



A G E N D A

Carlsbad City Council Regular Meeting
Janell Whitlock Municipal Complex
114 S. Halagueno Street
Carlsbad, New Mexico

May 9, 2023 at 6:00 p.m.

Invocation – Pledge of Allegiance

1. Approval of Agenda
2. Consider Approval of Resolution 2023-21, a Resolution making certain Budgetary Adjustments to the 2022-23 Fiscal Year Budget
3. 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 April 25, 2023**
- B. **Minutes of the Special City Council Meeting held on April 28, 2023**
- C. **City Personnel Report**
- D. **Purchasing**
 - 1) Consider Approval to Advertise Invitation to Bid for the Re-Roofing of the Carlsbad Museum and Carlsbad Library
 - 2) Consider Approval to Advertise Request for Proposal for Professional Aquatic Management Services for Carlsbad Municipal Golf Course
 - 3) Consider Approval to Advertise Request for Proposal for EMS Billing and Collection Services for the Carlsbad Fire Department
- E. **Contracts and Agreements**
 - 1) Consider Approval of Lease Agreement between the City of Carlsbad and the Bureau of Land Management for Airport Ground Space at the Cavern City Air Terminal
- F. **Monthly Reports**
 - 1) Human Resources Department April 2023
 - 2) Utilities Department March 2023
- G. **Board Appointments**
 - 1) Carlsbad Riverwalk Recreation Center Advisory Board Appoint Cheyenne Methola four-year term
 - 2) Carlsbad Museum and Art Center Advisory Board Appoint Alana Akacki five-year term

- H. **Set the Date: June 13, 2023**
- 1) Ordinance rezoning part of “C-2” Commercial 2 District to “R-1” Residential 1 District for an approximately 1.01 acre property located at 2021 West Texas Street
 - 2) Ordinance rezoning part of “R-R” Rural Residential District to “C-2” Commercial 2 District for an Approximately 4.1 acre property located at 2003 Standpipe Road
 - 3) Ordinance rezoning part of “R-2” Residential 2 District to “C-1” Commercial 1 District for an approximately 0.34 acre property located at 609 West Fox Street
4. Consider Approval of Recommendation from Essential Air Service Committee for EAS Contract to Advanced Air
 5. Consider Approval of Donation of City of Carlsbad Fire Department Ambulance 406 to the City of Roswell Fire Department
 6. Consider Approval of Request for Double Eagle Livestock Water Service from Zach Ozborn with Turkey Track Ranch
 7. Consider Approval of Request from Milton’s Brewery to serve alcohol (beer and wine) on City streets during the Carlsbad MainStreet Third Thursday events
 8. Consider Approval of Request from Carlsbad MainStreet to serve alcohol (beer, wine and alcohol) on City streets during CavernFest
 9. Consider Approval of Ordinance 2023-08, an Ordinance rezoning part of “R-1” Residential 1 District to “C-2” Commercial 2 District for an approximately 0.76 acre property located at 206 East Rose Street Owner: Iris Ramos
 - A. Public Hearing
 - B. Approval of Ordinance
 10. Consider Approval of Ordinance 2023-09, an Ordinance rezoning part of “R-R” Rural Residential District to “C-2” Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd Owner: Presbyterian Medical Services
 - A. Public Hearing
 - B. Approval of Ordinance
 11. Consider Approval of Resolution 2023-22, a Resolution requiring the removal of the ruined, damaged or dilapidated buildings or structure, wreckage and debris at 2311 and 2313 Jackson Street Owner: Judy Kay Einkauf
 12. Consider Approval of Resolution 2023-23, a Resolution requiring the removal of the ruined, damaged or dilapidated buildings or structures, wreckage and debris at 806 Irvin Street Owners: Liborio Morales and Belia Morales
 13. Council Committee Reports
 14. 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, May 23, 2023 at 6:00 p.m.
- Regular Meeting – Tuesday, June 13, 2023 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. 2023-21

**A RESOLUTION MAKING CERTAIN BUDGETARY
ADJUSTMENTS TO THE 2022-23 FISCAL YEAR BUDGET**

WHEREAS, it is necessary to amend the 2022-23 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 2022-23 fiscal year budget be amended as attached.

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of May 2023.

Mayor

ATTEST:

City Clerk

Budget Adjustments

FY 2022-23

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
August 2022								
Lodgers' Tax - Discretionary	Development of miniature golf course at Lake Carlsbad			(750,000.00)	C	-	9/13/2022	9/19/2022
September 2022								
Health Insurance	Transfer Out to General, Municipal Transit, Solid Waste, Sports Complex and Water & Sewer Funds for employee health insurance rebate.	(1,534,944.53)	T			9/23/2022	10/11/2022	10/18/2022
General Fund	Employee health insurance rebate	1,229,445.86	T	(1,229,445.86)	L	9/23/2022	10/11/2022	10/18/2022
Sports Complex	Employee health insurance rebate	20,295.99	T	(20,295.99)	L	9/23/2022	10/11/2022	10/18/2022
Municipal Transit	Employee health insurance rebate	38,510.87	T	(38,510.87)	L	9/23/2022	10/11/2022	10/18/2022
Water & Sewer	Employee health insurance rebate	188,134.28	T	(188,134.28)	L	9/23/2022	10/11/2022	10/18/2022
Solid Waste	Employee health insurance rebate	58,557.53	T	(58,557.53)	L	9/23/2022	10/11/2022	10/18/2022
General Fund - Parks	Increase Annual Park Improvements for donations received for HAP improvements	20,000.00	R	(20,000.00)	C	9/23/2022	10/11/2022	10/18/2022
General Fund - Public Safety	Shop with a Hero Grant from Walmart	4,000.00	R	(4,000.00)	O	9/23/2022	10/11/2022	10/18/2022
General Fund - Public Safety	FBI Funds received for local investigation	4,000.00	R	(4,000.00)	O	9/23/2022	10/11/2022	10/18/2022
General Fund - Alejandro Ruiz Senior Center	Aging & Long Term Services Grant for replacement of kitchen equipment at the Alejandro Ruiz Senior Center	7,811.00	R	(7,811.00)	O	9/23/2022	10/11/2022	10/18/2022
General Fund - North Mesa Senior Center	Private donations received for refelting of pool tables	1,500.00	R	(1,500.00)	O	9/23/2022	10/11/2022	10/18/2022
Street Improvements	Municipal Arterial Program Grant (NMDOT) for rehabilitation of Sixth and Pate Street. 25% City match - \$20,000	60,000.00	R	(80,000.00)	C	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Walter Gerrells Performing Arts Center Advertising			(65,000.00)	O	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Chamber of Commerce - Advertising Campaign			(20,800.00)	O	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Chamber of Commerce- Green Chile Cheeseburger Cookoff Advertising			(5,000.00)	O	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Cavern City Renaissance Festival Advertising			(20,000.00)	O	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Boys & Girls Club - Gus Macker Basketball Tournament Advertising			(70,000.00)	O	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Carlsbad MainStreet-MainStreet America			(9,500.00)	O	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Promotional	Milton's Brewing- 2nd Annual September Fest Advertising			(15,000.00)	O	9/23/2022	10/11/2022	10/18/2022
Solid Waste Fund	FY22 carryover for 4 ARC trucks			(1,800,000.00)	C	9/23/2022	10/11/2022	10/18/2022
Capital Projects Fund	Alejandro Ruiz Senior Center Parking Lot			(250,000.00)	C	9/23/2022	10/11/2022	10/18/2022
Lodgers' Tax - Discretionary	Transfer Out to General Fund for the construction of pickle ball courts	(150,000.00)	T			-	10/11/2022	10/18/2022

Budget Adjustments

FY 2022-23

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
General Fund	Transfer In from Lodgers' Tax - Discretionary for the construction of pickle ball courts	150,000.00	T	(150,000.00)	C	-	10/11/2022	10/18/2022
October 2022								
GRT Capital Outlay	Replace the roof at the Alejandro Ruiz Senior Center			(375,000.00)	C	10/28/2022	11/8/2022	11/21/2022
Lodgers' Tax - Promotional	Carlsbad Community Concert Association - 2023 Concert Season Advertising			(47,000.00)	O	10/28/2022	11/8/2022	11/21/2022
General Fund - Museum	Art acquisition of Gary Niblett painting			(15,000.00)	C	10/28/2022	11/8/2022	11/21/2022
Landfill-Construction	FY22 carryover for Sandpoint Landfill construction costs			(1,000,000.00)	O	10/28/2022	11/8/2022	11/21/2022
November 2022								
Airport Improvements Fund	Airport Runway Reconstruction grant came in higher than anticipated	399,406.00	R	(361,527.00)	C	11/18/2022	12/13/2022	12/20/2022
Law Enforcement Protection Fund	Law Enforcement Retention Grant funds to be used for salaries and benefits in the Police Department	600,000.00	R			11/18/2022	12/13/2022	12/20/2022
General Fund - Fire	Surrender Safety Device Grant for the Fire Department for a Safe Haven Baby Box	10,000.00	R	(20,000.00)	C	11/18/2022	12/13/2022	12/20/2022
General Fund - North Mesa Senior Center	Aging & Long Term Services Grant for lighting upgrades at the North Mesa Senior Center	6,367.00	R	(6,367.00)	O	11/18/2022	12/13/2022	12/20/2022
Lodgers' Tax - Promotional	Chamber of Commerce- Christmas on the Pecos Advertising			(75,000.00)	O	11/18/2022	12/13/2022	12/20/2022
Capital Projects Fund	NMDOT Grant for the design of Dark Canyon Bridge	2,850,000.00	R	(3,000,000.00)	C	11/18/2022	12/13/2022	12/20/2022
Golf Pro Shop Fund	Increase operating due to expenditures coming in higher than anticipated			(150,000.00)	O	11/18/2022	12/13/2022	12/20/2022
Fire Protection Fund	Increase Metal Shelter project (50'x 55') due to bid coming in higher than budget			(193,387.00)	C	11/18/2022	12/13/2022	12/20/2022
December 2022								
General Fund - Library	Library Grant-In-Aid came in higher than budget	254.72	R	(254.72)	O	12/16/2022	1/10/2023	1/13/2023
General Fund - Library	Library grant to implement the Serving Communities Action Plan Program	1,000.00	R	(1,000.00)	O	12/16/2022	1/10/2023	1/13/2023
General Fund - Police/Fire	Donation from Devon Energy for the purchase of supplies for the police department and bullet proof vests for the fire department.	6,000.00	R	(6,000.00)	O	12/16/2022	1/10/2023	1/13/2023
Cannabis Revenue Fund	Budget state imposed administration fees for the cannabis tax			(10,000.00)	O	12/16/2022	1/10/2023	1/13/2023
Municipal Transit Fund	Additional funds awarded by NMDOT due to increase in price of vehicles	20,924.00	R	(20,924.00)	C	12/16/2022	1/10/2023	1/13/2023
Lodgers' Tax - Promotional	4th Annual Boys & Girls Club Fishing Derby Advertising			(5,000.00)	O	12/16/2022	1/10/2023	1/13/2023
Insurance Fund	Insurance payment for collision into the PFA building	20,070.00	R			1/4/2023	1/10/2023	1/13/2023
General Fund - Fire	Reimburse expenses for repair of PFA building caused by collision			(20,070.00)	O	1/4/2023	1/10/2023	1/13/2023
General Fund - Cemetery	Fencing at Carlsbad Cemetery			(230,000.00)	C	1/4/2023	1/10/2023	1/13/2023
Street Improvements	Increase annual street improvement project for additional street improvements			(1,000,000.00)	C	1/4/2023	1/10/2023	1/13/2023

Budget Adjustments

FY 2022-23

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		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
Lodgers' Tax - Discretionary	New pedestrian bridge at Lake Carlsbad Beach area			(300,000.00)	C	1/4/2023	1/10/2023	1/13/2023
January 2023								
Sports Complex Fund	Increase operating due to an increase in utility rates			(50,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Fire	Increase operating due to an increase in utility rates			(80,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Golf	Increase operating due to an increase in utility rates			(20,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Library	Increase operating due to an increase in utility rates			(20,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Performing Arts Center	Increase operating due to an increase in utility rates			(30,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Alejandro Ruiz Senior Center	Increase operating due to an increase in utility rates			(30,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Parks	Increase operating due to an increase in utility rates			(70,000.00)	O	1/27/2023	2/14/2023	2/24/2023
General Fund - Golf	Salaries and benefits for 2 part-time pro shop attendants to assist at the miniature golf course			(43,559.28)	L	1/27/2023	2/14/2023	2/24/2023
General Fund - Police	Edward Byrne Grant for the enhancement of the license plate reader program	14,809.00	R	(14,809.00)	C	1/27/2023	2/14/2023	2/24/2023
Law Enforcement Retention Fund	Law enforcement retention differential disbursement received from the NM Department of Public Safety	25,565.15	R			1/27/2023	2/14/2023	2/24/2023
Law Enforcement Retention Fund	Transfer Out funds received from NM Department of Public Safety to be used for officer retention incentive pay	(25,565.15)	T			1/27/2023	2/14/2023	2/24/2023
General Fund	Transfer In funds received from NM Department of Public Safety to be used for officer retention incentive pay	25,565.15	T	(25,565.15)	L	1/27/2023	2/14/2023	2/24/2023
General Fund	Transfer Out to NMFA-Water & Sewer for future debt service payments	(7,000,000.00)	T			1/27/2023	2/14/2023	2/24/2023
NMFA-Water & Sewer	Transfer In from General Fund for future debt service payments	7,000,000.00	T			1/27/2023	2/14/2023	2/24/2023
Airport Improvements Fund	Annual Airport Maintenance Grant, State - \$20,000 / City match \$2,222	20,000.00	R	(22,222.00)	O	1/27/2023	2/14/2023	2/24/2023
Law Enforcement Retention Fund	Transfer Out funds received from the Law Enforcement Retention Grant	(600,000.00)	T			1/27/2023	2/14/2023	2/24/2023
General Fund	Transfer In funds received from the Law Enforcement Retention Grant	600,000.00	T			1/27/2023	2/14/2023	2/24/2023
February 2023								
General Fund - Museum	Carlsbad Community Foundation Catalyst Grant to facilitate Carlsbad Museum Tours for Carlsbad Municipal School students	2,000.00	R	(2,000.00)	O	2/24/2023	3/14/2023	3/23/2023
General Fund - Municipal Court	Install bullet proof glass at the municipal court front counter			(35,000.00)	C	2/24/2023	3/14/2023	3/23/2023
Lodgers' Tax - Discretionary	Transfer Out to General Fund for driving range upgrades	(325,000.00)	T			2/24/2023	3/14/2023	3/23/2023
General Fund - Golf Course	Transfer In from Lodgers' Tax - Discretionary for driving range upgrades at the golf course	325,000.00	T	(325,000.00)	C	2/24/2023	3/14/2023	3/23/2023
Lodgers' Tax Non-Promotional	Increase PRV Media Upgrades project			(70,000.00)	O	2/24/2023	3/14/2023	3/23/2023
Lodgers' Tax - Promotional	United Way Cinco de Mayo Golf Tournament advertising			(18,000.00)	O	2/24/2023	3/14/2023	3/23/2023

Budget Adjustments

FY 2022-23

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
Lodgers' Tax - Promotional	City of Carlsbad Library advertising			(20,000.00)	O	2/24/2023	3/14/2023	3/23/2023
March 2023								
Capital Projects Fund	Regional Recreation Centers Quality of Life Grant to be used for the final phase of the Cavern Theatre rehabilitation project	3,324,166.00	R	(3,324,166.00)	C	3/24/2023	4/11/2023	4/17/2023
Golf Pro Shop Fund	Increase operating to offset revenues coming in higher than anticipated			(95,000.00)	O	3/24/2023	4/11/2023	4/17/2023
Law Enforcement Protection Fund	Additional law enforcement retention differential disbursement received from the NM Department of Public Safety	8,832.21	R			3/24/2023	4/11/2023	4/17/2023
Law Enforcement Protection Fund	Transfer Out additional funds received from NM Department of Public Safety to be used for officer retention incentive pay	(8,832.21)	T			3/24/2023	4/11/2023	4/17/2023
General Fund	Transfer In additional funds received from NM Department of Public Safety to be used for officer retention incentive pay	8,832.21	T	(8,832.21)	L	3/24/2023	4/11/2023	4/17/2023
April 2023								
General Fund - Fire	Donation from Chevron for the purchase of gas monitors for the fire department	20,000.00	R	(20,000.00)	O	4/28/2023		
General Fund - Parks	Donation from Chevron for the resurfacing of the tennis courts and addition of shade structures	40,000.00	R	(40,000.00)	C	4/28/2023		
General Fund - Library	Libraries Transform Communities Engagement Grant to be used towards a community-based project focused on our adult literacy rate	2,000.00	R	(2,000.00)	O	4/28/2023		
Workers' Compensation Fund	Increase operating due to an increase in weekly benefit claims			(150,000.00)	O	4/28/2023		
Lodgers' Tax - Discretionary	Replace the boat docks along the Beach area			(170,000.00)	C	4/28/2023		
Lodgers' Tax - Discretionary	Splash Pad at Friendship Park			(500,000.00)	C	4/28/2023		
Lodgers' Tax - Promotional	Carlsbad Gem and Mineral Show Advertising			(15,353.91)	O	4/28/2023		
Lodgers' Tax - Promotional	Carlsbad Automotive Restoration Society CAR-A-FAIR Advertising			(28,800.00)	O	4/28/2023		
Lodgers' Tax - Promotional	Yucca Blossom Trade Days Advertising			(10,000.00)	O	4/28/2023		
Lodgers' Tax - Promotional	CavernFest 2023 Advertising			(100,000.00)	O	4/28/2023		

Description		Revenues & Transfers		Costs	
		Increase (Decrease)		Personnel, Operating, Capital	
Fund / Department	Increase/Decrease	Amount	R or T	Amount	L, O, C
September 2022					
General Fund - Fire	Increase Capital			29,075.00	C
	Decrease Operating/Capital			(29,075.00)	O/C
General Fund - Fire	Increase Capital			4,475.85	C
	Decrease Operating			(4,475.85)	O
General Fund - Community Development	Increase Capital			50,000.00	C
	Decrease Capital			(50,000.00)	C
October 2022					
Fire Protection	Increase Capital			10,000.00	C
	Decrease Capital			(10,000.00)	C
Solid Waste Fund	Increase Capital			60,000.00	C
	Decrease Capital			(60,000.00)	C
General Fund - Fire	Increase Capital			9,886.33	C
	Decrease Capital			(9,886.33)	C
General Fund - Cemetery	Increase Capital			25,000.00	C
	Decrease Capital			(25,000.00)	C
General Fund - San Jose Senior Center	Increase Operating			25,000.00	O
General Fund - Alejandro Ruiz Senior Center	Decrease Operating			(25,000.00)	O
December 2022					
General Fund - Street	Increase Capital			24,012.49	C
General Fund - Street & Construction	Decrease Capital			(24,012.49)	C
January 2023					
General Fund - Riverwalk Recreation	Increase Capital			3,500.00	C
General Fund - Riverwalk Recreation	Decrease Capital			(3,500.00)	C
Water & Sewer - Waste Water	Increase Capital			155.91	C
Water & Sewer - Waste Water	Decrease Capital			(155.91)	C
February 2023					
General Fund - Police	Increase Capital			151,236.00	C
General Fund - Police	Decrease Operating			(151,236.00)	O
Water & Sewer - Waste Water	Increase Capital			75,000.00	C
Water & Sewer - Waste Water	Decrease Capital			(75,000.00)	C
General Fund - Airport	Increase Operating			8,000.00	C
General Fund - Airport	Decrease Capital			(8,000.00)	O
Solid Waste Fund	Increase Capital			15,000.00	C
Solid Waste Fund	Decrease Capital			(15,000.00)	C
Fire Protection	Increase Capital			25,000.00	C
Fire Protection	Decrease Capital			(25,000.00)	C
Fire Protection	Increase Operating			100,000.00	O
Fire Protection	Decrease Capital			(100,000.00)	C

Description			Revenues & Transfers		Costs	
			Increase (Decrease)		Personnel, Operating, Capital	
Fund / Department	Increase/Decrease	Item	Amount	R or T	Amount	L, O, C
March 2023						
General Fund - North Mesa Senior Center	Increase Operating	Transfer funds from the community development department to the north mesa senior center department to cover expenses through year-end			7,000.00	O
General Fund - Community Development	Decrease Operating				(7,000.00)	O
General Fund - Parks	Increase Capital	Reallocate funds from the Lower Tansill Improvements project to the Annual Park Improvements project for the completion of the pickle ball courts			194,277.40	C
General Fund - Parks	Decrease Capital				194,277.40	C
Airport Improvements Fund	Increase Capital	Transfer operating funds to the Resurfacing project to resurface the area in front of Native Air's Hangar			65,000.00	C
Airport Improvements Fund	Decrease Operating				(65,000.00)	O
Golf Pro Shop Fund	Increase Operating	Transfer excess funds from the closed Beverage Cart project to operating to cover expenses through year-end			7,343.00	O
Golf Pro Shop Fund	Decrease Capital				(7,343.00)	C
General Fund - Cemetery	Increase Capital	Transfer operating funds to the Honor Guard Cemetery project to cover shortfall			748.75	C
General Fund - Cemetery	Decrease Operating				(748.75)	O
Lodgers' Tax Promotional	Increase Capital	Transfer operating funds to the PRV Improvements project to cover shortfall			4,000.00	C
Lodgers' Tax Promotional	Decrease Operating				(4,000.00)	O
April 2023						
General Fund - Performing Arts	Increase Capital	Transfer funds from the Annex Sound project to the Sound & Lighting System project to cover shortfall			307.25	C
General Fund - Performing Arts	Decrease Capital				(307.25)	C
General Fund - Golf Course	Increase Capital	Transfer operating funds to the Golf Course truck project to cover increase in price			7,500.00	C
General Fund - Community Development	Decrease Operating				(7,500.00)	O
General Fund - Airport	Increase Capital	Transfer operating funds to the Airport truck project to cover increase in price			7,500.00	C
General Fund - Community Development	Decrease Operating				(7,500.00)	O
Water & Sewer Fund - Environmental Services	Increase Operating	Transfer funds from the Waste Water department to the Environmental Services department to cover expenses through year-end			3,500.00	O
Water & Sewer Fund- Waste Water	Decrease Operating				(3,500.00)	O
General Fund - Parks	Increase Capital	Transfer operating funds to purchase a pressure washer			5,033.70	C
General Fund - Parks	Decrease Operating				(5,033.70)	O
General Fund - Golf Course	Increase Operating	Transfer funds from several closed projects to cover expenses through year-end			3,231.60	O
General Fund - Golf Course	Decrease Capital				(3,231.60)	C

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK
MUNICIPAL COMPLEX BUILDING ON APRIL 25, 2023 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor <i>via phone</i>
	Edward T. Rodriguez	Councilor <i>via phone</i>
	Jason O. Chavez	Councilor <i>via phone</i>
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor
	Jeff Forrest	Councilor
	Karla Niemeier	Councilor
	Judith E. Waters	Councilor
Absent:		
Also Present:	John Lowe	City Administrator
	K.C. Cass	Deputy City Administrator
	Ted Cordova	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Angie Barrios-Testa	Director of Municipal Services
	Mike Abell	Director of Utilities
	Wayne Hatfield	IT Director
	Brent Griffith	IT Technician
	Sandy Gonzales	Assistant Treasurer
	Ken Ahrens	Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Wanda Aguilar	Executive Assistant
	Kyle Marksteiner	Public Information Officer
	Charlie Garcia	Police Officer
	John Bowen	Citizen
	Benjamin Sanchez	Citizen
	Andrue Caswell	Student Advisory Board
	Aaliyah Montoya	Student Advisory Board
	Jack Dodd	Student Advisory Board
	Campbell Foster	Student Advisory Board
	Sophia Salazar	Student Advisory Board

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**

0:00:12 Invocation – Pledge of Allegiance

Mayor Janway welcomed members of the Student Advisory Board. He said our Student Advisory Committee was formed several years ago and former City Councilor, Sandra Nunley, helped run it. He said we are proud to have such a great group of students, grades 6-12. **Mayor Janway** said Covid-19 slowed down this advisory board for many years, but this year the committee has met three times. He thanked Dr. Keely Scruggs and everyone with Carlsbad Municipal Schools for their help to coordinate the committee. He said so far this year, the Student Advisory Board has toured the miniature golf course and were the first people to play at the course. He said they also toured the Police Department, the Fire Department, and the Carlsbad Hall of Fame, and have plans to tour the Municipal Court. **Mayor Janway** said not everyone on the Student Advisory Board was able to make it, but he wanted to introduce the students present and give out certificates. Those introduced were, Andrué Caswell, Aaliyah Montoya, Jack Dodd, Campbell Foster and Sophia Salazar.

0:06:57 **1. APPROVAL OF AGENDA**

0:07:01 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to approve the Agenda.

0:07:04 **VOTE**

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

0:07:24 **2. CITY OF CARLSBAD FINANCIALS - MARCH 2023**

Mrs. Gonzales reviewed the revenues and expenditures as of March 2023 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:08:50 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on April 11, 2023
- B. City Personnel Report
- C. Contracts and Agreements
 - 1) Consider Approval of Agreement between the City of Carlsbad and EMSRx LLC for the Provision of Medical Director Services for the Carlsbad Fire Department and Carlsbad Police Department

- 2) Consider Approval of Agreement between the City of Carlsbad and Salado Isolation Mining Contractors, LLC for the use of the Carlsbad Shooting Range
- D. Monthly Reports
 - 1) Community Development Department March 2023
 - 2) Municipal Court Department March 2023
 - 3) Municipal Services Department March 2023
 - 4) Transportation and Facilities Department March 2023
- E. Board Appointments
 - 1) North Mesa Senior Recreation Center Advisory Board appoint John Caraway remainder two-year term

0:09:04 **Mayor Janway asked Mr. Lowe to briefly discuss Agenda item C1, Consider Approval of Agreement between the City of Carlsbad and EMSRx LLC for the Provision of Medical Director Services for the Carlsbad Fire Department and Carlsbad Police Department.**

Mr. Lowe explained this is a request is for approval of an extension to an annual agreement with EMSRx. He said this agreement allows the Fire Department and Police Department to provide medical director services. He said the state of New Mexico requires a licensed position to provide these services. **Mr. Lowe** said this agreement is for a one-year term, beginning May 1, 2023 and terminating on April 30, 2024.

0:09:50 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to approve Routine and Regular Business.

0:09:55 **VOTE**

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

0:10:19 **4. CONSIDER APPROVAL OF SUBMISSION OF AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT APPLICATION TO THE US DEPARTMENT OF ENERGY FOR LIGHTING UPGRADES AT THE BOB FORREST YOUTH SPORTS COMPLEX**

Mr. Lowe said this request is for approval to apply for an Energy Efficient Conservation Block Grant. He said under the terms of this agreement, the City will receive \$76,000 in grant monies to upgrade one softball field with LED lighting. He said this will bring cost savings to approximately \$14,000 yearly to the City. He said the estimated cost of this project is \$130,000 with the cost of \$50,000 to the City. **Mr. Lowe** said the City will be required to adopt an Energy Efficiency and Conservation Strategy plan within one year after the award.

0:11:10 **Mayor Janway asked if there were any questions or comments for Mr. Lowe.**

Councilor Walterscheid asked Mr. Lowe if LED lighting will save a lot of energy. **Mr. Lowe** answered yes. **Councilor Walterscheid** asked if any of the parks in the City have LED lighting. **Mr. Lowe** said yes, in some of the parks and in some street lights.

0:11:46 **MOTION**

The motion was made by Councilor Walterscheid and seconded by Councilor Niemeier to approve the submission of an Energy Efficiency and Conservation Block Grant Application to the US Department of Energy for Lighting upgrades at the Bob Forrest Youth Sports Complex.

0:11:54 **VOTE**

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

0:12:14 **5. CONSIDER APPROVAL OF AN APPEAL OF THE DECISION BY THE PLANNING AND ZONING COMMISSION TO GRANT A VARIANCE TO THE RESIDENT AT 1108 TRACY PLACE TO PARK A RECREATION VEHICLE (BOAT) WITHIN THE REQUIRED FRONT SETBACK APPELLANT: JOHN BOWEN**

Mr. Patterson said this item was originally heard at the March 6, 2023 Planning & Zoning Commission meeting. He said the applicant for the variance, Benjamin Sanchez, appeared before the Commission and stated his case; asking for the variance. He added at that meeting, the appellant, John Bowen, appeared before the commission and stated his objection to that request. He said the Planning & Zoning Commission considered the statements made and voted to approve the request, and grant the applicant a variance, with the vote of three in favor, two against, with zero absent. **Mr. Patterson** said on March 16, 2023, Mr. Bowen submitted a letter to the Planning office stating his intent to appeal the decision of granting the variance reached by the Planning and Zoning Commission. He said Mr. Bowen was deemed an aggrieved party and his letter for appeal was submitted before the deadline to appeal. He said in his appeal letter, Mr. Bowen stated seven points in which he disagreed with the decision and stated he wished to appeal the decision to City Council. **Mr. Patterson** said the City Council, by concurring vote of two-thirds of all members may reverse, affirm, wholly or partly, remand back or modify the requirement, decision or determination and shall make any requirement, decision or determination that in its opinion ought to be made in order to remedy those situations noted in the appeal.

0:14:15 **Mayor Janway asked if there were any questions for Mr. Patterson.**

Councilor Walterscheid asked Mr. Patterson if we are going to address everyone who has a vehicle parked on the street on Tracy Place. **Mr. Patterson** said the Ordinance states if they are there long-term, then yes, we do need to address it with Code Enforcement. He said with RV's and sometimes trailers, if they are there temporarily due to a job, they will allow it for a day or two. He said Code Enforcement is intending on addressing those matters if they are against the Ordinance.

0:15:09 **Councilor Forrest** asked to confirm what the Council's vote would mean; either for or against the variance. **Mrs. Boyea-Madrid** said a variance was requested by the homeowner to park a boat within the setback. She said the request went to Planning & Zoning, and they voted in favor to allow the variance. She said Mr. Bowen is an aggrieved party and he has appealed the variance to City Council. **Mrs. Madrid-Boyea** said the Council can reverse Planning & Zoning's decision, affirm Planning & Zoning's decision in whole or in part, remand it back to Planning & Zoning, or modify the decision. She explained whatever Council decides has to be in order to remedy the situations noted in the appeal.

0:17:33 **Mayor Janway** asked Mr. Bowen if he had any statements he would like to make. **Mr. Bowen** said he has lived on Tracy Place for several years. He said there are several things in his appeal letter that are noteworthy, the homeowner never displayed signage that he was requesting a variance; the code violation for parking his trailer could be resent if he would park it under his carport. **Mr. Bowen** said the homeowner was asked if he could park it in his carport, the homeowner answered yes, but he would prefer not to due to storage under his carport. **Mr. Bowen** said he believes the homeowner can also park it in his backyard or on the south side of his property. **Mr. Bowen** said it is not just neighbors who are within 100 feet of his property, but the entire Tracy Place. He said two of the Planning & Zoning commissioners' own property in the Tracy edition. He said he thinks they should not have voted since they live in the area, noting that he would like for the conflict of interest to be addressed. **Mr. Bowen** said the homeowner at 1108 Tracy Place also has a utility trailer parked in his front yard that has been there for several months. He said the boat trailer has been there since 2020, and he has reported it several times to Planning & Zoning. He said he does not understand the support behind the variance, and he said if an Ordinance is violated, there should be repercussions. He said the Zoning Ordinances are very clear, stating that it says the variances are the exception and not the rule. **Mr. Bowen** said there are several trailers parked on Tracy Place and he has called on them before.

0:23:35 **Councilor Walterscheid** asked why is this homeowner being singled out if there are more residents on Tracy Place who have parked trailers. **Mr. Bowen** said he has compiled a list since 2020 of trailers parked on Tracy Place. He said there has been progress in trailers being removed but would like the process to be faster. **Mr. Bowen** thanked the Council for their time.

0:24:37 **Mayor Janway** asked the owner, Benjamin Sanchez, if he would like to address the council. **Mr. Sanchez** said he has lived at 1108 Tracy Place for the past ten years. He said there was a board member that has property on Tracy Place, and he believes it is of importance. He said the statement that was made, the board member that asked if the boat was there at the time, this member stated they did not notice the boat in general. **Mr. Sanchez** said his surrounding neighbors have never addressed

him with an issue about his boat being parked there, except one gentleman. He said he does not think one person should receive preferential treatment over the general consensus of the neighborhood. **Mr. Sanchez** said he understands Mr. Bowen has an issue with it, but he does not have to come to that part of the neighborhood. He said the variance was granted, and he asked the Council members if they could uphold it.

0:25:51 **Mayor Janway** asked if there were any questions or comments for Mr. Sanchez. **Councilor Forrest** said he drove by Mr. Sanchez's residence and he believes the boat is in great shape; no debris on the boat or flat tires on the trailer. He said the yard is in great shape, and if he were to live by Mr. Sanchez he would be happy to know he has a neighbor that takes care of his property. **Mr. Sanchez** thanked Councilor Forrest, and went on to say the boat is brand new. He said the boat is not an eye-sore or inoperable. He said Mr. Bowen is aware of the Ordinance, because the Planning & Zoning Commission came to his property to ask him to remove an inoperable vehicle from his property. **Mr. Sanchez** said the variance is a tool, and he did follow all procedures. He said he posted signage, followed every letter of instruction, and sent letters of intent to all of his neighbors. He said Mr. Bowen did receive a letter. **Mr. Sanchez** said several neighbors did stop by his house after receiving the letters and asked him to go into further detail. He said he told them he would like to park his boat on his property, and they have the opportunity to show up at this meeting to voice their opinion.

0:28:08 **Mayor Janway** asked if there were any further questions or comments. **Mr. Bowen** returned to the podium and said he never had an inoperable vehicle parked in his driveway. He said the Inspector left him paperwork and asked him if it was operable, and he told her yes. He said it is parked behind his house, next to the garage. He said it is in no violation of any Ordinance. He said Mr. Sanchez's trailer is in violation of an Ordinance. **Mr. Bowen** said he disagrees with Mr. Sanchez's statement that he does not want to park his boat under his carport, and believes it makes his argument irrelevant. He said we all need to adhere to the Ordinances put-forth to our community. He said almost any neighborhood in Carlsbad has illegally parked trailers in the driveway. **Mr. Bowen** said he thinks Mr. Patterson should hire more Inspectors, or tighten the grip on their inspections. He asked Council members to support the Ordinances. He said Tracy edition is an old neighborhood and it has always looked nice until people started parking their trailers illegally in the front of their houses.

0:30:42 **Mr. Sanchez** came to the podium and said it is not an issue for him to park the boat under the carport. He said if he were to park the boat under the carport, he would have to move a different vehicle of his out from under the carport, and we would be back to this same situation.

0:31:11 **Councilor Forrest** reiterated that he drove through Tracy edition and everything he saw at 1108 Tracy Place is in great shape. He said if we were to start appealing variances, they would have to do it with everyone in the community. He

said we need to support the decision of Planning and Zoning's Commission to grant the variance.

0:31:52 **Mrs. Boyea-Madrid** said the item is to approve an appeal of the decision by the Planning and Zoning's Commission to grant a variance. She said if you vote yes to approve the appeal, the variance is over-ridden. She said if you were to vote no, that means Planning and Zoning's decision stands.

0:32:44 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to deny the appeal and to uphold the decision by the Planning and Zoning Commission to grant a variance to the resident at 1108 Tracy Place to park a recreation vehicle (boat) within the required front setback Appellant: John Bowen.

0:33:26 **Councilor Carter** said he agrees with Mr. Bowen. He said we have Ordinances in place for a reason. He said he also agrees with Councilor Forrest on the cleanliness of 1108 Tracy Place. He said for all the residences that aren't kept-up or clean, if they grant the variance, they will not have a legal leg to stand on. He said he values Planning and Zoning's opinions but he believes they made a mistake on this situation. **Councilor Niemeier** asked if it is case-by-case or if it sets a precedence. **Councilor Carter** said the Ordinance is clearly written. He said we can either agree with Planning and Zoning or change the Ordinance to where anybody can park anything in their front yard. He said if we grant the variance, this situation will most likely come up again in the future.

0:35:12 **Mrs. Boyea-Madrid** said the motion is to approve the decision of the Planning and Zoning to grant the variance. She asked Councilor Forrest if that is what he is moving for. **Councilor Forrest** answered yes. **Mrs. Boyea-Madrid** said Council members have other options; modify, overturn, remand, or reaffirm. **Councilor Walterscheid** said in his opinion, the boat is fine, but the other trailers in the yard should be removed. **Councilor Carter** asked what is the difference in the Ordinance. He said they are all against the Ordinance.

