

**LINKED MINUTES OF THE EMERGENCY MEETING OF THE CITY COUNCIL OF  
THE CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL BUILDING  
ON MARCH 3, 2017 AT 9:00 A.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	Wesley A. Carter	Councilor
	Jason Shirley	Councilor
	Richard Doss	Councilor
Absent:	J. R. Doporto	Councilor
	Ward 4	Vacancy
Also Present:	Steve McCutcheon	City Administrator
	Stephanie Shumsky	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Annette Barrick	City Clerk
	Luis Camero	Director of Engineering Services
	Wendy Hammett	Finance Director
	Jeff Patterson	Planning Director
	Kent D. Waller	Police Chief

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**

0:00:31      **1. APPROVAL OF AGENDA**

0:00:34      **Motion**  
The motion was made by Councilor Shirley and seconded by Councilor Carter to approve the Agenda

0:00:39      **Vote**  
The vote was as follows: Yes - Doss, Estrada, Rodriguez, Shirley, Carter, Anaya Flores; No - None; Absent - Doporto; The motion carried.

0:00:49        **2.        CONSIDER APPROVAL OF ALTERNATE FUNDING SOURCE FOR THE CARLSBAD BRINE WELL CAVERN FOR CASH OR IN-KIND SERVICES IN THE AMOUNT OF \$50,000**

**Mr. McCutcheon** explained there is a proposal in the legislature to put together 500K to create the authority to move forward on the Brine well mitigation. He explained times are difficult for the city financially but this is a critical problem. He said this funding will show good faith from the city and will hopefully move the effort forward because the Brine well is a critical situation.

**Councilor Doss** said over the years the city has put in 2 million dollars, with some of the funds reimbursed. He asked if the city knows the status of the 4 bills going through the House and the Senate. **Mr. Heaton** said the House Bill is in the Senate and the Senate Bill is in the House. He said there is a large chance that one of the bills will pass. He said the bill he is speaking of is the Authority Bill and added he suspects the Funding Bill is stuck in Senate finance.

0:04:04        **Motion**

The motion was made by Councilor Doss and seconded by Councilor Rodriguez to approve Alternate Funding Source for the Carlsbad Brine Well Cavern for cash or in-kind services in the amount of \$50,000, with the condition that the County and the State approve their portions

0:04:27        **Vote**

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

0:04:50        **Mr. McCutcheon** said he does not know if the issue will be presented as an emergency status. He said he suspects it will take time to get the legislative funding in place and will begin to move forward July 1. He said from an administrative standpoint staff would bring a budget adjustment to the Budget Committee and bring the adjustment to Council by July 1, 2016.

**Mr. Heaton** said this project is really about the money to get the project done. He said estimates have been about 25 million dollars to remediate the Brine Well. He explained there is a reclamation fund and he has done some calculations and the reality is that between 2010-2014 the fund generated over 10 million, he said if you add in 2015 its probably somewhere between 11 and 11.5 million dollars in addition to what was placed in the fund previously. He said the bill allows money to be used for reclamation of any kind of oil activity needs including Brine Wells. He said in reality the department has taken 11 million dollars that should have gone into the fund and into this project. He said he feels the Energy and Minerals Department needs to commit some portion of their mediation fund into the Authority, without this commitment bonding will be impossible. He said a lot of money has been spent on studies and tests and he thinks it's time to fill the well and get the problems solved.

**Mr. McCutcheon** said Mr. Heaton has raised some good points. He said one of the proposals is for 200K to come from the remedial fund. He said the proposal is to take the Authority and do the final fill study and put out an RFP for final engineering design and fill services.

**Mr. Heaton** said the Interior is receiving a lot of money from the state of New Mexico. He said we need to get congressional delegations involved to figure out the path forward and revenue sources.

0:13:08      **3. ADJOURN**

0:13:16      **Motion**

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

0:13:25      **Vote**

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

0:13:40      **Adjourn**

There being no further business, the meeting was adjourned at 9:16 a.m.

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/s/Dale Janway  
Mayor

ATTEST:

\_\_\_\_\_  
/s/Annette Barrick  
City Clerk