

**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 09, 2024 AT 6:00 P.M.**

Present:	Richard D. Lopez	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Jason O. Chavez	Councilor
	Anthony Foreman	Councilor
	Mark C. Walterscheid	Councilor
	Jeff Forrest	Councilor
	Mary Garwood	Councilor
Absent:	Karla Niemeier	Councilor
Also Present:	Wendy Austin	Interim City Administrator
	K.C. Cass	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Jalynn Dominguez	Compliance Clerk
	Angie Barrios-Testa	Director of Grant Programs
	Mike Abell	Director of Utilities
	Wayne Hatfield	IT Director
	Brent Griffith	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
	Sarah Jones	Library Director
	Delbert Hawkins	Citizen
	Lisa Walterscheid	Citizen
	Norbert Rempe	Citizen
	Sarah Cordova	Citizen
	Lawrence Aguilar	Citizen
	Melissa Washburn	Citizen
	Juan Ramirez	Citizen
	Santiago Garcia	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**

0:00:03 Invocation – Pledge of Allegiance

0:00:40 **1. APPROVAL OF AGENDA**

0:00:43 **MOTION**

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

0:00:48 **VOTE**

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

0:01:11 **2. CONSIDER APPROVAL OF RESOLUTION 2024-13, 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 2023-2024 Fiscal Year Budget highlighting the Insurance Fund, the General Fund, the Beautification Fund, the CDBG Fund, the Lodgers' Tax Promotional Fund, and the Solid Waste Fund.

0:05:24 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Forrest to approve of Resolution 2024-13, a Resolution making certain budgetary adjustments to the 2023-24 Fiscal Year Budget.

0:05:37 **VOTE**

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

0:05:53 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on March 26, 2024
- B. City Personnel Report
- C. Contracts and Agreements
 - 1) Consider Approval of Lease Agreement between the City of Carlsbad and John Deere Financial for Grounds Maintenance Equipment for use at city parks
 - 2) Consider Approval of Lease Agreement between the City of Carlsbad and John Deere Financial for Grounds Maintenance Equipment for use at the Bob Forrest Youth Sports Complex
- D. Monthly Reports
 - 1) Human Resources Department March 2024
 - 2) Municipal Court Department March 2024
 - 3) Utilities Department February 2024

E. Board Appointments

- 1) Parks and Recreation Advisory Board Appoint: Denton McCullough four-year term

0:06:10 **Mayor Lopez asked Mrs. Austin to briefly discuss Agenda item B, City Personnel Report.**

Mrs. Austin said City Administration is requesting to rehire Mary Garwood for the position of Beautification Coordinator. She said Ms. Garwood held this position for many years with the City of Carlsbad. She said the City of Carlsbad received ten applicants for this position and chose to interview five. She said out of the five, one person did not show up for the interview and the other candidates did not have the same experience as Ms. Garwood with managing grants. **Mrs. Austin** said because Ms. Garwood is a City Council member, the City of Carlsbad requested a legal opinion from the Municipal League. She said a memo was provided by Executive Director, A.J. Forte, that states the requirements for holding an elected position and being an employee of the government or agency. She said in addition, state statute does not prohibit an employee from holding an elected office and being an employee of the government or agency. She said she was informed by Mr. Forte that if a government or agency has an Ordinance or rule prohibiting this situation, the Ordinance or rule would need to be followed so long as the Ordinance or rule does not contradict state statute. She said the City of Carlsbad does not have an Ordinance in place that prohibits this situation. She said Mr. Forte explained that a functional or temporal conflict would need to be avoided by the employee. **Mrs. Austin** said an example of a functional conflict would be voting in favor, or not, of an Ordinance or Resolution that has a direct impact on the employee's position. She said during these types of votes, it would be best for the elected official to refrain from voting. **Mrs. Austin** said an example of a temporal conflict would be conducting elected official business while being paid as an employee.

Councilor Walterscheid said he understands the concern of Ms. Garwood being a City Councilor while also being a City employee. He said some people may consider that a conflict of interest. He said he has personally seen Ms. Garwood navigate many responsibilities with her employment and numerous volunteer projects; all of which she has done nothing but benefit the City of Carlsbad. She said she has shown leadership, good management skills, and she enjoys what she does. **Councilor Walterscheid** said before the vote, please consider Ms. Garwood's abilities and qualifications.

