

**LINKED MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL BUILDING  
ON OCTOBER 25, 2016 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	Wesley A. Carter	Councilor
	Richard Doss	Councilor
	Janell E. Whitlock	Councilor
Absent:	Lisa A. Anaya Flores	Councilor
	J. R. Doporto	Councilor
	Jason Shirley	Councilor
Also Present:	Steve McCutcheon	City Administrator
	Stephanie Shumsky	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	Deputy 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
	Michael Ristom	EMS Division 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**

0:00:03      **Invocation - Pledge of Allegiance**

0:00:38      **Mayor Janway announced Ms. Laverne Shan with the Student Advisory Council.**

**Ms. Shan** said she is honored to work with the Student Advisory Council and feels the students will represent Carlsbad very well.

0:05:27      **Mayor Janway introduced Ms. Rachel Pyeatt, Girl Scout Troop Leader #12001.**

**Ms. Pyeatt** introduced the troop and said they would like to address the Council regarding recycling.

**Chloe Pyeatt**, Girl Scout, strongly encouraged the Council to continue to seek alternative ways to finance the recycling program. She explained recycling is important to the troop because they talk about using resources wisely in troop projects and events. She urges the Council to reuse the city's recyclables in order to keep our natural resources for future generations. She said remember what we don't recycle today affects our environment tomorrow. She thanked the Mayor and Council for allowing the troop to express their recycling concerns.

**Kaitlyn Robertson**, Girl Scout, asked to present the Council with 137 letters from fellow Girl Scouts, classmates, and other concerned youth. She said recycling helps make the world a better place because it helps keep cities clean. She said she hopes the Mayor and Council will do their best to find a way to help the recycling center. She thanked the Mayor and Council for their time and consideration on the recycling issue.

**Councilor Carter** said the troop did a great job and added they are never too young to make a difference.

**Ms. Shumsky** said the Girl Scouts are a powerful group and presenting their concerns and all the letters really makes an impact. She said the troop has shown their dedication and understanding of the importance of recycling in the environment. She said she appreciates that the troop cares about the community and the planet. **Ms. Shumsky** invited them anytime they have concerns in the community. She explained at this time the City is looking into several possibilities for recycling. She said the city values recycling and understands the importance to the environment. She explained she will have more information soon and will update the troop leaders. She said glass pulverizing is continuing at the convenience station. She said that the glass is used in a variety of different projects around town. She added that CARC will still receive paper for recycling.

0:17:23      **Mayor Janway asked EMS Division Chief Michael Ristom to give an update on the Firefighters Combat Challenge Team at the Worlds championship.** **EMS Division Chief Ristom** said the team is currently competing in Montgomery Alabama at the World Finals. He said the team will be competing for the next three days. He said the most successful part of the team is the relay team. He said Carlsbad's Combat Challenge Team is probably the fastest team in the world. He added staff is very proud of the team. He said the results will not be known until the end of the week. He said the team is already National Champions and staff is hoping they will bring home the World title.

**Mayor Janway** added that he and Council are proud of the Combat Challenge Team.

0:19:16      **1. APPROVAL OF AGENDA**

0:19:20      **Motion**

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

0:19:24      **Vote**

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

0:19:33      **2. APPROVAL OF STATEMENT REGARDING CLOSED SESSION OF OCTOBER 21, 2016 PURSUANT TO NMSA 1978, SECTION 10-15-1(H)(7) TO DISCUSS THREATENED OR PENDING LITIGATION**

0:20:19      **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Statement regarding Closed Session of October 21, 2016 pursuant to NMSA 1978, Section 10-15-1(H)(7) to discuss Threatened or Pending Litigation

0:20:23      **Vote**

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

0:20:40      **3. CITY OF CARLSBAD FINANCIAL REPORT FOR SEPTEMBER 2016**

**Ms. Hammett** reviewed the revenues and expenditures as of September 2016 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:22:01      **Councilor Doss** said he feels the Budget Committee was prudent with the budget at the beginning of the year. He said the Committee will have to see how the next couple of months go and there may be further downsizing on the estimated gross receipts tax. He urged all employees to be vigilant on spending.

