

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON JUNE 22, 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
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor
Absent:	Judith E. Waters	Councilor
Also Present:	John Lowe	City Administrator
	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
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Brittany Aragon	Account Supervisor

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:16 Invocation – Pledge of Allegiance

0:00:22 **1. APPROVAL OF AGENDA**

0:00:25 **MOTION**

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

0:00:29 **VOTE**

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

0:00:42 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on June 8, 2021
- B. Minutes of the Special City Council Meeting held on June 15, 2021
- C. City Personnel Report
- D. Purchasing
 - 1) Consider Approval to Advertise Invitation to Bid for Street Maintenance for various city projects
 - 2) Consider Approval to Advertise Invitation to Bid for Ready Mix Concrete for city projects
- E. Agreements
 - 1) Consider Approval of Agreement between the City of Carlsbad and Rocking WD Services for Bird Abatement and Management for various City Departments
 - 2) Consider Approval of Agreement between the City of Carlsbad and Strategies 360 to provide Professional Lobbying Services in New Mexico
 - 3) Consider Approval of Agreement between the City of Carlsbad and RBC Capital Markets to provide Loan Redemption Services for City's outstanding Loans
 - 4) Consider Approval of Agreement between the City of Carlsbad and Carlsbad Municipal Schools for Various Services for the 2021-22 Fiscal Year
 - F. Monthly Reports
 - 1) Community Development Department May 2021
 - 2) Municipal Services Department May 2021
 - 3) Utilities Department May 2021

0:01:13 **Mayor Janway asked Mrs. Austin to discuss E.3 Consider Approval of Agreement between the City of Carlsbad and RBC Capital Markets to provide Loan Redemption Services for City's outstanding Loans and asked Mr. Lowe to discuss E.4 Consider Approval of Agreement between the City of Carlsbad and Carlsbad Municipal Schools for Various Services for the 2021-22 Fiscal Year**

Mrs. Austin explained the Finance Department with support from the Budget Committee has been managing the City's outstanding debt. She said this includes redeeming and refinancing debt, in August of 2019 that saved the City \$2.3 million in interest. She said the City has an opportunity to redeem governmental and enterprise debt totaling \$8.5 million, which will save the City \$1.1 million in interest. She said this will leave the City with two outstanding loans, the Double Eagle loan and the Waste Water Treatment Plant loan. She said this will improve the City's balance sheet and bond rating, therefore can improve the City's opportunities for securing grant funding. She is requesting approval of this agreement to work with RBC Capital Markets. She said the overall cost of the financial and legal services will be approximately \$56,000.00.

She said the principal cost of the debt redemption and service fees will be included in the final budget. She added the City has placed away in debt service the majority of the redemption and the associated fees. She said this redemption will have no impact on current operations, staffing or capital investments. She also said, as with most governments, this will be issued through bonds. She said there is a bond redemption process that will take place which will represent the \$56,000.00 cost. She said there a third party oversight that is required for bond redemption or refinancing.

Mr. Lowe explained this is an annual agreement with Carlsbad Municipal Schools to provide education and recreational programs. He said the City of Carlsbad agrees to pay Carlsbad Municipal Schools \$60,000.00. He said these funds were approved in the 2021-2022 Fiscal Year Interim Budget.

0:04:04 **MOTION**

The motion was made by Councilor Shirley and seconded by Councilor Anaya-Flores to approve Routine and Regular Business

0:04:11 **VOTE**

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

0:04:24 **3. CONSIDER APPROVAL OF TEMPORARY USE APPLICATION TO ALLOW FOR MOBILE SALES (VENDING) OF DESSERTS AND RELATED FOOD & DRINKS ON CITY PROPERTY LOCATED AT 300 DIAZ RAY ANAYA SAN JOSE PLAZA APPLICANT: HAWAIIAN ISLAND HUT, NICOLE BROOKS, OWNER**

Mr. Patterson explained this request is to allow the vendor to set up at Ray Anaya San Jose Plaza. He said the vendor plans to sell desserts and drinks, the vendor does not want to compete with the other vendor set up at the Plaza selling snow cones. He said the vendor will be selling different items, the vendor has a business license and will be providing a certificate of liability insurance. He said the Planning Department recommend approval of this request with the following requirements: shall not disturb the peace with loud speaker, megaphone, bell, music or other disruptive noise, the applicant shall limit vending from 12 p.m. to 8 p.m. as per the application information. He said approval will allow the applicant to sell desserts and drinks, non-alcoholic drinks on City owned property at the Ray Anaya San Jose Plaza beginning Saturday June 26, 2021 through Saturday October 30, 2021. He said the applicant plans to primarily sell on weekdays.

