

**LINKED MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL BUILDING  
ON OCTOBER 11, 2016 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor (arrived @ 6:12 p.m.)
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	J.R. Doporto	Councilor
	Wesley A. Carter	Councilor
	Jason Shirley	Councilor
	Richard Doss	Councilor
	Janell E. Whitlock	Councilor

Absent:

Also Present:	Steve McCutcheon	City Administrator
	Stephanie Shumsky	Deputy City Administrator
	Sandy Gonzales	Budget Manager
	Eileen P. Riordan	City Attorney
	Annette Barrick	City Clerk
	Patsy Jackson-Christopher	Director of Arts & Culture
	Luis Camero	Director of Engineering Services
	Steve Hendley	Director of Parks & Recreation
	Michael Hernandez	Director of Utilities
	Wendy Hammett	Finance Director
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Kent D. Waller	Police Chief
	Thomas Carlson	Public Works Director

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:00      **Call Meeting to Order**

0:00:02      Invocation - Pledge of Allegiance

0:00:32      **Mayor Janway asked Chief Lopez to give Council an update on the Combat Challenge Team.**

**Chief Lopez** said the Combat Challenge Team went to Nationals and won First Place. He added that winning First Place is a huge accomplishment. He explained they are

currently training for Worlds on October 22, 2016 in Alabama and are hoping to bring back the First Place Trophy.

0:01:26 Chief Lopez swore in rookie fire fighters.

0:03:47 **1. APPROVAL OF AGENDA**

0:03:50 **Councilor Shirley** asked to remove from the Agenda Item D.2 Consider approval of request from Curtis McKinney, Metal Shop Live, LLC for a 15% increase of the monthly contract fee for management of the Walter Gerrells Performing Arts Center based on new numbers he would like Council to consider.

0:04:08 **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Rodriguez to approve the Agenda

0:04:14 **Vote**

The vote was as follows: Yes - Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- Anaya-Flores; The motion carried.

0:04:28 **2. CONSIDER APPROVAL OF RES NO 2016-44, A RESOLUTION, MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2016-2017 FISCAL YEAR BUDGET (2ND QUARTER BUDGET ADJUSTMENTS)**

**Ms. Gonzales** reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2015-2016 Fiscal Year Budget highlighting the General Fund, the Municipal Transit Fund, the Lodgers' Tax Non-promo Fund, the Lodgers' Tax Promotional Fund, the Solid Waste Fund, the Airport Improvement Fund, the Cemetery Fund, the Sports Complex Fund, the Water & Sewer Fund, the Health Insurance Fund, and the Federal Projects Fund.

0:10:02 **Motion**

The motion was made by Councilor Doss and seconded by Councilor Carter to approve Resolution No. 2016-44, a Resolution, making certain Budgetary Adjustments to the 2016-2017 Fiscal Year Budget (2nd Quarter Budget Adjustments)

0:10:13 **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Carter, Whitlock; No - None; Absent- None; Abstain - Shirley; The motion carried.

0:10:38 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting Held on September 27, 2016
- B. City Personnel Report
- C. Purchasing:

- 1) Consider approval for Request for Proposals for Golf Professional Services for the Lake Carlsbad Golf Course
- D. Contracts and Agreements
- 1) Consider approval of the Agreement between the City of Carlsbad and NM Department of Homeland Security and Emergency Management Disaster Assistance Program for a Grant Agreement (2015-021-001) for assistance with the December 2015 Blizzard
  - 2) Consider approval of Request from Curtis McKinney, Metal Shop Live, LLC for a 15% increase of the monthly contract fee for management of the Walter Gerrells Performing Arts Center
  - 3) Consider approval of a three month extension of Agreement between the City of Carlsbad and John Heaton, Jr., for Golf Professional Services at the Lake Carlsbad Golf Course
- E. Set Date (December 13, 2016)
- 1) An Ordinance rezoning part of "R-2" Residential District to "C-2" Commercial District for an approximately 0.34 Acre Property, located at 502 N. Sixth Street, legally described as the South 100 Feet of Tract 66, in the North 1/2 of the Northwest 1/4 of Section One, Township 22 South, Range 26 East, pursuant to Section 3-21-1 et seq. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances
  - 2) An Ordinance Rezoning part of "R-2" Residential District to "C-2" Commercial District for an approximately 0.22 Acre Property, located at 612 West Pierce Street, legally described as Lot 8, Block 181, Westfall Subdivision, pursuant to Section 3-21-1 et seq. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances
- F. Monthly Reports
- 1) Arts and Culture Department Monthly Report, August 2016
  - 2) Municipal Court Monthly Report, September, 2016
  - 3) Personnel Department Monthly Report, September 2016
  - 4) Transportation and Facilities Department Monthly Report, August 2016
- G. Board Appointments:
- 1) Riverwalk Recreation Center Advisory Board: Ian Garza 4-year term

0:10:59 **Mayor Janway asked Mr. McCutcheon to discuss Item C.1 Consider approval for Request for Proposals for Golf Professional Services for the Lake Carlsbad Golf Course; and Item D.3 Consider approval of a three month extension of Agreement between the City of Carlsbad and John Heaton, Jr., for Golf Professional Services at the Lake Carlsbad Golf Course.**

**Mr. McCutcheon** explained the City is required by statute to go out for proposal of city contracts. He said the Golf Professional Services contract is up for renewal. He added Item D.3 is an extension of agreement for John Heaton, Jr., who is the current Golf Professional. He explained the maturing of the professional services contract and contracts that Mr. Heaton has for cart rentals will mature at the same time.

