A G E N D A

Carlsbad City Council Regular Meeting
Municipal Annex
114 S. Halagueno Street
Carlsbad, New Mexico

June 9, 2020 at 6:00 p.m.

Invocation – Pledge of Allegiance

1. Approval of Agenda

2. Consider Approval of Resolution 2020-23, a Resolution making certain budgetary adjustments to the 2019-2020 Fiscal Year budget

3. City of Carlsbad Financials – April 2020

4. Routine and Regular Business

All matters under this heading are considered routine by the City Council and will be acted upon in one motion. There will be no separate discussion of these items. If discussion is desired on a particular item, upon request, that item may be removed from the Routine and Regular Business and be considered separately.

A. Minutes of the Regular City Council Meeting held on May 26, 2020
B. City Personnel Report
C. Purchasing
1) Consider Approval to Award Bid 2020-08 to Prime Solutions for a Rotary Fan Press Skid System at the Waste Water Treatment Plant
D. Contracts and Agreements
1) Consider Approval of Agreement between the City of Carlsbad and Carlsbad Community Anti-Drug/Gang Coalition, Inc. for the Provision of Teen Court Services for the 2020-21 Fiscal Year
2) Consider Approval of Agreement between the City of Carlsbad and Rocking WD Services, LLC for Bird Exclusion and Abatement Services for City Facilities
3) Consider Approval of Agreement between the City of Carlsbad, City of Artesia and Eddy County for Public and Government Affairs Services
4) Consider Approval of Grant Agreement between the City of Carlsbad and Department of Justice for a Coronavirus Emergency Supplemental Funding Program for the Carlsbad Police Department

E. Monthly Reports
1) Human Resources Department May 2020
2) Municipal Court Department May 2020

5. Consider Approval of Ordinance 2020-12, an Ordinance repealing and replacing Article IV Section 48-76 through 48-100 of the Code of Ordinances, City of Carlsbad, New Mexico, regarding Lodgers' Tax Monies
   A. Public Hearing
   B. Consider Approval of Ordinance

6. Consider Approval of Ordinance 2020-13, an Ordinance rezoning part of "C-2" Commercial 2 District to "C-1" Commercial 1 District for an approximately 0.50 acre property, located at 212 S Alameda St Applicant: Dave Morgan
   A. Public Hearing
   B. Consider Approval of Ordinance

7. Consider Approval of Ordinance 2020-14, an Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 2.75 acre property located at 208 W San Jose Blvd Applicant: Crafton Communications, Inc
   A. Public Hearing
   B. Consider Approval of Ordinance

8. Consider Approval of Ordinance 2020-15, an Ordinance rezoning part of "R-R" Rural Residential District to "I" Industrial District for an approximately 14.08 acre property, located at 1400 San Jose Blvd Applicant: Melissa Acosta
   A. Public Hearing
   B. Consider Approval of Ordinance

9. Council Committee Reports

10. Adjourn

FOR INFORMATION ONLY

Agendas and City Council minutes are available on the City web site: ***cityofcarlsbadnm.com*** or may be viewed in the Office of the City Clerk during normal and regular business hours.

CARLSBAD CITY COUNCIL MEETING SCHEDULE

• Regular Meeting - Tuesday, June 23, 2020 at 6:00 p.m.
• Regular Meeting - Tuesday, July 14, 2020 at 6:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

RESOLUTION NO. 2020-23

A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2019-20 FISCAL YEAR BUDGET

WHEREAS, it is necessary to amend the 2019-20 fiscal year budget to adjust revenues, transfers and expenditures as reflected on the attached pages, and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD that the 2019-20 fiscal year budget be amended as attached.

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of June 2020.

_____
Mayor

ATTEST:

_____
City Clerk

The City of Carlsbad, NM
Budget Adjustments
FY 2019-20

Description		Revenues & Transfers		Costs		Approvals		
		Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
Fund / Department	Item	Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
September 2019								
General Fund	Increase GRTR to reflect actuals & budget state imposed GRTR administration expenditures.	6,331,875.00	R	(126,600.00)	O	9/30/2019	10/8/2019	10/11/2019
GRT Capital Outlay	Increase GRTR to reflect actuals & budget state imposed GRTR administration expenditures.	231,720.00	R	(4,635.00)	O	9/30/2019	10/8/2019	10/11/2019
Sports Complex	Increase GRTR to reflect actuals & budget state imposed GRTR administration expenditures.	235,590.00	R	(4,710.00)	O	9/30/2019	10/8/2019	10/11/2019
Solid Waste	Increase GRTR to reflect actuals & budget state imposed GRTR administration expenditures.	137,495.00	R	(2,750.00)	O	9/30/2019	10/8/2019	10/11/2019
General Fund-Parks	NWP donation for park improvements.	96,477.00	R	(96,477.00)	C	9/30/2019	10/8/2019	10/11/2019
General Fund	Transfer Out to Bonds-W&S.	(50,000.00)	T			9/30/2019	10/8/2019	10/11/2019
General Fund	Transfer Out to Bonds-GRT Capital Outlay.	(50,000.00)	T			9/30/2019	10/8/2019	10/11/2019
General Fund-Finance	Transfer cost of bond redemption & refunding to Bonds Fund.			100,000.00	O		10/8/2019	10/11/2019
Bonds-W&S	Transfer In from GF for the cost of Bond Redemption.	50,000.00	T	(11,665,000.00)	O	9/30/2019	10/8/2019	10/11/2019
Bonds-GRT Capital Outlay	Transfer In from GF for the cost of Refunding - $50,000. Refund bond to NMFA - $4,020,000.	4,070,000.00	T/R	(3,755,000.00)	O	9/30/2019	10/8/2019	10/11/2019
General Fund-Exec & Leg	Median & improvement projects.			(250,000.00)	C	9/30/2019	10/8/2019	10/11/2019
General Fund-Fire	Replace the motor on the rescue boat.			(15,000.00)	C	9/30/2019	10/8/2019	10/11/2019
General Fund-N Mesa Sr Center	Lapidary project carryover from FY19.			(21,920.00)	C	9/30/2019	10/8/2019	10/11/2019
General Fund-Projects	Additional funding for dam repairs.			(420,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Lodgers Tax-Promo	Department of Development - Lake Carlsbad Recreation Area/Cascades Electronic Sign - Advertising.			(216,867.00)	O	9/30/2019	10/8/2019	10/11/2019
Lodgers Tax-Promo	Fishing Derby - Advertising.			(3,500.00)	O	9/30/2019	10/8/2019	10/11/2019
Lodgers Tax-Promo	Chamber of Commerce - Entry Billboards - Advertising.			(30,862.00)	O	9/30/2019	10/8/2019	10/11/2019
Lodgers Tax-Non Promo	Internal Request - Annual Firefighter Combat Challenge.			(27,500.00)	O	9/30/2019	10/8/2019	10/11/2019
Lodgers Tax-Non Promo	Carlsbad MainStreet -Gazebo holiday lights.			(4,000.00)	O	9/30/2019	10/8/2019	10/11/2019
General Fund	Transfer Out to Airport Improvement Fund.	(650,000.00)	T			9/30/2019	10/8/2019	10/11/2019
Airport Improvements	Airport improvement lighting.	650,000.00	T	(650,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Airport Improvements	Legislative Grant - Taxiway B Construction Phase 2.			(851,225.00)	C	9/30/2019	10/8/2019	10/11/2019
Capital Projects	Legislative Grant - Treatment Facility.			(198,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Street Improvement	Legislative Grant - Kircher Street.			(850,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Street Improvement	Legislative Grant - Canal Street Storm Drainage.			(600,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Water & Sewer-Water	Legislative Grant - Sewer Lift Station Generator.			(250,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Water & Sewer-Water	Additional funding for Reservoir #2.			(600,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Water & Sewer-Double Eagle	Final cost to complete Double Eagle project.			(1,600,000.00)	C	9/30/2019	10/8/2019	10/11/2019
Health Insurance	Transfer Out to General, Municipal Transit, Solid Waste, Sports Complex and Water & Sewer Funds for employee health insurance rebate.	(1,727,819.00)	T			9/30/2019	10/8/2019	10/11/2019

Description		Revenues & Transfers		Costs		Approvals		
		Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
Fund / Department	Item	Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
General Fund	Employee health insurance rebate.	1,329,280.00	T	(1,329,280.00)	L	9/30/2019	10/8/2019	10/11/2019
Municipal Transit	Employee health insurance rebate.	43,428.00	T	(43,428.00)	L	9/30/2019	10/8/2019	10/11/2019
Solid Waste	Employee health insurance rebate.	109,816.00	T	(109,816.00)	L	9/30/2019	10/8/2019	10/11/2019
Sports Complex	Employee health insurance rebate.	29,430.00	T	(29,430.00)	L	9/30/2019	10/8/2019	10/11/2019
Water & Sewer	Employee health insurance rebate.	215,865.00	T	(215,865.00)	L	9/30/2019	10/8/2019	10/11/2019
October 2019								
General Fund	Transfer Out to Capital Projects.	(500,000.00)	T			10/25/2019	11/12/2019	11/21/2019
Capital Projects	Transfer In from the General Fund for Church Street repave project.	500,000.00	T	(2,500,000.00)	C	10/25/2019	11/12/2019	11/21/2019
Capital Projects	Design for renovation of Fire Station #4 into a Police sub-station.			(18,000.00)	C	10/25/2019	11/12/2019	11/21/2019
General Fund-Fire	AFG grant to install MagneGrip exhaust extraction system. 10% City match required.	133,909.33	R	(147,300.27)	C	10/25/2019	11/12/2019	11/21/2019
General Fund-Fire	Purchase second set of bunker gear per NFPA recommendation.			(125,000.00)	O	10/25/2019	11/12/2019	11/21/2019
General Fund-Streets	Fence around the drainage pond at Farmview 6.			(17,000.00)	C	10/25/2019	11/12/2019	11/21/2019
Municipal Transit	Increase to operations due to unanticipated expenditures related to vehicle maintenance.			(50,000.00)	O	10/25/2019	11/12/2019	11/21/2019
Lodgers Tax-Promo	Increase revenues to projected actuals.	176,000.00	R			10/25/2019	11/12/2019	11/21/2019
Lodgers Tax-Promo	Metal Shop Live - Walter Gerrells Performing Arts Center - Advertising.			(125,000.00)	O	10/25/2019	11/12/2019	11/21/2019
Lodgers Tax-Non Promo	Increase revenues to projected actuals.	360,000.00	R			10/25/2019	11/12/2019	11/21/2019
Lodgers Tax-Non Promo	Continued rehabilitation to the Cavern Theater.			(900,000.00)	C	10/25/2019	11/12/2019	11/21/2019
November 2019								
General Fund - Parks	NWP donation for park improvements.	100,000.00	R	(100,000.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Parks	Upgrade to LED lighting at the flumes.			(18,000.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Information Tech	Security cameras at Heritage Park.			(6,000.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Public Safety	Repairs to gate around North parking lot at the Police station.			(10,000.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Public Safety	Purchase of a portable light tower.			(10,000.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Public Safety	Increase to operating for essential items due to an expanding workforce and obsolete equipment.			(110,000.00)	O	11/22/2019	12/10/2019	12/18/2019
General Fund - Streets	New engine for street sweeper.			(27,000.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Library	Grant-In-Aid was awarded higher than anticipated.	1,803.85	R	(1,803.85)	O	11/22/2019	12/10/2019	12/18/2019
General Fund - Comm Development	State of NM EDD grant for the benefit of Carlsbad MainStreet.	50,000.00	R	(50,000.00)	O	11/22/2019	12/10/2019	12/18/2019
General Fund - N Mesa Sr Center	Private donation for an additional HVAC unit.	8,400.00	R	(8,400.00)	C	11/22/2019	12/10/2019	12/18/2019
General Fund - Projects	Additional funding for dam repairs. Bid came in higher than budget.			(400,000.00)	C		12/10/2019	12/18/2019
Capital Projects	Proceeds from the sale of the Fountain property will be used for construction of the new health facility.	90,000.00	R	(90,000.00)	C	11/22/2019	12/10/2019	12/18/2019

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Airport Improvements	Amended Aviation Grant for Taxiway Improvements. $18,714 City match included.	976,729.00	R	995,443.00	C	11/22/2019	12/10/2019	12/18/2019
Streets Improvement	XTO donation to be used for a crack seal machine - $20k and equipment maintenance - $10k.	30,000.00	R	(30,000.00)	C/O	11/22/2019	12/10/2019	12/18/2019
Lodgers Tax-Promo	Chamber of Commerce - Christmas on the Pecos - Advertising.			(42,380.37)	O	11/22/2019	12/10/2019	12/18/2019
January 2020								
General Fund/Executive	County appropriation pass through for the Department of Development to be used for governmental affairs.	10,000.00	R	(10,000.00)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Public Safety/Fire	XTO donation for Public Safety training- $7k and for Fire department drones - $7k.	14,000.00	R	(14,000.00)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Public Safety	XTO donation received for Public Safety training.			(10,000.00)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Public Safety	Purchase and upfit of two (2) new replacement vehicles.			(135,000.00)	C	1/23/2020	2/11/2020	2/18/2020
General Fund - Fire	XTO donation for auto pulse equipment $9,875 and EMS supplies $10,125.	20,000.00	R	(20,000.00)	C/O	1/23/2020	2/11/2020	2/18/2020
General Fund - Fire	Repair airport fire truck.			(45,000.00)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Fire	Shortfall for construction of Fire Station #6.			(150,000.00)	C	1/23/2020	2/11/2020	2/18/2020
General Fund - Street	Reimbursement and repair to a damaged traffic signal at US-285 & S Canyon caused by a vehicle accident. Cost to City - $23,000.	32,000.00	R	(55,000.00)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Street	Replacement of a security light in the Main Street parking lot previously supplied by Xcel Energy.			(12,000.00)	C	1/23/2020	2/11/2020	2/18/2020
General Fund - Street	Increase Materials & Supplies $80,000 & Equipment Maintenance $20,000. Shortfall due to aging equipment and unanticipated expenditures.			(100,000.00)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Parks	Eddy County water master fees.			(12,043.61)	O	1/23/2020	2/11/2020	2/18/2020
General Fund - Comm Development	Replace funds to the potash project that were needed to complete the PRV gazebo project.			(65,800.00)	C	1/23/2020	2/11/2020	2/18/2020
Lodgers' Tax - Promo	CARC Inc. - Mother's Day Tejano Concert - Advertising.			(15,000.00)	O	1/23/2020	2/11/2020	2/18/2020
Lodgers' Tax - Non Promo	Cover a cost increase and GRT taxes for the Cave Karst Institute project.			(30,000.00)	C	1/23/2020	2/11/2020	2/18/2020
Landfill - Construction	City portion of landfill cell construction.			(1,160,183.67)	O	1/23/2020	2/11/2020	2/18/2020
Landfill - Construction	City portion of Cell 6 survey.			(250,000.00)	O	1/23/2020	2/11/2020	2/18/2020

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Fund / Department	Item	Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
February 2020								
General Fund - Executive	Additional funding for the census.			(25,000.00)	O	2/28/2020	3/10/2020	3/16/2020
General Fund - Executive	Additional funding for DOD for economic development.			(30,000.00)	O	2/28/2020	3/10/2020	3/16/2020
General Fund - Executive	Remodel the old council chambers for offices.			(150,000.00)	C	2/28/2020	3/10/2020	3/16/2020
General Fund - Golf	Building improvements at the Golf Pro Shop.			(50,000.00)	C	2/28/2020	3/10/2020	3/16/2020
General Fund - Parks	Donation from Mosaic for landscaping improvements at the PRV pavilion.	10,000.00	R	(10,000.00)	O	2/28/2020	3/10/2020	3/16/2020
General Fund - Parks	Upgrades to the beach parking lot.			(200,000.00)	C	2/28/2020	3/10/2020	3/16/2020
General Fund - Water Park	Three (3) ADA approved wheel chairs designed for use in water environments.			(4,000.00)	O	2/28/2020	3/10/2020	3/16/2020
General Fund - Water Park	Increase the utility budget to cover anticipated expenses through the end of the fiscal year.			(8,500.00)	O	2/28/2020	3/10/2020	3/16/2020
General Fund - Planning & Regulation	New Mexico Mortage Finance Authority grant for developing, updating & implementing affordable housing plans.	40,000.00	R	(40,000.00)	O	2/28/2020	3/10/2020	3/16/2020
Municipal Transit	City portion of two (2) transit vans.			(30,200.00)	C	2/28/2020	3/10/2020	3/16/2020
Sports Complex	Repairs to Well #2.			(12,000.00)	O	2/28/2020	3/10/2020	3/16/2020
Water & Sewer - Water	Rebate check from Xcel for a variable frequency drive installed at Sheep Draw Well #6 to be used for Materials & Supplies.	42,243.00	R	(42,243.00)	O	2/28/2020	3/10/2020	3/16/2020
Airport Improvements	Amended Aviation Grant for Taxiway Improvements to include a 15% contingency.	356,000.00	R	(356,000.00)	C	2/28/2020	3/10/2020	3/16/2020
Lodgers' Tax - Promo	Internal Request - Promotion of City of Carlsbad Museum.			(80,000.00)	O	2/28/2020	3/10/2020	3/16/2020
Lodgers' Tax - Promo	Internal Request - Promotion of City of Carlsbad Water Park.			(20,000.00)	O	2/28/2020	3/10/2020	3/16/2020
Lodgers' Tax - Promo	Car-A-Fair - Annual Car Show - Advertising.			(24,850.00)	O	2/28/2020	3/10/2020	3/16/2020
Lodgers' Tax - Promo	Internal Request - Promotion of 4th of July 2020 Celebration Event.			(50,000.00)	O		3/10/2020	3/16/2020
March 2020								
General Fund - Garage	Increase operating to cover anticipated expenses through the end of the fiscal year.			(5,000.00)	O		4/14/2020	4/17/2020
General Fund - Electrical	Increase operating to cover anticipated expenses through the end of the fiscal year.			(6,000.00)	O		4/14/2020	4/17/2020
Disaster Preparedness	FEMA overpayment reimbursement for Calloway Drive flood repairs.			(82,616.51)	O		4/14/2020	4/17/2020
Disaster Preparedness	Expedite payment for Brine Well remediation from FY21 to FY20.			(1,330,000.00)	O		4/14/2020	4/17/2020
Disaster Preparedness	Additional shared cost for Brine Well remediation.			(800,000.00)	O		4/14/2020	4/17/2020
Airport Improvements	NMDOT grant for the engineering of Runway 14R-32L. City match - $5,600	106,400.00	R	(112,000.00)	C		4/14/2020	4/17/2020
Lodgers' Tax - Promo	Dirt Dobbers -Tri-Five Chevy Car Show - Advertising.			(11,800.00)	O		4/14/2020	4/17/2020
Lodgers' Tax - Promo	Carlsbad Gem & Mineral Society - Gem & Mineral Show - Advertising.			(7,773.81)	O		4/14/2020	4/17/2020
Lodgers' Tax - Promo	Carlsbad MainStreet - CavernFest 2020 - Advertising.			(74,000.00)	O		4/14/2020	4/17/2020
Lodgers' Tax - Non-Promo	Reallocate approved funds for the Potash Park project from the General Fund.			(80,000.00)	C		4/14/2020	4/17/2020

The City of Carlsbad, NM
Budget Adjustments
FY 2019-20

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		Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
Fund / Department	Item	Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
April 2020								
General Fund - Fire	XTO Covid 19 donation for EMS supplies.	6,161.03	R	(6,161.03)	O		4/28/2020	5/4/2020
General Fund - Fire	DHHS Covid 19 relief grant for EMS supplies.	28,000.00	R	(28,000.00)	O		4/28/2020	5/4/2020
Lodgers' Tax - Non-Promo	Restoration of classic police vehicle.			(30,000.00)	C		4/28/2020	5/4/2020
CDBG	Reallocate approved funds - $50,000 from the GRT Capital Outlay fund. Increase $50,000 to cover bid that came in over budget.			(100,000.00)	C		4/28/2020	5/4/2020
May 2020								
Municipal Transit	CARES Act funding for Section 5311 will be used for a sanitization system for the transit fleet & faciity.	62,554.00	R	(35,751.00)	O		5/26/2020	5/29/2020
Sports Complex	Increase operating to cover expenses through end of year.			(25,000.00)	O		5/26/2020	5/29/2020
June 2020								
General Fund - Public Safety	Chevron donation to purchase a K9, accessories and attend training.	20,000.00	R	(20,000.00)	C			
General Fund - Museum	Federal funds pass-through subaward from the NM Humanities Council for Creative Access: Virtual Tours.	7,500.00	R	(7,500.00)	O			

Description		Revenues & Transfers		Costs	
		Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Item	Amount	R or T	Amount	L, O, C
September 2019					
Lodgers Tax Non-Promotional	Increase Capital - Cavern Theater Project Phase 2			1,141,430.00	C
	Decrease Capital - 2 projects for the Cavern Theater. Electrical project is complete & combining Phase 1 with Phase 2			(1,141,430.00)	C
General Fund /Golf Course	Increase Capital - shortfall in the cost of pond #7 fill			1,920.00	C
	Decrease Capital - surplus funding for effluent pond will be used for pond#7 fill			(1,920.00)	C
General Fund /Parks	Increase Capital - shortfall in cost of Sprayer Gator			5,025.00	C
	Decrease Capital - surplus funding for Troy Young restrooms will be used to purchase Sprayer Gator			(5,025.00)	C
General Fund /Parks	Increase Capital - to cover additional expense for the gazebo at the top of the beach			10,000.00	C
	Decrease Operating - surplus funding in landscaping will be used for gazebo			(10,000.00)	O
General Fund /Street	Increase Capital - shortfall in cost of Brush Hog			2,000.00	C
	Decrease Capital - surplus funding for Tractor will be used to purchase Brush Hog			(2,000.00)	C
General Fund /Parks	Increase Labor - transfer of Cemetery Coordinator position from Planning & Regulation			69,680.00	L
General Fund /Planning & Regulation	Decrease Labor - transfer of Cemetery Coordinator position to Parks			(69,680.00)	L
General Fund /Airport	Increase Capital - shortfall in cost of snow plow			89.00	C
	Decrease Operating - excess funding in Equipment Maintenance will be used to purchase snow plow			(89.00)	O
Water & Sewer /Collections	Increase Capital - purchase of SCADA equipment & software			50,000.00	C
	Decrease Capital - surplus funding for sewer interceptor upgrades will be used for SCADA			(50,000.00)	C
Sports Complex/Sports Complex	Increase Capital - soccer field lighting			3,055.00	C
	Decrease Capital - excess funding on completed projects will be used for soccer field lighting			(3,055.00)	C
October 2019					
General Fund /Public Safety	Increase Capital - shortfall on police unit upfits - $500 and tactical electronic core pole - $300			800.00	C
	Decrease Operating - surplus funding in Materials & Supplies will be used to purchase capital equipment			(800.00)	O
November 2019					
General Fund/Cemetery	Increase Capital - shortfall on Flooring			6,000.00	C
General Fund/Parks	Decrease Capital - surplus funding on Irrigation at Ray Anaya will be used for Cemetery Flooring			(6,000.00)	C
General Fund/Facility Maintenance	Increase Capital - shortfall on HVAC at City Hall			2,638.00	C
	Decrease Capital/Operating - excess funding in scissor lift purchase - $800 & surplus funding in maintenance for leased properties - $1,838 will be used for the shortfall for HVAC at City Hall			(2,638.00)	C/O

Description		Revenues & Transfers		Costs	
		Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Item	Amount	R or T	Amount	L, O, C
General Fund/Airport	Increase Capital - shortfall on Fencing			163.33	C
	Decrease Operating - excess funding in Equipment Maintenance will be used for Airport Fencing			(163.33)	O
Sports Complex/Sports Complex	Increase Capital - shortfall on Splash pad			2,000.00	C
	Decrease Capital - surplus funding on Shade Structures will be used for Splash pad			(2,000.00)	C
Solid Waste/Solid Waste	Increase Capital - shortfall on ARC Truck			51,723.00	C
	Decrease Capital - surplus funding on Roll Off Truck will be used for ARC Truck			(51,723.00)	C
January 2020					
General Fund/Finance	Increase Capital - replacing Tyler funds lent to Public Safety for New World project			61,761.95	C
General Fund/Public Safety	Decrease Capital - replacing Tyler funds lent by Finance for New World project			(61,761.95)	C
General Fund/Library	Increase Operating - move grant money from Materials & Supplies to Library Grants			33,324.00	O
	Decrease Operating - move grant money from Materials & Supplies to Library Grants			(33,324.00)	O
General Fund/Community Development	Increase Capital - PRV gazebo project carryover was missed			65,800.00	C
	Decrease Capital - borrow from Potash project for missed carryover on PRV gazebo project			(65,800.00)	C
Water & Sewer/Water	Increase Capital - shortfall on Well 6 VFD repair			21,052.33	C
	Decrease Capital - surplus funding for Reservoir #2 will be used for shortfall on Well 6 VFD repair			(21,052.33)	C
Water & Sewer/Water	Increase Capital - repairs to Sheep Draw #4			36,922.41	C
	Decrease Capital - surplus funding for Reservoir #2 will be used for repairs to Sheep Draw #4			(36,922.41)	C
Sports Complex/Sports Complex	Increase Capital - shortfall on soccer field lighting			7,953.51	C
	Decrease Capital - surplus funding for purchase of refrigerators - $2,689.51 and resurfacing of batting cages - $5,264 will be used for soccer field lighting			(7,953.51)	C
Capital Projects	Increase Operating - reclassify East bypass project from Capital to Operating			1,000,000.00	O
	Decrease Capital - reclassify East bypass project from Capital to Operating			(1,000,000.00)	C
Lodgers Tax Non-Promotional	Increase Capital - shortfall on Cave Karst Institute project			5,000.00	C
	Decrease Operating - surplus funding for fireworks will be used to complete the Cave Karst Institute project			(5,000.00)	O
Water & Sewer/Water	Increase Capital - shortfall on Well 9 repair			55,207.00	C
Water & Sewer/Double Eagle	Decrease Capital - surplus funding for DE rehab project will be used for shortfall on Well 9 repair			(55,207.00)	C
February 2020					
General Fund/Streets	Increase Capital - replace phone system at public works			20,000.00	C
General Fund/Parks	Decrease Capital - funding for delayed effluent water meter project will be used to replace phone system at public works			(20,000.00)	C
General Fund/Golf	Increase Capital - to complete pond aeriation project by installing fountains			30,000.00	C
	Decrease Capital - surplus funding for the effluent pond project will be used to install fountains for the pond aeriation project			(30,000.00)	C
General Fund/Fire	Increase Operating - increase to anticipated actuals			22,288.00	O
	Decrease Capital - surplus funding for the Tyler licensing & annual agreements will be used for operating expenses			(22,288.00)	C

The City of Carlsbad, NM
Budget Increase/Decrease
FY 2019-20

Description		Revenues & Transfers		Costs	
		Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Item	Amount	R or T	Amount	L, O, C
General Fund/ Performing Arts	Increase Capital - various building projects at the Performing Arts Center			61,000.00	C
	Decrease Capital - surplus funding for the parking lot light project and the fire suppression system will be used to complete various projects at the Performing Arts Center			(61,000.00)	C
Water & Sewer/Water	Increase Capital - to cover GRT for Well 6 back up generator			29,450.63	C
	Decrease Capital - surplus funding for Reservoir #2 will be used to cover GRT for Well 6 back up generator			(29,450.63)	C
Water & Sewer/Double Eagle	Increase Capital - install a 16in water line			300,000.00	C
Water & Sewer/Water	Decrease Capital - surplus funding for Reservoir #2 will be used to install a 16in water line			(300,000.00)	C
March 2020					
General Fund/Information Tech	Increase Operating - cameras, sound system and microphones for video conferences in the planning room			15,000.00	O
	Decrease Capital - surplus funding for fiber optic to be used for cameras, sound system and microphones for video conferences in the planning room			(15,000.00)	C
General Fund/Public Safety	Increase Capital - purchase a kinetic breaching tool			10,000.00	O
	Decrease Capital - funds allocated for a portable light tower will be used to purchase a kinetic breaching tool. The light tower was purchased by the County			(10,000.00)	C
General Fund/Electrical	Increase Capital - radio test equipment bid came in over budget			539.25	C
	Decrease Labor - due to vacancy, surplus funds in salaries will be used to supplement the purchase of radio test equipment			(539.25)	L
General Fund/Municipal Court	Increase Capital - intercom/speaker system bid came in over budget			714.19	C
	Decrease Capital - surplus funding for courtroom furniture will be used to supplement the purchase of intercom/speaker purchase			(714.19)	C
Sports Complex/Sports Complex	Increase Operating - surplus capital funding needed for operating expenses			5,012.64	O
	Decrease Capital - surplus funding for various completed capital projects needed for operating expenses			(5,012.64)	C
General Fund/Human Resources	Increase Operating - increase to anticipated actuals			3,000.00	O
General Fund/Finance	Decrease Operating - surplus funding in materials & supplies will be used to cover shortfall in Human Resources operating expenses			(3,000.00)	O
April 2020					
General Fund/Streets	Increase Operating - purchase paint for street striping			3,112.00	O
	Decrease Capital - cost savings on the paint machine will be used to purchase paint for street striping			(3,112.00)	C
General Fund/Golf	Increase Capital - additional improvements needed at Golf Pro Shop			58,100.00	C
General Fund/Executive & Legislative	Decrease Capital - surplus funding for miscellaneous city improvement projects will be used for improvements at the Golf Pro Shop			(58,100.00)	C
General Fund/North Mesa Sr Center	Increase Capital - upgrade outdated doors throughout center			1,588.75	C
	Decrease Capital - surplus funding for HVAC will be used to upgrade doors			(1,588.75)	C
General Fund/Fire	Increase Operating - surplus capital funding needed for operating expenses			6,500.00	O
	Decrease Capital - funding for capital equipment no longer needed will be used for operating expernses			(6,500.00)	C
Water & Sewer/Collections	Increase Capital - unexpected sewer line replacement at the airport			19,000.00	C
	Decrease Capital - surplus funding for sewer interceptor upgrades will be used for sewer line replacement			(19,000.00)	C
Lodgers Tax Non-Promotional	Increase Operating - cover additional cost for MainStreet holiday decorations			1,650.00	O
	Decrease Operating - funding for terminated MainStreet gazebo lighting project will be used for holiday decorations			(1,650.00)	O
May 2020					
General Fund/Riverwalk Recreation Center	Increase Capital - additional funds needed to purchase two large fans			990.00	C

Description		Revenues & Transfers		Costs	
		Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Item	Amount	R or T	Amount	L, O, C
	Decrease Capital - surplus funding for exterior paint will be used to purchase fans			(990.00)	C
General Fund/Fire	Increase Operating - increase for Covid 19 supplies			30,000.00	O
General Fund/Finance	Decrease Operating - surplus funding for GRTR admin fees will be used to purchase Covid 19 supplies			(30,000.00)	O
General Fund/Streets	Increase Operating - funds needed to repair a street sweeper and a loader			30,000.00	O
General Fund/Finance	Decrease Operating - surplus funding for GRTR admin fees will be used to repair street equipment			(30,000.00)	O
General Fund/Facility Maintenance	Increase Operating - building maintenance needs throughout the city			4,393.00	O
	Decrease Capital - surplus funding for flooring will be used for building maintenance needs throughout the city			(4,393.00)	C
General Fund/N Mesa Senior Rec Ctr	Increase Operating - surplus capital funding needed for operating expenses			3,000.00	O
	Decrease Capital - surplus funding for storage shed will be used for operating expenses			(3,000.00)	C
General Fund/North Mesa Sr Center	Increase Capital - upgrade outdated doors throughout center			2,500.00	C
	Decrease Capital - surplus funding for storage shed will be used to upgrade doors			(2,500.00)	C
General Fund/Community Development	Increase Capital - additional funds needed to complete lighting for the promenade project			1,603.00	C
	Decrease Operating - reallocate operating funds for HAP maintenance to capital to complete lighting for the promenade project			(1,603.00)	O
General Fund/Community Development	Increase Capital - additional funds needed for the electrical portion of HAP project			5,000.00	C
General Fund/Facility Maintenance	Decrease Operating - surplus funding in Maintenance - Leased Properties will be used for HAP project			(5,000.00)	O
Water & Sewer/Water	Increase Capital - replace pressure reducing valve near the airport			25,000.00	C
	Decrease Capital - surplus capital funding for Reservoir #2 will be used to replace pressure reducing valve near the airport			(25,000.00)	C
Water & Sewer/Water	Increase Capital/Operating - increase new services (200k) and service line maintenance (300k) due to increased demand as a result of economic conditions in FY20			500,000.00	C/O
	Decrease Capital - reallocate capital funding from upgrade waterline project to new services and service line maintenance. The waterline project will be trued-up in the FY21 budget			(500,000.00)	C
Water & Sewer/Water	Increase Operating - increase C&P Fees for EPA Pecos River analysis study			35,000.00	O
Water & Sewer/Waste Water	Decrease Capital - surplus funding for Reservoir #2 will be used for EPA Pecos River analysis study			(35,000.00)	C
Water & Sewer/Waste Water	Increase Capital - Fan belt press bid came in over budget			93,289.82	C
	Decrease Capital - surplus funding for fall protection project will be used to supplement fan belt press purchase			(93,289.82)	C
Water & Sewer/Collections	Increase Operating - additional funds needed for engineering work			88,878.97	O
	Decrease Capital - surplus capital funding needed for engineering work			(88,878.97)	C
Performing Arts Center	Increase Capital - additional funds needed to complete flooring in the auditorium lobby			20,400.00	C
	Decrease Capital - surplus funding for parking lot improvements will be used to complete flooring in the auditorium lobby			(20,400.00)	C
Lodgers Tax Promotional	Increase Operating - funding for MainStreet graduation banners to promote local tourist attractions while honoring the CHS 2020 graduating class			7,000.00	O

Description		Revenues & Transfers		Costs	
		Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Item	Amount	R or T	Amount	L, O, C
	Decrease Operating - reallocate promotional funds for postponed CavernFest 2020 to purchase graduation banners			(7,000.00)	O
Lodgers Tax Non-Promotional	Increase Capital - additional funds needed to complete the kitchen renovations at the PRV			5,300.00	C
	Decrease Operating - reallocate operating funds for PRV maintenance to capital to complete kitchen renovations			(5,300.00)	O
June 2020					
General Fund/Executive & Legislative	Increase Capital - surplus funding needed for shortfall on council chamber remodel			15,000.00	C
General Fund/Finance	Decrease Operating - surplus funding from GRTR admin fees will be used for shortfall on council chamber remodel			(15,000.00)	O

City of Carlsbad, NM

Financial Summary

FY20

For: July 2019 – April 2020

Financial Summary

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7. Promotional Lodgers' Tax Aging Schedule

1. Bank Reconciliation

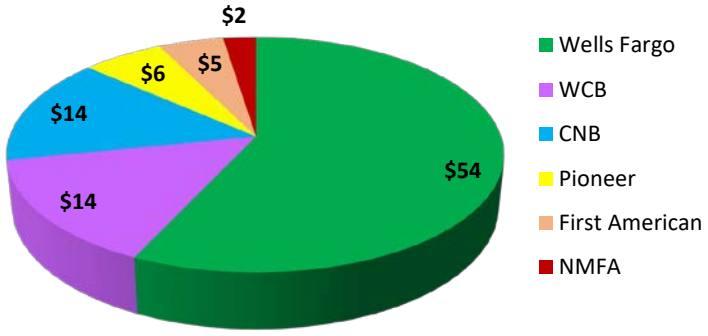
City of Carlsbad
Reconciled Cash
FY20 - Period 10 (April)

Bank Statements	Per Bank	Outstanding	Adjustments	Book Balance
Wells Fargo				
General & Misc. - 10100	47,924,911.41	(2,384,965.48)	1,008,763.06	46,548,708.99
Money Market & US Securities - Perm W&S	7,931,649.47	-	-	7,931,649.47
	55,856,560.88	(2,384,965.48)	1,008,763.06	54,480,358.46
Western Commerce Bank				
Construction - 10200	8,682,643.43	(18,938.05)	(1,106,916.41)	7,556,788.97
Federal Projects - 10210	100.00	-	-	100.00
CDBG Grant - 10250	95,100.00	-	-	95,100.00
CDs	6,542,459.26	-	-	6,542,459.26
	15,320,302.69	(18,938.05)	(1,106,916.41)	14,194,448.23
Carlsbad National Bank				
Workers Comp - 10300	15,149.47	(5,149.47)	-	10,000.00
Health Insurance - 10310	1,248,341.72	37.12	-	1,248,378.84
Payroll - 10320	934,121.21	(130,785.82)	(144.90)	803,190.49
Municipal Court - 10330	33,600.81	(98.00)	-	33,502.81
Debt Service - 10340	4,054,928.18	-	(41,049.15)	4,013,879.03
CDs	7,942,965.76	-	(8,256.04)	7,934,709.72
	14,229,107.15	(135,996.17)	(49,450.09)	14,043,660.89
Pioneer Bank				
CDs	5,870,474.98	-	-	5,870,474.98
First American Bank				
CDs	4,692,628.39	-	-	4,692,628.39
Cash on Hand	7,800.06	-	-	7,800.06
	95,976,874.15	**(2,539,899.70)**	**(147,603.44)**	**93,289,371.01**

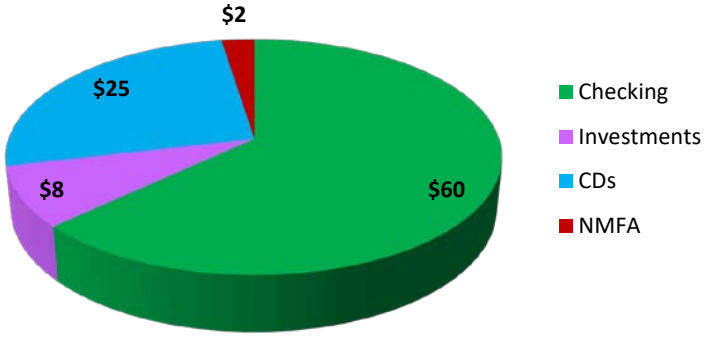
NMFA Loans		Statement	Adjustment	Book Balance
Loan 4 - Aerial Platform Ladder Truck - 11000	1020 - Cash - Debt Servicing	87,772.31		87,772.31
Loan 11 - DW-2867 - Water Project - 11200	1020 - Cash - Debt Servicing	840,991.57		840,991.57
Loan 13 - New SW Grappler Truck - 11300	1020 - Cash - Debt Servicing	120,718.27		120,718.27
Loan 13 - New SW Grappler Truck - 11301	2011 - Reserve Funds Payable	120,843.30		120,843.30
Loan 13 - New SW Grappler Truck - 11302	2020 - Program Funds	8,785.70		8,785.70
Loan 15 - Sports Complex - 11400	1020 - Cash - Debt Service	433,555.95		433,555.95
Loan 15 - Sports Complex - 11401	2020 - Program Funds	317,493.49		317,493.49
Loan 22 - Gen Cap Bond - 11100	1020 - Cash - Debt Servicing	375,479.83		375,479.83
Loan 22 - Gen Cap Bond - 11101	2020 - Program Funds	51,974.52		51,974.52
		2,357,614.94	-	**2,357,614.94**

Total	**95,646,985.95**

Ending Cash Balance per Banking Institution - $M



Ending Cash Balance per Banking Instruments - $M

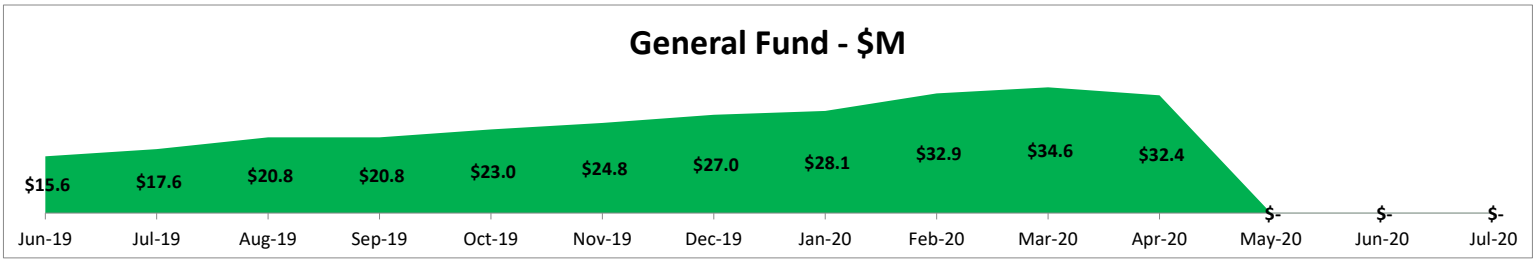


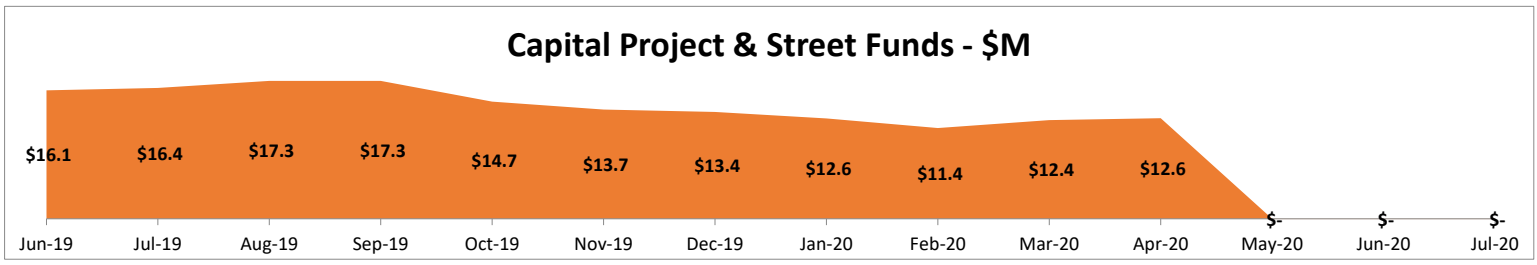
2. Summary of Fund Position

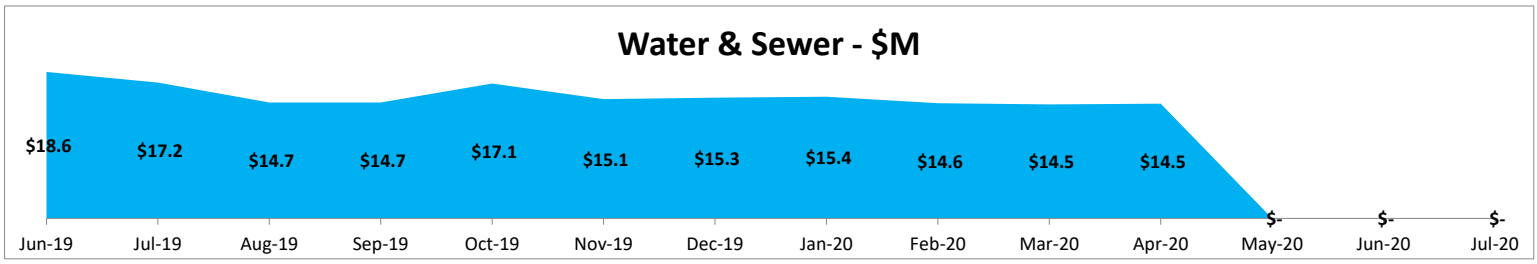
City of Carlsbad
Fund Position
FY20 - Period 10 (April)

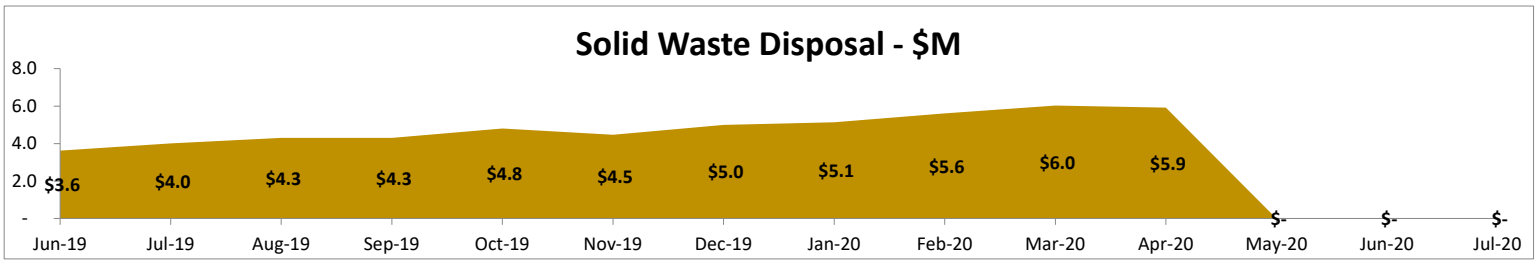
	Fund	Fund Name	Beginning Cash	FY20 Revenues	FY20 Transfers Increase (Decrease)	FY20 Costs Labor	FY20 Costs Ops	FY20 Costs Capital	FY20 Costs Total	Revenue & Tran <Less> Costs	Reserve/AP	Ending Cash
General Fund	101	General Fund	25,809,717	64,979,245	(11,880,085)	32,981,595	8,903,199.19	4,668,040.95	46,552,835	6,546,325	(762,740)	31,593,302
	102	Payroll	53,899	-	-	-	-	-	-	-	753,167	807,066
Capital Funds	200	GRT Capital Outlay	2,478,798	4,592,981	(6,446,535)	-	140,260	392,669	532,929	(2,386,483)	-	92,315
	201	Capital Projects	14,626,435	98,627.25	(3,500,000)	-	1,000,000	4,945,493	5,945,493	(9,346,866)	-	5,279,569
	202	Airport Improvements	(100,509)	2,165,435	850,000	-	12,495	2,413,815	2,426,310	589,125	-	488,617
	220	Landfill-Reserve	4,306,978	181,775	-	-	-	-	-	181,775	-	4,488,752
	230	Landfill-Closure	162,436	-	111,000	-	19,876	-	19,876	91,124	-	253,560
	240	Landfill-Construction	1,696,976	-	200,000	-	1,160,184	-	1,160,184	(960,184)	-	736,792
Special Revenue Funds	300	Sports Complex	2,340,098	2,562,177	(367,017)	508,535	389,607	171,242	1,069,384	1,125,776	(264)	3,465,610
	320	Streets Improvement	1,782,202	827,582	-	-	-	1,331,617	1,331,617	(504,035)	-	1,278,167
	350	Local Government Correction	328,586	766,160	-	-	199,366	-	199,366	566,794	7,267	902,648
Insurance Funds	400	Disaster Preparedness	3,710,175	-	1,100,000	-	3,542,617	-	3,542,617	(2,442,617)	-	1,267,558
	401	Insurance	730,019	84,108	1,625,000	-	1,250,596	-	1,250,596	458,512	-	1,188,531
	402	Workers' Compensation	1,342,572	17,648	-	-	433,256	-	433,256	(415,609)	-	926,964
	420	Health Insurance	2,861,855	5,773,483	(1,727,819)	-	5,659,141	-	5,659,141	(1,613,476)	-	1,248,379
Grant Funds	500	Fire Protection	465,691	527,437	(87,048)	-	4,920	282,486	287,406	152,983	-	618,674
	501	Emergency Medical Services	197	20,000	-	-	-	19,995	19,995	5	-	202
	520	Law Enforcement Protection	-	69,000	-	-	58,663	-	58,663	10,337	-	10,337
	550	Beautification	25,153	12,817	-	-	29,270	-	29,270	(16,453)	-	8,701
	570	Municipal Transit	203,422	336,445	666,428	849,812	126,222	-	976,034	26,839	519	230,780
	580	CDBG Grant	100	-	100,000	-	-	5,000	5,000	95,000	-	95,100
Lodgers' Tax	600	LT-Promotional	2,880,783	1,282,579	-	-	787,103	8,328	795,431	487,148	2,500	3,370,431
	650	LT-Non Promotional	2,487,743	1,923,751	-	-	494,628	1,221,575	1,716,203	207,548	-	2,695,291
Enterprise Funds	700	Water & Sewer	17,648,531	12,294,385	1,020,191	4,236,868	2,597,253	9,478,373	16,312,495	(2,997,919)	(120,015)	14,530,597
	720	Solid Waste Disposal	4,329,556	6,880,878	(1,055,184)	1,961,695	1,735,525	541,584	4,238,804	1,586,890	(1,093)	5,915,353
	750	Special Museum	15,595	5,490	-	-	7,745	-	7,745	(2,254)	-	13,341
Debt Service Funds	800	Bonds-W&S	135,184	-	15,537,199	-	12,885,260	-	12,885,260	2,651,939	-	2,787,123
	802	Bonds-GRT Capital Outlay	40,322	-	496,535	-	29,321	-	29,321	467,214	-	507,537
	820	NMFA-Governmental	88,715	4,025,030	857,860	-	4,022,822	-	4,022,822	860,067	-	948,783
	850	NMFA-Water & Sewer	505,143	10,672	1,743,475	-	1,331,397	-	1,331,397	422,749	-	927,893
	870	NMFA-Solid Waste Disposal	121,592	1,790	756,000	-	5,502	-	5,502	752,288	-	873,880
Agency Funds	900	Permanent W&S	8,618,324	319,141	-	-	8,265	-	8,265	310,876	-	8,929,201
	920	Municipal Court	39,710	-	-	-	-	-	-	-	(6,207)	33,503
	950	WIPP Accel Impact	100	91,013	-	-	91,013	-	91,013	-	-	100
		Total	99,736,100	109,849,648	0	40,538,505	46,925,505	25,480,218	112,944,228	(3,094,580)	(126,867)	96,514,653

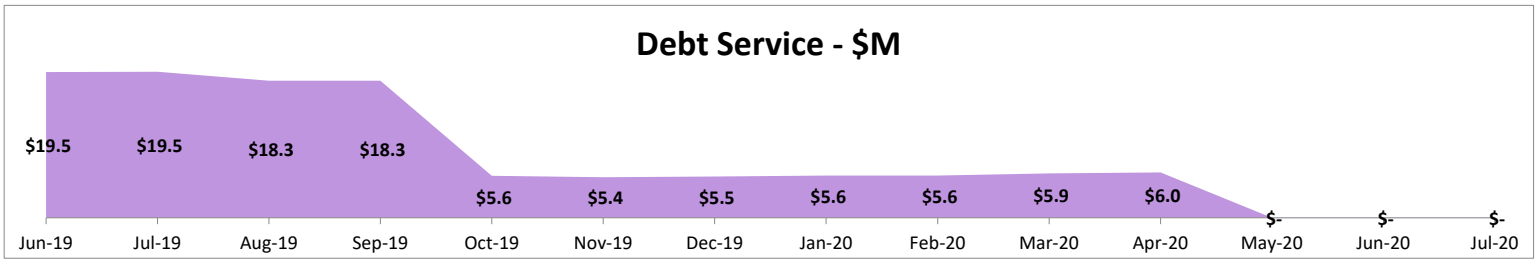
City of Carlsbad
Ending Cash Balance
FY20 - Period 10 (April)

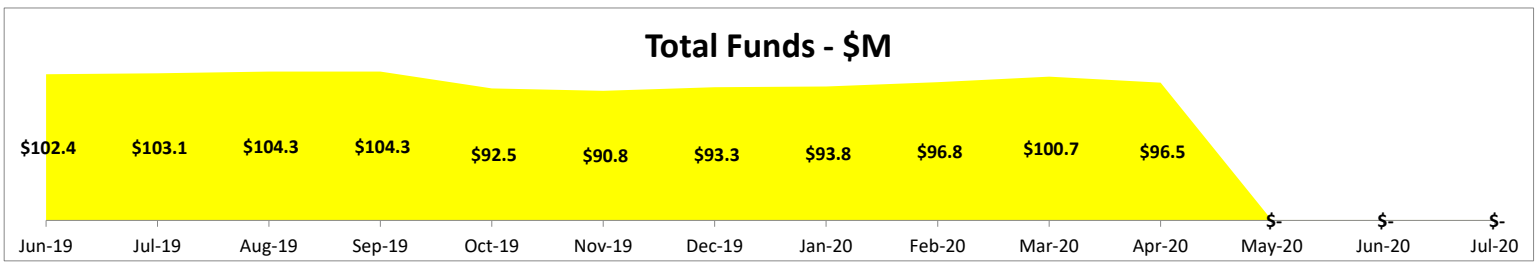












City of Carlsbad
Certificates of Deposit
FY20 - Period 10 (April)