0:37:02 **VOTE**

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

0:37:43 **Mrs. Boyea-Madrid** said this is six Councilors in favor of approving the decision of Planning and Zoning's to grant a variance, and two against the motion. Therefore, the motion passes and the variance is granted.

0:38:05 **6. CONSIDER APPROVAL OF RESOLUTION 2023-17, A RESOLUTION DECLARING CERTAIN CITY PROPERTY UNUSABLE OR OBSOLETE**

Mr. Lowe said this Resolution is brought before Council declaring certain City property unusable or obsolete, which include vehicles from the Police Department, ARC trucks from the Solid Waste Department, a street sweeper in the Public Works Department, and a couple of vans from the Transit Department. He said most of these vehicles are close to 10 years old or older, and have been declared unusable or obsolete and will be disposed of by auction.

0:38:50 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Forrest to approve Resolution 2023-17, a Resolution declaring certain City Property Unusable or Obsolete.

0:38:56 **VOTE**

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

0:39:18 **7. CONSIDER APPROVAL OF RESOLUTION 2023-18, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINED, DAMAGED OR DILAPIDATED BUILDINGS OR STRUCTURE, WRECKAGE AND DEBRIS AT 104 S THIRD STREET OWNER: JIMMY WILCOX**

Mrs. Madrid-Boyea said this Resolution involves property located at 104 S Third Street which would require the removal of the ruined, damaged or dilapidated buildings or structure, and the ruins, rubbish, wreckage and debris. She said there are dilapidated structures on the property and a large amount of rubbish, debris and weeds. She said the Eddy County Assessor's office lists Jimmy Wilcox as owning or having interest in the property. She said Code Enforcement has been to the property and the structures were red-tagged by the Building Department in 2019. She said the electric, water, and gas utilities have been disconnected, the buildings continue to degrade and the property attracts transients. She said the property was inspected and it remains out of compliance with applicable codes. She said the ruined or dilapidated structures remain on the property and the property is not secured. **Mrs. Madrid-Boyea** said the Fire Chief found that the property presents an extreme fire hazard for responding fire fighters and emergency personnel and recommends the buildings be demolished and the property be cleaned and the debris be removed. She said a Resolution has been prepared, which if adopted would require the owner to remove all the ruins, dilapidated structures, rubbish, wreckage, debris and weeds from the property within 30 days of service of the Resolution.

0:41:55 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Walterscheid to approve Resolution 2023-18, a Resolution requiring the removal of the ruined, damaged or dilapidated buildings or structure, wreckage and debris at 104 S Third Street Owner: Jimmy Wilcox.

0:42:05 **VOTE**

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

0:42:36 **8. CONSIDER APPROVAL OF RESOLUTION 2023-19, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS OR WEEDS AT 204 S MAPLE STREET OWNERS: RAYMUNDO SAIZ AND MANUELA SAIZ**

Mrs. Madrid-Boyea said this proposed Resolution requires the removal of the ruins, rubbish, wreckage, debris, or weeds at 204 S Maple Street. She said there appears to be a large number of overgrown weeds and grass, as well as non-running vehicles, junk and debris. She said the Eddy County Assessor's office lists Raymundo Saiz and Manuela Saiz as owning or having an interest in the property. She said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the Fire Chief found that the property presents an extreme fire hazard for responding fire fighters and emergency personnel, and recommends that the property be cleaned and the weeds, trash, and debris be removed. She said if this Resolution is adopted, it would require the property owner to remove all ruins, rubbish, wreckage, debris or weeds from the property within 30 days of service of the Resolution.

0:44:30 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Niemeier to approve Resolution 2023-19, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris or weeds at 204 S Maple Street Owners: Raymundo Saiz and Manuela Saiz.

0:44:37 **VOTE**

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

0:44:54 **9. COUNCIL COMMITTEE REPORTS**

Councilor Niemeier reminded everyone of a going away party later in the evening for David Beaty, former manager of Albertsons, at the Country Club.

Mayor Janway asked if anyone in the audience would like to address the Council. No one appeared.

0:45:23 **10. ADJOURN**

0:45:28 **MOTION**

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

0:45:35 **VOTE**

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

0:45:50 **Adjourn**

There being no further business, the meeting was adjourned at 6:14 p.m.

Dale Janway, Mayor

ATTEST:

Nadine Mireles, City Clerk

**LINKED MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK
MUNICIPAL COMPLEX BUILDING ON APRIL 28, 2023 AT 4:00 P.M.**

Present:	Dale Janway Lisa A. Anaya Flores Edward T. Rodriguez Jason O. Chavez Wesley A. Carter Jeff Forrest Karla Niemeier	Mayor Councilor Councilor Councilor Councilor Councilor Councilor
Absent:	Judith E. Waters Mark C. Walterscheid	Councilor Councilor
Also Present:	John Lowe K.C. Cass Ted Cordova Denise Madrid-Boyea Nadine Mireles Angie Barrios-Testa Mike Abell Wayne Hatfield Brent Griffith Melissa Salcido Anthony Souza Jeff Patterson Shane Skinner Patrick Cass Dr. Gary Washburn John Heaton Ann Liedich	City Administrator Deputy City Administrator Deputy City Administrator City Attorney City Clerk Director of Municipal Services Director of Utilities IT Director IT Technician Finance Director EMS Division Chief Planning Director Police Chief Public Works Director CMS Superintendent ELEA Board Member <i>via zoom</i> HolTec Attorney <i>via Zoom</i>

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

- 0:00:00 **Call Meeting to Order**
- 0:00:20 Invocation - Pledge of Allegiance
- 0:00:31 **1. APPROVAL OF AGENDA**

0:00:36 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Rodriguez to approve the Agenda.

0:00:41 **VOTE**

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

0:00:55 **2. ROUTINE AND REGULAR BUSINESS**

A. City Personnel Report

0:01:04 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Forrest to approve Routine and Regular Business.

0:01:12 **VOTE**

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

0:01:42 **3. CONSIDER APPROVAL OF RESOLUTION 2023-20, A
RESOLUTION OPPOSING SENATE BILL 53 AND AUTHORIZING THE EDDY
LEA ENERGY ALLIANCE TO JOIN LITIGATION AGAINST THE STATE OF NEW
MEXICO REGARDING SENATE BILL 53**

Mrs. Madrid-Boyea said this Resolution is for Council's consideration opposing Senate Bill 53 and authorizing the Eddy Lea Energy Alliance to join litigation against the State of New Mexico regarding Senate Bill 53. She said the New Mexico legislature passed Senate Bill 53, which prohibits a consolidated interim storage facility in New Mexico, unless the State of New Mexico consents or concurs in the creation of the facility and a repository is in operation. She said Senate Bill 53 goes into effect on June 16, 2023. **Mrs. Madrid-Boyea** said federal laws and United States constitution have given authority to the Nuclear Regulatory Commission to determine the requirements for creation of interim storage facilities, which preempts state laws. She said the City of Carlsbad is a member of the Eddy Lea Energy Alliance, which is entered into agreements with HolTec International. She said HolTec International has plans to develop a CISF, a Consolidated Interim Storage Facility. She said the completed project will create a capital expenditure of \$2 to \$3 billion, diversify the economy, and create approximately 650 high paying jobs in Southeast New Mexico. **Mrs. Madrid-Boyea** said the NRC has conducted extensive environmental impact and safety studies which have determined that the proposed facility has minimal environmental impacts, the facility and transportation system is safe and secure, and the project will benefit Southeast New Mexico. She said she can answer limited questions but she has a subject matter expert on the phone, Mr. John Heaton, along with his attorney Ann Liedich.

0:04:25 **Councilor Forrest** asked if HolTec would be footing the bill for the lawyer. **Mrs. Madrid-Boyea** said HolTec will pay the legal fees, expenses and costs if litigation is commenced.

0:04:45 **Councilor Rodriguez** asked if we will be facing any liability related to the case other than financial. **John Heaton** answered there should be no liability or conflicts with any industry in our area. **Ms. Liedich** said they believe this preemption challenge is valid. She said in terms in the politics of New Mexico itself, she can't comfortably answer.

0:06:31 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Niemeier to approve Resolution 2023-20, a Resolution opposing Senate Bill 53 and authorizing the Eddy Lea Energy Alliance to join Litigation against the State of New Mexico regarding Senate Bill 53.

0:06:37 **VOTE**

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

0:06:59 **4. CONSIDER APPROVAL TO RETAIN WSP FOR THE PROVISION OF OIL AND GAS PERMIT INSPECTIONS**

Mr. Lowe said this is a request to retain WSP for the provision of Oil and Gas Permit Inspections. He said WSP is a qualified entity who will review any oil and gas permits within City limits and they will also perform inspections and make sure the entity drilling within City limits is following the City Ordinance. **Mr. Lowe** said they will submit technical reports, findings and recommendations for each inspection.

0:07:35 **Mayor Janway** asked if there are any questions or comments for **Mr. Lowe**. **Councilor Chavez** asked if WSP are the same inspectors that inspect the City wells. **Mr. Lowe** answered and said if the City receives any permit for oil and gas, this company can do all of the inspections and make their recommendations to City Council.

0:07:51 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Chavez to approve to retain WSP for the provision of Oil and Gas Permit Inspections.

0:07:58 **VOTE**

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

0:08:08 **5. CONSIDER APPROVAL OF SUBMISSION OF A COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM GRANT FOR THE CARLSBAD POLICE DEPARTMENT**

Mr. Lowe said this is for approval to apply for a Community Oriented Policing Services (COPS) Grant through the Department of Justice. He said Carlsbad Municipal Schools approached the City of Carlsbad for assistance to increase the number of school resource officers. He said Carlsbad Municipal has two dedicated resource officers. He said if successful on this grant application, this will allow the City to hire 5 new officers, allowing for better police presence and security in more of the schools. He said this grant will be for a period of 5 years in the amount of \$625,000. **Mr. Lowe** said CMS would cover \$2.6 million over the five-year period to cover the local fund option. He said once awarded, the City will negotiate a MOU for those funds with Carlsbad Municipal Schools.

0:09:18 **Mayor Janway** asked if Dr. Washburn had a comment he would like to make. **Dr. Washburn** said anytime there is a school shooting across the country, he has concerned parents asking if it is possible to get more SRO's. He said this grant will help our community be safer and reassure parents and the community.

0:11:16 **Mayor Janway** asked if there were any questions or comments for Dr. Washburn.

Councilor Chavez asked if this would be for the new middle school. **Mr. Lowe** said he believes these 5 would be spread to the high school, both middle schools and he believes they would be able to cover some of the elementary schools.

Dr. Washburn said their vision is to be able to have one more SRO at the high school, each of the middle schools, and the other two patrol the elementary schools.

0:12:47 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Chavez to approve the submission of a Community Oriented Policing Services (COPS) Hiring Program Grant for the Carlsbad Police Department.

0:12:54 **VOTE**

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

Mayor Janway asked if there was anyone present that would like to address Council. **No one appeared.**

0:13:06 **6. ADJOURN**

0:13:11 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Forrest to adjourn.

0:13:18 **VOTE**

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

0:13:23 Adjourn

There being no further business, the meeting was adjourned at 4:14 p.m.

Dale Janway, Mayor

ATTEST:

Nadine Mireles, City Clerk

CITY OF CARLSBAD
PERSONNEL REPORT

May 9, 2023

APPOINTMENTS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>
Hasana Akinloye	05/10/23	Riverwalk	Recreation Attendant, on-call
Sawyer Angelis	05/10/23	Water Park	Reclassified as Lifeguard
Rayen Bushman	05/10/23	Parks	Seasonal Laborer
Ashley Carey	05/10/23	Water Park	Recreation Attendant
RaeAnn Carrasco	05/10/23	Water Park	Recreation Attendant
Zechariah Char	05/10/23	Water Park	Lifeguard
Ivan Galindo	05/10/23	Double Eagle	Water Operator Apprentice
Coby Gentry	05/10/23	Executive	BPA Intern
DeLiesh Heft	05/10/23	Police	Telecommunicator, uncertified
Zander Higgins	05/10/23	Water Park	Lifeguard
Ethan Hutchinson	05/10/23	Water Park	Lifeguard
Cassidy Lewis	05/10/23	Police	Telecommunicator, uncertified
Matthew Martinez	05/10/23	Water Park	Lifeguard
Dru McAvoy	05/10/23	Water Park	Recreation Attendant
Ty Molina	05/10/23	Sports Complex	Seasonal Laborer
Marcus Najera	05/10/23	Parks	Seasonal Laborer
Jose Orozco	05/10/23	Water Park	Assistant Manager
Yahir Perez	05/10/23	Police	Patrolman, uncertified
Shaylor Phillips	05/10/23	Water Park	Lifeguard
Ariyana Rogers	05/10/23	Water Park	Lifeguard
Ryan St. John	05/10/23	Water Park	Lifeguard
Ethan Siazon	05/10/23	Water Park	Lifeguard
Luke Waters	05/10/23	Water Park	Lifeguard

TERMINATIONS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>	<u>REASON</u>
Jennifer Chavez	04/28/23	Finance	Account Clerk 1	Resigned

INTERNAL TRANSFERS AND PROMOTIONS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>
Troy Gurule	05/01/23	Golf	Caretaker
Justin Porter	05/01/23	Golf	Pro Shop Attendant
Candice Vaca	05/01/23	Finance	Account Clerk 1

CITY OF CARLSBAD

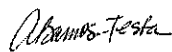
RECOMMENDATION FOR EMPLOYMENT

Dale Janway, Mayor

John Lowe, City Administrator

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

FROM: Angie Barrios-Testa, Director of Municipal Services



Digitally signed by Angelica Barrios-Testa
DN: cn=Angelica Barrios-Testa, o=City of
Carlsbad, ou=MS,
email=abarrios@cityofcarlsbadnm.com,
c=US
Date: 2023.04.25 17:02:10 -0507

SUBJECT: Recommendation for Employment

DATE: 04/25/2023

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: Hasana Akinloye Classification/Position: Recreation Attendant

Department: 145 - Riverwalk Rec Center

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>19.70</u> per hour |
| <input type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---|---|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input checked="" type="checkbox"/> Associates Degree | <u>Springfield Technical CC, Graduating Fall 2023</u> |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or last Employer: City of Springfield Parks & Rec

From 10/2022 to 3/2023 Classification: Head Recreational Leader

Duties: Organized and executed activities with kids, wrote incident reports and handled patron situations

Related Experience: Tutored math and reading, has organized games/activities for kids summer programs

Comments: Ms. Akinloye will be a great addition to the Riverwalk Recreation team.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.04.03 10:48:42 -0800

SUBJECT: Recommendation for Employment

DATE: 4/23/23

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: Sawyer Angelis Classification/Position: Lifeguard (Reclassified)

Department: Water Park

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a high school student</u> | |

Employment:

Present or last Employer: Carlsbad Waterpark

From May 2022 to September 2022 Classification: Lifeguard

Duties: Ensure patron safety and performed other cleaning tasks as instructed.

Related Experience: Was a lifeguard for the city in previous seasons.

Comments: He is an outstanding guard. I would love to have him back.

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: Patrick Cass, Director of Public Works *PC*

SUBJECT: Recommendation for Employment

DATE: April 27, 2023

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

General Information:

Name: Rayen Jace Bushman

Classification/Position: Seasonal Laborer

Department: Parks

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>14.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per hour |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree | _____ |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or last Employer: B. J Cambell

From 5/29/22 to Present Classification: Shop help

Duties: Helping and assisting all duties given to me by supervisor

Related Experience: Able to operate riding mower, weed eater and hedge trimmers. Able to work on small engines and have experience with hand power tools.

Comment: _____

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.05.01 08:39:10 -0600

SUBJECT: Recommendation for Employment

DATE: 4/28/2023

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: Ashley Carey Classification/Position: Attendant

Department: Water Park

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---|--|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a college student.</u> | |

Employment:

Present or last Employer: Carlsbad Waterpark

From May 2022 to September 2022 Classification: Attendant

Duties: Ensure patrons' were greeted in a welcoming manner and handled payment options.

Related Experience: Ms. Carey was an attendant for us the previous two summers.

Comments: Ms. Carey is an outstanding attendant. She is always well spoken and kind to our patrons but isn't afraid to enforce rules either.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadin.com,
c=US
Date: 2023.05.01 06:38:58 -0500

SUBJECT: Recommendation for Employment

DATE: 4/28/2023

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: RaeAnn Carrasco Classification/Position: Attendant

Department: Water Park

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---|--|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a college student.</u> | |

Employment:

Present or last Employer: Carlsbad Waterpark

From May 2022 to September 2022 Classification: Attendant

Duties: Ensure patrons' were greeted in a welcoming manner and handled payment options.

Related Experience: Ms. Carrasco was an attendant for us the previous two summers.

Comments: Ms. Carrasco is an outstanding attendant. She is always well spoken and kind to our patrons but isn't afraid to enforce rules either.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbad.com,
c=US
Date: 2023.04.24 12:51:32 -0600

SUBJECT: Recommendation for Employment

DATE: 4/24/2023

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: Zechariah Char 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 high school student

Employment:

Present or last Employer: Carlsbad Waterpark
From May 2022 to September 2022 Classification: Lifeguard
Duties: Ensure patron safety and performed other cleaning tasks as instructed.

Related Experience: Mr. Char was a lifeguard for the city last season.

Comments: Mr. Char has been with us for multiple seasons now and has always been diligent in his guard duties.

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: Ivan M. Abell, Director of Utilities


BY SIGNING THIS FORM, I AM CERTIFYING THAT I AM AN EMPLOYEE OF THE CITY OF CARLSBAD AND THAT I AM NOT PROVIDING ANY OTHER INFORMATION TO ANY OTHER ENTITY.

SUBJECT: Recommendation for Employment

DATE: April 24, 2023

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

General Information:

Name: Ivan Galindo Classification/Position: Water Operator Apprentice
Department: Double Eagle

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Regular | <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>18.42</u> per hour |
| <input type="checkbox"/> Seasonal | <input type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per hour |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---|--|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree | _____ |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or last Employer: Disposal
From 06-2021 to Present Classification: Driver
Duties: Truck driving, pickup loads, secure and deliver to job

Related Experience: Experience running forklift and other light equipment and tools.

Comment: _____

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: Wanda Caddell Aguilar Executive Assistant/ Mayor WCA

SUBJECT: Recommendation for Employment

DATE: May 1, 2023

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: Coby Gentry Classification/Position: ECHS Intern

Department: Executive

- Regular, Seasonal, Temporary, Full-time, Part-time, On call, Hourly (\$12.00 per hour), Salary

Education Level:

- High School Diploma, GED or equivalent, Associates Degree, Bachelors Degree, Masters Degree, Other: Early College High School Student

Employment:

Present or last Employer: Waywest Services

From March -2023 to Present Classification: General Labor

Duties: Landscaping, Waste Disposal

Related Experience: Computer Skills, Answering Phones, Copier Experience, Filing Forms, Writing Skills

And working the yearly events with The Mayor's Office

Comments: Coby will be An asset to the City Of Carlsbad

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: Chief Shane Skinner [Signature] #A137 04/21/2023

SUBJECT: Recommendation for Employment

DATE: 4/21/2023

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: Heft, DeLiesh

Classification/Position: Telecommunicator

Department: Police

- Regular, Seasonal, Temporary, Full-time, Part-time, On call, Hourly \$22.81 per hour, Salary per annum

Education Level:

- High School Diploma, GED or equivalent, Associates Degree, Bachelors Degree, Masters Degree, Other

Employment:

Present or last Employer: Ross
From October 2022 to Current Classification: Store Associate
Duties: Customer service

Related Experience:

Comments: DeLiesh worked at Lakeview Christian Home for 21 yrs before resigning earlier this year.

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: Ted Cordova, Director of Community Development Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad, ou=Community Development, email=tcordova@cityofcarlsbadnm.com, c=US
Date: 2023.05.04 09:32:10 -0500

SUBJECT: Recommendation for Employment

DATE: 5/2/2023

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: Zander Higgins Classification/Position: Lifeguard
Department: 147 - Waterpark

- 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 high school student

Employment:

Present or last Employer: Body Evolution
From 01/2023 to 04/2023 Classification: Front Desk Assistant
Duties: Clean and file documents

Related Experience:

Comments: Zander will be a great addition to our team.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.04.24 12:50:56 -0600

SUBJECT: Recommendation for Employment

DATE: 4/24/2023

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: Ethan Hutchinson Classification/Position: Lifeguard

Department: Water Park

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a high school student</u> | |

Employment:

Present or last Employer: Carlsbad Waterpark

From May 2022 to September 2022 Classification: Lifeguard

Duties: Ensure patron safety and performed other cleaning tasks as instructed.

Related Experience: Mr. Hutchinson was a lifeguard for the city last season.

Comments: Mr. Hutchinson was an exceptional guard in his first season with us. His attendance was great and he had an outstanding attitude while he was working.

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: Chief Shane Skinner  #A137 04/21/2023

SUBJECT: Recommendation for Employment

DATE: 4/21/2023

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: Lukins (Lewis), Cassidy
Department: Police

Classification/Position: Telecommunicator

- Regular, Seasonal, Temporary, Full-time, Part-time, On call, Hourly \$22.81 per hour, Salary \$ per annum

Education Level:

- High School Diploma, GED or equivalent, Associates Degree, Bachelors Degree, Masters Degree, Other: Death Investigator training from UNM, EMS certificate from NMSU-C

Employment:

Present or last Employer: Office of the Medical Investigator
From 2014 to Current Classification: Field Deputy Medical Investigator
Duties: Death Investigation in Eddy County

Related Experience:

Comments:

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.04.24 12:51:13 -0500

SUBJECT: Recommendation for Employment

DATE: 4/24/2023

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: Matt Martinez 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 high school student

Employment:

Present or last Employer: Carlsbad Waterpark
From May 2022 to September 2022 Classification: Lifeguard
Duties: Ensure patron safety and performed other cleaning tasks as instructed.

Related Experience: Mr. Martinez was a lifeguard for the city last season.

Comments: Mr. Martinez has been with our team for multiple seasons now. He is always willing to put in the extra time and is an exceptional athlete.

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: Ted Cordova, Director of Community Development **Ted Cordova**

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.05.04 09:31:27 -0500

SUBJECT: Recommendation for Employment

DATE: 5/2/2023

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: Dru McAvoy Classification/Position: Rec Attendant
Department: 147 - Waterpark

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 high school student

Employment:

Present or last Employer: N/A
From _____ to _____ Classification: _____
Duties: _____

Related Experience: Customer service and money handling

Comments: Dru will be a great addition to our team.

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: Ted Cordova, Director of Community Development Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad, ou=Community Development, email=tcordova@cityofcarlsbadnm.com, c=US
Date: 2023.05.02 08:30:28 -0600

SUBJECT: Recommendation for Employment

DATE: 05-01-2023

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: Ty Molina Classification/Position: Seasonal

Department: 300 - Sports Complex

- Regular Full-time Hourly \$14.00 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 Ty will graduate in May 2023

Employment:

Present or last Employer: City of Carlsbad

From 05/2022 to 08/2022 Classification: Lifeguard

Duties:

Related Experience: Mr. Molina was a lifeguard for the City last season.

Comments: Mr. Molinda is fully capable of performing all job duties and will be an asset to the Sports Complex.

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: Patrick Cass, Director of Public Works *PC*

SUBJECT: Recommendation for Employment

DATE: April 27, 2023

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

General Information:

Name: Marcus Angel Najera

Classification/Position: Seasonal Laborer

Department: Parks

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>14.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per hour |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree | _____ |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or last Employer: _____

From _____ to _____ Classification: _____

Duties: _____

Related Experience: Strong school ethics, self-motivator.

Comment: _____

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: Ted Cordova, Director of Community Development **Ted Cordova**

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.05.04 09:31:39 -0800

SUBJECT: Recommendation for Employment

DATE: 5/3/2023

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: Jose Orozco Classification/Position: Assistant Manager
Department: 147 - Waterpark

Regular Full-time Hourly \$ 21.17 per hour
 Seasonal Part-time Salary \$ _____ per annum
 Temporary On call

Education Level:

High School Diploma GED or equivalent
 Associates Degree Associates of Arts from NMSU-Carlsbad
 Bachelors Degree BA in Business Administration
 Masters Degree _____
 Other _____

Employment:

Present or last Employer: NMSU
From 01/2022 to current Classification: Route Setter, Climbing Wall
Duties: Strip and set routes, clean and maintain equipment, instruct classes

Related Experience: 5 years of lifeguarding experience with the City of Carlsbad, head lifeguard from 2020 through 2022

Comments: His past experience will be a great asset to the Assistant Manager position.

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: Chief Shane Skinner  # A137 04/24/2023

SUBJECT: Recommendation for Employment

DATE: 4/24/23

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: Perez, Yahir

Classification/Position: uncertified police officer

Department: Police

- Regular
- Full-time
- Hourly \$28.84 per hour
- Seasonal
- Part-time
- Salary \$ per annum
- Temporary
- On call

Education Level:

- High School Diploma
- GED or equivalent
- Associates Degree
- Bachelors Degree Bachelor of Criminal Justice UTEP
- Masters Degree
- Other

Employment:

Present or last Employer: Clint Independent School District

From 09/22 to Current Classification: Substitute Teacher

Duties: Fill in when teachers are unavailable.

Related Experience:

Comments: Fluent in Spanish

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: Ted Cordova, Director of Community Development **Ted Cordova**

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.05.04 09:32:00 -0600

SUBJECT: Recommendation for Employment

DATE: 5/2/2023

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: Shaylor Phillips Classification/Position: Lifeguard

Department: 147 - Waterpark

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a high school student</u> | |

Employment:

Present or last Employer: N/A

From _____ to _____ Classification: _____

Duties: _____

Related Experience: Swimming, lifeguard and CPR certified

Comments: Shaylor will be a great addition to our team.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.05.04 09:31:19 -0500

SUBJECT: Recommendation for Employment

DATE: 5/2/2023

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: Ariyana Rogers Classification/Position: Lifeguard

Department: 147 - Waterpark

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a high school student</u> | |

Employment:

Present or last Employer: N/A

From _____ to _____ Classification: _____

Duties: _____

Related Experience: CPR, first aid and lifeguard training

Comments: Ariyana will be a great addition to our team.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.04.24 12:51:23 -0600

SUBJECT: Recommendation for Employment

DATE: 4/24/2023

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: Ryan St. John Classification/Position: Lifeguard
Department: Water Park

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a high school student</u> | |

Employment:

Present or last Employer: Carlsbad Waterpark
From May 2022 to September 2022 Classification: Lifeguard
Duties: Ensure patron safety and performed other cleaning tasks as instructed.

Related Experience: Mr. St. John was a lifeguard for the city last season.

Comments: Mr. St. John did well in his first season with us. He is a great athlete and a compliment to any guard team.

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: Ted Cordova, Director of Community Development

Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.04.24 12:51:04 -0600

SUBJECT: Recommendation for Employment

DATE: 4/24/2023

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: Ethan Siazon 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 high school student

Employment:

Present or last Employer: Carlsbad Waterpark
From May 2022 to September 2022 Classification: Lifeguard
Duties: Ensure patron safety and performed other cleaning tasks as instructed.

Related Experience: Mr. Siazon was a lifeguard for the city last season.

Comments: Mr. Siazon was exceptional for us in his first season. His charisma and attitude were a positive addition to our team.

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: Ted Cordova, Director of Community Development **Ted Cordova**

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad,
ou=Community Development,
email=tcordova@cityofcarlsbadnm.com,
c=US
Date: 2023.05.04 09:21:51 -0800

SUBJECT: Recommendation for Employment

DATE: 5/2/2023

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: Luke Waters Classification/Position: Lifeguard

Department: 147 - Waterpark

- | | | |
|--|---|---|
| <input type="checkbox"/> Regular | <input type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>12.00</u> per hour |
| <input checked="" type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per annum |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|--|--|
| <input type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree _____ | |
| <input type="checkbox"/> Bachelors Degree _____ | |
| <input type="checkbox"/> Masters Degree _____ | |
| <input checked="" type="checkbox"/> Other <u>Currently a high school student</u> | |

Employment:

Present or last Employer: Cavern City Orthodontics

From 05/2022 to 08/2022 Classification: Lab Tech

Duties: Sterilize instruments, general lab duties

Related Experience: CPR and lifeguard certified

Comments: Luke will be a great addition to our team.

CITY OF CARLSBAD

**AGENDA BRIEFING MEMORANDUM
PURCHASING RECOMMENDATION**

Council Meeting Date: **5/9/2023**

Department: Museum/Library	BY: Matt Fletcher, CPO	Date: 5/03/2023
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SUBJECT: Services
Description:
Solicit Bids for the Re-Roofing of the Museum/Library Building

SYNOPSIS:	Qty <u>1</u>	Total Est. Cost	<u>\$ 831,187.64</u>	Total Actual Cost	_____
Budgeted	Yes	Est. City Share	<u>\$ 831,187.64</u>	Actual City Share	_____
Account #	<u>100751</u>		<u>\$ 831,187.64</u>		
Account #	_____		_____		
Account #	_____		_____		
Account #	_____		_____		
		TOTAL	<u>\$ 831,187.64</u>		

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

The roof at the Carlsbad Museum and Library building needs a new roof.

The City is requesting authorization to solicit bids for the re-roofing of the Carlsbad Museum and Library building roof.

Requested action to be taken by Council: Advertise Invitation for Bid	Council Action Taken: Select one	Date:
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Reviewed by City Administrator: /s/John Lowe 05/04/2023

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

Requested action to be taken by Council: Select one	Council Action Taken: Select one	Date:
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ADDITIONAL INFORMATION:

Reviewed by City Administrator:

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

CITY OF CARLSBAD

**AGENDA BRIEFING MEMORANDUM
PURCHASING RECOMMENDATION**

Council Meeting Date: 5/09/2023

Department: Golf	BY: Matt Fletcher, CPO	Date: 5/03/2023
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SUBJECT: Services
Description:
Release RFP for Professional Aquatic Management Services

SYNOPSIS:	Qty <u>1</u>	Total Est. Cost	<u>\$ 53,000.00</u>	Total Actual Cost	<u> </u>
	Budgeted Yes	Est. City Share	<u>\$ 53,000.00</u>	Actual City Share	<u> </u>
	Account # <u>10146-61900</u>		<u>\$ 53,000.00</u>		
	Account # <u> </u>		<u> </u>		
	Account # <u> </u>		<u> </u>		
	Account # <u> </u>		<u> </u>		
	TOTAL		<u>\$ 53,000.00</u>		

BACKGROUND, JUSTIFICATION AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
 The City is requesting authorization to solicit proposals for professional Aquatic Management Services on an approved scheduled basis as well as on a per job basis. These projects involve a primary need of assessing, designing and implementing a management plan and schedule to control scale and bryozoans both in the effluent ponds and associated irrigation system of the Carlsbad Municipal Golf Course. Secondary needs would arise from any unforeseen city-wide aquatic related issue which would be dealt with on a per job basis.

The City has maintained a contract for this service for the past four years, but this contract needs to be renewed and requires an RFP to procure this service.

Requested action to be taken by Council: Advertise Invitation for Request for Proposal	Council Action Taken: Select one	Date:
--	--	--------------

Reviewed by City Administrator: /s/John Lowe 05/04/2023

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

Requested action to be taken by Council: Select one	Council Action Taken: Select one	Date:
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ADDITIONAL INFORMATION:

Reviewed by City Administrator:

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

CITY OF CARLSBAD

**AGENDA BRIEFING MEMORANDUM
PURCHASING RECOMMENDATION**

Council Meeting Date: 5/09/2023

Department: Fire Department	BY: Matt Fletcher, CPO	Date: 5/03/2023
---------------------------------------	----------------------------------	---------------------------

SUBJECT: Services
Description:
RFP for EMS Billing and Collection Services

SYNOPSIS:	Qty ¹ _____	Total Est. Cost _____	Total Actual Cost _____
Budgeted Yes		Est. City Share _____	Actual City Share _____
Account #	_____	_____	
Account #	_____	_____	
Account #	_____	_____	
Account #	_____	_____	
TOTAL			\$ 0.00

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

The City of Carlsbad contracts with a third party billing service that is responsible for billing and collecting payments for the City of Carlsbad Fire Department ambulance service.

The current contract is set to expire in November 2023. The City has reached the maximum number of years allowed under the New Mexico Procurement Code for this type of contract and must conduct an RFP in order to establish a new contract.

The City requests authorization to conduct an RFP for this service.

Requested action to be taken by Council: Advertise Invitation for Request for Proposal	Council Action Taken: Select one	Date:
--	--	--------------

Reviewed by City Administrator: /s/John Lowe 05/04/2023

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

Requested action to be taken by Council: Select one	Council Action Taken: Select one	Date:
---	--	--------------

ADDITIONAL INFORMATION:

Reviewed by City Administrator:

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

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: 5/9/2023

DEPARTMENT: Community Development	BY: Ted Cordova, Deputy City Administrator	DATE: 5/2/2023
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SUBJECT: Airport Ground Space Lease for Bureau of Land Management Fire Fighter Base

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

Historically, the Bureau of Land Management – Carlsbad Field Office has leased ground space at the Carlsbad Airport to support their air efforts in fighting wild fire in our area. This lease is renewed annually for \$1.

DEPARTMENT RECOMMENDATION: If it is the will of the City Council, it is recommended this lease agreement be approved.

