

**LINKED MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL BUILDING  
ON JANUARY 10, 2017 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	J. R. Doporto	Councilor
	Wesley A. Carter	Councilor
	Jason Shirley	Councilor
	Richard Doss	Councilor
	Janell E. Whitlock	Councilor

Absent:

Also Present:	Steve McCutcheon	City Administrator
	Stephanie Shumsky	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Annette Barrick	City Clerk
	Patsy Jackson-Christopher	Director of Arts & Culture
	Luis Camero	Director of Engineering Services
	Steve Hendley	Director of Parks & Recreation
	Michael Hernandez	Director of Utilities
	Wendy Hammett	Finance Director
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Kent D. Waller	Police Chief
	Patrick Cass	Public Works Director

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**

0:00:35      **Ms. Patsy Jackson-Christopher** introduced the new Transit Manager, Mr. Josh Moore. She read a short bio stating that Mr. Moore was raised in Silver City, NM. She said Mr. Moore attended NMSU-Las Cruces and comes to the City from Intrepid where he was a trainer facilitator.

0:01:26 **Chief Lopez** said that Station #7 will have a ribbon cutting ceremony, Friday at 2:30. He invited everyone to attend the ceremony. He said the station has been open since last Wednesday and he is excited about Station #7.

0:02:03 **1. AGENDA**

0:02:05 **Motion**

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

0:02:11 **Vote**

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

0:02:27 **2. FINANCIAL REPORT**

Mrs. Hammett reviewed the revenues and expenditures as of November 2016 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:04:15 **3. ROUTINE & REGULAR**

- A. Minutes of the Regular City Council Meeting Held on December 13, 2016
- B. City Personnel Report
- C. Purchasing:
  - 1) Consider approval to Award Bid No. 2016-32, to J & H Services, Inc. for the Sanitary Sewer Interceptor 118 Upgrade-Phase 1
  - 2) Consider approval to complete the procurement of Roof Construction on the Carlsbad Police Department Building utilizing a CES contract
  - 3) Consider approval to Award Bid No. 2016-33, to Wade Construction for Halagueno Art Park, Phase 3
  - 4) Consider approval to Advertise Invitation for Bids for the Walter Gerrells Performing Arts Center for the Repair Project
- D. Contracts and Agreements:
  - 1) Consider approval of Memorandum of Agreement between the City of Carlsbad and Eddy County to joint file an Application to NM Department of Transportation, Traffic Safety Division, for funding the Community DWI Program
  - 2) Consider approval of Agreements with the NM Department of Transportation for the End Driving While Impaired, Buckle Up, STEP Programs for a total of \$38,263.00
- E. Set Dates: (February 14, 2017)
  - 1) Consider an Ordinance Annexing a portion of land and containing 15.59 Acres more or less, contiguous to the City of Carlsbad, New Mexico, located along Center Avenue, Legally Described as the West 135' of Lot 19, Block A, Hall Subdivision, less the South 100' and less the North 445', Lot 17, Block A, Hall

Subdivision, less the South 150' of the East 50' Described as Lot 18, Block B, Hall Subdivision, Lots 32 and 33, Fuson Land Division, Part of Jasmine Street, part of Center Avenue, pursuant to the Petition Method provided for in Sec. 3-7-1 et. seq., NMSA 1978

2) Consider an Ordinance establishing "R-R" Rural Residential District in Conjunction with the Annexation of approximately 15.59 Acres of property, located along Center Avenue

3) Consider an Ordinance Rezoning Part of "R-R" Rural Residential District to "C-2" Commercial District for an approximately 2.90 Acres located at 4100 National Parks Highway

4) Consider an Ordinance Rezoning Part of "R-R" Rural Residential District to "C-2" Commercial District for an approximately 3.43 Acre property located at 4208 National Parks Highway

