

**MINUTES OF
REGULAR
MEETING
1/17/24**

City of Lordsburg
409 West Wabash Street
Lordsburg, New Mexico 88045
Minutes of Regular Meeting
January 17, 2024

Meeting was called to order at 12:00 p.m.

Welcome

Present: Mayor Glenda F. Greene; Dusti Conover, Finance Director; Linda S. Farnsworth, City Clerk; Councilor Rodney Plowman; Councilor Sean Lindsay; Councilor Julie Montenegro; Councilor Martin Neave; Councilor Irene Galvan and Councilor Manuel D.V. Saucedo.

Attendance: Bruce Ashburn, PNM; Brent Heffington, PNM; E.J. Anderson, PNM; Greg Cain, PNM; Brandon and Glen Livermore, Farmer's Shadow; Atticus Wallace; Jessica Mesa; Anadele Martinez, County and Alex Ortiz, Waste Water Department.

Approval of Agenda: Mayor Greene asked that New Business (c) Police Officer Standard of Conduct Policy be removed from Agenda. Councilor Saucedo moved to remove Item C under New Business, 2nd by Councilor Neave. Councilor Montenegro moved to approve the Agenda with removal of New Business (c), 2nd by Councilor Galvan. Council was polled. Motion passed with removal.

Minutes

a). Minutes of Zoning Commission Meeting of December 20, 2023

Councilor Montenegro moved to approve the Minutes of the Zoning Commission Meeting of December 20, 2023, 2nd by Councilor Neave. Council was polled. All Aye with exception of Councilor Saucedo who abstained as he was not present for this meeting. Motion passed.

b). Minutes of Regular Meeting of December 20, 2023

Councilor Saucedo moved to approve the Minutes of the Regular Meeting of December 20, 2023, 2nd by Councilor Montenegro. Council was polled. Motion passed.

Finance Department

a). Finance Statement Summary for December 2023 and Bank Statement

Dusti Conover, Finance Director approached the Council and went over all of the City Account Balances including all interest earned for the month. Ms. Conover also stated that the LGIP Account will go down next month due to the loan payoff of last month. Ms. Conover also stated that the overnight will increase due to grant monies that we have recently received. Ms. Conover also stated that items that are not in the budget for this year, but are considered as emergency purchases must go before the Council or at least notify them of these purchases. Recently we had to purchase a new air compressor for our Fire Department (for breathing apparatus') as it was broken. The purchase of a new one was \$2,030.00 and it came from the Fire Protection Fund. Councilor Neave asked what the limit normally is and Ms. Conover told him that the limit is normally \$500.00 but that she is working to keep everything within budget. Mayor Greene added that even though Ms. Conover has been working diligently to keep everything within budget and occasionally emergency purchases must be made. Recently a necessary purchase was made for a weapon for the Police Department and that items not included in the budget will be e-mailed to the Council for necessary purchases not in the budget. Councilor Saucedo inquired as to why the Bank of America credit card is so much and asked that Ms. Conover advise as to why. Ms. Conover stated that she would get back to the Council on that and that she will e-mail the statements out ahead of time so that the Council has time to review before the meeting. Councilor Saucedo then moved to accept the Finance and Bank Statement for the month of December 2023, 2nd by Councilor Neave. Council was polled. Motion passed.

b). Bills Paid for the month of December 2023

There was no action and no motion for approval or denial

c). Resolution No. 2024-05 Budget Adjustments

Several adjustments were necessary due to changes in major medical for Animal Control Officer as the previous ACO did not take out insurance. Insurance has also increased 10% and that needed to be figured in as well as Stonegarden. Ms. Conover stated that we have been awarded \$62,000.00 in Stonegarden monies and whereas, Chief of Police Plowman stated that we will probably get more

money in the future. Councilor Montenegro moved to approve Resolution No. 2024-05, 2nd by Councilor Galvan. Council was polled. Motion passed.

Councilor Plowman AYE

Councilor Galvan AYE

Councilor Montenegro AYE

Councilor Neave AYE

Councilor Lindsay AYE

Councilor Saucedo AYE

New Business

a). Organizational

1). Appointment of Chief of Police – Rodney Plowman

Councilor Saucedo moved to appoint Rodney Plowman as Chief of Police, 2nd by Councilor Neave. Council was polled. Motion passed.

2). Appointment of City Clerk – Linda S. Farnsworth

Councilor Saucedo moved to appoint Linda S. Farnsworth as City Clerk, 2nd by Councilor Montenegro. Council was polled. Motion passed.

3). Election of Mayor Pro-Tem pursuant to Sec. 3-12-3A(1) NMSA 1978 Comp.

Mayor Greene recommended Councilor Manuel D.V. Saucedo to be Elected to Mayor Pro-Tem position. Councilor Galvan moved to elect Councilor Saucedo to the Mayor Pro-Tem position, 2nd by Councilor Montenegro. Council was polled. Motion passed.

b). Police Ride-along Application and Waiver

Mayor Pro-Tem Saucedo wanted to know what the purpose of this application and waiver was for. Police Chief Plowman explained that it was for liability purposes to cover the City. There were a few changes that Mayor Pro-Tem Saucedo asked to be made. It will be revisited at next month's meeting. Councilor Neave moved to table this topic until next month, 2nd by Councilor Montenegro. Council was polled. Motion tabled.

c). Police Officer Standard of Conduct Policy

Removed from Agenda – no discussion and no action.

d). Purchase of Maintenance Department Conex

Per Dusti Conover, Finance Director this has not been included in this year's budget but also explained that the Maintenance Department is running out of space to store items such as the Christmas tree and PAL equipment. The cost will be approximately \$4,000.00 for a small conex container. Councilor Neave stated that he would rather see them get a larger container of 40' for up to \$6,500.00 and made a motion to obtain the larger Conex container, 2nd by Councilor Plowman. Council was polled. Motion passed.

e). Lodger's Tax Requests

The Lodger's Tax Committee met on January 16, 2024 to vote on two (2) Lodger's Tax request submissions. The Committee recommended to the City Council that they approve 1). Cotton City Area Rocketry for the requested amount of \$1,100.00 for another rocketry event to take place near the City of Lordsburg on February 24 -25, 2024 and 2). LEAP (Lordsburg Economic Advancement Project) in the amount of \$7,980.00 to pay for window clings and window paints along with banners for the downtown revitalization of Lordsburg.

1. Cotton City Area Rocketry

Councilor Montenegro moved to approve the request for \$1,100.00, 2nd by Mayor Pro-Tem Saucedo. Council was polled. Motion passed.

