

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

Absent:	Jason O. Chavez	Councilor <i>via telephone</i>
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Also Present:	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
	Brent Griffith	IT Technician
	Sandy Gonzales	Grant Administrator
	Richard Lopez	Fire Chief
	Patrick Cass	Public Works Director
	Mary Garwood	Beautification
	Ray Benavidez	Building Official
	Jim Waters	Citizen

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

0:00:20 **1. APPROVAL OF AGENDA**

Mayor Janway pulled C.1 Consider Approval to Award Bid 2021-04 to The Grass Guru for Pest Control Services, for further review of the contract.

0:00:31 **MOTION**

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

0:00:34 **VOTE**

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

0:01:23 **2. CITY OF CARLSBAD FINANCIALS - MAY 2021**

Mrs. Gonzales reviewed the revenues and expenditures as of May 2021 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:02:50 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on June 22, 2021
- B. City Personnel Report
- C. Purchasing
 - 1) Consider Approval to Award Bid 2021-04 to The Grass Guru for Pest Control Services
 - 2) Consider Approval to Award Bid 2021-05 to Ultra Clean Carpet and Janitorial Services for Janitorial Services for City Park Restrooms and Bob Forrest Youth Sports Complex
 - 3) Consider Approval to Award Bid 2021-06 to Thunder Run Concrete and Chance Materials for Ready Mix Concrete
- D. Agreements
 - 1) Consider Approval of Agreement between the City of Carlsbad and Carlsbad Industrial Action, Inc. (dba Carlsbad Department of Development) for Economic Development Services
 - 2) Consider Approval of Agreement between the City of Carlsbad and Eddy County for the DWI Program for Reporting and Tracking DWI Offender Data
 - 3) Consider Approval of Agreement between the City of Carlsbad and Southeast New Mexico Community Action Corporation for the lease of Property commonly known as the Carlsbad Adult Respite Facility
 - 4) Consider Approval of Agreement between the City of Carlsbad and Boutique Air Inc. for a portion of the Cavern City Air Terminal
 - 5) Consider Approval of Agreement between the City of Carlsbad and Air Methods dba Native Air for Ground Space Lease at the Cavern City Air Terminal
 - 6) Consider Approval of Renewal to Agreement between the City of Carlsbad and Garden Mart Inc. for Groundskeeping and Maintenance Services of City Wide Landscapes, Medians, Gateways and Properties
- E. Monthly Reports
 - 1) Human Resources Department June 2021
 - 2) Transportation & Facilities Department March 2021
- F. Board Appointments

- 1) Carlsbad Library Board Appoint Allie Cooper remainder of four-year term
- 2) Carlsbad Library Board Reappoint Robert Chavez, four-year term, Bernita Smith-Payne, four-year term, Chris Owens, four-year term
- 3) San Jose Senior Center Advisory Board Appoint Tony Hernandez, four-year term

0:03:17 **Mayor Janway asked Mr. Cass to discuss C.2 Consider Approval to Award Bid 2021-05 to Ultra Clean Carpet and Janitorial Services for Janitorial Services for City Park Restrooms and Bob Forrest Youth Sports Complex and C.3 Consider Approval to Award Bid 2021-06 to Thunder Run Concrete and Chance Materials for Ready Mix Concrete**

Mr. Cass said seven proposals were submitted and Ultra Clean scored the highest and this is a request to grant the contract to Ultra Clean Carpet and Janitorial Services. **Mr. Cass** said Item C.3 for the concrete material bid goes out every four years, this year two bids were submitted. He said Thunder Run Concrete and Chance Materials were the bidders. He explained this would be awarded to both vendors as to keep work going when the low bidder is not able to supply the needed product. He said both bids were very competitive. He said this request is to award the bid to multiple vendors.

Councilor Walterscheid recused himself from the vote.

0:05:17 **MOTION**

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

0:05:23 **VOTE**

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

0:05:42 **4. CONSIDER APPROVAL OF LIQUOR LICENSE APPLICATION FOR A RESTAURANT BEER AND WINE LICENSE APPLICATION NO 1183512 FOR MIYABI LOCATED AT 1511 S CANAL STREET APPLICANT: STEPHANIE LU**

Mrs. Madrid Boyea explained this application has preliminary approval from the New Mexico Regulations and Licensing Department. She said there was a public hearing conducted on July 6, 2021. She said this request is for approval of a City Liquor License.

