

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON JUNE 12, 2018 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	Jason O. Chavez	Councilor
	Jason Shirley	Councilor
	Judith E. Waters	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor

Absent:

Also Present:	Michael Hernandez	City Administrator
	Eileen P. Riordan	City Attorney
	Nadine Mireles	City Clerk
	John Lowe	Community Dev. Director
	Luis Camero	Director of Engineering Services
	Wes Nichols	Deputy Director of Utilities
	Sam Plumlee	IT Director
	Wendy Hammett	Finance Director
	Richard Lopez	Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director

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

0:00:00 **Call Meeting to Order**

0:00:03 Invocation - Pledge of Allegiance

0:00:37 **Mayor Janway** thanked Carlsbad Mainstreet for the great job with Cavern Fest. He gave a special thanks to Ms. Hammel and Councilor Shirley. He said they did a tremendous job and everyone who attended had a great time. He thanked all the local companies who helped sponsor the event and added it is the biggest event of the year. **Councilor Shirley** said it was overwhelming to be a part of such a great event. He said it takes a large team to work together to make the event happen.

Mayor Janway asked Ms. Hammel how many people attended the event. **Ms. Hammel** said approximately 12,000 to 15,000 people attended the event. She thanked the city and all the sponsors and added she is excited for 2019.

0:04:24 **Mayor Janway** explained that Carlsbad has been selected as a new member of the State Art's and Cultural District Program. He explained this is a product of a lot of hard work by many people, including Creative Carlsbad, Ms. Julie Chester, members of the Fine Arts Acquisition Vetting Committee, Ms. Julia Heaton, Mr. Ken Britt, Ms. Jackson-Christopher, Carlsbad MainStreet and many others. **Ms. Julie Chester** explained the original application for the designation was sent in 2014 and was not approved. She added together with the help of many people the application was approved. She thanked the Mayor and Council for their support.

0:07:15 **1. APPROVAL OF AGENDA**

0:07:18 **Motion**

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

0:07:23 **Vote**

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

0:07:42 **2. CONSIDER APPROVAL OF RESOLUTION NO. 2018-34, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2017-2018 FISCAL YEAR BUDGET**

Mrs. Gonzales reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2017-2018 Fiscal Year Budget highlighting the Lodgers' Tax Non-Promotional Fund and the Lodgers' Tax Promotional Fund.

0:08:41 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to approve Resolution No. 2018-34, a Resolution making certain Budgetary Adjustments to the 2017-2018 Fiscal Year Budget

0:08:49 **Vote**

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

0:09:06 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on May 22, 2018
- B. City Personnel Report
- C. Purchasing

