

**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 10, 2026, AT 6:00 P.M.**

Present:	Richard D. Lopez	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Karla Niemeier	Councilor
	Anthony Foreman	Councilor
	Mark C. Walterscheid	Councilor
	Jason O. Chavez	Councilor
	Jeff Forrest	Councilor
	Mary Garwood	Councilor
Absent:		
Also Present:	Wendy Austin	City Manager
	Ken Ahrens	Deputy City Manager
	K.C. Cass	Chief of Operations
	Barbara Hodgson	City Attorney
	Nadine Mireles	City Clerk
	Jalynn Dominguez	Open Meetings Act Manager
	Stephan Brown	Compliance Clerk
	Dina Navarrette	Community Services Director
	Angie Barrios-Testa	Director of Grant Programs
	Mike Abell	Director of Utilities
	Melissa Salcido	Finance Director
	Tony Souza	Fire Chief
	Kyla Gonzales	Deputy HR Director
	Wayne Hatfield	IT Director
	Allan Henriksen	IT Technician
	Jeff Patterson	Planning Director
	Jessie Rodriguez	Police Chief
	Patrick Cass	Public Works Director
	Randy Galindo	Safety and Compliance Director
	Patrick Brownfield	Officer
	Virginia King	City Water Department
	Alonzo Najera	City Water Department
	Steven Rennie	Police Officer
	Linda Wilson	Citizen
	Zach Downing	Citizen
	Christina Mann	Citizen

Time Stamps and headings below correspond to recording of meeting and the recording

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

0:01:00 Invocation – Pledge of Allegiance

0:01:38 **1. EMPLOYEE SERVICE AWARDS**

- A. Timoteo De La Paz, Double Eagle Department – 15 years
- B. Cynthia Aranda, Finance Department – 10 years
- C. Virginia King, Water Department – 10 years
- D. Arturo Carrillo, Transit Department – 10 years
- E. Alonzo Najera, Water Department – 10 years
- F. Steven Garza, Sports Complex - 5 years
- G. Steven Rennie, Police Department – 5 years
- H. Alysha Vasquez, Fire Department – 5 years

0:02:01 **Mayor Lopez recognized city employees for their dedicated service, honoring those who have reached milestones of 5, 10, and 15 years with the city.**

0:04:59 **2. CONSIDER APPROVAL OF RESOLUTION 2026-11, A
RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2025-
26 FISCAL YEAR BUDGET**

Ms. Salcido reviewed the revenue and expenditures making certain Budgetary Adjustments to the 2025-2026 Fiscal Year Budget highlighting the General Fund, DPS- Law Enforcement Retention Fund, Capital Projects Fund, and the Water & Sewer Fund.

0:07:12 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Anaya-Flores to approve Resolution 2026-11, a Resolution making certain budgetary adjustments to the 2025-26 Fiscal Year Budget.

0:07:23 **VOTE**

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

0:07:39 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Special City Council Meeting held on January 29, 2026**
- B. City Personnel Report**
- C. Purchasing**
 - 1) Consider Approval to Award Bid 2025-22 to Constructors Inc. for Greene Street Storm Drain Extension Project
- D. Annual Reports**
 - 1) Fire Department 2025 Annual Report
- E. Monthly Reports**
 - 1) Human Resources Department January 2026
- F. Board Appointments**

G. 1) Veterans' Memorial Advisory Board appoint Steve Angell, four-year term
Set the Date: March 10, 2026

- 1) Ordinance rezoning part of "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 1.23 acre property located at 208 N. Sixth Street
- 2) Ordinance rezoning part of "R-1" Residential 1 District to "C-1" Commercial 1 District for an approximately 0.67 acre property located at 328 Farris Street
- 3) Ordinance rezoning part of "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.43 acre property located at 606 & 608 W. Pierce Street
- 4) Ordinance rezoning part of "I" Industrial District to "C-2" Commercial 2 District for an approximately 4.97 acre property located at 1604 E. Greene Street
- 5) Ordinance rezoning part of "R-2" Residential 2 District to "C-1" Commercial 1 District for an approximately 0.30 acre property located north of 2813 San Jose Boulevard
- 6) Ordinance rezoning part of "R-1" Residential 1 District to "C-1" Commercial 1 District for an approximately 1.435 acre property located at 2814 San Jose Boulevard
- 7) Ordinance rezoning part of "R-2" Residential 2 District to "C-1" Commercial 1 District for an approximately 2.09 acre property located west of 1500 Blodgett Street

0:07:57 **Mayor Lopez asked Mr. Abell to briefly discuss item C1, Consider Approval to Award Bid 2025-22 to Constructors Inc. for Greene Street Storm Drain Extension Project**

Mr. Abell stated that this item would be an extension of the storm drain project starting on Greene Street and continuing west to Halagueno. He said that provisions will be added to continue west and go north on Halagueno Street heading to Fox Street. He stated it is being added to help with flooding in the area around the Janell Whitlock Municipal Complex as well as the intersection.

Councilor Walterscheid asked when the project is expected to start. **Mr. Abell** stated that a bid for a contractor has been received. He said it will be within 30-60 days.

