

**LINKED MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL BUILDING
ON AUGUST 23, 2016 AT 6:00 P.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
	Janell E. Whitlock	Councilor
Absent:	J. R. Doport	Councilor
Also Present:	Steve McCutcheon	City Administrator
	Stephanie Shumsky	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Annette Barrick	City Clerk
	Wendy Hammett	Finance Director
	Jeff Patterson	Planning Director
	Luis Camero	Director of Engineering Services
	Thomas Carlson	Public Works Director
	Richard Lopez	Fire Chief
	Kent D. Waller	Police Chief
	Patsy Jackson-Christopher	Director of Arts & Culture
	Steve Hendley	Director of Parks & Recreation

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**

0:00:32 **Chief Lopez** said more rain is in the forecast and the ground is already saturated which will cause flooding conditions. He added there are currently flood warnings in the area. He said there are two swift water crews ready and available. He said the crews are running the low water crossing on the south side of town and in the county trying to prevent anyone from going off into the area. He said many barricades and low water crossings have been put out to warn drivers. He said stay out of the low water crossings and if you don't have to go out please don't.

0:03:21 **Chief Lopez** said the Combat Challenge Team went to compete in Texas and took first place. He said the Team is continuing to train for the Combat Challenge here in Carlsbad in October.

0:03:46 **Councilor Anaya Flores** asked if the City is prepared and if they already have sandbags prepared. **Mr. Carlson** said yes the City has 100 sandbags and staff is prepared to make more. He said if anyone is in need of sandbags the City will deliver and help stack them. He added staff has barricades on several of the low water crossings. **Councilor Whitlock** asked where constituents would call if they need sandbags. **Mr. Carlson** said they can call the Police Department.

0:05:10 **Mayor Janway** asked for an update on Ocotillo school traffic congestion. **Mr. McCutcheon** said on Thursday, August 18, 2016, staff met with Carlsbad Municipal Schools Administration. He said some short term goals were agreed upon, one of the goals was to install a three way stop sign, which was installed on Friday. He said the schools have encouraged walking, riding bicycles, and they changed the bus schedule to arrive earlier. He added these changes have taken the traffic from 45 minutes to 20 minutes. He said the landholders and County are willing to help.

Mr. Carlson said staff has completed traffic counts at the main intersection of Troy and Ligon. He said there are twice as many vehicles on Troy as there are on Ligon. He said Ligon was backing up because Troy is a through street with the right-of-way. He said a three way stop was placed at the intersection and traffic is moving well. He said crosswalks will be installed as soon as the weather permits.

Chief Waller said staff tried to anticipate what the traffic situation would be like, but it is hard to know until there is actually traffic. He said he anticipates the Calloway project will also have an effect on the traffic pattern. He said bus routes are designated to come in on Ligon and the three way stop will help. He explained the cross walks will be installed and getting the traffic down to 20 minutes is a good flow and going smoothly.

0:11:10 **Councilor Anaya Flores** asked if there is a plan to develop another entrance and exit in the neighborhood. **Mr. McCutcheon** said there are five alternatives that have been identified by Molzen Corbin. He said other options are already on the drawing board and funded. He said staff does not yet know what the best and most cost effective alternative is but staff is moving in that direction. He added there have been very few issues or complaints from Desert Willow School.

0:12:28 **Councilor Rodriguez** asked about Monterrey, PR Leyva, ECEC, and the High School traffic. **Chief Waller** said the beginning of every school year usually takes a few weeks to get the routes running smoothly. He said he is working with the new cross walks and SRO officers to assist with the transition. He said he is also trying to place uniformed officers and patrol cars in or near the school zones. **Councilor**

Rodriguez added that seeing an officer is a deterrent and helpful. **Councilor Anaya Flores** said she works at ECEC and staff encourages that the students ride the bus. She said the traffic does eventually get better as the year progresses.

0:15:44 **Councilor Whitlock** said she has been asked by many citizens, why there is not a stop light at 8th and Church Street. She said she thought years ago there was a stop light at that intersection. **Mayor Janway** said yes, there was a light there.

Councilor Whitlock asked why the light was taken out. **Mr. Carlson** said staff has never really studied the area to see if it warrants a traffic light. He said he thinks the intersection might warrant for the peak flow. He said there are criteria and most of the time there is not a lot of traffic except at the peak flow.

Mayor Janway asked Mr. Carlson to complete a traffic study of the intersection. **Mr. Carlson** answered yes, he sure can. **Councilor Shirley** asked Mr. Carlson if he could also look at Lamont and Church Street. **Chief Waller** said the problem with Lamont is that it is not a true T intersection. He said with the angle it is easy to miss traffic coming from the west.