0:10:40 **MOTION**

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

0:10:48 **VOTE**

The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Foreman, Forrest; No - Rodriguez; Abstain - Garwood; Absent - Niemeier; the motion carried.

0:11:12 **4. CONSIDER APPROVAL OF REQUEST FOR A SMALL BREWER LIQUOR LICENSE FOR GUADALUPE MOUNTAIN BREWING, LLC LOCATED AT 3324 NATIONAL PARKS HIGHWAY**

0:11:29 **A. Public Hearing**

Mr. Patterson said this is a request for approval of a small brewer liquor license for Guadalupe Mountain Brewing. He said the name of the applicant is D&J Guadalupe Mountain Brewing LLC. He said the representative is Jason Maley. He said the public notice of this hearing was posted through the local newspapers. He said the zoning verification stated that 3324 National Parks Highway is zoned correctly for this type of activity. He said considering the completion of the application and the completion of the public notice, City staff would recommend approval of this request.

0:12:36 Mayor Lopez asked if anyone would like to speak regarding this application. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.

0:12:58 **B. Consider Approval of a Small Brewer Liquor License**

0:13:01 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Foreman to approve of request for a Small Brewer Liquor License for Guadalupe Mountain Brewing, LLC located at 3324 National Parks Highway.

0:13:06 **VOTE**

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

0:13:20 **5. CONSIDER APPROVAL OF REQUEST FOR A WINEGROWER LIQUOR LICENSE FOR GUADALUPE MOUNTAIN BREWING, LLC LOCATED AT 3324 NATIONAL PARKS HIGHWAY**

0:13:33 **A. Public Hearing**

Mr. Patterson said this is a request for approval of a wine grower liquor license for Guadalupe Mountain Brewing. He said the name of the applicant is D&J Guadalupe Mountain Brewing LLC. He said the representative is Jason Maley. He said the public notice of this hearing was posted through the local newspapers. He said the zoning verification stated that 3324 National Parks Highway is zoned correctly for this type of activity. He said considering the completion of the application and the completion of the public notice, City staff would recommend approval of this request.

0:14:36 Mayor Lopez asked if anyone would like to speak regarding this application. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.

0:14:48 **B. Consider Approval of a Winegrower Liquor License**

0:14:52 **MOTION**

The motion was made by Councilor Foreman and seconded by Councilor Forrest to approve of request for a Winegrower Liquor License for Guadalupe Mountain Brewing, LLC located at 3324 National Parks Highway.

0:14:58 **VOTE**

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

0:15:10 **6. CONSIDER APPROVAL OF SUBMISSION OF A NEW MEXICO HISTORICAL RECORDS ADVISORY BOARD GRANT FOR ARCHIVAL AND RECORDS MANAGEMENT PROGRAMS FOR THE CARLSBAD PUBLIC LIBRARY**

Ms. Jones said this is a request for the Carlsbad Public Library to apply for a grant from the New Mexico Historical Records Advisory Board. She said the amount is \$8,500 to preserve yearbooks for preservation and access purposes. She said there is a 25% match for this but the Friends of the Library have already agreed to cover this amount. She said the grant application would be due April 19, 2024, and the grant cycle would run from September 1, 2024 to June 15, 2024.

0:16:07 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Garwood to approve of submission of a New Mexico Historical Records Advisory Board Grant for Archival and Records Management programs for the Carlsbad Public Library.

0:16:14 **VOTE**

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

0:16:32 **7. CONSIDER APPROVAL OF REQUEST FOR A PIPELINE EASEMENT AND RIGHT-OF-WAY AGREEMENT BETWEEN THE CITY OF CARLSBAD AND LM TOUCHDOWN, LLC**

Mr. Patterson said LM Touchdown Energy, LLC is requesting an easement from the City of Carlsbad to cross City-owned property with a proposed pipeline that will transport oil, gas, petroleum products, and other fluids and substances. He said the property is located east of the Pecos River and north of Smedley Road. He said the proposed easement will be a total of thirty feet in width and will run a total of 2,657.32 linear feet across City-owned property and will contain a total of approximately 79,719 square feet. Mr. Patterson said by approving this tonight, Council will authorize the Mayor's office and City Administrator's office to negotiate compensation for this easement. He said the Planning Department recommends approval of this request.

