrum Technologies	Monthly IT Services	\$4,401.25	
Xfinity	Monthly Internet Bill For City Hall	\$312.46	
Silver City Daily Press	WWTP Labor Job	\$95.14	
Beasley Mitchell	Audit Services- Progress Bill	\$2,836.20	11516
Amazon	Quarterly Office Supplies	\$40.92	11515
Quill	Quarterly Office Supplies	\$81.42	
T-Mobile	Monthly Geotabs	\$28.70	
T-Mobile	Monthly Cell Phone Bill	\$120.03	
TOTAL		\$29,031.31	
GENERAL FUND - 10-43 Parks			
PNM	Monthly City Street Light Bill	\$204.07	P.O.
Xfinity	Monthly Internet Bill	\$220.71	
Grant County Pest Control	Spray for Blister Beetles	\$134.54	
Grant County Pest Control	Monthly Pest Control	\$17.51	
PNM	Monthly City Street Light Bill	\$204.16	
TOTAL		\$780.99	

<u>GENERAL FUND - 10-34 ACO</u>		<u>P.O.</u>
Grant County Pest Control	Monthly Pest Control	\$29.32
PNM	Monthly Bill for Animal Shelter	\$45.76
Amazon	Customied Name Tag ACO	\$10.44
Arenas Valley Animal Clinic	Euthanasia and burial for 2 feline and 1 canine	\$207.81
TOTAL		\$293.33
<u>SOLID WASTE FUND - 160</u>		<u>P.O.</u>
Abila	Accounting Software	\$132.71
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$401.04
Southwest NM Council of Governements	FY 2025-2026 Member's Dues	\$388.53
Spectrum	Monthly Printer Payment	\$60.00
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$2,836.20
TOTAL:		\$3,818.48
<u>JNT WASTEWATER FUND - 170</u>		<u>P.O.</u>
PNM	Monthly City Street Light Bill	\$92.07
Copies on the Run	Time Cards	\$7.50
WNM Communications	Monthly Desk Phones	\$70.02
Century Link	Monthly Fax Lines	\$218.36
Abila	Accounting Software	\$132.71
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$401.04
Spectrum	Monthly IT	\$393.54
Krystal Mountain Water	5 Gallon Drinking Water	\$41.93
American Linen and Uniform	weekly Uniform Maint 10/13	\$60.33
Grant County Pest Control	Monthly Pest Control	\$48.13
USA Bluebook	Lab Supplies	\$2,054.13
Ace Hardware	Miscellaneous Supplies for September	\$95.65
Oreilly	Miscellaneous Vehicle Supplies	\$120.91
Accurate	Background check	\$318.48
RemotePC	Website Subscription	\$23.81
Border International	Parts for Dumptruck	\$542.42
Tractor Supply	Rubber Boots for new hire	\$118.90
Walmart	Steel Toes Boots for New Hire	\$81.06
Valvoline Global Online	Oil for City Vehicles	\$148.49
The UPS Store	Weekly sample shipment 10/8	\$192.44
The UPS Store	Weekly sample shipment 10/15	\$270.37
Southwest NM Council of Governements	FY 2025-2026 Member's Dues	\$388.53
Blue Wolf Investigations and Process Serving	Independent Investigation	\$713.50

Eurofins	Plant Tests 10/2	\$468.17	
Hughes Net	Monthly Internet Bill	\$138.35	
PNM	Monthly Bill for Plant	\$8,164.30	
WEX	September Fuel Usage	\$87.39	
Amazon	Bobcat Tires	\$254.76	11519
Werner Tire Service	New tire for wastewater Pickup	\$1,096.66	11513
PNM	Monthly City Street Light Bill	\$92.61	
Eurofins Environment Testing	Plant Test 10/9	\$247.54	
American Linen and Uniform	weekly Uniform Maint 10/20	\$69.80	
The USPS Store	Weekly Sample Shipment 10/29	\$285.87	
Spectrum Technologies	Monthly IT Services	\$393.54	
Sliver City Daily Press	WWTP Labor Job	\$88.05	
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$2,836.21	
Amazon	Quarterly Office Supplies	\$154.75	
Quill	Quarterly Office Supplies	\$12.61	11515
Aqua-Aerobic System	Filter Socks for Rec Plant	\$8,713.20	11485
T-Mobile	Monthly Geotabs	\$14.35	
T-Mobile	Monthly Cell Phone Bill	\$63.37	
Gila Health Resources	New Hire Drug screening	\$92.00	
Gila Health Resources	New Hire Drug screening	\$92.00	
Eurofins	Plant tests 10/16	\$322.88	
Eurofins	Plant tests 10/30	\$322.88	
American Linen and Uniform	Weekly Uniform Maint 11/03	\$34.90	
The UPS Store	Sample Shipment 11/5	\$258.54	
TOTAL:		\$30,839.05	

MUNICIPAL COURT FUND -20		P.O.	
PNM	Monthly City Street Light Bill	\$134.22	
WNM Communications	Monthly Desk Phones	\$70.02	
Century Link	Monthly Fax Lines	\$126.95	
Abila	Accounting Software	\$132.71	
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$401.05	
Spectrum	Monthly IT	\$334.26	
Xfinity	Monthly Internet Bill	\$97.00	
Grant County Pest Control	Monthly Pest Control	\$14.55	
NM Gas Co	Monthly Bill	\$10.71	
PNM	Monthly City Street Light Bill	\$95.87	
Spectrum Technologies	Monthly IT Services	\$334.26	
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$2,836.21	

T-Mobile

Monthly Cell Phone Bill

\$149.87

TOTAL:**\$4,737.68**

	COMM. CENTER FUND - 200	P.O.
PNM	Monthly City Street Light Bill	\$320.31
Humphrey Enterprises	Grease Trap	\$173.81
Century Link	Monthly Fax Lines	\$195.53
Grant County Pest Control	Monthly Pest Control	\$39.34
Starlink	Monthly Internet Subscription	\$120.00
NM Gas Co	Monthly Bill	\$57.92
PNM	Monthly City Street Light Bill	\$288.01
Humphrey Enterprises	Community Center Grease Trap	\$173.81
TOTAL:		\$1,368.73

	LIBRARY FUND - 210	P.O.
Cheryl Howard	Poetry Workshop- Sept 13	\$100.00
WNM Communications	Monthly Desk Phones	\$70.02
Century Link	Monthly Fax Lines	\$54.49
Cindy Renee Provencio	Reimbursement for Supplies	\$87.11
Cristian Uribe	Website Monthly Maintenance	\$200.00
Morning Star	Embroidery of shirts	\$12.00
Vibe Hair Studio	Face Painting for Dia De Los Muertos	\$200.00
Ralph and Marie Carter	Landscape Care Service for Garden	\$370.99
Xfinity	Monthly Internet Bill	\$290.99
Krystal Mountain Water	5 Gallon Drinking Water	\$34.37
Grant County Pest Control	Monthly Pest Control	\$29.32
NM State Library	Librarianship Certification Exam Application Fee	\$20.00
Bookworks	Miscellaneous Books	\$595.22
Amazon	Dia De Los Muertos Fiesta Supplies	\$310.06
Amazon	Book Stands and Easels	\$117.92
NM Gas Co	Monthly Bill	\$33.92
Amazon	Canopy Anchors	\$261.16
Walmart	Vacuum	\$188.00
Amazon	Miscellaneous Books	\$683.93
Vibe Hair Studio	Face Painting for Dia De Los Muertos	\$200.00
MT Library Services	Miscellaneous Books	\$2,599.28
PNM	Monthly Bill	\$415.98
Richo	Monthly Printer Services	\$41.17

Amazon	Quarterly Office Supplies	\$200.54	11516
Quill	Quarterly Office Supplies	\$2.12	11515
Grey House Publishing	Adolescent Mental Health Handbook	\$148.50	11500
Amazon	Hand Soap and all-purpose cleaner	\$199.80	11480
	Back order book	\$20.80	11379
Morning Star	Canopy Tent Frame	\$400.00	11557
T-Mobile	Mobile Internet	\$178.99	
T-Mobile	Monthly Cell Phone Bill	\$45.49	
Gila Health Resources	Drug Screening	\$287.00	
TOTAL:		\$8,399.17	

	MUNICIPAL STREETS FUND-240	P.O.
PNM	Monthly City Street Light Bill	\$4,149.46
Abila	Accounting Software	\$132.71
Ace Hardware	Miscellaneous Supplies for September	\$119.99
Valvoline Global Online	Oil for City Vehicles	\$148.49
PNM	Monthly City Street Light Bill	\$4,286.70
New Mexico Self Insurers Fund	Reimbursement of Liability plan	\$1,000.00
Oreily Auto Parts	Coolant and Part for Maint Backhoe	\$298.85
TOTAL:		\$10,136.20

	Maintenance 150	P.O.
PNM	Monthly City Street Light Bill	\$2,608.38
Amazon	Shirts and Pants	\$1,304.22
Copies on the Run	Time Cards	\$7.50
Grant County Regional Dispatch	Quarter 1 call volume FY-25/26	\$2,127.63
WNM Communications	Monthly Desk Phones	\$35.01
Abila	Accounting Software	\$132.71
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$401.04
Spectrum	Monthly IT	\$779.94
Krystal Mountain Water	5 Gallon Drinking Water	\$64.62
Grant County Pest Control	Monthly Pest Control	\$17.51
Ace Hardware	Miscellaneous Vehicle Supplies for September	\$24.27
Ace Hardware	Miscellaneous Shop Supplies for September	\$163.78
Oreilly	Vehicle Batteries	\$306.21
Oreilly	Shop Supplies	\$77.44
Oreilly	Vehicle Supplies	\$100.89
Ewing	Weed Killer	\$123.83
Craigtaggett Supply	Bleach	\$302.00

Valvoline Global Online	Oil for City Vehicles	\$313.47	11483
Ewing	Weed Killer	\$247.65	11482
Southwest NM Council of Governments	FY 2025-2026 Member's Dues	\$388.53	
Blue Wolf Investigations and Process Serving	Independent Investigation	\$713.50	
Xfinity	Monthly Internet Bill	\$118.04	
NM Gas Co	Monthly Bill	\$37.25	
Ace Hardware	Shovels	\$70.18	
WEX	September Fuel Usage	\$1,043.59	
Baker Utility Supply Corp	Water Supplies	\$1,662.15	11498
Amazon	Jackets	\$397.27	11521
Hennesy Mechanical	Meter Pump	\$4,722.16	11446
Ferguson Waterworks	Water Supplies	\$1,557.09	11422
PNM	Cameron CRK/ City Wells PMP#3	\$281.26	
PNM	Monthly City Street Light Bill	\$2,224.52	
Morning Star	Embroidery for Manintenance	\$40.00	
Badger Meter	Meter Services October 2025	\$362.64	
Spectrum	Monthly Printer Payment	\$60.00	
Spectrum Technologies	Monthly IT Services	\$779.94	
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$2,836.20	
Amzon	Quarterly Office supplies	\$68.79	11516
Quill	Quarterly Office supplies	\$17.21	11515
T-Mobile	Monthly Geotabs	\$129.15	
T-Mobile	Monthly Cell Phone Bill	\$93.64	
Gila Health Resrouces	Drug Screening	\$92.00	
TOTAL:		\$26,833.21	

FIRE FUND- 30		P.O.
PNM	Monthly City Street Light Bill	\$252.33
Grant County Regional Dispatch	Quarter 1 call volume FY-25/26	\$2,127.64
WNNM Communications	Monthly Desk Phones	\$70.02
Abila	Accounting Software	\$132.71
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$401.05
Spectrum	Monthly IT	\$470.83
Xfinity	Monthly Internet Bill	\$96.99
Grant County Pest Control	Monthly Pest Control	\$14.55
Oreilly	Miscellaneous Vehicle Supplies	\$314.21
Oreilly	Dept Supplies	\$8.38
Bank of America(TGI Pizza)	Pizza for Volunteers working Bonfire	\$237.69
Ghost Patch Customs	Embroidered Patches and Decals	\$377.25
		11474

Southwest NM Council of Governments

FY 2025-2026 Member's Dues

NM Gas Co	Monthly Bill	\$388.53	
WEX	September Fuel Usage	\$17.98	
Walmart	Pallet of GV Purified wate	\$402.07	
PNM	Monthly City Street Light Bill	\$262.56	11477.1
Spectrum Technologies	Monthly IT Services	\$180.32	
Beasley, Mitchell & Co	Audit Services- Progress Bill	\$470.83	
Amazon	Quarterly Office Supplies	\$2,836.21	
Quill	Quarterly Office Supplies	\$169.80	11516
T-Mobile	Monthly Geotabs	\$119.74	11515
T-Mobile	Monthly Cell Phone Bill	\$14.35	
T-Mobile		\$44.34	
TOTAL:		\$9,410.38	

	SEWER FUND- 155	P.O.
Abila	Accounting Software	\$132.71
WEX	September Fuel Usage	\$348.87
Spectrum	Monthly Printer Payment	\$60.00
TOTAL:		\$541.58

	Beautification 430	P.O.
TOTAL:		\$0.00

TOTAL:		\$138,367.95
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**BAYARD POLICE DEPARTMENT
MONTHLY REPORT
October, 2025**

Traffic Activity

Accidents	3
Traffic stops made	71
Citations Issued	11
Municipal 11	
Magistrate 0	
Stop Sign 1	
DWI	1
Motorist Assists	2
Reckless driver	6
ATL-Drunk driver	1
Traffic control	1
Traffic complaint/parking violation	3
Traffic hazard	2

Criminal Activity

Arrests	17
Burglary/Larceny	5
Criminal damage	1
Domestic calls	9
Inj./Tamp. with vehicle	0
Harassment	3
Unwanted subject	3
Shoplifting	4
Fraud/embezzlement	1
B&E	2
Shooting	1
Disturbance	6
Threat	1
Sex Crime	1
Counterfeit money	1
Child abuse	1

General Activity

Suspicious activity	24
Civil stand by	2
Escorts	1
Welfare check	14
Meetings/classes	4
Follow up investigations	8
Alarm	8
Noise complaints	4
Shots fired	1
Animal call	8
Smoke/Fire	4
Civil matter	1
Open door	1
Frequent patrol	16

Citizen assist	9
Custodial interference	2
Criminal trespass	5
Citizen contact	10
School check	6
Medical call assist	1
Child exchange	3
Overdose	1
Found property	1

Juvenile Activity

Citations	3
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Total calls for service 195

Offense/Incident reports generated 39

Informational-Domestic
 Agg. battery; Resisting, evading, obstructing
 Welfare check
 Negligent use of a deadly weapon
 Breaking & entering
 Poss of controlled substance; Resisting evading obstructing; Warrant
 Failure to appear on felony charge
 Disorderly conduct
 Interference with communications
 Resisting, evading, obstructing; Warrant x3
 Aggravated battery (misdemeanor)
 Criminal trespass
 False imprisonment; Battery (HHM); Criminal damage to property
 Use or possession of drug paraphernalia
 Warrant arrest
 Bench warrant
 Informational
 Larceny; Criminal damage to property
 Concealing identity; Resisting, evading, obstructing
 Resist, evad, obstruct; Poss of drug paraphernalia; Warrant x3
 Embezzlement (over \$500)
 Crash report
 Warrant x2
 Resist, evad, obstr; Arrest order; Warrant
 Contributing to the delinquency of minors
 Criminal sexual contact of minor 4th degree; Child abuse; False Imprison.
 Warrant x2
 Hit & run (delayed report)
 Agg DWI
 Criminal damage of household member

Bench warrant
Shoplifting
Warrant arrest
Private property crash report
Poss of drug paraphernalia; Warrant
Shoplifting
Battery
Supplemental-Agency assist
Robbery; Bribery of a witness x2

Calls handled by Grant County Sheriff's Department: 16

Accident	1
Domestic disturbance	1
Traffic complaint	1
Welfare check	3
Suspicious activity	1
Animal calls	2
Citizen contact	2
Alarm	3
CTW	1
Harassment	1

Vehicle Make: 2018 FORD PICKUP #101

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
1-Oct	5R North	15.632	46.88			56432	85623	JS-945
14-Oct	Sanco Bayard	16.331	47.34			57519	159625	JS-945
15-Oct	Sanco Bayard	15.801	42.55			57825	161370	JS-945
17-Oct	Sanco Bayard	15.804	42.65			58110	164579	JS-945
23-Oct	Flying J - Lordsburg	14.407	39.75			58404	54496	JS-945
TOTALS		77.975	\$219.17	\$0.00	\$0.00			

Recapitulation

Fuel	\$219.17
Oil	
Mic	
TOTAL	\$219.17

Speedometer Reading

End of month mileage	58404
First of month mileage	56432
Total miles	1972
Miles per gallon	25.290

Vehicle Make: 2018 FORD EXPLORER #102

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
8-Oct	5R North	10.7	32.09			64712	88311	DC-944
13-Oct	Snappy 212	8.6	25.00			64848	981426	DC-944
17-Oct	Sanco Bayard	13.876	37.45			64931	164941	DC-944
19-Oct	Sanco Bayard	12.615	34.05			65057	168137	DC-944
31-Oct	Sanco Bayard	12.296	34.42			65199	186836	DC-944
TOTALS		58.087	\$163.01	\$0.00	\$0.00			

Recapitulation

Fuel	\$163.01
Oil	
Mic	
TOTAL	\$163.01

Speedometer Reading

End of month mileage	65199
First of month mileage	64712
Total miles	487
Miles per gallon	8.384

Vehicle Make: 2016 FORD TAURUS #80

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
4-Oct	Snappy 210	12.861	38.57			85796	680334	LG-946
11-Oct	Sanco Bayard	12.079	35.02			85946	155719	LG-946
12-Oct	Sanco Bayard	12.769	37.02			86073	157699	LG-946
24-Oct	Sanco Bayard	11.623	32.53			86194	175397	LG-946
26-Oct	Sanco Bayard	12.504	35.00			86312	178489	LG-946
29-Oct	Sanco Bayard	8.574	24.00			86403	182937	LG-946
TOTALS		70.41	\$202.14	\$0.00	\$0.00			

Recapitulation

Fuel	\$202.14
Oil	
Mic	
TOTAL	\$202.14

Speedometer Reading

End of month mileage	86403
First of month mileage	85796
Total miles	607
Miles per gallon	8.621

Vehicle Make: 2016 FORD TAURUS #100

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
2-Oct	Sanco Bayard	8.523	24.71			76538	144835	OL-947
3-Oct	5R Travel Center	6.83	20.48			n/a	13143	OL-947
5-Oct	Snappy 212	7.932	23.47			768816	974122	OL-947
7-Oct	Snappy 212	8.57	25.36			76904	9766092	OL-947
10-Oct	Snappy 212	8.448	25.00			77232	978879	OL-947
11-Oct	Sanco Bayard	8.28	24.00			77339	156523	OL-947
16-Oct	Snappy 212	8.932	26.43			77538	984058	OL-947
20-Oct	Sanco Bayard	7.227	19.51			77617	169978	OL-947
21-Oct	Sanco Bayard	7.413	20.01			77699	171533	OL-947
24-Oct	Snappy 212	8.331	24.65			77784	990464	OL-947
25-Oct	Snappy 212	7.92	23.44			77885	991281	OL-947
26-Oct	Snappy 212	6.943	20.54			77965	991999	OL-947
31-Oct	Sanco Bayard	9.165	25.65			78056	185470	OL-947
TOTALS		104.514	\$303.25	\$0.00	\$0.00			

Recapitulation

Fuel	\$303.25
Oil	
Mic	
TOTAL	\$303.25

Speedometer Reading

End of month mileage	78056
First of month mileage	76538
Total miles	1518
Miles per gallon	14.524

Vehicle Make: 2016 FORD TAURUS #50

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
27-Oct	5R North	16.366	49.08			58683	94941	JS-945
28-Oct	Sanco Bayard	14.931	41.79			58936	181508	JS-945
31-Oct	5R North	13.778	41.32			59200	96632	JS-945
TOTALS		45.075	\$132.19	\$0.00	\$0.00			

Recapitulation

Fuel	\$132.19
Oil	
Mic	
TOTAL	\$132.19

Speedometer Reading

End of month mileage	59200
First of month mileage	58683
Total miles	517
Miles per gallon	11.470

Vehicle Make: Ford Explorer Codes Unit

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
18-Sep	Snappy 210	13.453	41.69			272736	676580	VB-950
31-Oct	Snappy 210	13.139	39.40			272812	686379	VB-950
TOTALS		13.139	\$39.40	\$0.00	\$0.00			

Recapitulation

Fuel	\$39.40
Oil	
Mic	
TOTAL	\$39.40

Speedometer Reading

End of month mileage	272812
First of month mileage	272736
Total miles	76
Miles per gallon	5.784

Vehicle Make: ACO UNIT-2020 F-250

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
8-Oct	Sanco Bayard	24.958	72.35			30302	152301	RA-949
24-Oct	Sanco Bayard	24.687	69.1			30523	175108	RA-949
TOTALS		49.645	\$141.45	\$0.00	\$0.00			

Recapitulation

Fuel	\$141.45
Oil	
Mic	
TOTAL	\$141.45

Speedometer Reading

End of month mileage	30523
First of month mileage	30302
Total miles	221
Miles per gallon	4.452

Vehicle Make: Dodge Durnago Unit #105

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
14-Oct	Snappy 212	18.65	55.19			11092	981838	HC-941
	Snappy 212	18.26	54.03			11325	990090	HC-941
	5R Travel Center	17.274	47.83			11550	572079	HC-941
31-Oct	Circle K	20.728	58.43			11912	52012	Hc-941
TOTALS		74.912	\$215.48	\$0.00	\$0.00			

Recapitulation

Fuel	\$215.48
Oil	
Mic	
TOTAL	\$215.48

Speedometer Reading

End of month mileage	11912
First of month mileage	11092
Total miles	820
Miles per gallon	10.946

**BAYARD POLICE DEPARTMENT
VEHICLE EXPENSE REPORT - October 2025**

Vehicle Make: 2023 FORD PICK UP #103

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
7-Oct	Sanco Bayard	18.478	53.57			22288	151158	MG-942
13-Oct	Sanco Bayard	18.585	53.88			22489	158312	MG-942
16-Oct	Sanco Bayard	19.707	53.19			22702	162174	MG-942
21-Oct	Sanco Bayard	15.038	48.11			22856	170271	Mg-942
TOTALS		71.808	\$208.75	\$0.00	\$0.00			

Recapitulation

Fuel	\$208.75
Oil	
Mic	
TOTAL	\$208.75

Speedometer Reading

End of month mileage	22856
First of month mileage	22288
Total miles	568
Miles per gallon	7.910

Vehicle Make: 2023 FORD P/U #104

DAY	Place Purchased	Gal	Amount	Quarts	Amount	MILEAGE	Invoice PO#	Purchaser
6-Oct	Sanco Bayard	15.004	49.50			21990	149710	TJ-943
8-Oct	Sanco Bayard	18.1	59.71			22187	152801	TJ-943
15-Oct	Sanco Bayard	17.358	55.53			22443	161121	TJ-943
20-Oct	Sanco Bayard	17.785	56.89			22591	169999	TJ-943
27-Oct	Sanco Bayard	18.415	60.75			22850	179906	TJ-946
29-Oct	Sanco Bayard	14.956	49.34			22975	183089	TJ-943
TOTALS		101.618	\$331.72	\$0.00	\$0.00			

Recapitulation

Fuel	\$331.72
Oil	
Mic	
TOTAL	\$331.72

Speedometer Reading

End of month mileage	22975
First of month mileage	21990
Total miles	985
Miles per gallon	9.693

BAYARD CODE ENFORCEMENT MONTHLY ACTIVITY REPORT

OFFICER: Valerie Barboa

MONTH OF: October 2025

DATE	TIME RECEIVED	SORCE OF COMPLAINT	COMPLAINANT, LOCATION, TYPE OF ACTIVITY AND ACTION TAKEN
10/1/25		Code Enforcement	Worked on files. Attempted to contact property owners on Blackhawk and Benjamin. Spoke to Gregg Vanatter, he will be moving RV, Pop-up and two vehicles off the property. Followed-up with complaints on Rosemary and Main St.
10/3/25		Code Enforcement	Worked on compliance and non-compliance letters for the courts. Took photos of pending violations. Updated files with current progress of violations. Drove through Bayard to identify any recent code violations.
10/6/25			Followed up with pending violations. Spoke to property owners to obtain updates. Attempted to contact property owner of property on Vanadium and Canyon (owner currently resides in Hawaii). Researched Neal properties. Worked on files.
10/7/25			Responded to complaint on Taylor – attempted to contact the property owner. Left voicemail asking owner to contact me. Responded to complaint on Mckee. Worked on files. I continued to research Neal properties.
10/8/25			Issued citations to R. Medina, M. Lopez, and Ken Anderson. Met with M. Rackel regarding cleaning up her properties. She stated she is getting quotes for the clean up. Worked on files. Followed up with pending violations.
10/9/25			Worked on files. Attempted to contact property owners. Mailed out Notice of violations. Respond to complaint on S. Yucca. Attempted to contact the property owner's daughter. Was informed she is only there during the evening. Left a Notice of violation at the front door. Worked on pending violations.

10/10/25			Made several phone calls to property owners. Spoke to Southwest Railroad who stated they will be working on cleaning around the tracks. Issued citations. Updated files with corrected violations. Met with Vincent Vesely (owner of trailer park on Empire. He is in the process of evicting two squatters.
10/13/25			Holiday
10/14/25			Responded to complaint on Canyon (Neal property). I have been unable to make contact with Robert Neal (Heir to property). All taxes have been paid on the property. None of the properties are being maintained. I will begin the formal process to work towards placing a lien on the properties. Updated files.
10/15/25			Worked on pending violations. Updated files. Made several phone calls to residents regarding pending violations. Responded to complaint on Royal regarding resident working on their roof without a permit. Verified that the resident was just doing maintenance on the roof.
10/16/25			Followed up with pending violations. Researched properties on Blackhawk, Orchard and Lusk. Attempted to contact the property owners. Spoke with the property owner on Blackhawk (burnt home). The property is in the process of being sold.
10/17/25			Researched properties on Mayo and East St. Attempted to contact the property owners. I will be issuing several citations for the abandoned/vacant homes on East St. and Mayo. Spoke with Ed Stevens regarding his building on Central Ave. He stated he is looking for the deed of the property to give to the contractor to demolish.
10/20/25			Worked on files. I will begin the formal process for 603 Orchard St. (Owner is deceased). City of Bayard may need to place a lien on the property due to no next of kin. The property is not being maintained. Followed up with pending violations.
10/21/25		Worked on Files	

10/22/25			Made contact with heirs to 218 Mayo St. I informed them that if they do not secure the two structures on the property, I will be issuing them citations everyday until the issue is resolved. Worked on and closed files that have been resolved. Researched new violations and created files for the properties.
10/23/25			Issued citations for pending violations that have not been resolved. Researched and attempted to contact property owners. Followed up with pending violations.
10/27/25			Worked on packet for Neal properties. There are several properties owned by Joe and Patricia Neal. I will have to create individual packets for each property. Met with Pia Luab, whose daughter owns two properties on Vanadium/Orchard and Vanadium/Canyon. Ms. Luab and another gentleman have been cleaning both properties. I was informed they will be maintaining the properties.
10/28/25			Worked on files and packets to be disbursed. Followed up with pending violations. Attempted to contact property owners to obtain updates. Spoke to Foreman with Southwest Railroad regarding the cleanup the completed. He stated they will be maintain their area.
10/29/25			Spoke to Mr. Vesely regarding the evictions for the squatters on Empire. He stated he will be filing the paperwork with the court on 10/30/25. The eviction date will be set for November 30, 2025. He stated if they are not out by that date, he will have law enforcement assist in removing them. Worked on files. Attempted to contact several property owners.
10/31/25			Followed up with pending violations. Worked on Neal packets. I will have to obtain documents from the Assessors Office regarding the properties. Drove through Bayard to identify any new violations. Obtained documents from Mr. Vesely regarding eviction notices.

- Freeport cleaned the portion of their property on Virginia and Canyon
- Southwest Railroad has been working on clearing weeds/debris on the property.

- Mr. Stevens stated his son is working with an attorney to obtain the deed for the structure on Central Ave. Mr. Stevens stated he cannot find the deed.
- Several pending violations have been corrected throughout the City including; Alley behind Chino St (Mrs. Salas neighbor), Abandoned homes on Vanadium, several homes on Central Ave, Lusk St, Park St, S. Fahey, Blackhawk, and etc.

DATE	AUTOMATIC FEE	JUDICIAL FEE	COURT FEE	FINES	ADMIN PA/ FEE	COPY FEE	TOTAL	
10/1/2025				\$100.00			\$100.00	
10/6/2025				\$200.00			\$200.00	October CITATIONS IN 2025
10/7/2025				\$180.00			\$180.00	traffic- 16
10/14/2025				\$50.00			\$50.00	Animal - 0
10/15/2025				\$87.00			\$87.00	code enfrc.- 32
10/15/2025				\$40.00			\$40.00	CRIMINAL COMPLAINTS- 0
10/15/2025				\$40.00			\$40.00	
10/20/2025				60.00			\$60.00	
10/22/2025				40.00			\$40.00	summons issued- 12
10/22/2025				\$40.00			\$40.00	clients in person- 33
10/28/2025				\$100.00			\$100.00	closed cases- 21
10/28/2025				\$40.00			\$40.00	dismissed fixit cases- 4
10/28/2025				\$60.00			\$60.00	tials scheduled - 1
10/28/2025				\$125.00			\$125.00	Warrants issued - 5
10/29/2025				\$69.00			\$69.00	back ground checks - 2
10/29/2025				\$60.00			\$60.00	
10/30/2025				\$20.00			\$20.00	
10/30/2025				\$40.00			\$40.00	
							0.00	
							\$0.00	
							\$0.00	
							\$0.00	
							\$0.00	
							\$1,351.00	
Totals	\$0.00	\$0.00	\$0.00	\$1,351.00	\$0.00	\$0.00		

2026 HOLIDAY SCHEDULE

Thursday, January 1, 2026 New Year's Day

Monday, January 19, 2026 Martin Luther King Jr. Day

Monday, February 16, 2026 President's Day

Friday, April 03, 2026 Good Friday

Monday, April 06, 2026 Easter Monday

Monday, May 25, 2026 Memorial Day

Friday, June 19, 2026 Juneteenth

Friday, July 3, 2026 Independence Day

Monday, September 7, 2026 Labor Day

Monday, October 12, 2026 Indigenous Peoples'/Columbus Day

Wednesday, November 11, 2026 Veteran's Day

Thursday, November 26, 2026 Thanksgiving

Friday, November 27, 2026 Thanksgiving

Thursday, December 24, 2026 Christmas Eve

Friday, December 25, 2026 Christmas Day

2026 Regular Council Meeting Schedule

January 21, 2026

February 18, 2026

March 18, 2026

April 15, 2026

May 20, 2026

June 17, 2026

July 15, 2026

August 19, 2026

September 16, 2026

October 21, 2026

November 18, 2026

December 17, 2026

**BAYARD ANIMAL CONTROL,
MONTHLY ACTIVITY REPORT**

OFFICER: Ricardo Aguirre #949

MONTH OF: October 2025

DATE	TIME	LOCATION	COMPLAINANT, LOCATION, TYPE OF ACTIVITY AND ACTION TAKEN
10/1/25	8:00	Office	
	8:20	Hurley St.	Neighborhood -patrolled area
	8:42	Animal Shelter	Shelter maintenance protocol
	10:53	Shelter	Clear shelter, West side patrol
	11:30	804 Winfred st.	Met with shelter volunteer.
	1:35	Animal shelter	Animal protocol
	2:10	Clear shelter	
10/2/25	8:00	Office	Message to contact individual regarding possible dog adoption
	10:00	Phone call attempted	Message left to contact ACO
	11:15	Dispatch	Contact resident at 304 Franey. Lost dog. Found Yorkie.
	11:50	304 Franey St.	Yorkie found. Relinquished to ACO
	12:06	Canvas neighborhood	304 Franey Street. Seeking owner of lost dog.
	12:30`	Owner -lost dog	Owner reclaimed lost Yorkie. Dog papered.
	1:10	Animal shelter	Animal maintenance protocol
	2:00	Animal shelter	Met with interested party for possible adoption.
	2:30	Office	
	2:35	Office phone call	Spoke with interested party regarding decision of adoption
	3:20	302 Chino St. Resident	Dog running @ large with-in neighborhood. COMPLAINT.
	3:30	Animal shelter	Animal maintenance protocol
	4:30	10-7	
10/3/25	8:00	Office	Met with Chief. Monday 10/6/25 new work schedule. 7:15—4:15

10/6/25	8:50	621 McKee St.	Request for interpreter. Assist code enforcement officer.
	9:26	Animal shelter	Animal maintenance protocol.
	10:00	Dispatch— Complaint. 704 Steyskal St.	Dog running @ large.
	10:15	704 Steyskal	Complaint addresses.
	10:43	628 Erie St.	Dog running @large. Residents not home. Dogs observed not to have dog tags.
	11:55	Office phone message. 408 Hurley	Complaint. Dog running @ large. Attack owner dog. Complaint addressed.
	1:22	Animal Shelter	Animal maintenance protocol.
	7:15	School crossings	
	8:20	Office	West side patrol
	1:28	Animal Shelter	Animal maintenance protocol
10/7/25	2:30	Dispatch --107 Stewart St.	Dog running @large. Pit bull out of kennel. Very Aggressive. Documentation of vac. And rabie shots requested by ACO. 2 Pit Bulls remain in owners kennel, one with cancer other very aggressive.
	3:20	107 Stewart St.	Addressed and clear. Stewart St.
	3:25	Crosswalks	
	4:10	Clear Crosswalks	
	4:45	10-7	
	7:15	School crosswalks	
	8:20	Office	
	11:20	Animal shelter	(3) 44 #bags of dog food delivered to shelter. Animal maintenance protocol
	12:02	Clear shelter	East side patrol
	2:14	107 Stewart St.	Follow-up, Pit Bull removal from residence. Issues on 10/6/25 .
	2:36	Animal Shelter	Animal maintenance protocol
	3:30	Cross walks	
	4:25	Dispatch- pd office 408 Hurley St	Stray dog attacked residence dog. Dog running @ large.

10/8/25	4:50	408 Hurley St. Clear	Stray dog not observed.
	7:15	School crosswalks	
	8:10	West side	Patrol
	12:30	Animal shelter	Animal maintenance protocol. 1 new dog added to existing 4..sheltered 3 large dogs, 2 Chihuahua's.
10/9/25	3:00	1130 Central Ave.Phone call	Residents discovered 3 newly born cats dead. Situation answered.
	3:30	School crosswalks	
	4:27	10-7	
		Days off-flex time	
10/10/25			
10/13/25		Holiday	
10/14/25	7:15	Office	
	3:15	Dispatch-708 Fahey St.	Dog running @ large. Black pit bull
	3:16	Dispatch- 316 Chino St.	Complaint re: 309 Chino St. 4 puppies running @ large.
	3:30	Respond to 708 Fahey St.	Pit Bull running @ large. Answered, not observed.
	3:33	School crosswalks	
	4:23	Crosswalks – clear	
	4:26	316 Chino St.	Complaint re: 309 Chino St. answered. BARC coalition to take 3 puppies.
	4:50	Clear.	
	4:55	10-7	
10/15/25	7:15	Office	
	7:18	School crosswalks	
	8:15	Clear crosswalks	
	8:30	West side patrol	
	9:45	Animal shelter	Animal maintenance protocol
	10:55	Clear shelter	3 Charpe puppies 4 months old surrendered to Bayard city shelter
	1:13	309 Chino St.	2 female pups brown/white. 1 male pup-Black. Mother of pups remains at residence conditionally: must be fixed.
	2:45	309 Chino St.	Cleared.
	2:55	Animal shelter	3 pups taken to animal shelter.

	3:35	Clear shelter	
	3:45	Crosswalks	
	4:17	Clear crosswalks	
	4:50	309 Chino St.	Delivered adult dog cage for mother charpei dog. Charpei to picked -up on 10/16/25 Thursday.
		NOTE:	Owner of surrender puppies will make payments of \$ 30 dollars per puppie up to \$ 120 dollars. Also, adult mother to be taken to Vet. to be spayed. Probable that the mother of puppies will be kept. If so, \$ 90 dollars will be total fee.
10/16/25	7:15	School crosswalks	
	8:10	Office.	
	8:43	309 Chino St.	Intentions to receive surrendered Mother Charpei. Owner decided to keep dog. Conditions to do so. Must have dog spayed.
	9:00	Clear Chino st.	
	9:22	Animal Shelter	Animal maintenance protocol
	10:02	Clear Shelter	
	10:10	West side patrol	
	11:15	Office	Payment made in office for reclaim dog fee.
	2:00	Dispatch-Bayard elementary	Dogs running @ large on school grounds.
	2:14	Bayard elementary	One dog found . mix poodle white/brown.
	3:10	700 Steyskal St.	Small poodle white/ brown left at volunteer shelter address . dog place on face book as an alternative to the shelter.
	3:31	School crosswalks	
	4:20	Clear crosswalks	
Note: entry	8:43	Conditions for not surrendering dog	Dog must be vaccinated and spayed. BARC responsible for vet. Cost.
	7:15	Office	No Crosswalks
10/17/25	8:20	Patrol – Canvas neighborhood	Search for owner of poodle

	9:30	Office phone call	Owner of poodle contact office – Jose Varela: 575-956-7378
	9:40	204 Davis st	Owner described runaway dog.
	9:44	700 Steyskal	Poodle at this location – Care taker. Reporting party - Scott Seville
	10:05	204 Davis St.	Poodle returned to owner (Jose Varela – 204 Davis St.)
	10:30	309 Chino St.	Service call (Cecilia Alvarado) No response.
	10:43	Clear – 309 Chino St.	
		@ 10:53	
	11:25	Office phone call	Mrs. Padilla - Bark complaint
	12:15	10-7	
10/20/25	7:15	Crosswalks; West side patrol	
	9:10	Office phone call.	Christina Maldonado – No Answer
	10:35	710 N. Yucca	Met with owner of huskies (Christina Maldonado). Will meet with Judge on 10/21/25 regarding citations. Subject has neutered/spayed appointments with Arenas Valley Clinic on 10/21, 10/23 and 10/24. Subject has four (4) new pups.
	10:57	Shelter	8 dogs in shelter: 3 Sharpe Mixed – 1 male; 2 female. 2 Chihuahuas. 1 Shepard mix. 1 Lab mix. Purchased 1 bag pup training pads and 4 bags of paper towels.
	1:50	Office call: Hurley Ave/Don Juans Restaurant.	Complaint: Pit Bull dog running at large. RPO: Veronica – Don Juans Restaurant - 575-654-6238. Owner: Gabriel Torres – Park St./Hurley Ave – 928-606-4641.
	2:12	Hurley Ave/Park St.	Met with owner of accused Pit Bull running at large – Gabriel Torres: Denies dog was loose.
	2:54	Animal Shelter.	

