

**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 24, 2019 AT 6:00 P.M.**

Present:	Dale Janway Lisa A. Anaya Flores Edward T. Rodriguez Leo B. Estrada Jason O. Chavez Judith E. Waters Wesley A. Carter Mark C. Walterscheid	Mayor Councilor Councilor Councilor Councilor Councilor Councilor Councilor
Absent:	Jason Shirley	Councilor
Also Present:	Michael Hernandez Eileen P. Riordan Nadine Mireles Ken Britt Angie Barrios-Testa KC Cass Ron Myers Wayne Hatfield Brent Griffith Wendy Austin Richard Lopez Jeff Patterson Shane Skinner Patrick Cass	City Administrator City Attorney City Clerk Community Dev. Director Director of Municipal Services Director of Projects Director of Utilities IT Director IT Technician Finance Director Fire Chief Planning Director Police Chief 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**

0:00:03      Invocation - Pledge of Allegiance

0:00:40      **1. APPROVAL OF AGENDA**

0:00:41      **Motion**  
The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve the Agenda

0:00:44       **Vote**

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

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

- A.   Minutes of the Regular City Council Meeting held on September 10, 2019
- B.   City Personnel Report
- C.   Contracts and Agreements
  - 1) Consider Approval of Agreement between the City of Carlsbad and New Mexico Department of Finance and Administration for a 2018 General Obligation (GO) Bond Agreement for the Carlsbad Public Library
  - 2) Consider Approval of Memorandum of Agreement between the City of Carlsbad and New Mexico Department of Transportation for participation in the FY20 Section 5311 Grant Program for the Municipal Transit System
  - 3) Consider Approval of Agreement between the City of Carlsbad and New Mexico Department of Transportation to provide funding to the Carlsbad Police Department to conduct special patrols in high crash locations
- D.   Monthly Reports
  - 1) Community Development Department August 2019
  - 2) Municipal Services Department August 2019
  - 3) Utilities Department August 2019
- E.   Board and Committee Appointments
  - 1) City of Carlsbad Tree Advisory Board Appoint: Joshua Calder 4 year term, Robert Hitchins 4 year term

0:01:23       **Mayor Janway asked Mr. Hernandez to discuss Item C.3 Consider Approval of Agreement between the City of Carlsbad and New Mexico Department of Transportation to provide funding to the Carlsbad Police Department to conduct special patrols in high crash locations.**

**Mr. Hernandez** explained the special patrols would be End Driving While Impaired, Buckle Up/Click it or Ticket, and the Selective Traffic Enforcement Program (STEP).

0:02:04       **Motion**       The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to approve Routine and Regular Business

0:02:09       **Vote**

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

0:02:28       **3.       CONSIDER APPROVAL OF LIQUOR LICENSE APPLICATION FOR A TRANSFER OF LOCATION OF DISPENSER LIQUOR LICENSE FOR UNITED SUPERMARKETS DBA ALBERTSONS**

0:02:46      **A.      Public Hearing**

**Mr. Hernandez** explained a public hearing was held on September 11, 2019 to transfer the license from the current location to the new location. He added that Mr. Beatty & Mr. Puckett attended the hearing in support of the transfer and no one opposed the transfer.

0:03:28      **Mayor Janway asked if anyone would like to speak in favor of the Ordinance**

**Mr. Beatty**, Albertsons Store Director, said he is excited that the new store is near completion and will open on October 23, 2019.

0:06:02      **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**

0:06:09      **B.      Consider Approval of Liquor License Application**

0:06:13      **Motion**

The motion was made by Councilor Estrada and seconded by Councilor Anaya Flores to approve Liquor License Application for a Transfer of Location of Dispenser Liquor License for United Supermarkets dba: Albertsons

0:06:17      **Vote**

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

0:06:37      **4.      CONSIDER APPROVAL OF REQUEST FROM CARLSBAD MAINSTREET FOR THE CITY OF CARLSBAD TO ACT AS A FISCAL AGENT WITH THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT FOR AN INTERGOVERNMENTAL AGREEMENT**

**Mr. Britt** explained this is a routine agreement that would benefit MainStreet and the community of Carlsbad.

0:07:47      **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Request from Carlsbad MainStreet for the City of Carlsbad to act as a Fiscal Agent with the New Mexico Economic Development Department for an Intergovernmental Agreement

0:07:51      **Vote**

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

0:08:06      **5. CONSIDER APPROVAL OF RESOLUTION 2019-47, 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.

0:09:10      **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Walterscheid to approve Resolution No. 2019-47, a Resolution declaring certain City Property unusable or obsolete

0:09:17      **Vote**

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

0:09:33      **6. CONSIDER APPROVAL OF RESOLUTION 2019-48, A RESOLUTION DETERMINING THE DELINQUENCY OF PAYMENT FOR WATER, SEWER, AND/OR GARBAGE SERVICE AS CERTIFIED BY THE CITY TREASURER**

**Ms. Salcido** explained that it is a statutory requirement that the City file liens on unpaid garbage, water, and sewer utility bills each year. She explained that the total that the City will be filing liens on is \$34,015.00. She explained if Council approves the liens they will be filed with the County.

