

**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 24, 2026, AT 6:00 P.M.**

Present:	Richard D. Lopez	Mayor
	Lisa A. Anaya Flores	Councilor <i>via phone</i>
	Edward T. Rodriguez	Councilor
	Karla Niemeier	Councilor
	Anthony Foreman	Councilor
	Mark C. Walterscheid	Councilor
	Jason O. Chavez	Councilor <i>via phone</i>
	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
	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
	Stormy Valenzuela	IT Technician
	Jeff Patterson	Planning Director
	Jessie Rodriguez	Police Chief
	Randy Galindo	Safety and Compliance Director
	Patrick Brownfield	Police Officer
	Kristen Gamboa	CDOD
	Denise Green	Carlsbad Mainstreet
	Clayton Bradley	Bradley Law
	Christina Mann	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**

0:03:38

1. PRESENTATION BY CARLSBAD DEPARTMENT OF DEVELOPMENT

Kristen Gamboa, Director of the Carlsbad Department of Development (CDOD), reported on several recent activities and initiatives. She announced the groundbreaking of Project Riverview, a 36-unit luxury apartment development at the Cascades. She also provided an update on the recent 30-day legislative session, noting that CDOD represented Carlsbad industry at both the Eddy County Reception and the WIPP Breakfast. **Ms. Gamboa** shared that she attended the ICSC conference in Red River, San Antonio, alongside Mayor Lopez and the CDOD Board President. She said the event hosted more than 4,000 attendees and 200 exhibitors, and CDOD operated a booth representing Carlsbad. She added that CDOD is currently managing 124 projects throughout its development pipeline.

Councilor Forrest asked whether the trade show served as a recruitment opportunity to attract businesses to Carlsbad. **Ms. Gamboa** confirmed that it does. **Councilor Forrest** asked what the biggest challenges businesses cite when considering relocation, such as workforce availability, housing, or the size of the community. **Ms. Gamboa** said many businesses are simply not thinking about New Mexico, indicating a need for increased marketing and education efforts. She noted that availability of suitable commercial space is the primary obstacle, particularly for retail and restaurant businesses seeking existing strip mall locations with end-cap space and drive-through capabilities.

Mayor Lopez added that the conference schedule was full of meetings throughout the day and emphasized the importance of continued marketing efforts to highlight Carlsbad's capacity for growth.

0:13:00

2. PRESENTATION OF NEW CITY OF CARLSBAD WEBSITE

Mr. Hatfield said staff has been working on the newly redesigned City website, a process that has taken approximately 16 months to complete. He provided the Mayor and City Council with an overview of the updates and enhancements, emphasizing that the new website is designed to be more interactive and user-friendly for the public. He said a key feature of the new site is the "Stay Connected and Engagement" section, which will allow residents to sign up for alerts, news, announcements, and meeting notifications to stay informed and engaged with City activities.

Mayor Lopez asked how many categories could be included on the site. **Mr. Hatfield** explained that the number of categories is unlimited, allowing for flexibility and future growth. He also noted that the platform includes both internal and external components. He said the internal platform will streamline City operations by allowing employees to complete and submit internal forms electronically. He said the external platform will serve the public, providing access to forms and services such as the employment application section, improving accessibility and convenience for citizens.

0:17:57 **3. PROJECT UPDATE**

0:18:10 **A. Lower Tansill**

Mr. Cass said the walking bridge has undergone a redesign and has been rectified. He said a purchase order has been issued, and the bridge is expected to arrive within three to four weeks. He noted that a separate phase of the project will focus on improvements to the dog park.

Councilor Walterscheid asked what specific updates are planned for the dog park. Mr. Cass explained that the improvements will include the addition of new agility obstacles and playground-style features to enhance the dogs' enjoyment and provide expanded training opportunities. He also stated that the irrigation system will be upgraded to improve overall maintenance and conditions within the park.

0:21:18 **4. CITY OF CARLSBAD FINANCIALS - JANUARY 2026**

Ms. Salcido reviewed the revenues and expenditures as of January 2026, the seventh accounting period of Fiscal Year 2026.

