

**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 13, 2024 AT 6:00 P.M.**

Present:	Richard D. Lopez	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Karla Niemeier	Councilor
	Jason O. Chavez	Councilor
	Anthony Foreman	Councilor
	Mark C. Walterscheid	Councilor
	Jeff Forrest	Councilor
	Mary Garwood	Councilor

Absent:

Also Present:	Wendy Austin	Interim City Administrator
	K.C. Cass	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Quay Dominguez	Compliance Clerk
	Angie Barrios-Testa	Director of Grant Programs
	Mike Abell	Director of Utilities
	Wayne Hatfield	IT Director
	Allan Henriksen	IT Technician
	Melissa Salcido	Finance Director
	Ken Ahrens	Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Charlie Garcia	Police Officer
	David Flores	Solid Waste Supervisor
	Mark Moreno	Battalion Chief
	Nicole Carrasco	Citizen
	Orlando Garza	Citizen
	Alan Wood	Cemetery Committee
	Susie Carlson	Cemetery Committee
	Morgan Najar	Western Commerce Bank
	Hayden Barrera	Carlsbad Dept. of Development
	Jeff Campbell	Carlsbad Dept. of Development
	Wayne Ballard	Citizen
	Jose Hernandez	Citizen
	Dan Banks	Citizen
	Kat Davis	Citizen
	Steve Cummings	Citizen

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**

0:00:06 Invocation - Pledge of Allegiance

0:00:38 **PRESENTATION OF CITY OF CARLSBAD EMPLOYEE SERVICE AWARDS**

Mayor Lopez asked Council members to join him in presenting service awards honoring employees who have achieved 20 and 25 years of service with the City of Carlsbad.

0:05:32 **DISCUSSION REGARDING CARLSBAD CEMETERY RULES AND REGULATIONS PRESENTED BY CARLSBAD CEMETERY ADVISORY COMMITTEE**

Mayor Lopez introduced the Cemetery Advisory Committee to speak on the rules and regulations at Carlsbad Cemetery. **Mr. Wood** said the committee is coming before Council with these concerns because there is a number of graves that no longer fall under code due to the items placed at the graves. He said there are a number of markers that have never been in code. He said in the monument requirements, there is only granite, marble, or bronze allowed for a marker. He said the City of Carlsbad does not allow any markers made of wood or metal. **Mr. Wood** said there are several markers that do not have permits. **Mr. Wood** presented photographs of gravesites that comply and do not comply. He said he would like the City of Carlsbad to reinforce the guidelines that have been in place for several years.

Mayor Lopez said he went to the Cemetery Advisory Committee's last meeting when this subject was brought up and he asked them to present it to Council. He said he was unaware of this and he would like to appoint Councilor Rodriguez and Councilor Foreman to work with the Cemetery Advisory Committee to review the rules and regulations and either reinforce the rules or make changes.

Councilor Walterscheid said the Carlsbad Cemetery used to have a manager that oversaw these issues. He said the manager would mark the graves that were not in compliance. He suggested the City hire somebody to manage everything at the Carlsbad Cemetery.

Councilor Chavez asked if the rules and regulations are distributed to family members when they buy a grave. **Mr. Wood** said yes, after a grave has been purchased and approved, the rules and regulations get mailed with the rest of the paperwork to the buyer.

Councilor Garwood said there are several graves that are not in compliance and she believes it is disrespectful to the others. She said she looks forward to seeing the results.

Councilor Forrest asked Mr. Wood what has been done in the past to clean graves. **Mr. Wood** said if items need to be removed, they are placed in a bag and labeled with a name and stored in the office for a period of time so family members of the deceased can claim the items. **Mr. Wood** said he does not suggest throwing away any items but rather package and store it accordingly so families can retrieve them at some point in time. **Mr. Garza** said items are kept for 60 days.

Mayor Lopez said if it is the pleasure of the Council he would be open to hire a manager for the Cemetery.