Bank	CD #	Fund	Fund Name	Fund Type	September	December	March	April	YTD Interest
Carlsbad National Bank	6813455	101	General Fund	General	557,070.17	560,698.42	564,348.13	566,530.04	13,025.71
Carlsbad National Bank	6814010	101	General Fund	General	207,611.93	209,021.89	209,874.37	209,874.37	3,678.18
Carlsbad National Bank	6815114	101	General Fund	General	-	-	-	4,000,000.00	-
Carlsbad National Bank	6814016	220	Landfill-Reserve	Capital	1,283,276.15	1,288,695.94	1,294,127.99	1,294,127.99	15,649.13
Carlsbad National Bank	6814016	220	Landfill-Reserve	Capital	-	-	-	-	2,951.10
Carlsbad National Bank	6815071	402	Workers' Compensation	Insurance	554,589.43	557,777.97	560,981.79	560,981.79	9,562.67
Carlsbad National Bank	6813454	700	Water & Sewer	Enterprise	303,856.45	305,835.50	307,826.37	307,826.37	5,914.92
Carlsbad National Bank	6814992	900	Permanent W&S	Agency	985,351.81	991,434.21	997,551.07	1,003,625.20	24,253.17
Carlsbad National Bank	6813497	420	Health Insurance	Insurance	465,399.25	468,318.59	-	-	5,852.16
					4,357,155.19	4,381,782.52	3,934,709.72	7,942,965.76	80,887.04
Pioneer Bank	500162943	101	General Fund	General	460,318.20	463,218.83	465,430.55	465,430.55	7,994.82
Pioneer Bank	500162986	101	General Fund	General	421,765.17	424,422.86	426,449.34	426,449.34	7,325.22
Pioneer Bank	500163006	101	General Fund	General	421,765.17	424,422.86	426,449.34	426,449.34	7,325.22
Pioneer Bank	50103324	101	General Fund	General	683,882.95	688,192.34	691,478.23	691,478.23	11,877.69
Pioneer Bank	50104119	101	General Fund	General	-	-	-	2,000,000.00	-
Pioneer Bank	500162985	220	Landfill-Reserve	Capital	210,882.55	212,211.39	213,224.62	213,224.62	3,662.59
Pioneer Bank	50101625	220	Landfill-Reserve	Capital	957,049.37	957,049.37	957,049.37	957,049.37	-
Pioneer Bank	500163007	402	Workers' Compensation	Insurance	210,882.55	212,211.39	213,224.62	213,224.62	3,662.59
Pioneer Bank	50103087	402	Workers' Compensation	Insurance	261,111.36	262,710.64	263,944.29	263,944.29	4,422.48
Pioneer Bank	500162156	700	Water & Sewer	Enterprise	210,882.55	212,211.39	213,224.62	213,224.62	3,662.59
					3,838,539.87	3,856,651.07	3,870,474.98	5,870,474.98	49,933.20
Western Commerce Bank	2013426	101	General Fund	General	280,414.38	280,414.38	285,063.62	285,063.62	4,649.24
Western Commerce Bank	2013236	101	General Fund	General	640,000.00	640,000.00	640,000.00	640,000.00	-
Western Commerce Bank	2013189	101	General Fund	General	310,091.07	311,934.69	313,804.68	313,804.68	5,566.39
Western Commerce Bank	2013467	101	General Fund	General	-	-	-	4,000,000.00	-
Western Commerce Bank	2013216	220	Landfill-Reserve	Capital	-	-	-	-	2,972.63
Western Commerce Bank	2013341	220	Landfill-Reserve	Captial	-	-		-	-
Western Commerce Bank	2013442	220	Landfill-Reserve	Capital	935,283.61	939,484.19	943,434.44	943,434.44	8,150.83
Western Commerce Bank	2013162	700	Water & Sewer	Enterprise	254,000.00	254,000.00	255,554.96	-	1,554.96
Western Commerce Bank	2013190	700	Water & Sewer	Enterprise	103,363.69	103,978.23	104,601.56	-	1,855.46
Western Commerce Bank	2013190	700	Water & Sewer	Enterprise	-	-	-	360,156.52	-
					2,523,152.75	2,529,811.49	2,542,459.26	6,542,459.26	24,749.51
First American Bank	120119028	101	General Fund	General	1,022,315.81	1,022,315.81	1,022,315.81	1,022,315.81	-
First American Bank	120119028	101	General Fund	General	-	-	-	3,000,000.00	-
First American Bank	120119027	220	Landfill-Reserve	Capital	653,766.28	653,766.28	670,312.58	670,312.58	16,546.30
					1,676,082.09	1,676,082.09	1,692,628.39	4,692,628.39	16,546.30
Wells Fargo Trust		920	Permanent W&S	Agency				7,931,649.47	292,697.39
					-	-	-	7,931,649.47	292,697.39
		TOTAL			**12,394,929.90**	**12,444,327.17**	**12,040,272.35**	**32,980,177.86**	**464,813.44**

City of Carlsbad
Revenue
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	5,641,363.21	7,139,256.71	8,178,217.87	6,040,843.83	6,966,339.61	6,383,415.12	6,767,001.54	6,863,113.21	5,976,999.00	5,022,694.67			64,979,244.77
	102	Payroll	-	1,625.02	941.18	3,327.74	1,558.64	1,316.90	1,263.48	-	(10,032.96)	-			-
Capital Funds	200	GRT Capital Outlay	446,066.13	546,120.97	456,762.34	479,752.88	469,734.92	440,874.50	427,716.59	519,441.80	425,283.49	381,227.78			4,592,981.40
	201	Capital Projects	91,300.47	1,274.11	1,027.30	874.31	801.46	798.29	744.12	639.58	600.62	566.99			98,627.25
	202	Airport Improvements	244,613.35	1,312.10	17,526.82	53,173.99	576.04	1,545.35	656.93	1,419.21	743,874.66	1,100,736.93			2,165,435.38
	220	Landfill-Reserve	115,115.38	8,015.15	8,778.53	2,023.96	2,091.42	15,064.59	742.11	17,142.37	11,638.01	1,163.16			181,774.68
	230	Landfill-Closure	-	-	-	-	-	-	-	-	-	-			-
	240	Landfill-Construction	-	-	-	-	-	-	-	-	-	-			-
Special Revenue Funds	300	Sports Complex	227,648.46	299,541.39	348,999.96	208,025.59	291,311.42	231,965.48	239,201.46	226,254.73	301,944.50	187,283.63			2,562,176.62
	320	Streets Improvement	68,892.38	81,328.69	79,614.12	103,432.07	86,086.06	97,299.76	70,459.47	69,989.29	100,637.33	69,843.30			827,582.47
	350	Local Government Correction	80,680.00	63,313.00	85,631.00	65,844.00	51,170.00	59,260.00	82,567.00	91,147.00	112,062.00	74,486.00			766,160.00
Insurance Funds	400	Disaster Preparedness	-	-	-	-	-	-	-	-	-	-			-
	401	Insurance	2,080.88	5,647.20	-	16,256.93	-	12,974.17	32,662.00	-	14,487.00	-			84,108.18
	402	Workers' Compensation	-	3,170.31	2,910.07	-	3,188.54	2,928.12	-	4,517.15	933.55	-			17,647.74
	420	Health Insurance	554,005.66	519,554.43	527,615.88	545,940.72	532,124.60	524,175.45	525,405.81	615,427.07	730,089.74	699,143.89			5,773,483.25
Grant Funds	500	Fire Protection	263,203.60	-	-	88,077.80	-	-	88,077.80	-	-	88,077.80			527,437.00
	501	Emergency Medical Services	-	20,000.00	-	-	-	-	-	-	-	-			20,000.00
	520	Law Enforcement Protection	-	69,000.00	-	-	-	-	-	-	-	-			69,000.00
	550	Beautification	3,265.00	-	-	-	9,551.88	-	-	-	-	-			12,816.88
	570	Municipal Transit	38,399.05	65,642.97	5,992.25	6,197.25	23,741.85	27,378.04	65,629.30	15,010.08	4,916.00	83,538.34			336,445.13
	580	CDBG Grant	-	-	-	-	-	-	-	-	-	-			-
Lodgers' Tax	600	LT-Promotional	146,164.61	163,294.28	140,370.28	145,413.29	113,901.78	117,837.59	85,527.41	106,630.06	198,981.19	64,458.29			1,282,578.78
	650	LT-Non Promotional	219,246.90	244,941.36	210,555.39	218,119.96	170,852.70	176,756.49	128,291.13	159,945.12	298,471.80	96,569.68			1,923,750.53
Enterprise Funds	700	Water & Sewer	1,411,178.92	1,563,071.26	1,220,664.33	1,362,351.41	1,140,764.36	1,371,015.52	972,749.08	981,052.06	1,179,978.26	1,091,559.90			12,294,385.10
	720	Solid Waste Disposal	682,973.13	684,016.08	720,509.26	698,776.80	672,065.75	726,195.21	683,606.24	672,479.56	699,704.62	640,551.11			6,880,877.76
	750	Special Museum	334.40	159.13	274.11	457.76	1,582.21	991.99	911.04	133.69	628.83	17.16			5,490.32
Debt Service Funds	800	Bonds-W&S	-	-	-	-	-	-	-	-	-	-			-
	802	Bonds-GRT Capital Outlay	-	-	-	-	-	-	-	-	-	-			-
	820	NMFA-Governmental	207.64	411.75	448.63	455.33	467.61	570.08	686.90	792.75	4,020,723.65	265.16			4,025,029.50
	850	NMFA-Water & Sewer	464.53	714.22	582.49	798.14	712.86	1,169.65	1,238.08	1,467.80	1,742.58	1,781.24			10,671.59
	870	NMFA-Solid Waste Disposal	191.98	188.29	181.20	192.84	175.53	181.28	180.97	168.91	164.93	163.60			1,789.53
Agency Funds	900	Permanent W&S	12,034.15	60,718.67	(3,930.96)	21,364.79	(13,306.57)	18,492.19	50,712.74	65,144.29	107,354.02	558.10			319,141.42
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	45,675.00	-	-	45,337.75	-	-	-	-			91,012.75
		Total	10,249,429.83	11,542,317.09	12,049,347.05	10,061,701.39	10,525,492.67	10,257,543.52	10,226,031.20	10,411,915.73	14,921,182.82	9,604,686.73	-	-	109,849,648.03

City of Carlsbad
Transfers
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	(12,085,000.00)	-	-	579,280.00	-	(74,873.02)	(74,873.02)	-	(149,746.04)	(74,873.02)			(11,880,085.10)
	102	Payroll	-	-	-	-	-	-	-	-	-	-			-
Capital Funds	200	GRT Capital Outlay	(6,446,535.00)	-	3,000,000.00	(3,000,000.00)	-	-	-	-	-	-			(6,446,535.00)
	201	Capital Projects	(3,500,000.00)	-	-	-	-	-	-	-	-	-			(3,500,000.00)
	202	Airport Improvements	200,000.00	-	-	650,000.00	-	-	-	-	-	-			850,000.00
	220	Landfill-Reserve	-	-	-	-	-	-	-	-	-	-			-
	230	Landfill-Closure	111,000.00	-	-	-	-	-	-	-	-	-			111,000.00
	240	Landfill-Construction	200,000.00	-	-	-	-	-	-	-	-	-			200,000.00
Special Revenue Funds	300	Sports Complex	(39,644.67)	(39,644.67)	(39,644.67)	29,430.00	(39,644.67)	(39,644.67)	(39,644.67)	-	(118,934.01)	(39,644.67)			(367,016.70)
	320	Streets Improvement	-	-	-	-	-	-	-	-	-	-			-
	350	Local Government Correction	-	-	-	-	-	-	-	-	-	-			-
Insurance Funds	400	Disaster Preparedness	1,100,000.00	-	-	-	-	-	-	-	-	-			1,100,000.00
	401	Insurance	1,625,000.00	-	-	-	-	-	-	-	-	-			1,625,000.00
	402	Workers' Compensation	-	-	-	-	-	-	-	-	-	-			-
	420	Health Insurance	-	-	-	(1,727,819.00)	-	-	-	-	-	-			(1,727,819.00)
Grant Funds	500	Fire Protection	(87,048.00)	-	-	-	-	-	-	-	-	-			(87,048.00)
	501	Emergency Medical Services	-	-	-	-	-	-	-	-	-	-			-
	520	Law Enforcement Protection	-	-	-	-	-	-	-	-	-	-			-
	550	Beautification	-	-	-	-	-	-	-	-	-	-			-
	570	Municipal Transit	623,000.00	-	-	43,428.00	-	-	-	-	-	-			666,428.00
	580	CDBG Grant	100,000.00	-	-	-	-	-	-	-	-	-			100,000.00
Lodgers' Tax	600	LT-Promotional	-	-	-	-	-	-	-	-	-	-			-
	650	LT-Non Promotional	-	-	-	-	-	-	-	-	-	-			-
Enterprise Funds	700	Water & Sewer	804,326.00	-	(3,000,000.00)	3,215,865.00	-	-	-	-	-	-			1,020,191.00
	720	Solid Waste Disposal	(1,165,000.00)	-	-	109,816.00	-	-	-	-	-	-			(1,055,184.00)
	750	Special Museum	-	-	-	-	-	-	-	-	-	-			-
Debt Service Funds	800	Bonds-W&S	15,487,199.00	-	-	50,000.00	-	-	-	-	-	-			15,537,199.00
	802	Bonds-GRT Capital Outlay	446,535.00	-	-	50,000.00	-	-	-	-	-	-			496,535.00
	820	NMFA-Governmental	126,692.67	39,644.67	39,644.67	-	39,644.67	114,517.69	114,517.69	-	268,680.05	114,517.69			857,859.80
	850	NMFA-Water & Sewer	1,743,475.00	-	-	-	-	-	-	-	-	-			1,743,475.00
	870	NMFA-Solid Waste Disposal	756,000.00	-	-	-	-	-	-	-	-	-			756,000.00
Agency Funds	900	Permanent W&S	-	-	-	-	-	-	-	-	-	-			-
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	-	-	-	-	-	-	-	-			-
		Total	(0.00)	-	0.00	-	-	-	-	-	-	-	-	-	0.00

City of Carlsbad
Labor
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	3,037,042.06	4,305,477.17	3,001,649.68	2,851,587.53	4,237,657.16	2,924,201.08	4,137,431.92	2,920,325.95	2,790,594.75	2,775,627.24			32,981,594.54
	102	Payroll	-	-	-	-	-	-	-	-	-	-			-
Capital Funds	200	GRT Capital Outlay	-	-	-	-	-	-	-	-	-	-			-
	201	Capital Projects	-	-	-	-	-	-	-	-	-	-			-
	202	Airport Improvements	-	-	-	-	-	-	-	-	-	-			-
	220	Landfill-Reserve	-	-	-	-	-	-	-	-	-	-			-
	230	Landfill-Closure	-	-	-	-	-	-	-	-	-	-			-
	240	Landfill-Construction	-	-	-	-	-	-	-	-	-	-			-
Special Revenue Funds	300	Sports Complex	36,112.03	70,814.40	45,495.13	45,303.46	75,553.80	44,338.37	62,207.25	43,745.88	43,352.22	41,612.16			508,534.70
	320	Streets Improvement	-	-	-	-	-	-	-	-	-	-			-
	350	Local Government Correction	-	-	-	-	-	-	-	-	-	-			-
Insurance Funds	400	Disaster Preparedness	-	-	-	-	-	-	-	-	-	-			-
	401	Insurance	-	-	-	-	-	-	-	-	-	-			-
	402	Workers' Compensation	-	-	-	-	-	-	-	-	-	-			-
	420	Health Insurance	-	-	-	-	-	-	-	-	-	-			-
Grant Funds	500	Fire Protection	-	-	-	-	-	-	-	-	-	-			-
	501	Emergency Medical Services	-	-	-	-	-	-	-	-	-	-			-
	520	Law Enforcement Protection	-	-	-	-	-	-	-	-	-	-			-
	550	Beautification	-	-	-	-	-	-	-	-	-	-			-
	570	Municipal Transit	73,448.80	98,230.78	73,080.80	77,344.28	120,780.80	77,179.23	112,975.89	72,666.14	73,279.29	70,825.98			849,811.99
	580	CDBG Grant	-	-	-	-	-	-	-	-	-	-			-
Lodgers' Tax	600	LT-Promotional	-	-	-	-	-	-	-	-	-	-			-
	650	LT-Non Promotional	-	-	-	-	-	-	-	-	-	-			-
Enterprise Funds	700	Water & Sewer	370,819.38	528,578.93	385,501.64	387,678.66	586,729.03	367,395.00	500,158.06	367,009.25	374,940.82	368,057.66			4,236,868.43
	720	Solid Waste Disposal	170,163.41	244,981.24	184,828.97	170,691.16	274,337.39	172,175.04	243,686.56	160,694.21	165,250.73	174,886.49			1,961,695.20
	750	Special Museum	-	-	-	-	-	-	-	-	-	-			-
Debt Service Funds	800	Bonds-W&S	-	-	-	-	-	-	-	-	-	-			-
	802	Bonds-GRT Capital Outlay	-	-	-	-	-	-	-	-	-	-			-
	820	NMFA-Governmental	-	-	-	-	-	-	-	-	-	-			-
	850	NMFA-Water & Sewer	-	-	-	-	-	-	-	-	-	-			-
	870	NMFA-Solid Waste Disposal	-	-	-	-	-	-	-	-	-	-			-
Agency Funds	900	Permanent W&S	-	-	-	-	-	-	-	-	-	-			-
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	-	-	-	-	-	-	-	-			-
		Total	3,687,585.68	5,248,082.52	3,690,556.22	3,532,605.09	5,295,058.18	3,585,288.72	5,056,459.68	3,564,441.43	3,447,417.81	3,431,009.53	-	-	40,538,504.86

City of Carlsbad
Operations
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	741,127.22	907,806.80	1,490,341.96	1,064,449.60	834,773.81	711,726.99	762,700.89	813,870.41	827,448.88	748,952.63			8,903,199.19
	102	Payroll	-	-	-	-	-	-	-	-	-	-			-
Capital Funds	200	GRT Capital Outlay	14,487.71	17,748.93	13,702.87	14,392.59	14,092.05	13,226.24	12,831.50	15,583.25	12,758.50	11,436.83			140,260.47
	201	Capital Projects	-	-	-	-	-	1,000,000.00	-	-	-	-			1,000,000.00
	202	Airport Improvements	-	-	1,519.48	-	1,368.95	-	4,574.58	-	518.00	4,514.45			12,495.46
	220	Landfill-Reserve	-	-	-	-	-	-	-	-	-	-			-
	230	Landfill-Closure	-	-	-	-	-	-	-	19,875.96	-	-			19,875.96
	240	Landfill-Construction	-	-	-	-	-	-	-	-	-	1,160,183.68			1,160,183.68
Special Revenue Funds	300	Sports Complex	26,252.50	39,904.85	45,213.73	30,358.35	33,542.65	45,715.73	44,004.89	22,442.68	37,899.58	64,272.26			389,607.22
	320	Streets Improvement	-	-	-	-	-	-	-	-	-	-			-
	350	Local Government Correction	13,585.00	-	-	71,767.37	15,960.00	-	1,106.00	13,347.50	33,012.50	50,587.50			199,365.87
Insurance Funds	400	Disaster Preparedness	-	1,340,000.00	-	-	-	-	-	-	-	2,202,616.51			3,542,616.51
	401	Insurance	1,095,229.66	1,723.18	9,484.10	21,999.91	4,826.47	7,045.19	31,786.38	12,145.44	10,372.78	55,983.38			1,250,596.49
	402	Workers' Compensation	(133,444.72)	50,509.28	79,474.74	57,646.76	64,160.22	45,542.64	30,079.26	182,942.93	19,931.40	36,413.92			433,256.43
	420	Health Insurance	688,043.25	206,198.65	414,378.30	623,124.65	567,038.75	612,706.29	902,117.54	720,117.47	433,623.59	491,792.23			5,659,140.72
Grant Funds	500	Fire Protection	4,920.00	-	-	-	-	-	-	-	-	-			4,920.00
	501	Emergency Medical Services	-	-	-	-	-	-	-	-	-	-			-
	520	Law Enforcement Protection	1,590.48	-	-	2,692.20	21,242.83	275.00	5,866.80	24,624.53	2,371.57	-			58,663.41
	550	Beautification	-	-	268.67	1,095.13	2,692.34	1,945.94	4,456.24	6,358.65	9,324.72	3,127.83			29,269.52
	570	Municipal Transit	9,081.41	13,823.87	17,445.59	14,562.32	11,115.40	8,489.54	16,172.41	10,786.54	15,305.24	9,439.51			126,221.83
	580	CDBG Grant	-	-	-	-	-	-	-	-	-	-			-
Lodgers' Tax	600	LT-Promotional	102,287.88	88,671.72	57,252.18	62,602.54	101,897.95	76,969.73	98,012.58	43,497.03	55,839.22	100,072.12			787,102.95
	650	LT-Non Promotional	20,570.26	95,218.43	30,392.89	30,608.17	62,750.88	57,743.57	36,036.57	69,070.59	40,071.20	52,164.95			494,627.51
Enterprise Funds	700	Water & Sewer	160,670.84	244,287.73	223,657.71	229,106.75	344,858.35	177,782.09	248,502.28	144,646.74	536,833.13	286,907.45			2,597,253.07
	720	Solid Waste Disposal	59,090.50	46,457.39	74,077.06	130,810.89	720,239.93	71,028.66	394,685.02	(100,104.41)	112,327.94	226,911.79			1,735,524.77
	750	Special Museum	437.59	3.42	6.48	1,759.95	1,485.54	2,041.67	635.00	1.76	221.98	1,151.24			7,744.63
Debt Service Funds	800	Bonds-W&S	-	-	-	12,873,531.25	13,816.67	-	-	-	(2,088.34)	-			12,885,259.58
	802	Bonds-GRT Capital Outlay	-	-	-	-	13,816.68	-	-	-	15,504.14	-			29,320.82
	820	NMFA-Governmental	-	-	-	-	54,637.62	-	-	-	3,968,184.20	-			4,022,821.82
	850	NMFA-Water & Sewer	-	-	1,187,310.01	-	144,087.16	-	-	-	-	-			1,331,397.17
	870	NMFA-Solid Waste Disposal	-	-	-	-	5,501.99	-	-	-	-	-			5,501.99
Agency Funds	900	Permanent W&S	851.27	850.38	856.30	853.85	855.77	790.96	793.01	796.76	802.56	814.13			8,264.99
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	45,675.00	-	-	45,337.75	-	-	-	-			91,012.75
		Total	2,804,780.85	3,053,204.63	3,691,057.07	15,231,362.28	3,034,762.01	2,878,367.99	2,594,360.95	2,000,003.83	6,130,262.79	5,507,342.41	-	-	46,925,504.81

City of Carlsbad
Capital
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	131,326.95	267,024.96	364,662.88	228,014.60	473,057.47	347,667.85	768,374.51	948,782.06	549,477.73	589,651.94			4,668,040.95
	102	Payroll	-	-	-	-	-	-	-	-	-	-			-
Capital Funds	200	GRT Capital Outlay	24,363.95	21,313.87	-	69,670.40	-	108,247.59	158,648.08	10,424.98	-	-			392,668.87
	201	Capital Projects	-	52,645.75	2,389,163.18	507,267.57	297,739.81	(474,574.42)	75,682.27	1,697,779.43	283,027.43	116,762.07			4,945,493.09
	202	Airport Improvements	251,311.76	169,989.40	38,319.81	30,510.45	909,990.88	-	1,013,692.46	-	-	-			2,413,814.76
	220	Landfill-Reserve	-	-	-	-	-	-	-	-	-	-			-
	230	Landfill-Closure	-	-	-	-	-	-	-	-	-	-			-
	240	Landfill-Construction	-	-	-	-	-	-	-	-	-	-			-
Special Revenue Funds	300	Sports Complex	1,178.04	21,619.46	2,599.97	35,314.82	55,255.72	48,175.60	12,830.52	3,440.00	-	(9,172.05)			171,242.08
	320	Streets Improvement	117,181.58	76,480.08	196,667.56	273,999.95	340,335.16	228,584.64	2,239.04	58,873.82	25,773.64	11,481.94			1,331,617.41
	350	Local Government Correction	-	-	-	-	-	-	-	-	-	-			-
Insurance Funds	400	Disaster Preparedness	-	-	-	-	-	-	-	-	-	-			-
	401	Insurance	-	-	-	-	-	-	-	-	-	-			-
	402	Workers' Compensation	-	-	-	-	-	-	-	-	-	-			-
	420	Health Insurance	-	-	-	-	-	-	-	-	-	-			-
Grant Funds	500	Fire Protection	355.23	-	-	4,182.00	-	107,599.26	170,349.48	-	-	-			282,485.97
	501	Emergency Medical Services	-	-	-	-	-	-	-	19,995.00	-	-			19,995.00
	520	Law Enforcement Protection	-	-	-	-	-	-	-	-	-	-			-
	550	Beautification	-	-	-	-	-	-	-	-	-	-			-
	570	Municipal Transit	-	-	-	-	-	-	-	-	-	-			-
	580	CDBG Grant	-	-	-	-	-	-	-	-	5,000.00	-			5,000.00
Lodgers' Tax	600	LT-Promotional	-	-	-	-	-	-	-	681.81	7,645.80	-			8,327.61
	650	LT-Non Promotional	29,548.74	67,412.61	44,045.38	36,190.18	33,080.54	196,487.56	8,917.49	253,515.56	171,473.27	380,904.11			1,221,575.44
Enterprise Funds	700	Water & Sewer	1,548,006.29	1,546,275.39	2,803,366.16	(1,322,182.97)	2,244,631.70	672,856.43	74,286.66	1,182,768.77	368,242.36	360,122.39			9,478,373.18
	720	Solid Waste Disposal	-	-	189,861.00	-	-	-	-	-	-	351,723.00			541,584.00
	750	Special Museum	-	-	-	-	-	-	-	-	-	-			-
Debt Service Funds	800	Bonds-W&S	-	-	-	-	-	-	-	-	-	-			-
	802	Bonds-GRT Capital Outlay	-	-	-	-	-	-	-	-	-	-			-
	820	NMFA-Governmental	-	-	-	-	-	-	-	-	-	-			-
	850	NMFA-Water & Sewer	-	-	-	-	-	-	-	-	-	-			-
	870	NMFA-Solid Waste Disposal	-	-	-	-	-	-	-	-	-	-			-
Agency Funds	900	Permanent W&S	-	-	-	-	-	-	-	-	-	-			-
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	-	-	-	-	-	-	-	-			-
		Total	2,103,272.54	2,222,761.52	6,028,685.94	(137,033.00)	4,354,091.28	1,235,044.51	2,285,020.51	4,176,261.43	1,410,640.23	1,801,473.40	-	-	25,480,218.36

City of Carlsbad
Total Costs
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	3,909,496.23	5,480,308.93	4,856,654.52	4,144,051.73	5,545,488.44	3,983,595.92	5,668,507.32	4,682,978.42	4,167,521.36	4,114,231.81			46,552,834.68
	102	Payroll	-	-	-	-	-	-	-	-	-	-			-
Capital Funds	200	GRT Capital Outlay	38,851.66	39,062.80	13,702.87	84,062.99	14,092.05	121,473.83	171,479.58	26,008.23	12,758.50	11,436.83			532,929.34
	201	Capital Projects	-	52,645.75	2,389,163.18	507,267.57	297,739.81	525,425.58	75,682.27	1,697,779.43	283,027.43	116,762.07			5,945,493.09
	202	Airport Improvements	251,311.76	169,989.40	39,839.29	30,510.45	911,359.83	-	1,018,267.04	-	518.00	4,514.45			2,426,310.22
	220	Landfill-Reserve	-	-	-	-	-	-	-	-	-	-			-
	230	Landfill-Closure	-	-	-	-	-	-	-	19,875.96	-	-			19,875.96
	240	Landfill-Construction	-	-	-	-	-	-	-	-	-	1,160,183.68			1,160,183.68
Special Revenue Funds	300	Sports Complex	63,542.57	132,338.71	93,308.83	110,976.63	164,352.17	138,229.70	119,042.66	69,628.56	81,251.80	96,712.37			1,069,384.00
	320	Streets Improvement	117,181.58	76,480.08	196,667.56	273,999.95	340,335.16	228,584.64	2,239.04	58,873.82	25,773.64	11,481.94			1,331,617.41
	350	Local Government Correction	13,585.00	-	-	71,767.37	15,960.00	-	1,106.00	13,347.50	33,012.50	50,587.50			199,365.87
Insurance Funds	400	Disaster Preparedness	-	1,340,000.00	-	-	-	-	-	-	-	2,202,616.51			3,542,616.51
	401	Insurance	1,095,229.66	1,723.18	9,484.10	21,999.91	4,826.47	7,045.19	31,786.38	12,145.44	10,372.78	55,983.38			1,250,596.49
	402	Workers' Compensation	(133,444.72)	50,509.28	79,474.74	57,646.76	64,160.22	45,542.64	30,079.26	182,942.93	19,931.40	36,413.92			433,256.43
	420	Health Insurance	688,043.25	206,198.65	414,378.30	623,124.65	567,038.75	612,706.29	902,117.54	720,117.47	433,623.59	491,792.23			5,659,140.72
Grant Funds	500	Fire Protection	5,275.23	-	-	4,182.00	-	107,599.26	170,349.48	-	-	-			287,405.97
	501	Emergency Medical Services	-	-	-	-	-	-	-	19,995.00	-	-			19,995.00
	520	Law Enforcement Protection	1,590.48	-	-	2,692.20	21,242.83	275.00	5,866.80	24,624.53	2,371.57	-			58,663.41
	550	Beautification	-	-	268.67	1,095.13	2,692.34	1,945.94	4,456.24	6,358.65	9,324.72	3,127.83			29,269.52
	570	Municipal Transit	82,530.21	112,054.65	90,526.39	91,906.60	131,896.20	85,668.77	129,148.30	83,452.68	88,584.53	80,265.49			976,033.82
	580	CDBG Grant	-	-	-	-	-	-	-	-	5,000.00	-			5,000.00
Lodgers' Tax	600	LT-Promotional	102,287.88	88,671.72	57,252.18	62,602.54	101,897.95	76,969.73	98,012.58	44,178.84	63,485.02	100,072.12			795,430.56
	650	LT-Non Promotional	50,119.00	162,631.04	74,438.27	66,798.35	95,831.42	254,231.13	44,954.06	322,586.15	211,544.47	433,069.06			1,716,202.95
Enterprise Funds	700	Water & Sewer	2,079,496.51	2,319,142.05	3,412,525.51	(705,397.56)	3,176,219.08	1,218,033.52	822,947.00	1,694,424.76	1,280,016.31	1,015,087.50			16,312,494.68
	720	Solid Waste Disposal	229,253.91	291,438.63	448,767.03	301,502.05	994,577.32	243,203.70	638,371.58	60,589.80	277,578.67	753,521.28			4,238,803.97
	750	Special Museum	437.59	3.42	6.48	1,759.95	1,485.54	2,041.67	635.00	1.76	221.98	1,151.24			7,744.63
Debt Service Funds	800	Bonds-W&S	-	-	-	12,873,531.25	13,816.67	-	-	-	(2,088.34)	-			12,885,259.58
	802	Bonds-GRT Capital Outlay	-	-	-	-	13,816.68	-	-	-	15,504.14	-			29,320.82
	820	NMFA-Governmental	-	-	-	-	54,637.62	-	-	-	3,968,184.20	-			4,022,821.82
	850	NMFA-Water & Sewer	-	-	1,187,310.01	-	144,087.16	-	-	-	-	-			1,331,397.17
	870	NMFA-Solid Waste Disposal	-	-	-	-	5,501.99	-	-	-	-	-			5,501.99
Agency Funds	900	Permanent W&S	851.27	850.38	856.30	853.85	855.77	790.96	793.01	796.76	802.56	814.13			8,264.99
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	45,675.00	-	-	45,337.75	-	-	-	-			91,012.75
		Total	8,595,639.07	10,524,048.67	13,410,299.23	18,626,934.37	12,683,911.47	7,698,701.22	9,935,841.14	9,740,706.69	10,988,320.83	10,739,825.34	-	-	112,944,228.03

City of Carlsbad
Net Change in Fund
FY20 - Period 10 (April)

	Fund	Fund Name	1 Jul-19	2 Aug-19	3 Sep-19	4 Oct-19	5 Nov-19	6 Dec-19	7 Jan-20	8 Feb-20	9 Mar-20	10 Apr-20	11 May-20	12 Jun-20	Total
General Fund	101	General Fund	(10,353,133.02)	1,658,947.78	3,321,563.35	2,476,072.10	1,420,851.17	2,324,946.18	1,023,621.20	2,180,134.79	1,659,731.60	833,589.84			6,546,324.99
	102	Payroll	-	1,625.02	941.18	3,327.74	1,558.64	1,316.90	1,263.48	-	(10,032.96)	-			-
Capital Funds	200	GRT Capital Outlay	(6,039,320.53)	507,058.17	3,443,059.47	(2,604,310.11)	455,642.87	319,400.67	256,237.01	493,433.57	412,524.99	369,790.95			(2,386,482.94)
	201	Capital Projects	(3,408,699.53)	(51,371.64)	(2,388,135.88)	(506,393.26)	(296,938.35)	(524,627.29)	(74,938.15)	(1,697,139.85)	(282,426.81)	(116,195.08)			(9,346,865.84)
	202	Airport Improvements	193,301.59	(168,677.30)	(22,312.47)	672,663.54	(910,783.79)	1,545.35	(1,017,610.11)	1,419.21	743,356.66	1,096,222.48			589,125.16
	220	Landfill-Reserve	115,115.38	8,015.15	8,778.53	2,023.96	2,091.42	15,064.59	742.11	17,142.37	11,638.01	1,163.16			181,774.68
	230	Landfill-Closure	111,000.00	-	-	-	-	-	-	(19,875.96)	-	-			91,124.04
	240	Landfill-Construction	200,000.00	-	-	-	-	-	-	-	-	(1,160,183.68)			(960,183.68)
Special Revenue Funds	300	Sports Complex	124,461.22	127,558.01	216,046.46	126,478.96	87,314.58	54,091.11	80,514.13	156,626.17	101,758.69	50,926.59			1,125,775.92
	320	Streets Improvement	(48,289.20)	4,848.61	(117,053.44)	(170,567.88)	(254,249.10)	(131,284.88)	68,220.43	11,115.47	74,863.69	58,361.36			(504,034.94)
	350	Local Government Correction	67,095.00	63,313.00	85,631.00	(5,923.37)	35,210.00	59,260.00	81,461.00	77,799.50	79,049.50	23,898.50			566,794.13
Insurance Funds	400	Disaster Preparedness	1,100,000.00	(1,340,000.00)	-	-	-	-	-	-	-	(2,202,616.51)			(2,442,616.51)
	401	Insurance	531,851.22	3,924.02	(9,484.10)	(5,742.98)	(4,826.47)	5,928.98	875.62	(12,145.44)	4,114.22	(55,983.38)			458,511.69
	402	Workers' Compensation	133,444.72	(47,338.97)	(76,564.67)	(57,646.76)	(60,971.68)	(42,614.52)	(30,079.26)	(178,425.78)	(18,997.85)	(36,413.92)			(415,608.69)
	420	Health Insurance	(134,037.59)	313,355.78	113,237.58	(1,805,002.93)	(34,914.15)	(88,530.84)	(376,711.73)	(104,690.40)	296,466.15	207,351.66			(1,613,476.47)
Grant Funds	500	Fire Protection	170,880.37	-	-	83,895.80	-	(107,599.26)	(82,271.68)	-	-	88,077.80			152,983.03
	501	Emergency Medical Services	-	20,000.00	-	-	-	-	-	(19,995.00)	-	-			5.00
	520	Law Enforcement Protection	(1,590.48)	69,000.00	-	(2,692.20)	(21,242.83)	(275.00)	(5,866.80)	(24,624.53)	(2,371.57)	-			10,336.59
	550	Beautification	3,265.00	-	(268.67)	(1,095.13)	6,859.54	(1,945.94)	(4,456.24)	(6,358.65)	(9,324.72)	(3,127.83)			(16,452.64)
	570	Municipal Transit	578,868.84	(46,411.68)	(84,534.14)	(42,281.35)	(108,154.35)	(58,290.73)	(63,519.00)	(68,442.60)	(83,668.53)	3,272.85			26,839.31
	580	CDBG Grant	100,000.00	-	-	-	-	-	-	-	(5,000.00)	-			95,000.00
Lodgers' Tax	600	LT-Promotional	43,876.73	74,622.56	83,118.10	82,810.75	12,003.83	40,867.86	(12,485.17)	62,451.22	135,496.17	(35,613.83)			487,148.22
	650	LT-Non Promotional	169,127.90	82,310.32	136,117.12	151,321.61	75,021.28	(77,474.64)	83,337.07	(162,641.03)	86,927.33	(336,499.38)			207,547.58
Enterprise Funds	700	Water & Sewer	136,008.41	(756,070.79)	(5,191,861.18)	5,283,613.97	(2,035,454.72)	152,982.00	149,802.08	(713,372.70)	(100,038.05)	76,472.40			(2,997,918.58)
	720	Solid Waste Disposal	(711,280.78)	392,577.45	271,742.23	507,090.75	(322,511.57)	482,991.51	45,234.66	611,889.76	422,125.95	(112,970.17)			1,586,889.79
	750	Special Museum	(103.19)	155.71	267.63	(1,302.19)	96.67	(1,049.68)	276.04	131.93	406.85	(1,134.08)			(2,254.31)
Debt Service Funds	800	Bonds-W&S	15,487,199.00	-	-	(12,823,531.25)	(13,816.67)	-	-	-	2,088.34	-			2,651,939.42
	802	Bonds-GRT Capital Outlay	446,535.00	-	-	50,000.00	(13,816.68)	-	-	-	(15,504.14)	-			467,214.18
	820	NMFA-Governmental	126,900.31	40,056.42	40,093.30	455.33	(14,525.34)	115,087.77	115,204.59	792.75	321,219.50	114,782.85			860,067.48
	850	NMFA-Water & Sewer	1,743,939.53	714.22	(1,186,727.52)	798.14	(143,374.30)	1,169.65	1,238.08	1,467.80	1,742.58	1,781.24			422,749.42
	870	NMFA-Solid Waste Disposal	756,191.98	188.29	181.20	192.84	(5,326.46)	181.28	180.97	168.91	164.93	163.60			752,287.54
Agency Funds	900	Permanent W&S	11,182.88	59,868.29	(4,787.26)	20,510.94	(14,162.34)	17,701.23	49,919.73	64,347.53	106,551.46	(256.03)			310,876.43
	920	Municipal Court	-	-	-	-	-	-	-	-	-	-			-
	950	WIPP Accel Impact	-	-	-	-	-	-	-	-	-	-			-
		Total	1,653,790.76	1,018,268.42	(1,360,952.18)	(8,565,232.98)	(2,158,418.80)	2,558,842.30	290,190.06	671,209.04	3,932,861.99	(1,135,138.61)	-	-	(3,094,580.00)

3. Revenues

The City of Carlsbad
Revenue by Fund
FY20 - Period 10 (April 2020)

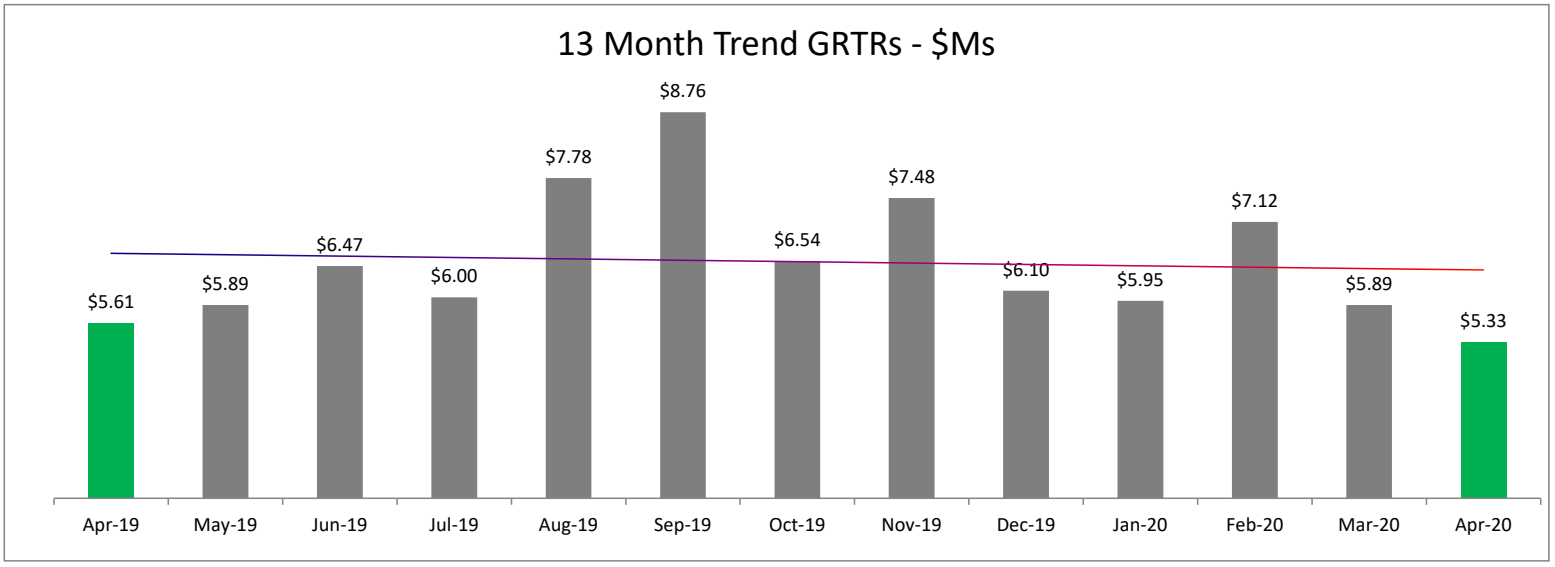
	Fund	Fund	% of Total Revenue	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 83%
General Fund	101	General Fund	59.1%	64,981,427	55,709,556	9,271,871	66,851,467	97.2%
	102	Payroll	0.0%	-	-	-	-	
Captial Funds	200	GRT Capital Outlay	4.2%	4,592,981	4,155,600	437,381	4,986,720	92.1%
	201	Capital Projects	0.1%	98,627	593,692	(495,064)	712,430	13.8%
	202	Airport Improvements	2.0%	2,165,435	2,810,148	(644,712)	3,372,177	64.2%
	220	Landfill-Reserve	0.2%	181,775	161,667	20,108	194,000	93.7%
	230	Landfill-Closure	0.0%	-	-	-	-	
	240	Landfill-Construction	0.0%	-	-	-	-	
Special Revenue Funds	300	Sports Complex	2.3%	2,562,177	2,140,492	421,685	2,568,590	99.8%
	320	Streets Improvement	0.8%	827,582	1,996,667	(1,169,084)	2,396,000	34.5%
	350	Local Government Correction	0.7%	766,160	354,167	411,993	425,000	180.3%
Insurance Funds	400	Disaster Preparedness	0.0%	-	-	-	-	
	401	Insurance	0.1%	84,108	-	84,108	-	
	402	Workers' Compensation	0.0%	17,648	-	17,648	-	
	420	Health Insurance	5.3%	5,773,483	5,000,000	773,483	6,000,000	96.2%
Grant Funds	500	Fire Protection	0.5%	527,437	439,531	87,906	527,437	100.0%
	501	Emergency Medical Services	0.0%	20,000	16,667	3,333	20,000	100.0%
	520	Law Enforcement Protection	0.1%	69,000	57,500	11,500	69,000	100.0%
	550	Beautification	0.0%	12,817	19,258	(6,441)	23,109	55.5%
	570	Municipal Transit	0.3%	336,445	746,433	(409,987)	895,719	37.6%
	580	CDBG Grant	0.0%	-	416,667	(416,667)	500,000	0.0%
Lodgers' Tax	600	LT-Promotional	1.2%	1,282,579	1,533,333	(250,755)	1,840,000	69.7%
	650	LT-Non Promotional	1.8%	1,923,751	2,367,500	(443,749)	2,841,000	67.7%
Enterprise Funds	700	Water & Sewer	11.2%	12,295,575	11,545,703	749,873	13,854,843	88.7%
	720	Solid Waste Disposal	6.3%	6,880,878	6,483,746	397,132	7,780,495	88.4%
	750	Special Museum	0.0%	5,490	2,500	2,990	3,000	183.0%
Debt Service Funds	800	Bonds-W&S	0.0%	-	-	-	-	
	802	Bonds-GRT Capital Outlay	0.0%	-	3,350,000	(3,350,000)	4,020,000	0.0%
	820	NMFA-Governmental	3.7%	4,025,030	-	4,025,030	-	
	850	NMFA-Water & Sewer	0.0%	10,672	-	10,672	-	
	870	NMFA-Solid Waste Disposal	0.0%	1,790	-	1,790	-	
Agency Funds	900	Permanent W&S	0.3%	325,216	187,500	137,716	225,000	144.5%
	920	Municipal Court	0.0%	-	-	-	-	
	950	WIPP Accel Impact	0.1%	91,013	75,833	15,179	91,000	100.0%
			100.0%	109,859,094	100,164,156	9,694,939	120,196,987	91.4%

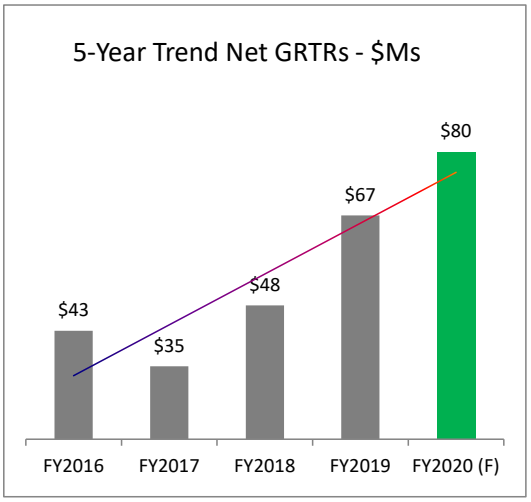
The City of Carlsbad
Revenue by Select Funds and Categories
FY20 - Period 10 (April 2020)

No	Fund / Category	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 83%
101	**GENERAL FUND**					
	Gross Receipts Tax	58,534,138	49,624,063	8,910,076	59,548,875	98%
	Property Tax	2,463,424	2,499,833	(36,409)	2,999,800	82%
	Franchise Tax	698,518	692,500	6,018	831,000	84%
	Ambulance Service	578,126	628,333	(50,207)	754,000	77%
	County	268,000	425,000	(157,000)	510,000	53%
	Golf Green Fees & Cart Permits	256,810	337,500	(80,690)	405,000	63%
	Permits, Registrations and Business, Liquor, Pet License	342,180	265,000	77,180	318,000	108%
	Misc. Revenues	355,113	230,000	125,113	276,000	129%
	Grants	565,194	367,461	197,733	440,953	128%
	Fees	351,385	143,333	208,052	172,000	204%
	Cemetery	130,097	135,000	(4,903)	162,000	80%
	Water Park	84,215	111,667	(27,452)	134,000	63%
	Misc. Contracts & Leases	44,188	37,333	6,854	44,800	99%
	Donations	310,039	212,532	97,506	255,039	122%
		64,981,427	55,709,556	9,271,871	66,851,467	97%
320	**Streets Improvement**					
	Gasoline Tax	711,650	683,333	28,317	820,000	87%
	Auto License	84,195	77,500	6,695	93,000	91%
	State Legilative Grant	-	1,208,333	(1,208,333)	1,450,000	0%
	Misc.	31,738	27,500	4,238	33,000	96%
		827,582	1,996,667	(1,169,084)	2,396,000	35%
350	**LOCAL GOVERNMENT CORRECTION**					
	Local Correction Fees (Tickets, Fees, etc.)	766,160	354,167	411,993	425,000	180%
		766,160	354,167	411,993	425,000	180%
600 & 650	**LODGERS TAX**					
	Promotional Lodgers Tax (600)	1,282,579	1,533,333	(250,755)	1,840,000	70%
	Non Promotional Lodgers Tax (650)	1,923,751	2,367,500	(443,749)	2,841,000	68%
		3,206,329	3,900,833	(694,504)	4,681,000	68%
700	**WATER & SEWER**					
	City Water	3,858,135	4,041,667	(183,532)	4,850,000	80%
	Sewer Services	3,973,827	3,958,333	15,493	4,750,000	84%
	Septage Services	1,633,244	810,000	823,244	972,000	168%
	Effluent Contract	726,261	708,000	18,261	849,600	85%
	Double Eagle Water	873,765	617,500	256,265	741,000	118%
	Misc. Revenues	472,993	634,369	(161,376)	761,243	62%
	La Huerta Water	513,410	533,333	(19,923)	640,000	80%
	Late & Reconnect Fees	243,941	242,500	1,441	291,000	84%
		12,295,575	11,545,703	749,873	13,854,843	89%
720	**LANDFILL & SOLID WASTE DISPOSAL**					
	Solid Waste Disposal Services	5,595,282	5,375,000	220,282	6,450,000	87%
	Gross Receipts Tax (Environmental)	1,274,547	1,083,746	190,801	1,300,495	98%
	County Share of Costs	-	25,000	(25,000)	30,000	0%
	Misc. Revenues	11,049	-	11,049	-	
		6,880,878	6,483,746	397,132	7,780,495	88%

The City of Carlsbad
Gross Receipts Tax Revenue
FY20 - Period 10 (April 2020)

Fund	% of Total Revenue	July - Sept Actual	July - Sept Budget	Fav(Unfav)	Total Net FY Budget	FY Target 83%
Fund 1 - General						
Municipal GRT	27%	30,083,908	25,383,000	4,700,908	30,459,600	99%
Muni Share - State GRT	23%	25,474,859	21,905,596	3,569,263	26,286,715	97%
Muni Infrastructure	2%	2,549,134	2,166,863	382,272	2,600,235	98%
Muni Share Compensating	0%	228,366	163,375	64,991	196,050	116%
Interstate Telecom	0%	5,937	5,229	707	6,275	95%
GRTR-Internet(HB6)	0%	191,935	-	191,935	-	
	53%	58,534,138	49,624,063	8,910,076	59,548,875	98%
Fund 2 - Muni Capital Outlay GRT	4%	4,592,691	4,155,600	437,091	4,986,720	92%
Fund 29 - Muni Infrastructure (Sports Complex)	2%	2,549,134	2,133,825	415,309	2,560,590	100%
Fund 24 - Municipal Environment (SW Disposal)	1%	1,274,547	1,083,746	190,801	1,300,495	98%
	8%	8,416,372	7,373,171	1,043,201	8,847,805	95%
Total	61%	66,950,510	56,997,233	9,953,277	68,396,680	98%



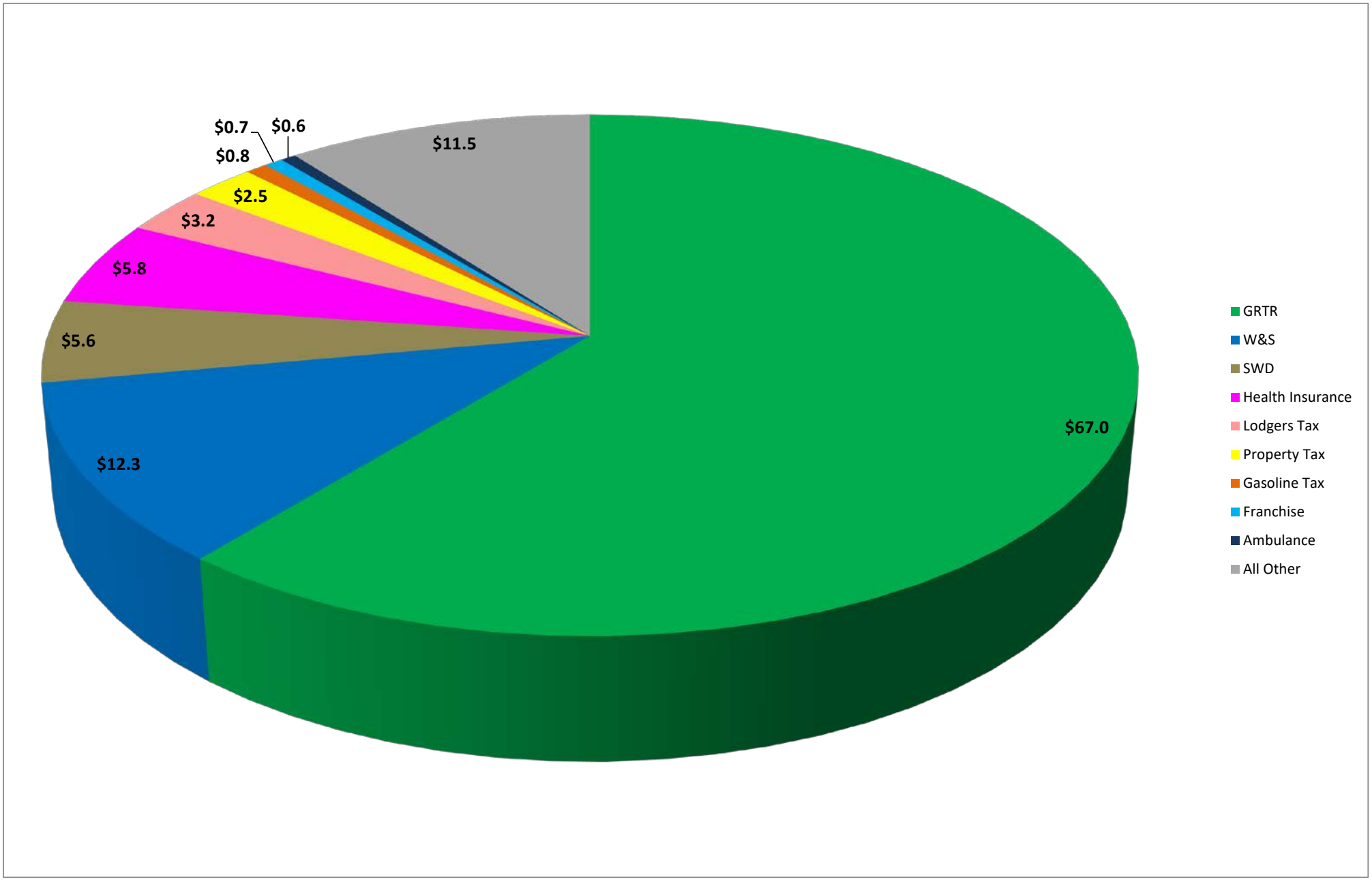


Top 10 Daily Amounts Received

Count	Total Amt Received	Daily Amount	For the Month/Year	Received Month/Year
1	$8,762,449.97	$282,659.68	July 2019	September 2019
2	$7,780,983.22	$259,366.11	June 2019	August 2019
3	$7,482,736.94	$249,424.56	September 2019	November 2019
4	$7,124,006.63	$229,806.67	December 2019	February 2020
5	$6,539,864.13	$210,963.36	August 2019	October 2019
6	$5,949,394.70	$198,313.16	November 2019	January 2020
7	$6,096,873.62	$196,673.34	October 2019	December 2019
8	$5,811,718.94	$193,723.96	November 2018	January 2019
9	$6,000,353.80	$193,559.80	May 2019	July 2019
10	$5,328,159.71	$190,291.42	February 2020	April 2020

