

**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 25, 2020 AT 6:00 P.M.**

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

0:00:32      **Chief Skinner** introduced Commander Lenin Leos and Sergeant John Sneathen who work at the Pecos Valley Drug Task Force.

**Commander Leos** explained the Pecos Valley Drug Task Force consists of members of the Eddy County Sheriff's Department and the Carlsbad Police Department. He gave a

presentation that consisted of drug trends seen in Carlsbad at this time. He spoke about the following:

- New threats and emerging trends
- Fentanyl
- Heroin
- Meth
- Drug related homicides

**Mayor Janway** asked how many agencies are involved in the Drug Task Force. **Commander Leos** said currently the Task Force consists of the Carlsbad Police Department, the Eddy County Sherriff's office, and the Bureau of Land Management supplies a full time Federal Agent. He added that the Task Force also works with other Federal Agencies such as the DEA.

**Councilor Chavez** asked if most of the arrests are local people who grew up in Carlsbad or people who are new to the area. **Commander Leos** said the vast majority of the crimes, arrests, drug dealing, property theft, and homicides are 80% locals.

**Councilor Chavez** asked if there are a lot of repeat offenders. **Commander Leos** answered, absolutely. He said in 2015 when the bond schedule changed, it created a revolving door.

0:13:28      **1. APPROVAL OF AGENDA**

0:14:30      **Mr. Ken Britt** explained item E.3 Consider Approval to Advertise Request for Proposals for Concession Services at Port Jefferson at Lake Carlsbad Recreation Area. He explained this request is to advertise Invitation for Request for Proposal to select a contractor to rent and provide concession services at Port Jefferson.

0:15:02      **Motion**

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

0:15:28      **Vote**

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

0:15:44      **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on February 11, 2020
- B. Minutes of the Special City Council Meeting held on February 13, 2020
- C. Minutes of the Special City Council Meeting held on February 19, 2020
- D. City Personnel Report
- E. Purchasing
  - 1) Consider Approval to Advertise Invitation to Bid for Restoration of Potash Mining Equipment at the Potash Park

- 2) Consider Approval to Advertise Invitation to Bid for Digital Radio Test Set and Accessories for the Electrical Department Radio Shop
- 3) Consider Approval to Advertise Request for Proposals for Concession Services at Port Jefferson at Lake Carlsbad Recreation Area
- F. Contracts and Agreements
  - 1) Consider Approval of Agreement between the City of Carlsbad and San Mateo Black River Oil Pipeline (Matador) to install a 12" Steel Oil Pipeline for Oil and Gas related matters
  - 2) Consider Approval of Agreement between the City of Carlsbad and Longwood RB Pipeline (Matador) to install a 12" Steel Gas Pipeline for Oil and Gas related matters
  - 3) Consider Approval of Agreement between the City of Carlsbad and San Mateo Stebbins Water Management (Matador) to install a 12" Poly Waterline for Oil and Gas related matters
  - 4) Consider Approval of Second Renewal of Agreement between the City of Carlsbad and Metal Shop Live Productions, LLC for Promotion and Operation of the Walter Gerrells Performing Arts and Exhibition Center
- G. Monthly Reports
  - 1) Community Development Department January 2020
  - 2) Municipal Services Department January 2020
  - 3) Transportation and Facilities Department December 2019
  - 4) Utilities Department January 2020
- H. Set Date: April 14, 2020
  - 1) Consider Approval of Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.375 acre property located at 818 Center Avenue
  - 2) Consider Approval of Ordinance rezoning part of "C-2" Commercial 2 District to "C-1" Commercial 1 District for an approximately 0.18 acre property located at 403 Laredo Street
  - 3) Consider Approval of Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for an approximately 1.85 acre property located at 214 N. Fifth Street
  - 4) Consider Approval of Ordinance rezoning part of "R-R" Rural Residential District to "R-1" Residential 1 District for an approximately 54.85 acre property located East of Old Cavern Highway and South of Hamilton

0:15:46      **Mayor Janway asked Mr. Lowe to discuss Items F.1 Consider Approval of Agreement between the City of Carlsbad and San Mateo Black River Oil Pipeline (matador) to install a 12" Steel Oil Pipeline for Oil and Gas related matters; Item F.2 Consider approval of Agreement between the City of Carlsbad and Longwood RB Pipeline (Matador) to install a 12" Steel Gas Pipeline for Oil and Gas related matters; and Item F.3 Consider Approval of Agreement between the City of Carlsbad and San Mateo Stebbins Water management (Matador) to install a 12" Poly Waterline for Oil and Gas related matters**

**Mr. Lowe** explained this agreement is to install a 12" Steel Oil Pipeline on city property located outside of the city limits. He added the city will be compensated \$57, 275.10 for the easement.

**Mr. Lowe** explained item F.2 is an agreement to install a 12" Steel Gas Pipeline on city property located outside the city limits. He added the city will be compensated \$56,602.80 for the easement and additional compensation of \$12,403.05 for two worksites.

**Mr. Lowe** explained item F.3 is an agreement to install a 12" Poly Waterline on city property outside the city limits. He added the city will be compensated \$55,042.20 for the easement. He added that each of these companies are a subsidiary of Matador.

**Councilor Chavez** asked if this is going to go across the river. **Mr. Lowe** said this agreement is to install on city property.

0:18:33 **Mayor Janway** asked **Mr. Lowe** to discuss **Item F.4 Consider approval of Second Renewal of Agreement between the City of Carlsbad and Metal Shop Live Productions, LLC for Promotion and Operation of the Walter Gerrells Performing Arts and Exhibition Center**

**Mr. Lowe** explained this is a renewal with Metal Shop Live Productions, LLC. He explained all renovations from the 2015 snow storm have been completed and that the fire protection system has been upgraded and is compliant.