0:22:17 **1. APPROVAL OF AGENDA**

0:22:22 **MOTION**

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

0:22:28 **VOTE**

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

0:22:46 **2. CONSIDER APPROVAL OF RESOLUTION 2024-05, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2023-24 FISCAL YEAR BUDGET**

Ms. Salcido reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2022-2023 Fiscal Year Budget highlighting the General Fund, the Street Improvements Fund, the NMFA Fund, and the Water and Sewer Fund.

Councilor Rodriguez asked how much the early payoff on loans will generate in interest. **Ms. Salcido** said the City of Carlsbad will save approximately \$1.7 million in interest by paying these loans early.

0:29:36 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Forrest to approve of Resolution 2024-05, a Resolution making certain budgetary adjustments to the 2023-24 Fiscal Year Budget.

0:29:41 **VOTE**

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

0:29:57 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on January 23, 2024
- B. City Personnel Report
- C. Purchasing
 - 1) Consider Approval to Advertise Invitation to Bid for electrical components to replace the existing lighting at Lake Carlsbad Recreation Area
 - 2) Consider Approval to Advertise Request for Proposals for on-call Grant Management Services
- D. Contracts and Agreements
 - 1) Consider Approval of Agreement between the City of Carlsbad and Kyle Marksteiner for Consulting Services
 - 2) Consider Approval of Agreement between the City of Carlsbad and LeAnne Weldon, DMB, LLC for the provision of City Animal Licenses
 - 3) Consider Approval of Agreement between the City of Carlsbad, Carlsbad Fire Department and Eddy County Fire and Rescue for a Mutual Aid Assistance Agreement
 - 4) Consider Approval of Memorandum of Understanding between the City of Carlsbad, Carlsbad Fire Department and US Department of Interior Bureau of Land Management for Hazardous Fuels Management
- E. Monthly Reports
 - 1) Human Resources Department January 2024
 - 2) Municipal Court Department January 2024
 - 3) Utilities Department December 2023
- F. Board Appointments
 - 1) Southeast Regional Transportation Planning Organization (SERTPO) Appoint: Angie Barrios-Testa, Appoint: Justin Ramos
- G. Set the Date: March 12, 2024
 - 1) Ordinance amending a portion of Section 29-C of Chapter 16 of the Code of Ordinances to increase the Acting Municipal Judge's flat rate fee per day and increase the total fee during any one calendar year

0:30:17 **Mayor Lopez asked Mrs. Barrios-Testa to briefly discuss Agenda item C2, Consider Approval to Advertise Request for Proposals for on-call Grant Management Services.**

Mrs. Barrios-Testa said this is a request to approve a solicitation of qualified vendors through an RFP process for a multi-year, on-call agreement for grant research, writing, and grant management services for the City of Carlsbad. **Mayor Lopez** thanked Mrs. Barrios-Testa for the work she has done.

Councilor Walterscheid asked if Mrs. Barrios-Testa is going to be on the committee to decide who is going to be the respondent. **Mrs. Barrios-Testa** she is hopeful she will be.

Mrs. Barrios-Testa thanked Mayor Lopez for his support. She said a lot of local governments shy away from leveraging.

0:33:46 **Mayor Lopez asked Chief Ahrens to briefly discuss Agenda item D3, Consider Approval of Agreement between the City of Carlsbad, Carlsbad Fire Department and Eddy County Fire and Rescue for a Mutual Aid Assistance Agreement.**

Chief Ahrens said Eddy County has recently been certified as a med-rescue agency, which means when the primary EMS agency is out of service or needs additional help, the City can request that Eddy County respond with ambulances they already have and transport patients. He said Eddy County can respond to calls but they cannot transport patients. He said the City of Carlsbad Fire Department is still the primary transport agency, but when the system is overloaded, or if there are large incidents, the Fire Department can use Eddy County's resources and use them to help aid.

