

**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 FEBRUARY 28, 2023 AT 6:00 P.M.**

Present:	Dale Janway Lisa A. Anaya Flores Edward T. Rodriguez Jason O. Chavez Judith E. Waters Wesley A. Carter Mark C. Walterscheid Karla Niemeier	Mayor Councilor Councilor Councilor <i>via telephone</i> Councilor Councilor Councilor Councilor
Absent:	Jeff Forrest	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 Ken Ahrens Jeff Patterson Shane Skinner Patrick Cass Sgt. John Sneathen Ken Britt Larry Mitchell	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 Fire Chief Planning Director Police Chief Public Works Director PVDTF Citizen Architect

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      **Call Meeting to Order**

0:00:07      Invocation – Pledge of Allegiance

0:00:45        **Mayor Janway introduced Sergeant John Sneathen with the Pecos Valley Drug Task Force (PVDTF).**

**Sgt. Sneathen** spoke about fentanyl and the seizures. He said fentanyl started here and around the country in 2019. He said in 2021, 1.2 pounds of fentanyl was seized and in 2022 it went up to eleven pounds seized in Eddy County. He said the problem is increasing and not slowing down at all. He said in years past methamphetamine was "king" and that is no longer the case, fentanyl has taken over. He said meth has also increased, just not at the pace of fentanyl. He said in 2022 ninety-nine and a half pounds of meth were seized, and that is twenty pounds less than what was seized in 2020. He said fentanyl seizures went up by nine pounds in 2022. He said eleven pounds doesn't sound like a lot, however one fentanyl pill weighs .5 of a gram, therefore that is thousands of pills that are making it into this area and has been seized. He said the pills are coming in from different areas, such as El Paso. He said El Paso is the #1 area they are coming from, as it is so close to Carlsbad. He said last year 30,000 pills were seized coming in from the Phoenix area. He said there are pills coming from Albuquerque as well. He said there is not just one area, the pills are coming from everywhere. He said because of the high paying jobs in the area, drug dealers know this and that is one reason there are so many drugs here. He said this area, Eddy, Lea, Chavez and even Lincoln Counties have led in seizures of fentanyl in the past 3 years. He said he works with many good guys, guys that are dedicated and passionate about this problem. He said Commander Leos asked him to speak about the open border and human trafficking. He said a lot of Mexican Nationals are ending up here in Carlsbad. He said in the past only people would be smuggled in, now drugs are also coming in with the people. He said the backpackers in the past would bring marijuana in, now the backpackers and walkers are bringing cocaine, fentanyl and meth across the border. He said there is a new drug called Xylazine is an unscheduled, non-opioid tranquilizer drug that is now being put into fentanyl. He said this drug is non-responsive to "narcan". He said Phoenix has a couple of deaths that are being linked to Xylazine and he hopes it doesn't happen here. He said a close eye will be kept on the overdoses possibly being from this drug.

**Councilor Walterscheid** asked if there are drug dogs at the border and if the dogs are not detecting these drugs. **Sgt. Sneathen** said, the dogs are not the problem, the problem is the amount of drugs coming through. He said there are successful seizures every day at the checkpoints, although they are just not getting all the drugs due to the amounts. He said the smugglers are very sophisticated about concealing the drugs. He said a rookie police officer might miss concealment, where as a seasoned officer will know what to look for.

**Councilor Rodriguez** asked about the high number of pills, have there been any federal charges being brought against anyone. He also asked what the number is that it takes to be a federal charge. **Sgt. Sneathen** said for fentanyl it is 400 grams, either powder or pill form, and is an A Level prosecution. He said with a big seizure, the case is turned over to the United States Attorney's Office for prosecution. He said when the case goes

to United States Attorney's, there is no bond, no getting out. He said with the case of 30,000 pills, the person will do 13 years as a plea deal, therefore there is really no getting out. He said the PVDTF has a very good relationship with the United States Attorney's Office out of Las Cruces and the Las Cruces Strike Force.

**Councilor Rodriguez** asked with xylazine being so new, is there a limit on the amount of xylazine that would make it an automatic federal charge. **Sgt. Sneathen** said it is so new, it is not scheduled yet. He said it would probably be scheduled along the same lines as fentanyl.

**Councilor Anaya-Flores** asked if the drugs might be coming from the northern border. **Sgt. Sneathen** said he has never seized any drugs from Canada. He said the drugs are coming from the north too, although it is primarily from the south. He said the Intel available is that the drugs are being made in the south.

**Councilor Niemeier** asked if the drugs are being brought over in large amounts, are there people taking it and selling it or is it the smuggler who is the seller/dealer. **Sgt. Sneathen** said there is multiple people involved in this, as it is a multi-million dollar business. He said people are paid to drive it here and sometimes don't know that it is in the vehicle.

**Councilor Niemeier** asked what is done with the drugs that have been seized. He said all seized drugs go to the Drug Enforcement Administration in El Paso or Las Cruces and destroyed.

**Mayor Janway** thanked Sgt. Sneathen for the report.

0:15:58      **1. APPROVAL OF AGENDA**

0:16:00      **MOTION**

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

0:16:05      **VOTE**

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

0:16:20      **2. CITY OF CARLSBAD FINANCIALS - JANUARY 2023**

**Mrs. Salcido** reviewed the revenues and expenditures as of January 2023 for the General Fund, selected Enterprise and Special Funds contained within the City Budget.

