

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX  
BUILDING ON JULY 23, 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
	John Lowe	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Denise Madrid Boyea	Deputy City Attorney
	Nadine Mireles	City Clerk
	Ken Britt	Community Dev. Director
	Angie Barrios-Testa	Director of Municipal Services
	KC Cass	Director of Projects
	Ron Myers	Director of Utilities
	Wayne Hatfield	IT Director
	Brent Griffith	IT Tech
	Wendy Austin	Finance Director
	Brian Mendoza	Assistant Fire Chief
	Jeff Patterson	Planning Director
	Trysha Carrasco	Deputy 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	<b>Call Meeting to Order</b>
0:00:07	Invocation - Pledge of Allegiance
0:00:38	<b><u>1. APPROVAL OF AGENDA</u></b>

0:00:41        **Motion**

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

0:00:44        **Vote**

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

0:01:05        **2.        ROUTINE AND REGULAR BUSINESS**

- A.    Minutes of the Regular City Council Meeting held on July 9, 2019
- B.    City Personnel Report
- C.    Contracts and Agreements
  - 1) Consider Approval of Renewal Agreement between the City of Carlsbad and Creative Carlsbad for Arts and Cultural District Management
  - 2) Consider Approval of Agreement between the City of Carlsbad and All City Management Services (ACMS) for School Crossing Guard Services for FY19-20
- D.    Purchasing
  - 1) Consider Approval to Award Cooperative Education Services Contract to Engie Services for the HVAC System Upgrade Project at the Carlsbad Museum & Arts Center
- E.    Monthly Reports
  - 1) Community Development Department June 2019
  - 2) Municipal Services Department June 2019
  - 3) PER Department June 2019
  - 4) Utilities Department June 2019
- F.    Board Appointments
  - 1) Carlsbad Cemetery Board Appoint Richard VanDyke, 2 year term, Appoint Desiree Kicker, 2 year term
  - 2) Carlsbad Library Board Appoint Beverly Carrasco, 4 year term, Re-Appoint Jo Calvani, 4 year term
- G.    Set the Date: September 10, 2019
  - 1) An Ordinance rezoning part of "C-2" Commercial 2 District to "C-1" Commercial 1 District for an approximately 0.115 acre property located at 701 W Greene Street
  - 2) An Ordinance rezoning part of "C-2" Commercial 2 District to "R-2" Residential 2 District for an approximately 0.275 acre property located at 308 W Rose Street
  - 3) An Ordinance rezoning part of "R-R" Rural Residential District to "C-1" Commercial 1 District for an approximately 6.00 acre property, located at 301 W Chapman Road
  - 4) An Ordinance rezoning part of "C-2" Commercial 2 District to "C-1" Commercial 1 District for an approximately 0.43 acre property located at 513, 515, 517, 519, 521, 523, 525, 527 W Fox Street and 206 S Guadalupe

0:01:27        **Mayor Janway asked Mr. Britt to discuss Item C.1 Consider Approval of Renewal Agreement between the City of Carlsbad and Creative Carlsbad for Arts and Cultural District (ACD) Management**

**Mr. Britt** explained this is a renewal of Agreement with Creative Carlsbad for Arts and Cultural District Management. He explained the agreement requires the city to fund Creative Carlsbad a minimum \$30,000 annually for employing the Executive Director for ACD. **Mr. Britt** added Ms. Julie Chester is currently the Executive Director of the ACD and is doing an outstanding job.

0:02:26        **Mayor Janway asked Chief Skinner to discuss Item C.2 Consider Approval of Agreement between the City of Carlsbad and All City Management Services (ACMS) for School Crossing Guard Services for FY19-20**

**Chief Skinner** explained this is an agreement with All City Management Services (ACMS) for school crossing guard services for FY 19-20. He explained the Police Department would be the backup service to the contract.

**Mr. David Prell**, Museum Board President, discussed Item D.1 Consider Approval to Award Cooperative Education Services Contract to Engie Services for HVAC System Upgrade Project at the Carlsbad Museum & Arts Center. He explained the Board has been requesting the upgrade for years and are grateful for the consideration. He said the Museum has millions of dollars' worth of artifacts to protect and a new system will go a long way into protecting all the artifacts for years to come.

0:08:02        **Motion**

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

0:08:07        **Vote**

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

0:08:27        **3. CONSIDER APPROVAL TO AWARD RFP 2019-13 TO ORLANDO GARZA FOR CEMETERY GROUNDSKEEPING AND GRAVE DIGGING SERVICES**

**Ms. Riordan** explained Cemetery Groundskeeping and Grave Diving services was offered by RFP. She explained under state laws a city employee or a member of Council can submit a response on such an RFP, but if they do so they cannot be involved at all in the design of the RFP or it's awarding. She added that GardenMart, owned by Councilor Walterscheid, applied and was an applicant to the RFP, so he may not participate and will abstain from the vote.

**Mr. Hernandez** explained the city received 3 RFP's for the Cemetery Groundskeeping and Grave Digging Services. He said the RFP's were reviewed and scored by a 5

member evaluation committee. He said the Evaluation Committees recommendation is to award the RFP to Orlando Garza.

0:09:58        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve to Award RFP 2019-13 to Orlando Garza for Cemetery Groundskeeping and Grave Digging Services

0:10:03        **Vote**

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

0:10:22        **4.        INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN  
PRELIMINARY LIST PRESENTATION FOR FY 2021/2025 FOR COUNCIL REVIEW  
AND RECOMMENDATIONS FOR CHANGES**

**Ms. Testa** explained this is a presentation for the FY2021/2025 Infrastructure Capital Improvement Plan Preliminary List. She explained although it is a 5 year plan, the Plan is updated on an annual basis. She explained the ICIP establishes planning priorities for capital projects not already funded through the budget process yet still critical infrastructure needs for the community. She explained that staff requests Council to review the list and provide any additional recommendations. **Ms. Testa** added the final list will be brought before Council for consideration on August 13, 2019.