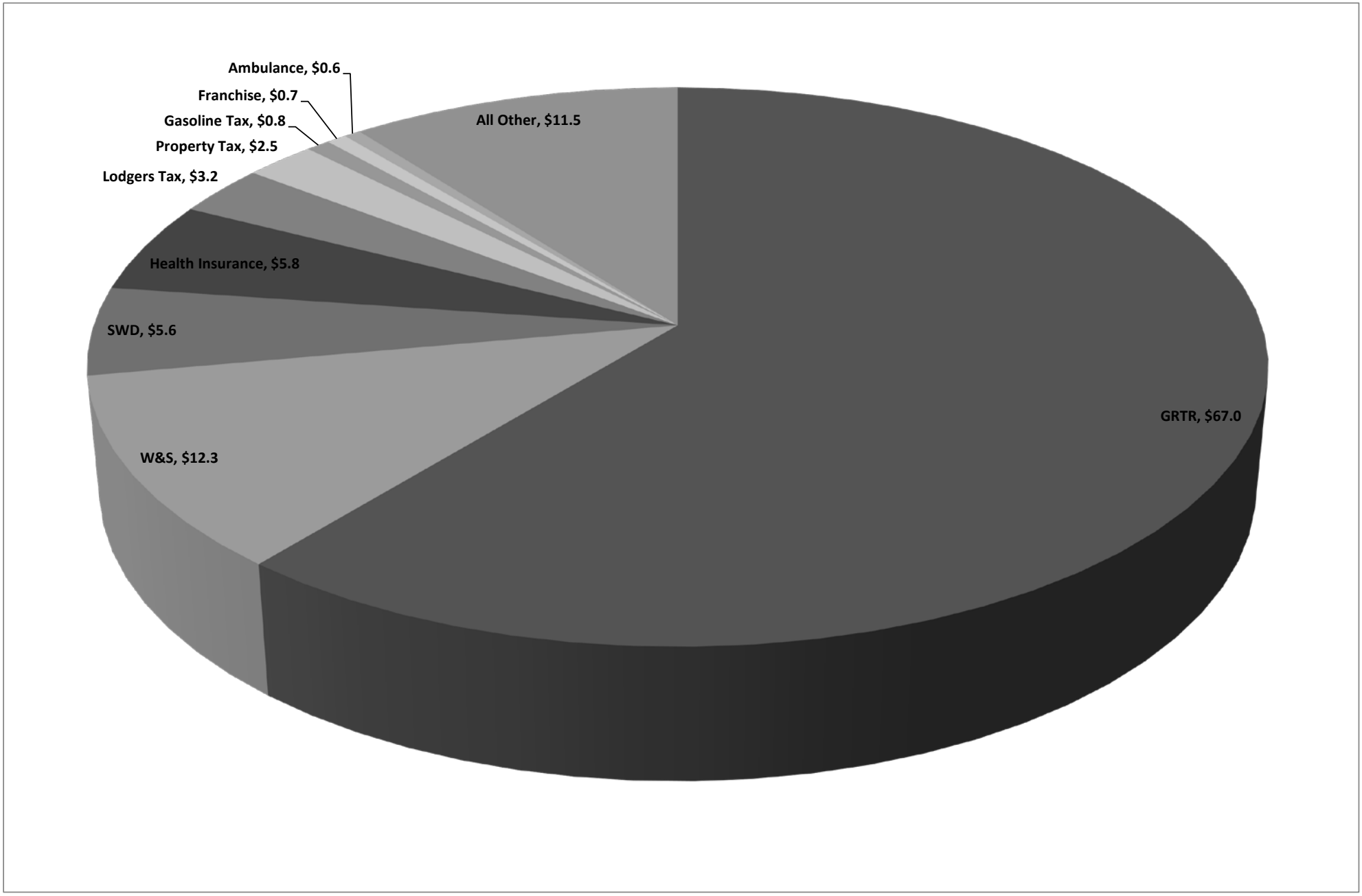
The City of Carlsbad
Total Revenues
FY20 - Period 10 (April 2020)

Total Revenues = $Ms: $109.9



The City of Carlsbad
Total Revenues
FY20 - Period 10 (April 2020)

Total Revenues = $Ms: $109.9



4. Labor

The City of Carlsbad
Labor by Department
FY20 - Period 10 (April 2020)

Fund	Fund Name	Depart	Depart Name	% of Total Labor	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 85%
101	General Fund	10110	Mayor & Council	0.2%	62,370	-	(62,370)	-	
101	General Fund	10111	Executive & Legislative	3.3%	1,353,634	1,586,845	233,210	1,875,362	72%
101	General Fund	10112	Judicial	1.2%	481,912	518,097	36,186	612,297	79%
101	General Fund	10113	City Clerk	0.5%	182,784	-	(182,784)	-	
101	General Fund	10114	Human Resources	0.6%	235,825	256,374	20,549	302,987	78%
101	General Fund	10115	Finance-Admin	2.5%	995,801	1,366,855	371,054	1,615,374	62%
101	General Fund	10116	Finance-Cashiers	0.8%	305,712	-	(305,712)	-	
101	General Fund	10117	Information Technology	1.0%	400,024	469,772	69,748	555,185	72%
			Total Administration	9.9%	4,018,063	4,197,943	179,880	4,961,205	81%
101	General Fund	10120	PD - Admin	1.8%	712,878	11,488,848	10,775,971	13,577,730	
101	General Fund	10121	PD - Patrol	13.0%	5,284,758	-	(5,284,758)	-	
101	General Fund	10122	PD - Detective/Criminal Invest	3.0%	1,199,851	-	(1,199,851)	-	
101	General Fund	10123	PD - Community Services	2.5%	1,017,083	-	(1,017,083)	-	
101	General Fund	10124	PD - Animal Control	0.4%	160,765	-	(160,765)	-	
101	General Fund	10125	PD - Communications	3.2%	1,278,774	-	(1,278,774)	-	
101	General Fund	10126	PD - Traffic	0.9%	366,663	-	(366,663)	-	
101	General Fund	10127	PD - Professional Standards	0.6%	232,277	-	(232,277)	-	
101	General Fund	10128	PD - Records	0.8%	342,486	-	(342,486)	-	
			Total Police Department	26.1%	10,595,535	11,488,848	893,314	13,577,730	78%
101	General Fund	10130	Fire - Admin	2.7%	1,091,805	7,999,666	6,907,861	9,454,151	
101	General Fund	10132	Fire - EMS	1.6%	650,674	-	(650,674)	-	
101	General Fund	10133	Fire - Suppression	15.7%	6,351,477	-	(6,351,477)	-	
101	General Fund	10134	Fire - PFA	0.7%	267,143	-	(267,143)	-	
			Total Fire Department	20.6%	8,361,098	7,999,666	(361,432)	9,454,151	88%
101	General Fund	10140	Community Development	0.7%	302,627	303,739	1,112	358,964	84%
101	General Fund	10141	Library	1.4%	561,498	596,935	35,438	705,469	80%
101	General Fund	10142	Museum	0.5%	213,742	222,957	9,216	263,495	81%
101	General Fund	10144	Airport	0.7%	273,139	328,199	55,060	387,872	70%
101	General Fund	10145	Riverwalk Recreation	0.9%	368,348	399,182	30,834	471,760	78%
101	General Fund	10146	Golf	1.0%	390,847	476,362	85,515	562,973	69%
101	General Fund	10147	Water Park	0.5%	195,889	240,643	44,754	284,396	69%
101	General Fund	10148	Sr. Rec - San Jose	0.5%	185,818	190,968	5,150	225,689	82%
101	General Fund	10149	Sr. Rec - N. Mesa	0.4%	155,210	161,087	5,877	190,376	82%
101	General Fund	10151	Facility Maintenance	2.1%	833,497	969,251	135,754	1,145,479	73%
			Total Community Develepment & Municipal Servcies	8.6%	3,480,614	3,889,323	408,709	4,596,473	76%
101	General Fund	10152	Streets	3.1%	1,275,299	1,443,879	168,581	1,706,403	75%
101	General Fund	10153	Parks	2.1%	870,673	913,388	42,714	1,079,458	81%
101	General Fund	10154	Community Service	0.9%	363,918	387,125	23,207	457,511	80%
101	General Fund	10155	Garage	2.7%	1,106,226	1,239,721	133,496	1,465,125	76%
101	General Fund	10156	Electrical	1.5%	622,901	755,501	132,600	892,865	70%
101	General Fund	10157	Construction	2.1%	857,908	1,011,436	153,529	1,195,334	72%
			Total Public Works	12.6%	5,096,924	5,751,050	654,126	6,796,696	75%
101	General Fund	10158	Projects	1.7%	696,404	967,222	270,819	1,143,081	61%
101	General Fund	10160	Planning & Regulation	1.8%	732,957	715,510	(17,447)	845,603	87%
			Total Projects & Planning	3.5%	1,429,361	1,682,733	253,372	1,988,684	72%
			TOTAL GENERAL FUND	**81.4%**	**32,981,595**	**35,009,564**	**2,027,969**	**41,374,939**	**80%**

The City of Carlsbad
Labor by Department
FY20 - Period 10 (April 2020)

Fund	Fund Name	Depart	Depart Name	% of Total Labor	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 85%
300	Sports Complex	30000	Sports Complex	1.3%	508,535	593,973	85,438	701,968	72%
570	Municipal Transit	57070	Municipal Transit	2.1%	849,812	947,718	97,906	1,120,030	76%
	Total Other Government Funds			**3.4%**	**1,358,347**	**1,541,691**	**183,344**	**1,821,998**	**75%**
720	Solid Waste Disposal	72030	Solid Waste Disposal	4.8%	1,961,695	2,026,478	64,782	2,394,928	82%
	Total Solid Waste Disposal - Enterprise Fund			**4.8%**	**1,961,695**	**2,026,478**	**64,782**	**2,394,928**	**82%**
700	Water & Sewer	70000	Water	4.7%	1,909,841	2,088,588	178,747	2,468,331	77%
700	Water & Sewer	70001	Waste Water	1.9%	789,702	817,544	27,842	966,188	82%
700	Water & Sewer	70002	Double Eagle	1.8%	732,565	697,669	(34,896)	824,518	89%
700	Water & Sewer	70003	Collection System	1.2%	491,192	554,663	63,471	655,511	75%
700	Water & Sewer	70004	Lab Environmental Services	0.8%	313,568	319,718	6,149	377,848	83%
	Total Water & Sewer - Enterprise Fund			**10.5%**	**4,236,868**	**4,478,181**	**241,313**	**5,292,396**	**80%**
	Total Labor			**100%**	**40,538,505**	**43,055,913**	**2,517,408**	**50,884,261**	**80%**

The City of Carlsbad
Total Labor
FY20 - Period 10 (April 2020)

Administration 4,018,063
% of Total Labor 9.9%

Police Dept 10,595,535
% of Total Labor 26.1%

Fire Dept 8,361,098
% of Total Labor 20.6%

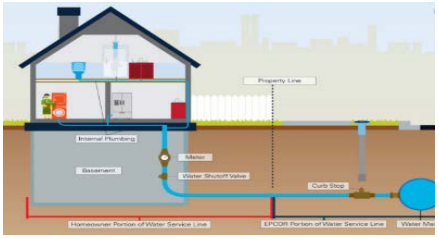
Community Srvcs 3,480,614
% of Total Labor 8.6%

Public Works 5,096,924
% of Total Labor 12.6%

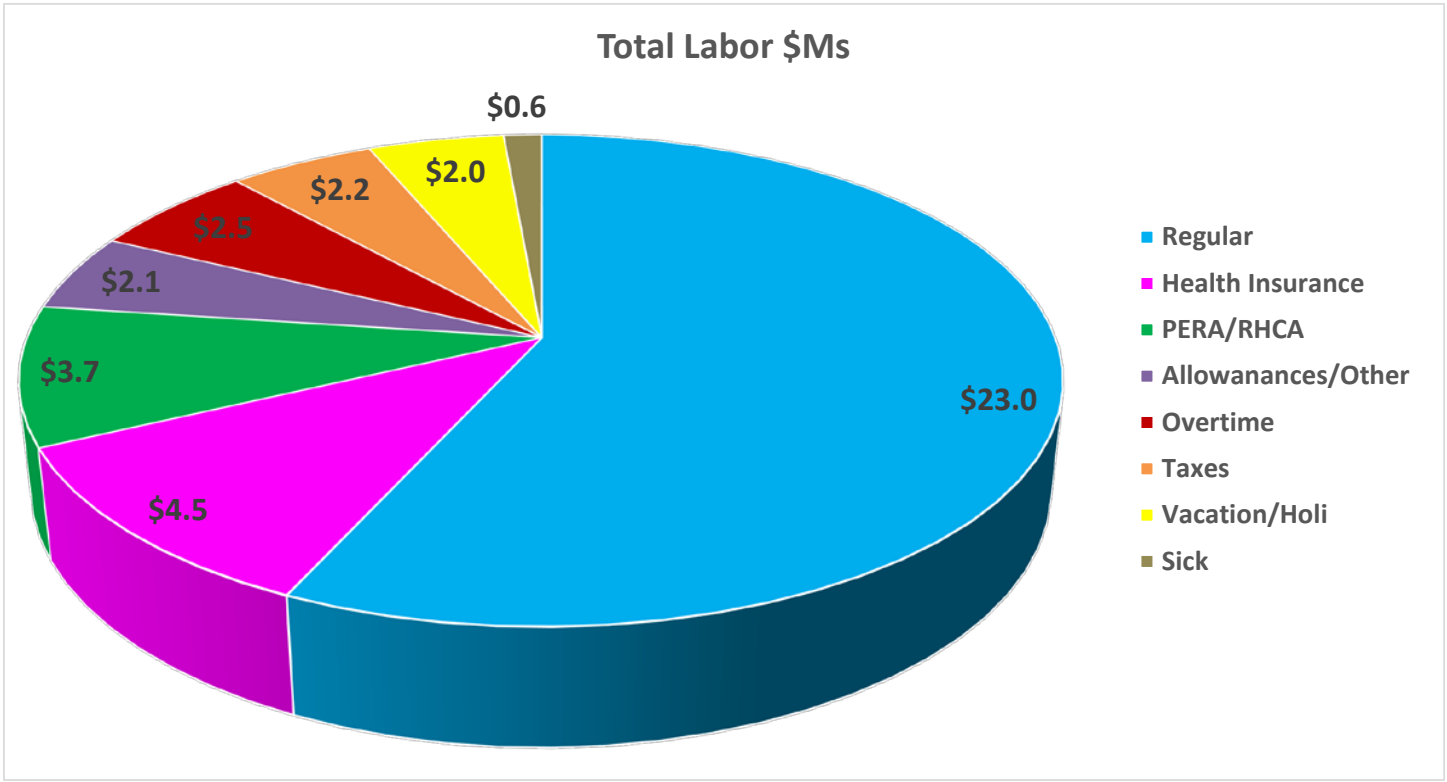
Projects/Planning 1,429,361
% of Total Labor 3.5%

Other Government 1,358,347
% of Total Labor 3.4%

Solid Waste Disposal 1,961,695
% of Total Labor 4.8%



Water & Sewer 4,236,868
% of Total Labor 10.5%



The City of Carlsbad
Total Labor
FY20 - Period 10 (April 2020)

Administration 4,018,063
% of Total Labor 9.9%

Police Dept 10,595,535
% of Total Labor 26.1%

Fire Dept 8,361,098
% of Total Labor 20.6%

Community Srvcs 3,480,614
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Public Works 5,096,924
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% of Total Labor 3.5%

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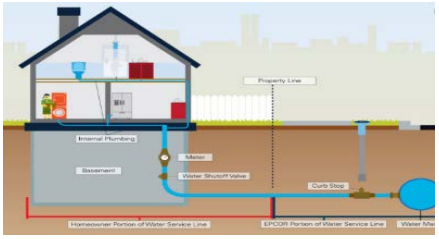
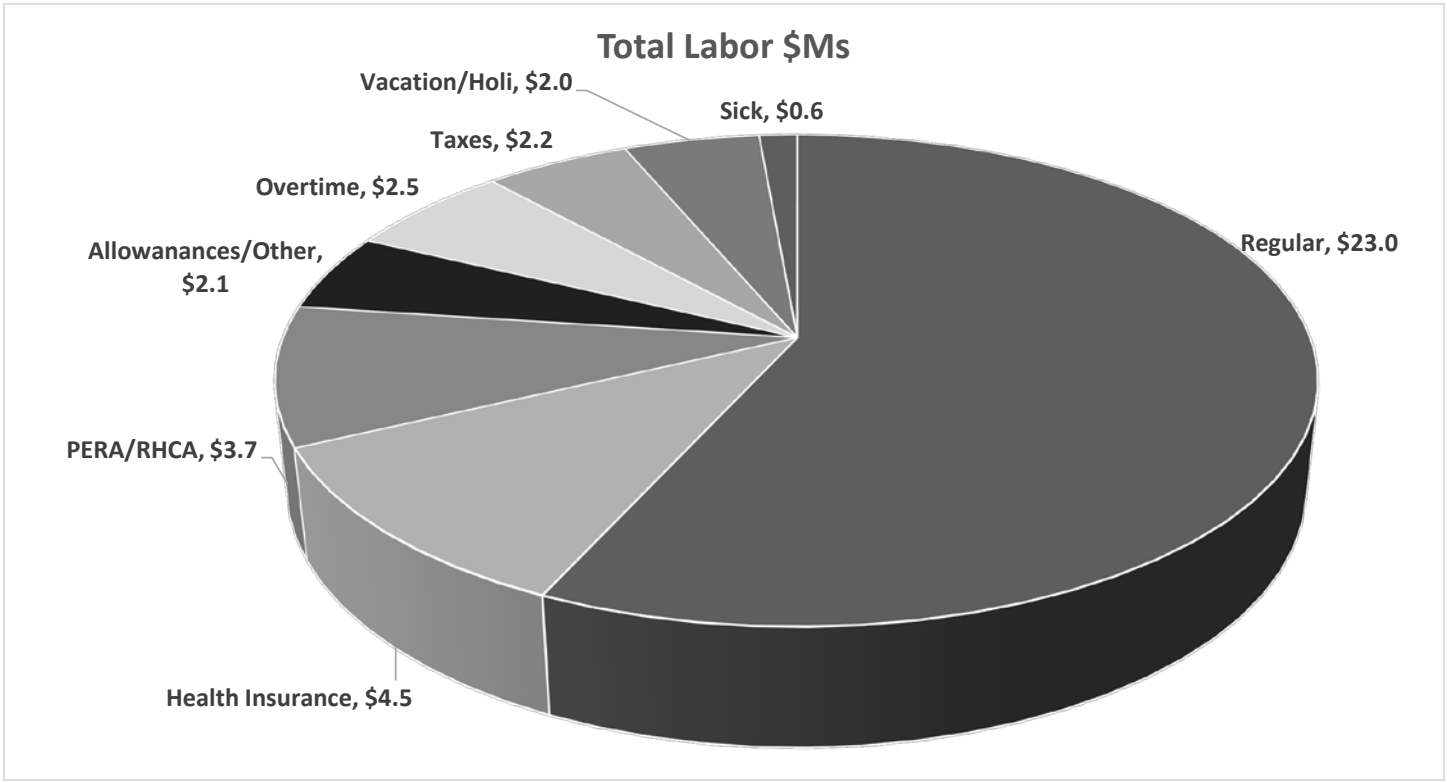
% of Total Labor 3.4%

Solid Waste Disposal 1,961,695
% of Total Labor 4.8%



Water & Sewer 4,236,868
% of Total Labor 10.5%



5. Operations

Fund	Fund Name	Dept	Depart Name	% of Total Costs	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 83%
101	General Fund	10110	Mayor & Council	0.0%	15,584	-	(15,584)	-	
101	General Fund	10111	Executive & Legislative	2.4%	1,130,354	1,499,896	369,542	1,799,875	63%
101	General Fund	10112	Judicial	0.1%	42,827	68,512	25,685	82,214	52%
101	General Fund	10113	City Clerk	0.0%	9,417	-	(9,417)	-	
101	General Fund	10114	Human Resources	0.0%	6,347	7,250	903	8,700	73%
101	General Fund	10115	Finance-Admin	1.2%	568,600	1,171,333	602,733	1,405,600	40%
101	General Fund	10116	Finance-Cashiers	0.0%	4,136	-	(4,136)	-	
101	General Fund	10117	Information Technology	1.1%	499,229	468,732	(30,497)	562,479	89%
101	General Fund	10119	GRTR Fees	1.4%	649,310	-	(649,310)	-	
	Total Administration			6.2%	2,925,804	3,215,723	289,919	3,858,868	76%
101	General Fund	10120	PD - Admin	2.9%	1,347,142	1,581,252	234,110	1,897,502	71%
101	General Fund	10121	PD - Patrol	0.1%	52,121	-	(52,121)	-	
101	General Fund	10122	PD - Detective/Criminal Invest	0.0%	77	-	(77)	-	
101	General Fund	10123	PD - Community Services	0.0%	205	-	(205)	-	
101	General Fund	10124	PD - Animal Control	0.0%	105	-	(105)	-	
101	General Fund	10125	PD - Communications	0.0%	967	-	(967)	-	
101	General Fund	10126	PD - Traffic	0.0%	2,199	-	(2,199)	-	
	Total Police Department			3.0%	1,402,816	1,581,252	178,436	1,897,502	74%
101	General Fund	10130	Fire - Admin	0.9%	432,296	1,047,708	615,412	1,257,249	34%
101	General Fund	10131	Fire - Operations	0.6%	266,086	-	(266,086)	-	
101	General Fund	10132	Fire - EMS	0.1%	53,199	-	(53,199)	-	
101	General Fund	10133	Fire - Suppression	0.1%	68,319	-	(68,319)	-	
101	General Fund	10134	Fire - PFA	0.1%	70,208	-	(70,208)	-	
101	General Fund	10135	Fire - Specialty Teams	0.0%	10,095	-	(10,095)	-	
	Total Fire Department			1.9%	900,203	1,047,708	147,505	1,257,249	72%
101	General Fund	10140	Community Development	0.2%	105,563	121,998	16,435	146,397	72%
101	General Fund	10141	Library	0.3%	146,982	176,357	29,374	211,628	69%
101	General Fund	10142	Museum	0.2%	93,118	102,917	9,799	123,500	75%
101	General Fund	10143	Performing Arts Center	0.2%	115,373	130,333	14,961	156,400	74%
101	General Fund	10144	Airport	0.2%	72,896	85,623	12,727	102,748	71%
101	General Fund	10145	Riverwalk Recreation	0.2%	104,078	123,125	19,047	147,750	70%
101	General Fund	10146	Golf	0.9%	409,244	543,583	134,339	652,300	63%
101	General Fund	10147	Water Park	0.1%	67,552	113,250	45,698	135,900	50%
101	General Fund	10148	Sr. Rec - San Jose	0.1%	30,912	45,767	14,855	54,920	56%
101	General Fund	10149	Sr. Rec - N. Mesa	0.1%	41,286	53,250	11,964	63,900	65%
101	General Fund	10150	Sr. Rec - Pate	0.0%	7,538	10,917	3,379	13,100	58%
101	General Fund	10151	Facility Maintenance	0.3%	147,248	251,546	104,298	301,855	49%
	Total Community Develepment & Municipal Servcies			2.9%	1,341,790	1,758,665	416,875	2,110,398	64%
101	General Fund	10152	Streets	1.5%	722,685	854,968	132,283	1,025,962	70%
101	General Fund	10153	Parks	1.5%	692,876	875,802	182,926	1,050,963	66%
101	General Fund	10154	Community Service	0.1%	29,631	39,167	9,536	47,000	63%
101	General Fund	10155	Garage	0.2%	98,190	102,667	4,476	123,200	80%
101	General Fund	10156	Electrical	0.1%	36,116	42,833	6,717	51,400	70%
101	General Fund	10157	Construction	0.1%	35,385	48,021	12,635	57,625	61%
101	General Fund	10161	Cemetery	0.9%	439,916	452,350	12,434	542,820	81%
	Total Public Works			4.4%	2,054,800	2,415,808	361,008	2,898,970	71%
101	General Fund	10158	Projects	0.0%	18,077	35,667	17,590	42,800	42%
101	General Fund	10160	Planning & Regulation	0.6%	259,710	546,417	286,707	655,700	40%
	Total Projects & Planning			0.6%	277,787	582,083	304,296	698,500	40%
	TOTAL GENERAL FUND			**19.0%**	**8,903,199**	**10,601,238**	**1,698,039**	**12,721,486**	**70%**
200	GRT Capital Outlay	20000	GRT Capital Outlay	0.3%	140,260	125,529	(14,731)	150,635	93%
201	Capital Projects	20101	Capital Projects	2.1%	1,000,000	833,333	(166,667)	1,000,000	100%
202	Airport Improvements	20202	Airport Improvements	0.0%	12,495	62,260	49,765	74,712	17%
230	Landfill-Closure	23030	Landfill-Closure	0.0%	19,876	74,167	54,291	89,000	22%
240	Landfill-Construction	24040	Landfill-Construction	2.5%	1,160,184	1,175,153	14,969	1,410,184	82%

Fund	Fund Name	Dept	Depart Name	% of Total Costs	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 83%
	Total Capital Funds			**5.0%**	**2,332,816**	**2,270,442**	**(62,373)**	**2,724,531**	**86%**
300	Sports Complex	30000	Sports Complex	0.8%	389,607	439,646	50,039	527,575	74%
320	Streets Improvement	32020	Streets Improvement	0.0%	-	75,000	75,000	90,000	0%
350	Local Government Correction	35050	Local Government Correction	0.4%	199,366	437,500	238,134	525,000	38%
	Total Special Revenue Funds			**1.3%**	**588,973**	**952,146**	**363,173**	**1,142,575**	**52%**
400	Disaster Preparedness	40000	Disaster Preparedness	7.5%	3,542,617	3,010,514	(532,103)	3,612,617	98%
401	Insurance	40101	Insurance	2.7%	1,250,596	1,125,990	(124,606)	1,351,188	93%
402	Workers' Compensation	40202	Workers' Compensation	0.9%	433,256	529,167	95,910	635,000	68%
420	Health Insurance	42020	Health Insurance	12.1%	5,659,141	5,041,667	(617,474)	6,050,000	94%
	Total Insurance Funds			**23.2%**	**10,885,610**	**9,707,337**	**(1,178,273)**	**11,648,805**	**93%**
500	Fire Protection	50000	Fire Protection	0.0%	4,920	-	(4,920)	-	
520	Law Enforcement Protection	52020	Law Enforcement Protection	0.1%	58,663	57,500	(1,163)	69,000	85%
550	Beautification	55050	Beautification	0.1%	29,270	38,420	9,150	46,104	63%
570	Municipal Transit	57070	Municipal Transit	0.3%	126,222	166,021	39,799	199,225	63%
	Total Grant Funds			**0.5%**	**219,075**	**261,941**	**42,866**	**314,329**	**70%**
600	LT-Promotional	60000	LT-Promotional	1.7%	787,103	1,774,714	987,611	2,129,657	37%
650	LT-Non Promotional	65000	LT-Non Promotional	1.1%	494,628	617,664	123,037	741,197	67%
	Total Lodgers' Tax			**2.7%**	**1,281,730**	**2,392,378**	**1,110,648**	**2,870,854**	**45%**
700	Water & Sewer	70000	Water	3.7%	1,739,976	2,100,304	360,328	2,520,364	69%
700	Water & Sewer	70001	Waste Water	0.8%	362,480	364,215	1,735	437,058	83%
700	Water & Sewer	70002	Double Eagle	0.4%	210,020	268,750	58,730	322,500	65%
700	Water & Sewer	70003	Collection System	0.5%	253,099	324,857	71,758	389,829	65%
700	Water & Sewer	70004	Lab Environmental Services	0.1%	31,678	35,000	3,322	42,000	75%
	Total Water & Sewer			**5.5%**	**2,597,253**	**3,093,126**	**495,873**	**3,711,751**	**70%**
720	Solid Waste Disposal	72030	Solid Waste Disposal	1.9%	914,207	971,375	57,168	1,165,650	78%
720	Solid Waste Disposal	72031	Sandpoint Landfill	1.8%	821,318	1,250,000	428,682	1,500,000	55%
	Total Solid Waste Disposal			**3.7%**	**1,735,525**	**2,221,375**	**485,850**	**2,665,650**	**65%**
750	Special Museum	75060	Special Museum	0.0%	7,745	9,167	1,422	11,000	70%
	Other Enterprise Funds			**0.0%**	**7,745**	**9,167**	**1,422**	**11,000**	**70%**
800	Bonds-Water & Sewer	80001	Bonds-2009 W&S	27.5%	12,885,260	11,072,818	(1,812,441)	13,287,382	97%
802	Bonds-GRT Capital Outlay	80202	Bonds-GRT Capital Outlay	0.1%	29,321	3,534,881	3,505,560	4,241,857	1%
820	NMFA-Governmental	82020	NMFA-Governmental	8.6%	4,022,822	470,074	(3,552,748)	564,089	713%
850	NMFA-Water & Sewer	85050	NMFA-Water & Sewer	2.8%	1,331,397	1,873,337	541,939	2,248,004	59%
870	NMFA-Solid Waste Disposal	87070	NMFA-Solid Waste Disposal	0.0%	5,502	105,173	99,671	126,207	4%
	Total Debt Service			**38.9%**	**18,274,301**	**17,056,283**	**(1,218,019)**	**20,467,539**	**89%**
900	Permanent W&S	90000	Permanent W&S	0.0%	8,265	9,167	902	11,000	75%
950	WIPP Accel Impact	95050	WIPP Accel Impact	0.2%	91,013	75,833	(15,179)	91,000	100%
	Total Agency Funds			**0.2%**	**99,278**	**85,000**	**(14,278)**	**102,000**	**97%**
	Total Operations			**100.0%**	**46,925,505**	**48,650,433**	**1,724,928**	**58,380,520**	**80%**

6. Capital & Project Central

Fund	Fund Name	Dept	Depart Name	% of Total Costs	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 83%
101	General Fund	10111	Executive & Legislative	0.8%	210,931	284,917	73,986	341,900	62%
101	General Fund	10112	Judicial	0.0%	8,820	30,238	21,418	36,286	24%
101	General Fund	10113	City Clerk	0.5%	130,868	133,333	2,465	160,000	
101	General Fund	10115	Finance-Admin	0.6%	143,246	182,306	39,060	218,767	65%
101	General Fund	10117	Information Technology	0.3%	85,000	71,926	(13,074)	86,311	98%
	Total Administration			2.3%	578,864	702,720	123,856	843,264	69%
101	General Fund	10120	PD - Admin	2.1%	542,459	686,099	143,640	823,319	66%
101	General Fund	10121	PD - Patrol	0.0%	-	-	-	-	
101	General Fund	10122	PD - Detective/Criminal Invest	0.0%	-	-	-	-	
101	General Fund	10123	PD - Community Services	0.0%	-	-	-	-	
101	General Fund	10124	PD - Animal Control	0.0%	-	-	-	-	
101	General Fund	10125	PD - Communications	0.0%	-	-	-	-	
101	General Fund	10126	PD - Traffic	0.0%	-	-	-	-	
	Total Police Department			2.1%	542,459	686,099	143,640	823,319	66%
101	General Fund	10130	Fire - Admin	3.0%	773,585	1,897,638	1,124,053	2,277,165	34%
101	General Fund	10131	Fire - Operations	0.0%	-	-	-	-	
101	General Fund	10132	Fire - EMS	0.0%	-	-	-	-	
101	General Fund	10133	Fire - Suppression	0.0%	-	-	-	-	
101	General Fund	10134	Fire - PFA	0.0%	-	-	-	-	
101	General Fund	10135	Fire - Specialty Teams	0.0%	-	-	-	-	
	Total Fire Department			3.0%	773,585	1,897,638	1,124,053	2,277,165	34%
101	General Fund	10140	Community Development	0.4%	90,101	306,169	216,068	367,403	25%
101	General Fund	10141	Library	0.1%	15,000	115,000	100,000	138,000	11%
101	General Fund	10142	Museum	0.1%	27,915	482,500	454,585	579,000	5%
101	General Fund	10143	Performing Arts Center	1.7%	437,748	458,333	20,585	550,000	80%
101	General Fund	10144	Airport	0.2%	62,160	253,244	191,083	303,892	20%
101	General Fund	10145	Riverwalk Recreation	0.1%	37,416	130,242	92,825	156,290	24%
101	General Fund	10146	Golf	0.7%	178,375	471,750	293,375	566,100	32%
101	General Fund	10147	Water Park	0.0%	-	8,333	8,333	10,000	0%
101	General Fund	10149	Sr. Rec - N. Mesa	0.2%	39,496	60,683	21,188	72,820	54%
101	General Fund	10150	Sr. Rec - Pate	0.0%	-	62,500	62,500	75,000	0%
101	General Fund	10151	Facility Maintenance	0.4%	102,128	102,309	182	122,771	83%
	Total Community Development & Municipal Servcies			3.9%	990,338	2,451,064	1,460,725	2,941,276	34%
101	General Fund	10152	Streets	0.3%	85,253	260,740	175,488	312,888	27%
101	General Fund	10153	Parks	2.7%	690,814	1,265,289	574,474	1,518,347	45%
101	General Fund	10155	Garage	0.1%	33,607	57,083	23,476	68,500	49%
101	General Fund	10156	Electrical	0.1%	35,539	29,616	(5,923)	35,539	100%
101	General Fund	10157	Construction	0.1%	19,511	17,500	(2,011)	21,000	93%
101	General Fund	10161	Cemetery	0.2%	53,203	264,167	210,964	317,000	17%
	Total Public Works			3.6%	917,927	1,894,395	976,468	2,273,274	40%
101	General Fund	10158	Projects	2.8%	717,996	916,667	198,670	1,100,000	65%
101	General Fund	10160	Planning & Regulation	0.6%	146,871	558,333	411,462	670,000	22%
	Total Projects & Planning			3.4%	864,867	1,475,000	610,133	1,770,000	49%
	TOTAL GENERAL FUND			**18.3%**	**4,668,041**	**9,106,915**	**4,438,875**	**10,928,299**	**43%**
200	GRT Capital Outlay	20000	GRT Capital Outlay	1.5%	392,669	531,095	138,426	637,314	62%
201	Capital Projects	20101	Capital Projects	19.4%	4,945,493	9,429,958	4,484,464	11,315,949	44%
202	Airport Improvements	20202	Airport Improvements	9.5%	2,413,815	3,060,279	646,464	3,672,335	66%
220	Landfill-Reserve	22020	Landfill-Reserve	0.0%	-	8,333	8,333	10,000	0%
	Total Capital Funds			**30.4%**	**7,751,977**	**13,029,665**	**5,277,688**	**15,635,598**	**50%**

Fund	Fund Name	Dept	Depart Name	% of Total Costs	July - Sept Actual	July - Sept Adj Bud	July - Sept Fav(Unfav)	Total FY Budget	FY Target 83%
300	Sports Complex	30000	Sports Complex	0.7%	171,242	250,279	79,037	300,335	57%
320	Streets Improvement	32020	Streets Improvement	5.2%	1,331,617	3,085,638	1,754,021	3,702,766	36%
	Total Special Revenue Funds			**5.9%**	**1,502,859**	**3,335,917**	**1,833,058**	**4,003,101**	**38%**
500	Fire Protection	50000	Fire Protection	1.1%	282,486	751,904	469,418	902,285	31%
501	Emergency Medical Services	50101	Emergency Medical Services	0.1%	19,995	16,667	(3,328)	20,000	100%
570	Municipal Transit	57070	Municipal Transit	0.0%	-	254,569	254,569	305,483	0%
580	CDBG Grant	58080	CDBG Grant	0.0%	5,000	500,000	495,000	600,000	1%
	Total Grant Funds			**1.2%**	**307,481**	**1,523,140**	**1,215,659**	**1,827,768**	**17%**
600	LT-Promotional	60000	LT-Promotional	0.0%	8,328	67,494	59,167	80,993	10%
650	LT-Non Promotional	65000	LT-Non Promotional	4.8%	1,221,575	3,676,320	2,454,745	4,411,584	28%
	Total Lodgers' Tax			**4.8%**	**1,229,903**	**3,743,814**	**2,513,911**	**4,492,577**	**27%**
700	Water & Sewer	70000	Water	2.0%	501,647	3,403,263	2,901,615	4,083,915	12%
700	Water & Sewer	70001	Waste Water	1.2%	304,506	750,000	445,494	900,000	34%
700	Water & Sewer	70002	Double Eagle	33.7%	8,584,519	9,154,018	569,499	10,984,822	78%
700	Water & Sewer	70003	Collection System	0.3%	87,701	1,621,431	1,533,730	1,945,717	5%
	Total Water & Sewer			**37.2%**	**9,478,373**	**14,928,712**	**5,450,339**	**17,914,454**	**53%**
720	Solid Waste Disposal	72030	Solid Waste Disposal	2.1%	541,584	458,333	(83,251)	550,000	98%
	Total Solid Waste Disposal			**2.1%**	**541,584**	**458,333**	**(83,251)**	**550,000**	**98%**
	Total Capital			**100.0%**	**25,480,218**	**46,126,497**	**20,646,279**	**55,351,796**	**46%**