Councilor Chavez said since the City of Carlsbad is still the primary transporter, does the Fire Department still have a greater call log than Eddy County even though they will be responding. Chief Ahrens said at this moment, the call volume in the County has not decreased any. He said this will not reduce the call volume and it is the first step for Eddy County to be able to take some call volume off of the City of Carlsbad so they can handle more calls that are happening in their jurisdiction.

Mayor Lopez said he reviewed this with Mrs. Austin and he believes it is better patient care for Eddy County.

0:36:58 **MOTION**

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

0:37:03 **VOTE**

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

0:37:23 **4. CONSIDER APPROVAL OF REQUEST FROM MILTON'S BREWING FOR A TEMPORARY USE APPLICATION TO ALLOW THE PARKING OF A TEMPORARY FOOD TRUCK AND FOOD SALES IN THE DOWNTOWN AREA ALONG MERMOD STREET WITHIN THE PUBLIC STREET RIGHT-OF-WAY APPLICANT: MILTON'S BREWING**

Mr. Patterson said Milton's Brewing plans to contact and invite local food truck owners to park within the on-street parking spaces on the north-side of Mermod Street from their store front. He said they plan to work with several different food truck owners to ensure that a food truck will be on-site for most business days. He said the plan is to have a food truck on-site Tuesday through Friday, from 4:00 pm to 10:00 pm, Saturday, from 2:00 pm to 10:00 pm, and Sunday, 2:00 pm to 8:00 pm. He said Milton's will vet all

food trucks to ensure all food truck owners have the required licensing and permits. **Mr. Patterson** said the Planning Department recommends approval with the following conditions; the applicant shall not disturb the peace with loud speaker, megaphone, bell, music, or other disruptive noise; and approval of this request grants permission to the applicant to host food trucks within the public right-of-way along Mermod Street; food trucks will be set up within the public street right-of-way one truck at a time; the trucks will set up Tuesday through Sunday during the indicated times; and the applicant will need to provide a surety bond.

Mayor Lopez asked **Mr. Patterson** if Milton's did this last year. **Mr. Patterson** said yes. **Mayor Lopez** asked if there were any issues. **Mr. Patterson** said not that he is aware of.

Councilor Forrest asked if there will be different food trucks. **Mr. Patterson** said yes, he believes their initiative is to target local food trucks.

Councilor Rodriguez said he would like for the applicant to vend to the sidewalk side and not on the street and to police their trash.

0:40:28 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Niemeier to approve of Request from Milton's Brewing for a Temporary Use Application to allow the parking of a temporary Food Truck and food sales in the downtown area along Mermod Street within the public street Right-of-Way Applicant: Milton's Brewing.

0:40:40 **VOTE**

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

0:40:54 **5. CONSIDER APPROVAL OF APPLICATION FOR VACATION OF A PUBLIC ALLEY RIGHT-OF-WAY TO THE EAST OF ATWOOD SUBDIVISION LOCATED TO THE EAST OF HAMILTON PLACE APPLICANT: CITY OF CARLSBAD**

Mr. Patterson said the City of Carlsbad is requesting to vacate approximately 3,000 sq. ft. of right-of-way alley located to the east of Atwood Subdivision. He said the intent is to convert this into real property which will be deeded over to the owners of lots one through five along Hamilton Place. He said Martin Farms Subdivision Unit 5 is about to start to develop. He said that property is to the east of this alley. **Mr. Patterson** said the neighbors of lots one through five became concerned about keeping access to the rear of their properties, which is the intent of the alley originally. He said with the development of Martin Farms, it was going to limit the ability to get to the rear of their properties, therefore they reached an agreement with the Martin Farms Subdivision owners to purchase a strip of property to the east of the alley to combine with the current 10 ft. wide alley to preserve access to the rear of their properties. **Mr. Patterson** said the City of Carlsbad had this dedicated with the acceptance of Atwood

Subdivision, and it was intended for secondary access to the lots, however the City of Carlsbad has no utilities in this alleyway and there are no other visible public utilities, therefore it would be cleaner for the City to vacate it. **Mr. Patterson** said this item was brought before the Planning and Zoning Commission meeting at their February 4, 2024, meeting, and the commission voted to recommend approval with all five members in favor of approval.