0:23:25 **5. ROUTINE AND REGULAR BUSINESS**

A. Minutes of the Regular City Council Meeting held on February 10, 2026

B. City Personnel Report

C. Purchasing

1) Consider Approval for Invitation to Solicit Bids for Fire Department vehicle equipment and upfitting

D. Agreements and Contracts

1) Consider Approval of Renewal Agreement between the City of Carlsbad and JJ Janitorial, LLC for the cleaning of City restrooms and Janitorial services
2) Consider Approval of Renewal of Lease Agreement between the City of Carlsbad and the Carlsbad Literacy Program for the Lease of Property at 511 N. Twelfth

E. Monthly Reports

1) Building Department January 2026
2) Community Development Department January 2026
3) Planning and Regulations Department January 2026

F. Board Appointments

1) Planning and Zoning Commission appoint Denise Madrid-Boyea, four-year term
2) Board of Solid Waste Commissioners appoint Angeline Maxwell, Ward 2 - four-year term

G. Set the Date: April 14, 2026

1) Ordinance No. 2026-__ An Ordinance of the City of Carlsbad, New Mexico, Amending Chapter 38 -Planning and Development, Article IV of the Code of Ordinances, City of Carlsbad, New Mexico, Regarding the Economic Development Plan

0:23:41 **Mayor Lopez asked Chief Souza to briefly discuss item C1, Consider Approval for Invitation to Solicit Bids for Fire Department vehicle equipment and upfitting**

Chief Souza presented a request for authorization to solicit bids for Fire Department vehicle equipment and upfitting. He explained that administrative vehicles are typically purchased fully outfitted with emergency lights, sirens, and radios. He said three F-150 pickups were purchased for administrative use only, as they were available on a shorter timeline than fully upfitted units.

Councilor Walterscheid asked about the cost of the vehicles. **Chief Souza** stated that under the state contract, base pricing ranges from \$40,000 to \$50,000, with additional costs for specialized fire department equipment.

Councilor Rodriguez asked whether the vehicles could be used without the additional equipment. **Chief Souza** clarified that while the vehicles are registered and may be driven, they cannot respond to emergencies until they are properly outfitted with lights and sirens.

0:26:39 **MOTION**

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

0:26:44 **VOTE**

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

0:27:20 **6. CONSIDER APPROVAL OF REQUEST FROM MEI'S FOODIE HUB LLC FOR A RESTAURANT "A" BEER AND WINE LIQUOR LICENSE WITH ON-PREMISES CONSUMPTION AND NO PATIO SERVICE**

Mr. Ahrens presented a request for Mei's Foodie Hub to obtain a Beer and Wine Liquor License for on-premises consumption, with no patio service. He explained that the Director of the Alcoholic Beverage Control Division of the New Mexico Regulation and Licensing Department has granted preliminary approval of the license, pending final approval by the Carlsbad City Council. **Mr. Ahrens** stated that the zoning designation for this address permits on-site retail sales and confirmed that the establishment is not located within 300 feet of a church or school.

Councilor Rodriguez asked whether the distance from the nearest church meets the required standard for licensure. **Mr. Ahrens** responded that it does, noting that the location is approximately nine city blocks away.

0:29:57 **A. Public Hearing**

0:30:00 Mayor Lopez asked if anyone would like to speak regarding the request. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session

0:30:11 B. Consider Approval of Liquor License

0:30:15 MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of request from Mei's Foodie Hub LLC for a Restaurant "A" Beer and Wine Liquor License with on-premises consumption and no patio service

0:30:22 VOTE

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

0:30:46 7. CONSIDER APPROVAL OF REQUEST BY MILTON'S BREWING TO HOST A TEMPORARY FOOD TRUCK AND FOOD SALES IN THE DOWNTOWN AREA ALONG MERMOD STREET WITHIN THE PUBLIC STREET RIGHT OF WAY

Mr. Patterson presented a request from Milton's Brewing to host a temporary food truck for food sales in the downtown area along Mermod Street within the public right-of-way (ROW). He explained that the food truck would be located between the intersections of Mermod and Canal Streets to the west and Mermod and Canyon Streets to the east. He said Milton's plans to have one food truck on-site most business days, Monday through Sunday, from 2:00 p.m. to 10:00 p.m. Mr. Patterson stated that Milton's will ensure all participating food trucks obtain the required City and State licenses and permits. He emphasized that this temporary use permit does not establish a permanent location and would be valid for one year, expiring December 31, 2026.