0:18:29 **Mayor Janway announced there is a special guest in attendance tonight, State Representative, Ms. Catherine Brown.**

0:18:38 **Councilor Doss** asked if Council could hear those present to speak of the traffic issues at Ocotillo school could give their concerns now.

Mr. Goodale thanked the Council for working with the schools. He said as a resident of the area he appreciates the quick effort and initiative taken to put the three way stop in. He said the main concern is the safety of the children, pets, and people walking in the area. He explained the concerns arise from speed and built up into the traffic jam. He said he has conducted his own traffic count and the number of people dropping their children off is significantly less. He said bus use is decreasing the traffic in the area. He said the buses are still driving down Troy Drive. He said from the perspective of the residents the request is to slow traffic down in the area. He said if the buses would adhere to the suggested routes it would be much better. He added according to the schools the buses are not required to do that, the buses are public, contracted and can take the fastest route to the school which includes taking Troy Drive. He said the City is saying the school did not inform or include them and the school is saying it is not the schools responsibility, it is the City's problem and the residents are stuck in the middle. **Mr. McCutcheon** said he does not think the City has ever said that and would like to clear the record. **Mr. Goodale** said the alternate route planning was started in 2014 and there is still nothing going. He said \$2 million was spent on Ligon Rd which is still a 23 foot road that does not allow for the volume of traffic that is being run down the road. He said the residents are asking for confidence and updates that the issues will be resolved. He said the desire of the residents is to have their safe streets back. He said two of his neighbors have had pets run over and he does not want a child to be hit. He explained kids are playing on the street, riding scooters on the streets and he wants

to keep that opportunity available to the kids. He thanked the Council and Mayor for their time.

0:26:26 **Mr. McCutcheon** said he would like to respond to a couple of the questions. He said the plan was never to do an alternate route until Ligon was rebuilt. He said the City budgeted \$1.7 million to redo Ligon. He said the City did not choose the site that the school is built on and the City frankly did more for the school to support the development, then the City would have done for any other developer. He said other developers would have had to put in the street and utilities. He explained the best estimate for an alternate route is approximately 4.5 million dollars and is not at this point in the budget. He said once the study is complete there will be issues with funding and will not be quickly dealt with but it is and has been on the drawing board. He said once the engineering study is complete the Council will make a decision on the choice to select and staff will begin working on the funding to support the decision. He added speed limits are easy to do and alternate routes are very possible but more difficult.

0:30:34 **Mayor Janway asked Chief Waller and Mr. Carlson to look into the speed limits and return to Council with a recommendation.**

0:30:51 **1. APPROVAL OF AGENDA**

0:30:54 **Motion**

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

0:31:03 **Vote**

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

0:31:16 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Special City Council Meeting Held on August 4, 2016
- B. Minutes of the Regular City Council Meeting Held on August 9, 2016
- C. City Personnel Report
- D. City of Carlsbad Department Monthly Reports:
 - 1) Arts and Culture Department Monthly Report for July 2016
 - 2) Sports and Recreation Department Monthly Report for July 2016
 - 3) Transportation & Facilities Department Monthly Report for July, 2016
- E. Contracts and Agreements
 - 1) Consider approval of the Fourth Renewal of Agreement between the City of Carlsbad and the SENM Community Action Corporation for the Lease of Property and Improvements known as the Adult Respite Facility located at 201 E. Cascades Avenue

2) Consider approval of the Agreement between the City of Carlsbad and the Carlsbad Soccer League for Sport Services at the Bob Forrest Youth Sports Complex

F. Boards and Committee Appointments:

1) Carlsbad Museum and Art Center Board: Appoint-Larry Pardue and Duane Pearson, 5-year terms

0:31:36 **Mayor Janway asked Councilor Carter to discuss item E.2 Consider approval of the Agreement between the City of Carlsbad and the Carlsbad Soccer League for Sport Services at the Bob Forrest Youth Sports Complex (BFYSC)** Councilor Carter said he is a member of the BFYSC Advisory Board. He said this is a third renewal of an agreement with the Carlsbad Soccer League. He explained the agreement has been very successful in the past and is for reimbursement of services rendered. He said the soccer league is by far the biggest league in town with over 700 kids.

Mayor Janway said he hears nothing but compliments about the soccer league.