0:43:39 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Walterscheid to approve of Application for Vacation of a public alley Right-of-Way to the East of Atwood Subdivision located to the East of Hamilton Place Applicant: City of Carlsbad.

0:43:47 **VOTE**

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

0:44:03 **6. CONSIDER APPROVAL OF ORDINANCE 2024-06, AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT FOR AN APPROXIMATELY 0.17 ACRE PROPERTY LOCATED AT 501 N MAPLE STREET OWNER: NMT3S, LLC**

Mr. Patterson said this is a request to change the zoning from "R-1" Residential 1 District to "R-2" Residential 2 District for 501 North Maple Street. He said the properties to the north, south, east, and west are zoned "R-1" Residential 1 District, therefore this request would create a spot-zone. He said the applicant has stated he would like to place a multiple family dwelling on the property. **Mr. Patterson** said this request was brought before the Planning and Zoning Commission at the January 8, 2024, regular meeting, the body considered the item and voted to recommend approval with a vote of five in favor of approval, none against, and none absent.

Councilor Chavez asked if there is going to be on-street parking. **Mr. Patterson** said the applicant brought an additional request for a variance to use some of the public right-of-way along Hagerman for parking for the dwelling units. He said the Planning and Zoning Commission did approve the variance. **Mr. Patterson** said the parking would not technically be in the street, but in the right-of-way between the street and property lines. He said one of the conditions from the Planning and Zoning Commission was there be no on-street parking for Maple Street.

Councilor Walterscheid asked what is considered multiple-family housing. **Mr. Patterson** said the applicant plans to combine the two properties into one and place a three-unit structure that will have three dwelling units. He said it is not something allowed in "R-1". **Councilor Walterscheid** if it is going to be a man camp. **Mr. Patterson** said no, it is a permanent structure.

Councilor Forrest asked if it is a spot-zone. **Mr. Patterson** said yes, because the surrounding zoning is all "R-1" which is for single-family residential use. He said it is something that the comprehensive plan directs us to avoid, but it is not prohibited. He said the Planning Department approved it because the plan seems to fit the surrounding neighborhood.

0:48:16 **A. Public Hearing**

0:48:20 **Mayor Lopez asked if anyone would like to speak in favor of the Ordinance.**

Morgan Najar, lender with Western Commerce Bank, said she reached out to ten apartment complexes and only five offer three bedroom and two bath units. She said none of them have availability and are unsure when they would. **Ms. Najar** said this is needed in the community and this is a local company that is willing to invest in this property.

Hayden Barrera, local development coordinator with Carlsbad Department of Development, said the housing units needed in Carlsbad is over 6,000. She said this company has been working with local people to make the community a better place.

Jeff Campbell, with Carlsbad Department of Development, said there is a huge housing issue in Carlsbad and this is a local company to make housing more attainable.

Wayne Ballard, applicant, asked if there were any questions from Council members. **Councilor Rodriguez** asked how the three units will line up with the houses in the rest of the neighborhood. **Mr. Ballard** said when he originally bought this property, he wanted to put a fourplex there but after meeting with the neighbors, it was determined that the neighbors felt a fourplex unit would not be ideal. He said he planned on this to be aligned with the rest of Maple Street and that it is cohesive with the rest of the community.

Councilor Garwood said it is important to note that the National baseball field is very close in proximity.

0:55:09 **Mayor Lopez asked if anyone would like to speak against the Ordinance.**

Jose Hernandez said he lives across the street from the proposed location. He said he is in favor of the development but he is against the street parking.

Mr. Ballard said the area being proposed to park in has been used as parking for the last 70 years. He said nothing is going to be different. He said Planning and Zoning asked them to provide a concrete or asphalt surface from the property line to tie into Hagerman Street. He said the parking area is going to be bigger than code requires. He

said code requires to provide two parking spaces per unit, but at least three were allocated to prevent on-street parking.

