

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX  
BUILDING ON MARCH 23, 2021 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 <i>via telephone</i>
	Judith E. Waters	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor

Absent:

Also Present:	Wendy Austin	Deputy City Administrator
	KC Cass	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Ted Cordova	Community Dev. Director
	Angie Barrios-Testa	Director of Municipal Services
	Ron Myers	Director of Utilities
	Wayne Hatfield	IT Director
	Brent Griffith	IT Technician
	Melissa Salcido	Finance Director
	Ken Ahrens	Asst. Fire Chief
	Trysha Ortiz	Deputy Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Charlie Garcia	Police Officer
	Mike Hernandez	Union President
	Benny Anaya	Union Representative
	Mary Garwood	Solid Waste/Beautification Coordinator
	Andrew Carver	Police Officer
	Woods Houghton	President of Avalon Ranch
	Kim Rogers	Executive Director of Avalon Ranch
	Dave Rogers	Citizen
	Phillip Houston	Executive Director of Lifehouse

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**

0:00:00 Invocation – Pledge of Allegiance

0:00:05 **1. APPROVAL OF AGENDA**

0:00:05 **Motion**

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

0:00:06 **Vote**

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

0:00:33 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on March 9, 2021
- B. City Personnel Report
- C. Monthly Reports
  - 1) Municipal Services Department February 2021
  - 2) Community Development Department February 2021
  - 3) Utilities Department February 2021

0:00:47 **Motion**

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

0:00:52 **Vote**

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

0:01:10 **3. CONSIDER APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CARLSBAD AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW)**

**Mr. K.C. Cass** explained this contract/agreement sets summer hours, the hours will be in effect from May 1 - September 30. He said the contract was amended to include 4 hours of wellness for union members who do not have city insurance. He explained that was previously not allowed. He said union workers will now have educational pay. He also said they increased the sick leave buy back from 33% to 40%. He added the tool and clothing allowance was increased from \$0.90 to \$1.28 per hour and was amended to include a cell phone. **Mr. Cass** said a 0% raise at this time due to the economic downturn and agreed to revisit the issue in January 2022. He said he is thankful the union was agreeable to working with the City in these hard times.

**Mayor Janway** thanked Mr. John Corman, who was not able to attend the meeting, for all his hard work and all of IBEW.

0:04:26        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Collective Bargaining Agreement between the City of Carlsbad and International Brotherhood of Electrical Workers (IBEW)

0:04:32        **Vote**

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

0:04:56        **4.        CONSIDER APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CARLSBAD AND UNITED STEEL WORKERS (USW)**

**Mr. Cass** explained the summer hours are to be in effect May 1 - September 30. He said they are going to a better step program as they work through water and waste water operators. He said there was a discrepancy in the policy and there is a tremendous raise to go to level 2. He explained the City needs more level 4 operators and in the new contract the better pay would be for a level 4 operator. He said the increase for holiday pay was increased from time and half to double time. He said on-call pay was increased from \$ .75 per hour to \$1.00 per hour. He said the annual sick leave buy back increased from 33% to 40%. He added the clothing allowance was increased by \$3.00 per pay period. He said the journeyman foreman pay was increased by 2%. He explained there is a 0% increase in pay and will be revisited in January 2022.

0:08:50        **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Collective Bargaining Agreement between the City of Carlsbad and United Steel Workers (USW)

0:08:55        **Vote**

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

0:09:14        **Mayor Janway** thanked Union President Mr. Mike Hernandez and all the Steelworkers for all their hard work.

0:09:25        **5.        CONSIDER APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CARLSBAD AND THE CARLSBAD POLICE OFFICERS ASSOCIATION (CPOA)**

**Mr. Cass** explained in the contract the gender specific language was cleaned up to recognize all members of the police department equally. He explained there were some amendments made to the contract requiring 2 years before being promoted to detective or narcotics officers. He explained there is an assessment before promotions are given, He said there is an oral assessment the officer must give before their peers instead of a test. He said there is also educational pay in the contract. He explained there is a one-

time clothing allowance of \$600.00 upon promotion to detective or above. He said they also agreed to a 0% increase in pay and agreed to revisit in January 2022.