**Mr. Hernandez** thanked Ms. Testa and the Directors for their efforts putting the list together. He said if Council has any comments or would like to see some possible changes to the list to forward comments to him. He explained comments would be reviewed by staff and any necessary changes would be made.

0:18:19        **5.        CONSIDER APPROVAL OF RESOLUTION 2019-29, A  
RESOLUTION ADOPTING CERTAIN AMENDMENTS TO THE CITY OF  
CARLSBAD'S PUBLIC INFRASTRUCTURE SPECIFICATION DOCUMENT**

**Mr. Patterson** explained this request is to approve Resolution No. 2019-29, a resolution that would be approving and adopting amendments to the city's Infrastructure Specification document that was adopted in 2015. He said this is a really good tool for developers and the city to guide infrastructure that is being installed in new developments or improvements to current development. He explained that this document was built and designed to be updated as standards change and materials improve.

0:20:40        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Resolution No. 2019-20, a Resolution adopting certain amendments to the City of Carlsbad's Public Infrastructure Specification Document

0:20:48           **Vote**

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

0:21:06           **6.           CONSIDER APPROVAL OF RESOLUTION 2019-30, A RESOLUTION REQUIRING THE REMOVAL OF THE TRASH AND DEBRIS AT 612 SOUTH SIXTH STREET OWNERS: JAVIER AND VERONICA LOPEZ**

**Ms. Riordan** explained this property is a single family residence in a residential area. She explained that Code Enforcement has been working on this property for over a year and have not been able to make contact with the owners or occupants. She explained there has been no response from the owners, although some cleaning appeared to have been done, the property has not been brought into compliance.

0:23:52           **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution No. 2019-30, a Resolution requiring the removal of the trash and debris at 612 South Sixth Street, Owners: Javier and Veronica Lopez

0:23:58           **Vote**

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

0:24:15           **7.           CONSIDER APPROVAL OF ORDINANCE 2019- 33, AN ORDINANCE REZONING PART OF "R-R" RURAL RESIDENTIAL DISTRICT TO "R-1" RESIDENTIAL 1 DISTRICT FOR AN APPROXIMATELY 180.88 ACRE PROPERTY, LOCATED ALONG THE WEST SIDE OF CALLAWAY DRIVE APPLICANT: SPRINGS FARMS SUBDIVISION**

0:24:46           **A.           Public Hearing**

**Mr. Patterson** explained this is a request to change zoning on the subject property from "R-R" Rural Residential District to "R-1" Residential 1 District. He explained this property is approximately 180.88 acres in size and located on the west side of Callaway Drive. He added the applicant is planning to install residential lots at this location. **Mr. Patterson** said the Planning and Zoning Commission and the Planning Department recommend approval.

0:25:55           **Mayor Janway asked if anyone would like to speak in favor of the Ordinance.**

**Mr. George Dunagan** explained this is the west side of Callaway Drive and he hopes to develop about 350 residential lots on the property. He said he hopes to dedicate the floodway to the city as a wildlife and nature park. He said he feels this zone change will be great for the residents of Carlsbad.

**Councilor Walterscheid** asked where the wildlife and nature park would be. **Mr. Dunagan** explained it would be the Pecos riverbed near the canal. He said it is a neat area with a lot of springs and wildlife.

**Councilor Chavez** asked if there would be restricted covenants. **Mr. Dunagan** answered yes. **Councilor Chavez** asked if the covenants would be as restrictive as Quail Hollow. **Mr. Dunagan** said there will be architectural control committee who will control the residences built in the area and restricting the use.

0:29:11 **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 into regular session**

0:29:25 **B. Consider Approval of Ordinance 2019-33**

0:29:31 **Motion**

The motion was made by Councilor Chavez and seconded by Councilor Estrada to approve Ordinance No. 2019-33, an Ordinance rezoning part of "R-R" Rural Residential District to "R-1" Residential 1 District for an approximately 180.88 acre property, located along the West Side of Callaway Drive, Applicant: Springs Farms Subdivision

0:29:37 **Vote**

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

0:29:59 **8. COUNCIL COMMITTEE REPORTS**

**Councilor Walterscheid** said the Cleanup Task Force will be meeting tomorrow at 3:00 p.m. in the Council Chambers. He invited everyone to attend and said that they are planning a major trash pickup around Carlsbad.

**Mayor Janway** appointed a Mayors Airport Advisory Task Force. He appointed Jim Ballard, Chairman, and additional members Ray Westall, Gil Moutray, Craig Blair, Shelly Blair, Valerie Branson, Scot Branson, Doug Chandler, Councilor Carter, Daniel Magby, Kyle Armstrong, and Ken Britt.

**Mayor Janway** also appointed a Mayors City Owned Property Evaluation Committee where he named Councilor Rodriguez, as the chairman, and members Councilor Carter, Councilor Estrada, and Mr. John Lowe. He asked that the Committee evaluate all city owned property for the best and highest use possible and report back to Council in 90 days.

0:32:28 **Mayor Janway asked if anyone in the audience would like to address the Council, no one appeared.**

0:32:35        **9. ADJOURN**

0:32:39        **Motion**

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

0:32:46        **Vote**

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

0:33:07        **Adjourn**

There being no further business, the meeting was adjourned at 6:32 p.m.

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

ATTEST:

\_\_\_\_\_/s/Nadine Mireles\_\_\_\_\_  
Nadine Mireles, City Clerk