BOARD/COMMISSION/COMMITTEE ACTION:

- | | | | |
|--|--|---|--------------------------------------|
| <input type="checkbox"/> P & Z | <input type="checkbox"/> Lodgers Tax Board | <input type="checkbox"/> Riverwalk Rec Center Board | <input type="checkbox"/> APPROVED |
| <input type="checkbox"/> Museum Board | <input type="checkbox"/> San Jose Board | <input type="checkbox"/> Water Board | |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> N. Mesa Board | <input type="checkbox"/> Beautification Committee | <input type="checkbox"/> DISAPPROVED |

Reviewed by: City Administrator: /s/John Lowe	Date: 05/04/2023
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**City of Carlsbad
Personnel Department**

**Action Report
Month of April 2023**

City of Carlsbad
 Personnel Department Action Report
 Month of April 2023

EMPLOYEE REPORT	Beginning of Month	New Hires	Terminations	Transfers In	Transfers Out	End of Month
Full-Time Employees	423	1	5	0	0	419
Part-Time/Temp Employees	45	1	0	0	0	46
Total Employees	468	2	5	0	0	465
Administrative	18	0	0	0	0	18
Judicial	7	0	0	1	0	8
Finance	18	0	1	0	0	17
Police	101	1	1	0	0	101
Fire	65	0	0	0	0	65
Community Development	86	0	1	0	0	85
Planning & Regulation	15	0	1	1	1	14
Utilities	73	0	1	0	0	72
Transportation & Facilities	85	1	0	0	1	85
TOTAL	468	2	5	2	2	465

WEEKLY INDEMNITY	Beginning of Month	New Claims	Released To Work	Terminated	End of Month
Employees on WI	4	4	3	0	5

UNEMPLOYMENT CLAIMS	Claims Received	Claims Returned	Claims Denied	Claims Approved	Claims Pending	Claims Appealed
Current Month	0	0	0	0	0	0

DRUG TESTS	Number Given
Pre-employment	15
Probationary	0
Post Accident	12
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
None	

VACANCIES BID	Department
Airport Operations Specialist	Airport
Truck Driver	Street
Waste Water Operator	Waste Water

VACANCIES ADVERTISED	Applications Received
ARC Driver	13
Airport Operations Specialist	Pending
Caretaker	5
Electrical Inspector	Pending
Electrician	Pending
Firefighter/EMT	Pending
Heavy Equipment Operator	Pending
Lifeguard	Pending
Patrolman	Pending
Pro Shop Attendant, p/t	Pending
Recreation Attendant, on-call	8
Seasonal Laborers	Pending
Transit Driver, on-call	Pending
Vactor Operator	Pending
Waste Water Operator	Pending
Water Park Assistant Manager	Pending
Water Park Recreation Attendant	7
Water Operator	20
Welder	4



CITY OF CARLSBAD

FY 2022 - 2023

DEPARTMENT OF UTILITIES

MARCH 2023

Ivan M. Abell, Director of Utilities

ENVIRONMENTAL SERVICES REPORT

March 2023

Environmental Services:	Current Month	Previous Month	Calendar Year to Date
State and Federal Environmental Violations by City	0	0	0
Environmental Assessments (CDBG, P&Z, Drilling)	0	0	0
Environmental Compliance Inspections	0	0	0
Criminal Complaints Filed	0	0	0
Environmental Projects or Programs	0	0	0
Grease Interceptors Inspections	0	0	0

Laboratory:	Current Month	Previous Month	Calendar Year to Date
Municipal Water Sampling/Analysis:			
Wellfield Chemical Characteristic Analysis	44	43	141
Partial Wellfield Chemical Characteristics	33	32	108
Monitoring Wells Chemical Analysis	0	5	8
Total Coliform Analysis	40	40	120
Fecal Coliform Analysis	0	0	0
Chlorine Residual Tests (DE)	23	20	64
Special Chemicals (BTEX, Ammonia, Nitrite)	0	0	0

Municipal Wastewater Sampling/Analysis (Reads):	Current Month	Previous Month	Calendar Year to Date
Chemical Oxygen Demand Tests	0	0	0
Biochemical Oxygen Demand	15	12	39
Total Suspended Solids Tests	15	12	39
Volatile Alkalinity Tests	0	0	0
E-Coli on Effluent	15	12	39
Metals/TCLP/PCB/M2 Sampling on Sludge	0	0	0
Fecal Coliform Analysis on Sludge (Compost)	0	0	0
Effluent Chemical Characteristic Analysis	1	1	3

DMR Bench Sheet:	Current Month	Previous Month	Calendar Year to Date
Influent BOD Avg. (Lbs.)	5,106	5,986	17,446
Effluent BOD Avg. (Lbs.)	44.10	59	147
BOD Removal (%)	99.14	99	297
Influent TSS Avg. (Lbs.)	3,966	5,209	15,099
Effluent TSS Avg. (Lbs.)	51.08	84	189
TSS Removal (%)	98.71	98	296

ENVIRONMENTAL SERVICES REPORT

March 2023

Private Well Analysis:	Current Month	Previous Month	Calendar Year to Date
Total Coliform Analysis	41	39	120
Total Coliform Analysis (Construction)	2	0	4
Number of Positives for Confirmation	0	0	0
Chemical Characteristics Analysis	2	0	2
Environment Department Mediated Tests	0	0	0
Lake Carlsbad E-Coli Analysis Performed	0	0	0
Lake Carlsbad Beach Closures Due to Bacterial Count	0	0	0

Golf Course (Reclaimed) Water Analysis (NMED Groundwater Discharge Permit):	Current Month	Previous Month	Calendar Year to Date
Nitrate	5	4	13
Total Kjeldahl Nitrogen	0	0	0
Total Dissolved Solids	1	1	3
E-Coli Analysis	12	12	37
Chemical Characteristics	0	0	0
Other NMED-Required Testing (Chlorides, etc.)	1	1	3

Remarks:



Digitally signed by Richard Aguilar
 DN: cn=Richard Aguilar, o=City of Carlsbad,
 ou=Env Services Lab,
 email=raguilar@cityofcarlsbadnm.com, c=US
 Date: 2023.04.05 10:22:42 -06'00'

Richard Aguilar,
Environmental Svcs. Superintendent

Solid Waste Department Summary

March 2023

	This Month	Previous Month	Last Year	Calendar Year to Date
--	------------	----------------	-----------	--------------------------

Garbage Collection (ARC)

Number of ARC Trucks in Operation	15 of 18	13 of 18	16 of 18	
Tons Collected and Delivered to Landfill	2,286.69	2119.96	2017.77	6,148.43
Number of Trips to Landfill	344	283	315	851

Residential and Commercial Services

Number of Residential Services	10,252	10222	10252	
Number of Commercial Services	996	994	996	
Number of New Residential Services	106	11	106	132
Number of New Commercial Services	8	3	8	14

*No Data Available

Container Maintenance

Number of 3 CuYard Containers Repaired	21	15	27	80
Number of 3 CuYard Containers Replaced	14	2	5	19
Number of 1.5 CuYard Containers Repaired	0	1	0	2
Number of 1.5 CuYard Containers Replaced	0	1	0	2
Number of 96 gallon Containers Repaired	66	110	107	232
Number of 96 gallon Containers Replaced	23	2	49	29
Number of 96 gallon Lids Replaced	31	67	60	136
Number of 96 gallon Wheels Replaced	35	43	47	96
Number of 1.5 CuYard Lids Repaired	0	1	0	1
Number of 3 CuYard Lids Repaired	0	6	7	2
Number of New 96 Gallon Roll-outs	156	67	106	117

Trash/Yard Waste Residential Collection (Grappler)

Number of Trucks in Operation	4 of 7	4 of 7	4 of 5	
Tons of Trash Delivered to Landfill	205.28	124.43	353.5	573.19
Number of Trips to Landfill	73	31	101	176
Green Waste Collected and Delivered to WWTP (TONS)	0.00	0	0	0.00
Number of trips to WWTP	0	0	0	0.00

Solid Waste Department Summary

March 2023

	<u>This Month</u>	<u>Previous Month</u>	<u>Last Year</u>	<u>Calendar Year to Date</u>
<u>Sandpoint Landfill Operation</u>				
Waste Received from Carlsbad (Tons)	4,967.22	3,378.37	5,038.44	12,167.15
Waste Received from Artesia (Tons)	2,185.88	1,841.28	2,073.52	5,755.86
Waste Received from Eddy County (Tons)	3,875.74	3,283.29	3,115.84	9,698.32
Waste Received from Others (Tons)	84.58	49.18	25.93	496.12
Tipping Fees received at Gate	\$10,804.03	\$3,822.12	7,513.29	\$19,815.77
Tipping fees Billed	\$101,930.66	\$79,331.88	113,138.68	\$279,676.88
Solid Waste Facility Permit Violations	0	0	0.00	0

Convenience Station

Tons of Trash Collected and Delivered to Landfill	553.35	631.88	775.57	1,558.69
CuYards of Glass	0.00	0.00	0.00	0.00
CuYards of Metal	14.09	26.70	15.91	59.83
Green Waste Collected and Delivered to WWTP (TONS)	0.00	0.00	0.00	0.00
Number of trips to WWTP	0	0	0.00	0

Roll Off Rentals

Fees Billed	\$36,430.00	\$30,740.00	34,185.86	\$100,972.83
Tons of Refuse Collected and Delivered to Landfill	266.9	201.69	215.47	727.66
No. of 40 CuYard Containers Rented	0	0	0.00	0
No. of 30 CuYard Containers Rented	50	51	49.00	157
No. of 25 CuYard Containers Rented	0	0	1.00	0
No. of 15 CuYard Containers Rented	0	0	0.00	1

REMARKS:

* No Data Available


 Robert Carrillo, Acting Solid Waste Superintendent
 4/11/23
 Date

Carlsbad Municipal Water System Report

Mar-23

Acre Ft.

Production Figures:

This Month Previous Month Year to Date

Pumped from Sheep's Draw (Ac. Ft.)	484.97	313.20	1128.91
Water Imported from Double Eagle (Ac. Ft.)	105.25	104.00	288.12
Water delivered to Livestock (Ac. Ft.)	0.25	0.22	0.72
Water Sold to Apartments (Ac. Ft.)	8.60	10.90	31.06
Water Sold to Commercial Accounts (Ac. Ft.)	103.12	104.23	308.87
Water Sold to Government Accounts (Ac. Ft.)	16.05	14.75	48.18
Water Sold to Industrial Accounts (Ac.Ft.)	0.07	0.06	0.20
Water Sold to Residential Accounts (Ac.Ft.)	249.90	286.29	812.98
Record Only Accounts (Ac.Ft.)	0.69	0.58	1.64
Water Sold to Semi-Commercial Accounts (Ac.Ft.)	9.71	8.52	25.75
Safe Drinking Water Act Violations	0	0	0

Wells:

Number in Operation (Sheep's Draw) **	9/9	9/9	
KWH Consumed	468,080	300,840	1,061,000
Capitan Aquifer Level (Ft. from Surface @ #6)	390.00	390	
Number of New Water Services Installed	5	11	21

Meters:

Total in Service	12,610	12,604	
------------------	--------	--------	--

Fire Hydrants:

In Service	875	871	
Out of Service	2	6	
Repaired	7	1	8

Remarks:

City Line Locates	242	262	762
DE Line Locates	64	35	172

Ron Myers
Digitally signed by Ron Myers
 DN: cn=Ron Myers, o=City of Carlsbad,
 ou=Water Department, e=rmyers@
 cityofcarlsbadnm.com, c=US
 Reason: I have reviewed this document
 Location:
 Date: 2023.04.11 13:10:43-05'00'
 FPDF Editor Version: 12.0.1

Ron Myers, Superintendent

**CARLSBAD WATER SYSTEM WELL OPERATION
Mar-23**

WELL	POWER CONSUMPTION X 400			WATER PRODUCTION X 1000				ENGINE HOUR CLOCK			WATER LEVELS			
	CURRENT MONTH	LAST MONTH	KWH CONSUMED	CURRENT MONTH	LAST MONTH	GALLONS PUMPED	ACRE FEET	CURRENT MONTH	LAST MONTH	HOURS RUN	GPM	STATIC	PUMPED per Hour Meter (gal)	gal/kwh
1	5833	5830	1,200	2,523	2,253	270,000	0.83	23.2	20.1	3.1	1,750		325,500	525
2	2159	2157	800	3,303	3,071	232,000	0.71	11998	11993.5	4.5	1,200		324,000	420
3	5443	5439	1,600	427,686	427,154	532,000	1.63	37602.2	37596.7	5.5	1,600		528,000	375
4	21729 estimate	21729	110,000	540,184	501,024	39,160,000	120.18	51516.3	51146.4	369.9	1,750		38,839,500	257
5	20470	20221	99,600	1,281,031	1,249,942	31,089,000	95.41	63186.4	62754.7	431.7	1,200		31,082,400	348
6	34558	34305	40,480	776,891	760,549	16,342,000	50.15		0	103.0	2,800		17,297,280	421
7	35491	35480	4,400	395,467	393,721	1,746,000	5.36	3968.9	3953.9	15.0	1,950		1,755,000	424
8	33755	33651	41,600	322,708	306,797	15,911,000	48.83	12021	11823.6	197.4	1,350		15,989,400	389
9	12623	12202	168,400	586,263	533,517	52,746,000	161.87	633.4	0	633.4	1,600		60,802,560	324
10														
TOTAL KWH CONSUMED			468,080	TOTAL PUMPED		158,028,000	484.97	TOTAL HOURS RUN		1,763.4	OIL		TOTAL CHLORINE USED	
											74.5			
Reservoir No. 4 Meter			Total Gallons Pumped Comparison				Total Rainfall			Notes				
Inlet This Month X 1000		3,282,782		THIS MONTH		158,028,000	484.97				Wells #4 and #5 on State Trust Land			
				LAST YEAR, SAME MONTH		122,708,000	376.58							
Inlet Last Month X 1000		3,127,121		DIFFERENCE		35,320,000	108.39							
Total Inlet (x 1000)		155,661,000		* corrected										

**MUNICIPAL WATER SYSTEM
WATER RIGHTS PUMPED (C-76)
ACRE FEET**

(9867 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2002	297.16	268.70	440.91	704.96	958.06	1,066.88	1,341.56	1,074.79	774.52	485.05	280.99	155.99	7849.57
2003	270.84	203.99	505.94	1,064.03	1,206.94	1,122.78	1,343.98	1,076.39	775.41	685.53	305.27	409.57	8970.67
2004	385.42	439.36	489.06	680.19	948.71	1,063.84	1,068.05	798.52	772.40	451.14	364.15	414.64	7875.48
2005	332.30	318.24	425.71	655.91	878.61	1,123.12	1,338.81	773.36	830.12	609.54	478.07	445.90	8209.69
2006	395.24	416.50	606.61	799.07	1,145.49	1,165.26	1,141.96	699.68	536.40	574.84	453.79	372.30	8307.14
2007	386.96	350.66	480.44	665.57	629.51	1,062.65	841.31	964.52	740.42	672.37	485.02	446.90	7726.33
2008	452.24	668.55	705.92	934.92	1,060.06	1,454.74	1,040.96	900.29	768.43	684.45	505.09	456.16	9631.81
2009	458.70	519.36	694.55	871.85	1,095.02	1,202.19	951.06	980.82	809.14	666.16	529.67	420.61	9199.13
2010	422.56	352.26	539.69	327.39	1,150.19	1,219.15	848.31	1,057.28	738.68	677.68	503.09	461.84	8298.12
2011	474.73	536.44	800.88	973.90	1,238.89	1,355.98	1,423.54	1,226.62	886.11	776.71	540.43	454.95	10689.18
2012	466.85	431.44	701.69	810.10	828.11	1,185.27	901.47	1,013.28	806.85	652.17	480.34	461.15	8738.72
2013	423.91	412.36	633.53	822.91	947.12	1,047.09	800.86	925.05	727.29	611.46	451.84	377.93	8,181.35
2014	388.31	383.82	557.69	701.51	872.84	1,031.98	1,122.07	893.82	552.90	541.69	414.16	391.00	7,851.79
2015	428.54	369.38	490.96	711.13	732.60	903.17	919.01	994.43	789.98	522.56	432.59	418.96	7,713.31
2016	408.24	364.58	449.03	573.56	672.93	921.77	1,157.49	791.59	541.42	587.72	443.39	442.94	7,354.66
2017	394.41	415.24	615.73	768.14	921.14	883.20	1,007.00	726.66	715.10	536.59	482.95	484.39	7,950.55
2018	484.78	402.92	640.20	750.65	991.56	1,023.15	954.69	853.04	684.90	530.89	386.73	404.76	8,108.27
2019	392.03	408.30	501.88	712.74	920.31	919.36	931.82	860.57	880.60	570.04	425.02	400.18	7,922.85
2020	424.96	402.62	508.41	896.76	983.81	1,161.49	1,242.85	1,055.78	1,045.26	625.06	411.27	463.48	9,221.75
2021	368.52	418.64	712.43	726.13	809.60	837.98	793.40	764.24	715.36	652.05	455.84	403.35	7,657.54
2022	336.78	376.58	515.94	882.91	973.98	975.97	1,147.87	848.51	773.62	493.31	404.67	435.85	8,165.99
2023	330.74	313.20	484.97										1,128.91

Sheep Draw Water Pumped - Acre Feet 9867 Acre Feet Available Per Year

Difference

	January	February	March	April	May	June	July	August	September	October	November	December	Total	
													9867	
1999	259.97	275.11	485.12	694.64	798.54	839.80	903.86	1,102.11	751.40	534.43	395.59	253.70	7,294.27	2,572.73
Total		535.08	1,020.20	1,714.84	2,513.38	3,353.18	4,257.04	5,359.15	6,110.55	6,644.98	7,040.57	7,294.27		
2000	303.85	377.05	592.71	710.82	1,063.12	1,168.66	1,072.41	1,134.64	886.90	487.13	260.33	278.46	8,336.08	1,530.92
Total		680.90	1,273.61	1,984.43	3,047.55	4,216.21	5,288.62	6,423.26	7,310.16	7,797.29	8,057.62	8,336.08		
2001	379.10	340.60	389.50	714.80	1,129.68	1,083.53	1,341.71	1,074.96	612.54	662.35	356.80	276.27	8,361.84	1,505.16
Total		719.70	1,109.20	1,824.00	2,953.68	4,037.21	5,378.92	6,453.88	7,066.42	7,728.77	8,085.57	8,361.84		
2002	297.16	268.70	440.91	704.96	958.06	1,066.88	1,341.56	1,074.79	774.52	485.05	280.99	155.99	7,849.57	2,017.43
Total		565.86	1,006.77	1,711.73	2,669.79	3,736.67	5,078.23	6,153.02	6,927.54	7,412.59	7,693.58	7,849.57		
2003	270.84	203.99	505.94	1,064.03	1,206.94	1,122.78	1,343.98	1,076.39	775.41	685.53	305.27	409.57	8,970.67	896.33
Total		474.83	980.77	2,044.80	3,251.74	4,374.52	5,718.50	6,794.89	7,570.30	8,255.83	8,561.10	8,970.67		
2004	385.42	439.36	489.06	680.19	948.71	1,063.84	1,068.05	798.52	772.40	451.14	364.15	414.64	7,875.48	1,991.52
Total		824.78	1,313.84	1,994.03	2,942.74	4,006.58	5,074.63	5,873.15	6,645.55	7,096.69	7,460.84	7,875.48		
2005	332.30	318.24	425.71	655.91	878.61	1,123.12	1,338.81	773.36	830.12	609.54	478.07	445.90	8,209.69	1,657.31
Total		650.54	1,076.25	1,732.16	2,610.77	3,733.89	5,072.70	5,846.06	6,676.18	7,285.72	7,763.79	8,209.69		
2006	395.24	416.50	606.61	799.07	1,145.49	1,165.26	1,141.96	699.68	536.40	574.84	453.79	372.30	8,307.14	1,559.86
Total		811.74	1,418.35	2,217.42	3,362.91	4,528.17	5,670.13	6,369.81	6,906.21	7,481.05	7,934.84	8,307.14		
2007	386.96	350.66	480.44	665.57	629.51	1,062.65	841.31	964.52	740.42	672.37	485.02	446.90	7,726.33	2,140.67
Total		737.62	1,218.06	1,883.63	2,513.14	3,575.79	4,417.10	5,381.62	6,122.04	6,794.41	7,279.43	7,726.33		
2008	452.24	668.55	705.91	934.92	1,060.06	1,454.74	1,040.96	900.29	768.43	684.45	505.09	456.16	9,631.80	235.20
Total		1,120.79	1,826.70	2,761.62	3,821.68	5,276.42	6,317.38	7,217.67	7,986.10	8,670.55	9,175.64	9,631.80		
2009	458.70	519.36	694.55	871.85	1,095.02	1,202.19	951.06	980.82	809.14	666.16	529.67	420.61	9,199.13	667.87
Total		978.06	1,672.61	2,544.46	3,639.48	4,841.67	5,792.73	6,773.55	7,582.69	8,248.85	8,778.52	9,199.13		

Sheep Draw Water Pumped - Acre Feet 9867 Acre Feet Available Per Year

Difference

	January	February	March	April	May	June	July	August	September	October	November	December	Total	
														9,867.00
2011	474.73	536.44	800.88	973.90	1,238.89	1,355.98	1,423.54	1,226.62	886.11	776.71	540.43	454.95	10,689.18	-822.18
Total		1,011.17	1,812.05	2,785.95	4,024.84	5,380.82	6,804.36	8,030.98	8,917.09	9,693.80	10,234.23	10,689.18		
2012	466.85	431.44	701.69	810.10	828.11	1,185.27	901.47	1,013.28	806.85	652.17	480.34	461.15	8,738.72	1,128.28
Total		898.29	1,599.98	2,410.08	3,238.19	4,423.46	5,324.93	6,338.21	7,145.06	7,797.23	8,277.57	8,738.72		
2013	423.91	412.36	633.53	822.91	947.12	1,047.09	800.86	925.05	727.29	611.46	451.84	377.93	8,181.35	1,685.65
Total		836.27	1,469.80	2,292.71	3,239.83	4,286.92	5,087.78	6,012.83	6,740.12	7,351.58	7,803.42	8,181.35		
2014	388.31	383.82	557.69	701.51	872.84	1,031.98	1,122.07	893.82	552.90	541.69	414.16	391.00	7,851.79	2,015.21
Total		772.13	1,329.82	2,031.33	2,904.17	3,936.15	5,058.22	5,952.04	6,504.94	7,046.63	7,460.79	7,851.79		
2015	482.54	369.38	490.96	711.13	732.60	903.17	919.01	994.43	789.98	522.56	432.59	418.96	7,767.31	2,099.69
Total		851.92	1,342.88	2,054.01	2,786.61	3,689.78	4,608.79	5,603.22	6,393.20	6,915.76	7,348.35	7,767.31		
2016	408.24	364.58	449.03	573.56	672.93	921.77	1,157.49	791.59	541.42	587.72	443.39	442.94	7,354.66	2,512.34
Total		772.82	1,221.85	1,795.41	2,468.34	3,390.11	4,547.60	5,339.19	5,880.61	6,468.33	6,911.72	7,354.66		
2017	394.41	415.24	615.73	768.14	921.14	883.20	1,007.00	726.66	715.10	536.59	482.95	484.39	7,950.55	1,916.45
Total		809.65	1,425.38	2,193.52	3,114.66	3,997.86	5,004.86	5,731.52	6,446.62	6,983.21	7,466.16	7,950.55		
2018	484.78	402.92	640.20	750.65	991.56	1,023.15	954.69	853.04	684.90	530.89	386.73	404.76	8,108.27	1,758.73
Total		887.70	1,527.90	2,278.55	3,270.11	4,293.26	5,247.95	6,100.99	6,785.89	7,316.78	7,703.51	8,108.27		
2019	392.03	408.30	501.88	712.74	920.31	919.37	931.82	860.57	880.60	570.04	425.02	400.18	7,922.86	1,944.14
Total		800.33	1,302.21	2,014.95	2,935.26	3,854.63	4,786.45	5,647.02	6,527.62	7,097.66	7,522.68	7,922.86		
2020	438.73	387.20	523.69	928.40	1,015.17	1,177.81	1,120.57	1,062.19	1,066.47	539.88	430.40	463.48	9,153.99	713.01
Total		825.93	1,349.62	2,278.02	3,293.19	4,471.00	5,591.57	6,653.76	7,720.23	8,260.11	8,690.51	9,153.99		
2021	368.01	418.64	712.43	726.13	809.60	837.98	793.40	764.24	715.36	652.05	455.84	403.35	7,657.03	2,209.97
Total		786.65	1,499.08	2,225.21	3,034.81	3,872.79	4,666.19	5,430.43	6,145.79	6,797.84	7,253.68	7,657.03		
2022	336.78	376.58	515.94	882.91	973.98	975.97	1,147.87	848.51	773.62	493.31	404.67	435.85	8,165.99	1,701.01
Total		713.36	1,229.30	2,112.21	3,086.19	4,062.16	5,210.03	6,058.54	6,832.16	7,325.47	7,730.14	8,165.99		
2023	330.74	313.20	484.97										1,128.91	8,738.09
Total		643.94	1,128.91	1,128.91	1,128.91	1,128.91	1,128.91	1,128.91	1,128.91	1,128.91	1,128.91	1,128.91		

**MUNICIPAL WATER SYSTEM
WATER SOLD
ACRE FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2002	361.07	373.67	374.24	527.03	956.91	1164.77	996.81	977.93	1153.18	607.92	431.21	301.17	8225.93
2003	391.07	304.91	404.05	598.44	999.69	1030.55	1061.59	1169.02	1046.52	731.67	559.33	342.90	8639.75
2004	418.82	310.23	337.47	479.72	685.58	983.31	984.35	814.65	763.90	475.02	413.97	302.17	6969.19
2005	368.27	275.02	299.95	503.81	693.61	840.97	1296.63	886.95	754.89	658.48	468.42	377.74	7424.74
2006	414.11	677.07	450.26	678.99	725.58	1280.61	1083.09	705.47	564.79	572.49	430.08	334.08	7916.62
2007	354.13	318.22	380.07	437.50	653.63	756.31	899.69	774.47	896.99	541.76	530.36	344.60	6887.72
2008	326.32	375.13	413.71	627.22	842.55	1025.43	943.54	855.66	605.32	559.79	494.03	0.00	7068.68
2009	439.03	352.25	614.56	2321.13	1268.55	1211.80	1099.85	927.66	1030.30	765.46	976.92	564.86	11572.39
2010	567.77	471.98	547.89	757.41	1272.59	1066.67	1081.09	913.03	1105.63	1031.30	950.35	786.38	10552.09
2011	444.27	760.40	774.56	1233.94	1338.54	1352.52	1717.55	1405.40	1347.32	924.66	874.25	677.51	12850.91
2012	565.38	642.97	581.75	926.04	848.01	1000.31	1440.24	1151.94	1237.78	866.01	865.02	670.56	10796.01
2013	616.99	671.05	645.27	975.32	1,049.04	1,249.35	944.16	951.65	1,058.15	785.76	592.98	469.93	10009.65
2014	475.55	470.88	507.96	653.04	920.21	1,041.43	1,157.15	978.54	953.20	558.14	550.55	417.07	8683.72
2015	554.03	282.77	520.21	624.18	758.14	800.23	985.58	863.21	1,068.91	639.91	478.42	448.68	8024.27
2016	456.11	302.09	482.13	615.67	708.66	828.42	1,071.60	820.33	623.25	460.13	368.12	305.64	7042.15
2017	389.78	306.60	440.10	639.30	654.47	838.50	1,049.46	698.97	675.47	504.34	369.98	684.50	7251.47
2018	422.34	332.74	345.80	670.09	971.05	975.33	966.38	858.30	871.28	451.67	438.60	355.77	7659.35
2019	393.08	359.27	350.49	565.35	639.70	890.80	994.24	830.84	887.72	711.06	476.89	347.64	7447.08
2020	336.09	374.53	311.89	657.80	838.33	1,080.68	1,158.21	1,069.16	1,120.70	917.05	479.84	350.70	8694.98
2021	414.83	317.62	365.17	767.91	768.47	825.78	709.15	954.68	597.34	740.70	354.75	355.25	7171.65
2022	367.25	360.67	349.75	693.40	752.88	1,174.27	944.39	940.34	746.92	652.02	422.08	417.17	7821.14
2023	415.22	425.35	388.23										1228.80

* No info available due to transition of new billing system.

MUNICIPAL WATER SYSTEM METERS IN SERVICE

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2002	10,385	10,398	10,360	10,396	10,485	10,486	10,492	10,479	10,512	10,468	10,448	10,534
2003	10,453	10,420	10,550	10,505	10,549	10,682	10,604	10,670	10,688	10,631	10,586	10,606
2004	10,608	10,541	10,617	10,624	10,627	10,678	10,700	10,730	10,671	10,672	10,684	10,597
2005	10,581	10,552	10,635	10,618	10,645	10,733	10,757	10,747	10,725	10,695	10,692	10,669
2006	10,676	10,669	10,663	10,704	10,687	10,759	10,720	10,746	10,739	10,711	10,670	10,645
2007	10,633	10,661	10,679	10,717	10,726	10,814	10,801	10,786	10,740	10,735	10,761	10,753
2008	10,804	10,784	10,809	10,826	10,836	10,880	10,861	10,875	10,820	10,758	10,713	
2009	10,747	10,881	11,126	11,179	11,156	11,232	11,160	11,184	11,158	11,169	11,182	11,107
2010	11,132	11,105	11,201	11,157	11,208	11,221	11,216	11,225	11,201	11,205	11,184	11,165
2011	11,271	11,292	11,256	11,270	11,281	11,349	11,331	11,333	11,327	11,300	11,267	11,224
2012	11,249	11,229	11,277	11,305	11,333	11,353	11,368	11,370	11,319	11,332	11,344	11,321
2013	11,290	11,361	11,415	11,405	11,412	11,450	11,488	11,527	11,507	11,478	11,482	11,442
2014	11,501	11,709	11,803	11,807	11,848	11,893	11,919	11,988	12,001	12,022	11,892	11,993
2015	11,865	11,871	11,916	12,014	11,957	12,153	12,062	12,087	12,020	11,968	11,825	11,978
2016	11,854	12,116	12,166	12,125	12,143	12,224	12,170	12,219	12,162	12,076	11,979	11,948
2017	12,053	12,014	12,173	12,213	12,173	12,223	12,205	12,376	12,213	12,300	12,204	12,288
2018	12,315	12,307	12,329	12,384	12,452	12,531	12,472	12,479	12,467	12,408	12,577	12,352
2019	12,440	12,386	12,556	12,508	12,653	12,656	12,698	12,827	12,644	12,804	12,708	12,653
2020	12,769	12,731	12,859	12,827	12,844	12,926	12,912	13,057	12,996	13,265	12,812	12,799
2021	12,830	12,920	12,945	13,205	13,026	13,162	*	*	*	*	*	*
2022	*	*	*	*	*	*	*	*	*	*	*	12,980
2023	12,572	12,604	12,610									

* No info available due to transition of new billing system.

**AIRPORT WELLS
WATER RIGHTS PUMPED
ACRE FEET**

(61.24 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2012	0.59	0.62	1.08	0.83	1.83	3.64	2.31	3.67	2.27	2.01	1.67	1.87	22.41
2013	0.89	2.32	2.26	1.18	1.28	1.73	1.9	3.69	2.01	2.62	1.99	1.06	22.93
2014	1.86	0.73	1.04	1.55	0.66	0.20	3.17	0.96	0.37	1.89	0.80	0.61	13.84
2015	0.03	0.07	0.03	1.02	1.59	2.47	2.57	2.96	2.13	1.35	2.46	1.57	18.25
2016	1.14	2.21	3.25	3.48	2.43	1.45	0.064	0.031	0.002	0.016	0.00	0.058	14.13
2017	0.07	0	0.16	0.31	0	0.51	0.55	0.022	0.00	0	0.18	0.14	1.94
2018	0.00	0.07	0.06	0.082	0.303	0.00	0.002	0.002	0.002	0.002	0.001	0.002	0.53
2019	0.00	0.023	0.36	0.56	1.17	2.72	2.13	2.67	2.60	2.60	1.33	1.99	18.15
2020	0.48	1.04	0.49	1.47	0.61	1.37	0	0.99	1.55	2.03	0.46	0.35	10.84
2021	0.77	0.34	0.45	0.71	0.94	2.01	1	1.56	0.92	0.83	1.21	0.61	11.35
2022	0.89	0.62	0.95	0.27	0.21	0.33	0.9	0.08	0.12	0.01	0.03	0	4.41
2023	0.00	0.00	0.00										0.00

**AIRPORT WELLS
WATER SOLD
ACRE FEET**

2011	1.18	1.09	3.76	3.87	3.32	3.91	3.32	1.69	3.5	3.25	3.99	0.81	33.69
2012	2.36	2.65	3.77	3.84	1.27	3.02	2.66	4.22	2.62	2.3	2.65	1.28	32.64
2013	1.32	1.11	0.88	0.49	0.64	1.67	1.78	2.70	1.22	0.97	1.20	0.95	14.93
2014	1.15	0.05	1.51	0.82	0.07	0	0.44	0.27	0.01	0.02	0.01	0.01	4.36
2015	0.01	0	0	0	0	1.04	1.78	3.12	1.12	1.60	2.07	1.25	11.99
2016	1.4	2.14	2.86	3.35	2.18	1.22	0.04	0.03	0	0.02	0	0	13.235
2017	0	0	0.15	0	0	0.48	0.53	0.00	0	0.00	0.00	0	1.16
2018	0	0	0	0	0	0	0	0.00	0	0.00	0.00	0	0
2019	0	0	0.33	0.052	0	0.031	0.031	0.00	0.37	0.29	0.51	0.08	1.694
2020	0.04	6.27	0.38	1.21	0.58	1.17	0.31	0.00	1.5	1.75	0.40	0.29	13.9
2021	0.84	0.17	0.42	0.73	0.92	1.9	1.36	1.26	1.17	0.64	0.95	0.79	11.15
2022	*	*	*	*	*	*	*	*	*	*	*	*	0
2023	0	0	0										0

Note: Water Sold Report is always one month behind.

*no info available

WATER CUTOFFS

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2012		227	231	299	198	270	216	274	219	504	293	408	3139
2013	260	309	321	438	267	362	267	315	236	254	362	291	3682
2014	343	360	433	239	353	185	363	399	288	373	484	307	4127
2015	397	254	252	355	256	273	299	303	266	307		535	3497
2016	414	440	298	297	360	239	345	163	177	212	240	172	3357
2017	268	210	265	279	158	231	170	195	166	228	221	177	2568
2018	241	301	120	139	235	153	227	152	206	216	368	199	2557
2019	257	270	334	143	238	147	222	251	235	256	341	217	2911
2020	172	172	235	0	0	0	0	0	0	643	0	0	1222
2021	0	0	0	428	341	255	0	0	0	0	0	0	1024
2022	0	0	797	324	394	345	457	285	276	0	0	0	2878
2023	506	275	291	318									1390

**SHOOTING RANGE WELL
WATER RIGHTS PUMPED
ACRE FEET**

(3 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2013	0.05	0.03	0.12	0.16	0.18	0.28	0.21	0.32	0.16	0.20	0.08	0.05	1.84
2014	0.07	0.10	0.16	0.10	0.13	0.29	0.34	0.31	0.17	0.18	0.11	0.10	2.06
2015	0.08	0.07	0.12	0.12	0.11	0.12	0.12	0.26	0.21	0.12	0.08	0.09	1.50
2016	0.07	0.08	0.10	0.07	0.10	0.22	0.16	0.09	0.04	0.04	0.037	0.031	1.04
2017	0.009	0.01	0.03	0.02	0.04	0.10	0.04	0.055	0.046	0.05	0.03	0.034	0.47
2018	0.04	0.02	0.04	0.02	0.02	0.03	0.02	0.03	0.025	0.025	0.034	0.058	0.37
2019	0.061	0.05	0.06	0.05	0.03	0.03	0.01	0.02	0.02	0.02	0.086	0.080	0.51
2020	0.003	0.00	0	0	0.00	0.00	0.05	0.06	0.06	0.043	0.043	0.000	0.26
2021	0	0	0	0	0.00	0.03	0.02	0.02	0.09	0.03	0.02	0.04	0.25
2022	0.01	0.01	0.02	0.02	0.02	0.01	0.2	0.01	0.02	0.02	0.02	0.02	0.38
2023	0.01	0.02	0.02										0.05

**SUNSET GARDEN WELL
WATER RIGHTS PUMPED
ACRE FEET**

(28.2 Acre Ft. Available Per Year)

2012											10.75	0	10.75
2013	0.00	0.00	0.00	1.51	4.53	4.47	2.98	5.09	1.73	0.51	0.00	0.00	20.82
2014	0.00	0.00	0.00	0.00	0.00	0.00	6.81	2.58	0.53	0.00	0.00	0.00	9.92
2015	0.00	0.00	0.07	2.68	2.84	1.93	1.13	2.72	4.71	1.47	2.17	0.26	19.98
2016	0.13	1.89	3.37	4.30	4.49	4.11	4.66	0.82	0.00	0.00	0.00	0.00	23.77
2017	0.00	0.00	2.60	3.92	3.87	3.63	4.18	2.97	0.33	0.00	0.00	1.38	22.88
2018	0.00	0.07	0.00	1.48	3.53	3.74	1.57	3.46	2.79	1.00	0.00	0.00	17.64
2019	0.00	0.00	0.04	2.56	4.36	4.57	2.72	4.60	3.06	1.04	0.28	0.00	23.23
2020	0.13	0.55	1.06	2.53	3.77	1.58	3.97	3.97	3.81	2.46	0.78	0.29	24.90
2021	0.0045	0.00	1.06	2.23	3.09	3.29	3.36	2.23	2.60	1.07	1.49	1.41	21.84
2022	0.03	0.00	0.31	1.88	3.20	3.74	3.45	2.60	2.30	0.64	0.47	0.70	19.32
2023	0.00	0.02	0.73										0.75

WOOD FARM WELLS

1,000,000 325850

*1,000,000 /325850 Formula do not delete

2011	0.08	0.90	11.80	9.78	22.64	22.54	18.60	19.88	37.60	8.30	2.20	0.02	154.34
2012	0.00	4.81	9.11	11.16	11.79	18.76	10.00	11.69	15.24	1.89	0.05	0.64	95.13
2013	0.35	0.61	7.29	12.51	16.04	16.64	10.62	16.57	8.61	4.90	2.34	0.27	96.75
2014	1.36	1.79	6.64	10.62	16.04	22.07	21.01	13.50	3.31	4.42	0.12	0.25	101.13
2015	0.29	1.31	4.58	13.01	37.20	2.17	11.54	20.96	8.74	1.62	0.44	0.55	102.41
2016	0.27	2.67	14.42	13.03	22.09	30.57	33.17	15.94	8.18	15.31	1.38	1.44	158.47
2017	1.62	0.93	11.50	17.68	24.58	29.33	29.59	11.05	14.91	8.18	1.56	1.43	152.36
2018	5.02	3.40	12.61	15.47	26.22	28.31	27.69	24.12	34.65	5.79	11.50	1.96	196.74
2019	4.11	2.42	0.01	14.42	49.65	0.70	25.05	21.72	26.74	13.96	7.00	7.03	172.81
2020	1.14	3.17	12.31	28.72	29.58	30.38	32.01	27.83	27.48	11.13	10.67	5.49	219.91
2021	6.43	4.67	13.65	12.36	10.29	18.34	18.00	12.59	17.68	14.25	9.66	0.00	137.92
2022	1.30	2.77	10.51	18.12	17.91	21.45	25.31	19.20	11.97	11.94	10.19	5.43	156.10
2023	10.89	6.93	13.21										31.03

Double Eagle Well Operation Mar-23

Well	Status	Water Production				Power Consumption			Motor Hours			Well Information		
		Present Read	Previous Read	Water Pumped		Present Read	Previous Read	KWH	Current	Previous	Hours Run	Avg GPM	Static Water Elevation	Pumping Elevation
				Gallons	Acre Ft.									
AMBASSADOR # 1	Neptune/ Trident											off		
AMBASSADOR # 4	Well Inoperable													
AMBASSADOR # 3	Well Inoperable					6,164	5,941	223				off		
C-11	McCrometer	38,509,867	36,595,807	1,914,060	5.87	137,360	129,995	7,365						
C-10	McCrometer	34,920,641	32,218,510	2,702,131	8.29	167,950	156,594	11,356						
C-6	Mc Crometer	38,186,603	30,315,990	7,870,613	24.15	519,939	498,290	21,649	20,693.4	19,927.6	765.8	140		
CAPROCK # 19	Mc Crometer Mag	33,222,552	32,231,927	990,625	3.04	29,059	26,531	2,528	15,780.0	15,041.6	738.4	25		
CAPROCK # 13	Mc Crometer	87,384,877	82,930,739	4,454,138	13.67	183,041	170,696	12,345	19,627.0	18,806.0	821	140		
C-9	McCrometer	26,466,412	24,615,531	1,850,881	5.68	125,938	120,907	5,031		0.0				
CAPROCK # 20	Sensus/ Omni	74,771,018	68,096,294	6,674,724	20.48	168,126	152,940	15,186	9,001.2	8,179.4	821.8	150		
CAPROCK # 10	Mc Crometer	10,467,327	9,930,243	537,084	1.65	114,655	112,266	2,389	19,746.2	19,644.0	102.2	90		
C-8	McCrometer	41,242,001	38,971,947	2,270,054	6.97	124,076	117,907	6,169		0.0				
C-7	McCrometer	23,370,502	21,847,038	1,523,464	4.68	91,019	87,022	3,997		0.0				
CAPROCK # 18	Sensus/ Omni	2,386,728	241,743	2,144,985	6.58	45,977	39,782	6,195	11,501.6	11,023.7	477.9	90		
CAPROCK # 6	Neptune/ Trident	128,033,056	122,429,983	5,603,073	17.20	51,295	38,448	12,847	27,140.0	26,316.3	823.7	105		
CAPROCK # 4	McCrometer	32,774,551	32,774,551	0	0.00	43,680	42,343	1,337	13,966.9	13,966.9	0	45		
CAPROCK # 1	Mc Crometer	34,239,764	34,239,764	0	0.00	134,755	133,145	1,610	17,077.8	17,077.8	0	30		
Frontier # 2	Mc Crometer	39,651,465	38,031,263	1,620,202	4.97	156,097	150,543	5,554	17,090.3	16,394.8	695.5	30		
Frontier # 1	Sensus/ Omni	37,978,885	37,021,774	957,111	2.94	3,134	412	2,722	25,604.4	25,331.2	273.2	50		
FRONTIER # 3	Mc Crometer	110,324,780	107,368,019	2,956,761	9.07	22,218	15,670	6,548	13,840.8	13,490.6	350.2	140		
C-2	Mc Crometer	2,426,005	0	2,426,005	7.45	5,130	0	5,130	211.2	0.0	211.2	160		
HUDSON # 1	Octave	13,383,343	11,740,758	1,642,585	5.04	226,232	221,392	4,840	10,053.1	9,739.0	314.1	130		
CAPROCK # 14	Mc Crometer	50,515,008	45,301,694	5,213,314	16.00	128,434	114,382	14,052	8,693.5	7,915.7	777.8	110		
CAPROCK # 15A	Mc Crometer	118,921,243	114,191,113	4,730,130	14.52	385,710	374,643	11,067	9,913.8	9,279.0	634.8	130		
CAPROCK # 21	Mc Crometer	67,964,572	65,320,356	2,644,216	8.11	173,341	163,961	9,380	12,904.6	12,380.3	524.3	65		
C-1	Mc Crometer	46,707,467	43,864,071	2,843,396	8.73	93,815	87,494	6,321	16,312.6	15,952.6	360	110		
CAPROCK # 2	Well Inoperable					159,386			10,999.9					
CAPROCK # 3	Well Inoperable					1,045								
CAPROCK # 5	Well Inoperable													
C-5	Well Inoperable													
C-4	Mc Crometer													
C-3	Mc Crometer													
CAPROCK # 17	Mc Crometer											80		
CAPROCK # 16	Mc Crometer											off		
Boosters		9,866,615	9,866,615	0	0.00	159,386	141,688	17,698	10999.9	10999.9	0			
2 MG RESERVOIR						1,045	1,005	40						
Totals				63,569,552	195.09			193,579			8691.90			

Meter Reads in Barrels
 Ambassadors #1 & #3 - Wells Inoperable
 C-3, & Caprock #16 - Wells Inoperable
 Meter Changed Out
 Meter removed.