0:17:57 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Forrest to approve of request for a Pipeline Easement and Right-of-Way Agreement between the City of Carlsbad and LM Touchdown, LLC.

0:18:06 **VOTE**

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

0:18:19 **8. CONSIDER APPROVAL OF RESOLUTION 2024-14, A RESOLUTION DECLARING CERTAIN CITY PROPERTY UNUSABLE OR OBSOLETE**

Ms. Salcido explained this is the standard Resolution for following statute to dispose of obsolete and unusable City property by public auction. She said the auction is scheduled for April 27, 2024.

0:19:11 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to approve of Resolution 2024-15, a Resolution adopting revisions to the City Procurement Policy to adapt to the current business environment and to streamline daily procurement methods.

0:19:16 **VOTE**

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

0:19:30 **9. CONSIDER APPROVAL OF RESOLUTION 2024-15, A RESOLUTION ADOPTING REVISIONS TO THE CITY PROCUREMENT POLICY TO ADAPT TO THE CURRENT BUSINESS ENVIRONMENT AND TO STREAMLINE DAILY PROCUREMENT METHODS**

Ms. Salcido said the City of Carlsbad needs to periodically make provisions to the procurement policy due to changes in economic conditions, internal business procedures, and technology advances. She said the City of Carlsbad last revised the procurement policy in 2015. She said there needs to be minor revisions to align the City's procurement policy with current economic provisions and changes in internal operating procedures that occurred when the City of Carlsbad converted to the Tyler MUNIS Financial Software System. Ms. Salcido said a few of these changes include increasing the small purchase threshold from \$2,500 to \$5,000; eliminating the need for three verbal quotes for purchases under \$5,000; eliminating the requirement of a fixed asset form for the purchase of a capital asset and removing the requirement to complete compensating tax forms, as the City of Carlsbad is exempt from paying compensating tax.

0:20:49 **MOTION**

The motion was made by Councilor Foreman and seconded by Councilor Garwood to approve of Resolution 2024-15, a Resolution adopting revisions to the City Procurement Policy to adapt to the current business environment and to streamline daily procurement methods.

0:20:54 **VOTE**

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

0:21:07 **10. CONSIDER APPROVAL OF RESOLUTION 2024-16, A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION AND PARTICIPATION IN THE TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION**

Mr. Cass said this is an annual grant application process that the City of Carlsbad goes through with the SERPTO Organization that is funded by the New Mexico Department of Transportation (NMDOT) using LTPF funding. He said for the current year, the City of Carlsbad has submitted an initial application for the Canal Street Storm Drainage Extension Project. He said the City of Carlsbad is asking for \$3,705,000 that requires a 5% match. Mr. Cass said the initial application was submitted and approved by NMDOT and the secondary application requires a Resolution in support.

Councilor Walterscheid asked how long the drainage system will be. Mr. Cass said it runs from south of Greene Street to north of Fox Street. Councilor Walterscheid asked if it is that expensive for it to be about a block long. Mr. Cass said it is the estimated rate and as the project has progressed, the price tag has increased.

0:25:04 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Rodriguez to approve of Resolution 2024-16, a Resolution authorizing the submission of an application and participation in the Transportation Project Fund Program administered by the New Mexico Department of Transportation.

0:25:12 **VOTE**

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

0:25:26 **11. CONSIDER APPROVAL OF RESOLUTION 2024-17, A RESOLUTION REQUIRING THE REMOVAL OF THE JUNK, OLD APPLIANCES, WEEDS, AND A RECREATIONAL VEHICLE AT 1407 W TANSILL STREET OWNER: DELBERT HAWKINS**

