

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX  
BUILDING ON MARCH 12, 2019 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
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	Angie Barrios-Testa	Director of Municipal Services
	KC Cass	Director of Projects
	Ron Myers	Director of Utilities
	Sam Plumlee	IT Director
	Brent Griffith	IT Tech
	LaVelta Jenkins	Assistant City Treasurer
	Richard Lopez	Fire Chief
	Scot Bendixsen	HR Director
	Jeff Patterson	Planning Director
	Shane Skinner	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**

0:00:02      Invocation - Pledge of Allegiance

0:00:30      **Chief Lopez** gave a brief weather update and added that if needed the tentative evacuation sites are PR Leyva and the High School gym.

0:03:38 **Mayor Janway and Mayor Pro Tem Rodriguez presented Ms. Courtney Bradford a very talented musician with a certificate in her honor.**

0:07:19 **1. APPROVAL OF AGENDA**

0:07:22 **Motion**

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

0:07:27 **Vote**

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

0:07:43 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on February 26, 2019
- B. Minutes of the Special City Council Meeting held on March 7, 2019
- C. City Personnel Report
- D. Purchasing
  - 1) Consider Approval to Advertise Request for Proposal for Design and Installation of Fire Suppression System at the Walter Gerrells Performing Arts Center
  - 2) Consider Approval to Advertise Request for Proposal for Effluent Pond and Irrigation System Management at the Lake Carlsbad Golf Course
  - 3) Consider Approval to Award RFP 2019-01 to All Out Services for Management and Maintenance of the Will Merchant Softball Complex
  - 4) Consider Approval to Award Bid 2019-04 to Wade Construction for Painting of the Pecos River Village Conference Center and Surrounding Buildings
- E. Monthly Reports
  - 1) Human Resources Department February 2019
  - 2) Municipal Court February 2019
  - 3) PER Department February 2019
- F. Set Date: April 23, 2019
  - 1) Consider Approval of Ordinance, an Ordinance adopting amendments to the Carlsbad Code of Ordinances, Chapter 20 – Fire Prevention and Protection Ordinance

0:07:50 **Mayor Janway welcomed Mr. Mike Abel and his special guests. Mr. Abel explained he has two scouts from Troop 270 who are working on their citizenship merit badge.**

0:08:59 **Mayor Janway asked Mr. Hernandez to discuss Item D.1 Consider Approval to Advertise Request for Proposal for Design and Installation of Fire Suppression System at the Walter Gerrells Performing Arts Center**

**Mr. Hernandez** explained that for years the Walter Gerrells Performing Arts Center has been out of compliance. He said this fire suppression system will bring the Center into compliance with the State Fire Marshal.

0:10:07        **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Walterscheid to approve Routine and Regular Business

0:10:12        **Vote**

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

0:10:31        **3. CONSIDER APPROVAL OF LIQUOR LICENSE APPLICATION FOR A TRANSFER OF OWNERSHIP AND CHANGE OF LOCATION OF DISPENSER LIQUOR LICENSE NO. 2781 WITH ON PREMISE CONSUMPTION ONLY FOR HYATT HOUSE FOR PROPOSED LOCATION 4019 NATIONAL PARKS HWY APPLICANT: AMEEN F. AYOUB**

0:10:58        **A. Public Hearing**

**Mr. Hernandez** explained the liquor license hearing was held on March 6, 2019 and there was no opposition. He added all the required paperwork has been completed.

0:11:48        **Mayor Janway asked if anyone would like to speak in favor of the Ordinance.**

**Mr. Ayoub** explained all the correct paperwork has been submitted and he is present if anyone has any questions.

0:12:30        **Mayor Janway asked if anyone would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session**

0:12:39        **B. Consider Approval**

0:12:45        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Liquor License Application for a transfer of ownership and change of location of Dispenser Liquor License No. 2781 with on premise consumption only for Hyatt House for Proposed located 4019 National Parks Hwy Applicant: Ameen F. Ayoub

0:12:51        **Vote**

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

0:13:11        **4. CONSIDER APPROVAL OF REQUEST FROM SEAN ASHLEY FOR WATER SERVICE OUTSIDE CITY LIMITS FOR PROPERTY LOCATED AT 2006-2 CONNIE ROAD**

**Mr. Myers** explained this request is for water service outside the city limits. He said the Board of Water and Sewer Commissioners recommend approval.

**Councilor Rodriguez** asked Mr. Myers to state the additional stipulations related to water service outside the city limits. **Mr. Myers** said the rate for water service outside the city limits is 2.5 times more than the in city rate and there is also a water rights acquisition fee of \$2500.00 per acre of land served. **Ms. Riordan** added that water service outside the city limits is done pursuant to a resolution that was adopted by Council and can only be used for residential purposes.