**DOUBLE EAGLE WATER SYSTEM
WATER RIGHTS PUMPED
ACRE FEET**

7648 Acre Ft. Available Per Year

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2003	122.27	104.02	106.63	131.16	131.94	108.31	137.27	122.89	129.50	122.80	83.40	125.20	1,425.39
2004	94.10	99.14	108.96	88.59	85.29	104.91	80.47	96.62	108.99	99.07	84.00	132.98	1,183.12
2005	81.06	73.83	91.00	90.00	110.71	129.71	103.80	125.81	89.55	91.54	92.55	103.75	1,183.31
2006	99.66	92.01	109.29	75.35	137.85	132.18	86.22	98.53	96.51	96.88	103.45	82.69	1,210.62
2007	73.12	78.65	99.85	73.60	97.46	93.25	114.77	141.58	113.26	111.06	98.79	109.92	1,205.31
2008	108.28	117.41	93.89	110.54	91.87	107.59	103.60	134.80	114.37	126.79	119.45	139.80	1,368.39
2009	115.53	83.87	105.70	112.09	109.80	124.02	128.01	105.62	101.64	134.59	96.48	98.93	1,316.28
2010	98.23	113.03	134.55	139.75	121.56	152.79	139.33	180.08	160.27	158.58	167.75	151.88	1,717.80
2011	171.89	131.01	144.73	160.28	185.57	170.30	157.83	137.34	139.25	135.26	137.58	117.98	1,789.02
2012	112.77	108.16	110.15	110.62	111.76	186.92	141.80	163.02	72.61	134.45	161.72	175.64	1,589.62
2013	164.38	146.44	142.20	145.50	142.80	124.28	97.54	94.88	109.18	103.89	93.63	85.58	1,450.30
2014	85.93	86.42	87.69	97.98	125.16	108.77	144.13	120.58	98.47	114.24	102.38	107.72	1,279.47
2015	89.83	63.29	89.61	87.98	64.58	50.44	70.24	51.81	37.52	33.59	30.08	30.07	699.04
2016	30.64	38.22	36.18	26.75	28.85	34.75	32.22	33.35	23.61	26.72	29.06	31.03	371.38
2017	25.7	35.61	28.01	23.74	32.89	38.88	31.35	39.17	34.97	35.18	35.9	30.94	392.34
2018	40.13	23.75	34.02	35.14	39.33	42.3	31.46	43.72	38.41	37.23	35.01	31.7	432.20
2019	38.5	31.43	38.88	47.10	47.95	27.52	54.21	65.54	52.22	48.53	47.46	38.97	538.31
2020	33.11	23.96	37.75	38.84	68.02	54.59	77.21	59.61	62.09	51.36	93.76	34.66	634.96
2021	62.14	65.22	46.43	96.87	69.61	96.94	91.63	56.41	120.17	121.64	87.7	85.52	1,000.28
2022	68.37	81.29	92.93	110.89	112.75	115	78.14	79.49	131.9	119.22	93.76	138.36	1,222.10
2023	108.02	142.18	195.09										445.29

**DOUBLE EAGLE WATER SYSTEM
WATER SOLD/PROVIDED
ACRE FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2003	103.16	118.81	92.16	100.16	106.02	121.98	117.48	118.48	96.98	96.27	117.92	65.14	1,255
2004	77.06	132.54	98.28	113.37	95.77	156.29	95.71	102.28	75.52	133.76	82.88	78.70	1,242
2005	95.53	53.68	62.88	76.56	70.95	68.86	107.91	88.42	76.59	66.83	88.31	60.69	917
2006	68.06	68.09	64.04	74.07	54.60	73.13	70.56	65.77	63.28	71.94	70.15	67.72	811
2007	63.47	71.20	43.33	64.06	81.36	83.03	80.18	72.46	89.35	38.88	49.77	115.89	853
2008	73.31	54.99	170.85	58.17	113.89	87.58	112.17	93.30	54.07	113.46	87.57	0.00	1,019
2009	133.68	134.89	193.91	128.57	124.42	147.29	149.87	144.41	403.39	204.34	216.64	205.47	2,187
2010	166.20	147.23	156.74	206.90	262.81	159.74	235.21	209.27	261.26	289.04	249.98	202.71	2,547
2011	273.88	296.83	197.17	305.62	293.17	356.46	306.39	341.59	373.96	299.28	332.79	115.34	3,492
2012	70.53	108.07	365.95	127.64	147.59	169.53	110.81	151.82	168.33	94.88	158.73	145.76	1,820
2013	304.62	105.90	114.03	89.49	91.59	72.45	66.60	67.58	58.66	52.40	62.94	49.32	1,136
2014	60.02	54.78	73.24	66.94	80.62	76.05	68.73	80.55	75.86	58.67	67.36	63.32	826
2015	59.07	47.81	31.75	28.16	38.17	18.94	17.79	19.48	17.51	11.21	9.04	8.54	307
2016	11.61	8.13	9.02	7.07	5.58	4.20	7.95	6.37	7.11	4.21	3.57	3.61	78
2017	4.28	4.14	3.55	4.95	3.85	8.38	7.79	4.46	4.83	3.69	4.76	7.98	63
2018	6.59	9.34	3.65	6.59	7.74	7.76	11.90	10.94	10.64	4.89	8.53	4.29	93
2019	8.82	6.04	3.21	5.81	9.53	6.98	9.20	9.01	13.52	11.29	9.57	11.67	105
2020	8.15	8.88	6.63	7.80	8.57	11.79	12.75	11.66	9.38	8.64	8.64	11.87	115
2021	4.34	2.25	8.89	9.73	16.09	8.99	13.45	7.96	8.14	6.35	18.20	7.44	111.83
2022	4.86	4.86	7.35	8.99	11.39	11.67	13.44	12.63	11.79	7.41	8.69	5.88	108.96
2023	9.35	7.06	7.84										24.25

Note: Free Stock Included

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** Number includes Paying Livestock/Free Livestock/Gov Domestic/Comm Domestic/Industrial/WIPP

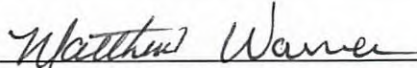
WASTEWATER TREATMENT PLANT REPORT MARCH 2023

Wastewater:	Current Month	Previous Month	Calendar Year to Date
Total Effluent Discharge to Pecos River (Acre Ft.)	127.53	175.90	498.76
Treated Reuse Delivered to Mun. Golf Course (Acre Ft.)	30.03	10.46	53.12
Treated Reuse Sold to Rockhouse Ranch (Acre Ft.)	52.60	0.00	52.60
WWTP Irrigation Meter (Acre Ft.)	0.72	0.15	0.87
Total Reuse Pumped	83.36	10.61	106.59
After Hours Control Panel Alarms	4	3	8
KWH Consumed 101727 - 100883 = x 160 =	165,760	140,800	460,160
NPDES Permit Violations	0	0	0
Sodium Hypochloride for Reuse (Gallons)	48	48	126

Septage Disposal Report:	Current Month	Previous Month	Calendar Year to Date
Total Number of Loads	179	158	512
		0	0
Taxed Gallons 411011.75 x \$.10	\$41,101.18	37,970	\$109,569.51
Taxed Manifest Books / \$30.00 7 x \$30.00	\$210.00	150	\$420.00
Subtotal	\$41,311.18	38,120	\$109,989.51
5% Tax	\$2,065.56	\$1,527.94	\$5,499.51
Taxed Billing	\$43,376.73	\$39,647.52	\$115,489.01
			\$0.00
Tax Exempt Gallons 90740.00x \$.10	\$9,074.00	\$10,681.25	\$28,606.75
Tax Exempt Manifest Books / \$30.00 x \$30.00	\$0.00	\$0.00	\$30.00
Taxed Exempt Billing	\$9,074.00	\$10,681.25	\$28,636.75
			\$0.00
Total Billing	\$52,450.73	\$50,328.77	\$144,125.76

Biosolids:	Current Month	Previous Month	Calendar Year to Date
Total Compost Produced (Cu. Yds.)	240.00	510.00	750.00
Amount of Sludge Sent to Compost Operation (Cu. Yds.)	235912.00	542562.00	780,247.94

Wastewater Discharge Characteristics:	Current Month	Previous Month	Permit Limit
Average Biochemical Oxygen Demand (Lbs./Day)	44.10	59.15	293.00
Average Total Suspended Solids (Lbs./Day)	51.08	83.86	1,051.00
Average Flow (Million Gallons/Day)	1.11	2.04	NA
E.Coli (30 Day Avg.)	1.00	1.03	126.00


Matthew Warner, WW Superintendent

SEWER COLLECTIONS REPORT

Mar 23

Calendar
This Month Previous Month Year to Date

Collection Lines:

Total Mileage of Main Line in System			139
Line Extension (Ft.)	0	0	0
Line Replacement (Ft.)	14	12	37
Repairs on Main Lines	2	2	6
Main Line Stoppages	0	0	5
Number of Manholes and Cleanouts	0	0	0
Manholes Flushed	0	0	0
Manholes Repaired	1	1	4
Customer Service Repairs	1	1	3
Customer Complaints, All Other	5	7	24
Carlsbad Line Location Service	0	0	0
Double Eagle Line Location Service	0	0	0
Ft. Sewer Liner Cleaned/Rodded	1,450	800	5,800
Sewer Tap Inspections	0	0	0
Total No. of Customer Services	0	0	0
Total No. of New Cust. Services Installed	0	0	0

Lift Stations:

Total in Service			
Number of After-Hour Control Panel Alarms	0	6	6
Number of Repairs	0	0	0
KWH Consumed, Primary Lift Station	67040	131,040	198,080
KWH Consumed, All Other Lift Stations	11740	24,169	35,909

Wes Rich 4-10-23

**EFFLUENT DISCHARGE TO PECOS RIVER
ACRE / FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2000	275.31	248.42	260.88	233.80	316.16	282.37	276.77	278.69	311.94	258.03	349.52	325.73	3,417.62
2001	272.21	204.60	217.67	191.40	142.09	236.98	244.68	224.77	225.64	195.79	254.84	265.78	2,676.45
2002	266.35	232.01	263.62	256.99	225.81	190.74	250.02	214.79	206.30	244.07	207.28	239.84	2,797.82
2003	195.98	143.44	168.79	155.94	169.64	151.16	185.64	183.40	174.65	209.24	209.88	236.34	2,184.10
2004	232.32	213.56	223.88	291.51	274.82	213.81	209.05	186.17	199.53	241.73	280.59	208.26	2,775.23
2005	184.13	164.12	178.11	168.66	206.41	168.17	167.37	181.58	157.77	173.60	147.12	169.92	2,066.96
2006	141.87	127.02	172.99	140.40	140.92	169.70	174.86	188.76	197.39	185.97	178.88	182.23	2,000.99
2007	175.29	153.32	169.55	166.88	207.94	153.26	271.96	303.14	316.00	351.48	364.76	305.84	2,939.42
2008	259.44	239.22	252.53	246.40	228.69	180.08	206.35	210.09	240.35	261.89	258.89	171.21	2,755.14
2009	358.99	231.11	189.22	175.11	196.47	196.37	167.43	158.99	147.30	182.56	165.29	186.18	2,355.02
2010	179.80	164.40	171.85	172.47	136.28	138.37	220.04	174.07	196.08	190.49	192.02	181.35	2,117.22
2011	177.75	161.00	153.44	128.22	131.87	132.52	140.71	144.86	149.98	149.77	158.14	176.47	1,804.73
2012	177.26	133.35	158.96	132.17	197.54	139.17	163.09	149.43	143.97	124.39	140.86	183.20	1,843.39
2013	174.54	155.21	161.36	131.65	121.07	133.60	175.46	164.14	177.28	206.07	240.30	209.81	2,050.49
2014	210.63	150.47	156.04	153.06	160.67	157.52	218.21	280.09	284.34	255.76	244.57	224.53	2,495.89
2015	251.82	212.71	212.94	169.98	208.69	201.13	216.44	237.77	198.80	221.07	202.61	233.28	2,567.24
2016	250.84	215.81	203.86	199.36	220.94	213.33	202.97	238.61	251.05	230.03	217.11	202.17	2,646.08
2017	226.02	195.23	190.92	172.18	121.62	114.39	132.83	166.44	166.80	172.02	164.66	171.59	1,994.70
2018	180.72	134.33	132.78	116.31	115.83	119.59	129.91	152.77	160.73	184.72	166.96	175.48	1,770.13
2019	187.77	147.18	151.39	141.14	122.93	147.25	156.34	163.47	171.70	196.57	190.31	181.66	1,957.71
2020	171.87	152.55	144.74	108.70	129.17	128.14	127.36	133.91	137.49	147.44	150.85	168.11	1,700.33
2021	176.88	166.70	155.81	141.66	147.77	138.68	213.38	233.23	213.59	229.06	205.63	201.46	2,223.85
2022	215.85	180.58	165.29	88.93	133.36	132.40	154.29	155.42	159.82	200.87	194.49	193.65	1,974.95
2023	195.33	175.90	127.53										498.76

**EFFLUENT REUSE
ACRE / FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2000	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2001	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2003	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2004	18.94	15.45	17.52	25.36	40.46	43.55	50.58	38.81	31.31	20.14	7.82	8.08	318.02
2005	6.96	5.99	14.35	35.49	31.91	43.54	45.14	30.45	37.52	25.95	25.12	20.74	323.16
2006	22.68	22.17	23.21	37.40	49.95	99.47	207.81	72.92	23.20	34.28	20.50	17.75	631.34
2007	13.63	13.91	24.14	31.79	27.52	49.34	36.59	38.53	32.68	25.42	12.77	13.64	319.96
2008	15.06	20.54	21.83	41.29	46.49	48.50	35.56	40.95	22.85	38.63	26.92	7.18	365.80
2009	16.77	20.71	26.54	40.51	39.84	41.08	44.08	51.38	49.33	43.70	27.62	11.71	413.27
2010	16.58	8.89	23.08	31.79	62.07	61.63	15.10	49.33	28.02	29.55	21.36	18.51	365.91
2011	14.69	8.13	38.05	54.54	56.44	52.72	55.45	50.42	49.73	44.67	23.78	7.38	456.00
2012	5.82	10.40	24.91	46.25	37.18	50.67	42.51	59.86	50.03	26.67	15.56	8.15	378.01
2013	8.68	7.48	21.68	38.81	58.76	53.68	37.15	36.50	21.42	29.52	12.20	14.36	340.24
2014	19.88	23.44	34.05	32.20	47.27	54.26	67.18	45.85	21.00	32.05	19.69	28.04	424.91
2015	7.33	13.31	21.93	47.89	49.49	75.50	63.51	46.70	44.23	16.48	17.41	12.08	415.86
2016	7.43	17.65	41.85	42.00	37.41	34.82	53.26	35.94	29.90	29.75	21.56	18.97	370.54
2017	10.85	15.78	32.93	38.92	58.76	70.39	69.88	42.35	41.26	32.46	17.40	10.48	441.46
2018	25.29	45.73	62.15	81.04	88.81	83.84	93.81	74.15	55.54	42.74	34.22	15.62	702.94
2019	18.09	35.37	50.54	63.17	87.76	78.14	89.60	85.06	68.66	48.29	26.89	27.94	679.51
2020	28.16	29.07	40.67	66.70	70.90	67.84	77.07	74.77	58.73	42.58	23.60	10.88	590.97
2021	7.76	6.75	44.46	41.16	47.64	63.50	37.20	40.37	10.15	33.27	30.33	13.21	375.80
2022	6.81	14.04	38.29	48.19	67.72	82.38	70.77	77.47	75.39	27.51	15.31	14.71	538.59
2023	12.63	10.61	83.36										106.60

CITY OF CARLSBAD

INTER-OFFICE MEMORANDUM

Dale Janway, Mayor

John Lowe City Administrator

May 1, 2023

TO: Council Members

FROM: Mayor Janway

RE: Board, Commission and Committee Appointments

Subject to the approval of the Governing Body, I would like to appoint the following:

Carlsbad Riverwalk Recreation Complex Advisory Board

Appoint: Cheyenne Methola 4 year term

Carlsbad Museum and Art Center Advisory Board

Appoint: Alana Akacki 5 Year term

Thank you
DJ/wca

ORDINANCE NO. 2023-____

AN ORDINANCE REZONING PART OF "C-2" COMMERCIAL 2 DISTRICT TO "R-1" RESIDENTIAL 1 DISTRICT FOR AN APPROXIMATELY 1.01 ACRE PROPERTY, LOCATED AT 2021 WEST TEXAS STREET, LEGALLY DESCRIBED AS LOT 6, BLOCK A, SWIGART 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 "R-1" Residential 1 District for an approximately 1.01 acre property, located at 2021 W. Texas St., legally described as:

Lot 6, Block A, Swigart Subdivision

INTRODUCED, PASSED, ADOPTED AND APPROVED this 13th day of June, 2023.

DALE JANWAY, MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 2023-____

AN ORDINANCE REZONING PART OF "R-R" RURAL RESIDENTIAL DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 4.1 ACRE PROPERTY, LOCATED AT 2003 STANDPIPE ROAD, LEGALLY DESCRIBED AS QUARTER: NE S: 14 T: 22S R: 26E BEG 40' S OF NE COR, W 450', S 400' E 450', N 400' TO POB, 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 "C-2" Commercial 2 District for an approximately 4.1 acre property, located at 2003 Standpipe Rd., legally described as:

Quarter: NE S: 14 T: 22S R: 26E BEG 40' S OF NE COR, W 450', S 400' E 450', N 400' TO POB

INTRODUCED, PASSED, ADOPTED AND APPROVED this 13th day of June, 2023.

DALE JANWAY, MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 2023-____

AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL 2 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT FOR AN APPROXIMATELY 0.34 ACRE PROPERTY, LOCATED AT 609 WEST FOX STREET, LEGALLY DESCRIBED AS LOTS 2 AND 4, BLOCK 99, STEVENS SECOND ADDITION 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-2" Residential 2 District to "C-1" Commercial 1 District for an approximately 0.34 acre property, located at 609 W. Fox St., legally described as:

Lots 2 & 4, Block 99, Stevens Second Addition Subdivision

INTRODUCED, PASSED, ADOPTED AND APPROVED this 13th day of June, 2023.

DALE JANWAY, MAYOR

ATTEST:

CITY CLERK

May 4, 2023

TO: Carlsbad Mayor Dale Janway
Mayor.office@cityofcarlsbadnm.com

Dear Mayor Janway:

Members of the Essential Air Service Committee met on May 3, 2023. This ad hoc committee was directed to review new Essential Air Service proposals for the City of Carlsbad and provide a recommendation on a community preference.

All members of the committee had previously been provided with copies of proposals from the interested two carriers and were asked to review them individually. Members then discussed their thoughts during the May 4, 2023 meeting. All six members of the committee were able to participate.

A majority of the six participating members of the committee voted to recommend that the City of Carlsbad recommend Advanced Air's proposal, which consists of 12 flights to Albuquerque and 7 flights to Phoenix every week.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wes Carter', with a stylized flourish at the end.

Wes Carter, Chariman

**CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM**

COUNCIL MEETING DATE: 5/9/2023

DEPARTMENT: Fire	BY: Ken Ahrens, Fire Chief LA	DATE: 4/28/2023
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SUBJECT: Ambulance Donation

SYNOPSIS, HISTORY and IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
BACKGROUND:

Carlsbad Fire Department ambulance 406 was purchased and placed into service in 2012 and is the oldest ambulance within the City's fleet. It was used as a first out ambulance for approximately 5 years before being replaced by a newer ambulance. After being replaced, 406 continued to serve for several years as a reserve ambulance, being placed back into service when first out units were being serviced or maintained. As the City has continued to purchase newer ambulances, 406 is no longer needed even in a reserve capacity, and all medical equipment and supplies have been removed.

The Roswell Fire Department has expressed interest in acquiring this ambulance. Roswell Fire Department does not operate the ambulance service for the City of Roswell, but they do staff trained EMTs and Paramedics that provide medical standbys for certain emergency responses and large City events. Carlsbad Fire Department considers 406 too old and unreliable to continue serving as a 911 responding ambulance, but it is still capable of serving Roswell's needs.

Carlsbad Fire Department seeks the City Council's consideration in donating ambulance 406 to the Roswell Fire Department.

DEPARTMENT RECOMMENDATION: The Carlsbad Fire Department recommends that the City Council approve the donation of ambulance 406 to the Roswell Fire Department.

BOARD/COMMISSION/COMMITTEE ACTION:

<input type="checkbox"/> P&Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> APPROVED
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISSAPPROVED
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee	

Reviewed by
City Administrator: /s/John Lowe **Date:** 05/04/2023

ATTACHMENTS: none

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

COUNCIL MEETING DATE: 05.09.23

DEPARTMENT: Water / Double Eagle	BY: Ivan M. Abell Director of Utilities	DATE: 05.01.23												
SUBJECT: Request for livestock water service.														
SYNOPSIS, HISTORY and IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): Zach Ozborn with Turkey Track Ranch has submitted a request for a livestock water service in the Double Eagle Water System. This request was presented to the Board of Water and Sewer Commissioners at their meeting held on February 16, 2023. The Board recommended approval of this request. Upon successful negotiation of agreement/contract the Mayor and/or City Administrator are authorized to execute all documents necessary to implement the terms of this agreement/contract. This request is presented to the Governing Body for it's consideration.														
DEPARTMENT RECOMMENDATION: The Water Department recommends approval of this request.														
BOARD/COMMISSION/COMMITTEE ACTION: <table><tr><td><input type="checkbox"/> P & Z</td><td><input type="checkbox"/> Lodgers Tax Board</td><td><input type="checkbox"/> Cemetery Board</td><td><input type="checkbox"/> APPROVED</td></tr><tr><td><input type="checkbox"/> Museum</td><td><input type="checkbox"/> San Jose Board</td><td><input type="checkbox"/> Water Board</td><td><input type="checkbox"/> DISAPPROVED</td></tr><tr><td><input type="checkbox"/> Library Board</td><td><input type="checkbox"/> N. Mesa Board</td><td><input type="checkbox"/> _____ Committee</td><td></td></tr></table>			<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> APPROVED	<input type="checkbox"/> Museum	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISAPPROVED	<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee	
<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> APPROVED											
<input type="checkbox"/> Museum	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISAPPROVED											
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee												
Reviewed by City Administrator: <u>/s/John Lowe</u>		Date: <u>05/04/2023</u>												

ATTACHMENTS: Request for Livestock Water Service

City of Carlsbad

Inter-Office Memorandum

Dale Janway, Mayor

John Lowe, City Administrator

TO: John Lowe, City Administrator

FROM: Ron Myers, Water Department Superintendent

DATE: **February 6, 2023**

RE: Request for Double Eagle livestock water


Digitally signed by Ron Myers
DN: cn=Ron Myers, o=City of
Carlsbad, ou=Water
Department, email=ronmyers@
cityofcarlsbadnm.com, c=US
Reason: I have reviewed this
document
Date: 2023.02.06
09:20:43
-0700'
Font PDF Editor Version: 12.0.1

Zach Osborne with Turkey Track Ranch has submitted a request for a Double Eagle livestock water service. The requested location is just east of NM249 with GPS coordinates of 32.940719, -103.792502. See the attached map.

APPLICATION FOR DOUBLE EAGLE WATER SERVICE

LOCATION OF REQUESTED SERVICE East of Aries Rd, off Hwy 249

SECTION _____, TOWNSHIP _____, RANGE _____, N.M.P.M. _____ COUNTY, NM.

LAT/LONG 32.940719 -103.792502 NAD 27 TERM _____ DAYS (MAXIMUM SERVICE DURATION)

NAME Bogle Ltd c/o Zach Ozborn (manager)

DRIVER'S LICENSE NO. _____ PHONE NO. _____ MOBILE NO. _____

CURRENT ADDRESS _____

MAILING ADDRESS (if different from above) _____

CATEGORY OF USE: Livestock Water Governmental Domestic Commercial Domestic Industrial

If Industrial: Purpose and Location _____

Estimated monthly usage will be _____ gallons per month (30 days) 0 Max monthly usage $\times \frac{3}{1000} \times \$ 13.40$ rate per 1,000 gallons = \$ 0.00 deposit

METHOD OF PAYMENT: Check Cash Letter of Credit Surety Bond Credit Card Exp. Date

Other Accounts with the City of Carlsbad: _____

I have never had City water, sewer, or garbage services before this time.

I have / had a current / past service at: _____

Applicant agrees to:

- I. Pay a \$ 200.00 connection fee with this agreement, and a minimum deposit of \$ 0.00 as set by Resolution 2012-67. Said deposit will be refundable once service has been terminated and account balance has been paid in full.
- II. Pay a monthly minimum of \$ 25.00 or the current rate* per thousand gallons, whichever is greater. Non-payment or late payment will result in immediate termination of service.
- III. Reimburse City for all expenses City incurs to install the connection/tap to the water main and the totalizing meter.
- IV. Purchase non-potable and untreated water from the City of Carlsbad, Double Eagle System, at the current rates* and in accordance to the City of Carlsbad's water policies. The City makes no warranties, express or implied, as to the water's qualities, purity or potability.
- V. Maintain storage facilities adequate to hold a twelve (12) hour supply of water for this service.
- VI. Install first a gate type cut-off valve and then an approved, properly functioning, Watts series 007 back-flow prevention device (no substitutions allowed) within 10 feet downstream of the meter.
- VII. Install an air gap at the storage facility. The air gap distance needs to be 2.5 times the size of the inlet line.
- VIII. Maintain and replace the backflow preventer and any waterline downstream of the cut-off valve.
- IX. Allow representatives of the City to inspect to assure compliance.
- X. Notify the City when the service is to be terminated. The "Applicant" will continue to be responsible for all water and services provided until it terminates this Agreement in writing.
- XI. Begin water use once the service is activated. Inactive services will be stop-locked without notice.

No water will be furnished under this agreement if the "Applicant" is in arrears 30 days or more on this or any other water service furnished by the City of Carlsbad. Unpaid balance shall bear interest at the rate of 12% per year. This agreement may be terminated by either party with 10 days written notice. Where there is an immediate threat to the City of Carlsbad's water system, service may be terminated immediately under this application without notice.

***Rate is subject to an annual rate increase effective October 1st of every year in accordance with Ordinance 98-12.**

NOTE: Payment of connection fee and minimum deposit are required to process agreement.

Previous Service:	Yes	No	Amount	Fees paid with this application:	
Existing Liens	<input type="checkbox"/>	<input type="checkbox"/>	_____	Connection Fee	<u>\$ 200.00</u>
Pending Liens	<input type="checkbox"/>	<input type="checkbox"/>	_____	Deposit	<u>\$ 0.00</u>
Outstanding Balance	<input type="checkbox"/>	<input type="checkbox"/>	_____	Tap Fee	_____
Reviewed By: _____	Approved By: _____			Total	<u>\$ 200.00</u>

Applicant's Signature _____ Date _____





CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: 5/9/2023

Department: Planning & Regulation	By: Jeff Patterson, Planning Director	DATE: 4/28/2023
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SUBJECT: Request by Milton’s Brewery to serve alcohol (beer & wine) on City streets during the Carlsbad MainStreet Third Thursday events.

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

Milton’s Brewing wishes to partner with Carlsbad MainStreet and participate in the Third Thursday on-street market events scheduled for 2023. The Third Thursday events begin on Thursday, June 15, 2023, and run through Thursday, October 19, 2023, with a total of six events planned (6/15, 7/20, 8/17, 9/14, 9/21/& 10/19). The events are scheduled to begin at 4:00 pm and end at 11:00 pm, with alcohol service beginning at 4:00 pm and ending at 10:00 pm. Milton’s will set up a beer garden outside of their building during the event, and security will be posted at the beer garden as well as roaming the entire event. All entrants to the beer garden 21 years or older will be given a bracelet to wear and will be a requirement to purchase beer or wine within the event. All designated drivers that enter the event area will be given a separate bracelet as identification. No alcohol will be allowed to be taken out of the designated event area.

DEPARTMENT RECOMMENDATION: If it is the will of the Council to allow beer and wine sales and consumption within an event area located on City streets, City staff recommends the following requirements:

1. The alcohol server obtain all required licenses and permits;
2. Milton’s Brewing and the alcohol server comply with all laws, rules, regulations, requirements and restrictions for service at the location (included, but not limited to fencing of service area, carding of customers, and providing appropriate security);
3. Both Milton’s Brewing shall name the City of Carlsbad as an Additional Insured on their general liability insurance and liquor server insurance in an amount to be approved by the City Administrator.

BOARD/COMMISSION/COMMITTEE ACTION:

<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	} <input type="checkbox"/> APPROVED	
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board		} <input type="checkbox"/> DISAPPROVED
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee		

<p>Reviewed by City Administrator <u>/s/John Lowe</u> Date: <u>05/04/2023</u></p>

ATTACHMENT(S): Event Request, Map

CITY OF CARLSBAD FACILITY REQUEST FORM

Request for Facility Use: (Check One)

<input type="checkbox"/> Beach Bandshell/Pavilion	<input type="checkbox"/> Ray Anaya San Jose Plaza	<input type="checkbox"/> MLK Pavilion/Park
<input type="checkbox"/> Heritage Park	<input type="checkbox"/> North Water Park Front	<input checked="" type="checkbox"/> Other (Please Specify): Downtown

Purpose of Use: Third Thursday (Mainstreet)
 Event Date: 6/15/23, 7/20/23, 8/17/23, 9/14/23, 9/21/23, 10/19/23 Event Time: 4pm - 11pm
 Organization: Mainstreet/Miltons
 Contact of Person: Lucas Middleton / Danelle Morill
 Address: 213 W. Mermoad City/State: Carlsbad, NM
 Phone Numbers: 575-499-9244

Release of Liability

The City shall not be responsible for any personal injury, death, or property loss or damage to the persons or entities using the facilities, their agents, employees, officers, representatives, assigns, customers, patrons, guest, or invitees arising from any cause or causes whatsoever.

In consideration for the use of the City facilities named above, I do, for myself, the organization I represent, my heirs, executors and administrator, hereby release and discharge the City of Carlsbad, its officers, directors, employees, and agents from all manner of claims, liabilities, obligations, causes of action, damages, suits, losses, and expenses of every kind, which I and/or the organization I represent have now or hereinafter and which are associated, in any manner, with this Permit, the use of the facilities, or the event listed above.

Additionally, I and the organization I represent shall save, indemnify, and hold harmless the City, its officers, directors, employees, and agents from and against any and all claims, liabilities, obligations, causes of action, damages, suits, losses, and expenses of every kind, together with any attorneys' fees and litigation costs, made by or on behalf of any person or entity arising out of or in any manner associated with this Permit, the use of the facilities, or the event listed above.


Signature

FOR OFFICE USE ONLY:

ADDITIONAL INFO/REQUESTS:

APPROVED BY:

Coordinator: _____ Date: _____
 Director: _____
 City Administrator: _____

The FACILITY has been provided for special community events and entertainment for those enjoying is recreation area.

Approval for use of the FACILITY will be contingent on observance of the following guidelines:

1. No loud activities or activities that may disturb the surrounding residents.
2. Due to city water restrictions, there are no water hookups.
Water slides are not allowed.
3. Activities must conclude by 10:00 p.m.
4. Sales or solicitations in connection with presentations are not permitted.
5. It is illegal to possess or consume alcoholic beverages in City Parks.
6. Use of the FACILITY should not interfere with use of the rest of the park area by others.
7. Persons or groups using the FACILITY must provide responsible supervision.
8. Persons or groups using the FACILITY shall be responsible for damage to or loss of city facilities and equipment.
9. The FACILITY is to be used for special events and not for regularly scheduled meetings or programs.
10. The persons reserving the FACILITY will be responsible for cleaning the FACILITY and surrounding area. All trash must be properly disposed of.
11. Requests for reservations of the FACILITY should be made far enough in advance to allow proper scheduling of the facility. The FACILITY cannot be reserved more than one (1) year in advance.
12. No vehicles allowed on the grass.
13. Do not leave fires or burning coals in the grills.
14. Do not mail, tape, glue, hang or otherwise attach items to the building
15. No pets are allowed in the park.

