

**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 27, 2020 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	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:	Lisa A. Anaya Flores	Councilor
Also Present:	John Lowe	City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	Jeff Patterson	Planning Director
	Wayne Hatfield	IT Director
	Charlie Garcia	Police Officer

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**

0:00:20      Invocation – Pledge of Allegiance

0:01:01      **Mr. Lowe** gave an update on the weather. He said there could possibly be 2"-4" of snow and not 7" as previously predicted. He said fire, police, and public works are in contact with each other as well as with Xcel Energy. He said the street department will be salting the roads about every four hours. He said the police department will be watching thoroughfares and neighborhoods.

0:02:34      **1. APPROVAL OF AGENDA**

0:02:37      **Motion**

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

0:02:39 **Vote**

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

0:02:54 **2. CONSIDER APPROVAL OF CANCELLATION OF CITY COUNCIL MEETINGS FOR NOVEMBER 24, 2020 AND DECEMBER 22, 2020**

**Mr. Lowe** explained that historically the Governing Body has cancelled the second City Council Meetings in the months of November and December due to the holidays.

0:03:18 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Cancellation of City Council Meetings for November 24, 2020 and December 22, 2020

0:03:26 **Vote**

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

0:03:45 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on October 13, 2020
- B. City Personnel Report
- C. Purchasing
  - 1) Consider Approval to Advertise Request for Proposal for Security Services at the Riverwalk Recreation Center and other City Facilities as needed
  - 2) Consider Approval to Award Bid 2020-13 to Constructors Inc. for Kircher Street Reconstruction Project
  - 3) Consider Approval to Award Bid 2020-14 to Southwest Equipment for two Mast Assemblies for Solid Waste ARC Trucks
  - 4) Consider Approval to Award RFP 2020-15 to ShopSabre CNC for a Plasma Cutting Table for Public Works Garage
  - 5) Consider Approval to Award RFP 2020-17 to Constructors Inc. for Cherry Lane Sewer Project
- D. Monthly Reports
  - 1) Community Development Department September 2020
  - 2) Municipal Services Department September 2020
  - 3) Utilities Department September 2020
- E. Board Appointments
  - 1) Carlsbad Bob Forrest Youth Sports Complex Advisory Board Appoint: Will Song Cho three-year term
- F. Set Date: December 8, 2020
  - 1) An Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for an approximately 0.228 acre property located at 1708 W Greene St

2)An Ordinance rezoning part of "C-1" Commercial 1 District to "C-2" Commercial 2 District for an approximately 0.22 acre property located at 110 N Main St.

0:04:08 **Mayor Janway asked Mr. Lowe to discuss C.2 Consider Approval to Award Bid 2020-13 to Constructors Inc. for Kircher Street Reconstruction Project and C.5 Consider Approval to Award RFP 2020-17 to Constructors Inc. for Cherry Lane Sewer Project**

**Mr. Lowe** explained C.2, is to award bid to Constructor's for Kircher St. reconstruction. He explained that three bids were received and Constructor's was the low bidder at a cost of \$1,243,000.00. He said this project is largely funded with Capital Outlay funds received from the state in the amount of \$850,000.00. He said the area to be reconstructed is from San Jose Blvd. to National Parks Hwy. He added the project includes a sidewalk on the north side of Kircher.

**Mr. Lowe** explained C.5, is to award bid to Constructor's as they are the low bidder on this project at a cost of \$1,476,000.00. He added the cost was budgeted in the 2020-2021 budget out of the water and sewer fund.

0:05:41 **Motion**

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

0:05:45 **Vote**

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

0:06:04 **4. CONSIDER APPROVAL OF RESOLUTION 2020-40, A RESOLUTION EXTENDING THE TIME BY WHICH THE NEW MEXICO GAS COMPANY, INC MAY FILE ITS WRITTEN STATEMENT OF ACCEPTANCE OF ORDINANCE NO 2020-06, AN ORDINANCE GRANTING THE NEW MEXICO GAS COMPANY, INC A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A NATURAL GAS UTILITY IN THE CITY OF CARLSBAD**

**Mr. Lowe** explained this is to extend the time for NM Gas Company to file a written statement of acceptance of Ordinance 2020-06. He said with the pandemic the deadline was not met and the extension deadline is December 15, 2020. He said the Legal Department and himself have been in contact with NM Gas Company to make sure the deadline is met. **Councilor Rodriguez** asked if there were any changes to the agreement. **Mr. Lowe** said no changes have been made to the agreement.

0:07:15 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Resolution 2020-40, a Resolution extending the time by which the New Mexico Gas Company, INC may file its written statement of acceptance of Ordinance No 2020-

06, an Ordinance granting the New Mexico Gas Company, Inc a Franchise to construct, operate and maintain a Natural Gas Utility in the City of Carlsbad

0:07:21 **Vote**

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

0:07:33 **5. CONSIDER APPROVAL OF ORDINANCE 2020-23, AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 0.21 ACRE PROPERTY LOCATED AT 2401 W CHURCH ST APPLICANT/OWNER: CHURCH STREET CHURCH OF THE NAZARENE**

Mr. Patterson explained the church would like the zoning changed to C-2 to be consistent with the other property the church owns. He explained the property would be used primarily for parking. He said the Planning and Zoning Commission recommends approval of this change.

Councilor Estrada asked if there were any issues regarding the re-zoning. Mr. Patterson explained Mr. Perkins and another neighbor did attend the Planning and Zoning Commission Meeting and asked questions, but Planning and Zoning have not heard anything else since that meeting.

0:08:07 **A. Public Hearing**

0:09:34 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 in regular session

0:09:49 **B. Consider Approval**

0:09:52 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Walterscheid to approve Ordinance 2020-23, an Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.21 acre property located at 2401 W Church St Applicant/Owner: Church Street Church of the Nazarene

0:09:58 **Vote**

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

0:10:14 **6. COUNCIL COMMITTEE REPORTS**

None to report.

0:10:23 Mayor Janway asked if anyone would like to address the city council  
No one appeared

0:10:35 7. ADJOURN

0:10:38 Motion

The motion was made by Councilor Waters and seconded by Councilor Estrada to Adjourn

0:10:46 Vote

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

0:10:47 Adjourn

There being no further business, the meeting was adjourned at 6:10 p.m.

  
Dale Janway, Mayor

ATTEST:

  
~~Nadine Mireles, City Clerk~~  
Kadee Rodriguez, Deputy City Clerk

