

**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 MARCH 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
	Jeff Forrest	Councilor
	Mary Garwood	Councilor
Absent:	Jason O. Chavez	Councilor
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	HR Director
	Wayne Hatfield	IT Director
	Allan Henriksen	IT Technician
	Jeff Patterson	Planning Director
	Jessie Rodriguez	Police Chief
	Patrick Cass	Public Works Director
	Patrick Brownfield	Police Officer
	Christie Crocket	SNMCAC
	Larry Gregory	Affordable Housing LLC
	Amanda Mashaw	Citizen
	Gerry Washburn	Carlsbad Municipal Schools
	Renita Mckinley	Citizen
	Chris Jones	Blodgett Street Baptist Church
	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**

0:01:49 **Invocation – Pledge of Allegiance**

0:02:27 **1. SOUTHEAST NEW MEXICO COMMUNITY ACTION CORPORATION (SNMCAC) MEAL SITE PRESENTATION**

Christie Crocket, Board President of Southeast New Mexico Community Action Corporation (SNMCAC), said the organization’s mission is to serve meals to seniors, operate a Foster Grandparent program, provide companionship, and support senior care through Adult Day Care Centers. She added that SNMCAC plans to present this request to the budget committee to seek assistance and partnership with the City of Carlsbad.

0:13:56 **2. CAVERN CITY AIR TERMINAL PROJECT UPDATE**

K.C. Cass said they have been able to keep the terminal open during Contour Airlines’ flights into and out of Carlsbad. He explained that the current terminal presents several obstacles to renovation, including existing office spaces and the presence of asbestos. He said the Transportation Security Administration (TSA) has agreed to work within the available space and that discussions with the City have been ongoing. **Mr. Cass** also presented a mock-up of the proposed new city air terminal, noting that the project is designed to be cost-efficient while ensuring the airport can maintain TSA operations without interruption.

Mayor Lopez explained that once the new terminal is completed, the City will be able to repurpose the existing terminal and potentially explore leasing options. He added that making the necessary upgrades to the current terminal, such as sewer, water, electrical improvements, and asbestos remediation, would cost roughly the same as constructing a new facility.

Councilor Forrest asked whether both terminals would be used, with different airlines operating from separate facilities. **Mayor Lopez** said the new terminal would handle passenger flights, while the existing terminal could be leased to companies such as FedEx, UPS, or others operating at the airport who may need office space. **Councilor Forrest** also asked for clarification about flight destinations, specifically whether Carlsbad would continue flying to Denver until TSA screening is completed, after which flights could go to Dallas. **Mayor Lopez** confirmed that this is the plan, explaining that Contour’s major airline partners do not accept non-sterile flights.

Councilor Foreman asked how long construction would take once the final design is completed. **Mr. Cass** said he did not have an estimated timeline at this time.

Councilor Niemeier asked about the cost of the project. Mr. Cass said it is anticipated to be approximately \$3 million.

Councilor Foreman also asked when the existing terminal was constructed. Mr. Cass said it was built in the 1940s.

0:29:20 **3. CONSIDER APPROVAL OF RESOLUTION 2026-15, A RESOLUTION MAKING CERTAIN BUDGETARY ADJUSTMENTS TO THE 2025-26 FISCAL YEAR BUDGET**

Mrs. Salcido reviewed revenue and expenditures, making certain Budgetary Adjustments to the 2025-2026 Fiscal Year Budget, highlighting the General Fund, Health Insurance Fund, Capital Projects Fund, Lodgers' Tax Promotional Fund, Lodgers' Tax Non-Promotional Fund, Insurance Fund, Municipal Transit Fund, and the Solid Waste Fund.

