



AGENDA

City Council Regular Meeting
Janell Whitlock Municipal Complex
114 S. Halagueno Street
Carlsbad, New Mexico
July 14, 2026 at 6:00 PM

Invocation – Pledge of Allegiance

1. Routine and Regular Business

All matters under this heading are considered routine by the City Council and will be acted upon in one motion. There will be no separate discussion of these items. If discussion is desired on a particular item, upon request, that item may be removed from the Routine and Regular Business and be considered separately.

- A. Minutes of the City Council Meeting held on June 23, 2026
- B. City Personnel Report
- C. Purchasing
 - 1) Consider Approval for Invitation to Solicit Bids for Primary Lift Station Number Two
 - 2) Consider Approval to Award Bid 2026-08 to Bug Busters, LLC for Annual Pest Control Services for City Facilities
- D. Agreements and Contracts
 - 1) Consider Approval of Agreement between the City of Carlsbad and Eddy County for a Professional Services Agreement for the Provision of General Services for Eddy County Residents
 - 2) Consider Approval of Memorandum of Understanding between the City of Carlsbad and the Eddy County DWI Program
- E. Monthly Reports
 - 1) Human Resources June 2026
 - 2) Utilities Department May 2026
- F. Board Appointments

- 1) Shooting Range Advisory Board re-appoint Dona Rex Prather, four-year term, re-appoint Brian Fox, four-year term, re-appoint Graydon Clark, four-year term, re-appoint Richard West, four-year term, re-appoint Jennifer Cottingham, four-year term
- 2) Riverwalk Recreation Center Advisory Board re-appoint Becky Fierro, four-year term, re-appoint Bill Rook, four-year term
- 3) Solid Waste Advisory Board re-appoint Susan Crockett, four-year term
- 4) Planning and Zoning Commission re-appoint James McCormick, two-year term, appoint John Beasley, two-year term
- 5) Cemetery Advisory Board re-appoint Alan K. Wood, four-year term
- 6) Alejandro Ruiz Senior Center Advisory Board re-appoint Liz Gordy, four-year term
- 7) Carlsbad Public Library Advisory Board re-appoint Veronica H. Barnhart, four-year term
- 8) Bob Forrest Youth Sport Complex Advisory Board re-appoint Lance Ridgway, four-year term

G. Set the Date: August 11, 2026

- 1) Ordinance rezoning part of "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.09 acre property located south of 713 N. Alameda Street
2. Approval of an application and request for an infrastructure reimbursement for the Southridge Subdivision, located at the intersection of Davis Street and Etter Street, a development creating nine new lots for residential development Applicant: Giddy Up, LLC
3. Consider Approval of Resolution 2026-40, a Resolution ratifying the Agreement between the City of Carlsbad and Southeastern New Mexico Economic Development District (SENMEDD) for 2026-2027 membership
4. Consider Approval of Resolution 2026-41, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 606 W Hagerman Street Owner: David and Joyce Martin
5. Consider Approval of Resolution 2026-42, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 503 N Guadalupe Street Owner: David and Joyce Martin
6. Consider Approval of Resolution 2026-43, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 505 N Guadalupe Street Owner: David and Joyce Martin
7. Consider Approval of Resolution 2026-44, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 4801 Concho Street Owner: Robert D. Cota and Alfredo L. Cota
8. Consider Approval of Ordinance 2026-23, an Ordinance rezoning part of "R-1" Residential 1 District to "C-1" Commercial 1 District for approximately 0.78 acres for

property located at 302 West Pierce Street Applicant/Owner: Shawn Mitchell

- A) Public Hearing
 - B) Consider Approval of Ordinance 2026-23
9. Consider Approval of Ordinance 2026-24, an Ordinance rezoning part of "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 0.092 acres for property located at 103 S. Cypress Street Applicant/Owner: Justin Angell
- A) Public Hearing
 - B) Consider Approval of Ordinance 2026-24
10. Consider Approval of Ordinance 2026-25, an Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for approximately 0.21 acres for property located at 922 Rex Street Applicant/Owner: Ivan Sosa
- A) Public Hearing
 - B) Consider Approval of Ordinance 2026-25
11. Public Comments and Announcements. All Comments must be respectful and courteous (Three-minute time limit per person)
12. Council Committee Reports

FOR INFORMATION ONLY

Agendas and City Council minutes are available on the City website: cityofcarlsbadnm.com and may be viewed in the Office of the City Clerk during regular business hours.

CARLSBAD CITY COUNCIL MEETING SCHEDULE

- Regular Meeting - July 28, 2026
- Regular Meeting - August 11, 2026

If you require a hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Manager's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time

**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 JUNE 23, 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
	JoAnne Jaure	Deputy City Clerk
	Stephan Brown	Compliance Clerk
	Dina Navarrette	Community Services Director
	Angie Barrios-Testa	Director of Grant Programs
	Mike Abell	Director of Utilities
	Patrick Cass	Director of Public Works
	Melissa Salcido	Finance Director
	Tony Souza	Fire Chief
	Kyla Gonzales	HR Director
	Wayne Hatfield	IT Director
	Allan Henriksen	IT Technician
	Trysha Ortiz	Deputy Planning Director
	Jessie Rodriguez	Police Chief
	Randy Galindo	Safety and Compliance Director
	Blake Hubbard	Carlsbad Medical Center
	Wayne Shokey	New Mexico State University
	Clayton Bradley	Bradley Law

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**

0:00:13 Invocation – Pledge of Allegiance

0:00:52 **1. RECOGNITION FROM VETERANS OF FOREIGN WARS
(VFW) FOR PUBLIC SERVANT AWARD PRESENTED TO CORPORAL ADRIAN
GONZALES**

Chief Rodriguez recognized Corporal Adrian Gonzales to receive the Public Servant Award presented by Veterans of Foreign Wars (VFW)

0:07:48 **2. PRESENTATION FROM CARLSBAD MEDICAL CENTER**

Blake Hubbard, with Carlsbad Medical Center (CMC), reported more than 143,000 patients were served in 2025. **Mr. Hubbard** stated CMC is working to serve 12,400 new patients, modernize its 26,000-square-foot facility, and invest more than \$22 million in capital improvements during 2026. He said CMC recently launched a robotics program with the acquisition of a Da Vinci Surgical Robot. He stated four surgeons have completed training and are actively using the system. He noted Dr. Petty joined CMC at the end of last year, significantly expanding urology services. He said Carlsbad has offered radiation oncology services, and CMC plans to add medical oncology and hematology. He reported a \$3.5 million facility modernization project is approximately 50 percent complete. He stated improvements include remodeling the first and third floors, replacing all exterior signage, updating interior signage, and planning upgrades to the emergency department and women's services department. **Mr. Hubbard** stated inbound patient transfers have increased significantly over the past several years. He said a major project for this year is construction of a freestanding emergency department on the south side of town. He stated the facility will provide the same full-service emergency care available at the main hospital. **Mr. Hubbard** reported Becker's Healthcare, a national hospital review organization, recognized 536 hospitals with the nation's lowest *Clostridioides difficile* infection rates. He said two of those hospitals are located in New Mexico, including Carlsbad Medical Center.

Councilor Walterscheid asked whether the freestanding emergency department would operate 24 hours a day or close overnight like the urgent care facility on the south side of town. **Mr. Hubbard** said the freestanding emergency department will operate 24 hours a day, seven days a week.

0:16:58 **3. BRIEFING ON NEW WORLD SCREWORM PARASITE**

Chief Souza stated the screwworm can be identified by its orange eyes and metallic green body. He said an infestation is dangerous because the insect consumes living tissue, unlike common flies, which feed on dead tissue. **Chief Souza** stated flies are attracted to warm-blooded hosts, including livestock, wildlife, household pets, and, in rare cases, humans. He stated the closest confirmed case occurred on June 8, 2026, in Eunice, New Mexico, located in Lea County just east of Eddy County, involving a domestic dog. **Chief Souza** said this detection followed the first confirmed cases in decades involving South Texas livestock on June 3, 2026. He stated traps have been placed within a 12.5-mile radius of the Eunice case, and, as of the meeting date, no additional infestations had been identified. **Chief Souza** stated the primary concern for

Eddy County is the potential impact on its ranching and dairy industries. He said an infestation could disrupt livestock auctions, increase veterinary treatment costs, and result in livestock mortality. **Chief Souza** said state and federal prevention efforts include the Sterile Insect Technique, which involves releasing millions of sterile male flies to reduce reproduction. He added the New Mexico Livestock Board will serve as the primary point of contact for reporting suspected infestations.

Wayne Shockey, with New Mexico State University stated the flies are capable of detecting the scent of blood from miles away, which attracts them to potential hosts.

Councilor Anaya-Flores asked how the feral dog and cat population would be managed if infestations occurred. **Chief Souza** said Animal Control will monitor the feral animal population. He said trapped animals will be screened for signs of infestation.

0:29:39 **4. UPDATE ON THE INVASIVE AQUATIC VEGETATION AT LAKE CARLSBAD**

Mrs. Austin stated the lower lake was drained in December 2024. She said since draining the lake, the city has observed a significant reduction in aquatic vegetation in the area. She stated the city commissioned Bless Bayou on August 28, 2025, to visit Carlsbad, assess the aquatic vegetation, and prepare a recommendation report. She said Bless Bayou recommended a four-pronged approach consisting of biological, mechanical, physical, and chemical treatment methods. **Mrs. Austin** stated the city also commissioned Environmental Science and Engineering Partners, LLC, environmental engineers, in September 2025 to assess the vegetation and prepare a recommendation report. She said the City began draining the river on January 2, 2026, because both consulting firms concluded it was the most effective option. She stated while the river was drained, a contractor removed dead vegetation and since refilling the river, the city has observed a significant decrease in aquatic vegetation. **Mrs. Austin** stated the City contracted with Bless Bayou on June 9, 2026, to apply an aquatic shade product to the river. She said the dark dye reduces sunlight penetration to the riverbed, helping inhibit aquatic vegetation growth. She stated a second application of the aquatic shade is planned following the Fourth of July Celebration. She said the city also continues working with Bless Bayou to obtain a permit from the New Mexico Environment Department for the potential application of herbicides.

Councilor Forrest asked whether the State had provided any assistance. **Mrs. Austin** said the city has not received State or federal assistance. She stated the New Mexico Department of Game and Fish has provided valuable support.

0:37:08 **5. CITY OF CARLSBAD FINANCIALS - MAY 2026**

Mrs. Salcido reviewed the revenues and expenditures as of May 2026, the eleventh accounting period for Fiscal Year 2026.

0:38:40 **6. ROUTINE AND REGULAR BUSINESS**

A. Minutes of the City Council Meeting held on June 9, 2026

B. City Personnel Report

C. Purchasing

1) Consider Approval to advertise Request for Proposals for the Kircher Street Affordable Housing Subdivision Project

D. Agreements and Contracts

1) Consider Approval of Agreement between the City of Carlsbad Police Department and Eddy County DWI Program for LDWI Enforcement Allocation for FY2026-27

2) Consider Approval of Agreement between the City of Carlsbad and Carlsbad Municipal Schools for Fiscal Year 2026-2027

E. Monthly Reports

1) Building Department - May 2026

2) Community Development Department - May 2026

3) Fire Department - May 2026

4) Human Resources Department - May 2026

5) Planning and Regulation Department - May 2026

6) Public Works Department - May 2026

0:38:57 **Mayor Lopez asked Chief Rodriguez to briefly discuss item D1, Consider Approval of Agreement between the City of Carlsbad Police Department and Eddy County DWI Program for LDWI Enforcement Allocation for FY2026-27**
Chief Rodriguez stated the Carlsbad Police Department requested City Council authorization to accept the LDWI Enforcement Allocation Agreement. He said, under the agreement, the Eddy County DWI Program will reimburse the Carlsbad Police Department for officer overtime associated with Teen Court and MPACT facilitation services.

0:41:02 **MOTION**

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

0:41:12 **VOTE**

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

0:41:30 **7. DISCUSSION REGARDING A CURRENT PROPOSAL, AND ANY FUTURE PROPOSALS, TO ALLOW FOR OIL AND GAS RELATED INFRASTRUCTURE WITHIN THE CAVERN CITY AIRPORT PROPERTY BOUNDARIES**

Mrs. Austin stated the city received a proposal from NGL, an oil and gas company, to install a produced water pipeline south of town near Cavern City Air Terminal. She said the proposed pipeline would enter City owned airport property north of Runway

14L, extend east toward the airport property boundary, continue southeast along the eastern boundary, and exit near the intersection of Airway Drive and Sierra Vista Drive. She stated the total length of the pipeline on City-owned airport property would be approximately 6,000 linear feet, with about 3,400 linear feet located within the airport's fenced area. **Mrs. Austin** stated the City's Ordinances governing oil and gas infrastructure do not specifically address Cavern City Air Terminal. She explained oil and gas infrastructure on or near an airport requires approval from the Federal Aviation Administration (FAA), along with all other required federal and state regulatory agencies. She said, because of the expense involved in obtaining FAA approval, City staff believed it appropriate to present the proposal to City Council before preparing an FAA application. She stated City Council supports allowing similar permits near the airport, additional conditions could be included as part of the approval process. **Mrs. Austin** stated possible conditions could include location restrictions, infrastructure limitations, restrictions on transported products, allowing water and produced water pipelines but prohibiting high-pressure oil and gas pipelines, material and installation requirements, enhanced containment and pigging requirements, and easement limitations.

Mayor Lopez stated no oil and gas infrastructure currently crosses airport property in the proposed area. He noted airports in other oil-producing communities, including Midland, have produced water pipelines beneath airport property and, in some cases, beneath runways. He said this type of infrastructure is not uncommon in areas with significant oil and gas production. He stated high-pressure pipelines near the airport would not be in the City's best interest.

Councilor Walterscheid asked if an easement were granted and the city later needed to expand the airport, the city could require the pipeline to be relocated or removed.

Mayor Lopez said it is difficult to determine whether future airport expansion would occur in the proposed direction. He noted other airports have pipelines beneath their runways, making it uncertain whether relocation or removal would be necessary.

Clayton Bradley stated the current proposal is located in an area where airport expansion is unlikely because it is situated along the northern portion of City-owned property. He added if future proposals involve areas where expansion is more likely, requiring relocation as a condition of the permit may not be practical.

Councilor Foreman asked what operating pressure the proposed pipeline would have since the city was not supportive of high-pressure gas lines. **Mr. Bradley** said the pipeline's maximum operating pressure would be approximately 200 to 250 pressure per square inch (psi), with normal operating pressure ranging from 125 to 150 psi.

Councilor Forrest asked whether the pipeline would be buried. **Mr. Bradley** said yes.

0:54:48 **8. CONSIDER APPROVAL OF A PERMIT APPLICATION BY KINETIK NM GAS GATHERING, LLC TO CONSTRUCT AND OPERATE A 4" GAS PIPELINE REFERRED TO AS THE BEDROCK RESIDUE FUEL LINE LOCATED ON THE SOUTH SIDE OF EAST GREENE STREET**

Mrs. Austin stated the city has Ordinances governing oil and gas activities within the city limits. She explained the permit application under consideration is for a single 4-inch buried steel natural gas pipeline, referred to as the Bedrock Residue Fuel Line. She stated the pipeline will connect to an existing natural gas pipeline and supply fuel to operate a compressor station located south of East Greene Street. **Mrs. Austin** stated the proposed pipeline will be approximately 1,663 feet in length, with approximately 496 feet located within the city limits. She said the pipeline will be buried at a minimum depth of 48 inches and will operate at a maximum pressure of 285 psi.

Mr. Bradley explained the pipeline will connect to an existing New Mexico Gas Company pipeline. He said Kinetik plans to tap into the existing line and extend service to an existing compressor station located outside the city limits.

1:00:05 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Anaya-Flores to approve a Permit Application by Kinetik NM Gas Gathering, LLC to construct and operate a 4" gas pipeline referred to as the Bedrock Residue Fuel Line located on the south side of East Greene Street

1:00:14 **VOTE**

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

1:00:34 **9. CONSIDER APPROVAL OF RESOLUTION 2026-37, A RESOLUTION TO DEEM CERTAIN UTILITY ACCOUNTS UNCOLLECTABLE**

Mrs. Salcido stated, pursuant to New Mexico Statute NMSA 3-37-7, an uncollectible account may be removed from the City's accounts receivable if it has remained uncollectible for more than four years. She said the Director of Finance, with support from the City's auditors, recommends annually identifying and writing off certain uncollectible utility accounts. **Mrs. Salcido** stated removing uncollectible accounts improves the presentation of the City's balance sheet and better aligns financial reporting with generally accepted accounting principles (GAAP). She said the city currently has 359 uncollectible utility accounts totaling \$109,797.92. She said these accounts represent outstanding balances from calendar years 2020 and 2021.

1:03:37 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve Resolution 2026-37, a Resolution to deem certain Utility Accounts Uncollectable

1:03:45

VOTE

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

1:03:56

10. CONSIDER APPROVAL OF RESOLUTION 2026-38, A RESOLUTION ADOPTING THE CITY OF CARLSBAD FY2028-2032 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)

Mrs. Barrios-Testa stated the Resolution would approve the ICIP. She said the ICIP identifies the City's infrastructure priorities for the next five years. **Mrs. Barrios-Testa** reported no changes have been made since the plan was presented at the June 9, 2026, City Council meeting.

1:06:11

MOTION

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve Resolution 2026-38, a Resolution adopting the City of Carlsbad FY2028-2032 Infrastructure Capital Improvement Plan (ICIP)

1:06:18

VOTE

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

1:06:38

11. CONSIDER APPROVAL OF RESOLUTION 2026-39, A RESOLUTION AUTHORIZING THE CITY OF CARLSBAD'S APPLICATION AND PARTICIPATION IN THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION RURAL AIR SERVICE ENHANCEMENT (RASE) GRANT PROGRAM FOR THE CAVERN CITY AIRPORT

Mrs. Barrios-Testa stated the request is for authorization to apply for and participate in the New Mexico Department of Transportation Aviation Division's RASE Grant Program. She said the program provides competitive funding for rural communities to expand commercial air service. She said Cavern City Air Terminal is eligible because it currently receives Essential Air Service (EAS). She said the grant provides up to \$2.25 million annually and requires a 20 percent local match. **Mrs. Barrios-Testa** stated the Airport is seeking to maintain direct air service to Denver after Cavern City Air Terminal becomes Transportation Security Administration (TSA) compliant. She said this approach would allow the community to benefit from direct commercial service to both Denver and Dallas. She stated the grant is a two-year initiative. She said if the first year is successful, the agreement could be renewed for a second year. **Mrs. Barrios-Testa** added the required business and marketing plan is currently being prepared.

Councilor Rodriguez asked whether flights to Albuquerque would be affected. **Mrs. Barrios-Testa** said no.

Councilor Garwood asked, if the City requested the maximum grant amount, where the required \$450,000 local match would come from. **Mayor Lopez** said the City would provide the required matching funds.

Councilor Forrest asked whether construction of the new terminal at Cavern City Air Terminal is still moving forward. **Mayor Lopez** said yes.

1:11:23 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve Resolution 2026-39, a Resolution authorizing the City of Carlsbad's application and participation in the New Mexico Department of Transportation Aviation Division Rural Air Service Enhancement (RASE) Grant Program for the Cavern City Airport

1:11:32 **VOTE**

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

1:11:50 **12. PUBLIC COMMENTS AND ANNOUNCEMENTS. ALL COMMENTS MUST BE RESPECTFUL AND COURTEOUS (THREE-MINUTE TIME LIMIT PER PERSON)**

No one appeared.

1:12:03 **13. COUNCIL COMMITTEE REPORTS**

Councilor Walterscheid stated Councilor Garwood is going to be inducted as President of the local Rotary Club on June 24, 2026.

1:12:54 **14. CONSIDER APPROVAL TO CONVENE INTO CLOSED SESSION PURSUANT TO N.M.S.A. 1978 SECTION 10-15-2(H)(7), DISCUSSION OF THREATENED OR PENDING LITIGATION**

1:13:09 **MOTION**

The motion was made by Councilor Foreman and seconded by Councilor Niemeier to approve and convene into closed session pursuant to N.M.S.A. 1978 Section 10-15-2(H)(7), discussion of Threatened or Pending Litigation

1:13:24 **VOTE**

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

1:13:50 **15. CONSIDER APPROVAL TO RECONVENE INTO OPEN SESSION**

1:13:55 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Niemeier to approve and reconvene into open session

1:13:55 **VOTE**

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

1:13:56 **16. 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 N.M.S.A. 1978 SECTION 10-15-1(H)(7), DISCUSSION OF THREATENED OR PENDING LITIGATION. THIS WAS THE ONLY MATTER DISCUSSED DURING THE CLOSED SESSION**

1:14:15 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve the statement regarding closed session. Pursuant to the requirements of the Open Meetings Act, the closed session was held to discuss matters pursuant to N.M.S.A. 1978 Section 10-15-1(H)(7), discussion of Threatened or Pending Litigation. This was the only matter discussed during the closed session

1:14:25 **VOTE**

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

1:14:39 **Adjourned**

With no further business to discuss, the Mayor declared the meeting adjourned at 8:14 PM.

Richard D. Lopez, Mayor

ATTEST:

Nadine Mireles, City Clerk

CITY OF CARLSBAD
PERSONNEL REPORT

July 14, 2026

APPOINTMENTS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>
Genesis A. Delgado	07/15/26	Library	Library Page, part-time
Tiffany E. Duran	07/15/26	Police	Telecommunicator 1, uncertified
Santiago R. Munoz	07/15/26	Police	Patrolman 1, uncertified
Eduardo M. Rico	07/15/26	Water	Heavy Equipment Operator 1
Angel C. Ruiz	07/15/26	Police	Patrolman 1, uncertified
Jason T. Taylor	07/15/26	Collections	Waste Water Operator Apprentice
Taelyn V. Vasquez	07/15/26	Executive	BPA Student
Arianna J. Vega	07/15/26	Police	Telecommunicator 2, certified

TERMINATIONS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>	<u>REASON</u>
Andrew Baeza	06/30/26	Judicial	BPA Student	Job Ended
Daniel Brummett	06/30/26	Police	BPA Student	Job Ended
Sierra Ferguson	06/21/26	Police	Telecommunicator Senior	Resigned
Aiden Garcia	06/18/26	Executive	BPA Student	Resigned
Trinity Griego	06/30/26	Police	BPA Student	Job Ended
Amber Griffith	06/26/26	Solid Waste	ARC Driver	Declined job offer
Christopher Jones	06/15/26	Fire	Firefighter Rookie/EMT-B	Resigned
Jacob Mireles	06/29/26	Fire	Firefighter Rookie/EMT-B	Discharged
Cleophus Poole	06/26/26	Transit	Transit Driver	Resigned
Robin Ramacciotti	06/22/26	Transit	Transit Driver on-call	Resigned

INTERNAL TRANSFERS AND PROMOTIONS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>
Cayden Bird	06/08/26	Police	Patrolman Senior
Ashtyn Olivas	06/23/26	Water Park	Lifeguard
Shane Stegal	06/08/26	Police	Patrolman Senior
Daniel Valdez	06/22/26	Construction	Construction Maintenance 2

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Dina Navarrete, Director of Community Development

SUBJECT: Recommendation for Employment

DATE: June 15th, 2026

DN
6/15/26

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Genesis Delgado

Classification/Position: Library Page

Department: Library

☒ Regular	☐ Full-time	☒ Hourly \$ <u>17.98</u> per hour
☐ Seasonal	☒ Part-time	☐ Salary \$ _____ per annum
☐ Temporary	☐ On call	

Education Level:

☒ High School Diploma	☐ GED or equivalent
☐ Associates Degree	_____
☐ Bachelors Degree	_____
☐ Masters Degree	_____
☐ Other	_____

Employment:

Present or last Employer: Inwood Village Mallory

City and State: Dallas, Texas

From 2022 to 2023 Classification: Customer Service

Duties: Deliver quality customer service, maintain a clean and sanitized work environment, inventory, and paperwork.

Related Experience: Genesis's customer service and experience with Headstart make her a good fit for the job.

Comments: Genesis is bilingual and her art skills along with her experience make her a top candidate.

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Chief Jessie Rodriguez

[Signature] 7/1/2021

SUBJECT: Recommendation for Employment

DATE: June 30, 2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Duran, Tiffany Classification/Position: Telecommunicator 1

Department: Police

☒ Regular	☒ Full-time	☒ Hourly \$ <u>26.01</u> per hour
☐ Seasonal	☐ Part-time	☐ Salary \$ _____ per annum
☐ Temporary	☐ On call	

Education Level:

☒ High School Diploma	☐ GED or equivalent
☐ Associates Degree	_____
☐ Bachelors Degree	_____
☐ Masters Degree	_____
☐ Other	_____

Employment:

Present or last Employer: Wondrous Custom Designs, LLC

City and State: Carlsbad, New Mexico

From 09/01/2021 to Present Classification: Owner

Duties: _____

Custom Embroidery and screen printing

Related Experience: _____

Comments: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Chief Jessie Rodriguez

[Signature] 6/23/2026

SUBJECT: Recommendation for Employment

DATE: June 23, 2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Munoz, Santiago

Classification/Position: Uncertified Officer

Department: Police

☒ Regular

☒ Full-time

☒ Hourly \$ 29.82 per hour

☐ Seasonal

☐ Part-time

☐ Salary \$ _____ per annum

☐ Temporary

☐ On call

Education Level:

☒ High School Diploma

☐ GED or equivalent

☐ Associates Degree _____

☐ Bachelors Degree _____

☐ Masters Degree _____

☐ Other _____

Employment:

Present or last Employer: Equipment Share

City and State: Carlsbad, New Mexico

From February 2022 to Present

Classification: Shop Technician/Heavy Equipment Repair

Duties: _____

Repairing or inspecting work orders and heavy machinery

Related Experience: _____

Comments: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Ivan M. Abell, Director of Utilities



Digitally signed by Ivan M. Abell
DN: cn=Ivan M. Abell, o=City of Carlsbad,
c=US, email=ivan.abell@carlsbadca.gov,
reason=I am the author of this document.
Location:
Date: 2025.06.17 16:52:20 -0600
Full PDF Editor Version: 13.2.0

SUBJECT: Recommendation for Employment

DATE: June 17, 2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Eduardo M. Rlco

Classification/Position: Heavy Equipment Operator 1

Department: Water Maintenance

☒ Regular	☒ Full-time	☒ Hourly \$ <u>28.43</u> per hour
☐ Seasonal	☐ Part-time	☐ Salary \$ _____ per annum
☐ Temporary	☐ On call	

Education Level:

☒ High School Diploma	☐ GED or equivalent
☐ Associates Degree _____	
☐ Bachelors Degree _____	
☐ Masters Degree _____	
☐ Other _____	

Employment:

Present or last Employer: Valley Field Services

City and State: Carlsbad, New Mexico

From December 2025 to Present Classification: Supervisor

Duties: Generate bids and secure projects through client communication; coordinate equipment, materials, and crews; oversee job execution to ensure efficiency, safety compliance, and timely project completion.

Related Experience: Has experience utilizing heavy equipment operating machinery (backhoe, excavator, dozer, grader), Equipment Inspection & Preventative Maintenance, Street & Site repair, Safety Compliance & Hazard Awareness (SSHE).

Comments: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Chief Jesse Rodriguez

[Signature] 7/1/2026

SUBJECT: Recommendation for Employment

DATE: July 1, 2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Rulz, Angel Classification/Position: Uncertified Officer

Department: Police

☒ Regular	☒ Full-time	☒ Hourly \$ <u>29.92</u> per hour
☐ Seasonal	☐ Part-time	☐ Salary \$ _____ per annum
☐ Temporary	☐ On call	

Education Level:

☒ High School Diploma	☐ GED or equivalent
☐ Associates Degree _____	
☐ Bachelors Degree _____	
☐ Masters Degree _____	
☐ Other _____	

Employment:

Present or last Employer: El Paso County Sheriff's Office

City and State: El Paso, Texas

From 07/2024 to Present Classification: Detention Officer

Duties: _____

Interaction with inmates, intake and general jail security

Related Experience: _____

Comments: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Ivan M. Abell, Director of Utilities



Digitally signed by Ivan M. Abell
DN: cn=Ivan M. Abell, o=City of Carlsbad,
c=US, email=ivan.abell@carlsbadca.gov,
serial=1, version=3
Reason: I am the author of this document
Date: 2023.06.22 10:21:59-0700
Full PDF: 62 for Version: 1.3.0

SUBJECT: Recommendation for Employment

DATE: June 22, 2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Jason T. Taylor Classification/Position: Waste Water Operator App.

Department: Collections

☒ Regular	☒ Full-time	☒ Hourly \$ <u>25.38</u> per hour
☐ Seasonal	☐ Part-time	☐ Salary \$ _____ per annum
☐ Temporary	☐ On call	

Education Level:

☒ High School Diploma	☐ GED or equivalent
☐ Associates Degree _____	
☐ Bachelors Degree _____	
☐ Masters Degree _____	
☐ Other _____	

Employment:

Present or last Employer: Power Motive Corporation

City and State: Carlsbad, New Mexico

From 01/04/2023 to Present Classification: Rental Technician

Duties: Mechanic, repair/replace equipment parts, computer skills, and customer service.

Related Experience: _____

Comments: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Mary Garwood, Beautification Coordinator *WV 6/16/26*

SUBJECT: Recommendation for Employment

DATE: 6/16/2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Taelyn Vasquez Classification/Position: BPA Intern
Department: Executive

☐ Regular	☐ Full-time	☒ Hourly \$ <u>13.48</u> per hour
☐ Seasonal	☒ Part-time	☐ Salary \$ _____ per annum
☒ Temporary	☐ On call	

Education Level:

☐ High School Diploma ☐ GED or equivalent

☐ Associates Degree _____

☐ Bachelors Degree _____

☐ Masters Degree _____

☒ Other Carlsbad High School Senior- BPA student

Employment:

Present or last Employer: None

City and State: _____

From _____ to _____ Classification: _____

Duties: _____

Related Experience: Ms. Vasquez shows excitement to use her social media skills to assist the Beautification Dept. with education and outreach efforts.

Comments: This will be Ms. Vasquez's first employment opportunity. She has been a part of the BPA program since 2022.

CITY OF CARLSBAD

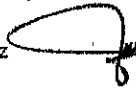
RECOMMENDATION FOR EMPLOYMENT

Richard D. Lopez, Mayor

Wendy D. Austin, City Manager

TO: The Honorable Mayor Richard D. Lopez & Members of the City Council

FROM: Chief Jessie Rodriguez

 7/1/2026

SUBJECT: Recommendation for Employment

DATE: July 1, 2026

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Vega, Arianna

Classification/Position: Telecommunicator 2

Department: Police

☒ Regular

☒ Full-time

☒ Hourly \$ 29.27 per hour

☐ Seasonal

☐ Part-time

☐ Salary \$ per annum

☐ Temporary

☐ On call

Education Level:

☒ High School Diploma

☐ GED or equivalent

☐ Associates Degree

☐ Bachelors Degree

☐ Masters Degree

☒ Other

NMLEA Safety Telecommunicator Academy

Employment:

Present or last Employer: Regional Emergency Dispatch Authority

City and State: Artesia, NM

From 02/2025

to Present

Classification: Telecommunicator

Duties:

Dispatch calls for service, receive 911 calls, dispatch Fire, EMS and Police

Related Experience: Has over 1 year of experience as a Certified Telecommunicator in New Mexico

Comments:



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Water	BY: Matthew Fletcher	DATE: 07/07/2026
SUBJECT: Consider Approval for Invitation to Solicit Bids for Primary Lift Station Number Two		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) This project consists of installation of a new primary lift station and valve vault, including architectural improvements for the building and new control room with HVAC, located at 303 East Plaza Street. Plans and documents have been prepared and are ready for bidding. The City requests authorization to advertise and solicit bids for this project.		
DEPARTMENT RECOMMENDATION:		
BOARD/COMMISSION/COMMITTEE ACTION: -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

None



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Finance	BY: Matthew Fletcher	DATE: 07/07/2026
SUBJECT: Consider Approval to Award Bid 2026-08 to Bug Busters, LLC for Annual Pest Control Services for City Facilities		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The City of Carlsbad contracts for pest control services for all City facilities on an annual basis. The City recently conducted Bid number 2026-08 to solicit bids for monthly pest control spraying for fiscal year 2027. The City received two bids from Bug Busters LLC from Deming, NM and from Action Pest and Weed Management. Bug Busters LLC had the low bid with a total monthly fee of \$3,500. The City recommends awarding the bid to Bug Busters LLC. If the award is approved, the pricing agreement will be in effect from July 2026 through June 30, 2027.		
DEPARTMENT RECOMMENDATION: The City of Carlsbad received two bids, with Bug Busters, LLC presenting the lowest bid. The City recommends awarding the bid to Bug Busters LLC from Deming, New Mexico.		
BOARD/COMMISSION/COMMITTEE ACTION: -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. Evaluation Tabulation (1)



City of Carlsbad
Purchasing

PO Box 1569, Carlsbad, NM 88221

EVALUATION TABULATION

ITB No. 2026-08

Bid 2026-08 Annual Pest Control Services

RESPONSE DEADLINE: June 29, 2026 at 2:00 pm

Report Generated: Tuesday, July 7, 2026

SELECTED VENDOR TOTALS

Vendor	Total
Bug Busters LLC	\$3,500.00
Action Pest & Weed Management	\$3,830.00

TABLE 1

					Action Pest & Weed Management		Bug Busters LLC	
Selected	Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total	Unit Cost	Total
X	1	Fire Station Number 1 - 409 S. Halagueno St.	1	Month	\$85.00	\$85.00	\$120.00	\$120.00
X	2	Fire Station Number 1 (Gym and Ambulance Bay) - 409 S. Halagueno St.	1	Month	\$85.00	\$85.00	\$80.00	\$80.00
X	3	Fire Station Number 1 Storage Building - 501 S. Halagueno St.	1	Month	\$85.00	\$85.00	\$55.00	\$55.00
X	4	Fire Station Number 1 (Fire Marshall Building) - 405 S. Halagueno St.	1	Month	\$100.00	\$100.00	\$55.00	\$55.00
X	5	PFA Garage - 450 W. Bronson Street	1	Month	\$100.00	\$100.00	\$55.00	\$55.00
X	6	Fire Station Number 2 - 2415 West Church St.	1	Month	\$85.00	\$85.00	\$105.00	\$105.00

EVALUATION TABULATION

ITB No. 2026-08

Bid 2026-08 Annual Pest Control Services

Selected	Line Item	Description	Quantity	Unit of Measure	Action Pest & Weed Management		Bug Busters LLC	
					Unit Cost	Total	Unit Cost	Total
X	7	Fire Station Number 3 - 1028 N. Halagueno St.	1	Month	\$85.00	\$85.00	\$105.00	\$105.00
X	8	Police Department Sub-Station - 4202 National Parks Highway	1	Month	\$85.00	\$85.00	\$75.00	\$75.00
X	9	Fire Station Number 6 - 1300 Terminal Drive	1	Month	\$125.00	\$125.00	\$105.00	\$105.00
X	10	Fire Station Number 7 - 304 West Wood Street	1	Month	\$85.00	\$85.00	\$105.00	\$105.00
X	11	Library and Museum Complex - 101 S. Halagueno Street	1	Month	\$145.00	\$145.00	\$220.00	\$220.00
X	12	Alejandro Ruiz Senior Center - 120 Kircher Street	1	Month	\$125.00	\$125.00	\$115.00	\$115.00
X	13	Waste Water Treatment Plant - 45 Blackfoot Road	1	Month	\$100.00	\$100.00	\$135.00	\$135.00
X	14	Riverwalk Recreation Center (twice per month, including basement) - 400 Riverwalk Drive	2	Month	\$150.00	\$300.00	\$102.50	\$205.00
X	15	Playground on the Pecos - 419 Riverwalk Drive	1	Month	\$85.00	\$85.00	\$45.00	\$45.00
X	16	Carlsbad Municipal Building - 101 N. Halagueno Street	1	Month	\$125.00	\$125.00	\$140.00	\$140.00
X	17	Community Development/Safety Office - 2212 N. Mesa	1	Month	\$125.00	\$125.00	\$90.00	\$90.00
X	18	Water Department Warehouse - 209 N. Cypress Street	1	Month	\$125.00	\$125.00	\$80.00	\$80.00
X	19	Water Department Office Building - 1502 W. Stevens Street	1	Month	\$85.00	\$85.00	\$80.00	\$80.00
X	20	Law Enforcement Center - 602 W. Mermod Street	1	Month	\$150.00	\$150.00	\$190.00	\$190.00
X	21	Airport (Terminal Only) 1500 Terminal Drive	1	Month	\$85.00	\$85.00	\$115.00	\$115.00

EVALUATION TABULATION

Invitation To Bid - Bid 2026-08 Annual Pest Control Services

Page 2

EVALUATION TABULATION

ITB No. 2026-08

Bid 2026-08 Annual Pest Control Services

Selected	Line Item	Description	Quantity	Unit of Measure	Action Pest & Weed Management		Bug Busters LLC	
					Unit Cost	Total	Unit Cost	Total
X	22	Public Works Office - 1702 W. Fox Street	1	Month	\$85.00	\$85.00	\$80.00	\$80.00
X	23	Public Works Out Buildings (4 total) - 1702 W. Fox	1	Month	\$150.00	\$150.00	\$80.00	\$80.00
X	24	Public Works Garage - 1702 W. Fox	1	Month	\$85.00	\$85.00	\$105.00	\$105.00
X	25	Transit Department Building - 510 N. Main	1	Month	\$100.00	\$100.00	\$90.00	\$90.00
X	26	Janell Whitlock Building (City Hall Annex) - 114 S. Halagueno Street	1	Month	\$150.00	\$150.00	\$80.00	\$80.00
X	27	Carlsbad Water Park Office - 708 Park Drive	1	Month	\$85.00	\$85.00	\$60.00	\$60.00
X	28	Mausoleum at Sunset Garden Cemetery - 1406 E. Wood Ave.	1	Month	\$85.00	\$85.00	\$80.00	\$80.00
X	29	Carlsbad Cemetery Office - 1506 Boyd Drive	1	Month	\$85.00	\$85.00	\$55.00	\$55.00
X	30	Cavern Theater - 210 N. Canyon Street	1	Month	\$150.00	\$150.00	\$115.00	\$115.00
X	31	Lake Carlsbad Golf Pro Shop - 901 Muscatel Ave.	1	Month	\$85.00	\$85.00	\$80.00	\$80.00
X	32	Walter Gerrells Performing Arts Center - 4012 National Parks Highway	1	Month	\$175.00	\$175.00	\$205.00	\$205.00
X	33	Cascades Senior Center - 405 Cascades Ave.	1	Month	\$100.00	\$100.00	\$115.00	\$115.00
X	34	Technical Services Building - 201 S. Halagueno Street	1	Month	\$125.00	\$125.00	\$80.00	\$80.00
Total						\$3,830.00		\$3,500.00

VENDOR QUESTIONNAIRE PASS/FAIL

EVALUATION TABULATION

Invitation To Bid - Bid 2026-08 Annual Pest Control Services

Page 3

EVALUATION TABULATION

ITB No. 2026-08

Bid 2026-08 Annual Pest Control Services

Question Title	Action Pest & Weed Management	Bug Busters LLC
All Bidders must notify the City Procurement Officer or his/her designee if any employee(s) of the City or elected City officials have a financial interest in the Bidder:	Pass	Pass
Campaign Contribution Disclosure Form	Pass	Pass
Are you claiming the New Mexico Resident Business Preference?	Pass	Pass
New Mexico Resident Business Preference	No Response	No Response
Resident Business Certification	No Response	No Response



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Executive	BY: Ken Ahrens	DATE: 06/24/2026
SUBJECT: Consider Approval of Agreement between the City of Carlsbad and Eddy County for a Professional Services Agreement for the Provision of General Services for Eddy County Residents		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) Annually, the City of Carlsbad enters into an agreement with Eddy County to provide the following general services to all Eddy County residents. The agreement will begin on July 1, 2026 and run through June 30, 2027. The City will provide access to County Residents to the following services: *Carlsbad Public Library *Alejandro Ruize Senior Recreation Center *Cascades Recreation and Wellness Center *All City Parks (including neighborhood parks, three splash pads, Lake Carlsbad and the Carlsbad Disc Golf Course) *Carlsbad Shooting Range and Action Sports Recreational Area *Carlsbad Museum *Bob Forrest Youth Sports Complex *Riverwalk Recreation Center *Municipal Golf Course *Public Celebrations The City will provide the following services to County Residents: *Fire and Ambulance Services *City Convenience Station In turn, Eddy County contributes financially to the City for the provision of these services. Eddy County proposes to contribute \$742,500 for these services for Fiscal Year 2026-2027.		
DEPARTMENT RECOMMENDATION: Approval of proposed agreement for FY 2026-2027		
BOARD/COMMISSION/COMMITTEE ACTION: -		
Reviewed by:		

City Manager: Wendy D Austin	Date: July 9, 2026
------------------------------	--------------------

Attachments:

1. FY27 Eddy Co Professional Services Agt



State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86

BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

This SERVICE AGREEMENT is made and entered into as of June 9, 2026, by and between the County of Eddy, New Mexico ("County"), and City of Carlsbad, a local government entity ("Contractor").

1. Provider Responsibilities

1.1 Financial Management. Contractor shall engage a bookkeeper or other qualified person to manage and oversee County funds.

1.2 Scope of Services. Contractor shall deliver the services to the community as listed in Exhibit A (List or Description of Services).

1.3 Quarterly Activity Reports. Contractor shall produce a written quarterly activity report showing the level of services delivered to the community, including the amount and cost of the services provided, and shall submit the report with the quarterly invoice to the County at the address specified in Section 11.

1.4 Records; Audit. Contractor shall maintain its financial records for at least seven (7) years and make them available to the County's internal or external auditors upon request.

1.5 Performance Period. Contractor shall deliver the services shown on Exhibit A during the County fiscal year of July 1 through June 30.

1.6 Single Point of Contact. Contractor shall designate, maintain, and continuously staff a single Point of Contact ("POC") for the County for all contractual, administrative, programmatic, performance, and invoice matters. The POC shall have authority to bind Contractor operationally with respect to services, reporting, and billing. Contractor shall notify the County in writing within five (5) business days of any change in the POC and shall include the updated POC name, title, email, telephone, and mailing address in the next invoice submitted after the change.

1.7 Key Roles and Administrative Staff Changes—Invoice Disclosure. Contractor shall disclose on each quarterly invoice: (a) any change since the prior invoice in key roles, including Board President and any person serving as authorized signatory for Contractor under this SERVICE AGREEMENT; and (b) any change in administrative staff with responsibility for bookkeeping, invoicing, reporting, grants administration, or contract management. The disclosure shall identify the outgoing and incoming individuals, the effective date of the change, and updated contact information.



**State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86**

BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

2. Compensation and Invoicing

2.1 Funding. The County shall use General Fund monies in the amount of **\$742,500.00** to pay Contractor for services listed in Exhibit A.

2.2 Quarterly Payments; In Arrears. The County shall make payments in arrears on a quarterly basis after receiving (a) Contractor's written activity report for the prior quarter and (b) a compliant invoice for up to one quarter (1/4) of the total annual funding, subject to Section 2.3. Contractor acknowledges that all invoices must be for services already performed and costs already incurred during the applicable quarter; advance or prospective billing is prohibited.

2.3 Fourth Quarter Timing Rules. The Fourth Quarter invoice is due to the County no later than 5:00 p.m. on the last Wednesday in June for which there will be a June Friday Check Run; invoices submitted after this date must be brought before the Board of County Commissioners for re-approval and reallocation. Fourth Quarter invoices submitted prior to the third week of June will not be processed for payment until the last business week of June. The Fourth Quarter activity report shall be submitted as soon after July 1 as data become available and no later than August 1; the Fourth Quarter invoice is the only invoice processed in the absence of an activity report, conditioned on submission of the Fourth Quarter activity report within the first month of the new fiscal year.

2.4 Invoice Format and Content. Each quarterly invoice must: (a) State the fiscal year and quarter covered, and the service period start and end dates within that quarter; (b) Itemize, in reasonable detail, all activities performed for the County, cross-referenced to Exhibit A service categories, including units of service, dates of service, locations, responsible staff, and direct costs allocable to each activity; (c) Identify the Contractor's current POC and disclose any changes in key roles and administrative staff as required by Sections 1.6 and 1.7; (d) Certify that billed services have been completed and that no amounts are billed in advance or for services outside the covered quarter; (e) Attach the quarterly activity report required by Section 1.3 (except as permitted for Fourth Quarter per Section 2.3); and (f) reference the Agreement Number of this Service Agreement, A-26-86.

2.5 Address for Submission. Invoices and activity reports shall be submitted to the County via email at PSAvendors@eddycounty.gov or via certified mail or reputable courier at the address specified in Section 11 or as otherwise directed in writing by the County. **Please note that the**



**State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86**

BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

only County email address at which invoices and activity reports can be received is PSAvendors@eddycounty.gov. Invoices and reports sent to any other County email address will not be reviewed or processed for payment.

2.6 Withholding for Noncompliance. The County may refuse or withhold payment, in whole or in part, for any invoice that (a) lacks required detail under Section 2.4, (b) includes charges for services not yet performed or not performed during the billed quarter, (c) omits the activity report required by Section 1.3 (except as permitted for Fourth Quarter under Section 2.3), or (d) fails to disclose changes required by Section 1.7.

2.7 Fiscal Year and Quarters. Eddy County's fiscal year runs from July 1 through June 30, with the following quarter definitions: First Quarter: July–September; Second Quarter: October–December; Third Quarter: January–March; Fourth Quarter: April–June.

2.8 Billing in Exigent Circumstances. The County may, in its sole discretion, provide interim payments upon request in exigent circumstances, provided that payments will only be made in arrears for services that have been rendered.

3. Oversight and Audit

The County may audit Contractor's financial records to ensure County funds are properly spent.

4. Term and Termination

4.1 Term. This SERVICE AGREEMENT is annual based on the fiscal year July 1 through June 30.

4.2 Non-Renewal. This SERVICE AGREEMENT will not renew automatically.

4.3 Termination Without Cause. Either party may terminate without cause on ninety (90) days' written notice.

4.4 Termination for Cause. Either party may terminate for cause on thirty (30) days' written notice.

5. Non-Discrimination

5.1 Services. Contractor shall not discriminate on the basis of race, religion, national origin, sex, color, physical or mental disability, sexual



**State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86**

BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

preference, or marital status in delivery or access to services under this SERVICE AGREEMENT.

5.2 Employment. Contractor shall not discriminate on the basis of race, religion, national origin, sex, color, physical or mental disability, sexual preference or marital status in its employment practices

6. Amendments

This SERVICE AGREEMENT may be amended only by a written instrument signed by both parties.

7. Governing Law

This SERVICE AGREEMENT shall be interpreted in accordance with the laws of the State of New Mexico.

8. Severability

If any provision of this SERVICE AGREEMENT is held invalid, the remainder shall not be affected unless the invalid provision makes fulfillment of the majority purposes impossible or impracticable.

9. Force Majeure

Neither party shall be responsible for any delay in performance to the extent that such delay is caused by fires, strikes, embargoes, earthquakes, floods, wars, water, the elements, labor disputes, government requirements, civil or military authorities, acts of God, or by the public enemy; the party claiming such a delay shall give notice as soon as practicable

10. Status as Independent Contractor

This SERVICE AGREEMENT does not create an employee/employer relationship; Contractor, its agents, and employees are independent contractors performing services for the County.

11. Notices

All notices shall be in writing and delivered by email to PSAvendors@eddycounty.gov or by certified mail or reputable courier to the following or as updated by written notice:



**State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86**

BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

11.1 County:

Eddy County Administration
Attn: Mike Gallagher
101 West Greene Street, Suite 312
Carlsbad, NM 88220

11.2 Contractor:

City of Carlsbad
Attn: City Administrator
P.O. Box 1569
Carlsbad, NM 88221-1569

12. Attorneys' Fees

If either party breaches this SERVICE AGREEMENT, the prevailing party may recover costs, including reasonable attorneys' fees, as determined by a court of competent jurisdiction.

13. Additional Compliance and Administration

13.1 No Advance Payments. Contractor shall not request or accept payment for services not yet rendered; all invoices must reflect services already performed in the prior quarter.

13.2 Cooperation. Contractor shall cooperate with County requests for information related to services, performance metrics, and funding, and shall respond within ten (10) business days unless otherwise agreed.

13.3 Conflicts of Interest. Contractor shall disclose any actual or potential conflict of interest related to the performance of services under this SERVICE AGREEMENT within five (5) business days of discovery.

14. Exhibits

Exhibit A (List or Description of Professional Services) is incorporated by reference.