0:15:26        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Chavez to approve Request from Sean Ashley for Water Service outside City Limits for property located at 2006-2 Connie Road

0:15:32        **Vote**

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

0:15:48        **5. CONSIDER APPROVAL OF REQUEST FROM BRUNO & TANJA BACA FOR WATER SERVICE OUTSIDE CITY LIMITS FOR PROPERTY LOCATED AT 10 CROSSROAD LANE**

**Mr. Meyers** explained this is also a request for water service outside the city limits. He said the Board of Water and Sewer Commissioners recommended approval.

0:16:27        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Chavez to approve Request from Bruno & Tanja Baca for Water Service outside City Limits for property located at 10 Crossroad Lane

0:16:33        **Vote**

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

0:16:51        **6. CONSIDER APPROVAL OF RESOLUTION NO 2019-07, A RESOLUTION ADOPTING A MUNICIPAL RECORDS RETENTION POLICY**

**Mrs. Mireles** explained this Resolution is to adopt a Municipal Records Retention Policy prepared by the NM Municipal Clerks and Finance Officers Association to ensure compliance with the state of New Mexico's retention requirements.

0:17:49        **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Anaya Flores to approve Resolution No. 2019-07, a Resolution adopting a Municipal Records Retention Policy

0:17:56        **Vote**

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

0:18:12        **7. CONSIDER APPROVAL OF REQUEST FOR FACILITY USE BY BENNETT'S AMUSEMENT FOR A CARNIVAL AT THE WALTER GERRELLS PERFORMING ARTS & EXHIBITION CENTER**

**Ms. Testa** explained this request is from Bennett's Amusement for a Temporary Use Permit to have a carnival in the parking lot of the Walter Gerrells Performing Arts & Exhibition Center on March 26<sup>th</sup> through April 1st. Councilor Walterscheid asked if there is a sponsor for the carnival.

**Ms. Brenda Moore**, Bennett's Amusement, said a percentage of the proceeds will be given to the Disabled American Veterans.

**Councilor Carter** asked if security would be provided. **Ms. Moore** said if needed security would be provided.

**Councilor Rodriguez** asked if there would be a special need for traffic control. **Chief Skinner** said any event of this size being held on National Parks Highway would require additional traffic control.

0:21:36        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Request for Facility use by Bennett's Amusement for a Carnival at the Walter Gerrells Performing Arts & Exhibition Center

0:21:41        **Vote**

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

0:21:59        **8. CONSIDER APPROVAL OF RESOLUTION NO 2019-08, A RESOLUTION IN SUPPORT OF THE OIL AND GAS INDUSTRY**

**Mayor Janway** explained there have been a number of bills introduced in the Legislative Session that if passed would be devastating to this region and the entire state. He thanked Valerie Branson and Shelly Blair for their editorial piece in the Current Argus inviting Legislators to come to the area to see where these bills are paid.

**Councilor Rodriguez** added that Ms. Branson and Ms. Blair did not only invite the State Legislatures, they invited them at no cost. He read Resolution No. 2019-08, a Resolution in support of the Oil and Gas Industry.

0:25:39        **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Anaya Flores to approve Resolution No. 2019-08, a Resolution in support of the Oil and Gas Industry

0:25:45        **Vote**

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

0:26:04        **9.        COUNCIL COMMITTEE REPORTS**

**Councilor Rodriguez** explained he has been in contact with the census bureau to get a training schedule for the census committee.

**Mayor Janway** commended the Police Department for the outstanding work they have been doing, not only for traffic control but also working with the sheriff's department and solving a lot of cases.

**Mr. Hernandez** added since Chief Skinner came aboard he has made a lot of great progress in the Police Department. He said the department is better staffed and the atmosphere is changing. He said the Department has done a great job meeting all of the demands with the city's growth. He thanked Chief Skinner and the entire Police Department for all of their hard work.

Councilor Rodriguez reminded everyone of the upcoming mail in ballot election for the school district. He said this election is for the continuation of an existing mill that will not increase taxes. He explained the taxes will remain as they are and will give the district vital money to maintain school buildings.

0:29:15        **10.        ADJOURN**

0:29:21        **Motion**

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

0:29:26        **Vote**

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

0:29:49 **Adjourn**

There being no further business, the meeting was adjourned at 6:30 p.m.

/s/Dale Janway

Dale Janway, Mayor

ATTEST:

/s/Nadine Mireles

Nadine Mireles, City Clerk