2. LEAP (Lordsburg Economic Advancement Project)

Councilor Montenegro moved to approve the request for \$7,980.00, 2nd by Mayor Pro-Tem Saucedo. Council was polled. Motion passed.

f). PNM Water Discharge Agreement

Bruce Ashburn with PNM approached the Council and thanked the City Clerk for her assistance in getting this agreement ready for signature. Mr. Ashburn went over the change in terms which included that they will place a pond on their own property; a flow-meter will be added at PNM's cost and the City will now bill \$10,000.00 per month until completion of their own pond, which could take up to 18 months with a clause added for an additional three (3) months extension if needed. Councilor Neave wanted to know if there were heavy metals such as arsenic ending up in our ponds. Mr. Ashburn assured him that no chemicals were being added to the discharge and that there were solids, also referred to as TDS. Alex Ortiz with the Waste Water Department stated that everything is moving in

the right direction. Councilor Neave moved to approve the PNM Water Discharge Agreement between PNM and the City of Lordsburg, 2nd by Councilor Saucedo. Council was polled. Motion passed.

g). Comprehensive Plan Approval – Emily Gojkovich

Ms. Gojkovich approached the Council to let them know that the Lordsburg Comprehensive plan is ready to move forward once approved by the Council. Ms. Gojkovich stated that she had two (2) satisfactory Public Input meetings held on January 4, 2024 with thirteen (13) local individuals voicing concerns which included technology upgrades and more transparency on projects. Councilor Plowman moved to approve the Lordsburg Comprehensive Plan, 2nd by Councilor Saucedo. Council was polled. Motion passed.

h). Workplan for Annual 2024 Groundwater and Landfill Gas Monitoring and Reporting of Former Lordsburg Landfill and Professional Services Agreement.

Monitoring is provided by Souder, Miller and Associates. Councilor Neave wanted to know how long this plan is for and how much time is remaining on this workplan. Mayor Greene stated that is a 40 year plan with approximately 15 years remaining. Councilor Galvan moved to approve the Workplan, 2nd by Councilor Montenegro. Council was polled. Motion passed.

RESOLUTIONS

a). Resolution No. 2024-01 Open Meetings Act

Meetings to be changed from 3rd Wednesday at 12:00 p.m. noon to 3rd Wednesday at 5:30 p.m. to allow for all Council to attend. Councilor Galvan moved to approve Resolution No. 2024-01 with correction to the time that meeting will start, 2nd by Councilor Lindsay. Council was polled. Motion passed.

Councilor Plowman AYE

Councilor Galvan AYE

Councilor Montenegro AYE

Councilor Neave AYE

Councilor Lindsay AYE

Councilor Saucedo AYE

b). Resolution No. 2024-02 Holiday Schedule 2024

Councilor Plowman moved to approve the 2024 Holiday Schedule, 2nd by Councilor Montenegro. Council was polled. Motion passed.

Councilor Plowman AYE
Councilor Galvan AYE
Councilor Montenegro AYE
Councilor Neave AYE
Councilor Lindsay AYE
Councilor Saucedo AYE

c). Resolution No. 2024-03 – Adoption Required – CDBG Certificates and Commitments

Councilor Galvan moved to approve Resolution No. 2024-03 CDBG Certificates and Commitments, 2nd by Councilor Montenegro. Council was polled. Motion passed.

Councilor Plowman AYE
Councilor Galvan AYE
Councilor Montenegro AYE
Councilor Neave AYE
Councilor Lindsay AYE
Councilor Saucedo AYE

d). Resolution No. 2024-04 – Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the NMFA

Dusti Conover, Finance Director approached the Council asking permission to request financial assistance from NMFA (New Mexico Finance Authority) to purchase a new fire truck for the Lordsburg Volunteer Fire Department. Ms. Conover stated that we are requesting up to \$276,000.00 for the purchase and the Fire Department has already received \$300,000.00 through a grant and \$100,000.00 of funds from their Fire Protection Budget. Councilor Saucedo wanted to know if this would affect our Colonias monies as we recently paid down some debt to secure our Colonias monies. Dusti assured Councilor Saucedo that it would not affect Colonias at all. It was also noted that they will be receiving an extra stipend to cover the loan payment so no monies would come from the City's General Fund. Councilor Galvan moved to approve Resolution No. 2024-04 to

request Financial Assistance in order to obtain a new fire truck for the Lordsburg Volunteer Fire Department, 2nd by Councilor Neave. Council was polled. Motion passed.

Councilor Plowman Aye
Councilor Galvan Aye
Councilor Montenegro Aye
Councilor Neave Aye
Councilor Lindsay Aye
Councilor Saucedo Aye

e). Resolution No. 2023-19 Amended Fee Schedule

The fee schedule was corrected as there were some questions regarding the costs of Building Permits. It has now been simplified for both Residential and Commercial regarding either Building Permits (new construction) or Developmental Permits (upgrades). Councilor Saucedo moved to approve the Amended Fee Schedule, 2nd by Councilor Montenegro. Council was polled. Motion passed.

Councilor Plowman Aye
Councilor Galvan Aye
Councilor Montenegro Aye
Councilor Neave Aye
Councilor Lindsay Aye
Councilor Saucedo Aye

Ordinances

a). Ordinance No. 2023-07 – Parking Restrictions for Commercial Vehicles

The Ordinance was tabled. In order to implement the Ordinance a fine must be included so that the Police can enforce the Ordinance and Municipal Court can collect fines. Councilor Saucedo moved to table the approval of Ordinance No. 2023-07 until it can be corrected, 2nd by Councilor Montenegro. Council was polled. Motion was tabled.

Councilor Plowman Aye
Councilor Galvan Aye
Councilor Montenegro Aye
Councilor Neave Aye
Councilor Lindsay Aye
Councilor Saucedo Aye

b). Ordinance No. 2024-01 – Notice of Intent -Parking Restrictions for Recreational Vehicles

Tristyn Gandara Community Development Specialist addressed the Council regarding this Ordinance. It was brought up that it also needs to show a fine and Ms. Gandara stated that it would be corrected before she brought it before the Council again as an actual Ordinance. Councilor Saucedo moved to approve the Notice of Intent – Parking Restrictions for Recreational Vehicles, 2nd by Councilor Plowman. Council was polled. Motion passed.