~Signature Page to Follow~



State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86

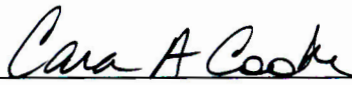
BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

IN WITNESS WHEREOF, the parties have executed this SERVICE AGREEMENT as of the Effective Date.

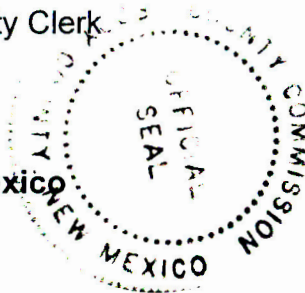
EDDY COUNTY BOARD OF COMMISSIONERS
EDDY COUNTY, NEW MEXICO

By:  Date: June 9, 2026
Bo Bowen, Commission Chairman

Attest:

By: 
Cara Cooke, County Clerk

City of Artesia, New Mexico



By: _____ Date: _____
Rick Lopez, Mayor of Carlsbad

Attest:

Nadine Mireles, City Clerk of Carlsbad



**State of New Mexico
County of Eddy
Service Agreement
AGREEMENT A-26-86**

BETWEEN EDDY COUNTY AND CITY OF CARLSBAD

EXHIBIT A

LIST OR DESCRIPTION OF PROFESSIONAL SERVICES

The City of Carlsbad will provide access to County Residents to the following services:

- 1) Carlsbad Public Library
- 2) Carlsbad Museum (NM's first municipal museum)
- 3) Alejandro Ruiz Senior Center
- 4) Cascades Recreational & Wellness Center
- 5) All City Parks, including neighborhood parks, three splash pads, Lake Carlsbad, and the Carlsbad Disc Golf Course
- 6) Carlsbad Shooting Range & Action Sports Recreational Area
- 7) Lake Carlsbad Golf Course
- 8) Bob Forrest Youth Sports Complex
- 9) Riverwalk Recreational Center
- 10) Public Celebrations

The City of Carlsbad will provide the following services to County Residents at no charge, unless the City of Carlsbad decides to impose fees for the following:

- 1) City Convenience Station
- 2) Fire Services
- 3) Non-Covered EMS Services



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Courts	BY: Collis Johnson	DATE: 07/02/2026
SUBJECT: Consider Approval of Memorandum of Understanding between the City of Carlsbad and the Eddy County DWI Program		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The Eddy County DWI Program is requesting the Carlsbad City Council to consider the authorization of the Memorandum of Understanding in order to allow them to reimburse the City of Carlsbad for DWI Tracking Services. The Eddy County DWI Program would reimburse a City of Carlsbad Municipal Court Clerk up to \$1,500.00 during the FY 2026-27 in order for the court to provide a monthly report regarding the tracking of DWI's. The report would be submitted monthly to the Eddy County DWI Program Director. The tracking compliance is a requirement for New Mexico DWI offenders with court-ordered treatment, community service, and other sanctions that are required for program funding. This has been a long-standing Memorandum of Understanding and is a renewal for FY 2026-2027.		
DEPARTMENT RECOMMENDATION: The Judicial Department recommends approval for this contract.		
BOARD/COMMISSION/COMMITTEE ACTION: -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. DWI AGREEMENT CONTRACT



STATE OF NEW MEXICO
COUNTY OF EDDY

AGREEMENT A-26-91

MEMORANDUM OF UNDERSTANDING
BETWEEN THE EDDY COUNTY DWI PROGRAM
AND THE CITY OF CARLSBAD

This **MEMORANDUM OF UNDERSTANDING** is by and between the City of Carlsbad and the Eddy County DWI Program.

WHEREAS, alcohol and other drug impaired drivers in Eddy County constitute a threat to the motoring public and other citizens of Eddy County;

WHEREAS, the County of Eddy receives funds from the Local DWI Grant Program, Department of Finance and Administration, to reduce the incidences of alcohol and other drug impaired driving, crashes and fatalities involving impaired drivers;

WHEREAS, tracking the compliance of New Mexico DWI offenders with court ordered treatment, community service, and other sanctions is a required component for program funding;

WHEREAS, the City of Carlsbad is also concerned with reducing the number of impaired drivers in Carlsbad and is willing to allow the Eddy County DWI Program to pay a court clerk's hourly rate of pay (overtime rate of pay for non-exempt employee and hourly rate for exempt employee) to provide tracking information and data on DWI offenders referred by the Carlsbad Municipal Court to this program for Screening, Assessment and recommendations following a conviction for DWI.

WHEREAS, the County of Eddy can provide funds to the City of Carlsbad through this agreement for court clerk pay at their regular rate of pay for exempt employees and the overtime rate of pay for non-exempt employees to provide this information to the Eddy County DWI Program. Using a form developed by the Eddy County DWI Program, all requested information on DWI offenders will be submitted to the Eddy County DWI Program at least monthly. This information will be used by the Eddy County DWI Program to update the New Mexico DWI Offender Tracking System. Tracking DWI offender's compliance with their Court order provides support services to the DWI Program by providing required offender tracking information in accordance with DWI Program requirements.

IT IS HEREBY AGREED:

1. Eddy County DWI Program will reimburse the City of Carlsbad for tracking services performed by a Carlsbad Municipal Court Clerk, a total of **\$1,500.00**. An invoice for services will be submitted monthly to the Eddy



STATE OF NEW MEXICO
COUNTY OF EDDY

AGREEMENT
MEMORANDUM OF UNDERSTANDING
BETWEEN THE EDDY COUNTY DWI PROGRAM
AND THE CITY OF CARLSBAD

County DWI Program by the Carlsbad Municipal Court and will include supporting documentation. Services will be billed at the service provider's hourly overtime or regular rate of pay, depending on employee classification.

2. It is required that the Carlsbad Municipal Court Tracking Service Provider submit a monthly report to the Eddy County DWI Program Director. The service provider is encouraged to attend the monthly DWI Advisory Council meeting and report monthly tracking information.
3. The total amount expended shall not exceed **\$1,500.00** during the fiscal year 2026-2027, (July 1, 2026 through June 30, 2027) and this amount does include FICA and Medicare Match.

THIS **MEMORANDUM OF UNDERSTANDING** will become effective upon signature of both parties and will continue in effect until June 30, 2027, or until terminated by either party with thirty (30) days written notice of said termination.

Signature Page to Follow



STATE OF NEW MEXICO
COUNTY OF EDDY

AGREEMENT
MEMORANDUM OF UNDERSTANDING
BETWEEN THE EDDY COUNTY DWI PROGRAM
AND THE CITY OF CARLSBAD

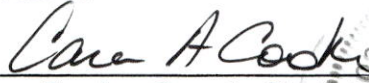
IN WITNESS THEREOF, the parties named herein have executed this Agreement as of the final date of signature below.

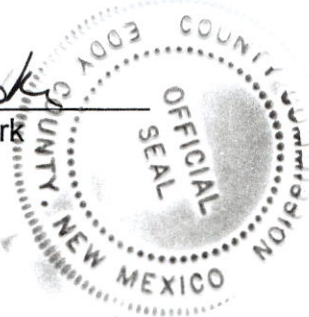
EDDY COUNTY BOARD OF COMMISSIONERS
EDDY COUNTY, NEW MEXICO


Bo Bowen, Commission Chairman

Date: 6/9/26

ATTEST:


Cara Cooke, County Clerk



CITY OF CARLSBAD

Rick Lopez, Mayor

Date: _____

ATTEST:

Nadine Mireles, City Clerk

**City of Carlsbad
Personnel Department**

**Action Report
Month of June 2026**

City of Carlsbad
Personnel Department Action Report
Month of June 2026

2026 YEAR TO DATE TOTALS	Beginning of Year	New Hires	Termina- tions	End of Year to Date
# of Employees	513	99	55	557

EMPLOYEE REPORT	Beginning of Month	New Hires	Termina- tions	Transfers In	Transfers Out	End of Month
Full-Time Employees	472	8	9	0	0	471
Part-Time/Temp Employees	81	12	7	0	0	86
Total Employees	553	20	16	0	0	557
Executive	30	1	1	1	0	31
Judicial	8	0	1	0	0	7
City Clerk	7	0	0	0	0	7
Human Resources	4	0	0	0	0	4
Finance	18	1	0	0	0	19
Grant Programs	1	1	0	0	0	2
Information Technology	5	0	0	0	0	5
Safety	3	0	0	0	0	3
Police	88	3	6	0	0	85
Fire	77	0	2	0	0	75
Community Development	118	10	2	0	0	126
Projects	13	0	1	0	0	12
Planning & Regulation	13	1	0	0	0	14
Utilities	67	0	0	0	0	67
Transportation & Facilities	101	3	3	0	1	100
TOTAL	553	20	16	1	1	557

WEEKLY INDEMNITY	Beginning of Month	New Claims	Released To Work	Terminated	End of Month
Employees on WI	4	3	2	0	5

UNEMPLOYMENT CLAIMS	Claims Received	Claims Returned	Claims Denied	Claims Approved	Claims Pending	Claims Appealed
Current Month	0	0	0	0	0	0

Drug Tests	Number Given
Pre-employment	23
Probationary	0
Post Accident	17
Random	6
Periodic	0
Probable Cause	0

Physical Examinations	Number Given
Pre-employment	19
Return to Work Evaluation	0
Functional Capacity Evaluation	0

Testing	Number Given
None	

Vacancies Bid	Department
Assistant Library Director	Library
Caretaker	Waste Water
Container Maintenance Assistant	Solid Waste
Deputy Director of Utilities	Water
Electrician Apprentice Program	Electrical
Field Maintenance Superintendent	Construction
Foreman	Solid Waste
Lubrication	Garage
Records Clerk	Police
Senior Recreation Assistant Manager	Cascades
Street Superintendent	Street
Transit Driver	Transit
Transit Driver, part-time	Transit
Transit Manager	Transit

Vacancies Advertised	Applications Received
ARC Driver	Pending
Assistant Library Director	11
Caretaker (Waste Water)	18
Certified Building Inspector	Pending
CSO/Law Enforcement Officer Transition	19
Container Maintenance Assistant	9
Deputy Director of Utilities	Pending
Electrician	Pending
Field Maintenance Superintendent	Pending
Firefighter/EMT	Pending
Foreman (Solid Waste)	1
Infrastructure Inspector	2
Irrigation Maintenance	13
Lubrication	16
Patrolman	Pending
Pro Shop Attendant, part-time	10
Records Clerk	27
Senior Recreation Assistant Manager	19
Street Superintendent	2
Telecommunicator	Pending
Transit Driver	Pending
Transit Driver, on-call	Pending
Transit Driver, part-time	3
Transit Manager	12
Waste Water Foreman (Collections)	Pending
Waste Water Foreman (Waste Water)	Pending
WW Operator & Apprentices (Collections)	17



CITY OF CARLSBAD

FY 2025 – 2026

DEPARTMENT OF UTILITIES

MAY 2026

Ivan M. Abell, Director of Utilities

ENVIRONMENTAL SERVICES REPORT

May 2026

<i>Environmental Services:</i>	<i>Current Month</i>	<i>Previous Month</i>	<i>Calendar Year to Date</i>
State and Federal Environmental Violations by City	0	0	0
Environmental Assessments (CDBG, P&Z, Drilling)	0	0	0
Environmental Compliance Inspections	0	0	0
Criminal Complaints Filed	0	0	0
Environmental Projects or Programs (HHWC & CCR)	1	1	3
Grease Interceptors Inspections	1	1	10

<i>Laboratory:</i>	<i>Current Month</i>	<i>Previous Month</i>	<i>Calendar Year to Date</i>
<i>Municipal Water Sampling/Analysis:</i>			
Wellfield Chemical Characteristic Analysis	43	44	221
Partial Wellfield Chemical Characteristics	32	42	178
Monitoring Wells Chemical Analysis	0	4	16
Total Coliform Analysis	40	40	200
Fecal Coliform Analysis	0	0	0
Chlorine Residual Tests (DE)	3	4	37
Special Chemicals (BTEX, Ammonia, Nitrite, Cyanide)	13	13	26

<i>Municipal Wastewater Sampling/Analysis (Reads):</i>	<i>Current Month</i>	<i>Previous Month</i>	<i>Calendar Year to Date</i>
Chemical Oxygen Demand Tests	0	0	0
Biochemical Oxygen Demand	12	15	63
Total Suspended Solids Tests	12	15	63
Volatile Alkalinity Tests	0	0	0
E-Coli on Effluent	12	15	63
Metals/TCLP/PCB/M2 Sampling on Sludge	0	0	0
Fecal Coliform Analysis on Sludge (Compost)	0	2	5
Effluent Chemical Characteristic Analysis	1	1	5

<i>DMR Bench Sheet:</i>	<i>Current Month</i>	<i>Previous Month</i>	<i>Calendar Year to Date</i>
Influent BOD Avg. (Lbs.)	6,922	7,603	37,426
Effluent BOD Avg. (Lbs.)	31.22	80	248
BOD Removal (%)	99.55	99	497
Influent TSS Avg. (Lbs.)	8,010	9,852	45,307
Effluent TSS Avg. (Lbs.)	34.07	44	248
TSS Removal (%)	99.57	100	497

ENVIRONMENTAL SERVICES REPORT

May 2026

Private Well Analysis:	Current Month	Previous Month	Calendar Year to Date
Total Coliform Analysis	41	43	213
Total Coliform Analysis (Construction)	0	0	3
Number of Positives for Confirmation	1	0	2
Chemical Characteristics Analysis	0	0	1
Environment Department Mediated Tests	0	0	0
Lake Carlsbad E-Coli Analysis Performed	11	0	11
Lake Carlsbad Beach Closures Due to Bacterial Count	0	0	0

Golf Course (Reclaimed) Water Analysis (NMED Groundwater Discharge Permit):	Current Month	Previous Month	Calendar Year to Date
Nitrate	4	18	22
Total Kjeldahl Nitrogen	0	0	0
Total Dissolved Solids	1	4	5
E-Coli Analysis	12	52	64
Chemical Characteristics	1	4	5
Other NMED-Required Testing (Chlorides, etc.)	1	4	5

Remarks:


 Digitally signed by Richard Aguilar
 DN: cn=Richard Aguilar, o=City of Carlsbad,
 ou=Env Services Lab,
 email=raguilar@cityofcarlsbadnm.com, c=US
 Date: 2026.06.04 10:32:23 -06'00'

Richard Aguilar,
Environmental Svcs. Superintendent

Solid Waste Department Summary

May 2026

	<u>This Month</u>	<u>Previous Month</u>	<u>Last Year</u>	<u>Calendar Year to Date</u>
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Garbage Collection (ARC)

Number of ARC Trucks in Operation	18 OF 27	15 OF 26	14 of 26	
Tons Collected and Delivered to Landfill	2,357.61	2462.87	1878.95	11,375.00
Number of Trips to Landfill	315	333	255	#REF!

Residential and Commercial Services

Number of Residential Services	183	175	334	809
Number of Commercial Services	13	13	41	58
Number of New Residential Services	8	10	5	51
Number of New Commercial Services	0	2	0	4

Container Maintenance

Number of 3 CuYard Containers Repaired	25	39	22	183
Number of 3 CuYard Containers Replaced	17	12	38	96
Number of 1.5 CuYard Containers Repaired	0	0	2	14
Number of 1.5 CuYard Containers Replaced	0	0	0	0
Number of 96 gallon Containers Repaired	54	101	119	640
Number of 96 gallon Containers Replaced	64	158	259	846
Number of 96 gallon Lids Replaced	28	55	57	419
Number of 96 gallon Wheels Replaced	26	46	62	221
Number of 1.5 CuYard Lids Repaired	0	0	2	14
Number of 3 CuYard Lids Repaired	14	19	6	104
Number of New 96 Gallon Roll-outs	8	10	5	48

Trash/Yard Waste Residential Collection (Grappler)

Number of Trucks in Operation	6 OF 7	4 OF 7	7 of 9	
Tons of Trash Delivered to Landfill	247.13	319.54	493.5	1,119.70
Number of Trips to Landfill	104	133	97	444.00
Green Waste Collected and Delivered to WWTP (TONS)	0.00	0	0	0.00
Number of trips to WWTP	0	0	0	0.00

Solid Waste Department Summary

May 2026

This MonthPrevious MonthThis MonthCalendar
Year to Date**Sandpoint Landfill Operation**

Waste Received from Carlsbad (Tons)	5,186.20	5,102.68	4,852.39	23,410.59
Waste Received from Artesia (Tons)	2,046.72	1,989.22	2,107.01	9,448.92
Waste Received from Eddy County (Tons)	3,129.40	2,963.18	3,187.73	16,659.26
Waste Received from Others (Tons)	428.15	33.76	2.03	1,628.68
Tipping Fees received at Gate	\$3,071.84	3,722.00	3,637.48	18,824.21
Tipping fees Billed	\$122,518.52	139,364.69	402,044.67	642,418.88
Solid Waste Facility Permit Violations	0	0.00	0.00	0.00

Convenience Station

Tons of Trash Collected and Delivered to Landfill	356.47	298.78	470.18	1,426.66
CuYards of Glass	0.00	0.00	0.00	0.00
Tons of Metal	231.84	284.61	274.39	717.40
Green Waste Collected and Delivered to WWTP (TONS)	0.00	0.00	600.70	0.00
Number of trips to WWTP	0	0.00	0.00	0.00

Roll Off Rentals

Fees Billed	\$65,854.18	\$60,342.18	40943.97	\$283,435.37
Tons of Refuse Collected and Delivered to Landfill	379.23	\$323.01	253.4	\$1,514.23
No. of 40 CuYard Containers Rented	0	\$0.00	0	\$0.00
No. of 30 CuYard Containers Rented	52	\$52.00	50	\$264.00
No. of 25 CuYard Containers Rented	0	\$0.00	0	\$0.00
No. of 15 CuYard Containers Rented	0	\$0.00	0	\$0.00

REMARKS: *PAGE1

TRASH/YARD RESIDENTIAL COLLECTION-GRAPPLER

TOTALS FROM LANDFILL FOR TONS AND TRIPS ARE DIFFERENT FROM OUR DATA DUE TO ROLL OFF UNAVAILABILITY. GRAPPLER TRUCKS WERE BEING USED.


Albert Moisa, Solid Waste Superintendent6-4-26
Date

Carlsbad Municipal Water System Report

May-26

Acre Ft.

Production Figures:

This Month Previous Month Year to Date

Pumped from Sheep's Draw (Ac. Ft.)	1042.10	911.78	3,777.71
Water Imported from Double Eagle (Ac. Ft.)	25.07	20.75	59.27
Water delivered to Livestock (Ac. Ft.)	0.12	0.08	46.38
Water Sold to Apartments (Ac. Ft.)	14.80	17.02	71.43
Water Sold to Commercial Accounts (Ac. Ft.)	168.66	194.32	702.15
Water Sold to Government Accounts (Ac. Ft.)	64.82	58.19	176.69
Water Sold to Industrial Accounts (Ac.Ft.)	0.03	0.05	0.54
Water Sold to Residential Accounts (Ac.Ft.)	520.36	582.44	1,860.07
Record Only Accounts (Ac.Ft.)	1.45	1.55	4.96
Water Sold to Semi-Commercial Accounts (Ac.Ft.)	14.97	16.73	57.37
Safe Drinking Water Act Violations	0	0.00	0.00

Wells:

Number in Operation (Sheep's Draw) **	9/9	9/9	
KWH Consumed	833,040	750,560	3,036,400
Capitan Aquifer Level (Ft. from Surface @ #6)	390'9"	391'5"	
Number of New Water Services Installed	15	9	72

Meters:

Total in Service	13,234	13,230	
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Fire Hydrants:

In Service	879	879	
Out of Service	0	0	
Repaired	0	0	0

Remarks:


Anthony Hernandez, Water Superintendent

CARLSBAD WATER SYSTEM WELL OPERATION

May-26

WELL	POWER CONSUMPTION X 400			WATER PRODUCTION X 1000				ENGINE HOUR CLOCK			WATER LEVELS			
	CURRENT MONTH	LAST MONTH	KWH CONSUMED	CURRENT MONTH	LAST MONTH	GALLONS PUMPED	ACRE FEET	CURRENT MONTH	LAST MONTH	HOURS RUN	GPM	STATIC	PUMPED per Hour Meter (gal)	gal/kwh
1	140	58	32,800	291,942	278,031	13,911,000	42.69	2938	2795.9	142.1	1,750		14,920,500	525
2	226	144	32,800	131,494	119,589	11,905,000	36.54	13949.5	13768.7	180.8	1,200		13,017,600	420
3	102	84	7,200	711,118	708,482	2,636,000	8.09	40603.4	40573.9	29.5	1,600		2,832,000	375
4	2122	1751	148,400	2,221,325	2,163,613	57,712,000	177.11	67469.5	66917.4	552.1	1,750		57,970,500	257
5	2594	2092	200,800	3,421,916	3,334,860	87,056,000	267.17	80225.1	79534.4	690.7	1,200		49,730,400	348
6	338	164	27,840	1,376,483	1,365,620	10,863,000	33.34			10.4	2,800	390.9	1,747,200	421
7	2627	2117	204,000	2,750,441	2,665,208	85,233,000	261.57	22025.2	22025.2	0.0	1,950		0	424
8	958	559	159,600	1,428,314	1,364,455	63,859,000	195.98	20955.6	20955.6	0.0	1,350		0	389
9	1521	1472	19,600	1,826,145	1,819,751	6,394,000	19.62			25.6	1,600		2,457,600	324
10												402.50		
TOTAL KWH CONSUMED			833,040	TOTAL PUMPED		339,569,000	1,042.10	TOTAL HOURS RUN		1,631.2	OIL		TOTAL CHLORINE USED	
											33.5		1,961	
Reservoir No. 4 Meter				Total Gallons Pumped Comparison				Total Rainfall			Notes			
Inlet This Month X 1000		13,076,765		THIS MONTH		339,569,000	1,042.10	1.26			Wells #4 and #5 on State Trust Land			
				LAST YEAR, SAME MONTH		323,811,000	993.74							
Inlet Last Month X 1000		12,743,885		DIFFERENCE		15,758,000	48.36							
Total Inlet		332,880,000		* corrected										

MUNICIPAL WATER SYSTEM WATER RIGHTS PUMPED (C-76) ACRE FEET

(9867 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2002	297.16	268.70	440.91	704.96	958.06	1,066.88	1,341.56	1,074.79	774.52	485.05	280.99	155.99	7849.57
2003	270.84	203.99	505.94	1,064.03	1,206.94	1,122.78	1,343.98	1,076.39	775.41	685.53	305.27	409.57	8970.67
2004	385.42	439.36	489.06	680.19	948.71	1,063.84	1,068.05	798.52	772.40	451.14	364.15	414.64	7875.48
2005	332.30	318.24	425.71	655.91	878.61	1,123.12	1,338.81	773.36	830.12	609.54	478.07	445.90	8209.69
2006	395.24	416.50	606.61	799.07	1,145.49	1,165.26	1,141.96	699.68	536.40	574.84	453.79	372.30	8307.14
2007	386.96	350.66	480.44	665.57	629.51	1,062.65	841.31	964.52	740.42	672.37	485.02	446.90	7726.33
2008	452.24	668.55	705.92	934.92	1,060.06	1,454.74	1,040.96	900.29	768.43	684.45	505.09	456.16	9631.81
2009	458.70	519.36	694.55	871.85	1,095.02	1,202.19	951.06	980.82	809.14	666.16	529.67	420.61	9199.13
2010	422.56	352.26	539.69	327.39	1,150.19	1,219.15	848.31	1,057.28	738.68	677.68	503.09	461.84	8298.12
2011	474.73	536.44	800.88	973.90	1,238.89	1,355.98	1,423.54	1,226.62	886.11	776.71	540.43	454.95	10689.18
2012	466.85	431.44	701.69	810.10	828.11	1,185.27	901.47	1,013.28	806.85	652.17	480.34	461.15	8738.72
2013	423.91	412.36	633.53	822.91	947.12	1,047.09	800.86	925.05	727.29	611.46	451.84	377.93	8,181.35
2014	388.31	383.82	557.69	701.51	872.84	1,031.98	1,122.07	893.82	552.90	541.69	414.16	391.00	7,851.79
2015	428.54	369.38	490.96	711.13	732.60	903.17	919.01	994.43	789.98	522.56	432.59	418.96	7,713.31
2016	408.24	364.58	449.03	573.56	672.93	921.77	1,157.49	791.59	541.42	587.72	443.39	442.94	7,354.66
2017	394.41	415.24	615.73	768.14	921.14	883.20	1,007.00	726.66	715.10	536.59	482.95	484.39	7,950.55
2018	484.78	402.92	640.20	750.65	991.56	1,023.15	954.69	853.04	684.90	530.89	386.73	404.76	8,108.27
2019	392.03	408.30	501.88	712.74	920.31	919.36	931.82	860.57	880.60	570.04	425.02	400.18	7,922.85
2020	424.96	402.62	508.41	896.76	983.81	1,161.49	1,242.85	1,055.78	1,045.26	625.06	411.27	463.48	9,221.75
2021	368.52	418.64	712.43	726.13	809.60	837.98	793.40	764.24	715.36	652.05	455.84	403.35	7,657.54
2022	336.78	376.58	515.94	882.91	973.98	975.97	1,147.87	848.51	773.62	493.31	404.67	435.85	8,165.99
2023	330.74	313.20	484.97	823.91	916.36	1,079.94	1,232.41	1,223.34	819.91	621.07	486.28	470.52	8,802.65
2024	436.56	468.06	651.21	871.40	1,184.72	1,080.20	1,111.10	1,164.73	813.57	778.98	577.92	470.44	9,608.89
2025	541.75	547.72	656.13	797.44	993.74	857.61	927.33	1,054.58	889.55	745.37	543.82	527.65	9,082.69
2026	500.80	544.33	778.70	911.78	1,042.10								3,777.71

Sheep Draw Water Pumped - Acre Feet 9867 Acre Feet Available Per Year

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Difference
														9867
1999	259.97	275.11	485.12	694.64	798.54	839.80	903.86	1,102.11	751.40	534.43	395.59	253.70	7,294.27	2,572.73
Total		535.08	1,020.20	1,714.84	2,513.38	3,353.18	4,257.04	5,359.15	6,110.55	6,644.98	7,040.57	7,294.27		
2000	303.85	377.05	592.71	710.82	1,063.12	1,168.66	1,072.41	1,134.64	886.90	487.13	260.33	278.46	8,336.08	1,530.92
Total		680.90	1,273.61	1,984.43	3,047.55	4,216.21	5,288.62	6,423.26	7,310.16	7,797.29	8,057.62	8,336.08		
2001	379.10	340.60	389.50	714.80	1,129.68	1,083.53	1,341.71	1,074.96	612.54	662.35	356.80	276.27	8,361.84	1,505.16
Total		719.70	1,109.20	1,824.00	2,953.68	4,037.21	5,378.92	6,453.88	7,066.42	7,728.77	8,085.57	8,361.84		
2002	297.16	268.70	440.91	704.96	958.06	1,066.88	1,341.56	1,074.79	774.52	485.05	280.99	155.99	7,849.57	2,017.43
Total		565.86	1,006.77	1,711.73	2,669.79	3,736.67	5,078.23	6,153.02	6,927.54	7,412.59	7,693.58	7,849.57		
2003	270.84	203.99	505.94	1,064.03	1,206.94	1,122.78	1,343.98	1,076.39	775.41	685.53	305.27	409.57	8,970.67	896.33
Total		474.83	980.77	2,044.80	3,251.74	4,374.52	5,718.50	6,794.89	7,570.30	8,255.83	8,561.10	8,970.67		
2004	385.42	439.36	489.06	680.19	948.71	1,063.84	1,068.05	798.52	772.40	451.14	364.15	414.64	7,875.48	1,991.52
Total		824.78	1,313.84	1,994.03	2,942.74	4,006.58	5,074.63	5,873.15	6,645.55	7,096.69	7,460.84	7,875.48		
2005	332.30	318.24	425.71	655.91	878.61	1,123.12	1,338.81	773.36	830.12	609.54	478.07	445.90	8,209.69	1,657.31
Total		650.54	1,076.25	1,732.16	2,610.77	3,733.89	5,072.70	5,846.06	6,676.18	7,285.72	7,763.79	8,209.69		
2006	395.24	416.50	606.61	799.07	1,145.49	1,165.26	1,141.96	699.68	536.40	574.84	453.79	372.30	8,307.14	1,559.86
Total		811.74	1,418.35	2,217.42	3,362.91	4,528.17	5,670.13	6,369.81	6,906.21	7,481.05	7,934.84	8,307.14		
2007	386.96	350.66	480.44	665.57	629.51	1,062.65	841.31	964.52	740.42	672.37	485.02	446.90	7,726.33	2,140.67
Total		737.62	1,218.06	1,883.63	2,513.14	3,575.79	4,417.10	5,381.62	6,122.04	6,794.41	7,279.43	7,726.33		
2008	452.24	668.55	705.91	934.92	1,060.06	1,454.74	1,040.96	900.29	768.43	684.45	505.09	456.16	9,631.80	235.20
Total		1,120.79	1,826.70	2,761.62	3,821.68	5,276.42	6,317.38	7,217.67	7,986.10	8,670.55	9,175.64	9,631.80		
2009	458.70	519.36	694.55	871.85	1,095.02	1,202.19	951.06	980.82	809.14	666.16	529.67	420.61	9,199.13	667.87
Total		978.06	1,672.61	2,544.46	3,639.48	4,841.67	5,792.73	6,773.55	7,582.69	8,248.85	8,778.52	9,199.13		

Sheep Draw Water Pumped - Acre Feet 9867 Acre Feet Available Per Year														Difference
	January	February	March	April	May	June	July	August	September	October	November	December	Total	
2010	422.56	352.26	539.69	327.39	1,150.19	1,219.15	848.31	1,057.28	738.68	677.68	503.09	461.84	8,298.12	9,867.00
Total		774.82	1,314.51	1,641.90	2,792.09	4,011.24	4,859.55	5,916.83	6,655.51	7,333.19	7,836.28	8,298.12		1,568.88
2011	474.73	536.44	800.88	973.90	1,238.89	1,355.98	1,423.54	1,226.62	886.11	776.71	540.43	454.95	10,689.18	-822.18
Total		1,011.17	1,812.05	2,785.95	4,024.84	5,380.82	6,804.36	8,030.98	8,917.09	9,693.80	10,234.23	10,689.18		
2012	466.85	431.44	701.69	810.10	828.11	1,185.27	901.47	1,013.28	806.85	652.17	480.34	461.15	8,738.72	1,128.28
Total		898.29	1,599.98	2,410.08	3,238.19	4,423.46	5,324.93	6,338.21	7,145.06	7,797.23	8,277.57	8,738.72		
2013	423.91	412.36	633.53	822.91	947.12	1,047.09	800.86	925.05	727.29	611.46	451.84	377.93	8,181.35	1,685.65
Total		836.27	1,469.80	2,292.71	3,239.83	4,286.92	5,087.78	6,012.83	6,740.12	7,351.58	7,803.42	8,181.35		
2014	388.31	383.82	557.69	701.51	872.84	1,031.98	1,122.07	893.82	552.90	541.69	414.16	391.00	7,851.79	2,015.21
Total		772.13	1,329.82	2,031.33	2,904.17	3,936.15	5,058.22	5,952.04	6,504.94	7,046.63	7,460.79	7,851.79		
2015	482.54	369.38	490.96	711.13	732.60	903.17	919.01	994.43	789.98	522.56	432.59	418.96	7,767.31	2,099.69
Total		851.92	1,342.88	2,054.01	2,786.61	3,689.78	4,608.79	5,603.22	6,393.20	6,915.76	7,348.35	7,767.31		
2016	408.24	364.58	449.03	573.56	672.93	921.77	1,157.49	791.59	541.42	587.72	443.39	442.94	7,354.66	2,512.34
Total		772.82	1,221.85	1,795.41	2,468.34	3,390.11	4,547.60	5,339.19	5,880.61	6,468.33	6,911.72	7,354.66		
2017	394.41	415.24	615.73	768.14	921.14	883.20	1,007.00	726.66	715.10	536.59	482.95	484.39	7,950.55	1,916.45
Total		809.65	1,425.38	2,193.52	3,114.66	3,997.86	5,004.86	5,731.52	6,446.62	6,983.21	7,466.16	7,950.55		
2018	484.78	402.92	640.20	750.65	991.56	1,023.15	954.69	853.04	684.90	530.89	386.73	404.76	8,108.27	1,758.73
Total		887.70	1,527.90	2,278.55	3,270.11	4,293.26	5,247.95	6,100.99	6,785.89	7,316.78	7,703.51	8,108.27		
2019	392.03	408.30	501.88	712.74	920.31	919.37	931.82	860.57	880.60	570.04	425.02	400.18	7,922.86	1,944.14
Total		800.33	1,302.21	2,014.95	2,935.26	3,854.63	4,786.45	5,647.02	6,527.62	7,097.66	7,522.68	7,922.86		
2020	438.73	387.20	523.69	928.40	1,015.17	1,177.81	1,120.57	1,062.19	1,066.47	539.88	430.40	463.48	9,153.99	713.01
Total		825.93	1,349.62	2,278.02	3,293.19	4,471.00	5,591.57	6,653.76	7,720.23	8,260.11	8,690.51	9,153.99		
2021	368.01	418.64	712.43	726.13	809.60	837.98	793.40	764.24	715.36	652.05	455.84	403.35	7,657.03	2,209.97
Total		786.65	1,499.08	2,225.21	3,034.81	3,872.79	4,666.19	5,430.43	6,145.79	6,797.84	7,253.68	7,657.03		
2022	336.78	376.58	515.94	882.91	973.98	975.97	1,147.87	848.51	773.62	493.31	404.67	435.85	8,165.99	1,701.01
Total		713.36	1,229.30	2,112.21	3,086.19	4,062.16	5,210.03	6,058.54	6,832.16	7,325.47	7,730.14	8,165.99		
2023	330.74	313.20	484.97	823.91	916.36	1,079.94	1,232.41	1,223.34	819.91	621.07	486.28	470.52	8,802.65	1,064.35
Total		643.94	1,128.91	1,952.82	2,869.18	3,949.12	5,181.53	6,404.87	7,224.78	7,845.85	8,332.13	8,802.65		
2024	436.56	468.06	651.21	871.40	1,184.72	1,080.20	1,111.10	1,164.73	813.57	778.98	577.92	470.44	9,608.89	258.11
Total		904.62	1,555.83	2,427.23	3,611.95	4,692.15	5,803.25	6,967.98	7,781.55	8,560.53	9,138.45	9,608.89		
2025	541.75	547.72	656.13	797.44	993.74	857.61	927.33	1,054.58	889.55	745.37	543.82	527.65	9,082.69	784.31
Total		1,089.47	1,745.60	2,543.04	3,536.78	4,394.39	5,321.72	6,376.30	7,265.85	8,011.22	8,555.04	9,082.69		
2026	500.80	544.33	778.70	911.78	1,042.10								3,777.71	6,089.29
Total		1,045.13	1,823.83	2,735.61	3,777.71	3,777.71	3,777.71	3,777.71	3,777.71	3,777.71	3,777.71	3,777.71		

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**MUNICIPAL WATER SYSTEM
WATER SOLD
ACRE FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2002	361.07	373.67	374.24	527.03	956.91	1164.77	996.81	977.93	1153.18	607.92	431.21	301.17	8225.93
2003	391.07	304.91	404.05	598.44	999.69	1030.55	1061.59	1169.02	1046.52	731.67	559.33	342.90	8639.75
2004	418.82	310.23	337.47	479.72	685.58	983.31	984.35	814.65	763.90	475.02	413.97	302.17	6969.19
2005	368.27	275.02	299.95	503.81	693.61	840.97	1296.63	886.95	754.89	658.48	468.42	377.74	7424.74
2006	414.11	677.07	450.26	678.99	725.58	1280.61	1083.09	705.47	564.79	572.49	430.08	334.08	7916.62
2007	354.13	318.22	380.07	437.50	653.63	756.31	899.69	774.47	896.99	541.76	530.36	344.60	6887.72
2008	326.32	375.13	413.71	627.22	842.55	1025.43	943.54	855.66	605.32	559.79	494.03	0.00	7068.68
2009	439.03	352.25	614.56	2321.13	1268.55	1211.80	1099.85	927.66	1030.30	765.46	976.92	564.86	11572.39
2010	567.77	471.98	547.89	757.41	1272.59	1066.67	1081.09	913.03	1105.63	1031.30	950.35	786.38	10552.09
2011	444.27	760.40	774.56	1233.94	1338.54	1352.52	1717.55	1405.40	1347.32	924.66	874.25	677.51	12850.91
2012	565.38	642.97	581.75	926.04	848.01	1000.31	1440.24	1151.94	1237.78	866.01	865.02	670.56	10796.01
2013	616.99	671.05	645.27	975.32	1,049.04	1,249.35	944.16	951.65	1,058.15	785.76	592.98	469.93	10009.65
2014	475.55	470.88	507.96	653.04	920.21	1,041.43	1,157.15	978.54	953.20	558.14	550.55	417.07	8683.72
2015	554.03	282.77	520.21	624.18	758.14	800.23	985.58	863.21	1,068.91	639.91	478.42	448.68	8024.27
2016	456.11	302.09	482.13	615.67	708.66	828.42	1,071.60	820.33	623.25	460.13	368.12	305.64	7042.15
2017	389.78	306.60	440.10	639.30	654.47	838.50	1,049.46	698.97	675.47	504.34	369.98	684.50	7251.47
2018	422.34	332.74	345.80	670.09	971.05	975.33	966.38	858.30	871.28	451.67	438.60	355.77	7659.35
2019	393.08	359.27	350.49	565.35	639.70	890.80	994.24	830.84	887.72	711.06	476.89	347.64	7447.08
2020	336.09	374.53	311.89	657.80	838.33	1,080.68	1,158.21	1,069.16	1,120.70	917.05	479.84	350.70	8694.98
2021	414.83	317.62	365.17	767.91	768.47	825.78	709.15	954.68	597.34	740.70	354.75	355.25	7171.65
2022	367.25	360.67	349.75	693.40	752.88	1,174.27	944.39	940.34	746.92	652.02	422.08	417.17	7821.14
2023	415.22	425.35	388.23	673.31	718.62	934.58	1,252.39	1,033.06	956.03	1,031.98	452.53	368.91	8650.21
2024	384.41	379.02	475.27	574.00	915.24	1,068.20	887.98	1,089.86	980.43	700.51	677.08	451.04	8583.04
2025	393.36	439.02	443.56	631.97	810.03	944.17	735.05	1,006.97	787.84	729.49	607.11	440.70	7969.27
2026	395.13	394.09	428.59	870.29	785.09								2873.19

MUNICIPAL WATER SYSTEM METERS IN SERVICE

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2002	10,385	10,398	10,360	10,396	10,485	10,486	10,492	10,479	10,512	10,468	10,448	10,534
2003	10,453	10,420	10,550	10,505	10,549	10,682	10,604	10,670	10,688	10,631	10,586	10,606
2004	10,608	10,541	10,617	10,624	10,627	10,678	10,700	10,730	10,671	10,672	10,684	10,597
2005	10,581	10,552	10,635	10,618	10,645	10,733	10,757	10,747	10,725	10,695	10,692	10,669
2006	10,676	10,669	10,663	10,704	10,687	10,759	10,720	10,746	10,739	10,711	10,670	10,645
2007	10,633	10,661	10,679	10,717	10,726	10,814	10,801	10,786	10,740	10,735	10,761	10,753
2008	10,804	10,784	10,809	10,826	10,836	10,880	10,861	10,875	10,820	10,758	10,713	
2009	10,747	10,881	11,126	11,179	11,156	11,232	11,160	11,184	11,158	11,169	11,182	11,107
2010	11,132	11,105	11,201	11,157	11,208	11,221	11,216	11,225	11,201	11,205	11,184	11,165
2011	11,271	11,292	11,256	11,270	11,281	11,349	11,331	11,333	11,327	11,300	11,267	11,224
2012	11,249	11,229	11,277	11,305	11,333	11,353	11,368	11,370	11,319	11,332	11,344	11,321
2013	11,290	11,361	11,415	11,405	11,412	11,450	11,488	11,527	11,507	11,478	11,482	11,442
2014	11,501	11,709	11,803	11,807	11,848	11,893	11,919	11,988	12,001	12,022	11,892	11,993
2015	11,865	11,871	11,916	12,014	11,957	12,153	12,062	12,087	12,020	11,968	11,825	11,978
2016	11,854	12,116	12,166	12,125	12,143	12,224	12,170	12,219	12,162	12,076	11,979	11,948
2017	12,053	12,014	12,173	12,213	12,173	12,223	12,205	12,376	12,213	12,300	12,204	12,288
2018	12,315	12,307	12,329	12,384	12,452	12,531	12,472	12,479	12,467	12,408	12,577	12,352
2019	12,440	12,386	12,556	12,508	12,653	12,656	12,698	12,827	12,644	12,804	12,708	12,653
2020	12,769	12,731	12,859	12,827	12,844	12,926	12,912	13,057	12,996	13,265	12,812	12,799
2021	12,830	12,920	12,945	13,205	13,026	13,162	*	*	*	*	*	*
2022	*	*	*	*	*	*	*	*	*	*	*	12,980
2023	12,572	12,604	12,610	12,646	12,627	12,676	12,706	12,717	12,723	12,736	12,773	12,815
2024	12,803	12,811	12,826	12,843	12,877	12,906	12,912	12,939	12,943	12,981	12,989	12,981
2025	12,995	13,008	13,022	13,066	13,045	13,097	13,091	13,113	13,123	13,150	13,165	13,147
2026	13,134	13,179	13,211	13,230	13,234							

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* No info available due to transition of new billing system.

**AIRPORT WELLS
WATER RIGHTS PUMPED
ACRE FEET**

(61.24 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2012	0.59	0.62	1.08	0.83	1.83	3.64	2.31	3.67	2.27	2.01	1.67	1.87	22.41
2013	0.89	2.32	2.26	1.18	1.28	1.73	1.9	3.69	2.01	2.62	1.99	1.06	22.93
2014	1.86	0.73	1.04	1.55	0.66	0.20	3.17	0.96	0.37	1.89	0.80	0.61	13.84
2015	0.03	0.07	0.03	1.02	1.59	2.47	2.57	2.96	2.13	1.35	2.46	1.57	18.25
2016	1.14	2.21	3.25	3.48	2.43	1.45	0.064	0.031	0.002	0.016	0.00	0.058	14.13
2017	0.07	0	0.16	0.31	0	0.51	0.55	0.022	0.00	0	0.18	0.14	1.94
2018	0.00	0.07	0.06	0.082	0.303	0.00	0.002	0.002	0.002	0.002	0.001	0.002	0.53
2019	0.00	0.023	0.36	0.56	1.17	2.72	2.13	2.67	2.60	2.60	1.33	1.99	18.15
2020	0.48	1.04	0.49	1.47	0.61	1.37	0	0.99	1.55	2.03	0.46	0.35	10.84
2021	0.77	0.34	0.45	0.71	0.94	2.01	1	1.56	0.92	0.83	1.21	0.61	11.35
2022	0.89	0.62	0.95	0.27	0.21	0.33	0.9	0.08	0.12	0.01	0.03	0	4.41
2023	0.00	0.00	0.00	0.40	0.52	3.75	3.61	1.76	0.09	0.08	0.00	0.00	10.21
2024	0.58	0.03	0.00	0.05	0.00	0.07	0.01	0.00	0.00	0.00	0.00	0.00	0.74
2025	0.00	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.05
2026	0.03	0.02	0.05	0.00	0.01								0.11

**AIRPORT WELLS
WATER SOLD
ACRE FEET**

2011	1.18	1.09	3.76	3.87	3.32	3.91	3.32	1.69	3.5	3.25	3.99	0.81	33.69
2012	2.36	2.65	3.77	3.84	1.27	3.02	2.66	4.22	2.62	2.3	2.65	1.28	32.64
2013	1.32	1.11	0.88	0.49	0.64	1.67	1.78	2.70	1.22	0.97	1.20	0.95	14.93
2014	1.15	0.05	1.51	0.82	0.07	0	0.44	0.27	0.01	0.02	0.01	0.01	4.36
2015	0.01	0	0	0	0	1.04	1.78	3.12	1.12	1.60	2.07	1.25	11.99
2016	1.4	2.14	2.86	3.35	2.18	1.22	0.04	0.03	0	0.02	0	0	13.235
2017	0	0	0.15	0	0	0.48	0.53	0.00	0	0.00	0.00	0	1.16
2018	0	0	0	0	0	0	0	0.00	0	0.00	0.00	0	0
2019	0	0	0.33	0.052	0	0.031	0.031	0.00	0.37	0.29	0.51	0.08	1.694
2020	0.04	6.27	0.38	1.21	0.58	1.17	0.31	0.00	1.5	1.75	0.40	0.29	13.9
2021	0.84	0.17	0.42	0.73	0.92	1.9	1.36	1.26	1.17	0.64	0.95	0.79	11.15
2022	*	*	*	*	*	*	*	*	*	*	*	*	0
2023	0	0	0	0	0.73	0.55	1.35	3.70	0.95	0.15	0.00	0.00	7.43
2024	1.77	0.52	0	0.03	0	0.04	0.01	0.00	0	0.00	0.00	0.00	2.37
2025	0	0	0	0.04	0	0	0	0.00	0	0.00	0.00	0.00	0.04
2026	0	0	0	0	0								0

Note: Water Sold Report is always one month behind.