0:06:30 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Carter to approve Temporary Use Application to allow for mobile sales (vending) of desserts and related food & drinks on city property located at 300 Diaz Ray Anaya San Jose Plaza Applicant: Hawaiian Island Hut, Nicole Brooks, Owner

0:06:35 **VOTE**

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

0:06:50 **4. CONSIDER APPROVAL OF TEMPORARY USE APPLICATION TO ALLOW FOR MOBILE SALES (VENDING) OF SNOW CONES AND OTHER ICED SNACKS ON VARIOUS CITY PROPERTIES AND RIGHT-OF-WAYS**
APPLICANT: THE SNOW TRAIN, KEVIN MILLER, OWNER

Mr. Patterson explained his request is to allow the for mobile food truck sales on the streets and parks of the City of Carlsbad to vend various snacks to the general public. He said the vendor needs the permission of City Council to vend on city streets, city owned property and right of ways. He said the applicant will need to provide the City with a surety bond for this request. He said the hours will be from 11 a.m. to 7 p.m. He said the Planning Department recommend approval of this request with the following requirements: shall not disturb the peace with loud speaker, megaphone, bell, music or other disruptive noise, the applicant shall limit vending from 11 a.m. to 7 p.m. as per the application information. He said approval will allow the applicant to sell snow cones and other iced snacks within city owned parks and city streets, beginning Wednesday June 23, 2021 through Friday December 23, 2021.

Mr. Lowe added that the Sports Complex has an exclusive vendor and the Sports Complex is off limits.

Councilor Walterscheid asked about the hours of 11a.m. to 7 p.m., what about the 4th of July celebration event, will the vendor be allowed to sell after 7 p.m. **Mr. Patterson** explained the vendor can request to be included in the event and sell until the event is over.

0:09:27 **MOTION**

The motion was made by Councilor Shirley and seconded by Councilor Estrada to approve Temporary Use Application to allow for mobile sales (vending) of snow cones and other iced snacks on various city properties and Right-of-Ways Applicant: The Snow Train, Kevin Miller, Owner

0:09:31 **VOTE**

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

0:09:48 **5. PRESENTATION OF THE NEW UTILITY BILLING SYSTEM AND CITIZEN SELF SERVICE (CSS)**

Mrs. Austin explained the new billing system. She said this system will go into live on August 1, 2021. She said the billing has been done through the AS400, which is now obsolete and has served its purpose. She explained 3 years ago the City invested in an

Enterprise Resource Planning system (ERP), provided by Tyler Technologies. She said Tyler specializes in public sector software solutions and Tyler is the premier ERP solution for government entities and is used around the world. She said surrounding areas are also using Tyler, she mentioned Hobbs, Roswell, Clovis, Las Cruces and Eddy County to name a few. She said in the last 3 years the City has gone live with the following modules with the ERP: General Ledger, Cash Management, Requisitions and Purchase Orders, Work Flow, Accounts Payable, Payroll and Employee Self Service, Project Central, Fixed Assets, Cashiering, Asset Management which includes Work Orders and Fleet Management, Budget, New World Public Safety and EMS, InterGov for Planning and Engineering. She turned it over to Mrs. Salcido and Mrs. Brittany Aragon.

Mrs. Salcido said CSS provides web based services to municipal services and information. She said through this service, citizens can view bills, apply payments to utility bills, business license, animal license and more in real time.