Councilor Plowman Aye
Councilor Galvan Aye
Councilor Montenegro Aye
Councilor Neave Aye
Councilor Lindsay Aye
Councilor Saucedo Aye

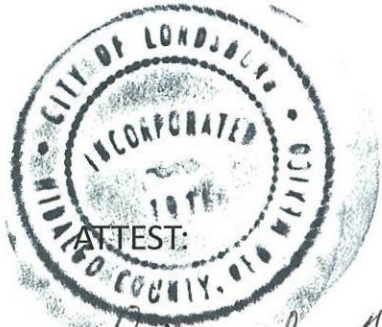
Statement from Councilor Plowman: Councilor Plowman approached the Mayor and Council to give his formal resignation from his position on the City Council, effective immediately. This will allow him to give his full attention to his new position as Chief of Police.

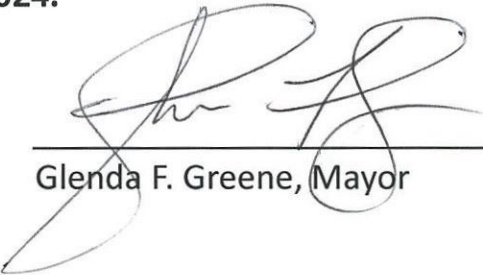
Statement from Mayor Greene: Mayor Greene approached the Council to state that in all fairness, the next in line for the Council position was Krystal Delao who had the next highest amount of votes in the last City election. The Mayor has contacted Ms. Delao and she has accepted the proposition to sit on our City Council. The Mayor then asked the City Clerk to set up an emergency meeting on January 23, 2024 to discuss Councilman Plowman’s resignation, the appointment of Krystal Delao and to approve the corrected Police Officer Standard of Conduct Policy.

Adjourn


With nothing further to be discussed, a motion was made by Councilor Montenegro to adjourn, 2nd by Councilor Neave. Council members were polled. Motion passed and meeting was adjourned at 1:21 p.m.

Approved this 20th day of March, 2024.





Glenda F. Greene, Mayor



Linda S. Farnsworth, City Clerk

**MINUTES
OF THE
SPECIAL
MEETING
1/23/24**

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Special Meeting
January 23, 2024

Meeting called to order at 5:30 p.m.

Welcome

- a). Pledge of Allegiance
- b). Approval of Agenda

Present: Mayor Glenda F. Greene; Dusti Conover, Finance Director; Linda S. Farnsworth, City Clerk; Councilor Irene Galvan; Councilor Martin Neave; Mayor Pro-Tem Manuel D.V. Saucedo; Councilor Krystal Delao and Councilor Sean Lindsay.

Absent: Councilor Julie Montenegro

Attendance: None

Statement: Councilor Galvan asked permission to approach Mayor Greene and Council to make a statement regarding past Councilor Rodney Plowman. Councilor Galvan stated the following – “I commend Mr. Plowman in foreseeing the risks in serving one interest and failing to properly serve the other. I am confident he will be an effective administrator and will establish goals and objectives to deliver an efficient and effective department to the community”. Councilor Neave voiced his agreement with Councilor Galvan.

Approval of Agenda

Mayor Pro-Tem Saucedo moved to approve the Agenda as written, 2nd by Councilor Neave. Council was polled. Motion passed.

New Business

a). Resignation of Rodney Plowman as City Councilor

Mr. Plowman recently accepted a position as Chief of Police of the Lordsburg Police Department and has resigned his position on City Council effective immediately. Mayor Pro-Tem Saucedo moved to accept his resignation, 2nd by Councilor Neave. Council was polled. Motion passed.

b). Appointment of Krystal Delao as City Councilor

Mayor Pro-Tem Saucedo moved to approve the appointment of Krystal Delao to the City Council and to replace Rodney Plowman, 2nd by Councilor Neave. Council was polled. Motion passed.

c). Approval of Police Officer Standard of Conduct Policy

Verbiage corrections have been made to the policy. Councilor Lindsay asked that Section J be corrected to read “that all Law Enforcement reports, records and evidence are privileged and confidential and shall be released only upon written permission by the Mayor and Chief of Police”. The City Clerk addressed this and stated that with or without this being added to the policy, it is already part of her process regarding IPRA/records requests. Councilor Lindsay then stated that he would also like to see Section N be changed to “the Mayor, upon recommendation of the Chief of Police, shall order a physical or psychological examination to assure compliance of this rule”. Councilor Neave moved to approve this policy, with corrections (Section J and Section N), 2nd by Councilor Delao. Council was polled. Motion passed.

Councilor Galvan AYE

Councilor Neave AYE

Councilor Montenegro Absent

Mayor Pro-Tem Saucedo NAY

Councilor Delao AYE

Councilor Lindsay AYE

d). Termination of Employee


Discussion only, no action. Mayor Greene asked the City Clerk to add this to February 21, 2024 agenda to be approved.

Adjourn

With nothing further to be discussed, a motion was made by Councilor Lindsay to adjourn, 2nd by Councilor Delao. Council was polled. Motion passed and meeting was adjourned at 5:39 p.m.

Approved this 20th day of March, 2024.





Glenda F. Greene, Mayor



Linda S. Farnsworth, City Clerk

**MINUTES OF
REGULAR
MEETING
2/21/24**

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Regular Meeting
February 21, 2024

Meeting called to order at 5:30 p.m.

Welcome

- a). Pledge of Allegiance
- b). Approval of Agenda

Present: Mayor Glenda F. Greene, Dusti Conover, Finance Director; Linda S. Farnsworth, City Clerk; Councilor Irene Galvan; Councilor Sean Lindsay; Councilor Julie Montenegro; Mayor Pro-Tem Manuel D.V. Saucedo; Councilor Krystal Delao and Councilor Martin Neave.

Absent: None

Attendance: Roberto Gonzales; Police Chief Rodney Plowman; Fire Chief Riley Allen; Frank Madrid, City Superintendent; Bruce Ashburn, PNM; Santana Young and Bob Hill with Lordsburg Little League and Vanessa Haynes, Chamber of Commerce.

Approval of Agenda

Mayor Greene added one correction to agenda – removal of i. under New Business. George Esqueda cancelled but asked to be placed on the March 20, 2024 agenda to give an update on all Stantec projects. Mayor Pro-Tem Saucedo moved to approve the Agenda with correction, 2nd by Councilor Montenegro. Council were polled. Motion passed.