0:12:29        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Routine and Regular Business

0:12:35        **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- None; The motion carried.

0:12:54        **4.        CONSIDER APPROVAL OF RESOLUTION NO 2016-45, A RESOLUTION DECLARING CERTAIN CITY PROPERTY UNUSABLE OR OBSOLETE**

**Mr. McCutcheon** explained this is the standard Resolution for following statute to dispose of obsolete and unusable City property.

0:13:28        **Motion**

The motion was made by Councilor Doss and seconded by Councilor Doporto to approve Resolution No. 2016-45, a Resolution declaring certain City Property unusable or obsolete

0:13:38        **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- None; The motion carried.

0:13:51        **5.        CONSIDER APPROVAL OF ORDINANCE NO. 2016-25, AN ORDINANCE AMENDING SECTION 2-290.53 OF THE CODE OF ORDINANCES, CITY OF CARLSBAD, NEW MEXICO REGARDING THE CITY OF CARLSBAD CITY TREE ADVISORY BOARD TO CHANGE THE MEMBERSHIP TO BE A RESIDENT OF EDDY COUNTY**

0:14:16        **A.        Public Hearing**

**Ms. Shumsky** explained the proposed amendment is to include one member to the Carlsbad City Tree Advisory Board who resides outside the City limits but within Eddy County to represent a wider demographic.

**Councilor Rodriguez** asked if there was a stated need for the addition of the amendment. **Mayor Janway** added that staff felt the Board needed a representative from outside the City limits. **Mr. McCutcheon** added this friendly approach to governing.

0:15:47        **Mayor Janway** asked if anyone would like to speak regarding the Ordinance. **No one** appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session.

0:16:11        **B.        Consider Ordinance No. 2016-25**

0:16:16        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Doporto to approve Ordinance No. 2016-25, an Ordinance amending Section 2-290.53 of the Code of Ordinances, City of Carlsbad, NM regarding the City of Carlsbad City Tree Advisory Board to change the membership to be a resident of Eddy County

0:16:25        **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- None; The motion carried.

0:16:38        **6. CONSIDER APPROVAL TO CANCEL THE NOVEMBER 22, 2016, REGULAR CITY COUNCIL MEETING DUE TO THE THANKSGIVING HOLIDAY**

0:17:11        **Motion**

The motion was made by Councilor Doss and seconded by Councilor Shirley to approve to cancel the November 22, 2016, Regular City Council Meeting due to the Thanksgiving Holiday

0:17:18        **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- None; The motion carried.

0:17:40        **7. CONSIDER APPROVAL TO CANCEL THE DECEMBER 27, 2016, REGULAR CITY COUNCIL MEETING DUE TO THE CHRISTMAS HOLIDAY**

0:18:09        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to approve to cancel the December 27, 2016, Regular City Council Meeting due to the Christmas Holiday

0:18:16        **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- None; The motion carried.

0:18:29        **8. COUNCIL COMMITTEE REPORTS**

**Ms. Shumsky** explained the recycling contractor used by the City has ceased operations. She said the City has been researching various options. She said the search has not gone as well as staff hoped. She explained staff will have more detail and a plan of action at the next Council meeting. She said staff is really looking at options and what is out there for the different types of recyclables.

**Councilor Rodriguez** asked if it is possible to look south and possibly over the border. Mayor Janway added that Ms. Shumsky has been working with cities in the

surrounding areas. **Ms. Shumsky** added that staff is open to researching any possibilities. She said she will look into possibly crossing the border and added if anyone has any ideas please let her know.

0:20:30 **Councilor Doporto** said there are currently several streets in Ward 2 that are being worked on. He said if you are out and about be careful of the construction workers.

**Ms. Shumsky** explained that the public relations department has been asked to put the message on social media to notify the public of the work and the timelines.

**Ms. Whitlock** said she has been contacted regarding the stripping of the streets and asked when the streets will be stripped. **Mr. McCutcheon** explained the new stripping technology is very difficult to lie down. He said the old stripping equipment had to be rebuilt. **Mr. Carlson** said the stripping truck rebuild is complete and stripping has started. He said the stripping will continue and all streets in town will be re stripped because they are all in need.

**Mayor Janway** asked what the status is of Standpipe Road. **Mr. Carlson** said his last contact with the County is that there is funding for the project and cannot complete the engineering until the funding starts. **Mr. McCutcheon** said his last conversation with the County will put the project into late summer or early fall of next year.

0:25:11 **Councilor Rodriguez** asked for an update on the grapplers and trash trucks. **Mr. Hernandez** said the last report shows that all the grapplers are running at this time.

**Councilor Doss** asked if the grappler trucks are supposed to stop if they are driving by and see piles that were not called in. **Mr. Hernandez** said when they were down to one truck; no because there were so many calls and those that had called would not have been picked up with the 48 hours. He added now that there are multiple trucks the drivers are told to stop if they see a pile.

0:26:41 **9. ADJOURN**

0:26:46 **Motion**

The motion was made by Councilor Whitlock and seconded by Councilor Doporto to Adjourn

0:27:11 **Vote**

The vote was as follows: Yes - Anaya Flores, Doporto, Doss, Estrada, Rodriguez, Shirley, Carter, Whitlock; No - None; Absent- None; The motion carried.

0:27:31      **Adjourn**

There being no further business, the meeting was adjourned at 6:32 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

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Mayor

DRAFT