Mrs. Madrid-Boyea said this Resolution requires to remove the trash, debris, vehicles, and junk at 1407 W. Tansill. She said this property is located in a residential neighborhood. She said there appears to be an occupied residential structure on the

property and some junk, old appliances, overgrown weeds, and a recreational vehicle, stored or parked, in the front of the house. She said the Eddy County Assessor's Office lists a Delbert Hawkins as owning or having an interest in the property. She said Code Enforcement has been to the property and there is junk, old appliances, overgrown weeds, trees, shrubs, and possibly some non-functioning vehicles. She said there is an RV in the front of the house that appears to have utilities connected. **Mrs. Madrid-Boyea** said a Notice of Violation was mailed by Code Enforcement to the address listed on the Eddy County records via certified mail on October 24, 2023. She said the letter was returned undeliverable due to animal interference. She said the property has been inspected by the City Code Enforcement office and the Fire Marshal, and they found that the property remains out of compliance with applicable codes. She said the Fire Marshal found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned and the vehicles, trash, and debris be removed. **Mrs. Madrid-Boyea** said a Resolution has been prepared for Council consideration and if adopted, would require the property owner to remove the trash, debris, and junk from the property within thirty days of service of the Resolution.

Councilor Walterscheid asked if anyone lives on the property. **Mrs. Madrid-Boyea** said it appears that way.

0:28:50 **Mayor Lopez** asked if there is a representative of the property. **Delbert Hawkins** said he does live at 1407 W. Tansill Street. He said the RV is not occupied and has electricity only. He said this is required so the refrigerator does not break. He said since it is in violation of City Ordinance, he will move it. He said every vehicle parked at this property is insured, has proper registration, and is drivable. He said they are not towable vehicles since they are in his driveway. He said he is aware of the weeds and trees. He said the tree's roots are invasive and he has a hard time keeping up with them. **Mr. Hawkins** said his property was zoned about twenty years ago for a commercial business for appliance repair and it was passed by the City Council. He said it was voted on and passed that he could use a variance for his appliance repair business. He said he will clean up the property but he is asking for more time. He said he did not receive the certified letter and it is not fair that he just received it and is only being given a timeframe of two weeks to get everything in compliance. He said he has a lot of appliances in his backyard that he uses for parts, therefore it is part of his income to keep these appliances. He said he wants to install a privacy fence to refrain from disturbing the neighbors. **Mr. Hawkins** asked City Council members for more time. He asked why his property zone is not shown as a commercial property when he has been in business for over twenty years.

Mrs. Madrid-Boyea said the City Clerk located minutes from March 11, 2008, regarding this same property. **Mrs. Madrid-Boyea** read the minutes from this meeting that stated **Mr. Hawkins** requested a special-use permit to operate an appliance repair business at 1407 W. Tansill Street. She read that **Mr. Hawkins** stated that his business would

mainly consist of service calls, however on occasion, he would have to bring appliances home to work on them in his shop. **Mrs. Madrid-Boyea** read that Councilors asked Mr. Hawkins if there would be any need to store appliances in the exterior of the property and Mr. Hawkins answered no. **Mrs. Madrid-Boyea** said at this meeting they considered the special use permit and there was a motion to approve the special use permit and the motion passed with eight in favor, none against, and none absent.

Mayor Lopez clarified to Mr. Hawkins that his property has never had a zone-change and the 2004 City Council granted him a special use permit that allows him to conduct his business. **Mr. Hawkins** asked the time frame on this permit. **Mrs. Madrid-Boyea** said there is no time limit on it, however if he were to sell the property, the new owner would have to come before Council and request another permit if desired. **Mr. Hawkins** asked if he is allowed to use his property as an appliance repair business. **Mrs. Madrid-Boyea** said yes, as long as he complies with City Ordinances with regard to the condition of the exterior. She said even if he installs a privacy fence, he would still need to comply with City Ordinance with regard to the storage of appliances outside. **Mrs. Madrid-Boyea** explained to Mr. Hawkins that he is not required to do everything within two weeks from today but 30 days after the Resolution is posted at the property, hand delivered to him, or published in the newspaper, whichever is the later of the three events. **Mr. Hawkins** said he wants to ask for more than thirty days. He said as for the appliances, he was unaware that he couldn't keep them in his yard. He said he will start making improvements and he will get the RV moved from the front yard.

Councilor Walterscheid asked how long does Mr. Hawkins need. **Mr. Hawkins** asked if three months is an option.

0:40:23 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Foreman to table Resolution 2024-17, a Resolution requiring the removal of the junk, old appliances, weeds, and a Recreational Vehicle at 1407 W Tansill Street Owner: Delbert Hawkins until the May 14, 2024, Council meeting.