**Councilor Chavez** said he was happy to see the lateral transfer language for vacation and sick leave. He said it would be huge for the department to maintain seasoned officers. **Mr. Cass** said he was glad Councilor Chavez mentioned it, and it would allow the best candidate to have the job without losing their benefits and being penalized for a transfer. He said it was something that needed to be addressed.

0:12:55        **Motion**

The motion was made by Councilor and seconded by Councilor to approve Approval of Collective Bargaining Agreement between the City of Carlsbad and the Carlsbad Police Officers Association (CPOA)

0:13:00        **Vote**

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

0:13:35        **6. CONSIDER APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CARLSBAD AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF)**

**Mrs. Austin** explained the language in the new contract reflects current operations at each fire station. She said there will be educational pay in the new contract, updated language for forced call outs, instructorship upgrades and promotions to more accurately reflect the current operations, updated uniform language that allows 6 duty shirts instead of 6 button down shirts. She said the monetary modifications include 0% wage increase for the first year and wage increases for years 2 & 3 will be negotiated in January 2022.

0:15:04        **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Collective Bargaining Agreement between the City of Carlsbad and the International Association of Firefighters (IAFF)

0:15:08        **Vote**

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

0:15:44        **7. CONSIDER APPROVAL OF RESOLUTION 2021-13, A RESOLUTION AUTHORIZING FILING OF AN APPLICATION TO THE NEW MEXICO TOURISM DEPARTMENT FOR THE FY22 NEW MEXICO CLEAN AND BEAUTIFUL GRANT**

**Ms. Garwood** explained that \$.50 of every vehicle registered in the State of New Mexico goes to this grant fund. She said in years past she has paid the youth to clean up littered areas, this year she is asking to hire a youth intern to keep up with social media and the youth, as she doesn't have time to dedicate to that. She said some money would go to advertising, purchasing an enclosed trailer for supplies to take to clean up sites. She said she and Mayor Janway have discussed doing landscaping at the Municipal Annex and she is requesting money for that project.

**Mayor Janway** asked Ms. Garwood to speak about the award she received. **Ms. Garwood** said she received the President's Choice Award for Keep Carlsbad Beautiful this year for 2020 events. She explained Keep Carlsbad Beautiful looked for loopholes to get things done and got national recognition for it.

**Councilor Walterscheid** thanked Ms. Garwood for what she does. He said it is a thankless job and he has been on her clean ups, she makes the cleanups fun. **Ms. Garwood** thanked everyone for their support. She said it is her following that enables her to do the work she does.

**Councilor Estrada** thanked Ms. Garwood for her leadership and said it is appreciated.

0:22:39      **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Resolution 2021-13, a Resolution authorizing filing of an Application to the New Mexico Tourism Department for the FY22 New Mexico Clean and Beautiful Grant

0:22:49      **Vote**

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

0:23:06      **8. CONSIDER APPROVAL OF RESOLUTION 2021-14, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS AND DEBRIS AT 312 NELSON STREET OWNER: SEAN TENNISON**

**Ms. Ortiz** said the listed owner is Sean Tennison, although Code Enforcement was told the property was sold, there has been no official transfer of the property. She said Code Enforcement has been working with this property since 2016 and the drug task force has been involved. She said the utilities have been off and on in the last few years. She said they don't know who the current owner is, however she has been told it is the owners son that lives there, although it has not been confirmed. She said making contact with the tenants has been unsuccessful and has been a volatile situation. She said this property remains out of compliance and the Fire Marshall has found that the property presents an extreme fire hazard.

0:25:35      **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Carter to approve Resolution 2021-14, a Resolution requiring the removal of the weeds and debris at 312 Nelson Street Owner: Sean Tennison

0:25:40        **Vote**

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

0:25:57        **9. CONSIDER APPROVAL OF ORDINANCE 2021-06, AN ORDINANCE AUTHORIZING THE AMENDMENT OF AN AGREEMENT WITH THE CITY OF CARLSBAD AND AVALON RANCH FOR THE OPERATION OF A SUBSTANCE ABUSE TREATMENT FACILITY FOR WOMEN AND CHILDREN AND TO ENTER INTO A LEASE AGREEMENT A. PUBLIC HEARING B. APPROVAL OF ORDINANCE**