City of Carlsbad, NM
Project Central
as of: May 21, 2020

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100164	FY20-SENMEDD	OA	111	Executive & Legislative	Closed	7,641.00	7,641.00	-	-	-
100165	FY20-Mainstreet	OA	111	Executive & Legislative	Active	72,000.00	54,000.00	18,000.00	18,000.00	-
100166	FY20-SNMCAC	OA	111	Executive & Legislative	Active	10,500.00	7,875.00	2,625.00	7,125.00	-
100167	FY20-CMC Reading Academy	OA	111	Executive & Legislative	Closed	39,000.00	39,000.00	-	-	-
100168	FY20-CMC Citizenship	OA	111	Executive & Legislative	Closed	7,000.00	7,000.00	-	-	-
100169	FY20-CMC Tutoring Program	OA	111	Executive & Legislative	Closed	25,000.00	25,000.00	-	-	-
100170	FY20-CMC Natatorium	OA	111	Executive & Legislative	Closed	20,000.00	13,000.00	7,000.00	-	-
100171	FY20-CMC STEAM	OA	111	Executive & Legislative	Closed	15,000.00	15,000.00	-	-	-
100172	FY20-Comm of Hope	OA	111	Executive & Legislative	Closed	18,000.00	18,000.00	-	-	-
100173	FY20-Transitional Housing	OA	111	Executive & Legislative	Closed	32,000.00	32,000.00	-	-	-
100174	FY20-Teen Court	OA	111	Executive & Legislative	Active	24,000.00	18,000.00	6,000.00	6,000.00	-
100175	FY20-COC Retirement	OA	111	Executive & Legislative	Active	45,000.00	32,663.30	12,336.70	12,336.70	-
100176	FY20-Child Advocacy	OA	111	Executive & Legislative	Active	20,000.00	15,000.00	5,000.00	5,000.00	-
100177	FY20-ELEA	OA	111	Executive & Legislative	Closed	40,000.00	-	40,000.00	-	-
100178	FY20-Crimestoppers	OA	111	Executive & Legislative	Closed	10,000.00	10,000.00	-	-	-
100179	FY20-Boys & Girls Club	OA	111	Executive & Legislative	Closed	51,000.00	51,000.00	-	-	-
100180	FY20-CMC Recreation Program	OA	111	Executive & Legislative	Closed	15,000.00	15,000.00	-	-	-
100181	FY20-CDOD	OA	111	Executive & Legislative	Active	344,000.00	267,999.97	76,000.03	76,000.03	-
100245	CO-Mainstreet	OA	111	Executive & Legislative	Closed	5,687.50	5,687.50	-	-	-
100246	CO-SNMCAC	OA	111	Executive & Legislative	Closed	2,500.00	2,500.00	-	-	-
100247	CO-Teen Court	OA	111	Executive & Legislative	Closed	4,725.00	4,725.00	-	-	-
100248	CO-COC Retirement	OA	111	Executive & Legislative	Closed	5,360.00	-	5,360.00	-	-
100263	FY20-Mission Carlsbad	OA	111	Executive & Legislative	Closed	10,000.00	10,000.00	-	-	-
100274	FY20-City Improvement Projects	CAP	111	Executive & Legislative	Active	191,900.00	210,930.89	(19,030.89)	25,460.18	-
100307	FY20-Council Chamber Remodel	CAP	111	Executive & Legislative	Active	150,000.00	-	150,000.00	1,926.86	-
100002	FY20-Heavy Dty Chairs/Gnging Device	CAP	112	Judicial	Closed	11,285.81	8,820.00	2,465.81	-	-
100003	FY20-Justice Systems Inc	CAP	112	Judicial	Closed	25,000.00	-	25,000.00	-	-
100004	FY20-Intercom/Speaker System	OP	112	Judicial	Active	3,714.19	-	3,714.19	3,714.19	-
100001	FY20-City Clerk-Document Management	CAP	113	City Clerk	Active	160,000.00	130,867.93	29,132.07	27,287.14	-
100125	CO-Tyler-Munis	CAP	115	Finance-Admin	Active	218,766.95	143,245.67	75,521.28	11,254.56	-
100227	CO-Fiber Network	CAP	117	Information Technology	Closed	85,000.00	85,000.00	-	-	-
100291	FY20-Cameras Heritage Park	OP	117	Information Technology	Closed	6,000.00	4,688.65	1,311.35	-	-
100010	FY20-Panasonic VOIP Phone System	CAP	120	PD - Admin	Closed	85,000.00	73,879.40	11,120.60	-	-
100011	FY20-Evidence Room Expansion	CAP	120	PD - Admin	Active	16,000.00	12,209.45	3,790.55	3,766.04	-
100012	FY20-Mobile Storage	CAP	120	PD - Admin	Active	28,000.00	26,121.24	1,878.76	909.50	-
100013	FY20-Cargo Trailer	CAP	120	PD - Admin	Closed	9,000.00	9,000.00	-	-	-
100014	FY20-2020 Chevrolet Silverado 2500	CAP	120	PD - Admin	Active	42,709.00	-	42,709.00	41,910.68	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100015	FY20-PD 3rd Floor Lighting Upgrade	CAP	120	PD - Admin	Closed	8,000.00	7,879.39	120.61	-	-
100016	FY20-Radio Monitoring System	CAP	120	PD - Admin	Closed	22,100.00	22,056.62	43.38	-	-
100017	FY20-Evidence Unit Bed Toppers	CAP	120	PD - Admin	Closed	11,000.00	8,500.00	2,500.00	-	-
100018	FY20-4th Floor Remodel	CAP	120	PD - Admin	Active	50,000.00	-	50,000.00	46,287.69	-
100019	FY20-Police Units	CAP	120	PD - Admin	Active	302,500.00	170,022.38	132,477.62	131,884.57	-
100020	FY20-Police Unit Upfits	CAP	120	PD - Admin	Closed	126,500.00	126,456.26	43.74	-	-
100021	FY20-Tactical Electronic Core Pole	CAP	120	PD - Admin	Closed	9,700.00	9,665.69	34.31	-	-
100022	FY20-Ultimate Training Munitions	OP	120	PD - Admin	Closed	9,285.00	7,749.00	1,536.00	-	-
100023	FY20-FARO	CAP	120	PD - Admin	Closed	60,000.00	58,161.16	1,838.84	-	-
100024	FY20-FARO Handheld Scanner	CAP	120	PD - Admin	Closed	10,000.00	9,434.41	565.59	-	-
100025	FY20-IAPro and BlueTeam	CAP	120	PD - Admin	Closed	19,650.00	16,626.00	3,024.00	-	-
100126	CO-Tyler-New World Public Safety	CAP	120	PD - Admin	Closed	1,682.05	-	1,682.05	-	-
100293	FY20-Portable Light	CAP	120	PD - Admin	Closed	-	-	-	-	-
100294	FY20-Gate Repair	CAP	120	PD - Admin	Closed	10,000.00	8,010.56	1,989.44	-	-
100308	FY20-Kinetic Breaching Tool	CAP	120	PD - Admin	Active	10,000.00	9,741.00	259.00	-	-
100026	FY20-Ambulance	CAP	130	Fire - Admin	Active	270,000.00	17,503.80	252,496.20	249,818.00	-
100027	FY20-A-1/PFA Remodel	CAP	130	Fire - Admin	Active	75,000.00	17,066.99	57,933.01	9,611.59	-
100028	FY20-Auto Pulse	CAP	130	Fire - Admin	Closed	70,875.00	70,875.00	-	-	-
100029	FY20-2-D Scanner	CAP	130	Fire - Admin	Closed	11,000.00	8,962.76	2,037.24	-	-
100030	FY20-Station 2 Remodel	CAP	130	Fire - Admin	Active	60,000.00	12,917.49	47,082.51	38,752.49	-
100031	FY20-Admin Vehicle	CAP	130	Fire - Admin	Closed	40,000.00	39,732.68	267.32	-	-
100032	FY20-Cardiac Monitor	CAP	130	Fire - Admin	Closed	35,000.00	33,610.00	1,390.00	-	-
100033	FY20-U-capit Lockers	CAP	130	Fire - Admin	Closed	-	-	-	-	-
100034	FY20-SCBA s	CAP	130	Fire - Admin	Closed	22,000.00	18,821.70	3,178.30	-	-
100035	FY20-Vehicle Scanner	CAP	130	Fire - Admin	Closed	15,000.00	14,995.00	5.00	-	-
100036	FY20-Tire Changing Machine	CAP	130	Fire - Admin	Closed	13,000.00	7,862.49	5,137.51	-	-
100037	FY20-Tire Balancer	CAP	130	Fire - Admin	Closed	8,000.00	6,768.98	1,231.02	-	-
100214	CO-Fire Station 6	CAP	130	Fire - Admin	Active	2,767,285.00	1,668,573.07	1,098,711.93	957,015.53	-
100228	CO-Tyler	CAP	130	Fire - Admin	Closed	-	-	-	-	-
100229	CO-Portable Light Tower	CAP	130	Fire - Admin	Closed	9,990.00	9,990.00	-	-	-
100276	FY20-Boat Motor	CAP	130	Fire - Admin	Closed	15,000.00	12,450.00	2,550.00	-	-
100280	FY20-Bunker Gear	OP	130	Fire - Admin	Active	125,000.00	-	125,000.00	93,953.60	-
100284	FY20-Exhaust Extraction System	CAP	130	Fire - Admin	Active	147,300.27	-	147,300.27	145,800.00	-
100084	FY20-Potash Park	CAP	140	Community Development	Closed	80,000.00	-	80,000.00	-	-
100085	FY20-Alnon Building	CAP	140	Community Development	Closed	20,000.00	19,692.00	308.00	-	-
100086	FY20-HAP Phase 3	CAP	140	Community Development	Active	206,603.00	27,436.98	179,166.02	179,005.12	-
100290	FY20-EDD Mainstreet Grant	OP	140	Community Development	Closed	50,000.00	50,000.00	-	-	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100297	CO-PRV Gazebo	CAP	140	Community Development	Closed	65,800.00	65,772.75	27.25	-	-
100073	FY20-Security Camera System Upgrade	CAP	141	Library	Closed	15,000.00	15,000.00	-	-	-
100074	FY20-Phased Lighting	CAP	141	Library	Active	40,020.00	-	40,020.00	40,016.14	-
100075	FY20-Flooring	CAP	141	Library	Active	34,980.00	24,818.82	10,161.18	9,210.53	-
100076	FY20-Shelving & Seating	CAP	141	Library	Closed	48,000.00	-	48,000.00	-	-
100260	FY20-Library State-Grants-in-Aid	OP	141	Library	Active	9,403.85	9,026.39	377.46	-	-
100261	FY20-Library GO Bond	OP	141	Library	Active	73,723.85	16,364.52	57,359.33	-	-
100077	FY20-HVAC Upgrade	CAP	142	Museum	Active	570,000.00	21,324.12	548,675.88	535,064.26	-
100078	FY20-HAP Camera Upgrade	CAP	142	Museum	Active	9,000.00	6,590.53	2,409.47	-	-
100090	FY20-Parking Lot Improvements	CAP	143	Performing Arts Center	Active	72,364.54	22,793.12	49,571.42	8,111.55	-
100132	CO-Fire Suppression System	CAP	143	Performing Arts Center	Closed	396,235.46	396,235.46	-	-	-
100302	FY-20 Performing Arts Bldg Impv	CAP	143	Performing Arts Center	Active	81,400.00	24,551.67	56,848.33	56,835.84	-
100064	FY20-Crack Seal/Surface Seal	CAP	144	Airport	Closed	70,000.00	69,431.54	568.46	-	-
100065	FY20-Hard Stands on Ramp	CAP	144	Airport	Active	160,000.00	7,268.19	152,731.81	142,991.27	-
100066	FY20-Snow Plow Attachment	CAP	144	Airport	Closed	6,088.92	6,088.92	-	-	-
100232	CO-Fencing-Airport	CAP	144	Airport	Closed	48,803.33	48,803.33	-	-	-
100316	FY20-Sewer line replacement	CAP	144	Airport	Closed	19,000.00	-	19,000.00	-	-
100005	FY20-Security Cameras	CAP	145	Riverwalk Recreation	Active	18,000.00	13,527.42	4,472.58	4,472.28	-
100006	FY20-LED Lighting	CAP	145	Riverwalk Recreation	Closed	7,000.00	7,000.00	-	-	-
100007	FY20-Exterior Paint/Construction	CAP	145	Riverwalk Recreation	Active	99,010.00	6,458.75	92,551.25	2,152.91	-
100008	FY20-Gas Vents	CAP	145	Riverwalk Recreation	Closed	16,290.00	-	16,290.00	-	-
100009	FY20-High Volume Ceiling Fans	CAP	145	Riverwalk Recreation	Active	15,990.00	10,430.00	5,560.00	5,560.00	-
100047	FY20-Recirculation/Aeration	CAP	146	Golf	Active	123,080.00	89,230.09	33,849.91	33,792.50	-
100048	FY20-Pro Shop Repairs/Paint	CAP	146	Golf	Active	253,100.00	67,997.54	185,102.46	185,004.92	-
100049	FY20-John Deere Gator 2030A	CAP	146	Golf	Closed	29,000.00	28,891.73	108.27	-	-
100050	FY20-John Deere TC125	CAP	146	Golf	Closed	14,000.00	11,394.12	2,605.88	-	-
100051	FY20-Pond #7 Fill	CAP	146	Golf	Closed	26,920.00	26,911.45	8.55	-	-
100052	FY20-Driving Range Lighting	CAP	146	Golf	Active	50,000.00	-	50,000.00	19,539.64	-
100127	CO-Effluent Pond	CAP	146	Golf	Active	70,000.00	21,947.18	48,052.82	21,087.00	-
100072	FY20-Security System	CAP	147	Water Park	Active	10,000.00	-	10,000.00	-	9,727.60
100088	FY20-Update Doors	CAP	149	Sr. Rec - N. Mesa	Active	18,088.75	-	18,088.75	14,238.77	-
100089	FY20-Storage Building	CAP	149	Sr. Rec - N. Mesa	Active	9,500.00	8,670.00	830.00	-	-
100264	CO-Lapidary	CAP	149	Sr. Rec - N. Mesa	Active	21,920.00	15,932.90	5,987.10	92.47	-
100269	FY20-HVAC-North Mesa	CAP	149	Sr. Rec - N. Mesa	Closed	16,811.25	16,811.25	-	-	-
100270	FY20-Shelving-North Mesa	CAP	149	Sr. Rec - N. Mesa	Active	6,500.00	-	6,500.00	-	-
100087	FY20-San Jose Ctr Improvements	CAP	150	Sr. Rec - Pate	Active	75,000.00	-	75,000.00	-	-
100067	FY20-Scissor Lift	CAP	151	Facility Maintenance	Closed	11,000.00	11,000.00	-	-	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100068	FY20-Chevy 2500	CAP	151	Facility Maintenance	Closed	43,026.00	43,026.00	-	-	-
100069	FY20-Flooring HR	OP	151	Facility Maintenance	Closed	1,607.00	1,607.00	-	-	-
100070	FY20-Interior Paint 1st Floor	CAP	151	Facility Maintenance	Active	12,000.00	985.12	11,014.88	9,149.89	-
100071	FY20-Alnon Building	CAP	151	Facility Maintenance	Active	18,000.00	11,487.43	6,512.57	-	-
100131	CO-HVAC System City Hall	CAP	151	Facility Maintenance	Closed	37,138.00	37,134.58	3.42	-	-
100038	FY20-Paint Machine	CAP	152	Streets	Active	146,888.00	146,888.00	-	-	-
100039	FY20-Tractor	CAP	152	Streets	Closed	63,000.00	58,535.79	4,464.21	-	-
100040	FY20-Brush Hog	CAP	152	Streets	Closed	27,000.00	26,716.71	283.29	-	-
100285	FY20-Fence Drainage Pond	CAP	152	Streets	Active	17,000.00	13,162.71	3,837.29	-	-
100295	FY20-Street Sweeper	CAP	152	Streets	Active	27,000.00	-	27,000.00	26,536.08	-
100298	FY20 Security Light	CAP	152	Streets	Active	12,000.00	-	12,000.00	10,764.58	-
100300	FY20-Telephone System	CAP	152	Streets	Active	20,000.00	-	20,000.00	18,678.69	-
100054	FY20-Trees/Irrigation	CAP	153	Parks	Active	20,000.00	6,802.91	13,197.09	12,229.38	-
100055	FY20-Erosion Control	CAP	153	Parks	Active	250,000.00	101,456.17	148,543.83	144,998.89	-
100056	FY20-Boat & Dock Repairs	CAP	153	Parks	Active	30,000.00	22,858.08	7,141.92	871.90	-
100057	FY20-Top of Beach Remediation	CAP	153	Parks	Active	195,000.00	138,802.29	56,197.71	38,520.40	-
100058	FY20-Restroom Cass Park	CAP	153	Parks	Active	70,000.00	69,229.80	770.20	-	-
100059	FY20-Beach Parking Lot	CAP	153	Parks	Closed	13,000.00	10,121.44	2,878.56	-	-
100060	FY20-Resurface Radio Control	CAP	153	Parks	Active	50,000.00	-	50,000.00	49,947.65	-
100061	FY20-Lighting-Beach Parking Lot	CAP	153	Parks	Active	30,000.00	20,167.97	9,832.03	-	-
100062	FY20-Heritage Park Water Feature	CAP	153	Parks	Active	25,000.00	6,547.50	18,452.50	-	-
100063	FY20-Sprayer/Gator	CAP	153	Parks	Closed	45,025.00	40,604.49	4,420.51	-	-
100128	CO-Water Meters	CAP	153	Parks	Closed	15,274.00	-	15,274.00	-	-
100129	CO-Restroom Troy Young Park	CAP	153	Parks	Closed	-	-	-	-	-
100130	CO-Engineering Upper Dam	CAP	153	Parks	Active	80,555.00	-	80,555.00	-	-
100222	FY20-Floating Work Platform	CAP	153	Parks	Active	25,000.00	-	25,000.00	-	-
100226	FY20-Park Improvements	CAP	153	Parks	Active	396,477.59	221,928.92	174,548.67	22,532.15	985.00
100230	CO-Ray Anaya Irrigation	CAP	153	Parks	Active	10,690.00	-	10,690.00	-	-
100231	CO-Fitness Park	CAP	153	Parks	Closed	44,325.00	45,309.72	(984.72)	-	-
100286	FY20-Flumes Lighting	CAP	153	Parks	Closed	18,000.00	17,236.80	763.20	-	-
100306	FY20-Beach Parking Lot Upgrades	CAP	153	Parks	Active	200,000.00	2,700.75	197,299.25	-	-
100041	FY20-Hydraulic Crimp Machine	CAP	155	Garage	Closed	9,000.00	9,000.00	-	-	-
100042	FY20-Zeus Snap-on Scanner	CAP	155	Garage	Closed	20,000.00	19,156.93	843.07	-	-
100043	FY20-Balance Machine	CAP	155	Garage	Closed	5,500.00	5,450.00	50.00	-	-
100044	FY20-Forklift	CAP	155	Garage	Active	34,000.00	-	34,000.00	25,880.00	-
100045	FY20-Radio Test Set	CAP	156	Electrical	Active	35,539.25	35,539.25	-	-	-
100046	FY20-Three Service Truck Bodies	CAP	157	Construction	Closed	21,000.00	19,510.95	1,489.05	-	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100079	FY20-Dam Repairs	CAP	158	Projects	Active	1,070,000.00	688,282.43	381,717.57	264,502.75	-
100080	FY20-Truck	CAP	158	Projects	Active	30,000.00	29,713.88	286.12	-	-
100081	FY20-Tyler Intergov	CAP	160	Planning & Regulation	Active	600,000.00	148,073.95	451,926.05	451,926.05	-
100082	FY20-Muni Annex Parking Lot	CAP	160	Planning & Regulation	Closed	25,000.00	-	25,000.00	-	-
100083	FY20-Plotter	CAP	160	Planning & Regulation	Closed	15,000.00	8,597.00	6,403.00	-	-
100224	FY20-PER Truck	CAP	160	Planning & Regulation	Active	30,000.00	-	30,000.00	28,534.50	-
100301	FY20-MFA Grant	OP	160	Planning & Regulation	Active	48,000.00	-	48,000.00	-	-
100091	FY20-Maintenance Shed	CAP	161	Cemetery	Active	125,000.00	-	125,000.00	-	-
100092	FY20-Fence	CAP	161	Cemetery	Active	125,000.00	13,073.80	111,926.20	5,105.91	-
100093	FY20-Mobile Cemetery Web Service	CAP	161	Cemetery	Active	50,000.00	23,725.00	26,275.00	23,724.00	-
100233	CO-Flooring-Cemetery	CAP	161	Cemetery	Active	17,000.00	16,404.20	595.80	-	-
100134	CO-Waterline Replacement	CAP	200	GRT Capital Outlay	Closed	16,100.00	-	16,100.00	-	-
100234	CO-San Jose	CAP	200	GRT Capital Outlay	Active	38,488.00	25,910.55	12,577.45	-	-
100235	CO-8th Street	CAP	200	GRT Capital Outlay	Active	137,726.00	68,123.80	69,602.20	-	-
100123	FY20-Street Projects	CAP	201	Capital Projects	Active	7,420,000.00	2,653,561.74	4,766,438.26	1,563,044.90	-
100124	FY20-Storm Drain	CAP	201	Capital Projects	Active	150,000.00	32,366.30	117,633.70	100,732.78	-
100158	CO-City Hall Parking Lot	CAP	201	Capital Projects	Closed	12,500.00	699.23	11,800.77	-	-
100159	CO-Health Facility	CAP	201	Capital Projects	Active	1,033,460.00	760,549.09	272,910.91	17,785.26	-
100160	CO-Electrical Upgrade at Beach	CAP	201	Capital Projects	Active	100,000.00	28,895.71	71,104.29	12,225.99	-
100161	CO-San Jose Center	CAP	201	Capital Projects	Closed	42,000.00	1,937.26	40,062.74	-	-
100162	CO-East Bypass	OP	201	Capital Projects	Closed	1,000,000.00	1,000,000.00	-	-	-
100243	CO-Halagueno Arts Park	CAP	201	Capital Projects	Active	27,340.00	21,225.22	6,114.78	-	-
100244	CO-Sidewalks	CAP	201	Capital Projects	Active	12,649.00	-	12,649.00	1,665.42	-
100282	FY20-Church St Repave	CAP	201	Capital Projects	Active	2,500,000.00	1,508,397.54	991,602.46	893,718.49	-
100283	FY20-Fire Station 4	CAP	201	Capital Projects	Active	18,000.00	-	18,000.00	-	-
100144	CO-Taxiway Improvement	CAP	202	Airport Improvements	Active	2,910,335.00	2,413,814.76	496,520.24	89,622.58	-
100262	CO-Airport Annual Maintenance	OP	202	Airport Improvements	Active	20,000.00	14,440.98	5,559.02	-	-
100275	FY20-Airport Lighting	CAP	202	Airport Improvements	Active	650,000.00	-	650,000.00	65,001.16	-
100313	FY20-Runway 14R-32L	CAP	202	Airport Improvements	Active	112,000.00	-	112,000.00	95,669.88	-
100163	CO-Post Closure Maint & Repair	CAP	220	Landfill-Reserve	Active	10,000.00	-	10,000.00	-	-
100100	FY20-Shade Structures	CAP	300	Sports Complex	Active	136,700.00	134,305.32	2,394.68	-	-
100101	FY20-Ice Machines	CAP	300	Sports Complex	Closed	15,605.46	15,605.46	-	-	-
100102	FY20-Refrigerators	OP	300	Sports Complex	Closed	10,310.49	10,310.49	-	-	-
100103	FY20-Backstop Padding	CAP	300	Sports Complex	Closed	25,914.17	25,914.17	-	-	-
100104	FY20-Softball Entrance	CAP	300	Sports Complex	Closed	15,044.67	15,044.67	-	-	-
100105	FY20-Sod Cutter	OP	300	Sports Complex	Closed	4,342.00	4,342.00	-	-	-
100106	FY20-ADA Shuttle Cart	CAP	300	Sports Complex	Closed	33,880.18	33,880.18	-	-	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100107	FY20-Resurface Batting Cages	CAP	300	Sports Complex	Closed	29,550.36	29,550.36	-	-	-
100108	FY20-Backstop Pads	CAP	300	Sports Complex	Closed	13,995.42	13,995.42	-	-	-
100109	FY20-Resurface Splashpad	CAP	300	Sports Complex	Closed	20,000.00	19,641.17	358.83	-	-
100278	CO-Soccer Lighting	CAP	300	Sports Complex	Closed	9,644.61	9,644.61	-	-	-
100122	FY20-Street Improvements	CAP	320	Streets Improvement	Active	1,100,000.00	788,302.04	311,697.96	284,675.33	-
100152	CO-Standpipe	CAP	320	Streets Improvement	Active	267,990.00	-	267,990.00	-	-
100153	CO-Boyd/Hidalgo Intersection	CAP	320	Streets Improvement	Active	68,189.00	47,446.66	20,742.34	18,870.81	-
100154	CO-Texas St	CAP	320	Streets Improvement	Active	100,000.00	-	100,000.00	-	-
100155	CO-Median 8th/Church St	CAP	320	Streets Improvement	Closed	36,066.00	36,066.00	-	-	-
100156	CO-Land Acquisition	CAP	320	Streets Improvement	Active	20,000.00	-	20,000.00	-	-
100157	CO-Callaway Dr	CAP	320	Streets Improvement	Active	20,000.00	-	20,000.00	-	-
100223	FY20-Sidewalks	CAP	320	Streets Improvement	Active	20,000.00	10,297.33	9,702.67	9,589.08	-
100253	CO-52 Shear	CAP	320	Streets Improvement	Active	9,000.00	-	9,000.00	1,424.69	-
100254	CO-Annual Street Maintenance	CAP	320	Streets Improvement	Active	420,778.00	320,548.60	100,229.40	47,571.95	-
100255	CO-Cherry Lane	CAP	320	Streets Improvement	Active	20,743.00	3,019.33	17,723.67	1,358.73	-
100256	CO-6th St	CAP	320	Streets Improvement	Active	130,000.00	113,730.91	16,269.09	6,170.93	-
100257	CO-ADA Ramps	CAP	320	Streets Improvement	Closed	20,000.00	19,376.24	623.76	-	-
100271	FY20-Canal St Storm Drain	CAP	320	Streets Improvement	Active	600,000.00	-	600,000.00	-	-
100272	FY20-Kircher St	CAP	320	Streets Improvement	Active	850,000.00	-	850,000.00	-	-
100287	FY20-Crack Seal Maint Machine	CAP	320	Streets Improvement	Active	20,000.00	17,626.25	2,373.75	-	-
100288	FY20-Maintenance Crack Seal Machine	OP	320	Streets Improvement	Active	10,000.00	1,629.07	8,370.93	6,233.39	-
100236	CO-Drone	CAP	500	Fire Protection	Active	20,000.00	19,999.00	1.00	-	-
100112	FY20-Auto Pulse	CAP	501	Emergency Medical Services	Closed	20,000.00	19,995.00	5.00	-	-
100094	FY20-Van	CAP	570	Municipal Transit	Active	16,000.00	-	16,000.00	-	-
100095	FY20-Bus Shelter/Smart Project	CAP	570	Municipal Transit	Active	138,500.00	-	138,500.00	-	-
100135	CO-Van	CAP	570	Municipal Transit	Active	150,983.00	-	150,983.00	-	-
100133	CO-San Jose Sen Ctr	CAP	580	CDBG Grant	Active	600,000.00	36,738.85	563,261.15	25,285.70	-
100143	CO-Cascade Sign	CAP	600	LT-Promo	Active	60,000.00	8,327.61	51,672.39	51,672.39	-
100189	CO-Billboard Advertising	LT	600	LT-Promo	Closed	30,000.00	1,632.60	28,367.40	-	-
100190	CO-Social Media Advertising	LT	600	LT-Promo	Active	80,000.00	54,659.90	25,340.10	10,000.10	-
100191	CO-Safety Fest Promo	LT	600	LT-Promo	Closed	10,000.00	-	10,000.00	-	-
100192	CO-Museum Advertising	LT	600	LT-Promo	Active	40,120.00	28,750.25	11,369.75	10,524.65	-
100193	CO-Culture & Rec Advertising	LT	600	LT-Promo	Active	300,000.00	136,573.86	163,426.14	163,426.14	-
100194	FY20-Comm Concert Assn	LT	600	LT-Promo	Closed	14,850.00	14,368.95	481.05	-	-
100195	CO-Entertainment/Performance Promo	LT	600	LT-Promo	Closed	20,000.00	-	20,000.00	-	-
100196	FY20-Entertainment/Performance	LT	600	LT-Promo	Active	28,900.00	-	28,900.00	28,900.00	-
100197	CO-Civic Center Promotion	LT	600	LT-Promo	Closed	35,000.00	23,378.96	11,621.04	-	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100198	FY20-Chamber Promotional Expense	LT	600	LT-Promo	Active	225,000.00	187,590.00	37,410.00	37,410.00	-
100199	CO-Mainstreet Promotional Expense	LT	600	LT-Promo	Closed	26,844.00	3,464.67	23,379.33	-	-
100200	FY20-Mainstreet Promotional Expense	LT	600	LT-Promo	Active	60,000.00	29,598.33	30,401.67	30,401.67	-
100201	CO-Christmas on the Pecos Promo	LT	600	LT-Promo	Closed	35,000.00	-	35,000.00	-	-
100202	CO-Retire Carlsbad Promo	LT	600	LT-Promo	Closed	20,000.00	-	20,000.00	-	-
100203	FY20-Retire Carlsbad Promo	LT	600	LT-Promo	Active	20,000.00	-	20,000.00	4,643.99	-
100204	FY20-Live Community Events	LT	600	LT-Promo	Active	17,000.00	11,914.50	5,085.50	5,085.50	-
100205	FY20-Creative Carlsbad Arts Council	LT	600	LT-Promo	Active	36,500.00	25,772.17	10,727.83	10,727.83	-
100206	CO-Carlsbad Area Art Assoc	LT	600	LT-Promo	Closed	16,275.00	6,129.38	10,145.62	-	-
100207	FY20-Carlsbad Area Art Assoc	LT	600	LT-Promo	Active	30,000.00	16,940.14	13,059.86	13,059.86	-
100208	FY20-Kicker Arena Motorcross	LT	600	LT-Promo	Closed	29,600.00	26,324.99	3,275.01	-	-
100209	CO-Mainstreet CavernFest	LT	600	LT-Promo	Closed	54,000.00	8,700.00	45,300.00	-	-
100210	CO-Water Park Promotion	LT	600	LT-Promo	Closed	7,385.00	7,374.22	10.78	-	-
100211	CO-United Way 5K Run	LT	600	LT-Promo	Closed	10,000.00	-	10,000.00	-	-
100212	FY20-United Way 5K Run	LT	600	LT-Promo	Closed	5,000.00	5,000.00	-	-	-
100213	FY20-NM Energy Summit	LT	600	LT-Promo	Closed	30,000.00	29,185.67	814.33	-	-
100215	CO-Community Theater Promo Sign	LT	600	LT-Promo	Closed	64,019.47	61,981.63	2,037.84	-	-
100216	CO-High Plains Jr Rodeo	LT	600	LT-Promo	Closed	5,350.00	5,326.33	23.67	-	-
100217	CO-Car-A-Fair	LT	600	LT-Promo	Closed	16,550.00	8,960.08	7,589.92	-	-
100218	CO-Website Mainstreet	LT	600	LT-Promo	Active	24,093.00	18,768.24	5,324.76	5,324.76	-
100219	CO-Digital Sign Mainstreet	LT	600	LT-Promo	Active	75,000.00	-	75,000.00	75,000.00	-
100220	CO-Oil & Gas Fest	LT	600	LT-Promo	Closed	30,000.00	27,414.78	2,585.22	-	-
100225	FY20-CDOD Media Marketing Campaign	LT	600	LT-Promo	Active	50,000.00	-	50,000.00	50,000.00	-
100238	CO-Cavern Theater Sign	CAP	600	LT-Promo	Closed	20,993.00	-	20,993.00	-	-
100252	CO-Disc Golf	LT	600	LT-Promo	Closed	5,000.00	4,760.63	239.37	-	-
100258	FY20-Friends of Living Desert	LT	600	LT-Promo	Active	17,430.00	6,077.43	11,352.57	11,352.57	-
100265	FY20-B&G Club Fishing Derby	LT	600	LT-Promo	Closed	3,500.00	2,830.50	669.50	-	-
100266	FY20-Entry Billboards	LT	600	LT-Promo	Active	30,862.00	19,633.24	11,228.76	11,228.76	-
100267	FY20-Electronic Sign	LT	600	LT-Promo	Active	216,867.00	93,719.30	123,147.70	123,147.70	-
100281	FY20-Civic Center Promo	LT	600	LT-Promo	Active	125,000.00	9,000.00	116,000.00	116,000.00	-
100289	FY20-Christmas on the Pecos	LT	600	LT-Promo	Active	42,380.37	29,621.16	12,759.21	12,759.21	-
100299	FY20 Mother s Day Tejano Concert	LT	600	LT-Promo	Active	15,000.00	-	15,000.00	15,000.00	-
100303	FY20-Museum Advertising	LT	600	LT-Promo	Active	80,000.00	3,793.84	76,206.16	19,909.91	-
100304	FY20-Water Park Advertising	LT	600	LT-Promo	Active	20,000.00	2,876.00	17,124.00	3,473.25	-
100305	FY20-Car-A-Fair	LT	600	LT-Promo	Active	24,850.00	3,652.97	21,197.03	-	-
100309	FY20-4th of July Celebration Event	LT	600	LT-Promo	Active	50,000.00	-	50,000.00	-	-
100310	FY20-Dirt Dobbers Car Show	LT	600	LT-Promo	Active	11,800.00	-	11,800.00	11,800.00	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100311	FY20-Gem & Mineral Show	LT	600	LT-Promo	Active	7,773.81	-	7,773.81	-	7,773.81
100312	FY20-CavenFest 2020	LT	600	LT-Promo	Active	67,000.00	-	67,000.00	67,000.00	-
100320	FY20-Graduation Banners	LT	600	LT-Promo	Active	7,000.00	-	7,000.00	7,000.00	-
100096	FY20-PRV Roof Improvements	CAP	650	LT-Non Promotional	Active	290,000.00	189,244.05	100,755.95	100,755.95	-
100097	FY20-PRVCC Kitchen Remodel	CAP	650	LT-Non Promotional	Active	40,300.00	6,024.20	34,275.80	34,101.34	-
100098	FY20- PRV Boat Dock	CAP	650	LT-Non Promotional	Active	75,000.00	1,614.69	73,385.31	-	-
100099	FY20-Cavern Theater	CAP	650	LT-Non Promotional	Active	3,041,430.00	1,020,903.32	2,020,526.68	181,235.12	-
100136	CO-Cavern Theater Electrical Servic	CAP	650	LT-Non Promotional	Closed	-	-	-	-	-
100137	CO-Remediation Cavern Theater	CAP	650	LT-Non Promotional	Active	61,980.00	28,603.06	33,376.94	33,376.00	-
100138	CO-Masterplan	CAP	650	LT-Non Promotional	Active	150,000.00	-	150,000.00	-	-
100139	CO-Potash Park	CAP	650	LT-Non Promotional	Active	203,097.00	121,737.91	81,359.09	35,975.50	-
100140	CO-PRV Fencing	CAP	650	LT-Non Promotional	Closed	15,000.00	-	15,000.00	-	-
100141	CO-Cave/Karst Research Inst	CAP	650	LT-Non Promotional	Active	242,025.00	180,771.78	61,253.22	52,007.37	-
100142	CO-Covered Shelter	CAP	650	LT-Non Promotional	Closed	225,607.00	215,021.94	10,585.06	-	-
100182	CO-C&P Fees-Audit	LT	650	LT-Non Promotional	Closed	2,500.00	-	2,500.00	-	-
100183	FY20-Fireworks	LT	650	LT-Non Promotional	Active	60,000.00	30,000.00	30,000.00	30,000.00	-
100184	FY20-PRV-Building Maint & Repair	LT	650	LT-Non Promotional	Active	14,700.00	11,189.20	3,510.80	-	-
100185	CO-Museum Exhibit Expense	LT	650	LT-Non Promotional	Active	50,000.00	23,993.00	26,007.00	-	-
100186	FY20-Public Safety & Transit for Ev	LT	650	LT-Non Promotional	Active	100,000.00	26,259.41	73,740.59	10,498.55	-
100187	FY20-Chamber Cont Expense	LT	650	LT-Non Promotional	Active	327,900.00	273,160.00	54,740.00	54,740.00	-
100188	CO-Holiday Decorations HAP	LT	650	LT-Non Promotional	Closed	78,752.00	66,938.51	11,813.49	-	-
100221	CO-Bandshell	CAP	650	LT-Non Promotional	Closed	12,051.23	12,051.23	-	-	-
100237	CO-Covered Shelter-PRV	CAP	650	LT-Non Promotional	Active	24,000.00	-	24,000.00	20,000.00	-
100249	CO-Fireworks	LT	650	LT-Non Promotional	Closed	60,000.00	59,841.25	158.75	-	-
100250	CO-Museum Exhibits	LT	650	LT-Non Promotional	Closed	6,007.00	6,007.00	-	-	-
100251	CO-Mainstreet Holiday Decorations	LT	650	LT-Non Promotional	Closed	6,838.00	6,706.63	131.37	-	-
100259	FY20-Mainstreet Holiday Decorations	LT	650	LT-Non Promotional	Closed	26,650.00	26,649.11	0.89	-	-
100268	FY20-Firefighter Combat Challenge	LT	650	LT-Non Promotional	Active	27,500.00	-	27,500.00	26,000.00	-
100279	FY20-Gazebo Holiday Lights	LT	650	LT-Non Promotional	Closed	2,350.00	-	2,350.00	-	-
100318	FY20-PD Vehicle Restoration	LT	650	LT-Non Promotional	Active	30,000.00	-	30,000.00	-	-
100113	FY20-Backup Generator	CAP	700	Water	Active	629,450.63	-	629,450.63	629,450.63	-
100114	FY20-Engineering Waterline Upgrade	CAP	700	Water	Active	200,000.00	-	200,000.00	-	-
100115	FY20-Upgrade Waterline	CAP	700	Water	Active	500,000.00	-	500,000.00	-	-
100116	FY20-SCADA System Upgrades	CAP	700	Water	Active	100,000.00	56,285.80	43,714.20	-	-
100118	FY20-New Services	CAP	700	Water	Active	300,000.00	232,995.83	67,004.17	-	-
100145	CO-W&S Line Extension/Upgrades	CAP	700	Water	Active	300,000.00	30,420.20	269,579.80	12,226.39	-
100146	CO-Well Rehabilitation	CAP	700	Water	Closed	50,000.00	49,173.69	826.31	-	-

Project Code	Description	Project Type	Department	Dept Name	Status	Revised Budget	Actuals	Project Balance	Encumbrances	Requistions
100147	CO-Reservoir #2	CAP	700	Water	Active	1,333,403.63	9,529.87	1,323,873.76	18,502.88	-
100239	CO-Well Rehab #9	CAP	700	Water	Active	103,086.00	-	103,086.00	100,000.00	-
100273	FY20-Sewer Lift Station Generator	CAP	700	Water	Active	250,000.00	-	250,000.00	77,206.80	-
100292	FY20-Sheep Draw #4	CAP	700	Water	Closed	36,922.41	36,922.41	-	-	-
100296	FY20 Well 6 VFD Repair	CAP	700	Water	Closed	21,052.33	21,052.33	-	-	-
100319	FY20-Valve Replacement	CAP	700	Water	Active	25,000.00	-	25,000.00	18,582.00	-
100117	FY20-Engineering Analysis Sewer	CAP	701	Waste Water	Active	200,000.00	100,642.71	99,357.29	86,326.04	-
100119	FY20-Fan/Belt Press	CAP	701	Waste Water	Active	593,289.82	-	593,289.82	-	-
100148	CO-Sewer Line Extension	CAP	701	Waste Water	Closed	300,000.00	297,795.97	2,204.03	-	-
100240	CO-Fall Protection	CAP	701	Waste Water	Active	6,710.18	6,710.18	-	-	-
100120	FY20-DE 24 CCP Repair South of Prv	CAP	702	Double Eagle	Active	400,000.00	-	400,000.00	-	-
100149	CO-DE Extension	CAP	702	Double Eagle	Active	10,383,623.00	8,594,675.27	1,788,947.73	1,503,607.35	-
100150	CO-Well Rehabilitation DE	CAP	702	Double Eagle	Closed	-	-	-	-	-
100151	CO-Tatum Wellfield	CAP	702	Double Eagle	Active	201,199.00	-	201,199.00	-	-
100121	FY20-Sewer Interceptor upgrades	CAP	703	Collection System	Active	1,849,121.03	89,588.40	1,759,532.63	-	-
100241	CO-Manhole	CAP	703	Collection System	Active	-	-	-	-	-
100242	CO-Generator	CAP	703	Collection System	Closed	27,596.00	27,617.94	(21.94)	-	-
100277	FY20-SCADA Equipment & Software	CAP	703	Collection System	Closed	50,000.00	45,494.20	4,505.80	-	-
100317	FY20-Airport sewer line replacement	CAP	703	Collection System	Active	19,000.00	-	19,000.00	18,990.04	-
100110	FY20-Roll Off Truck	CAP	730	Solid Waste Disposal	Closed	198,277.00	189,861.00	8,416.00	-	-
100111	FY20-ARC Truck	CAP	730	Solid Waste Disposal	Closed	351,723.00	351,723.00	-	-	-
						60,400,252.83	30,625,764.50	29,774,488.33	11,483,969.69	18,486.41

7. Promotional Lodgers' Tax Aging Schedule

City of Carlsbad, NM
Lodgers Tax - Promotional
Aging Schedule of Revenues to be Spent
as of: April 2020

F. The proceeds from the occupancy tax that are required to be used to advertise, publicize and promote tourist-related attractions, facilities and events shall be used within two years of the close of the fiscal year in which they were collected and shall not be accumulated beyond that date or used for any other purpose.

Revenues		Expenditures/Transfers															
		FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	Offsetting Expense	Balance	Compliance
FY15	1,444,294	-	834,379	583,778	**26,137**										1,444,294	-	**No - $26k**
FY16	767,494				592,385	**175,109**									767,494	-	**No - $175k**
FY17	735,160					735,160									735,160	-	**Yes**
FY18	1,401,511					177,647	795,431								973,078	428,433	
FY19	1,656,917														-	1,656,917	
FY20	1,282,579														-	1,282,579	
FY21															-	-	
FY22															-		
FY23															-		
FY24															-		
		-	834,379	583,778	618,522	1,087,916	795,431	-	-	-	-	-	-	-		3,367,929	

* Total Carryover Balance from previous FYs to establish starting point for aging schedule

The City is currently spending FY18 Revenues.

LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX BUILDING ON JANUARY 22, 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.

DRAFT

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.

DRAFT

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**

DRAFT

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.

DRAFT

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.

DRAFT

0:24:55 **Adjourn**

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

_____

Dale Janway, Mayor

ATTEST:

_____

Nadine Mireles, City Clerk

DRAFT

CITY OF CARLSBAD

PERSONNEL REPORT

June 9, 2020

APPOINTMENTS:

NAME	DATE	DEPARTMENT	CLASSIFICATION
Michael McCarty	06/10/20	Water Park	Lifeguard, on-call

TERMINATIONS:

NAME	DATE	DEPARTMENT	CLASSIFICATION	REASON
Danny Sosa	06/03/20	Solid Waste	ARC Driver	Job Abandonment
William Villarreal	05/28/20	Fire	Firefighter Rookie/EMT-B	Declined job offer
Cari Wilson	05/26/20	Riverwalk Recreation Center	Recreation Attendant, seasonal	Declined job offer
Sara Wright	05/26/20	Museum	Museum Attendant, p/t	Resigned

INTERNAL TRANSFERS AND PROMOTIONS:

NAME	DATE	DEPARTMENT	CLASSIFICATION
Victoria Cobos	06/01/20	Facility Maintenance	Custodian
Andrew Easley	06/01/20	Water Park	Head Lifeguard

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Dale Janway, Mayor — John Lowe, City Administrator

TO: The Honorable Mayor Dale Janway & Members of the City Council

FROM: Ken Britt, Director of Community Development

Ken Britt Digitally signed by Ken Britt Date: 2020.05.27 13:20:46 -06'00'

SUBJECT: Recommendation for Employment

DATE: May 27, 2020

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Michael Peyton McCarty Classification/Position: Lifeguard

Department: Water Park

☐ Regular ☐ Full-time ☒ Hourly $ 12.00 per hour

☒ Seasonal ☒ Part-time ☐ Salary $ _____ per annum

☐ Temporary ☒ On call

Education Level:

☐ High School Diploma ☐ GED or equivalent

☐ Associates Degree _____

☐ Bachelors Degree _____

☐ Masters Degree _____

☒ Other Currently a Carlsbad High School Student

Employment:

Present or last Employer: City of Carlsbad

From May 2019 to August 2019 Classification: Lifeguard

Duties: Monitoring patrons at the Water Park and Beach.

Related Experience: Mr. McCarty is CPR and Lifeguard certified.

Comments: We are pleased to have Mr. McCarty returning for another season.

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM
PURCHASING RECOMMENDATION

Council Meeting Date: 6/09/2020

Department:	**BY:**	**Date:**
Waste Water Treatment Plant	Matt Fletcher, CPO	6/3/2020

SUBJECT: Equipment
Description:
Bid Award for Rotary Fan Press Skid System

SYNOPSIS: Qty 1 Total Est. Cost $ 593,289.82 Total Actual Cost $ 554,160.00

Budgeted Yes Est. City Share $ 593,289.82 Actual City Share $ 554,162.00

Account # 100119 $ 593,289.82

Account # _____

Account # _____

Account # _____

TOTAL $ 593,289.82

BACKGROUND, JUSTIFICATION AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)

The City of Carlsbad solicited sealed bids for a rotary fan press skid system that aids in the removal of solids in the de-watering process at the Waste Water Treatment Plant.

The City only received one bid that met the desired specifications. That bid was received from Prime Solutions Inc., in the amount of $554,162.

The City recommends awarding the bid to Prime Solutions.

Requested action to be taken by Council: | **Council Action Taken:** | **Date:**

Other: Select one

Reviewed by City Administrator:

POST BID/RFP RECOMMENDATION **Council Meeting Date:**

Requested action to be taken by Council: | **Council Action Taken:** | **Date:**

Award Bid Number 2020-08 Select one

ADDITIONAL INFORMATION:

Reviewed by City Administrator: /s/ John Lowe 06/04/2020

ATTACHMENT(S): ☐ Specifications ☑ Bid/RFP Summary ☐ Other: _____

PRIME SOLUTION

ONE (1) 48" QUAD CHANNEL 2.0 ROTARY FAN PRESS SKID SYSTEM PROPOSAL FOR:

CARLSBAD WWTP

(Bid No. 2020-8, Carlsbad, NM)

PRIME SOLUTION, INC.
610 S. PLATT STREET
OTSEGO, MI 49078 USA
(269) 694-6666
www.psirotary.com

Prime Solution Regional Sales Manager: Mrs. Kelley Dendel / PH: (269) 355-3793 / Kelley@psirotary.com

PRIME SOLUTION

PROPOSAL #P-200505KD1 Date: May 5, 2020

To: Carlsbad WWTP
Bid No. 2020-8
45 Tell Tale Ln.
Carlsbad, NM 88220

Contact: Matt Fletcher
Title: Procurement Manager
Phone: 575-234-7905
E-Mail: msfletcher@cityofcarlsbadnm.com

Sales Rep: Falcon Environmental Corp.
Contact: Adam Pelican
Phone: 308-750-4203
E-Mail: adam@fecal.us

PROJECT DETAILS	
Project Name:	Carlsbad WWTP
Application:	Municipal
Sludge Type:	Activated Secondary
Sludge Process:	Aerobic
Volatile Solids:	63.4 – 65.1% TVS
Sludge Age:	~60 Days
Dewatering Flow Rate:	140 GPM
Feed Solids:	2.5% - 3.5% TS
Solids Loading:	1751.4 d.s. lbs/hr

We hereby submit specifications and estimates for: One (1) 48" Quad Channel 2.0 Rotary Fan Press Skid System as listed below in this Scope of Supply. All equipment listed below in Scope of Supply is factory tested, pre-plumbed/wired and ready for field installation and integration by others. Sludge type, feed solids, volatile solids, pretreatment, polymer selection, desired cake solids and process variations will affect performance of the equipment. Installation, system integration, utility and piping connections not included unless listed below in this Scope of Supply shall be provided by others.

ROTARY FAN PRESS EQUIPMENT SCOPE OF SUPPLY

a) One (1) RFP2.0-48Q – 48" quad channel 2.0 rotary fan press, 7.5 hp direct gear drive system, epoxy coated carbon steel housings and base, pneumatic sludge discharge gate control, pneumatic flow control, all 304 stainless steel/hard chromed tapered slotted filter screens with stainless steel support wheels.
b) One (1) RFP skid platform, epoxy coated carbon steel welded construction. Anchor bolts to be provided by others.
c) One (1) Wash manifold assembly.
d) Four (4) Dewatering channel mixing elements, 0.25 hp gearbox/channel.
e) Four (4) Stainless steel cake discharge chutes.
f) One (1) In-line VS mixer, 0.5 hp drive and injection rings
g) One (1) PVC sludge retention manifold with clear site tube cleanout and sludge sampler.
h) One (1) PVC filtrate collection piping assembly.
i) One (1) Pneumatic sludge by-pass control valve.
j) One (1) Endress + Hauser sludge feed magnetic flow meter, Promag W 400, 5W4C1H-2Lf4/0.
k) One (1) Boerger sludge feed pump (rotary lobe), PL300 w/ Buna N elastomer lobes, 10 hp Nord gearmotor, SK5725.1-132MP/4 CUS TX, not to exceed 350 rpm, Allen Bradley 10 hp VFD PowerFlex 523, 25A-D017N104, direct coupled on common base.
l) One (1) PrimeBlend emulsion polymer feed/blend system, with integrated controls and feed distribution.
m) One (1) Boerger In-line macerator, HPL200 5ph Nord gearmotor, SK771.1xz – 112MP/4 CUS TW, direct coupled on common base.

n) One (1) Ingersoll Rand Air Compressor, P1.5IU-A9, ASME with receiver tank, 5.2 CFM @ 90 psi, 20 gallon, 2 hp.
o) One (1) Process control package (semi-unattended operation) for system as listed in this proposal.
p) One (1) Central operator panel with touch screen controls, ten inch (10") display, lamps and main disconnect power. System to include operation of associated dewatering equipment as listed in this scope of supply, 480 volt/3 phase/60 hertz (unless specified otherwise), NEMA 4X rated enclosure.
q) One (1) Electronic copy of operational/maintenance manual
r) One (1) Standard 1 Year limited workmanship warranty.
s) One (1) On-site start-up/commissioning/training for a total of twenty-four (24) man-hours.

We Propose to furnish material as stated, FOB Carlsbad WWTP, Harrisburg, Carlsbad, NM, freight allowed to job site (offloading by others), complete and in accordance with the above specifications for the sum of:

U.S. Dollars: $554,162.00

Process & Services packages are available for quotation upon request.

All fees and bonding are the full responsibility of the Purchaser/Customer and not included as part of this proposal. Any non-payment amounts, fines, fees, expenses caused thereof shall be the full payment responsibility of the Purchaser/Customer to any and all parties and/or authorities as the case may be.

Please reference this proposal number on the purchase order.

Completion: 12 - 14 weeks from receipt of firm purchase order and/or receipt of down payment and final approval of submittal(s) (one-time shipment only).

Submittals: 20 working days from receipt of purchase order with complete project information supplied by Purchaser/Customer and will be sent electronically.

Terms: (20%) due upon approved submittals, (70%) due net 30 days from shipment date, balance (10%) due net 30 days after approved start-up not to exceed 60 days from shipment.

Terms different than those stated above must be approved in writing prior to submission of submittals.

Clarifications, Exceptions & Recommendations:

Payment terms may not be changed without the written authorization of Prime Solution, Inc. Any shipments delayed by Purchaser/Customer, Prime Solution, Inc. reserves the right to invoice and when full payment is received, pass title to the Purchaser/Customer; Purchaser/Customer agrees to remit the amount due at the times stated, as if equipment had shipped. Any and all costs of storage shall be at the Purchaser's/Customer's expense.

Unauthorized retention of payment by Purchaser/Customer for any reason shall be subjected to a service charge of 2% compounded per month and any collection expenses will be added to total amount due by the Purchaser/Customer. Any system integration, ancillary equipment, services, access platforms, stairs and/or handrails, etc. not listed in this Scope of Supply shall not be part of this proposal and shall be provided by others if required.

Any presses, conveyors, equipment, etc. made with any steel that may have increases in price, a surcharge may be added to the price listed in this proposal to cover these price increases. Any system integration, ancillary equipment, services, access platforms, stairs and/or handrails, etc. not listed in this Scope of Supply shall not be part of this proposal and shall be provided by others if required.

All equipment offloading, site storage, installation and interconnecting wiring and piping between all equipment listed and other ancillary equipment or sources shall he hy others as selected or retained by the Purchaser/Customer. Any and all required chemistry (pretreatments/polymers, etc.), testing fees, etc. not listed as included in the Prime Solution, Inc. Equipment Scope of Supply shall be provided and/or paid for by others. The original Purchaser understands and agrees that the type of sludge, pretreatment process, pretreatment chemistry, polymer selection, feed solids, volatile solids, sludge age, any/all changes (temperature, pH, etc.) to the sludge/slurry characteristic(s) not clearly defined in any written documentation will affect the sludge's/slurry's ability to be dewatered and performance/capacity of the equipment. The original Purchaser shall be responsihle to provide all suitable pretreatment chemistry for obtaining a suitable and stable flocculated sludge/slurry for mechanical dewatering to achieve any performance requirements. Prime Solution, Inc. can only estimate production performance based upon information supplied hy the Purchaser and does not take any responsibility for final equipment performance. Any changes and/or omissions in any way to the type of sludge/slurry listed in any specifications that affects dewaterability of the sludge/slurry shall release Prime Solution, Inc. of any/all responsibility.

Prime Solution, Inc. is furnishing the dewatering equipment as listed in the Scope of Supply only and is only subject to the Limited Workmanship Warranty terms. All equipment, material and components manufactured by others used in the design of the dewatering system shall have the same warranty afforded to Prime Solution, Inc. and is subject to and stipulated by the respective manufacturer's warranty provided that the required maintenance has been performed. Prime Solution, Inc. does not provide any guarantee or warranty of the process, chemistry or other parts and products purchased/supplied by others whatsoever, whether expressed, implied or statutory, including but not limited to, any warranty of merchantability or fitness for a particular purpose or any warranty that the contents of those parts and products will be suitable and error free. Any damages to the Prime Solution, Inc. equipment caused by parts, products or services provided by others will not be covered by the Limited Workmanship Warranty.

In no respect shall Prime Solution, Inc. incur any liability for any damages, direct, indirect, special, or consequential arising out of, resulting from, or any way connected to the use of those parts or products provided by others, whether or not based upon warranty, contract, tort, or otherwise; whether or not injury was sustained by persons or property or otherwise; and whether or not loss was sustained from, or arose out of, the results of parts and products or any services provided by others.

If there are any delays in shipment by the Purchaser, the Purchaser agrees to pay storage charges equal to 0.5% of the total project order per month the order is held by Prime Solution, Inc. for shipment along with full payment is due with terms in this proposal using the completion date as the ship date for payment purposes.

Should any additional service trips, equipment, supplies and/or labor be required by Prime Solution, Inc. to assist the Purchaser/Customer beyond what is listed in this Scope of Supply, these charges shall be in addition to the price listed in this Scope of Supply. On-site service after installation and start-up will be subject to additional charges and is not included in the Limited Workmanship Warranty.

All orders shall be considered final and the Purchaser/Customer shall be responsible for payments as listed above. Should the Purchaser/Customer wish to cancel this order at any time, the Purchaser/Customer shall be responsible to reimburse/pay Prime Solution, Inc. within fifteen (15) days of the cancellation notice for all costs Prime Solution, Inc. has associated with this order. The Purchaser/Customer also recognizes that ownership for this order does not pass to the Purchaser/Customer until payment in full is received by Prime Solution, Inc. Prime Solution, Inc. reserves the right to take back the possession of any/all items delivered to the Purchaser/Customer that full and final payment is not received within thirty (30) days of the terms as outlined above. Any and all costs, including but not limited to actual attorney fees associated with the recovery of items and for non-payment, or to obtain payment, shall he the responsibility of the Purchaser/Customer.

This Proposal is the complete agreement between Prime Solution, Inc. and the Purchaser/Customer, and supersedes any prior discussions, negotiations, representations or understanding of the parties. No other agreements, representations, or understandings not specifically contained herein shall be binding upon the Parties to this Proposal.

All material is guaranteed to be as specified in this Scope of Supply. All work is to be completed in a professional manner according to standard practices. Any alteration or deviation from the above specifications which involve extra costs will be made only upon receipt of an authorized written change order and will be shown on subsequent invoices as amounts over above the original estimate. It is understood that Prime Solution, Inc. will not be penalized for delays caused by change orders, strikes, accidents, war or rebellion, acts of terrorism or delays caused by acts of nature. Our workers are covered by Worker's Compensation Insurance.

Purchaser/Customer agrees to furnish all other appropriate and necessary insurance's coverage's. It is the intent of the Parties that this proposal be non-modifiable unless such modification or variation is agreed to in writing. Given this specific intent, this Proposal may not be varied or modified in any manner whatsoever, except in subsequent writing that is executed and signed by an authorized representative of both Parties.

Any controversy or claim between or among the Parties, including but not limited to those arising out of or relating to this Agreement, including any claim based on or arising from an alleged tort, shall be determined by and through binding arbitration. The arbitration shall be commenced and conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association. The arbitration shall be conducted before one (1) arbitrator selected either by the parties, or, if the Parties cannot agree, by an arbitrator selected by the American Arbitration Association. This Proposal shall be governed and controlled in all respects by the laws of the State of Michigan, USA, and any arbitration shall resort only to the laws of the State of Michigan, USA. The Arbitrator shall give effect to statutes of limitation in determining any claim. Any controversy concerning whether an issue is subject to arbitration will be determined by the arbitrator. The arbitration shall be conducted in the County of Allegan, State of Michigan, USA. Any arbitration award may be entered in any Court having jurisdiction. Jurisdiction and venue of any proceeding to enter the arbitration award or to otherwise enforce the arbitration award shall lie in Allegan County, Michigan, USA, and shall be binding on the Purchaser/Customer no matter the location of the Purchaser/Customer. Receipt of a purchase order relating in any way to this Proposal from the Purchaser/Customer is deemed the same as signing this Acceptance of Proposal, agreeing to all terms and limitations included herein.

NOTE: This Proposal Is Valid For Sixty (60) Days with delivery of equipment on site within 1 year.

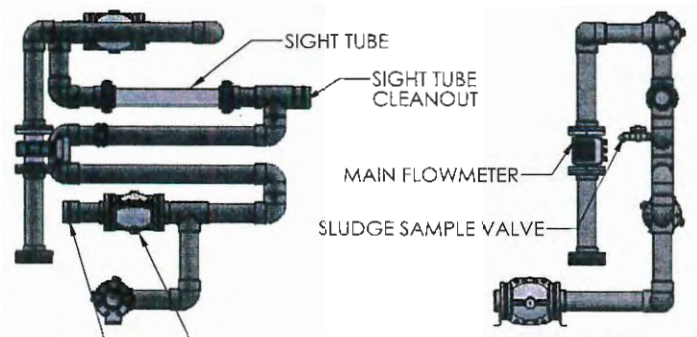
Acceptance of Proposal: - The above prices, specifications and conditions are satisfactory and are accepted. You are authorized to do the work as specified and payments will be made as outlined above.

Signature: _____ Date of Acceptance: _____

Print: _____ Title: _____

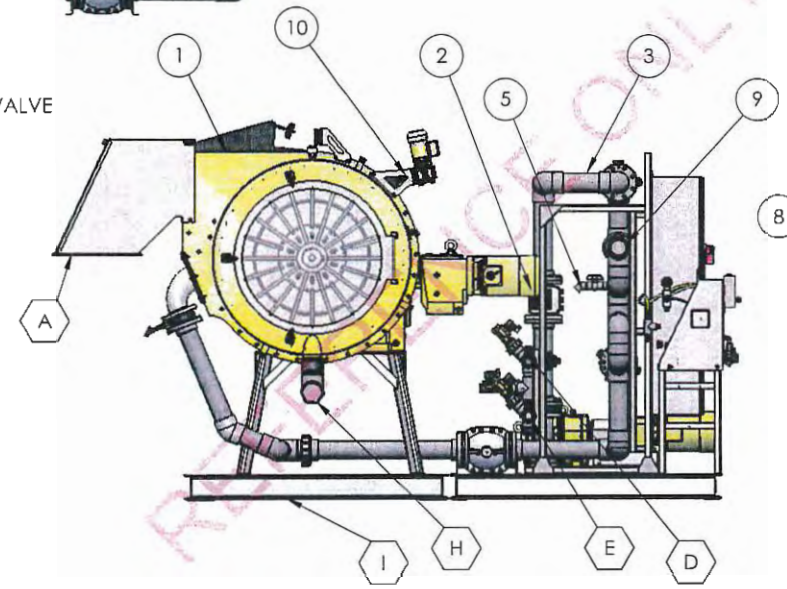
Regards,

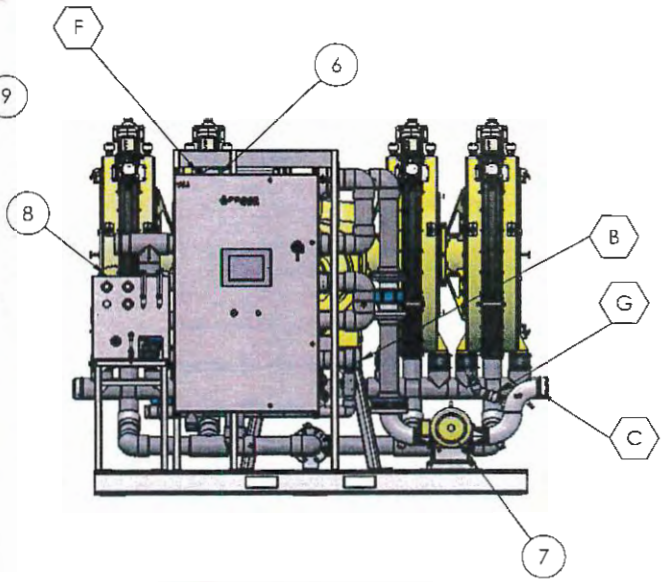
Mrs. Kelley Dendel
Regional Sales Manager
PH: (269) 355-3793
Kelley@psirotary.com



MAIN COMPONENTS	
ITEM	DESCRIPTION
1	ROTARY FAN PRESS
2	MAIN FLOW METER
3	SLUDGE RETENTION ASSY.
4	AIR REQUIREMENT 4CFM @ 80 PSIG
5	SLUDGE SAMPLING VALVE
6	CONTROL PANEL NEMA 4X
7	SLUDGE PUMP ASSY.
8	POLYMER FEED/BLEND SYSTEM
9	SIGHT TUBE CLEAN OUT
10	RFP 2.0 SCREW DRIVE

CONNECTIONS	
ITEM	DESCRIPTION
A	CAKE DISCHARGE CHUTE
B	SLUDGE BYPASS 4" FNPT
C	SLUDGE INLET 4" #150 FLANGE
D	REUSE WATER 1-1/2" FNPT
E	FRESH WATER 1-1/2" FNPT
F	RFP MAIN POWER SUPPLY
G	POLYMER FEED TUBE
H	FILTRATE DISCHARGE 4" FNPT
I	PRESS SKID





REFERENCE ONLY

SPECIFICATIONS:

SUPPLY VOLTAGE: 480VAC, 3Ph, 60Hz, 38.01 FULL LOAD AMPS

SUPPLY WATER: PRIME BLEND POLYMER SYSTEM
5 GPM AVG. @ 45 PSI MIN. (RECOMMEND FRESH WATER)

INTERMITTENT: 30 GPM PER CHANNEL INTERMITTENT (DOES NOT INCLUDE FLUSH VALVE)

CONNECTIONS: SLUDGE FEED 4" 150# FLANGE SLUDGE BYPASS 4" FNPT
FILTRATE DISCHARGE 4" FNPT SUPPLY WATER 1-1/2" FNPT

PROPRIETARY AND CONFIDENTIAL
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UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN INCHES
TOLERANCES:
FRACTIONAL ± 1/16
ANGULAR: MACH ± .5° BEND ± 1°
TWO PLACE DECIMAL ± .01
THREE PLACE DECIMAL ± .005

DRAWN BY: SJM
DATE: 8/5/2019
MATERIAL: SEE DETAILS
FINISH:

PRIME SOLUTION
610 S. PLATT ST., OTSEGO, MI 49078
T:(269) 694-6666 F:(269) 694-1298

TITLE:
48Q, BF, RFP2.0, SKID ASSEMBLY

PART NO: RFP2.0-48Q-BF-SKE
REV -
WEIGHT: 14790.65lbs SCALE: 1:30
SIZE B SHEET: SHEET 1 OF 3

MAIN COMPONENTS	
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2	MAIN FLOW METER
3	SLUDGE RETENTION ASSY.
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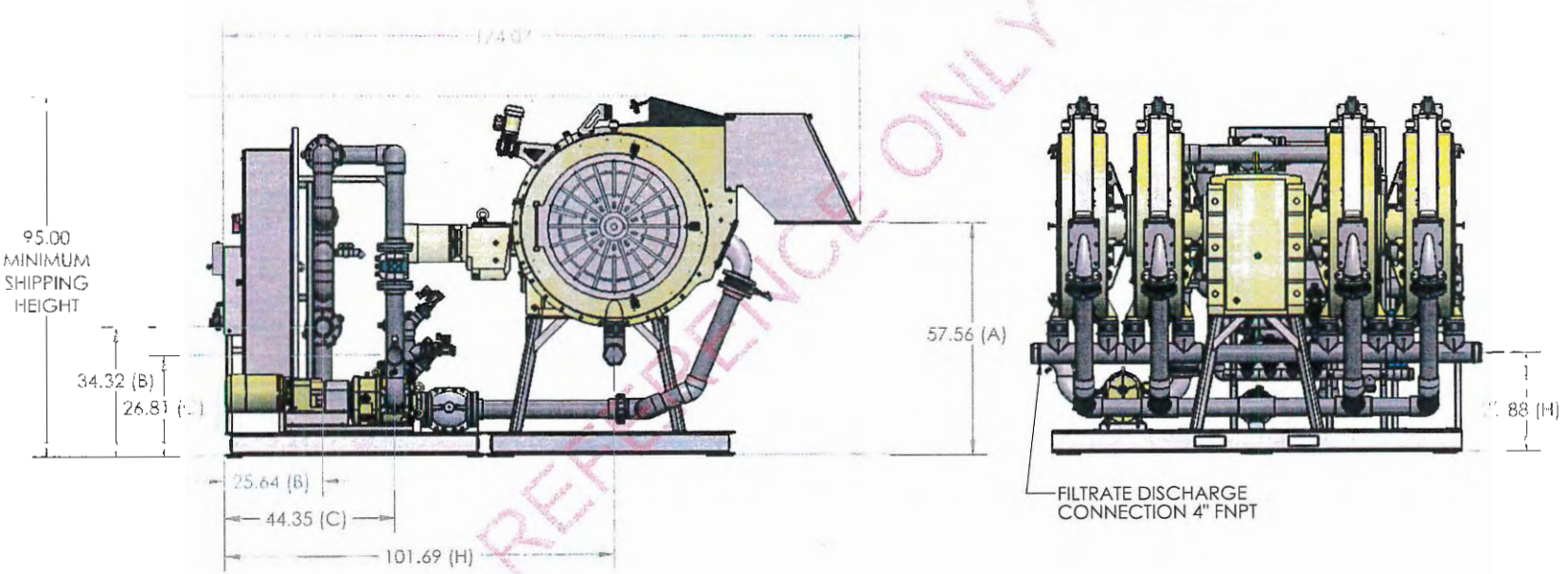

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TWO PLACE DECIMAL ±.01
THREE PLACE DECIMAL ±.005

DRAWN BY: SJM
DATE: 8/5/2019
MATERIAL: SEE DETAILS
FINISH:

PRIME SOLUTION
610 S. PLATT ST., OTSEGO, MI 49078
T:(269) 694-6666 F:(269) 694-1298

TITLE:
48Q, BF, RFP2.0, SKID ASSEMBLY

PART NO: RFP2.0-48Q-BF-SKE
REV -

WEIGHT: 14790.65lbs SCALE: 1:30
SIZE B SHEET: SHEET 2 OF 3

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3	SLUDGE RETENTION ASSY.
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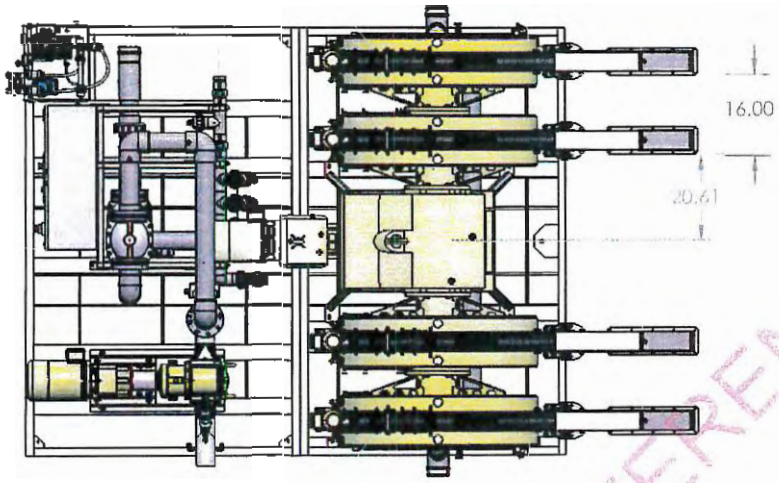

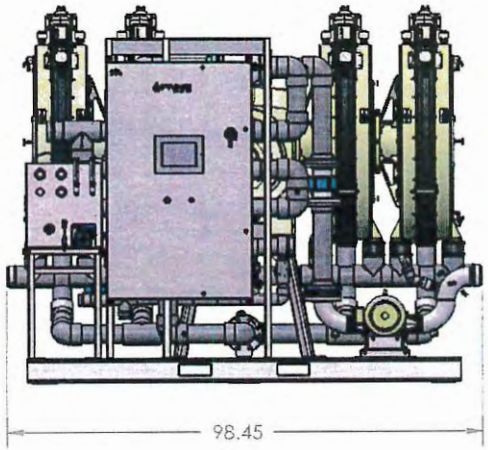

REFERENCE ONLY

SPECIFICATIONS:

SUPPLY VOLTAGE: 480VAC, 3Ph, 60Hz, 38.01 FULL .OAD AMPS

SUPPLY WATER: PRIME BLEND POLYMER SYSTEM
5 GPM AVG. @ 45 PSI MIN. (RECOMMEND FRESH WATER)

INTERMITTENT: 30 GPM PER CHANNEL INTERMITTENT (DOES NOT INCLUDE FLUSH VALVE)

CONNECTIONS: SLUDGE FEED 4" 150# FLANGE SLUDGE BYPASS 4" FNPT
FILTRATE DISCHARGE 4" FNPT SUPPLY WATER 1-1/2" FNPT

PROPRIETARY AND CONFIDENTIAL
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TWO PLACE DECIMAL ±.01
THREE PLACE DECIMAL ±.005

DRAWN BY: SJM
DATE: 8/5/2019
MATERIAL: SEE DETAILS
FINISH:

PRIME SOLUTION
610 S. PLATT ST., OTSEGO, MI 49078
T:(269) 694-6666 F:(269) 694-4298

TITLE:
48Q, BF, RFP2.0, SKID ASSEMBLY

PART NO: RFP2.0-48Q-BF-SKE REV -
WEIGHT: 14790.65lbs SCALE: 1:30 SIZE B SHEET: SHEET 3 OF 3

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: June 9, 2020

DEPARTMENT: Executive	**By:** John Lowe, City Administrator	**DATE:** 6-2-20

SUBJECT: Approval of Agreement between the City of Carlsbad and Carlsbad Community Anti-Drug/Gang Coalition, Inc. for the Provision of Teen Court Services for FY 2020-2021

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)

Since 2011, the City has maintained an agreement with the Community Anti-Drug/Gang Coalition, Inc. for the provision of Teen Court Services, which includes development, collaborations, court, sentencing, record keeping, accounting and other services related to the administration of a teen court program.