*no info available

WATER CUTOFFS

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2012		227	231	299	198	270	216	274	219	504	293	408	3139
2013	260	309	321	438	267	362	267	315	236	254	362	291	3682
2014	343	360	433	239	353	185	363	399	288	373	484	307	4127
2015	397	254	252	355	256	273	299	303	266	307		535	3497
2016	414	440	298	297	360	239	345	163	177	212	240	172	3357
2017	268	210	265	279	158	231	170	195	166	228	221	177	2568
2018	241	301	120	139	235	153	227	152	206	216	368	199	2557
2019	257	270	334	143	238	147	222	251	235	256	341	217	2911
2020	172	172	235	0	0	0	0	0	0	643	0	0	1222
2021	0	0	0	428	341	255	0	0	0	0	0	0	1024
2022	0	0	797	324	394	345	457	285	276	0	0	0	2878
2023	506	275	291	318	305	277	319	232	223	248	0	0	2994
2024	372	306	296	286	209	193	265	198	212	222	185	230	2974
2025	329	310	295	0	232	0	349	281	229	261	230	265	2781
2026	308	295	190	202	192								1187

**SHOOTING RANGE WELL
WATER RIGHTS PUMPED
ACRE FEET**

(3 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2013	0.05	0.03	0.12	0.16	0.18	0.28	0.21	0.32	0.16	0.20	0.08	0.05	1.84
2014	0.07	0.10	0.16	0.10	0.13	0.29	0.34	0.31	0.17	0.18	0.11	0.10	2.06
2015	0.08	0.07	0.12	0.12	0.11	0.12	0.12	0.26	0.21	0.12	0.08	0.09	1.50
2016	0.07	0.08	0.10	0.07	0.10	0.22	0.16	0.09	0.04	0.04	0.037	0.031	1.04
2017	0.009	0.01	0.03	0.02	0.04	0.10	0.04	0.055	0.046	0.05	0.03	0.034	0.47
2018	0.04	0.02	0.04	0.02	0.02	0.03	0.02	0.03	0.025	0.025	0.034	0.058	0.37
2019	0.061	0.05	0.06	0.05	0.03	0.03	0.01	0.02	0.02	0.02	0.086	0.080	0.51
2020	0.003	0.00	0	0	0.00	0.00	0.05	0.06	0.06	0.043	0.043	0.000	0.26
2021	0	0	0	0	0.00	0.03	0.02	0.02	0.09	0.03	0.02	0.04	0.25
2022	0.01	0.01	0.02	0.02	0.02	0.01	0.2	0.01	0.02	0.02	0.02	0.02	0.38
2023	0.01	0.02	0.02	0.02	0.06	0.02	0.02	0.02	0.02	0.02	0.01	0.01	0.25
2024	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.04	0.03	0.04	0.04	0.03	0.32
2025	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.03	0.01	0.24
2026	0.01	0.02	0.02	0.02	0.02								0.09

**SUNSET GARDEN WELL
WATER RIGHTS PUMPED
ACRE FEET**

(28.2 Acre Ft. Available Per Year)

2012											10.75	0	10.75
2013	0.00	0.00	0.00	1.51	4.53	4.47	2.98	5.09	1.73	0.51	0.00	0.00	20.82
2014	0.00	0.00	0.00	0.00	0.00	0.00	6.81	2.58	0.53	0.00	0.00	0.00	9.92
2015	0.00	0.00	0.07	2.68	2.84	1.93	1.13	2.72	4.71	1.47	2.17	0.26	19.98
2016	0.13	1.89	3.37	4.30	4.49	4.11	4.66	0.82	0.00	0.00	0.00	0.00	23.77
2017	0.00	0.00	2.60	3.92	3.87	3.63	4.18	2.97	0.33	0.00	0.00	1.38	22.88
2018	0.00	0.07	0.00	1.48	3.53	3.74	1.57	3.46	2.79	1.00	0.00	0.00	17.64
2019	0.00	0.00	0.04	2.56	4.36	4.57	2.72	4.60	3.06	1.04	0.28	0.00	23.23
2020	0.13	0.55	1.06	2.53	3.77	1.58	3.97	3.97	3.81	2.46	0.78	0.29	24.90
2021	0.0045	0.00	1.06	2.23	3.09	3.29	3.36	2.23	2.60	1.07	1.49	1.41	21.84
2022	0.03	0.00	0.31	1.88	3.20	3.74	3.45	2.60	2.30	0.64	0.47	0.70	19.32
2023	0.00	0.02	0.73	2.40	3.43	3.49	0.83	3.03	2.09	0.81	0.00	0.00	16.83
2024	0.31	1.04	1.20	1.64	3.48	2.63	3.42	3.34	1.33	1.21	0.41	0.21	20.22
2025	0.53	0.21	0.82	2.45	1.84	1.01	1.14	2.46	2.97	1.72	0.21	1.37	16.73
2026	0.00	0.00	0.00	0.29	3.80								4.09

WOOD FARM WELLS

1,000,000 325850
 *1,000,000 /325850 Formula do not delete

2011	0.08	0.90	11.80	9.78	22.64	22.54	18.60	19.88	37.60	8.30	2.20	0.02	154.34
2012	0.00	4.81	9.11	11.16	11.79	18.76	10.00	11.69	15.24	1.89	0.05	0.64	95.13
2013	0.35	0.61	7.29	12.51	16.04	16.64	10.62	16.57	8.61	4.90	2.34	0.27	96.75
2014	1.36	1.79	6.64	10.62	16.04	22.07	21.01	13.50	3.31	4.42	0.12	0.25	101.13
2015	0.29	1.31	4.58	13.01	37.20	2.17	11.54	20.96	8.74	1.62	0.44	0.55	102.41
2016	0.27	2.67	14.42	13.03	22.09	30.57	33.17	15.94	8.18	15.31	1.38	1.44	158.47
2017	1.62	0.93	11.50	17.68	24.58	29.33	29.59	11.05	14.91	8.18	1.56	1.43	152.36
2018	5.02	3.40	12.61	15.47	26.22	28.31	27.69	24.12	34.65	5.79	11.50	1.96	196.74
2019	4.11	2.42	0.01	14.42	49.65	0.70	25.05	21.72	26.74	13.96	7.00	7.03	172.81
2020	1.14	3.17	12.31	28.72	29.58	30.38	32.01	27.83	27.48	11.13	10.67	5.49	219.91
2021	6.43	4.67	13.65	12.36	10.29	18.34	18.00	12.59	17.68	14.25	9.66	0.00	137.92
2022	1.30	2.77	10.51	18.12	17.91	21.45	25.31	19.20	11.97	11.94	10.19	5.43	156.10
2023	10.89	6.93	13.21	15.06	19.29	27.86	35.38	30.59	17.55	10.27	5.52	34.34	226.89
2024	4.29	7.87	10.12	14.43	25.54	24.23	22.29	26.53	18.45	19.86	13.03	6.83	193.47
2025	4.67	6.99	8.99	11.87	16.46	15.00	13.87	20.00	15.02	15.52	10.77	10.89	150.05
2026	8.25	4.79	9.32	12.78	16.63								51.77

Water Department Summary
Double Eagle Water System
May-26
Acre Ft.

Production Figures:

This Month Previous Month Year to Date

Water:

Pumped from Double Eagle (Ac. Ft.)	67.55	73.38	408.10
Water Exported to Carlsbad Municipal System	25.07	20.75	59.27
Water delivered to "Paying Livestock Water" Customers (Ac. Ft.)	0.30	0.83	3.64
Water delivered to "Free Livestock Water" Customers (Ac. Ft.)	0.56	0.73	3.00
Water sold to "Governmental Domestic Water" Customers (Ac. Ft.)	0.20	0.29	1.09
Water sold "Commercial Domestic Water" Customers (Ac. Ft.)	0.00	0.00	0.01
Water sold to "Industrial Water" customers (Ac. Ft.)	3.25	3.94	21.44
Water delivered to WIPP (Ac. Ft.)	0.54	2.92	8.34

Wells:

Wells in Operation	18	18	
KWH consumed	63,260	75,232	409,470
Total No. of Wells	23	23	
Ogallala Aquifer Level at Hudson 1	130	126.4'	
Tatum Aquifer Level	132	130.1'	
Meters in Service	66	66	

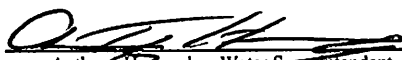
Distribution Figures:

Transmission Lines:

Line Extension (feet)	0	0	0
Line Replacement (feet)	0	0	5
Leaks (Main Lines)	4	2	18
Number of Isolating Valves Operated	2	1	9
Number of Pressure Reducing Valves Serviced	0	0	8
Number of Air Relief Valves Serviced	0	0	2

Remarks:

Wells Down - C-3, AMB-1, AMB-3, CR-16, CR-17
* Not available
** No info available due to billing transitioning to new system.


Anthony Hernandez, Water Superintendent

Double Eagle Well Operation May-26

Well	Status	Water Production				Power Consumption			Motor Hours			
		Present Read	Previous Read	Water Pumped		Present Read	Previous Read	KWH	Current	Previous	Hours Run	Avg GPM
				Gallons	Acre Ft.							
AMBASSADOR # 1	Neptune/ Trident											off
AMBASSADOR # 4	Well Inoperable											
AMBASSADOR # 3	Well Inoperable					14,456	14,274	182	3,648.6	3,648.6	0	off
C-11	McCrometer	63,211,773	63,211,772	1	0.00	255,958	255,717	241	3,535.5	3,522.8	12.7	
C-10	McCrometer	73,733,765	73,685,467	48,298	0.15	321,005	320,734	271	6,316.4	6,302.8	13.6	
C-6	Mc Crometer	61,973,086	61,973,086	0	0.00	84,982	84,924	58	22,861.7	22,861.7	0	140
CAPROCK # 19	Mc Crometer Mag	43,891,916	43,848,958	42,958	0.13	62,634	62,495	139	23,240.3	23,210.9	29.4	25
CAPROCK # 13	Mc Crometer	263,070,403	259,391,718	3,678,685	11.29	557,913	550,313	7,600	41,043.5	40,631.4	412.1	140
C-9	McCrometer	81,459,400	80,618,366	841,034	2.58	266,382	264,390	1,992	11,007.9	10,688.4	319.5	
CAPROCK # 20	Sensus/ Omni	48,032,339	45,098,599	2,933,740	9.00	100,683	94,598	6,085	17,435.9	17,120.5	315.4	150
CAPROCK # 10	Mc Crometer	18,578,902	18,578,902	0	0.00	68,597	68,540	57	941.3	941.3	0	90
C-8	McCrometer	85,121,948	84,519,422	602,526	1.85	263,453	260,429	3,024	8,439.1	8,243.1	196	
C-7	McCrometer	48,473,497	47,806,073	667,424	2.05	178,143	176,201	1,942	8,124.7	7,759.4	365.3	
CAPROCK # 18	Sensus/ Omni	33,871,791	32,062,452	1,809,339	5.55	126,251	122,342	3,909	1,007.3	720.6	286.7	90
CAPROCK # 6	Neptune/ Trident	11,360,663	10,989,115	371,548	1.14	116,727	115,787	940	30,740.6	30,696.7	43.9	105
CAPROCK # 4	McCrometer	83,460,867	82,140,634	1,320,233	4.05	219,463	214,589	4,874	34,725.2	34,171.6	553.6	45
CAPROCK # 1	Mc Crometer	61,444,513	60,657,878	786,635	2.41	220,239	218,549	1,690	30,005.5	29,634.2	371.3	30
Frontier # 2	Mc Crometer	60,699,176	60,032,829	666,347	2.04	69,893	68,268	1,625	25,885.8	25,605.7	280.1	30
Frontier # 1	Sensus/ Omni	50,302,310	48,962,472	1,339,838	4.11	129,604	125,942	3,662	39,916.3	39,549.3	367	50
FRONTIER # 3	Mc Crometer	32,959,782	30,583,048	2,376,734	7.29	70,765	65,583	5,182	907.7	632.9	274.8	140
C-2	Mc Crometer	16,546,548	16,107,775	438,773	1.35	81,322	80,445	877	1,699.5	1,665.6	33.9	160
HUDSON # 1	Octave	62,333,497	62,333,497	0	0.00	342,438	342,380	58	18,580.0	18,580.0	0	130
CAPROCK # 14	Mc Crometer	88,019,176	88,019,176	0	0.00	19,284	19,284	0	13,589.3	13,589.3	0	110
CAPROCK # 15A	Mc Crometer	14,194,012	11,162,752	3,031,260	9.30	37,568	30,616	6,952	11,700.4	11,328.7	371.7	130
CAPROCK # 21	Mc Crometer	128,789,514	127,732,154	1,057,360	3.24	379,063	375,640	3,423	24,738.6	24,533.8	204.8	65
C-1	Mc Crometer	57,423,036	57,423,036	0	0.00	235,419	235,419	0	24,130.0	24,130.0	0	110
CAPROCK # 2	Well Inoperable											
CAPROCK # 3	Well Inoperable											
CAPROCK # 5	Well Inoperable											
C-5	Well Inoperable											
C-4	McCrometer											
C-3	Mc Crometer											
CAPROCK # 17	Mc Crometer											80
CAPROCK # 16	Mc Crometer											off
Boosters		0	0	0	0.00	623,038	614,586	8,452	10,999.90	10,999.9	0	
2 MG RESERVOIR						296	271	25				
Totals				22,012,734	67.55			63,260			4,451.8	

Meter Reads In Barrells
 Ambassadors #1 & # 3 - Wells Inoperable
 C-3, & Caprock #16 - Wells Inoperable
 Meter Changed Out
 Meter removed.

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DOUBLE EAGLE WATER SYSTEM WATER RIGHTS PUMPED ACRE FEET

7648 Acre Ft. Available Per Year

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2003	122.27	104.02	106.63	131.16	131.94	108.31	137.27	122.89	129.50	122.80	83.40	125.20	1,425.39
2004	94.10	99.14	108.96	88.59	85.29	104.91	80.47	96.62	108.99	99.07	84.00	132.98	1,183.12
2005	81.06	73.83	91.00	90.00	110.71	129.71	103.80	125.81	89.55	91.54	92.55	103.75	1,183.31
2006	99.66	92.01	109.29	75.35	137.85	132.18	86.22	98.53	96.51	96.88	103.45	82.69	1,210.62
2007	73.12	78.65	99.85	73.60	97.46	93.25	114.77	141.58	113.26	111.06	98.79	109.92	1,205.31
2008	108.28	117.41	93.89	110.54	91.87	107.59	103.60	134.80	114.37	126.79	119.45	139.80	1,368.39
2009	115.53	83.87	105.70	112.09	109.80	124.02	128.01	105.62	101.64	134.59	96.48	98.93	1,316.28
2010	98.23	113.03	134.55	139.75	121.56	152.79	139.33	180.08	160.27	158.58	167.75	151.88	1,717.80
2011	171.89	131.01	144.73	160.28	185.57	170.30	157.83	137.34	139.25	135.26	137.58	117.98	1,789.02
2012	112.77	108.16	110.15	110.62	111.76	186.92	141.80	163.02	72.61	134.45	161.72	175.64	1,589.62
2013	164.38	146.44	142.20	145.50	142.80	124.28	97.54	94.88	109.18	103.89	93.63	85.58	1,450.30
2014	85.93	86.42	87.69	97.98	125.16	108.77	144.13	120.58	98.47	114.24	102.38	107.72	1,279.47
2015	89.83	63.29	89.61	87.98	64.58	50.44	70.24	51.81	37.52	33.59	30.08	30.07	699.04
2016	30.64	38.22	36.18	26.75	28.85	34.75	32.22	33.35	23.61	26.72	29.06	31.03	371.38
2017	25.7	35.61	28.01	23.74	32.89	38.88	31.35	39.17	34.97	35.18	35.9	30.94	392.34
2018	40.13	23.75	34.02	35.14	39.33	42.3	31.46	43.72	38.41	37.23	35.01	31.7	432.20
2019	38.5	31.43	38.88	47.10	47.95	27.52	54.21	65.54	52.22	48.53	47.46	38.97	538.31
2020	33.11	23.96	37.75	38.84	68.02	54.59	77.21	59.61	62.09	51.36	93.76	34.66	634.96
2021	62.14	65.22	46.43	96.87	69.61	96.94	91.63	56.41	120.17	121.64	87.7	85.52	1,000.28
2022	68.37	81.29	92.93	110.89	112.75	115	78.14	79.49	131.9	119.22	93.76	138.36	1,222.10
2023	108.02	142.18	195.09	128.58	88.51	93.44	86.57	75.07	55.22	73.24	70.51	62.8	1,179.23
2024	66.48	43.37	49.18	69.18	51.52	63.67	62.94	123.19	98.03	100.9	77.15	58.82	864.43
2025	65.02	81.27	85.94	118.18	69.47	66.83	76.66	138.25	99.95	140.97	74.43	93.36	1,110.33
2026	96.99	70.60	99.58	73.38	67.55								408.10

**DOUBLE EAGLE WATER SYSTEM
WATER SOLD/PROVIDED
ACRE FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2003	103.16	118.81	92.16	100.16	106.02	121.98	117.48	118.48	96.98	96.27	117.92	65.14	1,255
2004	77.06	132.54	98.28	113.37	95.77	156.29	95.71	102.28	75.52	133.76	82.88	78.70	1,242
2005	95.53	53.68	62.88	76.56	70.95	68.86	107.91	88.42	76.59	66.83	88.31	60.69	917
2006	68.06	68.09	64.04	74.07	54.60	73.13	70.56	65.77	63.28	71.94	70.15	67.72	811
2007	63.47	71.20	43.33	64.06	81.36	83.03	80.18	72.46	89.35	38.88	49.77	115.89	853
2008	73.31	54.99	170.85	58.17	113.89	87.58	112.17	93.30	54.07	113.46	87.57	0.00	1,019
2009	133.68	134.89	193.91	128.57	124.42	147.29	149.87	144.41	403.39	204.34	216.64	205.47	2,187
2010	166.20	147.23	156.74	206.90	262.81	159.74	235.21	209.27	261.26	289.04	249.98	202.71	2,547
2011	273.88	296.83	197.17	305.62	293.17	356.46	306.39	341.59	373.96	299.28	332.79	115.34	3,492
2012	70.53	108.07	365.95	127.64	147.59	169.53	110.81	151.82	168.33	94.88	158.73	145.76	1,820
2013	304.62	105.90	114.03	89.49	91.59	72.45	66.60	67.58	58.66	52.40	62.94	49.32	1,136
2014	60.02	54.78	73.24	66.94	80.62	76.05	68.73	80.55	75.86	58.67	67.36	63.32	826
2015	59.07	47.81	31.75	28.16	38.17	18.94	17.79	19.48	17.51	11.21	9.04	8.54	307
2016	11.61	8.13	9.02	7.07	5.58	4.20	7.95	6.37	7.11	4.21	3.57	3.61	78
2017	4.28	4.14	3.55	4.95	3.85	8.38	7.79	4.46	4.83	3.69	4.76	7.98	63
2018	6.59	9.34	3.65	6.59	7.74	7.76	11.90	10.94	10.64	4.89	8.53	4.29	93
2019	8.82	6.04	3.21	5.81	9.53	6.98	9.20	9.01	13.52	11.29	9.57	11.67	105
2020	8.15	8.88	6.63	7.80	8.57	11.79	12.75	11.66	9.38	8.64	8.64	11.87	115
2021	4.34	2.25	8.89	9.73	16.09	8.99	13.45	7.96	8.14	6.35	18.20	7.44	111.83
2022	4.86	4.86	7.35	8.99	11.39	11.67	13.44	12.63	11.79	7.41	8.69	5.88	108.96
2023	9.35	7.06	7.84	10.60	8.74	9.70	13.87	13.02	14.00	10.60	7.83	6.68	119.29
2024	6.61	6.90	6.47	5.51	8.12	10.96	12.28	13.17	12.51	11.93	11.20	7.97	113.63
2025	6.16	7.35	7.50	7.32	7.94	11.27	17.59	11.23	14.31	11.04	11.19	10.05	122.95
2026	6.97	7.95	8.27	10.74	10.13								44.06

Note: Free Stock Included

17

** Number includes Paying Livestock/Free Livestock/Gov Domestic/Comm Domestic/Industrial/WIPP

WASTEWATER TREATMENT PLANT REPORT

May 2026

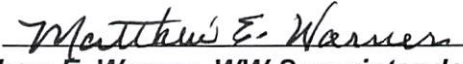
Wastewater:	Current Month	Previous Month	Calendar Year to Date
Total Effluent Discharge to Pecos River (Acre Ft.)	100.33	157.27	792.02
Treated Reuse Delivered to Mun. Golf Course (Acre Ft.)	62.85	50.38	178.07
Treated Reuse Sold to Rockhouse Ranch (Acre Ft.)	69.13	0.00	117.34
WWTP Irrigation Meter (Acre Ft.)	0.16	0.52	1.11
Total Reuse Pumped	132.14	50.90	296.52
After Hours Control Panel Alarms	1.00	8.00	12.00
KWH Consumed 1073x160=	171,680	181,420.00	850,860.00
NPDES Permit Violations	0.00	0.00	0.00
Sodium Hydrochloride for Reuse (Gallons)	55.00	55.00	200.00

Septage Disposal Report:	Current Month	Previous Month	Calendar Year to Date
Total Number of Loads	228	233.00	1,010.00
Taxed Gallons 362186.50 x \$.10	\$36,218.65	36,647.65	159,373.10
Taxed Manifest Books / \$30.00 4 x \$30.00	\$120.00	150.00	660.00
Subtotal	\$36,338.65	36,797.65	160,033.10
5% Tax	\$1,816.93	1,839.88	8,001.66
Taxed Billing	\$38,155.58	38,637.53	168,034.76
Tax Exempt Gallons 31225 X .10	\$3,122.50	1,580.00	11,692.50
Tax Exempt Manifest Books / \$30.00 0x \$30.00	\$0.00	30.00	0.00
Taxed Exempt Billing	\$3,122.50	1,610.00	11,722.50
Total Billing	\$41,278.08	40,247.53	179,757.26

Biosolids:	Current Month	Previous Month	Calendar Year to Date
Total Compost Produced (Cu. Yds.)	215.00	432.00	869.00
Amount of Sludge Sent to Compost Operation (Gals.)	297901.00	239748.00	1,430,753.00

Wastewater Discharge Characteristics:	Previous Month	Permit Limit
Average Biochemical Oxygen Demand (Lbs./Day)	31.22	79.74
Average Total Suspended Solids (Lbs./Day)	34.07	44.19
Average Flow (Million Gallons/Day)	1.07	1.67
E.Coli (30 Day Avg.)	17.17	9.58

Remarks:


 Matthew E. Warner, WW Superintendent

SEWER COLLECTIONS REPORT

May 26

Calendar

This Month Previous Month Year to Date

Collection Lines:

Total Mileage of Main Line in System			139
Line Extension (Ft.)	0	0	0
Line Replacement (Ft.)	0	15	20
Repairs on Main Lines	0	1	4
Main Line Stoppages	3	1	15
Number of Manholes and Cleanouts	0	0	0
Manholes Flushed	0	0	0
Manholes Repaired	3	1	6
Customer Service Repairs	0	1	1
Customer Complaints, All Other	4	4	21
Carlsbad Line Location Service	0	0	0
Double Eagle Line Location Service	0	0	0
Ft. Sewer Liner Cleaned/Rodded	3,060	5,080	26,155
Sewer Tap Inspections	0	0	0
Total No. of Customer Services	0	0	0
Total No. of New Cust. Services Installed	0	0	0

Lift Stations:

Total in Service			
Number of After-Hour Control Panel Alarms	28	9	93
Number of Repairs	2	0	3
KWH Consumed, Primary Lift Station	960	6,240	85,440
KWH Consumed, All Other Lift Stations	11,190	10,375	41,819



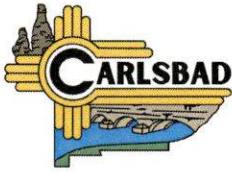
Anthony Hernandez, Water Superintendent or
William Anderson, WWC Supervisor

**EFFLUENT DISCHARGE TO PECOS RIVER
ACRE / FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2000	275.31	248.42	260.88	233.80	316.16	282.37	276.77	278.69	311.94	258.03	349.52	325.73	3,417.62
2001	272.21	204.60	217.67	191.40	142.09	236.98	244.68	224.77	225.64	195.79	254.84	265.78	2,676.45
2002	266.35	232.01	263.62	256.99	225.81	190.74	250.02	214.79	206.30	244.07	207.28	239.84	2,797.82
2003	195.98	143.44	168.79	155.94	169.64	151.16	185.64	183.40	174.65	209.24	209.88	236.34	2,184.10
2004	232.32	213.56	223.88	291.51	274.82	213.81	209.05	186.17	199.53	241.73	280.59	208.26	2,775.23
2005	184.13	164.12	178.11	168.66	206.41	168.17	167.37	181.58	157.77	173.60	147.12	169.92	2,066.96
2006	141.87	127.02	172.99	140.40	140.92	169.70	174.86	188.76	197.39	185.97	178.88	182.23	2,000.99
2007	175.29	153.32	169.55	166.88	207.94	153.26	271.96	303.14	316.00	351.48	364.76	305.84	2,939.42
2008	259.44	239.22	252.53	246.40	228.69	180.08	206.35	210.09	240.35	261.89	258.89	171.21	2,755.14
2009	358.99	231.11	189.22	175.11	196.47	196.37	167.43	158.99	147.30	182.56	165.29	186.18	2,355.02
2010	179.80	164.40	171.85	172.47	136.28	138.37	220.04	174.07	196.08	190.49	192.02	181.35	2,117.22
2011	177.75	161.00	153.44	128.22	131.87	132.52	140.71	144.86	149.98	149.77	158.14	176.47	1,804.73
2012	177.26	133.35	158.96	132.17	197.54	139.17	163.09	149.43	143.97	124.39	140.86	183.20	1,843.39
2013	174.54	155.21	161.36	131.65	121.07	133.60	175.46	164.14	177.28	206.07	240.30	209.81	2,050.49
2014	210.63	150.47	156.04	153.06	160.67	157.52	218.21	280.09	284.34	255.76	244.57	224.53	2,495.89
2015	251.82	212.71	212.94	169.98	208.69	201.13	216.44	237.77	198.80	221.07	202.61	233.28	2,567.24
2016	250.84	215.81	203.86	199.36	220.94	213.33	202.97	238.61	251.05	230.03	217.11	202.17	2,646.08
2017	226.02	195.23	190.92	172.18	121.62	114.39	132.83	166.44	166.80	172.02	164.66	171.59	1,994.70
2018	180.72	134.33	132.78	116.31	115.83	119.59	129.91	152.77	160.73	184.72	166.96	175.48	1,770.13
2019	187.77	147.18	151.39	141.14	122.93	147.25	156.34	163.47	171.70	196.57	190.31	181.66	1,957.71
2020	171.87	152.55	144.74	108.70	129.17	128.14	127.36	133.91	137.49	147.44	150.85	168.11	1,700.33
2021	176.88	166.70	155.81	141.66	147.77	138.68	213.38	233.23	213.59	229.06	205.63	201.46	2,223.85
2022	215.85	180.58	165.29	88.93	133.36	132.40	154.29	155.42	159.82	200.87	194.49	193.65	1,974.95
2023	195.33	175.90	127.53	162.53	166.59	105.31	32.91	101.38	64.63	215.46	212.03	193.65	1,753.25
2024	72.18	28.76	55.80	93.47	16.25	40.56	161.56	151.24	187.60	214.54	240.34	244.17	1,506.47
2025	114.35	155.05	167.87	109.21	91.88	58.64	93.15	145.00	233.85	198.00	212.26	233.17	1,812.43
2026	186.04	178.63	169.50	157.27	100.33								791.77

**EFFLUENT REUSE
ACRE / FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2000	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2001	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2003	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2004	18.94	15.45	17.52	25.36	40.46	43.55	50.58	38.81	31.31	20.14	7.82	8.08	318.02
2005	6.96	5.99	14.35	35.49	31.91	43.54	45.14	30.45	37.52	25.95	25.12	20.74	323.16
2006	22.68	22.17	23.21	37.40	49.95	99.47	207.81	72.92	23.20	34.28	20.50	17.75	631.34
2007	13.63	13.91	24.14	31.79	27.52	49.34	36.59	38.53	32.68	25.42	12.77	13.64	319.96
2008	15.06	20.54	21.83	41.29	46.49	48.50	35.56	40.95	22.85	38.63	26.92	7.18	365.80
2009	16.77	20.71	26.54	40.51	39.84	41.08	44.08	51.38	49.33	43.70	27.62	11.71	413.27
2010	16.58	8.89	23.08	31.79	62.07	61.63	15.10	49.33	28.02	29.55	21.36	18.51	365.91
2011	14.69	8.13	38.05	54.54	56.44	52.72	55.45	50.42	49.73	44.67	23.78	7.38	456.00
2012	5.82	10.40	24.91	46.25	37.18	50.67	42.51	59.86	50.03	26.67	15.56	8.15	378.01
2013	8.68	7.48	21.68	38.81	58.76	53.68	37.15	36.50	21.42	29.52	12.20	14.36	340.24
2014	19.88	23.44	34.05	32.20	47.27	54.26	67.18	45.85	21.00	32.05	19.69	28.04	424.91
2015	7.33	13.31	21.93	47.89	49.49	75.50	63.51	46.70	44.23	16.48	17.41	12.08	415.86
2016	7.43	17.65	41.85	42.00	37.41	34.82	53.26	35.94	29.90	29.75	21.56	18.97	370.54
2017	10.85	15.78	32.93	38.92	58.76	70.39	69.88	42.35	41.26	32.46	17.40	10.48	441.46
2018	25.29	45.73	62.15	81.04	88.81	83.84	93.81	74.15	55.54	42.74	34.22	15.62	702.94
2019	18.09	35.37	50.54	63.17	87.76	78.14	89.60	85.06	68.66	48.29	26.89	27.94	679.51
2020	28.16	29.07	40.67	66.70	70.90	67.84	77.07	74.77	58.73	42.58	23.60	10.88	590.97
2021	7.76	6.75	44.46	41.16	47.64	63.50	37.20	40.37	10.15	33.27	30.33	13.21	375.80
2022	6.81	14.04	38.29	48.19	67.72	82.38	70.77	77.47	75.39	27.51	15.31	14.71	538.59
2023	12.63	10.61	83.36	56.85	58.04	127.63	177.03	111.88	140.74	1.90	29.15	29.41	839.23
2024	76.73	133.77	117.15	76.28	191.34	168.34	60.29	72.52	38.05	28.83	17.83	2.39	983.52
2025	102.73	54.99	63.55	115.15	157.26	99.42	58.32	76.66	36.55	40.04	18.26	13.51	836.44
2026	51.98	17.52	43.98	50.9	132.14								296.52



CITY OF CARLSBAD
INTER-OFFICE MEMORANDUM

Richard D. Lopez, Mayor

July 7, 2026

TO: Council Members
FROM: Mayor Lopez
RE: Board, Commission, and Committee Appointments

Subject to the approval of the Governing Body, I would like to appoint the following:

Shooting Range Advisory Board

Reappoint: Dona Rex Prather – **4 Year Term**
Reappoint: Brian Fox – **4 Year Term**
Reappoint: Graydon Clark – **4 Year Term**
Reappoint: Richard West – **4 Year Term**
Reappoint: Jennifer Cottingham – **4 Year Term**

Riverwalk Recreation Center Advisory Board

Reappoint: Becky Fierro – **4 Year Term**
Reappoint: Bill Rook – **4 Year Term**

Solid Waste Advisory Board

Reappoint: Susan Crockett – **4 Year Term**

Planning and Zoning Commission

Reappoint: James McCormick – **2 Year Term**
Appoint: John Beasley – **2 Year Term**

Cemetery Advisory Board

Reappoint: Alan K. Wood – **4 Year Term**

Alejandro Ruiz Senior Center Advisory Board

Reappoint: Liz Gordy – **4 Year Term**

Carlsbad Public Library Advisory Board

Reappoint: Veronica H. Barnhart – **4 Year Term**

Bob Forrest Youth Sport Complex Advisory Board
Reappoint: Lance Ridgway – 4 Year Term

ORDINANCE NO. 2026-_____

AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL 2 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR APPROXIMATELY 0.09 ACRES, LOCATED SOUTH OF 713 N. ALAMEDA STREET, LEGALLY DESCRIBED AS NORTH ½ OF LOT 3, BLOCK 60, LOWE SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-2" Residential 2 District to "C-2" Commercial 2 District, for approximately 0.09 acres, located south of 713 N. Alameda Street., legally described as:

NORTH ½ OF LOT 3, BLOCK 60, LOWE SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 11th day of August, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Planning & Zoning	BY: Jeff Patterson	DATE: 07/07/2026
SUBJECT: Approval of an application and request for an infrastructure reimbursement for the Southridge Subdivision, located at the intersection of Davis Street and Etter Street, a development creating nine new lots for residential development Applicant: Giddy Up, LLC		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) Applicant: Giddyup LLC. 2706 Chamisol Gallup, NM 87301 Carlsbad, NM 88220 HISTORY: In 2008, the City Council adopted an Infrastructure Reimbursement Program whereby the City could reimburse private property owners and developers a certain percentage of qualifying infrastructure costs. This program was revised in 2012 to increase the percentage of allowable reimbursement and to clarify the definition of “qualifying Infrastructure”. Since inception of the program, there have been various methods of application review and recommendation to the City Council. Most recently, an ad hoc “Development Committee” reviewed these types of applications. Due to the Planning and Zoning Commission’s expertise in the area of planning and development and their familiarity with the projects involved in the applications, it was determined that the Commission is the most appropriate entity to review these applications. The Commission’s task is to verify that the applications were completed, submitted and reviewed according to the program’s design and recommend to the City Council an amount for reimbursement. The process that is followed for application submittal and review is described in the Infrastructure Reimbursement Program application. City staff, including the Planning Director, Public Works Director and Utilities Director, have reviewed the application, verified that the calculations, quantities and costs are correct and provided a recommended amount for reimbursement. A synopsis of this review is provided below along with the recommended amount of reimbursement. SYNOPSIS: In accordance with the Public Infrastructure Reimbursement Program (Resolution #2012-09 and Resolution #2024-34), this request is for the approval of an application and a recommendation to the City Council regarding the reimbursement for qualifying public infrastructure related to the Southridge Subdivision. Approval of this application will allow the		

City and applicant to enter into a Public Infrastructure Reimbursement Agreement as outlined in Res. #2012-09 and Res. #2024-34.

The Southridge Subdivision, development included the following improvements: Installation of ~290 linear feet of water line along with all involved appurtenances, ~360 linear feet of sanitary sewer main along with all appurtenances, ~800 square yards of street construction and pavement, ~650 linear feet of 2' wide curb and gutter, and 290 square yards of concrete sidewalk.

Based on the construction estimates submitted by the applicant and based on staff review of these estimates, the preparation of a Reimbursement Agreement and reimbursement of up to, but not exceeding, **\$102,936.12** is recommended. The following table summarizes the estimated expenses based on staff review of construction plans and cost estimates provided by the applicant:

ITEM	QUANTITY	UNIT	UNIT COST	SUB TOTAL	TAX (.073958)	TOTAL	(15%)
Water Infrastructure	290	LF	\$431.48	\$125,128.00	\$9,306.40	\$134,434.40	\$20,165.16
Sewer Lines	360	LF	\$395.49	\$142,378.00	\$10,589.36	\$152,967.36	\$22,945.10
Streets & Alleys	800	SY	\$372.84	\$298,273.00	\$22,059.67	\$320,332.67	\$48,049.90
Curb & Gutter	650	LF	\$50.00	\$32,500.00	\$2,403.64	\$34,903.64	\$5,235.55
Sidewalks	290	SY	\$140.00	\$40,600.00	\$3,002.70	\$43,602.70	\$6,540.41
Multi-use Trails	N/A						
Bike Lanes	N/A						
Traffic Signals	N/A						
Lift Stations	N/A						
Transit Stations	N/A						
Street Lighting in ROW	N/A						
Total Cost Estimate				\$638,879.00	\$47,361.77	\$686,240.77	\$102,936.12
Total Reimbursement Estimate (15% of Total Costs)				\$95,831.85	\$7,104.27	\$102,936.1	

At their meeting on December 1, 2025, the Planning and Zoning Commission reviewed this application and voted to recommend approval of a reimbursement to the applicant of up to \$102,936.12.

DEPARTMENT RECOMMENDATION:

This item was brought before the Planning & Zoning Commission at the December 1, 2025, regular meeting. The Commission considered this item along with staff comments and provided application materials, and voted to recommend the preparation of a Reimbursement Agreement and reimbursement up to, but not exceeding, \$102,936.12

BOARD/COMMISSION/COMMITTEE ACTION:

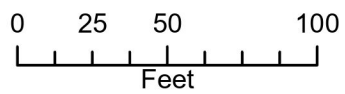
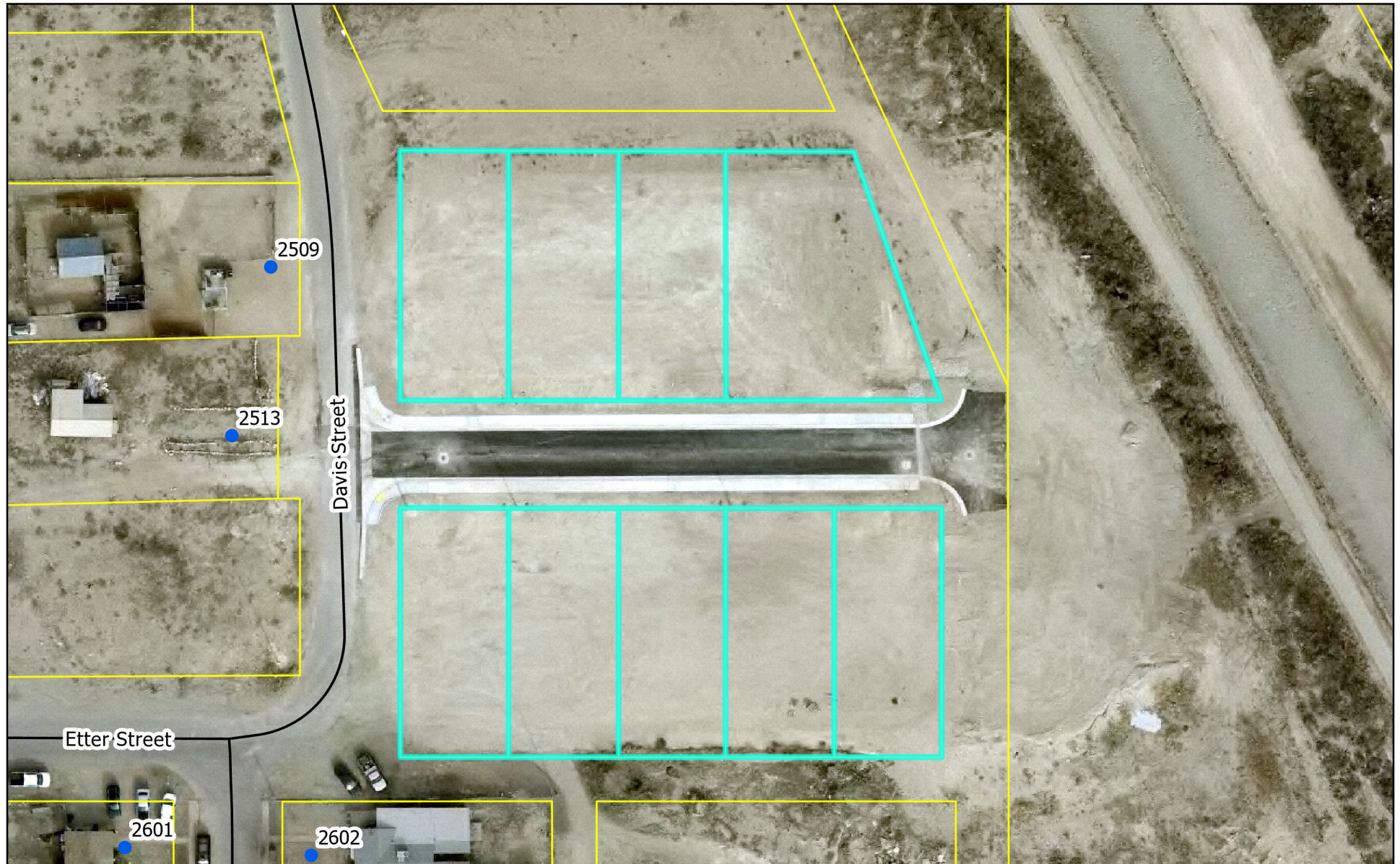
Planning & Zoning Commission - APPROVED	
Reviewed by:	
City Manager: Wendy D Austin	Date: July 9, 2026

Attachments:

1. Landscape
2. Uploads - IR Application - Southridge Development

Infrastructure Reimbursement Southridge Subdivision

7/7/2026



Legend

- Carlsbad Address
- Roads
- Property Lines



**INFRASTRUCTURE REIMBURSEMENT AGREEMENT
BETWEEN THE CITY OF CARLSBAD AND
GIDDY UP, LLC
FOR QUALIFYING PUBLIC INFRASTRUCTURE
AT SOUTHRIDGE SUBDIVISION**

THIS AGREEMENT is entered into this ____ day of _____, 2026 between the CITY OF CARLSBAD, New Mexico, a municipal corporation (hereinafter referred to as the "City"), and the GIDDY UP, LLC, (hereinafter referred to as the "Developer").

WHEREAS, the Carlsbad City Council approved a 15% Infrastructure Reimbursement Program by Resolution 2012-09 (hereinafter referred to as the "Program"); and

WHEREAS, pursuant to the Program, the City seeks to support local economic development by providing a fifteen percent reimbursement to qualifying developers for qualifying public infrastructure projects; and

WHEREAS, Giddy Up, LLC, wishes to develop a residential subdivision east of Davis Street to be known as Southridge Subdivision (hereinafter the "Development"); and

WHEREAS, the Developer has submitted an Application for Infrastructure Reimbursement regarding certain qualifying public infrastructure associated with the Development as may be permitted by the Program; and

WHEREAS, on December 1, 2025, the City's Planning and Zoning Commission reviewed the application and recommended approval of a reimbursement of up to but not exceeding \$102,936.12 for qualifying public infrastructure.

NOW THEREFORE, in and for the consideration of the payments and agreements hereinafter mentioned, the parties agree as follows:

1. The Developer will complete infrastructure improvements necessary to support the Development identified as Southridge Subdivision and desires to participate in the City's 15% Infrastructure Reimbursement Program, as approved by the City Council by Resolution 2012-09, as that Program may be amended from time to time. All terms and conditions established by the Program shall govern this Agreement.
2. That portion of the Development which would constitute qualifying public infrastructure pursuant to the Program is described on attached Exhibit "A" (hereinafter referred to as the "Qualifying Infrastructure"). The estimated cost of each portion of Qualifying Infrastructure is also listed on Exhibit "A".
3. The Developer agrees that the Qualifying Infrastructure will be designed, constructed, installed, and completed in accordance with the following:
 - A. The Infrastructure Reimbursement Program Application submitted by the Developer and dated February 12, 2024 and stamped received by the City on February

12, 2024 (hereinafter the “Application” and attached hereto as Exhibit “B”);

B. City Standards for Infrastructure and Utilities.

The Developer further states that all plans and specifications for the Qualifying Infrastructure were prepared by and bear the seal of a Professional Engineer, licensed in the State of New Mexico, and the plans and specifications were approved as may be required by the City of Carlsbad Planning and Zoning Commission and/or those City departments charged with the review and approval of such plans and specifications.

4. On or before one year from the date of this agreement, (hereinafter the “Completion Date”), the Developer shall provide the City with:
 - A. A written certification of the Professional Engineer that the Qualifying Infrastructure has been completed according to the design drawings and specifications attached as part of Exhibit “B”; and
 - B. Certified copies of the design drawings and specifications for the Qualifying Infrastructure commonly known as the “as-built” documents.

The documents listed in 4(A) and (B), above, are hereinafter collectively referred to as the “Deliverables”. Upon proper application to the City and for good cause shown, the City, at its sole discretion, may extend the Completion Date for all or a portion of the Qualifying Infrastructure for such period of time as the City, in its sole discretion, deems to be in the public interest. No such extension, however, shall extend the Completion Date more than two (2) years beyond the date of the full execution of this Agreement by the parties.

5. Within ten (10) business days of the City’s receipt of the Deliverables, the City and/or its agent shall review the Deliverables, inspect the Qualifying Infrastructure and:
 - A. Accept the Qualifying Infrastructure and then send written notice of its acceptance of the Qualifying Infrastructure to the Developer; or
 - B. If the City determines that all requirements, standards, and specifications applicable to the design, construction, installation and completion of the Qualifying Infrastructure have not been met, the City may reject all or a portion of the Qualifying Infrastructure. In that event, the City shall then notify the Developer in writing of such determination. That notice shall state the deficiencies found by the City. The Developer shall then take action to correct all deficiencies. When the deficiencies have been corrected, the Developer shall resubmit the Deliverables to the City. The City shall then have ten (10) business days to review and accept or reject all or a portion of the Qualifying Infrastructure. This process and time periods described herein may continue until either the City has accepted all the Qualifying Infrastructure, or the City, in its sole discretion, chooses not to accept all or a portion of the Qualifying Infrastructure. In no event, however, shall this process extend more than two (2) years beyond the date of execution of this Agreement by the Developer.
6. For each portion of the Qualifying Infrastructure accepted by the City, the Developer shall submit all documentation and perform all acts necessary to dedicate it to the City

of Carlsbad.

7. For each portion of the Qualifying Infrastructure accepted by the City, the Developer shall submit to the City a written list of its actual costs related to the construction of the Qualifying Infrastructure and shall submit copies of final paid invoices as documentation of the actual costs.
8. No later than thirty (30) days after the City has received the written list of actual costs and all copies of final paid invoices from the Developer, the City shall, for each portion of Qualifying Infrastructure accepted by the City:
 - A. Determine which costs are subject to reimbursement pursuant to the terms of the Program; and
 - B. Reimburse the Developer the lesser of either:
 - i. Fifteen percent (15%) of the actual costs subject to reimbursement pursuant to the terms of the Program; or
 - ii. Fifteen percent (15%) of the estimated costs as listed on Exhibit "A" subject to reimbursement pursuant to the terms of the Program.
9. All notices permitted or required by the terms of this Agreement shall be in writing and deemed to have been duly given and delivered, if mailed, certified postage prepaid:

If to the City:	If to the Developer:
City of Carlsbad	Giddy Up, LLC
c/o City Manager	c/o George Munoz
P.O. Box 1569	2706 Chamisol
Carlsbad, NM 88221-1569	Gallup, NM 87301

The parties shall notify each other in writing of any change in the above names or addresses.
10. The Developer and its employees, officers, and agents are independent contractors and are not employees of the City. The Developer and its employees, officers, and agents shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to the employees of the City of Carlsbad as a result of this Agreement.
11. This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement. The parties expressly waive any other or further representations, warranties, or agreements not set forth in this document. This Agreement cannot be changed except by a written instrument subsequently executed with the same formalities as with this Agreement.
12. The parties agree this Agreement shall be construed and controlled by the laws of New

Mexico. The parties further agree that any legal action arising out of this Agreement shall be brought in the District Court of Eddy County, New Mexico for the Fifth Judicial District. The parties expressly consent to both in person and subject matter jurisdiction of the Eddy County District Court and agree that venue shall properly lie in the Eddy County, New Mexico District Court.

13. Any instrument or document made and attached to this Agreement or referred to by this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK

GIDDY UP, LLC

GEORGE MUNOZ, OWNER

STATE OF NEW MEXICO)
) ss.
COUNTY OF EDDY)

The foregoing instrument was signed and acknowledged before me this ____ day of _____, 2026, by GEORGE MUNOZ, in his capacity as owner of GIDDY UP, LLC.