10/21/25	3:40	Crosswalks	
	4:35	10-7	
	7:15	10-8	
	7:25	Crosswalks	
	8:13	West Side patrol	
	9:45	Don Juans Burritos	Follow-up regarding dog running at large: RPO stated it was a brown pit bull.
10/22/25	10:14	309 Chino St.	Door tag left regarding Charpe dog running at large: "Call ACO ASAP"
	11:20	Patrol: Center section of city.	
	12:00	Animal shelter.	
	1:06	Clear shelter.	
	3:33	Crosswalks	
	4:17	Clear crosswalks.	
	7:15	Crosswalks	
	8:13	Clear crosswalks and patrolled East side of city.	
	9:45	Animal shelter	
	10:42	710 N. Yucca	Follow-up with Christina Maldonado: Court on 10/21: 11/5/25 – Proof of 2 parent dogs tags and other 5 huskies; proof of vaccination/spayed/neutered; 6 months probation. Total fine \$3,840 – Fines will be dropped to \$300 upon above proof.
	12:10	Animal Shelter	
	12:12	Call from BPD #942	Animal – Pit bull (white/ brown eye). Needs to be picked up and taken to shelter. Owner: 408 N. Railroad – Tony Andazola.
	12:30	408 N. Railroad	Picked up pit bull and will be taken to shelter.
	12:40	Animal shelter	Pit bull placed in shelter – was fed and given water.
	1:10	Clear animal shelter.	
	2:30	West side patrol	

10/23/25	3:35	Crosswalks	
	4:20	Clear crosswalks.	
	4:37	10-7	
	7:00	10-8	
	7:40	Crosswalk	
	8:10	Clear crosswalks and patrol (East and West side).	
	11:00	309 Chino St.	Follow-up with Christina Alvarado.
	11:20	Meeting with BPD #949.	RE: Dog obtained from 408 N. Railroad.
	12:10	Received call from dispatch.	10-7 cat at 712 Fahey St.
	12:32	Clear from 712 Fahey St.	Rendered trap from David Castanon.
	2:35	Animal shelter	
	3:20	Tri-city landfill	Disposed of 10-7 cat.
	3:36-4:20	Crosswalks	
	4:45	10-7	
10/24/25	7:00-7:15	10-8	Patrolled West and East side of city.
	8:15	Office	Paperwork.
	9:05	Phone call – 712 Fahey St.	Cat trapped by David Castanon.
	9:25	712 Fahey St.	Cat obtained from David Castanon.
	9:57	Arenas Valley Animal Clinic	Delivered cat to clinic – Cat to be euthanized.
	10:10	Clear Arenas Valley Animal Clinic	
	11:15	10-7	
10/27/25	7:00	10-8	
	7:20-8:10	Crosswalks	
	9:25	Office message	Gregg Vannatter – Interested in adopting a dog (575-313-7989).
	9:50	BPD Office	Paperwork
	11:15	Patrol	East and West side of the city.
	1:20	318 Peru St.	K. Aguirre – Delivered sick dog to Arenas Valley Animal Clinic: Dog will be kept overnight.

10/28/25	2:50	Clear from Arenas Valley Animal Clinic.	
	3:32-4:20	Crosswalks	
	7:00	10-8 - Patrol	West side of city.
	7:20-8:12	Crosswalks	
	10:15-11:30	Animal shelter	
	2:20	Complaint – 704 Taylor St.	Larry Marquez: concerned about neighbor's dog located at 706 Taylor St.
	2:40	706 Taylor St.	Contacted owner (Adriana Cabrera): Willing to relinquish dog to neighbor at 704 Taylor St.
	3:26	Animal shelter	
	3:35-4:20	Crosswalks	
	4:35	10-7	
10/29/25	7:00	10-8	
	7:15-8:10	Crosswalks	
	8:30	BPD Office	Cat trapped – Need euthanized: Taken to Arenas Valley Animal Clinic.
			Phone call from "Valerie" – Interested in adoption of dog.
	9:20	Placed phone call.	Gregg Vannatter – Foster placement of pit bull – Until further notice.
	9:25	Placed phone call	Larry Marquez – Neighbor to relinquish dog to 704 Taylor St.
	10:37-10:50	Arenas Valley Animal Clinic	Euthanize stray cat.
	11:50	Animal Shelter	
	12:05	Dispatched to 805 Grant St.	Resident eviction – 5 dogs in possession.
	12:15-12:23	Responded to 805 Grant St.	Assignment complete – Dogs to be taken.
	12:23-1:08	Animal Shelter	

10/30/25	1:22-1:42	710 N. Yucca	Follow-up with Christina Maldonado
	3:00-3:10	Walmart	Picked up puppy chow and pads: 4 bags of chow. 4 bags of puppie pads.
	3:33-4:21	Crosswalks	
	4:40	10-7	
	7:00	10-8	
	7:20-8:10	Crosswalks and patrol.	Patrolled west side of city.
	8:30	Office	Paperwork
	9:15	Phone call attempt.	Attempted to contact "Valerie" regarding adoption. No response from Valerie.
	9:45	Phone contact	Gregg Vannatter – Adoption of female Sharpe – Meet at shelter at 10:00.
	9:58-10:57	Animal Shelter	Adoption complete – Paid in full.
	11:37-1:41	309 Chino St.	Cecilia Alvarado – Follow-up on payment plan and female Sharpe.
	3:00-3:25	Animal Shelter	
	3:35-4:23	Crosswalks	
	4:30-4:47	Met with BARC	Requested documentation.
10/31/25	4:55	803 Winifred	Received documentation regarding vaccines.
	5:30	10-7	
	7:00	10-8 and patrol	Patrolled west side and center of town.
	9:30	Phone calls	Made calls to: Archie Padilla Scott Seville Helen – BARC
	10:00-10:25	712 Fahey St.	Cat trapped
	10:35	Arenas Valley Animal Clinic	Left cat – will be euthanized.

11:05 10-7

NOTE:

TOTAL FOR MONTH

COMPLAINTS ANSWERE

8

CANINES PICKED UP

FELINES PICKED UP

CITATIONS ISSUED

3 citations issued . 2 violatiions per citations

SKUNKS

ANIMAL ABUSE

OTHER: _____

8 canines in shelter

November 19, 2025, Bayard Public Library Council Report

I took my librarian certification exam on November 6. I will find out in a couple of weeks if I passed the exam. After I am notified that I passed the exam, I will have 30 days to submit one portfolio piece to the state library.

The Whisper Booth desk and computer are now set up and ready for patrons to use for virtual meetings. A booking form and availability calendar is up and running on the website. I will start advertising the booth in the paper with a news release accompanied with photos of the booth in use. I will promote the booth on social media. I will create signage informing patrons of the booth. Please help spread the word about this resource!

Mining District Dia de Muertos was a huge success and was a happy collaboration with Frontier Food Hub, Big Brothers Big Sisters and local Chicano Historian Javier Marrufo. We estimated that we had 100 visitors to the event. People who attended were very happy with the event offerings. The food and craft vendors and non-profits were all happy with the turn out. A regular library patron who attended the event expressed that the event was community-building in nature, and it was a joy to be in person with others. Many attendees wondered if the event happens every year. I want to thank the planning committee members Oly Perez, Elysha Montoya, Jessica Salaiz, and Javier Marrufo for their dedication, passion and knowledge that made for a welcoming and meaningful event for our community. I want to thank the Library Board members who helped put up decorations and who volunteered during the event and for all their support. Thank you to Martha and City Hall staff for all your support and help. I especially want to thank Maintenance, particularly Sam and Robert, for working during the event and helping to set up and tear down and for all your support.

Thanksgiving Break Programming:

Monday, November 24 – Thankfulness Portrait led by Oly Perez, 3 – 5 pm

Tuesday, November 25 – Mother Goose on the Loose, 10-10:30 am

Tuesday, November 25 – Pumpkin and corn beaded pipe cleaner craft led by Danielle Parra. 3 – 5 pm

Wednesday, November 26 – Disguise a Turkey Craft led by Lynette Parra, 3 – 5 pm

The library will be closed in observance of the Thanksgiving Holiday, Thursday – Saturday, November 27 – 29. Regular hours will resume on Monday, December 1.

CITY OF BAYARD WASTEWATER TREATMENT PLANT PROJECT AGREEMENT

This Agreement (“Agreement”) is entered into this ___ day of _____, 2025, by and between **Freeport-McMoRan Chino Mines, Inc.**, a Delaware corporation (“Chino”), and the City of Bayard, a municipal corporation organized under the laws of the State of New Mexico (“Bayard”) (each a “Party” and collectively the “Parties”).

RECITALS

A. Bayard intends to obtain federal, state or other grant funding (“Grant”) to assist with the construction of certain infrastructure improvements to the Bayard Regional Wastewater Treatment Plant (“WWTP”) for purposes of increasing its capacity and assuring its ability to meet applicable regulatory and permit requirements (“Project”).

B. The Grant is expected to require a cash match (“Match”), the cost of which would likely be absorbed by WWTP customers, including residents in Bayard, Santa Clara and Hurley.

C. The WWTP produces treated effluent which is currently transported to Chino’s tailings facility for disposal (“Reclaimed Water”).

D. The Project may enable the WWTP to produce additional and/or higher-quality Reclaimed Water able to be utilized in certain applications under applicable regulations. Chino is interested in acquiring the right to purchase all Reclaimed Water that may be produced by the WWTP after completion of the Project.

E. Chino is willing to provide funds up to one million dollars (\$1,000,000) to meet the Match requirement to facilitate the completion of the Project in exchange for a right of first refusal for the Reclaimed Water, conditioned on Bayard meeting certain progress milestones towards completion of the Project (“Milestones”).

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties mutually agree as follows:

1. Recitals. The foregoing Recitals are hereby made a part of this Agreement.
2. Grant Funding. Bayard will be responsible for all aspects of securing Grant funding, administering the Grant(s), and all aspects of Project design, engineering, permitting, completion, and maintenance.
3. Milestones. The Parties will meet annually for Bayard to provide Chino an update on the progress of the Project, and to set progress Milestones for the upcoming year. A reasonable cure period will be allowed in the event Bayard fails to meet a Project Milestone, but is making reasonable progress, in Chino’s reasonable discretion.

4. Chino Matching Funds. Chino will provide funds up to a total of one million dollars (\$1,000,000), to meet Match requirements of Grant(s) Bayard secures for the Project before July 31, 2028, provided Bayard meets the Milestones, to be disbursed as follows:

(a) Three hundred thousand dollars (\$300,000) upon the award of Grant funds to Bayard for the Project ("Initial Payment").

(b) Three hundred thousand dollars (\$300,000) on the first (1st) anniversary of the Initial Payment.

(c) Four hundred thousand dollars (\$400,000) on the second (2nd) anniversary of the Initial Payment.

(d) If the total amount of Match required by the Grant(s) is less than one million dollars (\$1,000,000), the total amount of Chino Matching Funds will be reduced to equal the total amount of Match funds required, and the above payment schedule will be adjusted accordingly.

5. Grant Requirement. Bayard shall proceed in compliance with all aspects of the Grant requirements to develop the Project and shall meet any milestones and requirements of the Grant, which will be incorporated as additional Milestones to be timely achieved in compliance with this Agreement.

6. Termination. If Bayard is unable to meet a Milestone, and any cure period has lapsed, Chino may elect to terminate this Agreement.

7. Right of First Refusal. In the event the Project is completed and the WWTP produces and makes available for sale Reclaimed Water, Chino shall have a right of first refusal ("ROFR") for all such available quantities of Reclaimed Water produced by the WWTP that Chino may elect to purchase, in its sole discretion. Bayard shall provide Chino a written notice of its ability to sell Reclaimed Water, and the class of Reclaimed Water under applicable regulations, at least ninety (90) days before Reclaimed Water first becomes available ("Availability Notice"). If Bayard has received a bona fide, written offer or offers from an unrelated third-party ("Offer") to purchase Reclaimed Water from the WWTP, Bayard shall provide Chino a copy of the Offer(s) with the Availability Notice. If no Offer(s) has been received, Bayard shall propose a purchase price for the Reclaimed Water in the Availability Notice reflecting fair market value.

If Chino elects to exercise the ROFR, Chino shall notify Bayard within thirty (30) days of receipt of the Availability Notice ("Chino Notice"), and the Parties shall negotiate a written contract for the purchase and sale of the Reclaimed Water ("Contract") in good faith with the objective of executing the Contract prior to the Reclaimed Water being available. The price for the Reclaimed Water shall be the highest price proposed in any Offer provided with the Availability Notice, or, if no Offer has been provided, the price shall be the Purchase Price proposed by Bayard reflecting the fair market value of the Reclaimed Water ("Purchase Price"). However, Chino may dispute the Purchase Price by providing written notice to Bayard in the Chino Notice, in which event the Parties shall negotiate in good faith to agree upon the Purchase Price. If the Parties cannot reach agreement on the Purchase Price, the Parties shall by mutual agreement, select one independent valuation individual or firm qualified to value Reclaimed Water in New Mexico ("Appraiser"), and

the Appraiser shall determine the fair market value of the Reclaimed Water, which value shall be used as the Purchase Price. Chino shall bear the costs of the valuation if the valuation is equal to or greater than one hundred percent (100%) of the purchase price proposed by Bayard; otherwise, Bayard shall bear the costs of the valuation.

8. Governing Law. The Parties' respective rights and obligations hereunder shall be governed by and construed in accordance with laws of the State of New Mexico without regard to conflicts of laws principles.

9. Regional Water Project. The conditions of this Agreement are contingent upon the completion of the Grant County Regional Water Project initiated by the local governments.

10. Cooperation. Each Party will act in good faith in implementing this Agreement and shall provide such cooperation required to obtain any permits or approvals required, and to comply with relevant laws, rules, or regulations.

11. Disputes. The Parties shall first attempt to resolve any disputes under this Agreement by informal negotiation before initiating litigation.

12. Amendment. This Agreement may only be amended via a written document signed by both Parties.

13. Successors and Assigns. The rights and privileges granted to Bayard and the obligations assumed by Bayard under this Agreement will be binding on Chino's successors and assigns.

14. Replacement of Prior Agreement. This Agreement replaces and supersedes in all respects any prior agreement of like tenor and effect between the parties that may be in existence and effect as of the date of this Agreement.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed the day and year first above written.

**FREEPORT-MCMORAN CHINO MINES
A New Mexico General Partnership**

**By: FREEPORT-MCMORAN CHINO, INC., a
Delaware corporation, Its General Partner**

**By: _____
Randy Ellison, Its President**

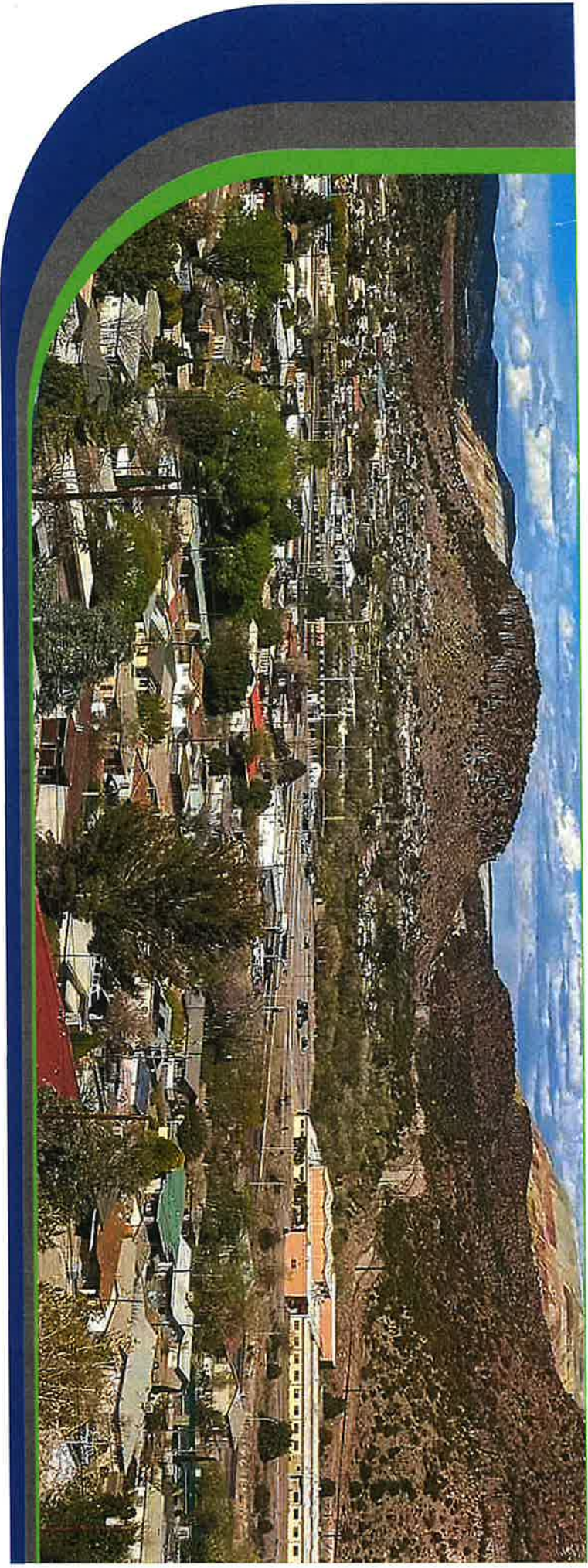
**By: Chino Acquisition LLC, a Delaware limited
liability company, Its General Partner**

**By: _____
Randy Ellison, Its President**

CITY OF BAYARD

By: _____

Its: _____



City of Bayard, New Mexico

Better City & Teska Associates Statement of Qualifications

November 5, 2025



Better City



teska

Cover Letter

November 5, 2025

I am pleased to present our qualifications for the *Bayard Community Vision & Development Plan*.

With the acquisition of the Foy property, the City has a once-in-a-generation opportunity to thoughtfully plan for its future—creating new opportunities for residents, businesses, and visitors while preserving the community's distinctive character and values.

Our team at Better City has deep experience guiding communities through this type of transformational process. We specialize in economic development strategy and implementation-focused visioning that moves quickly from ideas to results. Our firm has successfully led similar projects across the United States—helping rural cities and towns create actionable, fundable development strategies that attract investment, improve quality of life, and strengthen local economies.

Our work will be supported by Teska Associates, an award-winning urban design firm.

We are genuinely excited about Bayard's future and the opportunity to support your community as it takes this important next step. We believe this project can serve as a model for small-town growth—one that combines economic opportunity, design excellence, and local pride.

Sincerely,



Jason Godfrey
Better City CEO

Contact Info

Jason Godfrey, CEO

Jason@BetterCity.us

346-218-0040

517 N 2000 W

Suite 2 #1006

Marriott-Slaterville, UT
84404

Companies

Better City, LLC

www.BetterCity.us

Teska Associates

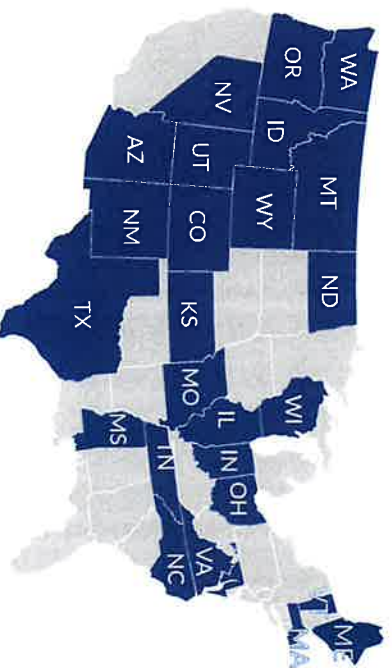
www.teskaassociates.com

Firm Qualifications

About Better City

Founded in 2012, Better City is an economic development firm that has helped over 60 communities in 26 states improve their quality of life and grow their economies through strategic planning and implementation services.

Better City partners with communities to design and implement strategies that drive economic growth. We research market trends and peer examples to align policies with local realities, identify and secure grants and incentives to fund key initiatives, and create the tools cities need to attract and support businesses. From Economic Development Strategies and Downtown Vision Plans to marketing materials and commercial development support, Better City delivers actionable, tailored solutions that help communities plan, fund, create, and coordinate for long-term prosperity.



Areas of Expertise

Our diverse capabilities allow us to provide the additional capacity and specialized expertise communities need to advance their economic development objectives.

- Economic Development
- Strategic Plans
- Data Tools
- Downtown Revitalization
- Business Retention & Expansion
- Community Visioning
- Grant Writing & Project Funding
- Feasibility Studies

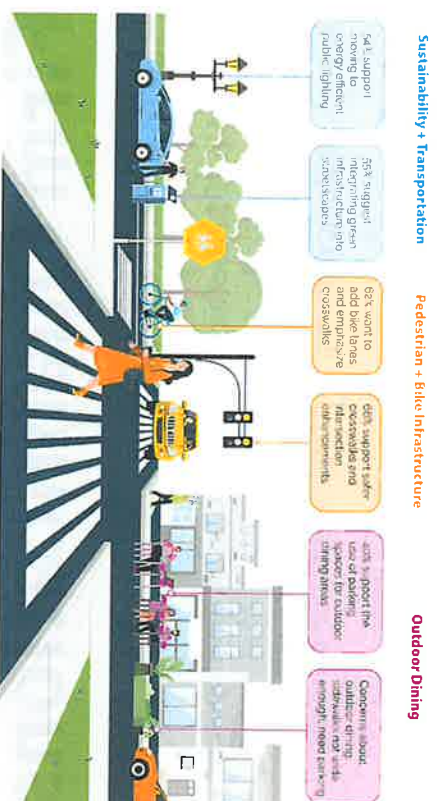


About Teska Associates

Teska Associates is an award-winning urban design and planning firm based in the Chicago area, known for creating vibrant, people-centered places that strengthen communities.

For nearly 50 years, Teska has helped cities and towns across the country revitalize downtowns, design memorable public spaces, and guide sustainable growth. Their work has been recognized by the American Planning Association, American Society of Landscape Architects, and American Public Works Association for excellence in design and implementation.

Teska's collaborative approach integrates urban design, landscape architecture, and community engagement to transform local visions into inspiring, actionable plans.



Areas of Expertise

- Planning & Zoning
- Engagement
- Site Design
- Community Development
- Virtual Outreach
- Land Planning
- Public Places
- Landscape Architecture





Jason Godfrey

CEO & Project Sponsor

Jason is an accomplished professional with experience spanning real estate development, public administration, operations management, and management consulting in both public and private sectors. He specializes in leveraging strategic advantages to drive growth and prosperity.

Education & Training

- MBA, Rice University
- BA, Economics, Weber State University

Specialties

- Actionable & Catalytic Strategies
- Community Collaboration to Build Local Capacity
- Project Finance – Tax Increment Financing, Federal Grants, & Public-Private Partnerships

Relevant Work Experience

Select Strategic Plans

- | | |
|---------------------------|------------------------------|
| • Anthony, Kansas | • Detroit & Gates, Oregon |
| • Gilpin County, Colorado | • Elbert County, Colorado |
| • Bangor, Maine | • Layton City, Utah |
| • Hartford, Vermont | • Leesburg, Virginia |
| • Buena Vista, Colorado | • Marion County, Oregon |
| • Lake County, Colorado | • Maryland Heights, Missouri |

Select Economic Development Projects

- Business Recruitment, Retention, and Expansion – Summit County, CO; Mount Holly, NC
- Indoor Waterpark Resort Development – Evergreen Land Co.
- Business Feasibility Study – Yampa Valley Adventure Center, CO
- Downtown Visioning Plan – Upper Marlboro, MD; East Liverpool, OH; Lake Villa, IL
- Parcel Development Feasibility Study – Underwood, ND



Trina Kittleson

Project Manager

Trina has an eye for detail and composes documents that are usable—think handbook rather than textbook. She is skilled in doing research, crafting deliverables, conducting outreach, and identifying strategic solutions to community challenges.

Education & Training

- MPA, Brigham Young University
- BA, English, Southern Virginia University
- Basic Economic Development, EDDC
- Business Retention & Expansion, IEDC
- Credit Analysis, NDC
- Economic Development Marketing & Attraction, IEDC
- Real Estate Development & Reuse, IEDC

Specialties

- Technical Writing
- Grant Writing
- Business Support

Relevant Work Experience

Select Strategic Plans

- | | |
|----------------------------|---------------------------|
| • Detroit & Gates, Oregon | • Layton City, Utah |
| • Elbert County, Colorado | • Leesburg, Virginia |
| • Graham County, Arizona | • Mills, Wyoming |
| • Grant County, New Mexico | • Raton, New Mexico |
| • Green River, Utah | • Summit County, Colorado |
| • Greenlee County, Arizona | • Wasatch Front EDD, Utah |

Select Economic Development Projects

- Business Recruitment, Retention, and Expansion – Superior, Colorado; Clearfield, Utah; Meeker, Colorado; Green River, Utah; Summit County, Colorado
- Housing Development Strategy – Meeker, CO; Evergreen Land Co.
- Neighborhood Stabilization Plan – East Liverpool, Ohio
- Business Feasibility Study – Yampa Valley Adventure Center, Colorado
- Grant writing – Over \$3.1 million in funding for municipal clients



Eric Gibson

Economist & Analyst

Eric is a robust analytical thinker, experienced in creating strategic plans, conducting feasibility studies, and working with local stakeholders and leaders to align resources, increase local capacity, and implement catalytic projects.

Education & Training

- MS, Economics, Purdue University
- BS, International Business Economics, Weber State University
- Rural Development Toolkit, Outdoor Recreation Roundtable
- RLF Community of Practice Webinar Series, EDA
- Data Tools and Best Practices Webinars, US Census Bureau

Specialties

- Data Analysis & Forecasting
- Project Implementation
- QGIS, Google Earth, CoStar, ESRI, Mapbox, PowerBI

Relevant Work Experience

Select Strategic Plans

- | | |
|----------------------------|------------------------------|
| • Ajo, Arizona | • Layton City, Utah |
| • Caliente, Nevada | • Leesburg, Virginia |
| • Detroit & Gates, Oregon | • Marion County, Oregon |
| • Graham County, Arizona | • Sonoran Desert BR, Arizona |
| • Grant County, New Mexico | • Wasatch Front EDD, Utah |
| • Greenlee County, Arizona | • Wells, Nevada |

Select Economic Development Projects

- Manufacturing Feasibility Studies – Green River, Utah; Wells, Nevada
- Electric Vehicle Impact Studies – Hidalgo & Doña Ana Counties, NM
- Arts and Culture Study – Snohomish County, Washington
- Trail Impact and Planning Studies – Wells, Nevada; Elko, Nevada
- Economic Development Organization - Draft Articles & organize board – Raton, New Mexico; Grant County, New Mexico
- Nonprofit leadership – Cofax County, New Mexico
- Recreation Center Visioning and Funding Strategy – Grant County, NM

Danny O'Brian

Principal Landscape Architect



Danny employs the design process and the principles of landscape design to discover creative and thoughtful solutions for every scale of project. He believes well planned landscapes are dynamic, alive, and ever-changing. He creates healthy and safe environments that improve the welfare of all of its users.

Education & Training

- B.L.A. Landscape Architecture, Ball State University
- State of Illinois, Registered Landscape Architect, License No. 157.001508

Specialties

- Land planning
- Residential infill
- Residential site planning
- High-end residential projects
- Planned use developments
- Mixed used developments
- Healthcare campus planning
- Senior living campus planning

Relevant Work Experience

Select Projects

- | | |
|--|--|
| • Oak Trace Senior Living Community - Campus Landscape Plans - Downers Grove, Illinois | • Exmoor Country Club - Capital Improvement Developments - Highland Park, Illinois |
| • King-Bruwaert House Senior Living Community - Campus Landscape Plan - Burr Ridge, Illinois | • Lake Country Village - 110 Acre Subdivision Amenity Plan - Summit, Wisconsin |
| • Sterling Place - 84 Unit Townhome Site Plan and Landscape Plan - Northbrook, Illinois | • Endeavor Health Skokie Hospital - Main Entrance Design - Skokie, Illinois |
| • Parkside at Glenview - Residential Site Plan and Landscape Plan - Glenview, Illinois | • Endeavor Health Highland Park Hospital - Main Entrance Design - Highland Park, Illinois |
| | • Northshore Water Reclamation District (under construction) - Headquarters Additions - Gurnee, Illinois |



Jodi Mariano

Vice President of Design

A registered landscape architect with a design addiction and passion for people places, Jodi has led Teska's urban design practice for 20+ years. Jodi's work focuses on community engagement designed to guide the planning and development of public spaces, such as streetscapes, parks and plazas.

Education & Training

- B.A. Landscape Architecture, University of Illinois
- M.A. Architecture, University of Illinois
- State of Illinois, Registered Landscape Architect, License No. 157-001062
- CLARB, Certified Landscape Architect, No. 4570
- Member, American Society of Landscape Architects

Specialties

- Directing public processes
- Wide range of graphic techniques
- Construction documents

Relevant Work Experience

Select Projects

- Public outreach programs, urban design strategy, and streetscape design plans for Evanston, Wilmette, Winnetka, Glencoe, Lake Bluff, Kankakee, Lockport, Lemont, Munster, and for Chicago Dept of Transportation.
- Managed concept planning, public outreach, bid documentation and construction administration for public open spaces in Wilmette, Evanston, Northwestern University, Lake Zurich, Lake Villa, Antioch, Glenview, Des Plaines, Chicago, Barrington Hills.
- Corridor development projects in Oak Lawn, Lake Zurich, Hawthorn Woods, Broadview, Berkeley, Arlington Heights, and Prospect Heights.
- Prepared gateway and wayfinding signage packages for downtown district and corridor enhancement. Signage assignments have been completed for Wilmette, Winnetka, Glencoe, Lockport, Orland Park, Glendale Heights, Berkeley, South Elgin, Canton, Carpentersville, Western Springs, Kankakee and Libertyville.
- Provided historical research and façade enhancement studies for Chicago Ridge, Broadview, Canton, Glencoe, Fox River Grove, Rochelle, Olympia Fields, and Lombard.

Similar Projects & References

Village of Lake Villa, Illinois | 2025

Lake Villa approached Better City to create a plan for and develop a parcel that the Village had owned for years. Partnering with Teska Associates, we created a Downtown Vision Plan. Developed with extensive community engagement, the plan outlines strategies for a downtown renaissance.

Between September 2024 and February 2025, the planning process included 25 stakeholder interviews, input from 275 community members, retail market research, and a development pro forma for a mixed-use site. The plan outlines clear priorities for revitalizing downtown—facade and streetscape improvements, enhanced parking and wayfinding, active business recruitment, expanded community events, mixed-use development, upgrades to Lehmann Park, and a redesigned pedestrian crossing from Railroad Avenue to Lake Avenue.

After the Vision Plan was published, Better City secured a developer for to undertake the mixed use development project - which is currently under development.

Contact

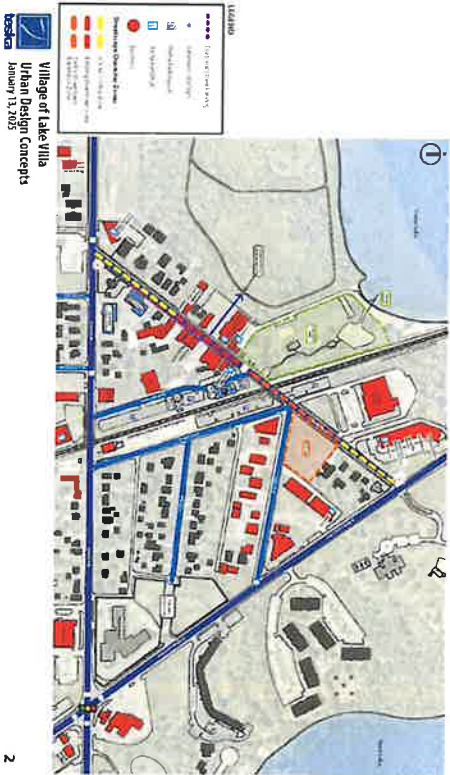
Michael Strong, Village Administrator
mstrong@lake-villa.org | 847-356-6100

See the Plan: bettercity.us/lake-villa



Village of Lake Villa
Urban Design Concepts
January 13, 2025

DOWNTOWN LAKE VILLA | EXISTING CONDITIONS AND OPPORTUNITIES MAP



Village of Lake Villa
Urban Design Concepts
January 13, 2025

Layton City, Utah | 2024

Layton hired Better City to create an Economic Development Plan aligned with the city's Comprehensive Plan, focused on shaping vibrant town and urban centers.

The process included:

- In-depth analysis of regional housing, transportation, and commercial real estate
- Development demand analysis
- Retail market research
- Review of eighteen existing studies
- Interviews with forty-two community stakeholders

In collaboration with one of the country's leading urban design firm - Urban Design Associates, we created concept plans for each town center.

The resulting plan outlines strategies to create engaging public spaces, enhance walkability, redevelop underutilized parking lots, invest in workforce development, and promote higher-density housing near transit hubs to strengthen connectivity and economic vitality.

Contact

Lon Crowell, Director Community & Economic Development

lcrowell@laytoncity.org | 801-336-3780

See the Plan: bettercity.us/layton



Silver City, New Mexico | 2018 - 2024

Better City has supported Silver City's economic development for many years. Key contributions include economic development strategic planning, vision planning with County leadership, grant writing, community engagement and workforce development.

Henry V. "La Burra" Morales Recreation Center

Better City conducted a feasibility study for the City's state-of-the-art facility for health, recreation, and community which opened in 2025. We had community input from more than 600 residents, and identified funding strategies.

Contact

Priscilla Lucero, SWNM Council of Governments
priscillalucero@gilanet.com | 575-388-1509



Scope of Work

Phase I

Phase I would be a collaborative engagement with the City's residents, elected officials, and regional partners to create a Vision Plan for what they would like to see happen with the Foy property. This Vision Plan would drive the land planning and high-level Land Use Diagram for the 675-acre parcel. A Focused Site Concept Plan would create a high-level site plan for the first areas to be developed.

The process would be coordinated with a local Steering Committee of residents and civic and business leaders.

Phase I Key Deliverables

Vision Plan – What are the aspirations of the City's residents and leaders for the City and how will the new property advance that vision:

- Quality of life – shopping, dining, and recreational amenities
- Economic – jobs, housing, cost of living
- Cultural – events, design standards, community gathering places

Process:

- Demographic, economic, housing, and real estate data analysis
- Site visit

- Community charrette
- Community survey
- Key community leader interviews

Land Use Diagram – High-level diagram for 675-acre site that describes general land uses, relationships to surrounding context and circulation patterns.

Process:

- Topographical analysis
- Translate Vision Plan to site design
- Color rendered site areas supported by annotations

Focused Site Concept Plan – Create a concept plan for a development area of 20 – 100 acres – to be determined in collaboration with the Steering Committee.

The Site Concept Plan would be a scaled, illustrative plan view drawing and would build upon the Land Use Diagram. Site data will be provided to describe development areas. Character photographs will be provided to help convey the concept. The proposed developments would be analyzed against market demand to validate its viability.

The local costs for infrastructure and development will be assessed.

The Vision Plan, Land Use Diagram, and Focused Site Concept Plan would be presented to the Bayard City Council and Grant County Commissioners for feedback and approval. Feedback and changes would be reflected in updated final versions.

The Site Concept Plan would depict:

- Building patterns
- Vehicular circulation
- Pedestrian routes
- Open spaces

Building typologies may include:

- Commercial
- Single-family residential
- Multi-family residential
- Attainable housing
- Institutional

Process:

- Topographical analysis
- Steering Committee discussions
- Design concepts / look & feel
- Highest and best use analysis

- Market analysis
- Infrastructure / public funding analysis
- Funding options research

Phase II

Phase II would be to create a detailed Site Development Plan for the first development area and would provide guidance to the City for land use planning and zoning for the site and to development plans. The final deliverable would be a RFQ to be sent to developers to initiate construction.

Phase II Key Deliverables

Development Plan – Once the Vision Plan, Land Use Diagram, and Focused Site Concept Plan are approved and a development timeline agreed upon by the Bayard City Council, the next step is to create a detailed roadmap of the next steps to execute the first phase of the plan.

- High-level project pro-forma
- Tax Increment Financing (TIF) strategies
- Public Private Partnership strategies
- Public Infrastructure District strategies
- Market analysis
- Plans to create a community gathering place
- Request for Qualifications (RFQ)

- High level recommendations for zoning and land use planning changes.

- Proposed zoning ordinance changes

- Design guidelines

Process:

- Project pro-forma
- Discussion / training with elected officials about public-private partnership
- High-level urban design
- TIF / PID analysis
- Create Development RFQ

Project Fees

Phase I Fee – \$58,000

The all-inclusive, not to exceed fee for Phase I would be \$58,000 and includes travel, supplies and other project expenses. This project fee would be split between Teska Associates and Better City.

Phase II Fee – \$35,000

The all-inclusive, not to exceed fee for Phase II would be \$35,000 and includes travel, supplies and other project expenses. This project fee would be split between Teska Associates and Better City.