0:32:17 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Forrest to approve of Resolution 2026-15, a Resolution making certain budgetary adjustments to the 2025-26 Fiscal Year Budget

0:32:37 **VOTE**

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

0:32:55 **4. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the City Council Meeting held on February 24, 2026
- B. City Personnel Report
- C. Agreements and Contracts
 - 1) Consider Approval of amendment to the Agreement between the City of Carlsbad and Alpha Pure Services for management and maintenance services at the Will Merchant Softball Complex
- D. Monthly Reports
 - 1) City Clerk Department February 2026
 - 2) Human Resources Department February 2026
 - 3) Public Works Department January 2026
 - 4) Utilities Department January 2026
- E. Set the Date: April 14, 2026
 - 1) 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

0:33:12 Mayor Lopez asked Mr. Ahrens to briefly discuss item C1, Consider Approval of amendment to the Agreement between the City of Carlsbad and Alpha Pure Services for management and maintenance services at the Will Merchant Softball Complex

Mr. Ahrens said the City currently has a contract with Alpha Pure Services for the management and maintenance of the Wil Merchant Softball Complex. He explained that the existing agreement does not include provisions for scheduling or allowing practices to be held at the facility for league play. He added that this arrangement would provide compensation for the contractor's time spent scheduling practices and maintaining the facilities.

Councilor Garwood asked whether the contractor would be required to be on-site during practices. **Mr. Ahrens** said the contractor would be responsible for scheduling the practices and for opening and closing the facility.

0:35:49 **MOTION**

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

0:36:00 **VOTE**

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

0:36:15 **5. CONSIDER APPROVAL OF RESOLUTION 2026-16, A RESOLUTION ADOPTING A LAND TRANSFER OF APPROXIMATELY 7.5 ACRES OF PROPERTY WITHIN SUNSET GARDENS CEMETERY TO THE STATE OF NEW MEXICO FOR THE ESTABLISHMENT OF A STATE VETERAN'S CEMETERY IN CARLSBAD**

Mr. Patterson said that in April 2014, Carlsbad was selected as one of four sites for a Veterans' Cemeteries in New Mexico, with funding approved through a capital outlay bill. He said initially, a 3.25-acre tract from Sunset Cemetery was deeded to the state, and in 2022, the state requested about 10 acres instead, as the cemetery design had grown. He said the current design now exceeds 10 acres, so the New Mexico Department of Veterans Services is requesting an additional 7.5 acres to accommodate the project.

Mayor Lopez noted that this project would be the fourth and final veteran's cemetery in New Mexico funded through this source. He added that if approved, the expanded site would extend the cemetery's capacity from an estimated 30 years to approximately 50 years. He also explained that the project would be fully funded and that eligible veterans with the proper documentation would be buried at the cemetery at no cost.

Councilor Walterscheid asked who would maintain the property in the period between its transfer and the completion of construction. **Mr. Patterson** said the property would be owned by the state and the state would be responsible for its maintenance.

0:42:22 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Garwood to approve of Resolution 2026-16, a Resolution adopting a land transfer of approximately 7.5 acres of property within Sunset Gardens Cemetery to the State of New Mexico for the establishment of a State Veteran's Cemetery in Carlsbad

0:42:29 **VOTE**

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

0:42:44 **6. CONSIDER APPROVAL OF RESOLUTION 2026-17, A RESOLUTION ESTABLISHING CERTAIN RULES RELATED TO LAKE CARLSBAD GOLF COURSE FOR THE WAIVER OF GREEN FEES AND DRIVING RANGE GOLF BALL FEES FOR CITY OF CARLSBAD EMPLOYEES, CERTAIN RETIRED CITY OF CARLSBAD EMPLOYEES AND CITY OF CARLSBAD ELECTED OFFICIALS**

Ms. Navarrette said this Resolution would authorize the City to waive green fees and driving range golf ball fees for full-time and part-time City employees, retired City employees with a minimum of ten years of service, and current elected officials. She explained that the waiver would not include cart fees or pro shop merchandise and would not extend to spouses, family members, or friends.

Councilor Forrest asked whether all City employees would receive a badge to verify their employment. Ms. Navarrette said yes.