0:26:28        **A. Public Hearing**

**Mrs. Madrid-Boyea** explained the City received two (2) special grants in 2016 for the construction or renovation of a building for a residential treatment facility for women with substance abuse problems and their children. She said the City has been working with an organization by the name of Avalon Ranch, this is a nonprofit corporation to bring the program to the Carlsbad area. She said the New Mexico Department of Finance and Administration requires an agreement for the construction and operations of the facility to be in place before considering the City for the grant process. She said the City now has an agreement for the development and use of the property, the agreement was contingent on the City's receipt of the grant funds. She said the City and Avalon Ranch have worked hard to get this facility renovated it is located at 106 N. Mesquite, Carlsbad NM, it is ready to go operational. She said the City owns this property and will own all the improvements. She explained an amended agreement is needed and the lease of the facility by Avalon Ranch needs to be approved by an ordinance and approved by the NMDFA. The City Administrator should be authorized to amend or change the lease if NMDFA needs any amendments or changes. She said a qualified appraiser will determine the value of the property and a fair market rental value will be determined for Avalon Ranch. She said rent could be paid by cash or services or a combination of both.

**Mr. Woods Houghton**, President of Avalon Ranch Board said he would like to recognize all the work former councilman Jeff Diamond has done. He said he is hoping to accept clients the 1st of May. He said an agreement had been started with Golden Services to administer this facility, however Golden Services has dissolved. He said Lifehouse has purchased Villa De Esperanza and will be combining it with Avalon Ranch. He said counseling previously done at Golden Services would continue at Avalon Ranch. He said Golden Services was the only facility providing counseling for children in Carlsbad. He said an amendment he'd like to see is taking outside clients.

**Councilor Walterscheid** asked what kind of counseling is offered. **Mr. Houghton** answered it is for children with parents with substance use. He said outside clients would be counseling for any other issues, not just substance abuse. He said 1 in 5 people will need counseling during their lifetime. He said CYFD 80% - 100% of children in their care have parents that are involved in substance abuse. He said they treat parents and children and there are numerous examples where this has worked in families.

**Phillip Houston**, Executive Director of Lifehouse, said they have entered into an agreement to operate and manage Avalon Ranch. He said Villa de Esperanza is the only in-patient treatment program for substance use in the county. He said the staff is exceptional and has experience. He said Lifehouse offers sober living they have a house for women with children and have a continuum for care past the 28 days for the program. He said he would like to thank Mayor Janway, Jeff Diamond, Woods Houghton, K C Cass and everyone who made this happen. He said this will be of great benefit in helping a lot of lives. He said he is willing to answer any questions and would love to give a tour of the facility.

**Kim Rogers**, Executive Director of Avalon Ranch, she said she will be working with Lifehouse and Avalon Ranch. She said her passion is children and she hopes to help many families with this facility. She said the building is state of the art and she is hoping to have an open house for everyone to come by. She said there will be a daycare for the mothers with children, while the mothers are attending programs the children will be in daycare and learning social skills. She said there will be parental skills classes and group therapy for the mothers.

**Councilor Waters** thanked Kim Rogers, and said it sounds great.

**Mayor Janway** said it will be good for the city.

**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

0:36:44      **B. Consider Approval**

0:36:47      **Motion**

The motion was made by Councilor Carter and seconded by Councilor Waters to approve Approval of Ordinance 2021-06, an Ordinance authorizing the Amendment of an Agreement with the City of Carlsbad and Avalon Ranch for the operation of a Substance Abuse Treatment Facility for Women and Children and to enter into a Lease Agreement

0:36:58 **Vote**

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

0:37:15 **10. COUNCIL COMMITTEE REPORTS**

No reports

0:37:30 **Mayor Janway asked if anyone in the audience would like to address the Council. No one appeared**

0:37:35 **11. ADJOURN**

0:37:38 **Motion**

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

0:37:45 **Vote**

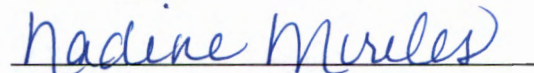
The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores; No - None; Absent - None; the motion carried.

0:38:05 **Adjourn**

There being no further business, the meeting was adjourned at 6:38 p.m.



  
Dale Janway, Mayor

  
Nadine Mireles, City Clerk