Mrs. Aragon presented the CSS, she said you will first see the home page, you can login or create a login. She said you can link multiple accounts to their login. She said there are announcements and they can be changed, updates or public information. She said any utility accounts linked to the login will be under "Utility Billing Accounts", each customer will have a customer ID specific to them. She said once the account is clicked on there will be an account summary and it will show the service address, account number, bill delivery preference, current balance, due date of the balance, pay now, name on the account, address and their customer ID. She said it will also show what services are on the account, which would be water, sewer, garbage, tax and the conservation fee. She said under manage bills shows all bills for the specific account. She said bill detail will break down the bill by meter readings, water usage, and billed usage. She said it will also detail amount billed, any credits or adjustments and the amount due. She said there will also be a consumption history available, there will be a 13-month graph, read dates, how many days in the cycle, and the usage. She said there is also an option to change the delivery preference of the bill, for example regular mail, email, etc. She said as of now paperless billing is not offered, with the new system it will be available. She said there is a contact us tab for citizens to email any questions or concerns. She said the lockbox previously used is no longer available and any citizen on ACH draft, the new system does not offer to let them set up re-occurring payments. She said re-occurring payments can be set up through the cashier's office. She said current customers on ACH draft have been notified with a form to be set up on ACH with the new system. She said on June 29, 2021 there will be a pre-live pull from AS400 to Tyler Munis, on July 1, 2021 there will be a notice informing citizens as of July 15, 2021, the current online system and IVR services will no longer be in use, on July 20, 2021 is the final pull from AS400 and will be converted into Tyler Munis and on July 23, 2021 everything will be reviewing the data, July 26, 2021 the system will go live. She said the first bill will be generated using the new system on August 1, 2021. She said

CSS will be operational to citizens with customer IDs or they can logon to create their customer ID.

Mrs. Salcido added the bill you see on the screen was created in house with the help of Tyler, it can be changed in the future, if needed.

Councilor Walterscheid asked what the cost of this is it expensive compared to where we were, or is it a much better system. **Mrs. Salcido** said this is a much better system and doesn't have the cost difference available at this time. She mentioned the system being used now only has 1 programmer who can do anything with it, not a corporation like Tyler, with Tyler Munis any problems can be handled by calling a 1-800 number.

Councilor Walterscheid asked with the cyber-attacks that have been happening, will this be a problem at some point. **Mrs. Salcido** answered that Tyler has their own protections in place and will send emails if there are any issues going on.

Mr. Lowe added he would like to give the Finance Department some credit, as the AS400 is a 1975 system, it is archaic and antiquated. He said the new system is expensive however this is the best system available to the City. He said the City had to invest in that type of technology to move forward.

Councilor Estrada asked if there has been any testing done on the system and if there have been any problems. **Mrs. Salcido** answered the testing has been going on for about a year and a half and running parallels which means comparing the data from the old system to the new system, making sure rate, usage, and services on accounts are correct. **Councilor Estrada** said glitches in new software happen. **Mrs. Salcido** said yes glitches happen and the testing is being done to make sure everything goes smoothly.

0:22:58 **6. COUNCIL COMMITTEE REPORTS**

Fire Chief Lopez said Devon Energy has a Hometown Hero Program every quarter and take nominations and this quarter Lt. Mark Moreno was chosen. He said Mr. Moreno has 18 years with the Carlsbad Fire Department. He said Mr. Moreno is a paramedic, field training officer, a mentor, has an excellent personality, a hard worker and Chief Lopez is proud Mr. Moreno has been awarded this title. He said Mr. Moreno is an excellent employee and a great guy.

Mayor Janway asked Chief Lopez to pass on congratulations from himself and City Councilors.

Mayor Janway introduced Sierra Chavez, who is working on suicide program.

Sierra Chavez said she has spoken to Mayor Janway and Mr. Lowe concerning the drugs in Carlsbad. She said her husband passed away in July 2020, and wanted to know if there is any awareness programs here. She said she is aware of the DUI

Program here and would like to know if there anything for drug use. She would like to make the public aware of the drug issues. **Mayor Janway** said when she meets with Joana Wells, it could get started from there.

0:26:11 **Mayor Janway asked if anyone in the audience would like to address the Council. No one appeared.**

0:26:20 **7. ADJOURN**

0:26:21 **MOTION**

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

0:26:28 **VOTE**

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

0:27:00 **Adjourn**

There being no further business, the meeting was adjourned at 6:27 p.m.



Nadine Mireles
Nadine Mireles, City Clerk

Dale Janway
Dale Janway, Mayor