The term of this agreement is from July 1, 2020 thru June 30, 2021 for the amount of $24,000.

Upon successful negotiation of agreement the Mayor has authority to execute all documents necessary to implement the terms of this agreement.

DEPARTMENT RECOMMENDATION: Approval of the FY 2020-2021 agreement.

BOARD/COMMISSION/COMMITTEE ACTION:

P & Z	**Lodgers Tax Board**	**Cemetery Board**	}	**APPROVED**
Museum Board	**San Jose Board**	**Water Board**	}	
Library Board	**N. Mesa Board**	_____ **Committee**	}	**DISAPPROVED**

Reviewed by:
City Administrator: /s/John Lowe **Date:** 06/04/2020

ATTACHMENT(S): 2020-21FY Agreement

SECOND RENEWAL OF
THE AGREEMENT BETWEEN THE CITY OF CARLSBAD AND
CARLSBAD COMMUNITY ANTI-DRUG / GANG COALITION, INC.
FOR THE PROVISION OF TEEN COURT SERVICES

THIS AGREEMENT is entered into at Carlsbad, New Mexico, this _____day of _____, 2020, by and between the CITY OF CARLSBAD, New Mexico, a municipal corporation, hereinafter referred to as "City" and the CARSLBAD COMMUNITY ANTI-DRUG / GANG COALITION, INC., a New Mexico domestic nonprofit corporation, hereinaftter referred to as the "Coalition".

WHEREAS, the goal of the teen court program is to reduce juvenile crime and recidivism rates and to educate teens about the criminal justice system; and

WHEREAS, on 13 June 2018, the City and the Carlsbad Community Anti-Drug / Gang Coalition, Inc. entered into an agreement pursuant to which the Coalition agreed to provide the City with complete Teen Court Services for the year beginning on 1 July 2018; and

WHEREAS, the parties wish to renew that agreement for the year beginning on 1 July 2020;

NOW, THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

1. **The Agreement.** The Agreement Between the City of Carlsbad and the Carlsbad Community Anti-Drug / Gang Coalition, Inc. for the Provision of Teen Court Services dated 13 June 2018, is attached and is incorporated herein and made a part of this Renewal Agreement.

2. **Renewal.** The parties agree to renew the Agreement dated 13 June 2018, for the year beginning 1 July 2020, and ending 30 June 2021.

3. **Terms and Conditions.** This renewal shall be under the same terms and conditions, and the parties shall have the same rights and responsibilities as in the attached Agreement except that the Coalition's compensation in Paragraph 2 shall be increased to Twenty-four Thousand dollars:

> 2. **Compensation.** In consideration for the services rendered by the Coalition to the City pursuant to this Agreement, the City shall pay the Coalition Twenty-four Thousand dollars per year ($24,000.00/year). That sum includes all applicable taxes. This compensation shall be paid in twelve equal monthly installments of Two Thousand dollars ($2,000.00/month). Payment by the City to the Coalition shall be made only upon receipt of an invoice from the Coalition. Each invoice shall be properly documented and supported by a report detailing the services provided by the Coalition which invoice shall be in a form approved by the City and contain at a minimum the type and quantity of activities performed, the number of participants involved, the number of trials held, and the sentencing activities imposed. Prior to

receiving any compensation from the City, the Coalition shall provide the City with a current IRS Form W-9.

4. **Captions.** The captions of any articles, paragraphs, or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any of the provisions thereof.

5. **Exhibits.** Any instrument or document made and attached to this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

_____
DALE JANWAY, MAYOR

ATTEST:

_____
CITY CLERK

CARLSBAD COMMUNITY ANTI-DRUG/GANG COALITION, INC.:

_____
JOANA WELLS,
PROGRAM MANAGER

STATE OF NEW MEXICO)
: ss.
COUNTY OF EDDY)

The foregoing instrument was acknowledged before me this 29th day of May, 2020, by Joana Wells, Program Manager, Carlsbad Community Anti-Drug / Gang Coalition, Inc.

My Commission Expires:

9-21-23

Olga L Ramirez
NOTARY PUBLIC

AGREEMENT BETWEEN THE CITY OF CARLSBAD AND CARLSBAD COMMUNITY ANTI-DRUG / GANG COALITION, INC. FOR THE PROVISION OF TEEN COURT SERVICES

THIS AGREEMENT is entered into at Carlsbad, New Mexico, this 13th day of June, 2018, by and between the CITY OF CARLSBAD, New Mexico, a municipal corporation, hereinafter referred to as "City" and CARLSBAD COMMUNITY ANTI-DRUG / GANG COALITION, INC., a New Mexico domestic nonprofit corporation, hereinafter referred to as the "Coalition".

WHEREAS, the goal of the teen court program is to reduce juvenile crime and recidivism rates and to educate teens about the criminal justice system; and

WHEREAS, in 2011, the City of Carlsbad and the Carlsbad Community Anti-Drug / Gang Coalition, Inc. entered into an agreement pursuant to the terms of which the Coalition provided the City with teen court services; and

WHEREAS, the City and the Coalition renewed that agreement in 2012, 2013, 2014, and 2015; and

WHEREAS, the parties wish to continue to have a teen court program.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

1. **Provision of Teen Court Services.** The Coalition shall provide the City with complete Teen Court Services. Teen Court Services shall include at a minimum, but not be limited to:

A. **Development.** The Coalition shall design, develop, manage, and maintain a teen court program for appropriate juvenile offenders who reside in the City of Carlsbad. The teen court program shall be in compliance with all applicable state and local laws, ordinances, rules, regulations, policies, and codes.

B. **Other Entities.** The Coalition shall coordinate the teen court program with all related entities, including, but not limited to District, Magistrate, and Municipal Courts, law enforcement, and Juvenile Probation and Parole.

C. **Court.** The Coalition shall organize, schedule, host, and supervise all teen court hearings and events.

D. **Sentencing.** The Coalition shall design and implement appropriate sentencing activities for the participants, to include, but not limited to a defensive driving school certified by the State of New Mexico.

E. **Records.** The Coalition shall maintain complete and accurate records regarding the teen court activities it hosts, the participants involved, and the provision of all services required by this Agreement.

F. **Accounting.** The Coalition shall gather data and prepare and submit reports as required by the City regarding the program's goals, objectives, and its progress towards those goals and objectives.

G. **Funding.** The Coalition shall seek other sources of funding and other resources for the teen court program.

H. **Promotion.** The Coalition shall promote its teen court program to encourage its utilization by appropriate entities.

I. **Labor and Supplies.** The Coalition shall provide all necessary employees, personnel, and volunteers, appropriately selected, screened, qualified, retained, and supervised, and all labor, materials, supplies, equipment, and tools needed to perform the its duties pursuant to this Agreement. The Coalition shall be solely responsible for all persons selected, work performed, and for the selection, operation, maintenance, and repair of all materials, supplies, equipment, and tools used.

J. **Meetings.** The Coalition shall attend meetings as may be scheduled from time to time with the City Administrator, City staff, the governing body of the City, the courts, law enforcement, and Juvenile Probation and Parole.

K. **Additional Duties.** The Coalition shall perform such additional duties as may from time to time be mutually agreed to by the parties.

2. **Compensation.** In consideration for the services rendered by the Coalition to the City pursuant to this Agreement, the City shall pay the Coalition Eighteen Thousand Nine Hundred dollars per year ($18,900.00/year). That sum includes all applicable taxes. This compensation shall be paid in twelve equal monthly installments of One Thousand Five Hundred Seventy-five dollars ($1,575.00/month). Payment by the City to the Coalition shall be made only upon receipt of an invoice from the Coalition. Each invoice shall be properly documented and supported by a report detailing the services provided by the Coalition which invoice shall be in a form approved by the City and contain at a minimum the type and quantity of activities performed, the number of participants involved, the number of trials held, and the sentencing activities imposed. Prior to receiving any compensation from the City, the Coalition shall provide the City with a current IRS Form W-9.

3. **Term of Agreement.** The term of this Agreement shall be for one (1) year beginning on the 1st day of July 2018, and terminating on the 30th day of June, 2019. This Agreement may be renewed for no more than three (3) additional one (1) year terms upon the mutual consent of both parties. Notwithstanding any provisions to the contrary, this Agreement shall remain valid only so long as the Governing Body of the City appropriates sufficient funding. Should sufficient funding not be appropriated, this Agreement shall be terminated without penalty to the City.

4. **Compliance with Laws.** The Coalition shall comply with all applicable local, state, and federal laws, rules, regulations, and policies and shall obtain and maintain any and all permits, licenses, or certifications that may be necessary to carry out the operations contemplated by this Agreement. In the event the Coalition should cease to be properly permitted, licensed, or certified, it shall immediately inform the City Administrator and shall immediately cease its operations pursuant to this Agreement. Within five (5) days of ceasing to be properly permitted, licensed, or certified, the Coalition shall also notify the City in writing of that event. The Coalition shall require all its officers, employees, and agents, to comply with all applicable local, state, and federal laws, rules, regulations, and policies.

5. **Confidentiality.** The Coalition understands that, in providing the services required by this Agreement, it, its officers, employees, personnel, agents, and volunteers may obtain or have access to information that is or may be confidential. The Coalition shall maintain all required confidentiality. The Coalition, its officers, employees, personnel, agents and volunteers shall not disclose, or permit the disclosure of, any confidential information received as a result of this Agreement except as may be permitted by law.

6. **Default or Breach.** Each of the following events shall constitute a default or breach of this Agreement:

A. **Bankruptcy Filing.** If the Coalition, during the term of this Agreement, shall file a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act, or shall voluntarily take advantage of any such act by answer or otherwise, or shall make an assignment for the benefit of creditors.

B. **Involuntary Proceedings.** If involuntary proceedings under any bankruptcy law or insolvency act shall be instituted against the Coalition, or if a receiver or trustee shall be appointed for all or substantially all of the property of the Coalition and such proceedings shall not be dismissed or the receivership or trusteeship vacated within sixty (60) days after the institution or appointment.

C. **Failure to Comply.** If the Coalition fails to perform or comply with any of the conditions of this Agreement, and if the nonperformance shall continue for a period of fifteen (15) days after notice thereof by the City to the Coalition, or, if the performance cannot be reasonably had within the fifteen (15) day period, and the Coalition shall not in good faith have commenced performance within the fifteen (15) day period and then diligently proceeded to completion of performance.

D. **Transfer.** If this Agreement shall be transferred to or shall pass to or devolve to any other person or party, except in the manner specified herein.

7. **Effect of Default.** In the event of default hereunder as set forth in this Agreement, the rights of the non-defaulting party shall be as follows:

A. **Cancellation.** The non-defaulting party shall have the right to cancel and terminate this Agreement. On expiration of the time fixed in the notice, this Agreement and all rights, title, and interest of the defaulting party hereunder shall terminate in the same manner and with the same force and effect, except as to the defaulting party's liability, as if the date fixed in the notice of cancellation and termination were the end of the term herein originally determined.

B. **Compliance.** The non-defaulting party may elect, but shall not be obligated, to make any payment required of the defaulting party herein or comply with any agreement, term, or condition required hereby to be performed by the defaulting party; but any expenditure for correction by the non-defaulting party shall not be deemed to waive or release the default of the defaulting party or the right of the non-defaulting party to take any action as may be otherwise permissible or to seek other remedy under the law.

8. **Non-Waiver.** Waiver by the City of any default in performance by the Coalition of any of the terms or conditions contained in this Agreement shall not be deemed a continuing waiver of that default or any subsequent default.

9. **Termination.** Either party may terminate this Agreement without cause by providing the other party with written notice of its intention to terminate this Agreement at least sixty (60) days prior to the termination date. By such termination, neither party may nullify obligations already incurred prior to the date of termination of the Agreement. However, neither party shall have any obligation to perform services or make payment for such services rendered after such date of termination.

10. **Assignment**. Neither the Coalition nor its successors or assigns, if any, shall assign, mortgage, pledge, or encumber this Agreement in whole or in part, nor shall this Agreement be assigned or transferred by operation of law without the prior written consent of the City in each instance. If there is an approved assignment, mortgage, pledge, or encumbrance, the Coalition shall continue to be liable hereunder in accordance with the terms and conditions of this Agreement and shall not be released from the performance of the terms and conditions hereof. The consent by the City to an assignment, mortgage, pledge, encumbrance, sublease, or transfer shall not be construed to relieve the Coalition from obtaining the express written consent of the City to any future transfer of interest.

11. **Entirety of Agreement.** This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement. The parties expressly waive any other or further representations, warranties, or agreements not set forth in this document.

12. **Independent Contractor.** The Coalition, its officers, employees, personnel, agents, and volunteers are independent contractors performing professional services for the City and are not employees of the City. The Coalition and its officers, employees, personnel, agents, and volunteers shall not accrue leave, retirement, insurance, bonding, use of city vehicles, or any other benefits afforded to the employees of the City of Carlsbad as a result of this Agreement.

13. **Workers' Compensation.** The Coalition agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Coalition fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

14. **Procurement Code Penalties.** The Procurement Code, NMSA 1978, Sections 13-1-28 through 13-1-199, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities, and kickbacks.

15. **Notices.** All notices permitted or required by the terms of this Agreement shall be in writing and be deemed to have been duly given and delivered, if mailed, certified postage prepaid:

If to City:	If to Coalition:
The City of Carlsbad	Carlsbad Community Anti-Drug / Gang Coalition
c/o City Administrator	c/o Joana Wells, Program Manager
P.O. Box 1569	P.O. Box 1867
Carlsbad, NM 88221-1569	Carlsbad, NM 88221-1867

The parties shall notify each other in writing of any change in the above information.

16. **Amendment in Writing.** This Agreement shall not be altered, changed, or amended except by a written instrument executed with the same formality as this Agreement.

17. **New Mexico Law & Venue.** The parties agree this Agreement shall be construed and controlled by the laws of the State of New Mexico. The parties further agree that any legal actions arising out of this Agreement shall be brought in the District Court of Eddy County, New Mexico for the Fifth Judicial District. The parties expressly consent to both in personam and subject matter jurisdiction of the Eddy County District Court and agree that venue shall properly lie in the Eddy County, New Mexico District Court.

18. **Arbitration.** Should any dispute arise between the parties in connection with the Agreement and if such dispute cannot be resolved by discussion between the parties, the parties agree to submit the unresolved dispute to binding arbitration in lieu of litigation.

19. **Captions.** The captions of any articles, paragraphs, or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any of the provisions thereof.

20. **Exhibits.** Any instrument or document made and attached to this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

DALE JANWAY, MAYOR

ATTEST:

CITY CLERK

CARLSBAD COMMUNITY ANTI-DRUG/GANG COALITION, INC.:

JOANA WELLS,
PROGRAM MANAGER

STATE OF NEW MEXICO)
: ss.
COUNTY OF EDDY)

The foregoing instrument was acknowledged before me this 6th day of June, 2018, by JOANA WELLS, Program Manager, Carlsbad Community Anti-Drug / Gang Coalition, Inc.

My Commission Expires:

Sept 21, 2019

Olga Ramos
NOTARY PUBLIC

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: June 9, 2020

DEPARTMENT: Community Development	BY: Ken Britt	DATE: June 1, 2020

SUBJECT: Contract Renewal for Bird Abatement and Management Program

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)

This request is for the renewal of a contract with Rocking WD Services for the Bird Abatement and Management program on city buildings. This program has been very successful. This is the second of three renewal requests allowed under the original contract. This renewal adds the city building at 106 N. Mesquite to the list of buildings to be serviced and to adjust the compensation (increase of $250.00) because of that addition. This contract renewal will run from June 27, 2020 to June 26, 2021.

DEPARTMENT RECOMMENDATION: If it is the pleasure of the City Council, it is recommended that this request be approved.

BOARD/COMMISSION/COMMITTEE ACTION:

☐ P & Z	☐ Lodgers Tax Board	☐ Cemetery Board	☐ APPROVED
☐ Museum Board	☐ San Jose Board	☐ Water Board	☐ DISAPPROVED
☐ Library Board	☐ N. Mesa Board	☐ Beautification Committee	

Reviewed by:
City Administrator: /s/ John Lowe **Date:** 06/04/2020

SECOND RENEWAL OF
THE AGREEMENT BETWEEN THE CITY OF CARLSBAD AND
ROCKING WD SERVICES, LLC
FOR BIRD EXCLUSION AND ABATEMENT SERVICES

THIS AGREEMENT is entered into at Carlsbad, New Mexico, this _____day of _____, 2020, by and between the **CITY OF CARLSBAD**, New Mexico, a municipal corporation, hereinafter referred to as "**CITY**" and the **ROCKING WD SERVICES, LLC**, a New Mexico limited liability company, hereinafter referred to as "**WD**".

WHEREAS, the City of Carlsbad owns a number of buildings and facilities within the City of Carlsbad; and

WHEREAS, the CITY has experienced a number of problems including waste and debris accumulations due to birds roosting or nesting on those buildings and facilities; and

WHEREAS, in its Request for Bids No. 2018-03, the CITY sought bids for professional bird exclusion and abatement services for those buildings and facilities; and

WHEREAS, the Carlsbad City Council awarded the bid to Rocking WD Services, LLC; and

WHEREAS, on 27 June 2018, the CITY and WD entered into an agreement pursuant to which WD agreed to provide the City with complete bird exclusion and abatement services for the year beginning on 27 June 2018; and

WHEREAS, the parties renewed that agreement for the year beginning on 27 June 2019;

WHEREAS, the parties wish to renew the agreement for the year beginning on 27 June 2020, and to add the building at 106 N. Mesquite to the list of buildings to be serviced and to adjust the compensation because of that addition.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

1. **The Agreement.** The Agreement Between the City of Carlsbad and Rocking WD Services, LLC for Bird Exclusion and Abatement Services dated 27 June 2018, is attached and is incorporated herein and made a part of this Renewal Agreement.

2. **Renewal.** The parties agree to renew the Agreement dated 27 June 2018, for the year beginning 27 June 2020, and ending 26 June 2021.

3. **Terms and Conditions.** This renewal shall be under the same terms and conditions, and the parties shall have the same rights and responsibilities as in the attached Agreement except:

A. **Additional Building.** Paragraph 1 shall be amended to add an additional Building. Paragraph 1 shall state:

1. **Buildings & Facilities.** The buildings and facilities to be serviced by WD shall consist of following locations, hereinafter, the "Building" or "Buildings":

A. City Hall, 101 N. Halagueño Street;
B. Municipal Annex, 114 S. Halagueño;
C. Carlsbad Police Department, 602 W. Mermod Street;
D. Carlsbad Fire Station #1, 405 and 409 S. Halagueño Street;
E. Carlsbad Museum and Library, 418 W. Fox and 101 S. Halagueño Street;
F. Jeff and Evy Diamond Building, 106 N. Mesquite; and
G. Any additional building or facility that the parties may agree to in writing.

B. **Additional Compensation.** Paragraph 5 shall be amended to add compensation for the additional Building. Paragraph 5 shall state:

5. **Compensation.** Prior to receiving any monies from the CITY, WD shall submit a current IRS Form W9 to City's Finance Department. In consideration for this Agreement, the CITY shall pay WD the following compensation:

A. City Hall, 101 N. Halagueño Street
$650.00;
B. Municipal Annex, 114 S. Halagueño
$650.00;
C. Carlsbad Police Department, 602 W. Mermod Street
$650.00;
D. Carlsbad Fire Station #1, 405 and 409 S. Halagueño Street
$650.00;
E. Carlsbad Museum and Library, 418 W. Fox and 101 S. Halagueño Street
$650.00;
F. Jeff and Evy Diamond Building, 106 M. Mesquite Street
$250.00;
G. Any additional building or facility that the parties may agree to in writing
To be agreed to in writing by the parties prior to the provision of services

The amounts stated above do not include New Mexico Gross Receipts Tax.

C. **No Other Changes.** Other than the changes described in Paragraph 3(A) and (B) above, this renewal shall be under the same terms and conditions, and the parties shall have the same rights and responsibilities as in the attached Agreement

4. **Captions.** The captions of any articles, paragraphs, or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any of the provisions thereof.

5. **Exhibits.** Any instrument or document made and attached to this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

_____
DALE JANWAY, MAYOR

ATTEST:

_____
CITY CLERK

ROCKING WD SERVICES, LLC:

_____
DARRIN McGILVRAY, OWNER

STATE OF NEW MEXICO)
: ss.
COUNTY OF EDDY)

The foregoing instrument was acknowledged before me this 29 day of May, 2020, by DARRIN McGILVARY, Owner of Rocking WD Services, LLC.

My Commission Expires:

December 3, 2022

Cari Pickens
NOTARY PUBLIC

OFFICIAL SEAL
CARI PICKENS
NOTARY PUBLIC - STATE OF NEW MEXICO
My commission expires: 12/3/22

FIRST RENEWAL OF
THE AGREEMENT BETWEEN THE CITY OF CARLSBAD AND
ROCKING WD SERVICES, LLC
FOR BIRD EXCLUSION AND ABATEMENT SERVICES

THIS AGREEMENT is entered into at Carlsbad, New Mexico, this 29th day of May, 2019, by and between the **CITY OF CARLSBAD**, New Mexico, a municipal corporation, hereinafter referred to as "**CITY**" and the **ROCKING WD SERVICES, LLC**, a New Mexico limited liability company, hereinafter referred to as "**WD**".

WHEREAS, the City of Carlsbad owns a number of buildings and facilities within the City of Carlsbad; and

WHEREAS, the CITY has experienced a number of problems including waste and debris accumulations due to birds roosting or nesting on those buildings and facilities; and

WHEREAS, in its Request for Bids No. 2018-03, the CITY sought bids for professional bird exclusion and abatement services for those buildings and facilities; and

WHEREAS, the Carlsbad City Council awarded the bid to Rocking WD Services, LLC; and

WHEREAS, on 27 June 2018, the CITY and WD entered into an agreement pursuant to which WD agreed to provide the City with complete bird exclusion and abatement services for the year beginning on 27 June 2018; and

WHEREAS, the parties wish to renew that agreement for the year beginning on 27 June 2019.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

1. **The Agreement.** The Agreement Between the City of Carlsbad and Rocking WD Services, LLC for Bird Exclusion and Abatement Services dated 27 June 2018, is attached and is incorporated herein and made a part of this Renewal Agreement.

2. **Renewal.** The parties agree to renew the Agreement dated 27 June 2018, for the year beginning 27 June 2019, and ending 26 June 2020.

3. **Terms and Conditions.** This renewal shall be under the same terms and conditions, and the parties shall have the same rights and responsibilities as in the attached Agreement.

4. **Captions.** The captions of any articles, paragraphs, or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any of the provisions thereof.

5. **Exhibits.** Any instrument or document made and attached to this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

DALE JANWAY, MAYOR

ATTEST:

CITY CLERK

ROCKING WD SERVICES, LLC:

DARRIN McGILVRAY, OWNER

STATE OF NEW MEXICO)
: ss.
COUNTY OF EDDY)

The foregoing instrument was acknowledged before me this 17th day of May, 2019, by DARRIN McGILVARY, Owner of Rocking WD Services, LLC.

My Commission Expires:

June 29, 2021

NOTARY PUBLIC

Contract Number: C-
Term: _____ 2018 to _____ 2019

AGREEMENT BETWEEN THE CITY OF CARLSBAD AND ROCKING WD SERVICES, LLC FOR BIRD EXCLUSION AND ABATEMENT SERVICES

THIS AGREEMENT is entered into at Carlsbad, New Mexico, this 21st day of June, 2018, by and between the **CITY OF CARLSBAD**, New Mexico, a municipal corporation, hereinafter referred to as "**CITY**," and **ROCKING WD SERVICES, LLC**, a New Mexico limited liability company, hereinafter referred to as "**WD**".

WHEREAS, the City of Carlsbad owns a number of buildings and facilities within the City of Carlsbad; and

WHEREAS, the CITY requested proposals for professional bird exclusion and abatement services for the buildings and facilities Bid No. 2018-03; and

WHEREAS, WD submitted a proposal in response to Bid No. 2018-03; and

WHEREAS, the Carlsbad City Council awarded Bid No. 2018-03 to WD subject to the successful negotiation of a contract; and

WHEREAS, the parties wish to enter into this agreement for the provision of the specified services.

NOW THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

1. **Buildings & Facilities.** The buildings and facilities to be serviced by WD shall consist of following locations, hereinafter, the "Building" or "Buildings":
   - A. City Hall, 101 N. Halagueño Street;
   - B. Municipal Annex, 114 S. Halagueño;
   - C. Carlsbad Police Department, 602 W. Mermod Street;
   - D. Carlsbad Fire Station #1, 405 and 409 S. Halagueño Street;
   - E. Carlsbad Museum and Library, 418 W. Fox and 101 S. Halagueño Street; and
   - F. Any additional building or facility that the parties may agree to in writing.

2. **WD Provided Services.** WD shall provide the CITY with complete bird exclusion and abatement services at all Buildings, with such services including, but not limited to, the following:
   - A. **Bird Repellent.** WD shall utilize regular strength Avitrol (4-aminopyridine) as a pigeon flock repellant. The product shall be utilized according to the manufacturer's specifications as a chemical frightening agent.
   - B. **Birth Control.** WD shall utilize OvoControl (0.5% nicarbazin) as a birth control method for pigeons. The product shall be utilized according to the manufacturer's specifications as an avian contraception method.

C. **Application & Use.** The Avitrol and OvoControl shall be obtained, stored, applied, used, and disposed of as directed by the manufactures' labels and as required by all applicable laws, rules, regulations, and policies. There shall be no storage of the Avitrol or OvoControl at City buildings, facilities, or property except for the amounts currently being offered to the pigeons for consumption.

D. **Inspection & Removal.** At least twice per week, WD shall inspect the feeding sites at all Buildings. WD shall remove and properly dispose of any dead or dying birds.

E. **Materials & Supplies.** WD shall provide all materials, supplies, equipment, and tools required to perform the duties required by this Agreement. WD shall be solely responsible for all purchase, repair, maintenance, and operational costs of such materials, supplies, equipment, or tools.

F. **Labor.** WD shall provide all labor necessary to perform the duties required by this Agreement.

G. **Meetings.** At mutually convenient times, WD shall meet with CITY personnel as necessary to discuss the services performed pursuant to this Agreement.

H. **Additional Duties.** WD shall perform such additional duties as may from time to time be mutually agreed to by the parties.

3. **CITY Provided Services.** The CITY shall be responsible for the following:

A. **Access.** The CITY shall provide WD access to the Buildings and the roofs of the Buildings during normal working hours.

B. **Nest Removal.** The CITY shall be responsible for the removal of pigeon nests and pigeon droppings from the Buildings.

5. **Compensation.** Prior to receiving any monies from the CITY, WD shall submit a current IRS Form W9 to City's Finance Department. In consideration for this Agreement, the CITY shall pay WD the following compensation:

A. City Hall, 101 N. Halagueño Street
$650.00;

B. Municipal Annex, 114 S. Halagueño
$650.00;

C. Carlsbad Police Department, 602 W. Mermod Street
$650.00;

D. Carlsbad Fire Station #1, 405 and 409 S. Halagueño Street
$650.00;

E. Carlsbad Museum and Library, 418 W. Fox and 101 S. Halagueño Street
$650.00;

F. Any additional building or facility that the parties may agree to in writing
To be agreed to in writing hy the parties prior to the provision of services

The amounts stated above do not include New Mexico Gross Receipts Tax.

6. **Prevention of Waste and Damage.** WD shall use all reasonable cautions to prevent waste, damage, or injury to the Buildings in the performance of its obligations under this Agreement. WD knows and understands that one or more of the Buildings have membrane roofs. Significant harm could result if the membrane were torn, punctured, or otherwise damaged. WD shall use all reasonable caution not to damage any Building roof. WD shall be solely responsible for any damage to or destruction of the Buildings, City property, or any improvements caused by the acts or omissions, willful or otherwise, of WD's officers, employees, or agents.

7. **Reporting Damage.** WD shall immediately verbally report to the Facility Maintenance Supervisor any vandalism, damage, or destruction as well as any repair or maintenance needed to be performed by the CITY. It shall also report such matters to the CITY in writing within three (3) business days.

8. **Compliance with Laws.** WD shall comply with all applicable local, state, and federal laws, rules, regulations, and policies and shall obtain and maintain any and all permits, licenses, or certifications that may be necessary to carry out the operations contemplated by this Agreement. WD shall provide the CITY with copies of those current permits, licenses, and certifications. WD shall furnish to the CITY new permits, licenses, and certifications as they are renewed or obtained. In the event WD should cease to be properly permitted, licensed, or certified, it shall immediately inform the City Administrator and shall immediately cease its operations pursuant to this Agreement. Within three (3) days of ceasing to be properly permitted, licensed, or certified, WD shall also notify the CITY in writing of that event. WD shall require all its officers, employees, and agents, to comply with all applicable local, state, and federal laws, rules, regulations, and policies.

9. **Structural Changes.** WD shall not make any structural changes to the Buildings, CITY property, or to any CITY structure or building used by WD, without the prior written consent of the CITY. Any such change shall be performed in a workmanlike manner and shall be done in accordance with all applicable laws, rules, and regulations.

10. **Assignment of Agreement.** WD shall not sublease, assign, or transfer any interest in or right to this Agreement without the prior written approval of the CITY.

11. **Right to Inspect.** The CITY shall have the right to inspect any material, supplies, equipment, or tools used by WD or placed by WD at a Building.

12. **AS IS Condition.** Prior to the commencement of this Agreement, WD has fully examined and inspected the Buildings and all improvements, fixtures, appliances, and personal property thereon. WD accepts the Buildings and such improvements, fixtures, appliances, and personal property in their existing condition and state of repair. WD accepts them in an **AS IS CONDITION**. WD agrees that no representations, statements, or warranties, express or implied, have been made by or on behalf of the CITY in respect thereto, including, but not limited to their suitability for any purpose, and the CITY shall in no event be liable for any latent defects.

13. **Term.** The term of this Agreement shall be for one (1) year beginning on the 27 day of June 2018, and terminating on the 26 day of June 2019. This Agreement may be renewed for three (3) additional one (1) year terms upon the mutual agreement of both parties and upon such terms and conditions as the parties may agree. Not later than forty-five (45) days before the expiration of this contract, if both parties desire to renew for an additional year, the parties shall meet to negotiate renewal terms and conditions.

14. **Records.** For the term of this Agreement and for five (5) years after the expiration or termination of this Agreement, WD shall maintain copies of all records regarding any and all activities it conducts pursuant to this Agreement. The CITY shall have the right to inspect and copy such records upon reasonable notice to WD.

15. **Indemnification.** WD agrees to indemnify, save, and hold harmless the City, its officers, agents, and employees against all liability, claims, damages, losses, or expenses of every kind, including reasonable attorneys' fees together with costs and expenses of litigation, arising out of, from, or associated in any manner with the acts or omissions of WD, its officers, agents, or employees.

16. **Insurance.** At all times material to this Agreement, WD shall obtain and maintain, at its own expense, public liability insurance in the sum of two million dollars ($2,000,000.00). Such insurance shall name the CITY as an additional insured. WD shall provide the CITY with a current Certificate of Insurance. The insurance shall be with a company or companies licensed and authorized to do business in the State of New Mexico. WD shall annually furnish to the CITY a Certificate of Insurance for the above required insurances. WD shall provide the CITY with notice of any change thereof, and furnish to the CITY evidence of acquirement of a substitute therefore, and payment of the premium thereof.

17. **Release.** WD, upon final payment of the amount due under this Agreement, releases the CITY, it's officers, agents, and employees from all liabilities, claims, and obligations whatsoever arising from or under this Agreement. WD agrees not to purport to bind the City of Carlsbad, unless WD has express written authority to do so, and then only within the strict limits of that authority.

18. **Default or Breach.** Each of the following event shall constitute a default or breach of this Agreement:

A. **Bankruptcy Filing.** If WD during the term of this Agreement, shall file a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act, or shall voluntarily take advantage of any such act by answer or otherwise, or shall make an assignment for the benefit of creditors.

B. **Involuntary Proceedings.** If involuntary proceedings under any bankruptcy law or insolvency act shall be instituted against WD, or if a receiver or trustee shall be appointed for all or substantially all of the property of WD and such proceedings shall not be dismissed or the receivership or trusteeship vacated within sixty (60) days after the institution or appointment.

C. **Failure to Comply.** If WD fails to perform or comply with any of the conditions of this Agreement, and if the nonperformance shall continue for a period of fifteen (15) days

after notice thereof by the CITY to WD, or, if the performance cannot be reasonably had within the fifteen (15) day period, and WD shall not in good faith have commenced performance within the fifteen (15) day period and then diligently proceeded to completion of performance.

D. **Transfer.** If this Agreement shall be transferred to or shall pass to or devolve to any other person or party, except in the manner specified herein.

19. **Effect of Default.** In the event of default hereunder as set forth in this Agreement, the rights of the non-defaulting party shall be as follows:

A. **Cancellation.** The non-defaulting party shall have the right to cancel and terminate this Agreement. On expiration of the time fixed in the notice, this Agreement and all rights, title, and interest of the defaulting party hereunder shall terminate in the same manner and with the same force and effect, except as to the defaulting party's liability, as if the date fixed in the notice of cancellation and termination were the end of the term herein originally determined.

B. **Compliance.** The non-defaulting party may elect, but shall not be obligated, to make any payment required of the defaulting party herein or comply with any agreement, term, or condition required hereby to be performed by the defaulting party, and the non-defaulting party shall have the right to enter the Building for the purpose of directing or remedying any such default and to remain until the default has been corrected or remedied; but any expenditure for correction by the non-defaulting party shall not be deemed to waive or release the default of the defaulting party or the right of the non-defaulting party to take any action as may be otherwise permissible or to seek other remedy under the law.

20. **Non-Waiver.** Waiver by the CITY of any default in performance by WD of any of the terms or conditions contained in this Agreement shall not be deemed a continuing waiver of that default or any subsequent default.

21. **Funding Availability.** The funding of this Agreement is subject to the availability and appropriation of funds by the City Council of Carlsbad, New Mexico. If sufficient funding is not available or not appropriated by the City Council, then this Agreement is terminated and the CITY shall not incur any penalty or further liability.

22. **Termination.** Either party may terminate this Agreement without cause by providing the other party with written notice of its intention to terminate this Agreement at least ninety (90) days prior to the termination date. By such termination, neither party may nullify obligations already incurred prior to the date of termination of the Agreement. However, neither party shall have any obligation to perform services or make payment for such services rendered after such date of termination.

23. **Entirety of Agreement.** This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. No prior

agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement. The parties expressly waive any other or further representations, warranties, or agreements not set forth in this document.

24. **Independent Contractor.** WD, its officers, employees, and agents are independent contractors performing professional services for the CITY and are not employees of the CITY. WD and its officers, employees, and agents shall not accrue leave, retirement, insurance, bonding, use of city vehicles, or any other benefits afforded to the employees of the City of Carlsbad as a result of this Agreement.

25. **Workers' Compensation.** WD agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If WD fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this agreement may be terminated by the CITY.

26. **Procurement Code Penalties.** The Procurement Code, NMSA 1978, Sections 13-1-28 through 13-1-199, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities, and kickbacks.

27. **Notices.** All notices permitted or required by the terms of this Agreement shall be in writing and be deemed to have been duly given and delivered, if mailed, certified postage prepaid:

If to CITY:	If to WD:
The City of Carlsbad	Rocking WD Services, LLC
c/o City Administrator	c/o Darrin McGilvray
P.O. Box 1569	P.O. Box 1287
Carlsbad, NM 88221-1569	Carlsbad, NM 88221-1287

The parties shall notify each other in writing of any change in the above information.

28. **New Mexico Law.** This Agreement shall be construed in accordance with New Mexico law, and the Agreement may not be changed except by writing executed with the same formality as with this Agreement.

29. **Venue.** The parties agree this Agreement shall be construed and controlled by the laws of the State of New Mexico. The parties further agree that any legal actions arising out of this Agreement shall be brought in the District Court of Eddy County, New Mexico for the Fifth Judicial District. The parties expressly consent to both in personam and subject matter jurisdiction of the Eddy County District Court and agree that venue shall properly lie in the Eddy County, New Mexico District Court.

30. **Arbitration.** Should any dispute arise between the parties in connection with the Agreement and if such dispute cannot be resolved by discussion between the parties, the parties agree to submit the unresolved dispute to binding arbitration in lieu of litigation.

31. **Captions.** The captions of any articles, paragraphs, or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any of the provisions thereof.

32. **Exhibits.** Any instrument or document made and attached to this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

DALE JANWAY, MAYOR

ATTEST:

CITY CLERK

ROCKING WD SERVICES LLC:

DARRIN McGILVRAY, OWNER

STATE OF NEW MEXICO)
) ss.
COUNTY OF EDDY)

The foregoing instrument was signed and acknowledged before me this 7th day of June, 2018 by DARRIN McGILVRAY, Owner, Rocking WD Services. LLC.

My commission expires: June 29, 2021

NOTARY PUBLIC

AWARD NOTIFICATION
BID 2018-03
Bird Exclusion and Abatement Services for City of Carlsbad

Award Date: March 27, 2018

Awarded to: Rocking WD Services
Award Amount: $3,250 per month
Contract Term: 4 Years, renewable annually

On March 27, 2018, the governing body of the City of Carlsbad approved the award of the above referenced Bid to Rocking WD Services. A bid tabulation has been attached for your reference.

13-1-172. Right to protest.

Any bidder or offeror who is aggrieved in connection with a solicitation or award of a contract may protest to the Purchasing Manager or Central Purchasing Department. The protest shall be submitted in writing within fifteen calendar days after knowledge of the facts or occurrences giving rise to the protest.

If you should have any questions, please contact me at (575) 234-7905.

Thank you for your bid.

Sincerely,

Matt Fletcher

Matt Fletcher, CPO
Purchasing Manager
City of Carlsbad, NM
575-234-7905
msfletcher@cityofcarlsbadnm.com

City of Carlsbad, NM

Bid Management Program

Bid Opening Evaluation
3/16/2018; 2:30 pm

Bidder Name	Municipal Building	Annex	Police Dept.	Fire Station 1	Museum/Library	Total - Per Month
Rocking WD Services	$ 650.00	$ 650.00	$ 650.00	$ 650.00	$ 650.00	$ 3,250.00
Advanced Pest & Weed Mgt.	$ 620.83	$ 620.83	$620.83	$941.67	$ 620.83	$ 3,425.00

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: June 9, 2020

DEPARTMENT: Executive	**BY:** John Lowe, City Administrator	**DATE**: 6/2/20

SUBJECT: Memorandum of Understanding between the City of Carlsbad, City of Artesia and Eddy County for Public and Government Affairs Services

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)

In November of 2019, the City of Carlsbad entered into a Memorandum of Understanding with the City of Artesia and Eddy County for Public and Government Affairs Services.

The current MOU is to provide a full-time employee for lobbying services to educate individuals, agencies and legislators to the current conditions in Eddy County and to gain support for resource needs that can improve our service capabilities for these communities.

The parties wish to renew the Memorandum of Understanding for the 2020-21 Fiscal Year. The Mayor will have Authority to sign the Agreement and all necessary related documents.

The annual funding proportions are:

City of Artesia – 12.5% ($18,750/yr)
City of Carlsbad – 37.5% ($56,250/yr)
Eddy County – 50% ($75,000/yr)

DEPARTMENT RECOMMENDATION: Approval of Memorandum of Understanding.

BOARD/COMMISSION/COMMITTEE ACTION:

9 P & Z	9 Lodgers Tax Board	9 Cemetery Board	} " APPROVED
9 Museum Board	9 San Jose Board	9 Water Board	}
9 Library Board	9 N. Mesa Board	9 Insurance Committee	} " DISAPPROVED

Reviewed by:
City Administrator /s/ John Lowe **Date:** 06/04/2020

ATTACHMENT(S):

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: 6-9-2020

DEPARTMENT:	BY:	DATE:
Carlsbad Police Department	Shane Skinner – Chief of Police 05/29/2020	5-29-2020

SUBJECT: Accept a Bureau of Justice Assistance Grant Award Under the Coronavirus Emergency Supplemental Funding Program

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)

The Carlsbad Police Department submitted a grant application request to the U.S. Department of Justice (DOJ), Bureau of Justice Assistance (BJA) under the Coronavirus Emergency Supplemental Funding (CESF) Program FY2020 Formula Grant Solicitation. CESF funding assists eligible local units of government in preventing, preparing for, and responding to the Coronavirus. Allowable projects and purchases under this program include: overtime, equipment, hiring supplies, training, and travel expenses.

The Carlsbad Police Department plans to use these funds to contract for decontamination of its police units and the police station; for the purchase of additional Personnel Protective Equipment for its officers out on the field; and overtime costs associated with staff coverage directly related to Coronavirus. All funds will be spent upfront and reimbursed to the City. There is no match required for this funding program.

Enclosed for your consideration is an award notification and a grant agreement in the amount of $36,914. If approved, the City agrees to comply with all terms and conditions of the grant program, including compliance with the related assurances and certifications as stipulated. The term period is through January 31, 2022.

DEPARTMENT RECOMMENDATION: I recommend the City of Carlsbad accept the enclosed grant award and designate the City Administrator signature authority on the grant agreement and related documents.

BOARD/COMMISSION/COMMITTEE ACTION:

☐ P & Z	☐ Lodgers Tax Board	☐ Riverwalk Rec Center Board	☐ APPROVED
☐ Museum Board	☐ San Jose Board	☐ Water Board	☐ DISAPPROVED
☐ Library Board	☐ N. Mesa Board	☐ Beautification Committee	

Reviewed by:
City Administrator: /s/ John Lowe **Date:** 06/04/2020

Department of Justice (DOJ)
Office of Justice Programs

Office of the Assistant Attorney General *Washington, D.C. 20531*

May 28, 2020

Mr. John Lowe
City of Carlsbad
101 N Halagueno St.
Carlsbad, NM 88220-4943

Dear Mr. Lowe:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by City of Carlsbad for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is $36,914. These funds are for the project entitled BJA FY 20 Coronavirus Emergency Supplemental Funding Program.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqts.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should City of Carlsbad accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Gerardo Velazquez, Program Manager at (202) 353-8645; and

- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.

Department of Justice (DOJ)
Office of Justice Programs
Office of Civil Rights

Washington, DC 20531

May 28, 2020

Mr. John Lowe
City of Carlsbad
101 N Halagueno St.
Carlsbad, NM 88220-4943

Dear Mr. Lowe:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

City of Carlsbad
101 N Halagueno St.
Carlsbad, NM 88220-4943

4. AWARD NUMBER: 2020-VD-BX-0982

5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022

BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022

6. AWARD DATE 05/28/2020

7. ACTION: Initial

2a. GRANTEE IRS/VENDOR NO.
856000111

8. SUPPLEMENT NUMBER
00

2b. GRANTEE DUNS NO.
084475854

9. PREVIOUS AWARD AMOUNT $ 0

3. PROJECT TITLE
BJA FY 20 Coronavirus Emergency Supplemental Funding Program

10. AMOUNT OF THIS AWARD $ 36,914

11. TOTAL AWARD $ 36,914

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

14 . CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)

16.034 - Coronavirus Emergency Supplemental Funding Program

15. METHOD OF PAYMENT

GPRS

[redacted] AGENCY APPROVAL [redacted]

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Katharine T. Sullivan

Principal Deputy Assistant Attorney General

17. SIGNATURE OF APPROVING OFFICIAL

[redacted] GRANTEE ACCEPTANCE [redacted]

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

John Lowe
City Administrator

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

[redacted] AGENCY USE ONLY [redacted]

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT
X	B	VD	80	00	00		36914

21. VVDUGT0991

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

   The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

   Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqts.htm), and incorporated by reference into the award.

   By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

   Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

   Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

   Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at https://ojp.gov/funding/Part200UniformRequirements.htm.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at https://ojp.gov/financialguide/DOJ/index.htm), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

   Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

   In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

   A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at https://www.ojp.gov/training/fmts.htm. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

   The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

   A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

   If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

PROJECT NUMBER 2020-VD-BX-0982 AWARD DATE 05/28/2020

SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at https://www.sam.gov/. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at https://ojp.gov/funding/Explore/SAM.htm (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or

SPECIAL CONDITIONS

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (https://www.e-verify.gov/) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at https://ojp.gov/funding/Explore/SubawardAuthorization.htm (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed $250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, $250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed $250,000)), and are incorporated by reference here.

SPECIAL CONDITIONS

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

SPECIAL CONDITIONS

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at https://ojp.gov/funding/Explore/Interact-Minors.htm (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm.

SPECIAL CONDITIONS

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at https://www.ecfr.gov/cgi-bin/ECFR?page=browse), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

SPECIAL CONDITIONS

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at https://oig.justice.gov/hotline/contact-grants.htm (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at https://oig.justice.gov/hotline.

SPECIAL CONDITIONS

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at https://www.ojp.gov/funding/explore/CESF-program-specific-condition, that is incorporated by reference here.

SPECIAL CONDITIONS

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

    The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of $25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at https://ojp.gov/funding/Explore/FFATA.htm (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

    This condition, including its reporting requirement, does not apply to-- (1) an award of less than $25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

    The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

    Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

    Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/ gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

    To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.

SPECIAL CONDITIONS

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at https:/ / bja.gov/ Funding/ nepa.html, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program . The recipient also agrees to obligate the award funds in the account(including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing $500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).

SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: https:/ / nij.gov/ topics/ technology/ body-armor/ pages/ safety-initiative.aspx.

45. Missing Attachment: Disclosure of lobbying

The recipient must complete a Disclosure of Lobbying Activities (SF-LLL) form, and submit it to the grant manager for this award. Award closeout will not be possible until OJP has issued a Grant Adjustment Notice to remove this special condition.

Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for City of Carlsbad

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:
(1) New construction
(2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
(3) A renovation that will change the basic prior use of a facility or significantly change its size
(4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
(5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.

Department of Justice (DOJ)
Office of Justice Programs

Bureau of Justice Assistance

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER
2020-VD-BX-0982

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

1. STAFF CONTACT (Name & telephone number)

Gerardo Velazquez
(202) 353-8645

2. PROJECT DIRECTOR (Name, address & telephone number)

David R. Testa
Lieutenant
101 N HALAGUENO ST
CARLSBAD, NM 88220-4943
(575) 885-2111 ext.2257

3a. TITLE OF THE PROGRAM

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)

4. TITLE OF PROJECT

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

5. NAME & ADDRESS OF GRANTEE

City of Carlsbad
101 N Halagueno St.
Carlsbad, NM 88220-4943

6. NAME & ADRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/20/2020 TO: 01/31/2022

8. BUDGET PERIOD

FROM: 01/20/2020 TO: 01/31/2022

9. AMOUNT OF AWARD

$ 36,914

10. DATE OF AWARD

05/28/2020

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

NCA/NCF

City of Carlsbad
Personnel Department

Action Report
Month of May 2020

Submitted by
Scot D. Bendixsen, HR Director

City of Carlsbad
Personnel Department Action Report
Month of May 2020

EMPLOYEE REPORT	Beginning of Month	New Hires	Termina-tions	Transfers In	Transfers Out	End of Month
Full-Time Employees	440	5	3	0	0	442
Part-Time/Temp Employees	42	32	1	0	0	73
Total Employees	482	37	4	0	0	515
Administrative	22	0	0	0	0	22
Judicial	8	0	0	0	0	8
Finance	17	0	0	0	0	17
Police	105	4	1	0	0	108
Fire	67	0	0	0	0	67
Community Development	77	32	1	0	0	108
Planning & Regulation	19	0	0	0	0	19
Utilities	76	1	0	0	0	77
Transportation & Facilities	91	0	2	0	0	89
TOTAL	482	37	4	0	0	515

WEEKLY INDEMNITY	Beginning of Month	New Claims	Released To Work	Terminated	End of Month
Employees on WI	10	0	3	1	6

UNEMPLOYMENT CLAIMS	Claims Received	Claims Returned	Claims Denied	Claims Approved	Claims Pending	Claims Appealed
Current Month	4	4	11	1	9	0

DRUG TESTS	Number Given
Pre-employment	28
Probationary	0
Post Accident	10
Random	0
Periodic	0
Probable Cause	0

PHYSICAL EXAMINATIONS	Number Given
Pre-employment	13
Return to Work Evaluation	0
Functional Capacity Evaluation	0

TESTING	Number Given
Firefighter	13
Telecommunicator	1
Typing	2

VACANCIES BID	Department
None	

VACANCIES ADVERTISED	Applications Received
ARC Driver	Pending
Assistant Chief of Police	Pending
Firefighter	17
Heavy Equipment Operator 1	Pending
Lifeguard	Pending
Patrolman	Pending
Recreation Attendant, p/t	Pending
Recreation Attendant, seasonal	Pending
Seasonal Laborers	Pending
Senior Recreation Attendant	6
Telecommunicator	43
Water Park Rec. Attendant	9

CARLSBAD MUNICIPAL COURT
CITY OF CARLSBAD
MAY 2020

Number of Cases	941
Warrants Outstanding	4679
Amount of Fines	$ 68, 963.00
Cases on Appeal	0

FINES

Summary for the Month of	**MAY 2020**
Total Fines	$52,147.00
Total Prevention Fees	$ 215.00
Total Lab Fees	$ 196.00
Total Correction Fees	$11,179.00
Total Automation Fees	$ 3,443.00
Judicial Fees	$ 1,783.00
Notary Fees	$ 0.00
Victim Restitution	$ 0.00
TOTAL	**$ 68, 963.00**

TOTAL FINES WORKED OUT THROUGH COMMUNITY SERVICE - $0.00

cc: Chief
City Administrator
Finance Department

Collis Johnson
Municipal Judge

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Set the Date:
Council Meeting Date: 6/9/2020

DEPARTMENT: Legal	**BY:** D. Boyea	**DATE**: 06/02/2020

SUBJECT: Proposed Repeal and Replacement of Lodgers' Tax Ordinance

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
The State of New Mexico enacted state statutes that authorized the imposition of occupancy taxes on lodgings within municipalities and counties. The New Mexico Lodgers' Tax Act was amended by the 2020 Legislature to clarify some items in the definitions section and make changes to the exemptions from and uses of the Lodgers' Tax. Specifically:

1. NMSA Sec. 3-38-14G - Redefines "taxable premises" to be hotel, motel or other premises for lodging that is not the vendee's household or primary residence". This maintains and expands the type of premises subject to the tax.
2. NMSA Sec. 3-38-14H - Adds a definition of "temporary lodging" to mean lodgings for the purpose of housing a vendee within proximity of the vendee's employment or job location.
3. NMSA Sec. 3-38-16A - Eliminated the tax exemption for any premises that are temporary lodgings;
4. NMSA Sec. 3-38-21B - Allows proceeds from the tax collected based on the 31st and subsequent days to be used for any municipality purpose provided the use is stated in the Ordinance imposing the tax;
5. NMSA Sec. 3-38-25 - Added a section to maintain revenue dedicated for the same amount until the dedication expires or the debt is discharged for bonds; and
6. The very last section added an effective date of July 1, 2020.