0:09:44 **MOTION**

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

0:09:54 **VOTE**

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

0:10:08 **4. CONSIDER APPROVAL OF ACCEPTANCE OF PERMIAN STRATEGIC PARTNERSHIP, INC. GRANT FOR THE CARLSBAD FIRE DEPARTMENT FOR THE PURCHASE OF CARDIAC MONITORS**

Chief Souza stated that is a Permian Strategic Partnership grant for the purchase of Cardiac Monitors. He said the grant total is \$325,000 for the purchase of 5 new Life Pak 35 cardiac monitors. He stated that these new monitors will equip the Carlsbad Fire Department with the most up-to-date state of art equipment. He said that the current inventory availability with purchase would be within 2-3 months.

Councilor Rodriguez asked if these monitors are standalone monitors or if they will be incorporated into the ambulances system. **Chief Souza** stated that these monitors are portable and can be transferred to the ambulance.

Councilor Chavez asked if this grant will include the reserve ambulances as well. **Chief Souza** stated that the CFD has already been funded for 2 of the Life Pak 35 Cardiac Monitors in previous requests. He said that the purchase of the additional 5 monitors will outfit the remaining ambulances.

0:13:38 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve the acceptance of Permian Strategic Partnership, Inc. grant for the Carlsbad Fire Department for the purchase of Cardiac Monitors.

0:13:45 **VOTE**

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

0:13:59 **5. CONSIDER APPROVAL OF ORDINANCE 2026-08, AN ORDINANCE AMENDING CHAPTER 3 - AVIATION, ARTICLE II OF THE CARLSBAD CITY CODE, CLARIFYING BOUNDARIES AND ZONING RESTRICTIONS OF THE AIRPORT INDUSTRIAL PARK**

Mr. Ahrens stated that this Ordinance defines the Airport Industrial Park including the location, regulations concerning permissible buildings, and application of lease or purchase of land on the Park. He said the last major update was completed 12 years ago and since then there has been significant improvements and infrastructure in the area. He stated that any land the Carlsbad Department of Development (CDOD) was facilitating the purchase or lease of has already been completed. He said this Ordinance would be clarifying the geographical location of the Airport Industrial Park and removing the portion regarding the CDOD accepting applications for the purchase or leasing of property in that area.

0:15:56 **A. Public Hearing**

0:15:57 **Mayor Lopez** 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 into regular session

0:16:09

B. Consider Approval of Ordinance 2026-08

0:16:15

MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve Ordinance 2026-08, an Ordinance amending Chapter 3 - Aviation, Article II of the Carlsbad City Code, clarifying boundaries and zoning restrictions of the Airport Industrial Park.

0:16:23

VOTE

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

0:16:37

6. CONSIDER APPROVAL OF ORDINANCE 2026-09, AN ORDINANCE AMENDING CHAPTER 4 - ALCOHOLIC BEVERAGES OF THE CARLSBAD CITY CODE, TO ALIGN WITH CHANGES TO STATE LAW

Mr. Ahrens stated that the majority of this Ordinance has not been amended since 1982. He said legal has reviewed this Ordinance and the State has made many changes regarding the sale or the possession for the sale of Alcohol. He stated that the amendments that are being proposed are to align the city with state law. He said that several definitions have been defined as well as the hours of operation.

Councilor Rodriguez asked if the times for the sale of alcohol is a change or has that been in the Ordinance since its creation. Mr. Ahrens stated that it is a change to our Ordinance to reflect what is in the state statute.

0:18:53

A. Public Hearing

0:18:56

Mayor Lopez 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 into regular session

0:19:08

B. Consider Approval of Ordinance 2026-09

0:19:14

MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve Ordinance 2026-09, an Ordinance amending Chapter 4 - Alcoholic Beverages of the Carlsbad City Code, to align with changes to state law.

0:19:22

VOTE

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

0:19:37

7. CONSIDER APPROVAL OF ORDINANCE 2026-10, AN ORDINANCE ANNEXING APPROXIMATELY 4.40 ACRES OF PROPERTY

LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION BETWEEN NORTH CANAL STREET AND EAST PEACH LANE OWNER; BOARD OF EDUCATION

Mr. Patterson stated that this Ordinance is to annex approximately 4.40 acres of property located at the southeast corner of the intersection between North Canal Street and East Peach Lane. He stated that after staff review the Planning and Zoning Department recommends approval of this annexation.

Councilor Walterscheid asked why the Board of Education wants to annex this property. **Mr. Patterson** stated that the Board of Education is going to use a developer to build housing on the property. He stated there will be single family housing built, with some reserved for teachers. **Councilor Walterscheid** asked if anyone in the surrounding properties has been opposed to this request. **Mr. Patterson** said no.

0:23:00 **A. Public Hearing**

0:23:03 **Mayor Lopez asked if anyone would like to speak for the Ordinance.**

Linda Wilson stated they will build 14 houses and 3 of them will be donated back to the schools. She stated that they are trying to bring young professionals to Carlsbad. She said several doctors and nurses will be located in this subdivision.

