

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON SEPTEMBER 25, 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

Absent:

Also Present:	Michael Hernandez	City Administrator
	John Lowe	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	Ken Britt	Community Dev. Director
	Coby Crouch	Director of Projects
	Ron Myers	Director of Utilities
	Sam Plumlee	IT Director
	Wendy Hammett	Finance Director
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Melissa Salcido	Grants Administrator

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**

0:00:01 Invocation - Pledge of Allegiance

0:00:30 **1. APPROVAL OF AGENDA**

0:00:33 **Motion**
The motion was made by Councilor Shirley and seconded by Councilor Estrada to approve the Agenda

0:00:38 **Vote**

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

0:00:54 **2. CITY OF CARLSBAD FINANCIALS STATEMENT - AUGUST 2018**

Ms. Hammett reviewed the revenues and expenditures as of August 2018 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:03:28 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on September 11, 2018
- B. City Personnel Report
- C. Contracts and Agreements
 - 1. Consider Approval of Memorandum of Agreement between the City of Carlsbad and the New Mexico Department of Transportation for participation in the Section 5311 FY 19 Grant for the Municipal Transit System
 - 2. Consider Approval of Agreement between the City of Carlsbad and Creative Carlsbad to Act as the Arts Council for the Carlsbad Arts and Cultural District
- D. Purchasing
 - 1. Consider Approval to Advertise Invitation for Bid for Double Eagle Phase 3 Water System Improvements
 - 2. Consider Approval to Award Bid 2018-14 to Constructor's Inc. for Taxiway C Reconstruction at the Cavern City Air Terminal
- E. Monthly Reports
 - 1. Community Development Department Monthly Report August 2018
 - 2. Transportation & Facilities Department Monthly Report July 2018
- F. Set Date: November 13, 2018
 - 1. Consider Approval of an Ordinance Annexing a portion of land containing +/- 1.34 acres more or less, contiguous to the City of Carlsbad, New Mexico, located at 2414 Martin Lane, legally described as Tract A2 of the McGonagill Land Division #2, Pursuant to the Petition method provided for in Section 3-7-1 ET. Seq., NMSA 1978
 - 2. Consider Approval of an Ordinance Applying "R-R" Rural Residential District to an approximately 1.34 acre property, located at 2414 Martin Lane, legally described as Tract A2 of the McGonagill Land Division #2, Pursuant to Section 3-21-1 ET. Seq. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances
 - 3. Consider Approval of an Ordinance Annexing a portion of land containing +/- 19.60 acres more or less, contiguous to the City of Carlsbad, New Mexico, located at the Southeast corner of the intersection of North Canal Street and East Cherry Lane, legally described as the vacated lots 1, 2, 3, & 4 of Block 11, La Huerta Subdivision, and Bannister Tract 3, La Huerta Block 11 Replat, Carlsbad, Eddy

County, New Mexico, Pursuant to the Petition method provided for in Section 3-7-1 ET. Seq., NMSA 1978

4. Consider Approval of an Ordinance applying "R-1" Residential 1 District Zoning for an approximately 19.60 acre property, located at the Southeast Corner of the intersection of North Canal Street and East Cherry Lane, legally described as the vacated lots 1, 2, 3, & 4 of Block 11, La Huerta Subdivision, and Bannister Tract 3, La Huerta Block 11 Replat, Carlsbad, Eddy County, New Mexico, Pursuant to Section 3-21-1 ET. Seq. NMSA 1978 and Sections 56- 150(B) and 56-140(I), Carlsbad Code of Ordinances

0:03:50 **Mayor Janway asked Mr. Hernandez to discuss item D.1 Consider approval to Advertise Invitation for Bid for Double Eagle Phase 3 - Water System Improvements.**

Mr. Hernandez explained item D.1 is to advertise invitation to bid Double Eagle Phase 3 water system improvements. He said staff would like to advertise for bid and are optimistic to award the bid in January to begin construction in February of 2019.

0:04:46 **Mayor Janway asked Mr. Ken Britt to discuss item C.2 Consider Approval of Agreement between the City of Carlsbad and Creative Carlsbad to Act as the Arts and Cultural District.**

Mr. Britt explained this is to award funding of \$30,000 to Creative Carlsbad to hire an Executive Director for the Arts and Cultural District.

0:07:13 **Motion**

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

0:07:21 **Vote**

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

0:07:39 **4. CONSIDER APPROVAL OF AN APPLICATION TO THE CITY COUNCIL REGARDING THE INFRASTRUCTURE REIMBURSEMENT FOR COPPERSTONE ESTATES SUBDIVISION APPLICANT: CARLSBAD PROPERTIES, LLC**

Mr. Patterson explained this item is a request for infrastructure reimbursement for Copperstone Estates Subdivision. He explained the development was complete last year and the applicant filed an application to receive the 15% reimbursement. He stated the city is not funding the program moving forward. He explained the 15% for Copperstone Estates would be \$163,000.00 but there is only \$95,000.00 in the fund and that is the amount that will be reimbursed. He said the Planning and Zoning Commission recommend approval.