Parks & Public Spaces	
City of Carlsbad Planning, Engineering, & Regulation Department Attention: Jeff Patterson P.O. Box 1569 Carlsbad, NM 88221-1569 (575) 885-1185	

ALCOHOLIC BEVERAGE CONTROL | PUBLIC CELEBRATION PERMIT APPLICATION

Fee Per Day: \$10.00 (do not submit cash) Date Application Filed: _____

A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: *Check boxes that apply*

Liquor License # 67146 Type of License: Craft Distiller Small Brewer Winegrower

Owner Name: Milton's Brewing LLC

Business Name (DBA): Milton's Brewing

Mailing Address: 213 W. Mermod

Phone No: 575-499-9244 ext.: _____ Person to ask for: Lucas Middleton

Email Address: lucas@miltontsbrewing.com

EVENT INFORMATION:

Type of Event: Indoor Event Outdoor Event Both All Ages Event -Wrist Bands Yes No

Type of Celebration: State Fair County Fair Community Fiesta Cultural / Artistic Performance Athletic

Name of Event: Third Thursday

Physical Address of Event: Downtown Carlsbad (Mermod and Canyon)

Date of event (Day 1) June 15, 2023

Time Event Begins: 4 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4 pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 500 Total No. of Attendees Expected to Consume Alcohol: 100

Date of event (Day 2) July 20, 2023

Time Event Begins: 4 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4 pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 500 Total No. of Attendees Expected to Consume Alcohol: 150

Date of event (Day 3) August 17, 2023

Time Event Begins: 4 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4 pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 500 Total No. of Attendees Expected to Consume Alcohol: 150

Security: No. of Security: 2

Licensed Security Company Milton's Brewing Phone No. 575-499-9244

Describe Security Security will be at front gate as well as roaming the area the entire event

NOTE: LICENSEE'S EMPLOYEE(S) ASSIGNED TO WORK SECURITY, MUST WORK THIS EXCLUSIVELY AND MAY NOT SERVE AT THE EVENT.



SPONSOR INFORMATION:

Sponsor of Event: Carlsbad Mainstreet
Name of Contact: Kat Davis Phone No.: 575-706-0617

APPROVAL OF PROPERTY OWNER:

Print Name: _____ Phone No.: _____
Signature: _____ Date: _____
Name of Your Business and Location of Property: _____

LICENSE HOLDER & SERVER CERTIFICATION: I, Lucas Middleton (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License. I further certify that all persons providing the service of alcoholic beverages at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits. I understand that all fees submitted are non-refundable.

Licensee Name: (print) Lucas Middleton

Signature: [Signature] Date: 4-20-23

- I have attached a highlighted floorplan marking the serving area
- I have attached a alcohol server list with the servers first & last name, server permit # and expiration date

LOCAL GOVERNING BODY APPROVAL:

Print Name: _____ Title: _____
Signature: _____ Date: _____
Phone No.: _____ Fax: _____

ABC USE ONLY:

Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan – (w/photos) & Detailed Server List

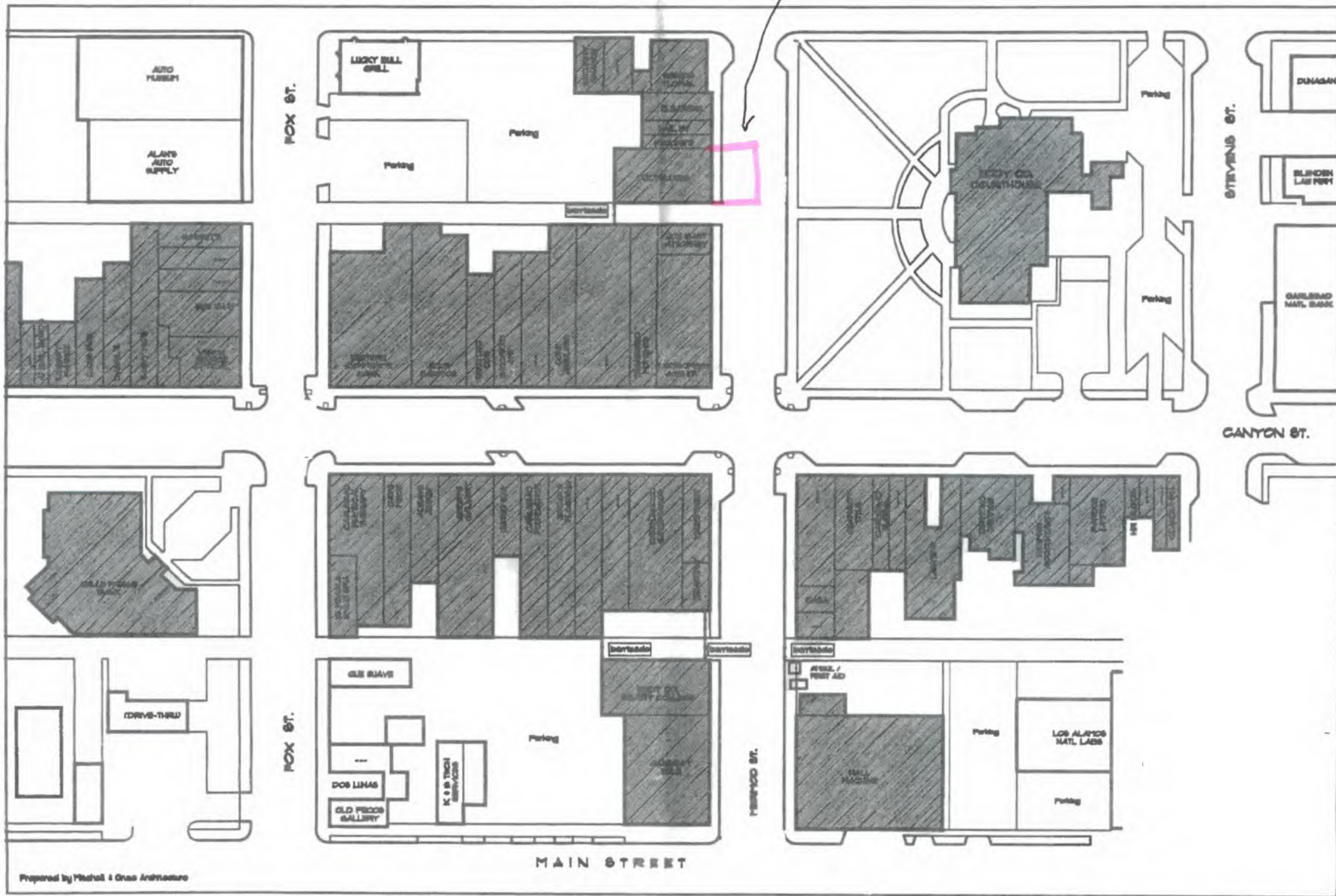
Finance | Application Fee \$ _____ Received on: _____ Receipt No. _____

Clear of Citations/Holds: Yes No, _____ Liquor License No. _____

Approved Disapproved _____ Processed By: _____

Assigned Permit Number: _____ Approved Permit Sent on: _____





ALCOHOLIC BEVERAGE CONTROL | PUBLIC CELEBRATION PERMIT APPLICATION

Fee Per Day: \$10.00 (do not submit cash) Date Application Filed: _____

A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: *Check boxes that apply*

Liquor License # 67146 Type of License: Craft Distiller Small Brewer Winegrower

Owner Name: Milton's Brewing LLC

Business Name (DBA): Milton's Brewing

Mailing Address: 213 W. Mermod

Phone No: 575-499-9244 ext.: _____ Person to ask for: Lucas Middleton

Email Address: lucas@miltonsbrewing.com

EVENT INFORMATION:

Type of Event: Indoor Event Outdoor Event Both All Ages Event -Wrist Bands Yes No

Type of Celebration: State Fair County Fair Community Fiesta Cultural / Artistic Performance Athletic

Name of Event: Third Thursday

Physical Address of Event: Downtown Carlsbad (Mermod and Canyon)

Date of event (Day 1) September 14, 2023

Time Event Begins: 4 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4 pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 500 Total No. of Attendees Expected to Consume Alcohol: 100

Date of event (Day 2) September 21, 2023

Time Event Begins: 4 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4 pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 500 Total No. of Attendees Expected to Consume Alcohol: 150

Date of event (Day 3) October 19, 2023

Time Event Begins: 4 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4 pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 500 Total No. of Attendees Expected to Consume Alcohol: 150

Security: No. of Security: 2

Licensed Security Company Milton's Brewing Phone No. 575-499-9244

Describe Security Security will be at front gate as well as roaming the area the entire event

NOTE: LICENSEE'S EMPLOYEE(S) ASSIGNED TO WORK SECURITY, MUST WORK THIS EXCLUSIVELY AND MAY NOT SERVE AT THE EVENT.



SPONSOR INFORMATION:

Sponsor of Event: Carlsbad Mainstreet
Name of Contact: Kat Davis Phone No.: 575-706-0617

APPROVAL OF PROPERTY OWNER:

Print Name: _____ Phone No.: _____
Signature: _____ Date: _____
Name of Your Business and Location of Property: _____

LICENSE HOLDER & SERVER CERTIFICATION: I, Lucas Middleton (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License. I further certify that all persons providing the service of alcoholic beverages at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits. I understand that all fees submitted are non-refundable.

Licensee Name: (print) Lucas Middleton
Signature: [Signature] Date: 4-20-23

- I have attached a highlighted floorplan marking the serving area
- I have attached a alcohol server list with the servers first & last name, server permit # and expiration date

LOCAL GOVERNING BODY APPROVAL:

Print Name: _____ Title: _____
Signature: _____ Date: _____
Phone No.: _____ Fax: _____

ABC USE ONLY:

Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan – (w/photos) & Detailed Server List

Finance | Application Fee \$ _____ Received on: _____ Receipt No. _____

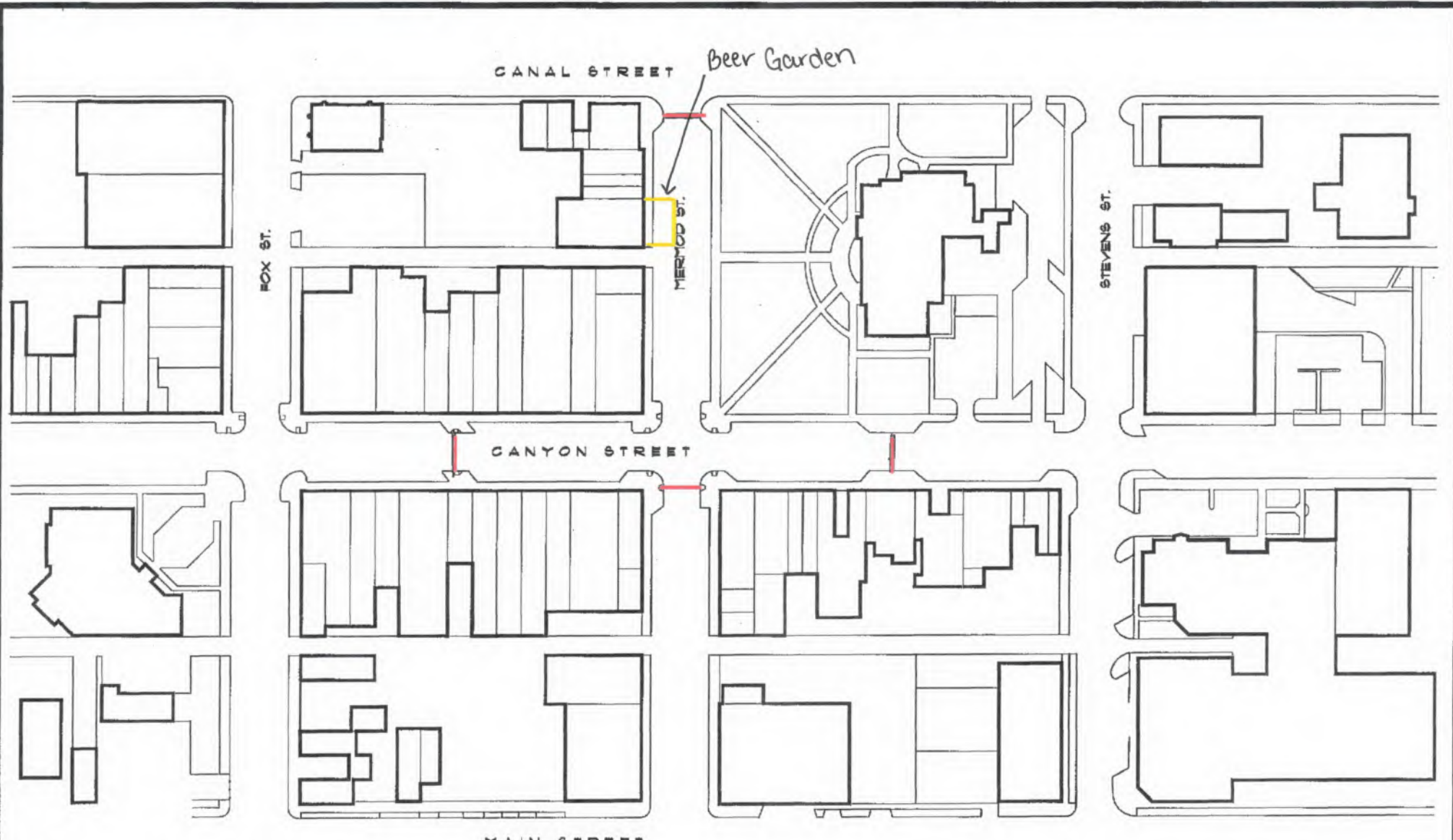
Clear of Citations/Holds: Yes No, _____ Liquor License No. _____

Approved Disapproved _____ Processed By: _____

Assigned Permit Number: _____ Approved Permit Sent on: _____



Third Thursday
Milton's Brewery Patio Set-up



CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: 5/9/2023

Department: Planning & Regulation	By: Jeff Patterson, Planning Director	DATE: 4/28/2023
--	--	------------------------

SUBJECT: Request by Carlsbad MainStreet to serve alcohol (beer, wine and alcohol) on City streets during CavernFest.

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

Carlsbad MainStreet wishes to host CavernFest on Friday, June 9, and Saturday, June 10, 2023. The event will be from 6:00 pm to 11:00 pm on Friday, June 9, and from 10:00 am to 11:00 pm on Saturday, June 10, 2023 in the downtown area. As part of this event, MainStreet wishes to have alcohol service (beer, wine & alcohol) from 4:00 pm to 10:00 pm on Friday evening. MainStreet will have a licensed alcohol server (Milton’s Brewing and Sandia Hard Cider) set up an “Alcohol Garden” location along Mermod St. from the intersection of Mermod St. and Canyon St. to the east and extending west along Mermod St. to just past the Miltons’ storefront, incorporating the alley space just east of the Milton’s building.

In addition to Friday evening, MainStreet wishes to have Milton’s and Sandia Hard Cider provide alcohol service (beer, wine and alcohol) from 11:00 am to 10:00 pm on Saturday, June 10. The Alcohol Garden will be cordoned off from the rest of the festival, and will have one controlled entrance for festival goers. Entrance to the Alcohol Garden will be available all ages, however, entrants will be required to produce a valid ID as proof of age for alcohol service. All approved entrants will be given a bracelet to wear, and this bracelet will be a requirement to purchase beer, wine or alcohol within the Alcohol Garden. All designated drivers that enter the Alcohol Garden will be given a separate bracelet as identification. No alcohol will be allowed to be taken out of the Alcohol Garden. The alcohol server will provide their own security.

DEPARTMENT RECOMMENDATION: If it is the will of the Council to allow beer and wine sales and consumption within a Beer Garden located on City streets, City staff recommends the following requirements:

1. The alcohol server obtain all required licenses and permits;
2. MainStreet and the alcohol servers comply with all laws, rules, regulations, requirements and restrictions for service at the location (included, but not limited to fencing of service area, carding of customers, and providing appropriate security);
3. Both MainStreet and the alcohol servers shall name the City of Carlsbad as an Additional Insured on their general liability insurance and liquor server insurance in an amount to be approved by the City Administrator.

BOARD/COMMISSION/COMMITTEE ACTION:

<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	} <input type="checkbox"/> APPROVED	
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board		} <input type="checkbox"/> DISAPPROVED
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee		

Reviewed by
City Administrator /s/John Lowe **Date:** 05/04/2023

ATTACHMENT(S): Map

CITY OF CARLSBAD FACILITY REQUEST FORM

Request for Facility Use: (Check One)

<input type="checkbox"/> Beach Bandshell/Pavilion	<input type="checkbox"/> Ray Anaya San Jose Plaza	<input type="checkbox"/> MLK Pavilion/Park
<input type="checkbox"/> Heritage Park	<input type="checkbox"/> North Water Park Front	<input checked="" type="checkbox"/> Other (Please Specify): <i>Downtown</i>

Purpose of Use: *Cavefest 2023*
 Event Date: *June 9, 2023* ^{*June 10*} Event Time: *6/9 - 6pm - 11 pm* *6/10
10 AM -
11 PM*
 Organization: *Milton's / Main Street*
 Contact of Person: *Lucas Middleton*
 Address: *213 W. Marwood* City/State: *Carlsbad*
 Phone Numbers: _____

Release of Liability

The City shall not be responsible for any personal injury, death, or property loss or damage to the persons or entities using the facilities, their agents, employees, officers, representatives, assigns, customers, patrons, guest, or invitees arising from any cause or causes whatsoever.

In consideration for the use of the City facilities named above, I do, for myself, the organization I represent, my heirs, executors and administrator, hereby release and discharge the City of Carlsbad, its officers, directors, employees, and agents from all manner of claims, liabilities, obligations, causes of action, damages, suits, losses, and expenses of every kind, which I and/or the organization I represent have now or hereinafter and which are associated, in any manner, with this Permit, the use of the facilities, or the event listed above.

Additionally, I and the organization I represent shall save, indemnify, and hold harmless the City, its officers, directors, employees, and agents from and against any and all claims, liabilities, obligations, causes of action, damages, suits, losses, and expenses of every kind, together with any attorneys' fees and litigation costs, made by or on behalf of any person or entity arising out of or in any manner associated with this Permit, the use of the facilities, or the event listed above.

Danelle Merrill
Signature

FOR OFFICE USE ONLY:

ADDITIONAL INFO/REQUESTS:

APPROVED BY:

Coordinator: _____ Date: _____
 Director: _____
 City Administrator: _____

The FACILITY has been provided for special community events and entertainment for those enjoying is recreation area.

Approval for use of the FACILITY will be contingent on observance of the following guidelines:

1. No loud activities or activities that may disturb the surrounding residents.
2. Due to city water restrictions, there are no water hookups.
Water slides are not allowed.
3. Activities must conclude by 10:00 p.m.
4. Sales or solicitations in connection with presentations are not permitted.
5. It is illegal to possess or consume alcoholic beverages in City Parks.
6. Use of the FACILITY should not interfere with use of the rest of the park area by others.
7. Persons or groups using the FACILITY must provide responsible supervision.
8. Persons or groups using the FACILITY shall be responsible for damage to or loss of city facilities and equipment.
9. The FACILITY is to be used for special events and not for regularly scheduled meetings or programs.
10. The persons reserving the FACILITY will be responsible for cleaning the FACILITY and surrounding area. All trash must be properly disposed of.
11. Requests for reservations of the FACILITY should be made far enough in advance to allow proper scheduling of the facility. The FACILITY cannot be reserved more than one (1) year in advance.
12. No vehicles allowed on the grass.
13. Do not leave fires or burning coals in the grills.
14. Do not nail, tape, glue, hang or otherwise attach items to the building
15. No pets are allowed in the park.

Parks & Public Spaces	
City of Carlsbad Planning, Engineering, & Regulation Department Attention: Jeff Patterson P.O. Box 1569 Carlsbad, NM 88221-1569 (575) 885-1185	

ALCOHOLIC BEVERAGE CONTROL | PUBLIC CELEBRATION PERMIT APPLICATION

Fee Per Day: \$10.00 (do not submit cash) Date Application Filed: _____

A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: *Check boxes that apply*

Liquor License # 67146 Type of License: Craft Distiller Small Brewer Winegrower

Owner Name: Milton's Brewing LLC

Business Name (DBA): Milton's Brewing

Mailing Address: 213 W. Mermod

Phone No: 575-499-9244 ext.: _____ Person to ask for: Lucas Middleton

Email Address: lucas@miltontsbrewing.com

EVENT INFORMATION:

Type of Event: Indoor Event Outdoor Event Both All Ages Event -Wrist Bands Yes No

Type of Celebration: State Fair County Fair Community Fiesta Cultural / Artistic Performance Athletic

Name of Event: CavernFest

Physical Address of Event: Downtown Carlsbad (Mermod and Canyon)

Date of event (Day 1) June 9, 2023

Time Event Begins: 6 pm Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 4pm Ends at: 10 pm

Total No. of Attendees Expected at Event: 2000 Total No. of Attendees Expected to Consume Alcohol: 800

Date of event (Day 2) June 10, 2023

Time Event Begins: 10 am Time Event Ends: 11 pm

Time of Alcohol Service: Begins at: 11am Ends at: 10 pm

Total No. of Attendees Expected at Event: 7500 Total No. of Attendees Expected to Consume Alcohol: 2800

Date of event (Day 3) _____

Time Event Begins: _____ Time Event Ends: _____

Time of Alcohol Service: Begins at: _____ Ends at: _____

Total No. of Attendees Expected at Event: _____ Total No. of Attendees Expected to Consume Alcohol: _____

Security: No. of Security: 8

Licensed Security Company Crusaders Protective Services LLC Phone No. 575-840-4719

Describe Security Security will be at front gate as well as roaming the area the entire event

NOTE: LICENSEE'S EMPLOYEE(S) ASSIGNED TO WORK SECURITY, MUST WORK THIS EXCLUSIVELY AND MAY NOT SERVE AT THE EVENT.



SPONSOR INFORMATION:

Sponsor of Event: Carlsbad Mainstreet
Name of Contact: Kat Davis Phone No.: 575-706-0617

APPROVAL OF PROPERTY OWNER:

Print Name: _____ Phone No.: _____
Signature: _____ Date: _____
Name of Your Business and Location of Property: _____

LICENSE HOLDER & SERVER CERTIFICATION: I, Lucas Middleton (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License. I further certify that all persons providing the service of alcoholic beverages at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits. I understand that all fees submitted are non-refundable.

Licensee Name: (print) Lucas Middleton

Signature: *Lucas Middleton* Date: 4-20-23

- I have attached a highlighted floorplan marking the serving area
- I have attached a alcohol server list with the servers first & last name, server permit # and expiration date

LOCAL GOVERNING BODY APPROVAL:

Print Name: _____ Title: _____
Signature: _____ Date: _____
Phone No.: _____ Fax: _____

ABC USE ONLY:

Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan – (w/photos) & Detailed Server List

Finance | Application Fee \$ _____ Received on: _____ Receipt No. _____

Clear of Citations/Holds: Yes No, _____ Liquor License No. _____

Approved Disapproved _____ Processed By: _____

Assigned Permit Number: _____ Approved Permit Sent on: _____



ALCOHOLIC BEVERAGE CONTROL | PUBLIC CELEBRATION PERMIT APPLICATION

Fee Per Day: \$10.00 (do not submit cash) Date Application Filed: _____

A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: Check boxes that apply

Liquor License # 60039 Type of License: Craft Distiller Small Brewer Winegrower

Owner Name: Lorenzo Melendez

Business Name (DBA): Sandia Hard Cider

Mailing Address: 2809 Broadbent Parkway, Ste D, ABQ, NM 87106

Phone No: 505-400-3065 ext.: _____ Person to ask for: Lorenzo

Email Address: sandiahardcider001@gmail.com

EVENT INFORMATION:

Type of Event: Indoor Event Outdoor Event Both All Ages Event -Wrist Bands Yes No

Type of Celebration: State Fair County Fair Community Fiesta Cultural / Artistic Performance Athletic

Name of Event: _____

Physical Address of Event: _____

Date of event (Day 1) _____

Time Event Begins: _____ Time Event Ends: _____

Time of Alcohol Service: Begins at: _____ Ends at: _____

Total No. of Attendees Expected at Event: _____ Total No. of Attendees Expected to Consume Alcohol: _____

Date of event (Day 2) _____

Time Event Begins: _____ Time Event Ends: _____

Time of Alcohol Service: Begins at: _____ Ends at: _____

Total No. of Attendees Expected at Event: _____ Total No. of Attendees Expected to Consume Alcohol: _____

Date of event (Day 3) _____

Time Event Begins: _____ Time Event Ends: _____

Time of Alcohol Service: Begins at: _____ Ends at: _____

Total No. of Attendees Expected at Event: _____ Total No. of Attendees Expected to Consume Alcohol: _____

Security: No. of Security: _____

Alcohol Server certified employed by licensee Server Permit # _____ Expiration Date _____

Alcohol Server certified employed by licensee Server Permit # _____ Expiration Date _____

Licensed Security Company _____ Phone No. _____

Describe Security _____

NOTE: LICENSEE'S EMPLOYEE(S) ASSIGNED TO WORK SECURITY, MUST WORK THIS EXCLUSIVELY AND MAY NOT SERVE AT THE EVENT.



SPONSOR INFORMATION:

Sponsor of Event: _____
Name of Contact: _____ Phone No.: _____

APPROVAL OF PROPERTY OWNER:

Print Name: _____ Phone No.: _____
Signature: _____ Date: _____
Name of Your Business and Location of Property: _____

LICENSE HOLDER & SERVER CERTIFICATION: I, Lorenzo Melendez (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License. I further certify that all persons providing the service of alcoholic beverages at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits. I understand that all fees submitted are non-refundable.

Licensee Name: (print) Lorenzo Melendez
Signature: _____ Date: 4-27-23

LOCAL GOVERNING BODY APPROVAL:

Print Name: _____ Title: _____
Signature: _____ Date: _____
Phone No.: _____ Fax: _____

ABC USE ONLY:

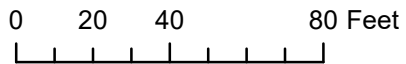
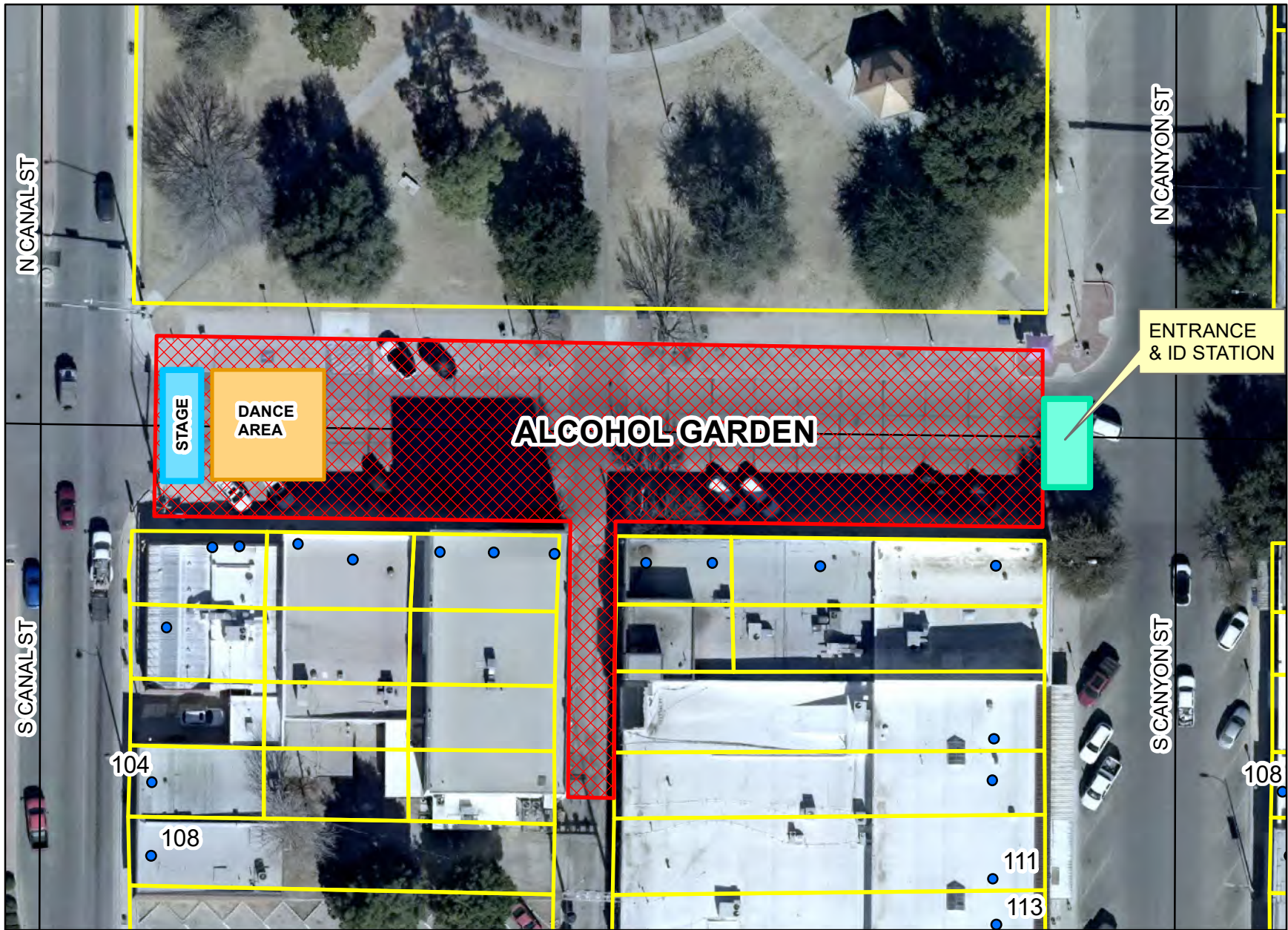
Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan – (w/photos) & Detailed Server List
Finance | Application Fee \$ _____ Received on: _____ Receipt No. _____
Clear of Citations/Holds: Yes No, _____ Liquor License No. _____
 Approved Disapproved _____ Processed By: _____
Assigned Permit Number: _____ Approved Permit Sent on: _____



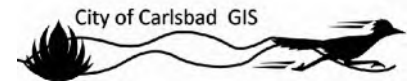




Cavernfest 2023



5/3/2023



CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM

Meeting Date: 5/9/2023

DEPARTMENT: Planning & Regulation	BY: Jeff Patterson, Planning Director	DATE: 5/3/2023
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SUBJECT: Request for a change of zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 0.76 acres, located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y 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:
Iris Ramos
1701 Redwood Loop
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 change of zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 0.76 acres, located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y Subdivision. The subject property lies east of the intersection of Old Cavern Hwy., Yucca St., and E. Rose St.

Sec. 56-40(e) of the Carlsbad Zoning Ordinance 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 north & west are zoned “C-2” Commercial 2 District; the properties to the south & east are zoned “R-1” Residential 1 District. This will 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 achieve a more balance land use mix and increase the supply of commercial properties.*
- *To meet the commercial market demand and needs of existing and future Carlsbad residents.*
- *To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.*

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 April 3, 2023, the Planning and Zoning Commission considered this item and recommended approval with a vote of three (3) in favor of approval, none (0) against, two (2) 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

DEPARTMENT COMMENTS:

Public Works: No comments.

Utilities Department: No comments.

Building Department: No comments.

Fire Department: No comments.

Police Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: Recommend approval

Engineering Services: No comment

BOARD/COMMISSION/COMMITTEE ACTION:

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> P&Z | <input type="checkbox"/> Lodgers Tax Board | <input type="checkbox"/> Cemetery Board | <input checked="" type="checkbox"/> APPROVED |
| <input type="checkbox"/> Museum Board | <input type="checkbox"/> San Jose Board | <input type="checkbox"/> Water Board | <input type="checkbox"/> DISSAPPROVED |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> N. Mesa Board | <input type="checkbox"/> _____ Committee | |

Reviewed by
City Administrator /s/John Lowe Date: 05/04/2023

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

ORDINANCE NO. 2023- 08

AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 0.76 ACRE PROPERTY, LOCATED AT 206 EAST ROSE ST., LEGALLY DESCRIBED AS LOT 2, BLOCK 2, SOUTH Y 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 0.76 acre property, located at 206 E. Rose St., legally described as:

Lot 2, Block 2, South Y Subdivision

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of May, 2023.

DALE JANWAY, MAYOR

ATTEST:

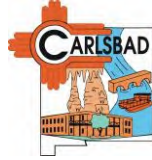
CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, April 3, 2023 at 5:00 p.m.

**Meeting Held in the Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno St.**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, April 3, 2023 at 5:00 PM
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street
GoToMeeting ID: 537-022-653
US Phone: (646) 749-3122 Access Code: 537-022-653

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held March 6, 2023
4. Remove from Table a consideration of a recommendation to the City Council regarding a request for a Zoning Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd.
5. Consider a recommendation to the City Council regarding a request for a Zoning Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision
6. Consider a request for a Conditional Use Permit to allow a Home Occupation – Mobile Spray Tan Business to be located at 320 L St., zoned "R-1" Residential 1 District zoning.
7. Consider approval of a Preliminary Plat for the Lara Family Estate, subdividing an approximately 161 acre tract into five separate properties, located outside the Carlsbad City Boundary.
8. Consider a request from the property owner at 2618 Iowa St. for the City to Vacate approximately 0.25 acres of public right-of-way, located between Iowa St. and Utah St.
9. Consider a request for a Variance for the property located at 312 Wheat Ct. to reduce the rear setback from the required ten (10) feet to five (5) feet, zoned "R-1" Residential 1 District.

10. Consider a recommendation to City Council regarding a request for a Zoning Change from “R-1” Residential 1 District to “C-2” Commercial 2 District for an approximately 0.76 acre property located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y subdivision.
11. Consider a recommendation to the City Council regarding a request for a Zoning Change from “R-2” Residential 2 District to “C-2” Commercial 2 District for an approximately 0.35 acre property located at 502 N. Sixth St., legal description attached.
12. Consider a recommendation to the City Council regarding a request for a Zoning Change from “R-2” Residential 2 District to “C-2” Commercial 2 District for an approximately 0.18 acre property located at 510 N. Sixth St., legal description attached.
13. Report regarding Summary Review Subdivisions
14. 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, May 1, 2023 at 5:00 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.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING &
ZONING COMMISSION HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX
COUNCIL CHAMBERS,
114 S. HALAGUENO STREET, APRIL 3, 2023 AT 5:00 P.M.**

VOTING MEMBERS PRESENT:

**BRAD NESSER
TRENT CORNUM
LINDA WILSON**

**COMMISSIONER (VIA PHONE)
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

**JAMES MCCORMICK
VALERIE BRANSON**

**CHAIRPERSON
COMMISSIONER**

EX-OFFICIO MEMBERS PRESENT:

JEFF PATTERSON

PLANNING DIRECTOR

SECRETARY PRESENT:

JENNIFER CAMPOS

**PLANNING AND REGULATION
DEPARTMENT EXECUTIVE SECRETARY
PLANNING AND REGULATION
DEPARTMENT SECRETARY**

VANESSA ORNELAS

OTHERS PRESENT:

**BRENDA HARRIS
FELIPE LUCERO
MAURENN AMADOR
PATRICIA GREEN
MARVIN JONES
JOANN CLICK
JOSE PINA
TIM THOMPSON
SAMANTHA FLACO
JOHN BOWEN
PATRICIA F. BALDERRAMA
NATHAN MCGEE
PATRICK DYER
SHARON WESTON
JESSE W. LAMAN
SAL REY SALCIDO
EDDIE HERNANDEZ**

**320 L ST.
502 N 6TH ST.
815 COUNTRYSIDE PL.
2622 IOWA ST.
2622 IOWA ST.
4207 JONES ST.
206 ROSE ST.
312 WHEAT CT.
213 E. ROSE ST.

