

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON MARCH 13, 2018 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	Jason O. Chavez	Councilor
	Jason Shirley	Councilor
	Judith E. Waters	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor <i>via telephone</i>

Absent:

Also Present:	Steve McCutcheon	City Administrator
	Michael Hernandez	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	John Lowe	Community Dev. Director
	Luis Camero	Director of Engineering Services
	Ron Myers	Director of Utilities
	Wendy Hammett	Finance Director
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Kent D. Waller	Police Chief
	Patrick Cass	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 **Immediately following the Organizational Meeting.**

0:00:03 **Mr. Kenney Rayroux** explained he is present to give an update on the Standpipe and Lea Street construction. He explained the concept for this project started over two years ago. He said they began by looking at the traffic, the deteriorating condition of the road, the un drivability of the intersection for the turning radius of trucks, and the truck traffic. He said the county is the lead agent and has partnered with the city on the project. He said the split is 60% county funded and 40% city funded. He said that reflects the linear footage of the roadway from Radio Boulevard to the intersection. He explained the project includes extending a 10 inch

city water line, dropping taps in, and new fire hydrants to improve fire protection in that area. He added the waterline extension will be split 50/50. **Mr. Rayroux** explained part of the delay was the STIP grant applied for through the state. He explained once awarded the grant the county had to wait almost a year to start the project. He explained the total project cost is \$1.8 million with the grant award of \$1.6 million.

0:03:23 **Mr. Randy Pettigrew**, Pettigrew & Associates Chief Operating Officer, gave a short presentation regarding Standpipe Road Phase I and Phase II:

- Phase I to be completed by J&H Services
 - Engineering Design
 - Construction Schedule
 - Improvements
- Phase II to be completed by Constructors
 - Project Information
 - Engineering Design
 - Project Schedule

Mr. McCutcheon mentioned that there have been slight revisions to the traffic control plan based on public comment. **Mr. Pettigrew** explained originally the traffic control for west bound Lea was diverting onto Cypress and heading to Church Street. He said due to the amount of traffic still trying to go through, the traffic is now being diverted down Mesa Street. **Mr. Pettigrew** explained all of the information is on the county web page and said the city can also place the information on their website. He added he is happy to deal with all the calls regarding the construction and traffic.

Councilor Rodriguez said it looks like the bridge demo will begin in April. **Mr. Pettigrew** said yes. **Councilor Rodriguez** continued that June through August is the monsoon season and he is worried about water damage should the area overrun at the Sports Complex and surrounding properties. **Mr. Pettigrew** said during the preconstruction conference he was clear with both contractors with respect to monsoon seasons.

0:11:48 **1. APPROVAL OF AGENDA**

0:11:51 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Anaya Flores to approve the Agenda

0:11:57 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:12:12 **2. FILE ELECTION CERTIFICATE**

Ms. Mireles explained that the State of New Mexico Election Code requires each elected candidate to personally appear to sign a statement acknowledging receipt of the Election Certificate and state that they are legally qualified to hold the office. She said all of the candidates have been sworn in and have signed the qualification statement acknowledging receipt. She added a copy of the Election Certificate and written receipt will be filed in the official minute book and a copy will be sent to the County Clerk and the Secretary of State as required by the Election Code.

0:13:14 **Mr. McCutcheon** added this is the first election that Nadine has presided over as clerk. He explained he was present during the canvass process with Judge Read and added that Nadine and Kadee did an outstanding job in the Clerk's office, at both accounting for the election results and running a very well organized and professional election. He added he appreciates their professionalism in their first rather large election.

0:14:00 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on February 27, 2018
- B. City Personnel Report
- C. Contracts and Agreements
 - 1. Consider Approval of an Agreement between the City of Carlsbad and the National Little League for League Services at Bob Forrest Youth Sports Complex
- D. Purchasing:
 - 1. Consider Approval to Advertise Invitation for Request for Proposal for Auctioneer Services for City of Carlsbad
 - 2. Consider Approval to Advertise Invitation for Request for Proposal for Tennis Professional Services for Rio Pecos Tennis Shop and Tennis Courts
 - 3. Consider Approval to Advertise Invitation for Request for Proposal for Concession Services for Lake Carlsbad Municipal Golf Course
 - 4. Consider Approval to Award Bid 2018-04 to J&H Services for Hall St. Lift Station
 - 5. Consider Approval to Award Bid to Greer Construction thorough a CES Contract for repairs to the Pecos River Village
- E. Monthly Reports:
 - 1. Municipal Court Monthly Report, February 2018
 - 2. Personnel Department Monthly Report, February 2018
 - 3. Transportation & Facilities Department, January 2018
- F. Board Appointments:
 - 1. Budget Committee: Councilor Eddie Rodriguez, Councilor Jason Shirley, Councilor Wesley A. Carter

