

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON MAY 26, 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
	Jason Shirley	Councilor
	Judith E. Waters	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor

Absent:

Also Present:	John Lowe	City Administrator
	Wendy Austin	Deputy City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	Ken Britt	Community Dev. Director
	Brent Griffith	IT Technician

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

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

0:00:33 **Motion**

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

0:00:38 **Vote**

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

0:00:55 **2. CITY OF CARLSBAD - FINANCIALS MARCH 2020**

Mrs. Austin reviewed the revenues and expenditures as of March 2020 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:03:03 **3. CONSIDER APPROVAL OF RESOLUTION 2020-20, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2019-20 FISCAL YEAR BUDGET**

Mrs. Austin reviewed the revenues and expenditures making certain Budgetary Adjustments to the 2019-2020 Fiscal Year Budget highlighting the Municipal Transit Fund and the Sports Complex Fund.

0:04:43 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Estrada to approve Resolution No. 2020-20, a Resolution making certain Budgetary Adjustments to the 2019-20 Fiscal Year Budget

0:04:52 **Vote**

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

0:05:07 **4. CONSIDER APPROVAL OF RESOLUTION 2020-21, A RESOLUTION ADOPTING THE 2020-21 FISCAL YEAR INTERIM BUDGET**

Mr. Lowe explained that a summary of the interim budget has been included in each packet. He said the summary highlights the funds and the proposed changes to each of those funds from the current fiscal year. He explained due to the current economic conditions the city has prepared a conservative budget based on 60% of the current fiscal years gross revenues. **Mr. Lowe** said the Budget Committee has reviewed the budget and recommends approval.

Mrs. Austin explained for several years the city has gone through budget cycles with prosperity and growth. She said at this time the city had to take a step back and consider several situations most notably in regards to the temporary setback in the oil and gas industry and COVID-19 in developing this budget. She explained the city has developed a very conservative budget where most tax revenue has been reduced by 40 percent and enterprise revenue has been held flat. **Mrs. Austin** thanked the Budget Committee for their expertise and guidance with the Interim Budget for FY21.

Councilor Shirley commended Mrs. Austin, Mr. Lowe, and Budget Chairman Councilor Rodriguez for all of their work on the Budget.

0:08:03 **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Rodriguez to approve Resolution No. 2020-21, a Resolution adopting the 2020-21 Fiscal Year Interim Budget

0:08:12 **Vote**

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

0:09:01

5. ROUTINE AND REGULAR BUSINESS

- A. Minutes of the Regular City Council Meeting held on May 12, 2020
- B. City Personnel Report
- C. Purchasing
 - 1) Consider Approval to Advertise Invitation to Bid for Fencing Materials for the installation of a new fence at the Carlsbad Cemetery
 - 2) Consider Approval to Conduct Annual Bids for the 2020-21 Fiscal Year for Tree Trimming and Removal Services and for Pest Control Services
 - 3) Consider Approval to Advertise Request for Proposal for an Intelligent Transportation System for the Carlsbad Municipal Transit System
 - 4) Consider Approval to Award Bid 2020-05 to Lasco Construction for Renovation of the San Jose Senior Center at Pate School - Phase I
 - 5) Consider Approval to Award Bid 2020-06 to Greer Construction for the Cavern Theater Rehabilitation Project - Phase III
- D. Contracts and Agreements
 - 1) Consider Approval of Agreement between the City of Carlsbad and FAA (Federal Aviation Administration) for a CARES Act Grant for the Municipal Airport to resurface the aircraft parking areas for \$69,000
 - 2) Consider Approval of Agreement between the City of Carlsbad and New Mexico Department of Transportation for an Aviation Grant for runway lighting at the Carlsbad Municipal Airport
 - 3) Consider Approval of Memorandum of Agreement between the City of Carlsbad and New Mexico Department of Transportation making amendments to the 5311 Grant Agreement for the Carlsbad Municipal Transit System
 - 4) Consider Approval of Sub-Award Agreement between the City of Carlsbad and New Mexico Humanities Council for Grant funding for Virtual Tours at the Carlsbad Museum & Arts Center
- E. Monthly Reports
 - 1) Community Development Department April 2020
 - 2) Municipal Services Department April 2020
 - 3) Transportation and Facilities Department March 2020
 - 4) Utilities Department April 2020
- F. Set Date:, July 14, 2020
 - 1) An Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for an approximately 0.48 acre property located W of 2319 Legion St and S of 2317 Legion St