My Commission Expires:

NOTARY PUBLIC



Z:\2020.1035\2024 Revision\CG-101_2024.dwg 12/6/2024 4:52 PM 77 of 310



LEGEND

REVISIONS

CIVIL UTILITY PLAN

SHEET:

Z:\2020.1035\2024 Revision\CU-101.dwg 12/6/2024 4:52 PM Page 78 of 310



SCALE 1" = 20'



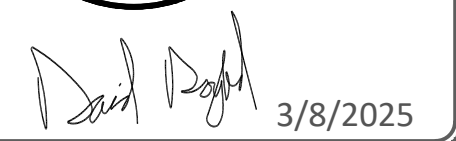
0' 10' 20' 40'

KEYED NOTES

- ① APPROXIMATE LOCATION OF EXISTING WATER MAIN. EXACT LOCATION TO BE FIELD VERIFIED
- ② WET TAP EXISTING WATER MAIN. CONNECTION TO BE MADE WITH MJ TEE CONNECTION. CONTACT CITY UTILITIES DEPT.
- ③ APPROXIMATE LOCATION OF EXISTING SANITARY SEWER MAIN. CONTRACTOR TO FIELD VERIFY LOCATION AND DEPTH
- ④ CONTRACTOR TO INSTALL MANHOLE PER DETAILS 4 & 5, SHEET CU-501
- ⑤ CONTRACTOR TO INSTALL $\pm 360'$ OF 8" SCHEDULE 40 SDR 35 SEWER LINE.
- ⑥ INSTALL FIRE HYDRANT PER DETAIL 9 SHEET CU-501.
- ⑦ PROPOSED LOCATION FOR $\pm 20'$ OF 1" SCH 40 DOMESTIC WATER LATERALS. INSTALL PER SHEET CU-502.
- ⑧ INSTALL 210' OF 4" SEWER LATERAL WITH 45 DEGREE BENDS TO TIE INTO PROPOSED MAIN LINE AND SINGLE CLEAN OUT PER DETAIL 04 ON SHEET CU-501 AT TERMINATION POINT.
- ⑨ PROPOSED LATERAL LOCATION $\pm 210'$ OF 4" PVC SANITARY SEWER LATERALS
- ⑩ PROPOSED LATERAL LOCATION (TYP.) FINAL BUILDING LATERAL LOCATIONS TO BE CONFIRMED IN FIELD AND ADJUSTED AS NECESSARY
- ⑪ CONTRACTOR TO INSTALL $\pm 290'$ OF 8" C900 WATER LINE
- ⑫ INSTALL SEWER CLEANOUT PER DETAIL 2 CU-501

NOTES:

1. UTILITY CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF CARLSBAD PUBLIC INFRASTRUCTURE SPECIFICATIONS (RES. NO. 2019-29)
2. MINIMUM BURY DEPTH FOR SEWER IS 36" UNLESS OTHERWISE NOTED.
3. MINIMUM BURY DEPTH FOR WATER IS 48" UNLESS OTHERWISE NOTED.
4. MINIMUM SLOPE FOR SEWER MAIN IS 0.5% UNLESS OTHERWISE NOTED
5. MINIMUM SLOPE FOR SEWER LATERALS IS 1.1% UNLESS OTHERWISE NOTED
6. CONTRACTOR SHALL STAMP THE CURB WITH "S" FOR SEWER OR "W" FOR WATER WHEREVER THE RESPECTIVE LINES CROSS A PROPOSED CURB



PROJECT ENGINEER:	DAVID ROYBAL, P.E.
PROJECT DESIGNER:	ADRIAN ALBA
DRAWN BY:	ADRIAN ALBA

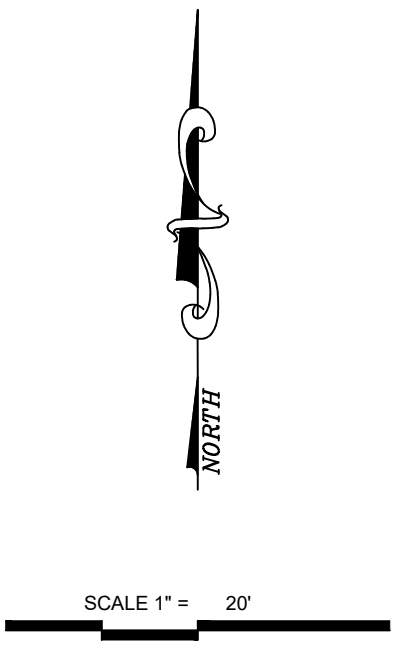
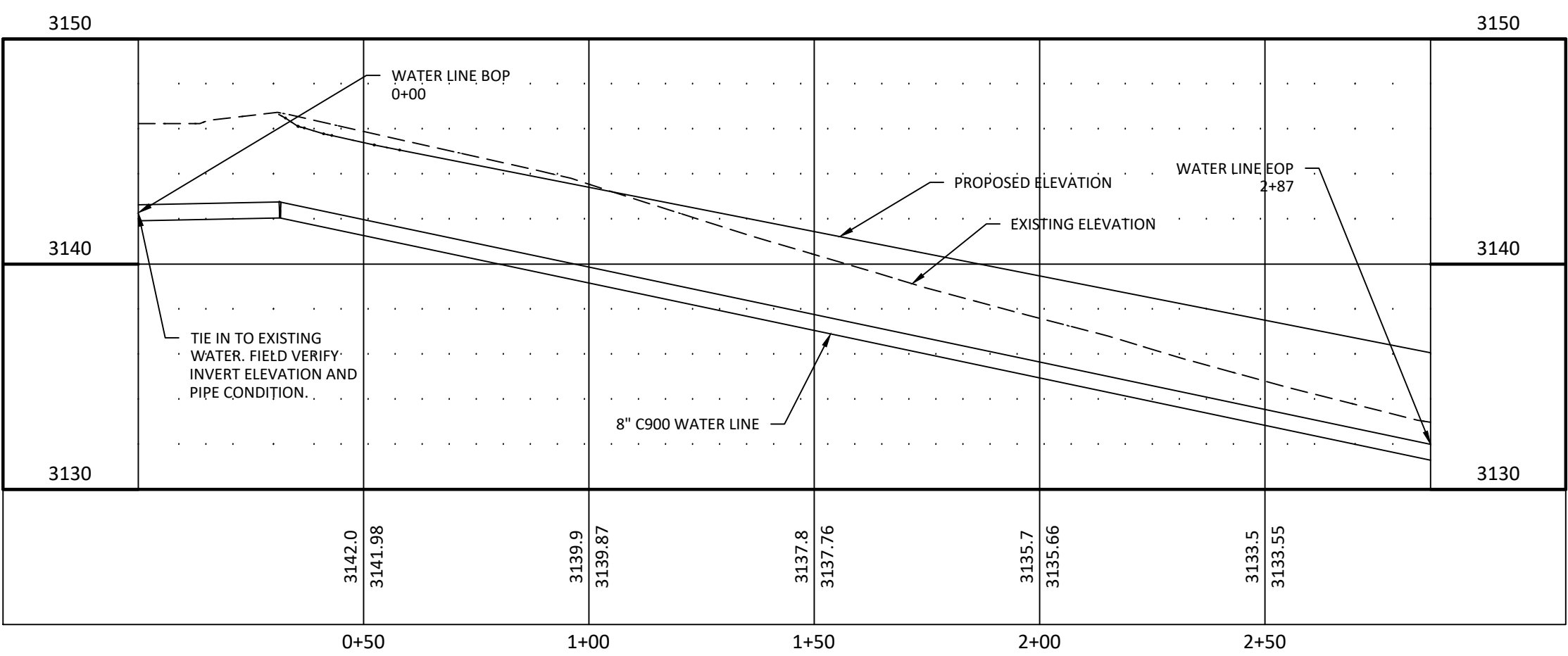
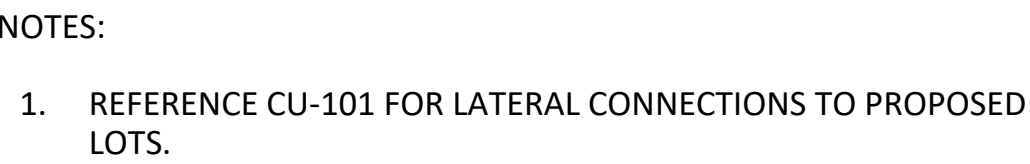
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	FINISH GRADE 1.0' CONTOUR
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	EXIST. GRADE 1.0' CONTOUR
SS	SEWER LINE
8"W	WATER LINE
	ASPHALT
	CONCRETE

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CLIENT:

SHEET:

CU-102

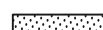
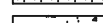




DRAFT

PROJECT ENGINEER:	DAVID ROYBAL, PE
PROJECT DESIGNER:	CAITLIN JACKSON
DRAWN BY:	CAITLIN JACKSON

LEGEND

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	FINISH GRADE 1.0' CONTOUR
	EXIST. GRADE 0.5' CONTOUR
	EXIST. GRADE 1.0' CONTOUR
	GRADING LIMITS
	CHANNEL FLOWLINE
EOA	EDGE OF ASPHALT
EG	EXISTING GRADE
FG	FINISH GRADE
FL	FLOWLINE
FRW	FOOT OF RETAINING WALL
SW	SIDEWALK
TBC	TOP BACK OF CURB
TRW	TOP OF RETAINING WALL
	ASPHALT
	CONCRETE
	CALICHE

REVISIONS

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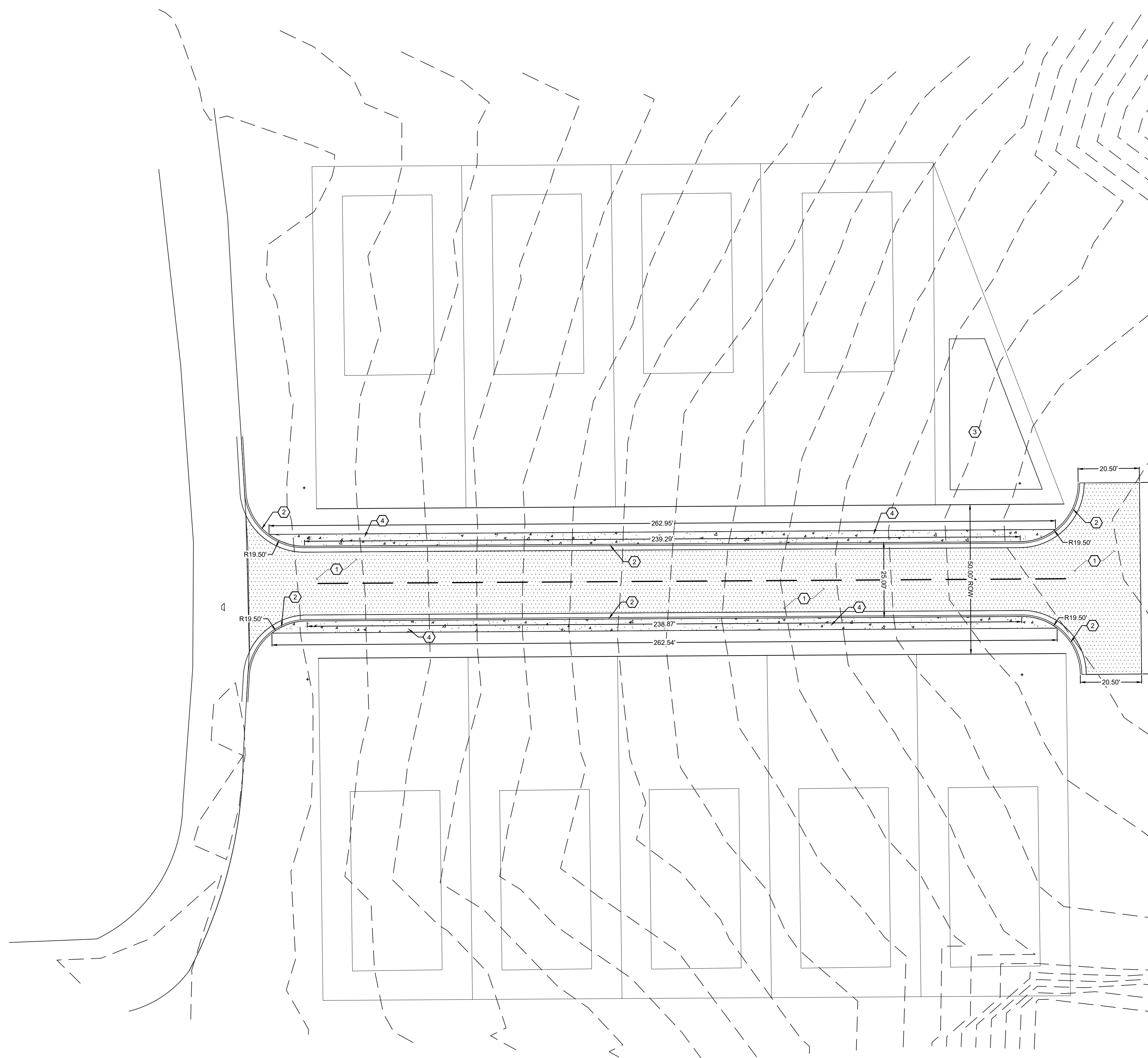
CIVIL SITE PLAN

SOUTHRIDGE
SUBDIVISION

PROJECT NUMBER:
2019.1155

SHEET:

CS-101

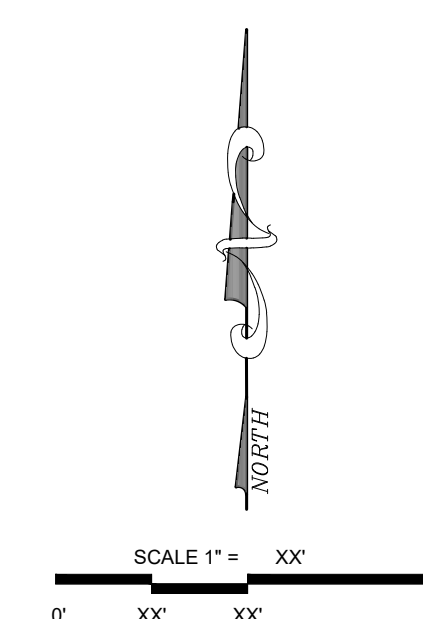


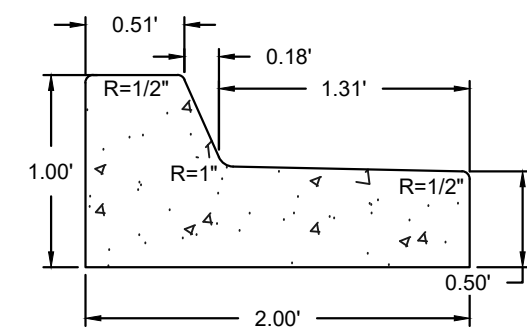
KEYED NOTES

- ① INSTALL ASPHALT PAVEMENT PER DETAIL 1, SHEET CS-501
- ② INSTALL 6" X 24" CURB AND GUTTER PER DETAIL 2, SHEET CS-501
- ③ PROPOSED DRAINAGE POND MIN 1450 CUBIC FEET STORAGE.
- ④ SIDEWALK AND DRIVEPAD BY OTHERS

GENERAL NOTE:

SIDEWALKS AND DRIVE PADS TO BE INSTALLED
BEFORE CERTIFICATE OF OCCUPANCY IS ISSUED





2 6" x 24" CURB AND GUTTER
SCALE: N.T.S.

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NMSSPC.
2. COMPACTION OF SUBGRADE MATERIALS SHALL BE A MINIMUM OF 95% AS DETERMINED BY A.S.T.M D-1557.
3. COMPACTION OF BASE COURSE MATERIALS SHALL BE A MINIMUM OF 95% AS DETERMINED BY A.S.T.M. D-1557.

- NOTES:
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NMSSPWC.
 2. COMPACTION OF SUBGRADE MATERIALS SHALL BE A MINIMUM OF 95% AS DETERMINED BY A.S.T.M. D-1557.
 3. CURB AND GUTTER SHALL HAVE 1/2" EXPANSION JOINTS ON 30' O.C. MAX. AND AT ALL CURB RETURNS.
 4. CURB AND GUTTER SHALL HAVE 1/4" GROOVE JOINTS PLACED AT 10' INTERVALS.



PETTIGREW
& ASSOCIATES PA

ENGINEERING | SURVEYING | TESTING
DEFINING QUALITY SINCE 1965

100 E. Navajo Drive Suite 100 Hobbs New Mexico
88240
T 575 393 9827 F 575 393 1543
Pettigrew.us

NOT FOR CONSTRUCTION

DRAFT

NOT FOR CONSTRUCTION

PROJECT ENGINEER:	DAVID ROYBAL, PE
PROJECT DESIGNER:	CAITLIN JACKSON
DRAWN BY:	CAITLIN JACKSON

LEGEND

	FINISH GRADE 0.5' CONTOUR
	FINISH GRADE 1.0' CONTOUR
	EXIST. GRADE 0.5' CONTOUR
	EXIST. GRADE 1.0' CONTOUR
	CHANNEL FLOWLINE
	EDGE OF ASPHALT
	EXISTING GRADE
	FINISH GRADE
	FLOWLINE
	FOOT OF RETAINING WALL
	SIDEWALK
	TOP BACK OF CURB
	TOP OF RETAINING WALL
	ASPHALT
	CONCRETE
	CALICHE

REVISIONS

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CIVIL DETAILS

SOUTHRIDGE
SUBDIVISION

PROJECT NUMBER:
2019.1155

SHEET:

CS-501



LEGEND

	FINISH GRADE 0.5' CONTOUR
	FINISH GRADE 1.0' CONTOUR
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	EDGE OF ASPHALT
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	TOP OF RETAINING WALL
	ASPHALT
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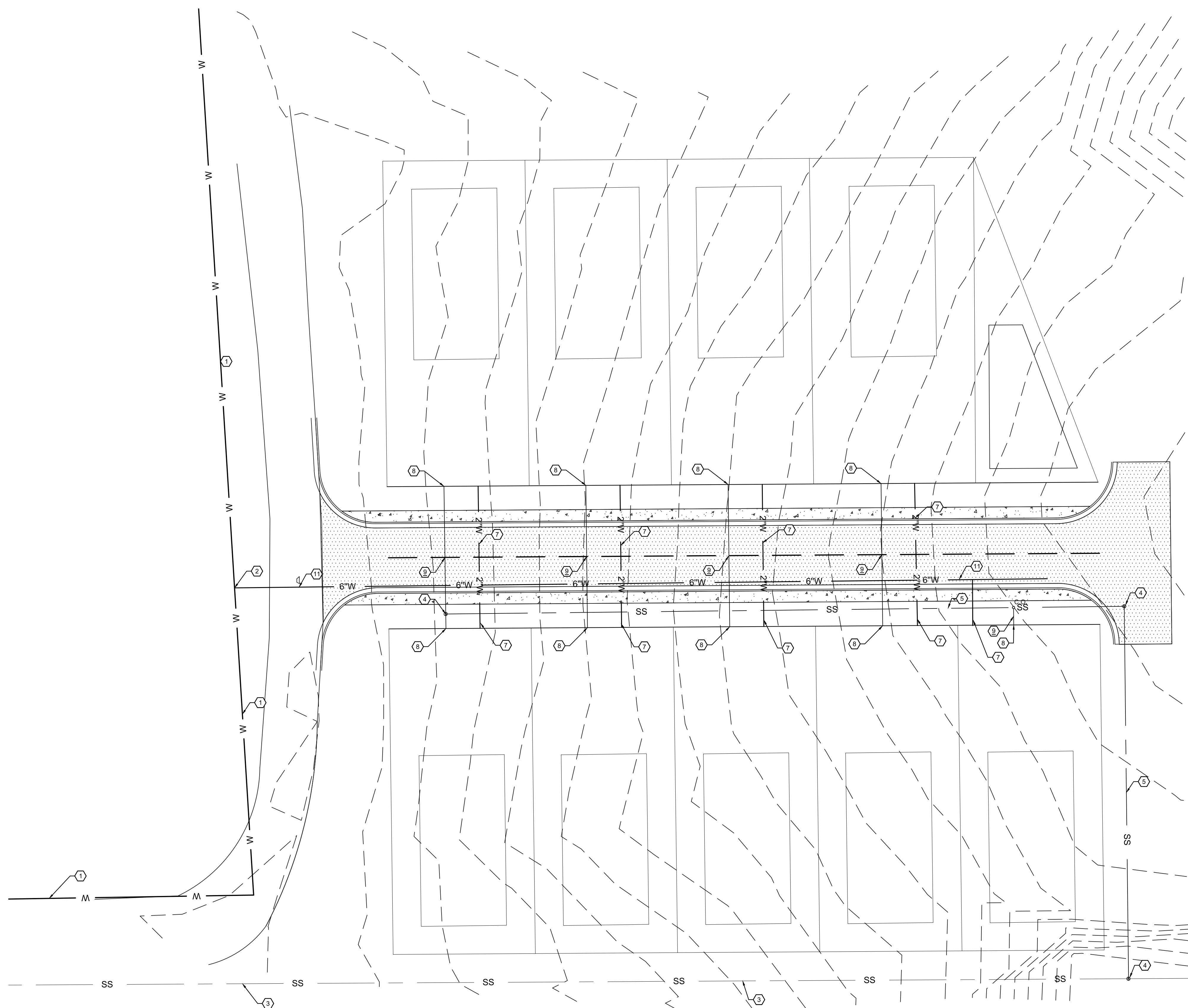
SOUTHRIDGE
SUBDIVISION

SHEET: CG-101



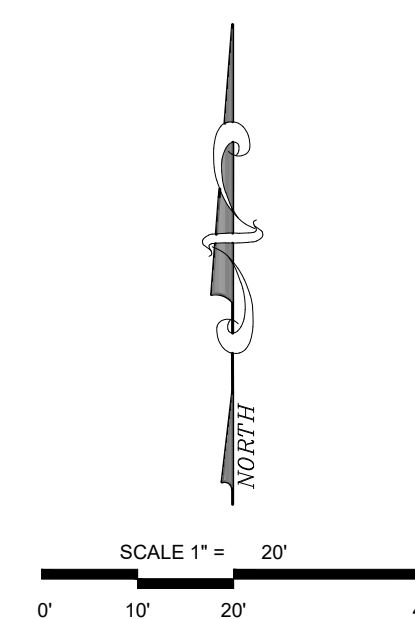
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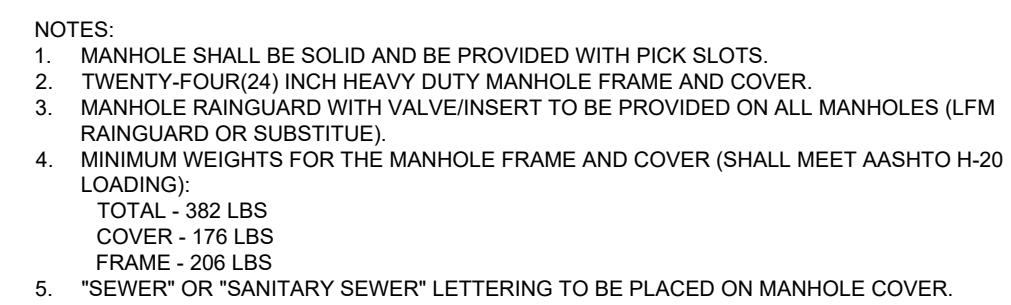
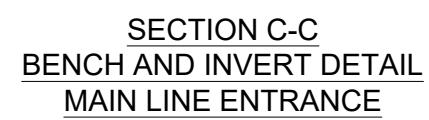
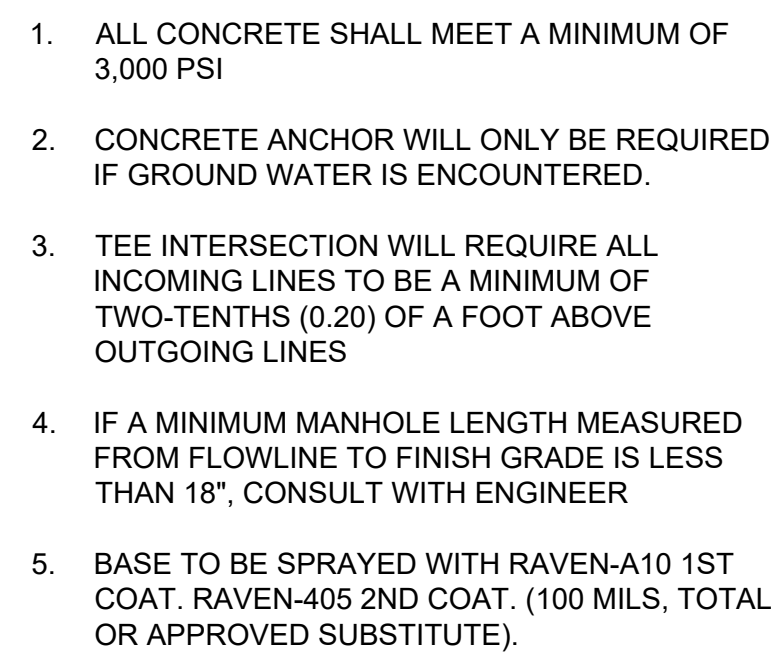
CU-101



KEYED NOTES

- ① APPROXIMATE LOCATION OF EXISTING WATER MAIN. EXACT LOCATION TO BE FIELD VERIFIED
- ② PROPOSED WET TAP
- ③ APPROXIMATE LOCATION OF EXISTING SANITARY SEWER MAIN. CONTRACTOR TO FIELD VERIFY LOCATION AND DEPTH
- ④ CONTRACTOR TO INSTALL MANHOLE PER DETAILS 4 & 5, SHEET CU-501
- ⑤ CONTRACTOR TO INSTALL $\pm 360'$ OF 6" SCHEDULE 40 SDR 35 OR 26 SANITARY SEWER LINE.
- ⑥ NOT USED
- ⑦ PROPOSED LOCATION FOR $\pm 620'$ OF 2" SCH 40 DOMESTIC WATER LATERALS
- ⑧ INSTALL 210' OF 4" SDR 26 SEWER LATERAL WITH 45 DEGREE BENDS TO THE INTO PROPOSED MAIN LINE AND SINGLE CLEAN OUT PER DETAIL 04 ON SHEET CU-501 AT TERMINATION POINT.
- ⑨ PROPOSED LOCATION FOR $\pm 210'$ OF 6" SCHEDULE 40 PVC SANITARY SEWER LATERALS
- ⑩ PROPOSED LATERAL LOCATION (TYP.) FINAL BUILDING LATERAL LOCATIONS TO BE CONFIRMED IN FIELD AND ADJUSTED AS NECESSARY
- ⑪ CONTRACTOR TO INSTALL $\pm 290'$ OF 6" C900 WATER LINE





	FINISH GRADE 0.5' CONTOUR
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	EXIST. GRADE 0.5' CONTOUR
	EXIST. GRADE 1.0' CONTOUR
	GRADING LIMITS
	CHANNEL FLOWLINE
	EDGE OF ASPHALT
EOA	EXISTING GRADE
EG	FINISH GRADE
FG	FLOWLINE
FL	FOOT OF RETAINING WALL
FRW	SIDEWALK
SW	TOP BACK OF CURB
TBC	TOP OF RETAINING WALL
TRW	ASPHALT
	CONCRETE
	CALICHE

CIVIL UTILITY DETAILS

SOUTHRIDGE
SUBDIVISION

PROJECT NUMBER:
2019.1155

SHEET:

CU-501



PROJECT ENGINEER:	DAVID ROYBAL, PE
PROJECT DESIGNER:	CAITLIN JACKSON
DRAWN BY:	CAITLIN JACKSON

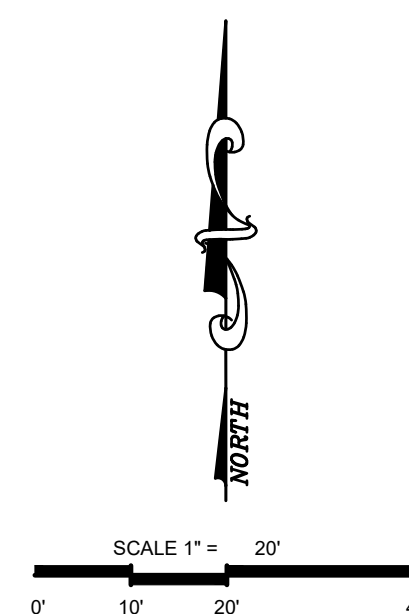
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	ASPHALT
	CONCRETE

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SOUTHRIDGE
SUBDIVISION

SHEET:

CG-101





CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

114 S. Halagueno, Carlsbad, NM 88220

Phone (575) 885-1185

Fax (575) 628-8379

Application for INFRASTRUCTURE REIMBURSEMENT PROGRAM

PROCESS FOR ACCEPTANCE AND REVIEW

1. Applications for the **Infrastructure Reimbursement Program** are available in the Planning, Engineering, and Regulation Office. Applications are accepted concurrent with a preliminary plat, building permit or with construction plans associated with a subdivision platted prior to adoption of the Subdivision Ordinance. Construction cost estimates are required at the time of application.
2. Applications are accepted on an ongoing basis. The minimum application packet submittal is one (1) copy of the completed application with original signatures and all required supporting documents. A letter of explanation or clarification shall also be provided. There is no fee for applying for this program. The preferred size for all documents is 11"x17". If larger-sized documents are provided, include 15 copies.
3. The Planning, Engineering, and Regulation Office will review the application for completeness. The application will be forwarded to the Development Committee for review prior to the City Council meeting. If deficiencies are noted, the Applicant will be advised and provided an opportunity to supplement the application. The application will not be considered by the City Council until it is complete.
4. If approved, the City will execute an Infrastructure Reimbursement Agreement, which details additional program requirements. Prior to reimbursement, the actual construction costs are required to be submitted concurrent with a final plat and as-built drawings and/or a certificate of occupancy.
5. Funding for this program varies from year to year. Reimbursement is on a first come first served basis.

09/11/2014

City of Carlsbad, New Mexico
Infrastructure Reimbursement Program
Application

Receipt Date Stamp

APPLICATION DATE: 2/12/24

PROGRAM DESCRIPTION: The purpose of this program is to support economic development within the City by providing private property owners and developers a 15% reimbursement of the total on-site (within the platted boundaries) and off-site (outside of the platted boundaries) qualifying public infrastructure costs associated with an approved development. Qualifying Public Infrastructure includes: water lines, sewer lines, lift stations, streets and alleys, street lighting in the right-of-way, sidewalks, curb and gutter, multi-use trails, bike lanes, traffic signals, and transit facilities. Engineering costs, surveying, site prep, right-of-way and easement acquisition, labor, permitting and consulting fees are not eligible for reimbursement. *Approval of an application does not guarantee approval of a reimbursement. An approved application allows the applicant to proceed with the execution of an Infrastructure Reimbursement Agreement. Once the requirements specified in the Infrastructure Reimbursement Agreement are fulfilled, reimbursement will be granted.*

APPLICANT INFORMATION:

Name (property owner OR developer) Cuddy up LLC

Address 2706 Chamisa Ave

City Carlsbad

State NM

Zip Code 87301

Phone 505 722 6570

Email muroz@carlsbadnm.com

PROPERTY INFORMATION:

Name (subdivision OR project) SOUTH RIDGE

Unit SUBDIVISION

Phase 1

Location/Cross Streets El Estero 2 Hillsides

GENERAL PROGRAM CRITERIA AND REQUIREMENTS:

1. Property and all qualifying public infrastructure must be located within the City Limits.
2. The application must be completed and approved by the City Council.
3. The application must be submitted concurrent with a preliminary plat, building permit or with construction plans associated with a subdivision platted prior to adoption of the Subdivision Ordinance.
4. Subdivision of land must be in accordance with the City's Subdivision Regulations (Chapter 47 et. seq.), as amended, including:
 - a. Sketch Plan showing each phase of development
 - b. Preliminary Plat(s) for each phase of development
 - c. Final Plat(s) for each phase of development with dedication of infrastructure noted on the plat
 - d. Infrastructure that varies from the standard shall not qualify for reimbursement.
5. Approved subdivisions must be recorded and filed with the County Clerk.

6. An Infrastructure Reimbursement Agreement must be executed by the City and applicant prior to reimbursement.
7. Reimbursement shall not exceed usual and customary infrastructure costs.
8. Reimbursement shall not be made for items installed prior to application date.
9. Reimbursement shall be paid upon total construction completion. Progress billing will not be accepted. Final invoices, with proof of payment (cancelled checks, evidence of wire transfer), are required.
10. Reimbursement will be made to the applicant only. No payment will be made to third parties.
11. Construction of qualifying public infrastructure must begin within 60-days of preliminary plat approval and be completed prior to approval of a final plat (if self financed) or within one year of final plat approval (if financed through a letter of credit).
12. Greater priority will be given to projects that further City plans and policies, focus on infill and/or provide affordable housing (as determined by the NM Mortgage Finance Authority).

ADDITIONAL REQUIRED INFORMATION:

Please attach the following information organized in the order listed below:

1. List of board of directors, executive directors, contractors and subcontractors that have a financial interest in the development or are affiliated with, or have a immediate family member (mother, father, sister, brother, grandmother, grandfather) affiliated with, the City of Carlsbad; and
2. Federal tax identification number, State tax identification number, and City business registration number; and
3. List any assistance requested from Federal, State or County governments, if any. Include any direct funding, land, fee and/or permit waivers; and
4. A complete and specific description of the proposed development and infrastructure including, but not limited to:
 - a. Subdivision plats (sketch, preliminary, final)
 - b. Construction drawings
 - c. Utility requirements, including but not limited to electric, gas, and water
 - d. Solid and liquid waste disposal requirements
 - e. Infrastructure requirements
 - f. Regulatory compliance requirements (environmental assessments, historic preservation documents)
 - g. As-built construction drawings (at construction completion); and
5. A description of the proposed infrastructures long term benefit to the City; and
6. Any other information necessary for the City to make a determination regarding the application for reimbursement.
7. The table on page 4 of this application must be completed.

DESCRIPTION OF QUALIFYING INFRASTRUCTURE AND ACTUAL COSTS (including taxes)
USE THIS FORM (attach supporting documentation, as necessary):

ITEM	QUANTITY	UNIT	UNIT COST	SUB TOTAL	TAX (.0744)	TOTAL
Water Lines	290		125,128.00		9,309.52	134,437.52
Sewer Lines	360		142,378.60		10,592.92	152,970.92
Streets & Alleys			298,273		22,191.51	320,464.51
Curb & Gutter			125,600		9,300	134,900
Sidewalks						
Multi-Use Trails	N/A					
Bike Lanes	N/A					
Traffic Signals	N/A					
Lift Stations	N/A					
Transit Facilities	N/A					
Street Lighting in R-O-W	N/A					
Total Cost						
**Actual Reimbursement (15% of Total Costs)						742,122.95

CHECKLIST FOR INFRASTRUCTURE REIMBURSEMENT FOR OFFICIAL USE ONLY

GENERAL PROGRAM CRITERIA AND REQUIREMENTS:

- ☒ Property and all qualifying public infrastructure is located within the City Limits.
- ☐ Application is complete and estimates approved by the City Council.
- ☒ The application was submitted concurrent with:
 - ☒ Preliminary plat
 - ☐ Building permit
 - ☒ Construction plans (because the subdivision was platted prior to adoption of the Subdivision Ordinance)
- ☒ Subdivision is in accordance with the City's Subdivision Regulations (Chapter 47 et. seq.), as amended, including:
 - ☒ Sketch Plan showing each phase of development
 - ☒ Preliminary Plat(s) for each phase of development
 - ☒ Final Plat(s) for each phase of development with dedication of infrastructure noted on the plat
- ☒ Variances were not granted for this project.
- ☒ Approved subdivision was recorded with the County Clerk.
- ☐ Infrastructure Reimbursement Agreement was executed by the City and applicant.
- ☐ Requirements of the Reimbursement Agreement were complied with.
- ☒ Actual costs do not exceed usual and customary infrastructure costs.
- ☒ Items were not installed prior to application date.
- ☐ Final invoices, with proof of payment (cancelled checks, evidence of wire transfer), are provided.
- ☐ Third party payment is not requested.
- ☒ Construction of qualifying public infrastructure began within 60-days of preliminary plat approval
- ☒ Construction of qualifying public infrastructure was completed prior to approval of a final plat (if self financed) or within one year of final plat approval (if financed through a letter of credit).
- ☒ This project:
 - ☒ Furthered City plans and policies
 - ☒ Focused on infill
 - ☒ Provide affordable housing (as determined by the NM Mortgage Finance Authority).

The following ADDITIONAL REQUIRED INFORMATION was provided:

- ☐ List of board of directors, executive directors, contractors and subcontractors that have a financial interest in the development or are affiliated with, or have a immediate family member (mother, father, sister, brother, grandmother, grandfather) affiliated with, the City of Carlsbad
- ☒ Federal tax identification number
- ☒ State tax identification number
- ☐ City business registration number *need*
- ☒ Funding sources for the proposed development project including assistance being requested of, or provided by, the City or other governmental entity (e.g. land, fee waivers, direct funding, etc.)

☒ A complete and specific description of the proposed development and infrastructure including, but not limited to:

- Subdivision plats (sketch, preliminary, final)
- Construction drawings
- Utility requirements, including but not limited to electric, gas, and water
- Solid and liquid waste disposal requirements
- Infrastructure requirements
- Regulatory compliance requirements (environmental assessments, historic preservation documents)
- As-built construction drawings (at construction completion)

☐ A description of the proposed infrastructures long term benefit to the City

☐ Any other information necessary for the City to make a determination regarding the application for reimbursement

☐ The tables on page 5 and 6 are complete

BOUNDARY SURVEY

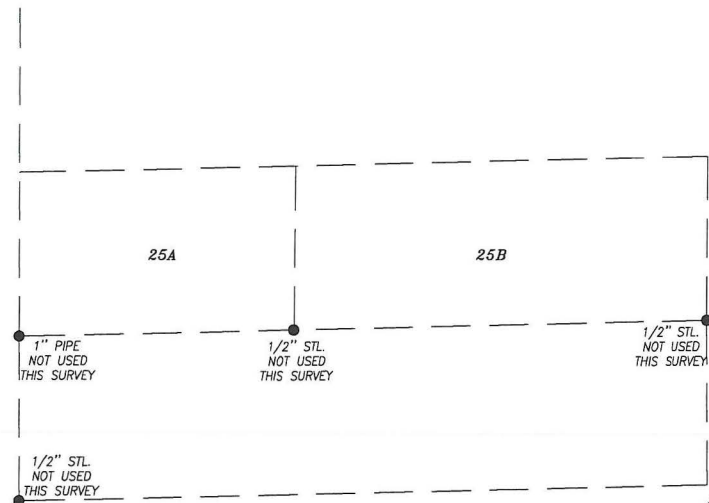
LOTS 1-9, BLOCKS 11 & 12,
SOUTHRIDGE SUBDIVISION

CERTIFICATION
I, CHAD HARCROW, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR
CERTIFY THAT I DIRECTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT
THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE
AND BELIEF, AND THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS
FOR SURVEYING IN NEW MEXICO. I FURTHER CERTIFY THAT THIS IS A
BOUNDARY SURVEY PLAT OF AN EXISTING TRACTS, ITS NOT A LAND
DIVISION OR A SUBDIVISION, AS DEFINED IN THE NEW MEXICO SUBDIVISION
ACT.

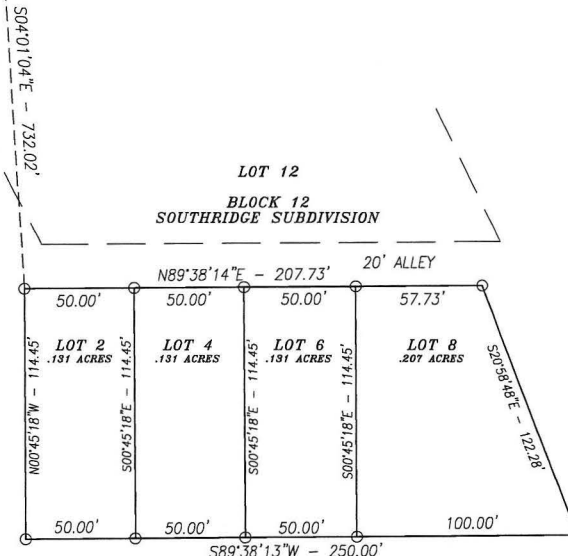
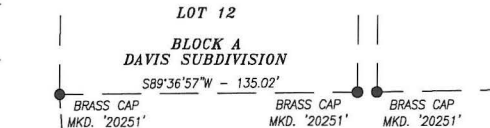
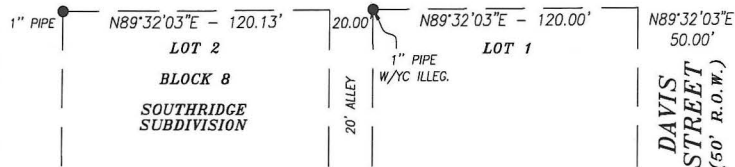


Chad Harcrow
CHAD HARCROW N.M.P.S. NO. 17777

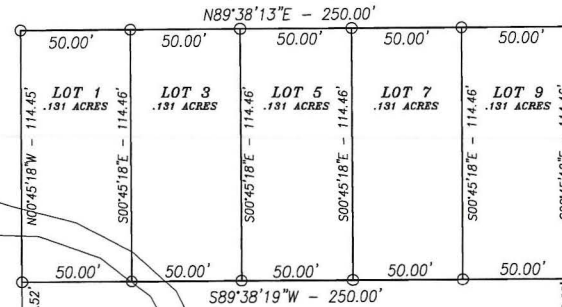
10/15/18
DATE



ETTER STREET
(50' R.O.W.)



HILLSIDE STREET
(50' R.O.W.)



PROPERTIES TO BE SURVEYED:
THE FOREGOING BOUNDARY SURVEY OF
LOTS 1-9, BLOCKS 11 & 12 OF THE
SOUTHRIDGE SUBDIVISION TO THE COUNTY OF
EDDY IN SECTION 18, TOWNSHIP 22 S,
RANGE 27 E AS DESCRIBED BY DEED
RECORDED IN BOOK , PAGE OF THE
OFFICIAL RECORDS OF EDDY COUNTY, NEW
MEXICO.

**SUBJECT TO RESERVATIONS, RESTRICTIONS,
EASEMENTS OF RECORD AND IN OPEN VIEW
AND EDDY COUNTY PROPERTY TAXES.**

FLOOD ZONE:
THIS PROPERTY IS IN FLOOD ZONE X as
shown on the FEMA, Flood Insurance Rate
Map, Community-Panel Number:
35015C1065D, Map Effective: June 4, 2010.

PURPOSE:
THE PURPOSE OF THIS PLAT IS TO DEFINE
BOUNDARY OF LOTS 1-9, BLOCKS 11 & 12.

REFERENCE PLAT:
SOUTHRIDGE SUBDIVISION PLAT BY JOHN
LEWIS, JR. FILED IN BOOK 4, PAGE 33 ON
MARCH 23, 1957 AT THE EDDY COUNTY
CLERKS OFFICE.

NOTE:
LOCATIONS OF UTILITIES ARE BASED ON
ABOVE GROUND PHYSICAL EVIDENCE AND/OR
ONE CALL MARKINGS.

BASIS OF BEARING:
BEARINGS SHOWN HEREON ARE MERCATOR
GRID AND CONFORM TO THE NEW MEXICO
COORDINATE SYSTEM "NEW MEXICO EAST
ZONE" NORTH AMERICAN DATUM 1983.
DISTANCES ARE SURFACE VALUES.

LEGEND

- - DENOTES FOUND MONUMENT AS NOTED
- - DENOTES SET OR FOUND 1/2" STL. ROD W/CAP MKRD.
"HARCROW FLS 17777" OR PK. NAIL
- E — - DENOTES ELECTRIC LINE W/ POWERPOLE

HARCROW SURVEYING, LLC
2314 W. MAIN ST., ARTESIA, N.M. 88210
PH: (575) 746-2158 FAX: (575) 746-2158
c.harcrow@harcrowsurveying.com



SCALE: 1"=40'

SURVEY DATE: SEPTEMBER 18, 2018	PAGE: 1 OF 1
DRAFTING DATE: OCTOBER 15, 2014	FILE: 18-1142
APPROVED BY: CH	DRAWN BY: VD

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, December 1, 2025 at 5:00 p.m.

**Meeting Held in the Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno St.**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, December 1, 2025 at 5:00 PM
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street Carlsbad, NM 88220

1. Roll call of voting members and determination of quorum
2. Approval of Minutes from the Meeting held November 3, 2025
3. Consider approval of a Variance from Ord. 56-90(b) to allow a zero foot (0 ft) side setback for the property located at 912 Valverde St., zoned "R-1" Residential 1
4. Consider approval of a Variance from Ord. 47-44(d) to allow a land division creating a lot without the minimum one hundred foot (100ft) street frontage for the property located at 1802 N. Canal St., Carlsbad-OUT
5. Consider approval of a Variance from Ord. 47-44(d) to allow a land division creating a lot without the minimum one hundred foot (100ft) street frontage for the property located at 1812 N. Canal St., Carlsbad-OUT
6. Consider approval of a Variance from Ord. 56-90(b) to allow a land division without the minimum one hundred ten foot (110ft) street frontage for the properties located at 1902 Coyote Court and south of 1902 Coyote Court, zoned "R-R" Rural Residential District
7. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 0.18 acres located at 411 E. Church St., legally described as Lots 29, Block 115, Kerr Park Addition Subdivision, from "R-1" Residential 1 District to "C-1" Commercial 1 District
8. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 0.91 acres located at 506 A Center Ave., legally described as Lot 2, Block A, Halls Amended 1-3-5-7 Subdivision, from "I" Industrial to "C-2" Commercial 2 District
9. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 2.57 acres located at 3501 Hidalgo Rd., legally described as

Tract 2, Summary Replat of a Tract of Land Located in the SW ¼, NW ¼, Section 26, Township 22S, Range 26E, from “R-R” Rural Residential District to “C-2” Commercial 2 District

10. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 19.879 acres located at 813 Kircher St., legally described as Tract A1, Land Division Survey of the Lands of Carlsbad Municipal Schools Replat Subdivision, from “C-2” Commercial 2 District to “R-2” Residential 2 District
11. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 34.94 acres located west of 1009 Seneca Ln., legally described as a portion of Tract A, Chesterfield Acres, from “R-R” Rural Residential District to “R-1” Residential 1 District
12. Consider approval of the Tract A, Chesterfield Acres Subdivision Preliminary Plat, creating 95 new lots for residential development
13. Consider approval of the Fuson Tracts Subdivision plat, creating 3 new lots along Hidalgo Road, zoned “R-R” Rural Residential District
14. Consider a recommendation to City Council regarding a request of an Annexation of approximately 4.40 acres located at the southeast corner of N. Canal St. & E. Peach Ln., legally described as Lot 6, Block 11, La Huerta Subdivision
15. Consider a recommendation to City Council regarding a request to apply zoning to approximately 4.40 acres located at the southeast corner of N. Canal St. & E. Peach Ln., legally described as Lot 6, Block 11, La Huerta Subdivision, from County to “R-2” Residential 2 District
16. Consider approval of two Right-of-Way Surveys along Old Cavern Hwy. that will create Tracts 12 and 13, tracts that will be dedicated for use as public right-of-way.
17. Consider a recommendation to City Council regarding the Infrastructure Reimbursement for Southridge Subdivision
18. Consider approval of the proposed 2026 Meeting Dates
19. Report of Summary Review Subdivisions

FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City website:

cityofcarlsbadnm.com

Or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, January 5, 2026, at 5:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator’s office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

**LINKED MINUTES OF A REGULAR MEETING OF THE PLANNING & ZONING OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK MUNICIPAL
COMPLEX BUILDING ON DECEMBER 1, 2025, AT 5:00 P.M.**

**PRESENT: JAMES MCCORMICK
TRENT CORNUM
VALERIE BRANSON**

**CHAIRPERSON
COMMISSIONER
COMMISSIONER**

ABSENT: LINDA WILSON

COMMISSIONER

ALSO PRESENT:

**JEFF PATTERSON
TRYSHA ORTIZ
DENISE MADRID-BOYEA
BARBARA HODGSON
MORGAN FOSTER
KEN AHRENS
WAYNE BALLARD
YAMILET DELGADO
DAVID GUERRERO
DESTRY MCGILVRAY
IVAN LUNSFORD
DONNIE JURNEY
BEVERLY LUNSFORD
LARRY LUNSFORD
ELIZABETH BUENDIA
RAMON BUENDIA
AVIS BRIGGS
TANNER HOLT
JASON MALEY
MADELINE SPEARMAN
TARA SPEARMAN
MUFFY GONZALEZ
JOHN MCCORMICK
RODNEY KARTCHNER
ANGELA HYDE
JEREMY HYDE
JACI BLOSSOM
TREY HUGHES
MATT NORMAN
VERONICA LUNSFORD
DAVID ROYBAL
GEORGE MUNOZ**

**DIRECTOR
DEPUTY PLANNING DIRECTOR
CITY ATTORNEY
CITY ATTORNEY
DEPUTY CITY ATTORNEY
DEPUTY CITY MANAGER
2004 PEPPER TREE
3501 HIDALGO RD
3501 HIDALGO RD
904 SANDIA
3505 HIDALGO RD
1002 N. CANAL
3435 HIDALGO RD
3435 HIDALGO RD
912 VALVERDE
912 VALVERDE
3411 HIDALGO RD
506 CENTER AVE.
218 E. PEACH LN.
3423 HIDLAGO RD.
2615 HERZOG
1515 VERDEL
2003 PATRICIA DR.
1812 N. CANAL
4401 BUENDA VIDA CT.
4401 BUENDA VIDA CT.
116 E. PEACH
4501 GRANDI RD.
401 W. GREENE
3505 HIDALGO
PETIGREW & ASSOCIATES *via phone*
GALLUP, NM *via phone***

Time Stamps and headings below correspond to the recording of the meeting and the recording is hereby made a part of the official record.

0:00:00 Call Meeting to Order

0:00:13 **1. Roll call of Voting Members and Determination of Quorum**

Roll was called, confirming a quorum of commission members. The following members were present: Mr. McCormick, Mr. Cornum, and Ms. Branson. Absent— Ms. Wilson.

0:00:26 **2. Approval of Minutes from the Meeting held November 3, 2025**

0:00:38 **MOTION**

The motion to approve the minutes was made by Mr. Cornum and seconded by Ms. Branson.

0:00:43 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No — None. Absent — Ms. Wilson. Abstained— None. The motion carried.

0:00:54 **Mr. McCormick** asked Mr. Patterson if there were any changes to the agenda before they began. **Mr. Patterson** confirmed that there were indeed changes: items #14 and #15, which pertain to the annexation and zoning located at N. Canal Street and E. Peach Lane, are being removed from the agenda due to a lack of quorum to consider these items.

0:01:28 **3. Consider approval of a Variance from Ord. 56-90(b) to allow a zero (0 ft) side setback for the property located at 912 Valverde St., zoned “R-1” Residential 1**

Mr. Patterson stated that the applicant is requesting a variance from Ordinance 56-90(b) to reduce the required ten-foot street-side setback to zero feet for the property at 912 Valverde St., zoned “R-1” Residential District. The applicant aims to place a 13 ft by 45 ft carport on the Rincon Street side, exceeding the maximum length allowed of 25 ft. The Planning Department recommends denial after review. **Ramon Buendia** would like the carport to protect his vehicles and plans to position it next to his house. He has a fence and wants to extend it toward the front. **Mr. Buendia** confirmed the carport would be made of wood, with a pitched roof that drains north onto the street. **Mr. Cornum** questioned the necessity of a 13-foot width due to the challenges of a zero-foot variance at the property line. **Ms. Buendia** mentioned that there are no neighbors on Rincon blocking visibility. There was no public comment.

0:12:01 **MOTION**

The motion was made by Mr. McCormick and seconded by Mr. Cornum to approve the variance.

0:12:06 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No— None. Absent— Ms. Wilson. Abstained— None. The motion carried.

0:12:37 **4. Consider approval of a Variance from Ord. 47-44(d) to allow a land division creating a lot without the minimum one hundred foot (100 ft) street frontage for the property located at 1802 N. Canal St., Carlsbad-OUT**

Mr. Patterson stated that the applicant is seeking a variance from Ordinance 47-44(d) to create a lot without the required 100 feet of street frontage at 1802 N Canal Street, located outside city limits. The proposed division would create two lots, 8C and 8D, every 1.25 acres, totaling 2.51 acres, serviced by a 30-foot access and utility easement along the north property line. The subdivision ordinance mandates a minimum street frontage of 100 feet outside the city limits. The Planning Department recommends approval of this request after reviewing the application and staff comments. **Mr. McCormick** asked about the turnaround and if the owner of Lot 8B was informed. **Destry McGilvary** noted it belongs to Rodney Kartchner. **Donnie Journey** mentions that he owns Lots 8A and 8B, and plans to split Lot 8B to provide access to all three properties. **Mr. McCormick** emphasized that access to Lot 8D would be via a private easement that does not meet road standards, and neither the city nor the county will maintain the road. **Mr. McGilvary** said yes. There was no public comment.