1. Consider Approval to Reject and Re-Advertise RFP, Food and Beverage Concessions at Lake Carlsbad Golf Course
- D. Contracts and Agreements
1. Consider Approval of Sixth Renewal Agreement between the City of Carlsbad and Southeast NM Community Action Corporation for the Lease of Property & Improvements at the Carlsbad Adult Respite Facility for FY 2018-2019
 2. Consider Approval of Renewal Agreement between the City of Carlsbad and Bureau of Land Management for Ground Lease at the Cavern City Airport for FY 2018-2019
 3. Consider of Agreement between the City of Carlsbad and Carlsbad Community Anti-Drug/Gang Coalition, Inc for the Provision of Teen Court Services for FY 2018-2019
 4. Consider Approval of Agreement between the City of Carlsbad and Charles H. Jurva for Tennis Professional Services
- E. Monthly Reports
1. Personnel Department Monthly Report, May 2018
 2. Planning, Engineering, & Regulations Department Monthly Report May 2018
- F. Board and Committee Appointments
1. Southeast Regional Transportation Planning Organization (SERTPO) Policy Committee – Jeff Patterson, PERD Director Technical Committee - Coby Crouch, Projects Administrator
 2. San Jose Senior Recreation Center - Appoint: Tanya Templeton, four year term
John Yankovich, four year term
 3. Carlsbad Public Library Board of Trustees – Appoint: Heather Counts remainder of four year term
 4. Carlsbad Walter Gerrells Performing Arts & Exhibition Center - Appoint: Danita McCormick four year term; Re-Appoint: Steve Sauer four year term
- G. Set Date: July 24, 2018
1. Consider an Ordinance Annexing a portion of land located to the West of Thomason Road and North of Farm View Subdivision, Pursuant to the Petition method provided for in Section 3-7-1 ET. Seq. NMSA 1978
 2. Consider Approval of an Ordinance Applying "R-1" Residential 1 District Zoning for an 95.73 acre property, located to the West of Thomason Road and North of Elgin Road, Pursuant to Section 3-21-1 ET. SEQ. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances
 3. Consider Approval of an Ordinance Rezoning Part of "R-2" Residential 2 District to "C-2" Commercial 2 District for an Approximately 2.70 Acre Property, Located at 509 Del Rio Street, Legally Described as Lot 1, Mesa Vista Replat, Pursuant to Section 3-21-1 ET. SEQ. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances
 4. Consider Approval of an Ordinance Rezoning Part of "R-2" Residential 2 District to "C-2" Commercial 2 District For an Approximately 2.83 Acre Property, Located at 513 Del Rio Street, Legally Described as Lot 2, Mesa Vista Replat,

Pursuant to Section 3-21-1 ET. SEQ. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances

5. Consider Approval of an Ordinance Rezoning Part of "R-R" Rural Residential District to "C-2" Commercial 2 District for an Approximately 2.61 Acre Property, Located at 2115 San Jose Boulevard, Legally Described as Tract 3a, Replat of Tract 2 Of Old Rose Farm #4 and Tract #3 of Old Rose Farm #2, Pursuant to Section 3-21-1 ET. SEQ. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances

6. Consider Approval of an Ordinance Rezoning Part of "R-R" Rural Residential District to "C-2" Commercial 2 District for an Approximately 3 Acre Property, Located at 3701 San Jose Boulevard, Pursuant to Section 3-21-1 ET. SEQ. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances

0:09:27 **Mayor Janway asked Mr. Hernandez to discuss Item D.3 Consider Agreement between the City of Carlsbad and Carlsbad Community Anti-Drug/Gang Coalition, Inc., for the Provision of Teen Court Services for FY 2018-2019 and Councilor Carter to discuss Item C.1 Consider Approval to Reject and Re-Advertise RFP, Food and Beverage Concessions at Lake Carlsbad Golf Course**
Mr. Hernandez explained that this is a renewal for the Teen Court Services Agreement. He added this Agreement has been in place since 2011.

Councilor Carter explained the committee recommends rejecting the proposal received and conducting a future RFP with revised criteria.

0:11:08 **Mayor Janway** said it is an honor to recommend Mr. John Lowe, as the Deputy City Administrator. He explained Mr. Lowe has been with the City of Carlsbad since 2006 and is currently the Director of Community Development. He went on to say Mr. Lowe has been doing an excellent job in management and working well as a team. **Mayor Janway** said staff is also recommending that Mr. Ken Britt serve as the Community Development Director to replace Mr. Lowe. He explained Mr. Britt has been with the City since January and has been working closely with Mr. Lowe. He added Mr. Britt also has 18 years' experience as Director of the Living Desert Zoo and Garden State Park.

Mr. Hernandez added that Mr. Lowe has been involved with the city for several years and involved with many different projects. He said Mr. Lowe will bring great things in filling the role of Deputy City Administrator. **Mr. Hernandez** said the city is also very fortunate to promote Mr. Britt to Director of Community Development. He said Mr. Britt brings numerous years of director experience and is a proven leader. **Mr. Hernandez** said he looks forward to working with them both.