Infrastructure Capital Improvement Plan FY 2027-2031

Bayard Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2027	2028	2029	2030	2031	Total Project Cost	Amount Not Yet Funded	Phases?
35733	2027	001	Wastewater System Improvements	Water - Wastewater	22,600,000	14,500,000	1,500,000	0	0	0	38,600,000	16,000,000	Yes
42053	2027	002	Little League Restrooms	Facilities - Other	0	250,000	0	0	0	0	250,000	250,000	No
12897	2027	003	City Hall Renovation Project	Facilities - Administrative Facilities	0	550,000	0	0	0	0	550,000	550,000	No
15938	2027	004	Water System Improvements	Water - Water Supply	0	1,200,000	0	0	0	0	1,200,000	1,200,000	No
42052	2027	005	Regional Water Project	Water - Other	3,550,000	63,000,000	0	0	0	0	66,550,000	63,000,000	Yes
43641	2027	006	Electronic Read Meters	Water - Other	0	150,000	0	0	0	0	150,000	150,000	No
43642	2027	007	Master Plan for new annexation	Other - Other	0	250,000	0	0	0	0	250,000	250,000	No
43640	2027	008	Animal Shelter Improvements	Facilities - Other	0	250,000	0	0	0	0	250,000	250,000	No
35736	2027	009	Mine Mill Museum	Facilities - Museums	50,000	1,700,000	0	0	0	0	1,750,000	1,700,000	No
43643	2027	010	40 Year Water Plan	Water - Other	0	100,000	0	0	0	0	100,000	100,000	No
29244	2027	011	ADA Municipal Improvements	Transportation - Highways/Roads/Bridges	0	500,000	500,000	0	0	500,000	1,500,000	1,500,000	No
43644	2027	012	Asset Management Plan	Other - Other	0	110,000	0	0	0	0	110,000	110,000	No
35730	2027	013	Purchase Heavy Equipment	Equipment - Other	0	400,000	0	0	0	0	400,000	400,000	No
40716	2027	014	Fire Truck	Vehicles - Public Safety Vehicle	0	1,000,000	0	0	0	0	1,000,000	1,000,000	No
35128	2027	015	Street and Drainage Improvements	Transportation - Highways/Roads/Bridges	0	1,000,000	1,000,000	1,000,000	1,000,000	0	4,000,000	4,000,000	No
43645	2027	016	Housing Initiatives	Facilities - Administrative Facilities	0	200,000	0	0	0	0	200,000	200,000	No

Infrastructure Capital Improvement Plan FY 2027-2031

29243	2027	017	Recreation Improvements	Other - Other	285,000	400,000	0	0	0	0	685,000	400,000	No
32666	2027	018	Purchase vehicles	Vehicles - Other	250,000	400,000	0	500,000	0	500,000	1,650,000	1,400,000	No
35729	2027	019	Library Improvements	Facilities - Libraries	0	400,000	0	0	0	0	400,000	400,000	No
37472	2027	020	Public Safety Improvements	Facilities - Fire Facilities	0	900,000	0	0	0	0	900,000	900,000	No
35731	2028	001	Cemetery Fencing	Facilities - Other	0	0	500,000	0	0	0	500,000	500,000	No
32667	2028	002	Train Depot Improvements	Facilities - Other	0	0	1,500,000	0	0	0	1,500,000	1,500,000	No
35735	2028	004	Outdoor Library Extension	Facilities - Libraries	0	0	500,000	0	0	0	500,000	500,000	No
40729	2028	005	HMS Clinic Building	Facilities - Other	0	0	1,520,000	0	0	0	1,520,000	1,520,000	No

Number of projects: 24

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	26,735,000	87,260,000	7,020,000	1,500,000	1,000,000	1,000,000	124,515,000	97,780,000

City of Bayard

RESOLUTION NO. 20-2025

A RESOLUTION ADOPTING THE 2025-2030 BAYARD COMMUNITY FOREST MANAGEMENT PLAN

WHEREAS, the USDA Forest Service awarded Western New Mexico University a 5-year grant to increase tree equity in six small, rural communities in southwestern New Mexico including Bayard; and,

WHEREAS, the grant funded the preparation of a Bayard Community Forest Management Plan ("the Plan") that addresses all vegetation within the Bayard municipal limits and serves as the foundation to guide all subsequent community forest work to be done in Bayard throughout the remainder of the project and beyond, including tree planting and maintenance; and,

WHEREAS, the Plan provides justification for proposed projects and budgets and can serve as a resource for those actively engaged in making Bayard a beautiful, healthy, and economically strong community; and,

WHEREAS, the Bayard community and staff have been engaged throughout the development of the Plan and have been provided the opportunity to voice opinions and provide informed input; and,

WHEREAS, this Plan was presented to the City Council on July 16, 2025 and discussed at a Council work session on September 15, 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYARD THAT:

1. The attached 2025-2030 Bayard Community Forest Management Plan is hereby approved, passed, and adopted; and,
2. The Plan is a working document and is the first of many steps toward improving the health of the community forest in Bayard; and,
3. The Plan is to be followed and incorporated into future community forest and community planning work in the City.

PASSED, APPROVED AND ADOPTED by the Bayard City Council this 19th day of November, 2025.

FOR THE CITY OF BAYARD, NM

By:

John L. Ojinaga, Mayor

Attest:

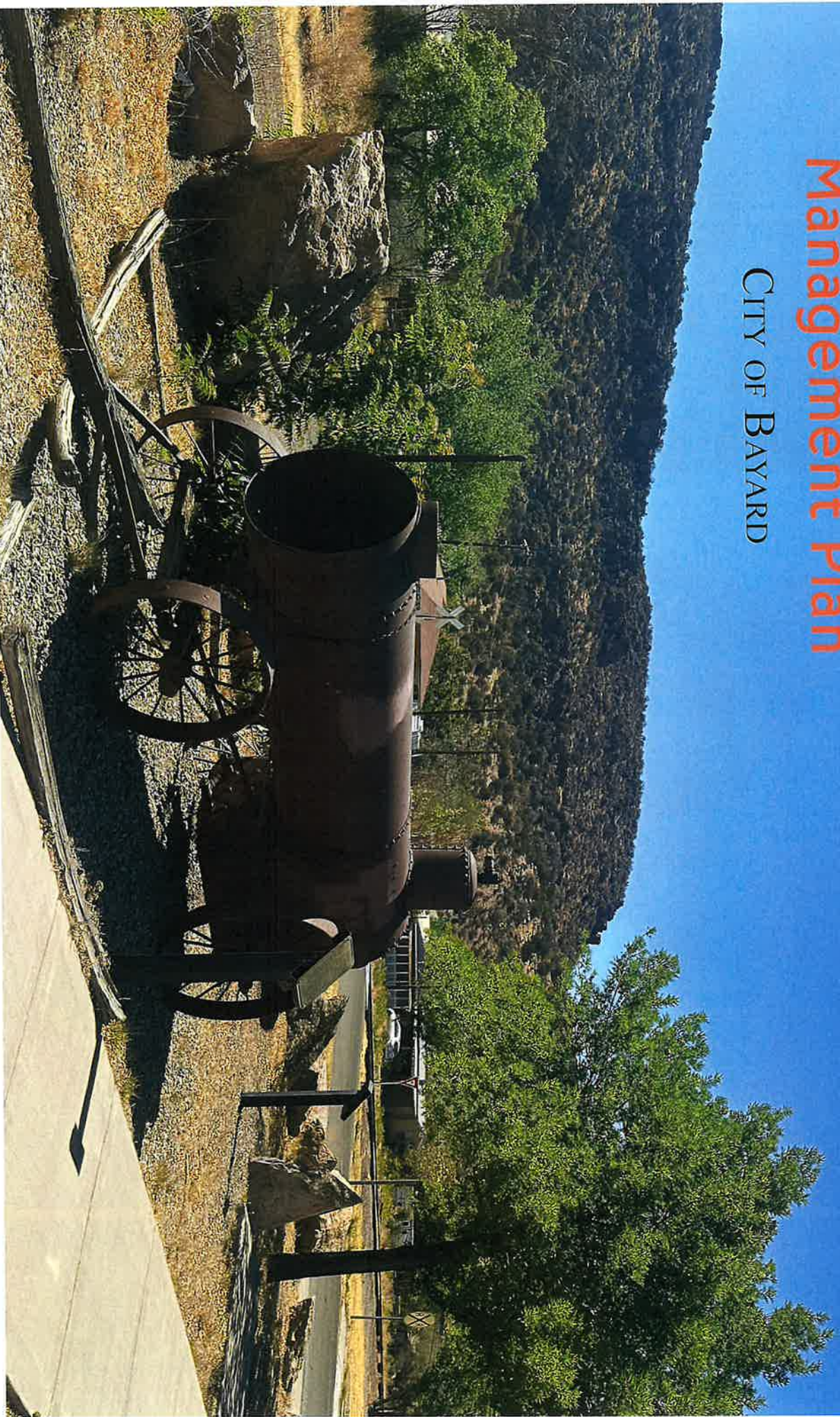
Martha Salas, City Clerk



2025

Community Forest Management Plan

CITY OF BAYARD



Acknowledgments

City of Bayard Leadership

Mayor: John L. Ojinaga

Mayor Pro Tem: Eloy Medina

City Council: Gilbert Ortiz, Frances Gonzales, Eloy Gonzales

Village Administrator: Martha Salas

Chief of Police: Hector Carrillo

Fire Chief: Gabriel Gonzales

Maintenance Supervisor: Sam Arellano

Municipal Judge: Jose Diaz

Partner Organizations

Western New Mexico University: Marivel Medel, Erik Geyer, Chala Werber, Eric Casler

Gila Resources Information Project (GRIP): Allyson Siwik, Mariah Runnels, Denise Smith

Integrated Biological Solutions, LLC (IBIS): Sarah Huteau, Jennifer Dann, Eliza Kretzmann

Spatial Informatics Group-Natural Assets Laboratory (SIG-NAL): Shelby Stimson, Guillermo Escobar

Grant County: Chris Ponce, Eloy Medina, Nancy Stephens, Eddie Flores, Thomas Shelley

Southwest NM Council of Governments: Priscilla Lucero

Southwest Tree Solutions: Joseph Franklin-Owens

Stream Dynamics: Van Clothier, Jaclyn Bartlett

SWNM Arts Culture Tourism: Bridgette Johns, Michael Olson

Tree New Mexico: Shannon Horst, Beth Forman, Luis Santiago

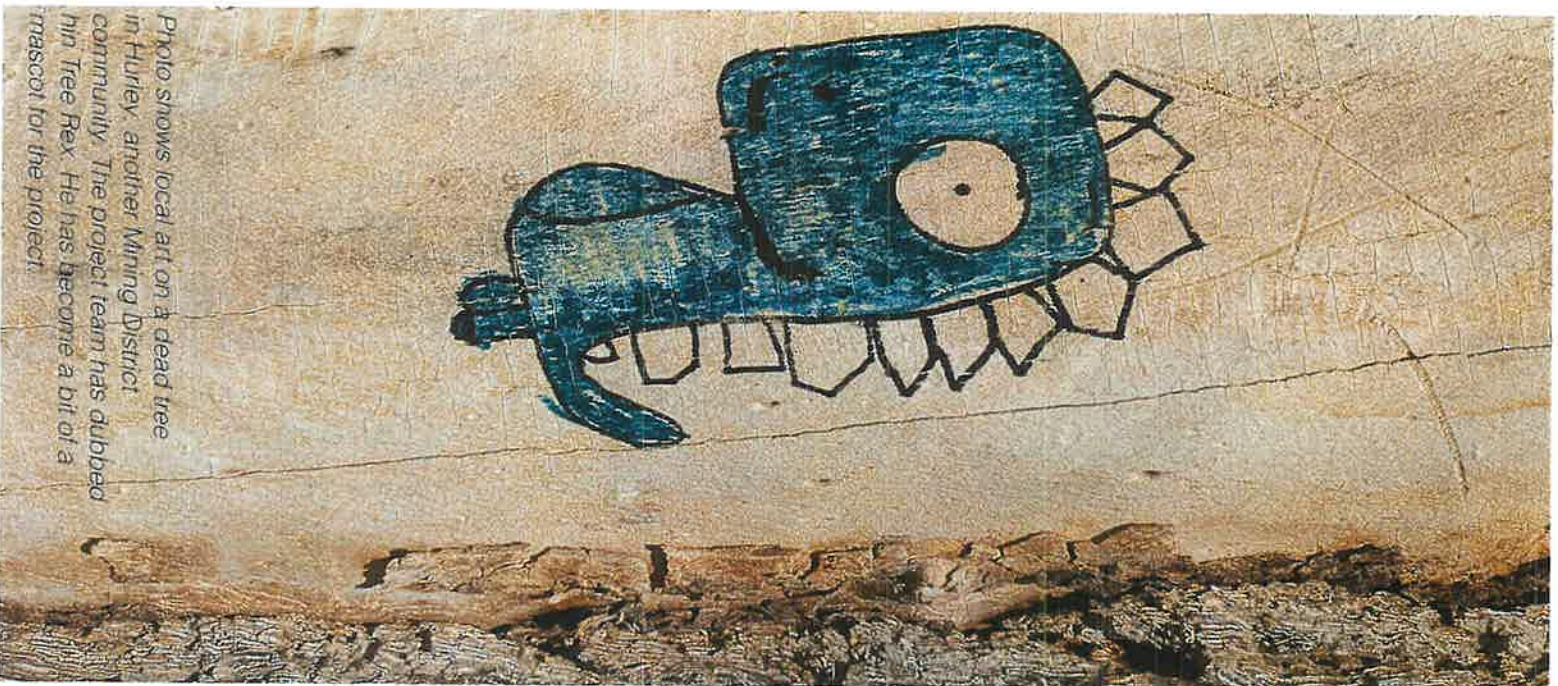


Photo shows local art on a dead tree in Hurley, another Mining District community. The project team has dubbed him Tree Rex. He has become a bit of a mascot for the project.



WESTERN
NEW MEXICO UNIVERSITY



Funding for this project provided by the USDA Forest Service, Urban and Community Forestry Program.

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Cover and current page photo show healthy, drought tolerant trees in Bayard Mining Park, providing shade and enhancing walkability on Central Avenue.

Summary

Welcome to Bayard's Community Forest Management Plan! This plan contains helpful information about Bayard's community forest, with specific recommendations for its growth and care. The plan is just one part of a greater effort to increase tree equity in southwestern New Mexico. Bayard, along with Santa Clara, Deming, Hurley, Lordsburg, and Silver City, is part of the Southwest New Mexico Community Forestry Network (CFN), a regional coalition that is designed to help coordinate efforts that advance urban forestry practices and share information between the six communities and project partners.

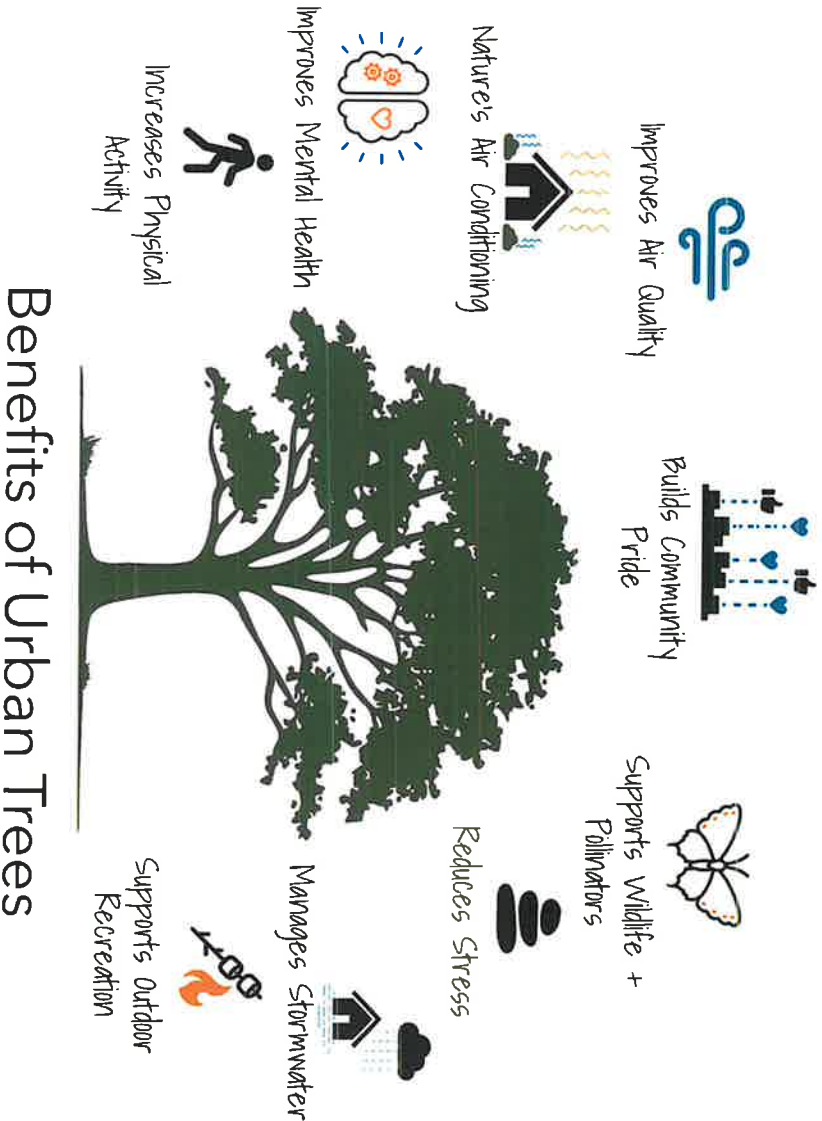
Definitions of Important Terms

Before getting started, here are **definitions for some important terms** that are used throughout this plan.

Community Forest: The word "forest" might suggest an area up in the mountains that is dense with trees. Just as a wildland forest is made up of all the trees and vegetation within a specific area, Bayard's community forest (also known as an "urban forest") is made up of all the trees and plants within the town's municipal boundaries. Viewed together as a whole, all the trees and other vegetation in parks and public spaces, residential and business lots, and open and undeveloped space compose Bayard's community forest.

Wildland foresters take a landscape-scale approach to evaluating and managing threats to forest health and productivity. The same principle applies to community forestry. Urban forests are managed by examining all of a town's trees and vegetation as a whole to assess the trends, patterns and priorities that emerge. This approach allows managers to respond with informed strategies to improve and protect the overall community forest, while still addressing the health needs of individual trees.

Wildland foresters manage forests to provide wood products, natural resources, ecosystem services, and public recreation opportunities. Similarly, Bayard's community forest can be strategically managed to provide multiple environmental, economic, and social benefits to the community.

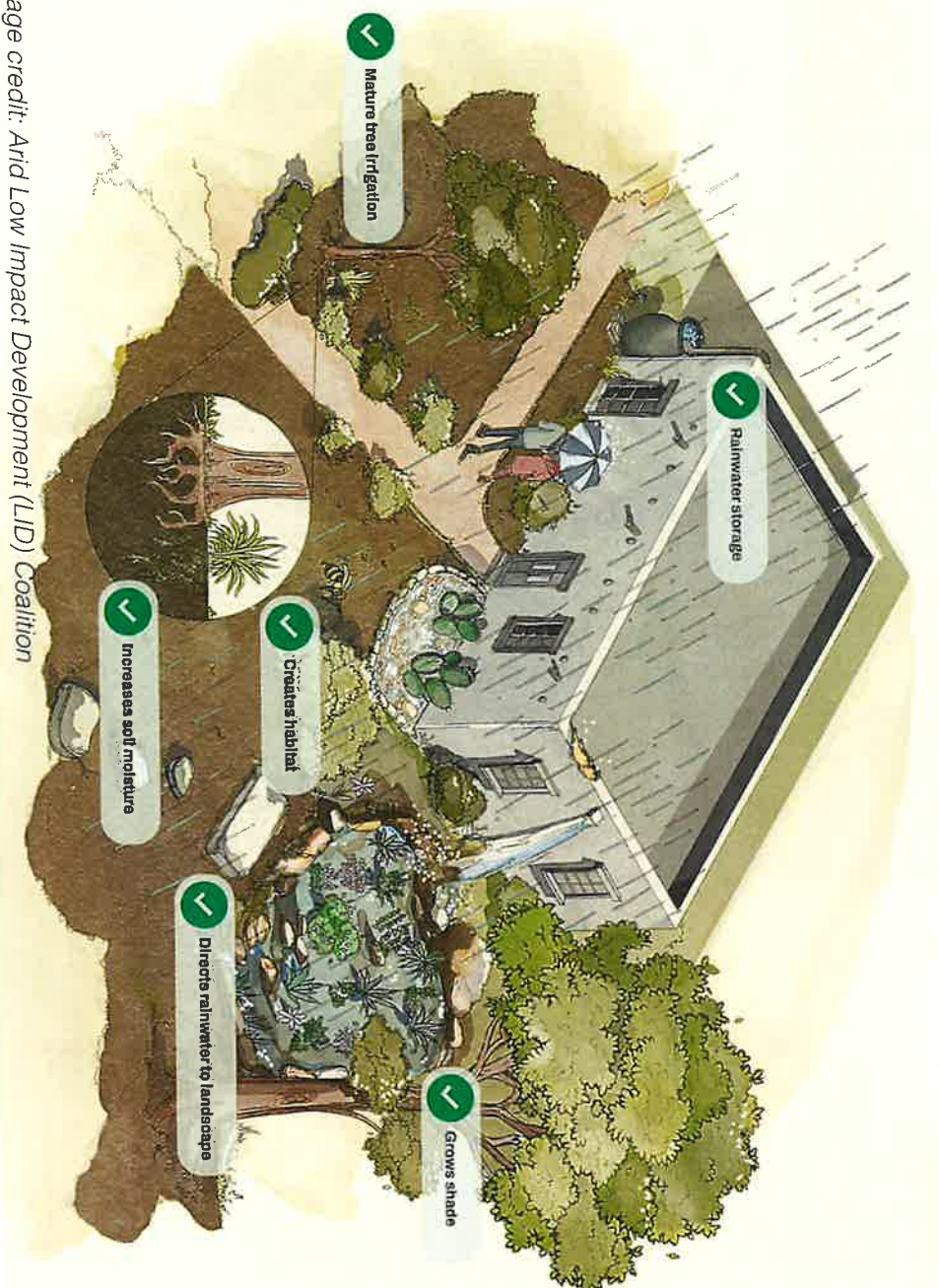


Urban forests, and the individual trees they are comprised of, play a crucial role in enhancing the livability, sustainability, and resilience of our communities, particularly in the arid Southwest. Trees provide a wide variety of social, environmental and economic benefits that can be maintained or even enhanced through best management practices.

Urban: The term urban might not be particularly relatable for Bayard, but in the context of this plan, urban simply means an area that has a higher density of developed land for residential, industrial, commercial, and institutional uses.

Green Stormwater Infrastructure (GSI): Green Stormwater Infrastructure, or GSI, is an approach to stormwater management that creates many small, distributed green spaces that soak up rainwater where it falls, reducing stormwater runoff that carries pollution to waterways. GSI captures rainwater and recharges soil moisture, bringing much needed water to plants and trees that create shade for people and habitat for wildlife.

GSI features are designed to leverage the power of living, natural systems to provide the community with many benefits. By directing rainwater from roadways and other impervious surfaces to landscaped areas, GSI can reduce nuisance flooding and support irrigation of trees and other plants, which helps to grow more green space while conserving Bayard's drinking water supply.



"Trees bring
peace, calmness,
tranquility, and
they beautify an
area."

Bayard Resident

Image credit: Arid Low Impact Development (LID) Coalition

Southwest New Mexico Community Forestry Network

The USDA Forest Service awarded Western New Mexico University (WNMU) a 5-year grant to increase tree equity in six small, rural communities in southwestern New Mexico: Bayard, Deming, Hurley, Lordsburg, Santa Clara, and Silver City. While WNMU is the grant lead, Gila Resources Information Project (GRIP) and Integrated Biological Solutions (IBIS) serve together with WNMU as the project team.

As part of the project, IBIS developed Community Forestry Management Plans for Bayard and each of the five other communities. **These management plans serve as the foundation to guide all project work in each community during the remainder of the project**, including tree planting and tree maintenance (e.g., tree pruning, irrigation, pest management). The project team is guiding the implementation of these plans by providing technical and capacity building support. GRIP is leading the planting of 1,000 trees across all six communities, and providing at least one week of tree maintenance work annually in each community, for the remaining years of the project. Prioritization of project work is informed by the assessments and recommendations in the Community Forestry Management Plans.

One of the key outcomes of the project is the formation of the Southwest New Mexico Community Forestry Network (CFN), which is facilitated by the project team and includes all six communities. The CFN was designed to help



Community Forestry Network partners attending the Think Trees Conference in Albuquerque, February 2025.

coordinate efforts and share information between communities and project partners. The CFN website, swnmforestry.org, includes links to additional resources that are referenced in this management plan and a curated list of other useful resources. The network and the project team will continue producing tools and materials as needed to help the communities put their Community Forestry Management Plans into action.

The CFN's work is focused on:

- » Providing guidance and on-the-ground support for tree planting and maintenance.
- » Sharing educational resources for a variety of audiences, from community members to tree care professionals.
- » Encouraging collaboration between communities in the region.
- » Supporting municipalities to engage community members in the care and development of their urban forest.
- » Connecting southwest New Mexico communities to statewide resources and other networks.
- » Supporting communities to leverage the Community Forestry Management Plans to obtain additional funding for implementation.
- » Assisting communities to address resource shortfalls.
- » Building municipal staffing capacity through training and program development.

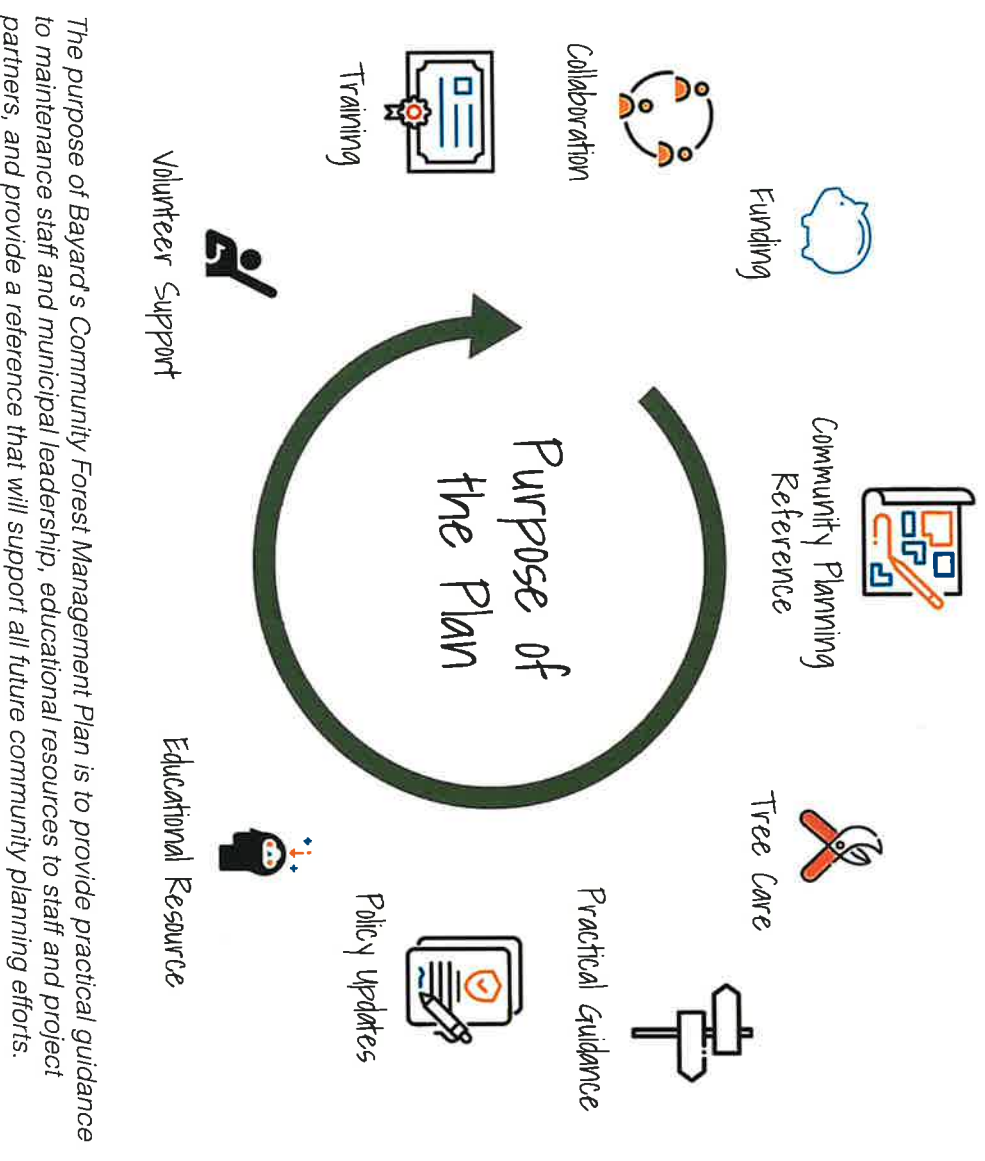


Purpose of the Plan

At first glance, it might seem as though a community forest management plan would only need one sentence: Plant more trees! As wonderful as they are, trees and other public green spaces require an investment of both money and time to make sure they produce maximum benefits without posing unnecessary risk, such as falling limbs and infrastructure interference. And in New Mexico's desert communities, the water requirements for planting additional trees must also be carefully considered and budgeted for.

A well-managed community forest can provide multiple benefits that support Bayard's long-term development goals. However, just like any infrastructure, urban trees require an ongoing investment of both time and money to ensure they remain healthy to provide these services that the community values. This plan strives to balance costs and benefits of urban trees within Bayard's unique community context, and identify opportunities for the CFN to support efficient community forest management.

This plan is designed to be a practical guide for the City of Bayard, outlining specific implementation strategies for the planting, care, and general management of the community forest. It reflects the community's stated values, plays to the town's strengths, identifies key challenges and opportunities, and charts a path toward achieving Bayard's goals for the development of both the urban forest and the city at large.



"Trees are awesome and we need more throughout town!"

Bayard Resident

Scope of the Plan

This plan defines Bayard's community forest as all trees and vegetation within its municipal boundaries, but **the focus of the plan is on trees, shrubs, and other woody perennial plants**. The reason for this is that these plants have a long-term presence and therefore represent the highest potential benefit to Bayard. However, they can also represent the highest cost and risk due to their size, requiring long-term planning and specialized management. Other vegetation, like grasses and flowers, are recognized as important components of a community forest and are often included in this plan's discussion, but they are not the primary focus.

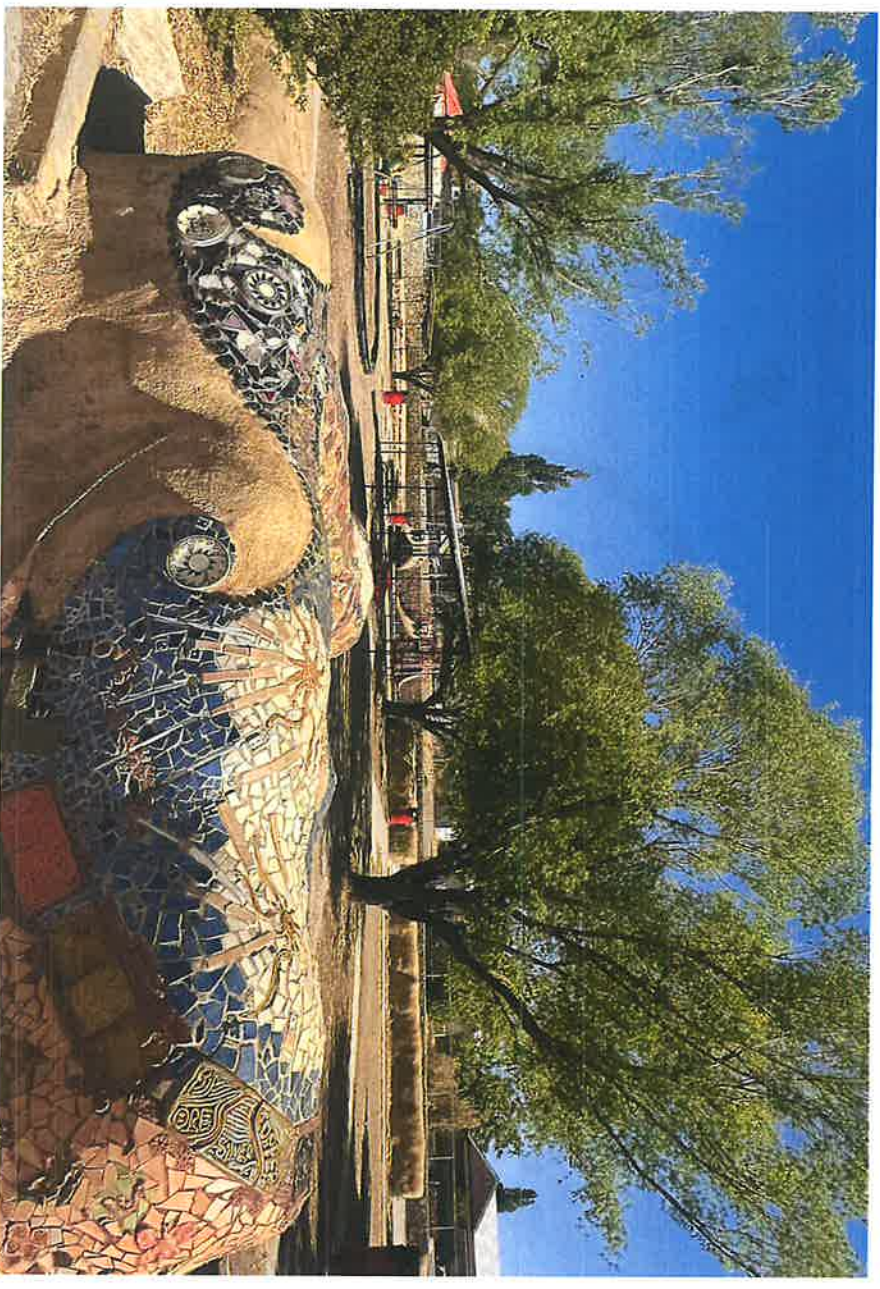
For this plan, the area of analysis was limited to the densely populated or urbanized portion within the boundary of the city. While this plan considers Bayard's entire community forest, much of **the emphasis of the plan will be on assessing public spaces and providing municipal recommendations**. Due to Bayard's smaller size, this allows the plan to make some very specific recommendations, down to individual trees.

Bayard's Community Forest Management Plan cannot be static if it is to be successful. This plan must be a dynamic document that encourages the application of adaptive management practices (plan-do-check-fix) in order to respond to changing conditions and shifting priorities. **This plan was written with a five-year lifespan in mind (i.e., 2025-2030)**, at which time it should be updated and adjusted based upon progress made and lessons learned over the coming years. Throughout the remainder of the project, the project team will develop supplemental, action-oriented resources that are designed to support Bayard staff with the implementation of the

goals and strategies recommended in this plan. Additionally, the newly formed Southwest New Mexico Community Forestry Network (CFN), and the recently expanded New Mexico Tree Alliance can serve as community educational resources and technical or logistical support for Bayard's priority projects. As Bayard continues to work to strengthen its approach to community forest management, there is no shortage of resources available to aid in this effort.

"I loved the desert
willow in my backyard
growing up."

- Bayard Resident



Shade trees in Bayard Community Park, exhibiting a variety of health conditions and maintenance needs.

How to Use This Plan

Basis for the Plan

This section provides background information on how this plan was developed, including community context, analytical data regarding Bayard's urban forest, and methodologies for identifying key priorities and strategies. This section can help grant writers and project planners to **provide justification for proposed projects and budgets** and may be of interest to those actively engaged in Bayard and its community forest. However, it is not necessary to read this section to understand and implement the *Action Plan*.

Action Plan

This section identifies three broad goals for Bayard's community forest, strategies within each of these goals, and specific actions to achieve these goals. It provides tailored recommendations for the physical care of trees as well as recommendations on policy, funding, community planning, training, and municipal and volunteer support. **Bayard's Action Plan is meant to be a working "to do" list.**

Additional Resources

This section is an appendix to the plan and provides guidance and templates to support the implementation of activities identified within the *Action Plan*. It is meant to serve as an **educational resource** for anyone actively involved in Bayard's community forest. Many of these resources are linked on the CFN website (swmforestry.org), which will continue to be updated as more resources are created and collected by the CFN.

"I grew up with trees and understand their importance to our environment, property value, and their beauty with the colors and shade they provide."

- Bayard Resident



Recommended Goals and Strategies

Bayard's Community Forest Management Plan sets three primary **Goals** that support a vision of a healthy community forest in Bayard and organize the work ahead. **Strategies** within each goal set actionable and measurable tasks to help realize those goals. The *Action Plan* near the end of this document expands upon these Goals to recommend **Actions** within each Strategy, including timelines, partners and collaborators, and available resources.

Goal

Bayard's community forest fosters economic development, community character and environmental health.

Strategies:

- 1A. Develop landscaping along US Highway 180 to beautify the entrance to Bayard, promote businesses, and attract visitors.
- 1B. Use streetscaping to formalize a "Main Street" along Central Avenue and Hurley Avenue, enhancing walkability and connectivity in Bayard.
- 1C. Manage a healthy community forest to conserve water resources, mitigate risk, and enhance environmental health.

Goal

Bayard's community forest enhances public health, recreation opportunities, and quality of life for residents.

Strategies:

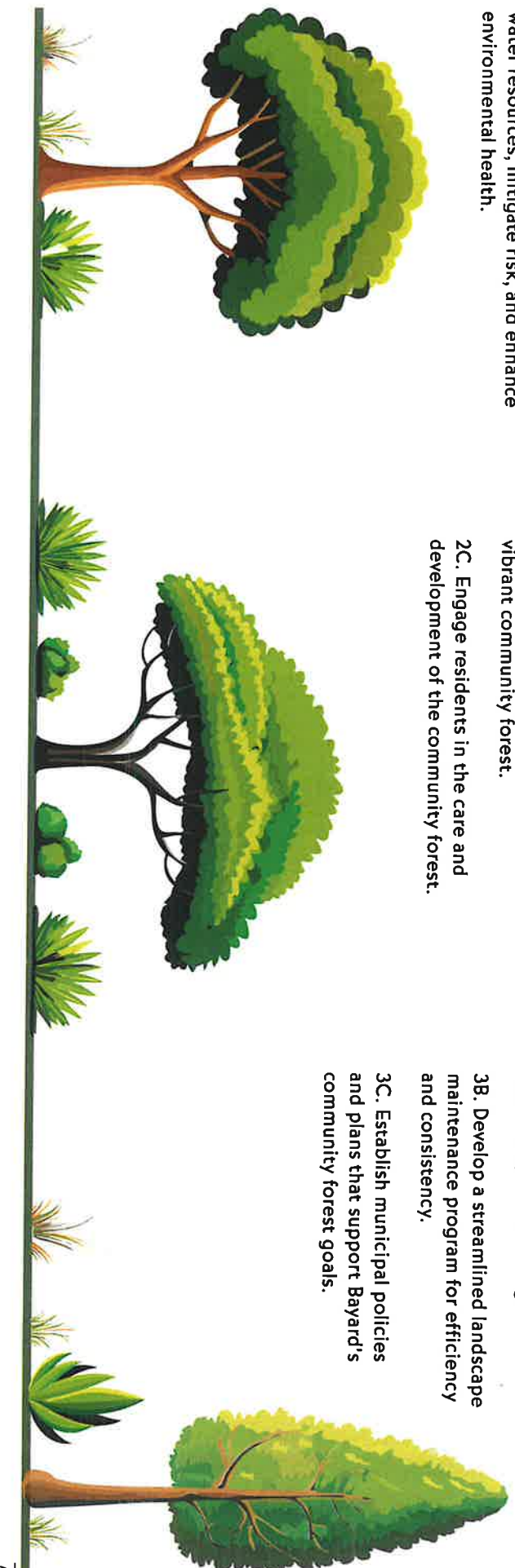
- 2A. Focus resources on improving and expanding the urban forest in community parks, gathering spaces and recreation areas.
- 2B. Enhance landscaping at Bayard's school campuses and facilities to contribute to a vibrant community forest.
- 2C. Engage residents in the care and development of the community forest.