0:06:53 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Carter to approve a Liquor License Application for a Restaurant Beer and Wine License Application No 1183512 for Miyabi located at 1511 S Canal Street Applicant: Stephanie Lu

0:06:59 **VOTE**

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

0:07:14 **5. CONSIDER APPROVAL OF RESOLUTION 2021-34, A RESOLUTION SUPPORTING THE KEEP CARLSBAD BEAUTIFUL PROGRAM AND THE EXPENDITURE OF LITTER CONTROL AND BEAUTIFICATION GRANT FUNDS FOR FY22**

Ms. Garwood explained a little over \$15,000.00 was awarded this Fiscal Year to Keep Carlsbad Beautiful, \$20,000.00 was requested and Ms. Garwood said she was grateful to get the amount that was awarded. She said she is looking forward to see what comes of the money. She said she requested money for five items and all five were awarded, it was less than she requested however all items did get funded. She said the funds will cover:

- Landscaping for the Municipal Annex Building
- Annual Conference held in Washington, D.C.
- Purchase a covered trailer for supplies Advertising
- Employ a youth intern (8 months)

Councilor Walterscheid thanked Ms. Garwood for all her hard work and for her enthusiasm.

Councilor Walterscheid asked Ms. Garwood what her ambitions are for the coming year, **Ms. Garwood** mentioned: Queen up the Guads on October 2, 2021 and Riverblitz on September 25, 2021, which will be partnered with different entities to clean up Pecos NM to Pecos TX, Pecos River Clean Up

Ms. Garwood announced to the group the Beautification Committee meets every third Thursday of the month at 11:00 a.m. at City Hall and invited anyone and everyone to attend the meetings.

Mayor Janway thanked Ms. Garwood and said she is appreciated.

0:12:17 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution 2021-34, a Resolution supporting the Keep Carlsbad Beautiful Program and the Expenditure of Litter Control and Beautification Grant Funds for FY22

0:12:21 **VOTE**

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

0:12:35 **6. CONSIDER APPROVAL OF RESOLUTION 2021-35, A RESOLUTION DECLARING THE JUNE 2021 RAINS AND FLOODING TO BE A LOCAL DISASTER**

Mr. Cass explained after the June 29, 2021 flooding which caused damage to all low water crossings, as well as clean-up efforts and the clean-up through town. He said this is a request to the state to open more forms of revenues for us and allow us to piggy back on other federal declared disasters and increase the possibility for funding after this event to repair the town and make improvements.

0:13:42 **MOTION**

The motion was made by Councilor Carter and seconded by Councilor Anaya-Flores to approve Resolution 2021-35, a Resolution Declaring the June 2021 Rains and Flooding to be a Local Disaster

0:13:48 **VOTE**

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

0:14:04 **7. COUNCIL COMMITTEE REPORTS**

0:14:11 There were no reports

0:14:13 **Mayor Janway asked if anyone in the audience would like to address the Council.**

0:14:19 **Mr. Jim Waters** approached the podium to express his disappointment with new system, he said he is aware of the need to modernize and software changes, however he said there was nothing posted in the newspaper notifying the public of the changes. He said he works at WIPP, where they change software every few years and there are always glitches. He said he has talked to Mr. Cass about this. He said he has always had someone to help him, but this new system seems to negate FEMA or State items. He said there should have been public notice and some kind of public input about the changes. He said he feels the City Council should look at it, it is pretty intrusive. He said he recommends everyone here tonight get on the system and try to get a permit with the system and let him know how it worked for them.

Mr. Cass said this was implemented several months ago, he feels the City did the best they could to inform the public/contractors about the new program. He said this has been about a two year process and they are seeing some of the glitches that come with updating software. He said Council is aware of the new system. He said he has spoken to Ray Benavidez about creating a position of a Permit Tech to help with the process. He said the City would like to help, and do the best for everyone. He said once problems are identified it would take time to resolve them. He said he feels in the end it will be a great program for everyone and asks everyone for their patience. He said customer service is the City's #1 priority.

Councilor Walterscheid said he has had the same issue and came to PER and spoke with Ray Benavidez, who was very helpful and guided him through the process. He said he wanted to thank Ray Benavidez for his expertise.

Councilor Carter thanked Mr. Benavidez, as he has been the one to take the brunt of the people's frustrations for the last two months.

Councilor Estrada agreed with Mr. Waters about working for WIPP and changing software every few years and there are always glitches. He said it is frustrating. He said it is part of the process and a learning curve.

0:21:38 **8. ADJOURN**

0:21:41 **MOTION**

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

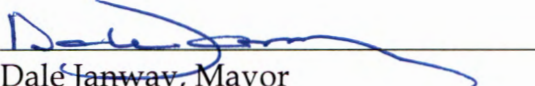
0:21:49 **VOTE**

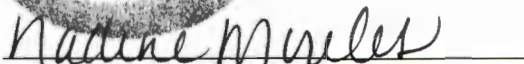
The vote was as follows: Yes - Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores, Waters; No - None; Absent - Chavez; the motion carried.

0:22:08 **Adjourn**

There being no further business, the meeting was adjourned at 6:23 p.m.




Dale Janway, Mayor


Nadine Mireles, City Clerk