0:17:51      **3. ROUTINE AND REGULAR BUSINESS**

A. Minutes of the Regular City Council Meeting held on February 14, 2023

- B. City Personnel Report
- C. Purchasing
  - 1) Consider Approval to Advertise Invitation to Bid for the provision and installation of eight new five-ton Heating and Cooling Units at the Walter Gerrells Performing Arts Center
  - 2) Consider Approval to Award RFP 2023-01 to Jeffrey Ryan Honeycutt for Groundskeeping and Management at the Will Merchant Softball Complex
  - 3) Consider Approval to Reject Bid 2022-14 for the construction of an equipment shelter for Fire Station 6
- D. Contracts and Agreements
  - 1) Consider Approval of Agreement between the City of Carlsbad and Ben Jenkins, dba Ben Jenkins Auctioneers for Professional Auction Services
  - 2) Consider Approval of Renewal of Lease Agreement between the City of Carlsbad and Southeast NM Community Action Corporation for Lease of Property at the Carlsbad Adult Respite Facility
- E. Monthly Reports
  - 1) Community Development Department January 2023
  - 2) Municipal Services Department January 2023
  - 3) Utilities Department January 2023
- F. Set Date: April 11, 2023
  - 1) Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for an approximately 0.142-acre property located at 1706 W Center Street
  - 2) Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 1.66-acre property located at 209 W Pecan Street
  - 3) Ordinance rezoning part of "C-2" Commercial 2 District to "R-1" Residential 1 District for an approximately 0.138-acre property located at 106 N Fourth Street
  - 4) 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
  - 5) Ordinance rezoning part of "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 20.86-acre property located at 3618 and 3619 Harvest Lane

**0:18:16 Mayor Janway asked Mr. Lowe to discuss item D.2 Consider Approval of Renewal of Lease Agreement between the City of Carlsbad and Southeast NM Community Action Corporation for Lease of Property at the Carlsbad Adult Respite Facility**

**Mr. Lowe** explained this request is to enter into a renewal lease agreement with Southeastern New Mexico Community Action Corporation (SENMCAC) for the Adult Respite Center. He said due to COVID-19, all operations ceased due to the health order and staff shortages. He said SENMCAC would like to resume service on March 1, 2023. He said this is a great service that is provided to the community.

Mayor Janway agreed this is a great service and much needed.

0:18:53        **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Water to approve Renewal of Lease Agreement between the City of Carlsbad and Southeast NM Community Action Corporation for Lease of Property at the Carlsbad Adult Respite Facility.

0:18:58        **VOTE**

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

0:19:12        **4. CONSIDER APPROVAL TO ACCEPT A STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION REGIONAL RECREATION CENTERS QUALITY OF LIFE GRANT AND ENTER INTO AGREEMENT FOR THE CAVERN THEATER REHABILITATION PROJECT**

**Mrs. Barrios-Testa** explained this request is to accept a grant agreement for the Cavern Theater with a Recreation Centers Quality of Life Grant in the amount of \$3,324,166.00. She said the funding was made available by the State to improve the quality of life for residents by creating new and expanding existing recreation facilities. She said there was \$45M made available for projects that are ready to go. She said she is excited to get the funding and to get the project completed. She said hopefully this will get the project ready to open. She said there are experts present if there are any questions.

**Councilor Walterscheid** asked when the project would be complete. **Mrs. Barrios-Testa** said on a renovation/rehab such as this, it could be 18-24 months. She said it would depend on the plan and design.

**Mr. Larry Mitchell**, Architect, said by fall the drawings should be ready and put out for bid by the end of the year, and no more than 18 months after.

**Mayor Janway** thanked everyone for the hard work they have put into this project. **Mayor Janway** asked Mr. Ken Britt when this project was started. **Mr. Britt** said in February 2015.

0:23:17        **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Walterscheid to approve to accept a State of New Mexico Department of Finance and Administration Regional Recreation Centers Quality of Life Grant and enter into Agreement for the Cavern Theater rehabilitation project

0:23:20        **VOTE**

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

0:23:38      **5.      COUNCIL COMMITTEE REPORTS**

**Mr. Lowe** gave an update on the Special Council Meeting, March 3, 2023 at 3:00 p.m. to discuss a resolution to support a school bond.

0:24:13      **Mayor Janway** asked if anyone in the audience would like to address the Council. No one appeared.

0:24:19      **6.      ADJOURN**

0:24:22      **MOTION**

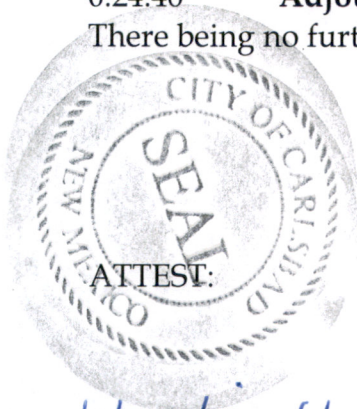
The motion was made by Councilor Anaya-Flores and seconded by Councilor Rodriguez to Adjourn.


0:24:33      **VOTE**

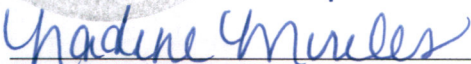
The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Niemeier, Walterscheid, Anaya-Flores; No - None; Absent - Forrest; the motion carried.

0:24:46      **Adjourn**

There being no further business, the meeting was adjourned at 6:24 p.m.



  
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Dale Janway, Mayor

  
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Nadine Mireles, City Clerk