Councilor Walterscheid asked if the schools would be managing these properties. **Mrs. Wilson** stated that the houses that are donated back to the schools will be managed by the schools.

Councilor Rodriguez asked about the water and sewer infrastructure. **Zach Downing** stated that an engineer has been contacted but the first step is getting this approved through Council.

0:25:35 **Mayor Lopez asked if anyone would like to speak against the Ordinance.**

Christina Mann questioned the legality of the housing project if it is only directed towards teachers, doctors, and nurses.

0:26:45 **B. Consider Approval of Ordinance 2026-10**

0:26:50 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Niemeier to approve Ordinance 2026-10, an Ordinance annexing approximately 4.40 acres of property located at the southeast corner of the intersection between North Canal Street and East Peach Lane Owner; Board of Education.

0:27:00

VOTE

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

0:27:15

8. CONSIDER APPROVAL OF ORDINANCE 2026-11, AN ORDINANCE APPLYING "R-2" RESIDENTIAL 2 DISTRICT ZONING TO APPROXIMATELY 4.40 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION BETWEEN NORTH CANAL STREET AND EAST PEACH LANE OWNER: BOARD OF EDUCATION

Mr. Patterson stated that this zone change is for "R-2" Residential 2 District zoning to approximately 4.40 acres of property located at the southeast corner of the intersection between North Canal Street and East Peach Lane. He stated that the surrounding properties to the north and west are located outside the city limits and the properties to the east and south are zoned "R-1" Residential 1 District, and would result in a spot zone. He stated that after staff review the Planning and Zoning Department recommends approval of this zone change.

Mayor Lopez asked if it will be a spot zone after the land is subdivided. Mr. Patterson stated, yes. He said that "R-2" Residential 2 District is not out of character since single family housing is still being proposed for the property.

Councilor Garwood stated that this will increase the need for a sidewalk on North Canal.

0:32:03

A. Public Hearing

0:32:03

Mayor Lopez 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 into regular session

0:32:16

B. Consider Approval of Ordinance 2026-11

0:32:24

MOTION

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to approve Ordinance 2026-11, an Ordinance applying "R-2" Residential 2 District zoning to approximately 4.40 acres of property located at the southeast corner of the intersection between North Canal Street and East Peach Lane Owner: Board of Education.

0:32:36

VOTE

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

0:32:55 **9. CONSIDER APPROVAL OF ORDINANCE 2026-12, AN
ORDINANCE CHANGING THE ZONING FROM "C- 2" COMMERCIAL 2
DISTRICT TO "R-1" RESIDENTIAL 1 DISTRICT FOR PROPERTY LOCATED AT
3040 AND 3042 CARVER STREET OWNER: GERALD CROLEY**

Mr. Patterson stated that this request is for a zone change from "C-2" Commercial 2 District to "R-1" Residential 1 District at the subject properties at 3040 and 3042 Carver Street. He said that the properties located to the south, west, and east are all zoned "C-2" Commercial 2 District and properties to the north and partially to the west are zoned "R-1" Residential 1 District, and would not result in a spot zone. He stated that after staff review the Planning and Zoning Commission recommends approval of this zone change.

Councilor Forrest asked if anything is located on the property. **Mr. Patterson** stated that the owner is wanting to place a residential structure on one lot and develop the other for another residential structure.

0:35:59 **A. Public Hearing**

0:36:01 **Mayor Lopez** 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 into regular session

0:36:14 **B. Consider Approval of Ordinance 2025-12**

0:36:20 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve Ordinance 2026-12, an Ordinance changing the zoning from "C-2" Commercial 2 District to "R-1" Residential 1 District for property located at 3040 and 3042 Carver Street Owner: Gerald Croley.

0:36:23 **VOTE**

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

0:36:42 **10. PUBLIC COMMENTS AND ANNOUNCEMENTS. ALL
COMMENTS MUST BE RESPECTFUL AND COURTEOUS (THREE-MINUTE TIME
LIMIT PER PERSON)**

Christina Mann stated that the Lower Tansill Dam beautification project cost approximately \$500,000. She said that three floating docks were added and the boat ramp was made steeper. She said that several mature trees were removed and supposed to be replaced with new trees, but the new trees have not been planted. **Ms. Mann** stated that there was a wooden structure put in by Game and Fish that has been covered by concrete. She stated that the retaining wall that was put in prevents turtles from reaching land and laying eggs.

0:43:55

11. COUNCIL COMMITTEE REPORTS

Mayor Lopez stated that in Santa Fe he met with the Veteran Services about being awarded for a Veterans Cemetery at Sunset Gardens. He stated that Carlsbad is the fourth in New Mexico to receive the award and the last one in the state to be selected. He stated if all milestones are met, funding could start in September of this year to start building the Veterans Cemetery at Sunset Gardens.

Councilor Chavez encouraged citizens to reach out to their local delegation in Santa Fe. He stated that the legislative session is still open and Senate Bill 18 has been tabled. He said that it will affect the local industries.

0:47:44

Adjourned

With no further business to discuss, the Mayor declared the meeting adjourned at 6:47 PM.




Nadine Mireles, City Clerk


Richard D. Lopez, Mayor