0:13:16 **Motion**
The motion was made by Councilor Rodriguez and seconded by Councilor Shirley to approve Routine and Regular Business

0:13:31 **Vote**

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

0:13:52 **4. CONSIDER APPROVAL OF ANNUAL CITY LIQUOR LICENSE RENEWALS, SUBJECT TO RECEIPT OF NM STATE LIQUOR LICENSE AND PAYMENT OF ANNUAL CITY LIQUOR LICENSE FEE**

Mrs. Mireles explained this is the annual liquor license renewals. She said each of these licenses will be renewed upon payment of the \$250.00 license fee and proof of their State issued liquor license.

0:14:38 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Annual City Liquor License Renewals, subject to receipt of NM State Liquor License and payment of the Annual City Liquor License Fee

0:14:47 **Vote**

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

0:15:03 **5. CONSIDER APPROVAL OF OBJECTION OF RESOLUTION NO. 2018-27, A RESOLUTION REQUIRING THE REMOVAL OF DEBRIS AT 508 & 510 S OLIVE STREET, CARLSBAD, NM OWNER: JERRY & BRENDA NORTHCUTT & KRISTI NORTHCUTT**

Mr. Patterson explained that Council approved Resolution No. 2018-27 requiring removal of debris at 508 & 510 S. Olive on April 10, 2018. He explained Ms. Northcutt has submitted a written objection to the Resolution. **Mr. Patterson** explained this property has been a problem for quite some time. He said the junk has accumulated and has been problematic for several years now. He added Code Enforcement has repeatedly tried to work with Ms. Northcutt, with little to no result. **Mr. Patterson** said the Planning Department, Code Enforcement, and the Building Department urge Council to uphold the approval of the Resolution.

0:17:35 **Ms. Riordan** explained Kristi Northcutt is the daughter of the owners of the property and she is appealing the adoption of the Resolution.

0:19:20 **Mayor Janway asked if anyone present would like to speak in favor of the Resolution.**

Ms. Delia Hernandez said this issue has been going on for 5 years now. She said she does not think its fair for her to have to live in front of a house that is full of junk and so unsanitary. She said not only is it a lot of junk, but there is a constant stream of people coming in and out of the property. She said it feels like they have lost their rights to feel free living there because of all the junk and the people coming and going. She said she believes her and the others in the neighborhood deserve better.

Flora, resident at 511 S. Olive, said she has had to call the police several times due to incidents with people who are leaving the property at 508 S. Olive Street. She said she and her mother do not feel safe at their own home.

0:27:31 **Mayor Janway asked if anyone present would like to speak in opposition of the Resolution.**

Ms. Kristi Northcutt said she is not against cleaning up her property and is aware that the property needs to be cleaned. She said she is present to object to the said communication between Code Enforcement and herself. She said no one has said anything to her about her yard until this Resolution was passed. She said she has talked to Code Enforcement on several occasions but they have never discussed an issue with her yard. She apologized to the neighbors for the incidents that have occurred. She said she is objecting to the procedure that was not followed and the gross mischaracterization of herself in the notes of Code Enforcement accusing her of stealing power and water from the neighbors and many other things which are all false.

Councilor Walterscheid asked how long this issue has been going on. **Ms. Northcutt** said she became aware of the issue with her yard on April 10, 2018. **Councilor Walterscheid** asked Ms. Northcutt if she lives in the residence. **Ms. Northcutt** responded, yes.

Ms. Riordan said she has talked to the water department and the water still remains off at this address. She added that Ms. Harrell has follow ups on the property dating back to 2014.

0:32:36 **Mr. Cass**, said he can personally attest that he has been to this property with Code Enforcement many times. He said the department has tried to work with Ms. Northcutt for a long time. He said the house has been without power and water. He said the neighbors have had to suffer for a long time. He said he personally attests that Ms. Harrell has spoken to Ms. Northcutt on several occasions about the condition of her property, her home, and her yard.