204 S 10TH ST.
204 S 10TH ST.
1422 PASEO DE PERALTA
2013 SAN JOSE BLVD.
1419 EAGLE AVE.
3207 OLD CAVERN HWY.
505 N. 6TH ST.**

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 [5:00:15 PM]

0:00:04 **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. Nesser, Mr. Cornum, Ms. Wilson.** Absent—**Mr. McCormick, Ms. Branson.**

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

Ms. Wilson made a motion to approve the Agenda; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:01:19 **3. Approval of Minutes from the Meeting held March 6, 2023**

Ms. Wilson made a motion to approve the Minutes from the regular meeting held on March 6, 2023; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:01:58 **4. Remove from Table a consideration of a recommendation to the City Council regarding a request for a Zoning Change from “R-R” Rural Residential District to “C-2” Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd.**

Ms. Wilson made a motion to remove from table; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:02:59 **5. Consider a recommendation to the City Council regarding a request for a Zoning Change from “R-R” Rural Residential District to “C-2” Commercial 2 District for an approximately 2.964 are property located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision.**

The applicant, **Patrick Dyer**, comes to the podium. **Mr. Patterson** explains that this request is to change the zoning from “R-R” Rural Residential District to “C-2” Commercial 2 District for approximately 2.964 acres, located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision. **Mr. Patterson** states upon review of the request, the applicant is wanting the Zoning Change to better fit the use of the property. It will not create a spot zone. The Planning Dept. recommends approval of this request. **Mr. Dyer** states that PMS is proposing to expand its facility by approximately 3500 square feet to fit the needs and services of the folks within the community. The project will include installations of 8 exam rooms medical areas for staff, as well as some minor improvements for parking. Floor opened for public comment. There was none.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:7:40 **6. Consider a request for a Conditional Use Permit to allow a Home Occupation- Mobile Spray Tan Business to be located at 320 L St., zoned “R-1” Residential District zoning.**

The applicant, **Brenda Harris**, comes to the podium. **Mr. Patterson** explains this request is for a Conditional Use Permit to allow Home Occupation – Mobile Spray Tan Business. The applicant plans to park a mobile trailer that will house a mobile spray tan operation at her property at 320 L St. The applicant will travel to clients’ homes to offer spray tan services, and also plans to see clients at the subject property. The property only has approximately 37’ of street frontage and the applicant has indicated that the mobile trailer will need to be parked on the street in front of the property. Because of the unusual size and shape of the property, the applicant is unable to accommodate any off street parking for clients that come to the subject property for spray tan services. After review, the Planning staff recommends denial of this request. **Ms. Harris** states that the mobile trailer will park in the yard in front. **Mr. Cornum** asked what size is the mobile trailer and where was it going to be parked primarily. **Ms.**

Harris said it was an 8 ½ x 24 foot, and it basically takes up the front part of the yard. **Mr. Cornum** explained to **Mr. Nesser** that the trailer is parked on the grass area in the front to the right of the driveway. **Ms. Harris** said that a lot of the time it will be on the move instead of just sitting there. She also said that there will only be one client at time coming to her property. **Mr. Cornum** asked **Ms. Harris** if she had regular business hours. **Ms. Harris** said not at this time. She said this was an alternative for her to make money. She has a full time job, and she plans to work for the School systems and eventually have this as a side job on the weekends. Floor opened for public comment. There was none. **Mr. Nesser** asked if the trailer was parked parallel with the driveway. **Mr. Cornum** answered yes. **Mr. Nesser** asked how many customers will be going at one time, will it just the customer and the operator. **Ms. Harris** answered yes.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:14:59 **7. Consider approval of a Preliminary Plat for the Lara Family Estate, subdividing an approximately 161 acre tract into five separate properties, located outside the Carlsbad City Boundary.**

The applicant, **Jesse Laman**, comes to podium. **Mr. Patterson** explains this request is for the approval of a preliminary and final plat that will split the current +/- 161 acre property owned by Frankie Lara into five separate large tracts that are to be deeded to Mr. Lara's heirs as per his will. The attached subdivision plat shows that the access will be provided over BLM managed property per the access easement with the BLM, and from the George Shoup Relief Route from an ingress/egress access installed by the NMDOT to the north of the property. The five lots will have a 60' access easement across all new properties. There are currently no water or sewer services to note for this property. Approval of this request will allow for the creation of 5 new large tracts. The City's Planning Office has worked with Eddy County officials to address the access issues that are present for this property. The Eddy County Planner seems satisfied with the provided access as long as the ingress/egress point along the Relief Route is a permanent feature, and the road across the BLM property to the north of the subdivision that will be used for access is kept open. The Planning Dept. recommends approval of this request. **Mr. Laman** said that his sister was in charge of the property, but she passed away. Her executor was going to be her daughter then she suddenly passed away. So then basically he inherited the property and wants to get it all taken care of per his sisters wishes. Floor opened for public comment. There was none.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:19:17 **8. Consider a request from the property owner at 2618 Iowa St. for the City to Vacate approximately 0.25 acres of public right-of-way, located between Iowa St. and Utah St.**

The applicant, **Patricia Green**, comes to podium. **Mr. Patterson** states the applicant, Patricia Green, is requesting that the City vacate the alley to the east of 2618 Iowa St. This alley runs north-south between Iowa St. to the south and Utah St. to the north. The portion of this alley that the applicant wants vacated is approximately 0.253 acres (11,020 sq. ft.) in area, and about 290 linear feet in length and 37 feet wide. The City would need to verify if any City owned utilities are located within this alley, and other utility companies would need to sign off on this vacation as well. Based on internal review by City staff, the Planning Department recommends denial of this request. **Ms. Green** states that the alley north of her is already vacated and to the south she didn't know if it has been legally vacated but they have already put up a fence. This area has already become a traffic area where people are walking, looking to steal anything that they can and destroying anything. **Mr. Cornum** asked **Ms. Green** what was her address. **Ms. Green** said she owns the property at 2618 Iowa St. **Mr. Patterson** indicated her property was to the west of the right of way. **Ms. Wilson** said there are no utilities on it. **Mr. Patterson** states there are no City owned utilities but he couldn't speak for Electric or Gas Companies. Normally when the City

vacates right of way such like this you have to get concurrent sign off from the other Utility Companies. **Mr. Cornum** asked Ms. Green what plans she had to do to this property if vacated. **Ms. Green** said she wants to put up a fence so it would stop the traffic going through there. Right now people are using it as a dump site. **Ms. Balderrama** come to the podium and said that they have their house on the other side of the alley. She had property at 2619 Utah St., and her house is at 204 S. Tenth Street. She said they do have an Electric pole located in the alley. She's wanting to request that part of the alley. **Mr. Cornum** asked Ms. Balderrama if she was against it being vacated or for it being vacated. **Ms. Balderrama** responded she's for the vacation. **Mr. McGee** explains that he resides at 204 S. Tenth St. and he uses that right of way to get to his backyard and there's a power pole there. He's been talking to Ms. Green to see if they could split it where the line goes down 204 S. Tenth St. and get that half of the property. He's all for Ms. Green getting the rest of the property. He doesn't mind splitting it with the other neighbor but he needs time so he can move his gate otherwise they will no longer have access to get to their backyard. **Mr. Cornum** asked Mr. Patterson if it was City easement. **Mr. Patterson** said it was City right of way. If the City was to vacate this portion of the right of way then the property owners that are adjacent to it would be entitled to half of that alley, so it would be split into 5 sections. **Ms. Wilson** said that it was good idea for this request so it will stop all the traffic.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:26:53 **9. Consider a request for a Variance for the property at 312 Wheat Ct. to reduce the rear setback from the required then (10) feet to five (5) feet, zoned "R-1" Residential 1 District.**

The applicant, **Tim Thompson**, comes to the podium. **Mr. Patterson** explains this request is for Variance from Ord. 56-90(b) to allow a 5' rear setback as opposed to the minimum 10' rear setback for the property located at 312 Wheat Ct., zoned "R-1" Residential 1 District. He's wanting to place a prefab 18'x30' metal building within the minimum rear setback for this property. The applicant plans to place the metal building within 5' of the rear property line and 5' from the west property line. Looking at the property there's no public right of way or alley way behind it, the properties abut each other. Based on review of the application materials and other staff comments, the Planning Dept. recommends denial of this request. **Mr. Thompson** stated that he wants to get this shed and push it back just a little bit more so they can have space between the house and the metal building. There will not be any kind of plumbing or electrical. **Mr. Cornum** asked for clarification that he has 5 feet between his neighbor's house to the left and he wants 5 feet in the back. Floor opened for public comment. There was none. **Ms. Wilson** asked if there were any other sheds around his street. **Mr. Thompson** said not around him, but as you go down the other streets there are some that have 5 feet.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:30:21 **10. Consider a recommendation to City Council regarding a request for a Zoning Change from "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.76 acre property located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y subdivision.**

The applicant, **Jose Pina**, comes to the podium. **Mr. Patterson** explains this request is for a change of zoning from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 0.76 acres, located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y Subdivision. The subject property lies east of the intersection of Old Cavern Hwy., Yucca St., and E. Rose St. If you see on the map pages 90 and 91 the properties to the north & west are zoned "C-2" Commercial 2 District; the properties to the south & east are zoned "R-1" Residential 1 District. This will not create a spot zone. The use looks to be

residential in nature. Based on review of the application and staff comments, planning staff recommends approval of this request. **Mr. Pina** stated that they want to put up a metal building to store parts for this company. **Ms. Flaco** asked what is the company going to be storing there, is there going to be any changes or development of any type of business. They have two driveways one is facing Old Cavern Hwy. and the other is facing East Rose Street which is a dead end street. How are they going to be entering and exiting the property? **Mr. Pina** said that they are not going to have any trucking it's only going to be for parts. **Mr. Cornum** asked if it was going to be opened for business during the week. **Mr. Pina** said maybe. **Mr. Cornum** asked Mr. Patterson if the zone change is for the entire address of the property. **Mr. Patterson** said this would be a zone change so anything to be allowed in the "C-2" zoning would be allowed to go there, it's a heavier commercial and it allows more types of businesses. **Ms. Flaco** asked where she could get the documents on what's allowed in "C-2" zoning. **Mr. Patterson** said at the planning office he could provide that for her. **Ms. Flaco** asked if it was going to be used for storage. Would there be any fencing going up, or lights 24/7? Those are her concerns because she lives at 213 E. Rose. **Mr. Cornum** said those are really good questions and being that it could be "C-2" yes there could technically be commercial lighting and it does open the door for a lot more range on things to do. **Mr. Cornum** asked Mr. Pina if he could explain in more detail on what their plans are in regards to parking, fencing, and lighting. **Mr. Pina** said they want to do a metal building for tires and lights for the big trucks. **Mr. Cornum** asked if there's going to be any fencing up for privacy. **Mr. Patterson** stated that it would be required to put up for fencing and provide landscaping buffer between their property and the residential property. Any lights being installed will have to be pointed away from neighboring properties so they wouldn't obstruct the residential properties. That is in City requirements. **Ms. Flaco** asked if the fencing had to be chain link. **Mr. Patterson** said it has to be solid fencing. **Mr. Pina** said they can do whatever that is required to accommodate the residents and the ordinance. **Mr. Salcido** came to the podium and said that he lives 3207 Old Cavern Hwy. caddy corner to the property that's in question. His concern is what's going to be stored there, is it a parts place, is there going to be any chemicals stored? Is it going to be a work shop are they going to be hearing drills and air compressors, any types of noise to him it's not a really big concern, but he was curious. **Mr. Pina** said that it was not going to be a shop. **Mr. Salcido** said his concern is the lighting, because over on Rose Street when Mr. Brininstool purchased the property across the street and had it changed to "C-2", they had an issue with the lighting. It was lighting up his backyard and bedroom window and they took care of it with no problem. Those LED lights were over kill and where ever they are pointing it's disturbing and it hurt the eyes. Same as the Brewer store with their lights. It lit up his front yard. He went over there and talked to them and it took them a couple of weeks to take care of the problem. His concern is their going to have LED light then it's going to light up his front yard. **Mr. Pina** said whatever they have to do to accommodate everyone. **Mr. Cornum** stated to Mr. Salcido that when they change this property to "C-2" it does open the door to more commercial business and they can't restrict what goes on there. **Mr. Patterson** said they can't condition or restrict a zone change like that so whatever would be allowed in "C-2" would be allowed to locate here unless the zone would be changed again. Even though this current applicant says that they're going to do one thing if they sell the property or it has a new ownership they can do whatever is allowed in "C-2".

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:41:57 **11. Consider a recommendation to the City Council regarding a request for a Zoning Change from "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.35 acre property located at 502 N. Sixth St., legal description attached.**

The applicant's representative, **Felipe Lucero**, comes to the podium. **Mr. Patterson** explains this is a request for a change of zoning from "R-2" Residential 2 District to "C-2" Commercial 2 District for approximately 0.35 acres, located at 502 N. Sixth St. The properties to the north & east are zoned "R-2" Residential 2 District; the properties to the south & west are zoned "R-1" Residential 1 District. This will create a spot zone. Based on review of the application and staff comments, planning staff recommends

denial of this request. **Mr. Lucero** stated that the property owners own 502 and 510 N. Sixth Street. It has two shops that are separated. He said that he grew up on 408 N. Sixth St. just next to this property and for years this location was always an eyesore. **Mr. Lucero** said that he built a house behind the property that's next to the Women's Battered Shelter. It has always been a problem. It's been vacant. Other people have tried to do something and it hasn't succeeded. He understands that if there was a business that respects the neighborhood or noise, he is just trying to do tint and detailing there. He's renting the place right now and in the future he wants to purchase it. Everyone in the neighborhood can see that he's cleaned up the properties and because he knows to respect the neighborhood. **Mr. Hernandez** said that he lives across the street at 505 N. Sixth Street. He said that he's against it because if Mr. Lucero doesn't purchase it then something else can go there. His neighbor that lives next door is retired and disabled. There's the Women's Battered Shelter behind it and if they approve it then there's nothing that they can do to change it, anything is allowed. **Mr. Hernandez** said he's about to retire and he's been living at that house for almost 30 years. He'll have 2 years left then he'll retire and his wife is disabled. If Mr. Lucero said that he's going to be doing detailing and tinting, if he decides to move then an oilfield company can move their business to that location. **Mr. Hernandez** stated that a few years ago the City Council approved a mechanic shop there and the noise that was made at any time of the day was annoying and he doesn't want that noise in the neighborhood. It's a quiet neighborhood. They still have traffic with Hillcrest School, but if they change the zone to "C-2" then it'll be more noise and more traffic. **Mr. Lucero** said he understands if it changes hands and that's not what the plan is. He's in the process in purchasing the property right now and he's planning on keeping it and not trying to disrespect the neighbors and have all kinds of traffic with no big trucks in and out of there. He'll have a time to stop work at a reasonable hour. His parents live at 408 N. Sixth St., so he's not going to be making all kinds of noise. It seems to him that being vacant is more of a problem than being occupied by him and his business. It's been a problem before it being vacant and no one is taking care of the property. He is seeing weeds grow and living right next to the property is an eyesore and they're all affected by it. **Mr. Cornum** asked Mr. Lucero if his main intent is to have a window tint shop. **Mr. Lucero** said yes. **Mr. Cornum** asked if his business needs to fall under "C-2". **Mr. Patterson** said yes any kind of work like that falls under "C-2". **Ms. Wilson** stated her concern that there are no "C-2" properties along that street and it can limit to what people can do. The biggest concern is not you having it changed, it's the concern when you sell it and change ownership later on down the road they can do anything they want that's the bad part. **Mr. Lucero** said he understands and there were a couple of other commercial properties further down the street.

Mr. Nesser made a motion for denial; **Ms. Wilson** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion for denial carried.

0:50:55 **12. Consider a recommendation to the City Council regarding a request for a Zoning Change from "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.18 acre property located at 510 N. Sixth St., legal description attached.**

The applicant's representative, **Felipe Lucero**, comes to the podium. **Mr. Patterson** explains this request for a change of zoning from "R-2" Residential 2 District to "C-2" Commercial 2 District for approximately 0.35 acres, located at 502 N. Sixth St. The properties to the north & east are zoned "R-2" Residential 2 District; the properties to the south & west are zoned "R-1" Residential 1 District. This will create a spot zone. Based on review of the application and staff comments, planning staff recommends denial of this request. **Mr. Cornum** explained that this item was contingent to the item #11 just a different address with the exact same information.

Mr. Nesser made a motion for denial; **Ms. Wilson** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion for denial carried.

0:52:50 **13. Report regarding Summary Review Subdivisions**

Mr. Patterson gave a report on the Summary Reviews. Nothing unusual was noted.

0:53:57 **14. Adjourn**

Ms. Wilson made a motion to Adjourn; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-- Mr. Nesser, Mr. Cornum, Ms. Wilson.** No— None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

The meeting was adjourned.

0:54:09 Stop Recording [5:54:24 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

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: _____

Existing Zoning: R-1 _____

Fee Paid (\$100.00): 100.00

Proposed Zoning: C-2 _____

JRU
CASH
3-21-23

APPLICANT INFORMATION:

IRIS RAMOS		206 E ROSE ST		
NAME		ADDRESS		
CARLSBAD	NM	88220	QATARILCA@hotmail.com	
CITY	STATE	ZIP	PHONE	EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

IRIS RAMOS		1701 REDWOOD LOOP		
NAME		ADDRESS		
CARLSBAD	NM	88220	(915) 2078008	QATARILCA@hotmail.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):

206 E. ROSE		LOT 2, BLOCK 2, SOUTH SUBDIVISION		
ADDRESS		LOT	BLOCK	SUBDIVISION

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

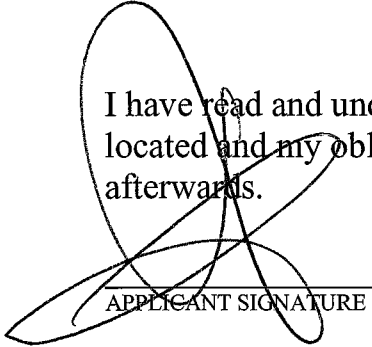
Council Action: Approved Denied Other Ordinance No.: _____

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

3/20/23
DATE

Sign issued by: _____
Staff Member

Date: 3/21/2023

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: Iris Ramos 1701 Redwood Ln (915) 207-8008
Name Address Phone

Subject Site Location: _____

The proposed action is a:
 Zoning Change from R-1 to C-2 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:

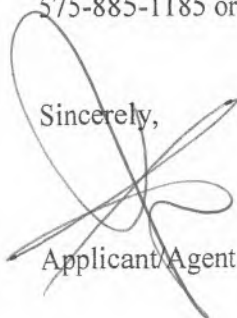
Date: 4/3/2023

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

7022 3330 0001 1301 7869

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Carlsbad, NM 88220

OFFICIAL USE

Certified Mail Fee	\$4.15	0615
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	21
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: Murray Sabrina & Michael
 Street and Apt. No., or PO Box No.: 3208 DeCoven Hwy
 City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 3330 0001 1301 7865

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: Garcia Samuel
 Street and Apt. No., or PO Box No.: 212 E Rose St
 City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 3330 0001 1301 7827

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	21
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Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: Ye Jin Feq
 Street and Apt. No., or PO Box No.: all country side pl
 City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 3330 0001 1301 7841

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Albuquerque, NM 87107

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	21
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: Brewer Company
 Street and Apt. No., or PO Box No.: 2101 Cantelaria NE
 City, State, ZIP+4®: Albuquerque NM 87107

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Carlsbad, NM 88220

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	21
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: Roberts bary
 Street and Apt. No., or PO Box No.: Toray Dr
 City, State, ZIP+4®: Doniphan MO 63935

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Carlsbad, NM 88220

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	21
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Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: Laco Semantha
 Street and Apt. No., or PO Box No.: 212 E Rose St
 City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Carlsbad, NM 88221

OFFICIAL USE

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Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark Here
 03/21/2023
 CARLSBAD NM 88220

Sent To: 5-PS Properties
 Street and Apt. No., or PO Box No: P.O. Box 158
 City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7022 3330 0001 1301 7858

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Carlsbad, NM 88220

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)		
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Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark Here
 03/21/2023
 CARLSBAD NM 88220

Sent To: Soules Charles & Teri L
 Street and Apt. No., or PO Box No: 7104 Townsend Rd
 City, State, ZIP+4®: Carlsbad NM 88220

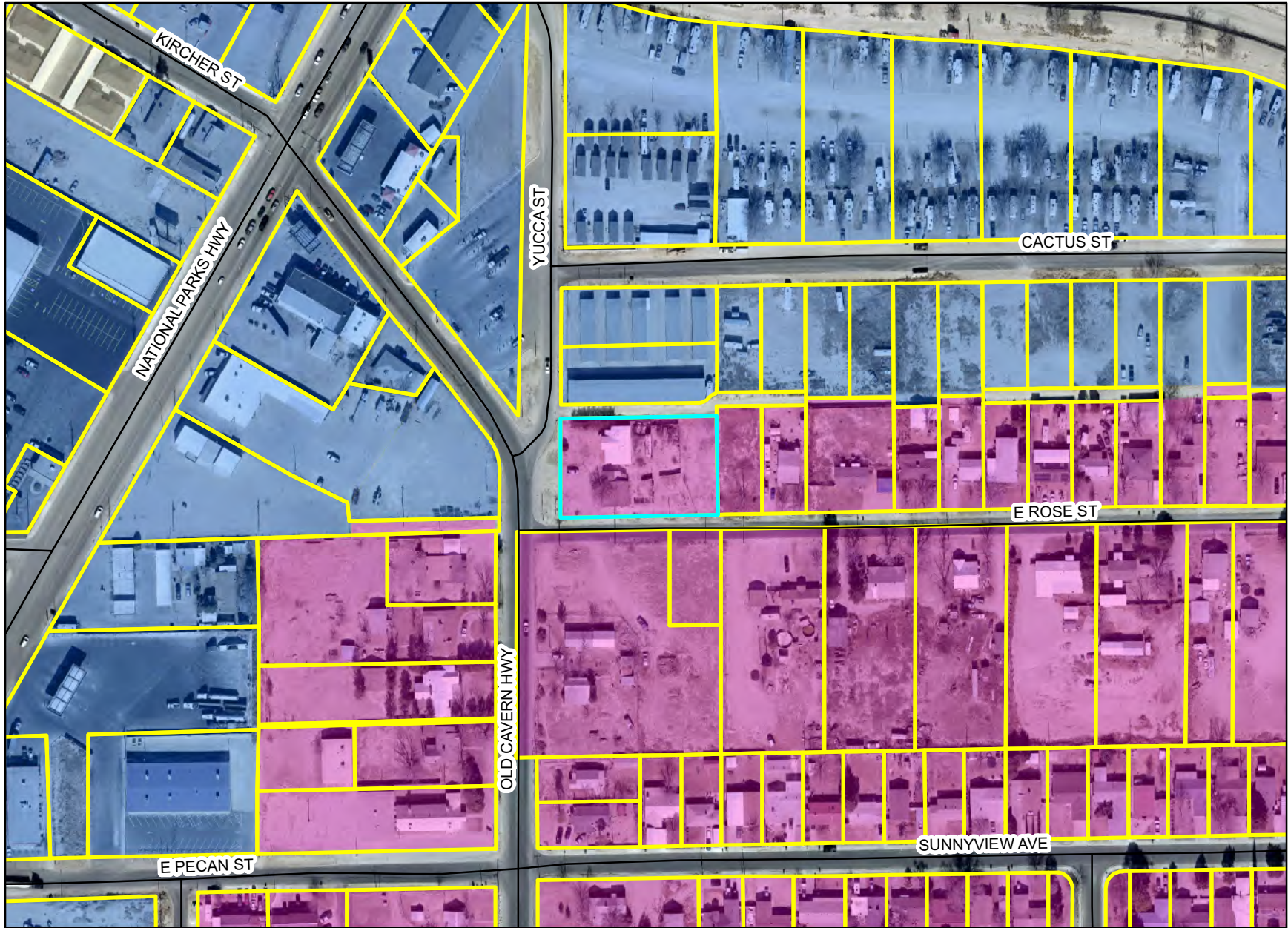
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

N

Zone Change - 206 E. Rose St. - R-1 to C-2

Legend

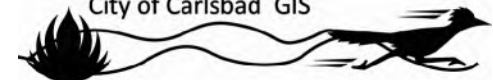
- Roads
- Parcel
- Zoning
 - R-2
 - C-1
 - R-1
 - R-R
 - I
 - PUD
 - C-2



0 125 250 500 Feet

3/24/2023

City of Carlsbad GIS

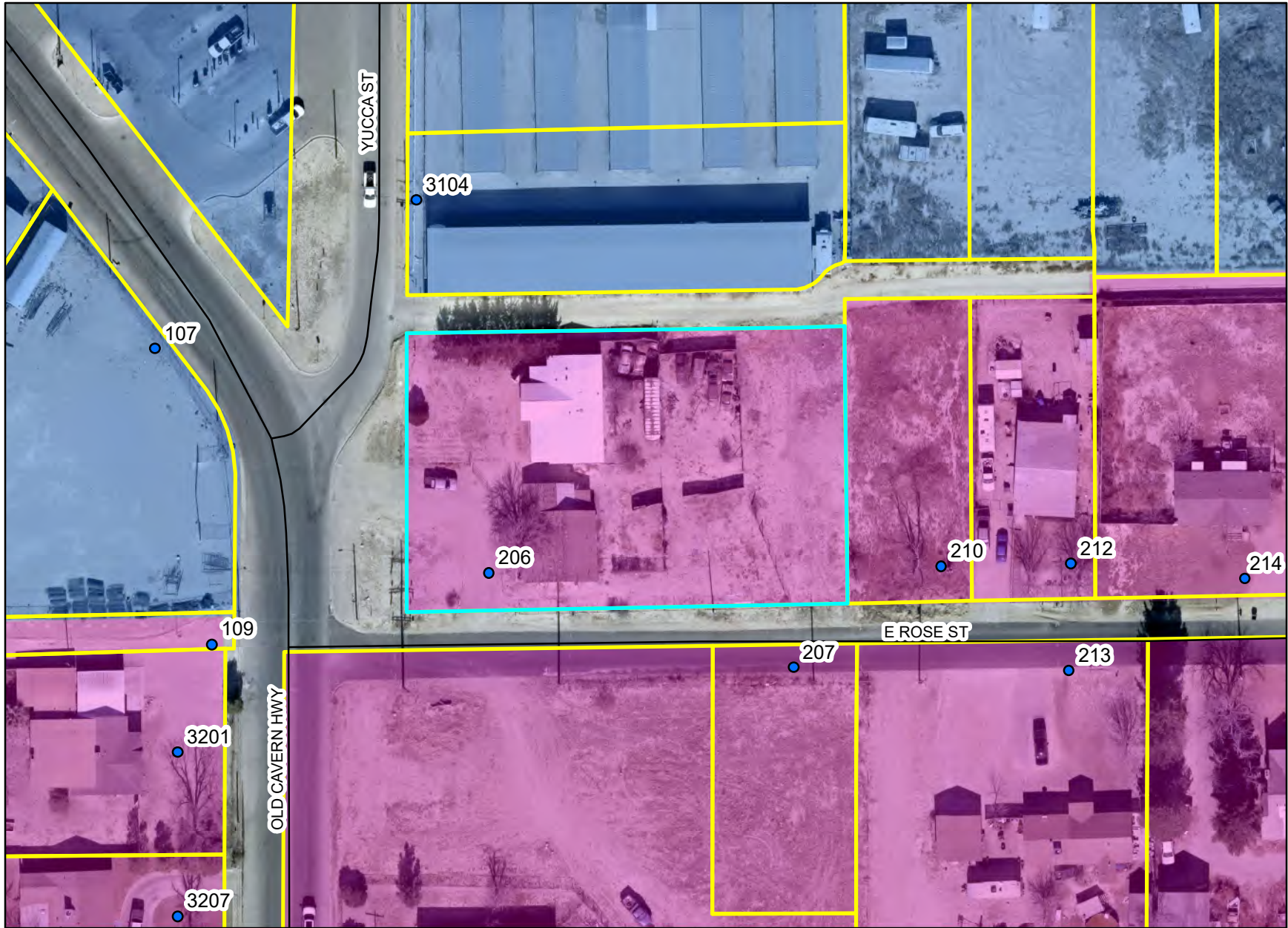


N

Zone Change - 206 E. Rose St. - R-1 to C-2

Legend

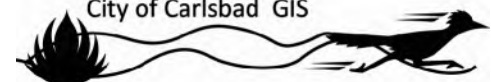
- Roads
- Parcel
- Zoning
 - R-2
 - C-1
 - R-1
 - R-R
 - I
 - R-1
 - PUD
 - C-2



0 50 100 200 Feet

3/24/2023

City of Carlsbad GIS



CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM

Meeting Date: 5/9/2023

DEPARTMENT: Planning & Regulation	BY: Jeff Patterson, Planning Director	DATE: 5/2/2023
--	--	-----------------------

SUBJECT: Request for a change of zoning from "R-R" Rural Residential District to "C-2" Commercial 2 District for approximately 2.964 acres, located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #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.

Applicant/Owner:
Presbyterian Medical Services
PO Box 2267
Santa Fe, NM 87504

****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 change of zoning from "R-R" Rural Residential District to "C-2" Commercial 2 District for approximately 2.964 acres, located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision

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 north & west are zoned "R-R" Rural Residential District; the properties to the south & east are zoned "C-2 Commercial 2 District. This will 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 achieve a more balance land use mix and increase the supply of commercial properties.
- To meet the commercial market demand and needs of existing and future Carlsbad residents.
- To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.

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 April 3, 2023, the Planning and Zoning Commission considered this item and recommended approval with a vote of three (3) in favor of approval, none (0) against, two (2) 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

DEPARTMENT COMMENTS:

Public Works: Recommend approval

Utilities Department: Recommend approval

Building Department: No comment

Fire Department: No comment

Police Department: Recommend approval

Code Enforcement: No comment

Legal Department: Recommend approval

Planning Department: Recommend approval

Projects Department: No comments

BOARD/COMMISSION/COMMITTEE ACTION:

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> P&Z | <input type="checkbox"/> Lodgers Tax Board | <input type="checkbox"/> Cemetery Board | <input checked="" type="checkbox"/> APPROVED |
| <input type="checkbox"/> Museum Board | <input type="checkbox"/> San Jose Board | <input type="checkbox"/> Water Board | <input type="checkbox"/> DISSAPPROVED |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> N. Mesa Board | <input type="checkbox"/> _____ Committee | |

Reviewed by
City Administrator /s/John Lowe Date: 05/04/2023

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

ORDINANCE NO. 2023-09

AN ORDINANCE REZONING PART OF "R-R" RURAL RESIDENTIAL DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 2.964 ACRE PROPERTY, LOCATED AT 2013 SAN JOSE BLVD., LEGALLY DESCRIBED AS TRACT 4, OLD ROSE FARM #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-R" Rural Residential District to "C-2" Commercial 2 District, for an approximately 2.964 acre property, located at 2013 San Jose Blvd., legally described as:

Tract 4, Old Rose Farm #3 Subdivision

INTRODUCED, PASSED, ADOPTED AND APPROVED this 9th day of May, 2023.

DALE JANWAY, MAYOR

ATTEST:

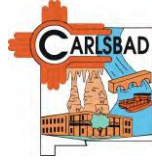
CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, April 3, 2023 at 5:00 p.m.

**Meeting Held in the Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno St.**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, April 3, 2023 at 5:00 PM
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street
GoToMeeting ID: 537-022-653
US Phone: (646) 749-3122 Access Code: 537-022-653

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held March 6, 2023
4. Remove from Table a consideration of a recommendation to the City Council regarding a request for a Zoning Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd.
5. Consider a recommendation to the City Council regarding a request for a Zoning Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision
6. Consider a request for a Conditional Use Permit to allow a Home Occupation – Mobile Spray Tan Business to be located at 320 L St., zoned "R-1" Residential 1 District zoning.
7. Consider approval of a Preliminary Plat for the Lara Family Estate, subdividing an approximately 161 acre tract into five separate properties, located outside the Carlsbad City Boundary.
8. Consider a request from the property owner at 2618 Iowa St. for the City to Vacate approximately 0.25 acres of public right-of-way, located between Iowa St. and Utah St.
9. Consider a request for a Variance for the property located at 312 Wheat Ct. to reduce the rear setback from the required ten (10) feet to five (5) feet, zoned "R-1" Residential 1 District.

10. Consider a recommendation to City Council regarding a request for a Zoning Change from “R-1” Residential 1 District to “C-2” Commercial 2 District for an approximately 0.76 acre property located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y subdivision.
11. Consider a recommendation to the City Council regarding a request for a Zoning Change from “R-2” Residential 2 District to “C-2” Commercial 2 District for an approximately 0.35 acre property located at 502 N. Sixth St., legal description attached.
12. Consider a recommendation to the City Council regarding a request for a Zoning Change from “R-2” Residential 2 District to “C-2” Commercial 2 District for an approximately 0.18 acre property located at 510 N. Sixth St., legal description attached.
13. Report regarding Summary Review Subdivisions
14. 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, May 1, 2023 at 5:00 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.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING &
ZONING COMMISSION HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX
COUNCIL CHAMBERS,
114 S. HALAGUENO STREET, APRIL 3, 2023 AT 5:00 P.M.**

VOTING MEMBERS PRESENT:

**BRAD NESSER
TRENT CORNUM
LINDA WILSON**

**COMMISSIONER (VIA PHONE)
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

**JAMES MCCORMICK
VALERIE BRANSON**

**CHAIRPERSON
COMMISSIONER**

EX-OFFICIO MEMBERS PRESENT:

JEFF PATTERSON

PLANNING DIRECTOR

SECRETARY PRESENT:

JENNIFER CAMPOS

**PLANNING AND REGULATION
DEPARTMENT EXECUTIVE SECRETARY
PLANNING AND REGULATION
DEPARTMENT SECRETARY**

VANESSA ORNELAS

OTHERS PRESENT:

**BRENDA HARRIS
FELIPE LUCERO
MAURENN AMADOR
PATRICIA GREEN
MARVIN JONES
JOANN CLICK
JOSE PINA
TIM THOMPSON
SAMANTHA FLACO
JOHN BOWEN
PATRICIA F. BALDERRAMA
NATHAN MCGEE
PATRICK DYER
SHARON WESTON
JESSE W. LAMAN
SAL REY SALCIDO
EDDIE HERNANDEZ**

**320 L ST.
502 N 6TH ST.
815 COUNTRYSIDE PL.
2622 IOWA ST.
2622 IOWA ST.
4207 JONES ST.
206 ROSE ST.
312 WHEAT CT.
213 E. ROSE ST.