In addition to the above changes in state statutes, the City proposes to add language stating it must approve in its budget the uses for the taxes collected from proceeds collected on premises rented on day 31 and subsequently.
The City now proposes to adopt the changes made by the State of New Mexico in 2020 plus add a provision that use of the taxes be included in the budget. A new City Ordinance was therefore drafted that repeals and replaces the prior Ordinance based on the changes to the state Lodgers Tax Act.
The proposed changes to the Lodgers' Tax Ordinance is estimated to result in additional taxes collected for tourism activities and other municipality purposes that are approved in the budget.

DEPARTMENT RECOMMENDATION: Adopt proposed repeal and replacement of Lodgers' Tax Ordinance. The Executive Committee has reviewed a draft of the Ordinance.

BOARD/COMMISSION/COMMITTEE ACTION:

□ P & Z	□ Lodgers Tax Board	□ Cemetery Board	} □ **APPROVED**
□ Museum Board	□ San Jose Board	□ Water Board	}
□ Library Board	□ North Mesa Board	□ _____ Committee	} □ **DISAPPROVED**

Reviewed by:

City Administrator: /s/John Lowe Date: 06/05/2020

ATTACHMENTS: Draft of repealed and replaced Lodgers' Tax Ordinance.

ORDINANCE NO. 2020-12

AN ORDINANCE REPEALING AND REPLACING ARTICLE IV SECTION 48-76 THROUGH 48-100 OF THE CODE OF ORDINANCES, CITY OF CARLSBAD, NEW MEXICO, REGARDING LODGERS' TAX MONIES

WHEREAS, pursuant to the Lodgers' Tax Act, NMSA 1978, Sections 3-38-13, et seq. and the City of Carlsbad's Lodger's Tax Ordinance, Sections 48-76 through 48-90 of the Carlsbad City Code, the City imposes, collects and expends an occupancy tax on lodging; and

WHEREAS, on July 1, 2020, amendments to the state statute Lodgers' Tax Act will go into effect clarifying the definition for "taxable premises", adding "temporary lodging" to the definitions, eliminating exemptions for lodgings that are "temporary lodging" from the tax and clarifying the use of the taxes based on the 31st and subsequent days; and

WHEREAS, the City of Carlsbad currently has a Lodgers' Tax, Section 48-78 that does not define temporary lodging; and

WHEREAS, the City of Carlsbad currently has a Lodgers' Tax, Section 48-81 that does not address whether temporary lodging is exempt from the tax; and

WHEREAS, the City of Carlsbad currently has a Lodgers' Tax, Section 48-90 that does not address use of lodgers' taxes based on the 31st and subsequent days; and

WHEREAS, the City of Carlsbad, New Mexico wishes to update the existing requirements of city ordinances regarding Lodgers' Taxes to conform with state statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO, as follows:

Sections 48-76 through 48-100 of the Code of Ordinances, City of Carlsbad, New Mexico is hereby repealed and replaced with the following provisions:

SEE ATTACHED LODGERS' TAX ORDINANCE

INTRODUCED, PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2020.

_____

DALE JANWAY, MAYOR

ATTEST:

_____

City Clerk

ARTICLE IV. - LODGERS' TAX

Sec. 48-76. – Short Title.

This article shall be known as and cited as the "Lodgers' Tax Ordinance."

Sec. 48-77. - Purpose.

WHEREAS, pursuant to the **Lodgers' Tax Act**, NMSA 1978, Sections 3-38-13, et seq. and the City of Carlsbad's **Lodgers' Tax Ordinance**, Sections 48-76 et seq. of the Carlsbad City Code, the City imposes, collects and expends an occupancy tax on lodging; and

WHEREAS, on July 1, 2020, amendments to the state statute Lodgers' Tax Act will go into effect as follows:

Sections 3-38-14 **Definitions** (to redefine "taxable premises" to expand the types of premises to mean a hotel, motel or other premises used for lodging that is not the vendee's household or primary residence; and to add a definition of "temporary lodging" to mean lodgings for the purpose of housing a vendee within proximity of the vendee's employment or job location);

Section 3-38-15 **Authorization of Tax-Limitations on Use of Proceeds** (continues to place restrictions on revenues collected on the first 30 days of a vendee's rental of a taxable premise; and imposes a two-year use period for taxes collected from the first 30 days);

Section 3-38-16 A **Exemptions** (removes the automatic exemption for rentals over 30 consecutive days, or when evidenced by a written lease);

Section 3-38-21 **Eligible Uses of Tax Proceeds** (to add use of tax proceeds collected based on the first thirty days for tourist-related facilities, attractions and events; to allow taxes collected based on the 31st and subsequent days for any municipal purpose; and to define "minimum revenue guarantee"); and

WHEREAS, in order to comply with changes enacted in 2020 by state law, it is desirable to amend the existing Lodgers' Tax Ordinance.

NOW THEREFORE, be it ordained by the Governing Body of the City of Carlsbad, County of Eddy, State of New Mexico, as follows:

The purpose of this article is to continue to collect a tax, which will be borne by persons using commercial lodging accommodations which tax will provide revenues for the purpose of advertising, publicizing and promoting tourist-related facilities, attractions and events, and acquisition, construction and maintenance of tourist-related attractions and recreational facilities, and for other municipal purposes, as authorized in section 48-90.

Sec. 48-78. - Definitions.

As used in the Lodgers' Tax Ordinance:

A. "board" means the advisory board established herein to make recommendations to the governing body, keep minutes of its proceedings and submit its recommendations, correspondence and other pertinent documents to the governing body.

B. "city clerk" means the City Clerk of Carlsbad, New Mexico.

C. "gross taxable rent" means the total amount of rent paid for lodging, not including the state gross receipts tax or local sales taxes.

D. "lodging" means the transaction of furnishing rooms or other accommodations by a vendor to a vendee who for a rent uses, possesses or has the right to use or possess the room or rooms or other units of accommodations in or at a taxable premises.

E. "lodgings" means the rooms or other accommodations furnished by a vendor to a vendee by a taxable service of lodging.

F. "occupancy tax" means the tax on lodging authorized by the Lodgers' Tax Ordinance.

G. "person" means a corporation, firm, other body corporate, partnership, association or individual. "Person" includes an executor, administrator, trustee, receiver or other representative appointed according to law and acting in a representative capacity. "Person" does not include the United States of America, the State of New Mexico, any corporation, department, instrumentality or agency of the federal government or the state government, or any political subdivision of the state.

H. "rent" means the consideration received by a vendor in money, credits, property or other consideration valued in money for lodgings subject to an occupancy tax authorized in the Lodgers' Tax Ordinance.

I. "taxable premises" means a hotel, motel or other premises used for lodging that is not the vendee's household or primary residence.

J. "temporary lodging" means lodgings for the purpose of housing a vendee within proximity of the vendee's employment or job location.

K. "tourist" means a person who travels for the purpose of business, pleasure or culture to a municipality of county imposing an occupancy tax.

L. "tourist-related events" means events that are planned for, promoted to and attended by tourists.

M. "tourist-related facilities and attractions" means facilities and attractions that are intended to be used by or visited by tourists.

N. "tourist-related transportation systems" means transportation systems that provide transportation for tourists to and from tourist-related facilities and attractions and tourist-related events.

O. "vendee" means a natural person to whom lodgings are furnished in the exercise of the taxable service of lodging; and

P. "vendor" means a person or the person's agent furnishing lodgings in the exercise of the taxable service of lodging.

Sec. 48-79. – Rate and Authorization of Tax – Limitations on Use of Proceeds.

A. A municipality may impose by ordinance an occupancy tax for revenues on lodging within the municipality.

B. The occupancy tax shall not exceed five percent (5%) of the gross taxable rent for lodging within the municipality paid to vendors.
C. Every vendor who is furnishing any lodgings within a municipality is exercising a taxable privilege.
D. The following portions of the proceeds from the occupancy tax that are collected based on the first thirty days a vendee rents lodgings in taxable premises shall be used only for advertising, publicizing and promoting tourist-related facilities and attractions and tourist-related events: not less than one-half of the proceeds from the first three percent of the occupancy tax and not less than one-fourth of the proceeds from the occupancy tax in excess of three percent shall be used for those purposes; and
E. The proceeds from the occupancy tax that are collected based on the first thirty days a vendee rents lodgings in taxable premises in excess of the amount required to be used for advertising, publicizing and promoting tourist-related facilities and attractions and tourist-related events may be used for any purpose authorized in Section 48-90.
F. The proceeds from the occupancy tax that are required to be used to advertise, publicize and promote tourist-related facilities and attractions and tourist-related events shall be used within two years of the close of the fiscal year in which they were collected and shall not be accumulated beyond that date or used for any other purpose.
G. Notwithstanding the provisions of Section D, any use of occupancy tax proceeds on January 1, 1996 may continue to be so used after July 1, 1996 in accordance with the provisions of this section and Ordinance 48-90 as they were in effect prior to July 1, 1996; provided, any change in the use of those occupancy tax proceeds after July 1, 1996, is subject to the limitations of that paragraph.
H. Notwithstanding the provisions of Section D of this section, the payment of principal and interest on outstanding bonds issued prior to January 1, 1996 pursuant to Section 3-38-23 or 3-38-24 NMSA 1978 shall be made in accordance with the retirement schedules of the bonds established at the time of issuance. The amount of expenditures required under Section D of this section shall be reduced each year, if necessary, to make the required payments of principal and interest of all outstanding bonds issued prior to January 1, 1996.

Sec. 48-80. - Licensing.

A. No vendor shall engage in the business of providing lodging in the Municipality of Carlsbad who has not first obtained a license as provided in this section.

B. Applicants for a vendor's license shall submit an application to the city clerk stating:

(1) The name of the vendor, including identification of any person, as defined in this article, who owns or operates or both owns and operates a place of lodging and the name or trade names under which the vendor proposes to do business and the post office address thereof;

(2) A description of the facilities, including the number of rooms and the usual schedule of rates therefor;

(3) A description of other facilities provided by vendor or others to users of the lodgings such as restaurant, bar, cleaning, laundry, courtesy car, stenographer, tailor or others, and a statement identifying the license issued, to whom issued, the authority issuing, and the period for which issued. If applicable, also the identification number provided by the Taxation and Revenue Department of the State of New Mexico;

(4) The nature of the business practices of the vendor and to what extent, if any, the business is exempt from the lodgers' tax;

(5) Other information reasonably necessary to effect a determination of eligibility for such license.

C. The city clerk shall review applications for license within ten days of receipt thereof, and grant the license in due course if the applicant is doing business subject to the lodgers' tax.

D. An applicant who is dissatisfied with the decision of the city clerk may appeal the decision to the governing body by written notice to the city clerk of such appeal to be made within 15 days of the date of the decision of the city clerk on the application. The matter shall be referred to the governing body for hearing at a regular or special meeting in the usual course of business. The decision of the governing body made thereon shall be expressed in writing and be communicated in the same manner as the decision of the city clerk is transmitted. The action of the governing body shall be deemed final.

E. If the governing body finds for the applicant, the city clerk shall issue the appropriate license or other notice conforming to the decision made by the governing body.

Sec. 48-81. - Exemptions. (Effective January 1, 2020.)

The occupancy tax shall not apply:

A. If a vendee:

(1) has been a permanent resident of the taxable premises for a period of at least thirty consecutive days unless those premises are temporary lodging; or

(2) enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least thirty consecutive days unless those premises are temporary lodging;

B. if the rent paid by a vendee is less than two dollars ($2.00) a day;

C. to lodging accommodations at institutions of the federal government, the state or any political subdivision thereof;

D. to lodging accommodations at religious, charitable, educational or philanthropic institutions, including such accommodations at summer camps operated by such institutions;

E. to clinics, hospitals or other medical facilities;

F. to privately owned and operated convalescent homes, or homes for the aged, infirm, indigent or chronically ill.

Sec. 48-82. - Collection of the tax and reporting procedures.

A. Every vendor providing lodgings in a municipality imposing an occupancy tax shall collect the proceeds thereof on behalf of the municipality and shall act as a trustee therefor.

B. The tax shall be collected from vendees in accordance with the ordinance imposing the tax and shall be charged separately from the rent fixed by the vendor for the lodgings.

C. Each vendor licensed under this article shall be liable to the Municipality of Carlsbad for the tax provided herein on the rent paid for lodging at a taxable premises.

D. Each vendor shall make a report by the 25th day of each month, on forms provided by the city clerk of all receipts for lodging in the preceding calendar month, and shall submit the proceeds of the lodgers' tax to the municipality and include sufficient information to enable the municipality to audit the reports and shall be verified on oath by the vendor.

Sec. 48-83. - Duties of the vendor.

Vendor shall maintain adequate records of facilities subject to the tax and of proceeds received for the use thereof. Such records shall be maintained in Carlsbad, New Mexico, and shall be open to the inspection of the municipality during reasonable hours and shall be retained for three years.

Sec. 48-84. - Failure to make return; computation, civil penalty and notice; collection of delinquencies; occupancy tax is a lien.

A. Every vendor is liable for the payment of the proceeds of any occupancy tax that the vendor failed to remit to the municipality, whether due to his failure to collect the tax or otherwise. He shall be liable for the tax plus a civil penalty equal to the greater of ten percent (10%) of the amount not remitted or One Hundred Dollars ($100.00). The city clerk shall give the delinquent vendor written notice of the delinquency, which notice shall be mailed to the vendor's local address.

B. If payments are not received within 15 days of the mailing of the notice, the municipality may bring an action in law or equity in the district court for the collection of any amounts due including, without limitation penalties thereon, interest on the unpaid principal at a rate not exceeding one percent per month. If the city attempts collection through an attorney or the city attorney for any purpose with regard to this article, the vendor shall be liable to the municipality for all costs, fees paid to the attorney or city attorney, and all other expenses incurred in connection therewith.

C. The occupancy tax imposed by a municipality constitutes a lien in favor of the municipality upon the personal and real property of the vendor providing lodgings. The lien may be enforced as provided in NMSA 1978, §§ 3-36-1 through 3-36-7. Priority of the lien shall be determined from the date of filing.

D. Under process or order of court, no person shall sell the property of a vendor without first ascertaining from the city clerk or treasurer the amount of any occupancy tax due the municipality. Any occupancy tax due the municipality shall be paid from the proceeds of the sale before payment is made to any judgment creditor or any other person with a claim on the sales proceeds.

Sec. 48-85. - Criminal penalties.

Any person who violates the provisions of the Lodgers' Tax Ordinance for a failure to pay the tax, to remit proceeds thereof to the municipality or to properly account for any lodging and tax proceeds pertaining thereto shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed Five Hundred Dollars ($500.00) or by imprisonment not to exceed ninety (90) days or both.

Sec. 48-86. - Refunds and credits.

If any person pays any lodgers' tax in excess of the tax required, a refund thereof may be claimed by directing a written claim to the city clerk, no later than ninety (90) days from the date payment was made. Every claim for refund shall state the nature of the person's complaint and the affirmative relief requested. The city clerk shall allow the claim in whole or in part or may deny it. Refunds of tax and interest erroneously paid and amounting to One Hundred Dollars ($100.00) or more may be made only with the approval of the governing body.

Sec. 48-87. – Audit of Vendors.

A. The governing body shall select for annual random audit(s) one or more vendors to verify the amount of gross rent subject to the occupancy tax and to ensure that the full amount of occupancy tax on the rent is collected from each vendor thus audited.

B. The governing body shall determine each year the number of vendors within the municipality to audit and shall conduct random audits to verify full payment of occupancy tax receipts.

C. The audit(s) may be performed by the city clerk or by any other designee of the governing body. A copy of each audit shall be filed annually with the Local Government Division of the Department of Finance and Administration.

Sec. 48-88. - Confidentiality of return and audit.

It is unlawful for any employee of the municipality of Carlsbad to reveal to any individual other than other employees of the municipality of Carlsbad any information contained in the return or audit of any taxpayer, including vendors subject to the Lodgers' Tax Ordinance, except to a court of competent jurisdiction in response to an order thereof in an action relating to taxes to which the Municipality of Carlsbad is a party, and in which information sought is material to the inquiry; to the taxpayer himself or to his authorized representative; and in such manner, for statistical purposes, that the information revealed is not identified as applicable to any individual taxpayer.

Sec. 48-89. - Advisory board created; duties.

A. *Creation.* There is hereby created a board to be known as the City of Carlsbad Lodgers' Tax Advisory Board.

B. *Appointment of members.*

(1) The board shall consist of five members. The mayor, with the consent and approval of the city council, shall appoint the members. The board shall consist of:

a. Two members who are owners or operators of lodgings subject to the occupancy tax within the municipality;

b. Two members who are owners or operators of industries located within the municipality that primarily provide services or products to tourists; and

c. One member who is a resident of the municipality and represents the general public.

The board shall serve without compensation. The board shall annually elect one of its members as chairperson and one as vice-chairperson.

(2) The mayor, the city administrator, and the director of finance shall be ex officio members of the board. Additionally, the mayor may appoint, with the consent and approval of the city council, one council member as an ex officio member of the board. The mayor may appoint, with the approval of council, a council member to act as the mayor's designee in the mayor's capacity as an ex officio member of the board. Ex officio members shall have no vote in any of the proceedings.

C. *Term of office.* The term of office for the members shall be four years beginning on July 1st of the year of appointment and ending four years later. All appointments to vacancies on the board shall be for the unexpired term of the member leaving the board.

D *Meetings.* The board shall meet once a month and at such other times as may seem to it to be fit and proper.

E. *Removal of board member.* Any board member, who shall, by his or her conduct, be subject to removal for cause shall be entitled to a hearing before the city council and is entitled to representation at such hearing and shall be removed if a majority of all members of the city council find that cause exists for removal of such member.

F. *Duties.* The board shall advise the city council on the expenditure of funds authorized by the Lodgers' Tax Ordinance for advertising, publicizing and promoting tourist attractions and facilities in the City of Carlsbad. The board shall submit to the mayor and council recommendations for the expenditures of funds authorized pursuant to the Lodgers' Tax Ordinance for advertising, publicizing and promoting tourist-related attractions, facilities and events in the City of Carlsbad.

G. *Secretary.* A designee of the City Administrator shall be the secretary of the board and shall faithfully keep the minutes of the meetings of the board and all other correspondence of the board but shall have no vote in any of the proceedings.

Sec. 48-90. - Use of lodgers' tax monies.

A. Subject to the limitations contained in Ordinance 48-79, for the first thirty days of use, the municipality may use the proceeds from the occupancy tax that are collected based on the first thirty days a vendee rents lodgings in taxable premises to defray the costs of:

(1) collecting and otherwise administering the occupancy tax including the performance of audits required by the Lodgers' Tax Ordinance;
(2) establishing, operating, purchasing, constructing, otherwise acquiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or any interest in real property for the site or grounds for tourist-related facilities and attractions or tourist-related transportation systems of the municipality of Carlsbad, NM;
(3) the principal of and interest on any prior redemption premiums due in connection with and any other charges pertaining to revenue bonds authorized by Section 3-38-23 or Section 3-38-24 NMSA 1978;
(4) advertising, publicizing and promoting tourist-related attractions, facilities and events of the municipality of Carlsbad, NM and tourist-related facilities, attractions and events within the area;
(5) providing police and fire protection and sanitation service for tourist-related

facilities, attractions and events located in the municipality of Carlsbad, NM;
(6) providing a required minimum revenue guarantee for air service to the municipality to increase the ability of tourists to easily access the municipality's tourist-related facilities, attractions and events; or
(7) any combination of the foregoing purposes or transactions stated in this section but for no other municipal purpose.

B. The proceeds from the occupancy tax that are collected based on the thirty-first and subsequent days a vendee rents lodgings in a taxable premise may be used for any municipality purpose; provided that the use is approved in the budget.

C. As used in this section, "minimum revenue guarantee" is the amount of money guaranteed by a municipality to be earned by an airline providing air services to and from that municipality, which is the difference between the minimum flight charge revenue specified in the contract between the municipality and the airline and the amount of actual flight charge revenue received by the airline that is less than that contractual amount.

Sec. 48-91. Revenue bonds.

A. Revenue bonds may be issued at any time or from time to time by a municipality to defray wholly or in part the costs of any one, all or any combination of purposes authorized in Paragraphs (2) through (5) of Subsection A of Sec. 48-90.

B. The revenue bonds may be payable from and such payment may be secured by a pledge of and lien on the revenues derived from:

(1) the proceeds of the occupancy tax of the municipality after the deduction of those amounts required to be expended pursuant to Sec. 48-79 (D) and the administration costs pertaining to the occupancy tax in an amount not to exceed ten percent (10%) of the occupancy tax receipts collected by the municipality in any fiscal year, excluding from the computation of such costs the administration costs ultimately recovered from delinquent vendors by civil action as penalties, costs of collection and attorney fees but not as interest on unpaid principal;

(2) the tourist-related facilities and attractions or tourist-related transportation systems to which the bonds pertain, after provision is made for the payment of the operation and maintenance expenses of the tourist-related facilities and attractions or tourist-related transportation systems; or

(3) a combination of such net revenues from both sources designated in Paragraphs (1) and (2) of this subsection.

C. The bonds shall bear interest at a rate as authorized in the Public Securities Act [Sec. 6-14-1 through 6-14-3 NMSA 1978], and the first interest payment may be for any period authorized in the Public Securities Act.

D. Except as otherwise provided in the Lodgers' Tax Ordinance [Sec. 48-76 through 48-100 NMSA 1978], revenue bonds authorized in the Lodgers' Tax Ordinance shall be issued in accordance with the provisions of Sections 3-31-2 through 3-31-6 NMSA 1978.

Sec. 48-92. Refunding bonds.

A. Any municipal revenue bonds issued as authorized in the Lodgers' Tax Ordinance [Sec. 48-76 through 48-100 NMSA 1978] may issue refunding revenue bonds payable from pledged revenues therein authorized for the payment of revenue bonds at the time of the refunding or at the time of the issuance of the bonds being refunded as the governing body of the municipality may determine, notwithstanding the revenue sources or the pledge of such revenues or both are thereby modified.

B. Refunding bonds may be issued for the purpose of refinancing, paying and discharging all or any part of such outstanding bonds of any one or more or all outstanding issues:

(1) for the acceleration, deceleration or other modification of the payment of such obligations, including without limitation any capitalization of any interest thereon in arrears or about to become due for any period not exceeding one year from the date of the refunding bonds;

(2) for the purpose of reducing interest costs or effecting other economies;

(3) for the purpose of modifying or eliminating restrictive contractual limitations pertaining to the issuance of additional bonds, otherwise concerning the outstanding bonds, or to any facilities relating thereto; or

(4) for any combination of the foregoing purposes.

C. The interest on any bond refunded shall not be increased to any rate in excess of the rate authorized in the Public Securities Act [Sec. 6-14-1 through 6-14-3 NMSA 1978] and shall be paid as authorized in that act.

D. Bonds for refunding any bonds for any other purpose permitted by the Lodgers' Tax Ordinance may be issued separately or issued in combination in one series or more.

E. Except as otherwise provided in the Lodgers' Tax Ordinance, refunding bonds authorized in the Lodgers' Tax Ordinance shall be issued in accordance with the provisions of Sections 3-31-10 and 3-31-11 NMSA 1978.

Sec. 48-93. Maintaining Revenue Dedication.

Any amount of revenue attributable to a tax imposed pursuant to the Lodgers' Tax Ordinance, shall continue to be dedicated to the same amount of revenue attributable to the tax until the ordinance dedicating the revenue expires, the term of the dedicating

expires, the governing body acts to change the dedication or, in the case of bonded indebtedness, the debt is fully discharged or otherwise provided for in full.

Sec. 48-94. Effective Date.

The effective date of the provisions of this ordinance is July 1, 2020.

Sec. 48-95–48-100. Reserved**.**

INTRODUCED, PASSED, ADOPTED AND APPROVED this _____ day of _____, 2020.

_____
DALE JANWAY, MAYOR

ATTEST:

_____
CITY CLERK

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Digitally signed by Jeff Patterson, CFM
DN: cn=Jeff Patterson, CFM, o=City of Carlsbad, ou=Director of Planning and Regulation, email=jepatterson@cityofcarlsbadnm.com, c=US
Date: 2020.06.03 11:36:06 -06'00'

Meeting Date: 6/9/2020

DEPARTMENT: Planning, Engineering & Regulation	**BY:** Jeff Patterson, Planning Director	**DATE:** 6/1/2020

SUBJECT: Request for a Zone Change from "C-2" Commercial 2 District to "C-1" Commercial 1 District for approximately 0.50 acres, located at 212 S. Alameda St., legally described as Lots 10, 12 & 14, Block 44, Stevens Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
Dave W. Morgan
1210 Landsun Drive
Carlsbad, NM 88220

The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners' 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
The applicant has submitted a request for a Zone Change from "C-2" Commercial 2 District to "C-1" Commercial 1 District for approximately 0.50 acres, located at 212 S. Alameda St., legally described as Lots 10, 12 & 14, Block 44, Stevens Subdivision.

Sec. 56-40(d) states:

(d) Commercial 1 (C-1) District.

The Commercial 1 District is intended to accommodate neighborhood-scale retail, office, and customer service uses. Such uses are regulated in order to reduce adverse impacts on surrounding residential development

The properties to the north, south, & west are currently zoned "C-2" Commercial 2 District. The properties to the east is zoned "C-1" Commercial 2 District. This zone change would not create a spot zone.

Comprehensive Plan: Strategy 2040 goals and policies that are applicable to this request are:

Chapter 5: Land Use

Objectives:

- *To identify areas of opportunity for infill and redevelopment*
- *To achieve a more balanced land use mix and increase the supply of commercial properties*

According to Zoning Ordinance **Sec. 56-150(b)(4). Amendments**, Findings Required, a statement of fact regarding each of the following findings is required:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of

this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Based on review of the application and staff comments, at their meeting on May 4, 2020, the Planning and Zoning Commission considered this item and recommended approval with a vote of four (4) in favor of approval, none (0) against, one (1) absent and none (0) abstain.

DEPARTMENT RECOMMENDATION (please check):

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works	X			Planning, Eng. & Reg. Dept	X		
Fire Department	X			Code Enforcement Division			X
Legal Department	X			Planning Division	X		
Police Department			X	Projects Department	X		
Utilities Department	X			Building Division	X		
City Administration	X			Carlsbad Irrigation District			X

DEPARTMENT COMMENTS:

Public Works: Recommend approval.

Utilities Department: Recommend approval.

Fire Department: Recommend approval.

Code Enforcement: No comment.

Legal Department: Recommend approval.

Planning Department: Recommend approval

Police Department: No comments.

Projects Department: Recommend approval.

Building Department: Recommend approval.

Carlsbad Irrigation District: No comments

City Administration: Recommend approval

BOARD/COMMISSION/COMMITTEE ACTION:

☒ P&Z	☐ Lodgers Tax Board	☐ Cemetery Board	☒ APPROVED
☐ Museum Board	☐ San Jose Board	☐ Water Board	☐ DISSAPPROVED
☐ Library Board	☐ N. Mesa Board	☐ _____ Committee	

Reviewed by
City Administrator /s/John Lowe Date: 06/04/2020

ATTACHMENTS: Application materials, Ordinance, P & Z Minutes.

ORDINANCE NO. 2020-13

AN ORDINANCE REZONING PART OF "C-2" COMMERCIAL 2 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT FOR AN APPROXIMATELY 0.50 ACRE PROPERTY, LOCATED AT 212 S. ALAMEDA ST., LEGALLY DESCRIBED AS LOTS 10, 12, & 14, BLOCK 44, STEVENS SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "C-2" Commercial 2 District to "C-1" Commercial 1 District, for an approximately 0.50 acre property located at 212 S. Alameda St., legally described as:

LOTS 10, 12 & 14, BLOCK 44, STEVENS SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of June, 2020.

_____
DALE JANWAY, MAYOR

ATTEST:

_____
CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE

City of Carlsbad
Planning & Zoning Commission

Monday, May 4, 2020, at 5:00 p.m.

Meeting Held in the Annex Planning Room
114 S. Halagueno

CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, May 4, 2020 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Council Chambers

1. Roll call of voting members and determination of quorum

2. Approval of Agenda

3. Approval of Minutes from the Special Meeting held April 9, 2020

4. Consider a recommendation to Council for a Zone Change request from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision
   a. Remove from table
   b. Consider item for recommendation

5. Consider approval a request for a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.
   a. Remove from table
   b. Consider approval of request

6. Consider approval of a Variance request to allow a Communications Tower to exceed the maximum 50’ at 208 W. San Jose Blvd.
   a. Remove from table
   b. Consider approval of request

7. Consider a recommendation to Council for a Zone Change request from “R-R” Rural Residential District to “I” Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total
   a. Remove from table
   b. Consider item for recommendation

8. Consider approval of a Temporary Use Permit for Temporary Housing at 4212 Standpipe Rd., zoned “R-R” Rural Residential District
   a. Remove from table
   b. Consider approval of request

9. Consider a recommendation to Council for a Zone Change request from “C-2” Commercial 2 District to “C-1” Commercial 1 District for approximately 0.50 acres located at 210, 212 & 214 S. Alameda St.
   a. Remove from table
   b. Consider item for recommendation

10. Consider approval of a Variance request to allow a more than the minimum residential

units located at 412 E. Church St., zoned “R-1” Residential 1 District
   a. Remove from table
   b. Consider approval of request

11. Report regarding Summary Review Subdivisions

12. Adjourn

FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City web site: ***cityofcarlsbadnm.com***
or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, June 1, 2020 at 5:00 p.m.

MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, MARCH 2, 2020, AT 5:00 P.M.

VOTING MEMBERS PRESENT:	
JAMES KNOTT	**CHAIRPERSON**
JAMES McCORMICK	**COMMISSIONER (arrived 5:08 p.m. via virtual meeting)**
LASON BARNEY	**COMMISSIONER (via virtual meeting)**
BRIGIDO GARCIA	**COMMISSIONER**
VOTING MEMBERS ABSENT:	**BRAD NESSER**
EX-OFFICIO MEMBERS PRESENT:	
JEFF PATTERSON	**PLANNING DIRECTOR**
TRYSHA ORTIZ	**DEPUTY PLANNING DIRECTOR**
SECRETARY PRESENT:	
JUDITH WEBSTER	**PLANNING AND REGULATION DEPARTMENT SECRETARY**
OTHERS PRESENT:	
EILEEN RIORDAN	**CITY ATTORNEY**
CHARLIE GARCIA	**CITY**
LISA ANN ANAYA-FLORES	**502 W. PLAZA**
DAVE MORGAN	**1210 LANDSUN DR.**
DAVID GRANGER	**305 VELA ST.**
HEATHER SCOTT	**(via virtual meeting)**
DOUG HENDERSON	**(via virtual meeting)**
MELISSA ACOSTA	**(via virtual meeting)**

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

0:00:02 Start Recording [5:04:22 PM]

0:00:16 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present–**Mr. Knott, Mr. Garcia, Mr. Barney.** Absent**-Mr. McCormick, Mr. Nesser**.

0:00:32 **2. Approval of Agenda.**

Mr. Knott announced there are two changes to the Agenda. The applicant for Item #8 has requested it be postponed until the next meeting, and Item #10 has been postponed at the request of the applicant.

Mr. Garcia made a motion to approve the Agenda; **Mr. Barney** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott.** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

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0:01:18 **3. Approval of Minutes from the Special Meeting held April 9, 2020**

Mr. Garcia made a motion to approve the minutes from the special meeting held April 9, 2020; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott.** No– None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

0:02:04 **4. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott;** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

b. (Mr. McCormick joins via virtual meeting at 5:08 p.m.) **Consider item for recommendation**

The applicant is attempting to connect via virtual meeting. **Mr. Patterson** suggests moving to Item #7.

0:06:02 **7. Consider a recommendation to Council for a Zone Change request from "R-R" Rural** Residential **District to "I" Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott;** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

b. Consider item for recommendation

The applicant does not appear. **Mr. Knott** announces the applicant for Items #4, 5 & 6 has joined via virtual meeting and those items will be considered next.

0:09:31 **4. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision**

b. Consider item for recommendation

Mr. Patterson explains the request. The applicant, **Doug Henderson**, joins via virtual meeting. He explains the need for cell phone service has increased, including demand for access to emergency services. There was no public comment.

Mr. Knott made a motion to approve a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District located at 208 W. San Jose Blvd.; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

Mr. Patterson tells the applicant this item will appear before City Council on June 9, 2020.

DRAFT

0:15:52 **5. Consider approval a request for a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent- **Mr. Nesser.** The motion carried.

b. Consider item for recommendation

Mr. Patterson explains the request, noting that the Planning Staff recommends approval with conditions requiring engineered drawings stamped by a NM licensed engineer, showing compliance with the Building Code and all FCC and FAA regulations; and that the Zone Change request be approved prior to installation of the tower. **Mr. Henderson** states they have submitted the sealed construction plans. The tower would need to be 115' tall. Floor opened for public comment. There was none. **Mr. Knott** notes that other City Departments recommended denial of this request**. Mr. Patterson** the request was changed to include the entirety of the property to be zoned C-2, and the coverage area would be expanded.

Mr. McCormick made a motion to approve a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.; **Mr. Garcia** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

Mr. Patterson tells the applicant this is the final approval for the Conditional Use permit. The Building Department will be notified.

0:21:57 **6. Consider approval of a Variance request to allow a Communications Tower to exceed the maximum 50' at 208 W. San Jose Blvd.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Knott** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent- **Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request, as it goes with the previous item; the communications tower would exceed the maximum 50' height required by the Carlsbad Zoning Ordinance. The tower would exceed 100' and a Variance would be required. The Planning Staff recommends approval of this request with conditions requiring engineered drawings stamped by a NM licensed engineer, showing compliance with the Building Code and all FCC and FAA regulations; and provide a report from a NM licensed engineer verifying the need for the increase in height of the tower. **Mr. Henderson** states he feels they met the intent of the Ordinance; and the tower would be placed 126' from all property lines. The height increase they are requesting would improve coverage greatly. Floor opened for public comment. There was none.

Mr. Knott made a motion to approve a Variance allowing a Communications Tower to exceed the maximum 50' at 208 W. San Jose Blvd.; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–None; Absent- **Mr. Nesser**. The motion carried.

Mr. Patterson tells the applicant this Variance is approved; and the Building Department will be notified.

DRAFT

0:29:48 **7. Consider a recommendation to Council for a Zone Change request from "R-R" Rural Residential District to "I" Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request, noting that the applicant is already operating a trucking business at the address. This would create a spot zone; although it would conform to the industrial usage taking place. The Planning staff recommends denial based on the property is in a major drainage area. The applicant, **Melissa Acosta** joins by virtual meeting. She explains she has no use for the canyon and will not develop in there. She states her property and the nearby cemetery have never flooded since she has been here. She asks that the 14 acres on which she currently operates a trucking business be considered for the Industrial Zoning, thereby amending her request. **Eileen Riordan**, City Attorney, tells the commission the Zone Change request for the 14 acres, currently being used as a trucking yard with a Conditional Use Permit, indicates the applicant is considering a use for the property beyond the current Conditional Use. She notes there is historical documentation of flooding in that area, including the cemetery. **Mr. Patterson** explains he is the Flood Plain Manager for the City of Carlsbad, and FEMA would not allow any use that would obstruct water flow without adequate engineering. **David Granger** comes to the podium. He is against the Zone Change, noting the surrounding areas do flood, the most serious recent flood in 2004. His family home nearby has been occupied for 70 years, and when it flooded in the 1940s, they moved the home on logs about 30'. **Lisa Ann Anya-Flores** comes to the podium. She lives in the neighborhood in an older home, which is the replacement for the home that had been displaced by the flood in the 1940s. She is concerned about the aesthetics. She believes the Industrial Zoning would have a negative impact on the neighborhood. **Heather Scott** joins via virtual meeting; she is an attorney for the Avalon of Carlsbad Apartments at 1907 San Jose Blvd. It is her position that the Zone Change should be denied, sharing concerns of others regarding the development of vacant land behind the existing businesses; further the property should remain Rural Residential to prevent disturbance to the apartment complex. Floor opened for further public comment. There was none. **Ms. Acosta** explains she has cleaned the property and will continue to keep it in good condition. **Mr. Knott** asks the applicant what she would do with the Industrial Zoning. **Ms. Acosta** states she would like to develop the back part into an RV park and possibly place a towing business in the corner of the property. **Mr. Knott** confirms the request is now for 14 acres to be zoned Industrial. There is no more public comment.

Mr. Garcia made a motion to deny the modified request for Zone Change from "R-R" Rural Residential to "I" Industrial for the parcel containing approximately 14.08 acres located at 1400 San Jose Blvd.; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser**. The motion was denied.

Mr. Patterson states this item will come before the June 9, 2020 regular meeting of the City Council.

DRAFT

1:08:01 **8. Consider approval of a Temporary Use Permit for Temporary Housing at 4212 Standpipe Rd., zoned "R-R" Rural Residential District**

a. Remove from table

Mr. Patterson informs the board that the applicant has asked that this item be postponed to the next meeting. **Ms. Riordan** explains this request this item must be removed from the table; and then be re-tabled.

Mr. Garcia made a motion to approve; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–None; Absent**- Mr. Nesser**. The motion carried

b. Consider approval of request

Mr. Garcia made a motion to table this item; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--none; Abstained–None; Absent**- Mr. Nesser**. The motion was tabled.

Mr. Patterson states this will be scheduled for the Planning & Zoning Meeting on June 1, 2020.

1:11:06 **9. Consider a recommendation to Council for a Zone Change request from "C-2" Commercial 2 District to "C-1" Commercial 1 District for approximately 0.50 acres located at 210, 212 & 214 S. Alameda St.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request. The Planning Dept. recommends approval. The applicant**, Dave Morgan**, comes to the podium. He states the property has a small apartment complex on Lots 10 & 12. Lot 14 is vacant, and he would like to develop the property into a Bed & Breakfast business. Floor opened for public comment. There was none.

Mr. McCormick made a motion to approve the Zone Change request from "C-2" Commercial 2 District to "C-1" Commercial 1 District for the lots located at 210, 212 & 214 S. Alameda St.; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--None; Abstained–None; Absent**- Mr. Nesser**. The motion carried.

Mr. Patterson tells the applicant this will appear before the City Council for final decision on June 9, 2020.

1:14:59 **10. Consider approval of a Variance request to allow a more than the minimum residential units located at 412 E. Church St., zoned "R-1" Residential 1 District**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson states the applicant has requested that this item be tabled again.

DRAFT

Mr. McCormick made a motion to table this item; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--none; Abstained– None; Absent**- Mr. Nesser**. The motion was tabled.

Mr. Knott states this item will appear at the June 1, 2020 meeting.

1:16:26 **11. Report regarding Summary Review Subdivisions.**

Nothing unusual was noted.

1:17:06 **12. Adjourn.**
There being no other business, the meeting was adjourned.

1:17:10 Stop Recording [6:21:52 PM]

_____ _____
Chairman Date

DRAFT

C-2 to C-1

CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the FIRST MONDAY OF THE MONTH. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting**. The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

   The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and eight (8) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.

4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.

2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A "notice of public hearing" is published in the Current Argus at least 30 days prior to the hearing.

3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100' of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant's information, legal description of subject property, and the date of the hearing.

4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.

5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

RECEIVED
Receipt Date Stamp
MAR 3 2020
Planning, Engineering, & Regulation Department

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: March 3, 2020
Existing Zoning: C-2

Fee Paid ($100.00): 100.00 W Pd
Proposed Zoning: C-1

APPLICANT INFORMATION:

NAME	ADDRESS				
DAVE W. MORGAN				1210 LANDSUN DRIVE	
CITY	STATE	ZIP	PHONE	EMAIL	
Carlsbad	NM	88220	9073175593	DAVEMORGANAK@GMAIL.COM	

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME	ADDRESS			
DAVE W. MORGAN, DESIREE L. HENRY F.			1210 LANDSUN DRIVE	
CITY	STATE	ZIP	PHONE	EMAIL
Carlsbad	NM	88220	9073175593	DAVEMORGANAK@GMAIL.COM

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

ADDRESS	LOT	BLOCK	SUBDIVISION
210, 212, 214 S. ALAMEDA	10, 12, 14	44	STEVENS

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☒ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☒ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☒ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☒ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☒ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:

Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:

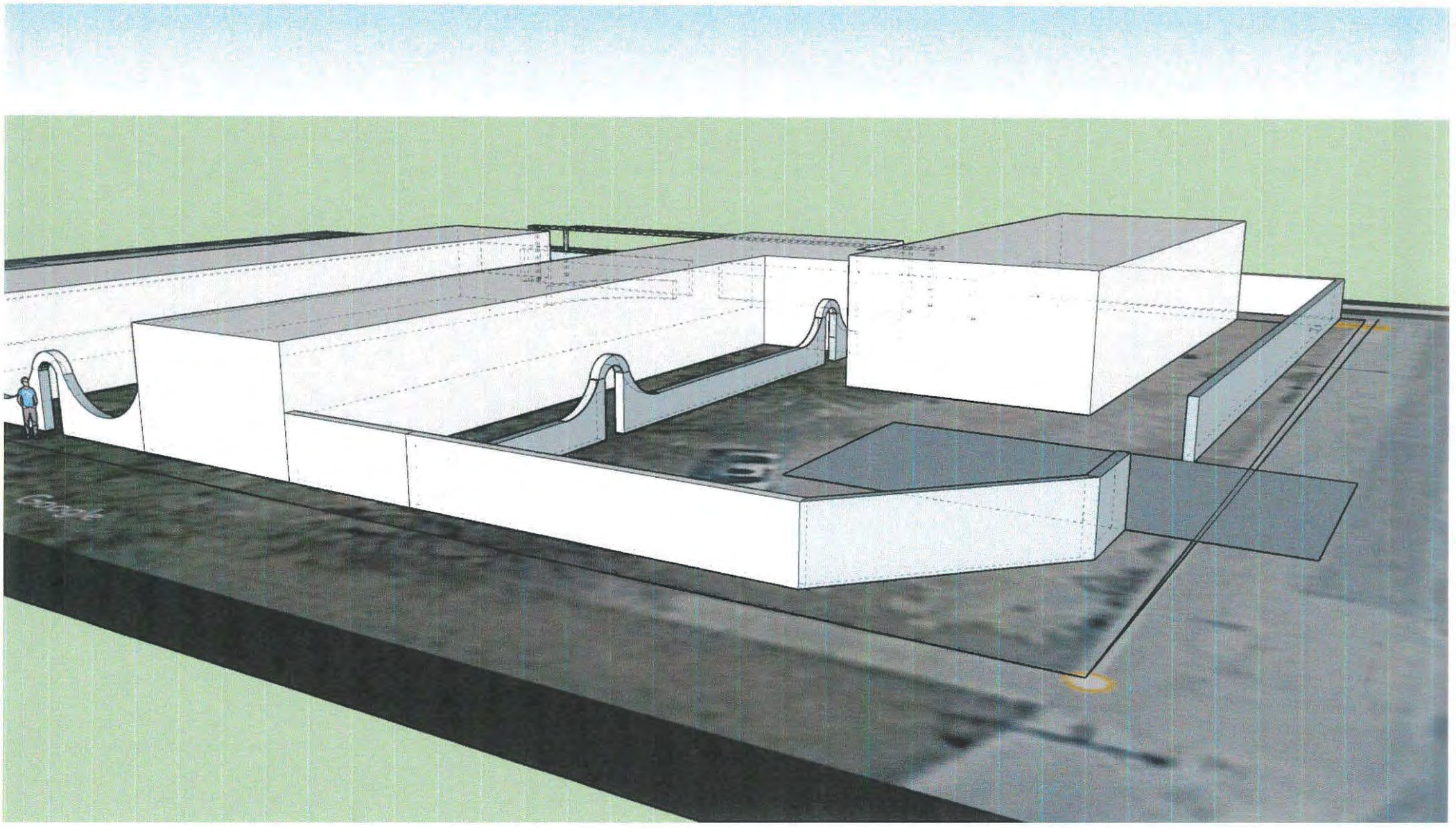
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

17'



NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

Dave Mayer
APPLICANT SIGNATURE

3/3/2020
DATE

Sign issued by: Camp2
Staff Member

Notification Agreement Rev. 10/11

Date: March 4, 2020

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: DAVE W. MERSON 1210 LANDSON Dr. Carlsbad 907 317 5593
Name Address Phone

Subject Site Location: 210, 212, 214 S. Alameda St.

The proposed action is a:

☒ Zoning Change from C-2 to C-1 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
- ☐ Home Occupation: _____
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: APRIL 6, 2020
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Dave Merson

Applicant/Agent

7020 0090 0001 9123 2798

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☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$4.10

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Street and Apt. No., or PO Box No.:
City, State, ZIP+4®:

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☐ Adult Signature Restricted Delivery	$
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Total Postage and Fees	$4.10

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City, State, ZIP+4®:

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7020 0090 0001 9123 2750

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Total Postage and Fees	$4.10

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☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$4.10

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☐ Certified Mail Restricted Delivery	$0.00
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Postage	$0.55
Total Postage and Fees	$4.10

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☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
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☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
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Total Postage and Fees	$4.10

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☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	
Total Postage and Fees	$4.10

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City, State, ZIP+4®

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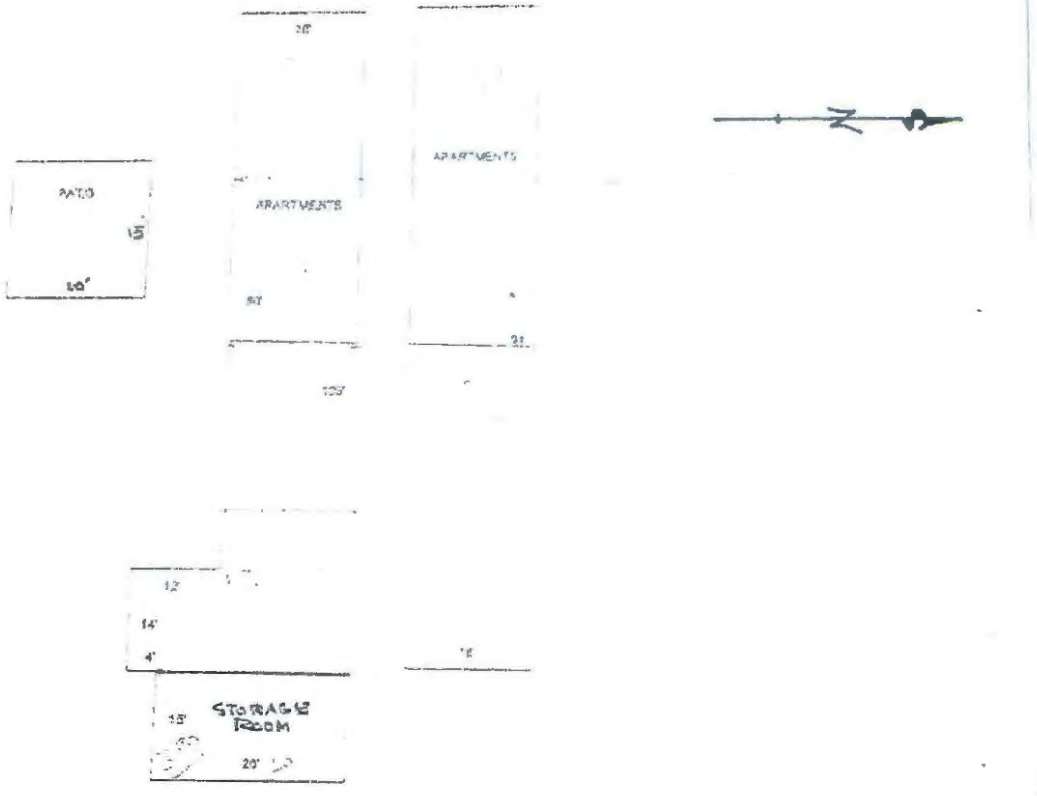
SKETCH/AREA TABLE ADDENDUM

Property Address 210,212 S ALAMEDA CARLSBAD

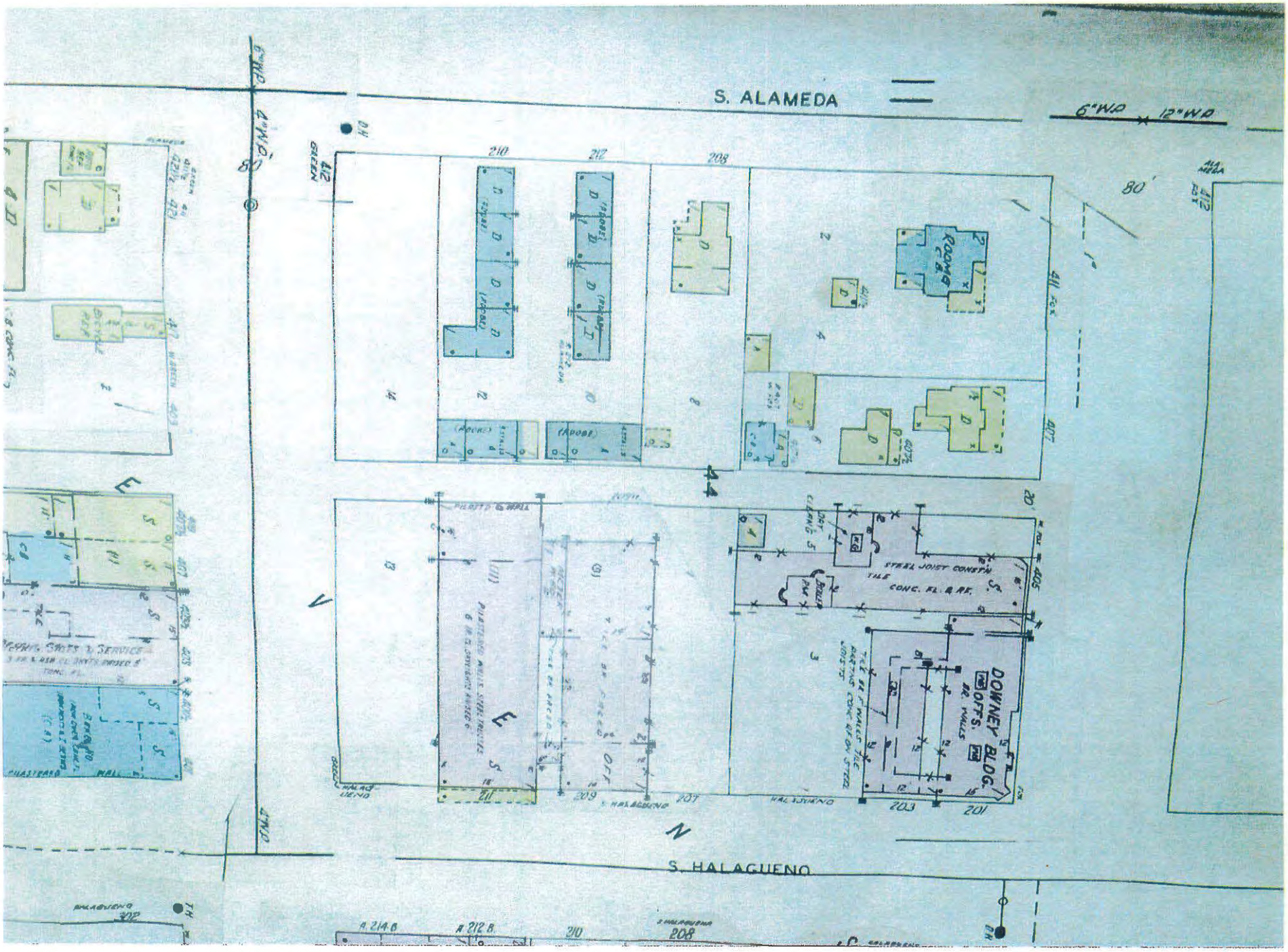
Owner STEVENS BLK 44



Scale: 1" = 12'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	First Floor	1.00	2250.00	278.0	
	First Floor	1.00	1692.00	224.0	3942.00


S. ALAMEDA
6"W.P.
12"W.P.
S. HALAGUENO
210
212
208
214
211
209
207
205
203
201
DOWNEY BLDG.
OFFS.
STEEL JOIST CONSTN
TILE
CONC. FL. & RF.
ROOMS
(ADOBE)
(FRAME)
DRY CLEANG. CO.
PLASTERED WALLS STEEL TRUSSES
TILE ON PLANKING
PARTNS CONC BLK ON STEEL JOISTS
BRICK WALLS
BRICK PARTNS
BRICK ARCHES
BRICK PIERS
CONC. SALES & SERVICE
CHASTEEN
MAIL
GREEN
ALLEY
80'
A 214.6
A 212.8

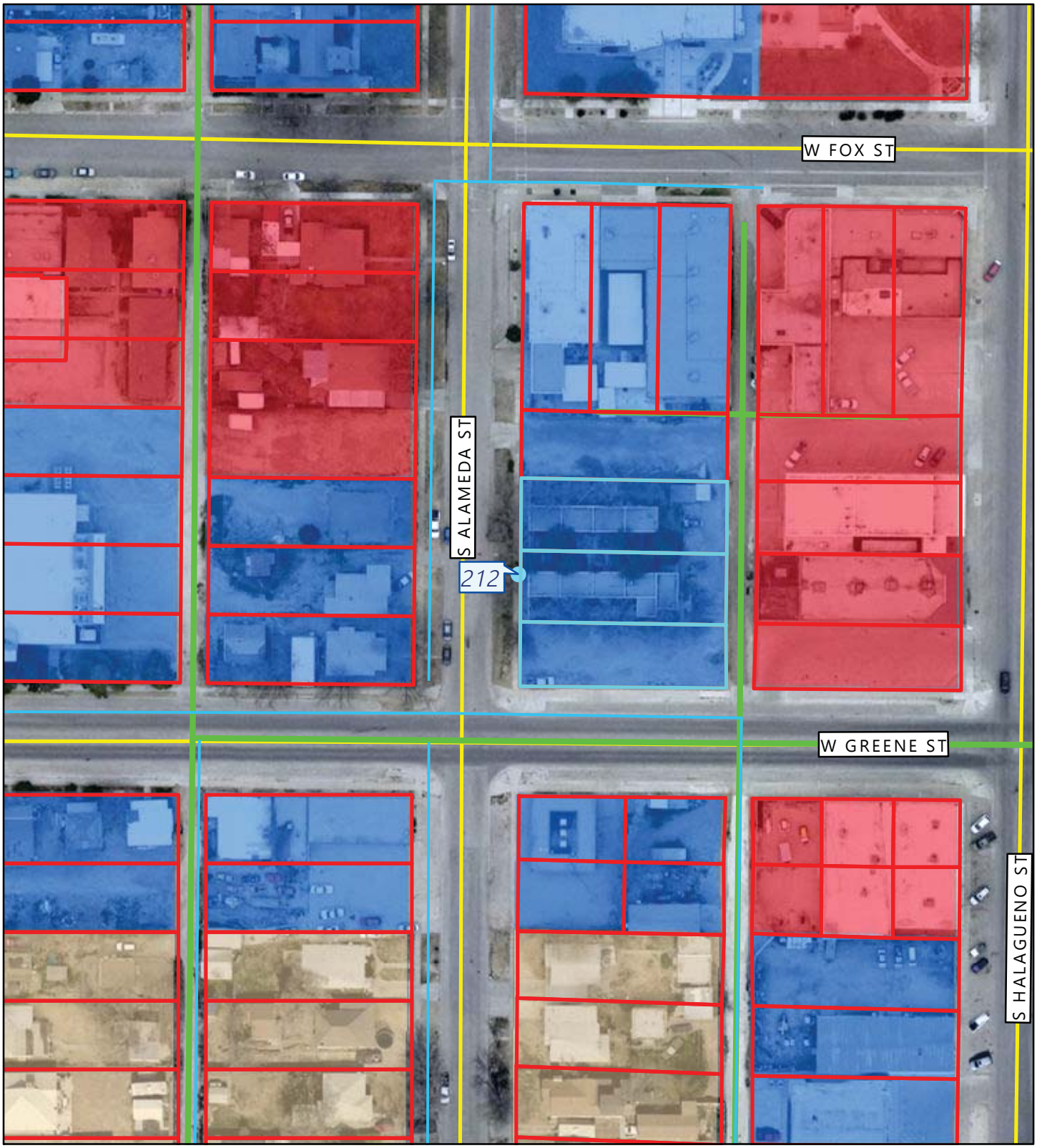
1:1,200

1 inch = 100 feet

Variance

Map # 2120_ed02

Date: 3/12/2020



Address
Water Main
Sewer Main
Roads
Parcel

C-1
C-2
R-2

0 50 100 200

Feet

IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.