0:34:21 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to uphold the approval of Resolution No. 2018-27, a Resolution Requiring the Removal of Debris at 508 & 510 S. Olive Street, Carlsbad NM Owner: Jerry & Brenda Northcutt & Kristi Northcutt

0:34:56 **Vote**

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

0:35:14 **6. CONSIDER APPROVAL OF RESOLUTION NO 2018-35, A RESOLUTION REQUIRING THE REMOVAL OF THE BUILDINGS AND DEBRIS**

AT 2506 MOUNTAIN VIEW DRIVE, CARLSBAD, NM OWNER: CHRISTINA MUNOZ

Mr. Patterson explained this is a Resolution requiring the removal of the buildings and debris at 2506 Mountain View Drive. He said as can be seen in the photos this structure has been burned and poses a danger of collapse. He said he is recommending approval to clean the property.

Ms. Riordan explained a letter was mailed to the owner and the mortgage company but there has been no response about the status of the property.

0:37:10 **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Rodriguez to approve Resolution No. 2018-35, a Resolution Requiring the Removal of the Buildings and Debris at 2506 Mountain View Drive, Carlsbad, NM Owner: Christina Munoz

0:37:16 **Vote**

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

0:37:32 **7. CONSIDER APPROVAL OF BUSINESS LICENSE TO CONDUCT DOOR TO DOOR SALES AND INSTALLATION OF SMART HOME AUTOMATION AND SECURITY SERVICES BY SMART HOME PROS INC. (VIVINT), CONTACT KALLIE FLORES, PURSUANT TO CARLSBAD CODE OF ORDINANCES, CHAPTER 28, AS AMENDED BY ORD. 2012-16**

Mr. Patterson explained this is a request for a business license to conduct door to door sales of home security devices by Vivint. He said the Planning Department recommends approval upon a positive report from the Police Department.

Chief Skinner explained the findings following the Police Departments research of Smart Home Pros Inc. He said according to the research Smart Home Pros Inc., is a security company owned by Vivint, Inc and is based out of Utah. He said according to the Better Business Bureau (BBB) Smart Home Pros is not accredited with the Bureau but according to the BBB the company started in 2008 and there have been 4 consumer complaint filed with 2 of the files being closed. **Chief Skinner** said according to the BBB Smart Home Pros has a B rating and based on this inquiry he recommends allowing Smart Home Pros Inc. to conduct door to door solicitation and or sales in the city of Carlsbad.

Mr. Patterson added that the city's regulation currently requires that all solicitation end by 9:00 p.m.

0:41:46 **Mr. Nathan Wilcox**, Chief Compliance Officer, Smart Home Pros, Inc. explained that there will be 7 individuals going door to door for approximately 5 weeks.

Councilor Shirley said Vivint has been conducting door to door sales for several years. He asked if this is the same company as in the past or a new one. **Mr. Wilcox** explained it was operated under Arm Security, Inc., which is not a change in ownership; it is the same company that has changed its name to Smart Home Pros Inc. He explained Smart Home Pros Inc., is a sales arm for Vivint.

Councilor Rodriguez said this is the third request from Vivint within the last few years to solicit door to door sales. He asked if it is possible for another company to act as a dealer for Vivint's products and services. **Mr. Wilcox** said it is unlikely based upon the fact that Smart Home Pros has an exclusive with respect to Carlsbad. He added they are required to reapply yearly for a solicitation license.

0:46:40 **Motion**

The motion was made by Councilor Shirley and seconded by Councilor Rodriguez to approve Business License to Conduct Door to Door Sales and Installation of Smart Home Automation and Security Services by Smart Home Pros Inc. (Vivint), contact Kallie Flores, Pursuant to Carlsbad Code of Ordinances, Chapter 28, as amended by Ordinance 2012-16, with solicitation time to between 9:00 a.m. to 9:00 p.m.