Minutes

a). Minutes of Regular Meeting of January 17, 2024 and b). Minutes of Special Meeting of January 23, 2024

Councilor Lindsay wanted all Minutes tabled stating that he did not have time to review them and he quoted the Open Meetings Act which states that the minutes shall be [a draft copy] prepared within 10 *working days* after the

meeting and shall be approved, amended and disapproved *at the next meeting*. Councilor Neave acknowledged that he had recently spoken to the Clerk about getting the Minutes out earlier to the Council. Councilor Lindsay also pointed out that the Clerk had not submitted the correct Police Standard of Conduct Policy that *he* had requested be corrected on the January 17, 2024 minutes regarding Section J. Councilor Lindsay then pointed out that Section N had not been corrected either. The Clerk apologized stating that she had printed the incorrect Policy from her e-mails for Council packets but that she does have a corrected Policy. Mayor Pro-Tem Saucedo voiced his opinion that it was a Clerical error – not substance. The Clerk also made it clear that she does not fall under this policy (Police Standard of Conduct Policy) but under the NM State Attorney General and does not have to ask permission for the records under IPRA laws (regarding Section J). Mayor Greene agreed. Mayor Greene then asked the Clerk to poll the Council on tabling the minutes of the Regular Minutes of January 17, 2024 and also of the Special Meeting of January 23, 2024.

Councilor Galvan AYE
Councilor Lindsay AYE
Councilor Montenegro NAY
Mayor Pro-Tem Saucedo NAY
Councilor Delao AYE
Councilor Neave AYE

Per Mayor Greene, the Minutes of January 17, 2024 and January 23, 2024 will be brought back on March 20, 2024 for re-approval after the Council has time to read them.

Finance Department

a). Finance Statement Summary and Bank Statement for January, 2024

Dusti Conover, Finance Director went over the City account balances including all interest earned per account for the month of January, 2024. She stated that we ended up with \$150,000.00 in our General Account, \$2,507,000.00 in our overnight account with interest earned at \$13,386.00 and that our LGIP account was at \$5,658,000.00 and earned interest at \$26,717.00. Ms. Conover pointed out that the LGIP account was a little lower due to the loan payoffs that the City recently made. She opened up the floor

for questions from the Council. Councilor Neave had a question on page 6 regarding \$5,000.00 to the Chamber of Commerce. Ms. Conover stated that before we had the Economic Development position there was a budget of \$15,000.00 for the Chamber for Economic Development and that \$5,000.00 is part of what is remaining in the budget from last year. Now that we have an Economic Development position, the Chamber will not be receiving that money in their budget for next year. Ms. Conover stated that we do have to invoice it for our auditors. Mayor Pro-Tem Saucedo questioned P-Card (purchase card) purchases on page 7 of the Financial Statement. Ms. Conover wondered if it might be easier to go ahead and include the statement from Bank of America that shows a breakdown of purchases. Mayor Pro-Tem Saucedo wanted to know if there was a minimum or maximum charge to the “P Cards” whereas Ms. Conover replied that it just depends. Mayor Pro-Tem Saucedo also stated that if we go to an annual conference (for example) that we should have a set amount. Mayor Pro-Tem Saucedo also inquired about a charge on page 7 regarding registration. Ms. Conover stated that was registration for her and Shaun Bivens. Ms. Conover just completed a course to become Chief Procurement Officer and Ms. Bivens tested to renew her procurement license for another 4 years. Councilor Neave wanted to know what Classic Creations was. Ms. Conover explained that it is the company owned by Rick Walter from Cotton City that does our embroidery on our shirts such as Code Enforcement. Councilor Neave moved to approve the Finance Statement Summary and Bank Statement for January 2024, 2nd by Councilor Lindsay. Council were polled. Motion passed.

b). Bills paid for January 2024

There was no action and no motion for approval

New Business

a). Emily Gojkovich, Economic Development – Update on MainStreet Project, Rural Business Development Grant (RDBG) and Hidalgo County Day in the House of Representatives in Santa Fe, New Mexico

Ms. Gojkovich approached the Council stating that she will hold off on discussing the Rural Business Development Grant until we come to Resolution No. 2024-08 later in the Agenda. Ms. Gojkovich stated that in January, she attended the New Mexico MainStreet Conference where

Lordsburg was announced as an Accelerator Community under New Mexico MainStreet, which is just below becoming a full-blown MainStreet Community like Silver City or Deming. LEAP was honored with a plaque and now has some of the benchmarks that we have to meet in order to get that MainStreet Community status and that we have 18 months to complete and that we have already completed 2 (two) of those benchmarks so far and she is confident that we will reach the other benchmarks before the January conference. Ms. Gojkovich then discussed the first ever Hidalgo County Day that was held in Santa Fe. We were recognized in the House of Representatives by our Representative Jenifer Jones. Ms. Gojkovich was happy that the Lordsburg School District and others from Hidalgo County were present. It was done on short notice and her suggestion is that next year they host a Hidalgo County Day that most can attend.

b). Lordsburg Little League

Bob Hill and Santana Young approached the Council and questioned the Council as to what they expect from the Lordsburg Little League and stated that they wanted to work together with the City in making the Little League effort successful in Lordsburg again. Mr. Hill stated that they are still a bit short on some of their requirements that Little League would have on facilities. Mr. Hill inquired as to whom to contact for incidents of water leaks or issues with the bathroom facilities. Mayor Greene stated that it depends on what time of the day. If during work hours contact the City and after hours contact Central dispatch. Frank Madrid, City Superintendent stated that the City is in charge of the maintenance of the bathrooms and pick up of trash in the trash cans. Regarding trash cans, Mr. Hill would like to have one of the large trash cans moved from Field 4 to Field 3 as that is the main field that they are presently using. Mr. Hill wanted to know if it was ok to have the Fire Department hose out the bathrooms but Mr. Madrid stated that our Maintenance Department will clean them and that the bathrooms are going to be replaced soon anyhow. Mr. Hill asked about keys. Mr. Madrid stated that we need key control and that the City will be responsible to open anything that needs a key. Mr. Hill voiced his concern regarding the measurement of the field as he was told that he was not allowed to touch the field to get measurements. Mr. Madrid told Mr. Hill that he was not allowed to drag the field but that it was ok to measure. Mr. Madrid suggested that they all need to have a meeting to discuss what is allowed and what is not. Mr. Hill also said

that one of the requirements was to have signage at the fields regarding no tobacco, no vaping, no CBD products and no alcohol on the premises. Mr. Hill wanted to be assured that Little League could use the fields as he had heard rumors that others could but not Little League. Mr. Madrid stated that he had not heard that rumor. It was brought up about possibly having day games until we could get the metal poles required per Little League requirements for All Star games as it would be lucrative for the City as All Stars would bring in a lot of people to stay in motels, eat in restaurants and shop in stores.