0:14:23 **Mayor Janway asked Mr. McCutcheon to discuss Item D.4 Consider approval to Award Bid 2018-04 to J&H Services for Hall St. Lift Station; and Item D.5**

Consider approval to Award Bid to Greer Construction through a CES Contract for repairs to the Pecos River Village

Mr. McCutcheon explained that Item D.4 is asking to Award Bid 2018-04 to J&H Services for the Hall Lift Station. He said this will take care of all the replacement and overhauls of all the critical lift stations within the city.

Mr. McCutcheon explained that Item D.5 is a CES (Cooperative Education Services) Contract for Greer Construction. He explained CES contractors are in compliance with state procurement and their pricing has been approved and reviewed by CES. He said this item contains a \$76,000 grant and this is for major repairs at the Pecos River Village.

0:16:56 **Mayor Janway asked Mr. Lowe to discuss Item D.3 Consider approval to Advertise Invitation for Request for Proposal for Concession Services for Lake Carlsbad Municipal Golf Course**

Mr. Lowe explained that several years ago the Golf Course Pro Shop was equipped with a commercial kitchen. He said under the current arrangements the concession area is not being utilized. He said the goal is to get a concessionaire to operate the kitchen/snack bar. **Mr. McCutcheon** added when staff reached out to a consultant at NMSU, Mr. Pat Gavin, he recommended that the kitchen/snack bar should be operated separately from the Golf Pro. **Mr. Lowe** added that staff is currently making upgrades to the meeting room at the Golf Course and working on a design plan to have the meeting room and kitchen coincide.

0:19:17 **Councilor Shirley** had a question regarding C.1 Consider approval of an Agreement between the City of Carlsbad and the National Little League for League Services at Bob Forrest Youth Sports Complex. He asked if the city is still paying National Little League to maintain the baseball fields on Olive Street. **Mr. McCutcheon** said no, he explained staff went out for RFP to maintain the fields. He explained the RFP costs were more than the city could afford and decided the city would mow the fields.

0:20:28 **Motion**

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

0:20:34 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:20:51 **4. CONSIDER APPROVAL OF AN EXTENSION OF RESOLUTION 2018-02, PLACING A SIXTY (60) DAY MORATORIUM ON THE PERMITTING AND INSTALLATION OF NEW OFF-PREMISES SIGNS, INCLUDING BILLBOARD TYPES, WITHIN THE CITY OF CARLSBAD**

Mr. Patterson explained the moratorium was scheduled to end at this Council meeting; however, city staff is still reviewing the amended sign ordinance. He added staff also thought it prudent, with new councilors, to postpone hearing this item until the next council meeting on March 27, 2018.

0:22:57 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Waters to approve extension of Resolution No. 2018-02, placing a sixty (60) day moratorium on the permitting and installation of new Off-Premises Signs, including billboard types, within the City of Carlsbad

0:23:03 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:23:18 **5. CONSIDER APPROVAL OF RESOLUTION NO 2018-17, 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.

0:24:16 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Shirley to approve Resolution No. 2018-17, a Resolution declaring certain City Property Unusable or Obsolete

0:24:22 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:24:38 **6. CONSIDER APPROVAL OF RESOLUTION NO 2018-18, A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE NEW MEXICO DEPARTMENT OF TRANSPORTATION 2018 MUNICIPAL ARTERIAL PROJECTS GRANT APPLICATION**

Mr. McCutcheon explained staff applies for this grant yearly and it is used to maintain the city streets.

0:25:35 **Motion**

The motion was made by Councilor Waters and seconded by Councilor Anaya Flores to approve Resolution No. 2018-18, a Resolution authorizing the submission of an Application for the New Mexico Department of Transportation 2018 Municipal Arterial Projects Grant Application

0:25:41 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:26:13 **7. CONSIDER APPROVAL OF RESOLUTION NO 2018-19, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS AND DEBRIS AT 310 N. FOURTH, OWNER: MARY ANN PAZ**

Ms. Riordan explained this property is a vacant lot in a residential area. She said the concern is that not only is the lot unsightly, the lot is a fire risk. She said that staff recommends adopting the Resolution to remove the weeds and debris.

Mayor Janway asked if a representative of the property was present, no one appeared.