Goal

Bayard cultivates a well-managed community forest through staff support, collaboration, and comprehensive planning.

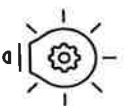
Strategies:

- 3A. Invest in building staff expertise to further strengthen Bayard's community forest management.
- 3B. Develop a streamlined landscape maintenance program for efficiency and consistency.
- 3C. Establish municipal policies and plans that support Bayard's community forest goals.



Community Forest Best Management Practices for Bayard

The assessments and recommendations presented in Bayard's Community Forest Management Plan are rooted in science-based best management practices in the field of urban forestry. To produce the goals, strategies, and actions featured in the *Action Plan*, the following best management practices were considered in the context of Bayard's vision, capacity, strengths and ongoing challenges.



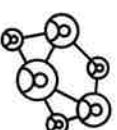
Planning

- » Select a wide variety of tree and plant species adapted to thrive in local conditions to conserve water, increase biodiversity, and improve forest health.
- » Establish and implement an irrigation plan for all new plantings.
- » Select the right tree for the right place, considering both plant and site characteristics.
- » Stagger tree plantings over time to grow a resilient, community forest with a distributed age structure.
- » Prioritize planting in underserved neighborhoods and high-use pedestrian spaces.
- » Incorporate trees and irrigation into public infrastructure projects whenever possible to maximize opportunities for greening public spaces.
- » Integrate Green Stormwater Infrastructure with community forestry projects to reduce flooding, provide trees with supplemental irrigation, and promote water conservation.



Plants

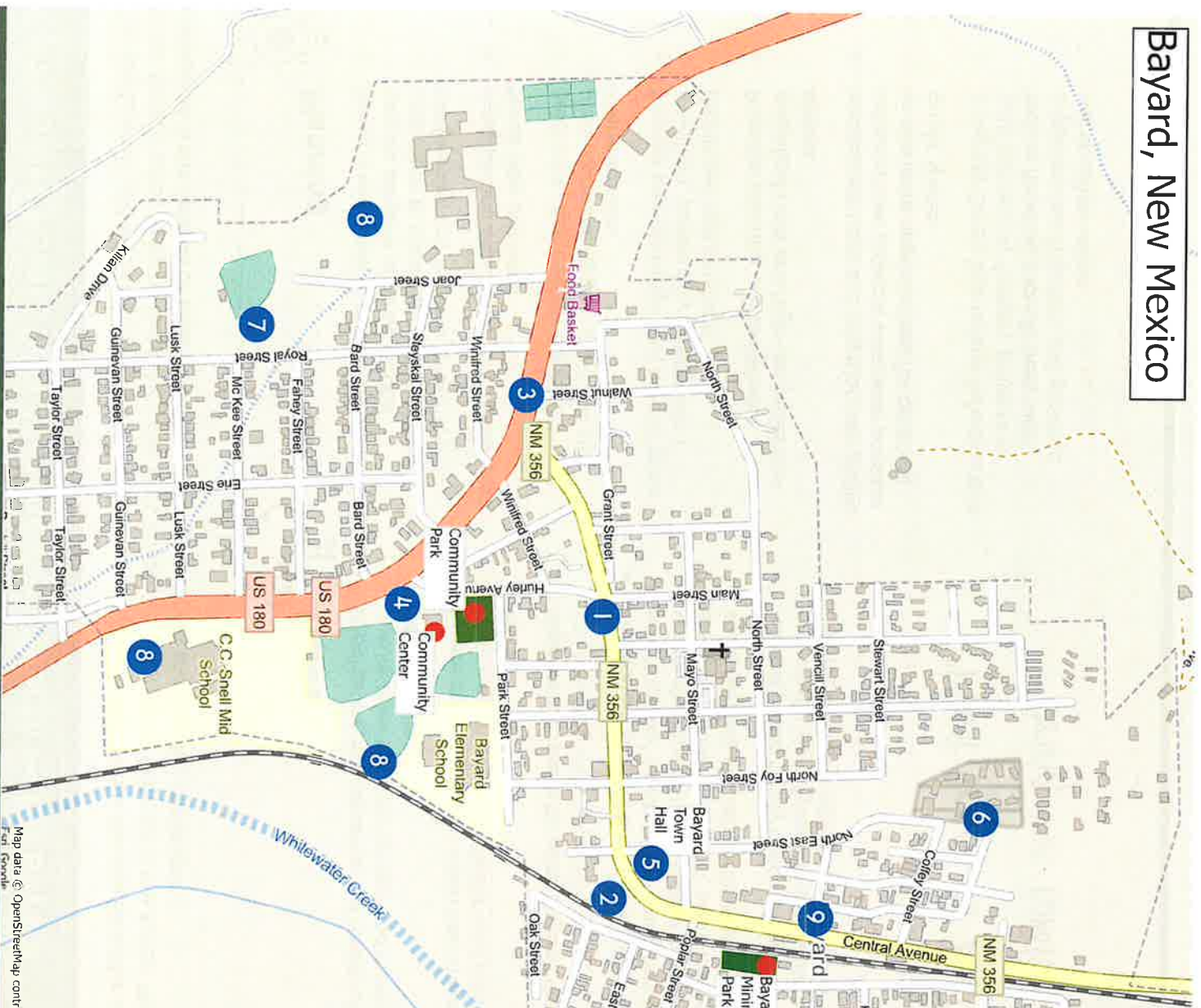
- » Prioritize the maintenance and health of mature trees to retain canopy and maximize tree benefits.
- » Create and maintain an urban tree inventory to actively monitor tree health and prioritize work.
- » Support soil health by using organic mulch and reducing soil compaction.
- » Use correct pruning techniques, eliminating tree "topping" (a harmful pruning practice where the tops of trees or large branches are indiscriminately cut off, often leaving stubs behind) and other common mistakes.
- » Address public safety concerns by proactively identifying and mitigating high risk trees through trimming or removal.
- » Engage and empower community members to support community forest goals on both public and private property.
- » Invest in workforce development and ensure tree care workers are trained in proper maintenance, monitoring and integrated pest management techniques.
- » Establish city policies, ordinances, programmatic workflows, and budgets that support the goals of sustainable community forest management.
- » Collaborate with regional and statewide forestry programs and networks to leverage resources, expertise, and funding opportunities.



People

"Plant trees to love Mother Earth. They always bring me comfort. I am an Earth Keeper."

- Bayard Resident



Bayard's Priority Community Forest Project Locations

- 1 Central Avenue Streetscaping**
Irrigated street trees & landscaping at publicly owned sites. Pruning & irrigation at Bayard Mining Park.
- 2 Bayard Community Garden Initiative**
Streetside landscaping, shade trees, pollinator habitat.
- 3 US-180 & Hurley Avenue Streetscaping**
Street trees & landscaping to enhance the gateway to Bayard, welcome sign & Hurley Avenue business district.
- 4 Bayard Community Park & Community Center**
Tree replacement, pruning, new plantings & irrigation.
- 5 Old Fire Station Park**
Tree replacement, pruning, new plantings & irrigation.
- 6 East Street Park**
Additional tree plantings, irrigation improvements.
- 7 Cobre Golf Park**
Tree replacement, pruning, new plantings, explore GSI.
- 8 School Campuses**
Shade trees & living ground cover at drop-offs, walking paths, play areas; support new outdoor learning areas.
- 9 Bayard Public Library**
Additional plantings, pruning, GSI behind the building.

Basis for the Plan

To develop Bayard's Community Forest Management Plan, the project team gathered information in multiple ways:

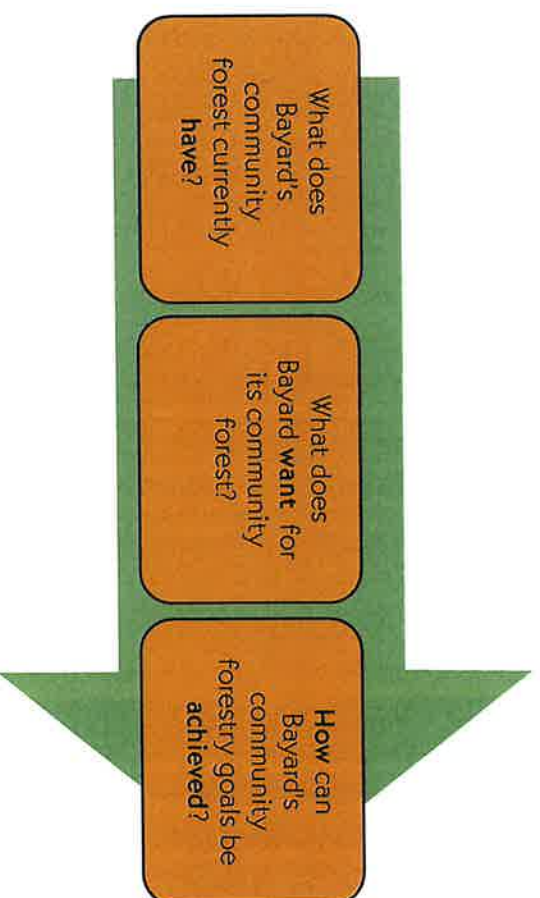
- » Conducted multiple interviews with City of Bayard officials, staff, and local experts to introduce them to the project, get initial input on priority areas, and understand the basics of the City's current approach to landscape management.
- » Reviewed the Bayard Comprehensive Plan Update (2021), Infrastructure Capital Improvement Plan (ICIP), and other available planning documents to identify community goals and opportunities to integrate with upcoming community forestry projects.
- » Reviewed and analyzed data regarding Bayard's community forest such as climate conditions, natural vegetation types, socioeconomic measures, and existing policies and ordinances.
- » Met with partners frequently between September 2024 and June 2025 to conduct a broad assessment of existing trees, irrigation and public spaces to identify opportunities and challenges for planting and maintenance.
- » Worked closely with the project team to glean local knowledge and incorporate their implementation and training experiences to help shape goals, strategies, and actions.

Public Survey for Bayard's Community Forest Management Plan

One of the key community engagement strategies used by the project team was a public survey open to all Bayard residents. Twenty eight Bayard residents responded to the public survey, which was open for a period of three months. To ensure that all community members in Bayard had an opportunity to contribute, the team used a range of outreach strategies. The public surveys were made available in both English and Spanish.

The survey requested information about potential priority tree planting locations, tree maintenance locations, and locations with flooding that could benefit from green stormwater infrastructure. Participants also had the opportunity to share which benefits of trees are most important to them, to give opinions about their preferred plant palettes for community forest projects, and to share their personal "Tree Stories". Responses to the survey questions highlighted that **Bayard residents deeply value their existing trees and strongly believe the city will benefit from having more**. The survey revealed overwhelming support from the community for this initiative. According to the survey, Bayard residents were most interested in community forestry projects that prioritize shade trees, native and drought tolerant plants, and trees that add color and beauty to the city. Bayard residents were also particularly interested in using trees to help improve air quality in town and to help provide habitat for native pollinators and wildlife.

Community input in these various forms was integrated into a broader assessment of the City of Bayard, which is discussed in the following sections: the **Community Profile**, the **Community Forest** and the **Community Vision**. This assessment was guided by three key questions:



Community Profile

The City of Bayard is located within Grant County at the crossroads of New Mexico Route 356 (NM-356) and US Highway 180 (US-180). Bayard sits at the northern end of the Cobre Mountains. Together with the nearby Town of Hurley and Village of Santa Clara, these three communities comprise what is locally referred to as the "Mining District," named in reference to the historical and cultural significance of mining in the region. Indigenous communities mined copper in the area long before the arrival of Spanish colonists, who began mining the Santa Rita deposit around 1799. Their discoveries led to the establishment of several settlements in the area, including the City of Bayard.

Bayard has been known as the "Hub of the Mining District" throughout its history. It was initially established to support operations of the region's first open pit copper mine located nine miles to the northeast. The Santa Rita mine, now referred to as the Chino Mine, is New Mexico's largest known porphyry copper deposit. The mine is still operating today, most recently by Freeport-McMoRan and employs about 950 people, many of whom live in Bayard or the surrounding communities. The local economy is heavily dependent on mining activities, and the population in Grant County and the City of Bayard fluctuates somewhat with employment at the mines. The history of mining in the area is a deep part of the community's identity and character, and is a point of cultural interest for tourists and travelers passing through.

Bayard has an area of 1.0 square mile with a population of approximately 2,200 residents. With 1,031 housing units and an 63.3% homeownership rate, a large portion of Bayard is privately owned. The City of Bayard is surrounded by Freeport-McMoRan property and Bureau of Land

Management land to the north and northwest and by private land to the west. As a result, the City has very limited ability to expand geographically.

Bayard spans US-180 (also known as Tom Foy Boulevard through Bayard), with the highway running through the middle of the city and serving as one of Bayard's main streets. NM-356 run from north to south, transecting the northern area of town, where it is referred to as Central Avenue, and this corridor forms Bayard's other primary business district. The residential neighborhood south of US-180 contains Cobre High School, which is adjacent to a golf practice course that is also used as a neighborhood park. To the north of US-180, there are a few distinct neighborhoods, several parks and ball fields, the Middle School, the Elementary School, the Bayard Housing Authority complex with its adjacent park, and the majority of Bayard's community services. In addition to the city's parks, three drainage arroyos run through the city and form riparian corridors that provide linear open space with some existing social trails. These arroyos flow to Whitewater Creek, which runs along the eastern boundary of the city.

"In the sixties, a rope and
an old car tire hung from
a firm tree branch made a
fun swing for kids."

*Photo shows part of the mural on the historic
Union Hall building.*

Bayard Resident

Bayard's community services are centered in two locations:

» **The US-180 corridor (Tom Foy Boulevard)** is lined with a few restaurants, goods stores, a gas station, a bank, and a medical facility. The historic Union Hall building is located on Tom Foy Boulevard. The Bayard Community Park complex just off US-180 on Hurley Avenue is the City's largest multi-use recreational area, including the Community Center, Bayard Community Park, Bayard Elementary School, Snell Middle School and ball fields.

» **The NM-356 corridor (Central Avenue)** includes local restaurants and businesses for goods and services. Most of the City's government offices and public facilities are located along Central Avenue, such as City Hall, the Police Department, the Library, and the Cobre Consolidated Schools Administration building. The Post Office has an adjacent small park area, known as Old Fire Station Park. Also located along Central Avenue is the historic Railroad Depot and Bayard Mining Park.

Today, Bayard continues to serve as the "Hub of the Mining District" by providing public amenities and services that are utilized by residents of Bayard as well as by residents of nearby communities. For example Bayard is the only town in the Mining District with a Public Library, which has served at least 4,000 cardholders from around the region. As home to the Mining District's only Middle School and High School, many students and families from neighboring communities visit Bayard regularly. The recently completed Multi-Use Trail project from Bayard to Santa Clara provides a connection between the two communities, recreational travel opportunities, and access to the schools for students. The community has discussed the potential for a future similar multi-use trail project to connect Bayard with the Town of Hurley.

Photo shows part of the mural on the historic Union Hall building.

Bayard Governance and Landscape Management

The City of Bayard is led by a Mayor, a Mayor Pro Tem, and three City Councilors. There is also a Beautification Committee in Bayard that is focused on improving town aesthetics.

The City of Bayard currently has a team of five maintenance staff, plus a supervisor, who oversee all maintenance needs for the community, including but not limited to parks and other landscape maintenance. The staff reports spending approximately two days out of the week on outdoor maintenance issues, fluctuating seasonally. All tree work is done by maintenance staff without contractor support, unless trees conflict with utility lines.

Bayard's maintenance program is doing a remarkable job for their limited capacity, and there is strong support from municipal leadership to further improve the program. Maintenance staff currently do not receive any training specific to tree care, and they expressed an interest in building knowledge and skills in community forestry through participation in the CFN. **Active participation in the CFN is a good investment of Bayard staff time and will support the implementation of this Community Forest Management Plan.**

The City of Bayard has a set of municipal ordinances but none that directly govern vegetation, aside from a water conservation ordinance that is evoked rarely during times of drought to regulate outdoor water use. **The adoption of landscaping policies and ordinances can contribute to effective and proactive management of urban trees in Bayard.**

"I love the garden at the library"

— Bayard Resident



A view of the Chino mine and the mountains surrounding Bayard.

Climate and Geography

Bayard sits among rolling hills in an area steeped in copper and other mined metals, just east of the Continental Divide. At an elevation of approximately 5,800 feet, the landscape surrounding the city is considered a semi-desert grasslands biome at its lower elevations and a Great Basin conifer woodland biome to its north and east. Great Basin conifer woodlands are characterized by the dominance of piñon pine and juniper trees with an understory of native bunch grasses. Semi-desert grasslands were historically punctuated by native bunch grasses within a matrix of bare ground and minimal trees. More recently, changing temperature and precipitation patterns, combined with a legacy of grazing practices, has reduced grass cover in both vegetation communities, leaving more bare ground open to wind and water erosion. There are three narrow riparian channels that bisect Bayard with high tree density that serve valuable ecological functions but also bring risk of fire and flooding to several residential neighborhoods. These riparian forests were historically dominated by cottonwood and willow species, but have since shifted to predominantly non-native plants including salt cedar (*Tamarix* sp.) and Siberian elm (*Ulmus pumila*).

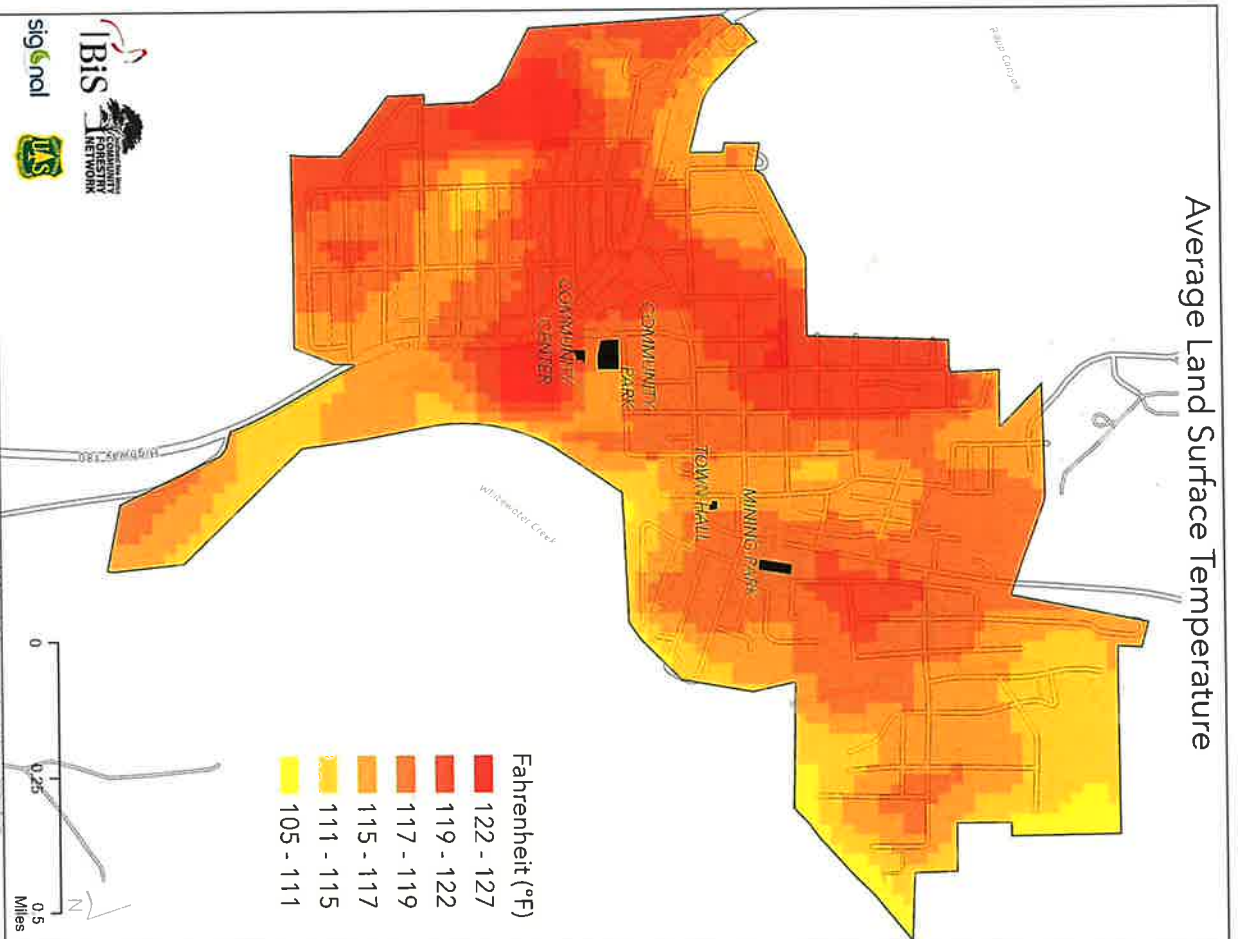
Winter temperatures are mild in Bayard, with short freezes and occasional snow. Summer temperatures are increasingly getting warmer, flitting with triple digits. Like many southwestern communities, Bayard's precipitation primarily comes in the winter and during summer monsoonal rain events. Winter and spring rain events appear to be declining in recent years, leading to earlier and more intense seasonal drought periods. The monsoon rains help cool ambient temperatures during the heat of summer. Generally, monsoon weather patterns are active in this region between July and September, but these patterns are becoming more variable as is the total amount of rain that falls during each event.

Bayard isn't the only community experiencing these changes. Average temperatures across New Mexico have increased by 2°F since the beginning of the 20th century, causing many communities to reexamine what types of vegetation are prudent choices for new planting projects. The annual number of days reaching 100°F in New Mexico has increased from an average of 12 days (1900 - 2020) to nearly 20 days per year (2015-2021). This same pattern is seen in increasingly warm evening temperatures, with the number of nights above 70°F nearly doubling in recent decades compared to the previous century.

To plan for a long-lived, resilient urban forest, tree species selected for planting must be drought tolerant to perform well in Bayard's arid environment, and should be adapted to withstand the range of temperatures in Bayard - both summer highs and winter lows. The USDA Plant Hardiness Zone designations help guide the selection of trees and plants that will have the best chance of succeeding in Bayard throughout their lifespan. Each Zone designation is based on the 30-year average of recorded temperatures, with an emphasis on the lower threshold of temperatures. The 2023 Hardiness Zone map classifies Bayard within Zone 7b. Trees have a multi-decade lifespan, and because the temperature is projected to increase substantially over the next several decades, it is prudent to prioritize planting tree species that function well in the current zone designation but will also be able to thrive in the projected zone designation of the future: 9a.

Developing and using a diverse, regionally native-focused plant palette that is well adapted for Bayard's specific climate and geography will help prepare Bayard's community forest for a resilient future as summers become hotter and drier.

Average Land Surface Temperature



This map of land surface temperatures during the summer months (May through September, 2019-2024 mean values) illustrates how hot it can get in Bayard. Extreme heat can have significant human health impacts.
Image credit: SIG-NAL

Land Surface Temperature

Land surface temperature refers to how hot the "surface" of the Earth feels to the touch, as opposed to the ambient air temperature. This data is collected by satellite, and so the "surface" from the satellite's perspective could be pavement, rooftops, plant leaves, bare ground, or other surfaces.

Land surface temperature data demonstrates how hot Bayard can get, with mean surface temperatures in many parts of town reaching 119 – 126 degrees Fahrenheit in the summer. **This level of heat can have serious human health impacts**, particularly for vulnerable populations. Heat is the number one weather-related cause of death in the United States. New Mexico's Department of Health estimates that heat related deaths will double between 2020 and 2030, based on climate models that project an increase up to 111 days of extreme heat per year (90° or higher).

The land surface temperature map shows that **areas with lots of natural vegetation have lower surface temperatures than areas with more development**, illustrating that trees and other plants can help mitigate high temperatures. Cooler land surface temperatures around Whitewater Creek, Bayard Canyon and the other naturally vegetated arroyos are apparent on the map as ribbons of yellow and light orange. In contrast, the hotter areas of Bayard (appearing in red or dark orange) coincide with where there is more development and less vegetation. The hottest surfaces are the High School football field and the Middle School baseball diamond. As these facilities are important community gathering spaces, this data helps identify these as potential priority sites for planting shade trees.

While the land surface temperature map shows where Bayard's "hotspots" are located, the satellite data is not a fine enough resolution to prioritize specific tree planting locations. However, knowing that areas with a multitude of heat absorbing surfaces (like roadways, sidewalks, and buildings) will have higher surface temperatures indicates that **recreation areas, pedestrian walkways and bike paths should be prioritized for tree planting** to help lower harmful heat levels in high-use areas.

Trees and plants can help combat heat, but heat can also be extremely detrimental to tree health. Trees planted near roads, sidewalks, and other heat absorbing surfaces must survive both ambient heat and additional heat reflected from the pavement. **Using light-colored, organic mulch materials and/or planting living ground cover around trees, and providing adequate irrigation, are key to helping trees survive heat stress.**

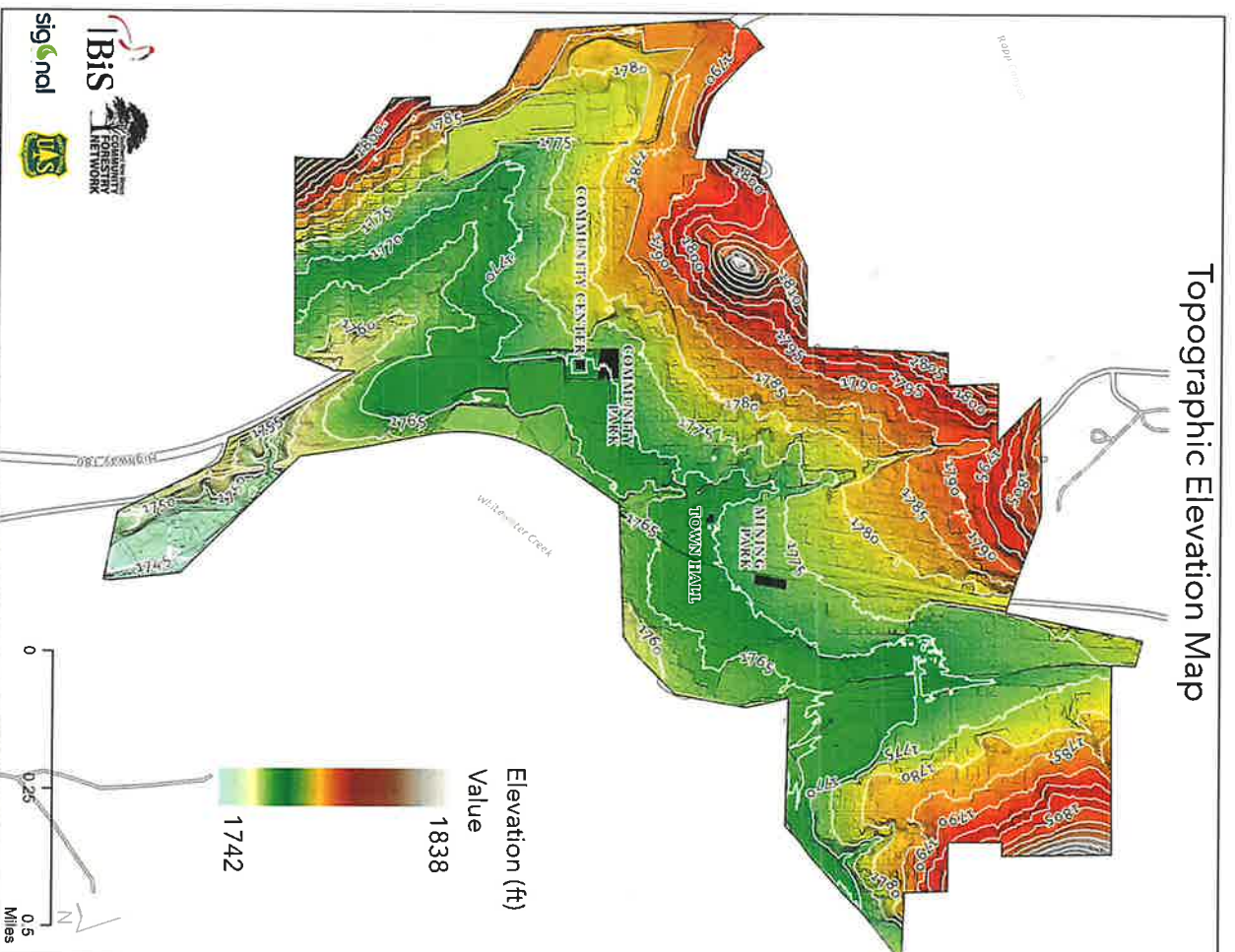
Water Sources

Bayard's primary source of water is subsurface groundwater aquifers. Frequent and persistent drought conditions have led to decreased groundwater recharge and increased pumping to meet residential and commercial water demands, depleting the aquifer over time. Water supply is a long-term concern for all communities in the Grant County area, and the City of Bayard cites efficient use and management of water resources as a top priority in its Comprehensive Plan. While significant improvements in water conservation efforts have been made to date and additional water infrastructure through the Grant County Regional Water Supply Project is planned, Bayard has little water to spare. This requires careful planning when considering planting additional trees and plants, both at a municipal and residential scale.

The City of Bayard manages its own water supply through a system of wells, water tanks, and water lines. During emergencies or on an as-needed basis, Bayard also has an agreement to supply water to the Hanover Domestic Consumers Association, though activation of this agreement is not common. In the region, the greatest owners of water rights are the agriculture and mining industries.

In addition to persistent drought conditions, residents are experiencing increased flooding issues in the main roads during monsoon rain events, as only two percent of the community has storm drainage. As new development is charted, the increase of impervious surfaces from buildings, sidewalks and streets will only add to the problem. Green stormwater infrastructure (GSI) practices are an increasingly common solution in this region to mitigate flooding from runoff. **GSI can repurpose this underutilized water resource to irrigate plants and create a more vibrant and beautiful city while helping to address flooding problems.**

All trees and landscaping will need some form of irrigation throughout their lives, especially during the first 3-5 years of establishment and during periods of drought. Water conservation is another benefit of co-locating GSI with tree plantings, which can minimize the use of drinking water for landscaping irrigation.



The elevation map for Bayard clearly shows how stormwater flows from high elevation (red) to low elevation (green), resulting in flooding in the central village area. Using GSI practices can help alleviate flooding and irrigate plants. Image credit: SIG-NAL

Soils

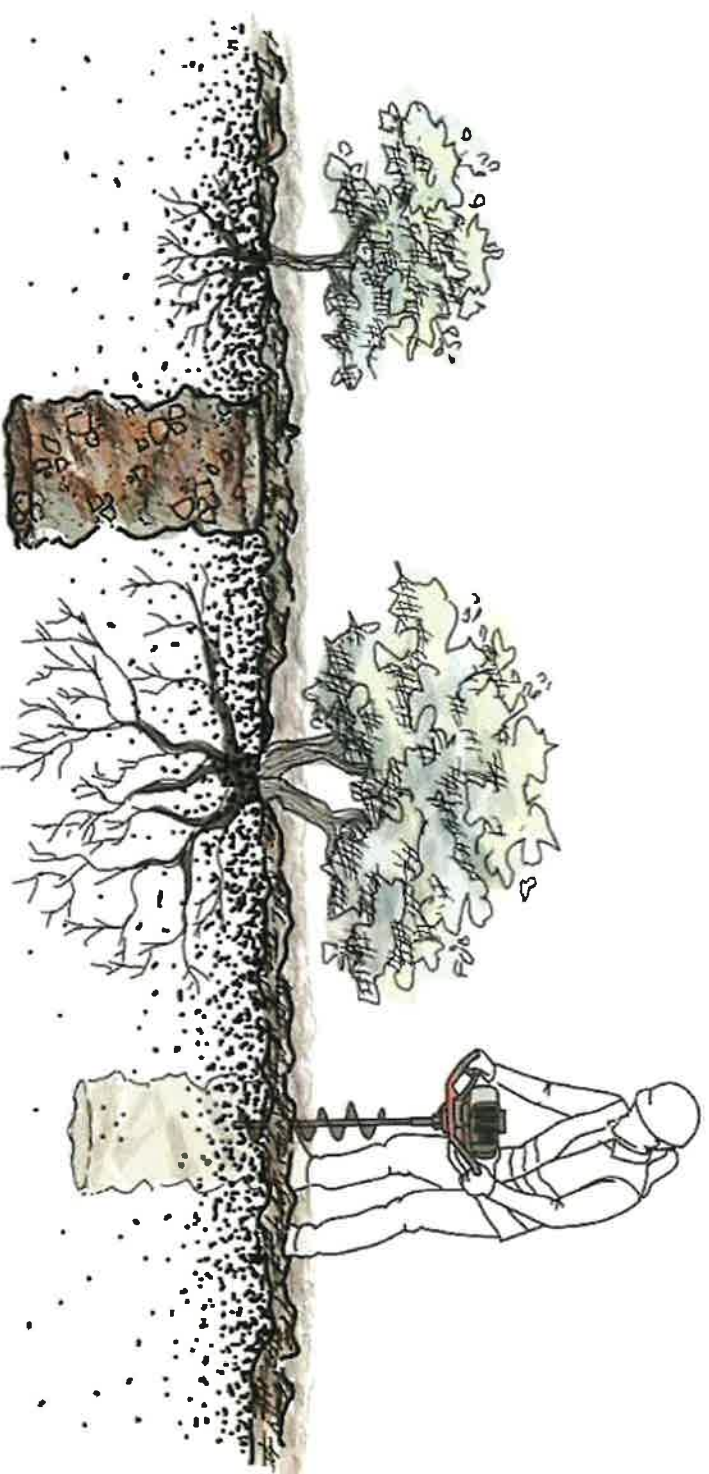
The USDA Natural Resource Conservation Service Web Soil Survey provides complex geo-referenced information about soils. The data is not precise at small municipal scales, and urban soils are often very different compared to surrounding natural areas. However, the soil survey provides useful insight into potential challenges with soils related to community forest management in Bayard.

The commercial and residential areas of Bayard are mainly comprised of shallow, well-drained gravelly clay loam. Loamy, well-drained soils are generally good for tree planting. However, large trees need at least two feet of soil to establish structural roots, and roots will not travel through the hard, underlying rock layer that can sometimes be found in this region.

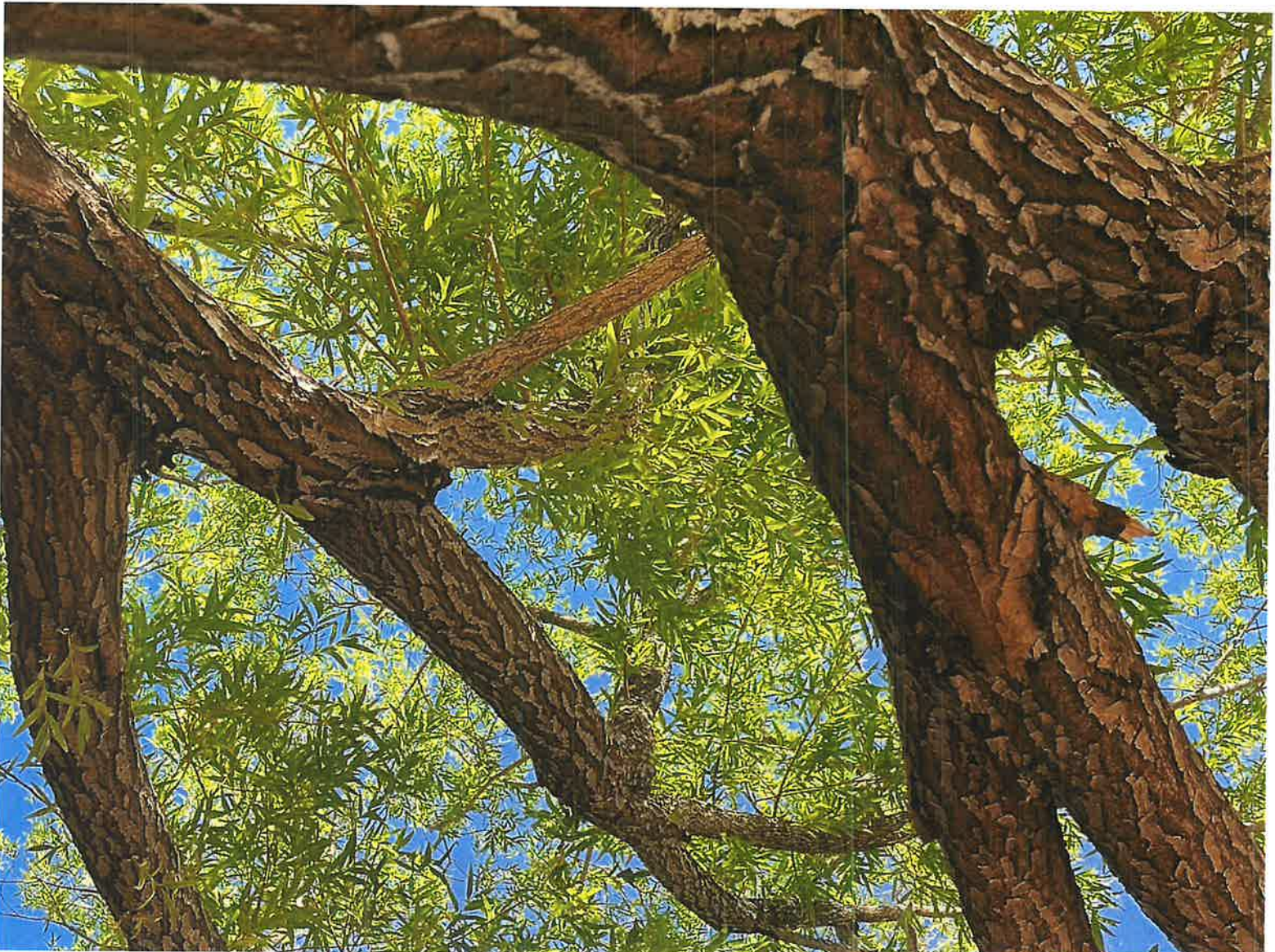
During tree planting in the commercial and residential areas of Bayard, extra care may be needed to ensure there is adequate soil volume available for the

tree, considering the expected mature size of the tree species being planted. Roots generally extend several feet beyond the canopy drip line of the tree (see page 26), and these fine root tips are where the tree pulls in most of its water from the soil. Soil sponges, an excavated hole filled with a particular mix of pumice, compost, and wood chips, should be considered to improve infiltration and support tree health by storing water in the soil.