c). Tejano Fiesta

In the Council packet was a breakdown of what was spent on last year's Fiesta and how much money the City made. The City spent over \$80,000.00 and the City only made \$20,000.00. Bobby Gonzales approached the Council to see what they wanted to do. He feels that he needs to get approval or not so that he can move forward with this. Councilor Lindsay stated that it was quite a difference between what was paid out and how much we brought in. Councilor Lindsay suggested that maybe Mr. Gonzales change the name of the event or add different types of music to the event to bring in more people. Mr. Gonzales stated this has been his for 25 years and he does not want to change the name of the event but that he was willing to bring in other types of music such as Country. Emily Gojkovich, Economic Development said that she was willing to look into a grant dealing with "Cherished Events". After much discussion it was decided that the budget will be \$70,000.00 for a 2 day event and that the City was not responsible for paying for any motel rooms for the performers. It was also decided that Mr. Gonzales will look into booking different performers with different types of music. Councilor Lindsay moved to approve the \$70,000.00 budget for a 2 day event, 2nd by Councilor Montenegro. Council were polled. Motion passed.

d). Spirit of Hidalgo – Christy Ortiz

Ms. Ortiz approached the Council to ask permission to have a beer garden at the Explore Outdoors New Mexico Event to be held April 12-13, 2024 at Veteran's Park. Councilor Neave asked about insurance and wanted to know if they were willing to provide event insurance. Ms. Ortiz stated that if the City approved the beer garden that she did not have a problem in providing the event insurance. Councilor Lindsay asked how long an event this was and Christy answered that it is a 2 day event. With that Councilor Neave made a

motion to approve the beer garden at Veteran's Park during the Explore Outdoors New Mexico Event with event insurance, 2nd by Councilor Montenegro. Council were polled. Motion passed.

e). PNM possible purchase from the City of Lordsburg

Bruce Ashburn with PNM was in the audience to answer any questions for the Council. Mr. Ashburn provided a map of potential property for a pond to be used for wastewater discharge. Councilor Neave was concerned about the placement of the ponds in respect to people in the neighborhood and wants to protect them and wanted to know if PNM had another location in mind as well. Mr. Ashburn stated that there may be other locations available but that this one would definitely be the most productive and Councilor Montenegro was wanting to know how large the lots are that PNM is looking at. Mr. Ashburn also stated that the land is vacant and not sure how large they are and that the ponds would be a permanent structure. Councilor Neave also voiced his issue in protecting the residents and not having any solar panels or ponds in their back yard. Councilor Neave feels that the residents should have a say, in all fairness. Councilor Neave also asked about the alarm that goes off at the power plant for days on end. Mayor Pro-Tem Saucedo questioned the aesthetics regarding the design and whether or not it would have a metal fence around it and Councilor Neave also wanted to know how long a liner typically lasts in these types of ponds. Mr. Ashburn answered that they have not designed the pond yet but that liners typically last 25 years. Councilor Neave wanted to know what the timeframe was that PNM was to put in this pond. Mr. Ashburn stated that the City has given PNM a time frame of 18 months maximum to build the new pond. Councilor Neave stated that they might want to start looking in another direction for now. Per Alex Ortiz, Waste Water Department, the ponds that are currently at the end of town are just as close to the residents as this new pond would be. Councilor Neave moved to table this decision for now until we can go out and see for ourselves what is involved, 2nd by Councilor Lindsay. Council were polled. Motion passed to table this topic for now.

f). Police Officer Pay Scale

Councilor Montenegro wanted to know if this scale is comparable to the surrounding areas. Police Chief Plowman said that yes, it is. Starting salary is at \$19.00. After much back and forth discussion between the Council,

Councilor Lindsay made a motion to accept the current pay scale, 2nd by Councilor Neave. Council were polled. Motion passed.

g). Update on Capital Outlay – Vactor Truck and 2024 Ford Maverick

Pictures of the new Vactor Truck (Utility Department) and 2024 Ford Maverick (Airport) were given to the Council to view. Mayor Greene explained that these vehicles were purchased with 2021 and 2022 Capital Outlay monies.

h). Invoice from I.A.B. Mechanical LLC – quote to repair Municipal Swimming Pool Heater (item not on budget)

Quoted \$27,314.00. The heater in the pool needed replacement as the old one that is in there no longer works and is no longer being made. Last year one of the pumps went out and was replaced, now another pump needs repair. The pool is supposed to be kept moving all year round. The pool can function without a heater but the water would be very cold. Mayor Greene pointed out that there is money in the Lodger’s Tax Operational Fund to cover these costs. Councilor Neave made a motion to pay I.A.B. Mechanical to repair the heater, 2nd by Councilor Lindsay. Council were polled. Motion passed.

i). Stantec update on projects removed from Agenda.

Old Business

a). Termination of Employee

Councilor Lindsay made a motion to accept the termination of employee, 2nd by Councilor Montenegro. Council were polled. Motion passed.

b). Police Ride-along Application and Waiver – corrected

The application and waiver was corrected and submitted for approval from the Council. Councilor Lindsay made a motion to accept the corrected Police Ride-along Application and Waiver, 2nd by Councilor Montenegro. Mayor Greene asked the Clerk to poll the Council. Motion passed.

Councilor Galvan AYE
Councilor Lindsay AYE
Councilor Montenegro AYE
Mayor Pro-Tem Saucedo AYE
Councilor Delao AYE
Councilor Neave AYE

c). Ordinance No. 2023-07 Commercial Vehicles on City Streets corrected (penalties added)

Councilor Galvan made note that the Ordinance needed more than just the penalties added but also needed to have the codes added per the Uniform Traffic Code. Dusti Conover, Finance Officer stated that she will take care of this and find the codes that are needed to complete this Ordinance. Councilor Lindsay made a motion to table this Ordinance again until necessary corrections are made, 2nd by Councilor Neave. Council were polled. Motion passed to table Ordinance No. 2023-07.

d). Notice of Intent Ordinance No. 2024-01 – Recreational Vehicles on City Street Draft Ordinance corrected (penalties added).

Councilor Galvan also made note that codes also need to be added to this Ordinance from the Uniform Traffic Code before it can be approved. Ms. Conover stated that she will take care of getting the necessary codes for this Ordinance as well. Councilor Montenegro made a motion to table this Notice of Intent of Ordinance until necessary corrections are made, 2nd by Councilor Galvan. Council were polled. Motion passed to table Notice of Intent of Ordinance No. 2024-01.

Resolutions

a). Resolution No. 2024-07 – Supporting an Application to NMFA under the Colonias Structure Fund for Hwy 70 Wastewater Lift Station and Force Main Improvements

Mayor Pro-Tem Saucedo made a motion to approve Resolution No. 2024-07, 2nd by Councilor Montenegro. Mayor Greene asked the Clerk to poll the Council. Motion passed.