0:43:36 **VOTE**

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

0:44:00 **12. CONSIDER APPROVAL OF RESOLUTION 2024-18, A RESOLUTION REQUIRING THE REMOVAL OF THE TRASH, DEBRIS, VEHICLES AND JUNK AT 3508 OLD CAVERN HIGHWAY OWNER: GREG MARKHAM**

Mrs. Madrid-Boyea said this Resolution requires the removal of the trash, debris, vehicles, and junk at 3508 Old Cavern Highway. She said this property is located in a residential neighborhood. She said there appears to be an occupied residential structure with trash, debris, vehicles, and junk. She said the Eddy County Assessor's Office lists a Greg Markham as owning or having an interest in the property. She said Code Enforcement has been to the property, the structure appears to be occupied and there is trash, debris, and junk throughout the property. **Mrs. Madrid-Boyea** said a Notice of Violation was mailed by Code Enforcement to the address listed on the Eddy County records on October 29, 2021, November 23, 2021, December 10, 2021, January 11, 2022, March 22, 2022, and June 27, 2023. She said the owner would start coming into compliance but would not complete the work. She said the property has been inspected by Code Enforcement and the Fire Marshal, and they found that the property remains out of compliance with applicable codes. She said the Fire Marshal found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned and the junk, vehicles, trash, and debris be removed. **Mrs. Madrid-Boyea** said a Resolution has been prepared for Council consideration and if adopted, would require the property owner to remove the trash, debris, and junk from the property within thirty days of service of the Resolution.

Councilor Walterscheid asked if it is everything that is outside of the house that will be removed. **Mrs. Madrid-Boyea** said yes, all of the junk, trash, debris, vehicles, weeds, and furniture.

0:47:01 **Mayor Lopez** asked if there is a representative of the property. **Lisa Walterscheid** said she is not representing the property, but she wants to make Council members aware that there have been numerous raids at 3508 Old Cavern Highway. She said this property is not only an eyesore but a danger to the community.

0:49:03 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Walterscheid to approve of Resolution 2024-18, a Resolution requiring the removal of the trash, debris, vehicles and junk at 3508 Old Cavern Highway Owner: Greg Markham.

0:49:15 **VOTE**

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

0:49:31 **13. CONSIDER APPROVAL OF RESOLUTION 2024-19, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINED, FIRE-DAMAGED OR DILAPIDATED BUILDINGS OR STRUCTURES, RUINS, RUBBISH, WRECKAGE AND DEBRIS AT 3408 LEWIS ROAD OWNER: CASH FOR CONTRACTS, INC C/O ANA LILIA BANKHEAD**

Mrs. Madrid-Boyea said this Resolution requires the removal of the ruined, fire-damaged, or dilapidated buildings or structures, ruins, rubbish, wreckage, and debris at 3408 Lewis Road. She said this property is located in a residential neighborhood. She said there appears to be a fire-damaged, dilapidated structure on the property with junk, trash, debris. She said the Eddy County Assessor's Office lists Cash for Contracts, Inc. c/o Ana Lilia Bankhead as owning or having an interest in the property. She said the property is vacant and unsecured, and Code Enforcement has been to the property and spoke with the owner multiple times regarding securing the structure. **Mrs. Madrid-Boyea** said the owner stated that they would demolish the property. She said on October 25, 2023, the residence caught on fire resulting a substantial damage. She said a Notice of Violation was mailed via certified mail to the owner on January 24, 2024, which was returned to sender for insufficient address. She said the property was inspected by Code Enforcement, the Building Inspector, and the Fire Marshal, and they found that the property remains out of compliance with applicable codes. **Mrs. Madrid-Boyea** said the Fire Marshal found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the building be demolished, the property be cleaned and the debris be removed. She said the Building Inspector found that a substantial portion of the house is structurally compromised and is in danger of collapse, and it also presents a significant danger to the public and should be condemned, She said a Resolution has been prepared for Council consideration and if adopted, would require the property owner to remove all ruins, dilapidated structures, rubbish, wreckage, debris, and weeds, plus a concrete slab that is south of the structure should also be removed from the property within thirty days of service of the Resolution.