0:18:02 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson to approve the variance request.

0:19:45 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No— None. Absent— Ms. Wilson. Abstained— None. The motion carried.

0:18:24 **5. Consider approval of a Variance from Ord. 47-44(d) to allow a land division creating a lot without the minimum one hundred foot (100 ft) street frontage for the property located at 1812 N. Canal St., Carlsbad-OUT**

Mr. Patterson stated that he is requesting a variance from Ordinance 47-44(d) to allow the creation of a lot that does not meet the minimum required street frontage of 100 feet for the property located outside the city limits at 1812 N Canal Street. This request is related to the previous item discussed. **Mr. McCormick** clarified that Mr. Journey and Mr. McGilvary have agreed to establish an easement on Mr. Kartchner's property, as discussed in the previous item. Mr. Kartchner has permitted this easement on part of his property, and in turn, Mr. Journey and Mr. McGilvary will put in an easement to benefit the property located at the back. **Destry McGilvary** said, yes. There were no public comments.

0:20:37 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson to approve the variance request.

0:20:42 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No— None. Absent— Ms. Wilson. Abstained— none. The motion carried.

0:21:00 **6. Consider approval of a Variance from Ord. 56-90(b) to allow a land division without the minimum one hundred ten foot (110 ft) street frontage for the properties located at 1902 Coyote Court and south of 1902 Coyote Court., zoned "R-R" Rural Residential District**

Mr. Patterson stated that this is a request for a variance from Ordinance 56-90(b) to approve a property split, creating two new parcels at 1902 Coyote Court, which is zoned R-R (Rural Residential District). This split will result in the creation of Tract 1A and Tract 1B, along with a line adjustment between Tract 1B and Tract 2A. Coyote Court is a private road, not a city street, and it provides access to both properties. To proceed with this property split along Coyote Court, a variance must be approved by the Planning and Zoning Commission. After review, the Planning Department recommends approval of the request. **Trey Hughes** stated that these lots are fenced and have an existing paved private road, and that one of the parcels is being sold. **Mr. Patterson** noted that the Planning Department has one request to add a condition that this subdivision along Coyote Court will require an actual installation of a city street. **Mr. McCormick** inquired if the road was paved. **Mr. Hughes** replied that it is a chip seal road. There were no public comments.

0:24:16 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson to approve the variance request.

0:24:21 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No— None. Absent— Ms. Wilson. Abstained— None. The motion carried.

0:24:36 **7. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 0.18 acres located at 411 E. Church St., legally**

described as Lots 29, Block 115, Kerr Park Addition Subdivision, from “R-1” Residential 1 District to “C-1” Commercial 1 District

Mr. Patterson presented a request to change the zoning of the property located at 411 E. Church St. from "R-1" Residential District to "C-1" Commercial District. The property is legally described as Lot 29, Block 115, Kerr Park Addition Subdivision. The properties to the North, South, and West are zoned as R-1 Residential District, while the properties to the east are zoned as Industrial District. This proposed change would create a spot zone. After a thorough review, the Planning Department recommends approval of the request. **Muffy Gonzalez** mentioned that Wheeler Chiropractic is currently located at this address. A concern regarding the zoning because if the property is purchased and something unfortunate happens, such as a fire or flooding, the current zoning would prohibit rebuilding for commercial use. Instead, it would have to revert to residential zoning. The potential new owner is looking to establish a business on the property, which future owners would also benefit from. There were no public comments regarding this request.

0:29:29 **MOTION**

The motion was made by Ms. Branson and seconded by Mr. Cornum to approve the zone change.

0:29:34 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No— None. Absent— Ms. Wilson. Abstained— None. The motion carried.

0:30:06 **8. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 0.91 acres located at 506 A Center Ave., legally described as Lot 2, Block A, Halls Amended 1-3-5-7 Subdivision, from “I” Industrial to “C-2” Commercial 2 District**

Mr. Patterson stated that this request is for a zone change from the "I" Industrial District to "C-2" Commercial for the property located at 506 A Center Avenue, which is legally described as Lot 2, Block A of the Halls Amended 1-3-5-7 Subdivision. The properties to the North and South are zoned as "I" Industrial District, while the properties to the East are zoned "R-1" Residential District, and those to the West are also in the Industrial District. Although this change would create a spot zone, the allowed uses in the C-2 zone would still be compatible with the surrounding area. The reason for the request is that the Planning Department understands the intention to establish Medical Service Offices on this property, which are not permitted under the current Industrial zoning. Therefore, the request to change the zoning to "C-2" is made. Upon review, the Planning Department recommends approval of this request. **Tanner Holt** mentioned that the tenant planning to move in is Carlsbad Health Care LLC, which will operate as a small office. There were no public comments regarding this request.

0:32:46 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson to approve the zone change.

0:32:51 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No— None. Absent— Ms. Wilson. Abstained—None. The motion carried.

0:33:26 **9. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 2.57 acres located at 3501 Hidalgo Rd., legally described as Tract 2, Summary Replat of a Tract of Land Located in the SW ¼, NW ¼, Section 26, Township 22S, Range 26E, from “R-R” Rural Residential District to “C-2” Commercial 2 District**

Mr. Patterson stated that this request is for a zone change from "R-R" (Residential District) to "C-2" (Commercial) for the property located at 3501 Hidalgo Rd., which is legally described as Tract 2, Summary Replat of a Tract of Land situated in the SW ¼ of the NW ¼ of Section 26, Township 22S, Range 26E. The surrounding properties are zoned "R-R" (Rural Residential District), and this change would result in a spot zone. The applicant, David Guerrero, has indicated that he currently operates a concrete business at this address, which is prohibited under the existing "R-R" zoning. Changing the zoning to "C-2" would support the type of use that is currently taking place on this property. Upon review, the Planning Department recommends approval of this request. **David Guerrero** stated that he has been operating from this property for about five years. He mentioned that the area is a fenced yard and that they were unaware of the zoning restrictions when they purchased it. They have been storing their equipment there; however, they do not sell anything from this location. Instead, they park their trucks, service them, and then send them out daily to residential job sites. **Mr. McCormick** inquired whether they were only using concrete trucks, to which **Mr. Guerrero** confirmed that this was indeed the case.

Ivan Lunsford a neighbor to the west of Zia Concrete and the previous owner of the property, expressed his concerns. He stated that they maintain the trucks on the property at all hours, using air compressors and jackhammers on the truck drums late into the night, which he finds very intrusive. When he sold the property, he intended for the new owner to install a fence, store concrete trucks, and place a modular home for himself to stay. He also mentioned that he had no contract stipulating the specific operations of the new owner. **Mr. Lunsford** believed the new owner would only store the trucks and not operate a noisy business. He pointed out that there had previously been multiple RV trailers on the property, which he assumed were for employees and created a significant amount of trash that blew into the surrounding area. However, since this zoning issue arose, those trailers have been removed. He fears that if this request is approved, conditions may revert to what they were before.

Beverly Lunsford who resides at 3435 Hidalgo and owns the property at 3429 Hidalgo, expressed her concerns about trash and noise, echoing the sentiments of Mr. Lunsford. She mentioned that there are piles of gravel and sand on the property, and she often finds concrete bags that have blown over and constantly picks them up. Additionally, she stated that mixing concrete is taking place on-site, a practice that she strongly opposes.

Avis Briggs a resident at 3411 Hidalgo, stated that she reached out to Mr. Guerrero to ask about his plans for the property. He told her that he intended to store his trucks there and that he and his family would live on the property with only a minimal number of workers present.

Larry Lunsford a neighbor who has owned nearly all the properties in the area, expressed his concerns about the noise levels. He noted that even he, being hard of hearing, could hear loud disturbances, particularly on holidays like Thanksgiving. He reflected on how the community used to be very quiet but has since been disrupted by banging, scraping sounds, and trash issues. He hopes that if a business operates in the area, it will do so during daylight hours and maintain lower noise levels.

Mr. Guerrero stated that he was unaware of any trash issues and wished he had been notified so that he could address them. He acknowledged a previous noise incident involving a truck, which led to an officer approaching him, but indicated that this issue had not recurred. **Mr. Guerrero** emphasized that they have always been transparent about their activities on the property, stating that they only store their equipment there. He mentioned that they do not keep cement bags on-site because they do not mix by hand; all mixing is done at a concrete plant before loading the trucks. However, he assured the neighbors that he would look into the concerns raised and ensure that they do not continue, expressing his desire not to be seen as an undesirable neighbor. He also expressed disappointment that he was not given the chance to

address these concerns outside of the meeting so that they could have been resolved immediately.

Mr. Cornum asked Mr. Guerrero if he personally lived at the location in question. **Mr. Guerrero** confirmed that he does. **Ivan Lunsford** reported that he has sent Mr. Guerrero multiple text messages complaining about the noise, indicating that this is not a new issue. **Mr. Lunsford** mentioned that, as Larry noted, on Thanksgiving, the bass from their stereos was shaking the walls of his home. **Mr. Lunsford** said he stopped messaging Mr. Guerrero and began calling the police, which likely explains their presence while the workers were jackhammering in the truck. Although the police only came once, the noise issue has been ongoing. **Mr. Lunsford** stated that they haven't been engaging in those noisy activities recently, but as he mentioned, if this zoning change is approved, things may revert to how they were.

Ms. Branson questioned the necessity of a zoning change if they were only parking their vehicles. **Ivan Lunsford** agreed, noting that if there were no signs of a business, a zoning change would not be required. **Mr. Cornum** then asked Mr. Patterson if there were any issues with merely parking the vehicles and maintaining the current zoning. He also inquired about the origins of the zoning change request. **Mr. Patterson** explained that, to his knowledge, complaints had been received by code enforcement regarding activities taking place on the property. There were multiple complaints about the business activities occurring under the existing zoning. The property owner was informed that he had two options: either cease the activities or pursue a zoning change for the property. **Mr. McCormick** remarked that this type of operation does not qualify as a residential business. **Mr. Patterson** confirmed that a large truck operation is not suitable for Rural Residential zoning according to the ordinance.

Mr. Guerrero pointed out that there is an empty lot behind his house and semis traveling along Hidalgo Road all night long. Additionally, there is an RV park across the street and continuous traffic in that area. There are several rock crushers down the road and other businesses contributing to heavy semi traffic throughout the day.

Ivan Lunsford pointed out that all the businesses mentioned by Mr. Guerrero are located in properly zoned areas, situated away from homes and clusters of residential properties. These businesses operate during daylight hours. He emphasized that they load materials from that lot throughout the day. **Mr. Guerrero** clarified that they specifically load rock and sand.

Ms. Briggs reported experiencing incidents where some of Mr. Guerrero's workers were dropped off at the fence throughout the night. Because they parked at the edge of her yard, her dog would bark, prompting her to check outside. On those occasions, she found individuals near the front of Mr. Guerrero's property.

Ms. Briggs recounted an incident involving a man on a motorcycle who had a young lady with him. The young lady fell off the motorcycle and rolled into her ditch. Concerned for her safety, especially since no one had called 911, Ms. Briggs reached out to Mr. Guerrero personally about the situation.

Mr. Cornum informed Mr. Guerrero that, whether he agrees or not, his activities are leaning toward a Commercial or Industrial zoning designation with the bypass in place. He stressed the importance of not infringing on people's livelihoods or homes. **Mr. Cornum** asked if there were any variances the city could enforce, such as limiting activities to daylight hours, to prevent Mr. Guerrero from loading dirt or rock from his facility. He also inquired with Mr. Patterson about whether the request had been approved and if any restrictions could be applied. **Mr. Patterson** responded that no restrictions can be enforced on a zone change. He explained that a zone change cannot come with conditions. Existing provisions in the ordinance address issues such as trash, dust, and noise, which are regulated under certain circumstances; however, a zone

change cannot include additional conditions. **Mr. McCormick** pointed out that if this were a conditional use permit, conditions could be set. **Mr. Patterson** agreed, noting that if the applicant were requesting a conditional use permit, it would be possible to impose limitations on the types of operations allowed.

Ms. Branson expressed her concerns, noting that the applicant appears determined to operate a business at that location. She questioned whether repeatedly calling the police is the most effective solution, as it leads to an unhappy atmosphere for everyone involved. Additionally, she mentioned that although Mr. Cornum stated that industrial development is on the horizon, such development will not take place as long as residents choose to keep their homes and land; it will only occur if they decide to sell.

Ms. Ortiz stated that trucking businesses or truck storage are not allowed under the "R-R" Rural Residential zoning, meaning the application cannot qualify for a conditional use permit. While she mentioned that options involving sand, gravel, caliche, or mining could be considered, they are not directly relevant here. Code enforcement has been monitoring the property to address ongoing business activities in the subdivision. The applicant has struggled to find a valid use to support their request for a conditional use permit or variance.

0:57:57 **MOTION**

The motion to deny this request was made by Ms. Branson and seconded by Mr. Cornum.

0:58:02 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

0:58:25 **Mr. Patterson** noted that the City Council would discuss this on January 13, 2026. **Mr. Guerrero** requested a 24-month extension to find a new property for his business. **Ms. Ortiz** stated they would have internal discussions and reach out to Mr. Guerrero.

1:00:55 **10. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 19.879 acres located at 813 Kircher St., legally described as Tract A1, Land Division Survey of the Lands of Carlsbad Municipal Schools Replat Subdivision, from "C-2" Commercial 2 District to "R-2" Residential 2 District**

Mr. Patterson stated that this request is for a zone change from "C-2" Commercial District to "R-2" Residential District for the property located at 813 Kircher St., legally described as Tract A1, Land Division Survey of the Lands of Carlsbad Municipal Schools replat. Tract A1 is currently owned by the City, which is planning to develop housing on the property. Therefore, we need to change the zoning from "C-2" Commercial District to "R-2" Residential District. After review, the Planning Department recommends approval of this request. There were no public comments regarding this proposal.

1:03:58 **MOTION**

The motion was made by Ms. Branson and seconded by Mr. Cornum to approve the zone change.

1:04:03 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:04:28 **11. Consider a recommendation to City Council regarding a request to change the zoning of an approximately 34.94 acres located west of 1009 Seneca Ln., legally described as a portion of Tract A, Chesterfield Acres, from "R-R" Rural Residential District to "R-1" Residential 1 District**

Mr. Patterson stated that this is a request for a zone change from “R-R” Residential District to “R-1” Residential District, located on Seneca Lane, westbound from South Thomason Road. The surrounding properties are zoned as Rural Residential District, which would create a spot zone. The applicant intends to propose a single-family residential development on the property and would like to change the zoning to “R-1” to increase the density capability. The Planning Department recommends approval of this request. **David Roybal** explained that the property in question will be developed in phases for the requested zone. If approved, it will require a minimum lot size of 6,000 square feet. The entire property would feature approximately 90 parcels, depending on the layout, along with platted city roadways, curb and gutter systems, and drainage retention that meets city requirements, all of which have been reviewed by the city’s consultant. **Jeremy Hyde**, a resident of 4401 Buenda Vida Court, expressed his opposition to the new neighborhood being developed in his backyard. He raised concerns about potential issues, including homelessness and drug-related activities, emphasizing that the Police Department is already short-staffed. He believes the city should focus on addressing abandoned homes instead of continuing to build new houses going further out. **Angela Hyde** mentioned a ditch behind their property that frequently sees side-by-sides passing through. She noted the presence of a nearby RV park and the dirt road that leads through the area. According to her, there is constant trash, and the introduction of a new neighborhood would likely worsen this situation. She also highlighted that their area has remained very quiet during their seven years of residence. **Mr. Hyde** stated that while he would accept the construction of three or four homes, he is against the development of a larger subdivision, as he is concerned about maintaining community standards. He referenced the existing Martin Farms Subdivision nearby and pointed out that a new school will be constructed on Old Cavern Highway, which will increase traffic in the area. **Mrs. Hyde** added that their neighborhood already has farm animals and pecan trees adjacent to the empty lot. **Mr. Roybal** acknowledged their concerns but emphasized that they are committed to following all city regulations to develop the subdivision appropriately.

1:16:51 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson to approve the zone change.

1:16:56 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:17:22 **12. Consider approval of the Tract A, Chesterfield Acres Subdivision Preliminary Plat, creating 95 new lots for residential development**

Mr. Patterson presented the Preliminary Plat for the Seneca Lane Subdivision in Tract 1 of Chesterfield Acres, proposing 95 new residential lots. The applicant has submitted construction and infrastructure design plans, which are currently under City review. City water and sewer services are available for the development, and the applicant will need to provide models showing usage and load capacities once connected. The development will be phased, starting with the easternmost section along Seneca. As discussed, the lot sizes may decrease after the zone change is approved, allowing for higher density. Access will be from Thomason Road, with additional streets planned for future connections. The Planning Department recommends approval with these conditions:

1. Complete and submit construction plans for City staff review.
2. Provide water and sewer models indicating anticipated usage and load capacities.
3. Submit plans for connecting to City water and sewer services.
4. Collaborate with City staff on infrastructure design and installation.
5. The City’s Infrastructure Inspector will oversee installation.
6. City staff will inspect and accept the installed infrastructure.

David Roybal noted the differences in the plans, including updates to roadway layouts to meet new codes. **Mr. Roybal** confirmed they are coordinating with the City to ensure the extension of Seneca connects to other developments. **Jeremy Hyde** said his comments are the same as the previous item.

1:23:11 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson to approve the preliminary plat.

1:23:16 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:23:32 **13. Consider approval of the Fuson Tracts Subdivision plat, creating 3 new lots along Hidalgo Road, zoned “R-R” Rural Residential District**

Mr. McCormick mentioned that there were no representatives for this item and recommended tabling it.

1:24:23 **MOTION**

The motion was made by Mr. McCormick and seconded by Mr. Cornum to table until the next meeting.

1:24:28 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:24:47 **14. Consider a recommendation to City Council regarding a request of an Annexation of approximately 4.40 acres located at the southeast corner of N. Canal St. & E. Peach Ln, legally described as Lot 6, Block 11, La Huerta Subdivision**

Mr. McCormick stated that they will not be discussing this item.

1:24:54 **15. Consider a recommendation to City Council regarding a request to apply zoning to approximately 4.40 acres located at the southeast corner of N. Canal St. & E. Peach Ln, legally described as Lot 6, Block 11, La Huerta Subdivision, from County to “R-2” Residential 2 District**

Mr. McCormick stated that they will not be discussing this item.

1:24:58 **16. Consider approval of two Right-of-Way Surveys along Old Cavern Hwy. that will create Tracts 12 and 13, tracts that will be dedicated for use as public right-of-way.**

Mr. Patterson explained that at the beginning of 2020, the City initiated a process to identify and acquire properties along Old Cavern Highway necessary for completing a 60-foot wide public right-of-way (ROW) for the section of the road located between Farris Street to the north and Chapman Road to the south. The City’s surveyor identified portions of Lots 1 and 2 from the Summary Replat of John Gentry Lots, totaling 0.451 acres of property, designated as Tracts 12 and 13 on the attached plats. The City has compensated the property owners, and now the property plats need to be approved and filed with the Eddy County Clerk to facilitate the deed transfer to the City. Although this process has been lengthy, we are currently seeking approval for these two lots. There were no public comments regarding this proposal.

1:27:27 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson for approval.

1:27:32 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:27:45 **17. Consider a recommendation to City Council regarding the Infrastructure Reimbursement for Southridge Subdivision**

Mr. Patterson stated this is an application and recommendation for reimbursement for the Southridge Subdivision Development. This subdivision is located along Etter and Davis Street, creating 9 new lots for residential development. The development is still on their way; some things need to be finalized. The developer was able to submit their application, and their cost for the Infrastructure Reimbursement program was established in Res. #2012-19 and updated last year. Res. #2024-34 offers a 15% reimbursement for development on qualifying infrastructure for residential and commercial developments. The Southridge Subdivision development included the following improvements: Installation of ~290 linear feet of water line along with all involved appurtenances, ~360 linear feet of sanitary sewer main along with all appurtenances, ~800 square yards of street construction and pavement, ~650 linear feet of 2" wide curb and gutter, and 290 square yards of concrete sidewalk. In your packet, you'll see the table that goes with this development; a 15% reimbursement of this cost is \$102,936.12. This would be the recommendation from the Planning Department to enter an agreement to reimburse that amount to the developer. There were no public comments regarding this proposal.

1:30:41 **MOTION**

The motion was made by Ms. Branson and seconded by Mr. Cornum to approve the Infrastructure Reimbursement.

1:30:41 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:31:11 **18. Consider approval of the proposed 2026 Meeting Dates**

Ms. Ortiz notes that all dates are the first Monday of each month, except September, which is moved to the following week due to the holiday.

1:31:20 **MOTION**

The motion was made by Mr. Cornum and seconded by Ms. Branson for approval of the proposed 2026 meeting dates.

1:31:25 **VOTE**

The vote was as follows: Yes— Mr. McCormick, Mr. Cornum, and Ms. Branson. No—None. Absent— Ms. Wilson. Abstained—None. The motion carried

1:32:40 **19. Report of Summary Review Subdivisions**

Mr. Patterson reported on the Summary Reviews.

1:33:24 **Adjourn**

There being no further business, the meeting was adjourned at 6:33 p.m.

Chairman

Date



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Executive	BY: Ken Ahrens	DATE: 07/07/2026
SUBJECT: Consider Approval of Resolution 2026-40, a Resolution ratifying the Agreement between the City of Carlsbad and Southeastern New Mexico Economic Development District (SENMEDD) for 2026-2027 membership		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The City of Carlsbad has an annual membership with the Southeastern New Mexico Economic Development District (SENMEDD) and enters into an agreement annually for their services. SENMEDD works on behalf of the City to provide planning, technical assistance and capacity building services. SENMEDD will assist the City in community and economic development, assist with the legislative activities and assist in the preparation of applications for funding from state, federal and private group programs. This agreement begins on July 1, 2026 through June 30, 2027 for \$7,641.00		
DEPARTMENT RECOMMENDATION: Council Approval of Resolution, Agreement and 2026-2027 membership in the Southeastern New Mexico Economic Development District		
BOARD/COMMISSION/COMMITTEE ACTION: -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. Carlsbad Dues Letter 2026



Dora Batista
Executive Director

**SOUTHEASTERN NEW MEXICO
ECONOMIC DEVELOPMENT DISTRICT
COUNCIL OF GOVERNMENTS**

1600 SE Main, Suite D
Roswell, NM 88203
Phone: (575) 624-6131
Fax: (575) 624-6134
www.snmedd.com

July 2, 2026

Richard Lopez, Mayor
City of Carlsbad
P.O. Box 1569
Carlsbad, NM 88221-1380

Dear Mayor Lopez:

With regard to your annual membership in the District for the 2026-2027 fiscal year, we have enclosed the following:

- I. **AGREEMENT** – required by the Department of Finance and Administration for disbursement of local funds and which conforms to state regulations. Two copies are enclosed. After the Agreement has been executed, please keep one copy and return one to our office.
- II. **RESOLUTION** – upon approval by your council or commission, it is to be signed, attached to and distributed with the attached Agreement.
- III. **2026-2027 ASSESSMENT SCHEDULE AND BUDGET FOR 2026-2027** enclosed for your information.
- IV. **WORK PROGRAM FOR STATE APPROPRIATED FUNDS** – enclosed for your information.
- V. **INVOICE** – enclosed for billing and bookkeeping purposes. Please return one copy with your check.

The most recent audit and financial statements are available upon request.

As you know, we are in the process of finalizing the SNMEDD/COG budget for the coming year and your prompt attention is greatly appreciated.

If you have any questions or require further information, please feel free to contact me. Thank you for your support and letting us serve you.

Sincerely,

Dora Batista
Executive Director

DB/pm
Enclosures

WHEREAS, the City of Carlsbad hereinafter referred to as the Municipality, is a member of and desires the services of the Southeastern New Mexico Economic Development District/COG, and

WHEREAS, in accordance with article 58, section 4-58-1 to 4-58-6 NMSA 1978, an agreement setting forth the terms and conditions of active membership in the Southeastern New Mexico Economic Development District/COG is required, and

WHEREAS, it is the desire of the Municipality to continue as an active member of the Southeastern New Mexico Economic Development District/COG.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CARLSBAD THAT:

1. The Agreement attached to the Resolution expressed the desires and intent of the Municipality.
2. The Agreement attached is hereby ratified and approved and the proper official(s) of the Municipality are hereby authorized and instructed to affix their signature (s) thereto.
3. A copy of this Resolution (together with the referenced Agreement) shall be filed with the State of New Mexico, Department of Finance and Administration, Local Government Division and the Southeastern New Mexico Economic Development District/COG; and shall be made a part of the budget documentation of the Municipality.

DONE THIS _____ day of _____, 2026 at

City of Carlsbad
New Mexico

ATTEST:

Mayor

Clerk

AGREEMENT

This Agreement, entered into by and between the Southeastern New Mexico Economic Development District/COG (hereinafter known as the "District") and the City of Carlsbad a member of said District (hereinafter known as the "Member") is as follows:

I. The District agrees to provide the following services to the Member upon request and final approval of the District budget:

- A. Undertake studies, collect data and develop regional plans and programs pertaining to such subjects as human and natural resource development, community facilities and the general improvement of living and working environments.
- B. Furnish technical and management assistance in the development of planning activities.
- C. Coordinate local planning with that of other Members of the District and the State.
- D. Assist in community and economic development, transportation and public works projects.
- E. Assist member governments with their legislative activities.
- F. Assist in the preparation of applications for funding under various state, federal and private grant programs. Contracts for administration may be entered into between Member and District if Member requires or desires District to administrate project.
- G. Provide a Comprehensive Economic Development Strategy at the direction of the Board.
- H. Engage in such other activities as are necessary to improve area development and address regional problems.

II. The Member agrees to the following:

- A. To remain an active member of the District.
- B. To make an annual contribution of \$ 7,641.00 to the District as recognition of active membership.

Entered into this _____ day of _____, 2026, at

New Mexico

ATTEST:

Clerk

Mayor/Commission Chairman

ATTEST:

SOUTHEASTERN NEW MEXICO
ECONOMIC DEVELOPMENT DISTRICT/COG

Dora Batista
Dora Batista, Board Secretary

David Miranda
David Miranda, Board President

Southeastern New Mexico Economic Development District/ Council of Governments

FY 2026-2027 DFA ANNUAL WORK PLAN

State of New Mexico Grant-In-Aid Program

The following are functions, measures, targets, and tasks the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) will complete in fulfillment of its obligation to its member governments and the State of New Mexico Department of Finance and Administration-Local Government Division to provide planning, technical assistance and capacity building services to local governments in southeastern New Mexico.

Function 1. Submit reports, budgets, and planning outcomes to the Local Government Division.

- Task 1.1** Prior to July 1, 2026 submit a Board approved Annual Work and Operations Budget to the Local Government Division
- Task 1.2** Submit payment reimbursement invoices to the Local Government Division no later than the 15th day of the month (January, April, July, October) following the close of each quarter
- Task 1.3** Provide professional development training opportunities to staff
- Task 1.4** Schedule and include as an agenda item for each quarterly meeting of the Board of Directors training or information to benefit local elected officials such as speakers from relevant agencies or upcoming training or meetings
- Task 1.5** Attend, when possible, regularly scheduled meetings of member governments; special purpose meetings; provide technical assistance, conduct public hearings and assist in whatever capacity we are able
- Task 1.6** Participate in NewMarc (NM Association of Regional Councils); SWREDA (Southwest Regional Executive Directors Association); and the National Association of Development Organizations (NADO)

Function 2. Provide local governments with applications and general technical assistance on federal and state available funding

- Task 2.1** Inform members of CDBG, EDA, USDA, CIF and other funding programs, rule changes and Notifications of Funding Assistance (NOFA) including Disaster Recovery and Stimulus funds when available
- Task 2.2** Inform members of State available funds such as Matching Funds, Cost Overruns, Outdoor Recreation; etc
- Task 2.3** Assist with funding assistance applications for members upon their request including the conducting of public hearings if necessary. Coordinate presentations to the Community Development Council and Colonias Infrastructure Fund Board by our member governments seeking CDBG or CIF funding
- Task 2.4** Provide Grant Administration and Technical Assistance to member governments upon approval of a contractual agreement between the local government and the funding agency. A contract between SNMEDD and the local municipality/county can be negotiated for grant administration
- Task 2.5** Act as Fiscal Agent to those municipalities/counties that have deficiencies in their audit and would not be able to receive funding from capital outlay or grants otherwise
- Task 2.6** Assist local governments with the seeking funds for updating comprehensive plans and participate in public input meetings

Function 3. Infrastructure Planning—Coordinate the ICIP process regionally.

- Task 3.1** Assist with ICIP training to the extent needed that will be presented to local governments and others by DFA/LGD staff
- Task 3.2** Assist and provide local governments technical assistance with the development and submittal of the ICIP as needed. Encourage the submission and participation of the ICIP to our municipalities/counties and its relevance to the Capital Outlay process
- Task 3.3** Encourage local municipal, county governments and other entities to include operation and maintenance costs in the ICIP
- Task 3.4** Encourage members to develop financing plans for each of their top five ICIP priorities, including a project description, secured sources of funding and, where applicable, utility rate structure and asset management plans

Task 3.5 Have staff attend and encourage local government members to attend, the annual New Mexico Infrastructure Finance Conference and other relevant conferences

Task 3.6 Conduct regional clearinghouse review, as may be necessary for all applications per the Intergovernmental Cooperation Act of 1968 and Section 204 of the Demonstration Cities and Metropolitan Act of 1966, as amended, a grant applicant requesting federal funding should send its proposed project to the States' planning agencies

Function 4. Capital Outlay—Increase quality of project planning, legislative representation and administration.

Task 4.1 Assist local entities seeking assistance in the preparation and submission of capital outlay request forms through informational workshops and direct application technical assistance

Task 4.2 Work with Legislators throughout the region on locally established capital improvement priorities by holding county project vetting hearings in each county and allowing municipalities and counties the opportunity to present potential projects to their legislators. Assist with reauthorizations

Task 4.3 Prepare a preliminary list of projects submitted by local entities and submit list to local legislators. Maintain a presence during the legislative session to assist regional legislators with the capital outlay process; GRO; and reauthorizations.

Task 4.4 Track capital outlay legislation relevant to community development, infrastructure improvement projects and project planning and programming

Task 4.5 Participate in State funding programs such as NM Gro to the extent mandated by the State

Function 5. Rural Support—Build capacity of local governments, rural water associations and other rural organizations.

Task 5.1 Provide assistance to rural water associations, community ditches, acequias and other non-members on capital project planning. Assistance may be based on a Board approved fee for service schedule

Task 5.2 Engage rural members and non-members requesting assistance in “project prospectus development”, develop, review and vet projects seeking funding sources to meet specific project needs

Task 5.3 Invite rural water associations and other non-member organizations in each county to capital improvement hearings or meetings that would be beneficial

- Task 5.4** Provide opportunities and information for local government staff and/or elected officials to attend capacity building training, workshops and conferences sponsored by state, regional and national planning and development organizations and funding sources
- Task 5.5** Provide US Census data information and support for the region as a US Census Bureau Affiliate
- Task 5.6** Provide public relations for the SNMEDD and local governments through continuous media dissemination
- Task 5.7** Meet with community elected and appointed officials and key community leaders to increase community capacity building foundation
- Task 5.8** Use state awarded capacity funds to build capacity and provide technical assistance to the legal entities in our region

Function 6. Transportation—Provide local governments with assistance to improve the region's transportation system for the efficient movement of goods, services, and people.

- Task 6.1** Compile and maintain a database of transportation-related projects that may be contemplated or that are ready to be implemented for local governments within the region. Assist with NMDOT funding applications.
- Task 6.2** Maintain transportation-related technical information on the website, as available, to assist local governments and others in packaging applications that improve the infrastructure of the region
- Task 6.3** Provide orientations or similar training to newly appointed RPO members representing local governments, preparing them in their roles on the Regional Transportation Policy and Technical Committees
- Task 6.4** Meet with local elected officials, informing them of the transportation-related programs and activities available to them through the Southeastern Regional Planning Organization (SERTPO) and encourage their input in regional transportation planning
- Task 6.5** Maintain and provide the SERTPO regional transportation planning function in concert with the New Mexico Department of Transportation
- Task 6.6** Organize, schedule and host SERTPO Policy Committee and Technical Committee meetings

Function 7. Provide resources toward the development of new business or business expansions to retain and create jobs.

- Task 7.1** Prepare a Comprehensive Economic Development Strategy update for submittal to our local government members and the Economic Development Administration (EDA) under the guidance and rules established by EDA.
- Task 7.2** Post results of studies or analysis on SNMEDD website and make data available to our region for applications and reports
- Task 7.3** Meet regularly with the region's five economic development corporation/entities to gather and share information.
- Task 7.4** Support the top five industry clusters in our region: Energy; Agriculture; Tourism; Defense & Security; and Transportation
- Task 7.5** Support and promote local agriculture and related value added industries
- Task 7.6** Work with the Small Business Development Centers in our region
- Task 7.7** Attend Eastern Area Workforce Board Meetings and provide information to the chief elected officials

SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT/COG

DUES STRUCTURE				
MEMBER	<u>2025-2026</u>		<u>2026-2027</u>	
	<u>CURRENT</u>			
Chaves County	\$8,000		\$8,000	
Eddy County	\$8,000		\$8,000	
Lea County	\$8,000		\$8,000	
Lincoln County	\$7,000		\$7,000	
Otero County	\$8,000		\$8,000	
Town of Dexter	\$1,000		\$1,000	
Town of Hagerman	\$1,000		\$1,000	
Town of Lake Arthur	\$1,000		\$1,000	
City of Roswell	\$13,588		\$13,588	
City of Artesia	\$3,450		\$3,450	
City of Carlsbad	\$7,641		\$7,641	
Village of Hope	\$1,000		\$1,000	
Village of Loving	\$1,000		\$1,000	
City of Eunice	\$1,000		\$1,000	
City of Hobbs	\$10,237		\$10,237	
City of Jal	\$1,000		\$1,000	
City of Lovington	\$3,303		\$3,303	
Town of Tatum	\$1,000		\$1,000	
Village of Capitan	\$1,000		\$1,000	
Town of Carrizozo	\$1,000		\$1,000	
Village of Corona	\$1,000		\$1,000	
Village of Ruidoso	\$2,450		\$2,450	
City of Ruidoso Downs	\$1,000		\$1,000	
City of Alamogordo	\$9,121		\$9,121	
Village of Cloudcroft	\$1,000		\$1,000	
Village of Tularosa	\$1,000		\$1,000	
Mescalero Apache Tribe	1000		1000	
TOTALS:	\$103,790		\$103,790	



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Legal	BY: Barbara Hodgson	DATE: 07/07/2026
SUBJECT: Consider Approval of Resolution 2026-41, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 606 W Hagerman Street Owner: David and Joyce Martin		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The property commonly known as 606 W. Hagerman Street is in a residential area located near the intersection of W. Hagerman St. and N Guadalupe St. According to the records of the Eddy County Assessor's Office, the property is owned by Joyce and David Martin. There is a residence on the property which is occupied. Also, on the property is ruins, rubbish, wreckage, debris and weeds in the front and backyard, and along the fence line. City utilities are connected at this moment. The property has been inspected by the Code Enforcement Office on February 13, 2026. The owner was sent a Notice of Violation via certified mail on February 23, 2026. This letter was picked up by the owner on April 7th at the Post Office. The Fire Marshal inspected the property on May 11, 2026, and found the property to be in violation of the 2021 International Fire Code and an extreme fire hazard due to the accumulation of vegetation, trash, debris, and outside storage of combustible materials within 10 feet of a property line. On May 29, 2026, the Code Enforcement Office inspected the property and the violation was not corrected. A resolution has been prepared for consideration by City Council. If adopted, the Resolution would require the property owner to remove all ruins, rubbish, wreckage, debris, and/or weeds from the property within thirty (30) days of the service of the resolution. The Resolution will also be published in a newspaper of general circulation in Carlsbad. If the owners or their representatives do not file an objection within ten (10) days of service of the Resolution or perform the required corrective action as required, the City will arrange to have the work performed and place a lien against the property to recover the reasonable costs of the work. On June 15, 2026, a certified letter was sent to Joyce and David Martin at the address on the Eddy County Assessor's records. The letter invited them to attend the meeting and speak with Council about the property.		
DEPARTMENT RECOMMENDATION:		
BOARD/COMMISSION/COMMITTEE ACTION: City Council -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. RES No 2026-606 W Hagerman Weed & Debris(updated)
2. Exhibit A
3. Exhibit B

RESOLUTION NO. 2026- 41

A RESOLUTION FINDING 606 W HAGERMAN TO BE COVERED WITH RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS AND REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS

WHEREAS, the records of the Eddy County Assessor's Office show **JOYCE & DAVID, MARTIN** to be the owner of or to have an interest in the property commonly known as **606 W HAGERMAN**, Carlsbad, Eddy County, New Mexico, and more particularly described as:

Quarter: **LOT 13, BLOCK 79, LOWE SUBDIVISION**

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer and the City Fire Marshal; and

WHEREAS, the Code Enforcement Officer and the Fire Marshal found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Marshal has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the Property and all ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owner, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owner, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or

B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. **The removal of the ruins, rubbish, wreckage, debris, and weeds shall:**

A. Begin immediately;

B. Proceed properly and with diligence; and

C. Be completed in a timely manner;

D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.

6. Any removal of the ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.

7. If the owner, occupant, or agent in charge does not commence the removal of the stated items, and if no written objection is filed as required, or if the removal of the stated items is not completed in a timely manner, the City may remove the ruins, rubbish, wreckage, debris, and/or weeds at the cost and expense of the owner.

8. The reasonable cost of such a removal shall constitute a lien against the ruins, rubbish, wreckage, debris, and/or weeds so removed and against the lot or parcel of land from which it was removed.

9. The City Clerk shall make out, sign, attest, file, and record in the office of the Eddy County Clerk's Office, a claim of lien upon the described premises.

10. The lien shall bear interest at the rate of twelve percent (12%) per annum, compounded at simple interest, from the date of recording until paid, together with reasonable attorney's fees for the foreclosure of the same. The lien shall be foreclosed in any manner proved by an applicable state lien foreclosure law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this _____ day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK



CITY OF CARLSBAD

Planning, Engineering,
and Regulation Department

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 628-8379

CODE ENFORCEMENT REPORT

Case Number: CE- <u>26</u> - <u>64</u>	Date of Complaint: 2/23/2026	Complaint Taken By: M. Devlin
Complainant Name:		Phone Number:
Complaint Location: 606 W. Hagerman St. (Parcel # 4-157-127-129-129)		
Details of Complaint: Non running vehicles Junk & debris		
Primary Structure: ☒ Residential ☐ Commercial ☒ Occupied ☐ Vacant ☒ Secured ☐ Unsecured ☐ No structure on property	Photographs Taken (attach): ☒ Yes ☐ No	CE District: ☒ North ☐ South
Narrative: This property has several non-running vehicles and open storage of junk and debris. Code Enforcement (M. Devlin) has sent notices of violation and spoke on March 6, 2026 with the owner of this parcel and the neighboring parcels to bring the property into compliance.		
Disposition of Case: ☐ No Basis for Complaint: _____ ☒ Mailed Notice of Violation/Date: <u>2/13/2026; 2/23/2026</u> ☐ Door Hanger Notice of Violation/Date: _____ ☒ Verbal Warning/Date: <u>Spoke with owner over the phone and advised of violations (M. Devlin)</u> ☐ Referred to Other Agency: _____ ☒ Other: <u>Spoke with owner 3/6/2026 regarding vehicles and violations</u>		
 Code Enforcement Signature	Printed Name T. Ortiz	Date 5/29/2026
Report Information: Entered into Database on: _____ By: _____ Page ____ of ____		

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

Code Enforcement Division

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 887-1191, Fax (575) 885-9871

NOTICE OF CODE VIOLATIONDate: 02/23/2026Case: CE- 26 - 64Address: 503 N GUADALUPE ST

Carlsbad, New Mexico 88220



Name and Address of Property Owner or Occupant*

MARTIN, JOYCE & DAVID**503 N GUADALUPE ST****CARLSBAD, NM 88220***Sent*
FINAL NOTICE

The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 3/05/2026**CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:**

Please remove all trash, junk and debris from the entire property. Remove all non running vehicles from the property and right of way. This is your final notice before a condemnation will be submitted. Thank you. Any questions contact 887-1191, Ext 3238.

CODE VIOLATED:

WASTE STORAGE (CCO 22-03): Any land, within the city, used for open storage of junk, trash or debris is hereby declared to be a public nuisance, and such use of land is prohibited in the city.

CODE VIOLATED:

VEHICLE STORAGE (CCO 50-06(d)): No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than 48 hours; and no person shall leave any such vehicle on any property within the city for a longer period of time than 48 hours.

Thank you!!!

CODE VIOLATED:

Thank you!!!

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Action listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

A handwritten signature in blue ink that reads "M Devlin".
Code Enforcement Signature**M DEVLIN**

Printed Name

02/23/2026

Date

7017 1070 0000 6425 4734

U.S. Postal Service CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	5.30
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$ 4.40
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage \$	0.74
Total Postage and Fees \$	10.44
Sent To Martin Joyce + David	
Street and Apt. No., or PO Box No. 603 N Guadalupe St	
City, State, ZIP+4® Carlsbad NM 88220	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark Here
FEB 2 2026

Tracking Number:

Remove X

7017107000064254734

Copy Add to Informed Delivery

Feedback

Latest Update

Your item was picked up at the post office at 4:13 pm on April 7, 2026 in CARLSBAD, NM 88220.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Post Office
CARLSBAD, NM 88220
April 7, 2026 4:13 PM

Available for Pickup

CARLSBAD
204 W SHAW ST
CARLSBAD NM 88220-6290
Mon-Fri 8:00 AM-5:00 PM
Sat 10:00 AM-1:00 PM
April 3, 2026 1:34 PM

Arrived at Post Office

CARLSBAD, NM 88221
April 3, 2026 1:34 PM

Arrived at USPS Facility

LUBBOCK TX DISTRIBUTION CENTER
April 1, 2026 11:59 AM

Arrived at USPS Facility

COPPELL TX DISTRIBUTION CENTER

- March 29, 2026 4:58 PM
- **Returned to Sender**
CARLSBAD, NM 88220
March 26, 2026 3:30 PM
- **Arrived at USPS Facility**
LUBBOCK TX DISTRIBUTION CENTER
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Product Information	▼

See Less ^

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Planning, Engineering, and Regulation Department

Code Enforcement Division

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Carlsbad, New Mexico 88220

Phone (575) 887-1191, Fax (575) 885-9871

**NOTICE OF CODE VIOLATION**Date: 02/13/2026Case: CE- 26 - 64Address: 503 N GUADALUPE ST.

Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*

MARTIN, JOYCE & DAVID
503 N GUADALUPE ST
CARLSBAD, NM 88220

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COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 02/23/2026**CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:**

Please remove all trash, junk and debris from the property. Remove non running vehicles from the property and remove vehicles from the right of way. Thank you. Any questions, contact me at 885-1185, Ext 3238.

Parcel # 4 -157-127-129-129

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A handwritten signature in blue ink that reads "M Devlin".

Code Enforcement Signature

M DEVLIN

Printed Name

02/13/2026

Date

606 W. Hagerman

Captured: Jan 17, 2026



Property Record Card

Eddy Assessor

**MARTIN, JOYCE & DAVID
(JT)**

503 N GUADALUPE ST
CARLSBAD, NM 88220

Account: R077653

Tax Area: CI_R - CARLSBAD-IN
(Residential)

Acres: 0.000

Parcel: 4-157-127-129-129

Situs Address:
503 N GUADALUPE STREET
CARLSBAD, 88220

Value Summary

Value By:	Market	Override
Land (1)	\$6,525	N/A
Total	\$6,525	\$6,525

Legal Description

Subd: LOWE Lot: 13 Block: 79 Quarter: NW S: 06 T: 22S R: 27E

Public Remarks

Entry Date	Model	Remark
01/14/2015		BK 1006 PG 679

Land Occurrence 1

Property Code	0100 - RESIDENTIAL LAND	Land Code	101_87 - Residential Land - .87
Description	RESIDENTIAL LAND	Measure	SF - SF

Abstract Summary

Code	Classification	Actual Value	Value	Taxable Value	Actual Value Override	Taxable Override
0100	RESIDENTIAL LAND		\$6,525	\$2,175	NA	NA
Total			\$6,525	\$2,175	NA	NA









02/13/2026
10:54



02/13/2026
10:54



02/13/2026
11:02

City Of Carlsbad

Inter-Office Memorandum

Richard D. Lopez, Mayor

Wendy Austin, City Manager

Date: 05/11/2026

To: Barbara Hodgson, City Attorney

From: Joshua Campbell, Fire Marshal

Re: 606 W Hagerman St, Carlsbad, NM 88220

On 05/11/2026, I inspected a property located at 606 W Hagerman St, Carlsbad, NM 88220. This property presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the property be cleaned up and the vehicles, trash, and debris be removed under the following fire codes.

The International Fire Code, 2021 edition states:

Section 304 Combustible Waste Material

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or hazard to the public health, safety, or welfare.

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 313 Fueled Equipment

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 315 Miscellaneous Combustible Materials Storage

315.3 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a property line.

Joshua Campbell, Fire Marshal
Carlsbad Fire Department



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Legal	BY: Barbara Hodgson	DATE: 07/07/2026
SUBJECT: Consider Approval of Resolution 2026-42, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 503 N Guadalupe Street Owner: David and Joyce Martin		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The property commonly known as 503 N Guadalupe Street is in a residential area located near the intersection of W. Hagerman St. and N Guadalupe St. According to the records of the Eddy County Assessor's Office, the property is owned by Joyce and David Martin. There is a residence on the property which is occupied. Also, on the property is ruins, rubbish, wreckage, debris and weeds in the front and backyard, and along the fence line. City utilities are connected at this moment. The property has been inspected by the Code Enforcement Office on February 23, 2026. The owner was sent a Notice of Violation via certified mail on February 24, 2026. This letter was picked up by the owner on April 7th 2026 at the Post Office. The Fire Marshal inspected the property on May 11, 2026, and found the property to be in violation of the 2021 International Fire Code and an extreme fire hazard due to the accumulation of vegetation, trash, debris, and outside storage of combustible materials within 10 feet of a property line. On May 29, 2026, the Code Enforcement Office inspected the property and the violation was not corrected. A resolution has been prepared for consideration by City Council. If adopted, the Resolution would require the property owner to remove all ruins, rubbish, wreckage, debris, and/or weeds from the property within thirty (30) days of the service of the resolution. The Resolution will also be published in a newspaper of general circulation in Carlsbad. If the owners or their representatives do not file an objection within ten (10) days of service of the Resolution or perform the required corrective action as required, the City will arrange to have the work performed and place a lien against the property to recover the reasonable costs of the work. On June 15, 2026, a certified letter was sent to Joyce and David Martin at the address on the Eddy County Assessor's records. The letter invited them to attend the meeting and speak with Council about the property.		
DEPARTMENT RECOMMENDATION:		
BOARD/COMMISSION/COMMITTEE ACTION: City Council -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. RES No 2026-503 N Guadalupe Weed & Debris (6)
2. Exhibit A
3. Exhibit B

RESOLUTION NO. 2026-42

A RESOLUTION FINDING 503 N GUADALUPE TO BE COVERED WITH RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS AND REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS

WHEREAS, the records of the Eddy County Assessor's Office show **JOYCE & DAVID, MARTIN** to be the owner of or to have an interest in the property commonly known as **503 N. GUADALUPE**, Carlsbad, Eddy County, New Mexico, and more particularly described as:

Quarter: **LOT 11, BLOCK 79, LOWE SUBDIVISION**

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer and the City Fire Marshal; and

WHEREAS, the Code Enforcement Officer and the Fire Marshal found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Marshal has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the Property and all ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owner, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owner, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or

B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. **The removal of the ruins, rubbish, wreckage, debris, and weeds shall:**

A. Begin immediately;

B. Proceed properly and with diligence; and

C. Be completed in a timely manner;

D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.

6. Any removal of the ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.

7. If the owner, occupant, or agent in charge does not commence the removal of the stated items, and if no written objection is filed as required, or if the removal of the stated items is not completed in a timely manner, the City may remove the ruins, rubbish, wreckage, debris, and/or weeds at the cost and expense of the owner.