**Councilor Walterschied** asked how long the facility has been ready to go for productions. **Mr. Lowe** explained the fire suppression system was completed, tested, and approved on February 7, 2020.

**Councilor Walterscheid** asked how the Center is progressing as far as productions and what types of productions will be brought in. **Mr. McKinney** asked what kind of productions would you like to see. **Councilor Walterscheid** said family orientated, PG productions. **Mr. McKinney** said last week there were 4 circus shows that were family friendly. He added he tries to bring in a lot of family friendly events but it has been hard to book with the auditorium being under construction for some time. **Mr. McKinney** said he tries to do a variety of shows that will appease a lot of different demographics.

**Councilor Shirley** explained that this contract does not mean the contractor has exclusive rights to the auditorium. He added if he would like to rent the auditorium and bring in a show, he is welcome to do that. He explained the contractor's job is to facilitate the rentals of the facility and the other is to bring in high quality entertainment. **Mr. McKinney** explained that during the construction of the auditorium there was not a decrease in revenue because of the use of the Annex.

0:31:45           **Motion**

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

0:31:51           **Vote**

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

0:32:12           **3.       CONSIDER APPROVAL OF REQUEST FROM THE CARLSBAD POLICE DEPARTMENT TO APPLY FOR A BUREAU OF JUSTICE STOP SCHOOL VIOLENCE GRANT TO CONTINUE TO PROVIDE SCHOOL RESOURCE OFFICERS IN THE CARLSBAD PUBLIC SCHOOLS**

**Chief Skinner** explained that recently Council approved an updated MOU with the Carlsbad Municipal School System, the Eddy County Commission, the Carlsbad Police Department, and the Eddy County Sheriff's Office. He explained with the updated MOU the Police Department is requesting permission to apply for a Bureau of Justice STOP School Violence Grant in the amount of \$750,000.

**Councilor Chavez** asked if the DARE Program or a similar program is still being offered. **Chief Skinner** said no, but added the schools would like to bring the Program back. He said it is a wonderful program and the Department is striving for the earliest intervention of the School Resource Officers and this grant funding could help bring the program back.

0:34:51           **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Florez to approve Request from the Carlsbad Police Department to apply for a Bureau of Justice STOP School Violence Grant to continue to provide School Resource Officers in the Carlsbad Public Schools

0:34:55           **Vote**

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

0:35:10           **4.       CONSIDER APPROVAL OF RESOLUTION NO 2020-07, A RESOLUTION REQUIRING THE REMOVAL OF THE BUILDINGS AND DEBRIS FOR PROPERTY LOCATED AT 511 S ALAMEDA OWNERS: ERNEST AND PRISCILLA RODRIGUEZ**

**Ms. Riordan** explained this property is located at 511 S. Alameda and is a single family residence. She explained the Certified Building Official, Code Enforcement and the Fire Marshall have found that the house and the accessory buildings have fallen into a severe state of disrepair and recommend approval of the Resolution.

0:38:25 **Mayor Janway asked if a representative for the property was present, no one appeared.**

0:38:34 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Florez to approve Resolution No. 2020-07, a Resolution requiring the removal of the Buildings and Debris for property located at 511 S. Alameda; Owners: Ernest and Priscilla Rodriguez

0:38:46 **Vote**

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

0:39:03 **5. CONSIDER APPROVAL OF ORDINANCE NO 2020-04, AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL 2 DISTRICT TO "R-R" RURAL RESIDENTIAL DISTRICT FOR AN APPROXIMATELY 6.775 ACRE PROPERTY LOCATED AT COPPERSTONE ESTATES PHASE III SUBDIVISION APPLICANT: TRENT & CASEY CORNUM**

0:39:38 **A. Public Hearing**

**Mr. Patterson** explained this request is for a zone change from "R-2" Residential 2 District to "R-R" Rural Residential District for approximately 6.776 acres. He explained the applicant would like to place a home on the property and would like to change the zoning to have a larger lot and more of a residential setting. He added that the Planning and Zoning Commission voted in favor of the request and recommend approval.

0:41:32 **Mayor Janway asked if anyone would like to speak in favor of the Ordinance.**

**Ms. Casey Cornum** said they are purchasing the property from the property owner that is southeast of the property and he would like to ensure that nothing other than single family homes are placed on the property.

0:42:21 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

0:42:31 **B. Consider Approval of Ordinance 2020-04**

0:42:38 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Ordinance No. 2020-04, an Ordinance rezoning part of "R-2" Residential 2 District to "R-R" Rural Residential District for an approximately 6.775 acre property

located at Copperstone Estates Phase III Subdivision; Applicant: Trent & Casey Cornum

0:42:43        **Vote**

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

0:43:01        **6. COUNCIL COMMITTEE REPORTS**

**Councilor Rodriguez** stated that the Census 2020 Committee will have a meeting on Thursday, February 27th at noon.

**Councilor Shirley** thanked everyone who worked to get the Lodgers' Tax Bill passed in the State Legislature. He added that now we wait to see if the Governor signs the Bill.

0:44:56        **Mayor Janway asked if anyone in the audience would like to address the Council. No one appeared.**

0:45:03        **7. ADJOURN**

0:45:07        **Motion**

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

0:45:14        **Vote**

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

0:45:31        **Adjourn**

There being no further business, the meeting was adjourned at 6:45 p.m.

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

ATTEST:

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