0:28:04 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Carter to approve Resolution No. 2018-19, a Resolution requiring the Removal of the Weeds and Debris at 310 N. Fourth, Owner: Mary Ann Paz

0:28:10 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:28:29 **8. CONSIDER APPROVAL OF RESOLUTION NO 2018-20, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS AND DEBRIS AT 201 S 11TH STREET, OWNER: LAKE AND LAVEDA BENNETT**

Ms. Riordan explained this property has come before Council and approved. She explained when staff took a closer look at the legal description, the address is assigned to one lot but the structure and the property consists of two different lots. She explained this is brought back to council with the additional lot and staff recommends moving forward with the removal of weed and debris.

Mayor Janway asked if a representative for the property was present, no one appeared.

0:30:29 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution No. 2018-20, a Resolution requiring the Removal of the Weeds and Debris at 201 S. 11th Street, Owner: Lake and LaVeda Bennett

0:30:35 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:30:52 **9. CONSIDER APPROVAL OF RESOLUTION NO 2018-21, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS AND DEBRIS AT 1406 NORMANDY STREET, OWNER: BRYON WILLIAMS, JR**

Ms. Riordan explained this property has been inspected by Code Enforcement and the Fire Marshall. She said the request is to require the owner to clean up the yard. She explained the yard contains an excessive amount of debris with a random assortment of things. She said Code Enforcement has been working hard to get the owners of the property to comply but the owners have been unwilling.

Mayor Janway asked if a representative for the property was present, no one appeared.

Mr. Patterson explained that Code Enforcement and the Building Department have been dealing with the property and trying to get compliance from the owners for years. He said the ownership changed hands from Bryon Williams Sr. to his son Bryon Williams Jr. He explained his department has had numerous complaints from the entire block and recommend approval to address the property.

0:33:56 **Mayor Janway** asked about the condition of the home on the property.

Mr. Patterson said once the yard is properly cleaned up, the building official plans to examine the structure. He said there is a relative amount of danger going onto the property because of the activity that takes place there. **Councilor Rodriguez** asked if the requirement to clean the property be extended into the alley. Ms. Riordan said even without Council action staff could send the grappler truck to pick up the items in the alley.

0:35:13 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to approve Resolution No. 2018-21, a Resolution requiring the Removal of the Weeds and Debris at 1406 Normandy Street, Owner: Bryon Williams Jr.

0:35:19 **Vote**

The vote was as follows: Yes -Shirley, Waters, Walterscheid, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- None; the motion carried.

0:35:41 **10. COUNCIL COMMITTEE REPORTS**

Mayor Janway said to assist with the planning for Carlsbad he is appointing a Mayor's Blue Ribbon Planning Commission. He said the Commission would be charged with determining the future growth rate of Carlsbad, determining the difference between permanent and temporary employees, determining the housing and infrastructure needs. He said considerations will include the number of employees being added to the work force, how Carlsbad can grow and the present status of important infrastructure. He said an initial steering committee has been assigned with additional appointments at

a later date. He said Mr. Oran Means has been named as the chairman and Mayor Pro Tem Eddie Rodriguez as the vice chairman.

0:37:16 **Mayor Janway asked if anyone in the audience would like to address the Council.**

Mr. Kenneth Kerkowski, Ward 1 resident, said he is concerned with the street striping. He said he and others are upset because the streets are becoming a real hazard with no striping. He said he called last fall and was told the striping machine was broke and he feels it's time that something be done. He also asked when San Jose Boulevard would be complete. He said it has been over two years and it is still closed. **Mr. Pat Cass** said his department is behind on the street striping. He said the department has not been striping because the pavement temperature needs to be 50 degrees to strip. He also added striping cannot be completed in much wind. He said the department will start striping as soon as the weather allows. He explained staff has purchased a much better quality of paint and also ordered dots to place at intersections. **Mr. McCutcheon** added the property of the paint available was changed and everything that was being striped did not last. He said staff researched and found a paint that has shown to last much longer. He said once the weather permits staff will be out striping the streets. **Mr. McCutcheon** explained that San Jose Boulevard has been an 8 or 9 year project. He said it has taken a long time due to the funding and having to complete in phases. He added the completion date is early September.

0:42:43 **11. ADJOURN**

0:42:48 **Motion**

The motion was made by Councilor Anaya Flores and seconded by Councilor Shirley to Adjourn

0:42:55 **Vote**

The vote was as follows: Yes -Shirley, Waters, Anaya Flores, Chavez, Carter, Estrada, Rodriguez; No - None; Absent- Walterscheid; the motion carried.

0:43:27 There being no further business, the meeting was adjourned at 6:50 p.m.

Mayor

ATTEST:

City Clerk