

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON FEBRUARY 26, 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
	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
	Sam Plumlee	IT Director
	Wendy Austin	Finance Director
	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**

0:00:04 Invocation - Pledge of Allegiance

0:00:33 **Presentation of City of Carlsbad Employee Service Awards**

Mayor Janway asked Mr. Hernandez to join him in presenting service awards honoring employees who have achieved 20, 25, and 30 years of service with the City of Carlsbad.

0:05:14 **1. APPROVAL OF AGENDA**

0:05:16 **Motion**

The motion was made by Councilor Estrada and seconded by Councilor Rodriguez to approve the Agenda

0:05:21 **Vote**

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

0:05:41 **2. CONSIDER APPROVAL OF RESOLUTION NO 2019-06, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2018-19 FISCAL YEAR BUDGET**

Mrs. Gonzalez reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2018-2019 Fiscal Year Budget highlighting the General Fund, the CIEP Fund, the GRT Capital Outlay Fund, the Solid Waste Disposal Fund, the Sports Complex Fund, the Lodgers Tax Non-Promotion Fund, and the Lodgers Tax Promotional Fund.

0:07:56 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Resolution No. 2019-06, a Resolution making certain budgetary adjustments to the 2018-19 Fiscal Year Budget

0:08:00 **Vote**

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

0:08:21 **3. CITY OF CARLSBAD FINANCIALS - JANUARY 2019**

Mrs. Austin reviewed the revenues and expenditures as of January 2019 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:10:40 **4. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on February 12, 2019
- B. Minutes of the Special City Council Meeting held on February 21, 2019
- C. City Personnel Report
- D. Monthly Reports
 - 1) Community Development Department January 2019
 - 2) Municipal Services Department January 2019
 - 3) PER Department January 2019
 - 4) Utilities Department January 2019
- E. Set Date: April 9, 2019

- 1) Consider Approval of Ordinance, an Ordinance annexing a portion of land containing +/- 76.22 acres more or less located at the Southeast corner and Southwest corner of the intersection of West Lea Street and Standpipe Road
- 2) Consider Approval of Ordinance, an Ordinance applying "R-R" Rural Residential District to an approximately 76.22 acre property, located at the Southeast corner and Southwest corner of the intersection of West Lea Street and Standpipe Road

0:11:13 **Motion**

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

0:11:19 **Vote**

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

0:11:39 **5. PRESENTATION BY HDR ENGINEERING ON CITY SEWER SYSTEM ANALYSIS**

Mr. Hernandez explained the city hired HDR Engineering to complete a sewer analysis on the city's existing sewer system for the south end of town.

0:12:33 **Mr. Gabe Alvarado**, HDR Engineering, explained HDR was hired by the City of Carlsbad to complete a study on sewer flows and impact on the sewer system.

Mr. Alvarado's presentation reviewed the following:

- Project Overview
 - in 2013 HDR completed Sewer Interceptor Hydraulic Model and Master Plan for City
 - Other Relevant Projects
 - Utilize 2013 Hydraulic Model and Evaluate Impact of Montclair/Carlston Ranch and Future Growth Areas will have on existing sewer system.
- Overview of Work Completed
 - Study Area
 - Future Growth Areas
 - Estimated Wastewater Flows
- Review of Evaluation and Recommendations
 - Estimated Construction Cost for Improvements \$2,612,500

0:26:44 **6. CONSIDER APPROVAL OF ORDINANCE 2019-08, AN ORDINANCE AUTHORIZING THE SALE OF APPROXIMATELY 46.524 ACRES OF PROPERTY IN THE AIRPORT INDUSTRIAL PARK TO XTO HOLDINGS, LLC AND RELATED PURCHASE AND SALE AGREEMENT**

0:27:10 **A. Public Hearing**

Ms. Riordan explained XTO approached the city to purchase approximately 46.524 acres of land and 2.368 acres area platted as a frontage road. She said the property was appraised and the purchase price including the frontage road totals \$2,191,546. She explained because of the value of the property state law requires that the sale be approved by ordinance.

0:30:00 **Mayor Janway asked if anyone would like to speak in favor of the ordinance.**

Ms. Missy Courier, XTO Energy, said that Carlsbad is a key part of XTO Energy's current and future operations. She said there is currently a 200 person workforce in Carlsbad for XTO and growing as operations continue to increase throughout the region and the state. She explained XTO's new office building will be the Regional Office for unconventional development in southeastern New Mexico. She said the office is scaled to accommodate 300 to 400 employees.

Mr. John Waters said he is proud that XTO has decided to come into Carlsbad. He said these are permanent jobs and will be here for many years. He added that the Department of Development supports this ordinance.

0:32:53 **Mayor Janway asked if anyone else 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.**

0:33:04 **B. Consider Approval of Ordinance 2019-08**

0:33:12 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Anaya Flores to approve Ordinance No. 2019-08, an Ordinance authorizing the sale of approximately 46.524 acres of property in the Airport Industrial Park to XTO Holdings, LLC and related Purchase and Sale Agreement

0:33:16 **Vote**

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

0:33:39 **7. CONSIDER APPROVAL OF ORDINANCE 2019-09, AN ORDINANCE AUTHORIZING THE LEASE OF A PORTION OF THE PROPERTY COMMONLY KNOWN AS THE SAN JOSE SENIOR CENTER, 2814 SAN JOSE BOULEVARD, TO THE SOUTHEAST NEW MEXICO COMMUNITY ACTION CORPORATION (SENMCAC) FOR USE AS A MEAL SITE**

0:34:05 **A. Public Hearing**

Ms. Testa explained this is a renewal of the lease agreement with SENMCAC for the use of the kitchen area at the San Jose Senior Center as a meal prep site. She explained

in order to ensure compliance with New Mexico's Anti-Donation Clause SENMCAC will provide in-kind services valued at no less than the fair market rent of \$5,600.

0:35:14 **Mayor Janway asked if anyone else 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.**

0:35:27 **B. Consider Approval of Ordinance 2019-09**

0:35:33 **Motion**

The motion was made by Councilor Estrada and seconded by Councilor Anaya Flores to approve Ordinance No. 2019-09, an Ordinance authorizing the lease of a portion of the property commonly known as the San Jose Senior Center, 2814 San Jose Boulevard, to the Southeast New Mexico Community Action Corporation for use as a meal site

0:35:38 **Vote**

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

0:35:58 **8. COUNCIL COMMITTEE REPORTS**

Mayor Janway explained the upcoming census is very important to Carlsbad. He explained the census numbers are used by businesses and by federal and state programs. He said the city has put together a census committee to help ensure that participation is high and the numbers are accurate. Mayor Janway named the members of the committee: Chairman Mayor Pro Tem Rodriguez, Councilor Shirley, Councilor Chavez, Councilor Anaya Flores, Councilor Walterscheid, Julie Chester, Melissa Suggs, Tyler Ortega, Natasha Mackey, Missy Courier, Robert Defer, and John Waters

0:38:03 **9. ADJOURN**

0:38:07 **Motion**

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

0:38:12 **Vote**

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

0:38:32 **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