Bayard's soil has low organic matter content. Organic matter is critical to plant growth and also helps stop soil degradation and erosion. It is possible to add organic matter to soil, such as manure and compost. However, because organic matter will decompose at a faster rate than the surrounding soil, too much organic matter can eventually cause destabilized soils. **Using organic mulch around trees and plants allows nutrients and water to seep into the soil slowly and be held longer where they are available for uptake by roots.**



Soil sponges, shown here in a graphic from the NM DOT GSI Maintenance Manual, can help improve water infiltration and storage.



Community Forest

Bayard's community forest is made up of both naturally-occurring and human-introduced trees. The native piñon and juniper trees of the mountain foothills are also found in the higher elevations of the city. Three riparian corridors, which transect the city and flow toward Whitewater Creek along Bayard's eastern boundary, contribute significantly to the city's overall tree canopy. The riparian areas include both native cottonwoods and ash trees, as well as non-native salt cedar (*Tamarix species*) and Siberian elms (*Ulmus pumila*) which have spread into surrounding areas.

Trees on city property are mainly limited to parks, where Bayard has invested in planting trees and shrubs and maintaining naturally-occurring trees. The residential areas of town have some beautiful trees and landscaping, with both established trees and new plantings, indicating that trees were an active part of establishing Bayard and continue to be valued by residents today.

"I love trees because of
their beauty, providing shade
and making the earth a
better place to live."

Bayard Resident

Photo of a healthy tree in
Bayard Community Park.

Tree Canopy Cover

One way to assess the overall condition of an urban forest is to review tree canopy cover data. The canopy cover of a community is the percentage of land area that is covered by the leaves, branches, and stems of trees and plants when viewed from above. Satellite imagery provides both total canopy cover and data to assess the range in height of vegetation in Bayard. The total canopy analysis includes all the trees and plants greater than one meter tall (3.3 feet) across the whole community, in both public and private spaces.

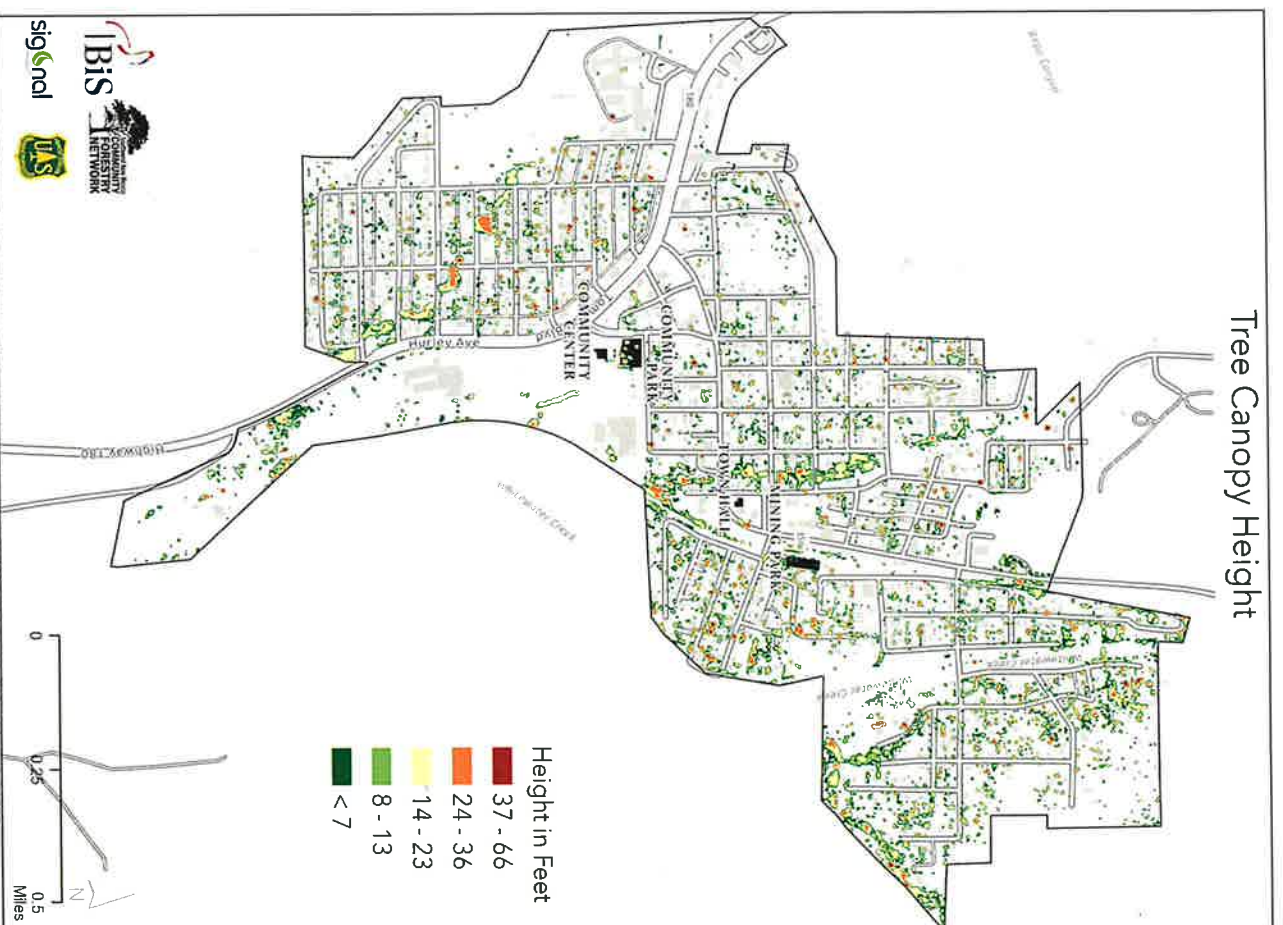
The satellite imagery analysis shows Bayard's total canopy cover (the percentage of land covered by plants and trees greater than 3 feet tall) is 12.3%. Bayard's tree canopy (plants taller than 10 feet) is 6.4%, while smaller understory plants (between 3 and 10 feet tall) contribute an additional 5.8% to the total canopy. Bayard's cemetery was analyzed separately, and shows a 0.2% total canopy cover for that area.

Larger tree height and a more dense tree canopy are generally associated with greater benefits, such as providing more shade and heat mitigation. The canopy cover map shows that the highest density and tallest trees in Bayard occur naturally along the riparian and drainage arroyos. The adjacent residential neighborhoods also have a higher density of trees than other neighborhoods in town, indicating more water availability and invasive species spread (e.g., Siberian elms). There is very little tree canopy at the schools or along US-180 and NM-356.

"My grandfather was a
teacher and planted trees
on Arbor Day."

-Bayard Resident

Tree Canopy Height



Map of total canopy cover and tree height in Bayard, including all trees and plants within municipal boundaries that are more than one meter (approximately three feet) tall. Image credit: SIG-NAL.

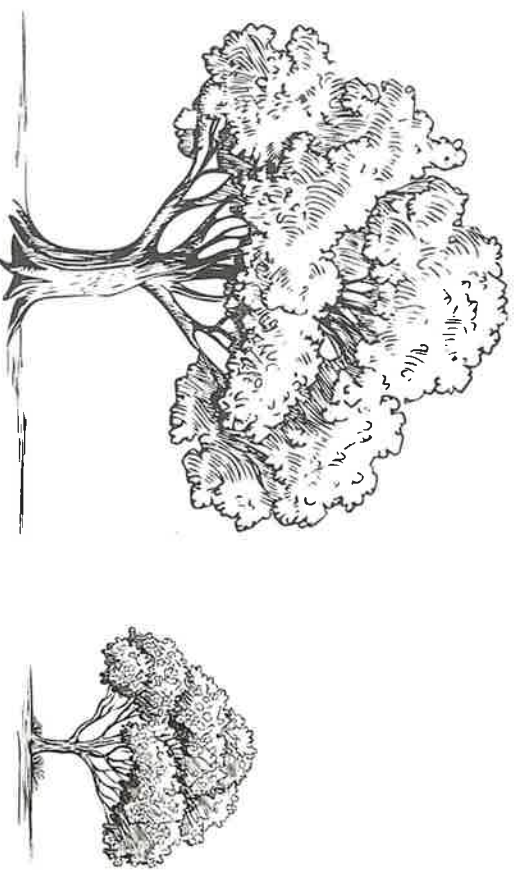


Photo shows street trees in Bayard Mining Park.

USDA Forest Service research shows that in a desert community, a tree canopy of 15% is a realistic goal. While it can be motivational for a community to set tree canopy goals, and it's clear that it would be beneficial to increase Bayard's tree canopy from its current rate of 6.4%, it is important to consider this goal in the context of the region's limited water availability. **To conserve water resources while increasing tree canopy for maximum community benefit, it is recommended to concentrate on increasing canopy in high use areas where people need shade the most, rather than aiming to reach a 15% tree canopy cover across the entire city.**

It is also important to consider that much of Bayard's land area is privately owned, and is the determining factor for the town's overall canopy cover. **Engaging Bayard residents in planting, growing, and caring for trees on their property can play a critical role in enhancing the overall health of Bayard's community forest.**

The CFN will provide resources to help Bayard in engaging residents, including educational resources on plant selection and irrigation recommendations. The network can also provide guidance on community engagement strategies such as establishing a volunteer program for tree maintenance and planting, and establishing a Tree Board to lend expertise to community forest initiatives.



In Bayard, 12.3% of the land area is covered by the leaves, branches and stems of the trees and plants over 3 feet tall, when viewed from above. 6.4% of Bayard's canopy cover comes from trees over 10 feet tall, while 5.8% comes from trees and plants between 3 and 10 feet tall.

Tree Inventory

While tree canopy cover data is useful, it does not tell us much about the health of individual trees in Bayard's community forest. For example, riparian areas in Bayard have a higher canopy cover, but many of these trees are less desirable invasive species. Conducting a tree inventory is a common management technique that provides more detailed information about the overall health of the community forest and informs decision making.

Tree inventory efforts can be scaled depending on the resources available and the information most needed for urban forest management. The CFN project team conducted basic tree inventories for Bayard's parks, Community Center, and other priority public sites to assess tree species, height, and condition. This was completed to inform detailed management recommendations for these priority community areas.

The tree inventory data was entered into Tree Plotter, an online tool for urban forest asset management. The New Mexico Forestry Division has supplied a license for communities within the state who wish to use this software as a tool to map, manage and enhance the care of their urban forest. **It is recommended that the City of Bayard develops and maintains its tree inventory data to support effective and efficient management of the community forest.**

For each tree that was inventoried in Bayard, the following data was collected:

- » Tree genus/species
- » Tree height
- » Tree health condition
- » Tree risk



Image shows a view of Bayard Community Park and Community Center in Tree Plotter, an online software available to New Mexico communities to support tree inventory efforts. A tree inventory is a common management technique that provides urban forest health information and informs decision making.



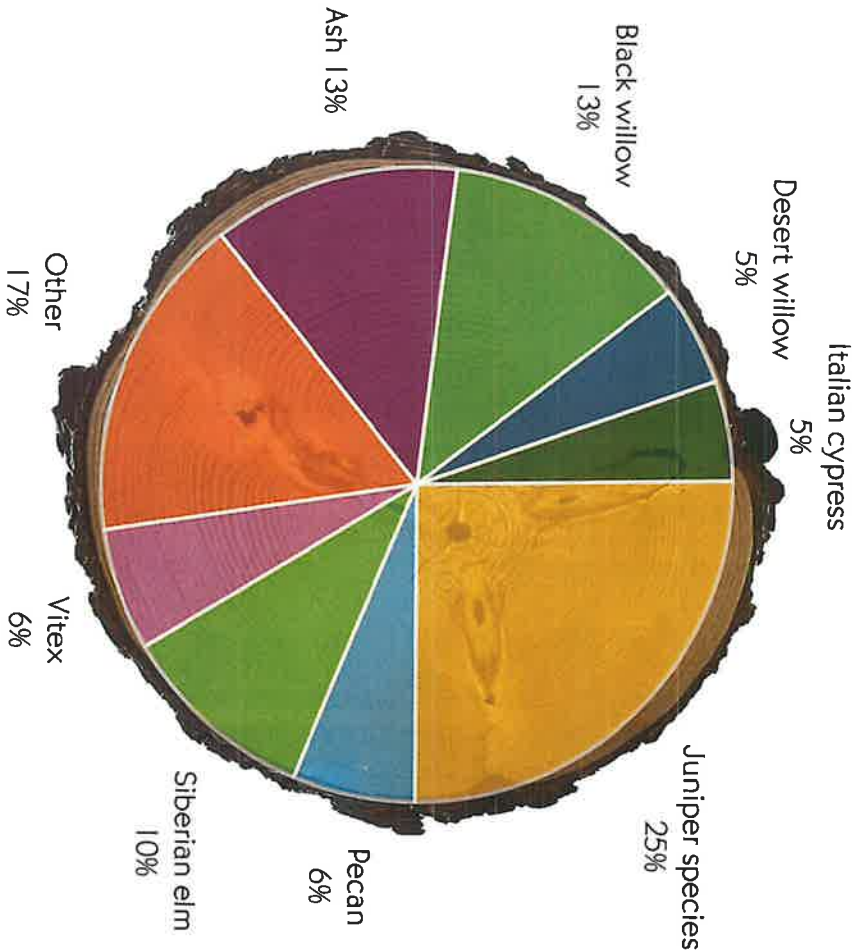
Photo shows lack of species diversity in windbreak trees near Little League fields.

Tree genus or species. A diverse community forest is considered healthier compared to a forest dominated by just a few species. Increased biodiversity allows an ecosystem to better adapt to changing environmental conditions, maintain ecosystem functions, and provide a wide range of ecosystem services and habitat for wildlife.

Tree pests generally target trees by genus or species, and therefore having a community forest with low diversity makes that forest particularly vulnerable to outbreaks that could cause wide-spread tree mortality. In the field of urban forestry, a standard goal is that a healthy urban forest should be made up of no more than 10% of any one species, 20% of any one genus, or 30% of any family of trees. Of the trees in Bayard's inventoried public spaces, there are over 20 species. Only junipers are over-represented, comprising 25% of the trees, but they are native to the area and often naturally occurring.

An emerging alternative goal for tree diversity is that there should be at least three or more species in any given group of trees in a community area. Many of Bayard's inventoried public spaces meet this goal. The Bayard Community Park is a notable exception, with only one species (black willow) in most of the park. The Old Fire Station Park is also dominated by a single species, in this case ash trees.

As new planting projects are developed for Bayard's public spaces, it will be important to **diversify the tree species used, prioritizing regionally native trees while simultaneously phasing out Siberian elms** (an invasive species that is considered to be a noxious weed in New Mexico). The nursery industry is creating new hybrid elm cultivars that have the best qualities of the Siberian elm without the invasive characteristics, providing new options for large, low water, drought tolerant shade trees.



The trees in Bayard's public spaces are a variety of different species and genera, a good health indicator for a community forest. The only dominant species is juniper, which is native to the area.

Tree height. Tree height data provides two pieces of information - the risk posed by a tree if it were to fail (larger trees can impart more damage), and an approximation for the age of a tree, or a group of trees. If an urban forest has a large proportion of trees in a similar age range, those trees are likely to die within the same range of time. Just as a lack of species diversity can cause problems for a community forest, a lack of age diversity can result in inconsistent canopy coverage over time when mature trees die off without the presence of slightly younger large trees to replace them.

Satellite data shows that tree height is generally well distributed across Bayard, with a mean tree canopy height of 11.6 feet. Bayard has some very tall shade trees and windbreak trees in parks and residential neighborhoods, as well as tall trees in its riparian areas, but also has many shorter stature native trees and shrubs. It is evident that at certain sites, many of the trees were planted at the same time - for example, the trees in Bayard Community Park and in the park next to the Post Office - and may therefore reach the natural end of their lives around the same time. There is also a lack of young trees in Bayard public spaces, indicating the potential for a future canopy gap.

To ensure future generations can consistently enjoy the benefits of a robust community forest, **Bayard should employ the concept of succession planting.** This requires long term planning to space out planting projects over time to cultivate a diverse age range of trees in key areas of town. The CFN project, for example, will result in a surge of tree planting in Bayard in a relatively short period of time. Planning for the future, Bayard managers should **monitor these landscapes and supplement them with new plantings in the coming decades to avoid a single generation community forest.**

"I love trees. Oxygen,
spiritual refuge, shade, food."

-Bayard Resident



Tree of varying ages and heights in Coble Golf Park, near a riparian area.



East Street Park, next to Bayard Housing Authority, currently has just one tree. There is an opportunity for additional plantings in this irrigated park to increase shade and outdoor recreation opportunities in this neighborhood.

Tree health condition. An assessment of the health condition of individual trees gives an idea of the overall health of Bayard's urban forest. During the basic tree inventory conducted by the CFN team, tree health conditions were assigned using a simple scale:

- » *Excellent* - nothing is apparently wrong with the tree
- » *Good* - the tree has minor issues, routine monitoring and maintenance needed, with no need for immediate care
- » *Fair* - the tree has issues which will require maintenance to bring it back to good health and form
- » *Poor* - the tree has issues that will likely not be able to be corrected to bring it back to good health and form
- » *Dying/Dead*

It is important to note that in Bayard, tree condition was evaluated by a cursory visual assessment and without tree health assessment tools. Assigned conditions may not accurately reflect the actual health of individual trees. As the tree inventory is being completed, **a thorough tree health assessment overall tree canopy health.** This information should inform the development of a maintenance schedule, prioritization and replacement or succession planning. Tree Plotter can be used to keep track of specific trees in priority locations for this purpose.

The trees in areas that have been inventoried in Bayard show a distributed mix of tree health conditions from "Dying" to "Good". Out of 101 trees currently inventoried in Tree Plotter, only about 11% are reported to be in "Poor" or "Dying/Dead" condition, 18% are in "Fair" condition, and 71% are in "Good" condition. Junipers, cypress, and vitex trees have the best overall condition compared to other species, indicating these species are well adapted to Bayard's climatic conditions.



WNNMU and GRIP hosted a workshop for Bayard maintenance staff in April 2025 to teach proper tree pruning techniques.

Tree risk. Assessing tree risk is a good approach to prioritizing the maintenance work that needs to be done in a community forest. Tree risk is a combination of tree condition, tree height/size, and potential consequences should the tree fail (such as causing injury to people or damage to utility lines, buildings/infrastructure, vehicles, etc.) Accurate risk assessment of individual trees is most reliably done by qualified professionals who are trained in tree health assessment and in understanding site conditions. **Training Bayard landscape maintenance staff on basic tree risk assessment principles** will allow them to provide risk management recommendations, proactively plan the city's tree maintenance needs into the future, and identify when the help of a professional arborist may be needed.

There are several large trees in Bayard Community Park, Fire Station Park and the Cobre Golf Park that are dead or are in poor condition that should be considered high priority for removal because of their location in high pedestrian use areas. **All trees in Bayard's parks and community gathering spaces should be considered higher priority for maintenance due to their potential to impact people should they fail.**

"We had six big poplars when I was a kid. I spent more time in them than on the ground."

Bayard Resident

Irrigation Infrastructure

All trees and landscaping will need irrigation throughout their lives. Automatic irrigation systems are generally most effective, since manual watering often results in inconsistent or insufficient water for trees and shrubs. Therefore, understanding the existing irrigation infrastructure is an important indicator of the sustainability of Bayard's community forest. **Bayard can employ strategies to increase irrigation efficiency and ensure adequate watering in areas with trees to improve plant health and maximize community forest benefits.**

Bayard uses a wide range of irrigation strategies in its public spaces.

» The Old Fire Station Park, Bayard Mining Park, Bayard Community Park and Bayard Community Center are on drip irrigation systems with low-flow emitters located at each plant. These systems should expand periodically with plant growth and additional plantings. City maintenance staff routinely maintain these systems to ensure they are functioning. These drip irrigation systems are good models for future projects in Bayard with similar drought-tolerant landscaping.

» Bayard Public Library Garden is watered manually. While manual watering can be excellent for customizing irrigation needs, this approach can be time-intensive and is entirely dependent on individuals to consistently deliver the correct volume of water to the landscape at the correct frequency. It is recommended that Bayard look for opportunities to automate irrigation in any planted areas that currently rely on hand watering.

» Cobre Golf Park and the Bayard Housing Authority Park have spray irrigation that delivers water through pop-up spray nozzles. These systems are maintained by the school district and the housing authority, respectively. The advantage of spray irrigation is that it concurrently irrigates turf grass and trees. However grass, shrubs and trees have different watering volume and frequency needs, and grass usually wins in the competition for available water, often leaving trees under-watered. Additionally, spray irrigation systems are not always ideal for water conservation. They result in significant water loss to evaporation and runoff and/or inefficient set-up of spray nozzle zones. Routine checks of these systems are needed to optimize their efficiency.

HOW TO BUILD AN EFFICIENT TREE WATERING SYSTEM

Trees are especially important in arid, urban environments like Albuquerque and Bernalillo County. They provide shade and mitigate urban heat, reduce greenhouse gases and air pollution, and create wildlife habitat, among many other benefits. All trees, even climate-resilient and drought-tolerant species, need to be watered adequately.

This guide shows you how to build a simple, efficient drip irrigation system for your trees that attaches to your hose bib. It also addresses how to water with this system. The system can be easily expanded as your tree matures. Keeping your trees happy and healthy over their lifetime is an important contribution to our community forest.



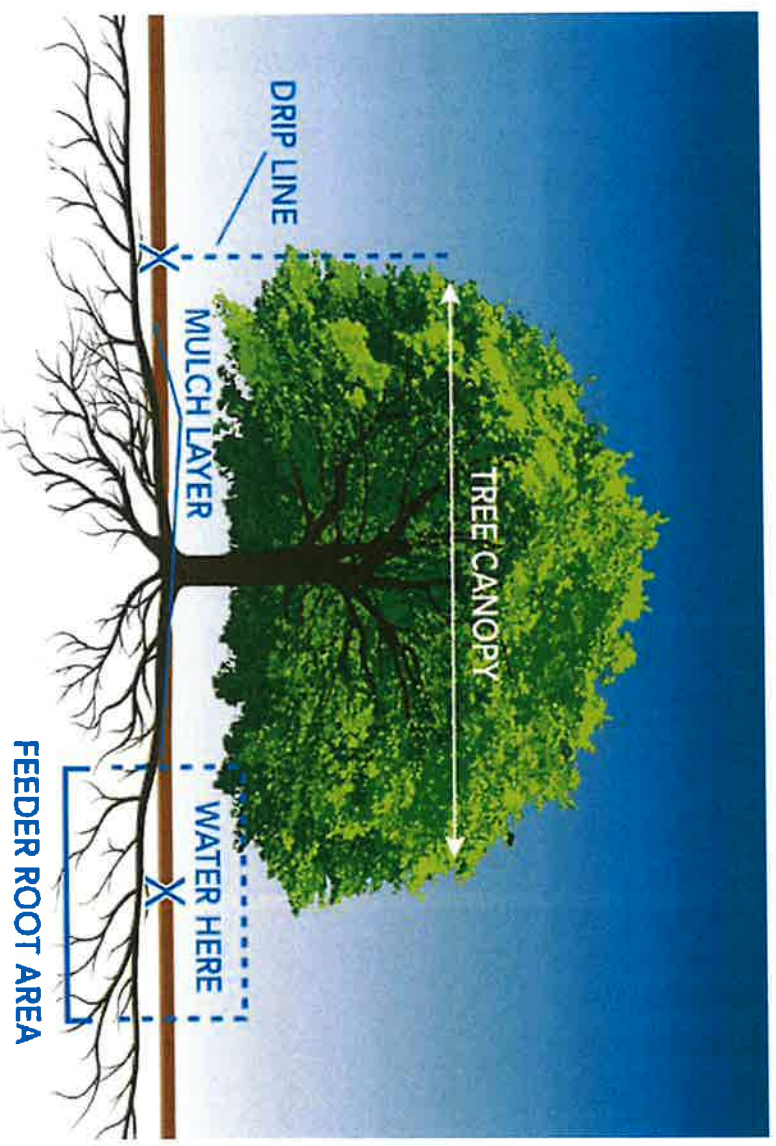
There are many great irrigation resources available including the Bernalillo County guidelines and instructions on how to build an efficient watering system for mature trees. See the additional resources section of this plan for links to this and other resources.

Insufficient irrigation is a very common cause for poor tree health in urban areas. Trees need slow, deep watering to saturate the soil deep into the root zone (about 18-24 inches). Trees should be watered near the canopy drip line where its fine roots are located, rather than at the base of the trunk. The volume and frequency required for proper tree watering is dependent on a number of factors, including the time of year, the age and size of the tree, and the tree species. Soil moisture should be monitored regularly to ensure sufficient irrigation and avoid over-watering, which can also be harmful to the tree. Placing a ring of organic mulch (with a radius of at least 3 feet) can help conserve water in the soil and reduce evaporation. **For more information and resources to support proper tree irrigation in Bayard, visit swmmforestry.org.**

Bayard can maximize the efficiency and effectiveness of its irrigation systems by evaluating the function of current systems, addressing maintenance needs, and investing in efficient irrigation systems at new planting projects. Areas with existing irrigation systems may benefit from expanding and adjusting the spray or drip zones replacing ineffective nozzle spray heads. **It is recommended that Bayard establish irrigation standards in their community forest management program** so that all irrigation infrastructure is the same, simplifying irrigation system maintenance and minimizing staff time required to make upgrades or repairs.

"My favorite tree is the mighty oak tree. I love the shade they provide and some have beautiful shapes and colors."

-Bayard Resident



Trees take up most of their water using fine roots located near the tree canopy drip line (Graphic credit Denver Water).

Green Stormwater Infrastructure

With steep topography and only two percent of the community having storm drainage, large storm events have been known to cause flooding and road maintenance issues in Bayard. When combined with green stormwater infrastructure (GSI) features, trees can help mitigate flooding issues by slowing the flow of water, infiltrating stormwater runoff, and intercepting participation on leaves and branches before it hits the ground. GSI features such as curb cuts, bioswales, and stormwater harvesting basins can be implemented alongside tree planting projects to catch stormwater and repurpose it for irrigation, mitigating nuisance ponding while also improving watershed health and providing a range of other benefits to the community.

Residents who participated in the community survey identified a few locations that would benefit from the addition of GSI, such as the garden behind the library, around the high school, and in the northwest neighborhoods of Bayard, particularly the area behind the Food Basket. A series of GSI features have recently been installed at the historic Union Hall along Steyskal Street and US-180 as part of the Five Points Initiative. These features are meant to capture runoff from the road to irrigate new plantings and protect the historic building from water damage.

Cobre Golf Park functions as stormwater infrastructure to some extent, with a creek running through the center of the park that is fed by run-off from the high school and the neighborhood uphill. This green stormwater feature could be enhanced by installing a series of basins and swales along the creek in the park, and expanding the GSI system to include the ditch and large stormwater basin next to the high school.

The most effective way to reduce flooding at lower elevations in Bayard is to intercept runoff at higher elevations. **As streetscapes and walking paths are revitalized in Bayard, look for opportunities to incorporate GSI into the landscape design**, particularly in and uphill from areas that experience flooding during storms.



Curb cut, bioswale and basin complex in Silver City constructed by Asher Gelbart, Green Energy Now, that will allow stormwater to irrigate the landscape and reduce flooding in streets during storm events.

"I'd love to see some permaculture - shallow basins with curb cuts to collect runoff for all the tree plantings."

Bayard Resident

Tree Equity Score

American Forests created a Tree Equity Score tool to "help address damaging environmental inequities by prioritizing human-centered investment in areas with the greatest need." By assessing tree canopy in relation to demographic statistics at a census block scale - such as poverty, race, age, languages spoken, health burden index, unemployment and heat disparity- this tool aims to assess how equitably the urban forest is distributed across a community. If a census block has a lower Tree Equity Score (a number assigned out of 100), this indicates an area with less canopy and a higher concentration of vulnerable populations and should therefore be prioritized for new planting projects.

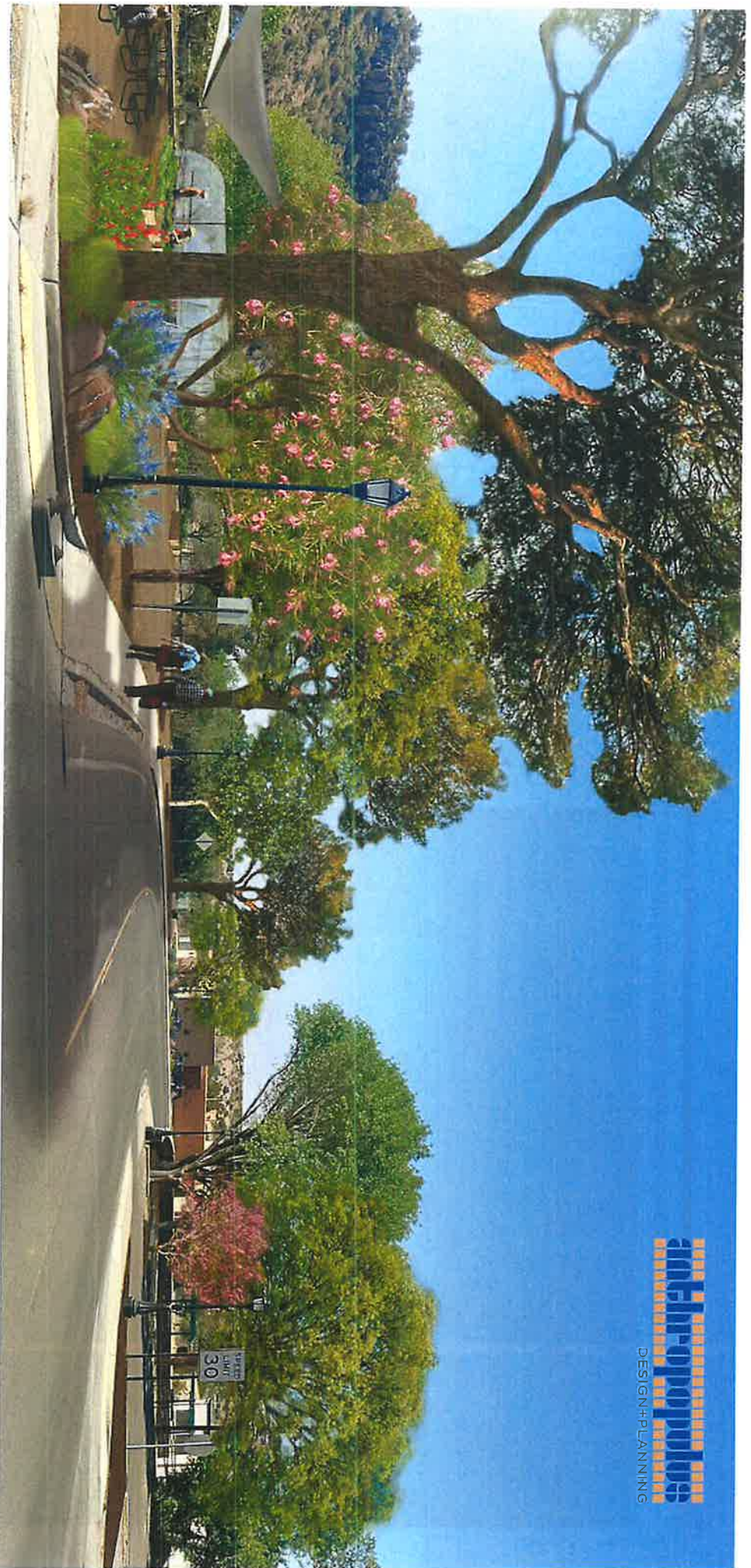
Bayard, as part of the Mining District, has been assessed under this methodology. While the Tree Equity Score has significant limitations for identifying priority sites in small, rural areas like Bayard with only a few census blocks, the tool does provide useful data and statistics that may be helpful for grant writers as they are developing funding proposals for new projects. The Tree Equity Score National Map can be accessed via the web at treeequityscore.org.

"I have several pine
trees that provide shade
and promote a peaceful
environment for my
family and friends."

Bayard Resident



Opportunities for additionally plantings in the garden at Bayard Public Library.



Community Vision

Bayard's community vision is set forth in the Bayard Comprehensive Plan (2021) and the Infrastructure Capital Improvement Plan (ICIP). Bayard's Community Forest Management Plan is built upon strategies that advance many of the goals in these complementary plans, including town beautification, development and revitalization of Bayard's business districts, providing pedestrian-friendly amenities that encourage walking and recreation, and promotion of water conservation landscaping practices.

The community forest can be a key component in achieving these goals and further developing Bayard's small-town character and identity, helping to make it a pleasant place to live and visit. Trees have been shown to have

Rendering of Central Avenue imagining streetscaping to promote walkability and enhance the Bayard Community Garden Project. Renderings by Anthropopolis Design + Planning.

economic benefits for communities, enhance social cohesion, promote a sense of place and community pride, and even strengthen social bonds and trust between neighbors.

The creation of this plan was informed through review of existing planning documents, interviews with City of Bayard leadership and staff, and distribution of a public survey to collect input from residents. The following sections expand upon how Bayard's vision for its community, the current conditions in Bayard's community forest, and best practices in the field of urban forestry have been woven together in order to produce the tailored recommendations that are featured in Bayard's *Action Plan*.



Additional plantings near the "Welcome to Bayard" would enhance the gateway to the city.

Economic Development and Revitalization

Bayard's Comprehensive Plan clearly outlines a strong commitment to revitalize the city and develop economic opportunities. The presence of trees in business districts has been shown to have economic benefits for communities by attracting more visitors, encouraging them to stay longer, and ultimately increasing foot traffic for local businesses. Strategically developing cohesive and complementary landscaping projects along key streets can assist with Bayard's goals for economic development.

- » **US Highway 180/ Tom Foy Boulevard** is the gateway to Bayard, and the first opportunity to make a good impression on visitors and residents alike. The businesses here currently maintain very few trees and landscaped areas. To advance Bayard's vision to improve beautification and promote economic activity, there is an opportunity for trees and landscaping along this highway to highlight the city's unique character, complement existing signage, and draw travelers to stop and visit businesses. This may be a challenging initiative because of the NM DOT rights-of-way along US-180, and private ownership of the lots along this road. As development continues, Bayard can proactively identify opportunities to collaborate with other property owners and agencies to enhance streetside landscaping.

- » **NM Highway 356/ Central Avenue** serves as the city's "Main Street." Additional trees and landscaping can serve to connect community services in a more cohesive manner, increasing walkability and fostering a distinct sense of place. This street has had recent sidewalk improvements and contains a mix of commercial and government buildings. Aside from Bayard Mining Park and Old Fire Station Park, there are very few trees and landscaped areas along this corridor. Integrating tree plantings and GSI into future "Main Street" projects, such as the Bayard Community Garden initiative (planned for the field next to the Police Department), presents opportunities to create more vibrant streetscapes and more comfortable outdoor spaces for the community.

Bayard's Vision Statement

"Bayard's future lies in our ability to thrive as a small town that serves as the heart of the Mining District. Bayard is a special place to Native Americans, Spaniards, miners, and ranchers. We preserve our history while we create a place that is peaceful and family oriented.

We are a community that supports our youth and seniors, where we know our neighbors and have a sense of belonging. We strive to sustain a high quality of life through respecting our historical roots, creating vibrant multigenerational neighborhoods, and promoting locally based economic development while we maintain the special quality of our small-town character."

» **Hurley Avenue** is another high-use corridor that connects community services in Bayard. **The intersection at US-180** contains the "Welcome to Bayard" sign and leads directly to the largest multi-use recreation area in town which contains the Community Center, Bayard Community Park, the Little League field, and both the middle school and elementary school. Additional landscaping and trees could enhance and beautify the Hurley Avenue corridor, giving travelers a warm welcome to Bayard and creating another attractive area for new businesses.

» **The intersection of US-180 and NM-356** is the busiest intersection in town and is the connection point between Bayard's two business districts. This could be another site for future consideration of tree planting projects in collaboration with other landowners.

Landscaping projects that modify streetscapes can be challenging, often requiring removal of pavement, new irrigation infrastructure and/or green stormwater infrastructure, and treatment of compacted soils. Adequate irrigation is paramount for plant survival in streetscapes, where large areas of heat-absorbing surfaces like pavement increase the risk of heat stress for trees. However, if done carefully and well, adding trees to the main streetscapes in Bayard would be transformative for the city by improving environmental conditions, enhancing aesthetics and ultimately supporting the city's economic growth.

Bayard faces additional challenges in developing landscaping along its two main corridors because these roads are state highways. **The City of Bayard will need to develop strong relationships and strategies for collaboration with the New Mexico Department of Transportation (NM DOT) to advance their goals** while ensuring that traffic safety requirements are met. Currently the NM DOT is creating a statewide aesthetics plan, providing a potential opportunity to highlight the needs of Bayard and other towns in the area for roadside improvements.

Bayard might also consider introducing policies to support this effort, such as **incentive programs for local businesses to invest in landscaping, or baseline landscaping requirements** for larger developments and national retailers. By encouraging and investing in well-designed landscaping along key corridors, Bayard can create a more inviting atmosphere to attract both entrepreneurs and national chains looking to do business in the area.



Photo shows a lack of street trees on Central Avenue. Adding trees along this main street would provide shade to mitigate heat, increase pedestrian comfort, and enhance walkability and beautification in the heart of Bayard.

"I enjoy trees that change color with the seasons and attract wildlife and pollinators."