0:09:24

Mayor Janway asked Mr. Lowe to discuss Item C.4 Consider Approval to Award Bid 2020-05 to Lasco Construction for Renovation of the San Jose Senior Center at Pate School - Phase 1; and Mr. Britt to discuss Item C.5 Consider Approval to Award Bid 2020-06 to Greer Construction for the Cavern Theater Rehabilitation Project - Phase III and Item D. 2 Consider Approval of Agreement between the City of Carlsbad and New Mexico Department of Transportation for an Aviation Grant for runway lighting at the Carlsbad Municipal Airport

Mr. Lowe explained Item C.4 is to Award Bid to Lasco Construction for Phase 1 Renovations to the former Pate School and the future home of San Jose Senior Center.

Mr. Britt explained Item C.5 is to Award Phase 3 Alterations to the Cavern Theater to Greer Construction. **Mr. Britt** explained this Phase will include completing the HVAC system, epoxy re-line of the sewer lines, construction of a new ADA accessible restroom, installation of a fire suppression system, replacement of the rear exterior doors, installation of a security system for exterior doors, and repairs and upgrades to the lobby area.

Mr. Britt explained Item D.2 is a request to approve MIRL Replacement Grant for the New Mexico Department of Transportation. He explained the grant in the amount of \$112,500 will replace runway lights on runway 14R/32L at the Municipal Airport.

0:13:32 **Motion**

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

0:13:37 **Vote**

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

0:13:59 **6. CONSIDER APPROVAL OF RESOLUTION 2020-22, A RESOLUTION TO DEEM CERTAIN UTILITY ACCOUNTS UNCOLLECTABLE**

Mrs. Austin explained per State Statute NMSA 3-37-7, an uncollectable account can be removed from the list of accounts receivable, if the account has been uncollected for a period of more than four years. She explained currently the City has 198 uncollectable utility accounts totaling \$54,447.52, which is less than 1% of the 15% allowance for uncollectable accounts. Mrs. Austin explained it's the recommendation of the Director of Finance, and the City's auditors to deem certain utility accounts uncollectable on a yearly basis. She said the removal of the uncollectable accounts improves the presentation of the balance sheet and better aligns the City with generally accepted accounting principles.

0:17:42 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution No. 2020-22, a Resolution to deem certain Utility Accounts Uncollectable

0:17:47 **Vote**

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

0:18:08 **7. CONSIDER APPROVAL OF REQUEST FROM NEW MEXICO GAS COMPANY FOR A PURCHASE AGREEMENT FOR THE GRANT OF A NATURAL GAS TRANSMISSION LINE EASEMENT**

Mr. Lowe explained this is a request by the New Mexico Gas Company for a 50' permanent easement to place a 12" natural gas transmission line and related facilities on property located outside of the city limits. He said if approved the city will be compensated \$67,410.

0:22:18 **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Anaya Flores to approve Request from New Mexico Gas Company for a Purchase Agreement for the grant of a Natural Gas Transmission Line Easement

0:22:27 **Vote**

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

0:22:44 **8. COUNCIL COMMITTEE REPORTS**

Councilor Rodriguez said the Census Committee is hoping to get back on track. **Mayor Janway** thanked Councilor Rodriguez for all of his work on the Census Committee.

Councilor Carter said they are scheduling an ATV/UTV meeting for next week and will report back to the Mayor and Council.

Mayor Janway commended the Police Department and especially the Traffic Division for doing such a great job over the weekend with the graduation parades, Memorial Day Parade, and a memorial parade.

0:24:20 **9. ADJOURN**

0:24:25 **Motion**

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

0:24:34 **Vote**

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

0:24:55 **Adjourn**

There being no further business, the meeting was adjourned at 6:25 p.m.

 /s/Dale Janway
Dale Janway, Mayor

ATTEST:

 /s/Nadine Mireles
Nadine Mireles, City Clerk