City of Carlsbad GIS

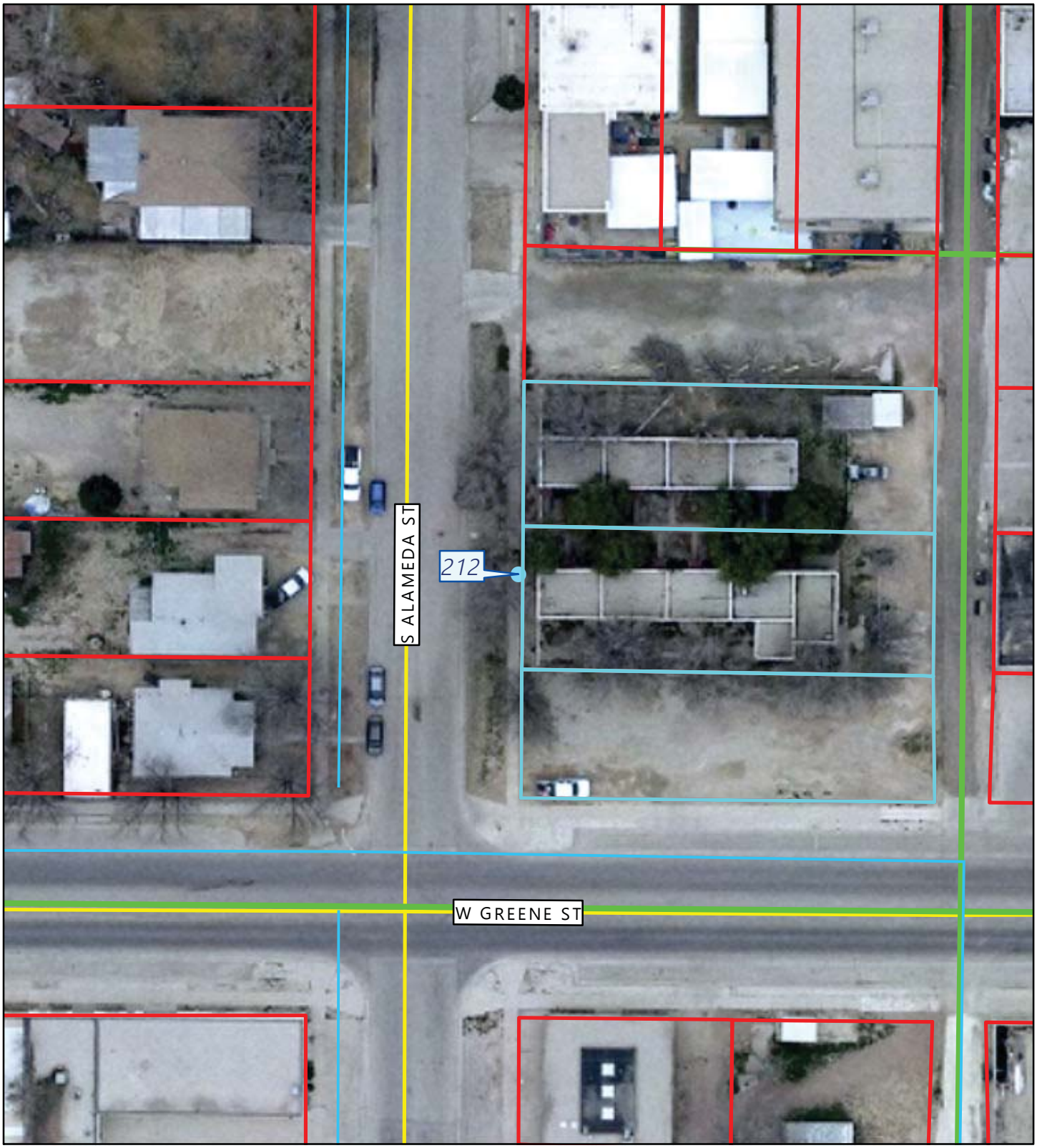
1:600

1 inch = 50 feet

Variance

Map # 2120_ed01

Date: 3/12/2020



Address

Water Main

Sewer Main

Roads

Parcel

0 25 50 100

Feet

IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.

City of Carlsbad GIS

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Digitally signed by Jeff Patterson, CFM
DN: cn=Jeff Patterson, CFM, o=City of Carlsbad, ou=Director of Planning and Regulation, email=jepatterson@cityofcarlsbadnm.com, c=US
Date: 2020.06.03 10:24:50 -06'00'

Meeting Date: 6/9/2020

DEPARTMENT: Planning, Engineering & Regulation	**BY:** Jeff Patterson, Planning Director	**DATE:** 6/1/2020

SUBJECT: Request for a Zone Change from "R-1" Residential 1 District to "C-2" Commercial 2 District located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3 of Holiday Addition Unit 3, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant:
Crafton Communications, Inc
1870 Crown Drive, Suite 1500
Dallas, TX 75234

Owner:
BMK, LLC
3804 National Park Hwy
Carlsbad, NM 88220

The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners' 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for a Zone Change from "R-1" Residential 1 District to "C-2" Commercial 2 District located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3 of Holiday Addition Unit 3, as indicated on the attached map.

Sec. 56-40(e) states:

(e) Commercial 2 (C-2) District.

The Commercial 2 District is intended to accommodate community and regional-scale retail and commercial uses. Such uses are regulated in order to be compatible with surrounding uses and existing infrastructure.

The properties to the south are currently zoned "R-1" Residential 1 District. The properties to the east is zoned "R-2" Residential 2 District. The properties to the west and north are zoned "C-2" Commercial 2 District. This zone change would not create a spot zone.

Comprehensive Plan: Strategy 2040 goals and policies that are applicable to this request are:

Chapter 5: Land Use

Objectives:

- *To identify areas of opportunity for infill and redevelopment.*
- *To achieve a more balance land use mix and increase the supply of commercial properties.*
- *To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.*

Chapter 6: Economic Development

Objectives:

- *To maximize business retention and recruitment efforts of the City.*
- *To support locally-owned, small business development and retention.*

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Based on review of the application and staff comments, at their meeting on May 4, 2020, the Planning and Zoning Commission considered this item and recommended approval with a vote of four (4) in favor of approval, none (0) against, one (1) absent and none (0) abstain.

DEPARTMENT RECOMMENDATION (please check):

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works	X			Planning, Eng. & Reg. Dept	X		
Fire Department	X			Code Enforcement Division			X
Legal Department	X			Planning Division	X		X
Police Department			X	Projects Department			X
Utilities Department	X			Building Department	X		
City Administration	X			Carlsbad Irrigation District			X

DEPARTMENT COMMENTS:

Public Works: Recommend approval.

Utilities Department: Recommend approval.

Building Department: Recommend approval.

Fire Department: Recommend approval.

Code Enforcement: No comment.

Legal Department: Recommend approval.

Planning Department: Recommend approval

Police Department: No comments.

Projects Department: No comments

Carlsbad Irrigation District: No comment.

City Administration: No comments.

BOARD/COMMISSION/COMMITTEE ACTION:

☒ P&Z	☐ Lodgers Tax Board	☐ Cemetery Board	☒ APPROVED
☐ Museum Board	☐ San Jose Board	☐ Water Board	☐ DISSAPPROVED
☐ Library Board	☐ N. Mesa Board	☐ _____ Committee	

Reviewed by
City Administrator /s/ John Lowe Date: 06/04/2020

ATTACHMENTS: Application materials, Ordinance, P & Z Minutes.

ORDINANCE NO. 2020-14

AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 2.75 ACRE PROPERTY, LOCATED AT 208 W. SAN JOSE BLVD., LEGALLY DESCRIBED AS LOT 4, BLOCK 3, HOLIDAY ADDITION UNIT 3 SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District to "C-2" Commercial 2 District, for an approximately 2.75 acre property, located at 208 W. San Jose Blvd., legally described as:

LOT 4, BLOCK 3, HOLIDAY ADDITION UNIT 3

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of June, 2020.

_____
DALE JANWAY, MAYOR

ATTEST:

_____
CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE

City of Carlsbad
Planning & Zoning Commission

Monday, May 4, 2020, at 5:00 p.m.

Meeting Held in the Annex Planning Room
114 S. Halagueno

CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, May 4, 2020 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Council Chambers

1. Roll call of voting members and determination of quorum

2. Approval of Agenda

3. Approval of Minutes from the Special Meeting held April 9, 2020

4. Consider a recommendation to Council for a Zone Change request from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision
   a. Remove from table
   b. Consider item for recommendation

5. Consider approval a request for a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.
   a. Remove from table
   b. Consider approval of request

6. Consider approval of a Variance request to allow a Communications Tower to exceed the maximum 50’ at 208 W. San Jose Blvd.
   a. Remove from table
   b. Consider approval of request

7. Consider a recommendation to Council for a Zone Change request from “R-R” Rural Residential District to “I” Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total
   a. Remove from table
   b. Consider item for recommendation

8. Consider approval of a Temporary Use Permit for Temporary Housing at 4212 Standpipe Rd., zoned “R-R” Rural Residential District
   a. Remove from table
   b. Consider approval of request

9. Consider a recommendation to Council for a Zone Change request from “C-2” Commercial 2 District to “C-1” Commercial 1 District for approximately 0.50 acres located at 210, 212 & 214 S. Alameda St.
   a. Remove from table
   b. Consider item for recommendation

10. Consider approval of a Variance request to allow a more than the minimum residential

units located at 412 E. Church St., zoned “R-1” Residential 1 District
   a. Remove from table
   b. Consider approval of request

11. Report regarding Summary Review Subdivisions

12. Adjourn

FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City web site: ***cityofcarlsbadnm.com***
or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, June 1, 2020 at 5:00 p.m.

MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, MARCH 2, 2020, AT 5:00 P.M.

VOTING MEMBERS PRESENT:	
JAMES KNOTT	**CHAIRPERSON**
JAMES McCORMICK	**COMMISSIONER (arrived 5:08 p.m. via virtual meeting)**
LASON BARNEY	**COMMISSIONER (via virtual meeting)**
BRIGIDO GARCIA	**COMMISSIONER**
VOTING MEMBERS ABSENT:	**BRAD NESSER**
EX-OFFICIO MEMBERS PRESENT:	
JEFF PATTERSON	**PLANNING DIRECTOR**
TRYSHA ORTIZ	**DEPUTY PLANNING DIRECTOR**
SECRETARY PRESENT:	
JUDITH WEBSTER	**PLANNING AND REGULATION DEPARTMENT SECRETARY**
OTHERS PRESENT:	
EILEEN RIORDAN	**CITY ATTORNEY**
CHARLIE GARCIA	**CITY**
LISA ANN ANAYA-FLORES	**502 W. PLAZA**
DAVE MORGAN	**1210 LANDSUN DR.**
DAVID GRANGER	**305 VELA ST.**
HEATHER SCOTT	**(via virtual meeting)**
DOUG HENDERSON	**(via virtual meeting)**
MELISSA ACOSTA	**(via virtual meeting)**

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

0:00:02 Start Recording [5:04:22 PM]

0:00:16 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present–**Mr. Knott, Mr. Garcia, Mr. Barney.** Absent**-Mr. McCormick, Mr. Nesser**.

0:00:32 **2. Approval of Agenda.**

Mr. Knott announced there are two changes to the Agenda. The applicant for Item #8 has requested it be postponed until the next meeting, and Item #10 has been postponed at the request of the applicant.

Mr. Garcia made a motion to approve the Agenda; **Mr. Barney** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott.** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

DRAFT

0:01:18 **3. Approval of Minutes from the Special Meeting held April 9, 2020**

Mr. Garcia made a motion to approve the minutes from the special meeting held April 9, 2020; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott.** No– None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

0:02:04 **4. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott;** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

b. (Mr. McCormick joins via virtual meeting at 5:08 p.m.) **Consider item for recommendation**

The applicant is attempting to connect via virtual meeting. **Mr. Patterson** suggests moving to Item #7.

0:06:02 **7. Consider a recommendation to Council for a Zone Change request from "R-R" Rural** Residential **District to "I" Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott;** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

b. Consider item for recommendation

The applicant does not appear. **Mr. Knott** announces the applicant for Items #4, 5 & 6 has joined via virtual meeting and those items will be considered next.

0:09:31 **4. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision**

b. Consider item for recommendation

Mr. Patterson explains the request. The applicant, **Doug Henderson**, joins via virtual meeting. He explains the need for cell phone service has increased, including demand for access to emergency services. There was no public comment.

Mr. Knott made a motion to approve a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District located at 208 W. San Jose Blvd.; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

Mr. Patterson tells the applicant this item will appear before City Council on June 9, 2020.

DRAFT

0:15:52 **5. Consider approval a request for a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent- **Mr. Nesser.** The motion carried.

b. Consider item for recommendation

Mr. Patterson explains the request, noting that the Planning Staff recommends approval with conditions requiring engineered drawings stamped by a NM licensed engineer, showing compliance with the Building Code and all FCC and FAA regulations; and that the Zone Change request be approved prior to installation of the tower. **Mr. Henderson** states they have submitted the sealed construction plans. The tower would need to be 115' tall. Floor opened for public comment. There was none. **Mr. Knott** notes that other City Departments recommended denial of this request**. Mr. Patterson** the request was changed to include the entirety of the property to be zoned C-2, and the coverage area would be expanded.

Mr. McCormick made a motion to approve a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.; **Mr. Garcia** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

Mr. Patterson tells the applicant this is the final approval for the Conditional Use permit. The Building Department will be notified.

0:21:57 **6. Consider approval of a Variance request to allow a Communications Tower to exceed the maximum 50' at 208 W. San Jose Blvd.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Knott** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent- **Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request, as it goes with the previous item; the communications tower would exceed the maximum 50' height required by the Carlsbad Zoning Ordinance. The tower would exceed 100' and a Variance would be required. The Planning Staff recommends approval of this request with conditions requiring engineered drawings stamped by a NM licensed engineer, showing compliance with the Building Code and all FCC and FAA regulations; and provide a report from a NM licensed engineer verifying the need for the increase in height of the tower. **Mr. Henderson** states he feels they met the intent of the Ordinance; and the tower would be placed 126' from all property lines. The height increase they are requesting would improve coverage greatly. Floor opened for public comment. There was none.

Mr. Knott made a motion to approve a Variance allowing a Communications Tower to exceed the maximum 50' at 208 W. San Jose Blvd.; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–None; Absent- **Mr. Nesser**. The motion carried.

Mr. Patterson tells the applicant this Variance is approved; and the Building Department will be notified.

DRAFT

0:29:48 **7. Consider a recommendation to Council for a Zone Change request from "R-R" Rural Residential District to "I" Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request, noting that the applicant is already operating a trucking business at the address. This would create a spot zone; although it would conform to the industrial usage taking place. The Planning staff recommends denial based on the property is in a major drainage area. The applicant, **Melissa Acosta** joins by virtual meeting. She explains she has no use for the canyon and will not develop in there. She states her property and the nearby cemetery have never flooded since she has been here. She asks that the 14 acres on which she currently operates a trucking business be considered for the Industrial Zoning, thereby amending her request. **Eileen Riordan**, City Attorney, tells the commission the Zone Change request for the 14 acres, currently being used as a trucking yard with a Conditional Use Permit, indicates the applicant is considering a use for the property beyond the current Conditional Use. She notes there is historical documentation of flooding in that area, including the cemetery. **Mr. Patterson** explains he is the Flood Plain Manager for the City of Carlsbad, and FEMA would not allow any use that would obstruct water flow without adequate engineering. **David Granger** comes to the podium. He is against the Zone Change, noting the surrounding areas do flood, the most serious recent flood in 2004. His family home nearby has been occupied for 70 years, and when it flooded in the 1940s, they moved the home on logs about 30'. **Lisa Ann Anya-Flores** comes to the podium. She lives in the neighborhood in an older home, which is the replacement for the home that had been displaced by the flood in the 1940s. She is concerned about the aesthetics. She believes the Industrial Zoning would have a negative impact on the neighborhood. **Heather Scott** joins via virtual meeting; she is an attorney for the Avalon of Carlsbad Apartments at 1907 San Jose Blvd. It is her position that the Zone Change should be denied, sharing concerns of others regarding the development of vacant land behind the existing businesses; further the property should remain Rural Residential to prevent disturbance to the apartment complex. Floor opened for further public comment. There was none. **Ms. Acosta** explains she has cleaned the property and will continue to keep it in good condition. **Mr. Knott** asks the applicant what she would do with the Industrial Zoning. **Ms. Acosta** states she would like to develop the back part into an RV park and possibly place a towing business in the corner of the property. **Mr. Knott** confirms the request is now for 14 acres to be zoned Industrial. There is no more public comment.

Mr. Garcia made a motion to deny the modified request for Zone Change from "R-R" Rural Residential to "I" Industrial for the parcel containing approximately 14.08 acres located at 1400 San Jose Blvd.; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser**. The motion was denied.

Mr. Patterson states this item will come before the June 9, 2020 regular meeting of the City Council.

DRAFT

1:08:01 **8. Consider approval of a Temporary Use Permit for Temporary Housing at 4212 Standpipe Rd., zoned "R-R" Rural Residential District**

a. Remove from table

Mr. Patterson informs the board that the applicant has asked that this item be postponed to the next meeting. **Ms. Riordan** explains this request this item must be removed from the table; and then be re-tabled.

Mr. Garcia made a motion to approve; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–None; Absent**- Mr. Nesser**. The motion carried

b. Consider approval of request

Mr. Garcia made a motion to table this item; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--none; Abstained–None; Absent**- Mr. Nesser**. The motion was tabled.

Mr. Patterson states this will be scheduled for the Planning & Zoning Meeting on June 1, 2020.

1:11:06 **9. Consider a recommendation to Council for a Zone Change request from "C-2" Commercial 2 District to "C-1" Commercial 1 District for approximately 0.50 acres located at 210, 212 & 214 S. Alameda St.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request. The Planning Dept. recommends approval. The applicant**, Dave Morgan**, comes to the podium. He states the property has a small apartment complex on Lots 10 & 12. Lot 14 is vacant, and he would like to develop the property into a Bed & Breakfast business. Floor opened for public comment. There was none.

Mr. McCormick made a motion to approve the Zone Change request from "C-2" Commercial 2 District to "C-1" Commercial 1 District for the lots located at 210, 212 & 214 S. Alameda St.; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--None; Abstained–None; Absent**- Mr. Nesser**. The motion carried.

Mr. Patterson tells the applicant this will appear before the City Council for final decision on June 9, 2020.

1:14:59 **10. Consider approval of a Variance request to allow a more than the minimum residential units located at 412 E. Church St., zoned "R-1" Residential 1 District**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson states the applicant has requested that this item be tabled again.

DRAFT

Mr. McCormick made a motion to table this item; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--none; Abstained– None; Absent**- Mr. Nesser**. The motion was tabled.

Mr. Knott states this item will appear at the June 1, 2020 meeting.

1:16:26 **11. Report regarding Summary Review Subdivisions.**

Nothing unusual was noted.

1:17:06 **12. Adjourn.**
There being no other business, the meeting was adjourned.

1:17:10 Stop Recording [6:21:52 PM]

_____ _____
Chairman Date

DRAFT

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

Receipt Date Stamp
MAR 11 2020

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 6 MARCH 2020
Existing Zoning: C-2 and R-1

Fee Paid ($100.00): 100.00
Proposed Zoning: C-2

APPLICANT INFORMATION:

Crafton Communication Inc. (Contact Doug Henderson) 1870 Crown Dr, Suite 1500

NAME ADDRESS

Dallas, TX 75234 817-729-7006 dhenderson@craftongroup.com

CITY STATE ZIP PHONE EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

BMK, LLC (Babu Patel, Owner) 3804 National Park Highway

NAME ADDRESS

Carlsbad, NM 88220 214-886-4440 dprejean@craftongroup.com

CITY STATE ZIP PHONE EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

208 W. San Jose Blvd., Carlsbad, NM 88220 / Lot 4, Block 3, Holiday Addn. Unit 3

ADDRESS **LOT** **BLOCK** **SUBDIVISION**

CRAFTON
COMMUNICATIONS

March 6, 2020

The Honorable Members of
The Carlsbad City Council and The Carlsbad Planning and Zoning Commission
101 N. Halagueno St.
Carlsbad, NM 88220

RE: Zoning from C-2 and R-1 to C-2 with CUP and Height Variance for 120 ft Monopole Telecom Tower (AT&T Site WTL03114, 208 West San Jose Blvd)

Dear Members of the City Council and Planning and Zoning Commission:

AT&T Mobility, represented by Crafton Communications, is pleased to submit this SUP Application for a 120 Ft. Monopole Tower with a 50 FT by 50 FT fenced equipment compound at 208 West San Jose Blvd. The proposed site is in the rear of Great Western Inn and Suites at 3804 National Park Highway in Holiday Addition. The currently vacant property is mostly R-1 residential with a small portion of C-2 commercial. The Applicant wished to rezone the 50 ft x 50 ft telecommunications compound to C-2, since monopole towers are allowed in the C-2 district with a Conditional Use Permit (CUP).

The service area for this tower is generally a one-mile section of the US 62 (National Park Highway) commercial corridor from Carlgo Street to Canal Street and the adjacent residential neighborhoods. There is limited capacity in this service area, at a time when AT&T must provide for increases in regular daily customer use, as well as new demands for data transmission and a significant increase in emergency 911 service. This proposal is aimed at addressing the concern for better wireless coverage before there is a serious problem. This site does a very good job of improving coverage within the entire area.

The AT&T search for a site was thorough. There are no existing structures in the service area of sufficient height or structural strength to hold the AT&T antennas. Because of the cost and time involved in building a new structure, collocating on an existing structure is an option that is much preferred whenever possible. In that regard, other telecom carriers will be encouraged to collocate on the AT&T structure, which will be made available for leasing at market rates established by master lease agreements within the industry.

AT&T is proud to be of service to the people who call Carlsbad home. This un-manned site will work hard to serve the community without placing any service demand on drainage, water, sewer, schools, parks or roads. We look forward to visiting with you regarding this project.

Thank you for your thoughtful consideration.

Doug Henderson, AICP
Crafton Communications, Inc.
1870 Crown Drive, Suite 1500
Dallas, TX 75234
817-729-7006

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☑ The proposed amendment will not adversely impact the public health, safety or general welfare and will ~~or will not~~ promote the original purposes of the Zoning Ordinance.

☑ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☐ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☑ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☑ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

CITY OF CARLSBAD

AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

■ ZONING CHANGE CONDITIONAL USE VARIANCE TEMPORARY USE

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 3804 NATIONAL PARK HWY (208 SAN JOSE)
STREET ADDRESS

LEGAL DESSCRPTION: HOLIDAY ADDITION, BLOCK 3, 2.73AC PT. LOT 4
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: DAVID PREJEAN or DOUG HENDERSON David: 214-886-4440 / Doug: 817-729-7006
NAME PHONE

CRAFTON COMMUNICATIONS INC, 1870 CROWN DR, SUITE 1500, DALLAS, TX 75234
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER: BMK, LLC

BY: Babu Patel
SIGNATURE

BY: BABU PATEL
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this 4th **day of** March,
20 20, **by** Babu Patel.

Notary Public

My commission expires: 2-11-2023

NOTARY PUBLIC STATE OF TEXAS
ROSA L NEVAREZ
Notary ID #8683819
My Commission Expires
February 11, 2023

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

Douglas V. Henderson

Digitally signed by Douglas V. Henderson
Date: 2020.03.07 17:52:49 -06'00'

APPLICANT SIGNATURE

3-6-2020

DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

Date: 3-6-2020

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Doug Henderson, Crafton Communications Inc, 1870 Crown Dr, Suite 1500, Dallas, TX 75234, 817-729-7006
Name Address Phone

Subject Site Location: 208 W. San Jose Blvd., Carlsbad, NM 88220

The proposed action is a:

■ Zoning Change from C-2 and R-1 to C-2 in accordance with Sec. 56-150(b).

■ Variance/Appeal from Sec. 35-42 (K) 1 (c) in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

To permit a variance from the requirement of a maximum height of 100 feet for a monopole tower and to allow a 120 ft monopole tower to be built on the subject property.

■ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

☐ Home Occupation: _____

■ Other Use: Telecommunications Facility

The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: 6 April 2020

Time: 5:00pm

Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent

11-15-16

MELEAR
3903 MELEAR DR
ARLINGTON, TX 76015-9998
480331-0015
(800)275-8777
03/07/2020 10:21 AM

Product	Qty	Unit Price
First-Class Mail® Letter (Domestic) (CARLSBAD, NM 88220) (Weight:0 Lb 0.50 Oz) (Estimated Delivery Date) (Tuesday 03/10/2020)	1	$0.55
Certified (USPS Certified Mail #) (70191640000034071256)		
Return Receipt (USPS Return Receipt #)		

7019 1640 0000 3407 1256

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee	$3.35
$	$2.85
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
$	
Total Postage and Fees	$6.95
$	

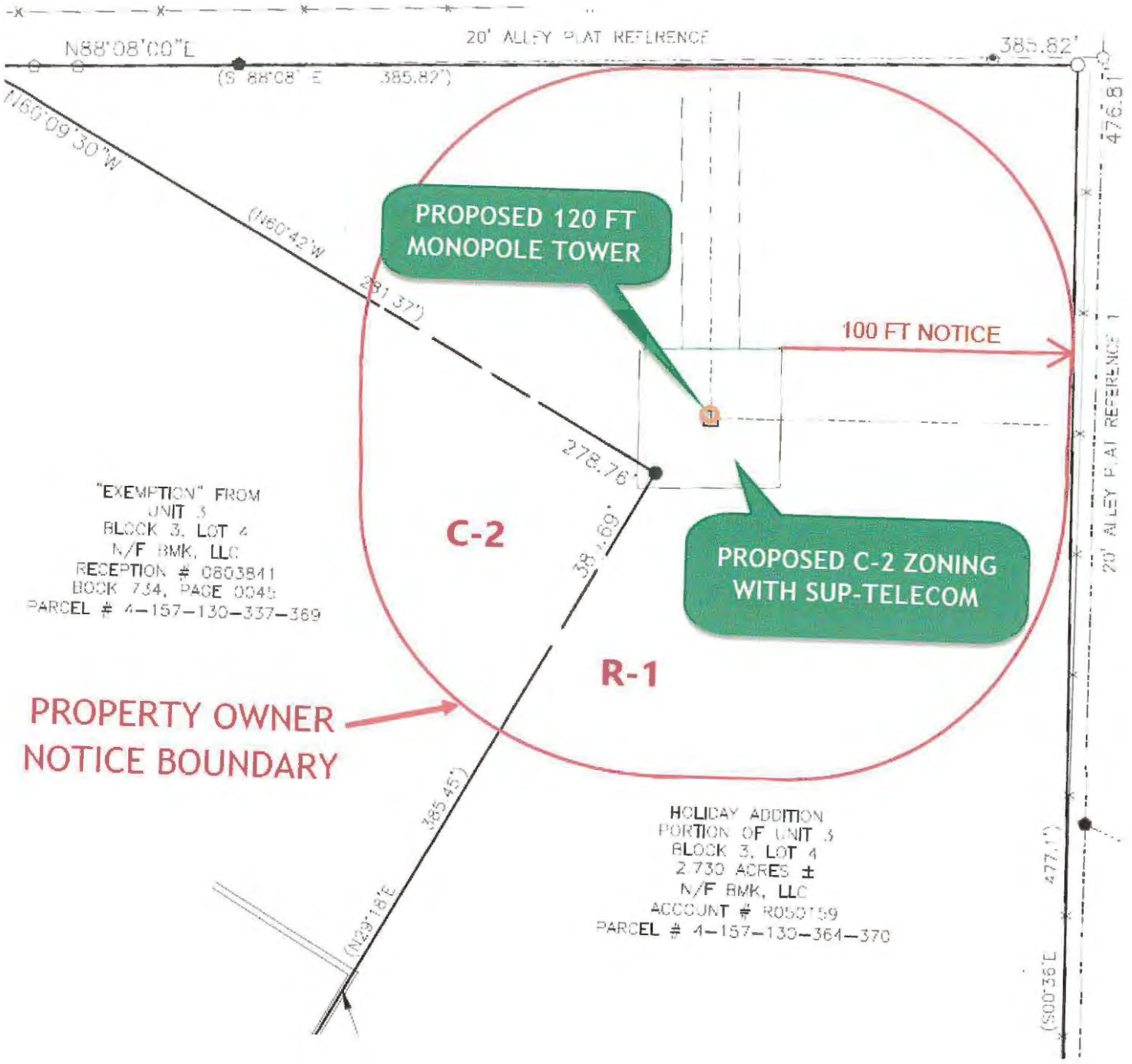
0015
06

Postmark Here

03/07/2020

Sent To: Mr Bahu Patel BMK, LLC
Street and Apt. No., or PO Box No.: 1804 National PARK HWY
City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions


N88°08'00"E
20' ALLEY PLAT REFERENCE
385.82'
(S 88°08' E 385.82')
N60°09'30"W
(N60°42'W
281.37')
476.81'
PROPOSED 120 FT MONOPOLE TOWER
100 FT NOTICE
278.76'
38.69'
"EXEMPTION" FROM UNIT 3
BLOCK 3, LOT 4
N/F BMK, LLC
RECEPTION # 0803841
BOOK 734, PAGE 0045
PARCEL # 4-157-130-337-369
C-2
PROPOSED C-2 ZONING WITH SUP-TELECOM
R-1
PROPERTY OWNER NOTICE BOUNDARY
385.45'
(N29°18'E
HOLIDAY ADDITION
PORTION OF UNIT 3
BLOCK 3, LOT 4
2.730 ACRES ±
N/F BMK, LLC
ACCOUNT # R050159
PARCEL # 4-157-130-364-370
477.1'
(S00°36'E
20' ALLEY PLAT REFERENCE 1

VICINITY MAP

PROJECT INFORMATION

CENTER OF TOWER COORDINATES:

NAD83
LATITUDE N 32° 22' 31.67149"
LONGITUDE W 104° 13' 33.58523"
ELEVATION: 3160.4 FEET (AMSL NAVD88)

INGRESS/EGRESS IN COMMON WITH LESSORE

LATITUDE & LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS BASED ON NAVD 1988

LATITUDE & LONGITUDE WERE DETERMINED BY GPS (GLOBAL POSITIONING SYSTEM) OBSERVATIONS TAKEN AT TIME OF FIELD SURVEY

BASIS OF ELEVATIONS WERE DETERMINED BY GPS (GLOBAL POSITIONING SYSTEM) OBSERVATIONS TAKEN AT TIME OF FIELD SURVEY

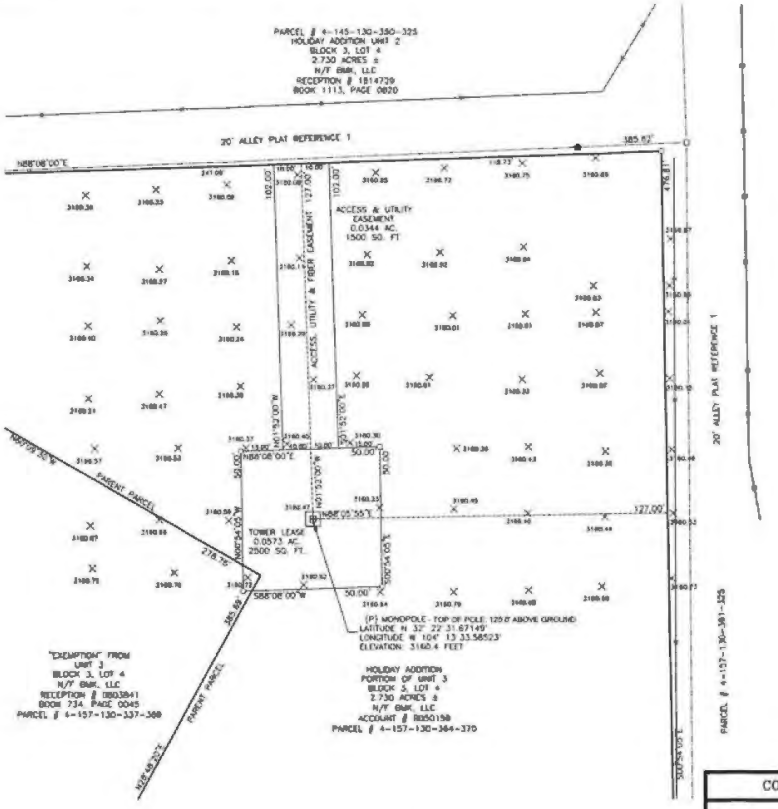
BASIS OF BEARINGS WERE DETERMINED BY GPS (GLOBAL POSITIONING SYSTEM) OBSERVATIONS TAKEN AT TIME OF FIELD SURVEY

GRAPHIC PLOTTING ONLY. THE TRACT OF LAND SHOWN HEREON FALLS WITHIN ZONE "X", AREA OF MINIMAL FLOOD HAZARD PER FIRM PANELS 35015C1065D AND 35015C1325D, BOTH WITH EFFECTIVE DATES OF 08-04-2010. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE ACCURACY.

AREA TABLE	SQUARE FEET	ACREAGE
PARENT PARCEL	118,918.8	2.730
TOWER LEASE	2500	0.0573
A/U EASEMENT	1500	0.0430

PROPOSED METAL MONOPOLE

LOCATION INFORMATION	NAD83
HORIZONTAL DATUM	
LATITUDE	N 32°22'31.67149"
LONGITUDE	W 104°13'33.58523"
VERTICAL DATUM	NAVD 1988
GROUND ELEVATION AT BASE OF TOWER	3160.4 FEET



ACCESS & UTILITY EASEMENT DESCRIPTION

ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATE WITHIN A PORTION OF LOT 4, BLOCK 3 OF THE HOLIDAY ADDITION UNIT 3, CARLSBAD, EDDY COUNTY, NEW MEXICO, WITHIN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T22S, R27E, NMPM, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF THE "PARENT TRACT", SAID CORNER BEING A SURVEY CAP INSCRIBED "STERLING NMPS 11010", THENCE RUNNING S88°08'00"W, 118.73 TO THE NORTHEAST CORNER OF THE TRACT OF LAND DESCRIBED HEREWITH, THE POINT AND PLACE OF BEGINNING; THENCE, S01°52'00"E, 102.50 TO THE S88°08'00"W, 20.00 TO THE SOUTHWEST CORNER; THENCE, N00°54'05"W, 102.00 TO THE NORTHWEST CORNER, THENCE, N88°08'00"E, 20.00 TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.047 ACRES, 2040 SQUARE FEET OF LAND MORE OR LESS.

TOWER LEASE SITE DESCRIPTION

ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATE WITHIN A PORTION OF LOT 4, BLOCK 3 OF THE HOLIDAY ADDITION UNIT 3, CARLSBAD, EDDY COUNTY, NEW MEXICO, WITHIN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T22S, R27E, NMPM, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF THE "PARENT TRACT", SAID CORNER BEING A SURVEY CAP INSCRIBED "STERLING NMPS 11010", THENCE, RUNNING S88°08'00"W, 118.73 TO A POINT, THENCE, S01°52'00"E, 102.00 TO A POINT, THENCE, N88°08'00"E, 15.00 TO THE NORTHEAST CORNER OF THE TRACT OF LAND DESCRIBED HEREWITH AND POINT OF BEGINNING, THENCE, RUNNING FROM SAID POINT OF BEGINNING S00°54'05"E, 50.00 TO THE SOUTHEAST CORNER, THENCE, S88°08'00"W, 50.00 TO THE SOUTHWEST CORNER, THENCE, N00°54'05"W, 50.00 TO THE NORTHWEST CORNER, THENCE, N88°08'00"E, 50.00 TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.057 ACRES, 2,500 SQUARE FEET OF LAND MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I, LARRY L. STERLING, A REGISTERED PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT JANUARY 16, 2020 AN ON THE GROUND FIELD SURVEY OF THIS TRACT OF LAND WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND PLAT MEET OR EXCEED THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO. I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

LARRY L. STERLING, PROFESSIONAL SURVEYOR
NEW MEXICO REGISTRATION NO. 11010

COUNTY OF EDDY SS
STATE OF NEW MEXICO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE _____ DAY OF _____ A.D. 202__ AT _____ O'CLOCK _____ AND WAS DULY RECORDED IN CABINET NO. _____ SLIDE NO. _____ OF THE RECORDS OF EDDY COUNTY, NEW MEXICO.

WITNESS MY HAND AND SEAL OF OFFICE
ROBIN VAN NATTA
COUNTY CLERK, EDDY COUNTY, NEW MEXICO

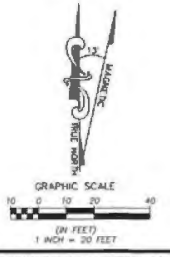
DEPUTY

PLAT REFERENCE:

1. "HOLIDAY ADDITION UNIT 3" BY DUCE O. BYRNS, NMPE & LS NO. 1257, APPROVED BY THE CARLSBAD PLANNING COMMISSION ON FEBRUARY 18, 1971 AND FILED IN THE OFFICE OF THE EDDY COUNTY CLERK IN BOOK 7, PAGE 42.

LEGEND:

- DENOTES POINT SET, 1/2" REBAR WITH SURVEY CAP INSCRIBED "STERLING, NMPS 11010".
- DENOTES POINT FOUND, 5/8" REBAR.
- DENOTES POINT FOUND, 3/8" REBAR.
- DENOTES CENTER OF TOWER.
- DENOTES UTILITY POLE.
- DENOTES UTILITY POLE WITH TRANSFORMER.
- DENOTES TELEPHONE PEDESTAL.
- DENOTES OVERHEAD UTILITY WIRES.
- DENOTES WIRE FENCE.



COUNTY INDEXING INFORMATION & TITLE BLOCK

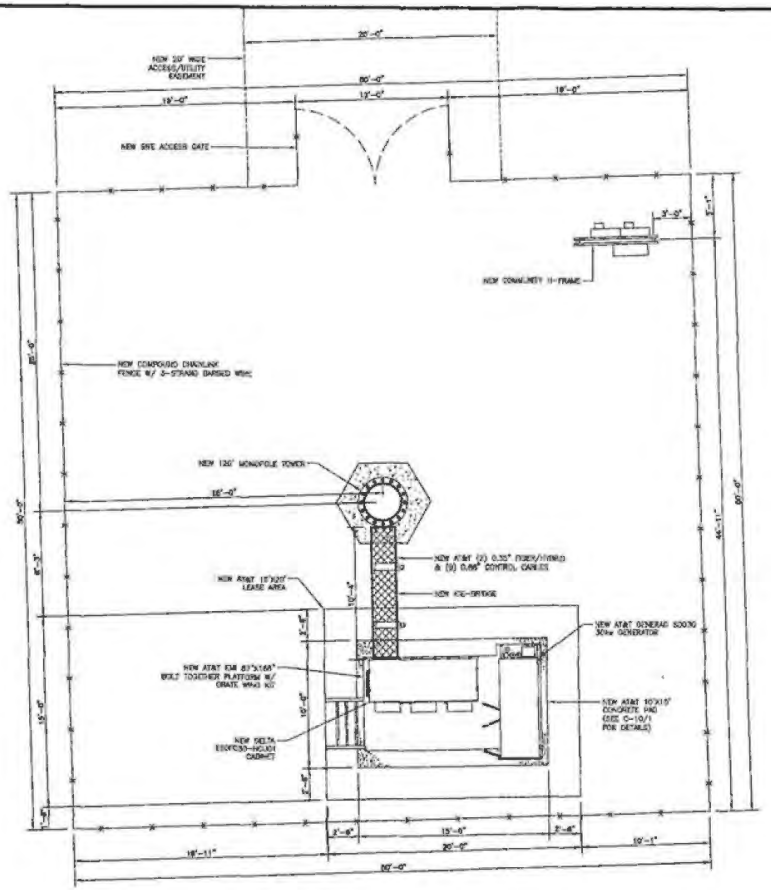
RECORD OWNER(S): R050758: BMK, LLC.
PARCEL NO. 4-157-130-364-370

LOCATION: 208 WEST SAN JOSE BOULEVARD, BEING A PORTION OF LOT 4, BLOCK 3 OF THE HOLIDAY ADDITION UNIT 3, CARLSBAD, EDDY COUNTY, NEW MEXICO WITHIN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T22S, R27E, NMPM.

ALAMOTERO
LAND SURVEYORS, LLC
P.O Box 1749 • 1101 N Florida
Alamogordo, NM 88311-1749
Office (575) 437-7074
Fax (575) 437-7075

BOUNDARY SURVEY LEASE LOT AND EASEMENT SURVEY FOR BMK, LLC

Date:	PAGE 1 OF 1
FEBRUARY 2020	
Drawn By: S. STERLING	Plat No. 200117RW-A



HOLIDAY ADDITION
PORTION OF UNIT 3
BLOCK 3, LOT 4
2.730 ACRES ±
N/F RMS, LLC
ACCOUNT # R000138
PARCEL # 4-187-130-364-370

1 SITE PLAN
SCALE: 1/8"=1'-0" (FULL SIZE) 1/8"=1'-0" (11x17)

N

at&t
1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

BROADUS services
4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016
OFFICE: (817) 349 3449
FAX: 800 401 4234

AT&T SITE NUMBER:
WTL03114

OLD CAVERN HWY/ FARRIS ST

3804 NATIONAL PARK HWY.
CARLSBAD, NM 88220

EXISTING MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRAWN	DESCRIPTION	DES/PQA
PCD0	02-13-20	JAS	PRELIMINARY	ELG

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

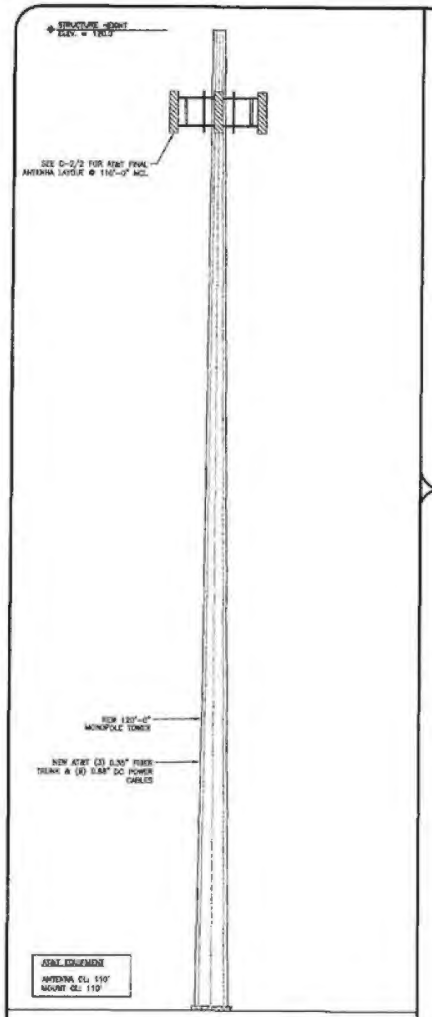
EPB ASSOCIATES, INC.

Civil + Structural Engineers
TX Registration No. F-8823
14151 Dallas Parkway, Suite 472
Dallas, Texas 75254
(972) 239-5485

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER: C-2

REVISION: PCD0



1 FINAL TOWER ELEVATION
SCALE: NOT TO SCALE

TOWER & ANTENNA STANDARD NOTES:

A. TOWER STRUCTURAL ANALYSIS BY XXXXXXXXXXX, DATED XX-XX-XX, PROJECT # XXXXXXXXXXX/ NO NEW ANTENNAS OR EQUIPMENT INSTALLED WITHOUT APPROVAL OF STRUCTURAL ENGINEER.

B. INSTALLED EQUIPMENT MUST HAVE A MATCHING STRUCTURAL ANALYSIS.

C. VERIFY AZIMUTHS WITH RFDS.

D. 3' ANTENNA SEPARATION REQUIRED. CONTRACTOR TO MOVE (E) ANTENNAS TO ENDS OF MOUNT AS REQUIRED.

E. MOUNT COMPLIANCE IS BY OTHERS. NO NEW ANTENNAS OR EQUIPMENT INSTALLED ON MOUNTS WITHOUT THE APPROVAL OF A STRUCTURAL ENGINEER.

F. PRIOR TO ATTACHING ANTENNAS AND MOUNTING SECTIONS, (E) TOWER AND TOWER FOUNDATION MUST BE ANALYZED BY A LICENSED STRUCTURAL ENGINEER TO VERIFY TOWER IS CAPABLE OF SUPPORTING THE PROPOSED LOADS. REFER TO STRUCTURAL ANALYSIS BY OTHERS.

G. PROPOSED ANTENNA PLACEMENT LOCATION TO BE FIELD VERIFIED BY GENERAL CONTRACTOR PRIOR TO CONSTRUCTION TO AVOID ANY INTERFERENCE OR SHADOWING OF EXISTING ANTENNAS. IF INTERFERENCE OR SHADOWING OF EXISTING ANTENNAS IS DISCOVERED DURING FIELD VERIFICATION, PLEASE CONTACT (NAME VENDOR) FOR DESIGN REVISION PRIOR TO ANY NEW ANTENNA INSTALLATION.

H. DO NOT OBSTRUCT BEACON IF TOWER LIT.

I. LOW PROFILE ANTENNA PLATFORM NEEDS TO ADD A NEW TOP RAIL.

J. TOPSIDE FIBERS TO BE SLEEVED IN FLEXIBLE WATERTIGHT TYPE OR SPLIT CONDUIT TO PREVENT BIRDS FROM DAMAGING FIBER OPTIC CABLE.

K. TOP AND BOTTOM OF ALL COAX RUNS ARE TO BE LABELED WITH A BRASS TAG ID WITH NAME OF THE LESSEE ON IT.

INSTALLER NOTE:

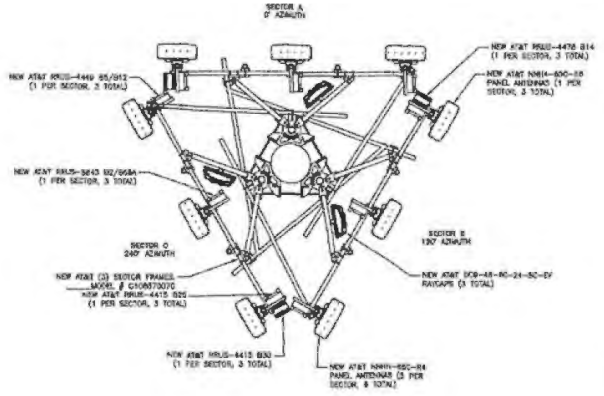
CONTRACTOR TO VERIFY ALL ANTENNA TIP HEIGHTS DO NOT EXCEED BEACON BASE HEIGHT.

INSTALLER NOTE:

- NEW EQUIPMENT CANNOT BE MOUNTED TO TOWER.
- RELOCATE EXISTING TOWER MOUNTED EQUIPMENT TO CUSTOMER MOUNT.

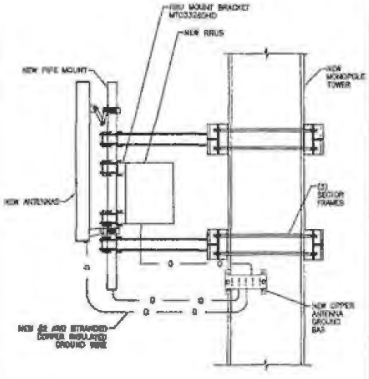
INSTALLER NOTE:

DIRECT TOWER MOUNTED EQUIPMENT MUST NOT TRAP OR INTERFERE W/ CLIMBING PEGS/STEPS AND SAFETY CLIMB.



2 FINAL ANTENNA LAYOUT
SCALE: NOT TO SCALE

N



3 ANTENNA/RRU MOUNT DIAGRAM
SCALE: NOT TO SCALE

at&t
1803 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

BROADUS services
4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016
OFFICE: (817) 349 3449
FAX: 800 401 4234

AT&T SITE NUMBER:
WTL03114

OLD CAVERN HWY/ FARRIS ST

3804 NATIONAL PARK HWY.
CARLSBAD, NM 88220

EXISTING MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/CK
PCD0	12-13-16	JAS	PRELIMINARY	RGD

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

EPB ASSOCIATES, INC.
Civil + Structural Engineers
TX Registration No. F-4853
14114 Dallas Parkway, Suite 472
Dallas, Texas 75254
(972) 239-5485

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SHEET NUMBER: C-3
REVISION: PCD0

1:2,100

1 inch = 175 feet

Zone Change

Map # 2121_ed02

Date: 3/12/2020

Address
Water Main
Sewer Main
Roads
Parcel

C-2
R-1
R-2
R-R

0 87.5 175 350

Feet

IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.