0:52:36 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to approve of Resolution 2024-19, a Resolution requiring the removal of the ruined, fire-damaged or dilapidated buildings or structures, ruins, rubbish, wreckage and debris at 3408 Lewis Road Owner: Cash for Contracts, Inc c/o Ana Lilia Bankhead.

0:52:43 **VOTE**

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

0:52:56 **14. POTENTIAL DONATION OF NEW SENIOR CENTER FACILITY TO REPLACE NORTH MESA SENIOR CENTER**

Mrs. Austin said City Administration has been approached by a local, charitable organization, who at this time would like to remain anonymous, and who would like to construct a senior center at the Cascades and ultimately donate the facility to the City of Carlsbad. She said this facility would replace the current North Mesa Senior Center (NMSC). She said the City has outgrown the NMSC and the donation of a new senior center of a more modern and larger size would be a benefit to the City of Carlsbad and its citizens. She said the City of Carlsbad would be required to equip, furnish, and

landscape the new facility. She said the City of Carlsbad would apply for grants and redirect any previously approved grants for NMSC to the new facility. **Mrs. Austin** said the estimated costs of equipping, furnishing, and landscaping the new facility would be approximately \$500,000 to \$900,000. She said the City of Carlsbad currently has a pending grant for NMSC for \$431,000. She said at this time, the charitable organization is working with the Carlsbad Department of Development to secure land for the facility. She said the design of the facility is in the early stages but is estimated that the square footage would be 19,945 ft. She said the square footage of the current facility is 10,759 ft. She said the new design would add a large conference room and two additional activity rooms. She said the current facility is beyond capacity and there is no reasonable way to expand this current facility. **Mrs. Austin** said the design of the new facility would also include, if needed, future expansion space and an outdoor recreational area and walking path. She said if this project comes to fruition, the City of Carlsbad has multiple uses for the current facility.

Mayor Lopez said the NMSC would double in size. He said this project is in very early stages but has the potential of moving quickly.

0:56:32 **15. COUNCIL COMMITTEE REPORT**

No reports.

0:56:38 **Mayor Lopez asked if anyone in the audience would like to address the Council.**

Norbert Rempe encouraged City Council to mirror surrounding counties to protect the lives of unborn children.

Sarah Cordova introduced herself as County Commissioner and a nurse practitioner. She said she is speaking on behalf of her husband, Christopher Cordova, who was formerly employed by the City of Carlsbad. She discussed, to her belief, the wrongdoings that her husband has endured for the last nine weeks by the City of Carlsbad.

Lawrence Aguilar said Christopher Cordova is a professional and well-respected individual.

Melissa Washburn said she is a property owner on Old Cavern Highway. She discussed her concern with the City of Carlsbad taking 10-15 feet of her land for a right-of-way. She said herself and all of her neighbors maintain their own septic tanks. She said she does not think that they should be charged for City sewer if they will not utilize it.

Juan Carlos Ramirez said he is the pastor of San Jose Catholic Church. He said the San Jose Plaza is not the best area to bring in entertainment for the community. He said

there is no parking available and there is a lot of trash. He said entertainment is good for the City of Carlsbad but there are better suited areas.

Santiago Garcia said he is a neighbor of San Jose Catholic Church. He said he is concerned with the parking. He said there are needs for the community to have entertainment but the parking in this area is the biggest issue. He said when there are events at San Jose Plaza, people who are attending church in the same day have to park in a different area.

1:21:54 **Mayor Lopez asked if anyone else in the audience would like to address the Council. No one appeared.**

1:21:58 **16. ADJOURN**

1:22:01 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Foreman to adjourn.

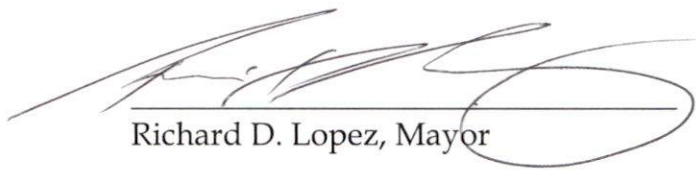
1:22:13 **VOTE**


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

1:22:31 **Adjourn**

There being no further business, the meeting was adjourned at 7:22 p.m.




Richard D. Lopez, Mayor


Nadine Mireles, City Clerk