0:11:11 **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Rodriguez to approve an Application to the City Council regarding the Infrastructure Reimbursement for Copperstone Estates Subdivision Applicant: Carlsbad Properties, LLC

0:11:17 **Vote**

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

0:11:33 **5. CONSIDER APPROVAL OF RESOLUTION NO 2018-51, A RESOLUTION DECLARING CERTAIN CITY PROPERTY UNUSABLE OR OBSOLETE**

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

0:12:10 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution No. 2018-51, a Resolution declaring certain city property unusable or obsolete

0:12:14 **Vote**

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

0:12:30 **6. CONSIDER APPROVAL OF RESOLUTION NO 2018-52, A RESOLUTION DETERMINING THE DELINQUENCY OF PAYMENT FOR WATER, SEWER AND/OR GARBAGE SERVICE AS CERTIFIED BY THE CITY TREASURER**

Ms. Melissa Salcido explained that this is a statutory requirement that the city file liens on unpaid garbage, water, and sewer utility bills each year. She explained that the total the City will be filing liens on is \$28,142. She added if Council approves the liens the liens will be filed with the County.

0:14:19 **Mayor Janway asked if anyone present would like to speak regarding the filing of the liens. No one appeared.**

0:15:01 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution No. 2018-52, a Resolution determining the Delinquency of payment for Water, Sewer and/or Garbage Service as Certified by the City Treasurer

0:15:07 **Vote**

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

0:15:24 **7. CONSIDER APPROVAL OF RESOLUTION NO 2018-53, A RESOLUTION REQUIRING THE REMOVAL OF THE BUILDING AND DEBRIS AT 412 TAMPICO STREET OWNER: ANNIE JOHNSON C/O ROBERT VARGAS**

Ms. Riordan explained the property at 412 Tampico has become a dumping ground and the building is not repairable. She said staff is asking for the removal of the building and the cleanup of the property.

Mr. Arturo Munoz, City Building Inspector, added that the property is an eye sore and a fire hazard that cannot be repaired.

0:20:15 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Resolution No. 2018-53, a Resolution requiring the removal of the building and debris at 412 Tampico Street, Owner: Annie Johnson c/o Robert Vargas

0:20:21 **Vote**

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

0:20:41 **8. CONSIDER APPROVAL OF RESOLUTION NO 2018-54, A RESOLUTION REQUIRING THE REMOVAL OF TRASH AND DEBRIS AT 905 N THOMAS STREET OWNER: ARCHIE & SONJA HARPER**

Ms. Riordan explained this Resolution is for the cleanup of the debris at 905 N. Thomas Street. She said there has been some clean up of the property and the owners are aware the property is a problem.

0:22:18 **Mayor Janway asked if a representative of the property would like to make a statement.**

Mr. Trent Harper introduced himself and his father Archie Harper, the property owner. He explained that they have made some progress in cleaning up the property. He said their goal is to get the property up to code, so there is no further action taken on the property. **Mr. Trent Harper** requested an additional 90 days to have the property cleaned up and up to code.

Mr. Archie Harper added he has been ill and hospitalized for a while and has not been able to clean up the property.

0:27:52 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Estrada to allow 45 days to clean up the property and return to Council to review Resolution No. 2018-54, a Resolution requiring the removal of trash and debris at 905 N. Thomas Street, Owner: Archie & Sonja Harper

0:28:03 **Vote**

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

0:28:35 **9. CONSIDER APPROVAL OF RESOLUTION NO 2018-55, A RESOLUTION CERTIFYING THE ANNUAL FIXED ASSET INVENTORY OF THE CITY OF CARLSBAD, NEW MEXICO AS OF JUNE 30, 2018**

Ms. Hammett explained that staff under the direction of the Fixed Asset Coordinator, has completed a physical inventory of fixed assets costing \$5,000.00 or more. She explained this inventory is required by the New Mexico State Auditor, per the State Audit Rule, and NMSA 12-6-10 Annual Inventory.

0:30:27 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Walterscheid to approve Resolution No. 2018-55, a Resolution certifying the Annual Fixed Asset Inventory of the City of Carlsbad as of June 30, 2018

0:30:33 **Vote**

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

0:30:53 **10. COUNCIL COMMITTEE REPORTS**

Councilor Rodriguez announced there was a ground breaking today for a new Elementary School in Carlsbad. He said the school is proposed to house 699 students and will cost approximately \$23 million. He said the new school is scheduled to open in January of 2020.

Councilor Chavez gave an update on the trip he and Councilor Shirley made to Washington, D.C. and the signing of appropriation package FY19.

Councilor Rodriguez gave an update regarding the Blue Ribbon Committee.

Councilor Anaya Florez asked Mr. Crouch to speak on the grant received for Pate School. **Mr. Crouch** explained the city was awarded \$500,000 for the remodel of the existing Pate Elementary School. **Mr. Crouch** thanked everyone who attended the presentation and assisted in the submission of the application.

0:37:20 **11. ADJOURN**

0:37:23 **Motion**

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

0:37:34 **Vote**

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

0:37:51 **Adjourn**

There being no further business, the meeting was adjourned at 6:39 p.m.

_____/s/Dale Janway_____
Dale Janway, Mayor

ATTEST:

_____/s/Nadine Mireles_____
Nadine Mireles, City Clerk