Councilor Galvan AYE
Councilor Lindsay AYE
Councilor Montenegro AYE
Mayor Pro-Tem Saucedo AYE
Councilor Delao AYE
Councilor Neave AYE

b). Resolution No. 2024-08 – RDBG (Rural Business Development Grant) from USDA – Emily Grojkovich, Economic Development

Ms. Grojkovich approached the Council and explained the Resolution. The City of Lordsburg commits to \$87,200.00 of in-kind match for Computer Lab which would include rent, utilities and IT services. There would also include \$21,500.00 for computer lab supplies. The location of this Computer lab is yet to be determined as the space must be 2700 square feet. Councilor Montenegro moved to approve Resolution No. 2024-08, 2nd by Mayor Pro-Tem Saucedo. Mayor Greene asked the Clerk to poll the Council. Motion passed.

Councilor Galvan AYE
Councilor Lindsay AYE
Councilor Montenegro AYE
Mayor Pro-Tem Saucedo AYE
Councilor Delao AYE
Councilor Neave AYE

c). Resolution No. 2024-10 – FEMA Fire Grant

Riley Allen, LVFD Fire Chief approached the Council to explain this Grant. This grant allows for Fire Departments to apply for firefighting equipment, safety gear and anything that the Fire Department may need. He also stated that we have a Command Truck that is currently being built and he would like to make it into a rapid response vehicle and add a skid with a high pressure water system and foam application. When there is a fire the Command vehicle will go directly to the scene and assess the situation. The Fire Department is asking for \$10,000.00 – we have a 5% match of \$500.00. This \$500.00 comes out of the Fire Departments fund and the City is not responsible for any of the money. Mayor Pro-Tem Saucedo inquired if the \$10,000.00 is the maximum that we can ask for and Chief Allen stated no but that we received this grant at late notice and Emily Gojkovich, Economic Development assisted in getting

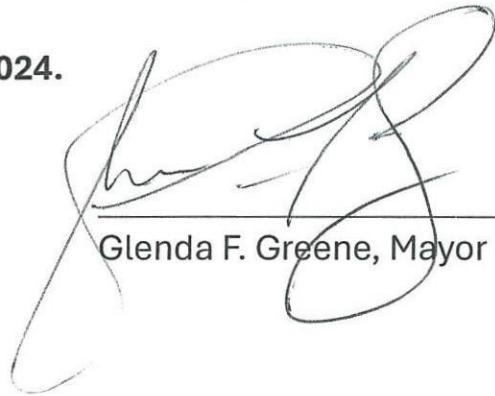
this put through quickly. We will be able to apply for it next year and will plan and be more organized and ask for more money. Mayor Pro-Tem Saucedo moved to approve Resolution No. 2024-10 – Fema Fire Grant, 2nd by Councilor Neave. Mayor Greene asked the Clerk to poll the Council. Motion passed.

- Councilor Galvan AYE
- Councilor Lindsay AYE
- Councilor Montenegro AYE
- Mayor Pro-Tem Saucedo AYE
- Councilor Delao AYE
- Councilor Neave AYE

Adjourn

With nothing further to be discussed, a motion was made by Councilor Montenegro to adjourn, 2nd by Councilor Lindsay. Council were polled. Motion passed and meeting was adjourned at 6:58 p.m.

Approved this 20th day of March, 2024.



Glenda F. Greene, Mayor



Linda S. Farnsworth, City Clerk

**POLICE
OFFICER
PAY
SCALE**

Police Officer Pay Scale

	Hourly	Hourly OT	Monthly	Yearly
Non-Certified	\$ 19.00	\$ 28.50	\$ 3,293.33	\$ 39,520.00
1 YR Certified	\$ 22.00	\$ 33.00	\$ 3,813.33	\$ 45,760.00
2 YR to 5 YR	\$ 23.75	\$ 35.63	\$ 4,116.67	\$ 49,400.00
6 YR to 8 YR	\$ 24.50	\$ 36.75	\$ 4,246.67	\$ 50,960.00
9 YR to 12 YR	\$ 25.75	\$ 38.63	\$ 4,463.33	\$ 53,560.00
13 YR to 15 YR	\$ 26.50	\$ 39.75	\$ 4,593.33	\$ 55,120.00
16 YR to 20 YR	\$ 28.75	\$ 43.13	\$ 4,983.33	\$ 59,800.00
Detective	\$ 29.75	\$ 44.63	\$ 5,156.67	\$ 61,880.00
Sergeant 1 YR to 5 YR	\$ 30.75	\$ 46.13	\$ 5,330.00	\$ 63,960.00
Sergeant 6 YR to 10 YR	\$ 31.75	\$ 47.63	\$ 5,503.33	\$ 66,040.00
Lieutenant	\$ 32.75	\$ 49.13	\$ 5,676.67	\$ 68,120.00

RESOLUTION

NO.

2024-07

**SUPPORTING AN
APPLICATION TO NMFA
UNDER THE COLONIAS
INFRASTRUCTURE FUND
FOR HWY 70 WASTEWATER
LIFT STATION AND FORCE
MAIN IMPROVEMENTS**

**CITY OF LORDSBURG
RESOLUTION NO. 2024-07**

**SUPPORTING AN APPLICATION TO NEW MEXICO
FINANCE AUTHORITY UNDER THE COLONIAS INFRASTRUCTURE FUND
FOR
HIGHWAY 70 WASTEWATER LIFT STATION AND FORCE MAIN
IMPROVEMENTS**

WHEREAS, City of Lordsburg, NM (“Governmental Unit”) is a qualified entity under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 (“Act”); and the City of Lordsburg (“Governing Body”) is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority (“Authority”) has instituted a program for financing of projects from the Colonias Infrastructure fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application (“Application”) for financial assistance from the Authority for public projects; and

WHEREAS, City of Lordsburg is in need of Wastewater System Improvements; and

WHEREAS, the proposed project will benefit individuals, families, local residents, and public services within the City of Lordsburg which is a designated colonia; and

WHEREAS, the City of Lordsburg assures and certifies that it will comply with the regulations, policies, guidelines, loan and match requirements and any requirements with respect to the acceptance and use of the Colonias Infrastructure Program; and

WHEREAS, it is the majority opinion of the governing body in and for the City of Lordsburg that the proposed grant will be in the best interest of the residents of Lordsburg;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lordsburg that it endorses and supports an application for the 2024 Colonias Infrastructure Fund funding cycle; and that

1. The Mayor of the City of Lordsburg, or their designee, is hereby directed to prepare and submit an application on behalf of City of Lordsburg for funding assistance from the New Mexico Finance Authority Colonias Infrastructure Fund for Wastewater System Improvements.
2. That the City of Lordsburg directs and designates Glenda F. Greene, Mayor and/or Dusti Conover, Finance Officer as the Authorized representatives to act in all matters in connection with this application, and to do all acts necessary to carry out the intent of the Resolution.