0:11:39      **Motion**

The motion was made by Councilor Waters and seconded by Councilor Rodriguez to approve Resolution No. 2019-48, a Resolution determining the Delinquency of Payment for Water, Sewer, and/or Garbage Service as Certified by the City Treasurer

0:11:45      **Vote**

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

0:12:02      **7. CONSIDER APPROVAL OF RESOLUTION 2019-49, A RESOLUTION ADOPTING THE REQUIRED COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL CERTIFICATIONS AND COMMITMENTS**

**Ms. Testa** explained this Resolution is adopting the required Community Development Block Grant Annual Certifications. She explained this resolution must be adopted annually for the life of the CDBG Grant and if the City wishes to continue participating in the CDBG funding program.

0:13:09      **Motion**

The motion was made by Councilor Anaya Flores and seconded by Councilor Walterscheid to approve Resolution No. 2019-49, a Resolution adopting the Required Community Black Grant Annual Certifications and Commitments

0:13:14       **Vote**

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

0:13:30       **8. CONSIDER APPROVAL OF RESOLUTION 2019-46, A RESOLUTION SUPPORTING THE CARLSBAD MUNICIPAL SCHOOLS BOND ISSUE**

**Mayor Pro Tem Rodriguez** explained there is a Committee for Carlsbad Kids actively working in support of this Bond. He said the election will take place on November 5, 2019 and welcomed Dr. Washburn, Superintendent.

0:14:08       **Dr. Washburn**, School Superintendent, explained there has been a significant increase in enrollment in the district. He explained there are currently 7159 children enrolled in the district and the district is projecting 8000 children by 2023. He said the big issue is capacity in Elementary Schools and he is proposing to reopen Riverside School. He said the district will convert to a K-5 model at the Elementary Schools and convert ECEC into a preschool. He said they will build a multi-sport locker room at the High School and an 1100 seat Performing Arts Center. He said this seems ambitious but this is what the district would like to complete in the first year. He said in year two the district would remodel Monterrey and Sunset. He added in year three the district plans to remodel Hillcrest and ECEC and convert ECEC into a preschool. He explained after these changes are completed the district will begin to discuss building a new middle school, remodeling PR and talking about other changes at the High School.

**Dr. Washburn**, explained the current bond will be paid off in an accelerated rate, which allows the district to move the bonds forward without raising the tax rate. He said this is a huge benefit to the community because the tax rate will remain the same. He added it is a good use of the public's money and a good use of good buildings that just need to be updated.

**Mayor Janway** asked when Cottonwood Elementary School would be complete. **Dr. Washburn** said it's scheduled to be completed in November and is on time and on budget. He said the school will not be occupied until the fall.

**Councilor Walterscheid** asked if the capacity is an issue at the High School. **Dr. Washburn** said no and added that it helps that the district has 200 kids enrolled at Early College High School and 130 enrolled at Eddy Enrichment Center. He added at the High School the district is looking at a Career Academy Model. He said he recently read that you can increase graduation rates by building the Career Technical piece into

High Schools to keep those kids not strictly interested in academics interested by having the opportunity to receive a technical certification.

**Dr. Washburn** explained that Eddy Enrichment Center is for kids that do not fit into the High School environment and need a different blended learning model. He said this gives the kids the capacity to create flexibility to finish school and graduate.

0:26:58        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Anaya Flores to approve Resolution No. 2019-46, a Resolution supporting the Carlsbad Municipal Schools Bond Issue

0:27:04        **Vote**

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

0:27:27        **9. COUNCIL COMMITTEE REPORTS**

**Councilor Chavez** gave a brief update on the Energy Community Alliance Conference that he attended in Washington, D.C. He said he met with the New Mexico Delegations and gave them updates on the issues here in Carlsbad regarding road conditions, housing problems, and other local issues. He added that he met with the Department of Transportation and provided them with a stack of statistics regarding the crashes on 285. He said they were shocked and did not realize how bad the road conditions on 285 are. He said they will be opening an inquiry to review the road conditions.

**Councilor Walterschied** said he noticed in the paper that they were going to put up a security fence around the jail in town and has received complaints. **Mr. Stevens** explained it is logistically impossible to build a fence around the entire jail. He said they would like to keep people from walking up to the perimeter of the building on Main Street, so they will be placing a fence on that side of the building.

0:33:49        **Mayor Janway asked if anyone in the audience would like to address the Council**

**Ms. Jessica Lopez**, local resident who resides on Sage Street, explained she is requesting immediate help for her neighborhood. She explained she is concerned for the safety of the families who commute by walking or bicycling to Desert Willow School. She said there are no designated parking spots for the parents who drop their children off at school. She said the streets are narrow with no sidewalks. She said there is no safe way to get to the school without walking in the street along with traffic and added that she has been run off the road recently. She said she would like for something to be done before someone is hurt because she fears for the safety of the children in the area.

**Mayor Janway** asked Ms. Lopez to meet with him and Mr. Hernandez after the meeting today to see what they could do.

0:40:12      **10. ADJOURN**

0:40:18      **Motion**

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

0:40:23      **Vote**

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

0:40:42      **Adjourn**

There being no further business, the meeting was adjourned at 6:40 p.m.

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

ATTEST:

\_\_\_\_\_  
Nadine Mireles, City Clerk