204 S 10TH ST.
204 S 10TH ST.
1422 PASEO DE PERALTA
2013 SAN JOSE BLVD.
1419 EAGLE AVE.
3207 OLD CAVERN HWY.
505 N. 6TH ST.**

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 [5:00:15 PM]

0:00:04 **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. Nesser, Mr. Cornum, Ms. Wilson.** Absent—**Mr. McCormick, Ms. Branson.**

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

Ms. Wilson made a motion to approve the Agenda; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:01:19 **3. Approval of Minutes from the Meeting held March 6, 2023**

Ms. Wilson made a motion to approve the Minutes from the regular meeting held on March 6, 2023; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:01:58 **4. Remove from Table a consideration of a recommendation to the City Council regarding a request for a Zoning Change from “R-R” Rural Residential District to “C-2” Commercial 2 District for an approximately 2.964 acre property located at 2013 San Jose Blvd.**

Ms. Wilson made a motion to remove from table; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:02:59 **5. Consider a recommendation to the City Council regarding a request for a Zoning Change from “R-R” Rural Residential District to “C-2” Commercial 2 District for an approximately 2.964 are property located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision.**

The applicant, **Patrick Dyer**, comes to the podium. **Mr. Patterson** explains that this request is to change the zoning from “R-R” Rural Residential District to “C-2” Commercial 2 District for approximately 2.964 acres, located at 2013 San Jose Blvd., legally described as Tract 4, Old Rose Farm #3 Subdivision. **Mr. Patterson** states upon review of the request, the applicant is wanting the Zoning Change to better fit the use of the property. It will not create a spot zone. The Planning Dept. recommends approval of this request. **Mr. Dyer** states that PMS is proposing to expand its facility by approximately 3500 square feet to fit the needs and services of the folks within the community. The project will include installations of 8 exam rooms medical areas for staff, as well as some minor improvements for parking. Floor opened for public comment. There was none.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:7:40 **6. Consider a request for a Conditional Use Permit to allow a Home Occupation- Mobile Spray Tan Business to be located at 320 L St., zoned “R-1” Residential District zoning.**

The applicant, **Brenda Harris**, comes to the podium. **Mr. Patterson** explains this request is for a Conditional Use Permit to allow Home Occupation – Mobile Spray Tan Business. The applicant plans to park a mobile trailer that will house a mobile spray tan operation at her property at 320 L St. The applicant will travel to clients’ homes to offer spray tan services, and also plans to see clients at the subject property. The property only has approximately 37’ of street frontage and the applicant has indicated that the mobile trailer will need to be parked on the street in front of the property. Because of the unusual size and shape of the property, the applicant is unable to accommodate any off street parking for clients that come to the subject property for spray tan services. After review, the Planning staff recommends denial of this request. **Ms. Harris** states that the mobile trailer will park in the yard in front. **Mr. Cornum** asked what size is the mobile trailer and where was it going to be parked primarily. **Ms.**

Harris said it was an 8 ½ x 24 foot, and it basically takes up the front part of the yard. **Mr. Cornum** explained to **Mr. Nesser** that the trailer is parked on the grass area in the front to the right of the driveway. **Ms. Harris** said that a lot of the time it will be on the move instead of just sitting there. She also said that there will only be one client at time coming to her property. **Mr. Cornum** asked **Ms. Harris** if she had regular business hours. **Ms. Harris** said not at this time. She said this was an alternative for her to make money. She has a full time job, and she plans to work for the School systems and eventually have this as a side job on the weekends. Floor opened for public comment. There was none. **Mr. Nesser** asked if the trailer was parked parallel with the driveway. **Mr. Cornum** answered yes. **Mr. Nesser** asked how many customers will be going at one time, will it just the customer and the operator. **Ms. Harris** answered yes.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:14:59 **7. Consider approval of a Preliminary Plat for the Lara Family Estate, subdividing an approximately 161 acre tract into five separate properties, located outside the Carlsbad City Boundary.**

The applicant, **Jesse Laman**, comes to podium. **Mr. Patterson** explains this request is for the approval of a preliminary and final plat that will split the current +/- 161 acre property owned by Frankie Lara into five separate large tracts that are to be deeded to Mr. Lara's heirs as per his will. The attached subdivision plat shows that the access will be provided over BLM managed property per the access easement with the BLM, and from the George Shoup Relief Route from an ingress/egress access installed by the NMDOT to the north of the property. The five lots will have a 60' access easement across all new properties. There are currently no water or sewer services to note for this property. Approval of this request will allow for the creation of 5 new large tracts. The City's Planning Office has worked with Eddy County officials to address the access issues that are present for this property. The Eddy County Planner seems satisfied with the provided access as long as the ingress/egress point along the Relief Route is a permanent feature, and the road across the BLM property to the north of the subdivision that will be used for access is kept open. The Planning Dept. recommends approval of this request. **Mr. Laman** said that his sister was in charge of the property, but she passed away. Her executor was going to be her daughter then she suddenly passed away. So then basically he inherited the property and wants to get it all taken care of per his sisters wishes. Floor opened for public comment. There was none.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:19:17 **8. Consider a request from the property owner at 2618 Iowa St. for the City to Vacate approximately 0.25 acres of public right-of-way, located between Iowa St. and Utah St.**

The applicant, **Patricia Green**, comes to podium. **Mr. Patterson** states the applicant, Patricia Green, is requesting that the City vacate the alley to the east of 2618 Iowa St. This alley runs north-south between Iowa St. to the south and Utah St. to the north. The portion of this alley that the applicant wants vacated is approximately 0.253 acres (11,020 sq. ft.) in area, and about 290 linear feet in length and 37 feet wide. The City would need to verify if any City owned utilities are located within this alley, and other utility companies would need to sign off on this vacation as well. Based on internal review by City staff, the Planning Department recommends denial of this request. **Ms. Green** states that the alley north of her is already vacated and to the south she didn't know if it has been legally vacated but they have already put up a fence. This area has already become a traffic area where people are walking, looking to steal anything that they can and destroying anything. **Mr. Cornum** asked **Ms. Green** what was her address. **Ms. Green** said she owns the property at 2618 Iowa St. **Mr. Patterson** indicated her property was to the west of the right of way. **Ms. Wilson** said there are no utilities on it. **Mr. Patterson** states there are no City owned utilities but he couldn't speak for Electric or Gas Companies. Normally when the City

vacates right of way such like this you have to get concurrent sign off from the other Utility Companies. **Mr. Cornum** asked Ms. Green what plans she had to do to this property if vacated. **Ms. Green** said she wants to put up a fence so it would stop the traffic going through there. Right now people are using it as a dump site. **Ms. Balderrama** come to the podium and said that they have their house on the other side of the alley. She had property at 2619 Utah St., and her house is at 204 S. Tenth Street. She said they do have an Electric pole located in the alley. She's wanting to request that part of the alley. **Mr. Cornum** asked Ms. Balderrama if she was against it being vacated or for it being vacated. **Ms. Balderrama** responded she's for the vacation. **Mr. McGee** explains that he resides at 204 S. Tenth St. and he uses that right of way to get to his backyard and there's a power pole there. He's been talking to Ms. Green to see if they could split it where the line goes down 204 S. Tenth St. and get that half of the property. He's all for Ms. Green getting the rest of the property. He doesn't mind splitting it with the other neighbor but he needs time so he can move his gate otherwise they will no longer have access to get to their backyard. **Mr. Cornum** asked Mr. Patterson if it was City easement. **Mr. Patterson** said it was City right of way. If the City was to vacate this portion of the right of way then the property owners that are adjacent to it would be entitled to half of that alley, so it would be split into 5 sections. **Ms. Wilson** said that it was good idea for this request so it will stop all the traffic.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:26:53 **9. Consider a request for a Variance for the property at 312 Wheat Ct. to reduce the rear setback from the required then (10) feet to five (5) feet, zoned "R-1" Residential 1 District.**

The applicant, **Tim Thompson**, comes to the podium. **Mr. Patterson** explains this request is for Variance from Ord. 56-90(b) to allow a 5' rear setback as opposed to the minimum 10' rear setback for the property located at 312 Wheat Ct., zoned "R-1" Residential 1 District. He's wanting to place a prefab 18'x30' metal building within the minimum rear setback for this property. The applicant plans to place the metal building within 5' of the rear property line and 5' from the west property line. Looking at the property there's no public right of way or alley way behind it, the properties abut each other. Based on review of the application materials and other staff comments, the Planning Dept. recommends denial of this request. **Mr. Thompson** stated that he wants to get this shed and push it back just a little bit more so they can have space between the house and the metal building. There will not be any kind of plumbing or electrical. **Mr. Cornum** asked for clarification that he has 5 feet between his neighbor's house to the left and he wants 5 feet in the back. Floor opened for public comment. There was none. **Ms. Wilson** asked if there were any other sheds around his street. **Mr. Thompson** said not around him, but as you go down the other streets there are some that have 5 feet.

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:30:21 **10. Consider a recommendation to City Council regarding a request for a Zoning Change from "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.76 acre property located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y subdivision.**

The applicant, **Jose Pina**, comes to the podium. **Mr. Patterson** explains this request is for a change of zoning from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 0.76 acres, located at 206 E. Rose St., legally described as Lot 2, Block 2, South Y Subdivision. The subject property lies east of the intersection of Old Cavern Hwy., Yucca St., and E. Rose St. If you see on the map pages 90 and 91 the properties to the north & west are zoned "C-2" Commercial 2 District; the properties to the south & east are zoned "R-1" Residential 1 District. This will not create a spot zone. The use looks to be

residential in nature. Based on review of the application and staff comments, planning staff recommends approval of this request. **Mr. Pina** stated that they want to put up a metal building to store parts for this company. **Ms. Flaco** asked what is the company going to be storing there, is there going to be any changes or development of any type of business. They have two driveways one is facing Old Cavern Hwy. and the other is facing East Rose Street which is a dead end street. How are they going to be entering and exiting the property? **Mr. Pina** said that they are not going to have any trucking it's only going to be for parts. **Mr. Cornum** asked if it was going to be opened for business during the week. **Mr. Pina** said maybe. **Mr. Cornum** asked Mr. Patterson if the zone change is for the entire address of the property. **Mr. Patterson** said this would be a zone change so anything to be allowed in the "C-2" zoning would be allowed to go there, it's a heavier commercial and it allows more types of businesses. **Ms. Flaco** asked where she could get the documents on what's allowed in "C-2" zoning. **Mr. Patterson** said at the planning office he could provide that for her. **Ms. Flaco** asked if it was going to be used for storage. Would there be any fencing going up, or lights 24/7? Those are her concerns because she lives at 213 E. Rose. **Mr. Cornum** said those are really good questions and being that it could be "C-2" yes there could technically be commercial lighting and it does open the door for a lot more range on things to do. **Mr. Cornum** asked Mr. Pina if he could explain in more detail on what their plans are in regards to parking, fencing, and lighting. **Mr. Pina** said they want to do a metal building for tires and lights for the big trucks. **Mr. Cornum** asked if there's going to be any fencing up for privacy. **Mr. Patterson** stated that it would be required to put up for fencing and provide landscaping buffer between their property and the residential property. Any lights being installed will have to be pointed away from neighboring properties so they wouldn't obstruct the residential properties. That is in City requirements. **Ms. Flaco** asked if the fencing had to be chain link. **Mr. Patterson** said it has to be solid fencing. **Mr. Pina** said they can do whatever that is required to accommodate the residents and the ordinance. **Mr. Salcido** came to the podium and said that he lives 3207 Old Cavern Hwy. caddy corner to the property that's in question. His concern is what's going to be stored there, is it a parts place, is there going to be any chemicals stored? Is it going to be a work shop are they going to be hearing drills and air compressors, any types of noise to him it's not a really big concern, but he was curious. **Mr. Pina** said that it was not going to be a shop. **Mr. Salcido** said his concern is the lighting, because over on Rose Street when Mr. Brininstool purchased the property across the street and had it changed to "C-2", they had an issue with the lighting. It was lighting up his backyard and bedroom window and they took care of it with no problem. Those LED lights were over kill and where ever they are pointing it's disturbing and it hurt the eyes. Same as the Brewer store with their lights. It lit up his front yard. He went over there and talked to them and it took them a couple of weeks to take care of the problem. His concern is their going to have LED light then it's going to light up his front yard. **Mr. Pina** said whatever they have to do to accommodate everyone. **Mr. Cornum** stated to Mr. Salcido that when they change this property to "C-2" it does open the door to more commercial business and they can't restrict what goes on there. **Mr. Patterson** said they can't condition or restrict a zone change like that so whatever would be allowed in "C-2" would be allowed to locate here unless the zone would be changed again. Even though this current applicant says that they're going to do one thing if they sell the property or it has a new ownership they can do whatever is allowed in "C-2".

Ms. Wilson made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

0:41:57 **11. Consider a recommendation to the City Council regarding a request for a Zoning Change from "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.35 acre property located at 502 N. Sixth St., legal description attached.**

The applicant's representative, **Felipe Lucero**, comes to the podium. **Mr. Patterson** explains this is a request for a change of zoning from "R-2" Residential 2 District to "C-2" Commercial 2 District for approximately 0.35 acres, located at 502 N. Sixth St. The properties to the north & east are zoned "R-2" Residential 2 District; the properties to the south & west are zoned "R-1" Residential 1 District. This will create a spot zone. Based on review of the application and staff comments, planning staff recommends

denial of this request. **Mr. Lucero** stated that the property owners own 502 and 510 N. Sixth Street. It has two shops that are separated. He said that he grew up on 408 N. Sixth St. just next to this property and for years this location was always an eyesore. **Mr. Lucero** said that he built a house behind the property that's next to the Women's Battered Shelter. It has always been a problem. It's been vacant. Other people have tried to do something and it hasn't succeeded. He understands that if there was a business that respects the neighborhood or noise, he is just trying to do tint and detailing there. He's renting the place right now and in the future he wants to purchase it. Everyone in the neighborhood can see that he's cleaned up the properties and because he knows to respect the neighborhood. **Mr. Hernandez** said that he lives across the street at 505 N. Sixth Street. He said that he's against it because if Mr. Lucero doesn't purchase it then something else can go there. His neighbor that lives next door is retired and disabled. There's the Women's Battered Shelter behind it and if they approve it then there's nothing that they can do to change it, anything is allowed. **Mr. Hernandez** said he's about to retire and he's been living at that house for almost 30 years. He'll have 2 years left then he'll retire and his wife is disabled. If Mr. Lucero said that he's going to be doing detailing and tinting, if he decides to move then an oilfield company can move their business to that location. **Mr. Hernandez** stated that a few years ago the City Council approved a mechanic shop there and the noise that was made at any time of the day was annoying and he doesn't want that noise in the neighborhood. It's a quiet neighborhood. They still have traffic with Hillcrest School, but if they change the zone to "C-2" then it'll be more noise and more traffic. **Mr. Lucero** said he understands if it changes hands and that's not what the plan is. He's in the process in purchasing the property right now and he's planning on keeping it and not trying to disrespect the neighbors and have all kinds of traffic with no big trucks in and out of there. He'll have a time to stop work at a reasonable hour. His parents live at 408 N. Sixth St., so he's not going to be making all kinds of noise. It seems to him that being vacant is more of a problem than being occupied by him and his business. It's been a problem before it being vacant and no one is taking care of the property. He is seeing weeds grow and living right next to the property is an eyesore and they're all affected by it. **Mr. Cornum** asked Mr. Lucero if his main intent is to have a window tint shop. **Mr. Lucero** said yes. **Mr. Cornum** asked if his business needs to fall under "C-2". **Mr. Patterson** said yes any kind of work like that falls under "C-2". **Ms. Wilson** stated her concern that there are no "C-2" properties along that street and it can limit to what people can do. The biggest concern is not you having it changed, it's the concern when you sell it and change ownership later on down the road they can do anything they want that's the bad part. **Mr. Lucero** said he understands and there were a couple of other commercial properties further down the street.

Mr. Nesser made a motion for denial; **Ms. Wilson** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion for denial carried.

0:50:55 **12. Consider a recommendation to the City Council regarding a request for a Zoning Change from "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.18 acre property located at 510 N. Sixth St., legal description attached.**

The applicant's representative, **Felipe Lucero**, comes to the podium. **Mr. Patterson** explains this request for a change of zoning from "R-2" Residential 2 District to "C-2" Commercial 2 District for approximately 0.35 acres, located at 502 N. Sixth St. The properties to the north & east are zoned "R-2" Residential 2 District; the properties to the south & west are zoned "R-1" Residential 1 District. This will create a spot zone. Based on review of the application and staff comments, planning staff recommends denial of this request. **Mr. Cornum** explained that this item was contingent to the item #11 just a different address with the exact same information.

Mr. Nesser made a motion for denial; **Ms. Wilson** seconded the motion. The vote was as follows: **Yes--Mr. Nesser, Mr. Cornum, Ms. Wilson.** No—None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion for denial carried.

0:52:50 **13. Report regarding Summary Review Subdivisions**

Mr. Patterson gave a report on the Summary Reviews. Nothing unusual was noted.

0:53:57 **14. Adjourn**

Ms. Wilson made a motion to Adjourn; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-- Mr. Nesser, Mr. Cornum, Ms. Wilson.** No— None. Absent—**Mr. McCormick, Ms. Branson.** Abstained—None. The motion carried.

The meeting was adjourned.

0:54:09 Stop Recording [5:54:24 PM]

Chairman

Date

DRAFT



Receipt Date Stamp

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)

Application Date: 2-3-2023
Existing Zoning: R-R

Fee Paid (\$100.00):
Proposed Zoning: C-2

APPLICANT INFORMATION:

Carlsbad Family Health Center 2013 San Jose Blvd.

NAME ADDRESS
Carlsbad NM 88220 (575) 887-2455 patrick.dyer@pmsnm.org
CITY STATE ZIP PHONE EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Presbyterian Medical Services PO Box 2267

NAME ADDRESS
Santa Fe NM 87504-2267 (505) 795-1399 patrick.dyer@pmsnm.org
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):

2013 San Jose Blvd Tract 4, Old Rose Farm #3

ADDRESS LOT BLOCK SUBDIVISION

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

2-3-2023
 DATE

Sign issued by: _____
 Staff Member

Date: 2/2/2023

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: Presbyterian Medical Services PO Box 2267, Santa Fe, NM 87504-2267 (505) 982-5565
Name Address Phone

Subject Site Location: 2013 San Jose Blvd., Carlsbad, NM 88220

The proposed action is a:

Zoning Change from R-R to C-2 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: March 6, 2023

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

**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.



February 2, 2023

VIA EMAIL: paortiz@cityofcarlsbadnm.com

Trysha Ortiz

Deputy Director of Planning & Regulation

114 S. Halagueno St.

Carlsbad, NM 88220

575-885-1185

Re: Zoning Change Application PMS Carlsbad Family Health Center

Dear Mrs. Ortiz,

PMS Carlsbad Family Health Center located at 2013 San Jose BLVD Carlsbad New Mexico 88220 and is currently operating an outpatient community health center within Eddy County since 2005. We have received federal funding to expand our clinic for purposes of increasing access to safety net medical and behavioral health services. Then we need to describe the scope of the expansion/remodel.

Eddy County, located in the southeast corner of the state, is a Medically Underserved Area (MUA) and Health Professional Shortage Area (HPSA). Presbyterian Medical Services (PMS) has been providing primary healthcare in the city of Carlsbad for 30 years. PMS Carlsbad Family Health Center (FHC) has experienced double-digit increases in patient visits since 2016, and there is a continuing need for additional primary care services in the community. The expansion of Carlsbad FHC will add 8 exam rooms, capacity to add behavioral health services, and create a more efficient medical support workstation. The additional clinical space will improve patient flow and provider efficiency. The expanded clinic will have space to add 2 medical providers and 1 behavioral health provider to its clinical team and open access to care for 3200 additional patients.

PMS will use Congressionally Designated Spending (CDS) funds to expand the existing footprint of the Carlsbad FHC facility from its current 9,088 square feet to 12,688 square feet - an increase of 3,600 square feet. The expansion will include an additional eight (8) exam rooms, Behavioral Health office and group room, Medical Assistant workstation, expanded pharmacy space with admin office, new restrooms, and an extended file room. The project will also reconfigure approximately 740 square feet of the existing facility to provide an expanded lab space and revamped space for a provider work room.

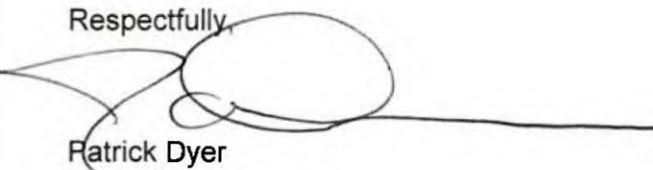
This project addresses the unmet need for services in Eddy County by improving access to primary care, especially those who have experienced difficulty finding a medical home due to costs, lack of transportation, distance barriers and ability to pay. PMS is the only primary care provider that offers a sliding fee scale in Eddy County.

PMS has developed partnerships with local hospitals, public health departments, city and county governments and local providers to offer complete wrap-around services to patients. The city of Carlsbad looks to PMS to provide critical services to the uninsured and underserved. The community expects the health center to be able to meet health care needs as they continue to grow and change.

Throughout the construction and implementation of the project, PMS will boost employment opportunities and financial resources into the community. The additional services created from the expansion will improve the lives of patients and the overall health of the community.

Should you have further questions, please feel free to reach out to me at any time. I can be reached at patrick.dyer@pmsnm.org or via phone at (505) 982-5565.

Respectfully,




Patrick Dyer


General Services Director



PMSNM.ORG

Presbyterian Medical Services
PO Box 2267 Santa Fe, NM 87504
1422 Paseo de Peralta Santa Fe, NM 87501
PHONE: 505.982-5565

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Tom BENEDIKUS 2515 HARRIS RD SW Albuquerque, NM 87105</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
 9590 9402 6570 1028 7671 84	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7003 1010 0004 9458 9982</p>	
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>SOUTHEAST NM COMMUNITY ACTION CORP. 1915 SAN JOSE BLVD. CARLSBAD, NM 88220</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
 9590 9402 6570 1028 7671 77	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7003 1010 0004 9458 9975</p>	
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

<ul style="list-style-type: none"> Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>B. Received by (Printed Name)</p>
<p>1. Article Addressed to:</p> <p>DAVID & LUCERNE MALEY PO Box 519 CARLSBAD, NM 88221</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
 9590 9402 6570 1028 7671 60	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7003 1010 0004 9458 9968</p>	
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

7003 1010 0004 9458 9975

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
SOUTHWEST NM Community Action Corp.
Street, Apt. No.,
or PO Box No. 1915 SAN JOSE BLVD.
City, State, ZIP+4 CARLSBAD, NM 88220

PS Form 3800, June 2002

See Reverse for Instructions

7003 1010 0004 9458 9968

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
DAVID & LAVERNE MALEY
Street, Apt. No.,
or PO Box No. 70 BOX 519
City, State, ZIP+4 CARLSBAD, NM 88221

PS Form 3800, June 2002

See Reverse for Instructions

7003 1010 0004 9458 9982

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
Tom Buhaviales
Street, Apt. No.,
or PO Box No. 2515 HARRIS RD SW
City, State, ZIP+4 ALBUQUERQUE NM 87105

PS Form 3800, June 2002

See Reverse for Instructions



February 2, 2023

Tom Benavides
2515 Harris Rd. SW
Albuquerque, NM 87105

Dear Property Owner:

I am writing today on behalf of Presbyterian Medical Services ("PMS") to clarify our intent regarding the enclosed notice of pending zoning action.

As you know, PMS has long operated an outpatient community health center (Carlsbad Family Health Center) located at 2013 San Jose Blvd., Carlsbad, NM 88220. This clinic provides comprehensive outpatient medical services to residents of the Carlsbad service area, regardless of insurance status or ability to pay. The Carlsbad Family Health Center is an important part of the healthcare safety net of Eddy County, serving thousands of patients each year.

To accommodate increased community need for our services, PMS is seeking to expand our current clinic facility by approximately 3,500 square feet. While the planned remodel will only marginally expand the footprint of the existing clinic facility, we have been informed by the City of Carlsbad that a zoning change will be required. The planned construction/remodel will include the addition of 9 medical exam rooms, medical assistant area, pharmacy, lab, and improvements with mechanical equipment, flooring and overall lighting. Approximately 1,060 sf of the existing building will be remodeled to create a more open work area for physicians, pharmacy, and additional staff restrooms. Existing flooring will be replaced through much of the facility.

PMS is proud to serve and provide high quality healthcare to the Carlsbad community. We are sensitive to the fact that our neighbors may have some concerns pertaining to our remodel. Please feel free to reach out to General Services Director, Pat Dyer, at any time. He can be reached at patrick.dyer@pmsnm.org or via phone at (505) 982-5565.

Respectfully,

A handwritten signature in black ink, appearing to read "Don L. Daniel", written over a white background.

Don L. Daniel
Vice President of Business Development & General Counsel



February 2, 2023

David & Laverne Maley
PO Box 519
Carlsbad, NM 88221

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Don L. Daniel
Vice President of Business Development & General Counsel

Date: 02/02/2023

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: Presbyterian Medical Services

Name	Address	Phone
Subject Site Location: <u>2013 San Jose Blvd., Carlsbad, NM 88220</u>		

The proposed action is a:

Zoning Change from R-R to C-2 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: March 6, 2023

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



February 2, 2023

Southeast NM Community Action Corp.
1915 San Jose Blvd.
Carlsbad, NM 88220

Dear Property Owner:

I am writing today on behalf of Presbyterian Medical Services ("PMS") to clarify our intent regarding the enclosed notice of pending zoning action.

As you know, PMS has long operated an outpatient community health center (Carlsbad Family Health Center) located at 2013 San Jose Blvd., Carlsbad, NM 88220. This clinic provides comprehensive outpatient medical services to residents of the Carlsbad service area, regardless of insurance status or ability to pay. The Carlsbad Family Health Center is an important part of the healthcare safety net of Eddy County, serving thousands of patients each year.

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Carlsbad, NM 88220

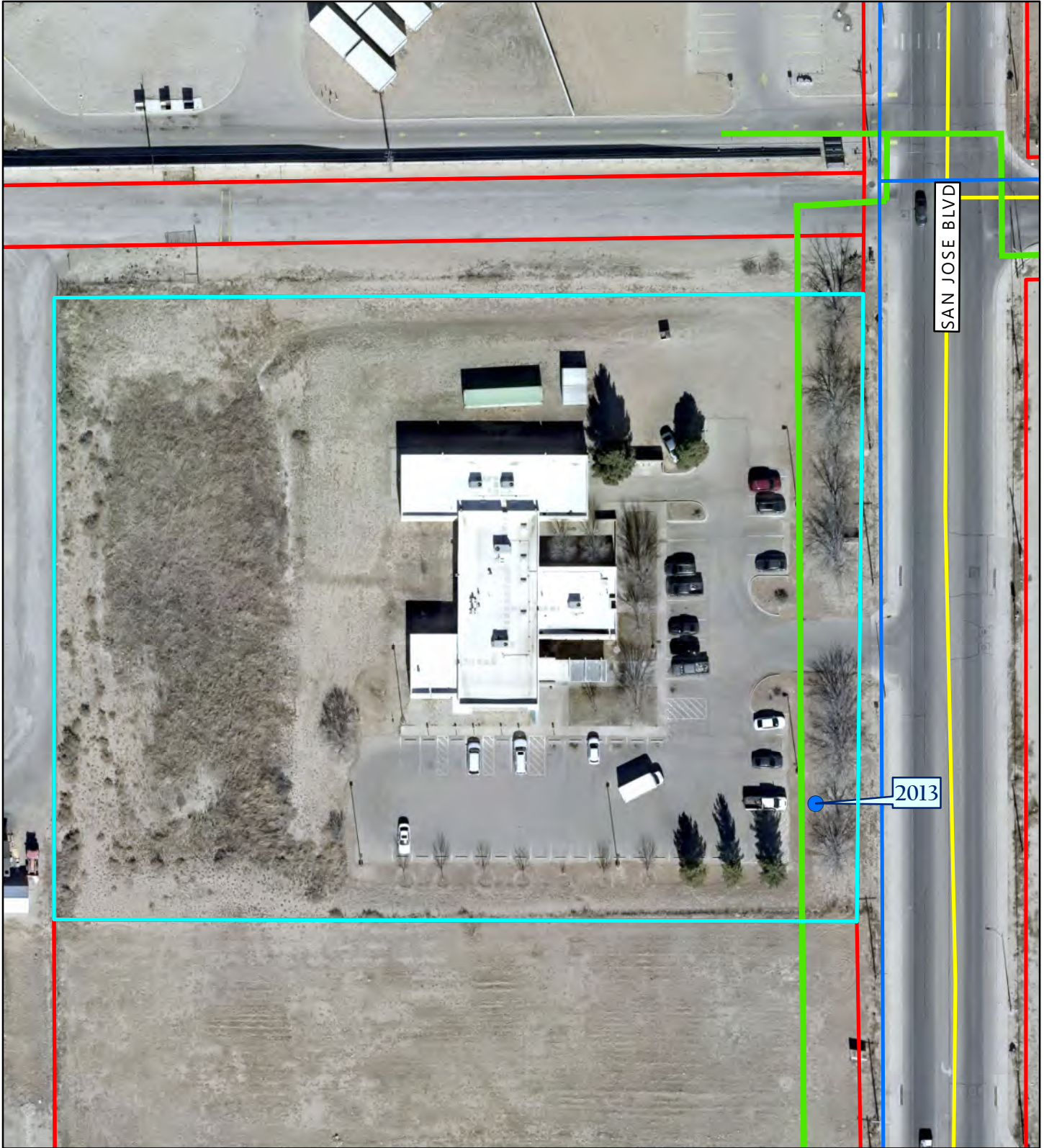
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For details about this request contact the applicant **OR** contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

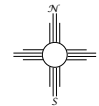
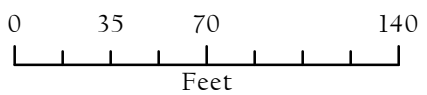
Sincerely,



Applicant/Agent



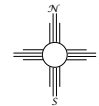
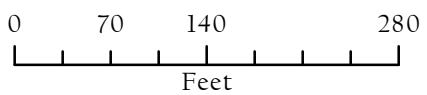
- Carlsbad Address
- Water Main
- Sewer Main
- Roads
- Parcel



IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.



- | | | |
|---|------------------|---------------|
| ● | Carlsbad Address | Zoning |
| — | Water Main | ■ C-2 |
| — | Sewer Main | ■ R-2 |
| — | Roads | ■ R-R |
| □ | Parcel | |



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CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: May 9, 2023

DEPARTMENT: Legal	BY: Denise Madrid Boyea <i>DB</i>	DATE: April 27, 2023
SUBJECT: Proposed Resolution requiring the removal of the ruined, damaged or dilapidated building or structure, ruins, rubbish, wreckage, weeds and debris at 2311 & 2313 Jackson St.		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The property commonly known as 2311 & 2313 Jackson St. is in a residential neighborhood near the intersection of Texas and 6th St. There appears to be a fire-damaged structure on the property and rubbish, debris and weeds. The Eddy County Assessor's Office lists Judy Kay Einkauf as owning or having an interest in the property. The Assessor's records lists Judy Kay Einkauf's address as 501 1/2 S. Elm, Carlsbad, NM 88220. The property appears to be vacant and unsecured. Code enforcement has been to the property. A Notice of Violation was mailed by certified mail to the owners on February 28, 2023, but no one has claimed the letter. A fire erupted at the property on January 5, 2023. The Fire Department was on scene shortly after the fire started. The property has been inspected by the City Code Enforcement Office, the Building Inspector and the Fire Chief. They found that the property remains out of compliance with applicable codes. The fire-damaged, ruined or dilapidated structure remains on the property and the property is not secured. The Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends the buildings be demolished, the property be cleaned and the weeds and debris be removed. A resolution has been prepared which, if adopted, would require the property owner to remove all ruins, dilapidated structure, rubbish, wreckage, debris and weeds from the property within thirty days of the service of the resolution. On April 27, 2023, a certified letter was sent to Judy Kay Einkauf at the address on the records of the County, which invited her to attend the meeting and speak with Council about the property.		
DEPARTMENT RECOMMENDATION: Adopt the proposed resolution.		
BOARD/COMMISSION/COMMITTEE ACTION: N/A		
<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board
<input type="checkbox"/> Library Board	<input type="checkbox"/> North Mesa Board	<input type="checkbox"/> _____ Committee
		} <input type="checkbox"/> APPROVED } } <input type="checkbox"/> DISAPPROVED

Reviewed by: City Administrator /s/John Lowe **Date:** 05/04/2023

ATTACHMENT(S):
Proposed Resolution with Attachments
Photographs
Letter to Judy Kay Einkauf, dated April, 27, 2023

RESOLUTION NO. 2023-22

A RESOLUTION FINDING THE BUILDINGS OR STRUCTURES AT THE PROPERTY COMMONLY KNOWN AS 2311 & 2313 JACKSON STREET TO BE RUINED, DAMAGED, AND DILAPIDATED AND FINDING THE PREMISES TO BE COVERED WITH RUINS, RUBBISH, WRECKAGE, WEEDS, DEBRIS; AND REQUIRING THE REMOVAL OF THE BUILDINGS, STRUCTURES, RUINS, RUBBISH, WRECKAGE, WEEDS, AND DEBRIS

WHEREAS, the records of the Eddy County Assessor's Office show **Judy Kay Einkauf** to be the owner of or to have an interest in the property commonly known as **2311 & 2313 Jackson Street, Carlsbad, Eddy County, New Mexico**, and more particularly described as:

Subd: JACKSON Lot: 6 Block: A S: 2 T: 22S R: 26E

Subd: JACKSON Lot: 7 Block: A Quarter: NE S: 2 T: 22S R: 26E

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer, the Fire Marshal and the Certified Building Official; and

WHEREAS, the Carlsbad Code Enforcement Officer, the Fire Marshal and the Certified Building Official found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Carlsbad Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Marshal has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the specific Building Code violations include, but are not limited to those listed on the attached Exhibit "C;" and

WHEREAS, the Property and all structures, ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owners, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owners, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

- A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or
- B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. The removal of the structure, ruins, rubbish, wreckage, debris, and weeds shall:

- A. Begin immediately;**
- B. Proceed properly and with diligence; and**
- C. Be completed in a timely manner;**
- D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.**

6. Any removal of the structures, ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.

7. If the owner, occupant, or agent in charge does not commence the removal of the stated items, and if no written objection is filed as required, or if the removal of the stated items is not completed in a timely manner, the City may remove the structures, ruins, rubbish, wreckage, debris, and/or weeds at the cost and expense of the owner.

8. The reasonable cost of such a removal shall constitute a lien against the structures, ruins, rubbish, wreckage, debris, and/or weeds so removed and against the lot or parcel of land from which it was removed.

9. The City Clerk shall make out, sign, attest, file, and record in the office of the Eddy County Clerk's Office, a claim of lien upon the described premises.

10. The lien shall bear interest at the rate of twelve percent (12%) per annum from the date of filing until paid, together with reasonable attorney's fees for the foreclosure of the same. The lien shall be foreclosed in any manner proved by an applicable state lien foreclosure law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this 9th day of May, 2023.

DALE JANWAY, MAYOR

ATTEST:

NADINE MIRELES, CITY CLERK



CITY OF CARLSBAD

*Planning, Engineering,
and Regulation Department*
114 S. Halagueno, PO Box 1569
Carlsbad, New Mexico 88220
Phone (575) 885-1185, Fax (575) 628-8379

CODE ENFORCEMENT REPORT

Case Number: CE- ____ - ____	Date of Complaint: April 26, 2023	Complaint Taken By: Lonnie Jaquez
Complainant Name: Judy Kay Einkauf		Phone Number:
Complaint Location: 2313 Jackson Street, Carlsbad, New Mexico 88220		
Details of Complaint: <small>-House is severely burned. -Woods, trash & debris.</small> <small>SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT 108.1</small>		
Primary Structure: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Occupied <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured <input type="checkbox"/> No structure on property	Photographs Taken (attach): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CE District: <input type="checkbox"/> North <input type="checkbox"/> South
Narrative: -Owner was mailed notice February 28, 2023. -Unable to make contact with owner.		
Disposition of Case: <input type="checkbox"/> No Basis for Complaint: _____ <input checked="" type="checkbox"/> Mailed Notice of Violation/Date: <u>February 28, 2023</u> <input type="checkbox"/> Door Hanger Notice of Violation/Date: _____ <input type="checkbox"/> Verbal Warning/Date: _____ <input type="checkbox"/> Referred to Other Agency: _____ <input type="checkbox"/> Other: _____		
	Lonnie Jaquez	04/26/2023
Code Enforcement Signature	Printed Name	Date
Report Information: Entered into Database on: _____ By: _____ Page ____ of ____		

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department
Code Enforcement Division
101 N. Halagueno St., PO Box 1569
Carlsbad, New Mexico 88220
Phone (575) 885-1185, Fax (575) 628-8379



NOTICE OF CODE VIOLATION

Date: February 28, 2023
Case: CE- 2023 - pending
Address: 2313 Jackson
Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*
4-155-127-502-233
EINKAUF, JUDY KAY
501 1/2 S ELM ST
CARLSBAD, NM 88220

FINAL NOTICE

The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: March 7, 2023.
CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:
Please cut weeds, and remove trash and debris from the property. Thank you for your compliance, should you have any questions please call our office at 575-885-1185.

CODE VIOLATED:
Sec. 56-160. - Non-conforming uses and structures.
(d) Damage or destruction of non-conforming structures.
(e) Abandonment or discontinuance of legally non-conforming uses.

CODE VIOLATED:

CODE VIOLATED:

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Active listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

Code Enforcement Signature

Lonnie Jaquez
Printed Name

02/28/2023
Date

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Einkauf, Judy Kay
501 1/2 South Elm
Carlsbad, N.M. 88220*



9590 9402 6626 1028 1507 93

2. Article Number (Transfer from service label)

22 0410 0002 9828 8337

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7022 0410 0002 9828 8337

Certified Mail Fee	\$ 4.15
Extra Services & Fees (check box, add fees as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 3.55
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 0.60
Total Postage and Fees	\$ 8.10



Sent To *Judy Kay Einkauf*
Street and Apt. No., or PO Box No. *501 1/2 South Elm*
City, State, ZIP+4® *Carlsbad N.M. 88220*

Apr 27, 2023 at 10:27:19 AM



Apr 27, 2023 at 10:26:41 AM



Apr 27, 2023 at 10:26:57 AM



Apr 27, 2023 at 10:27:06 AM



Apr 27, 2023 at 10:26:48 AM





Feb 27, 2023 11:54:52 AM
2313 Jackson Street
Carlsbad
Eddy County
New Mexico



Apr 26, 2023 2:09:33 PM
2311 Jackson Street
Carlsbad
Eddy County
New Mexico



Apr 26, 2023 2:09:35 PM
2311 Jackson Street
Carlsbad
Eddy County
New Mexico



Feb 27, 2023.11:54:55 AM
2313 Jackson Street
Carlsbad
Eddy County
New Mexico



Apr 26, 2023 2:10:34 PM
2313 Jackson Street
Carlsbad
Eddy County
New Mexico



Apr 26, 2023 2:10:14 PM
2313 Jackson Street
Carlsbad
Eddy County
New Mexico



Apr 26, 2023 2:10:44 PM

City Of Carlsbad
Inter-Office Memorandum

Dale Janway Mayor

John Lowe, City Manager

Date: 20 March 2023

To: Denise Madrid Boyea, City Attorney

From: Ken Ahrens, Assistant Fire Chief

Re: 2311 Jackson St.

On March 20, 2023, I inspected a property located at 2311 Jackson St. Fires that occurred on February 21, 2023 and March 19, 2023 heavily damaged this property; and it is in danger of collapse and presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the buildings be secured or demolished, the property be cleaned up, and the weeds and debris be removed under the following fire codes.

The International Fire Code, 2015 edition states:

Section 110 Unsafe Buildings

110.1 General. If during the inspection of a building or structure or any building system, in whole or part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

110.1.1 Unsafe Conditions. Structures or existing equipment that are or here after become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by Section 311 shall be unsafe.

110.1.2 Structural Hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire official shall immediately notify the building official in accordance with Section 110.1

110.4 Abatement. The owner, operator or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions by repair, rehabilitation, demolition, or other approved corrective action.

