

**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 12, 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
	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
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Charlie Garcia	Police Officer
	Therese Rodriguez	Citizen
	Karla Hamel-Niemier	Citizen
	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
0:00:04	Invocation - Pledge of Allegiance

0:00:30 **1. APPROVAL OF AGENDA**

0:00:32 **MOTION**

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

0:00:36 **VOTE**

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

0:00:54 **2. CITY OF CARLSBAD FINANCIALS - AUGUST 2021**

Mrs. Salcido explained the revenues and expenditures as of August 2021 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:02:25 **3. CONSIDER APPROVAL OF RESOLUTION 2021-54, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2021-22 FISCAL YEAR BUDGET**

Mrs. Salcido reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2021-2022 Fiscal Year Budget highlighting the General Fund, the Health Insurance Fund, Transit, Solid Waste, Youth Sports Complex, Water & Sewer Fund, and Lodgers' Tax Promotion Fund.

Councilor Walterscheid asked why the Water Park Manager was made into a full time position, being that the Water Park is only open during the summer months. **Mayor Janway** said the Water Park Manager will now be working at the Youth Sports Complex, Golf Course and still maintain the Water Park, which need to be maintained throughout the year.

0:06:46 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya-Flores to approve Resolution 2021-54, a Resolution making certain Budgetary Adjustments to the 2021-22 Fiscal Year Budget

0:06:53 **VOTE**

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

0:07:09 **4. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on September 28, 2021
- B. City Personnel Report
- C. Purchasing
 - 1) Consider Approval to Advertise Invitation to Bid for the construction of the Rose Street Sewer Forcemain

- 2) Consider Approval to Advertise Invitation to Bid for the rehabilitation of the Bataan Sewer Lift Station
- 3) Consider Approval to Award Bid 2021-08 to Masek Rocky Mountain Golf Cars for the lease of 45 Electric Golf Carts for Lake Carlsbad Golf Course

D. Contracts and Agreements

- 1) Consider Approval of Agreement between the City of Carlsbad and Precision Fireworks LLC for July 4, 2022 Fireworks show at Lake Carlsbad
- 2) Consider Approval of Agreement between the City of Carlsbad, Eddy County and Carlsbad Municipal Schools for the provision of School Resource Officers
- 3) Consider Approval 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

E. Monthly Reports

- 1) Human Resources Department September 2021
- 2) Municipal Court Department September 2021

F. Set the Date: December 14, 2021

- 1) Ordinance Amending Chapter 2, Article IV, Division 9 of the Carlsbad Code of Ordinances regarding the City of Carlsbad Disabilities Advisory Board; decreasing the number of members of the board from seven to five, setting the board to meet quarterly as opposed to monthly, and appointing the Director of Planning and Regulation as Secretary to the board

0:07:41 **Mayor Janway asked Mr. Cass to discuss item C.2 Approval to Advertise Invitation to Bid for the rehabilitation of the Bataan Sewer Lift Station, Chief Lopez to discuss item D.1 Approval of Agreement between the City of Carlsbad and Precision Fireworks LLC for July 4, 2022 Fireworks show at Lake Carlsbad and Chief Skinner to discuss item D.2 Approval of Agreement between the City of Carlsbad, Eddy County and Carlsbad Municipal Schools for the provision of School Resource Officers (SRO)**

Mr. Cass explained this is a request to advertise invitation to bid for the Bataan Lift Station. He said this is funded by Capital Outlay from the ICIP program that is submitted every year. He said we are fortunate that we received over \$4M last year and this project will be done with money received.

Chief Lopez explained this request is for an agreement with Precision Fireworks LLC for the fireworks show at the beach area. He said in 2019 the City started contracting out the fireworks show and he feels 2021 was an awesome show, and expects another great show next year. He said this date needs to be secured for the 4th of July, as the contractor can only do so many shows on the 4th. He said he is happy that, here in Carlsbad we celebrate on the actual 4th of July and have not moved the celebration date.

Chief Skinner explained this is a request to renew the agreement with the Sheriff's Office for School Resource Officers. He said this agreement originated in 2016 and was renewed in 2018. He said this agreement would continue with the original terms.

Councilor Chavez asked how many SRO's there are. **Chief Skinner** said there are two active for the Carlsbad Police Department and Eddy County Sheriff's Office has one.

Councilor Chavez asked if the SRO's are assigned to the Carlsbad High School. **Chief Skinner** said, yes, however they try to get to all the schools.

0:13:00 **MOTION**

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

0:13:05 **VOTE**

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

0:13:20 **5. CONSIDER APPROVAL OF RESOLUTION 2021-55, A RESOLUTION AUTHORIZING THE ACCEPTANCE OF CAPITAL OUTLAY GRANT AGREEMENT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR WEST MERMOD STREET IMPROVEMENT PROJECT**

Mr. Cass explained this is a request to accept a grant from the Capital Outlay Grant from NMDOT to put a double layer of micro seal on the entire length of W. Mermod St., from the railroad tracks to Texas St. He said this project requires a 25% match. He said this is for \$302,784.33 with the 25% match included in the amount.

Councilor Rodriguez asked where the end of Mermod is considered, would that be at the irrigation canal. **Mr. Cass** said yes, where Mermod transitions into Texas St.

