

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON OCTOBER 13, 2020 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 via telephone
	Jason Shirley	Councilor
	Judith E. Waters	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor

Absent:

Also Present:	John Lowe	City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	Denise Madrid-Boyea	City Attorney
	Chris Caron	Police Officer
	Melissa Salcido	Director of Finance

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

0:00:45 **Ms. Dodd** gave a presentation for the United Way of Eddy County. She said the United Way has been able to help thousands of people in Eddy County. She said there is an emergency fund set up to help with the COVID-19 pandemic. She said they have helped pay rent, utilities and other essentials. She said \$88,000.00 was invested to non-profits for PPE and program expenses. She thanked Mayor Janway, Mrs. Austin, Mr. Lowe, Mr. Cass, Chief Lopez, Chief Skinner, Kyle, and Cheyenne for the leadership and City employees who contribute to the United Way. **Ms. Dodd** thanked the City for all the support. She added anyone needing assistance can call 2-1-1.

Mayor Janway asked if anyone would like to address Ms. Dodd. No one appeared

0:08:52 **Officer Caron** spoke about Alex the newest K-9 with the Police Department. He said there have already been about 20 felony cases since Alex has been here. **Officer Caron** set up a demonstration of Alex "working". He stated he felt the K-9's have made a big difference in our community.

0:20:28 **1. APPROVAL OF AGENDA**

0:20:30 **Motion**

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

0:20:32 **Vote**

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

0:20:53 **2. CONSIDER APPROVAL OF RESOLUTION 2020-39, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2020-21 FISCAL YEAR BUDGET**

Mrs. Salcido reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2020-2021 Fiscal Year Budget

0:22:24 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Approval of Resolution 2020-39, a Resolution making certain Budgetary Adjustments to the 2020-21 Fiscal Year Budget

0:22:40 **Vote**

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

0:23:01 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on September 22, 2020
- B. City Personnel Report
- C. Purchasing
 - 1) Consider Approval to Advertise Request for Proposals for repair work for Reservoir #2 for the City Utilities Water Department
 - 2) Consider Approval to Award RFP 2020-07 to HBSS Connect for an Intelligent Transportation Technology System for the Carlsbad Municipal Transit System
- D. Contracts and Agreements
 - 1) Consider Approval of Agreement between the City of Carlsbad and US Department of Justice for a High Intensity Drug Task Force Agreement (HIDTA) for the Carlsbad Police Department

- 2) Consider Approval of Agreement between the City of Carlsbad and Bureau of Alcohol, Tobacco, Firearms and Explosives (AFT) for reimbursement of overtime expenses for the Carlsbad Police Department
 - 3) Consider Approval of Memorandum of Understanding between the City of Carlsbad and US Immigration and Customs Enforcement Homeland Security Investigations to utilize Task Force Officers from the Carlsbad Police Department
 - 4) Consider Approval of Agreement between the City of Carlsbad and Adrian Gonzales for the Retirement of a K9 Police Service Dog "Alf" from the Carlsbad Police Department
 - 5) Consider Approval of Memorandum of Agreement between the City of Carlsbad and New Mexico Department of Transportation for a Section 5311 and Section 5339 grant for funding assistance for Carlsbad Municipal Transit System
 - 6) Consider Approval of Renewal to Agreement between the City of Carlsbad and Garden Mart for Grounds Keeping and Maintenance Services for City Wide Medians, Landscapes, Gateways and Properties
 - 7) Consider Approval of Amendment to Effluent Agreement with Select Energy Services
- E. Monthly Reports
- 1) Human Resources Department September 2020
 - 2) Municipal Court Department September 2020
 - 3) Transportation and Facilities Department July 2020
- F. Board Appointments
- 1) Carlsbad Bob Forrest Youth Sports Complex Advisory Board Appoint Lance Ridgeway three-year term
- G. Set Date: November 10, 2020
- 1) An Ordinance rezoning part of "I" Industrial District to "C-2" Commercial 2 District for an approximately 1.25 acre property located as lots 1,2,3,4,5,6,7,9,10 Block 4, South Carlsbad Subdivision