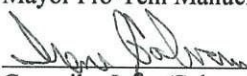
PASSED, APPROVED, and ADOPTED by the governing body of the City of Lordsburg at its meeting of February 21, 2024.



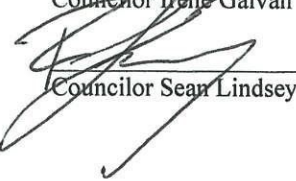
Mayor – Glenda F. Greene



Mayor Pro-Tem Manuel D.V. Saucedo



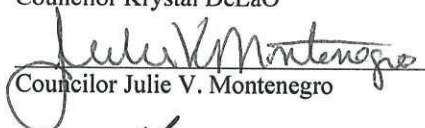
Councilor Irene Galvan



Councilor Sean Lindsey



Councilor Krystal DeLaO

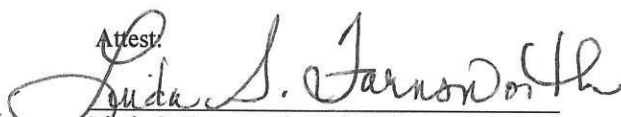


Councilor Julie V. Montenegro



Councilor Martin Neave

Attest:



Linda S. Farnsworth – City Clerk



**RESOLUTION
NO.
2024-08
USDA
RURAL
BUSINESS
DEVELOPMENT
GRANT**

RESOLUTION 2024-08

A RESOLUTION AUTHORIZING THE MAYOR TO FILE GRANT APPLICATION FOR A **USDA RURAL BUSINESS DEVELOPMENT GRANT** ON BEHALF OF THE CITY OF LORDSBURG.

WHEREAS, the City of Lordsburg desires to make application to the United States Department of Agriculture-Rural Development for consideration of a Rural Business Development Grant to create a Community Computer Lab; and

WHEREAS, the Community Computer Lab will host trainings for job seeking skills, business writing and trainings, a space for remote workers and other businesses to host virtual or hybrid meetings, and enhance the GED services in Hidalgo County; and

WHEREAS, the application amount will not exceed \$21,500; and

WHEREAS, the application does not have a match component; however, the City of Lordsburg is committing \$87,200 worth of in-kind match; and

WHEREAS, the in-kind will include 2,688 square feet of building space, utilities, and IT services for three years; and

WHEREAS, Mayor Glenda F. Greene is the Chief Local Elected Official of the City of Lordsburg;


NOW, THEREFORE, be it resolved by the governing body, the City Council of Lordsburg, New Mexico:

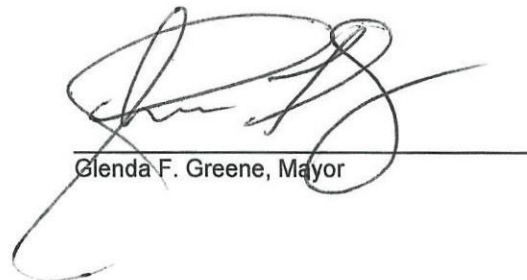
That the Mayor is, and hereby authorized to submit an application requesting program funds on behalf of the City of Lordsburg and to perform any and all such other acts, matters and manner of things as shall be and become necessary and proper to effectuate the purposes herein.

ADOPTED, SIGNED AND APPROVED on this 21st day of February, 2024.



ATTEST:


Linda S. Farnsworth, City Clerk


Glenda F. Greene, Mayor

**USDA
FORM
RD 400-1
EQUAL
OPPORTUNITY
AGREEMENT**

EQUAL OPPORTUNITY AGREEMENT

This agreement, dated 02-28-2024 between
City of Lordsburg

(herein called "Recipient" whether one or more) and United States Department of Agriculture (USDA), pursuant to the rules and regulations of the Secretary of Labor (herein called the 'Secretary') issued under the authority of Executive Order 11246 as amended, witnesseth:

In consideration of financial assistance (whether by a loan, grant, loan guaranty, or other form of financial assistance) made or to be made by the USDA to Recipient, Recipient hereby agrees, if the cash cost of construction work performed by Recipient or a construction contract financed with such financial assistance exceeds \$10,000 - unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965.

1. To incorporate or cause to be incorporated into any contract for construction work, or modification thereof, subject to the relevant rules, regulations, and orders of the Secretary or of any prior authority that remain in effect, which is paid for in whole or in part with the aid of such financial assistance, the following "Equal Opportunity Clause":

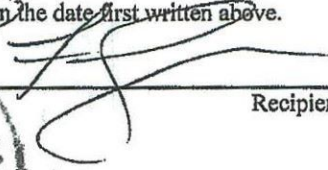
During the performance of this contract, the contractor agrees as follows:

- (a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the USDA setting forth the provisions of this nondiscrimination clause.
- (b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- (c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the USDA, advising the said labor union or workers' representative of the contractor's commitments under this agreement and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of all rules, regulations and relevant orders of the Secretary of Labor.
- (e) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, rules, regulations, and orders, or pursuant thereto, and will permit access to his books, records, and accounts by the USDA Civil Rights Office, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by Law.
- (g) The contractor will include the provisions of paragraph 1 and paragraph (a) through (g) in every subcontract or purchase order, unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the USDA may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the USDA, the contractor may request the United States to enter into such litigation to protect the interest of the United States.


A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 0575-0201. Public reporting for this collection of information is estimated to be approximately 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are voluntary. However, in order to obtain or retain a benefit, the information in this form is required 7 CFR 1901-E. Rural Development has no plans to publish information collected under the provisions of this program. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Rural Development Innovation Center, Regulations Management Division at ICRMRequests@usda.gov

2. To be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the organization so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
3. To notify all prospective contractors to file the required 'Compliance Statement', Form RD 400-6, with their bids.
4. Form AD-425, Instructions to Contractors, will accompany the notice of award of the contract. Bid conditions for all nonexempt federal and federally assisted construction contracts require inclusion of the appropriate "Hometown" or "Imposed" plan affirmative action and equal employment opportunity requirements. All bidders must comply with the bid conditions contained in the invitation to be considered responsible bidders and hence eligible for the award.
5. To assist and cooperate actively with USDA and the Secretary in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary, that will furnish USDA and the Secretary such information such as , but not limited to, Form AD-560, Certification of Nonsegregated Facilities, to submit the Monthly Employment Utilization Report, Form CC-257, as they may require for the supervision of such compliance, and that it will otherwise assist USDA in the discharge of USDA's primary responsibility for securing compliance.
6. To refrain from entering into any contract or contract modification subject to such Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by USDA or the Secretary of Labor pursuant to Part II, Subpart D, of the Executive Order.
7. That if the recipient fails or refuses to comply with these undertakings, the USDA may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the organization under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such organization; and refer the case to the Department of Justice for appropriate legal proceedings.