Section 304 Combustible Waste Material

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

Section 311 Vacant Premises

311.1 General. Temporarily unoccupied buildings, structures, premises, or portions thereof including tenant spaces shall be safeguarded and maintained in accordance with this section.

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered, declared unsafe and abated by demolition or rehabilitation.

311.2 Safeguarding vacant premises. Temporarily unoccupied buildings, structures, premises, or portions thereof shall be secured and protected in accordance with this section.

311.2.2 Security. Exterior openings and interior openings accessible to other tenants or authorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. The Fire Code Official is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.

311.3 Removal of combustibles. Persons owning, or in charge of a vacant building or portion thereof, shall remove therefrom all accumulations of combustible material, flammable or combustible waste or rubbish and shall securely lock or otherwise secure doors, windows, and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.

A handwritten signature in black ink, appearing to read 'Ken Ahrens', written in a cursive style.

Ken Ahrens, Fire Chief
Carlsbad Fire Department

CITY OF CARLSBAD

INTER-OFFICE MEMORANDUM

Dale Janway, Mayor

John Lowe, City Administrator

February 27, 2023

TO: Denise Madrid Boyea, City Attorney

FROM: Nick Sullivan, Building Inspector

RE: 2313 Jackson St, Carlsbad N.M.

On February 27, 2023, I performed an inspection on a property located at 2313 Jackson St. The house was involved in a serious fire event that has left the house in ruin. The house was only occupied by squatters and had been abandoned by the owners. The house has been Red Tagged and in its current state presents a serious risk to the general public. A substantial portion of the house is structurally compromised and is in danger of collapse. This structure presents a significant danger to the public and should be condemned under the following sections of the International Property Maintenance Code.

The International Property and Maintenance Code- 2009 edition states:

Section 108- Unsafe Structures and Equipment

108.1.1- Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.3- Structure Unfit for Human Occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.5- Dangerous Structure or Premises- For the purpose of this code, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous: Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

Section 304- Exterior Structure

304.1- General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.7- Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Section 305- Interior Structure

305.1- General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. Section

505 Water System

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code (and/or Uniform Plumbing Code).

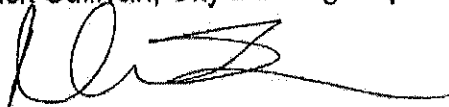
Section 602- Heating Facilities

602.2 Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Section 604- Electrical Facilities

604.2- Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a threewire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Nick Sullivan, City Building Inspector



City Of Carlsbad
February 27, 2023



NOTICE

THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY.

UNDER SECTION 108 INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE CITY OF CARLSBAD

IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING

DEPARTMENT OF BUILDING
CITY OF CARLSBAD



Building Official

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED.

DATE _____ REFER TO SECTION 107.4 INTERNATIONAL PROPERTY MAINTENANCE CODE (CHAPTER 1-6 CCO)

NICHOLS PRINTING, INC.































DALE JANWAY
MAYOR

Post Office Box 1569
Carlsbad, NM 88221-1569
(575) 887-1191
1-800-658-2713
www.cityofcarlsbadnm.com

JOHN N. LOWE
CITY ADMINISTRATOR

April 27, 2023

Judy Kay Einkauf
501 ½ S. Elm St.
Carlsbad, NM 88220

RE: Dangerous Premises at the property known as 2311 & 2313 Jackson St., Carlsbad, NM

Dear Ms. Einkauf:

According to the records of the Eddy County Assessor's Office, you are the owner or have an interest in the property commonly known as **2311 & 2313 Jackson St., Carlsbad, NM**. The property has been inspected by the City Code Enforcement Office, the Building Inspector and the Fire Chief. They have found the property to be in violation of a number of health, safety, and building laws.

Because of the condition of the property, a Resolution has been prepared requiring the removal of the structure and cleaning of the property. The Carlsbad City Council will consider passing that Resolution at its meeting on **Tuesday, May 9, 2023 at 6:00 PM**. That meeting will be held in the Council Chambers in the Janell Whitlock Municipal Complex at 114 S. Halagueno St., Carlsbad, NM. You are encouraged to come to the meeting and speak with Council about the property. A draft of the Resolution is included with this letter.

If the Council adopts the Resolution, you must begin removing the structure, ruins, rubbish, wreckage, debris, and weeds from the property within ten days and complete the work within sixty days. The property must be left in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled. If the work is not done, the City may do the work itself or hire someone to do the work. All reasonable costs to the City for such work will become a lien against the property. The City may then foreclose the lien as allowed by law.

If you have any questions regarding this matter, please contact me at (575) 887-1191, or at the Municipal Building, 101 N. Halagueno, Carlsbad, NM 88220.

Sincerely,

A handwritten signature in blue ink that reads "Denise Madrid Boyea".

Denise Madrid Boyea

COUNCILORS

Ward 1
EDDIE T. RODRIGUEZ
LISA A. ANAYA FLORES

Ward 2
JEFF FORREST
J J CHAVEZ

Ward 3
KARLA NIEMEIER
JUDI WATERS

Ward 4
MARK WALTERSCHEID
WESLEY A. CARTER

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: May 9, 2023

DEPARTMENT: Legal	BY: Denise Madrid Boyea DB	DATE: May 3, 2023
SUBJECT: Proposed Resolution requiring the removal of the ruined, damaged or dilapidated buildings or structures, ruins, rubbish, wreckage, and debris at 806 Irvin St.		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The property commonly known as 806 Irvin St. is in a residential neighborhood near the intersection of Boyd and Lea. There appears to be dilapidated structures on the property and a large amount of rubbish, debris and weeds. The Eddy County Assessor's Office lists Liborio Morales and Belia Morales as owning or having an interest in the property. The Assessor's records lists Liborio Morales and Belia Morales' address as 806 Irvin St. , Carlsbad, NM 88220. Upon information and belief, the owners are deceased but a probate of their estate has not been filed. The property appears to be vacant and unsecured. Code enforcement has been to the property and the structures were red-tagged numerous times by the Building Department starting in 2015 and there was a fire in 2017. The red tags have been removed by unknown persons and the police have been called to the property often. The electric and water utilities have been disconnected. The buildings continue to degrade and the property attracts transients that present a danger to surrounding properties. A Notice of Violation was mailed to the owner on 11 October, 2022. The property has been inspected by the City Code Enforcement Office, the Building Inspector and the Fire Chief. They found that the property remains out of compliance with applicable codes. The ruined or dilapidated structures remain on the property and the property is not secured. The Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends the buildings be demolished, the property be cleaned and the debris be removed. A resolution has been prepared which, if adopted, would require the property owner to remove all ruins, dilapidated structures, rubbish, wreckage, debris and weeds from the property within thirty days of the service of the resolution. On May 3, 2023, a certified letter was sent to Liborio Morales and Belia Morales at the address on the records of the County, which invited them to attend the meeting and speak with Council about the property.		
DEPARTMENT RECOMMENDATION: Adopt the proposed resolution.		
BOARD/COMMISSION/COMMITTEE ACTION: N/A		
<input type="checkbox"/> P & Z <input type="checkbox"/> Museum Board <input type="checkbox"/> Library Board	<input type="checkbox"/> Lodgers Tax Board <input type="checkbox"/> San Jose Board <input type="checkbox"/> North Mesa Board	<input type="checkbox"/> Cemetery Board <input type="checkbox"/> Water Board <input type="checkbox"/> _____ Committee
		<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED

Reviewed by: City Administrator /s/John Lowe **Date:** 05/04/2023

ATTACHMENT(S):
 Proposed Resolution with Attachments
 Photographs
 Letter to Liborio Morales and Belia Morales dated May 3, 2023

RESOLUTION NO. 2023-23

A RESOLUTION FINDING THE BUILDINGS OR STRUCTURES AT THE PROPERTY COMMONLY KNOWN AS 806 IRVIN STREET TO BE RUINED, DAMAGED, AND DILAPIDATED AND FINDING THE PREMISES TO BE COVERED WITH RUINS, RUBBISH, WRECKAGE, WEEDS, DEBRIS; AND REQUIRING THE REMOVAL OF THE BUILDINGS, STRUCTURES, RUINS, RUBBISH, WRECKAGE, WEEDS, AND DEBRIS

WHEREAS, the records of the Eddy County Assessor's Office show **Liborio & Belia Morales** to be the owners of or to have an interest in the property commonly known as **806 Irvin Street, Carlsbad, Eddy County, New Mexico**, and more particularly described as:

Subd: OSBORNE 2ND Lot: 52 Block: 189 Quarter: NW S: 07 T: 22S R: 27E

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer, the Fire Chief and the Certified Building Official; and

WHEREAS, the Carlsbad Code Enforcement Officer, the Fire Chief and the Certified Building Official found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Carlsbad Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Chief has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the specific Building Code violations include, but are not limited to those listed on the attached Exhibit "C;" and

WHEREAS, the Property and all structures, ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owners, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owners, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

- A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or
- B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. The removal of the structure, ruins, rubbish, wreckage, debris, and weeds shall:

- A. Begin immediately;**
- B. Proceed properly and with diligence; and**
- C. Be completed in a timely manner;**
- D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.**

6. Any removal of the structures, ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.

7. If the owner, occupant, or agent in charge does not commence the removal of the stated items, and if no written objection is filed as required, or if the removal of the stated items is not completed in a timely manner, the City may remove the structures, ruins, rubbish, wreckage, debris, and/or weeds at the cost and expense of the owner.

8. The reasonable cost of such a removal shall constitute a lien against the structures, ruins, rubbish, wreckage, debris, and/or weeds so removed and against the lot or parcel of land from which it was removed.

9. The City Clerk shall make out, sign, attest, file, and record in the office of the Eddy County Clerk's Office, a claim of lien upon the described premises.

10. The lien shall bear interest at the rate of twelve percent (12%) per annum from the date of filing until paid, together with reasonable attorney's fees for the foreclosure of the same. The lien shall be foreclosed in any manner proved by an applicable state lien foreclosure law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this 9th day of May, 2023.

DALE JANWAY, MAYOR

ATTEST:

NADINE MIRELES, CITY CLERK



CITY OF CARLSBAD

Planning, Engineering,
and Regulation Department

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 628-8379

CODE ENFORCEMENT REPORT

Case Number: CE- <u>22</u> - <u>146</u>	Date of Complaint: 11/10/22	Complaint Taken By: EHarrell
Complainant Name: Anon		Phone Number:
Complaint Location: 806 Irvin		
Details of Complaint: Junk/trash/debris Past house fire stealing electric and water from neighbor living in a camper		
Primary Structure: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Vacant <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured <input type="checkbox"/> No structure on property	Photographs Taken (attach): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CE District: <input type="checkbox"/> North <input checked="" type="checkbox"/> South
Narrative: <small>During inspection, this property had been Red Tagged two times, one on 12/9/2015 with the stipulation the side carport that was enclosed be torn down, an electrical upgrade and plumbing/water to be redone, water or electric was "Not" to be turned back on until an inspection from the city was done. Shed in back caught fire on 11/22/17. Permit was pulled for a Demo on 1/9/18. Property was Red Tagged again on 11/10/22 with the same stipulations. Shortly after water was turned on, but I don't think electric supplies the house. Building Inspector both times said the house was in very poor shape. Complaint came in again about water and electric was being stolen from house next door. Owners are deceased and no probate is in place for this resident. Spoke with a daughter(Laura Galindo) who said no one has the money to fix the house and no probate is in place. No one should be living in the house. Laura said she would board up the house on 12/9/15 until a demo could take place. This house has been in ruins and bad shape for years now. When making contact with Laura over the past few years, she is either very sick or in jail. Her phone number changes or is no longer valid. PD has been called to this house along with Drug Task force through out the years. Property has a very lengthy history with no evidence of ever being fixed. The squatters that are occupying the house should not be there.</small>		
Disposition of Case: <input type="checkbox"/> No Basis for Complaint: _____ <input checked="" type="checkbox"/> Mailed Notice of Violation/Date: <u>Certified on 11/10/22</u> <input type="checkbox"/> Door Hanger Notice of Violation/Date: _____ <input type="checkbox"/> Verbal Warning/Date: _____ <input type="checkbox"/> Referred to Other Agency: _____ <input checked="" type="checkbox"/> Other: <u>Will ask fire marshal and building department for an inter office memo to start a condemnation.</u>		
Code Enforcement Signature	EHarrell Printed Name	2/3/23 Date
Report Information: Entered into Database on: _____ By: _____ Page ____ of ____		

15 CITY OF CARLSBAD
 Planning, Engineering, and Regulation Department
Code Enforcement Division
 101 N. Halagueno St., PO Box 1569
 Carlsbad, New Mexico 88220
 Phone (575) 885-1185, Fax (575) 628-8379



NOTICE OF CODE VIOLATION

Date: 11/10/2022
 Case: CE- 22 - 146
 Address: 806 Irvin
 Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*
 4-157-128-042-030
 MORALES, LIBORIO & BELIA
 806 IRVIN ST
 CARLSBAD, NM 88220

FINAL NOTICE

The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 11/20/2022.

CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:
 Please clean property of weeds/trash/junk. Board up the house. We met you at this property and the building dept. explained you needed to remove the add on that is being lived in. The house is in poor shape. Bring this house into compliance or demo. Stealing water and electricity from he neighbor house is not allowed, this is illegal. This will be your only notice before a condemnation will take place. Thank you for your compliance. Any questions call 575-885-1185 ext. 2239

CODE VIOLATED:
WASTE STORAGE (CCO 22-03): Any land, within the city, used for open storage of junk, trash or debris is hereby declared to be a public nuisance, and such use of land is prohibited in the city.

CODE VIOLATED:
EXCESS WEEDS - LOTS (CCO 22-64): It shall be unlawful for any owner having charge or control of any lot within the city to permit or maintain on any such lot, including the area located between the property line and the middle of the alley adjacent to the property, and the area located between the property line and the curb, and the area located ten feet outside the property line where there is no curb, any growth of weeds to a greater height than 12 inches, or any accumulation of weeds.
VEHICLE STORAGE (CCO 50-06(d)): No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than 48 hours; and no person shall leave any such vehicle on any property within the city for a longer period of time than 48 hours; except that this section shall not apply with regard to a vehicle in an enclosed building or otherwise screened from public view or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city

CODE VIOLATED:
DILAPIDATED BUILDINGS AND STRUCTURES
 Sec. 22-32 - Determination; resolution requiring removal.
 Whenever any building or structure is ruined, damaged and dilapidated, or any premises covered with ruins, rubbish, wreckage, debris or weeds, the city council may, by resolution, find that the ruined, damaged and dilapidated building or structure or weed covered premises is a menace to the public comfort, health, peace or safety and require the removal from the city of the building, structure, ruin, rubbish, wreckage, debris or weeds.

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Active listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

EHarrell EHarrell 11/10/2022
 Code Enforcement Signature Printed Name Date

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MORALES, LIBORIO + BELIA
 806 IRVIN ST
 CARLSBAD NM 88220



9590 9402 2177 6193 9107 92

2. Article Number (Transfer from service label)

7017 1070 0000 6425 2839

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Sent To Liborio + Belia Morales

Street and Apt. No., or PO Box No. 806 IRVIN ST

City, State, ZIP+4® CARLSBAD NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

Postmark Here

7017 1070 0000 6425 2839

7017 1070 0000 6425 2839

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. HOLD AT DOTTED LINE

CERTIFIED MAIL

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MORALES, Liborio + Belia
806 IRVIN ST
CARLSBAD NM 88220



9590 9402 2177 6193 9107 92

2. Article Number (Transfer from service label)

7017 1070 0000 6425 2839

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

11-17-22

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Carlsbad Fire Department
Notification of Structure Fire

Date of Fire: 11/22/2017

Address of Fire: 806 Irvin

Extent of Fire: Storage Shed in back yard total loss

Main structure unsecure, fire hazard, structure is currently red tagged by code enforcement. Neighbor's state homeless people have been seen in and around the structures.

Owner Name: Morales, Liborio & Bella; In care of Galindo, Laura

Owner Address: 806 Irvin, Carlsbad NM, 88220

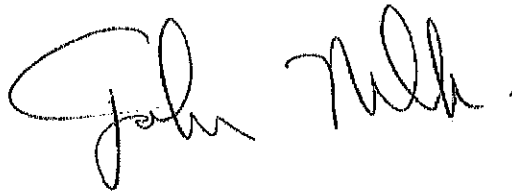
Owner Phone: N/A

Additional note: 806 Irvin, needs to be placed on condemnation list

Date Submitted: November 22, 2017

Form to be submitted to Building Inspector and Code Enforcement

On business day following Fire

A handwritten signature in black ink, appearing to read "John Miller". The signature is written in a cursive style with a large initial "J" and "M".

John Miller, Fire Marshal

Carlsbad Fire Dept.

May 1, 2023 at 10:07:37 AM



May 1, 2023 at 10:07:57 AM



May 1, 2023 at 10:07:17 AM



May 2, 2023 at 9:09:33 AM



May 1, 2023 at 10:05:34 AM



May 1, 2023 at 10:05:30 AM



May 1, 2023 at 10:05:37 AM



May 1, 2023 at 10:05:49 AM





Dec 9, 2022, 9:23:26 AM
Irvin Street
Carlsbad
Eddy County
New Mexico

Sep 16, 2021 at 3:15:22 PM



Sep 16, 2021 at 3:32:33 PM



Sep 16, 2021 at 3:16:01 PM



Sep 16, 2021 at 3:27:52 PM



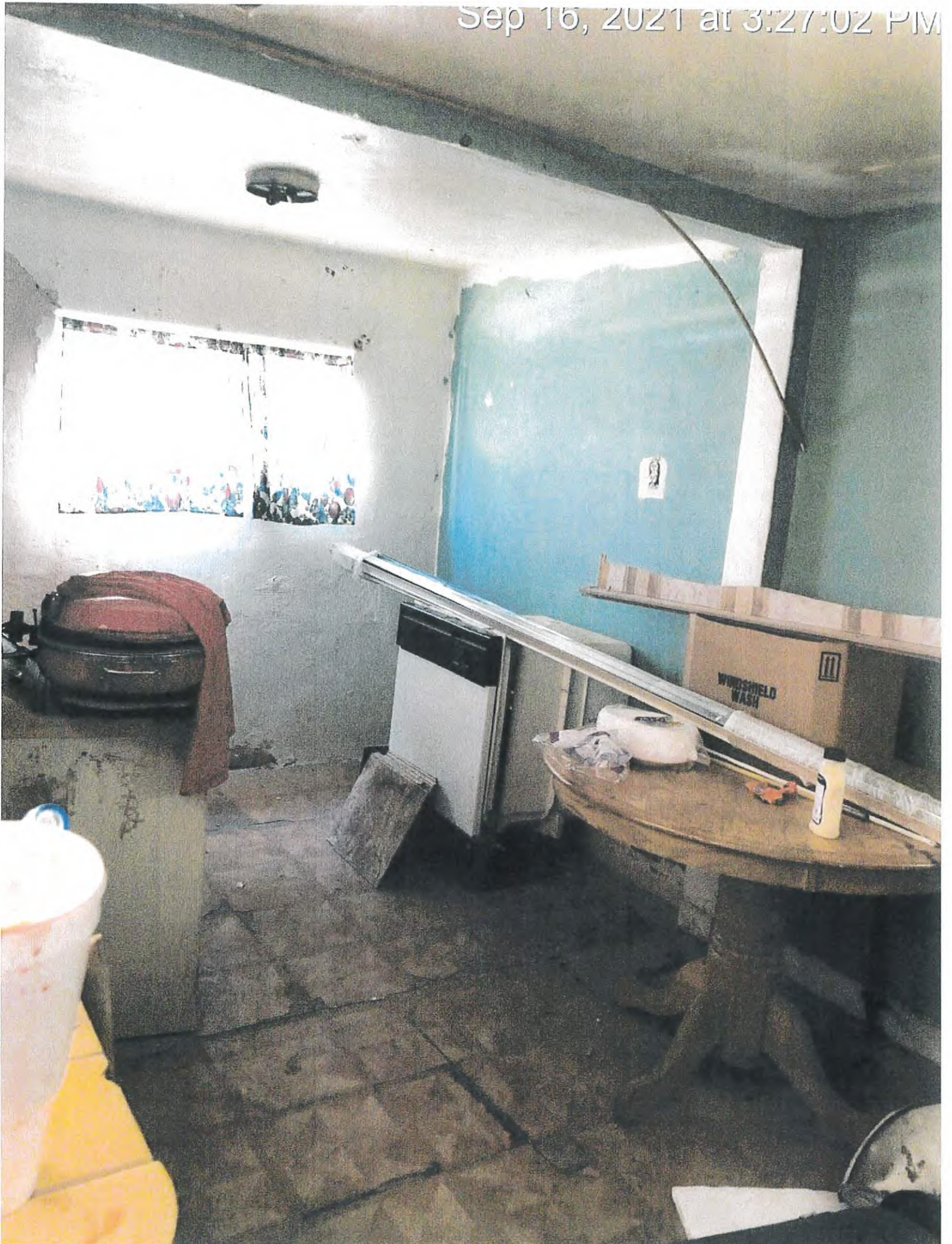
Sep 16, 2021 at 3:27:45 PM



Sep 16, 2021 at 3:27:38 PM



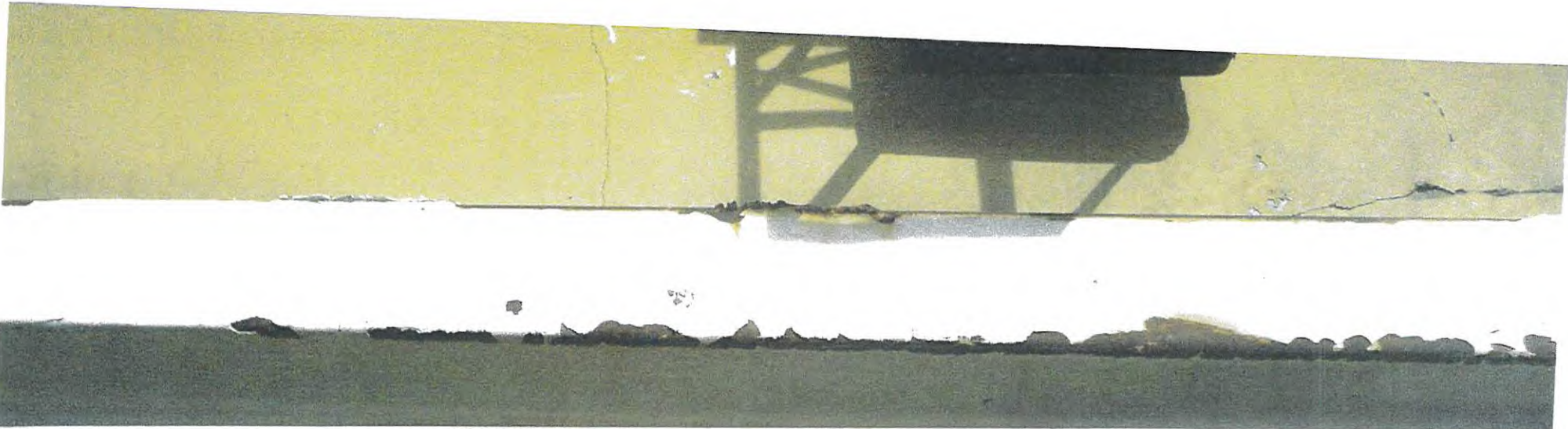
Sep 16, 2021 at 3:27:02 PM



NOTICE
THE APPLICANT IS ADVISED THAT FOR
BRIEF INFORMATION...

806

12.09.2015 11:05



NOTICE

**THIS BUILDING IS DEEMED UNSAFE FOR
HUMAN OCCUPANCY.**

UNDER SECTION 108 INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE
CITY OF CARLSBAD

**IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY
OR RESIDE IN THIS BUILDING**

DEPARTMENT OF BUILDING
CITY OF CARLSBAD

806 IRVIN

[Handwritten Signature]
Building Official

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED.
DATE: 9.10.15 REFER TO SECTION 107.4 INTERNATIONAL PROPERTY MAINTENANCE CODE (CHAPTER 1-6 CCO)

12.09.2015 11:12



12.09.2015 11:12

NOTICE

THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY.

UNDER SECTION 108 INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE CITY OF CARLSBAD

IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING

DEPARTMENT OF BUILDING
CITY OF CARLSBAD



Building Official

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED.

DATE

9 DEC 15

REFER TO SECTION 107.4 INTERNATIONAL PROPERTY MAINTENANCE CODE (CHAPTER 1-6 CCO)

NICHOLS PRINTING, INC.

12.09.2015 11:04



NOTICE
THIS BUILDING IS REGISTERED FOR
COMMERCIAL PURPOSES
IT IS THE POLICY OF THE CITY OF
MONTGOMERY TO MAINTAIN
REGISTERED BUILDINGS
IN A SAFE AND SOUND
CONDITION

12.09.2015 11:08



12.09.2015 11:00

City Of Carlsbad

Inter-Office Memorandum

Dale Janway Mayor

John Lowe, City Manager

Date: 17 April 2023

To: Denise Madrid Boyea, City Attorney

From: Ken Ahrens, Fire Chief

Re: 806 Irvin St.

On April 17, 2023, I inspected a property located at 806 Irvin St. This property presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the buildings be demolished; and the weeds, trash, debris, vehicles, and RV travel trailer be removed under the following fire codes.

The International Fire Code, 2015 edition states:

Section 110 Unsafe Buildings

110.1 General. If during the inspection of a building or structure or any building system, in whole or part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

110.1.1 Unsafe Conditions. Structures or existing equipment that are or here after become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by Section 311 shall be unsafe.

110.1.2 Structural Hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire official shall immediately notify the building official in accordance with Section 110.1

110.4 Abatement. The owner, operator or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions by repair, rehabilitation, demolition, or other approved corrective action.

Section 304 Combustible Waste Material

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or hazard to the public health, safety, or welfare.

Section 311 Vacant Premises

311.1 General. Temporarily unoccupied buildings, structures, premises, or portions there of including tenant spaces shall be safeguarded and maintained in accordance with this section.

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known address, which persistently or repeatedly become unprotected or unsecure, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered, declared unsafe and abated by demolition or rehabilitation.

311.2 Safeguarding vacant premises. Temporarily unoccupied buildings, structures, premises, or portions thereof shall be secured and protected in accordance with this section.

311.2.2 Security. Exterior openings and interior openings accessible to other tenants or authorized persons shall be boarded, locked, blocked or otherwise protect to prevent entry by unauthorized individuals. The Fire Code Official is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.

311.3 Removal of combustibles. Persons owning, or in charge of a vacant building or portion thereof, shall remove therefrom all accumulations of combustible material, flammable or combustible waste or rubbish and shall securely lock or otherwise secure doors, windows, and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.

Section 313 Fueled Equipment

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 315 Miscellaneous Combustible Materials Storage

315.3 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a property line.

A handwritten signature in black ink, appearing to read 'KAH', with a stylized, sweeping flourish extending to the right.

Ken Ahrens, Fire Chief
Carlsbad Fire Department

CITY OF CARLSBAD

INTER-OFFICE MEMORANDUM

Dale Janway, Mayor

John Lowe, City Administrator

May 02, 2023

TO: Denise Madrid Boyea, City Attorney

FROM: Nick Sullivan

RE: 806 Irvin St

On May 02, 2023, I performed an inspection on a property located at 806 Irvin St. The house was Red Tagged on September 16, 2021. The Red Tags have been removed by the people squatting inside the house. The house has no water or electrical services, and the people living inside the structure have been stealing electricity and water from neighboring properties. The illegal conversion of the carport/garage into additional living space is on the verge of collapse. We have documented signs of foundation collapse (please see attached pictures) The structure has been red tagged and deemed unsafe, in its current state it presents serious risk to the general public. A substantial portion of the house is structurally compromised and is in danger of collapse. This structure presents a significant danger to the public and should be condemned under the following sections of the International Property Maintenance Code.

The International Property and Maintenance Code- 2009 edition states:

Section 108- Unsafe Structures and Equipment

108.1.1- Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.3- Structure Unfit for Human Occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.5- Dangerous Structure or Premises- For the purpose of this code, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous: Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

Section 304- Exterior Structure

304.1- General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.7- Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Section 305- Interior Structure

305.1- General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. Section

505 Water System

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code (and/or Uniform Plumbing Code).

Section 602- Heating Facilities

602.2 Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Section 604- Electrical Facilities

604.2- Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a threewire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Section 107 - Notices and Orders

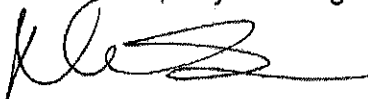
107.4 - Unauthorized Tampering. Signs, tags or seals posted or affixed by the Code Official shall not be mutilated, destroyed or tampered with, or removed without authorization from the Code Official.

107.5 Penalties. Penalties for noncompliance with orders and notices shall be set forth in section 106.4

Section 106 - Violations

106.4 Violation Penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by the state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Nick Sullivan, City Building Inspector



5-2-2023

City Of Carlsbad
May 02, 2023





NOTICE
KEEP OUT

806

NOTICE

THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY.

UNDER SECTION R102.7 OF THE INTERNATIONAL RESIDENTIAL CODE AND UNDER SECTION 108 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS ADOPTED BY ORDINANCE 8-1 OF THE CITY OF CARLSBAD, NM

IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING

NO WATER

NO POWER

BUILDING NOT SAFE

BUILDING DEPARTMENT
CITY OF CARLSBAD

[Signature]
Building Official

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED.

DATE: 5-2-23 REFER TO SECTION 107.4 INTERNATIONAL PROPERTY MAINTENANCE CODE (CHAPTER 1-6 CCO)

Re-Tagged

KEEP OUT



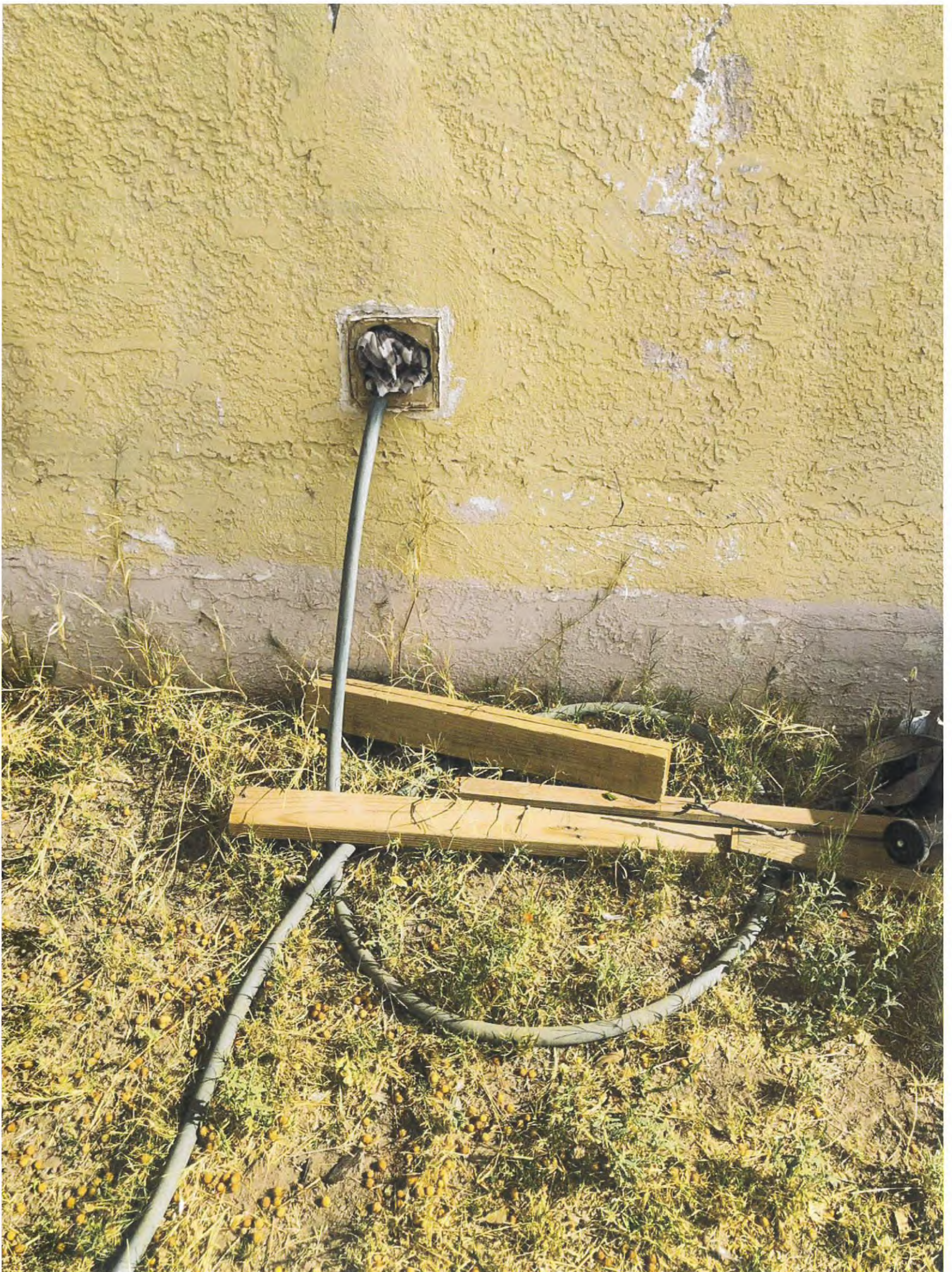
The image shows a close-up of a building's exterior wall. The wall is painted a light yellow or tan color. A window opening is boarded up with a large sheet of oriented strand board (OSB) held in place by wooden framing. A red octagonal sign with white text is affixed to the OSB. The sign reads: "NO TRESPASSING" in large letters, followed by "PRIVATE PROPERTY" and "VIOLATORS WILL BE PROSECUTED" in smaller letters. Above the wall, a dark wooden roofline is visible, secured with several blue screws. In the background, there is a white satellite dish mounted on a pole, utility wires, and some green foliage under a clear sky.

**NO
TRESPASSING**
PRIVATE PROPERTY
VIOLATORS WILL BE
PROSECUTED























NOTICE
THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY.
UNDER SECTION 118.7 OF THE INTERNATIONAL RESIDENTIAL CODE AND UNDER SECTION 108 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS ADOPTED BY ORDINANCE 5-1 OF THE CITY OF CARLSBAD, NM
IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING
 NO WATER NO POWER BUILDING NOT SAFE
BUILDING DEPARTMENT
CITY OF CARLSBAD
ANY UNAUTHORIZED PERSON REMOVED THIS SIGN WILL BE PROSECUTED.
DATE: 5-2-20 REFER TO SECTION 107.1 INTERNATIONAL PROPERTY MAINTENANCE CODE CHAPTER 4.008
Re-tagged





DALE JANWAY
MAYOR

Post Office Box 1569
Carlsbad, NM 88221-1569
(575) 887-1191
1-800-658-2713
www.cityofcarlsbadnm.com

JOHN N. LOWE
CITY ADMINISTRATOR

May 3, 2023

Liborio & Belia Morales
806 Irvin St.
Carlsbad, NM 88220

RE: Dangerous Premises at the property known as 806 Irvin St., Carlsbad, NM

Dear Mr. & Mrs. Morales:

According to the records of the Eddy County Assessor's Office, you are the owners or have an interest in the property commonly known as **806 Irvin St., Carlsbad, NM**. The property has been inspected by the City Code Enforcement Office, the Building Inspector and the Fire Chief. They have found the property to be in violation of a number of health, safety, and building laws.

Because of the condition of the property, a Resolution has been prepared requiring the removal of the structure and cleaning of the property. The Carlsbad City Council will consider passing that Resolution at its meeting on **Tuesday, May 9, 2023 at 6:00 PM**. That meeting will be held in the Council Chambers in the Janell Whitlock Municipal Complex at 114 S. Halagueno St., Carlsbad, NM. You are encouraged to come to the meeting and speak with Council about the property. A draft of the Resolution is included with this letter.

If the Council adopts the Resolution, you must begin removing the structure, ruins, rubbish, wreckage, debris, and weeds from the property within ten days and complete the work within thirty days. The property must be left in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled. If the work is not done, the City may do the work itself or hire someone to do the work. All reasonable costs to the City for such work will become a lien against the property. The City may then foreclose the lien as allowed by law.

If you have any questions regarding this matter, please contact me at (575) 887-1191, or at the Municipal Building, 101 N. Halagueno, Carlsbad, NM 88220.

Sincerely,

Denise Madrid Boyea
City Attorney

Enclosure

COUNCILORS

Ward 1
EDDIE T. RODRIGUEZ
LISA A. ANAYA FLORES

Ward 2
JEFF FORREST
J J CHAVEZ

Ward 3
KARLA NIEMEIER
JUDI WATERS

Ward 4
MARK WALTERSCHEID
WESLEY A. CARTER

Committee Reports

Adjourn