0:47:01 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve of Resolution 2026-17, a Resolution establishing certain rules related to Lake Carlsbad Golf Course for the waiver of green fees and driving range golf ball fees for City of Carlsbad employees, certain retired City of Carlsbad employees and City of Carlsbad elected officials

0:47:13 **VOTE**

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

0:47:26 **7. CONSIDER APPROVAL OF ORDINANCE 2026-13, AN ORDINANCE REZONING PART OF "C-2" COMMERCIAL 2 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT FOR APPROXIMATELY 1.23 ACRES FOR PROPERTY LOCATED AT 208 N. SIXTH STREET OWNER: ANA LILIA BANKHEAD**

Mr. Patterson said this is a request to change the zoning at 208 N. Sixth Street from "C-2" Commercial 2 District to "R-2" Residential 2 District. He explained that the properties to the north, south, and east are currently zoned "C-2" Commercial 2 District, while the properties to the east and west are zoned "R-1" Residential 1 District,

would create a spot zone. He added that the Planning and Zoning Commission considered the item on February 2, 2026, and recommended approval.

0:48:52 **A. Public Hearing**

Larry Gregory said he works for Affordable Housing LLC, which purchases vacant properties and renovates them to create affordable housing.

0:50:10 **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**

0:50:19 **B. Consider Approval of Ordinance 2026-13**

0:50:26 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve of Ordinance 2026-13, an Ordinance rezoning part of "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 1.23 acres for property located at 208 N. Sixth Street Owner: Ana Lilia Bankhead

0:50:43 **VOTE**

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

0:50:57 **8. CONSIDER APPROVAL OF ORDINANCE 2026-14, AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL 2 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR APPROXIMATELY 0.43 ACRES FOR PROPERTY LOCATED AT 606 W. PIERCE STREET AND 608 W. PIERCE STREET OWNER: MANDALIN PROPERTIES, LLC**

Mr. Patterson said this is a request to rezone 606 W. Pierce Street and 608 W. Pierce Street from "R-2" Residential 2 District to "C-2" Commercial 2 District. He explained that the properties to the north are zoned "R-1" Residential 1 District, the properties to the west and south are zoned "C-2" Commercial 2 District, and the properties to the east are zoned "R-2" Residential 2 District. He noted that approving the request would not create a spot zone. He added that the Planning and Zoning Commission considered the item at its February 2, 2026, meeting and recommended approval.

0:52:28 **A. Public Hearing**

0:52:30 **Mayor Lopez asked if anyone would like to speak regarding the Ordinance.**

Amanda Mashaw said the property is currently being used by Pecos Valley Counseling LLC. She explained that a professional office is not permitted in an "R-2" Residential 2 District, and that a therapy counseling medical center requires "C-2" Commercial 2 zoning to operate and place signage on the property.

0:53:57 **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**

0:54:05 **B. Consider Approval of Ordinance 2026-14**

0:54:10 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Niemeier to approve of Ordinance 2026-14, an Ordinance rezoning part of "R-2" Residential 2 District to "C-2" Commercial 2 District for approximately 0.43 acres for property located at 606 W. Pierce Street and 608 W. Pierce Street

0:54:20 **VOTE**

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

0:54:33 **9. CONSIDER APPROVAL OF ORDINANCE 2026-15, AN ORDINANCE REZONING PART OF "I" INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR APPROXIMATELY 4.97 ACRES FOR PROPERTY LOCATED AT 1604 E. GREENE STREET OWNER: BLUE SAPPHIRE INVESTMENTS, LLC**

Mr. Patterson said this is a request to change the zoning at 1604 E. Greene Street from "I" Industrial District to "C-2" Commercial 2 District. He explained that the properties to the north, south, east, and west are all zoned "I" Industrial District, and approving the request would result in a spot zone. He added that the Planning and Zoning Commission considered the item at its February 2, 2026, meeting and recommended denial.

Councilor Niemeier asked whether the property was intended to be used as a man camp. Mr. Patterson said the applicant indicated they were looking to house some employees.

0:56:19 **A. Public Hearing**

0:56:29 **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**

0:56:37 **B. Consider Approval of Ordinance 2026-15**

0:56:42 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Rodriguez to deny Ordinance 2026-15, an Ordinance rezoning part of "I" Industrial District to "C-2"

Commercial 2 District for approximately 4.97 acres for property located at 1604 E. Greene Street Owner: Blue Sapphire Investments, LLC