0:47:10 **Vote**

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

0:47:29 **8. CONSIDER APPROVAL OF REQUEST FOR TEMPORARY USE APPLICATION TO ALLOW TEMPORARY HOUSING AS A TEMPORARY USE AT 901 DEL RIO STREET, LEGALLY DESCRIBED AS PETROLEUM PARK UNIT TWO LOT 7, ZONED "C-2" COMMERCIAL, CARLSBAD, NM APPLICANT: WILLIAM WALKER**

Mr. Patterson explained this item is a request to install a temporary RV Park at 901 Del Rio Street. He said the property is zoned C-2 Commercial so the property complies with city regulations. He said the site plan shows how the applicant is complying with the city's regulations and added the Planning and Zoning Commission recommend approval.

Councilor Chavez said the Engineer notes recommend a secondary egress and ingress and additional lights. **Mr. Patterson** said city regulation requires that egress and ingress accommodate emergency services. He added he cannot speak on behalf of the engineering service but he feels having 2 to Del Rio is sufficient. He said currently the street lighting is not something that the city regulations require at this time.

Mr. William Walker said the site plan has an ingress and an egress. He also said there will be 4 street lights, with 2 at each end.

0:51:39 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve Request for Temporary Use Application to allow Temporary Housing as a Temporary Use at 901 Del Rio Street, legally described as Petroleum Park Unit Two Lot 7, Zoned "C-2" Commercial, Carlsbad, NM Applicant: William Walker

0:51:44 **Vote**

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

0:52:02 **9. CONSIDER APPROVAL OF REQUEST FOR TEMPORARY USE APPLICATION TO ALLOW TEMPORARY HOUSING AS A TEMPORARY USE AT 4212 STANDPIPE RD., "ZONED "R-R" RURAL RESIDENTIAL, CARLSBAD, NM APPLICANT: RAMONA VILLA**

Mr. Patterson explained this is a request to allow Temporary Housing at 4212 Standpipe Road. He said after reviewing the site plan he asked the applicant to provide more detail to illustrate compliance with city regulation. He said the applicant has failed to indicate whether she will provide a fence or any electrical plan. **Mr. Patterson** recommends denial until the applicant can provide the documentation needed.

0:54:24 **Mayor Janway asked if the applicant was present, no one appeared.**

0:55:43 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to deny Request for Temporary Use Application to allow Temporary Housing as a Temporary Use at 4212 Standpipe Rd., zoned "R-R" Rural Residential, Carlsbad, NM Applicant: Ramona Villa

0:55:50 **Vote**

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

0:56:06 **10. CONSIDER APPROVAL OF ORDINANCE NO 2018-09, AN ORDINANCE REPEALING CHAPTER 42 OF THE CARLSBAD CODE OR ORDINANCES TITLED "SIGNS", AND REPLACING WITH THE NEW CHAPTER 42, "SIGNS"**

Mr. Patterson explained a moratorium was placed on the sign ordinance due to concern from the public of the billboards being erected of billboard type signs. He said at the time the existing sign ordinance was limited because of a Supreme Court decision. He explained as a result of the Supreme Court decision and other problems identified with the current sign ordinance, the Planning Department has prepared an updated and revised sign ordinance which would repeal and replace the current Chapter 42, titled "Signs".

1:00:53 **A. Public Hearing**

1:00:57 **Mayor Janway asked if anyone would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session.**

1:01:12 **B. Consider Ordinance No 2018-09**

1:01:19 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to approve Ordinance No. 2018-09, an Ordinance Repealing Chapter 42 of the Carlsbad Code of Ordinances titled "SIGNS" and replacing with the new Chapter 42, "SIGNS"

1:01:32 **Vote**

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

1:01:48 **11. CONSIDER APPROVAL OF ORDINANCE NO 2018-11, AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT FOR AN APPROXIMATELY 8.36 ACRE PROPERTY, LOCATED AT 111 EAST FARRIS STREET, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND SECTIONS 56-140(I), CARLSBAD CODE OF ORDINANCES APPLICANT: LARRY TROUBLEFIELD, JR.**

Mr. Patterson explained this request is to change zoning from "R-1" Single Family Residential Zoning to "R-2" Multi-Family Residential. He explained this property currently holds a mobile home park and this zoning change will better reflect the use of the property. He said the Planning and Zoning Commission recommend approval.