0:14:55 **MOTION**

The motion was made by Councilor Carter and seconded by Councilor Walterscheid to approve Resolution 2021-55, a Resolution authorizing the acceptance of Capital Outlay Grant Agreement from the New Mexico Department of Transportation for West Mermod Street Improvement Project

0:14:59 **VOTE**

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

0:15:14 **6. CONSIDER APPROVAL OF RESOLUTION 2021-56, A RESOLUTION AUTHORIZING THE ACCEPTANCE OF TRANSPORTATION PROJECT FUND AGREEMENT FROM THE NEW MEXICO DEPARTMENT OF**

TRANSPORTATION (NMDOT) FOR OLD CAVERN HIGHWAY IMPROVEMENT PROJECT

Mr. Cass explained this is a request to accept grant funding from NMDOT, the transportation project fund. He said this is a 5% match and was a very simple and streamlined process. He said the amount of \$501,600.00 will be to improve Old Cavern Highway from National Parks Highway to Farris St. He said he likes this new program, it was a breath of fresh air going through the process this year. He said NMDOT distributed funds to a lot of communities.

Councilor Rodriguez asked if our 5% of \$26,400 is included in the \$501,600? **Mr. Cass** said yes it is included in the \$501,600 amount.

Councilor Walterscheid asked if the water and sewer lines would be replaced. **Mr. Cass** answered the water and sewer lines would be replaced from Farris St. to Chapman Rd. He said the road will be improved before the water and sewer line project gets started and added these are two different projects.

Councilor Walterscheid asked if the new road will be cut for the water and sewer line project. **Mr. Cass** said no. **Mr. Cass** said the water and sewer lines will be put in from Farris St. to Chapman Road on Old Cavern Highway and new pavement would be laid, as the new road will be from National Parks Highway to Farris Street on Old Cavern Highway. **Mr. Cass** said the City will look for more funding to install sidewalks, curbs and gutters. **Councilor Walterscheid** asked if the water and sewer lines would be done before the pavement. **Mr. Cass** said yes, however this is not included in the phase for repaving Old Cavern Highway, which is from National Parks Highway to Farris St.

Councilor Chavez asked if this would be chip seal. **Mr. Cass** said this will be 3' of super pave. He said this would be one layer of high traffic density on top of the base, reclaim the base, re-roll the base and 2' of super pave on top, to get it back to more of the original form.

Councilor Walterscheid asked if there would be shoulders added. **Mr. Cass** said there would be no shoulders. **Councilor Walterscheid** said there should be shoulders. **Mr. Cass** said there is not enough room or money for shoulders to be added. **Councilor Walterscheid** said something should be done for the south side of town. **Mr. Cass** stated, the south side is getting new pavement not chip seal.

Councilor Shirley asked about the South East Regional Transportation Planning Organization (SERTPO) program. He asked if the program would be on the chopping block or if it would still be around. **Mr. Cass** said the new process that is now in effect saved SERTPO. **Mr. Cass** said all projects submitted this year were funded by NMDOT.

0:21:42 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution 2021-56, a Resolution authorizing the acceptance of Transportation Project Fund Agreement from the New Mexico Department of Transportation for Old Cavern Highway Improvement Project

0:21:46 **VOTE**

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

0:22:01 **7. CONSIDER APPROVAL OF RESOLUTION 2021-57, A RESOLUTION SUPPORTING A FAIR AND JUST REDISTRICTING PLAN IN NEW MEXICO, PARTICULARLY IN SOUTHERN NEW MEXICO WHICH CONTAINS SIGNIFICANT RURAL POPULATIONS AND HAS EXPERIENCED SUBSTANTIAL GROWTH**

Mrs. Barrios-Testa explained this is a request for equitable redistricting process for U.S. Congressional Districts in New Mexico. She said regardless of political affiliation, there should be an evenhanded approach when it comes to redistricting and that all New Mexicans and the communities they live in should be fairly represented.

Mayor Janway read this statement: This resolution is very important, while it is still early in the redistricting process, we need to quickly establish that we are watching the process and demand that Carlsbad and Eddy County receive fair treatment. Some of the maps that have been proposed divide Eddy County and Southeastern New Mexico in a way that will diminish our vote. A resolution such as this will be sent to the redistricting committee to let them know of our concern and we encourage you to pass this resolution.

Councilors Walterscheid and Rodriguez agreed with Mayor Janway's statement

Councilor Rodriguez said he supports Mayor Janway. He said he remembers when the Speaker of the House said this could happen once the Census was completed. He said our census was not done very well, and the City was not counted appropriately and will not receive the proper funding for infrastructure.

0:24:55 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya-Flores to approve Resolution 2021-57, a Resolution supporting a fair and just redistricting plan in New Mexico, particularly in Southern New Mexico which contains significant rural populations and has experienced substantial growth

0:25:01 **VOTE**

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

0:25:19 **8. COUNCIL COMMITTEE REPORTS**

Councilor Rodriguez said this is not really Council related but informed the group there will be a question for a mill levy on the November 2, 2021 ballot, which will be for the maintenance of the Carlsbad School System. He recommends everyone read it and vote according to their opinion.

0:25:58 **Mayor Janway** asked if anyone in the audience would like to address the Council. No one appeared.

0:26:03 **9. ADJOURN**

0:26:09 **MOTION**

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

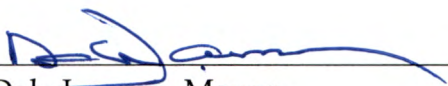
0:26:16 **VOTE**

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

0:26:34 **Adjourn**

There being no further business, the meeting was adjourned at 6:26 p.m.




Dale Janway, Mayor


Nadine Mireles, City Clerk