0:56:59 **VOTE**

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

0:57:14 **10. CONSIDER APPROVAL OF ORDINANCE 2026-16, AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT FOR APPROXIMATELY 0.30 ACRES FOR PROPERTY LOCATED AT 2809 SAN JOSE BOULEVARD AND 2811 SAN JOSE BOULEVARD OWNER: EDGAR GONZALEZ A. PUBLIC HEARING B. CONSIDER APPROVAL OF ORDINANCE 2026-16**

Mr. Patterson said this is a request to change the zoning at 2809 and 2811 San Jose from "R-1" Residential 1 District to "C-1" Commercial 1 District. He explained that the properties to the north and south are zoned "R-1" Residential 1 District, the properties to the west are zoned "R-2" Residential 2 District, and the properties to the east are zoned "C-1" Commercial 1 District, so the proposed change would not create a spot zone. He added that the Planning and Zoning Commission considered the item at its February 2, 2026, meeting and recommended approval.

Councilor Forrest asked if the applicant specified the intended use of the property. Mr. Patterson said the applicant indicated he planned to establish a small commercial operation, such as a restaurant. He noted that "C-1" zoning would allow this type of use, though it is limited compared to larger-scale commercial developments.

0:59:08 **A. Public Hearing**

0:59:19 **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**

0:59:25 **B. Consider Approval of Ordinance 2026-16**

1:02:15 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to table for 30 days Ordinance 2026-16, an Ordinance rezoning part of "R-1" Residential 1 District to "C-1" Commercial 1 District for approximately 0.30 acres for property located at 2809 San Jose Boulevard and 2811 San Jose Boulevard Owner: Edgar Gonzalez

1:02:40 **VOTE**

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

1:02:57 **11. CONSIDER APPROVAL OF ORDINANCE 2026-17, AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT FOR APPROXIMATELY 1.435 ACRES FOR PROPERTY LOCATED AT 2814 SAN JOSE BOULEVARD OWNER: CITY OF CARLSBAD**

Mr. Patterson stated that this is a request to rezone 2814 San Jose Boulevard from "R-1" Residential 1 District to "C-1" Commercial 1 District. He explained that the property used to be the San Jose Senior Center, and the City plans to develop office spaces and a storage facility for the Facilities Maintenance Department. He pointed out that the properties to the west, east, and south are zoned "R-1" Residential 1 District, while those to the north are zoned "C-1" Commercial 1 District, so the rezoning would not create a spot zone. Mr. Patterson also mentioned that the Planning and Zoning Commission reviewed the item at its February 2, 2026, meeting and recommended approval.

1:04:48 **A. Public Hearing**

1:04:50 **Mayor Lopez asked if anyone would like to speak regarding the Ordinance.**

Mayor Lopez said that this building was costly to remodel, so it has been demolished and will be completely rebuilt.

Councilor Rodriguez expressed his support for establishing a yard and staging area on the south side of town, noting that it would allow for faster response times during emergencies.

1:06:03 **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**

1:06:09 **B. Consider Approval of Ordinance 2026-17**

1:06:16 **Motion**

The motion was made by Councilor Foreman and seconded by Councilor Niemeier to approve Ordinance 2026-17, an Ordinance rezoning part of "R-1" Residential 1 District to "C-1" Commercial 1 District for approximately 1.435 acres for property located at 2814 San Jose Boulevard Owner: City of Carlsbad

1:06:26 **Vote**

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

1:06:38 **12. CONSIDER APPROVAL OF ORDINANCE 2026-18, AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL 2 DISTRICT TO "C-1"**

COMMERCIAL 1 DISTRICT FOR APPROXIMATELY 2.09 ACRES FOR PROPERTY LOCATED WEST OF 1500 W. BLODGETT STREET OWNER: JBN PROPERTIES, LLC A. PUBLIC HEARING B. CONSIDER APPROVAL OF ORDINANCE 2026-18

Mr. Patterson said this is a request to change the zoning west of 1500 W. Blodgett Street from "R-2" Residential 2 District to "C-1" Commercial 1 District. He explained that the properties to the north and south are zoned "R-2" Residential 2 District, while the properties to the east, west, north, and south are zoned "R-1" Residential 1 District, meaning the proposed change would create a spot zone. He added that the Planning and Zoning Commission considered the item at its February 2, 2026, meeting and recommended denial.