1:03:28 **A. Public Hearing**

1:03:30 **Mayor Janway asked if anyone would like to speak in favor of the Ordinance.**

Mr. Larry Troublefield explained they are trying to upgrade the Park. He said they are trying to get rid of the older trailers and bring in new trailers and clean up the Park. He said with the current zoning if anything is changed the property loses the grandfather clause and reverts to a single residential park and this is why he is requesting the zone change.

1:04:12 **Mayor Janway asked if anyone else would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session.**

1:04:22 **B. Consider Ordinance No 2018-11**

1:04:28 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Ordinance No. 2018-11, an Ordinance Rezoning Part of "R-1" REsidential District to "R-2" Residential 2 District for an approximately 8.36 Acre Property, located at 111 East Farris Street, pursuant to Section 3-21-1 ET. SEQ. NMSA 1978 and Section 56-150(B) and Section 56-140(I), Carlsbad Code of Ordinances Applicant: Larry Troublefield, Jr.

1:04:34 **Vote**

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

1:04:50 **12. CONSIDER APPROVAL OF ORDINANCE NO 2018-12, AN ORDINANCE REZONING PART OF "R-R" RURAL RESIDENTIAL DISTRICT TO "R-1" RESIDENTIAL DISTRICT FOR AN APPROXIMATELY 30.95 ACRE PROPERTY, LOCATED TO THE EAST OF OLD CAVERN HIGHWAY AND SOUTH OF WARACHIE LANE, LEGALLY DESCRIBED AS MARTIN FARMS SUBDIVISION UNIT 2, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150-(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES APPLICANT: BAR W FARMS**

Mr. Patterson explained this is a request for a zoning change for Martin Farms Subdivision Unit 2 from "R-R" Rural Residential to "R-1" Single Family Residential. He said the applicant has submitted preliminary plans to subdivide the property into a single family subdivision. He said the change in zoning will better fit the plans they have for the development. He added the Planning and Zoning Commission recommends approval.

1:06:48 **A. Public Hearing**

1:06:51 **Mayor Janway asked if anyone would like to speak in favor of the Ordinance.**

Ms. Kari Dunagan, Century 21 Dunagan Associates, said the demand for housing is strong and this plan will accommodate 108 single family residences.

1:07:39 **Mayor Janway asked if anyone else would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session.**

1:07:45 **B. Consider Ordinance No 2018-12**

1:07:52 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya Flores to approve Ordinance No. 2018-12, an Ordinance Rezoning Part of "R-R" Rural Residential District to "R-1" Residential District for an approximately 30.95 Acre Property, located to the East of Old Cavern Highway and South of Warachie Lane, legally described as Martin Farms Subdivision Unit 2, Pursuant to section 3-21-1 ET. Seq. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances
Applicant: Bar W Farms

1:08:01 **Vote**

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

1:08:18 **13. COUNCIL COMMITTEE REPORTS**

Councilor Rodriguez reported on the Blue Ribbon Committee meeting and housing needs of Carlsbad.

Mayor Janway announced Mr. John Wooten would be inducted into the Carlsbad Hall of Fame on Saturday at 11:00 a.m. He added following the induction Mr. Wooten will be the speaker at the Junetenth Celebration at the Leo Sweet Center.

Councilor Estrada thanked Mission Carlsbad on the great job they did in Carlsbad last week.

1:11:07 **14. ADJOURN**

1:11:11 **Motion**

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

1:11:22 **Vote**

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

1:11:44 **Adjourn**

There being no further business, the meeting was adjourned at 7:12 p.m.

/s/Dale Janway
Dale Janway, Mayor

ATTEST:

/s/Nadine Mireles
Nadine Mireles, City Clerk