-Bayard Resident

Walkability and Connectivity

It can be challenging to make a small community like Bayard feel cohesive and pedestrian-friendly when it is divided into segments by state highways. Community forestry projects can help create a sense of connectivity in Bayard by visually linking key areas, improving walkability and softening the highways' impacts such as noise and poor air quality. **Implementing streetside plantings can connect business districts, community services, neighborhoods, and schools to help create a network of walkable streets.**

The Comprehensive Plan calls for creating more safe, pleasant and accessible places for residents to walk, and encouraging active transportation. Bayard residents who responded to the public survey said they would like to see more trees along walking paths such as Central Avenue, the trail to Santa Clara that runs along US-180 and side streets commonly used for walking

between schools and other public spaces. There is also interest in formalizing trails along Whitewater creek and other arroyos in town, as well as continuing the Mining District trail system with a route that connects Bayard to Hurley.

Trees along these footpaths would improve pedestrian comfort and increase the use of these amenities by providing much needed shade. For multi-jurisdictional projects like these walking paths, it's important to work collaboratively with partners to ensure that the proper irrigation infrastructure is installed to support these trees and to maximize the benefits they provide for decades to come. As development continues, street-side trees could be included in a variety of projects to create pedestrian connections across town and improve quality of life for residents.



Rendering of Central Avenue imagining streetscaping to promote walkability and enhance the Bayard Community Garden Project. Renderings by Anthropopulus Design + Planning.

The walking path along Central Avenue between the road and the train tracks is a priority area for community forest initiatives that could have a transformative effect on the city. Developing a series of cohesive tree planting projects along this corridor would help formalize the city's "Main Street" area and establish a sense of place.

Investing in landscaping at city owned properties and streetscapes located on main walking corridors can dramatically improve walkability in Bayard. For example, adding trees around the Train Depot, Public Library, Coble Consolidated School District Administration building, the Magistrate Courthouse, the Police Department and City Hall would create a continuously shaded and aesthetically pleasing route along Central Avenue

This pedestrian corridor could be continued along Foy Street, Park Street and Hurley Avenue to connect to Bayard Elementary School, the Bayard Community Park Complex, and Snell Middle School. This imagined walking route could continue across US-180 - with the addition of crosswalks for safe passage across the highway- and travel down Steyskal Street or Bard Street towards the high school and Coble Golf Park, eventually tying into the walking path along US-180 that leads to Santa Clara.

By implementing a string of urban forestry projects along key corridors, pedestrians and cyclists can enjoy a beautiful, shaded route that connects the majority of Bayard's community services and recreation areas.

"Trees keep us alive,
improve our daily overall
wellbeing, allow us to
recreate and are good
for our psyche."

Bayard Residents



A pedestrian corridor could be formalized with trees and plants to promote walkability and connect community services and recreation areas in Bayard.

Beautification and Placemaking

In addition to supporting goals for economic development and environmental health, Bayard's community forest can promote social cohesion by facilitating meaningful and positive interactions between community members. Research shows that residents are more likely to spend time in public spaces that include trees and plants, and that residents who live in areas with more green space report feeling a stronger sense of neighborhood safety and community pride.

Trees and vegetation contribute to the beauty, identity, and spirit of a place. Their colors, textures, and seasonal changes bring visual interest to otherwise plain areas and soften the appearance of less attractive urban infrastructure. **For 40% of Bayard residents surveyed, city beautification was identified as a top motivation for enhancing the city's community forest.** A well-tended

community forest can strengthen Bayard's small-town character and charm by creating inviting spaces where people can relax, gather with friends and family, and enjoy a connection to nature. As future projects are planned, it will be important to keep aesthetics and the concept of "placemaking" in mind.

Developing cohesive plant palettes for different types of community forest planting spaces (such as parks, streets and medians, commercial landscapes, GSI locations, planters, etc.) will help Bayard to develop a distinct visual aesthetic. When combined with thoughtful elements like signage, public art, benches, and walking paths, landscaping can promote cultural expression and create more pleasant outdoor spaces for both residents and visitors.

Example of a regionally appropriate plant palette for Bayard.



Arizona Ash
Fraxinus velutina



Chinese Pistache
Pistacia chinensis



Italian Stone Pine
Pinus pinea



Eastern Red Cedar
Juniperus virginiana



Evergreen Sumac
Rhus virens



Desert Wolfberry
Lycium fremontii



Texas Red Oak
Quercus buckleyi



Texas Mulberry
Morus microphylla var. *buckleyi*



Autumn Sage
Salvia greggii



Globe Thistle
Echinops spp.



Desert Four O'Clock
Mirabilis multiflora



Golden Columbine
Aquilegia chrysantha

Community Gathering Spaces

Located at the heart of the Mining District, Bayard takes pride in its ability to provide community facilities and events where people come together. Research has shown that community forests can enhance social cohesion by promoting a sense of place and community pride, and can even strengthen social bonds and trust between neighbors.

There are several recent and upcoming projects that expand and improve Bayard's community gathering spaces. As revitalization efforts continue throughout the city, trees and landscaping are important features that enhance public use of Bayard's community spaces.

The Bayard Public Library is an important cultural hub for the community, and is the only public library in the entire Mining District. The recent library renovation included landscaping improvements, a new outdoor reading patio and a community garden, making it a favorite location in town for many residents. However, there are very few trees currently on the property and some of the landscaping is in need of maintenance. The area behind the Public Library was a popular choice for a tree planting site, as suggested by residents who responded to the public survey. Survey respondents also suggested this as a possible GSI location to mitigate some nuisance flooding during storms and provide supplemental irrigation to future trees on site. Adding more trees and GSI features to the library grounds would provide shade, support walkability along Central Avenue, and improve the overall quality and character of this important gathering space.

The Bayard Community Garden project is currently in the planning stage, led by the National Center for Frontier Communities, the Frontier Food Hub, and The Commons: Center for Food Security and Sustainability. The proposed project site is an open field located along the railroad tracks next to the Police Department and across from the Post Office. This project would create a multi-use space for community activities, including a community garden, greenhouse training center and a food pantry. Landscaping at this site would help formalize Bayard's Main Street along Central Avenue, adding linear green space. While the project plans already include adding some trees to this site, there is an opportunity to expand the urban forestry component of this project to include tree-lined sidewalks and shade trees, which would need to be supported by a new irrigation system.



Bayard Public Library has a beloved community outdoor space which already has established landscaping and some rainwater harvesting features. There is an opportunity to add GSI behind the building, with additional plantings.

A person with long blonde hair, wearing a blue shirt and a straw hat, is kneeling on the ground, working on a small tree sapling. They are using a blue wheelbarrow and a shovel. The ground is dry and rocky.



10

Air Quality, Urban Heat and Public Health

Bayard residents highly value trees for their ability to enhance public health by improving environmental conditions. Air quality was the number one concern for residents, with 68% of survey participants citing improved air quality as the most critical benefit provided by the urban forest. **Urban trees act as natural air filters** by absorbing pollutants such as carbon dioxide, nitrogen oxides, ground-level ozone, and airborne particulate matter. They also release oxygen and improve the overall air quality. This is particularly important in mining communities like Bayard where air pollution can be a major health concern, especially for the most vulnerable populations.

Perhaps the most impactful area for tree planting to improve air quality is along US-180/Tom Foy Boulevard, where trees can help absorb pollution from vehicles and provide a windbreak to the neighborhoods. Furthermore, **prioritizing tree plantings in areas that serve vulnerable populations is a strategic way to provide equitable access to the human health benefits of trees.**

Heat is another major concern for residents, with 65% of survey respondents citing heat mitigation as a highly important urban forest benefit. **Trees play a key role in mitigating urban heat and the associated human health impacts.** The American Public Health Association identifies heat-related illness as a leading cause of death nationally due to weather and environmental events. This is particularly acute in desert communities like Bayard, where hot summer temperatures are made more extreme in areas with a higher concentration of heat-absorbing surfaces like buildings, roads, and pavement.

By providing shade and releasing moisture into the air through the process of transpiration, urban trees provide a cooling effect that increases pedestrian comfort and reduces urban heat. **Prioritizing tree plantings in high-use pedestrian spaces like walkways, outdoor recreation spaces, and community parks is an efficient way to provide the cooling benefits of trees where people need it the most.**

"I'd like to see more trees planted at the entrances of Bayard and also the exits. Along the highway to the mine would help with the pollution and with the noise control."

-Bayard Resident

Natural wildflowers and tree canopy along Central Avenue.



Rendering of imagined improvements to East Street Park adjacent to the Bayard Housing Authority complex. Renderings by Anthropopolis Design + Planning.

Parks and Outdoor Recreation

The Bayard community deeply values outdoor recreation, and there is a strong interest in increasing access to parks, walking paths and outdoor spaces that provide recreation and leisure opportunities. With only about 2 acres of land currently dedicated to public parks and open space, Bayard's 2021 Comprehensive Plan includes the aspiration to meet or exceed the national standard ratio of 9.5 acres of park land per 1,000 residents and/or meet the Trust for Public Land's recommendation of ensuring every resident is within a 10-minute walk of a park.

Bayard residents emphasized the vital role these green spaces play in promoting the health and well-being of their community, with 32% of survey participants valuing the urban forest for providing spaces that encourage outdoor recreation. Research shows that residents who live in areas with more green space are three times more likely to exercise regularly, which may reduce risk of chronic illnesses like heart disease, obesity, and diabetes. Daily exposure to nature has also been shown to have positive effects on mental health, which was cited as a top priority for 54% of respondents.

"We have trees all over our property. Kids like to play underneath, and I like trees as bird habitat."

-Bayard Resident

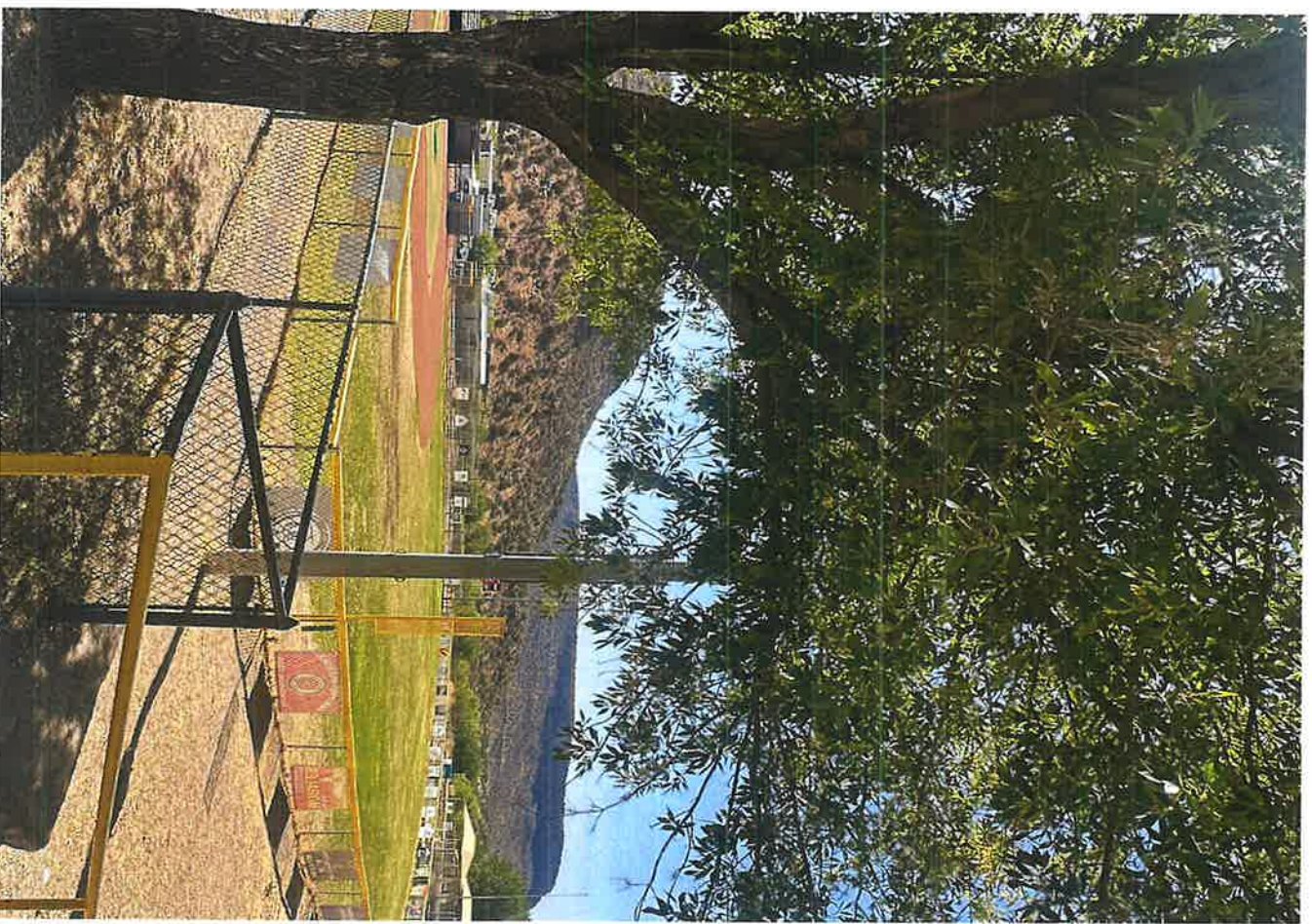
The City of Bayard has a number of recreation areas that are well loved by the community. Urban forestry projects can help enhance these existing spaces and contribute to the creation of additional recreation opportunities. Recreation areas are a high priority for tree pruning and when necessary, tree removal, to reduce risk in areas of high public use.

The Bayard Community Park complex is a community asset that provides multiple opportunities for outdoor recreation and leisure. In addition to Bayard Community Park, this complex includes the Community Center, Little League ball fields, playground equipment, a skate park area, picnic tables and a gazebo. The trees in the park provide high-quality shade, though a few are dying and should be scheduled for removal or replacement. The landscaped buffer strip between the park and the Community Center is also in need of maintenance, irrigation improvements and some tree replacement. Additionally, there is a line of trees between two of the baseball fields which is in need of maintenance and invasive species removal. Even though this planting strip was intended as a windbreak and not for public use, people tend to seek shelter here because there is very little shade for families and spectators who attend the Little League games. For this high-use facility, there is an opportunity to expand tree canopy and irrigation infrastructure to help cool air temperatures and enhance pedestrian comfort in this critical recreation area.

Bayard Mining Park is a linear park along Central Avenue with a collection of historic mining equipment, interpretive signage, a walking path and many healthy desert plants and trees that are fed by drip irrigation. This park demonstrates exemplary maintenance work by City staff and volunteers and is a point of interest for passing tourists and residents. The park is in good condition, and will benefit from some basic irrigation maintenance, invasive species removal, tree health assessments, and structural pruning.

Old Fire Station Park is a small park with turf, a handful of trees and a park bench. A few of these trees are in need of removal or replacement. This quaint public space is used regularly by residents, and would benefit from tree maintenance, additional plantings and picnic tables to fully reach its potential as a beloved community park.

Cobre Golf Park, Bayard's largest park area, is a relatively new facility that is owned and managed by the Cobre Consolidated School District. There are a number of healthy trees around the edge of the park's irrigated field, as well as a few trees that are in poor health or dead and in need of removal or



While Bayard Community Park has high quality tree canopy, there is a lack of shade in spectator areas at the Little League fields nearby.

replacement. This park has a stormwater-fed creek running through it, and abuts a natural riparian area which adds some shade and aesthetic value. As the only outdoor gathering space in the south section of town, Coble Golf Park is a priority site for community forestry initiatives. In collaboration with the school district, this park could be enhanced with additional tree plantings, tree maintenance, and more efficient irrigation.

East Street Park, located in the Bayard Housing Authority Complex, is a small neighborhood park that contains a basketball court, exercise equipment, and one mature tree. The turf grass is watered by spray irrigation, which could be expanded to support additional tree plantings. Increasing shade and canopy cover would greatly enhance the usability of the space and draw more people

to recreate in the park, creating an outdoor amenity in an area of town with limited green space.

In addition to the community parks, three drainage arroyos run through Bayard and flow into Whitewater Creek, forming riparian corridors that provide linear open space through the city with some existing social trails. Bayard's Comprehensive Plan identified an opportunity to link community parks and facilities with a network of trails and open space along the proposed rail trail and possibly along Whitewater Creek, to support the city's goal of expanding outdoor recreation opportunities. As these projects are considered in the future, community forest best management practices can be integrated to enhance landscaping along these walkways.



Rendering of imagined improvements to East Street Park adjacent to the Bayard Housing Authority complex. Renderings by Anthropopolis Design + Planning.



High quality tree canopy helps cool play areas for children at Bayard Community Park.

School Landscapes

Bayard's Comprehensive Plan emphasizes the strength of their school system, which is utilized by the entire Mining District community, and makes a commitment to supporting youth and families. Schools provide important outdoor recreational space for children. Currently, there are little to no trees in areas on the school campuses that students use the most. All three schools would benefit from additional landscaping near fields, play areas, and in the front of the buildings around the school drop off area. There is also a need for shade along walking paths between areas of the high school campus, and along paths connecting Bayard Elementary School and Snell Middle School.

Shade trees on school campuses would make play and outdoor learning more pleasant, provide sun protection, and allow outdoor activities to extend across all seasons. Additionally, research has shown that children who can see trees and plants outside their school windows have better focus, and score higher on standardized tests.

The school buildings and grounds are managed by the Cobre Consolidated School District, and facility improvements such as landscaping are managed by New Mexico Public Schools Facility Authority (NMPFA). Before any planting projects are planned at schools, close coordination should be done to understand landscaping or building expansion projects that may already be planned, and what the funding prioritization is. If a project is already planned, but funding is not expected soon, a community group could coordinate a planting project with the CFN's help, with the understanding that the trees may be replaced during future school landscaping projects.

To support new planting projects on school campuses, Bayard can coordinate with school leadership to make plans for long term irrigation and maintenance, including sharing CFN training and tree care resources with school maintenance staff.

Wildlife Habitat and Watershed Health

Supporting urban wildlife habitat and biodiversity is of great importance for residents in Bayard, with 64% of public survey participants indicating that this is one of the benefits of the urban forest that they value the most. Community trees not only enhance the quality of life for humans but also serve as vital habitats for diverse native wildlife including birds, beneficial insects, and small mammals. **Planning for a community forest with an abundance and wide variety of regionally native species can support biodiversity in Bayard** by creating nesting sites, food sources, and corridors for wildlife to thrive.

Selecting native trees and plants for landscaping projects also supports water conservation efforts. These desert-adapted plants are drought tolerant and well suited to prosper in local climatic conditions and will therefore require less irrigation, helping to conserve water in underground aquifers. The presence of tree and plant roots also helps water infiltrate better where it can be stored in the soil, which can contribute to improved water quality, soil health and overall watershed health.

Bayard is transected by three narrow riparian channels with a high tree density, which contribute significantly to Bayard's community forest. These riparian forests were historically dominated by cottonwood and willow species, but have since shifted to a predominately non-native plant palette that includes salt cedar (*Tamarix spp.*) and Siberian elm (*Ulmus pumila*). Bayard's riparian areas serve valuable ecological functions but they can also pose a maintenance challenge. In addition to aiding the spread of non-native and invasive species, these drainage corridors bring risk of fire and

"I love flowering and fruiting trees
and all forms of shade. The birds
and squirrels live in my trees and
we entertain each other."

Bayard resident

flooding to several residential neighborhoods. To manage these risks, it is recommended that Bayard develop a comprehensive approach to managing these riparian areas by coordinating with New Mexico Energy, Minerals, and Natural Resources Department (NM EMNRD) Forestry Division, the Natural Resources Conservation Service (NRCS), and other water agencies. The NM Forestry Division's Forest Action Plan provides detailed maps of fire and post-fire debris flow risk that can be helpful planning tools to safeguard smaller communities from wildfire events that occur higher in the watershed.

With some of these drainage corridors running through or abutting private property, this management approach may include an ordinance to control how adjacent property owners can build in, alter or impact these riparian areas. A vegetation control ordinance that specifies the proper disposal of yard waste, limiting the discarding of green material into natural arroyos will help reduce fire hazard and flood risk to local and downstream properties. Bayard may also consider an ordinance that requires new developments to retain stormwater on-site, using GSI features when appropriate, to mitigate excess runoff that carries pollutants into waterways.



Pollinator habitat at Bayard Public Library outdoor space.

Residential Landscapes

A majority of Bayard's land area is residential, which means residential trees are a significant contributor to the overall benefits that the community forest can provide. **Encouraging and incentivizing residents to plant trees will help beautify the community and create a network of walkable streets** that all residents can enjoy. Targeted outreach to residents who live along walking corridors or near schools would help enhance walkability and connectivity in key areas that have been identified in this plan.



Neighborhoods tree planting program in Albuquerque. This program is currently working to expand statewide. Image Credit: Tree New Mexico

Trees in the front yards of residential homes can benefit everyone by providing shade and cooler temperatures for pedestrians and cleaning the air near sidewalks and roads. **Residents should also be encouraged to install rainwater harvesting features on their properties** to help reduce stormwater runoff and provide supplemental irrigation for residential landscapes, reducing the use of drinking water for outdoor use.

The Bayard Housing Authority Complex is a residential area for low-income residents that would greatly benefit from tree planting projects. This complex is also an excellent opportunity to integrate GSI features to harvest rainwater from the roofs of all the housing units to help irrigate trees and other landscaping.

Partnering with organizations who support neighborhood tree planting programs and encouraging residents to maintain and plant trees on their property will expand Bayard's community forest much more than the City can do on its own. There is support for this idea among residents, with 83% of public survey respondents saying that exploring residential tree planting programs in Bayard is a good idea.

Bayard can encourage residents to connect with CFN partners and help provide them access to educational resources about tree care and connect them to tree planting opportunities. This engagement may also result in establishing a cohort of volunteers that can participate in Bayard's Beautification Committee, which can support maintenance of public landscapes and help advise the future of Bayard's community forest.

"My grandma has this huge apple tree that has been around for years and I have always loved it!"

Bayard resident

Proper maintenance of trees and landscapes is a key component of revitalization efforts in the City of Bayard. Over the remaining years of the project, significant investment will be made in expanding Bayard's community forest through the CFN, including the addition of irrigated landscapes and GSI. One of the primary objectives for the CFN is to support municipal staff with landscape maintenance to help ensure the long term success of this investment. Bayard staff will have the opportunity to engage with the CFN, which will offer additional access to training, resources and strategies that can help increase the efficiency and effectiveness of the community forestry program. **Active participation in the CFN is a good investment of Bayard staff time and will support the implementation of this Community Forest Management Plan.**

The adoption of landscaping policies and ordinances can also contribute to effective and proactive management of urban trees. **Establishing a basic vegetation ordinance gives municipal staff the authority to address community forest issues effectively**, such as vandalism, tree risks, invasives, and pest management. In the future, the city may want to consider more complex ordinances that can define residential and commercial responsibilities for landscapes and set landscaping requirements for new development.

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manage its community forest, investment in annual staff training in tree care, irrigation, and GSI is recommended.

Tree care sometimes requires highly specific expertise and can be dangerous work, especially when working at heights in large, mature trees - either by climbing or using bucket trucks. Working with arborists is valuable, but it is usually not cost-effective to have this level of expertise on staff full-time. It is prudent to proactively **establish a mechanism to access tree care expertise when needed**, either via an on-call contractor or by sharing regional personnel resources.

Bayard's Beautification Committee is a group of community volunteers who have supported some of the City's landscape projects in the past, and may be a good resource to support future community forestry projects. Additionally, Bayard may explore the formation of a Tree Board, a group of residents who are dedicated to enhancing the well-being of trees in a community and may be called upon for consultation and support.



The project team and CFN will continue to support the City of Bayard to implement the recommendations featured in this plan.

Future Plans and Projects

The City of Bayard is continuing the effort of revitalizing its community through several exciting initiatives. As Bayard continues to prosper and grow, the community forest should keep pace. The goals, strategies and actions included in Bayard's Community Forest Management Plan can help embed urban forestry best practices into the city's ongoing development and future initiatives. As new projects are planned to advance Bayard's broader community goals, look for opportunities to integrate trees and landscaping to simultaneously advance the city's goals for a thriving community forest.

Upcoming projects that present opportunities to enhance Bayard's community forest include:

- » Developing a new Recreation Center and improving recreation facilities.
- » Incorporating treescapes and GSI into street and drainage improvements.
- » Incorporating street trees in conjunction with Hurley Avenue improvements.
- » Revitalizing the Mill Museum and landscape.
- » Expanding the outdoor library space and landscaping.
- » Renovating the City Hall building complex and grounds.

Through this revitalization effort, Bayard is also working to address challenges including flooding, public health impacts, economic growth and aging infrastructure. The community forest can be a key component in addressing these challenges, contributing to environmental and human health and helping to create a sense of prosperity and civic pride.

As the historic "Hub of the Mining District," the City of Bayard is preparing for a strong future with goals for economic development, enhanced public and environmental health, and the revitalization of community spaces. The community forest can be a key component in achieving these goals, helping to make Bayard a pleasant place to live, work, and visit.



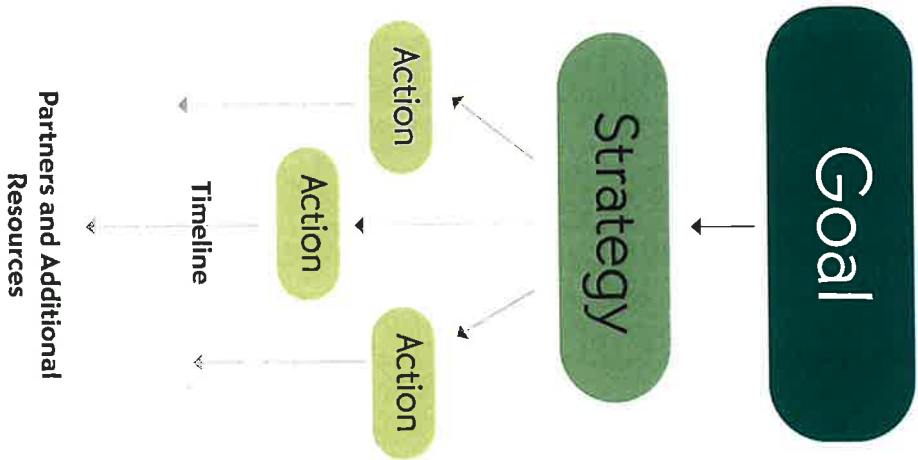
Trees in Post Office Park along Central Avenue.

Action Plan

A significant investment is being made to enhance Bayard's community forest through the Southwest New Mexico Community Forest Network (CFN). This *Action Plan* outlines the foundational steps necessary to guide, support, and sustain this effort in Bayard throughout the remaining years of the project.

The *Action Plan* sets **three primary goals that establish a vision of a healthy and resilient community forest in Bayard**. Each goal is supported by targeted, actionable strategies that work together to help Bayard make progress towards this vision. The strategies are further broken down into a series of specific actions with defined timelines for completion, which are outlined in the tables below. Additionally, each strategy is presented with a list of potential partner organizations and available supporting resources.

The goals, strategies and actions were informed through engagement with Bayard leadership, staff, and community members, Grant County staff leadership, and local experts. The project team also carefully reviewed Bayard's 2021 Comprehensive Plan and other available planning resources like the Infrastructure Capital Improvement Plan (ICIP). The results of this engagement and the analyses that informed the *Action Plan* are discussed in the previous section, *The Basis for the Plan*.



Goals are the foundation for any Strategic Plan. They are a collective vision for the city to aspire to. They organize strategies and actions to help fully realize the plan.

Strategies are measurable approaches of "how" to achieve a given goal.

Actions are individual steps or sets of steps to be taken to support a strategic approach to achieving the goal.

Timeline proposes a time frame for an action. This plan proposes Short Term actions (1-2 years), Mid Term (2-5 years), and Long Term (5+ years).

Partners and Additional Resources are vital to completing the *Action Plan*. Partners can support municipal staff with ongoing training, implementation of actions, and the creation of additional resources. Additional Resources can provide the specific guidance to help residents and municipal staff carry out the actions identified in the plan.

Action Plan

Goal 1

Bayard's community forest fosters economic development, community character, and environmental health.

Strategy 1A

Develop landscaping along US Highway 180 to beautify the entrance to Bayard, promote businesses, and attract visitors.

Actions

Timeline

1A.1 Collaborate with NM DOT to design, engineer, and install streetscaping with automatic irrigation along US-180/10m Foy Boulevard within the City of Bayard for traffic calming, pedestrian and bicyclist safety, beautification, and economic development. (Long Term)

Partners include:
» Southwest New Mexico Community Forestry Network (CFN)
» NM Department of Transportation (NM DOT)
» Cobre Consolidated School District
» NM Public Schools Facilities Authority
» US-180 Business Owners

1A.2 Develop cohesive landscaping projects along US-180/ Tom Foy Boulevard to create an attractive business district and foster a distinctive sense of place: (Medium Term)

- » Add landscaping to highlight the Welcome to Bayard sign (at Hurley Avenue)
- » Collaborate with Five Points Initiative on landscaping at Union Hall (at Steyskal Street)
- » Collaborate with NM DOT on landscaping projects along the entrance to the walking path from Bayard to Santa Clara (and a future path to Hurley, when implemented.)
- » Identify parcels along this corridor owned by the City of Bayard or in the right of way that could provide opportunities for complementary landscaping.

Resources include:
» Recommended Tree and Plant List for Bayard
» Guide to Planning and Implementing Community Forestry Projects
» NM DOT Design Manual

1A.3 Collaborate with businesses and property owners along US-180/ Tom Foy Boulevard to encourage and incentivize implementation of cohesive landscaping projects with irrigation and/or green stormwater infrastructure that contribute to the beautification of the gateway to Bayard. (Medium Term)

1A.4 Collaborate with Cobre High School and Snell Middle School to implement cohesive landscaping projects with irrigation and/or green stormwater infrastructure along US-180/ Tom Foy Boulevard (5+ Years (Long Term))



Action Plan

Goal 1

Bayard's community forest fosters economic development, community character, and environmental health.

Strategy 1B

Use streetscaping to formalize a "Main Street" along Central Avenue and Hurley Avenue, enhancing walkability and connectivity in Bayard.

Actions		Timeline
1B.1	Develop cohesive and complementary streetscaping projects with shade trees and irrigation infrastructure at government-owned locations along the Central Ave corridor to foster placemaking and walkability on "Main Street". » Priority locations: Bayard Public Library, Police Department, City Hall, Magistrate Courthouse, Cobre Consolidated School District Administration building	2-5 Years (Medium Term)
1B.2	Develop cohesive and complementary streetscaping projects in public spaces along Foy St, Park Street and Hurley Avenue to continue the Central Avenue walking corridor and connect community services in the heart of Bayard. » Landscape Elementary School drop off » Landscape edges of Bayard Community Park » Include street trees in future Hurley Avenue Infrastructure improvements.	1-2 Years (Short Term) Ongoing
1B.3	Collaborate with small businesses and property owners along Hurley Avenue, Park Street, Foy Street and Central Avenue to encourage and incentivize implementation of cohesive landscaping projects with irrigation and/or green stormwater infrastructure that contribute to walkability in Bayard and development of the local business district.	2-5 Years (Medium Term)
1B.4	Integrate community forestry goals into future community revitalization projects along walking corridors in Bayard. » Train Depot/Mining Museum Revitalization Project » Bayard Community Garden/ Central Plaza Project » Bayard Union Hall	Ongoing
1B.5	Collaborate with NM DOT to design, engineer, and install streetscaping with automatic irrigation along NM-356/Central Avenue within the City of Bayard for traffic calming, pedestrian and bicyclist safety, beautification, and economic development.	5+ Years (Long Term)

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)
- » NM Department of Transportation (NM DOT)
- » Cobre Consolidated School District
- » NM Public Schools Facilities Authority
- » Central Avenue area Business Owners
- » Bayard Community Garden partner organizations
- » Southwest NM Arts, Culture and Tourism.

Resources include:

- » Recommended Tree and Plant List for Bayard
- » Guide to Planning and Implementing Community Forestry Projects
- » NM DOT Design Manual



Action Plan

Goal 1

Bayard's community forest fosters economic development, community character, and environmental health.

Strategy 1C

Manage a healthy community forest to conserve water resources, mitigate risk, and enhance environmental health.

Actions		Timeline
1C.1	Practice succession planting by phasing new trees and plants into landscapes over time to avoid having a single generation community forest.	Ongoing
1C.2	Publish a tree list and plant palette appropriate for Bayard's climate and geography, focused on drought tolerant plants native to the southwest U.S./northern Mexico.	1-2 Years (Short Term)
1C.3	Proactively identify opportunities to co-locate GSI and tree plantings to supplement irrigation with stormwater, mitigate ponding, and support watershed health.	Ongoing
1C.4	Coordinate with NM EMNRD/State Forestry, NRCS and water agencies to develop a program to proactively manage riparian areas and prioritize work to minimize fire danger, flood risk, and invasive species migration. Perform maintenance to mitigate risk of falling limbs on footpaths.	2-5 Years (Medium Term)
1C.5	Collaborate with NM DOT to plant windbreaks and/or living ground cover along highway corridors to improve air quality by mitigating airborne dust.	2-5 Years (Medium Term)
1C.6	Prioritize use of understory plantings (like grasses and shrubs) and organic mulch over use of rock mulch in streetscapes to mitigate heat for both pedestrian comfort and tree health.	Ongoing

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)
- » NM Department of Energy, Minerals, and Natural Resources - Forestry Division (EMNRD)
- » NM Department of Transportation (NM DOT)
- » Natural Resources Conservation Service (NRCS)
- » Water agencies

Resources include:

- » Recommended Tree and Plant List for Bayard
- » Guide to Planning and Implementing Community Forestry Projects
- » Green Stormwater Infrastructure Implementation Guide



Action Plan

Goal 2

Bayard's community forest enhances public health, recreation opportunities, and quality of life for residents.

Strategy 2A

Focus resources on improving and expanding the urban forest in community parks, gathering spaces and recreation areas.

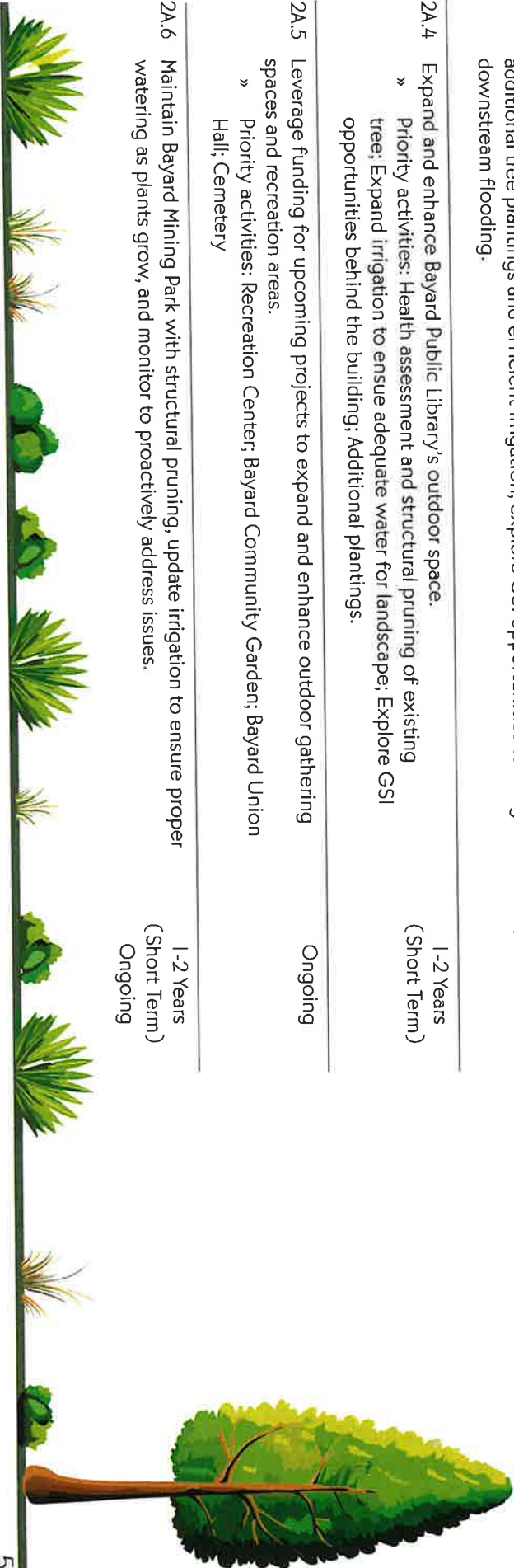
Actions		Timeline
2A.1	Revitalize the Bayard Community Park and Community Center Complex and ball fields » Priority activities: Remove and replace dead/dying trees; Structural pruning and maintenance for existing trees; Install an efficient irrigation system in Bayard Community Park; Add shade trees near ball fields for spectators; install sufficient irrigation for mature trees; Connect to Elementary and Middle School landscaping.	1-2 Years (Short Term)
2A.2	Revitalize Old Fire Station Park. » Priority activities: Remove and replace dead and dying trees; Structural pruning and maintenance for existing trees; Extend an efficient irrigation system; Additional plantings in park.	1-2 Years (Short Term)
2A.3	Further develop Bayard Housing Authority Park into a vibrant community amenity with additional tree plantings and efficient irrigation; explore GSI opportunities to mitigate downstream flooding.	1-2 Years (Short Term)
2A.4	Expand and enhance Bayard Public Library's outdoor space. » Priority activities: Health assessment and structural pruning of existing tree; Expand irrigation to ensure adequate water for landscape; Explore GSI opportunities behind the building; Additional plantings.	1-2 Years (Short Term)
2A.5	Leverage funding for upcoming projects to expand and enhance outdoor gathering spaces and recreation areas. » Priority activities: Recreation Center; Bayard Community Garden; Bayard Union Hall; Cemetery	Ongoing
2A.6	Maintain Bayard Mining Park with structural pruning; update irrigation to ensure proper watering as plants grow, and monitor to proactively address issues.	1-2 Years (Short Term) Ongoing

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)

Resources include:

- » Recommended Tree and Plant List for Bayard
- » Guide to Planning and Implementing Community Forestry Projects
- » Green Stormwater Infrastructure Implementation Guide



Action Plan

Goal 2

Bayard's community forest enhances public health, recreation opportunities, and quality of life for residents.