0:23:20 **Mayor Janway asked Mr. Lowe to discuss D.3 Consider Approval of Memorandum of Understanding between the City of Carlsbad and US Immigration and Customs Enforcement Homeland Security Investigations to utilize Task Force Officers from the Carlsbad Police Department and D.4 Approval of Agreement between the City of Carlsbad and Adrian Gonzales for the Retirement of a K9 Police Service Dog "Alf" from the Carlsbad Police Department.**

Mr. Lowe explained that Item D.3 will allow officers performing investigations to act within federal guidelines and allow them to file federal charges against defendants.

0:23:49 **Mr. Lowe** explained Item D.4 to allow Corporal Gonzales, Alf's former handler to adopt Alf, which will release the City from liability and future costs for Alf. He stated Alex will replace Alf.

0:24:30 **Mayor Janway** asked if there were any questions or comments from Council.

Councilor Walterscheid asked about **D.3** stating he had seen city police cars in the White's City area and asked if that was what this was concerning. **Mr. Lowe** explained this would allow our police officers to train to be able to assist in the area with operations.

0:25:32 **Motion**

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

0:25:37 **Vote**

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

0:26:00 **4. CONSIDER APPROVAL OF LIQUOR LICENSE APPLICATIONS FOR A TRANSFER OF OWNERSHIP FROM ALLSUPS CONVENIENCE STORES TO BW GAS & CONVENIENCE RETAIL, LLC FOR PROPOSED LOCATIONS 920 W MERMOD, 110 S CANAL, 102 E CHURCH, 2301 W LEA, 3220 NATIONAL PARKS HWY, 2417 W PIERCE APPLICANT: THOMAS TRKLA, CEO, PRESIDENT, AND CHAIRMAN**

0:26:37 **A. Public Hearing**

0:26:42 **Mr. Lowe** explained Allsup's was bought out by BW Gas & Convenience Retail, LLC at six locations in Carlsbad. There is no change in the operation of Allsup's. He explained a public hearing was held at City Hall on October 7, 2020, with no opposition at the hearing. He stated the only change is in ownership.

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**

0:27:33 **B. Consider Approval**

0:27:36 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Carter to approve Liquor License Applications for a Transfer of Ownership from Allsup's Convenience Stores to BW Gas & Convenience Retail, LLC for proposed locations 920 W Mermod, 110 S Canal, 102 E Church, 2301 W Lea, 3220 National Parks Hwy, 2417 W Pierce Applicant: Thomas Trkla, CEO, President, and Chairman

0:27:44 **Vote**

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

0:28:06 **5. COUNCIL COMMITTEE REPORTS**

Councilor Shirley gave a report on the Single Family Dwelling Ordinance Committee, he stated the committee has been meeting weekly and there is a report that is almost complete to present to **Mayor Janway** and **Mr. Lowe** for review.

Councilor Rodriguez gave a report on the Census. He said the Supreme Court ruled that the Census will be coming to an end.

0:29:11 **Mayor Janway** asked **Mr. Lowe** to say a few words about the press release that was given to the Councilors **Mr. Lowe** stated the Governor has announced new restrictions that will take effect Friday October 16, 2020 **Councilor Walterscheid** asked what restrictions she will be putting in place, **Mr. Lowe** said mass gatherings will be reduced from ten people to five people or less, restaurants serving alcohol will be closing at 10 p.m., hotels occupancy rates will change to 60%. He said no business closings were announced. He said there are no other changes except to businesses that serve alcohol.

0:30:30 **Mayor Janway** asked if anyone in the audience would like to address the Council. No one appeared.

0:30:35 **6. ADJOURN**

0:30:39 **Motion**

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

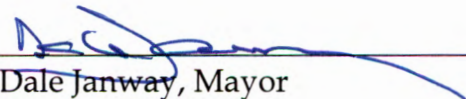
0:30:46 **Vote**

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


0:30:59 **Adjourn**

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





Dale Janway, Mayor



Nadine Mireles, City Clerk