8. The reasonable cost of such a removal shall constitute a lien against the ruins, rubbish, wreckage, debris, and/or weeds so removed and against the lot or parcel of land from which it was removed.

9. The City Clerk shall make out, sign, attest, file, and record in the office of the Eddy County Clerk's Office, a claim of lien upon the described premises.

10. The lien shall bear interest at the rate of twelve percent (12%) per annum, compounded at simple interest, from the date of recording until paid, together with reasonable attorney's fees for the foreclosure of the same. The lien shall be foreclosed in any manner proved by an applicable state lien foreclosure law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this _____ day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK



CITY OF CARLSBAD

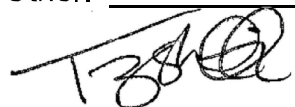
Planning, Engineering,
and Regulation Department

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 628-8379

CODE ENFORCEMENT REPORT

Case Number: CE- <u>26</u> - <u>65</u>	Date of Complaint: 2/23/2026	Complaint Taken By: M. Devlin
Complainant Name:		Phone Number:
Complaint Location: 503 N. Guadalupe St (4-157-127-129-124)		
Details of Complaint: Ruin, Rubbish, Junk & Debris		
Primary Structure: ☒ Residential ☐ Commercial ☒ Occupied ☐ Vacant ☒ Secured ☐ Unsecured ☐ No structure on property	Photographs Taken (attach): ☒ Yes ☐ No	CE District: ☒ North ☐ South
Narrative: This property has open storage of junk and debris. Code Enforcement (M. Devlin) has sent notices and spoke on March 6, 2026 with the owner of this parcel and the neighboring parcels to bring the property into compliance.		
Disposition of Case: ☐ No Basis for Complaint: _____ ☒ Mailed Notice of Violation/Date: <u>2/13/2026; 2/23/2026</u> ☐ Door Hanger Notice of Violation/Date: _____ ☒ Verbal Warning/Date: <u>M. Devlin spoke with the owner over the phone and advised of violations</u> ☐ Referred to Other Agency: _____ ☒ Other: <u>Spoke with owner 3/6/2026 regarding violations (M. Devlin)</u>		
 Code Enforcement Signature	Printed Name T. Ortiz	Date 5/29/2026
Report Information: Entered into Database on: _____ By: _____ Page ____ of ____		

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Planning, Engineering, and Regulation Department

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Date: 02/23/2026

Case: CE- 26 - 65

Address: 503 N GUADALUPE ST

Carlsbad, New Mexico 88220



Name and Address of Property Owner or Occupant*

MARTIN, JOYCE & DAVID

503 N GUADALUPE ST

CARLSBAD, NM 88220

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4-157-127-129-124

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Code Enforcement Signature

M DEVLIN

Printed Name

02/23/2026

Date

7017 1070 0000 6425 4741

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For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$ 5.30
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$ 4.40
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$ 0.74
Total Postage and Fees	\$ 10.44
Sent To Martin Joyce & David	
Street and Apt. No., or PO Box No. 503 N Guadalupe	
City, State, ZIP+4® Carlsbad, NM 88230	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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Tracking Number:

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7017107000064254741

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Feedback

Latest Update

Your item was picked up at the post office at 4:13 pm on April 7, 2026 in CARLSBAD, NM 88220.

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USPS Tracking Plus®



Delivered

Delivered, Individual Picked Up at Post Office

CARLSBAD, NM 88220
April 7, 2026 4:13 PM



Out for Delivery

CARLSBAD, NM 88221
April 3, 2026 9:07 AM



Available for Pickup

CARLSBAD
204 W SHAW ST
CARLSBAD NM 88220-6290
Mon-Fri 8:00 AM-5:00 PM
Sat 10:00 AM-1:00 PM
April 3, 2026 8:56 AM



Arrived at Post Office

CARLSBAD, NM 88221
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The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 02/23/2026**CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:**

Please remove all trash, junk and debris from the property. Remove all non running vehicles from the property. Thank you. Any questions 885-1185 Ext 3238.

Parcel # 4 -157-127-129-124

CODE VIOLATED:

WASTE STORAGE (CCO 22-03): Any land, within the city, used for open storage of junk, trash or debris is hereby declared to be a public nuisance, and such use of land is prohibited in the city.

CODE VIOLATED:

VEHICLE STORAGE (CCO 50-06(d)): No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than 48 hours; and no person shall leave any such vehicle on any property within the city for a longer period of time than 48 hours.

CODE VIOLATED:

Thank you!

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Action listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

A handwritten signature in blue ink that reads "M Devlin".

Code Enforcement Signature

M DEVLIN

Printed Name

02/13/2026

Date

503 N. Guadalupe St.

Captured: Jan 17, 2026



Property Record Card

Eddy Assessor

**MARTIN, JOYCE & DAVID
(JT)**

503 N GUADALUPE ST
CARLSBAD, NM 88220

Account: R055263

Tax Area: CI_R - CARLSBAD-IN
(Residential)

Acres: 0.000

Parcel: 4-157-127-129-124

Situs Address:
503 N GUADALUPE STREET
CARLSBAD, 88220

Value Summary

Value By:	Market	Override
Land (1)	\$6,525	N/A
Residential (1)	\$50,403	N/A
Extra Feature (1)	\$8,170	\$0
Extra Feature (2)	\$1,102	\$0
Total	\$66,200	\$56,928

Legal Description

Subd: LOWE Lot: 11 Block: 79 Quarter: NW S: 06 T: 22S R: 27E

Public Remarks

Entry Date	Model	Remark
01/14/2015		BK 1006 PG 679

Land Occurrence 1

Property Code	0100 - RESIDENTIAL LAND	Land Code	101__87 - Residential Land - .87
Description	RESIDENTIAL LAND	Measure	SF - SF

Residential Occurrence 1

Property Code	0120 - RESIDENTIAL IMPROVEMENT	Effective Year Built	1976
Architectural Style	1 - 1	Building Type	205 - Apartment Res
Condition	2 - 2	Construction Quality	2.0 - 2.0
Frame	4 - 4	Heating Type	4 - Forced
Roof Cover	1 - Shingle	Roof Structure	2 - Gable
Stories	1.0 - 1.0	Floor	1 - Softwood

Property Record Card

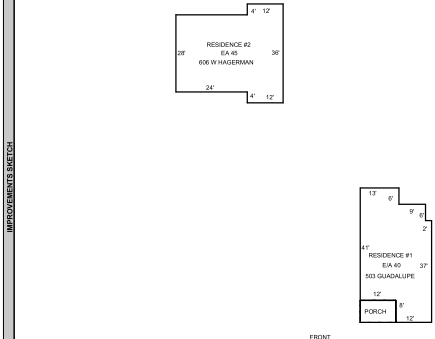
Eddy Assessor

Residential Occurrence 1

Stories	1.0 - 1.0	Floor	1 - Softwood 6 - Carpet
Interior Wall	3 - Sheet Rock		

SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
GLA1 - First Floor	2106.0	2106.0	2106.0	2106.0
P_P - PORCH	96.0	96.0	96.0	96.0
Total	2,202.00	2,202.00	2,202.00	2,202.00

SKETCH/AREA TABLE ADDENDUM

Date	08/06/09	File No.	4157127129124-C1																								
Property Address	993 N GUADALUPE - CARLSBAD																										
Legal	2474-79-11, CARL 1-23-2	Lot Size	96 X 100																								
Subdivision	LOWELL 11 BLK 79	Lot Value	PER SQ FT																								
EA	4845																										
Description	GR 2 & STUDIO/GARAGE																										
Appraiser Name	RER																										
TRANSFER FROM M15 TO TRIADIC FOR 2010																											
																											
Scale: 1" = 12'																											
Comments: Square Foot calculations based on dimensions from an exterior/perimeter inspection.																											
<table><thead><tr><th>Code</th><th>Description</th><th>Factor</th><th>Net Size</th><th>Perimeter</th><th>Net Totals</th></tr></thead><tbody><tr><td>GLA1</td><td>RESIDENCE #1</td><td>1.00</td><td>1002.00</td><td>144.0</td><td></td></tr><tr><td></td><td>RESIDENCE #2</td><td>1.00</td><td>1104.00</td><td>144.0</td><td>2106.00</td></tr><tr><td>P_P</td><td>PORCH</td><td>1.00</td><td>96.00</td><td>40.0</td><td>96.00</td></tr></tbody></table>				Code	Description	Factor	Net Size	Perimeter	Net Totals	GLA1	RESIDENCE #1	1.00	1002.00	144.0			RESIDENCE #2	1.00	1104.00	144.0	2106.00	P_P	PORCH	1.00	96.00	40.0	96.00
Code	Description	Factor	Net Size	Perimeter	Net Totals																						
GLA1	RESIDENCE #1	1.00	1002.00	144.0																							
	RESIDENCE #2	1.00	1104.00	144.0	2106.00																						
P_P	PORCH	1.00	96.00	40.0	96.00																						
Net LIVABLE Area (rounded w/ factors) 2106																											

Extra Feature Occurrence 1

Property Code	0120 - RESIDENTIAL IMPROVEMENT	XFOB Code	A/D - Additions / Deletions
Effective Year Built	1976	Building Number	1
Description	RES #2		

Extra Feature Occurrence 2

Property Code	0120 - RESIDENTIAL IMPROVEMENT	XFOB Code	PRCH_OPEN - Porch - Open
Effective Year Built	1976	Building Number	1
Description	PORCH / CARPORT	Quality	2 - Average

Property Record Card

Eddy Assessor

Abstract Summary

Code	Classification	Actual Value	Value	Taxable Value	Actual Value Override	Taxable Override
0100	RESIDENTIAL LAND		\$6,525	\$2,175	NA	NA
0120	RESIDENTIAL IMPROVEMENT		\$59,675	\$19,892	\$50,403	\$16,801
Total			\$66,200	\$22,067	\$56,928	\$18,976





02/13/2026
11:02





02/13/2026
10:56



02/13/2026
10:56

City Of Carlsbad

Inter-Office Memorandum

Richard D. Lopez, Mayor

Wendy Austin, City Manager

Date: 05/11/2026

To: Barbara Hodgson, City Attorney

From: Joshua Campbell, Fire Marshal

Re: 503 N Guadalupe St, Carlsbad, NM 88220

On 05/11/2026, I inspected a property located at 503 N Guadalupe St, Carlsbad, NM 88220. This property presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the property be cleaned up and the vehicles, trash, and debris be removed under the following fire codes.

The International Fire Code, 2021 edition states:

Section 110 Unsafe Buildings

110.1 General. If during the inspection of a building or structure or any building system, in whole or part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

110.1.2 Structural Hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire official shall immediately notify the building official in accordance with Section 110.1

110.4 Abatement. The owner, operator or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions by repair, rehabilitation, demolition, or other approved corrective action.

Section 304 Combustible Waste Material

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or hazard to the public health, safety, or welfare.

Section 313 Fueled Equipment

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 315 Miscellaneous Combustible Materials Storage

315.3 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a property line.

Joshua Campbell, Fire Marshal
Carlsbad Fire Department



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Legal	BY: Barbara Hodgson	DATE: 07/07/2026
SUBJECT: Consider Approval of Resolution 2026-43, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 505 N Guadalupe Street Owner: David and Joyce Martin		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The property commonly known as 505 N Guadalupe Street is in a residential area located near the intersection of W. Hagerman St. and N Guadalupe St. According to the records of the Eddy County Assessor's Office, the property is owned by Joyce and David Martin. There is a residence on the property which is occupied. Also, on the property is ruins, rubbish, wreckage, debris and weeds in the front and backyard, and along the fence line. City utilities are connected at this moment. The property has been inspected by the Code Enforcement Office on February 12, 2026. The owner was sent a Notice of Violation via certified mail on February 23, 2026. This letter was picked up by the owner on March 24th 2026 at the Post Office. The Fire Marshal inspected the property on May 11, 2026, and found the property to be in violation of the 2021 International Fire Code and an extreme fire hazard due to the accumulation of vegetation, trash, debris, and outside storage of combustible materials within 10 feet of a property line. On May 29, 2026, the Code Enforcement Office inspected the property and the violation was not corrected. A resolution has been prepared for consideration by City Council. If adopted, the Resolution would require the property owner to remove all ruins, rubbish, wreckage, debris, and/or weeds from the property within thirty (30) days of the service of the resolution. The Resolution will also be published in a newspaper of general circulation in Carlsbad. If the owners or their representatives do not file an objection within ten (10) days of service of the Resolution or perform the required corrective action as required, the City will arrange to have the work performed and place a lien against the property to recover the reasonable costs of the work. On June 15, 2026, a certified letter was sent to Joyce and David Martin at the address on the Eddy County Assessor's records. The letter invited them to attend the meeting and speak with Council about the property.		
DEPARTMENT RECOMMENDATION:		
BOARD/COMMISSION/COMMITTEE ACTION: City Council -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. Res No 2026- 505 N Guadalupe Weed & Debris (5)
2. Exhibit A
3. Exhibit B

RESOLUTION NO. 2026-43

A RESOLUTION FINDING 505 N GUADALUPE TO BE COVERED WITH RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS AND REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS

WHEREAS, the records of the Eddy County Assessor's Office show **JOYCE & DAVID, MARTIN** to be the owner of or to have an interest in the property commonly known as **505 N. GUADALUPE**, Carlsbad, Eddy County, New Mexico, and more particularly described as:

Quarter: **LOT 9, BLOCK 79, LOWE SUBDIVISION**

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer and the City Fire Marshal; and

WHEREAS, the Code Enforcement Officer and the Fire Marshal found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Marshal has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the Property and all ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owner, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owner, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or

B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. **The removal of the ruins, rubbish, wreckage, debris, and weeds shall:**

A. Begin immediately;

B. Proceed properly and with diligence; and

C. Be completed in a timely manner;

D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.

6. Any removal of the ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.

7. If the owner, occupant, or agent in charge does not commence the removal of the stated items, and if no written objection is filed as required, or if the removal of the stated items is not completed in a timely manner, the City may remove the ruins, rubbish, wreckage, debris, and/or weeds at the cost and expense of the owner.

8. The reasonable cost of such a removal shall constitute a lien against the ruins, rubbish, wreckage, debris, and/or weeds so removed and against the lot or parcel of land from which it was removed.

9. The City Clerk shall make out, sign, attest, file, and record in the office of the Eddy County Clerk's Office, a claim of lien upon the described premises.

10. The lien shall bear interest at the rate of twelve percent (12%) per annum, compounded at simple interest, from the date of recording until paid, together with reasonable attorney's fees for the foreclosure of the same. The lien shall be foreclosed in any manner proved by an applicable state lien foreclosure law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this _____ day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK



CITY OF CARLSBAD

Planning, Engineering,
and Regulation Department

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 628-8379

CODE ENFORCEMENT REPORT

Case Number: CE- <u>26</u> - <u>62</u>	Date of Complaint: 02/23/2026	Complaint Taken By: M. DEVLIN
Complainant Name: Anonymous		Phone Number:
Complaint Location: 505 N GUADALUPE STREET (Parcel #, 4-157-127-129-119)		
Details of Complaint: Non running vehicles, older motorhome, trash, junk and debris,		
Primary Structure: ☐ Residential ☐ Commercial ☐ Occupied ☒ Vacant ☐ Secured ☐ Unsecured ☒ No structure on property	Photographs Taken (attach): ☒ Yes ☐ No	CE District: ☒ North ☐ South
Narrative: This property has non running vehicles on the property, an older motohome and alot of junk and debris. This property is an eye sore and needs to be cleaned up and brought into compliance.		
Disposition of Case: ☐ No Basis for Complaint: _____ ☒ Mailed Notice of Violation/Date: <u>02/13/2026, 02/23/2026</u> ☐ Door Hanger Notice of Violation/Date: _____ ☒ Verbal Warning/Date: <u>Spoke with resident (owner) on the phone and advised of the violations.</u> ☐ Referred to Other Agency: _____ ☒ Other: <u>Spoke with resident (owner) March 6th regarding the property.</u>		
 Code Enforcement Signature	M DEVLIN Printed Name	03/12/2026 Date
Report Information: Entered into Database on: _____ By: _____ Page ____ of ____		

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

Code Enforcement Division

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 887-1191, Fax (575) 885-9871

NOTICE OF CODE VIOLATIONDate: 02/23/2026Case: CE- 26 - 62Address: 505 N GUADALUPE ST

Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*

MARTIN, JOYCE & DAVID**505 N GUADALUPE ST****CARLSBAD, NM 88220***Sent by***FINAL NOTICE**

The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 3/05/2026**CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:**

Please remove all trash, junk and debris from the entire property. Remove all non running vehicles from the property as well. This is your final notice before a condemnation will be submitted. Thank you. Any questions contact 887-1191, Ext 3238.

CODE VIOLATED:

WASTE STORAGE (CCO 22-03): Any land, within the city, used for open storage of junk, trash or debris is hereby declared to be a public nuisance, and such use of land is prohibited in the city.

CODE VIOLATED:

CARE OF PREMISES 506 (CCO Sec. 8-53): It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property for the open storage of any abandoned motor vehicle, motor vehicle parts, ice box, refrigerators, stoves, glass, building material, building rubbish or similar items (including, but not limited to weeds, dead trees, trash, garbage, etc.).

CODE VIOLATED:

VEHICLE STORAGE (CCO 50-06(d)): No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than 48 hours; and no person shall leave any such vehicle on any property within the city for a longer period of time than 48 hours.

Thank you!!!

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Action listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

*M Devlin***M DEVLIN****02/23/2026**

Code Enforcement Signature

Printed Name

Date

7017 1070 0000 6425 4727

U.S. Postal Service CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$ 5.30
Extra Services & Fees (check box, add fee as appropriate)	\$ 4.40
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$ 0.74
Total Postage and Fees	\$ 10.44
Sent To Martin, Joyce + David Street and Apt. No., or PO Box No. 603 N Guadalupe City, State, ZIP+4® Carlsbad NM 88220	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

MD #15
Postmark Here

Tracking Number:

Remove X

7017107000064254727

Copy Add to Informed Delivery

Feedback

Latest Update

Your item was picked up at the post office at 4:20 pm on March 24, 2026 in CARLSBAD, NM 88220.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Post Office

CARLSBAD, NM 88220
March 24, 2026 4:20 PM

Out for Delivery

CARLSBAD, NM 88221
March 24, 2026 11:31 AM

Available for Pickup

CARLSBAD
204 W SHAW ST
CARLSBAD NM 88220-6290
Mon-Fri 8:00 AM-5:00 PM
Sat 10:00 AM-1:00 PM
March 24, 2026 11:20 AM

Arrived at Post Office

CARLSBAD, NM 88221
March 24, 2026 11:20 AM

Arrived at USPS Facility

LUBBOCK TX DISTRIBUTION CENTER

March 21, 2026 10:07 AM

Arrived at USPS Facility

COPPELL TX DISTRIBUTION CENTER
March 19, 2026 6:04 PM

Unclaimed/Being Returned to Sender

CARLSBAD, NM 88221
March 14, 2026 12:54 PM

Reminder to Schedule Redelivery of your item

March 2, 2026

Notice Left (No Authorized Recipient Available)

CARLSBAD, NM 88220
February 25, 2026 3:16 PM

Out for Delivery

CARLSBAD, NM 88220
February 25, 2026 6:28 AM

Arrived at Post Office

CARLSBAD, NM 88220
February 25, 2026 6:17 AM

Arrived at USPS Facility

LUBBOCK TX DISTRIBUTION CENTER
February 24, 2026 10:04 AM

Hide Tracking History

What Do USPS Tracking Statuses Mean?

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

Code Enforcement Division

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 887-1191, Fax (575) 885-9871

**NOTICE OF CODE VIOLATION**Date: 02/12/2026Case: CE- 26 - 62Address: 505 N GUADALUPE ST

Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*

MARTIN, JOYCE & DAVID
503 N GUADALUPE ST.
CARLSBAD, NM 88220

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COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 02/22/2026.

CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:

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WASTE STORAGE (CCO 22-03): Any land, within the city, used for open storage of junk, trash or debris is hereby declared to be a public nuisance, and such use of land is prohibited in the city.

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*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

A handwritten signature in blue ink that reads "M. Devlin".

Code Enforcement Signature

M. Devlin

Printed Name

02/12/2026

Date

505 N. Guadalupe St.

Captured: Jan 17, 2026



Property Record Card

Eddy Assessor

**MARTIN, JOYCE & DAVID
(JT)**

503 N GUADALUPE ST
CARLSBAD, NM 88220

Account: R055264

Tax Area: CI_R - CARLSBAD-IN
(Residential)

Acres: 0.000

Parcel: 4-157-127-129-119

Situs Address:
505 N GUADALUPE STREET
CARLSBAD, 88220

Value Summary

Value By:	Market	Override
Land (1)	\$6,525	N/A
Total	\$6,525	\$6,525

Legal Description

Subd: LOWE Lot: 9 Block: 79 Quarter: NW S: 06 T: 22S R: 27E

Public Remarks

Entry Date	Model	Remark
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Land Occurrence 1

Property Code	0100 - RESIDENTIAL LAND	Land Code	101_87 - Residential Land - .87
Description	RESIDENTIAL LAND	Measure	SF - SF

Abstract Summary

Code	Classification	Actual Value	Value	Taxable Value	Actual Value Override	Taxable Override
0100	RESIDENTIAL LAND		\$6,525	\$2,175	NA	NA
Total			\$6,525	\$2,175	NA	NA





02/13/2026
10:57



02/13/2026
10:56

City Of Carlsbad

Inter-Office Memorandum

Richard D. Lopez, Mayor

Wendy Austin, City Manager

Date: 05/11/2026

To: Barbara Hodgson, City Attorney

From: Joshua Campbell, Fire Marshal

Re: 505 N Guadalupe St, Carlsbad, NM 88220

On 05/11/2026, I inspected a property located at 505 N Guadalupe St, Carlsbad, NM 88220 .This property presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the property be cleaned up and the vehicles, trash, and debris be removed under the following fire codes.

The International Fire Code, 2021 edition states:

Section 304 Combustible Waste Material

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or hazard to the public health, safety, or welfare.

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 313 Fueled Equipment

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 315 Miscellaneous Combustible Materials Storage

315.3 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a property line.

Joshua Campbell, Fire Marshal
Carlsbad Fire Department



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Legal	BY: Barbara Hodgson	DATE: 07/07/2026
SUBJECT: Consider Approval of Resolution 2026-44, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 4801 Concho Street Owner: Robert D. Cota and Alfredo L. Cota		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The property commonly known as 4801 Concho Road is in a residential area located near the intersection of Concho Road and Riata Road. According to the records of the Eddy County Assessor's Office, the property is owned by Robert D Cota and Alfredo L Cota. There is a residence on the property which is occupied. Also, on the property is ruins, rubbish, wreckage, debris and weeds in the front and backyard, inside the carport, and along the fence line. City utilities are connected at this moment. The property has been inspected by the Code Enforcement Office on February 10, 2026. The owner was sent a Notice of Violation via certified mail on February 11, 2026. This letter was returned "unclaimed". The Fire Marshal inspected the property on May 11, 2026 and found the property to be in violation of the 2021 International Fire Code and an extreme fire hazard due to the accumulation of trash, debris, and outside storage of combustible materials within 10 feet of the property line. On May 29, 2026, the Code Enforcement Office inspected the property and the violation was not corrected. A resolution has been prepared for consideration by City Council. If adopted, the Resolution would require the property owner to remove all ruins, rubbish, wreckage, debris, and/or weeds from the property within thirty (30) days of the service of the resolution. The Resolution will also be published in a newspaper of general circulation in Carlsbad. If the owners or their representatives do not file an objection within ten (10) days of service of the Resolution or perform the required corrective action as required, the City will arrange to have the work performed and place a lien against the property to recover the reasonable costs of the work. On June 15, 2026, a certified letter was sent to Robert Cota and Alfredo Cota at the address on the Eddy County Assessor's records. The letter invited him to attend the meeting and speak with Council about the property.		
DEPARTMENT RECOMMENDATION:		
BOARD/COMMISSION/COMMITTEE ACTION: City Council -		
Reviewed by:		
City Manager: Wendy D Austin		Date: July 9, 2026

Attachments:

1. Res No 2026 4801 Concho weed n debris (4)
2. Exhibit A - Code Enforcement Report
3. Exhibit B - Fire Marshal

RESOLUTION NO. 2026-44**A RESOLUTION FINDING 4801 CONCHO TO
BE COVERED WITH RUINS, RUBBISH,
WRECKAGE, DEBRIS, AND/OR WEEDS AND
REQUIRING THE REMOVAL OF THE RUINS,
RUBBISH, WRECKAGE, DEBRIS, AND/OR
WEEDS**

WHEREAS, the records of the Eddy County Assessor's Office show **Robert D Cota** to be the owner of or to have an interest in the property commonly known as **4801 Concho Rd**, Carlsbad, Eddy County, New Mexico, and more particularly described as:

Subd: Lot 12, Block 3, Hagerman Acres Unit 1
Lot 11, Block 3, Hagerman Acres Unit 1

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer and the City Fire Marshal; and

WHEREAS, the Code Enforcement Officer and the Fire Marshal found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Marshal has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the Property and all ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owner, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owner, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

- A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or
- B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. **The removal of the ruins, rubbish, wreckage, debris, and weeds shall:**
- A. Begin immediately;**
 - B. Proceed properly and with diligence; and**
 - C. Be completed in a timely manner;**
 - D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.**

6. Any removal of the ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.

7. If the owner, occupant, or agent in charge does not commence the removal of the stated items, and if no written objection is filed as required, or if the removal of the stated items is not completed in a timely manner, the City may remove the ruins, rubbish, wreckage, debris, and/or weeds at the cost and expense of the owner.

8. The reasonable cost of such a removal shall constitute a lien against the ruins, rubbish, wreckage, debris, and/or weeds so removed and against the lot or parcel of land from which it was removed.

9. The City Clerk shall make out, sign, attest, file, and record in the office of the Eddy County Clerk's Office, a claim of lien upon the described premises.

10. The lien shall bear interest at the rate of twelve percent (12%) per annum, compounded at simple interest, from the date of recording until paid, together with reasonable attorney's fees for the foreclosure of the same. The lien shall be foreclosed in any manner proved by an applicable state lien foreclosure law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this _____ day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

NADINE MIRELES, CITY CLERK



CITY OF CARLSBAD

Planning, Engineering,
and Regulation Department

101 N. Halagueno, PO Box 1569
Carlsbad, New Mexico 88220

Phone (575) 887-1191, Fax (575) 885-9871

CODE ENFORCEMENT REPORT

Case Number: CE- 2026 - 21	Date of Complaint: 2/10/26	Complaint Taken By: J.Pacheco
Complainant Name: Anonymous		Phone Number:
Complaint Location: 4801 Concho		
Details of Complaint: -Open Storage of Junk/trash/debris -Inoperable vehicles -RV blocking city right of way (alley) -Missing skirting on mobile home		
Primary Structure: ☐ None ☐ Secured ☒ Occupied ☐ Unsecured ☐ Vacant ☐ Unknown	Photographs Taken: ☒ Yes ☐ No	District: ☐ North ☒ South
Narrative: Code enforcement J.Pacheco inspected this property 2/10/26. J.Pacheco observed junk/trash/debris, inoperable vehicles and missing skirting around the mobile home. J.Pacheco made contact with occupant Michael on 2/10/26 and explained the multiple violations and what needed to be done to come into compliance. A certified letter was sent 2/10/26 to occupants and owner Robert Coda. J.Pacheco made contact with Robert on 2/18/26 and on 2/20/26 J.Pacheco met Robert Coda at the property and discussed the violations and what needed to be done to come into compliance. Progress was being made until J.Pacheco observed an RV obstructing and blocking the alley behind the property on 3/23/26. On 3/25/26 J.Pacheco called Robert Coda informing him about removing the RV from the easement. On 4/1/26 Robert Coda informed J.Pacheco the RV will not be moved. As of 4/06/2026 open storage of junk/trash/debris, inoperable vehicles and missing skirting are still being observed on the property.		
Disposition of Case: ☐ No Basis for Complaint: _____ ☒ Mailed Notice of Violation Date: <u>2/10/2026</u> ☐ Door Hanger Notice of Violation Date: _____ ☒ Verbal Warning Date: <u>2/10/26-2/18/26-2/20/26</u> ☐ Referred to Other Agency: _____ ☐ Other: _____		
 Code Enforcement Signature	Juan Pacheco Printed Name	04/07/26 Date
Report Information: Entered into Database on: _____ By: _____ Page ____ of ____		

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department
Code Enforcement Division
114 S. Halagueno, PO Box 1569
Carlsbad, New Mexico 88220
Phone (575) 885-1185, Fax (575) 885-9871

**NOTICE OF CODE VIOLATION**Date: 2/10/2026Case: CE- 26 - 21Address: 4801 Concho

Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*

4-157-131-006-401
COTA, ROBERT D & COTA, ALFREDO L (JT)
2109 HILLCREST
CARLSBAD, NM 88220

FINAL NOTICE

The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: 2/20/2026**CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:**

Please clean the junk/trash/debris, remove any non running vehicles and remove the Dilapidated trailer that was moved in without a permit. This property has no utilities. See the International Property Maintenance Code 2009 that was adopted by the City of Carlsbad (Sec. 8-1.6). This will be your only and last notice before being submitted for condemnation. Please Comply. Thank you for your compliance, any question call 575-885-1185.

CODE VIOLATED:

OFFENSIVE WASTE (CCO 22-02): No person shall permit filth, offal or other offensive substances to remain on premises occupied by him so as to become offensive to other persons residing in the vicinity, or become prejudicial to the public health.

CODE VIOLATED:

WASTE STORAGE (CCO 22-03): Any land, within the city, used for open storage of junk, trash or debris is hereby declared to be a public nuisance, and such use of land is prohibited in the city.

CODE VIOLATED:

IPMC-International Property Maintenance Code 2009 Sec.8-1.6, Sec 108, 108.1.1, 108.1.3, 108.1.5(3,5,6,7,9,10), 108.2, 108.4, 108.4.1, 108.5, Sec. 505, Sec. 604.1

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Action listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

Code Enforcement Signature

Juan Pacheco

Printed Name

2/10/2026

Date

NOTICE OF CODE VIOLATION

GENERAL NOTES REGARDING COMPLIANCE

This Notice of Violation was based on a recent inspection of your property by Carlsbad Code Enforcement Personnel. A re-inspection of your property will be made after the date specified for compliance. A decision will be made at that time regarding the need for further action.

If you are willing to complete the required actions, but are unable to do so in a reasonable manner by the compliance date, the date for compliance may be extended for certain violations with a demonstration of a realistic need and supported with appropriate justification. This extension must be requested prior to the original compliance date. The date, however, for mitigation of violations that involve a serious and/or immediate threat to the health, safety, and/or welfare of the occupants of the property or general population may not be extended, but must be resolved without delay.

Code Enforcement Personnel will evaluate each request, as sole arbitrator, and will offer an Agreement to Abate, if appropriate. An Agreement to Abate is a written agreement between the individual responsible for mitigation, most generally the owner of the property or agent, and the Code Enforcement Personnel by which the applicant is afforded additional time to achieve compliance without threat of sanction. If awarded, the Agreement will extend the date for compliance the minimum amount of time required for compliance, and is generally not renewable.

Please contact the Code Enforcement Division at (575) 885-1185 for additional information or guidance regarding resolution of this matter.

PLEASE DON'T DELAY—CORRECT THE PROBLEM NOW!

Decisions by the Code Official may be appealed to the Planning and Zoning Commission. Appeals may be submitted in a hard copy format at the City's Planning & Regulation office located at 114 S. Halagueno St., Carlsbad, NM 88220, or by email to Jeff Patterson at jepatterson@cityofcarlsbadnm.com. All appeals must comply with the specifications listed within Section 56-150(c) of the Carlsbad Zoning Ordinance. Once an appeal has been determined to meet the stated requirements, the appeal will be scheduled to appear before the Planning and Zoning Commission. The appellant's attendance for that appeal hearing shall be a requirement for the item to be heard.

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

Code Enforcement Division

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 885-9871

**NOTICE OF CODE VIOLATION**Date: 2/10/2026Case: CE- 26 - 21Address: 4801 Concho

Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*

4-157-131-006-401 & 4-157-131-006-407

Occupant

4801 Concho

CARLSBAD, NM 88220

FINAL NOTICE

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*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

A handwritten signature in blue ink, appearing to read "Juan Pacheco".
Code Enforcement Signature**Juan Pacheco**

Printed Name

2/10/2026

Date

NOTICE OF CODE VIOLATION

GENERAL NOTES REGARDING COMPLIANCE

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Code Enforcement Personnel will evaluate each request, as sole arbitrator, and will offer an Agreement to Abate, if appropriate. An Agreement to Abate is a written agreement between the individual responsible for mitigation, most generally the owner of the property or agent, and the Code Enforcement Personnel by which the applicant is afforded additional time to achieve compliance without threat of sanction. If awarded, the Agreement will extend the date for compliance the minimum amount of time required for compliance, and is generally not renewable.

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☒ <i>Don Cora</i> ☐ Agent ☐ Addressee	
1. Article Addressed to: Cota, Robert D 210A Hillcrest Carlsbad, NM, 88220		B. Received by (Printed Name) Don Cora	C. Date of Delivery 2-14-26
2. Article Number (Transfer from service label) 9589 0710 5270 1422 1943 43		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No	
3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☒ <i>Haley Bratcher</i> ☐ Agent ☐ Addressee	
1. Article Addressed to: Occupant 4801 Concho Carlsbad, NM, 88220		B. Received by (Printed Name) Haley Bratcher	C. Date of Delivery 3/18/26
2. Article Number (Transfer from service label) 9589 0710 5270 1422 1943 50		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No	
3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$ **5.30**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **1.10**

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage \$ **7.4**

Total Postage and Fees \$ **10.44**

Sent To **City, State, ZIP+4[®]**
City, State, ZIP+4[®]
Carlsbad, NM 88220

PS Form 3800, January 2023 PSN 7550-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$ **5.30**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **4.40**

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage \$ **7.4**

Total Postage and Fees \$ **10.44**

Sent To **City, State, ZIP+4[®]**
City, State, ZIP+4[®]
Carlsbad, NM 88220

PS Form 3800, January 2023 PSN 7550-02-000-9047 See Reverse for Instructions

15 CITY OF CARLSBAD

Planning, Engineering, and Re
Code Enforcement Division
 114 S. Halagueno, PO Box 1569
 Carlsbad, New Mexico 88220
 Phone (575) 885-1185, Fax (575) 885-9871

4-157-131-006-401 & 4-157-131-006-407
 Occupant
 4801 Concho
 CARLSBAD, NM 88220

The following violation(s) of the Carlsbad Code of Ordinances



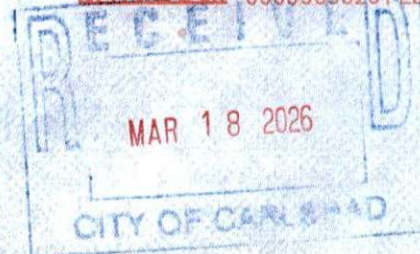
9589 0710 5270 1422 1943 50



US POSTAGE W. PITNEY BOWES



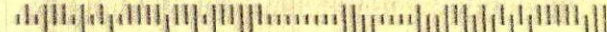
ZIP 88220 \$ **010.44⁰**
 02 4W
 0000385820 FEB 11, 2026



NIXIE 750 CE 1 2203/11/26

RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

BC: 88221156969 *1875-03484-12-26



4801 Concho Rd.

Captured: Jan 17, 2026



Property Record Card

Eddy Assessor

COTA, ROBERT D

2109 HILLCREST
CARLSBAD, NM 88220

Account: R061667

Tax Area: CI_R - CARLSBAD-IN
(Residential)

Acres: 0.000

Parcel: 4-157-131-006-401

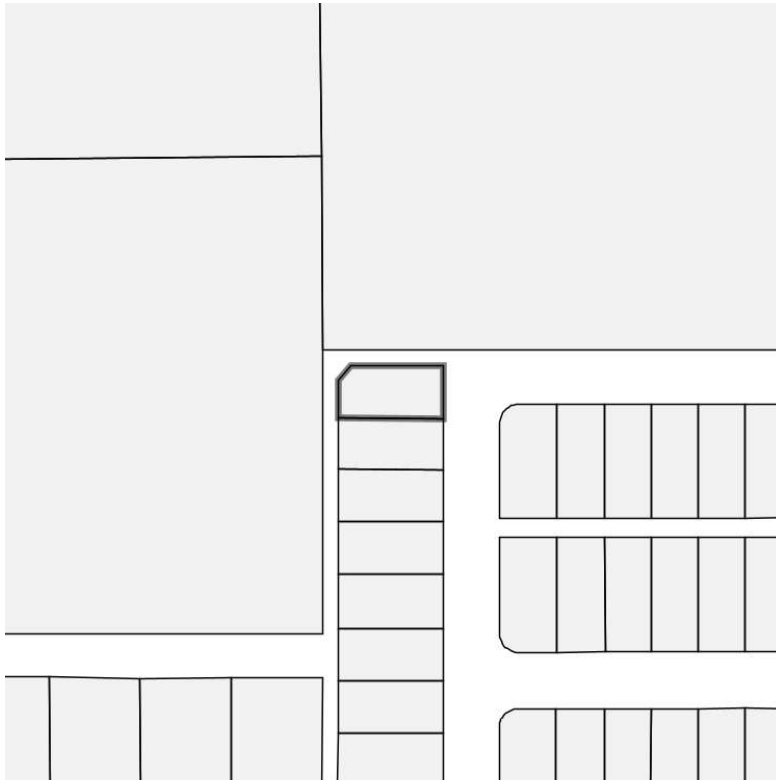
Situs Address:
4801 CONCHO ROAD
CARLSBAD, 88220

Value Summary

Value By:	Market	Override
Land (1)	\$5,765	N/A
Residential (1)	\$2,294	N/A
Total	\$8,059	\$8,059

Legal Description

Subd: HAGERMAN ACRES UNIT 1 Lot: 12 Block: 3



Public Remarks

Entry Date	Model	Remark
07/23/1998		BK 324 PG 141
02/10/2022		MH #061151

Land Occurrence 1

Property Code	0100 - RESIDENTIAL LAND	Land Code	101__96 - Residential Land - .96
Description	RESIDENTIAL LAND	Measure	SF - SF

Residential Occurrence 1

Property Code	0120 - RESIDENTIAL IMPROVEMENT	Building Type	201 - Structure Res
Condition	3 - 3	Construction Quality	0.0 - 0.0
Frame	0 - 0	Stories	1.0 - 1.0

SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
STR - STORAGE	80.0	80.0	80.0	80.0
Total	80.00	80.00	80.00	80.00

Property Record Card

Eddy Assessor

Residential Occurrence 1

SKETCH/AREA TABLE ADDENDUM

DATE 12/19/2023FILE NO. 4157131-006-401 CI

PROPERTY ADDRESS 4891 CONCHO ROAD - CARLSBAD

MADN 2788-HA3-12LOT SIZE 4847.38 SF AVG LOT VALUE PER SQFT EA

SUBDIVISION WASSERMAN ACRES UNIT 1 BLK 3 LT 12

DESCRIPTION MH LOTDESCRIPTION STORAGE

APPRaiser NAME PCOBYMMH M061151

IMPROVEMENT'S SKETCH



2788-HA3-12

STORAGE

Comments

AREA CALCULATIONS

AREA CALCULATIONS SUMMARY					
Code	Description	Factor	Net Size	Perimeter	Net Totals
0120	STORAGE	1.00	80.00	36.0	80.00

Scale: 1" = 40'

Abstract Summary

Code	Classification	Actual Value	Value	Taxable Value	Actual Value Override	Taxable Override
0100	RESIDENTIAL LAND		\$5,765	\$1,922	NA	NA
0120	RESIDENTIAL IMPROVEMENT		\$2,294	\$765	\$1,985	\$662
Total			\$8,059	\$2,687	\$7,750	\$2,584

Property Record Card

Eddy Assessor

COTA, ROBERT D

2109 HILLCREST
CARLSBAD, NM 88220

Account: R061668

Tax Area: CI_NR - CARLSBAD-IN
(Nonresidential)

Acres: 0.000

Parcel: 4-157-131-006-407

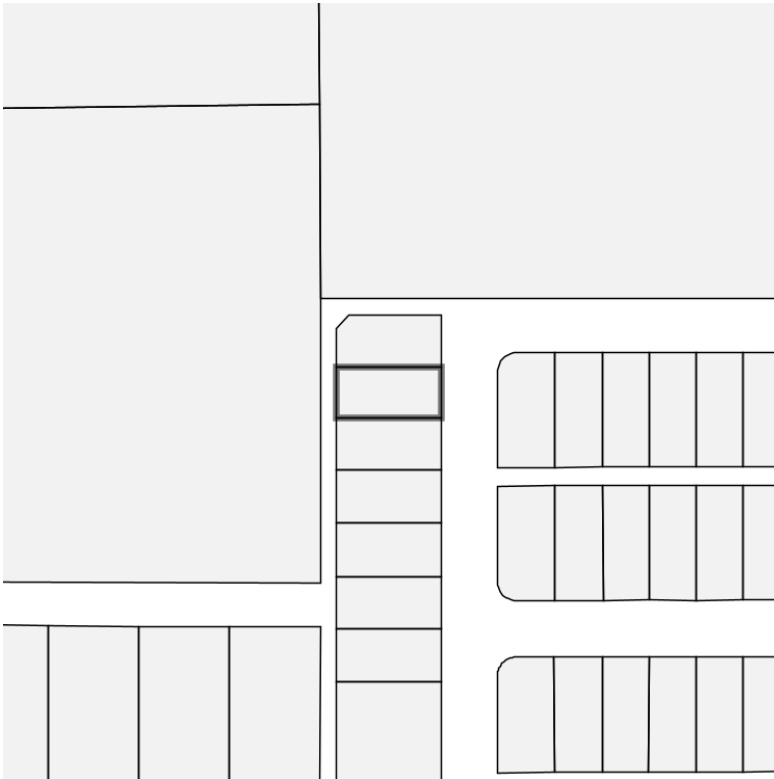
Situs Address:
S OF 4801 CONCHO ROAD
CARLSBAD, 88220

Value Summary

Value By:	Market	Override
Land (1)	\$5,808	N/A
Total	\$5,808	\$5,808

Legal Description

Subd: HAGERMAN ACRES UNIT 1 Lot: 11 Block: 3



Public Remarks

Entry Date	Model	Remark
07/23/1998		BK 324 PG 141

Land Occurrence 1

Property Code	0200 - NON-RESIDENTIAL LAND	Land Code	106__96 - Land Subdivided N/R - .96
Description	NON-RESIDENTIAL LAND	Measure	SF - SF

Abstract Summary

Code	Classification	Actual Value	Value	Taxable Value	Actual Value Override	Taxable Override
0200	NON-RESIDENTIAL LAND		\$5,808	\$1,936	NA	NA
Total			\$5,808	\$1,936	NA	NA



May 29, 2026 at 9:49:03 AM





May 29, 2026 at 9:52:18 AM



May 29, 2026 at 9:52:29 AM



May 29, 2026 at 9:52:39 AM



May 29, 2026 at 9:52:49 AM











2026/04/08
09:34



2026/04/08
09:34



2026/04/08
09:34



2026/04/08
09:34







2026/04/08
09:36



2026/04/08
09:36





2026/04/08
09:33



City Of Carlsbad

Inter-Office Memorandum

Richard D. Lopez, Mayor

Wendy Austin, City Manager

Date: 05/11/2026

To: Barbara Hodgson, City Attorney

From: Joshua Campbell, Fire Marshal

Re: 4801 Concho Rd, Carlsbad, NM 88220

On 05/11/2026, I inspected a property located at 4801 Concho Rd, Carlsbad, NM 88220. This property presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the property be cleaned up and the vehicles, trash, and debris be removed under the following fire codes.

The International Fire Code, 2021 edition states:

Section 304 Combustible Waste Material

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or hazard to the public health, safety, or welfare.

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 315 Miscellaneous Combustible Materials Storage

315.3 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a property line.

Joshua Campbell, Fire Marshal
Carlsbad Fire Department



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Planning & Zoning	BY: Jeff Patterson	DATE: 07/06/2026
SUBJECT: Consider Approval of Ordinance 2026-23, an Ordinance rezoning part of "R-1" Residential 1 District to "C-1" Commercial 1 District for approximately 0.78 acres for property located at 302 West Pierce Street Applicant/Owner: Shawn Mitchell A) Public Hearing B) Consider Approval of Ordinance 2026-23		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) Applicant/Owner: Shawn Mitchell 1095 N Canal St Carlsbad, NM 88220 SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): Request for Zone Change from "R-1" Residential 1 District to "C-1" Commercial 1 District for the property located at 302 West Pierce Street. The properties to the north, east and west are zoned "R-1" Residential 1 District. The properties to the south are zoned "C-2" Commercial 2 District. This change would create a spot zone. Sec. 56-40(d) of the Zoning Ordinance states: <i>(d) Commercial 1 (C-1) district. The commercial 1 district is intended to accommodate neighborhood-scale retail, office, and customer service uses. Such uses are regulated in order to reduce adverse impacts on surrounding residential development.</i> Comprehensive Plan: Strategy 2045 goals and policies that are applicable to this request are: Chapter 4: Housing & Neighborhoods <i>Objectives:</i> •To preserve the character, identity, and integrity of established neighborhoods. •To encourage the on-going maintenance of rental and owner-occupied properties. •To ensure public reinvestment and improvements in existing neighborhoods. Chapter 5: Land Use <i>Objectives:</i> •To identify areas of opportunity for infill and redevelopment.		

- To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.
- To foster community pride through participation in Keep Carlsbad Beautiful and other property clean-up efforts

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

- (a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
- (b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
- (c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and
- (d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
- (e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
- (f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
- (g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
- (h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING STAFF RECOMMENDATION: Upon review of the application materials and City staff comments, the Planning Department recommends approval of this request.

DEPARTMENT COMMENTS:

Utilities Department: Recommend approval
 Building Department: Recommend denial – requesting more information
 Fire Department: Recommend approval
 Legal Department: Recommend approval
 Police Department: Recommend approval
 Project Department: Recommend approval
 Planning Department: Recommend approval

DEPARTMENT RECOMMENDATION:

At their regularly scheduled meeting on June 1, 2026, the Planning & Zoning Commission considered the request. Upon review of City staff comments, application materials, and feedback provided by the applicant and members of the public during the public meeting, the Commission voted to recommend approval of this request to the City Council with a vote of four (4) in favor of approval, one (1) against, none (0) absent, and none (0) abstained.

BOARD/COMMISSION/COMMITTEE ACTION:

Planning & Zoning Commission - APPROVED

Reviewed by:

City Manager: Wendy D Austin

Date: July 9, 2026

Attachments:

1. Zone Change - 302 W Pierce St - Application Items (1)
2. Neighborhood Petition - Zone Change request - 302 W. Pierce St. - R-1 to C-1
3. Letter from Amelia Marquez

ORDINANCE NO. 2026-23

AN ORDINANCE REZONING PART OF "R-1"
RESIDENTIAL 1 DISTRICT TO "C-1"
COMMERCIAL 1 DISTRICT FOR
APPROXIMATELY 0.78 ACRES, LOCATED AT
302 WEST PIERCE STREET, LEGALLY
DESCRIBED AS LOTS 9 & 34, BLOCK 211,
TRACY SUBDIVISION, PURSUANT TO SECTION
3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-
150(B) AND 56-140(I), CARLSBAD CODE OF
ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD,
EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District
to "C-1" Commercial 1 District, for approximately 0.78 acres, located at 302 W. Pierce St., legally
described as:

LOTS 9 & 34, BLOCK 211, TRACY SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 14th day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK

**LINKED MINUTES OF A REGULAR MEETING OF THE PLANNING AND
ZONING COMMISSION OF THE CITY OF CARLSBAD, NEW MEXICO, HELD IN
THE JANELL WHITLOCK MUNICIPAL COMPLEX BUILDING ON JUNE 1, 2026,
AT 6:00 P.M.**

Present:	James McCormick	Chairperson
	Trent Cornum	Commissioner
	Valerie Branson	Commissioner
	Linda Wilson	Commissioner
	Denise Madrid-Boyea	Commissioner
Absent:		
Also Present:		
	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Barbara Hodgson	City Attorney
	Josh Campell	Fire Marshall
	Ken Ahrens	Deputy City Manager
	Jalynn Armendarez	Open Meetings Act Manager
	Shawn Mitchell	Citizen
	Ellen Krumm	Citizen
	Deborah Coluin	Citizen
	Ken Aarons	Citizen
	Erin Johnston	Citizen
	Justin Angel	Citizen
	Marcus Bluth	Citizen
	Celina Folmar	Harcrow Surveying
	Dennis Griffin	Citizen
	Jake Johnson	Citizen
	Dan Cross	Citizen
	Ann Cross	Citizen
	David Rodriguez	Citizen
	Howard Dauforth	Citizen
	Ivan Sosa	Citizen
	Amanda Sosa	Citizen
	Amanda Mashaw	Century 21 Dunagan Associates
	George Dunagan	Century 21 Dunagan Associates
	Angel De Leon	Citizen
	Robert Porter	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**

0:01:07 **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called determining the presence of a quorum.