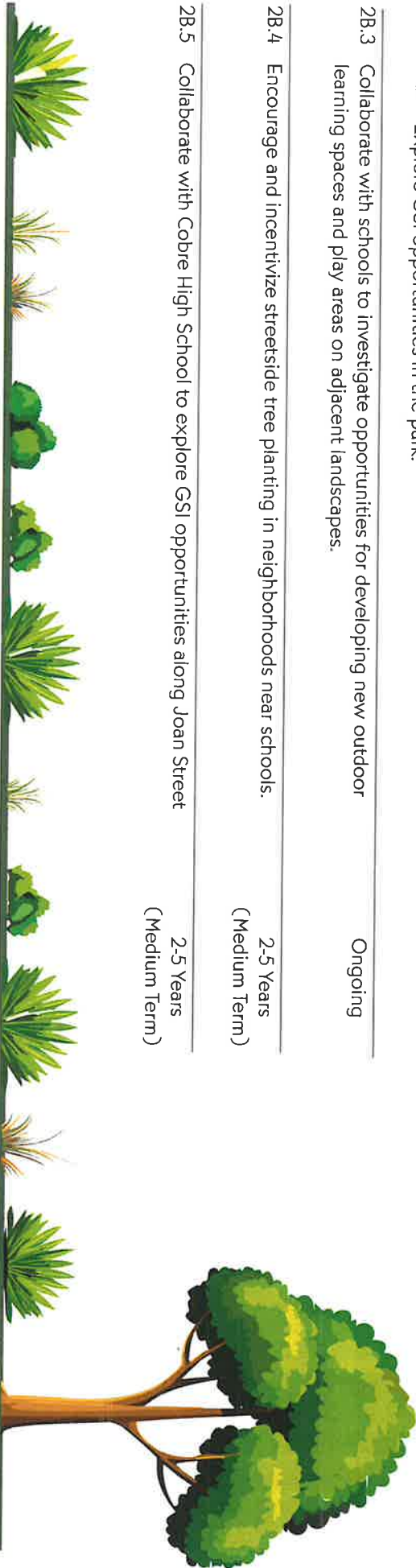
Strategy 2B

Enhance landscaping at Bayard's school campuses and facilities to contribute to a vibrant community forest.

Actions	Timeline
2B.1 Collaborate with the schools to develop landscaping with shade trees and living ground cover at high use areas of Elementary, Middle and High School campuses. Priority activities: » School entrances/ drop offs. » Near sporting fields and play areas. » In seating and picnic areas. » Along walking paths between facilities at Cobre High School. » Along walking paths that connect Snell Middle School, the Community Center and Park and Bayard Elementary School.	2-5 Years (Medium Term)
2B.2 Revitalize Cobre Golf Park. Priority activities: » Tree removal and replacement. » Structural pruning and maintenance for existing trees. » Improve irrigation efficiency. » Additional plantings to create distinct areas. » Explore GSI opportunities in the park.	1-2 Years (Short Term)
2B.3 Collaborate with schools to investigate opportunities for developing new outdoor learning spaces and play areas on adjacent landscapes.	Ongoing
2B.4 Encourage and incentivize streetside tree planting in neighborhoods near schools.	2-5 Years (Medium Term)
2B.5 Collaborate with Cobre High School to explore GSI opportunities along Joan Street	2-5 Years (Medium Term)

- Partners include:**
- » Southwest New Mexico Community Forestry Network (CFN)
 - » Cobre Consolidated School District
 - » NM Public Schools Facilities Authority

- Resources include:**
- » Recommended Tree and Plant List for Bayard
 - » Guide to Planning and Implementing Community Forestry Projects
 - » Green Stormwater Infrastructure Implementation Guide



Action Plan

Goal 2

Bayard's community forest enhances public health, recreation opportunities, and quality of life for residents.

Strategy 2C

Engage residents in the care and development of Bayard's community forest.

Actions		Timeline
2C.1	Support residents to connect to existing educational resources, partner organizations and events on tree planting, care, and maintenance and resources for implementing residential scale rainwater harvesting, and to empower community members to action. Priority activities: » Engage community volunteers to assist with tree planting and care. » Establish a Tree Board to advise and support urban forest management. » Educate residents on their tree and landscaping responsibilities near ROWs.	1-2 Years (Short Term) Ongoing
2C.2	Educate and encourage residents to select plants for their property that are regionally appropriate, drought-tolerant, and support pollinator and native wildlife habitat. Start phasing out aging Siberian elms (<i>Ulmus pumila</i>) to decrease weedy trees throughout town.	1-2 Years (Short Term)
2C.3	Increase tree canopy by promoting tree planting and landscaping in residential areas. » Partner with organizations that support residential tree planting programs.	2-5 Years (Medium Term)
2C.4	Support and encourage tree planting and residential rainwater harvesting implementation at residences within the Bayard Housing Authority complex.	2-5 Years (Medium Term)

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)
- » Tree New Mexico Neighborhoods Program
- » NM Tree Alliance
- » NMSU Cooperative Extension
- » Bayard Housing Authority

Resources include:

- » Recommended Tree and Plant List for Bayard
- » Guide to Planning and Implementing Community Forestry Projects
- » Bernalillo County Passive Rainwater Harvesting Guide
- » CFN Website and Printed Materials



Action Plan

Goal 3

Bayard cultivates a well-managed community forest through staff support, collaboration, and comprehensive planning.

Strategy 3A

Invest in building staff expertise to further strengthen Bayard's community forest management.

Actions		Timeline
3A.1	Support Bayard staff to actively participate in the SWNM Community Forestry Network (CFN), where they can connect to educational resources and events to further their skills in urban forestry and GSI implementation and maintenance.	Immediate and Ongoing
3A.2	Invest in staff training for tree care, tree risk assessment, irrigation standard installation guidelines and maintenance, integrated pest management, and GSI maintenance. » Include Bayard school maintenance staff in CFN tree care training events.	1-2 Years (Short Term) Ongoing
3A.3	Create a mechanism for Bayard staff and leadership to access tree expertise: » Establish contracts with certified arborists. » Support the development of a CFN regional urban forester position. » Establish a Tree Board	1-2 Years (Short Term)

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)
- » NM Tree Alliance
- » New Mexico Urban & Community Forestry Program

Resources include:

- » CFN Website and Printed Materials
- » Arborist Contract Template



Action Plan

Goal 3

Bayard cultivates a well-managed community forest through staff support, collaboration, and comprehensive planning.

Strategy 3B

Develop and streamline a strategic landscape maintenance program.

Actions	Timeline
3B.1 Complete the existing Bayard tree inventory in Tree Plotter and periodically update the data set to inform priorities for maintenance and high risk trees.	1-2 Years (Short Term)
3B.2 Establish and adhere to a tree maintenance schedule, to include: » Tree pruning/removal. » Irrigation checks. » Mulch and understory planting maintenance. » Insect and disease checks.	1-2 Years (Short Term)
3B.3 Identify opportunities to integrate GSI practices into landscaping projects to re-purpose stormwater to irrigate plants, curb flooding, and provide multiple community benefits.	Ongoing
3B.4 Improve irrigation efficiency at parks and transition to a uniform system for irrigation parts that are used on all irrigation projects.	1-2 Years (Short Term)

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)
- » NM Tree Alliance
- » New Mexico Urban & Community Forestry Program

Resources include:

- » SWNM Community Forestry Network Website and Printed Materials
- » Example Maintenance Schedule
- » Green Stormwater Infrastructure Implementation Guide
- » Irrigation Resource



Action Plan

Goal 3

Bayard cultivates a well-managed community forest through staff support, collaboration, and comprehensive planning.

Strategy 3C

Establish municipal policies that support Bayard's community forest goals.

Actions	Timeline
3C.1 Establish a vegetation ordinance that formalizes the authority of city staff and includes: » Protection and preservation of healthy mature trees. » Irrigation and water conservation policy. » Designated responsibilities in ROWs and buffer strips - municipal, private, and public. » New development landscaping requirements.	2-5 Years (Medium Term)
3C.2 Establish and update an annual budget for landscaping projects, including irrigation and maintenance.	1-2 Years (Short Term)
3C.3 Establish a cemetery tree policy.	1-2 Years (Short Term)
3C.4 Develop a landscaping plan for the new cemetery, including irrigation, maintenance, and associated budgets.	1-2 Years (Short Term)
3C.5 Update the Bayard Community Forest Management Plan.	2029

Partners include:

- » Southwest New Mexico Community Forestry Network (CFN)
- » NM Tree Alliance
- » New Mexico Urban & Community Forestry Program

Resources include:

- » Southwest New Mexico Community Forestry Network (CFN) Website and Printed Materials
- » Example Maintenance Schedule
- » Green Stormwater Infrastructure Implementation Guide
- » Irrigation Resource



Additional Resources

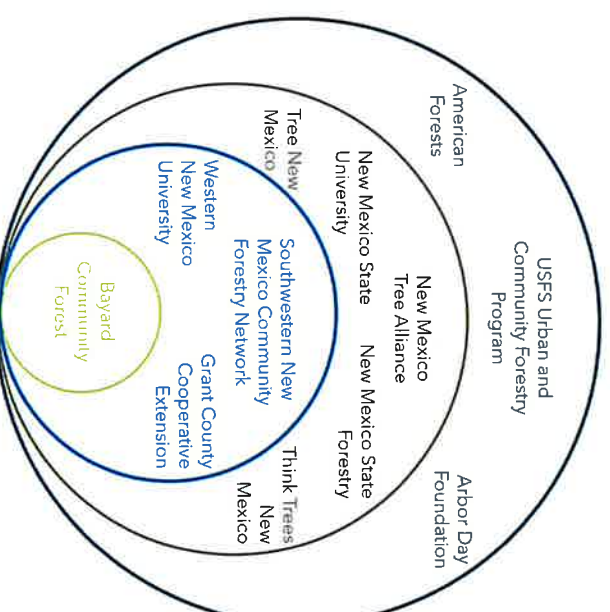
Supporting Documents

The Southwest Community Forestry Network (CFN) website, swnmforestry.org, was designed to help coordinate efforts and share information between communities and project partners, including links to additional resources that are referenced in this management plan. The network and the project team will continue producing and curating tools as needed to help the towns put their plans into action, such as:

- » Examples of seasonal maintenance schedules and checklists.
- » Guides to planning and implementing community forest projects.
- » Guides to planning and implementing green stormwater infrastructure projects.
- » Templates for recommended policies, such as a Vegetation Ordinance, a Complete Streets Ordinance and/or a Cemetery Tree Policy.
- » Templates for contracts to enlist the support and specialized skills of a Certified Arborist, and a list of recommended questions to ask when selecting a practitioner to hire.
- » Example landscape maintenance and irrigation budgets.
- » Landscape irrigation guides and other resources.
- » Guide to connecting with regional resources and groups, such as the NM Tree Alliance and the SW Directory of Tree Care Practitioners.
- » Resources for soil testing and promoting soil health.
- » Resources for engaging residents and exploring neighborhood tree planting programs.

Supporting Networks & Organizations

Gila Resources Information Project (GRIP)
Integrated Biological Solutions (IBIS)
Western New Mexico University (WNMU)
Grant County Cooperative Extension
New Mexico Tree Alliance
New Mexico Urban Forest Council
New Mexico Forestry Division
Arid LID (Low Impact Development) Coalition
Tree New Mexico
Arbor Day Foundation (Partners in Community Forestry, Trees are Good, TreeCity USA)
American Forests
US Forest Service, Urban and Community Forestry Program



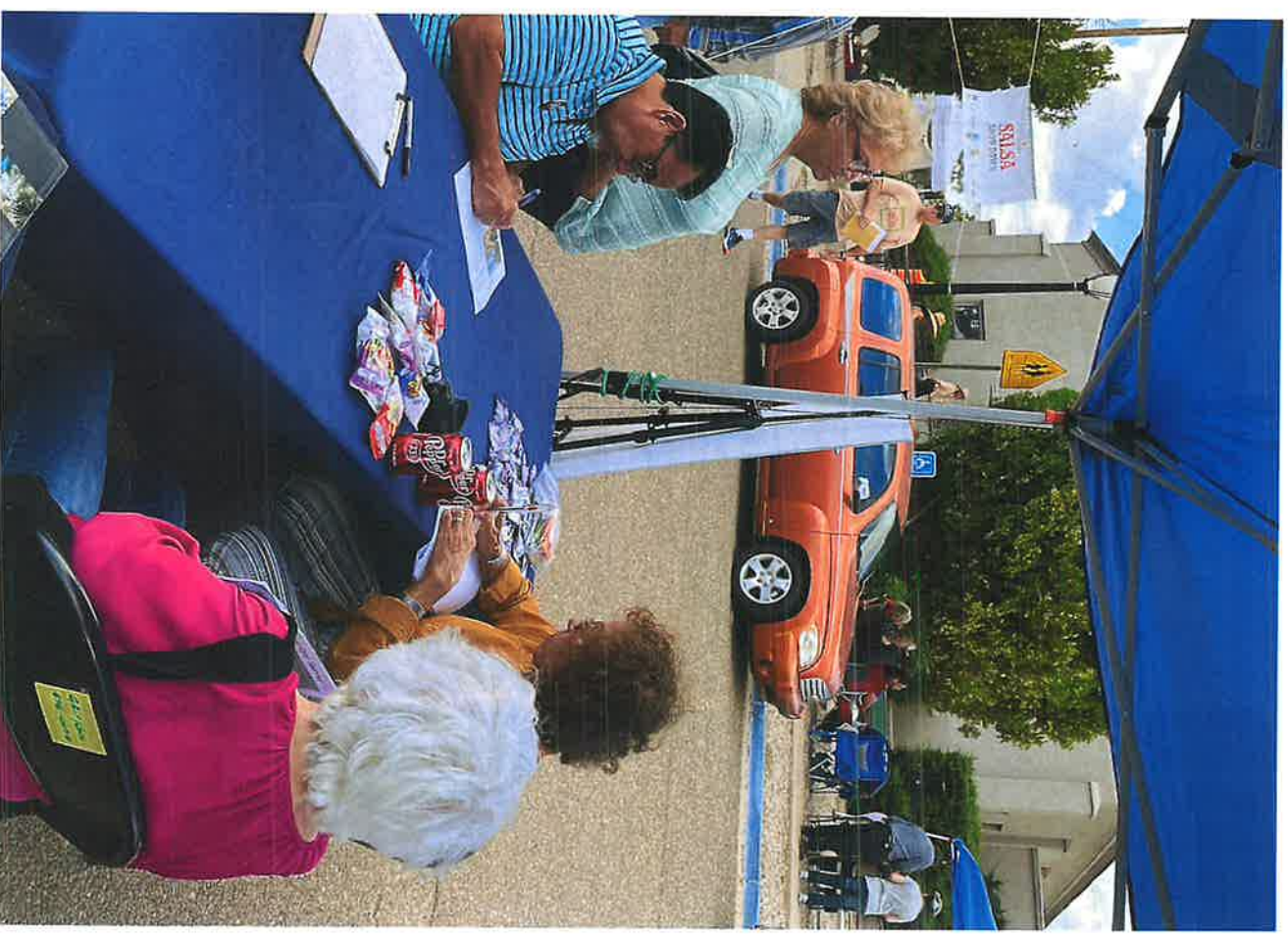
The CFN Community Engagement Roadmap

Public input and local knowledge are critical components to any community planning effort. In September 2024 the project team produced the Community Engagement Roadmap, which can be found on the CFN project website. This document outlined the project's approach to engaging various audiences in the development of the Community Forestry Management Plans. The project team employed a unique set of strategies tailored specifically to each of the six community's needs and public practices.

The Roadmap includes actionable engagement strategies that can be adapted and applied to a variety of future projects in Bayard that have a public outreach component, such as:

- » Using different approaches to reach a variety of community audiences in a way that best suits their needs and interests.
- » Informing, consulting, involving, collaborating with, or empowering the engagement audiences at strategic points in the project (Source: Spectrum for Public Participation, International Association for Public Participation).
- » Establishing clear objectives for community engagement.
- » Employing a variety of engagement techniques to "meet people where they are," such as: community surveys, outreach booths at well-attended events, presentations, informational handouts, consultations with community groups and municipal leaders, use of social media and traditional media, fliers and door hangers, providing access to translation services, mailings, and creation of "Info Hubs" and a project website.

As Bayard works to champion projects featured in this plan, the Comprehensive Plan, the Infrastructure Capital Improvement Plan (ICIP) or other plans, **this Community Engagement Roadmap can serve as a useful resource to help project planners conduct meaningful community engagement.**



Local residents completing a survey at the Salsa Showdown to provide input for the development of the Community Forestry Management Plans.

Recommended Tree List for Bayard

LARGE SHADE TREES

<u>Common Name</u>	<u>Latin Name</u>	<u>Water Needs</u>	<u>Local Expert Notes</u>
Persian Silk Tree/ Mimosa	<i>Albizia julibrissin</i>	Medium	Susceptible to freeze damage when young.
Common Hackberry	<i>Celtis occidentalis</i>	Medium	Prairie Sentinel(R) is a good cultivar for a more columnar look.
Netleaf Hackberry	<i>Celtis reticulata</i>	Low	Great native tree, not a good street tree.
Kentucky Coffee Tree	<i>Gymnocladus dioica</i>	Medium	May experiment with this species, mixed results in other areas of NM.
Osage Orange	<i>Maclura pomifera</i>	Medium	Great tree, seedless and thornless varieties available.
White Mulberry	<i>Morus alba</i>	Medium	Very tolerant tree for urban conditions. High invasive potential.
Chinese Pistache	<i>Pistacia chinensis</i>	Medium	Performing very well. Very popular; beware of overplanting.
Mexican Sycamore	<i>Platanus mexicana</i>	High	Requires careful site selection, may be sensitive to drought conditions.
Honey Mesquite	<i>Prosopis glandulosa</i>	Low	Look for Texas variety that are thornless and more tree like in form.
Bur Oak	<i>Quercus macrocarpa</i>	Medium	Not widely available yet, but a great native tree.
Chinquapin Oak	<i>Quercus muehlenbergii</i>	Medium	Invasiveness is a characteristic of reproduction for oaks, so care should be taken in choosing planting location.
Shumard Oak	<i>Quercus shumardii</i>	Medium	Doing well in many locations.
Southern Live Oak	<i>Quercus virginiana</i>	Medium	Can form thickets, and have toxic properties.
Western Soapberry	<i>Sapindus saponaria</i> var. <i>drummondii</i>	Low	Gorgeous old specimens in area. Mostly sold as hybrid cultivars.
American Elm	<i>Ulmus americana</i>	Medium	
Cedar Elm	<i>Ulmus crassifolia</i>	Medium	
Lacebark/Chinese Elm	<i>Ulmus parvifolia</i>	Medium	Prolific seeds in fall - concern about invasiveness. Different tree than Siberian Elm.

Recommended Treelist for Bayard

EVERGREEN TREES

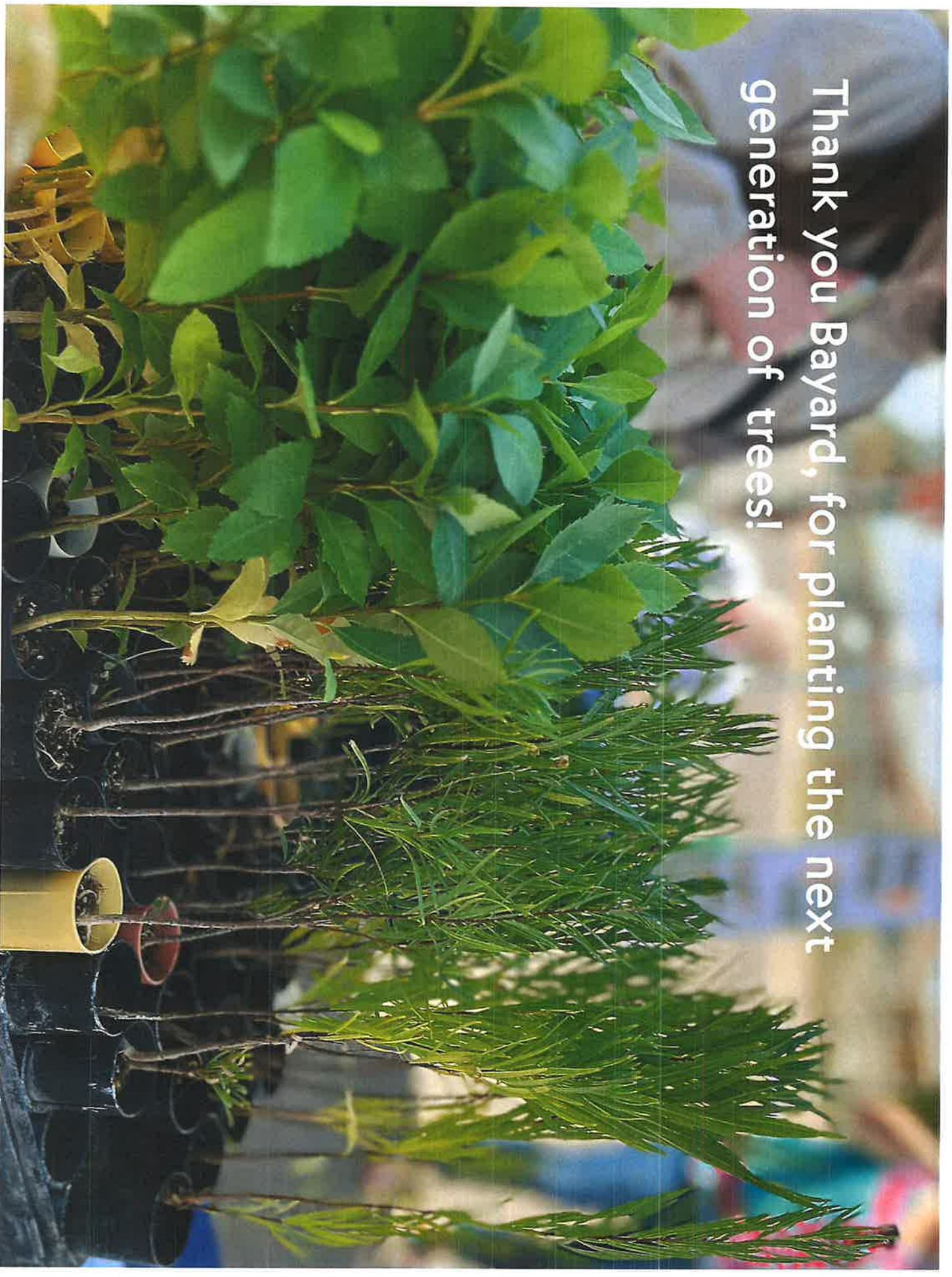
<u>Common Name</u>	<u>Latin Name</u>	<u>Water Needs</u>	<u>Local Expert Notes</u>
Deodar Cedar	<i>Cedrus deodar</i>	Medium	Performing well locally, but beginning to struggle in other parts of NM.
Arizona Cypress	<i>Cupressus arizonica</i>	Medium	Great tree with good hybrids available.
Yaupon Holly	<i>Ilex vomitoria</i>	Medium	Not a lot of familiarity locally, but doing well in other areas of NM.
Alligator Juniper	<i>Juniperus deppeana</i>	Low	Exhibiting some dieback locally. Does need supplemental irrigation.
Rocky Mountain Juniper	<i>Juniperus scopulorum</i>	Low	
Eastern Red Cedar	<i>Juniperus virginiana</i>	Low	
Aleppo Pine	<i>Pinus halepensis</i>	Low	Few examples locally, but seem to be doing well.
Single leaf pinyon pine	<i>Pinus monophylla</i>	Low	Small, but grows well locally.
Italian Stone Pine	<i>Pinus pinea</i>	Medium	Few examples locally, but seem to be doing well.
Arizona White Oak	<i>Quercus arizonica</i>	Low	Evergreen oaks generally do well locally.
Emory Oak	<i>Quercus emoryi</i>	Medium	
Escarpment Live Oak	<i>Quercus fusiformis</i>	Medium	
Mexican Elder	<i>Sambucus mexicana</i>	Medium	
Texas Mountain Laurel	<i>Sophora secundiflora</i> (SEE <i>Dermatophyllum secundiflorum</i>)	Low	High performer in urban environments. Fast growing, but needs pruning to maintain its tree form. Struggling with cold hardiness.

Recommended Tree List for Bayard

SMALL/MEDIUM TREES

<u>Common Name</u>	<u>Latin Name</u>	<u>Water Needs</u>	<u>Local Expert Notes</u>
Mexican Redbud	<i>Cercis mexicana</i>	Medium	Redbuds are doing well locally. Texas and Mexican species are doing particularly well. Eastern redbud (<i>Cercis canadensis</i>) is not generally recommended due to its intolerance to wind, but 'Forest pansy' varietal has grown well. Redbuds greatly benefit from good pruning.
Western Redbud	<i>Cercis occidentalis</i>	Medium	
Oklahoma Redbud	<i>Cercis reniformis</i>	Medium	
Texas Redbud	<i>Cercis texicana</i>	Medium	
Desert Willow	<i>Chilopsis linearis</i>	Low	Highly recommended.
Texas Persimmon	<i>Diospyros texana</i>	Low	Not much local experience with this species.
New Mexico Olive	<i>Forestiera neomexicana</i>	Medium	Highly recommended.
Golden-ball Leadtree	<i>Leucaena retusa</i>	Low	Good tree, but currently difficult to find.
Southern Wax Myrtle	<i>Morella cerifera</i>	High	No local experience with this species.
Texas/Little Leaf Mulberry	<i>Morus microphylla</i>	Low	Highly recommended.
Hoptree (Wafer Ash)	<i>Ptelea trifoliata</i>	Low	Recommended by local experts. Drought tolerant.
Screwbean Mesquite	<i>Prosopis pubescens</i>	Low	Thorny, and concerns regarding their ability to handle local soil conditions.
Texas Red Oak	<i>Quercus buckleyi</i>	Low	Highly recommended.
Chaste Tree	<i>Vitex agnus-castus</i>	Low	Performing well locally, and can achieve small tree size in right conditions.

Thank you Bayard, for planting the next generation of trees!



City of Bayard

RESOLUTION 21-2025

THE CITY OF BAYARD, NEW MEXICO

RESOLUTION AUTHORIZING THE CITY OF BAYARD TO ENTER INTO THE DESIGN FUNDING AGREEMENT AMONG THE STATE OF NEW MEXICO INTERSTATE STREAM COMMISSION, THE CITY OF BAYARD, THE VILLAGE OF SANTA CLARA, AND THE TOWN OF SILVER CITY

The undersigned, being the governing board of The City of Bayard, New Mexico ("Bayard"), after public notice on November 19, 2025, as required by the Open Meetings Act, hereby adopts the following resolution as of the date of the public meeting in which a motion was duly made, seconded and voted upon.

WHEREAS, pursuant to the 2004 Arizona Water Settlements Act ("AWSA") the New Mexico Interstate Stream Commission ("NMISC" or "Commission") allocated \$1,347,343 from the New Mexico Unit Fund to Bayard for Bayard's Effluent Use Project in 2015 and 2016 ("Original Allocation");

WHEREAS, Bayard expended \$3,519.69 on the Project, leaving \$1,343,823.31 in unspent funds;

WHEREAS, on January 21, 2025, the Commission approved Bayard's request for a reallocation of the unspent money remaining from the Original Allocation for i) the inspection, testing and rehabilitation of an existing well (Well M-2576) near the Village of Santa Clara, New Mexico and ii) the design of a water transmission line from that well to the Santa Clara Booster Station ("Project") and reallocated up to \$1,343,823.31 for use toward the Project ("Reallocation Amount");

WHEREAS, the Project supports one phase of the Grant County Regional Water Project, which involves and will benefit Bayard, Silver City, and Santa Clara, by helping Santa Clara to utilize Well M-2576 through an agreement between Santa Clara and Freeport-McMoRan Chino Mines, Inc.;

WHEREAS, Bayard desires to ratify all actions in connection with the Project and Reallocation Amount and authorize Bayard to execute, enter into, and deliver the Design Funding Agreement Among the State of New Mexico Interstate Stream Commission, the City of Bayard, the Village of Santa Clara, and the Town of Silver City ("Funding Agreement") in the name and on behalf of Bayard;

WHEREAS, Bayard desires to authorize and empower a representative to execute and enter into the Funding Agreement;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

RESOLVED, the form and content of the Funding Agreement, as shown on the attached Exhibit A, is hereby ratified and approved.

RESOLVED, John L. Ojinaga, Mayor, is hereby authorized and empowered to execute and enter into the Funding Agreement and any and all additional necessary other documents related to the Project in the name and on behalf of The City of Bayard, upon those terms and conditions set forth in the Funding Agreement.

SIGNATURE:

John L Ojinaga, Mayor

Date

ATTEST:

Martha Salas, City Clerk Treasurer

EXHIBIT A

(Attached)

**DESIGN FUNDING AGREEMENT AMONG
THE STATE OF NEW MEXICO
INTERSTATE STREAM COMMISSION,
THE CITY OF BAYARD, THE VILLAGE OF SANTA CLARA,
AND THE TOWN OF SILVER CITY**



**DESIGN FUNDING AGREEMENT AMONG
THE STATE OF NEW MEXICO
INTERSTATE STREAM COMMISSION,
THE CITY OF BAYARD, THE VILLAGE OF SANTA CLARA,
AND THE TOWN OF SILVER CITY**

THIS AGREEMENT is made and entered into by and between the New Mexico Interstate Stream Commission, 407 Galisteo Street, Santa Fe, New Mexico 87501 (“NMISC” or “Commission”), the City of Bayard (“Bayard”), the Village of Santa Clara (“Santa Clara”) and the Town of Silver City (“Silver City”). Collectively, Bayard, Santa Clara, and Silver City are referenced as the “Municipalities,” and the NMISC, Bayard, Santa Clara, and Silver City are referenced as the “Parties.” The Effective Date of this Agreement is the date it is executed by the last signatory.

RECITALS

WHEREAS, pursuant to NMSA 1978, Section 72-14-3, the NMISC is authorized to investigate water supply, to develop, to conserve, to protect and to do any and all other things necessary to protect, conserve and develop the water and stream systems of this state; and

WHEREAS, in the 2004 Arizona Water Settlements Act, Pub. L. 108-451, (“AWSA”) the Congress of the United States appropriated funds to be administered by the NMISC to finance water utilization projects to meet water supply demands in the Southwest Water Planning Region of New Mexico, as determined by the NMISC; and

WHEREAS, in 2011, the New Mexico Legislature passed the New Mexico Unit Fund Act, NMSA 1978, § 72-14-45, which created the New Mexico Unit Fund in the State Treasury and required the NMISC to administer the money in the New Mexico Unit Fund to comply with the provisions of the AWSA; and

WHEREAS, in 2014 the NMISC approved the allocation of funds for various water utilization projects in the Southwest Region as mandated by the AWSA as part of a \$9.1 million allocation from the New Mexico Unit Fund to sixteen Non-New Mexico Unit projects in accordance with the AWSA (“Non-New Mexico Unit Process”); and

WHEREAS, as part of the Non-New Mexico Unit Process, in 2015 and 2016, the NMISC allocated to Bayard \$1,347,343 in total for Bayard’s Effluent Reuse Project through two funding allocations to expand its existing effluent re-use system through the design, construction, and installation of irrigation pipelines extending to sports fields (“Original Allocation”); and

WHEREAS, the NMISC and Bayard entered into multiple agreements to allow the use of the Original Allocation, including: (1) the City of Bayard Municipal Water Conservation Funding

Agreement, which was entered into on October 17, 2016, and expired on June 30, 2020; and (2) the City of Bayard/Cobre Consolidated School District Municipal Conservation Funding Agreement, which was entered into on October 17, 2016, and expired on June 30, 2020; and

WHEREAS, through the above-mentioned agreements and amendments, Bayard expended \$3,519.69 of the Original Allocation, leaving \$1,343,823.31 unspent; and

WHEREAS, in April 2024, the NMISC provided Bayard a final opportunity to utilize the unspent money remaining from the Original Allocation before the NMISC concluded the Non-New Mexico Unit Process that began in 2014; and

WHEREAS, on January 21, 2025, the Commission approved Bayard's request for a reallocation of the unspent money remaining from the Original Allocation for a project ("Project") that consists of the inspection, testing, and rehabilitation of an existing well (Well M-2576) near the Village of Santa Clara and design of a water transmission line from that well to the Santa Clara Booster Station. The Commission reallocated up to \$1,343,823.31 for use towards the Project ("Reallocation Amount"); and

WHEREAS, the Reallocation Amount approved by the Commission fully covers Bayard's proposed cost of the Project, including funds for inspection, testing, coordination, and supplemental mapping; design development; pre-construction document development; a thirty-percent contingency; and New Mexico Gross Receipt Tax. The Reallocation Amount may also allow for additional "as-needed" contingencies up to \$176,949.20 for the completion of the Project to be determined by the Municipalities and the NMISC ("As-Needed Contingencies"); and

WHEREAS, the Project supports one phase of the Grant County Regional Water Project, which involves and will benefit the Municipalities, by helping Santa Clara to utilize Well M-2576 through an agreement between Santa Clara and Freeport-McMoRan Chino Mines, Inc.; and

WHEREAS, the NMISC understands that the Project, similar to other efforts related to the Grant County Regionalization Project, will be performed and completed under a contract procured and managed by Silver City; and

WHEREAS, Bayard desires to utilize the Reallocation Amount to reimburse Silver City for the Project costs; and

WHEREAS, in accordance with the Commission's approval of the Reallocation Amount and terms of this agreement, the NMISC will provide funds to Bayard for the Project on a reimbursement basis.

NOW, THEREFORE, in consideration of the mutual benefits, covenants and obligations contained herein, the Parties hereby agree as follows:

AGREEMENT

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF FUNDING, AND REVERSION DATE

- A. Project Description. The Municipalities shall (1) test an existing well near the Village of Santa Clara ("Well M-2576"), design and select associated well infrastructure such as a pump and other equipment, and perform rehabilitation of the well, if necessary; (2) design a transmission water line and associated appurtenances to connect Well M-2576 to the Santa Clara Booster Station; and (3) coordinate permitting from the New Mexico Office of the State Engineer and New Mexico Environment Department, as provided in more detail in Exhibit A, Scope of Work and Budget, attached hereto and made a part hereof for all purposes. The Project will benefit the Municipalities. In particular, the Project will assist Bayard to meet its water demands by helping reduce Santa Clara's reliance on emergency use of Bayard's water supplies by helping Santa Clara utilize Well M-2576.
- B. Term. The term of this Agreement shall commence on the Effective Date and shall continue through December 31, 2027, unless sooner terminated, as provided herein.
- C. Funding.
- i. Funding Amount. Total reimbursements for the Project shall not exceed \$1,166,874.11 ("Funding Amount"), pursuant to the Project Budget set forth in Exhibit A. Any alteration, modification, or change to the Project Budget, described in Exhibit A, must receive prior written approval by the NMISC.
 - ii. "As-Needed" Contingencies. The Parties acknowledge and agree that the Reallocation Amount approved by the Commission exceeds the costs currently anticipated to implement the Project, and the Funding Amount reflects costs currently understood as necessary to implement the Project. If the actual costs necessary to implement the Project exceed the Funding Amount, the Municipalities and NMISC may amend this Agreement, pursuant to Article XV, to increase the Funding Amount and utilize As-Needed Contingencies necessary to complete the Project. Under no circumstances shall the Funding Amount exceed the total Reallocation Amount approved by the Commission.
- D. Spending Deadline. The Parties agree that the Funding Amount must be expended by October 31, 2027. This date is referred to throughout the remainder of this Agreement as the "Spending Deadline." On the Spending Deadline, any part of the Funding Amount and Reallocation Amount not expended will revert to the New Mexico Unit Fund and will no longer be available to Bayard under this Agreement.

ARTICLE II. PARTY RESPONSIBILITIES

- A. **Party Responsibilities.** The Parties shall each implement the terms as described in this Agreement, in addition to those set forth more specifically in this Article:
- i. **Municipalities' Responsibilities:**
 - a. The Municipalities shall implement the Project in all respects and shall provide all necessary qualified personnel, material, and facilities to implement the Project.
 - b. The Municipalities shall expeditiously initiate and complete the Project in a timely fashion.
 - c. Silver City shall manage any third-party contractor selected to complete the Project in accordance with the Scope of Work and Budget described in Exhibit A.
 - d. Silver City shall conduct any procurement that may be required to complete the Project.
 - e. Silver City shall provide Bayard with Project invoices and documents, including those necessary under Article III and Article VI of this Agreement.
 - f. Bayard shall submit to the NMISC all Requests for Reimbursement, as set forth more fully in Article III of this Agreement.
 - g. Bayard shall reimburse Silver City for Project costs promptly upon NMISC's disbursements to Bayard.
 - h. Bayard shall submit to the NMISC all Periodic and Final Reports with supporting documentation, as set forth more fully in Article VI of this Agreement.
 - i. Santa Clara shall inform the other Parties of any material changing conditions or amendments, including any anticipated and potential changing conditions or amendments, to the "Village of Santa Clara Water Development Project Agreement" entered on July 26, 2023, with Freeport-McMoRan Chino Mines, Inc.
 - ii. **NMISC's Responsibilities:**
 - a. The NMISC shall provide reimbursement to Bayard for Project costs, pursuant to Requests for Reimbursement submitted by Bayard to the NMISC and subject to the terms and limitations set forth in this Agreement.
- B. The Parties agree that the State of New Mexico and its agencies, including the NMISC and its employees, are not in any manner responsible for the planning, design, operation, maintenance, management, replacement, construction, or supervision of any aspect or part of the Project. This provision shall survive termination of this Agreement.