0:22:34      **4. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting Held on October 11, 2016
- B. Minutes of the Special City Council Meeting Held on October 21, 2016
- C. City Personnel Report
- D. Purchasing:
  - 1) Consider approval to Award Bid No. 2016-29, to Smithco Construction, Inc. for two, (2) Sewer Lift Station Replacements

- 2) Consider approval to Award Bid No. 2016-30, to Constructors, Inc. for the San Jose Phase 4 Project
- 3) Consider approval to Award RFP No. 2016-23, for On-Call Professional Engineering and RFP No. 2016-24, for Architectural Services for various projects by multiple firms
- 4) Consider approval to Award Bid No. 2015-25, for On-Call Professional Surveying Services for various projects by multiple firms
- E. Contracts and Agreements:
  - 1) Consider approval of Authorization giving Authority to transact business on the City of Carlsbad Investment Account
- F. Monthly Reports:
  - 1) Arts and Culture Department Monthly Report, September, 2016
  - 2) Planning, Engineering & Regulation Department Monthly Report, September, 2016
  - 3) Sports and Recreation Department Report, September, 2016
  - 4) Utilities Department Report, September, 2016
- G. Board and Committee Appointments
  - 1) Lake Carlsbad Golf Course Advisory Board-Reappoint: Charles Cable, 4-year term and Appoint: Jack Litschke, 4-year term

0:22:56      **Mayor Janway asked Mr. McCutcheon to discuss Item D.1 Consider approval to Award Bid No. 2016-29, to Smithco Construction, Inc. for two (2), sewer Lift Station Replacements**

**Mr. McCutcheon** explained Item D.1 is to award bid to Smithco Construction for two sewer lift stations. He said the lift stations that are being replaced are at Stevens Street and Pate Street. He said the funding available will allow two sewer lift stations to be built. He explained Smithco was the only company in the state who bid on the project and Smithco did receive a slight advantage for being an in state contractor.

0:25:06      **Motion**

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

0:25:14      **Vote**

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

0:25:25      **5. CONSIDER APPROVAL OF THE AGREEMENT BETWEEN THE CITY OF CARLSBAD AND THE CARLSBAD COMMUNITY FOUNDATION, INC. FOR THE DONATION OF REAL PROPERTY (PUBLIC PARKING LOT)**

**Mr. McCutcheon** explained there has been discussion between the City and the Foundation to donate the parking lot between Canyon and Main Streets. He said the Foundation has been very generous in donating the parking lot to the City and staff is

recommending approval. He said the Foundation has asked for a sign acknowledging the donation.

**Councilor Rodriguez** said he recently became a member of the Foundation board. He explained these discussions took place long before he was a member of the board or a member of the Council. He added he wants true transparency and would like everyone to know he is involved with both.

0:28:43      **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Whitlock to approve the Agreement between the City of Carlsbad and the Carlsbad Community Foundation, Inc. for the donation of Real Property (Public Parking Lot)

0:28:54      **Vote**

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

0:29:08      **6.      COUNCIL COMMITTEE REPORTS**

**Ms. Wanda Durham** said she is happy to report the project at the annex that Durham Mackay has been working on is continuing and on schedule. She said the Council's first meeting in December will probably be able to be held in the new Council Chambers. She said everything is on schedule for the targeted date. She said Durham Mackay will continue with the other phases and are very happy with the results. **Mayor Janway** asked about the municipal court project. **Ms. Durham** said the project is not in the same stage. She added Durham Mackay is working diligently to finish the Council Chambers and will then move over to the Municipal Court. She explained she cannot give an anticipated completion date, but the target dates, up to this point have been on target. **Mr. McCutcheon** added that staff had planned to begin Council in the new chamber in January to get set up. He said if the Mayor and Council desire staff can move the schedule up.

0:32:03      **7.      ADJOURN**

0:32:07      **Motion**

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

0:32:13      **Vote**

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

0:32:26      **Adjourn**

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

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Mayor

ATTEST:

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City Clerk

DRAFT