Councilor Rodriguez asked whether service would occur on the sidewalk rather than the street. Mr. Patterson confirmed that service would be limited to the sidewalk.

Councilor Chavez asked about the difference between operating in the public right-of-way and at City parks, noting that food trucks are charged a fee to operate in parks but not in the ROW. Mr. Patterson explained that there is currently no policy authorizing a fee for use of the public ROW, whereas parks are considered City property. He said the park program was created to encourage vendors while preventing unfair competition with nearby private property owners who may wish to host food trucks. Councilor Chavez requested that staff research how other cities address food truck operations and fee structures.

Mayor Lopez asked about the timeline for the courthouse construction project and whether the proposed location could conflict with that work. Mr. Patterson stated he was unaware of the construction schedule and uncertain whether the space would be

needed. He added that if a conflict arises, the item could return to Council for consideration of relocation. **Mayor Lopez** indicated he would like Milton's to be made aware of the potential issue.

Councilor Forrest asked whether the courthouse had been notified of the proposal. **Mr. Patterson** responded that his department had not formally notified them. He also noted that some communities limit food trucks to designated food truck parks rather than allowing broader placement within public areas.

0:36:56 **Mayor Lopez** asked if anyone would like to speak regarding the request. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session

0:37:04 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of request by Milton's Brewing to host a temporary Food Truck and food sales in the downtown area along Mermod Street within the public street Right of Way

0:37:16 **VOTE**

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

0:37:38 **8. CONSIDER APPROVAL OF REQUEST BY CARLSBAD MAINSTREET TO ALLOW THE PARKING OF TEMPORARY FOOD TRUCKS AND FOOD SALES IN THE DOWNTOWN AREA ALONG NORTH CANYON STREET AND WEST MERMOD STREET WITHIN THE PUBLIC STREET RIGHT OF WAY**

Mr. Patterson presented a request from Carlsbad MainStreet to permit temporary food trucks and food sales in the downtown area along North Canyon Street and West Mermod Street. He explained that the MainStreet Executive Director intends to contact and invite local food truck owners to participate, with one truck scheduled to operate each Friday through a sign-up process coordinated by MainStreet. He stated that MainStreet will ensure all participating food trucks obtain the required City and State licenses and permits. He said the trucks will operate on Fridays and during designated MainStreet events from February 26, 2026, through December 31, 2026.

Councilor Rodriguez asked about the hours of operation on Fridays. **Ms. Green** responded that the food trucks will set up between 11:00 a.m. and 2:00 p.m.

0:40:48 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of request by Carlsbad MainStreet to allow the parking of temporary Food Trucks and food sales in the downtown area along North Canyon Street and West Mermod Street within the public street Right of Way

0:40:57 **VOTE**

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

0:41:20 **9. CONSIDER APPROVAL OF AN OIL AND GAS PERMIT APPLICATION FROM SELECT WATER SOLUTIONS TO CONSTRUCT A 20" PRODUCED WATER PIPELINE WITHIN THE CITY LIMITS AND THE WELLHEAD PROTECTION AREA**

Mrs. Austin explained that the City of Carlsbad regulates oil and gas activities under Chapters 34 and 52 to allow infrastructure within city limits while protecting municipal water sources. She reported that Select Water Solutions, LLC has applied for a permit to construct the Water Buffalo to BTK Valve Pipeline, a 20-inch buried HDPE produced water pipeline with steel casing at roadway crossings. She said the 15.2-mile pipeline will connect the Permian Resources Central Tank Battery to a treated water facility, with just under three-quarters of a mile within city limits and approximately 3.5 miles crossing the City's wellhead protection area. She said the pipeline will be buried at least 36 inches deep, operate below 200 psi, and cross both city and privately-owned properties. **Mrs. Austin** said City staff retained Clayton Bradley of Bradley Law Offices as the qualified inspector to review the permit application.

