

MINUTES OF A SPECIAL MEETING OF THE CARLSBAD BOARD OF SOLID WASTE COMMISSIONERS OF THE CITY OF CARLSBAD, NEW MEXICO, HELD AT CITY HALL IN THE COUNCIL CHAMBERS ON AUGUST 10, 2016 AT 1:00 P.M.

Voting Members Present: Jerry Stanley, Chairman – Member at large
Lisa Flores, Board – Ward 1
John Beasley, Board – Ward 3
Jim Grantner, Board – Ward 4

Voting Members Absent: Alvin Doporto, Board – Ward 2

Ex-Officio Members Absent: Mayor Dale Janway
Steve McCutcheon, City Administrator

Board Secretary Present: Luis Camero, Director of Engineering

Staff Present: Stephanie Shumsky, Deputy City Administrator
Mike Hernandez, Director of Utilities
Wendy Hammett, Director of Finance
Lavelta Jenkins, Assistant Treasurer
Ruben Ramirez, Solid Waste Superintendent
Terra Dougan, Solid Waste Coordinator
Mary Garwood, Beautification Coordinator

Jerry Stanley called the meeting to order at 1:00 p.m.

1. ROLL CALL OF VOTING MEMBERS and DETERMINATION OF QUORUM

Jerry Stanley called the roll of voting members, determining that three of the five appointed board members were in attendance, which constitutes a quorum. Jim Grantner arrived at 1:16 p.m. Lisa Flores left at 1:54 p.m. and did not return.

2. APPROVAL OF AGENDA

Jerry Stanley called for a motion to approve the agenda as presented. Flores made the motion, which was seconded by Beasley. The vote was as follows: Yes – Flores and Beasley. No – none. Abstain – none. Absent – Doporto and Grantner. The motion carried.

3. SOLID WASTE ORDINANCE REVIEW

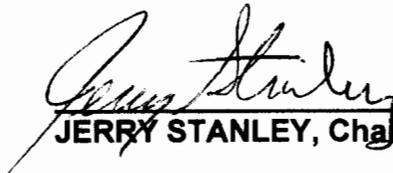
Jerry Stanley stated that the ordinance that was given to the board from the consultant was a good version and he asked the other board members what they thought regarding the ordinance. Lisa Flores replied that the board has been working on the ordinance for a while and that it needs to be completed so that the board can move on. John Beasley asked the staff present if the ordinance was done. Michael Hernandez replied that there are drafts that are completed. Luis Camero stated that the draft ordinance in the packet has been reviewed by himself, Mike Hernandez, and Stephanie Shumsky. Camero also added that there was a second draft of changes made and that draft is with the city attorney to review. John Beasley said he thought the reason for this meeting was to make a motion to send the ordinance to council to approve. Beasley also added that at previous meetings it was decided that the staff was to make changes to the ordinance, send it through the channels for review and then submit the completed version to the board for approval to go to council.

Stephanie Shumsky agreed that what Beasley stated was correct and she added that herself, Mike Hernandez, Luis Camero and staff did put together a revised draft, that they thought was a pretty good draft, forwarded the draft to the city attorney but no one has heard back from the city attorney. Shumsky added that the staff recommends having a section that details how the rates are calculated but adding the rate chart as an appendage or attachment so it can be modified by a resolution easier. Shumsky also added that there is a section in red regarding liens that has not been reviewed by the City Clerk or City Attorney and a section needs to be added about recycling which can be amended at a later date. John Beasley stated that he liked the idea of adding the rate chart as an appendage so it could be changed at a later date. Beasley asked Stephanie Shumsky if there was anything in the ordinance that specifically needed direction from the Solid Waste Board. Stephanie Shumsky replied that one of the main concerns is how to define residential uses. Shumsky added that the current ordinance has a few descriptions about residential use but it needs to be clarified. John Beasley asked Stephanie Shumsky couldn't it be tied with the zoning of the property. Stephanie Shumsky stated that tying it with the zoning of the property is fine but it has to be approved by the Solid Waste board. Luis Camero added that Solid Waste is finding more than one residence occupied at one address. John Beasley stated that if the residence is receiving money for the other units that are occupied on their property than it needs to be commercial; Luis Camero stated that the zoning is residential though. John Beasley asked the staff if that specific issue has been fixed. Stephanie Shumsky replied that a resolution has not been agreed upon yet. Lisa Flores stated that it would be easier to charge per resident and should be deemed residential. Luis Camero added that a residential service is one or no more than two single family residences. John Beasley asked the staff to tell the board what areas of the ordinance they need the boards help with. Luis Camero replied that at the last meeting there were two areas that needed attention and those were recycling and rates. Camero also added that the board made a recommendation to add a section regarding franchising. John Beasley asked the board and the staff why recycling needs to be part of the ordinance at this point in time. John Beasley asked Luis Camero what his opinions are on the recycling program. Luis Camero replied that first curbside recycling needs to be looked at. Camero also added the he, Mike Hernandez and some of the staff feel that it should be neighborhood recycling and the administrators feel it should be curbside recycling. Jerry Stanley stated that recycling needs to be added to the ordinance to reinforce the rules and regulations of recycling. Stanley also added that the convenience station information along with the rules and regulations needs to be added to the ordinance. Stanley stated that he cannot see an ordinance being published without the board and the city covering every asset of solid waste disposal. Jim Grantner stated that when rates are in consideration the individual assessing the situation should make the decision on which category the residence falls into when it comes to rates. Lisa Flores stated that if there are residences that are occupied they need to be deemed residential regardless of how many units are there. Luis Camero stated that in the old ordinance it states that trailer parks and man camps are to be charged by the number of spaces regardless if they are occupied or not. Lisa Flores asked the staff if a residential rate is charged to mobile home parks. Mike Hernandez replied that they are not charged as a residential rate. Lisa Flores asked Stephanie Shumsky if she thinks the better alternative is to charge the mobile home parks and apartment complexes the same as rate as a motel/hotel. Stephanie Shumsky and Jim Grantner agreed that a motel/hotel rate should also apply to trailer parks and apartment complexes. Lisa Flores asked Luis Camero how he feels residential rates should be classified. Luis Camero replied that a residential rate is a single family home or duplex. Camero also added that if there is a duplex both residents

would receive a roll-out and have to pay the residential rate. Lisa Flores stated that there needs to be more simplicity with the rates. Jim Grantner stated that the staff should make a list of recommendations and then bring them to the board for discussion and review. Luis Camero stated that the current ordinance states that if a residential customer would like an additional roll-out they would be able to receive one but they would be charged the regular residential rate. Camero added that it has been proposed that the rate be changed to almost half of the standard residential rate for an additional roll-out. Camero asked the board and the staff if they are still considering changing the rate of the second roll-out. Jerry Stanley stated that the residential rates are the highest in the state but the city also offers quite a few free services including recycling, convenience station, and grappler service. Mary Garwood stated that composting is part of Solid Waste and should be considered in the ordinance. Garwood also asked if the staff, the Solid Waste board and the city should consider spending more time in composting. Jerry Stanley asked Stephanie Shumsky if the City Clerk has reviewed their part of the ordinance in regards to the liens. Stephanie Shumsky replied that the City Clerk and the City Attorney have not gotten back to her.

4. MOTION TO ADJOURN

Jerry Stanley called for a motion to adjourn. John Beasley made the motion to adjourn, seconded by Jim Grantner. The vote was as follows: Yes – Grantner and Beasley. No – none. Abstain – none. Absent – Doportto and Flores. The motion carried. The meeting was adjourned at approximately 2:09 p.m.



JERRY STANLEY, Chair