0:01:25 **2. APPROVAL OF MEETING MINUTES – MAY 4, 2026**

0:03:21 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to deny the meeting minutes from May 4, 2026

0:03:28 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea;
No - None; Absent -None

0:03:49 **3. CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT
TO ALLOW A MULTIFAMILY COMPLEX AT THE PROPERTY LOCATED AT 2012
STANDPIPE RD, ZONED "R-R" RURAL RESIDENTIAL DISTRICT**

Mr. Patterson stated the request is to allow a multifamily residential complex at 2012 Standpipe Road, which is zoned "R-R" Rural Residential District. He explained multifamily dwellings are permitted within this zoning district when approved through a Conditional Use Permit. He said the applicant is seeking approval to construct an additional studio apartment building on the property, which currently contains three apartment units. **Mr. Patterson** said the Planning Department recommends approval of the request.

Angel De Leon stated the property consists of approximately two acres and currently contains a triplex. He explained he would like to add a studio apartment to the site and noted the existing septic system would serve the additional unit.

Chairman McCormick stated the conditional use permit is only for the applicant and cannot be sold to another person.

0:07:16 **Chairman McCormick asked if anyone would like to address the commission regarding this request.**

Robert Porter expressed concerns regarding the property's septic system, stating, to his knowledge, no recent action had been taken to address it. He noted the neighboring property owners have described the site as having a cesspool and recalled when the matter previously came before the Commission, residents were informed the applicant would be required to verify an approved septic system. **Mr. Porter** said he did not believe an additional studio apartment could be connected to the existing septic system without confirmation the system was adequate.

Chairman McCormick asked whether Mr. Porter was questioning the adequacy of the septic system. **Mr. Porter** responded he would like verification that the property has a

properly functioning septic and leach field system, noting that inadequate wastewater disposal could potentially contaminate groundwater.

Mr. De Leon stated he possesses the permits and inspection records associated with the installation of the property's most recent septic system.

Commissioner Cornum said review and enforcement of septic systems fall outside the Commission's purview. He stated it is the applicant's responsibility to ensure the septic system complies with state requirements and that any concerns regarding compliance could be directed to the State.

Commissioner Branson asked whether the City has the authority to enforce septic system requirements. **Commissioner Cornum** replied that septic permits are issued through the State, which provides installation reports to the City upon completion of the work.

Commissioner Madrid-Boyea asked whether anyone from the City had informed Mr. De Leon that a new water service line might be required for the property. **Mr. De Leon** responded that he had been told the existing service would likely be sufficient for the proposed studio apartment. **Commissioner Madrid-Boyea** asked whether the Utility Department had recommended approval of the request, noting that an upgraded water service line might be necessary. **Mr. Patterson** confirmed that the Utility Department recommended approval, but indicated that installation of a new water service line could be required for the additional structure. He explained the determination would depend on the size and capacity of the existing water meter and whether it is adequately sized to serve four dwelling units.

Commissioner Madrid-Boyea advised Mr. De Leon to contact the Utilities Department prior to construction to confirm whether the existing water meter and service line would be sufficient for the proposed development.

0:14:24 **Chairman McCormick declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:14:29 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a Conditional Use Permit to allow a multifamily complex at the property located at 2012 Standpipe Rd, zoned "R-R" Rural Residential District

0:14:41 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:14:53 **4. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 56-90(B) TO ALLOW A ONE-FOOT (1') SIDE SETBACK INSTEAD OF THE**

REQUIRED FIVE-FOOT (5') SIDE SETBACK FOR THE PROPERTY LOCATED AT 1105 W BRONSON ST, ZONED "R-2" RESIDENTIAL 2 DISTRICT

Mr. Patterson stated the request is for a variance to allow a 1-foot side yard setback in lieu of the required 5-foot side yard setback at 1105 W. Bronson Street, a property zoned "R-2" Residential 2 District. He explained the applicant is seeking approval to construct a porch addition with a 1-foot setback along the west side of the property rather than complying with the required 5-foot setback. **Mr. Patterson** said the applicant indicated no additional construction would encroach further toward the property line beyond the proposed addition. **Mr. Patterson** stated the Planning Department recommends denial of the request.

Dennis Griffin stated he would like to construct a carport at the front of his property. He said the side of the house is not wide enough to accommodate a double-car carport while maintaining the required 5-foot setback, and the variance would allow him to park vehicles side by side.

Chairman McCormick asked what materials would be used to construct the carport. **Mr. Griffin** said it would be constructed of corrugated metal and professionally installed.

Chairman McCormick noted a water line is located along the side of the property and expressed concern about encroachment into the area needed to maintain utility access and any applicable easement rights. **Mr. Griffin** stated he was not aware of the water line's location prior to the discussion.

0:21:26 **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Madrid-Boyea to table until July 6, 2026 a Variance from Ord. 56-90(b) to allow a one-foot (1') side setback instead of the required five-foot (5') side setback for the property located at 1105 W Bronson St, zoned "R-2" Residential 2 District

0:21:35 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:22:39 **5. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.09 ACRES LOCATED AT 103 S CYPRESS ST, FROM "C-2" COMMERCIAL 2 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "C-2" Commercial District to "R-2" Residential District for the property located at 103 S. Cypress. He said the properties to the north, east, and west are currently zoned "C-2" Commercial District, while the property to the south is zoned "R-2" Residential District, which would not

create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request.

Justin Angell stated he intends to construct a duplex on the property. He said the duplex would provide housing for his family, while rental income from the second unit would help offset the mortgage costs.

0:25:20 **Chairman McCormick** asked if anyone would like to speak regarding this item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

0:25:51 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.09 acres located at 103 S Cypress St, from "C-2" Commercial 2 District to "R-2" Residential 2 District

0:25:58 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:26:56 **6. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING AT THE PROPERTY LOCATED AT 302 W PIERCE ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "C-1" Commercial District for the property located at 302 W. Pierce Street. He explained that the properties to the north, east, and west are zoned "R-1" Residential District, while the properties to the south are zoned "C-2" Commercial District. He said the proposed rezoning would not create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request, the Building Department recommends denial at this time, and has requested additional information regarding the proposed development.

Shawn Mitchell stated he plans to install fencing along the north side of the property at a height that meets City requirements. He said residential housing would be located along Tracy Place, while the portion of the property fronting W. Pierce Street would be developed for one or two small retail establishments.

0:30:34 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ann Cross said she opposes the request, citing concerns that the proposed development would increase traffic in an area that already experiences congestion. She said she

would like it to remain residential and noted that a petition had circulated throughout the neighborhood reflecting opposition to the rezoning request.

Mr. Mitchell said based on the current traffic volume in the area, the proposed small-scale commercial development would not significantly increase traffic.

Commissioner Cornum informed Ms. Cross that a small commercial business would likely generate less traffic than additional residential housing. **Commissioner Cornum** asked whether W. Pierce Street is a state highway. **Mr. Patterson** said yes.

Commissioner Cornum asked Mr. Mitchell whether the proposed fencing would run east to west. **Mr. Mitchell** said yes, and he intends for the fencing to complement the residential housing planned for the property.

John Bowen said he opposes the request and would prefer the area to remain a residential neighborhood.

Mr. Mitchell said his goal is to improve the area by creating a development that is unique to Carlsbad. He said the project would enhance the appearance of the neighborhood and provide a development that he believes is needed in the community.

Deborah Coluim said she opposes the request. She said she spoke with representatives of the New Mexico Department of Transportation (NMDOT), who advised that any additional commercial development would increase traffic. She said if the zoning change were approved and the property were later sold, future development could occur without the restrictions associated with the current zoning. She said there is a gas line easement across the property.

Mr. Mitchell said he intends to improve the area and noted that the gas line easement is an existing utility matter over which he has no control.

David Rodriguez said a fire station is located on W. Pierce Street, and increased traffic could create a bottleneck that might impede emergency response operations.

0:57:16 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Chairman McCormick said the Planning and Zoning Commission would make a recommendation on the request; the final decision rests with the City Council. He said if the property is rezoned to "C-1" Commercial District, any use permitted within that zoning classification could potentially be developed on the site.

Commissioner Branson said the concerns extend beyond the intersection itself and include the speed of vehicles traveling along W. Pierce Street.

Commissioner Cornum said commercial development already exists in the area and that traffic concerns are not unique to this location but are experienced throughout the city. He said the proposed development itself is not the primary issue; rather, concerns center on traffic flow and safety. He said the installation of a traffic signal at the intersection could help reduce vehicle speeds and improve traffic conditions.

Mr. Mitchell said the nearby fire station is equipped with a warning system intended to alert motorists when emergency vehicles are responding to calls. He said the system has reportedly been activated only once in the past 13 years. He said a traffic study conducted for the area found traffic volumes comparable to those on Canal Street and concluded that traffic congestion is a citywide issue rather than one specific to this location.

Commissioner Wilson stated the surrounding residential neighborhood would not be adversely affected, and the residential portion of the development would remain residential while the commercial component would be located adjacent to existing commercial properties.

Commissioner Madrid-Boyea asked whether the proposed zoning change would create a spot zone. **Mr. Patterson** said yes.

1:05:42 **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning at the property located at 302 W Pierce St, from "R-1" Residential 1 District to "C-1" Commercial 1 District

1:05:51 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson; No - Madrid-Boyea; Absent -None

1:06:49 **7. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.21 ACRES LOCATED AT 922 REX ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "R-2" Residential District for the property located at 922 Rex Street. He said the properties to the north, south, east, and west are all zoned "R-1" Residential District and that the proposed rezoning would create a spot zone. **Mr. Patterson** said the Planning Department recommends denial of the request.

Ivan Sosa stated he would like to construct a secondary structure on the property that would include living quarters.

Chairman McCormick asked whether the request for “R-2” Residential District zoning was intended to allow multiple dwelling units on the property. **Mr. Sosa** said yes.

1:09:44 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ken Aaron stated he is concerned about the proposed secondary dwelling unit, noting that parking in the area is already limited and that vehicles are frequently parked along both sides of the street. He asked whether the zoning change would be permanent.

Chairman McCormick said the zoning change would be permanent if approved.

Mr. Patterson said the property is currently zoned “R-1” Residential District, which permits one dwelling unit per lot for single-family residential use. He explained that “R-2” Residential District zoning allows for multiple dwelling units and emphasized that the requested rezoning would not permit commercial uses.

Mr. Aaron asked whether there is a limit to the number of dwelling units that could be constructed on the property. **Mr. Patterson** said yes, there is a limit, which is determined by the size of the property and applicable density requirements.

Mr. Aaron also asked whether parking requirements would apply. **Mr. Patterson** stated the property would be required to provide two off-street parking spaces for the additional dwelling unit.

Chairman McCormick asked whether parking would be permitted along Blodgett Street. **Mr. Patterson** stated he was unsure of any restrictions and would need to consult with the Police Department regarding applicable traffic regulations.

Mr. Sosa stated he intends to construct a driveway from Blodgett Street into the backyard to provide access to the proposed dwelling unit.

Commissioner Madrid-Boyea asked how construction access to the backyard would be provided. **Mr. Sosa** said a section of the existing cinder block fence would be temporarily removed to allow construction vehicles and equipment to enter and exit the property. He said he has concerns about using the alley for access due to the presence of utility lines.

Commissioner Branson asked whether it would be possible to add living space to the existing residence without changing the zoning designation. **Mr. Sosa** said the family would prefer separate living quarters to provide privacy for both households.

Mr. Patterson noted that “R-1” Residential District zoning allows for multi-generational living arrangements, provided the additional living space is attached to the primary residence.

Amanda Sosa said the request intends to create a separate dwelling unit to provide privacy for both parties. She said expanding the existing home would also present parking challenges that the proposed detached dwelling would better address.

1:22:04 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Commissioner Madrid-Boyea said this would create a spot zone.

Commissioner Wilson asked what the church is zoned as. **Mr. Patterson** said "R-1" Residential 1 District. **Commissioner Madrid-Boyea** said there is parking for the church across the street. **Mr. Sosa** said the additional dwelling will match the exterior of the home, so it will not be an eyesore.

1:23:28 **MOTION**

The motion was made by Commissioner Cornum and seconded by Commissioner Wilson to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.21 acres located at 922 Rex St, from "R-1" Residential 1 District to "R-2" Residential 2 District

1:23:37 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson; No - Madrid-Boyea; Absent -None

1:24:03 **8. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE SOUTHERN SKY SUBDIVISION, UNIT 4, HOUSING DEVELOPMENT, CREATING 24 NEW RESIDENTIAL LOTS FOR DEVELOPMENT, ZONED PLANNED UNIT DEVELOPMENT (PUD)**

Mr. Patterson stated the request is for approval of a preliminary plat creating 24 new residential lots within the Southern Sky Subdivision. He said this phase represents the fourth unit of the Southern Sky development. He said the project engineer has submitted construction plans for the development and that City staff is currently conducting an internal review of those plans. **Mr. Patterson** said City water and sewer services are available for connection and are capable of serving the proposed development. He said the Planning Department recommends approval of the preliminary plat, subject to the conditions outlined in the staff report.

Chairman McCormick asked Sarah Folmar whether there would be any issues complying with the recommended conditions. **Ms. Folmar** said no, the construction plans are nearly complete, and that she would like to address any staff comments before the plans are finalized and stamped.

Commissioner Madrid-Boyea asked whether the development includes adequate points of ingress and egress to comply with the requirements of the City's subdivision

Ordinance. **Mr. Patterson** said yes and confirmed that the development meets the applicable access requirements.

1:29:50 **Chairman McCormick** asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

1:30:13 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve of a preliminary plat for the Southern Sky Subdivision, Unit 4, housing development, creating 24 new residential lots for development, zoned Planned Unit Development (PUD)

1:30:22 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

1:30:36 **9. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 47-7 TO ALLOW A SEPTIC SYSTEM TO BE INSTALLED AT THE BRANSON INDUSTRIAL SUBDIVISION LOCATED ON THE SOUTH SIDE OF WEST DERRICK ROAD, ZONED "I" INDUSTRIAL DISTRICT**

Commissioner Branson recused herself from this agenda item

Mr. Patterson stated the request is to allow the use of in-ground septic service in place of connection to the City sanitary sewer system for the Branson Industrial Subdivision, located along the south side of West Derrick Road within property zoned I Industrial District. He said a similar request for this development previously came before the Commission in May.

Chairman McCormick asked whether sanitary sewer service had been extended to the property from National Parks Highway. **Mr. Patterson** said the closest City sewer line is located on Production Lane. **Chairman McCormick** recalled a previous case in which it was indicated that the City had adequate septic capacity for a request, with the understanding that sewer infrastructure would need to be extended to support future development. **Mr. Patterson** said earlier discussions were focused on a neighboring property to the west, and infrastructure planning at that time was intended to serve that area. **Mr. Patterson** said the sewer line installed along Production Lane was intended to serve the Carlson Ranch Master Plan community and, in the future, the Branson Subdivision once developed. He said according to the Utility Department, sufficient capacity exists to serve the development at that time. He said the sewer line has not been extended east of Production Lane.

Commissioner Wilson asked whether there are plans to extend the line in the near future. **Mr. Patterson** said, to his knowledge, the City does not currently have plans to extend sewer service eastward.

Chairman McCormick asked about the status of other utilities, including water, gas, and electricity. **Mr. Patterson** said City water has been extended to the first portion of the development, though he was unsure whether it extends throughout the entire subdivision. He said the intent is to extend City water to serve the full development. He said other utilities would need to be extended, and he was uncertain regarding the status of natural gas service.

George Dunagan said, as development planning has progressed, it has become clear that a new water line will need to be extended from National Parks Highway to serve the subdivision. He said the requested variance to utilize septic instead of sanitary sewer would offset some of the increased costs associated with the required water line extension and the installation of a pressure-reducing valve.

Chairman McCormick stated that both water and sewer infrastructure updates are required. **Mr. Dunagan** said the primary infrastructure concern relates to water service. **Chairman McCormick** asked if sewer service is still tied to the broader infrastructure upgrades and indicated that the overall project costs are substantial and were not originally anticipated. **Mr. Dunagan** agreed, stating that the costs were not anticipated based on the initial information available during planning. **Chairman McCormick** asked whether the request was effectively a trade-off, allowing septic service in exchange for the cost of extending water infrastructure. **Mr. Dunagan** said yes and reiterated that the project must remain economically feasible. He said that approval had previously been granted in May for construction on Lot 1.

Commissioner Madrid-Boyea stated the water line must still be installed because the development cannot proceed without water service, and that the cost increase was not anticipated due to the assumption that the existing line was closer than it is. **Mr. Dunagan** said the developers initially believed the water line at Production Lane would provide adequate service for fire suppression but have since determined that connection must instead occur at National Parks Highway. **Commissioner Madrid-Boyea** asked if the water line is farther than originally assumed. **Mr. Dunagan** said yes noting additional costs associated with the required pressure-reducing valve. **Commissioner Madrid-Boyea** asked whether these additional costs were unforeseen. **Mr. Dunagan** said yes. **Commissioner Madrid-Boyea** asked whether these conditions constitute a financial hardship. **Mr. Dunagan** said yes and extending sewer service approximately 500 feet would not be economically feasible.

1:43:35 **Chairman McCormick** asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

1:43:57 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a variance from Ord. 47-7 to allow a septic system to be installed at the Branson Industrial Subdivision located on the south side of West Derrick Road, zoned "I" Industrial District

1:44:09 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

1:44:23 **10. REPORT OF SUMMARY REVIEW SUBDIVISIONS**

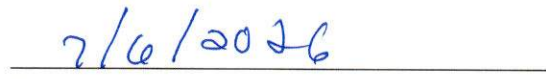
Mr. Patterson stated that the item is the Veterans Cemetery replat. He explained that the State has requested the City replat the property to create Tract B-1, which will be dedicated to the State to support the Veterans Cemetery project at Sunset Gardens. He noted that the State is preparing to proceed with the construction of the cemetery and that the State will own Tracts A and B.

Commissioner Madrid-Boyea asked whether there is adequate water service available for the expanded area. **Mr. Patterson** responded that there should be sufficient water availability to support the project.

1:47:43 **Adjourned**

With no further business to discuss, Chairman McCormick declared the meeting adjourned at 7:46 PM.


Denise Madrid-Boyea, Commissioner


Date

**CITY OF CARLSBAD**

*Planning, Engineering, and
Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 4.26.26
Existing Zoning: R-1

Fee Paid (\$100.00): 100.00
Proposed Zoning: C-1

APPLICANT INFORMATION:

Shawn Mitchell

NAME

ADDRESS

Carlsbad NM 88220

CITY

STATE

ZIP

575-361-5626

PHONE

CourtesySportingandpaww @
windstream.net

EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Shawn Mitchell

NAME

1095 N. Congal St

ADDRESS

Carlsbad NM 88220

CITY

STATE

ZIP

575-361-5626

PHONE

CourtesySportingandpaww @
windstream.net

EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

**LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS
DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):**

302 W. Pierce St.

ADDRESS

9 & 34

LOT

211

BLOCK

Tracy

SUBDIVISION

Date: 4-26-26

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Shawn Mitchell 1095 N. Canal 575-361-5626
Name Address Phone

Subject Site Location: 302 W. Pierce St. Carlsbad, NM 88220

The proposed action is a:

☒ Zoning Change from R-1 Residential to C-1 Commercial in accordance with Sec. 56-150(b).☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:☐ Home Occupation: _____☐ Other Use: _____**The Planning and Zoning Commission will consider this request at a Public Hearing on:**Date: June 1, 2026Time: **5:00pm**Place: **City Annex Planning Room****114 S. Halagueno St.****Carlsbad, NM 88220**The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.For details about this request contact the applicant OR contact the City Planner at575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant/Agent

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

- ☒ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.
- ☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.
- ☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.
- ☒ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.
- ☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.
- ☒ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.
- ☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.
- ☒ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:**Required prior to P & Z:**

Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:

Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

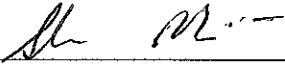
Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.



APPLICANT SIGNATURE

4.26.26
DATE

Sign issued by: _____
Staff Member

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Total Postage and Fees	\$6.08

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Sent To: Anne S. Marquez
 Street and Apt. No., or PO Box No. 1105 N. Canal St
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Sent To: David Rodriguez
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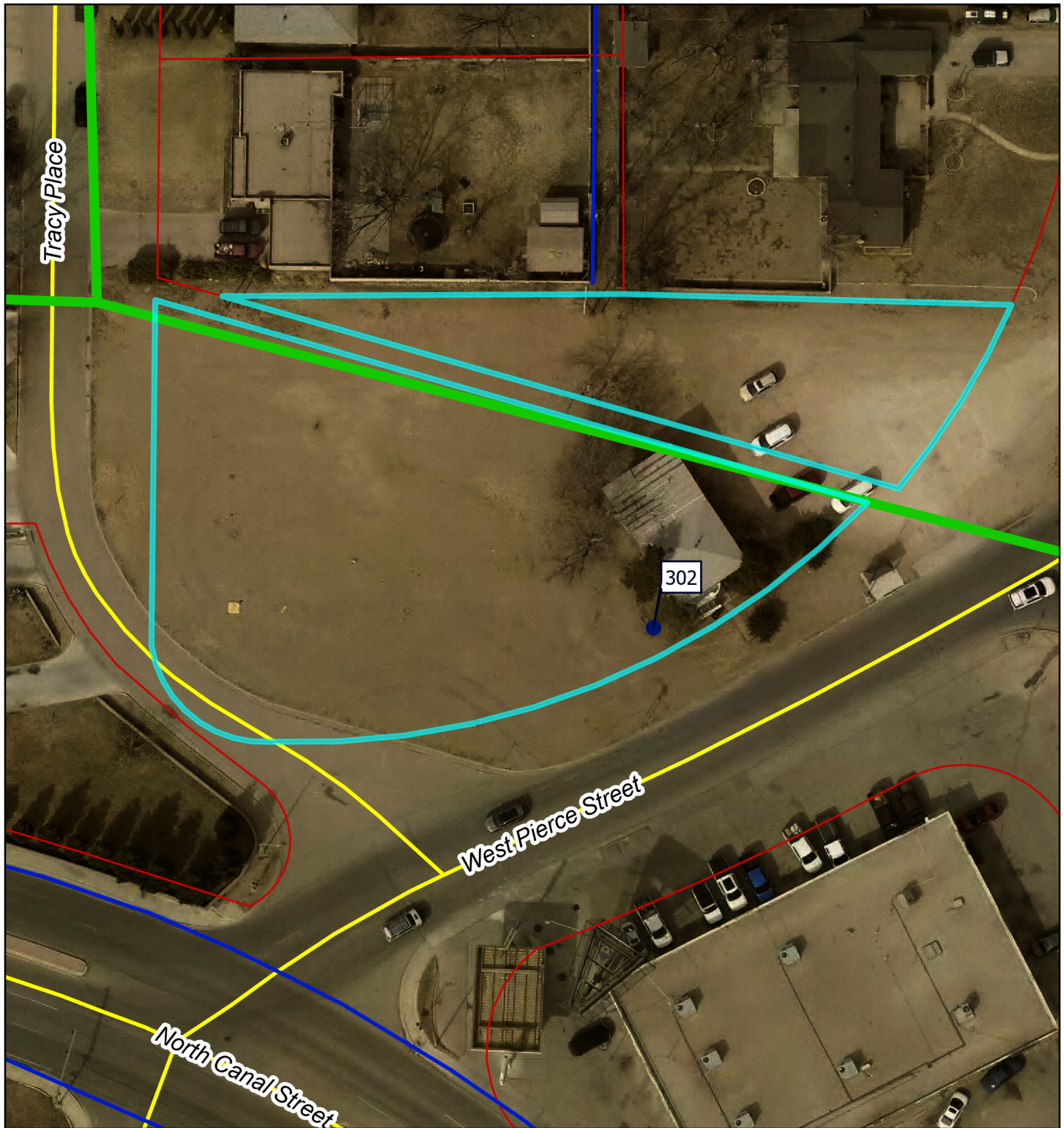
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CARLSBAD NM 88220
04/27/2026

Scale: 1:600
1 inch = 50 feet

Zone Change
Carlsbad, NM

Map # 3530_ed01

Date: 5/18/2026



- Carlsbad Address
- Water Lines
- 0 25 50 100
- Parcel
- Water Main
- Feet
- Roads
- Sewer Lines
- Sewer Main

IMPORTANT: Maps and data are NOT
survey quality, do not guarantee accuracy,
and are only to be used as a reference.

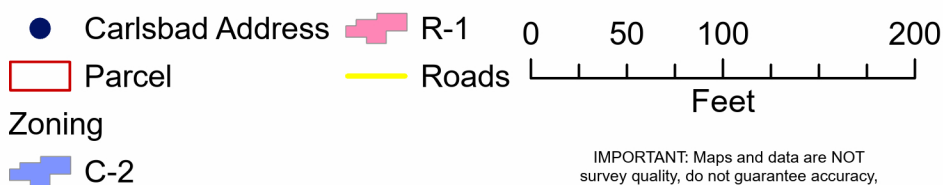
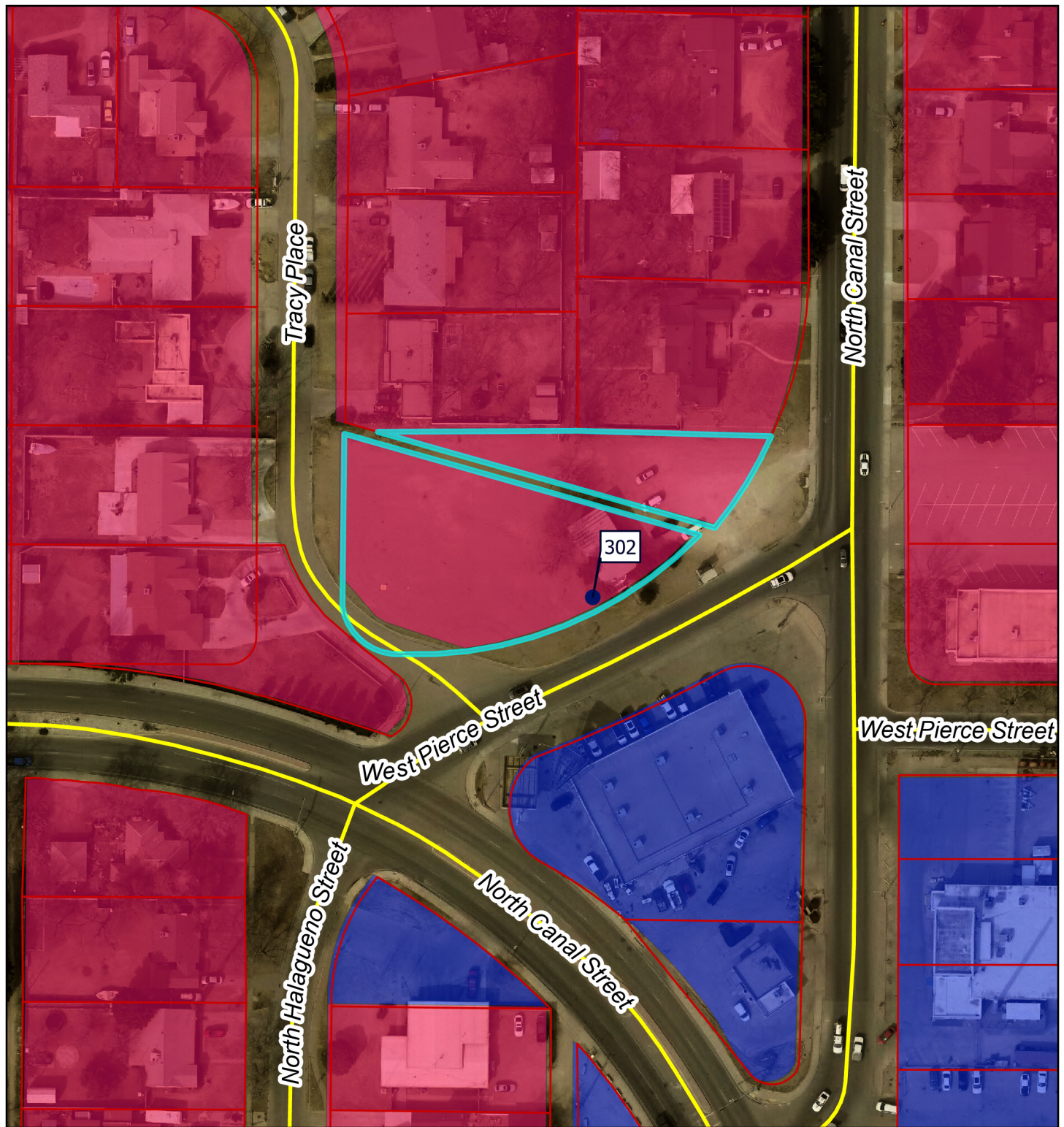


Scale: 1:1,200
1 inch = 100 feet

Zone Change
Carlsbad, NM

Map # 3530_ed02

Date: 5/18/2026



IMPORTANT: Maps and data are NOT
survey quality, do not guarantee accuracy,
and are only to be used as a reference.



#6
We, the undersigned owners of property in the Tracy Subdivision of Carlsbad, New Mexico object to any commercial development of the vacant lot located at the intersection of Tracy PL and West Pierce St. Common address 302 W. Pierce.

The proposed commercial development violates both the Tracy Subdivision and the Tracy Deed restrictions as well as the current zoning ordinances for said property. Historically, residents of the Tracy Addition have instituted legal action to preserve the integrity of the Deed Restrictions. The subdivision restrictions and the Deed restrictions are without exception to any commercial use of any properties in this subdivision.

The undersigned, object to any request to vary and or change the current zoning ordinance (currently the said property at 302 West Pierce Street in Carlsbad, New Mexico is zoned as Residential 1)

A zoning change, if allowed, would alter the subdivision restrictions which are enforceable in a court of law.

- | | Name | Address |
|-----|----------------------|----------------------------|
| 1. | Tiana B Pinedo | 1107 N Canal St 88220 |
| 2. | Marissa C. Mitchell | 301 W Riverside Dr 88220 |
| 3. | Wacey Mitchell | 301 W Riverside Dr 88220 |
| 4. | Clayton Dodd | 1023 N Halaguena St 88220 |
| 5. | Donna Dodd | 1023 N. Halaguena St 88220 |
| 6. | Art B | 1015 N Halaguena St 88220 |
| 7. | Margaret Van Dyke | 1021 N. Alameda 88220 |
| 8. | Richard C. [unclear] | 1021 N. Alameda 88220 |
| 9. | Joe Willis | 1019 N. Alameda 88220 |
| 10. | Ray Willis | 1019 N. Alameda 88220 |
| 11. | Marissa Shumaker | 1027 N Alameda 88220 |
| 12. | Emily R. Brito | 631 N. Leth St 88220 |
| 13. | | |
| 14. | | |
| 15. | | |

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A zoning change, if allowed, would alter the subdivision restrictions which are enforceable in a court of law.

- | | Name | Address |
|--------|-----------------|-----------------------|
| 1. | | 1137 Tracy Pl |
| 2. | | 1137 Tracy Pl |
| 3. | David Rodriguez | 1104 Tracy Place |
| 4. | Evelyn Gaguez | 1104 Tracy Place |
| 5. | Ben Sanchez | 1108 Tracy Place |
| 6. | Melissa Devlin | 1107 Tracy Place |
| 7. | Marty Harris | 1119 Tracy Pl |
| 8. | | 1134 Tracy Place |
| 9. | Ben Carlos | 1134 Tracy Place |
| 10. | Cynthia Harris | 1119 Tracy Place |
| 11. | | 1118 TRACY PL. |
| 12. | Ranelta Carter | 1029 N. Halagueno |
| 13. | Bre Walk | 1025 N. Halagueno |
| 14. | Maryann Walker | 1025 N. Halagueno St. |
| 45 15. | Catherin M | 1022 N. Halagueno |

We, the undersigned owners of property in the Tracy Subdivision of Carlsbad, New Mexico object to any commercial development of the vacant lot located at the intersection of Tracy PL and West Pierce St. Common address 302 W. Pierce.

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A zoning change, if allowed, would alter the subdivision restrictions which are enforceable in a court of law.

- | | Name | Address |
|--------|--------------------------|-------------------------|
| 1. | <u>[Signature]</u> | <u>1100 Tracy Pl</u> |
| 2. | <u>[Signature]</u> | <u>1106 Tracy Pl</u> |
| 3. | <u>[Signature]</u> | <u>1106 Tracy Pl</u> |
| 4. | <u>[Signature]</u> | <u>1109 Tracy Pl</u> |
| 5. | <u>[Signature]</u> | <u>1113 Tracy Place</u> |
| 6. | <u>[Signature]</u> | <u>1115 Tracy Place</u> |
| 7. | <u>[Signature]</u> | <u>1121 Tracy Place</u> |
| 8. | <u>[Signature]</u> | <u>1123 Tracy Pl</u> |
| 9. | <u>[Signature]</u> | <u>1123 Tracy Pl</u> |
| 10. | <u>Jennifer Haschets</u> | <u>1132 Tracy Pl.</u> |
| 11. | <u>John Haschets</u> | <u>1132 Tracy Pl.</u> |
| 12. | <u>[Signature]</u> | <u>1112 Tracy Pl</u> |
| 13. | <u>Bryce Kaighn</u> | <u>1112 Tracy Pl</u> |
| 14. | <u>Deborah Colvin</u> | <u>1111 Tracy Pl</u> |
| 30 15. | <u>Ellen [Signature]</u> | <u>1135 Tracy Pl</u> |

We, the undersigned owners of property in the Tracy Subdivision of Carlsbad, New Mexico object to any commercial development of the vacant lot located at the intersection of Tracy PL and West Pierce St. Common address 302 W. Pierce.

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A zoning change, if allowed, would alter the subdivision restrictions which are enforceable in a court of law.

- | | Name | Address |
|-----|------------------|-------------------|
| 1. | John Bowen | 1129 Tracy Place |
| 2. | Kara Nelson | 1131 TRACY PLACE |
| 3. | Emil Matthews | 1131 TRACY PLACE |
| 4. | Shirley Bowen | 1129 Tracy Place |
| 5. | Nancy Bugh | 1130 Tracy Place |
| 6. | CROSS | 1133 Tracy Pl |
| 7. | CROSS | 1137 Tracy Pl |
| 8. | El. Nymor | 1127 Tracy Place |
| 9. | Sarah Brunell | 1125 Tracy Pl. |
| 10. | Suzanne R Wells | 1124 Tracy Place |
| 11. | Eun Lee | 1117 Tracy Place |
| 12. | Kris King | 1105 Tracy Pl. |
| 13. | Ashley Covington | 1120 Tracy place |
| 14. | | 1120 Tracy Place |
| 15. | | 1102 Tracy place. |

We, the undersigned owners of property in the Tracy Subdivision of Carlsbad, New Mexico object to any commercial development of the vacant lot located at the intersection of Tracy PL and West Pierce St. Common address 302 W. Pierce.

The proposed commercial development violates both the Tracy Subdivision and the Tracy Deed restrictions as well as the current zoning ordinances for said property. Historically, residents of the Tracy Addition have instituted legal action to preserve the integrity of the Deed Restrictions. The subdivision restrictions and the Deed restrictions are without exception to any commercial use of any properties in this subdivision.

The undersigned , object to any request to vary and or change the current zoning ordinance (currently the said property at 302 West Pierce Street in Carlsbad, New Mexico is zoned as Residential 1)

A zoning change, if allowed, would alter the subdivision restrictions which are enforceable in a court of law.

- | | | | |
|-----|------------------------|-------------------------|------------------|
| 1. | <u>Brittany Guerra</u> | <u>1136 Tracy Pl</u> | <u>5-30-2026</u> |
| | <small>Name</small> | <small>Address</small> | |
| 2. | <u>Michael</u> | <u>927 N. Hologueno</u> | <u>6-1-2026</u> |
| 3. | | | |
| 4. | | | |
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Compose



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Purchases 27

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Updates 362

Forums

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More

Labels

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I have read and understand the petition provided regarding the commercial development of the vacant lot at the intersection of Tracy PL and West Pierce St. Please receive this attached document with my digital signature in support of the objection of any commercial development located at the intersection of Tracy PL and West Pierce St, with the common address of 302 W. Pierce. My continued concerns include the area, which is already a major concern with vehicle accidents on a weekly basis, and will only be compounded with this proposed development. An additional concern is the vague nature of what business will be constructed and operated in this location and the type of clientele that this commercial establishment, as the additional foot traffic leads to less privacy for my household, which may lead to safety and welfare. In addition, if it is a food type establishment, what type of waste management will be conducted, as no party wants an increase in rod infestation of the area.

Respectfully,

Amelia Marquez
1105 N. Canal St.
Carlsbad, NM 88220
575-302-5276

On Wed, May 27, 2026 at 8:01 PM Deborah Colvin (via Google Docs) <djccolvin@gmail.com> wrote:

Deborah Colvin attached a document



Reply Reply all Forward 😊



**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Planning & Zoning	BY: Trysha Ortiz	DATE: 07/07/2026
SUBJECT: Consider Approval of Ordinance 2026-24, an Ordinance rezoning part of "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 0.092 acres for property located at 103 S. Cypress Street Applicant/Owner: Justin Angell A) Public Hearing B) Consider Approval of Ordinance 2026-24		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) Applicant/Owner: Justin Angel 1118 W Bonbright St Carlsbad, NM 88220 SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): Request for Zone Change from "C-2" Commercial 2 District to "R-2" Residential 2 District for the approx. 0.09 acre property located at 103 South Cypress Street. The properties to the north, east and west are zoned "C-2" Commercial 2 District. The properties to the south are zoned "R-2" Residential 2 District. This change would not create a spot zone. Sec. 56-40(c) of the Zoning Ordinance states: <i>(c) Residential 2 (R-2) District. The Residential 2 District is intended to accommodate higher density single-family, duplex, multiple-family, and mobile home parks and subdivisions and to provide land-use protection for areas that develop in such a manner.</i> Comprehensive Plan: Strategy 2045 goals and policies that are applicable to this request are: Chapter 4: Housing & Neighborhoods Objectives: • To preserve the character, identity, and integrity of established neighborhoods. • To encourage the on-going maintenance of rental and owner-occupied properties. • To ensure public reinvestment and improvements in existing neighborhoods. Chapter 5: Land Use Objectives:		

- To identify areas of opportunity for infill and redevelopment.
- To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.
- To foster community pride through participation in Keep Carlsbad Beautiful and other property clean-up efforts.

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

- (a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
- (b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
- (c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and
- (d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
- (e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
- (f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
- (g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
- (h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING STAFF RECOMMENDATION: Upon review of the application materials and City staff comments, the Planning Department recommends approval of this request.

DEPARTMENT COMMENTS:

Utilities Department: Recommend approval
 Building Department: Recommend approval
 Fire Department: Recommend approval
 Legal Department: Recommend approval
 Police Department: Recommend approval
 Project Department: Recommend approval
 Planning Department: Recommend approval
 Code Enforcement: No Comments

DEPARTMENT RECOMMENDATION:

At their regularly scheduled meeting on June 1, 2026, the Planning & Zoning Commission

considered the request. Upon review of City staff comments, application materials, and feedback provided by the applicant and members of the public during the public meeting, the Commission voted to recommend approval of this request to the City Council with a vote of five (5) in favor of approval, none (0) against, none (0) absent, and none (0) abstained.

BOARD/COMMISSION/COMMITTEE ACTION:

Planning & Zoning Commission - APPROVED

Reviewed by:

City Manager: Wendy D Austin

Date: July 9, 2026

Attachments:

1. Zone Change - 103 S Cypress St - Application Items

ORDINANCE NO. 2026- 24

AN ORDINANCE REZONING PART OF "C-2"
COMMERCIAL 2 DISTRICT TO "R-2"
RESIDENTIAL 2 DISTRICT FOR
APPROXIMATELY 0.092 ACRES, LOCATED AT
103 S. CYPRESS STREET, LEGALLY DESCRIBED
AS LOT 1B, BLOCK 8, GIBSON'S ADDITION
BLOCK 8 REPLAT SUBDIVISION, PURSUANT TO
SECTION 3-21-1 ET. SEQ. NMSA 1978 AND
SECTIONS 56-150(B) AND 56-140(I), CARLSBAD
CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD,
EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "C-2" Commercial 2 District
to "R-2" Residential 2 District, for approximately 0.092 acres, located at 103 S. Cypress St., legally
described as:

LOT 1B, BLOCK 8, GIBSON'S ADDITION BLOCK 8 REPLAT SUBDIVISION
INTRODUCED, PASSED, ADOPTED AND APPROVED this 14th day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK

**LINKED MINUTES OF A REGULAR MEETING OF THE PLANNING AND
ZONING COMMISSION OF THE CITY OF CARLSBAD, NEW MEXICO, HELD IN
THE JANELL WHITLOCK MUNICIPAL COMPLEX BUILDING ON JUNE 1, 2026,
AT 6:00 P.M.**

Present:	James McCormick	Chairperson
	Trent Cornum	Commissioner
	Valerie Branson	Commissioner
	Linda Wilson	Commissioner
	Denise Madrid-Boyea	Commissioner
Absent:		
Also Present:		
	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Barbara Hodgson	City Attorney
	Josh Campell	Fire Marshall
	Ken Ahrens	Deputy City Manager
	Jalynn Armendarez	Open Meetings Act Manager
	Shawn Mitchell	Citizen
	Ellen Krumm	Citizen
	Deborah Coluin	Citizen
	Ken Aarons	Citizen
	Erin Johnston	Citizen
	Justin Angel	Citizen
	Marcus Bluth	Citizen
	Celina Folmar	Harcrow Surveying
	Dennis Griffin	Citizen
	Jake Johnson	Citizen
	Dan Cross	Citizen
	Ann Cross	Citizen
	David Rodriguez	Citizen
	Howard Dauforth	Citizen
	Ivan Sosa	Citizen
	Amanda Sosa	Citizen
	Amanda Mashaw	Century 21 Dunagan Associates
	George Dunagan	Century 21 Dunagan Associates
	Angel De Leon	Citizen
	Robert Porter	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**

0:01:07 **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called determining the presence of a quorum.

0:01:25 **2. APPROVAL OF MEETING MINUTES – MAY 4, 2026**

0:03:21 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to deny the meeting minutes from May 4, 2026

0:03:28 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea;
No - None; Absent -None

0:03:49 **3. CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT
TO ALLOW A MULTIFAMILY COMPLEX AT THE PROPERTY LOCATED AT 2012
STANDPIPE RD, ZONED "R-R" RURAL RESIDENTIAL DISTRICT**

Mr. Patterson stated the request is to allow a multifamily residential complex at 2012 Standpipe Road, which is zoned "R-R" Rural Residential District. He explained multifamily dwellings are permitted within this zoning district when approved through a Conditional Use Permit. He said the applicant is seeking approval to construct an additional studio apartment building on the property, which currently contains three apartment units. **Mr. Patterson** said the Planning Department recommends approval of the request.

Angel De Leon stated the property consists of approximately two acres and currently contains a triplex. He explained he would like to add a studio apartment to the site and noted the existing septic system would serve the additional unit.

Chairman McCormick stated the conditional use permit is only for the applicant and cannot be sold to another person.

0:07:16 **Chairman McCormick asked if anyone would like to address the commission regarding this request.**

Robert Porter expressed concerns regarding the property's septic system, stating, to his knowledge, no recent action had been taken to address it. He noted the neighboring property owners have described the site as having a cesspool and recalled when the matter previously came before the Commission, residents were informed the applicant would be required to verify an approved septic system. **Mr. Porter** said he did not believe an additional studio apartment could be connected to the existing septic system without confirmation the system was adequate.

Chairman McCormick asked whether Mr. Porter was questioning the adequacy of the septic system. **Mr. Porter** responded he would like verification that the property has a

properly functioning septic and leach field system, noting that inadequate wastewater disposal could potentially contaminate groundwater.

Mr. De Leon stated he possesses the permits and inspection records associated with the installation of the property's most recent septic system.

Commissioner Cornum said review and enforcement of septic systems fall outside the Commission's purview. He stated it is the applicant's responsibility to ensure the septic system complies with state requirements and that any concerns regarding compliance could be directed to the State.

Commissioner Branson asked whether the City has the authority to enforce septic system requirements. **Commissioner Cornum** replied that septic permits are issued through the State, which provides installation reports to the City upon completion of the work.

Commissioner Madrid-Boyea asked whether anyone from the City had informed Mr. De Leon that a new water service line might be required for the property. **Mr. De Leon** responded that he had been told the existing service would likely be sufficient for the proposed studio apartment. **Commissioner Madrid-Boyea** asked whether the Utility Department had recommended approval of the request, noting that an upgraded water service line might be necessary. **Mr. Patterson** confirmed that the Utility Department recommended approval, but indicated that installation of a new water service line could be required for the additional structure. He explained the determination would depend on the size and capacity of the existing water meter and whether it is adequately sized to serve four dwelling units.

Commissioner Madrid-Boyea advised Mr. De Leon to contact the Utilities Department prior to construction to confirm whether the existing water meter and service line would be sufficient for the proposed development.

0:14:24 **Chairman McCormick declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:14:29 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a Conditional Use Permit to allow a multifamily complex at the property located at 2012 Standpipe Rd, zoned "R-R" Rural Residential District

0:14:41 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:14:53 **4. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 56-90(B) TO ALLOW A ONE-FOOT (1') SIDE SETBACK INSTEAD OF THE**

REQUIRED FIVE-FOOT (5') SIDE SETBACK FOR THE PROPERTY LOCATED AT 1105 W BRONSON ST, ZONED "R-2" RESIDENTIAL 2 DISTRICT

Mr. Patterson stated the request is for a variance to allow a 1-foot side yard setback in lieu of the required 5-foot side yard setback at 1105 W. Bronson Street, a property zoned "R-2" Residential 2 District. He explained the applicant is seeking approval to construct a porch addition with a 1-foot setback along the west side of the property rather than complying with the required 5-foot setback. **Mr. Patterson** said the applicant indicated no additional construction would encroach further toward the property line beyond the proposed addition. **Mr. Patterson** stated the Planning Department recommends denial of the request.

Dennis Griffin stated he would like to construct a carport at the front of his property. He said the side of the house is not wide enough to accommodate a double-car carport while maintaining the required 5-foot setback, and the variance would allow him to park vehicles side by side.

Chairman McCormick asked what materials would be used to construct the carport. **Mr. Griffin** said it would be constructed of corrugated metal and professionally installed.

Chairman McCormick noted a water line is located along the side of the property and expressed concern about encroachment into the area needed to maintain utility access and any applicable easement rights. **Mr. Griffin** stated he was not aware of the water line's location prior to the discussion.

0:21:26 MOTION

The motion was made by Commissioner Branson and seconded by Commissioner Madrid-Boyea to table until July 6, 2026 a Variance from Ord. 56-90(b) to allow a one-foot (1') side setback instead of the required five-foot (5') side setback for the property located at 1105 W Bronson St, zoned "R-2" Residential 2 District

0:21:35 VOTE

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:22:39 5. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.09 ACRES LOCATED AT 103 S CYPRESS ST, FROM "C-2" COMMERCIAL 2 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT

Mr. Patterson stated the request is for a zoning change from "C-2" Commercial District to "R-2" Residential District for the property located at 103 S. Cypress. He said the properties to the north, east, and west are currently zoned "C-2" Commercial District, while the property to the south is zoned "R-2" Residential District, which would not

create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request.

Justin Angell stated he intends to construct a duplex on the property. He said the duplex would provide housing for his family, while rental income from the second unit would help offset the mortgage costs.

0:25:20 **Chairman McCormick** asked if anyone would like to speak regarding this item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

0:25:51 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.09 acres located at 103 S Cypress St, from "C-2" Commercial 2 District to "R-2" Residential 2 District

0:25:58 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:26:56 **6. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING AT THE PROPERTY LOCATED AT 302 W PIERCE ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "C-1" Commercial District for the property located at 302 W. Pierce Street. He explained that the properties to the north, east, and west are zoned "R-1" Residential District, while the properties to the south are zoned "C-2" Commercial District. He said the proposed rezoning would not create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request, the Building Department recommends denial at this time, and has requested additional information regarding the proposed development.

Shawn Mitchell stated he plans to install fencing along the north side of the property at a height that meets City requirements. He said residential housing would be located along Tracy Place, while the portion of the property fronting W. Pierce Street would be developed for one or two small retail establishments.