Mr. Bradley recommended conditional approval of the pipeline, which will run from the Water Buffalo wells in Happy Valley to the BTK Valve south of Hidalgo Road. He said the pipeline is polyethylene with steel casing at roadway crossings, and any fluid discharge must be reported to the New Mexico Oil Conservation Division within 24 hours, with the City working to establish its own notification process.

Councilor Walterscheid raised concerns regarding pipeline crossings within the wellhead protection area. **Mr. Bradley** clarified that, although the City holds some regulatory authority in this zone, ultimate jurisdiction rests with the State of New Mexico. **Mayor Lopez** noted that any denial of a permit would require a documented legal basis. **Mr. Bradley** confirmed that the City does not have the authority to deny an oil or gas drilling permit.

Councilor Rodriguez emphasized that protecting the wellhead is a top priority. **Mr. Bradley** noted that the pipeline will be buried at a minimum depth of 36 inches, eight feet below roadways, and ten feet below City water lines. He said there will be five waterline crossings, the depth ensures adequate protection, allows for maintenance access, and reduces the risk of contamination in the event of a leak.

0:55:21 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of an Oil and Gas Permit Application from Select Water Solutions to construct a 20" Produced Water Pipeline within the City Limits and the Wellhead Protection area

0:55:32 **VOTE**

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

0:56:02 **10. CONSIDER APPROVAL OF THE VACATION OF APPROXIMATELY 421 SQUARE FEET (0.009 ACRES) OF PLATTED ALLEY RIGHT-OF-WAY NORTH OF LOTS 11A AND 13A, BLOCK 1, MURRAY SUBDIVISION, LOCATED AT THE INTERSECTION OF WEST ROSE ST AND SAN JOSE BLVD APPLICANT: MICHAEL HARGIS**

Mr. Patterson said that the applicant is requesting to vacate approximately 421 square feet (0.009 acres) of platted alley right-of-way north of Lots 11A and 13A. He said the vacation is requested to accommodate two shed structures and an underground grease trap septic system that currently encroaches into the alley. He said if approved, the alley would become private property, with ownership transferring to the applicant.

Councilor Walterscheid asked if the structures in question were sheds. Mr. Patterson confirmed that there are two sheds with a fence between them. He explained that the more permanent issue is the underground grease trap, which cannot be easily removed. He said if the vacation is not approved, the grease trap would need to be abandoned.

Mayor Lopez then asked whether vacating the alley would improve or worsen the situation. Mr. Patterson explained that the vacation could impact additional property owners to the east, as they have constructed buildings based on the presumed location of the alley.

1:03:48 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Niemeier to approve of the vacation of approximately 421 square feet (0.009 acres) of platted alley Right-of-Way North of Lots 11A and 13A, Block 1, Murray Subdivision, located at the intersection of West Rose St and San Jose Blvd Applicant: Michael Hargis

1:03:58 **VOTE**

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

1:04:14 **11. CONSIDER APPROVAL OF SUBMISSION OF AN FY2027 LOCAL GOVERNMENT ROAD FUND APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE CESAR ROAD REHABILITATION PROJECT**

Mrs. Barrios-Testa presented a request to apply for the FY 2027 Local Government Road Fund (LGRF) Program, which assists municipalities and counties with road construction, repairs, and improvements. She explained that the City is proposing a roadway rehabilitation project on Cesear Road, from East Fiesta Drive to East Wood

Avenue. She said the project will cover approximately 1,300 linear feet and will include surface preparation, a new asphalt overlay, replacement of the existing speed bump, and any other necessary traffic control and engineering oversight. She said the City is requesting \$57,750 in LGRF funds, with a City match of 25%, a 20% contingency, and 10% for engineering oversight.

Councilor Walterscheid asked if the speed bump would remain and whether it could be replaced with a flashing sign. **Mayor Lopez** suggested that a new traffic study could determine the best approach if that is the will of the Council.

Councilor Niemeier asked who decided on the speed bump. **Mayor Lopez** noted that one already exists.

Councilor Rodriguez inquired whether the project would require relocating existing meters. **Mr. Abell** confirmed that the City has not considered installing new meters on Cesar Road and that any existing meters would remain in their current locations.

