

**LINKED MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL BUILDING
ON JUNE 14, 2016 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Sandra K. Nunley	Councilor
	J. R. Doportto	Councilor
	Wesley A. Carter	Councilor
	Jason Shirley	Councilor
	Richard Doss	Councilor
	Janell E. Whitlock	Councilor

Absent:

Also Present:	Stephanie Shumsky	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Annette Barrick	City Clerk
	LaVelta Jenkins	City Treasurer
	Jeff Patterson	Planning, Eng., & Reg. Director
	Luis Camero	Public Works Utilities Director
	Thomas Carlson	Public Works Director
	Richard Lopez	Fire Chief
	Kent D. Waller	Police Chief
	Patsy Jackson-Christopher	Director of Arts & Culture

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 there are special guests in the audience today, Ms. Cindy Elkins and Ms. Pam Tabor with the Assistance League.**

Ms. Elkins explained the Assistance League is a nonprofit organization that clothes the children in need throughout Eddy County. She said last year the organization dressed over 850 children and are preparing to dress more this year due to the oilfield situation. She said the Assistance League was told yesterday that there are 200 school age children that are homeless. She explained the event is at the Elks on June 25, 2016, splash down is at 11:00 a.m. She explained that all proceeds go to Operation School Bell. She said every child is dressed before school starts, so they can wear the new clothes on the first day of school. She added one book of tickets will dress one child.

0:07:33 **Mayor Janway commended Councilor Shirley as chairman of CavernFest for the great job.**

Councilor Shirley said CavernFest was beyond any of their expectations. He thanked City staff, City Council, and Mayor for all the support. He said there were approximately 5000 people for the main event.

0:09:07 **1. APPROVAL OF AGENDA**

0:09:08 **Motion**

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

0:09:13 **Vote**

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

0:09:31 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on May 24, 2016
- B. City Personnel Report
- C. Purchasing:
 - 1) Consider approval to Request Bids for Tree Removal and Tree Trimming Services
 - 2) Consider approval to Award a CES Contract to Greer Construction for the Civic Center Flooring Repair and Replacement
 - 3) Consider approval to Advertise Invitation for Bid for the Double Eagle Well Improvements, Phase B, to equip and construct the infrastructure for five (5) wells
- D. Monthly Reports:
 - 1) Personnel Monthly Department Report, May 2016
 - 2) Planning, Engineering & Regulation Department Monthly Report, May 2016
 - 3) Municipal Court Monthly Department Report, May 2016
 - 4) Transportation Monthly Department Report, May 2016
- E. Contracts and Agreements:
 - 1) Consider approval of an Agreement between the City of Carlsbad and Research and Planning Consultants, LP for a Health Services Study
- F. Set Date: (July 26, 2016)
 - 1) An Ordinance Adopting Amendments to the Carlsbad Code of Ordinances, Chapter 56- Zoning Ordinance Pursuant to Code of Ordinances Section 56-150 and Section 3-17-1 and 3- 18-1 NMSA 1978
- G. Board and Committee Appointments
 - 1) Arbor Day Foundation-Tree City NM Advisory Board: Appoint: Ken Britt, 4-year term
 - 2) Carlsbad Disability Advisory Board: Re-appoint: Tom Kirby & Deborah Pinching, 4-year terms

- 3) Carlsbad Museum & Art Center Advisory Board: Re-appoint: Gerri Mattson, 5-year term
- 4) Carlsbad Planning and Zoning Commission: Re-appoint: James McCormick & James Knott, 2-year terms
- 5) Police Department Citizen's Advisory Board: Appoint: Richard Wiede & Karla Dyess, 4-year terms
- 6) Veteran's Memorial Board: Re-appoint: Steve Voris & Fernando Santana, 4-year terms

0:09:55 **Mayor Janway said he would like to table Item G.1 Board and Committee Appointments: 1. Arbor Day Foundation Tree City NM Advisory Board: Appoint: Ken Britt, 4-year term. He asked Ms. Shumsky to discuss Item C.3 Consider approval to Advertise Invitation for Bid for the Double Eagle Well Improvements, Phase B, to equip and construct the infrastructure for five (5) wells Ms. Shumsky explained that Item C.3 is to consider approval to advertise invitation for Bid for the Double Eagle Well Improvements, Phase B. She explained the five wells referenced are wells that engineering has been completed on, the drilling of the wells has been paid for, and now it is time to construct the wells. She said the money from the water trust board will be used along with some additional funding that is set aside for the project.**

0:11:00 **Motion**
 The motion was made by Councilor Rodriguez and seconded by Councilor Doporto to approve Routine and Regular Business

0:11:05 **Vote**
 The vote was as follows: Yes - Carter, Anaya Flores, Doporto, Nunley, Rodriguez, Shirley; No - Whitlock, Doss; Absent- None; The motion carried.