City of Carlsbad GIS

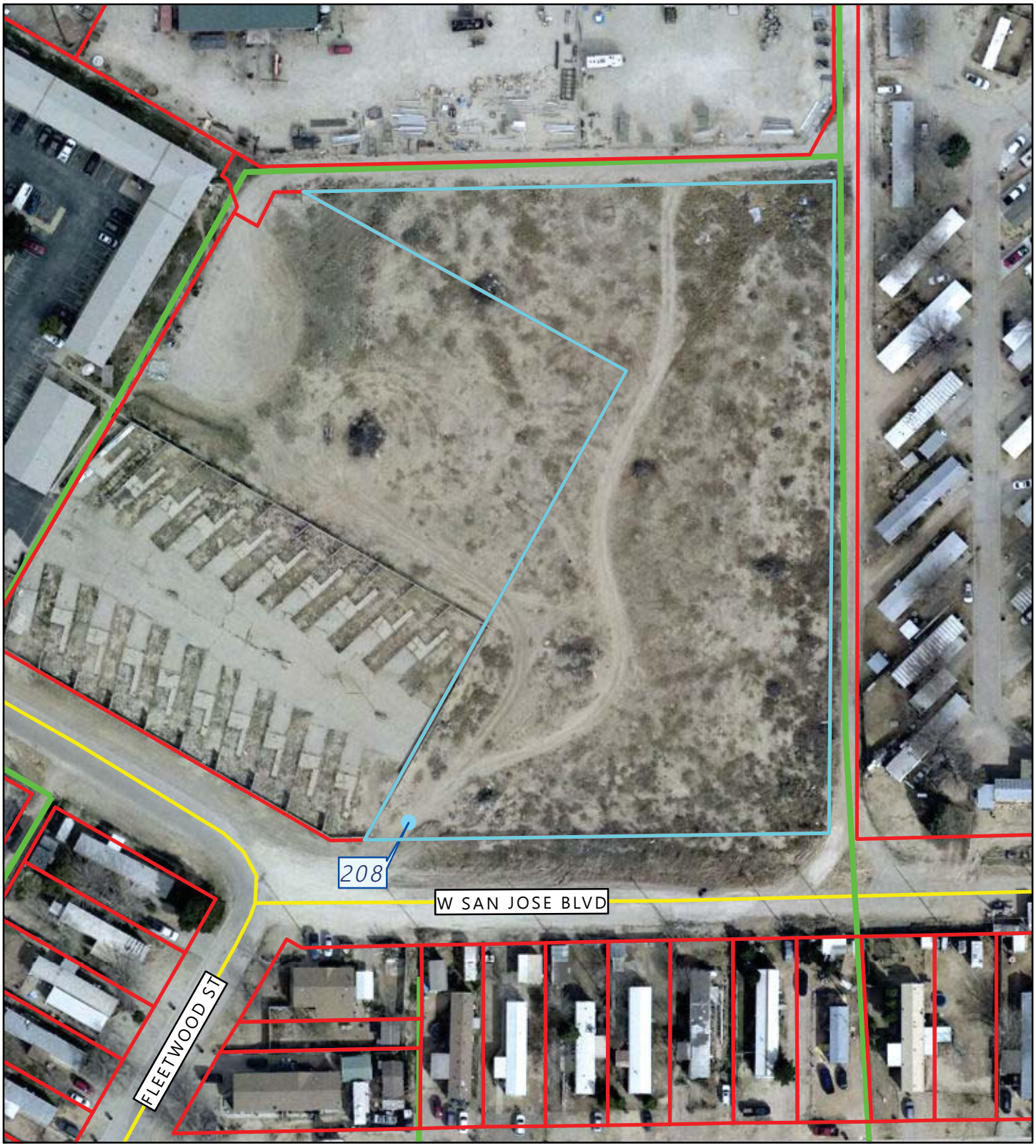
1:1,200

1 inch = 100 feet

Zone Change

Map # 2121_ed01

Date: 3/12/2020



Address

Sewer Main

Roads

Parcel

0 50 100 200

Feet

IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.

City of Carlsbad GIS

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Digitally signed by Jeff Patterson, CFM
DN: cn=Jeff Patterson, CFM, o=City of Carlsbad, ou=Director of Planning and Regulation, email=jepatterson@cityofcarlsbadnm.com, c=US
Date: 2020.06.03 12:16:18 -06'00'

Meeting Date: 6/9/2020

DEPARTMENT: Planning, Engineering & Regulation	**BY:** Jeff Patterson, Planning Director	**DATE:** 6/1/2020

SUBJECT: Request for a Zone Change from "R-R" Rural Residential District to "I" Industrial District for approximately 14.08 acres, located at 1400 San Jose Blvd., legally described as indicated on the attached property maps, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances. The initial request for this zone change was for approximately 81.84 acres and three additional property parcels. The applicant amended her request at the May 4, 2020, Planning and Zoning commission meeting to a zone change for just the single parcel attached as Exhibit A, approximately 14.08 acres.

Applicant/Owner:
Melissa Acosta
4317 S. Tidwell Rd.
Carlsbad, NM 88220

The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners' 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for a Zone Change from "R-R" Rural Residential District to "I" Industrial District for approximately 14.08 acres, located at 1400 San Jose Blvd., legally described as indicated on the attached property map.

Sec. 56-40(e) states:

(e) Industrial (I) District.

The Industrial District is intended to accommodate heavy and/or concentrated fabrication, production, research, manufacturing, and industrial uses.

The properties to the south are zoned "R-R" Rural Residential District and "R-2" Residential 2 District, the properties to the north are zoned "R-2" Residential 2 District, the properties to the east are zoned "C-2" Commercial 2 District, and the properties to the west are currently zoned "R-1" Residential 1 District. This zone change would create a spot zone, however it will conform to the industrial usage taking place on the only developed property in question, listed as "Exhibit A" on the attached property plat (trucking business).

Comprehensive Plan: Strategy 2040 goals and policies that are applicable to this request are:

Chapter 5: Land Use

Objectives:

- *To identify areas of opportunity for infill and redevelopment.*
- *To achieve a more balance land use mix and increase the supply of commercial properties.*
- *To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.*

Chapter 6: Economic Development

Objectives:

- *To maximize business retention and recruitment efforts of the City.*
- *To support locally-owned, small business development and retention.*

According to Zoning Ordinance **Sec. 56-150(b)(4). Amendments**, Findings Required, a statement of fact regarding each of the following findings is required:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Based on review of the application and staff comments, at their meeting on May 4, 2020, the Planning and Zoning Commission considered this item with the amendment that the only property to be considered for a zoning change would be the approximately 14.08 acre property (UPC# 4-157-128-256-316, Exhibit A) located at 1400 San Jose Blvd. The Commission recommended denial with a vote of four (4) in favor of denial, none (0) against, one (1) absent and none (0) abstain.

DEPARTMENT RECOMMENDATION (please check):

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works		X		Planning, Eng. & Reg. Dept		X	
Fire Department		X		Code Enforcement Division			X
Legal Department		X		Planning Division		X	X
Police Department			X	Projects Department		X	
Utilities Department		X		Building Division		X	
City Administration		X		Carlsbad Irrigation District			X

DEPARTMENT COMMENTS:

Public Works: Recommend denial.

Utilities Department: Recommend denial.

Building Department: Recommend denial

Fire Department: Recommend denial.

Code Enforcement: No comment.

Legal Department: Recommend denial.

Planning Department: Recommend denial.

Police Department: No comments.

Projects Department: No comments

Carlsbad Irrigation District: No comment.

City Administration: No comments.

BOARD/COMMISSION/COMMITTEE ACTION:

☒ P&Z	☐ Lodgers Tax Board	☐ Cemetery Board	☒ APPROVED
☐ Museum Board	☐ San Jose Board	☐ Water Board	☐ DISSAPPROVED
☐ Library Board	☐ N. Mesa Board	☐ _____ Committee	

Reviewed by
City Administrator /s/ John Lowe Date: 06/04/2020

ATTACHMENTS: Application materials, Ordinance, P & Z Minutes.

ORDINANCE NO. 2020-15

AN ORDINANCE REZONING PART OF "R-R" RURAL RESIDENTIAL DISTRICT TO "I" INDUSTRIAL DISTRICT FOR AN APPROXIMATELY 14.08 ACRE PROPERTY, LOCATED AT 1400 SAN JOSE BLVD., LEGALLY DESCRIBED AS TRACT A OF THE REPLAT OF PART OF THE NE 1/4SW1/4 AND PART OF THE SE 1/4NW1/4, SECTION 7, TOWNSHIP 22S., RANGE 27 E., NMPM, FURTHER DESCRIBED AS EXHIBIT "A" (ATTACHED), PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-R" Rural Residential District to "I" Industrial District, for an approximately 14.08 acre property, located at 1400 San Jose Blvd., legally described as:

> Tract A of The Replat of part of the NE 1/4SW1/4 and Part of the SE 1/4NW1/4, Section 7, Township 22S., Range 27E., NMPM, further described as Exhibit "A" (attached)

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of June, 2020.

_____
DALE JANWAY, MAYOR

ATTEST:

_____
CITY CLERK

Exhibit A

Approximately 14.08 aces Tract A of The Replat of part of the NE 1/4SW1/4 and Part of the SE 1/4NW1/4, Section 7, Township 22S., Range 27E., NMPM

(Quarter: NW S: 7 T: 22S R: 27E Quarter: SW S: 7 T: 22S R: 27E BEG SE COR NESW W-30', N00°06'W- 526.5' TO POB, N00°06'W-1033.5', S87°26'W-178.8', S52°54'W-473.4', S88°27'W-123.2', S00°06'E-755.2', N88°25'E-679.85', N88°34'E-685' TO POB AKA TRACT A MAP# 253-TRA.1 B/S CAB# 2 83-1 LOC 1400 SAN JOSE BLVD DEATH DEED 992/330)

Exhibit A

Property Record Card

Eddy Assessor

MITCHELL, JEANNE
TRUCKING & CONTRACTING SERV K/S
PO BOX 1357
CARLSBAD, NM 88221-1357

Account: R066024
Tax Area: CI_NR - CARLSBAD-IN (Nonresidential)
Acres: 0.000

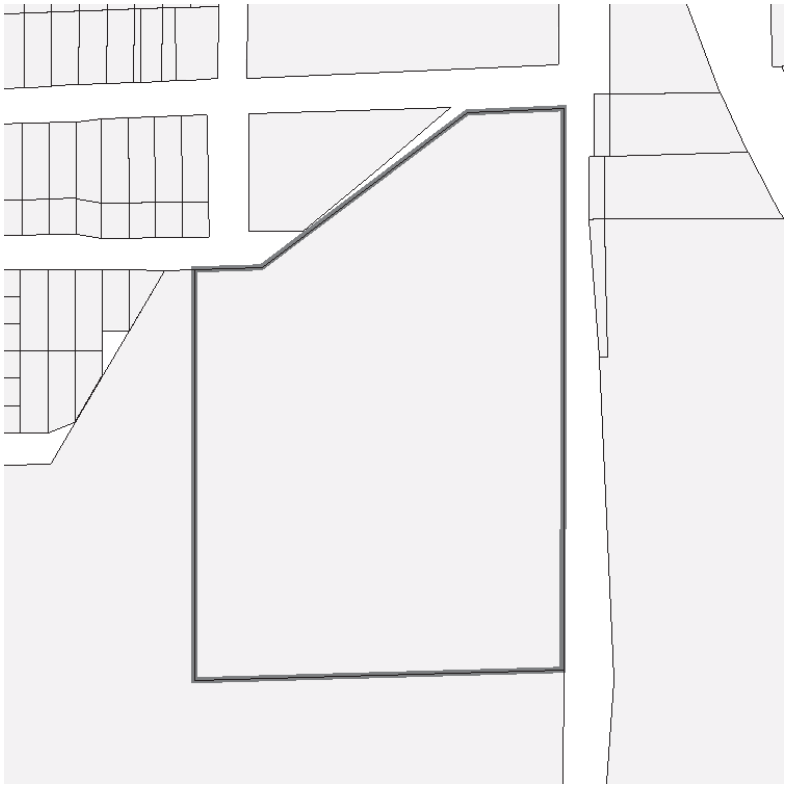
Parcel: 4-157-128-256-316
Situs Address:
1400 SAN JOSE

Value Summary

Value By:	Market	Override
Commercial (1)	$286,971	$286,971
Land (1)	$7,056	N/A
Total	**$294,027**	**$294,027**

Legal Description

Quarter: NW S: 7 T: 22S R: 27E Quarter: SW S: 7 T: 22S R: 27E BEG SE COR NESW W-30', N00°06'W- 526.5' TO POB, N00°06'W-1033.5', S87°26'W-178.8', S52°54'W-473.4', S88°27'W-123.2', S00°06'E-755.2', N88°25'E-679.85', N88°34'E-685' TO POB AKA TRACT A MAP# 253-TRA.1 B/S CAB# 2 83-1 LOC 1400 SAN JOSE BLVD DEATH DEED 992/330



Public Remarks

Entry Date	Model	Remark
02/12/2014		BOOK 967 PG 1190

Commercial Occurrence 1

Property Code	0220 - NON-RESIDENTIAL IMPROVEMENT	Building Type	250 - Comm Structures

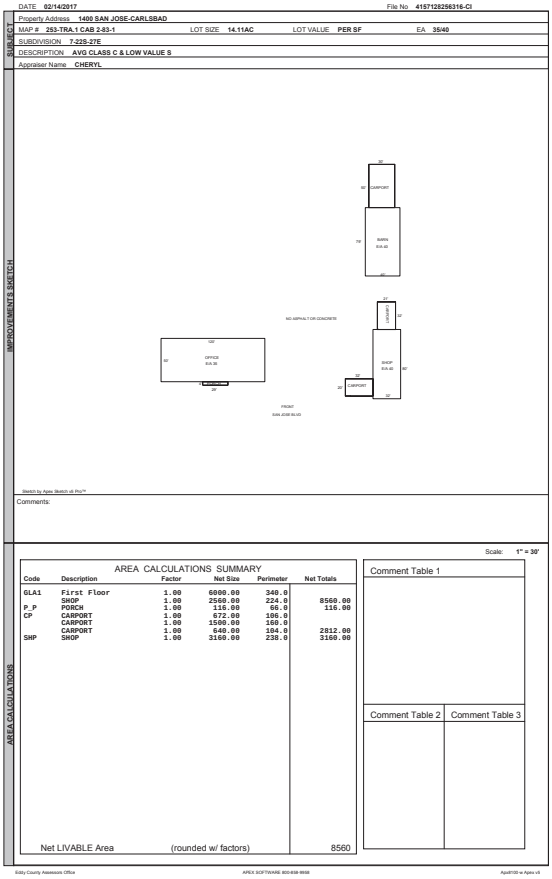
SubArea		ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
GLA1 - First Floor		8560.0	8560.0	8560.0	8560.0
P_P - PORCH		116.0	116.0	116.0	116.0
CP - CARPORT		2812.0	2812.0	2812.0	2812.0
SHP - SHOP		3160.0	3160.0	3160.0	3160.0
Total		14,648.00	14,648.00	14,648.00	14,648.00
	Value	**Rate**	**Rate**	**Rate**	**Rate**
	$286,971	19.59	19.59	19.59	19.59

Property Record Card

Eddy Assessor

Commercial Occurrence 1

SKETCH/AREA TABLE ADDENDUM



Land Occurrence 1

Property Code	0200 - NON-RESIDENTIAL LAND	Land Code	111_500_01 - Commercial Land N/R - 500.01
Description	NON-RESIDENTIAL LAND		

Abstract Summary

Code	Classification	Actual Value Value	Taxable Value	Actual Value Override	Taxable Override
0200	NON-RESIDENTIAL LAND	$7,056	$2,352	NA	NA
0220	NON-RESIDENTIAL IMPROVEMENT	$286,971	$95,657	NA	NA
Total		**$294,027**	**$98,009**	**NA**	**NA**

MINUTES OF THE REGULAR MEETING OF THE

City of Carlsbad
Planning & Zoning Commission

Monday, May 4, 2020, at 5:00 p.m.

Meeting Held in the Annex Planning Room
114 S. Halagueno

CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, May 4, 2020 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Council Chambers

1. Roll call of voting members and determination of quorum

2. Approval of Agenda

3. Approval of Minutes from the Special Meeting held April 9, 2020

4. Consider a recommendation to Council for a Zone Change request from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision
   a. Remove from table
   b. Consider item for recommendation

5. Consider approval a request for a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.
   a. Remove from table
   b. Consider approval of request

6. Consider approval of a Variance request to allow a Communications Tower to exceed the maximum 50’ at 208 W. San Jose Blvd.
   a. Remove from table
   b. Consider approval of request

7. Consider a recommendation to Council for a Zone Change request from “R-R” Rural Residential District to “I” Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total
   a. Remove from table
   b. Consider item for recommendation

8. Consider approval of a Temporary Use Permit for Temporary Housing at 4212 Standpipe Rd., zoned “R-R” Rural Residential District
   a. Remove from table
   b. Consider approval of request

9. Consider a recommendation to Council for a Zone Change request from “C-2” Commercial 2 District to “C-1” Commercial 1 District for approximately 0.50 acres located at 210, 212 & 214 S. Alameda St.
   a. Remove from table
   b. Consider item for recommendation

10. Consider approval of a Variance request to allow a more than the minimum residential

units located at 412 E. Church St., zoned “R-1” Residential 1 District
   a. Remove from table
   b. Consider approval of request

11. Report regarding Summary Review Subdivisions

12. Adjourn

FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City web site: ***cityofcarlsbadnm.com***
or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, June 1, 2020 at 5:00 p.m.

MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, MARCH 2, 2020, AT 5:00 P.M.

VOTING MEMBERS PRESENT:	
JAMES KNOTT	**CHAIRPERSON**
JAMES McCORMICK	**COMMISSIONER (arrived 5:08 p.m. via virtual meeting)**
LASON BARNEY	**COMMISSIONER (via virtual meeting)**
BRIGIDO GARCIA	**COMMISSIONER**
VOTING MEMBERS ABSENT:	**BRAD NESSER**
EX-OFFICIO MEMBERS PRESENT:	
JEFF PATTERSON	**PLANNING DIRECTOR**
TRYSHA ORTIZ	**DEPUTY PLANNING DIRECTOR**
SECRETARY PRESENT:	
JUDITH WEBSTER	**PLANNING AND REGULATION DEPARTMENT SECRETARY**
OTHERS PRESENT:	
EILEEN RIORDAN	**CITY ATTORNEY**
CHARLIE GARCIA	**CITY**
LISA ANN ANAYA-FLORES	**502 W. PLAZA**
DAVE MORGAN	**1210 LANDSUN DR.**
DAVID GRANGER	**305 VELA ST.**
HEATHER SCOTT	**(via virtual meeting)**
DOUG HENDERSON	**(via virtual meeting)**
MELISSA ACOSTA	**(via virtual meeting)**

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

0:00:02 Start Recording [5:04:22 PM]

0:00:16 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present–**Mr. Knott, Mr. Garcia, Mr. Barney.** Absent**-Mr. McCormick, Mr. Nesser**.

0:00:32 **2. Approval of Agenda.**

Mr. Knott announced there are two changes to the Agenda. The applicant for Item #8 has requested it be postponed until the next meeting, and Item #10 has been postponed at the request of the applicant.

Mr. Garcia made a motion to approve the Agenda; **Mr. Barney** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott.** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

DRAFT

0:01:18 **3. Approval of Minutes from the Special Meeting held April 9, 2020**

Mr. Garcia made a motion to approve the minutes from the special meeting held April 9, 2020; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott.** No– None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

0:02:04 **4. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott;** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

b. (Mr. McCormick joins via virtual meeting at 5:08 p.m.) **Consider item for recommendation**

The applicant is attempting to connect via virtual meeting. **Mr. Patterson** suggests moving to Item #7.

0:06:02 **7. Consider a recommendation to Council for a Zone Change request from "R-R" Rural** Residential **District to "I" Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott;** No–None; Abstained–None; Absent**- Mr. McCormick, Mr. Nesser.** The motion carried.

b. Consider item for recommendation

The applicant does not appear. **Mr. Knott** announces the applicant for Items #4, 5 & 6 has joined via virtual meeting and those items will be considered next.

0:09:31 **4. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.75 acres located at 208 W. San Jose Blvd., legally described as Lot 4, Block 3, Holiday Unit #3 Subdivision**

b. Consider item for recommendation

Mr. Patterson explains the request. The applicant, **Doug Henderson**, joins via virtual meeting. He explains the need for cell phone service has increased, including demand for access to emergency services. There was no public comment.

Mr. Knott made a motion to approve a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District located at 208 W. San Jose Blvd.; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

Mr. Patterson tells the applicant this item will appear before City Council on June 9, 2020.

DRAFT

0:15:52 **5. Consider approval a request for a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Barney** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent- **Mr. Nesser.** The motion carried.

b. Consider item for recommendation

Mr. Patterson explains the request, noting that the Planning Staff recommends approval with conditions requiring engineered drawings stamped by a NM licensed engineer, showing compliance with the Building Code and all FCC and FAA regulations; and that the Zone Change request be approved prior to installation of the tower. **Mr. Henderson** states they have submitted the sealed construction plans. The tower would need to be 115' tall. Floor opened for public comment. There was none. **Mr. Knott** notes that other City Departments recommended denial of this request**. Mr. Patterson** the request was changed to include the entirety of the property to be zoned C-2, and the coverage area would be expanded.

Mr. McCormick made a motion to approve a Conditional Use Permit to allow a Communications Tower at 208 W. San Jose Blvd.; **Mr. Garcia** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

Mr. Patterson tells the applicant this is the final approval for the Conditional Use permit. The Building Department will be notified.

0:21:57 **6. Consider approval of a Variance request to allow a Communications Tower to exceed the maximum 50' at 208 W. San Jose Blvd.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. Knott** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent- **Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request, as it goes with the previous item; the communications tower would exceed the maximum 50' height required by the Carlsbad Zoning Ordinance. The tower would exceed 100' and a Variance would be required. The Planning Staff recommends approval of this request with conditions requiring engineered drawings stamped by a NM licensed engineer, showing compliance with the Building Code and all FCC and FAA regulations; and provide a report from a NM licensed engineer verifying the need for the increase in height of the tower. **Mr. Henderson** states he feels they met the intent of the Ordinance; and the tower would be placed 126' from all property lines. The height increase they are requesting would improve coverage greatly. Floor opened for public comment. There was none.

Mr. Knott made a motion to approve a Variance allowing a Communications Tower to exceed the maximum 50' at 208 W. San Jose Blvd.; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–None; Absent- **Mr. Nesser**. The motion carried.

Mr. Patterson tells the applicant this Variance is approved; and the Building Department will be notified.

DRAFT

0:29:48 **7. Consider a recommendation to Council for a Zone Change request from "R-R" Rural Residential District to "I" Industrial District for approximately 82.45 acres located at 1400 San Jose Blvd and extending southwest into Dark Canyon drainage, comprised of four (4) lots total**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request, noting that the applicant is already operating a trucking business at the address. This would create a spot zone; although it would conform to the industrial usage taking place. The Planning staff recommends denial based on the property is in a major drainage area. The applicant, **Melissa Acosta** joins by virtual meeting. She explains she has no use for the canyon and will not develop in there. She states her property and the nearby cemetery have never flooded since she has been here. She asks that the 14 acres on which she currently operates a trucking business be considered for the Industrial Zoning, thereby amending her request. **Eileen Riordan**, City Attorney, tells the commission the Zone Change request for the 14 acres, currently being used as a trucking yard with a Conditional Use Permit, indicates the applicant is considering a use for the property beyond the current Conditional Use. She notes there is historical documentation of flooding in that area, including the cemetery. **Mr. Patterson** explains he is the Flood Plain Manager for the City of Carlsbad, and FEMA would not allow any use that would obstruct water flow without adequate engineering. **David Granger** comes to the podium. He is against the Zone Change, noting the surrounding areas do flood, the most serious recent flood in 2004. His family home nearby has been occupied for 70 years, and when it flooded in the 1940s, they moved the home on logs about 30'. **Lisa Ann Anya-Flores** comes to the podium. She lives in the neighborhood in an older home, which is the replacement for the home that had been displaced by the flood in the 1940s. She is concerned about the aesthetics. She believes the Industrial Zoning would have a negative impact on the neighborhood. **Heather Scott** joins via virtual meeting; she is an attorney for the Avalon of Carlsbad Apartments at 1907 San Jose Blvd. It is her position that the Zone Change should be denied, sharing concerns of others regarding the development of vacant land behind the existing businesses; further the property should remain Rural Residential to prevent disturbance to the apartment complex. Floor opened for further public comment. There was none. **Ms. Acosta** explains she has cleaned the property and will continue to keep it in good condition. **Mr. Knott** asks the applicant what she would do with the Industrial Zoning. **Ms. Acosta** states she would like to develop the back part into an RV park and possibly place a towing business in the corner of the property. **Mr. Knott** confirms the request is now for 14 acres to be zoned Industrial. There is no more public comment.

Mr. Garcia made a motion to deny the modified request for Zone Change from "R-R" Rural Residential to "I" Industrial for the parcel containing approximately 14.08 acres located at 1400 San Jose Blvd.; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser**. The motion was denied.

Mr. Patterson states this item will come before the June 9, 2020 regular meeting of the City Council.

DRAFT

1:08:01 **8. Consider approval of a Temporary Use Permit for Temporary Housing at 4212 Standpipe Rd., zoned "R-R" Rural Residential District**

a. Remove from table

Mr. Patterson informs the board that the applicant has asked that this item be postponed to the next meeting. **Ms. Riordan** explains this request this item must be removed from the table; and then be re-tabled.

Mr. Garcia made a motion to approve; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–None; Absent**- Mr. Nesser**. The motion carried

b. Consider approval of request

Mr. Garcia made a motion to table this item; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--none; Abstained–None; Absent**- Mr. Nesser**. The motion was tabled.

Mr. Patterson states this will be scheduled for the Planning & Zoning Meeting on June 1, 2020.

1:11:06 **9. Consider a recommendation to Council for a Zone Change request from "C-2" Commercial 2 District to "C-1" Commercial 1 District for approximately 0.50 acres located at 210, 212 & 214 S. Alameda St.**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson explains this request. The Planning Dept. recommends approval. The applicant**, Dave Morgan**, comes to the podium. He states the property has a small apartment complex on Lots 10 & 12. Lot 14 is vacant, and he would like to develop the property into a Bed & Breakfast business. Floor opened for public comment. There was none.

Mr. McCormick made a motion to approve the Zone Change request from "C-2" Commercial 2 District to "C-1" Commercial 1 District for the lots located at 210, 212 & 214 S. Alameda St.; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--None; Abstained–None; Absent**- Mr. Nesser**. The motion carried.

Mr. Patterson tells the applicant this will appear before the City Council for final decision on June 9, 2020.

1:14:59 **10. Consider approval of a Variance request to allow a more than the minimum residential units located at 412 E. Church St., zoned "R-1" Residential 1 District**

a. Remove from table

Mr. Garcia made a motion to remove from table; **Mr. McCormick** seconded the motion. The vote was as follows **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick;** No–None; Abstained–None; Absent**- Mr. Nesser.** The motion carried.

b. Consider approval of request

Mr. Patterson states the applicant has requested that this item be tabled again.

DRAFT

Mr. McCormick made a motion to table this item; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney Mr. Knott, Mr. McCormick;** No--none; Abstained– None; Absent**- Mr. Nesser**. The motion was tabled.

Mr. Knott states this item will appear at the June 1, 2020 meeting.

1:16:26 **11. Report regarding Summary Review Subdivisions.**

Nothing unusual was noted.

1:17:06 **12. Adjourn.**
There being no other business, the meeting was adjourned.

1:17:10 Stop Recording [6:21:52 PM]

_____ _____
Chairman Date

DRAFT

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

RECEIVED
Receipt Date Stamp
FEB 21 2020
Planning, Engineering, & Regulation Department

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 2/20/2020
Existing Zoning: R-R

Fee Paid ($100.00): 100.00 JW
Proposed Zoning: I

APPLICANT INFORMATION:

NAME	ADDRESS			
Melissa Acosta	1400 San Jose Blvd.			
CITY	**STATE**	**ZIP**	**PHONE**	**EMAIL**
Carlsbad	NM	88220	432.664.4668	melissa@tcstrucking.com

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME	ADDRESS			
Melissa Acosta	4317 S. Tidwell Rd.			
CITY	**STATE**	**ZIP**	**PHONE**	**EMAIL**
Carlsbad	NM	88220	432.664.4668	melissa@tcstrucking.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

ADDRESS	LOT	BLOCK	SUBDIVISION
1400 San Jose Blvd			

4-157-128-256-316
4-157-128-195-362
4-157-128-177-440
4-157-128-079-456

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☐ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☐ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:

Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:

Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

APPLICANT SIGNATURE

3/5/2020
DATE

Sign issued by: Judith Webster
Staff Member

Notification Agreement Rev. 10/11

Date: 2/21/2020

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Melissa Acosta 4317 S. Tidwell Rd. 432 664 4668
Name Address Phone

Subject Site Location: 1400 San Jose #

The proposed action is a:

☒ Zoning Change from RR to I in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

☐ Home Occupation: _____

☒ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: April 6, 2020
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent

4-157-128-256-316
4-157-128-195-362
4-157-128-177-440
4-157-128-079-456

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City, State, ZIP+4®: San Antonio TX 78216

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☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$4.10

0615 33
Postmark Here
03/05/2020

Sent To: Joe Campos
Street and Apt. No., or PO Box No.: 509 Zuni St.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7824

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FRANKTOWN, CO 80116
OFFICIAL USE

Certified Mail Fee	$3.55
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$4.10

0615 33
MAR 5 2020
Postmark Here
CARLSBAD NM
03/05/2020

Sent To: Abel Mendoza
Street and Apt. No., or PO Box No.: 2612 Silver Dr
City, State, ZIP+4®: Bakersfield CA 93305

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7794

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CANADIAN, TX 79014
OFFICIAL USE

Certified Mail Fee	$3.55
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$4.10

0615 33
MAR - 5 2020
Postmark Here
CARLSBAD
03/05/2020

Sent To: Elay Mendoza
Street and Apt. No., or PO Box No.: 13238 Paxton St.
City, State, ZIP+4®: Pacoima CA 91331

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instruction

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SAN ANTONIO, TX 78232

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Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $0.00
- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here: CARLSBAD NM 88220 MAR - 5 2020 0615 33

03/05/2020

Sent To: Frank + Rosa Briones
Street and Apt. No., or PO Box No.: 1127 S. Canal St.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7923

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CARLSBAD, NM 88220

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Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $0.00
- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here: CARLSBAD NM 88220 MAR - 5 2020 0615 33

03/05/2020

Sent To: 3D Walterschield Trucking
Street and Apt. No., or PO Box No.: 3226 Tidwell Rd
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7947

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SAN ANTONIO, TX 78216

OFFICIAL USE

Certified Mail Fee $3.55
Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $0.00
- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here: CARLSBAD NM 88220 MAR - 5 2020 0615 33

03/05/2020

Sent To: MW Properties MN LTD
Street and Apt. No., or PO Box No.: 17290 Blanco Rd STE 401
City, State, ZIP+4®: San Antonio TX 78232-1

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7862

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LOVING, NM 88256

OFFICIAL USE

Certified Mail Fee $3.55
Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $0.00
- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here: CARLSBAD NM 88220 MAR - 5 2020 0615 33

03/05/2020

Sent To: Emma Padilla
Street and Apt. No., or PO Box No.: 609 N. 5th St.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7893

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CARLSBAD, NM 88220

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- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here: U.S POSTAL SERVICE CARLSBAD NM 88220 MAR 5 2020 0615 33

03/05/2020

Sent To: Stephanie Ann Nicole Hines
Street and Apt. No., or PO Box No.: 523 W. Merced #736
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7763

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CARLSBAD, NM 88220

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Extra Services & Fees (check box, add fee as appropriate)
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- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here: U.S POSTAL SERVICE CARLSBAD NM 88220 MAR 5 2020 0615 33

03/05/2020

Sent To: Stop + Shop
Street and Apt. No., or PO Box No.: P.O. Box 1359
City, State, ZIP+4®: Carlsbad NM 88221

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7800

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CARLSBAD, NM 88220

OFFICIAL USE

Certified Mail Fee $3.55

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $0.00
- ☐ Return Receipt (electronic) $0.00
- ☐ Certified Mail Restricted Delivery $0.00
- ☐ Adult Signature Required $0.00
- ☐ Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here
MAR 5 2020
0615
33
03/05/2020

Sent To: Marvin Albright
Street and Apt. No., or PO Box No.: 1705 Boyd Drive
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7930

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OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $0.00
- ☐ Return Receipt (electronic) $0.00
- ☐ Certified Mail Restricted Delivery $0.00
- ☐ Adult Signature Required $0.00
- ☐ Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $4.10

Postmark Here
MAR
0615
33
03/05/2020

Sent To: Julia Campos Jacquez
Street and Apt. No., or PO Box No.: 108 Ash St.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0090 0001 9122 7916

CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

PROCESS FOR ACCEPTANCE AND REVIEW
OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the FIRST MONDAY OF THE MONTH. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting**. The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

   The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and eight (8) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.

4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.

2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A "notice of public hearing" is published in the Current Argus at least 30 days prior to the hearing.

3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100' of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant's information, legal description of subject property, and the date of the hearing.

4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.

5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

PLAT OF SURVEY

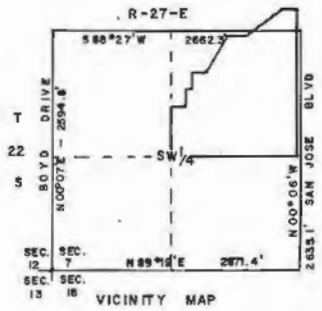
of

TRACTS A & B COMBINED

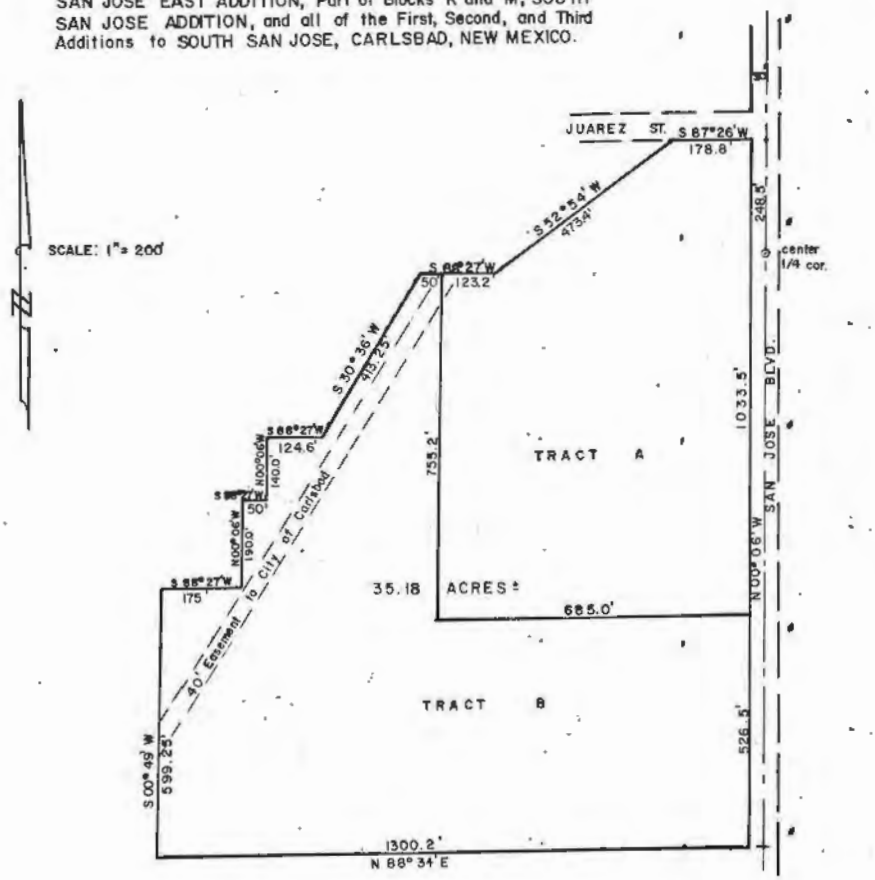
of

THE REPLAT OF PART OF THE NE1/4SW1/4 AND PART OF THE SE1/4NW1/4, SECTION 7, T. 22 S., R.27E., N.M.P.M., Vacating part of Block H, SAN JOSE EAST ADDITION, Part of Blocks K and M, SOUTH SAN JOSE ADDITION, and all of the First, Second, and Third Additions to SOUTH SAN JOSE, CARLSBAD, NEW MEXICO.

RE: CABINET I, SLIDE 135
(EDDY COUNTY CLERKS OFFICE)



VICINITY MAP



CERTIFICATION:

This is to certify that the foregoing plat was made from field notes of a bonafide survey made by me this 16th day of October, 1991, and is true and correct to the best of my knowledge and belief.

Dan R. Reddy

Dan R. Reddy, N.M.P.E. & L.S. #5412

DAN R REDDY 5412

RECORDING:

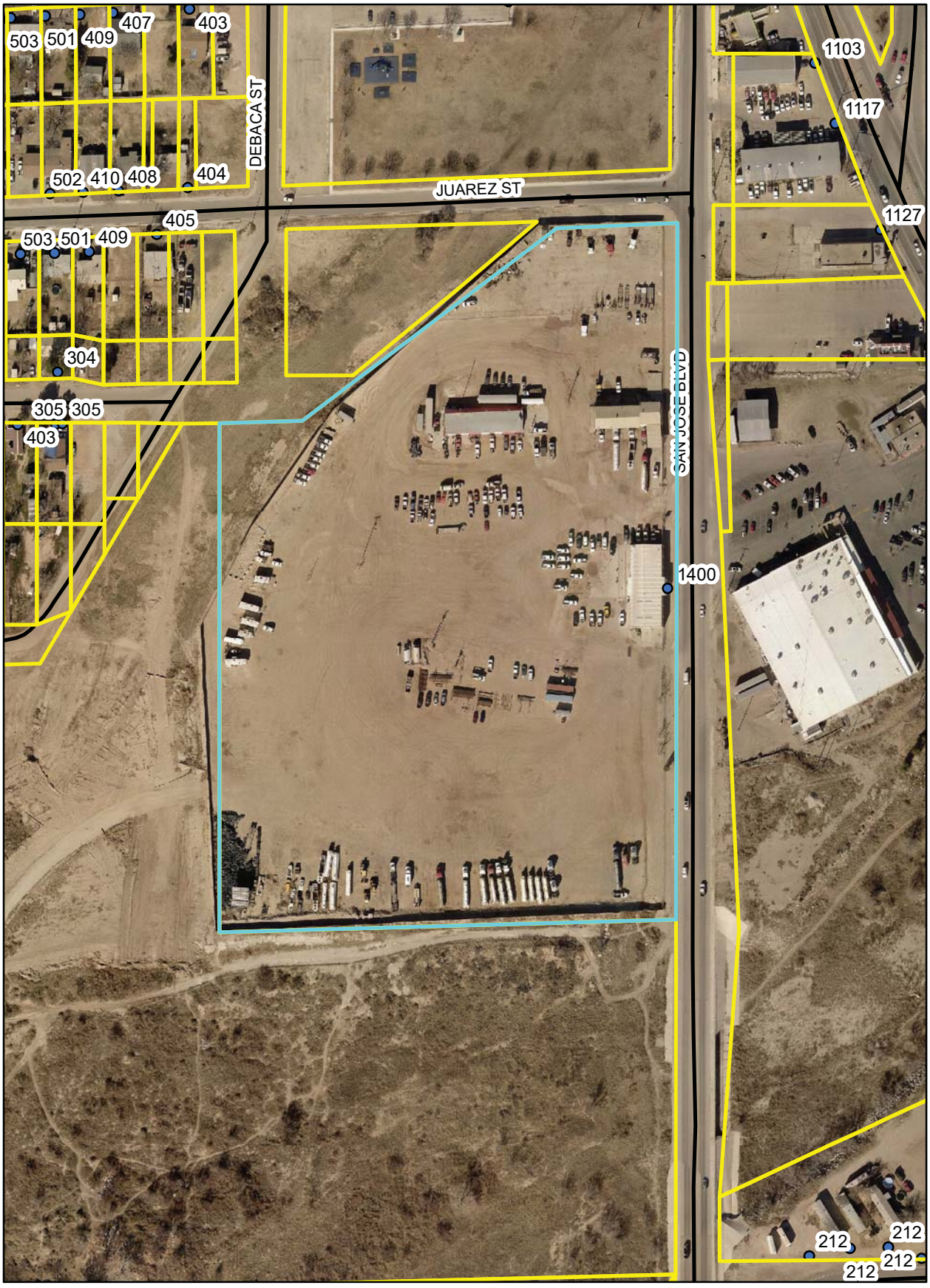
Filed for record in the office of the Clerk of Eddy County, New Mexico on the 25th day of October, 1991, at 1:22 PM in Map File Cabinet 1, Slide 83.

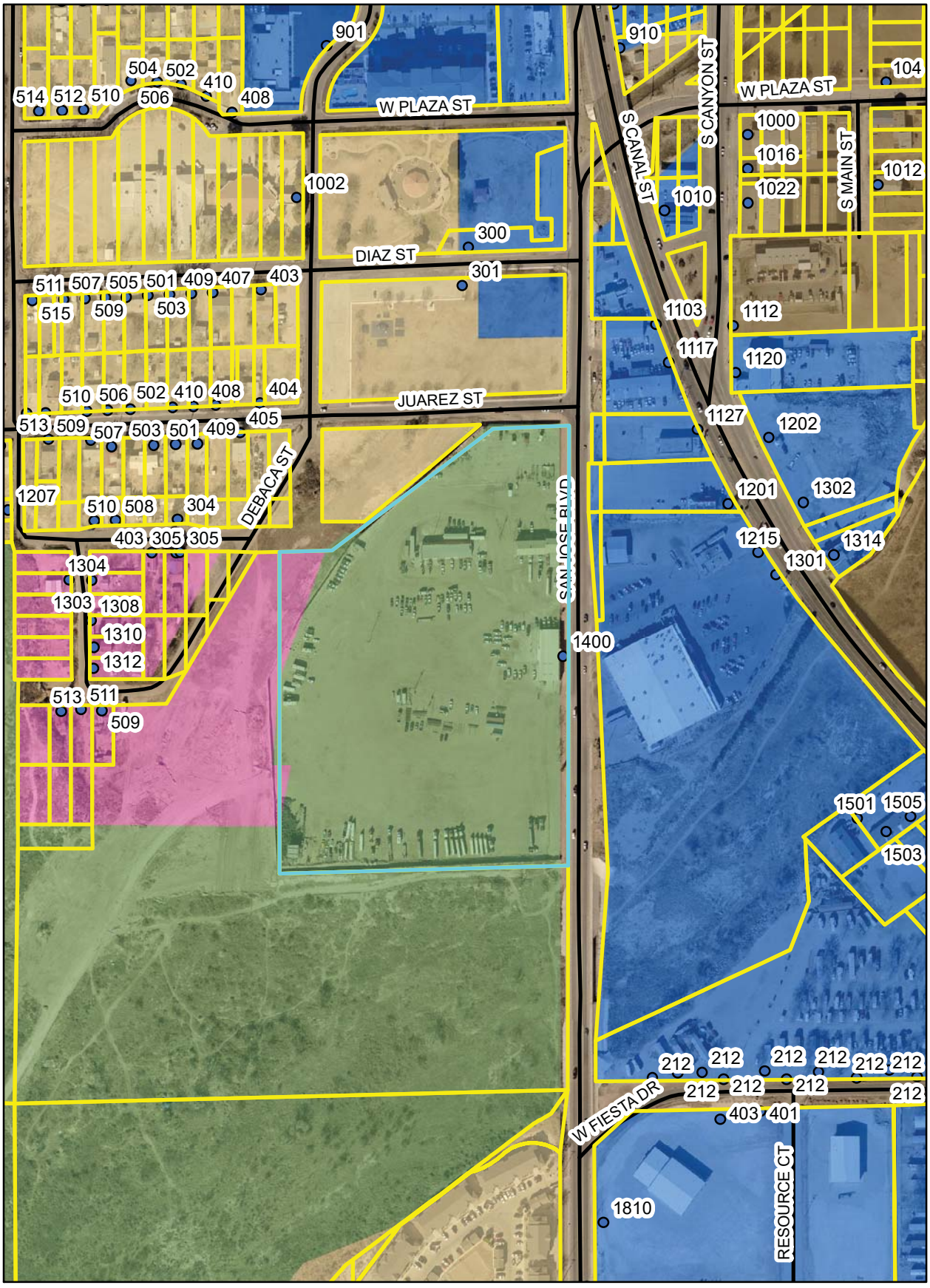
Fern Davis
County Clerk

By Lisa M Markham
Deputy

RECEPTION
9111028

Zone Change - R-R to I




N
Zone Change - R-R to I
Legend
C-1
C-2
I
PUD
R-1
R-2
R-R
W PLAZA ST
DIAZ ST
JUAREZ ST
DEBACA ST
SAN JOSE BLVD
S CANAL ST
S CANYON ST
S MAIN ST
W FIESTA DR
RESOURCE CT
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1016
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600 Feet
6/2//2020
City of Carlsbad GIS

Committee Reports

ADJOURN

Carlsbad Mainstreet
102 S. Canyon St.
Carlsbad NM 88220
(575) 628-3768
carlsbadmainstreet@gmail.com

May, 2020

Mr. John Lowe
City Administrator
City of Carlsbad
P.O. Box 1569
Carlsbad, NM 88221

Dear Mr. Lowe:

The following report is submitted to the City of Carlsbad to provide an update on the progress and status of the Carlsbad MainStreet Project for March 2020, per the Downtown Revitalization Services Contract. With this report, MainStreet is enclosing an invoice requesting the monthly allocation from the City of Carlsbad for $6,000 based on the total annual services contract of $72,000 ($52,000 operation, $20,000 CavernFest).

RECOGNITION

MainStreet America and New Mexico MainStreet recognized Carlsbad MainStreet

- Carlsbad MainStreet has met all the requirements and is recognized as a 2020 Accredited Main Street America™ Program!

NEW MEXICO MAIN STREET (NMMS) REQUIRED MEETINGS (MAINSTREET EXECUTIVE DIRECTOR):

- February 11-14, 2020, NMMS Winter Leadership Network Meeting, Santa Fe, NM (attended)
- May 18 -20, 2020 MainStreet Now, National MainStreet Conference, Dallas, TX (Event Canceled)
- August 19-21, 2020 NMMS Summer Leadership Network Meeting, Farmington, NM
- NMMS Fall Leadership Network Meeting, TBA

EXECUTIVE DIRECTOR BOARDS AND COMMITTEES:

- In addition to MainStreet activities, the Carlsbad MainStreet Executive Director serves on the following boards and committees related to downtown promotion and economic development and attends weekly and monthly meetings in support of their priorities and activities:

Farmers' Market, Cavern Theater, Retirement Council, Creative Carlsbad (Arts Council), Tourism Council, Mayors Fine Arts, and Acquisition Committee (FAAV), Anti-Drug and Gang Coalition, Rotary, Chamber of Commerce, City Council, School Board Meeting, City Lodgers' Tax, Mayor's Downtown Security Committee, CDOD, Hotel Association, Carlsbad Community Theater

Carlsbad Mainstreet
102 S. Canyon St.
Carlsbad NM 88220
(575) 628-3768
carlsbadmainstreet@gmail.com

ECONOMIC DEVELOPMENT-MAINSTREET STYLE

Metropolitan Redevelopment Area (MRA)

- Speaking with Mayor
- Schedule to go to council

Economic Development for downtown Carlsbad

- I attended every webinar available, webinar opportunities, shared webinar information. Shared information received from NMEDD for programs that helped support small businesses
- Created a MainStreet Merchant page on Facebook to provide a line of communication that was easier for the merchants than email.

POSTPONED UNTIL JUNE 4-5, 2021

~~***CavernFest Saturday, June 5-6, 2020***~~

- ~~We will have bands playing on Friday evening June 5~~
- ~~Have secured funding from several businesses sponsoring CavernFest 2020~~
  - ~~AR Forman Construction will be sponsoring our Headliner~~
  - ~~Friday Evening and Saturday bands funded by the city of Carlsbad ($20,000)~~
  - ~~Saturday's line-up~~
    - ~~Randy Rogers -Headliner~~
    - ~~Holly Tucker~~
    - ~~The Hamilton's~~
    - ~~Jordan Nix and the Day Drinkers~~
    - ~~J.D. and the Badlands~~
    - ~~Cody Zane Wells~~
    - ~~Stranded~~
    - ~~Josh Grider~~
  - ~~Friday's band line-up~~
    - ~~Mark Powell~~
    - ~~Weston Horn and The Hush~~
    - ~~Melissa Jones Auld~~
  - ~~March 11, 2020 Meeting with Daniel Trujillo, XTO seeking funding for CavernFest 2020~~

COVID-19 MAINSTREET WEBINARS & ZOOM MEETINGS

- March 31, Main Street: Organizational Health Check-Up
- March 31, Federal COVID-19 Legislation: What Do They Mean for Nonprofits?
- April 2, New Mexico True Master Series: Preparing for…
  - Fundraising in Uncertain Times
  - Buy NM Local: PayPal Setup with New Mexico

Carlsbad Mainstreet
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- April 6, Hosted by Carlsbad MainStreet Get Your Local Business Found On Google Search and Maps
  - Google Webinar - Get your name found
- April 7, COVID-19 and Main Street: Leading through Crisis
- April 10, Busy – NMMS
- April 16, Business Outside the Box: Tools & Resources for Generating Business Income During COVID-19 with New Mexico MainStreet
- April 23, Key Partnerships & Your Business Mix
- April 28, UrbanMain & the COVID-19 Response
- April 30, GoToWebinar - Repositioning Your Economic Development Organization

Carlsbad Downtown Farmers' Market

- Michelle Lucas, Farmers' Market Manager is preparing for our season

Gazebo

- Waiting to contact the donators of supplies, doesn't seem appropriate at this time

Digital Sign for Corner of Mermod and Canyon

- Working with Advanced Kiosk
  - Sent foundation plans to Pat Cass to verify we have the proper foundation for the kiosk
  - Have not heard back from Pat

MainStreet Business/Merchants Economic Vitality

ALL Meetings CANCELLED…OR CHANGED TO A WEBINAR/ZOOM

Façade Improvement

N/A

Regular MainStreet Board Meeting – 4th Monday of each month

- April 27 via Zoom.

Eddy County

- Met with Mr. Davis to discuss window cling for county building

HAPPENING AT THE MAINSTREET OFFICE

Staff at the MainStreet office

- Karla Niemeier is still the only staff at the MainStreet office

Reporting

- All monthly and quarterly reports have been submitted to the City, County, and New Mexico MainStreet

Speaking Opportunity

- Nothing at this time due to COVID-19

New Mexico MainStreet

- Hosting regular webinars and a weekly "Brain Storming Zoom Meeting

OTHER MAINSTREET ED MEETINGS AND ACTIVITIES:

Pearl of the Pecos- Arts and Culture District, Creative Carlsbad, Anti-Drug and Gang Coalition, Beautification/Meeting for Mural Project, Rotary, Carlsbad Community Theater board meetings

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carlsbadmainstreet@gmail.com

PROMOTION FOR MAINSTREET and CARLSBAD

Carlsbad School

- Purchasing yard signs for 2020 CHS seniors to be placed on the Eddy County Courthouse lawn, paid for by the city of Carlsbad Lodgers' Tax

Creative Carlsbad

- Monthly meetings

New Mexico Magazine

- Advertisements monthly

Focus Magazine

- Quarterly advertisements

Texas Monthly

- A signed contract for May and June ad
- Submitted article for Summer Travel online page
- Submitted May ad for Magazine

Current-Argus

- N/A

Clean-Up Task Force

- Working together with others to clean our town up

Photo opportunities with Beautification – Business of the Month

- N/A

Carlsbad Municipal Schools

- February 8, 2020, Ran the timing system for the district swim meet

Radio talk show KCCC 4th Thursday or Last Thursday of every month with Ken Britt and Julie Chester to tell the community about the city, Creative Carlsbad and MainStreet

- A limited number of people allowed in the studio, Ken Britt could not attend, Karla and Julie decided it would be best for Julie to tell about Create Art, Cultivate Joy

Promoting MainStreet

- Promoting/Selling MainStreet and Carlsbad every opportunity

Mayor request

- Meeting with Ken Britt, Julie Chester and Kyle Marksteiner about 4th of July, via telephone

If you have any questions, please feel free to contact me.

Thank you for your continued support of Carlsbad MainStreet!

Respectfully,

Karla Hamel Niemeier

Karla Hamel Niemeier, Executive Director
Carlsbad MainStreet Project, Inc.