1:09:26 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of submission of an FY2027 Local Government Road Fund Application to the New Mexico Department of Transportation for the Cesar Road Rehabilitation Project

1:09:33 **VOTE**

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

1:09:51 **12. CONSIDER APPROVAL OF RESOLUTION 2026-12, A RESOLUTION DECLARING CERTAIN CITY PROPERTY UNUSABLE OR OBSOLETE**

Ms. Salcido explained that this is the standard Resolution to dispose of obsolete and unusable City property by public auction. She said the auction is scheduled for March 7, 2026.

1:10:39 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Foreman to approve of Resolution 2026-12, a Resolution declaring certain City Property Unusable or Obsolete

1:10:56 **VOTE**

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

1:11:11 **13. CONSIDER APPROVAL OF RESOLUTION 2026-13, A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION UNDER**

THE 2027-2028 NEW MEXICO DEPARTMENT OF TRANSPORTATION'S(NMDOT) TRANSPORTATION PROJECT FUND (TPF) PROGRAM FOR THE SAN JOSE BOULEVARD REHABILITATION PROJECT

Mrs. Barrios-Testa presented a request to apply for a roadway maintenance project for the rehabilitation of 2,200 San Jose Boulevard, from Fiesta Drive to Peachtree Street. She said the project will include an asphalt overlay, traffic control, utility and manhole adjustments, new striping, and other related improvements. She said the total project cost is \$1,000,034, with \$982,300 funded through TPF Maintenance funds and the City committing the required 5% match of \$51,700.

1:13:15 MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of Resolution 2026-13, a Resolution Authorizing the Submittal of an Application under the 2027-2028 New Mexico Department of Transportation's (NMDOT) Transportation Project Fund (TPF) Program for the San Jose Boulevard Rehabilitation Project

1:13:25 VOTE

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

1:13:43 14. CONSIDER APPROVAL OF RESOLUTION 2026-14, A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION UNDER THE 2027 NEW MEXICO DEPARTMENT OF TRANSPORTATION'S (NMDOT) MUNICIPAL ARTERIAL PROGRAM (MAP) FOR THE MAIN STREET REHABILITATION PROJECT

Mrs. Barrios-Testa presented a request for the City to apply for the Municipal Arterial Program (MAP) to support the Main Street rehabilitation project. She explained that the program assists municipalities with project development, including construction, reconstruction, improvements, maintenance, repair of right-of-way materials, and acquisition of streets that serve as principal routes, extensions of rural state highways, major streets, or other key thoroughfares. She said the proposed project will rehabilitate 2,200 linear feet of South Main Street, from Greene Street to Roosevelt Street. She said the City plans to request \$422,250 in MAP funds, with the required 25% match of \$140,750.

1:15:59 MOTION

The motion was made by Councilor Foreman and seconded by Councilor Forrest to approve of Resolution 2026-14, a Resolution Authorizing the Submittal of an Application under the 2027 New Mexico Department of Transportation's (NMDOT) Municipal Arterial Program (MAP) for the Main Street Rehabilitation Project.

1:16:08 VOTE

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

1:16:29 **15. PUBLIC COMMENTS AND ANNOUNCEMENTS. ALL COMMENTS MUST BE RESPECTFUL AND COURTEOUS (THREE-MINUTE TIME LIMIT PER PERSON)**

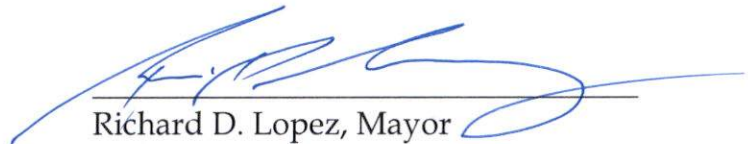
Christina Mann suggested installing a fence around Friendship Park to prevent children from wandering into the river. She asked why the city-built showers for the water park when the employees do not enforce the showers before they get in the pools. Mayor Lopez said those showers were required by the state.

1:21:19 **16. COUNCIL COMMITTEE REPORTS**

1:21:30 **Adjourned**

With no further business to discuss, the Mayor declared the meeting adjourned at 7:21 PM.




Richard D. Lopez, Mayor


Nadine Mireles, City Clerk