0:11:54 **3. CONSIDER APPROVAL OF A BUSINESS LICENSE TO CONDUCT DOOR-TO-DOOR SALES, SERVICE AND INSTALLATION OF SECURITY SYSTEMS BY SMART HOME PROS, INC.**
Mr. Patterson explained the application is for Smart Home Pros, Inc., who is owned by Vivint Inc. to conduct door to door sales. He explained Council has previously allowed Vivint Inc. to conduct door to door sales. He said they will conduct the door to door sales during the hours of 9:00 a.m. to 7:00 p.m. He said the applicant has met all of the requirements for this type of license. He added the Planning Department recommends approval.

0:13:21 **Motion**
 The motion was made by Councilor Nunley and seconded by Councilor Shirley to approve Business License to conduct door-to-door sales, service and installation of security systems by Smart Home Pros, Inc.

0:13:47 **Vote**

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

0:14:10 **4. CONSIDER APPROVAL OF REQUEST FROM C-N-G BBQ & CATERING: CHARLIE & NANCY GARCIA, TO ALLOW FOR MOBILE SALES OF FOOD ON CITY PROPERTY IN THE RIVERWALK RECREATION CENTER PARKING LOT**

Mr. Patterson explained this application is to allow C-N-G BBQ & Catering, owner Charlie Garcia, to operate his mobile vending trailer on City property, specifically the Riverwalk Recreation Center parking lot. **Mr. Patterson** stated that Mr. Garcia requested that he be allowed to operate on Saturday from noon to 5:00 p.m. He said the applicant is required to get approval from property owner and in this case the City is the owner. He said the Planning Department's recommendation comes with conditions. He said the owner is requesting to vend through September 30, 2016.

Councilor Rodriguez asked if the special license is to be posted. **Mr. Patterson** said it does not have to be posted but if asked for it should be presented. He added the Business Registration should be posted.

0:16:25 **Motion**

The motion was made by Councilor Doporto and seconded by Councilor Rodriguez to approve request from C-N-G BBQ & Catering: Charlie & Nancy Garcia, to allow for mobile sales of food on City property in the Riverwalk Recreation Center parking lot

0:16:42 **Vote**

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

0:17:01 **5. CONSIDER APPROVAL OF RESOLUTION NO 2016-28, A RESOLUTION DECLARING CERTAIN CITY PROPERTY UNUSABLE OR OBSOLETE**

Ms. Shumsky explained this is the standard Resolution for following statute to dispose of obsolete and unusable City property.

0:17:51 **Motion**

The motion was made by Councilor Doporto and seconded by Councilor Nunley to approve Resolution No. 2016-28, a Resolution declaring certain City property unusable or obsolete

0:17:56 **Vote**

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

0:18:17 **6. COUNCIL COMMITTEE REPORTS**

Mayor Janway said there was an excellent meeting with the Governor this morning. He added there was excellent representation from the Council. He said those in attendance were Councilor Doss, Councilor Rodriguez, Councilor Shirley, and Councilor Whitlock.

Councilor Doss explained the Governor has a new initiative in support of children who are at risk or in need. He said the Secretary of Children, Youth, and Families made an excellent presentation and if the initiative takes hold and goes on it will be a good thing for Carlsbad and the State of New Mexico.

Councilor Rodriguez added he felt the presentation was very good as well. He said the main thing he would like to point out is that nothing new is being introduced. He explained what the program is seeking to do is to take existing programs and make sure that they all identify with one another, to make sure efforts are not duplicated. He said the program is statewide and looking at increasing our profile as a state in dealing with children, where the state currently ranks very low.

Mayor Janway added this was the seventh meeting throughout the State and Carlsbad was the biggest turnout.

0:21:06 **7. ADJOURN**

0:21:08 **Motion**

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

0:21:19 **Vote**

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

0:21:39 **Adjourn**

There being no further business, the meeting was adjourned at 6:22 p.m.

/s/Dale Janway
Mayor

ATTEST:

/s/Annette Barrick
City Clerk