Signed by the Recipient on the date first written above.



 Recipient

 *Artes*
John J. Jarnsworth

 City Clerk Secretary

 Recipient

City of Lordsburg

 Name of Corporate Recipient

By _____
 President

**USDA
FORM
RD 400-4
ASSURANCE
AGREEMENT**

USDA
Form RD 400-4
(Rev. 08-22)

Position 3

FORM APPROVED
OMB No. 0575-0201
OMB No. 0575-0189
Exp Date: 3/31/2026

ASSURANCE AGREEMENT
(Under Title VI, Civil Rights Act of 1964)

The

City of Lordsburg

(name of recipient)

409 Wabash Street, Lordsburg, NM 88045

(address)

As a condition of receipt of Federal financial assistance, you acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions of national laws and policies prohibiting discrimination, including but not limited to:

1. Title VI of the Civil Rights Act of 1964, as amended, which prohibits you from discriminating on the basis of race, color, or national origin (42 U.S.C. 2000d et seq.), and 7 CFR Part 15, 7 CFR 1901, Subpart E.

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs [in accordance with USDA RD LEP Guidance for RD Funded (Assisted) Programs]. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons served or encountered both in developing your budgets and in conducting your programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>;

2. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating on the basis of sex in education programs or activities (20 U.S.C. 1681 et seq.) [as implemented by 7 CFR Part 15, 7 CFR 1901, Subpart E];

3. The Age Discrimination Act of 1975, as amended, which prohibits you from discriminating on the basis of age (42 U.S.C. 6101 et seq.) [as implemented by 7 CFR Part 15, 7 CFR 1901, Subpart E];

4. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits you from discriminating on the basis of disability (29 U.S.C. 794) [as implemented by 7 CFR Part 15, 7 CFR Part 15b, 7 CFR 1901, Subpart E];

5. Title VIII of the Civil Rights Act, which prohibits you from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units, i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) be designed and constructed with certain accessible features, see 24 CFR Part 100.201; and

6. Titles II and III of the Americans with Disabilities Act, which prohibit you from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and 7 CFR Part 15, 7 CFR Part 15b, 7 CFR 1901, Subpart E.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0201 and 0575-0189, which expire 3/31/2026. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection information. All responses to this collection of information are voluntary. Any questions on this burden can be sent to ICBAITRequests@usda.gov.

You also acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions governing USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) access to records, accounts, documents, information, facilities, and staff :

1. You must cooperate with any compliance review or complaint investigation conducted by USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service).
2. You must give USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by Title VI, Title IX, Age, and Section 504 implementing regulations and other applicable laws or program guidance.
3. You must keep such records and submit to the responsible Department official or designee timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the responsible Department official or his designee may determine to be necessary to ascertain whether you have complied or are complying with relevant obligations.
4. You must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Rural Development or the U.S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
6. If, during the past three years, you (the recipient) have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, you must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements.
7. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against you, or you settle a case or matter alleging such discrimination, you must forward a copy of the complaint and findings to USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), Office of Civil Rights.

The United States has the right to seek judicial enforcement of these obligations.

You also acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions of program-specific nondiscrimination policy requirements found at CFR Part 15, 7 CFR Part 15 b, 12 CFR Part 202, 7 CFR 1901, Subpart E., DR4300-003, DR4330-0300, DR4330-005.

Period of Obligation

In the case of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with federal assistance extended to the Recipient by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), this assurance obligates the Recipient for the period during which federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the transferee for the period during which federal assistance is extended. If any personal property is so provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Recipient for the period during which the federal assistance is extended to the Recipient by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service).

Employment Practices

Where a primary objective of the federal assistance is to provide employment or where the Recipient's employment practices affect the delivery of services in programs or activities resulting from federal assistance extended by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), the Recipient agrees not to discriminate on the grounds of race, color, national origin, sex, age, or disability, in its employment practices. Such employment practices may include, but are not limited to, recruitment, advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs; or other forms of compensation and use of facilities.

Data Collection

The Recipient agrees to compile and maintain information pertaining to programs or activities developed as a result of the Recipient's receipt of federal assistance from Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service). Such information shall include, but is not limited to the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age, and disability; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age and disability in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) to be relevant to the obligation to assure compliance by recipients with laws cited in this assurance agreement.

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations as herein described, that the information submitted in conjunction with this Document is accurate and complete, and that the recipient is in compliance with the nondiscrimination requirements set out above.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, _____ City of Lordsburg _____ on this
(name of recipient)

date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.



Attest: Linda S. Jarrold
Clerk
Title

[Signature]
Recipient
02-28-2024
Date
Mayor
Title

**RESOLUTION
NO.
2024-10
FEMA
ASSISTANCE TO
FIREFIGHTERS
GRANT
PROGRAM**

RESOLUTION 2024-10

A RESOLUTION AUTHORIZING THE MAYOR TO FILE A GRANT APPLICATION FOR A **FEMA ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM** ON BEHALF OF THE LORDSBURG FIRE DEPARTMENT

WHEREAS, the Lordsburg Fire Department desires to make application to the United States Federal Emergency Management Agency (FEMA) for consideration of a Assistance to Firefighters Grant Program for the purchase of a SKID, and

WHEREAS, the application amount will not exceed \$10,000; and

WHEREAS, the application match is 5% of the \$10,000, resulting in \$500 of match from the Fire Protection Fund; and

WHEREAS, Mayor Glenda F. Greene is the Chief Local Elected Official of the City of Lordsburg;

NOW, THEREFORE, be it resolved by the governing body, the City Council of Lordsburg, New Mexico:

That the Mayor is, and hereby authorized to submit an application requesting program funds on behalf of the City of Lordsburg and to perform any and all such other acts, matters and manner of things as shall be and become necessary and proper to effectuate the purposes herein.

ADOPTED, SIGNED AND APPROVED on this 21st day of February 2024.



A handwritten signature in black ink, appearing to read "Glenda F. Greene", is written over a horizontal line. Below the line, the text "Glenda F. Greene, Mayor" is printed.

Glenda F. Greene, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Linda S. Farnsworth", is written over a horizontal line. Below the line, the text "Linda S. Farnsworth, City Clerk" is printed.

Linda S. Farnsworth, City Clerk