0:32:41 **Motion**

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

0:32:46 **Vote**

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

0:32:57 **3. PRESENTATION BY JEFF DIAMOND REGARDING THE AVALON RANCH**

Mr. Jeff Diamond thanked Mr. McCutcheon for his diligent work with the task force to restore community mental health services in Carlsbad. He also recognized State Representative Catherine Brown who fought for Carlsbad to receive \$485K in capital outlay money to resurrect the Crossroads Program. He said the Crossroads Program was previously located on Church Street and was closed in 2014 by Dr. Wayne Lindstrom with Behavior Health Services. He explained the building was obsolete with no heating or cooling. He added Representative Brown and Senator Kernan were big supporters of the program. **Mr. Diamond** said Crossroads was a program for women 19 years and over and children 12 and under, for long term substance addiction rehabilitation. He explained the program is designed to keep women out of jail and to keep them from losing custody of their children. He said he does not know where the program will be located at this time. He said he is hoping the City will contract with Avalon Ranch, who is a nonprofit New Mexico Corporation. He explained the board is working on the project and have received great help from the City. He explained the board is looking for the appropriate facility and would like to start with housing 20

women and their children. He said they will take as many residents as the facility can accommodate. He added this is a major under taking for the State of New Mexico.

0:46:38 **Mr. McCutcheon** said on receiving the grant, DFA has informed the City that a contract must be in place. He explained Ms. Riordan has researched regarding the City's ability to contract with the group. He said she has also started a draft of a potential contract that will potentially be placed on the agenda for Council's consideration.

Ms. Riordan explained one of the complexities of the draft is not having a facility. She said she has to address a lot of variables. She said the contract will be very complex because it will be a service that is very complex to provide. She explained the City will only provide the facility in which the service will occur.

Mayor Janway thanked Representative Brown, Senator Kernan, and Mr. Diamond for all the hard work.

0:50:33 **4. CONSIDER APPROVAL OF RESOLUTION 2016-40, A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP)**

Mr. Patterson said this is the Infrastructure Capital Improvements Plan. He said the City submits this plan to the State. He said each plan covers a five year block; this plan will cover 2018 through 2022. He explained this is a tool that the City uses to identify potential projects for the short term future. He said one of the requirements for this plan being submitted is that the City identify five projects and provide detail of the projects. He said with Council's permission and approval the Planning Department will submit the ICIP to the State on September 1, 2016.

0:52:11 **Motion**

The motion was made by Councilor Doss and seconded by Councilor Carter to approve Resolution 2016-40, a Resolution adopting an Infrastructure Capital Improvements Plan (ICIP)

0:52:17 **Vote**

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

0:52:30 **5. CONSIDER APPROVAL OF RESOLUTION 2016-41, A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR FUNDING ASSISTANCE FOR FY 2017-2018, FOR THE SECTION 5311, FOR PUBLIC TRANSPORTATION**

Mr. McCutcheon explained this is a standard grant for funding assistance. He said staff appreciates JoAnn Moore's work on the application. He explained the City's portion

has been budgeted, which is 300 thousand. He said the total project will be 800 thousand and these are the funds used to operate the transit.

0:53:24 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Doss to approve Resolution 2016-41, a Resolution authorizing the filing of an application to the New Mexico Department of Transportation for Funding Assistance for FY 2017-2018, for the Section 5311, for public transportation

0:53:33 **Vote**

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

0:53:45 **6. CONSIDER APPROVAL OF 2016 ANNUAL NMML CONFERENCE VOTING DELEGATE-JANELL WHITLOCK, AND ALTERNATE DELEGATE, COUNCILOR LISA ANAYA FLORES**

Councilor Doss said the meeting will be held August 31 - September 2, 2016 in Hobbs, NM. He said Councilor Whitlock has agreed to attend and vote as needed.

0:55:01 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Carter to approve the 2016 Annual NMML Conference Voting Delegate - Janell Whitlock, and Alternate Delegate, Councilor Lisa Anaya Flores

0:55:07 **Vote**

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

0:55:26 **7. COUNCIL COMMITTEE REPORTS**

Mr. Carlson said staff spent a portion of last week cleaning up underneath the Canal Street Bridge over Dark Canyon. He said 20 loads were taken out with a total of 161 tons of debris. He said it looks good and no trespassing signs will be posted.

Councilor Doss asked about the other bridges in town and if they are providing shelter for anyone. **Mr. Carlson** said he is not sure but does not think they are currently being used.

Mr. McCutcheon explained the railroad bridge is the responsibility of the railroad and they typically clean up under the bridge. **Chief Waller** added the railroad cleaned up the weeds about a month ago and at this time there is no activity there.

Councilor Rodriguez asked if anything has been done about Tent City, the homeless community that has been living in tents. **Ms. Riordan** said the property being used is in

the County or on private property and that it is up to the property owner to decide whether they want to allow the use.

1:00:26 **8. ADJOURN**

1:00:29 **Motion**

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

1:00:35 **Vote**

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

1:00:59 **Adjourn**

There being no further business, the meeting was adjourned at 7:05 p.m.

_____/s/Dale Janway_____
Mayor

ATTEST:

_____/s/Annette Barrick_____
City Clerk