F. Monthly Reports:

1) Arts and Culture Department Monthly Report, November, 2016

2) Personnel Department Monthly Reports, December, 2016

3) Planning, Engineering, Regulation Department Monthly Report, December, 2016

4) Sports and Recreation Department Monthly Report, November, 2016

5) Transportation and Facilities Department Monthly Report, November, 2016

6) Utilities Department Monthly Report, November, 2016

G. Board Appointments:

1) Carlsbad Police Department Citizen Advisory Board-Appoint: Janell Whitlock, 4-year term Reappoint: Bob Scholl and Rick Wiedenmann, 4-year term

2) Carlsbad Riverwalk Recreation Complex Advisory Board: Adrianna Medina, remainder of 4-year term

3) Planning and Zoning Commission-Reappoint: Wanda Durham, 2-year term

4) Southeastern New Mexico Economic Development District/COG: Reappoint-Lisa A. Flores

0:04:36 **Mayor Janway asked Mr. McCutcheon to discuss Item C.4 Consider approval to Advertise Invitation for Bids for the Walter Gerrells Performing Arts Center for the Repair Project.**

**Mr. McCutcheon** explained that a year ago the snow storm collapsed the back wall of the civic center and also did extensive damage to the annex. He explained the annex is back in operation. He said staff has been in long standing negotiations with the Insurance Company over what returning the civic center to a workable condition would mean. He said the City has contracted with Durham Mackay to put together an architect's proposal. He explained the proposal is ready to go out to bid and based on the bids received, the City will settle on an amount with the insurance company.

**Councilor Doport** asked if the bid is over the \$700,000, will the insurance still reimburse the City. **Mr. McCutcheon** answered yes, that is the agreement.

0:06:30        **Motion**

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

0:06:36        **Vote**

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

0:06:54        **4. CONSIDER RESOLUTION NO. 2017-01, OBSOLETE AND UNUSABLE PROPERTY**

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

0:08:17        **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Whitlock to approve Resolution No. 2017-01, a Resolution Declaring Certain City Property unusable and obsolete

0:08:24        **Vote**

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

0:08:38        **5. CONSIDER RESOLUTION NO. 2017-02, ADOPTING TITLE VI IMPLEMENTATION PLAN 2017**

**Mr. Patterson** explained Title VI is part of the 1964 Civil Rights Act detailing how governments should provide services and operate in a non-discriminatory manner. He explained that NMDOT is requiring that local governments submit a Title VI Implementation Plan. He said the Plan will affect the city's ability to receive funding on current and future transportation related projects. He explained that this is the plan that staff put together and the plan will designate a Title VI Coordinator.

**Councilor Doss** asked if a designee has been named. **Mr. Patterson** answered yes, the plan designates Mr. Jason Burns, as the Title VI Coordinator. **Mr. McCutcheon** added this plan is in addition to the ordinance and is not in conflict with the ordinance.

0:10:21        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Anaya Flores to approve and adopt Resolution No. 2017-02, a Resolution adopting the City of Carlsbad Title VI Implementation Plan 2017

0:10:28        **Vote**

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

0:10:40        **6.        COUNCIL COMMITTEE REPORTS**

**Councilor Rodriguez** explained the initial meeting of the Downtown Security Committee was held. He said the Committee established perimeters to define downtown. He said the Committee discussed some of the issues that have brought about the need for the Committee. He explained the Committee is looking to meet with local business owners to see what safety measures they currently have in place. He said the Committee would like to see how the City and business owners can come together to make downtown safer.

**Councilor Doporto** explained there will be community outreach for opinions to update the City's Long Term Plan with priorities ranked. **Mayor Janway** added that Lisa Sexton will co-chair the committee along with Councilor Doporto.

**Mayor Janway** congratulated WIPP on their re-opening.

0:13:38        **7.        ADJOURN**

0:13:42        **Motion**

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

0:13:53        **Vote**

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

0:14:12        **Adjourn**

There being no further business, the meeting was adjourned at 6:14 p.m.

\_\_\_\_\_  
/s/Dale Janway  
Mayor

ATTEST:

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/s/Annette Barrick  
City Clerk