0:57:42 Mayor Lopez asked if anyone else would like to speak against the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.

0:57:50 B. Consider Approval of Ordinance 2024-06

0:57:54 MOTION

The motion was made by Councilor Foreman and seconded by Councilor Forrest to approve of Ordinance 2024-06, an Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for an approximately 0.17 acre property located at 501 N Maple Street Owner: NMT3S, LLC.

0:58:00 VOTE

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

0:58:22 7. CONSIDER APPROVAL OF ORDINANCE 2024-07, AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 0.864 ACRE PROPERTY LOCATED AT 219 W PECAN STREET OWNER: CAROLYN BANKS

Mr. Patterson said this is a request to change the zoning from "R-1" Rural Residential 1 District to "C-2" Commercial 2 District for 219 West Pecan Street. He said the properties to the north are zoned "C-2" Commercial 2 District and the properties to the east, west, and south are zoned "R-1" Residential 1 District, therefore this would not create a spot-zone. He said the applicant brought the request before the Planning and Zoning Commission at the January 8, 2024 regular meeting, the body considered the item and voted to recommend approval, with a vote of five in favor of approval, none against, and none absent.

Councilor Rodriguez asked if it is one big lot. Mr. Patterson said no, it is still two lots and the applicant is requesting this for one of them.

Councilor Forrest asked if this creates a spot-zone. Mr. Patterson said technically no, the properties across the street are zoned "C-2" and the Planning Department considers that to be adjacent. Councilor Forrest asked what the applicant is wanting to do with the property. Mr. Patterson said the applicants have stated that they plan to let a family member have an automotive shop on the property.

Councilor Chavez asked if the property behind this is "R-1". Mr. Patterson said yes. Councilor Chavez asked if there are families living there. Mr. Patterson said yes.

Councilor Niemeier asked if a welding shop is allowed in a "C-2". Mr. Patterson said yes, changing the zoning to "C-2" allows for any uses allowed within the "C-2" zoning.

1:01:42 **A. Public Hearing**

1:01:44 **Mayor Lopez asked if anyone would like to speak in favor of the Ordinance.**

Dan Banks, applicant, said he owns 209 and 219 Pecan Street. He said he plans to lease 219 Pecan Street for an automotive repair shop. He said he intends to build a metal building with fencing. He said 209 and 219 Pecan Street, as well as the properties to the east and west, have been a problem for the City for a long time. He said creating this shop can improve the property and the area as a whole.

Councilor Walterscheid said the property has been greatly improved.

1:09:01 **Mayor Lopez asked if anyone would like to speak against the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.**

1:09:13 **B. Consider Approval of Ordinance 2024-07**

1:09:25 **MOTION**

The motion was made by Councilor Walterscheid and seconded by Councilor Garwood to approve of Ordinance 2024-07, an Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.864 acre property located at 219 W Pecan Street Owner: Carolyn Banks.

1:09:35 **VOTE**

The vote was as follows: Yes - Walterscheid, Garwood; No - Forrest, Niemeier, Anaya-Flores, Chavez, Foreman, Rodriguez; Absent - None; the motion was denied.

1:10:00 **8. CONSIDER APPROVAL OF ORDINANCE 2024-08, AN ORDINANCE AMENDING A PORTION OF SECTION 28 OF CHAPTER 16 OF THE CODE OF ORDINANCES TO INCREASE THE MUNICIPAL JUDGE'S SALARY**

Mrs. Madrid-Boyea said this is to increase the Municipal Judge's salary from \$36,000, set in 1996, to a recommended increase to \$62,308 per year. She said over 28 years, it was a 2.6% per year raise if the position had gotten this amount for the last 28 years. She said this amount has been approved by the Budget Committee, City Council, and the DFA during the FY24 budget cycle.

Councilor Garwood said she was unaware there was no-increase in all of this time and she said it is long overdue.

1:12:23 **A. Public Hearing**

1:12:26 Mayor Lopez asked if anyone would like to speak in favor of the Ordinance.