Councilor Niemeier asked about the applicant's intended use. Mr. Patterson said the applicant proposed a strip mall featuring a laundromat and a carry-out restaurant.

Councilor Garwood asked if the applicant intended to include residential housing. Mr. Patterson said the plan included multifamily housing along with the commercial development.

Councilor Rodriguez asked how both commercial and residential uses would be accommodated on one lot. Mr. Patterson explained that if the ordinance is approved, the property would be zoned "C-1" Commercial 1 District, which allows for some residential use within a commercial zone.

Councilor Walterscheid asked why the Planning and Zoning Commission denied the request. Mr. Patterson said the commission's concerns focused on the property's proximity to the school, the traffic on Blodgett Street, and the nearby church.

1:11:24 **A. Public Hearing**

1:11:26 **Mayor Lopez asked if anyone would like to speak regarding the Ordinance.**

Gerry Washburn, Carlsbad Municipal Superintendent, said the schools are concerned about allowing a commercial enterprise near the elementary school and would prefer the zoning remain unchanged.

Renita McKinley stated she opposes the ordinance, noting that the applicant has been unclear about what is planned for the property.

Chris Jones, representing Blodgett Street Baptist Church, said the church sold the property to the applicant. He said while the church fully supports residential apartments, he emphasized that they are opposed to retail development on the site.

1:15:11 **B. Consider Approval of Ordinance 2026-18**

1:15:18 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Foreman to deny Ordinance 2026-18, an Ordinance rezoning part of "R-2" Residential 2 District to "C-1" Commercial 1 District for approximately 2.09 acres for property located West of 1500 W. Blodgett Street Owner: JBN

1:15:33 **VOTE**

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

1:15:49 **13. PUBLIC COMMENTS AND ANNOUNCEMENTS. ALL COMMENTS MUST BE RESPECTFUL AND COURTEOUS (THREE-MINUTE TIME LIMIT PER PERSON)**

Christina Mann said she has been removing bee colonies from residential areas.

Gerry Washburn, Carlsbad Municipal Schools Superintendent, reported that the 2025 Carlsbad High School graduating cohort ranked first among large New Mexico high schools with a 14% graduation growth and the school had the fourth-highest overall rate at 90.03%.

1:22:11 **14. COUNCIL COMMITTEE REPORTS**

Councilor Garwood thanked City employees, directors, and Mayor Lopez for participating in River Blitz, noting 321 participants and record city employee involvement.

1:23:02 **15. CONSIDER APPROVAL TO CONVENE INTO CLOSED SESSION PURSUANT TO NMSA 1978 SECTION 10-15-1(H)(7), DISCUSSION OF THREATENED OR PENDING LITIGATION**

1:23:18 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve to convene into closed session pursuant to NMSA 1978 Section 10-15-1(H)(7), discussion of Threatened or Pending Litigation

1:23:29 **VOTE**

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

1:23:49 Stop Audio Recording

1:23:49 Start Audio Recording [08:26:37 PM]

0:00:00 **16. CONSIDER APPROVAL TO RECONVENE INTO OPEN SESSION**

MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to reconvene into open session

VOTE

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

1:23:51 **17. CONSIDER APPROVAL OF STATEMENT REGARDING CLOSED SESSION. PURSUANT TO THE REQUIREMENTS OF THE OPEN MEETINGS ACT, THE CLOSED SESSION WAS HELD TO DISCUSS MATTERS PURSUANT TO NMSA 1978, SECTION 10-15-1(H)(7), NMSA DISCUSSION OF THREATENED OR PENDING LITIGATION. THIS WAS THE ONLY MATTER DISCUSSED DURING THE CLOSED SESSION**

Mayor Lopez stated, Pursuant to the requirements of the Open Meetings Act, the Closed Session was held to discuss matters pursuant to NMSA 1978, Section 10-15-1(H)(7), NMSA, discussion of Threatened or Pending Litigation. He said this was the only matter discussed during the closed session.

1:24:00 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve the statement regarding closed session.

1:24:11 **VOTE**

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

1:21:30 **Adjourned**

With no further business to discuss, the Mayor declared the meeting adjourned at 8:27




Richard D. Lopez, Mayor


Nadine Mireles, City Clerk