ARTICLE III. REQUESTS FOR REIMBURSEMENT PROCEDURES AND DEADLINES

- A. **Request for Reimbursement Procedure.** Within sixty (60) calendar days of the Effective Date of this Agreement, the NMISC will issue a Notice to Proceed ("NTP") to the Municipalities. Upon the issuance of this NTP, the NMISC will provide reimbursements in accordance with

the limitations and procedures outlined in this agreement. Requests for Reimbursement are subject to the following procedure:

- i. Bayard may request reimbursement for activities conducted by Silver City and its contractor under this Agreement by submitting to the NMISC representative a Request for Reimbursement.
 - ii. Bayard shall submit to the NMISC a signed electronic copy for each Request for Reimbursement using the form attached to this Agreement as Exhibit B, Request for Reimbursement.
 - iii. Each Request for Reimbursement shall contain proof of payment by Bayard, or proof of liabilities incurred by Bayard, in the form of copies of invoices and a certification by Bayard's representative as designated in Article VII herein. The certification must state that the expenditures are valid liabilities incurred by Bayard, for services rendered by a third party or goods received for the implementation of the Project.
 - iv. Requests for Reimbursement shall be submitted by Bayard to the NMISC within thirty (30) calendar days of the date each respective invoice is paid or received by Bayard.
 - v. Upon receipt of a Request for Reimbursement from Bayard, the NMISC Representative will review the Request for Reimbursement and any attached documentation for completeness and compliance with this Agreement. If any information is unclear or missing, the NMISC Representative will communicate in writing with the Municipalities regarding the unclear or missing information. Upon notification of incompleteness, Bayard shall have forty-five (45) calendar days to submit to the NMISC a corrected Request for Reimbursement or necessary supplemental documentation.
 - vi. Bayard shall provide necessary supporting documentation as requested by the NMISC.
 - vii. Each Request for Reimbursement must be certified as approved for reimbursement by the NMISC Representative identified in Article VII. Upon approval for reimbursement by the NMISC Representative, the NMISC shall release reimbursement funds to Bayard.
- B. End-of-Fiscal-Year Requests for Reimbursement. For work completed by June 30th of any given year, Bayard must submit all invoices by July 15th of that same year to be reimbursed because of New Mexico fiscal year deadlines. Any invoice covering expenses incurred prior to June 30th but received by the NMISC after July 15th may not be reimbursed.
- C. Limitations on Reimbursement Processing. Bayard's failure to abide by the requirements set forth in Article III herein may result in the denial of its Request for Reimbursement or in delays in processing Requests for Reimbursement. The NMISC has the right to reject a Request for Reimbursement for the Project unless and until it is satisfied that the expenditures in the Request for Reimbursement are for permissible purposes within the meaning of the Project Description, set forth in Exhibit A, and that the Municipalities are otherwise in compliance with this Agreement. The NMISC's ability to reject any Request for Reimbursement is in addition to, and not in lieu of, any other legal or equitable remedy available to the NMISC due to any violation of this Agreement by the Municipalities.

**ARTICLE IV. LIMITATION ON THE NMISC'S OBLIGATION TO MAKE
REIMBURSEMENTS TO BAYARD**

- A. The disbursement of any and all of the Funding Amount is expressly conditioned upon the following:
- i. The Municipalities' expenditures shall be made pursuant to the Municipalities' procurement policies and in accordance with the New Mexico Procurement Code, NMSA 1978, Sections 13-1-21 *et seq.* The Municipalities shall comply with the New Mexico Procurement Code when soliciting, developing, and executing binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the Project. Failure to observe the New Mexico Procurement Code is a misdemeanor and may result in criminal and civil penalties.
 - ii. The Funding Amount shall not be used to purchase assets of a long-term character that are intended to continue to be held or used, including land, buildings, machinery, furniture or equipment, except that the Funding Amount may be used to purchase items that may be necessary solely for testing the M-2576 Well pump and appurtenances, and rehabilitation of the M-2576 Well.
 - iii. The total amount to be reimbursed by the NMISC shall not exceed the Funding Amount under any circumstances. Any expenditure that is not included in the Project Budget, provided in Exhibit A, shall not be reimbursed by the NMISC.
 - iv. The NMISC assumes no obligation to provide additional funding or support to the Municipalities beyond the terms of this Agreement. If funding in excess of the Reallocation Amount is necessary to complete the Project, the Municipalities expressly commit to securing all necessary additional funding to complete the Project.
- B. Pursuant to the limitations contained in Article IV, any approval of a Request for Reimbursement, as described above, by the NMISC will not be interpreted as a warranty or guarantee of any kind.

ARTICLE V. EXPENDITURE OF FUNDS

The Funding Amount must be expended on or before the Spending Deadline or, if applicable, by the date of Early Termination of this Agreement for the Municipalities to be eligible for reimbursement under this Agreement. For purposes of this Agreement, it is not sufficient for the Municipalities to encumber the Funding Amount on its books on or before the Project's Spending Deadline or Early Termination Date. Rather, funds are expended, and an expenditure has occurred as of the date that a particular quantity of goods are delivered and received, or title to a particular quantity of goods or property is transferred, or as of the date particular services are rendered to the Municipalities. Funds are not expended, and an expenditure has not occurred as of the date the

funds are encumbered by the Municipalities pursuant to a contract or purchase order with a third party.

ARTICLE VI. REPORTS

- A. **Periodic Reports.** In order that the NMISC staff may adequately monitor Project activity and process reimbursements, Bayard shall prepare and submit to the NMISC Periodic Reports, signed by Bayard, Silver City, and Santa Clara for the Project. The Periodic Report shall be submitted on a form prescribed by the NMISC, attached hereto as Exhibit C, Periodic Report/Final Report.

The Periodic Report shall be due quarterly, beginning with the first full quarter following the Effective Date of this Agreement and ending with the submission of a Final Report for the Project. The Periodic Report shall be submitted to the NMISC no later than seven (7) calendar days following the last day of the quarter. The NMISC may, in its sole discretion, change the schedule by which Periodic Reports are submitted. In the event the NMISC changes the reporting schedule, the NMISC shall provide a minimum of thirty (30) calendar days written notice of the change in reporting schedule. In no event shall Periodic Reports be due less than calendar 30 days apart.

- B. **Final Report.** Within sixty (60) calendar days of the date of completion of the Project, Early Termination, or the Spending Deadline, whichever comes first, Bayard shall prepare and submit a Final Report for the Project to the NMISC. The Final Report shall be signed by Bayard, Silver City, and Santa Clara and the design engineer charged with oversight of the Project. The Final Report shall be submitted on a form prescribed by the NMISC, attached hereto as Exhibit C, and shall contain supplemental information as the NMISC may request, which may include final, stamped construction documents. The NMISC shall provide Bayard with a minimum of thirty (30) calendar days' advance written notice of any change to the Final Report format or content.

- C. **Requests for Additional Information.** During the term of this Agreement, and during the time period for which the Municipalities must retain records pursuant to this Agreement, the NMISC may (i) request such additional information regarding the Project as it deems necessary and (ii) conduct, at reasonable times and upon reasonable notice, on-site inspections of the Project. The Municipalities shall respond to such requests for additional information within a reasonable time period, as established by the NMISC. Requests made pursuant to this paragraph are in addition to, and not in lieu of, the periodic and final reporting described in this Article VI.

ARTICLE VII. NOTICE PROVISIONS; DESIGNATED REPRESENTATIVES

- A. The Parties agree that they shall send all notices related to this Agreement to the persons named below by regular mail or e-mail. In the case of mailings, notices shall be deemed to have been given and received upon the date of the receiving Party's actual receipt or five (5) calendar days after mailing, whichever occurs first. In the case of e-mail transmissions, the notice shall be deemed to have been given and received on the date reflected in the delivery receipt of the

e-mail.

- B. The Parties hereby designate the persons listed below as their official representatives concerning all matters related to this Agreement including, but not limited to, notices, reports, requests for payment, and procedural questions:

City of Bayard:

Name: Martha Salas
Title: Clerk Treasurer, City of Bayard
Address: P.O. Box 728, Bayard, NM 88023
E-mail: bayardclerk@cityofbayardnm.com
Telephone: (575) 537-3327 Office, (575) 590-1260 Cell

Village of Santa Clara:

Name: Arnold Lopez
Title: Mayor, Village of Santa Clara
Address: P.O. Box 316, Santa Clara, NM 88026
E-mail: mayor@villageofsantaclara.com
Telephone: (575) 537-2443

Town of Silver City:

Name: Alex Brown
Title: Town Manager, Town of Silver City
Address: P.O. Box 1188 Silver City, NM 88062
E-mail: abrown@silvercitynm.gov
Telephone: (575) 534-6358

New Mexico Interstate Stream Commission:

Name: Ali Effati
Title: Colorado River Basin Bureau Chief
Address: P.O. Box 25102, Santa Fe, NM 87504-5102
E-mail: ali.effati@ose.nm.gov
Telephone: (505) 614-4636

- C. Any Party may change its designated representative upon written notice to all other Parties to this Agreement.

ARTICLE VIII. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

- A. Suspension. If unanticipated difficulties arise, the NMISC may choose, in its sole discretion, to direct the Municipalities to suspend incurring any new or further obligation that could be reimbursed by the NMISC pursuant to this Agreement ("Suspension"). The NMISC shall

provide written notice of the Suspension to the Municipalities in accordance with the provisions of this Agreement.

If a Suspension directive is issued:

- i. Upon the date the Municipalities receive a written notice of Suspension from the NMISC, the Municipalities shall immediately suspend the incurrence of costs that could be reimbursable pursuant to this Agreement; and
- ii. The Municipalities' activities described in Exhibit A to this Agreement shall be temporarily paused until the Suspension is lifted.
- iii. The NMISC may suspend issuance of any new or further NTPs under this Agreement in its sole discretion.

- B. Corrective Action Plan in the Event of Suspension. In the event that the NMISC issues a Suspension to the Municipalities under this Agreement due to the Municipalities' noncompliance with the terms of the Agreement, the NMISC may require the Municipalities to develop and implement a written corrective action plan to remedy the grounds for the Suspension. Such a corrective action plan must be signed by the Municipalities and approved by the NMISC. Failure to sign a corrective action plan or to meet the terms and deadlines set forth in the signed corrective action plan shall be deemed a violation of the terms of this Agreement for purposes of Early Termination. The corrective action plan is in addition to, and not in lieu of, any other equitable or legal remedy available to the NMISC, including, but not limited to, Early Termination.
- C. Lifting of Suspension. Suspension of new or further obligations under this Agreement shall remain in effect until the date the Municipalities receives written notice from the NMISC informing the Municipalities that the Suspension has been lifted or that the Agreement has been terminated early in accordance with Article IX herein. If the Suspension is lifted, the NMISC may issue a new NTP to the Municipalities.
- D. Reimbursement in the Event of Suspension. In the event of Suspension of this Agreement, the NMISC may also choose to temporarily pause reimbursing Bayard for expenditures incurred prior to the Suspension as expressly conditioned upon the limitations set forth in this Agreement. Reimbursement will resume once the Suspension is lifted.

ARTICLE IX. EARLY TERMINATION

- A. Circumstances of Early Termination. Early Termination includes:
- i. Termination due to completion of the Project before the Spending Deadline;
 - ii. Termination due to expenditure of the Reallocation Amount approved by the Commission before the Spending Deadline;
 - iii. Termination for violation of the terms of this Agreement; or
 - iv. Termination for suspected mishandling of public funds, including, but not limited to, fraud, waste, abuse and conflicts of interest.

Any Party may terminate this Agreement prior to the expiration of this Agreement only under the above-mentioned circumstances in this Article IX(A). Early Termination can be

accomplished by providing the other Parties with a minimum of fifteen (15) calendar days advance, written notice of Early Termination.

- B. Limitation on the NMISC's Obligation to Make Disbursements in the Event of Early Termination. In the event of Early Termination of this Agreement by any Party, the NMISC's sole obligation to reimburse Bayard is expressly conditioned upon the limitations set forth in this Agreement.
- C. Early Termination Due to Non-Appropriation. The funds provided by the NMISC to perform this Agreement reside in the New Mexico Treasury. While these funds were not appropriated to the Treasury by the New Mexico Legislature, the Legislature, may, in its discretion, appropriate, un-appropriate or withdraw authorization for the expenditure of these funds. If the Legislature un-appropriates funds that the NMISC has earmarked for this Agreement or withdraws authorization for the expenditure of these funds, the NMISC shall have the sole discretion to terminate this Agreement prior to the Spending Deadlines, and such termination shall be effective the date the Legislature un-appropriated the funds. The NMISC's decision as to whether sufficient appropriations or authorizations are available shall be accepted by the Municipalities and shall be final.
- D. Early Termination Waiver of Contract Rights. The Municipalities hereby waive any rights to assess an impairment of contract claim or a breach of contract claim against the NMISC or the State of New Mexico in the event of Early Termination of this Agreement pursuant to this Article of the Agreement.

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

- A. The following general conditions and restrictions are applicable to the Project:
 - i. The Funding Amount must be spent in accordance with all applicable laws, regulations, policies, and guidelines, including, but not limited to, the New Mexico Procurement Code, NMSA 1978, Sections 13-1-21 *et seq.* or any local procurement ordinance, where applicable.
 - ii. As applicable, and pursuant to the New Mexico Public Works Minimum Wage Act, NMSA 1978, Sections 13-4-10 through 13-4-17, every contract or project in excess of sixty thousand dollars (\$60,000) that Bayard, Silver City, or Santa Clara is a party for construction, alteration, demolition or repair, or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, which shall be based upon the wages and benefits that will be determined by New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the Project, unconditionally and not less often than once a week and without subsequent unlawful

deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to NMSA 1978, Section 13-4-11(B) to be the prevailing wage rates and prevailing fringe benefit rates issued for the Project.

- iii. The Project may benefit private entities only in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, the "Anti-Donation Clause."
- iv. The Municipalities shall not at any time convert any property acquired or developed with the Funding Amount to uses other than those specified in Exhibit A without the NMISC's express advance written approval.
- v. The Municipalities shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules, and regulations, the Municipalities agree to assure that no person shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with the Municipalities, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under any activity performed pursuant to this Agreement. If the Municipalities are found not to be in compliance with these requirements during the life of this Agreement, the Municipalities agree to take appropriate steps to correct any deficiencies. The Municipalities' failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.
- vi. A Party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that Party's right thereafter to demand strict compliance with that or any other provision. No waiver by a Party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a Party of any of its rights shall be effective to waive any other rights.

B. Bayard hereby represents and warrants the following:

- i. Bayard is recognized as a political subdivision of the state pursuant to NMSA 1978, Chapter 6, and has the legal authority to receive and expend the Funding Amount.
- ii. This Agreement has been duly authorized by Bayard. Bayard's governing body has duly adopted or passed as an official act, a resolution, motion, or similar action authorizing the person identified as the official representative of Bayard to sign this Agreement, sign Requests for Reimbursement, and sign Periodic and Final Reports pursuant to this Agreement. Once executed by Bayard, this Agreement shall constitute a binding obligation on Bayard, enforceable according to its terms.
- iii. This Agreement and Bayard's obligations hereunder do not conflict with any federal or state law, ordinance or resolution applicable to Bayard, Bayard's charter, if applicable, or any judgment or decree to which Bayard is subject.
- iv. Bayard shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. Bayard specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no public official of the locality who exercises any function or responsibility with respect to this Funding Amount, during that public official's tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or

subcontract, for the periods thereof, for work to be performed pursuant to this Agreement.

- v. No funds have been paid, or will be paid, by or on behalf of Bayard, to spouses, children, parents, brothers and sisters of members of the Bayard governing body, otherwise defined as “immediate family members,” in accordance with NMSA 1978, Section 13-1-62.
- vi. No funds have been paid or will be paid, by or on behalf of Bayard, to any person for influencing or attempting to influence an officer or employee of the NMISC or any agency or body in connection with the awarding of any contract or work to a third party and Bayard shall require certifying language prohibiting lobbying to be included in the award documents for all sub-awards, including sub-contracts, loans and cooperative agreements. All sub-recipients shall be required to certify accordingly.

C. Silver City hereby represents and warrants the following:

- i. Silver City is recognized as a political subdivision of the state pursuant to NMSA 1978, Chapter 6, and has the legal authority to receive and expend public funds as a part of this Agreement.
- ii. This Agreement has been duly authorized by Silver City. Silver City’s governing body has duly adopted or passed as an official act, a resolution, motion, or similar action authorizing the person identified as the official representative of Silver City to sign this Agreement and Periodic and Final Reports pursuant to this Agreement. Once executed by Silver City, this Agreement shall constitute a binding obligation on Silver City, enforceable according to its terms.
- iii. This Agreement and Silver City’s obligations hereunder do not conflict with any federal or state law, ordinance or resolution applicable to Silver City, Silver City’s charter, if applicable, or any judgment or decree to which Silver City is subject.
- iv. Silver City shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. Silver City specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no public official of the locality who exercises any function or responsibility with respect to this Funding Amount, during that public official’s tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, for the periods thereof, for work to be performed pursuant to this Agreement.
- v. No funds have been paid, or will be paid, by or on behalf of Silver City, to spouses, children, parents, brothers and sisters of members of the Silver City governing body, otherwise defined as “immediate family members,” in accordance with NMSA 1978, Section 13-1-62.
- vi. No funds have been paid or will be paid, by or on behalf of Silver City, to any person for influencing or attempting to influence an officer or employee of the NMISC or any agency or body in connection with the awarding of any contract or work to a third party and Silver City shall require certifying language prohibiting lobbying to be included in

the award documents for all sub-awards, including sub-contracts, loans and cooperative agreements. All sub-recipients shall be required to certify accordingly.

D. Santa Clara hereby represents and warrants the following:

- i. Santa Clara is recognized as a political subdivision of the state pursuant to NMSA 1978, Chapter 6, and has the legal authority to receive and expend public funds as part of this Agreement.
- ii. This Agreement has been duly authorized by Santa Clara. Santa Clara's governing body has duly adopted or passed as an official act, a resolution, motion, or similar action authorizing the person identified as the official representative of Silver City to sign this Agreement and Periodic and Final Reports pursuant to this Agreement. Once executed by Santa Clara, this Agreement shall constitute a binding obligation on Santa Clara, enforceable according to its terms.
- iii. This Agreement and Santa Clara's obligations hereunder do not conflict with any federal or state law, ordinance or resolution applicable to Santa Clara, Santa Clara's charter, if applicable, or any judgment or decree to which Santa Clara is subject.
- iv. Santa Clara shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. Santa Clara specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no public official of the locality who exercises any function or responsibility with respect to this Funding Amount, during that public official's tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, for the periods thereof, for work to be performed pursuant to this Agreement.
- v. No funds have been paid, or will be paid, by or on behalf of Santa Clara, to spouses, children, parents, brothers and sisters of members of the Santa Clara governing body otherwise defined as "immediate family members," in accordance with NMSA 1978, Section 13-1-62.
- vi. No funds have been paid or will be paid, by or on behalf of Santa Clara, to any person for influencing or attempting to influence an officer or employee of the NMISC or any agency or body in connection with the awarding of any contract or work to a third party and Santa Clara shall require certifying language prohibiting lobbying to be included in the award documents for all sub-awards, including sub-contracts, loans and cooperative agreements. All sub-recipients shall be required to certify accordingly.

**ARTICLE XI. STRICT ACCOUNTABILITY OF RECEIPTS AND DISBURSEMENTS;
PROJECT RECORDS**

- A. The Municipalities shall be strictly accountable to the NMISC for receipts and disbursements relating to the Funding Amount. The Municipalities shall follow Generally Accepted Accounting Principles, and, if feasible, maintain a separate bank account or fund with a separate organizational code, for the funds related to the Project, to ensure separate budgeting and accounting of the funds.
- B. For a period of six (6) years following the Project's completion, the Municipalities shall maintain all Project-related records, including, but not limited to, all financial records, requests

for proposals, invitations to bid, selection and award criteria, contracts and sub-contracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted for the Project, the purpose for which such funds were used, and any such other records as the NMISC shall prescribe.

- C. The Municipalities shall make all Project records available to the NMISC, the Department of Finance and Administration, and the New Mexico State Auditor upon request.
- D. With respect to the funds that are the subject of this Agreement, if the State Auditor finds that any or all of these funds were improperly expended, the Municipalities may be required to return to the NMISC any and all amounts found to be improperly expended. The NMISC shall deposit all such amounts into the New Mexico Unit Fund.
- E. The Municipalities agree to comply with the terms of the New Mexico Audit Act, NMSA 1978, Sections 12-6-1 through 12-6-14, and any other laws, regulations, policies and guidelines related to the Audit Act.

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

If the NMISC determines that part or all of the Funding Amount was improperly reimbursed, including, but not limited to, funds reimbursed based upon fraud, mismanagement, misrepresentation, misuse, violation of law, or violation of this Agreement, the Municipalities shall be required to return to the NMISC any and all amounts found by the NMISC to be improperly expended. The NMISC shall deposit all such amounts into the New Mexico Unit Fund.

ARTICLE XIII. LIMITATIONS

- A. Any NMISC reimbursement, inspection, review, and approval of the Project, including the work conducted pursuant to the Project Description, Project plans or designs, Periodic and Final Reports, or approval of any Reimbursement Requests are only for purposes of compliance with the terms of the Agreement and any other grant requirements. NMISC reimbursement, inspection, review and approval shall not be interpreted as a warranty or guarantee of any kind. The Municipalities are and shall remain responsible for the completion and success of the Project. Inspection, review or approval by the NMISC or NMISC staff does not relieve the Municipalities, or any professional engineer hired by the Municipalities, of legal responsibility for the overall integrity of the Project, adequacy of the design, safety, or compliance with all applicable laws and regulations. This provision shall survive termination of this Agreement.
- B. Notwithstanding the obligations set forth in this Agreement, nothing in this Agreement shall imply, create, or impose upon the NMISC any responsibility or obligation for any current or future design, construction, or maintenance of the Project.

**ARTICLE XIV. REQUIRED CLAUSES IN CONTRACTS FUNDED IN WHOLE OR IN
PART BY THE FUNDING AMOUNT UNDER THIS AGREEMENT**

- A. Non-Appropriations. The Municipalities acknowledge and agree that the Municipalities shall include the following “non-appropriations” clause in all contracts between any of the Municipalities and another party that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement. This non-appropriation clause will state:

“The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico and/or available to the NMISC for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature and/or available to the NMISC, [the Municipality] may immediately terminate this Agreement by giving the contractor written notice of such termination. [The Municipality]’s decision as to whether sufficient appropriations are available shall be accepted by the contractor and shall be final. The contractor hereby waives any rights to assert an impairment of contract claim or a breach of contract claim against [the Municipality] or the NMISC or the State of New Mexico in the event of immediate or Early Termination of this Agreement by [the Municipality] due to lack of NMISC funds.”

- B. Termination. The Municipalities acknowledge and agree that the Municipalities shall include the following termination clause in all contracts between any of the Municipalities and another party that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

“This Agreement is funded in whole or in part by funds made available under a disbursement from the NMISC. Should the NMISC terminate the agreement with [the Municipality] providing those funds before the scheduled termination date, [the Municipality] may terminate this contract earlier than its scheduled termination date by providing the contractor with written notice of such termination. In the event of termination pursuant to this paragraph, [the Municipality]’s only liability shall be to pay the contractor for acceptable goods delivered and services rendered before the termination date.”

- C. Conflict of Interest. The Municipalities acknowledge and agree that the Municipalities shall include the following termination clause in all contracts between any of the Municipalities and another party that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

“The Parties shall abide by New Mexico laws regarding conflicts of interest, governmental conduct, and whistleblower protection. The Parties to this Agreement specifically acknowledge and affirm that no officer or employee of [the Municipality] or its designees or agents, no member of [the Municipality]’s governing body, and no public official of [the Municipality] who exercises any function or responsibility with respect to this Agreement (all referred to hereinafter as “Public Official”), has any interest, direct or indirect, in this

Agreement or any related subcontract and the work performed pursuant to this Agreement, during any Public Official's tenure and for one year thereafter."

ARTICLE XV. AMENDMENT

This Agreement, including its Exhibits, shall not be altered, modified, or amended except by an instrument in writing and executed by the Parties.

ARTICLE XVI. LIABILITY

No Party shall be responsible for liability incurred as a result of another Party's acts or omissions in connection with this Agreement. Any liability alleged to have been incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.

ARTICLE XVII. SCOPE OF AGREEMENT

This Agreement constitutes the entire and exclusive agreement between the Municipalities and the NMISC concerning the subject matter. This Agreement supersedes any and all prior or contemporaneous agreements, understandings, discussions, communications, and representations, written or verbal between the Parties hereto regarding the subject matter hereof.

ARTICLE XVIII. SEVERABILITY

If any portion of this Agreement is determined to be void, unconstitutional or otherwise unenforceable, the remainder of this Agreement shall remain in full force and effect.

ARTICLE XIX. APPLICABLE LAW

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper in the First Judicial District Court of New Mexico.

ARTICLE XX. JOINT AND SEVERAL OBLIGATION

Bayard, Santa Clara, and Silver City shall be jointly and severally liable for their financial obligations and contributions under Articles XI and XII of this Agreement.

[THIS SPACE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties have duly executed this Agreement, which is in effect as of the date of execution by the last signatory.

CITY OF BAYARD

Signature of Official with Authority to Bind the City

By: _____
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

TOWN OF SILVER CITY

Signature of Official with Authority to Bind the Town

By: _____
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

VILLAGE OF SANTA CLARA

Signature of Official with Authority to Bind the Village

By: _____
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

NEW MEXICO INTERSTATE STREAM COMMISSION

Hannah Riseley-White, Director

Date

Jeff Primm, Director, Program Support

Date

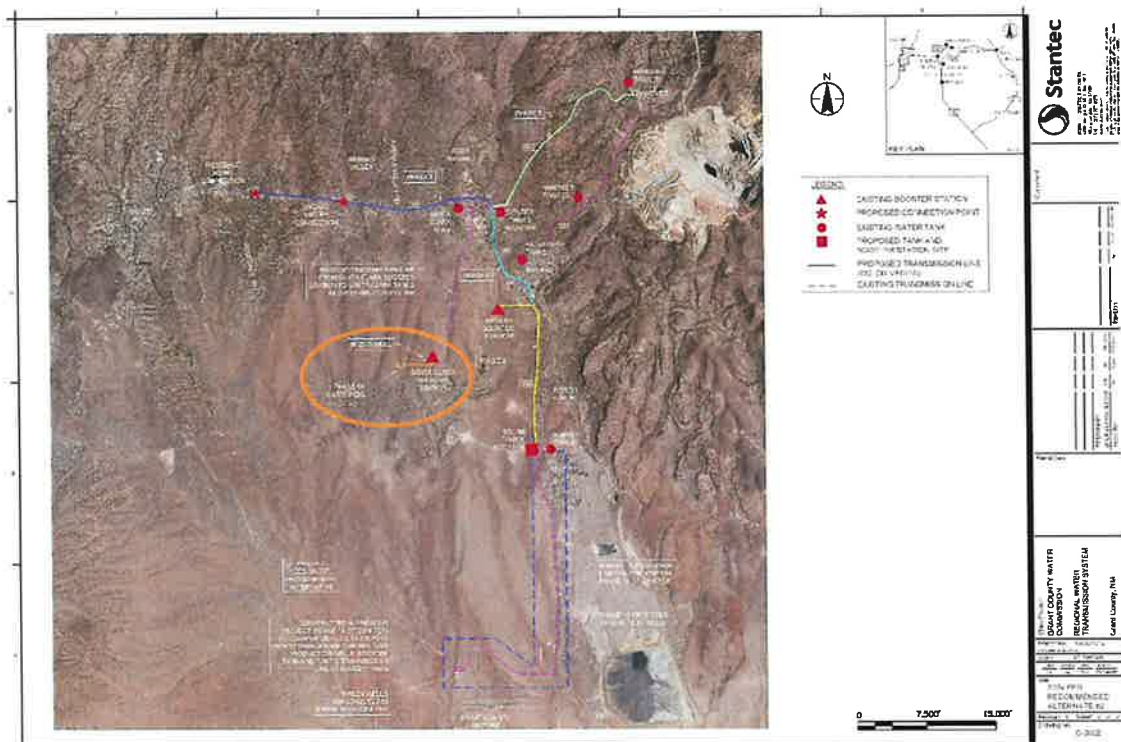
Jim Williamson, CFO, Administrative Services Division

Date

Reviewed as to Legal Sufficiency:

Julia Bowman, NMISC Attorney

Date



This Exhibit outlines the following tasks for the Project, as defined in the Agreement.

- Task 1: Testing, Coordination, and Supplemental Mapping
- Task 2: Design Development for the Well and the Transmission Line
- Task 3: Bid and Pre-Construction Documents Development

Detailed Description:

Task 1: Testing, Coordination, and Supplemental Mapping

- Develop contract documents to remove existing pump; perform down-hole video survey of well interior; install a test pump and sounding tube; perform pump tests to include 4 hours of development pumping followed by 24 hours of performance testing; collect water sample; analyze water sample. The well is currently permitted and does not require a new permit from NMOSE or NMED conducting tests on the well. If a permit is required in the future, a permit will be developed as part of the contract documents for the work.
- Conduct Geotechnical engineering along the proposed water transmission line corridor from Well M-2576 site to the Santa Clara booster station site.

Deliverables:

- Development of contract documents to inspect and test Well M-2576.
- A well completion report will be provided with pump test and water analysis results including recommendations to rehabilitate the existing well or drill a new well.
- A topo/utility survey map will be developed as a basis for the design of the project. Deliverable will be completed during Task 2.
- A geotechnical report with recommendations will be developed and delivered during Task 2.

Timeline: From the issuance of Notice To Proceed until 5/30/2026

Task 2: Design Development for the Well and the Transmission Line

- Based on the results and recommendations provided in the well completion report, topo/utility survey map, and geotechnical report, the design of the well rehab work will be developed to equip Well M-2576 and install a water transmission line from Well M-2576 to the Santa Clara booster station.

Deliverables

- Design plans and technical specifications for the construction of Well M-2576 rehabilitation improvements and water transmission line from Well M-2576 to the Santa Clara booster station.

Timeline: 6/1/2026 – 2/13/2027

Task 3: Pre-Construction Documents Development

- Develop the contract documents for the construction of Well M-2576 rehabilitation improvements and water transmission line from Well M-2576 to the Santa Clara booster station.

Deliverables:

- Contract documents.
- NMOSE review and permitting.
- NMED DWB Application for Construction or Modification of a Public Water Supply System.

Timeline: 2/14/2027 – 4/17/2027

Budget: The breakdown for the estimated Project costs is provided in the table below. These tasks should be completed no later than October 31, 2027.

Task No.	Description	Estimated Cost
1	Testing, Coordination, and Supplemental Mapping	\$230,000.00
2	Design Development for the Well and the Transmission Line	\$491,505.77
3	Bid and Pre-Construction Documents	\$108,736.31
	Subtotal	\$830,242.08
	Contingency (30%) <i>[any use to be approved by the NMISC Project Manager]</i>	\$249,072.62
	NMGRT (8.1125% for Silver City) ¹	\$87,559.41
	Total Funding Amount	\$1,166,874.11²

¹ The design scope of the work, which incorporates nearly 75% of the cost total, will occur at the office of Stantec Consulting, located in Silver City, New Mexico. Therefore, the NMGRT of 8.1125% for Silver City was used for estimation purposes. However, a portion of the work will occur in other areas of Grant County and will be tracked and invoiced with the appropriate NMGRT for that location.

² Pursuant to Article I(C) of the Agreement, in the event that actual costs necessary to implement the Project exceed this Funding Amount, the Parties may amend the Agreement and this Exhibit A to increase the Funding Amount and utilize As-Needed Contingencies necessary to complete the Project.

Any alteration, modification, or change to Exhibit A must receive prior written approval by the NMISC.

Signature(s) of Funding Agreement authorized signatories acknowledging agreement with this Exhibit A:

CITY OF BAYARD

DATE

TOWN OF SILVER CITY

DATE

VILLAGE OF SANTA CLARA

DATE

Signature of Project Engineer:

Raymond De La Vega, P.E., Consultant

DATE

ISC Use Only

This Exhibit A is hereby approved / not approved.

Ali Effati
Colorado River Basin Bureau Chief
New Mexico Interstate Stream Commission

Date



**STATE OF NEW MEXICO
INTERSTATE STREAM COMMISSION
Arizona Water Settlements Act of 2004
Non-NM Unit Project
Request for Reimbursement
Exhibit B**



Date: _____

The Interstate Stream Commission (ISC) is hereby requested to reimburse the following in accordance with the Funding Agreement:

Payee Name and Contract No.:

Request No.:

Address of Payee:

Wire transfer to (if applicable):

Amount of Payment:

Purpose of Payment and Description of Work:

Each obligation, item of cost, or expense mentioned herein is for a reimbursement by the ISC to the Payee pursuant to the Funding Agreement between the ISC and the Payee. Each obligation, item of cost, or expense mentioned herein is due and payable, has not been the subject of any previous requisition, and is a proper charge for the aforementioned agreement. All representations in the Funding Agreement and any related documents remain true and correct, and the Payee is not in breach of any covenants contained therein. Supporting material as required by the Funding Agreement is attached.

Payee certifies that the expenditures listed on this Request are valid liabilities incurred by the Payee for services rendered or goods received for the implementation of the Project.

Payee certifies that it has complied with the terms of the Funding Agreement and with all applicable federal, state, and local laws and regulations, and current orders of courts having

jurisdiction over the Payee, including, without limitation, the New Mexico Procurement Code (NMSA 1978, § 13-1-21 *et seq.*).

Signature of Payee's Officer (City of Bayard)



STATE OF NEW MEXICO
INTERSTATE STREAM COMMISSION
Arizona Water Settlements Act of 2004
Non-NM Unit Project
Periodic Report / Final Report
Exhibit C



☐ PERIODIC REPORT ☐ FINAL REPORT

Reporting Body: _____ Reporting Period: _____

1. PROJECT STATUS

A. Third-Party Obligations

Name of Contractor or Vendor: _____

Amount of Third-Party Obligation: _____

Third-Party Obligation Termination Date: _____

B. Project Phase (provide anticipated date of commencement and completion for each phase)

Plan/Design ☐ _____

Bid Documents ☐ _____

Construction ☐ _____

Percent of Project Completed to Date: _____

2. FUNDING STATUS

AWSA Amount: _____

Other Amount and Source of Funds: _____

Total Amount of all Requests for Reimbursement: _____

Total AWSA Amount Expended to Date: _____

Total Other Amount Expended to Date: _____

AWSA Amount Balance as of this Date: _____

☐ **PERIODIC REPORT**

I hereby certify that the aforementioned AWSA funds are being expended in accordance with all requirements of the Funding Agreement, and in compliance with other applicable requirements.

☐ **FINAL REPORT**

I hereby certify that the aforementioned AWSA-funded project has been completed, and AWSA funds were expended in accordance with all requirements of the Funding Agreement and in compliance with all other applicable laws and regulations.

City of Bayard:

Signature of Officer (City of Bayard)

Date

Town of Silver City:

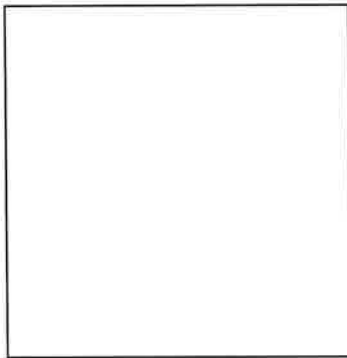
Signature of Officer (Silver City)

Date

Village of Santa Clara:

Signature of Officer (City of Bayard)

Date



Engineer's seal

I hereby certify that this project is being/has been completed in accordance with the design and specifications made by me.

Engineer's Signature

Date

Printed name

City of Bayard

RESOLUTION 24-2025

OPEN MEETINGS NOTICE

A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND PUBLIC NOTICE REQUIRED

WHEREAS, Section 10-15-1B, NMSA 1978 provides that all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, or any agency or authority or any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provisions of the Open Meetings Act; and,

WHEREAS, Section 10-15-3A, NMSA 1978 provides that no resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy-making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978"; and,

WHEREAS, Section 10-15-4, NMSA 1978 provides that any person violating any of the provisions of Section 10-15-1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense; and,

WHEREAS, Section 10-15-1D requires that any meeting at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting shall be reasonable when applied to such body.

NOW, THEREFORE BE IT RESOLVED by the governing body of the municipality of Bayard, New Mexico that:

1. Notice shall be given at least ten days in advance of any regular meeting of a quorum of the members of the governing body or any board, commission, committee, agency, authority or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

2. The regularly scheduled meetings of governing body **will be held at 4:30 P.M. on the Third Wednesday** of each month in the governing body meeting room of the municipal building, located at 800 Central Avenue in Bayard, New Mexico. Other municipal committees and or boards shall dedicate the location and meeting dates annually. In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and/or time at the regular meeting prior to the holiday and shall cause advance notice of the changed meeting date and/or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be published as provided in this Resolution.

3. The Bayard City Council may hold work sessions for the purpose of discussing public business and formal action will not be taken at any work session. Method of publication for work sessions shall be as required for regular meetings.

4. Notice shall be given at least three days (seventy-two hours) in advance of any special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority or other policy making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

5. The notice requirements of Section 1, 2, 3 and 4 of this Resolution are complied with if notice of the date, time, place and subject matter of any regular or special meeting are published. Additionally, the notice shall contain information on how the public may obtain a copy of the meeting agenda, said agenda to be available seventy-two hours prior to the meeting. **“Publish” means printing in a newspaper which maintains an office in the municipality and is of general circulation within the municipality. If such newspaper is a non-daily paper which will not be circulated to the public in time to meet publication requirements, or, if no such newspaper exists, “publish” shall mean posting in five public places within the municipality, and one of the public places where posting shall be made is the office of the municipal clerk, who shall maintain the posting for public inspection within the time limits specified. The five public places notice shall be posted are:**

**The Office of the Clerk;
The United States Post Office;
The Bayard Public Library
The First American Bank;
The Bayard Community Center**

The clerk **may** in addition to posting, publish one or more times in a newspaper of general circulation **within the municipality**, even though it does not maintain an office within the municipality. In addition, written notice of such meetings shall be mailed or hand delivered to federally licensed broadcast stations and newspapers of general circulation in the municipality which have provided a written request for such notice.

6. In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the city clerk at 800 Central Avenue (575-537-3327) at least one week prior to the meeting or as soon as possible.

7. Notwithstanding any other provisions of sections 1 through 5 of this Resolution, the governing authority may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

8. If any meeting is closed pursuant to exclusions contained in Section 10-15-1, subsection H, NMSA 1978, such closed meeting called by a policy making body shall not be held until public notice, appropriate under the circumstances, and in compliance with Sections 1 through 4 of this Resolution, has been given. In addition, such notice shall state the exclusion or exclusions in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.

9. Notwithstanding any other provision of sections 1 through 8 of this Resolution, the governing authority of the municipality of Bayard, New Mexico may call emergency meetings of the governing body, any board, commission, committee or other policy-making body of the municipality. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the municipality from substantial financial loss. The municipality of Bayard, New Mexico will avoid emergency meetings whenever possible. Emergency meetings may be called upon twenty-four (24) hours' notice, unless a threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

10. Public input will generally be permitted and will be limited between three (3) minutes, unless the Mayor (Chairman) deems that additional time is necessary.

PASSED ADOPTED AND APPROVED THIS 19th DAY OF November, 2025.

John L. Ojinaga, Mayor

ATTEST:

Martha Salas, Clerk Treasurer