Steve Cummings speaks highly in favor and asks for the Council's approval.

1:13:16 Mayor Lopez asked if anyone would like to speak against the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.

1:13:31 B. Consider Approval of Ordinance 2024-08

1:13:38 MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve of Ordinance 2024-08, an Ordinance amending a portion of Section 28 of Chapter 16 of the Code of Ordinances to increase the Municipal Judge’s Salary.

1:13:42 VOTE

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

1:13:57 9. CONSIDER APPROVAL TO REMOVE FROM TABLE RESOLUTION 2023-65, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINED, DAMAGED OR DILAPIDATED BUILDING OR STRUCTURE FOR PROPERTY LOCATED AT 1916 W LEA STREET OWNER: ERICA CORRALEZ C/O JESUS R. JUAREZ

Mrs. Madrid-Boyea said this matter was brought before Council members at the October 13, 2023, meeting. She said at that time the matter was tabled for a period of four months after Council members listened to the individual on behalf of the owner.

1:15:15 MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Rodriguez to remove from table Resolution 2023-65, a Resolution requiring the removal of the ruined, damaged or dilapidated building or structure for property located at 1916 W Lea Street Owner: Erica Corralez c/o Jesus R. Juarez.

1:15:22 VOTE

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

1:15:38 10. CONSIDER APPROVAL OF RESOLUTION 2023-65, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINED, DAMAGED OR DILAPIDATED BUILDING OR STRUCTURE FOR PROPERTY LOCATED AT 1916 W LEA STREET OWNER: ERICA CORRALEZ C/O JESUS R. JUAREZ

Mrs. Madrid-Boyea said since this item was tabled in October, the property has been cleaned up as far as the trash, debris, weeds, and the abandoned RV, however, the structure has not been improved in any way and no permit has been requested or pulled to improve the condition of the structure. Mrs. Madrid-Boyea said the house itself is basically in the same condition as four months ago. She said this Resolution would require the owner to commence the removal of the structure within ten days of being served with the Resolution and complete it within 30 days of being served with the Resolution.

Councilor Walterscheid asked if the RV has been removed. Mrs. Madrid-Boyea said yes, they have taken care of the outside problems. Councilor Walterscheid asked if the owners want to keep the house. Mrs. Madrid-Boyea said she has not had any communication with them since it came to Council in October. Mr. Patterson said the Building Department said a representative for the ownership came to talk to Mr. Sullivan about rehabbing the structure. He said to his understanding, they did not secure a contractor or pull any permits, and it does not look like any work has commenced on improving the structure. Mr. Patterson said they did completely clean the grounds.

Councilor Rodriguez said Council members gave them four months to get this property in shape, which included the dilapidated structure. He said an effort was made for the yard, but no effort was made with the home.

1:20:15 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Niemeier to approve of Resolution 2023-65, a Resolution requiring the removal of the ruined, damaged or dilapidated building or structure for property located at 1916 W Lea Street Owner: Erica Corrales c/o Jesus R. Juarez.

1:20:34 **VOTE**

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

1:20:48 **11. COUNCIL COMMITTEE REPORTS**

No reports.

1:20:57 **Mayor Lopez asked if anyone in the audience would like to address the Council.**

Kat Davis, Executive Director for Carlsbad Mainstreet. She said at the last Council meeting she brought a Resolution before Council that has been in development for the last three years. She said she was able to attend the New Mexico Arts Commission meeting in Santa Fe, New Mexico, to present their plan. She said the State has authorized Carlsbad with a designated Arts and Cultural District. She said she appreciates the City of Carlsbad's support on this project.

Susie Carlson said she wanted to revisit the Carlsbad Cemetery rules and regulations. She said it is predominately for deaths that have occurred within the last five years.

1:23:22 12. ADJOURN

1:23:24 MOTION

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


1:23:32 VOTE

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

1:23:48 Adjourn

There being no further business, the meeting was adjourned at 7:23 p.m.




Richard D. Lopez, Mayor


Nadine Mireles, City Clerk