0:30:34 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ann Cross said she opposes the request, citing concerns that the proposed development would increase traffic in an area that already experiences congestion. She said she

would like it to remain residential and noted that a petition had circulated throughout the neighborhood reflecting opposition to the rezoning request.

Mr. Mitchell said based on the current traffic volume in the area, the proposed small-scale commercial development would not significantly increase traffic.

Commissioner Cornum informed Ms. Cross that a small commercial business would likely generate less traffic than additional residential housing. **Commissioner Cornum** asked whether W. Pierce Street is a state highway. **Mr. Patterson** said yes.

Commissioner Cornum asked Mr. Mitchell whether the proposed fencing would run east to west. **Mr. Mitchell** said yes, and he intends for the fencing to complement the residential housing planned for the property.

John Bowen said he opposes the request and would prefer the area to remain a residential neighborhood.

Mr. Mitchell said his goal is to improve the area by creating a development that is unique to Carlsbad. He said the project would enhance the appearance of the neighborhood and provide a development that he believes is needed in the community.

Deborah Coluim said she opposes the request. She said she spoke with representatives of the New Mexico Department of Transportation (NMDOT), who advised that any additional commercial development would increase traffic. She said if the zoning change were approved and the property were later sold, future development could occur without the restrictions associated with the current zoning. She said there is a gas line easement across the property.

Mr. Mitchell said he intends to improve the area and noted that the gas line easement is an existing utility matter over which he has no control.

David Rodriguez said a fire station is located on W. Pierce Street, and increased traffic could create a bottleneck that might impede emergency response operations.

0:57:16 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Chairman McCormick said the Planning and Zoning Commission would make a recommendation on the request; the final decision rests with the City Council. He said if the property is rezoned to "C-1" Commercial District, any use permitted within that zoning classification could potentially be developed on the site.

Commissioner Branson said the concerns extend beyond the intersection itself and include the speed of vehicles traveling along W. Pierce Street.

Commissioner Cornum said commercial development already exists in the area and that traffic concerns are not unique to this location but are experienced throughout the city. He said the proposed development itself is not the primary issue; rather, concerns center on traffic flow and safety. He said the installation of a traffic signal at the intersection could help reduce vehicle speeds and improve traffic conditions.

Mr. Mitchell said the nearby fire station is equipped with a warning system intended to alert motorists when emergency vehicles are responding to calls. He said the system has reportedly been activated only once in the past 13 years. He said a traffic study conducted for the area found traffic volumes comparable to those on Canal Street and concluded that traffic congestion is a citywide issue rather than one specific to this location.

Commissioner Wilson stated the surrounding residential neighborhood would not be adversely affected, and the residential portion of the development would remain residential while the commercial component would be located adjacent to existing commercial properties.

Commissioner Madrid-Boyea asked whether the proposed zoning change would create a spot zone. **Mr. Patterson** said yes.

1:05:42 **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning at the property located at 302 W Pierce St, from "R-1" Residential 1 District to "C-1" Commercial 1 District

1:05:51 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson; No - Madrid-Boyea; Absent -None

1:06:49 **7. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.21 ACRES LOCATED AT 922 REX ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "R-2" Residential District for the property located at 922 Rex Street. He said the properties to the north, south, east, and west are all zoned "R-1" Residential District and that the proposed rezoning would create a spot zone. **Mr. Patterson** said the Planning Department recommends denial of the request.

Ivan Sosa stated he would like to construct a secondary structure on the property that would include living quarters.

Chairman McCormick asked whether the request for “R-2” Residential District zoning was intended to allow multiple dwelling units on the property. **Mr. Sosa** said yes.

1:09:44 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ken Aaron stated he is concerned about the proposed secondary dwelling unit, noting that parking in the area is already limited and that vehicles are frequently parked along both sides of the street. He asked whether the zoning change would be permanent.

Chairman McCormick said the zoning change would be permanent if approved.

Mr. Patterson said the property is currently zoned “R-1” Residential District, which permits one dwelling unit per lot for single-family residential use. He explained that “R-2” Residential District zoning allows for multiple dwelling units and emphasized that the requested rezoning would not permit commercial uses.

Mr. Aaron asked whether there is a limit to the number of dwelling units that could be constructed on the property. **Mr. Patterson** said yes, there is a limit, which is determined by the size of the property and applicable density requirements.

Mr. Aaron also asked whether parking requirements would apply. **Mr. Patterson** stated the property would be required to provide two off-street parking spaces for the additional dwelling unit.

Chairman McCormick asked whether parking would be permitted along Blodgett Street. **Mr. Patterson** stated he was unsure of any restrictions and would need to consult with the Police Department regarding applicable traffic regulations.

Mr. Sosa stated he intends to construct a driveway from Blodgett Street into the backyard to provide access to the proposed dwelling unit.

Commissioner Madrid-Boyea asked how construction access to the backyard would be provided. **Mr. Sosa** said a section of the existing cinder block fence would be temporarily removed to allow construction vehicles and equipment to enter and exit the property. He said he has concerns about using the alley for access due to the presence of utility lines.

Commissioner Branson asked whether it would be possible to add living space to the existing residence without changing the zoning designation. **Mr. Sosa** said the family would prefer separate living quarters to provide privacy for both households.

Mr. Patterson noted that “R-1” Residential District zoning allows for multi-generational living arrangements, provided the additional living space is attached to the primary residence.

Amanda Sosa said the request intends to create a separate dwelling unit to provide privacy for both parties. She said expanding the existing home would also present parking challenges that the proposed detached dwelling would better address.

1:22:04 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Commissioner Madrid-Boyea said this would create a spot zone.

Commissioner Wilson asked what the church is zoned as. **Mr. Patterson** said "R-1" Residential 1 District. **Commissioner Madrid-Boyea** said there is parking for the church across the street. **Mr. Sosa** said the additional dwelling will match the exterior of the home, so it will not be an eyesore.

1:23:28 **MOTION**

The motion was made by Commissioner Cornum and seconded by Commissioner Wilson to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.21 acres located at 922 Rex St, from "R-1" Residential 1 District to "R-2" Residential 2 District

1:23:37 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson; No - Madrid-Boyea; Absent -None

1:24:03 **8. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE SOUTHERN SKY SUBDIVISION, UNIT 4, HOUSING DEVELOPMENT, CREATING 24 NEW RESIDENTIAL LOTS FOR DEVELOPMENT, ZONED PLANNED UNIT DEVELOPMENT (PUD)**

Mr. Patterson stated the request is for approval of a preliminary plat creating 24 new residential lots within the Southern Sky Subdivision. He said this phase represents the fourth unit of the Southern Sky development. He said the project engineer has submitted construction plans for the development and that City staff is currently conducting an internal review of those plans. **Mr. Patterson** said City water and sewer services are available for connection and are capable of serving the proposed development. He said the Planning Department recommends approval of the preliminary plat, subject to the conditions outlined in the staff report.

Chairman McCormick asked Sarah Folmar whether there would be any issues complying with the recommended conditions. **Ms. Folmar** said no, the construction plans are nearly complete, and that she would like to address any staff comments before the plans are finalized and stamped.

Commissioner Madrid-Boyea asked whether the development includes adequate points of ingress and egress to comply with the requirements of the City's subdivision

Ordinance. **Mr. Patterson** said yes and confirmed that the development meets the applicable access requirements.

1:29:50 **Chairman McCormick** asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

1:30:13 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve of a preliminary plat for the Southern Sky Subdivision, Unit 4, housing development, creating 24 new residential lots for development, zoned Planned Unit Development (PUD)

1:30:22 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

1:30:36 **9. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 47-7 TO ALLOW A SEPTIC SYSTEM TO BE INSTALLED AT THE BRANSON INDUSTRIAL SUBDIVISION LOCATED ON THE SOUTH SIDE OF WEST DERRICK ROAD, ZONED "I" INDUSTRIAL DISTRICT**

Commissioner Branson recused herself from this agenda item

Mr. Patterson stated the request is to allow the use of in-ground septic service in place of connection to the City sanitary sewer system for the Branson Industrial Subdivision, located along the south side of West Derrick Road within property zoned I Industrial District. He said a similar request for this development previously came before the Commission in May.

Chairman McCormick asked whether sanitary sewer service had been extended to the property from National Parks Highway. **Mr. Patterson** said the closest City sewer line is located on Production Lane. **Chairman McCormick** recalled a previous case in which it was indicated that the City had adequate septic capacity for a request, with the understanding that sewer infrastructure would need to be extended to support future development. **Mr. Patterson** said earlier discussions were focused on a neighboring property to the west, and infrastructure planning at that time was intended to serve that area. **Mr. Patterson** said the sewer line installed along Production Lane was intended to serve the Carlson Ranch Master Plan community and, in the future, the Branson Subdivision once developed. He said according to the Utility Department, sufficient capacity exists to serve the development at that time. He said the sewer line has not been extended east of Production Lane.

Commissioner Wilson asked whether there are plans to extend the line in the near future. **Mr. Patterson** said, to his knowledge, the City does not currently have plans to extend sewer service eastward.

Chairman McCormick asked about the status of other utilities, including water, gas, and electricity. **Mr. Patterson** said City water has been extended to the first portion of the development, though he was unsure whether it extends throughout the entire subdivision. He said the intent is to extend City water to serve the full development. He said other utilities would need to be extended, and he was uncertain regarding the status of natural gas service.

George Dunagan said, as development planning has progressed, it has become clear that a new water line will need to be extended from National Parks Highway to serve the subdivision. He said the requested variance to utilize septic instead of sanitary sewer would offset some of the increased costs associated with the required water line extension and the installation of a pressure-reducing valve.

Chairman McCormick stated that both water and sewer infrastructure updates are required. **Mr. Dunagan** said the primary infrastructure concern relates to water service. **Chairman McCormick** asked if sewer service is still tied to the broader infrastructure upgrades and indicated that the overall project costs are substantial and were not originally anticipated. **Mr. Dunagan** agreed, stating that the costs were not anticipated based on the initial information available during planning. **Chairman McCormick** asked whether the request was effectively a trade-off, allowing septic service in exchange for the cost of extending water infrastructure. **Mr. Dunagan** said yes and reiterated that the project must remain economically feasible. He said that approval had previously been granted in May for construction on Lot 1.

Commissioner Madrid-Boyea stated the water line must still be installed because the development cannot proceed without water service, and that the cost increase was not anticipated due to the assumption that the existing line was closer than it is. **Mr. Dunagan** said the developers initially believed the water line at Production Lane would provide adequate service for fire suppression but have since determined that connection must instead occur at National Parks Highway. **Commissioner Madrid-Boyea** asked if the water line is farther than originally assumed. **Mr. Dunagan** said yes noting additional costs associated with the required pressure-reducing valve. **Commissioner Madrid-Boyea** asked whether these additional costs were unforeseen. **Mr. Dunagan** said yes. **Commissioner Madrid-Boyea** asked whether these conditions constitute a financial hardship. **Mr. Dunagan** said yes and extending sewer service approximately 500 feet would not be economically feasible.

1:43:35 **Chairman McCormick** asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

1:43:57 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a variance from Ord. 47-7 to allow a septic system to be installed at the Branson Industrial Subdivision located on the south side of West Derrick Road, zoned "I" Industrial District

1:44:09 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

1:44:23 **10. REPORT OF SUMMARY REVIEW SUBDIVISIONS**

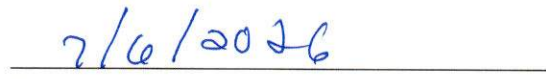
Mr. Patterson stated that the item is the Veterans Cemetery replat. He explained that the State has requested the City replat the property to create Tract B-1, which will be dedicated to the State to support the Veterans Cemetery project at Sunset Gardens. He noted that the State is preparing to proceed with the construction of the cemetery and that the State will own Tracts A and B.

Commissioner Madrid-Boyea asked whether there is adequate water service available for the expanded area. **Mr. Patterson** responded that there should be sufficient water availability to support the project.

1:47:43 **Adjourned**

With no further business to discuss, Chairman McCormick declared the meeting adjourned at 7:46 PM.


Denise Madrid-Boyea, Commissioner


Date



CITY OF CARLSBAD

Planning, Engineering, and

Regulation Department

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 3/2/26
 Existing Zoning: C-2

Fee Paid (\$100.00): 100.00
 Proposed Zoning: R-2

APPLICANT INFORMATION:

NAME: Justin Angel ADDRESS: 1118 W. Bonbright St
 CITY: Carlsbad STATE: NM ZIP: 88220 PHONE: (575) 302 4397 EMAIL: bigdogfood1977@icloud.com

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME: Justin Angel ADDRESS: 1118 W. Bonbright St
 CITY: Carlsbad STATE: NM ZIP: 88220 PHONE: 575 302 4397 EMAIL: bigdogfood1977@icloud.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS
 DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

ADDRESS: 1501 W. MERMED LOT: Gibsons 1 BLOCK: 8 SUBDIVISION: Gibsons
103 S Cypress

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

- ☐ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.
- ☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.
- ☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.
- ☐ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.
- ☒ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.
- ☒ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.
- ☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.
- ☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:**Required prior to P & Z:**

Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:

Council Hearing Date: _____

Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

**IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER
THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.**

APPLICATION TYPE:

☐ ZONING CHANGE ☐ CONDITIONAL USE ☐ VARIANCE ☐ TEMPORARY USE

STATE OF NEW MEXICO)

) SS

COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: _____

STREET ADDRESS

LEGAL DESSCRPTION: _____

SUBDIVISION

BLOCK

LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: _____

NAME

PHONE

ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

BY: _____
SIGNATURE

to before me this _____ day of _____,

20 ____, by _____.

BY: _____
PRINTED NAME

Notary Public _____

My commission expires: _____

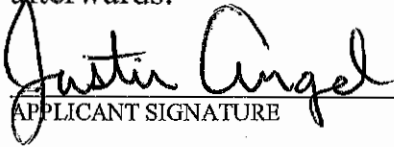
**(ADDITIONAL OWNERS:
ATTACH SEPARATE SHEETS
AS NECESSARY)**

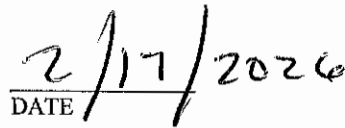
NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.


APPLICANT SIGNATURE


DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

Date: _____

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Justin Angel 1118 W. Bonbright St 575 382 4397
Name Address Phone

Subject Site Location: 103 S Cypress

The proposed action is a:

☒ Zoning Change from C2 to R2 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

☐ Home Occupation: _____

☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: _____

Time: 5:00pm

Place: City Annex Planning Room

114 S. Halagueno St.

Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.

For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent

REZONING REQUEST PACKET COVER PAGE

Hello and thank you,

The main reason I'm asking for a zoning change is because my family needs a three bedroom house. The cost to buy a house is outrageous. Sub-dividing and rezoning allows me to build a duplex which adds a property for a renter. This complements our 20 year comprehensive plan. I have a goal and my goal is derived from the housing market. We have seen the market double twice in the past 20 years. If it happens again a two bedroom home is now close to 500K. I have three children, and my goal is to leave them two properties each before I die. This will help me get there. Please help me with my goal? Thank you and God Bless You All!

PAGE DESCRIPTIONS & DETAILS

PAGE 1: Legal description

PAGE 2: Drawing of existing lot and current structure. This lot already has a second address (103 S Cypress) and it already has a second water meter with water line and a second sewer tap which I've already located.

PAGE 3: Drawing of proposed subdivided and rezoned lot with proposed structure. Also showing proposed parking and existing water meter & sewer tap.

PAGE 4: Description of new structure

PAGE 5: Drawing and dimensions of proposed new structure

PAGE 6: An image of existing zoning three block to the west on S Olive street 104 & 106 Olive is a corner lot that is zoned R-2 directly behind C-2 just like I would like to do.

L 160
W 70
A 11,200

EXSISTING LOT
1501 w. mermod

1.071

1501 sewer & water

103 Cypress
Sewer & water

C-2



Hood
grill

70

W. N. Yermakov

Existing Building

$\updownarrow 7.5$

L 70'
W 57.5'
H 4025'

L 50'
W 20'
Wall Height 18'

F 10'
R 10'
S 7.5'

R-2

103 S CYPRESS

PARKING

PARVINE

WP 16

WP-10

Living

Kidney

Living

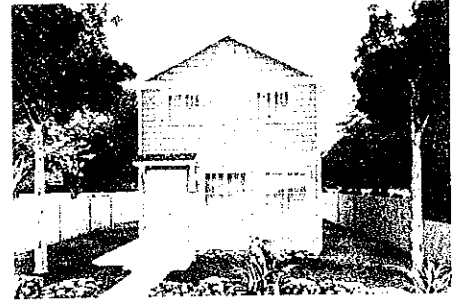
Powder Powder

7.5 set back

70.

Customer Information

Name: Justin Angel
Phone #: +15753024397
Email: angel.justin@yahoo.com
CTB #: CTB-716730
Order #: 411967
Construction State: NM
Construction Zip: 88220
Material Class: Better



House Plan Basics

Plan Number: 67838MG
Plan Source: www.architecturaldesigns.com
Living Square Footage: 2000
Sq.Ft. 1st Floor: 1000
Sq.Ft. 2nd Level: 1000
Number of Bedrooms: 6
Number of Bathrooms: 5
Levels: 2

Garage Basics

Garage Square Footage: 0
Garage Type: No Garage
Garage Bays: 0 None

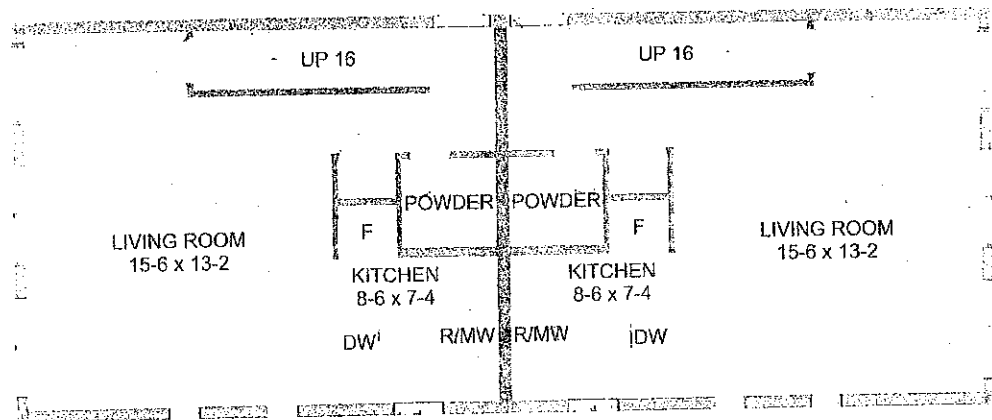
Construction Add Costs

House Corners: 4
Roof Pitch: 6/12
of Windows, Sliders, French Doors: 38
Number Of Fireplaces: 0
Balconies (SqFt): 0
Covered Porches (SqFt): 0
Finish Basement / Bonus Rooms (SqFt): 0
Decks (SqFt): 240

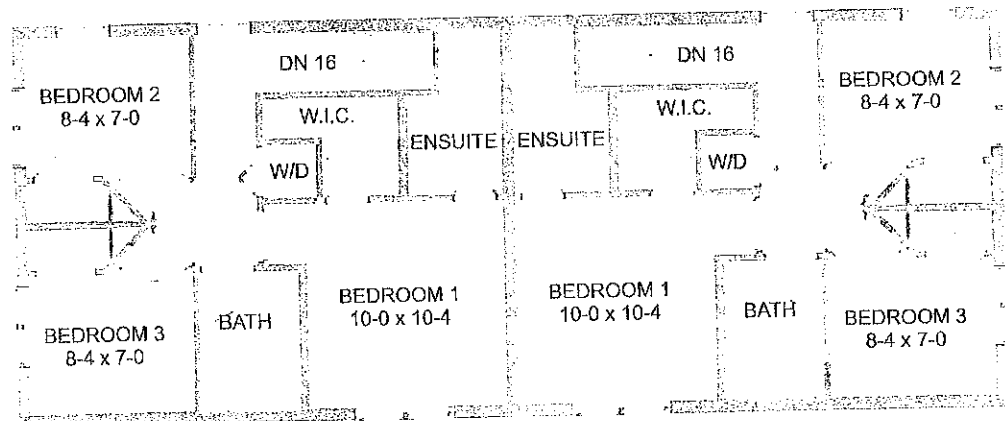
Building Lot Basics

Building Lot Status
Size Of Lot

Main Level



2nd Floor



**CITY OF CARLSBAD***Planning, Engineering, and Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION**Sec. 56-150(b)**

**PROCESS FOR ACCEPTANCE AND REVIEW
OF PLANNING AND ZONING COMMISSION MATTERS**

1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.
2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11"x17". However, if the applicant wishes to support his or her application with larger size documents, **an original and eight (8) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

- 1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.
- 2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A “notice of public hearing” is published in the Current Argus at least 30 days prior to the hearing.
- 3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100’) of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100’ of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant’s information, legal description of subject property, and the date of the hearing.
- 4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.
- 5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

Date: 4/14/2026

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Justin Angel 1118 W. Bonbright St 575 302 4397
Name Address Phone
Subject Site Location: 103 S Cypress

The proposed action is a:

☒ Zoning Change from C2 to R2 in accordance with Sec. 56-150(b).☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).The purpose of the variance/appeal is:

_____☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:☐ Home Occupation: _____☐ Other Use: _____**The Planning and Zoning Commission will consider this request at a Public Hearing on:**Date: June 1, 2026Time: 5:00pmPlace: **City Annex Planning Room****114 S. Halagueno St.****Carlsbad, NM 88220**The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant/Agent

9589 0710 5270 4109 8558 72

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☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	Postmark Here
Total Postage and Fees \$6.08	04/15/2026
Sent To <u>Vober</u>	
Street and Apt. No. or PO Box No. <u>110 S Cypress St</u>	
City, State, ZIP+4 [®] <u>Carlsbad, NM 88220</u>	
PS Form 3800, January 2023 PSN 7530-02-000-9017 See Reverse for Instructions	

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☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	Postmark Here
Total Postage and Fees \$6.08	04/15/2026
Sent To <u>Maria Hernandez</u>	
Street and Apt. No. or PO Box No. <u>1504 W Fox St</u>	
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Extra Services & Fees (check box, add fee as appropriate)	04
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☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	Postmark Here
Total Postage and Fees \$6.08	04/15/2026
Sent To <u>First Assembly of God</u>	
Street and Apt. No. or PO Box No. <u>1502 W. Mermod</u>	
City, State, ZIP+4 [®] <u>Carlsbad NM 88220</u>	
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Extra Services & Fees (check box, add fee as appropriate)	04
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☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	Postmark Here
Total Postage and Fees \$6.08	04/15/2026
Sent To <u>Burkham</u>	
Street and Apt. No. or PO Box No. <u>113 S Cypress St</u>	
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☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	Postmark Here
Total Postage and Fees \$6.08	04/15/2026
Sent To <u>Derek Apodaca</u>	
Street and Apt. No. or PO Box No. <u>1008 N Guadalupe</u>	
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☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	Postmark Here
Total Postage and Fees \$6.08	04/15/2026
Sent To <u>Andrew Miller</u>	
Street and Apt. No. or PO Box No. <u>1505 W. mermod st</u>	
City, State, ZIP+4 [®] <u>Carlsbad NM 88220</u>	
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☐ Adult Signature Required	\$	\$0.00
☐ Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$0.78	
Total Postage and Fees	\$6.08	

Sent To Ray Campos
Street and Apt. No., or PO Box No. 1409 W. Mermod St
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☐ Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$0.78	
Total Postage and Fees	\$6.08	

Sent To Ogden Family
Street and Apt. No., or PO Box No. 212 W. Rose
City, State, ZIP+4® Carlsbad, NM 88220

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\$	\$0.00	04
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☐ Return Receipt (electronic)	\$	\$0.00
☐ Certified Mail Restricted Delivery	\$	\$0.00
☐ Adult Signature Required	\$	\$0.00
☐ Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$0.78	
Total Postage and Fees	\$6.08	

Sent To Marra Hernandez
Street and Apt. No., or PO Box No. 1504 W. Fox St
City, State, ZIP+4® Carlsbad NM 88220

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☐ Adult Signature Required	\$	\$0.00
☐ Adult Signature Restricted Delivery	\$	\$0.00
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Street and Apt. No., or PO Box No. 2309 Pebble Hill Rd
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\$	\$0.00	04
Extra Services & Fees (check box, add fee as appropriate)		
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☐ Return Receipt (electronic)	\$	\$0.00
☐ Certified Mail Restricted Delivery	\$	\$0.00
☐ Adult Signature Required	\$	\$0.00
☐ Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$0.78	
Total Postage and Fees	\$6.08	

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Street and Apt. No., or PO Box No. 1206 Michls Dr
City, State, ZIP+4® Carlsbad, NM 88220

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\$	\$0.00	04
Extra Services & Fees (check box, add fee as appropriate)		
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☐ Return Receipt (electronic)	\$	\$0.00
☐ Certified Mail Restricted Delivery	\$	\$0.00
☐ Adult Signature Required	\$	\$0.00
☐ Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$0.78	
Total Postage and Fees	\$6.08	

Sent To Ford Family
Street and Apt. No., or PO Box No. 1504 W. Fox St
City, State, ZIP+4® Carlsbad NM 88220

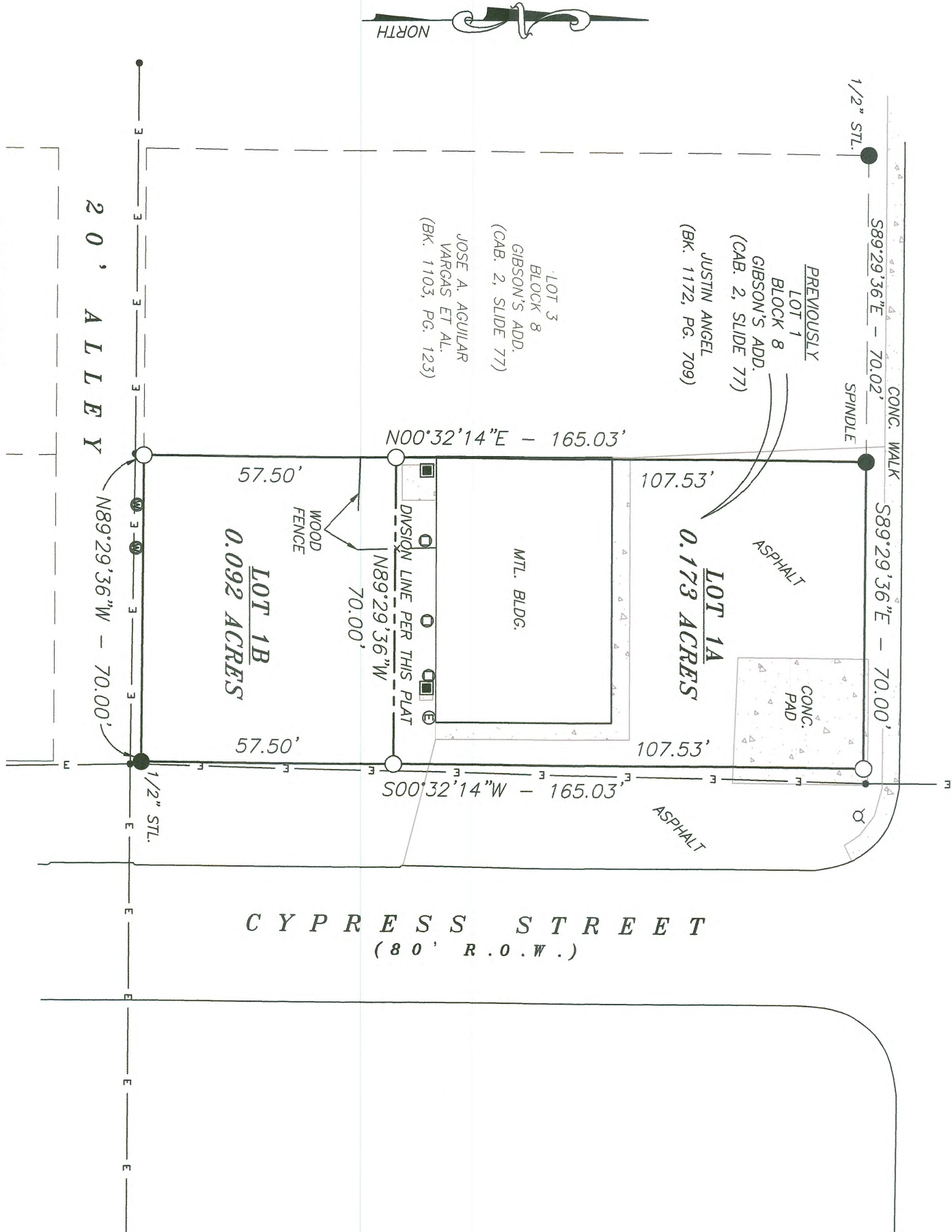
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GIBSON'S ADDITION

BLOCK 8, LOT 1, BLOCK 8 REPLAT

CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO

M E R M O D S T R E E T
(8 0 ' R . O . W .)



OWNERS STATEMENT AND AFFIDAVIT
STATE OF NEW MEXICO
COUNTY OF EDDY)

THE UNDERSIGNED BEING FIRST DULY SWORN ON OATH, STATE:

AS OWNER AND PROPRIETOR I HAVE OF MY OWN FREE WILL, AND CONSENT CAUSED THIS PLAT WITH ITS PROPOSED TRACTS AND EXISTING ROAD RIGHT-OF-WAYS TO BE PLATTED, THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO.

Justin Angel
JUSTIN ANGEL

ACKNOWLEDGMENT
STATE OF NEW MEXICO)
COUNTY OF EDDY)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS THE 17th DAY OF April, 2026 BY JUSTIN ANGEL.

Quinn Flowers
NOTARY PUBLIC

APPROVAL BY THE CITY PLANNING COMMISSION
THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION, OR ITS DESIGNEE, OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO ON THIS 20 DAY OF April, 2026.

Chad Harcrow
COMMISSION DESIGNEE

SURVEYOR'S CERTIFICATION

I, CHAD HARCROW, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR CERTIFY THAT I DIRECTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO. IN WITNESS WHEREOF I HEREUNTO SET

HAND AND AFFIX MY OFFICIAL SEAL THIS 15th DAY OF April, 2026.

Chad Harcrow
CHAD HARCROW N.M.P.S. NO. 17777



INDEXING INFORMATION FOR COUNTY CLERK
OWNER: JUSTIN ANGEL (BK. 1172, PG. 709)

SECTION: SECTION 1, TOWNSHIP 22 S, RANGE 26 E, N.M.P.M.

ACREAGES: LOT 1A: 0.173 ACRES
LOT 1B: 0.092 ACRES

TOTAL: 0.265 ACRES

FILING AND RECORDING

SURVEY DATE: MARCH 30, 2026	REPLAT
DRAFTING DATE: APRIL 8, 2026	PAGE: 1 OF 1
APPROVED BY: CH	DRAWN BY: SP
FILE: 26-238	



HARCROW SURVEYING, LLC
2316 W. MAIN ST. ARTESIA, N.M. 88210
PH: (575) 746-2158
charcrow@harcrowsurveying.com



SUBJECT TO RESERVATIONS, RESTRICTIONS, EASEMENTS OF RECORD AND IN OPEN VIEW AND EDDY COUNTY PROPERTY TAXES.

FLOOD ZONE:
THIS PROPERTY IS IN FLOOD ZONE X as shown on the FEMA, Flood Insurance Rate Map, Community-Panel Number: 35015C1065D, Map Effective: June 4, 2010.

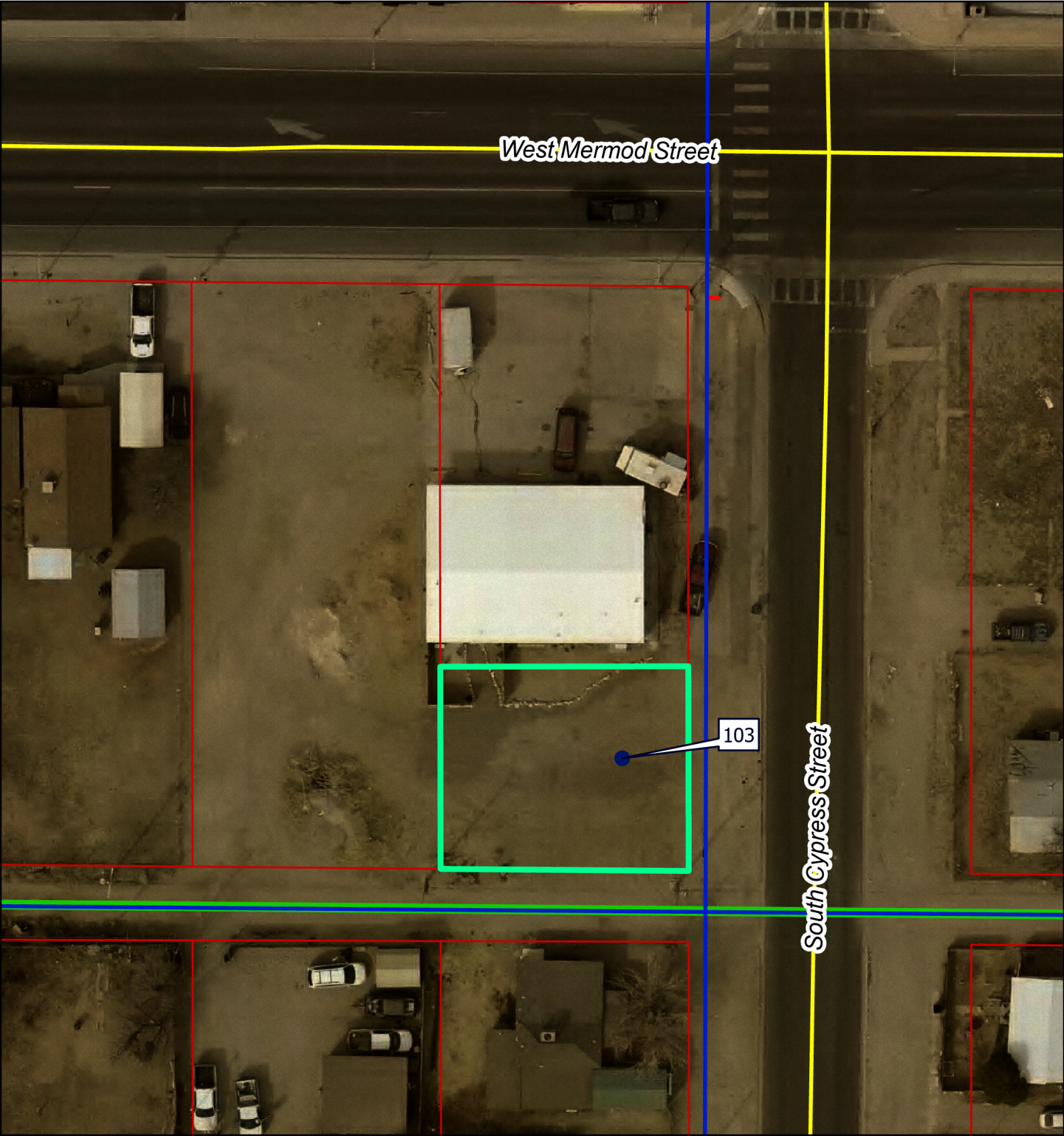
DOCUMENTS USED FOR THIS SURVEY:
GIBSON'S ADDITION (CAB. 2, SLIDE 77)

BASIS OF BEARING:
BEARINGS SHOWN ARE GRID SPC, NEW MEXICO EAST ZONE (3001), NAD 1983. DISTANCES ARE SURFACE VALUES.
CONVERGENCE = 00°03'10.0"

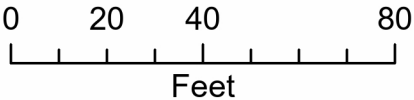
Scale: 1:480
1 inch = 40 feet

Zone Change
Carlsbad, NM

Map # 3529_ed01
Date: 5/18/2026



- Carlsbad Address
- Parcel
- Roads
- Water Lines
- Fire Hydrant Line
- Water Main
- Sewer Lines
- Sewer Main
- Area of Interest



IMPORTANT: Maps and data are NOT survey quality, do not guarantee accuracy, and are only to be used as a reference.

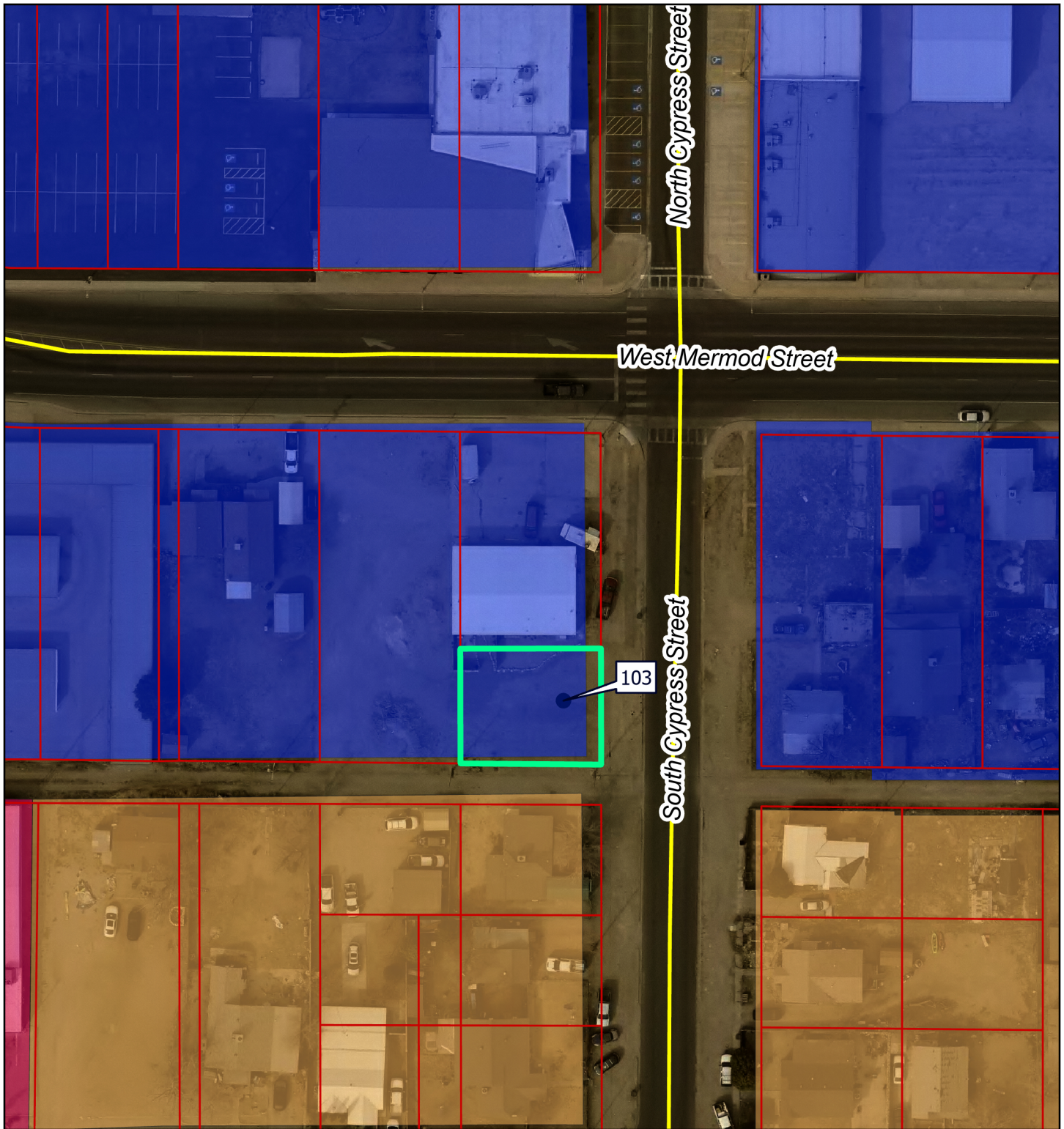


Scale: 1:840
1 inch = 70 feet

Zone Change
Carlsbad, NM

Map # 3529_ed02

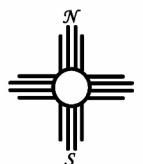
Date: 5/18/2026



- Carlsbad Address
- Parcel
- Zoning
- C-2
- R-1
- R-2
- Roads
- Area of Interest

0 35 70 140
Feet

IMPORTANT: Maps and data are NOT
survey quality, do not guarantee accuracy,
and are only to be used as a reference.





**CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM**

Council Meeting Date: July 14, 2026

DEPARTMENT: Planning & Zoning	BY: Trysha Ortiz	DATE: 07/07/2026
SUBJECT: Consider Approval of Ordinance 2026-25, an Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for approximately 0.21 acres for property located at 922 Rex Street Applicant/Owner: Ivan Sosa A) Public Hearing B) Consider Approval of Ordinance 2026-25		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) Applicant/Owner: Ivan Sosa 922 Rex St Carlsbad, NM 88220 SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): Request for Zone Change from "R-1" Residential 1 District to "R-2" Residential 2 District for the property located at 922 Rex Street. The properties to the north, south, east and west are zoned "R-1" Residential 1 District. This change would create a spot zone. Sec. 56-40(c) of the Zoning Ordinance states: <i>(c) Residential 2 (R-2) District. The Residential 2 District is intended to accommodate higher density single-family, duplex, multiple-family, and mobile home parks and subdivisions and to provide land-use protection for areas that develop in such a manner.</i> Comprehensive Plan: Strategy 2045 goals and policies that are applicable to this request are: Chapter 4: Housing & Neighborhoods Objectives: - To preserve the character, identity, and integrity of established neighborhoods. - To encourage the on-going maintenance of rental and owner-occupied properties. - To ensure public reinvestment and improvements in existing neighborhoods. Chapter 5: Land Use Objectives: - To identify areas of opportunity for infill and redevelopment.		

- To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.
- To foster community pride through participation in Keep Carlsbad Beautiful and other property clean-up efforts.

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

- (a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
- (b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
- (c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and
- (d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
- (e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
- (f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
- (g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
- (h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING STAFF RECOMMENDATION: Upon review of the application materials and City staff comments, the Planning Department recommends denial of this request.

DEPARTMENT COMMENTS:

Utilities Department: Recommend denial
 Building Department: Recommend denial
 Fire Department: Recommend denial
 Legal Department: Recommend denial
 Police Department: Recommend denial
 Project Department: Recommend denial
 Planning Department: Recommend denial – this creates a spot zone
 Code Enforcement:

DEPARTMENT RECOMMENDATION:

At their regularly scheduled meeting on June 1, 2026, the Planning & Zoning Commission considered the request. Upon review of City staff comments, application materials, and

feedback provided by the applicant and members of the public during the public meeting, the Commission voted to recommend approval of this request to the City Council with a vote of four (4) in favor of approval, one (1) against, none (0) absent, and none (0) abstained.

BOARD/COMMISSION/COMMITTEE ACTION:

Planning & Zoning Commission - APPROVED

Reviewed by:

City Manager: Wendy D Austin

Date: July 9, 2026

Attachments:

1. Zone Change - 922 Rex St - Application Items

ORDINANCE NO. 2026-25

AN ORDINANCE REZONING PART OF "R-1"
RESIDENTIAL 1 DISTRICT TO "R-2"
RESIDENTIAL 2 DISTRICT FOR
APPROXIMATELY 0.21 ACRES, LOCATED AT
922 REX STREET, LEGALLY DESCRIBED AS LOT
9, BLOCK 17, CARTER UNIT #3 SUBDIVISION,
PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA
1978 AND SECTIONS 56-150(B) AND 56-140(I),
CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD,
EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District
to "R-2" Residential 2 District, for approximately 0.21 acres, located at 922 Rex St., legally
described as:

LOT 9, BLOCK 17, CARTER UNIT #3 SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 14th day of July, 2026.

RICHARD D. LOPEZ, MAYOR

ATTEST:

CITY CLERK

**LINKED MINUTES OF A REGULAR MEETING OF THE PLANNING AND
ZONING COMMISSION OF THE CITY OF CARLSBAD, NEW MEXICO, HELD IN
THE JANELL WHITLOCK MUNICIPAL COMPLEX BUILDING ON JUNE 1, 2026,
AT 6:00 P.M.**

Present:	James McCormick	Chairperson
	Trent Cornum	Commissioner
	Valerie Branson	Commissioner
	Linda Wilson	Commissioner
	Denise Madrid-Boyea	Commissioner
Absent:		
Also Present:		
	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Barbara Hodgson	City Attorney
	Josh Campell	Fire Marshall
	Ken Ahrens	Deputy City Manager
	Jalynn Armendarez	Open Meetings Act Manager
	Shawn Mitchell	Citizen
	Ellen Krumm	Citizen
	Deborah Coluin	Citizen
	Ken Aarons	Citizen
	Erin Johnston	Citizen
	Justin Angel	Citizen
	Marcus Bluth	Citizen
	Celina Folmar	Harcrow Surveying
	Dennis Griffin	Citizen
	Jake Johnson	Citizen
	Dan Cross	Citizen
	Ann Cross	Citizen
	David Rodriguez	Citizen
	Howard Dauforth	Citizen
	Ivan Sosa	Citizen
	Amanda Sosa	Citizen
	Amanda Mashaw	Century 21 Dunagan Associates
	George Dunagan	Century 21 Dunagan Associates
	Angel De Leon	Citizen
	Robert Porter	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**

0:01:07 **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called determining the presence of a quorum.

0:01:25 **2. APPROVAL OF MEETING MINUTES – MAY 4, 2026**

0:03:21 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to deny the meeting minutes from May 4, 2026

0:03:28 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea;
No - None; Absent -None

0:03:49 **3. CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT
TO ALLOW A MULTIFAMILY COMPLEX AT THE PROPERTY LOCATED AT 2012
STANDPIPE RD, ZONED "R-R" RURAL RESIDENTIAL DISTRICT**

Mr. Patterson stated the request is to allow a multifamily residential complex at 2012 Standpipe Road, which is zoned "R-R" Rural Residential District. He explained multifamily dwellings are permitted within this zoning district when approved through a Conditional Use Permit. He said the applicant is seeking approval to construct an additional studio apartment building on the property, which currently contains three apartment units. **Mr. Patterson** said the Planning Department recommends approval of the request.

Angel De Leon stated the property consists of approximately two acres and currently contains a triplex. He explained he would like to add a studio apartment to the site and noted the existing septic system would serve the additional unit.

Chairman McCormick stated the conditional use permit is only for the applicant and cannot be sold to another person.

0:07:16 **Chairman McCormick asked if anyone would like to address the commission regarding this request.**

Robert Porter expressed concerns regarding the property's septic system, stating, to his knowledge, no recent action had been taken to address it. He noted the neighboring property owners have described the site as having a cesspool and recalled when the matter previously came before the Commission, residents were informed the applicant would be required to verify an approved septic system. **Mr. Porter** said he did not believe an additional studio apartment could be connected to the existing septic system without confirmation the system was adequate.

Chairman McCormick asked whether Mr. Porter was questioning the adequacy of the septic system. **Mr. Porter** responded he would like verification that the property has a

properly functioning septic and leach field system, noting that inadequate wastewater disposal could potentially contaminate groundwater.

Mr. De Leon stated he possesses the permits and inspection records associated with the installation of the property's most recent septic system.

Commissioner Cornum said review and enforcement of septic systems fall outside the Commission's purview. He stated it is the applicant's responsibility to ensure the septic system complies with state requirements and that any concerns regarding compliance could be directed to the State.

Commissioner Branson asked whether the City has the authority to enforce septic system requirements. **Commissioner Cornum** replied that septic permits are issued through the State, which provides installation reports to the City upon completion of the work.

Commissioner Madrid-Boyea asked whether anyone from the City had informed Mr. De Leon that a new water service line might be required for the property. **Mr. De Leon** responded that he had been told the existing service would likely be sufficient for the proposed studio apartment. **Commissioner Madrid-Boyea** asked whether the Utility Department had recommended approval of the request, noting that an upgraded water service line might be necessary. **Mr. Patterson** confirmed that the Utility Department recommended approval, but indicated that installation of a new water service line could be required for the additional structure. He explained the determination would depend on the size and capacity of the existing water meter and whether it is adequately sized to serve four dwelling units.

Commissioner Madrid-Boyea advised Mr. De Leon to contact the Utilities Department prior to construction to confirm whether the existing water meter and service line would be sufficient for the proposed development.

0:14:24 **Chairman McCormick declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:14:29 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a Conditional Use Permit to allow a multifamily complex at the property located at 2012 Standpipe Rd, zoned "R-R" Rural Residential District

0:14:41 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:14:53 **4. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 56-90(B) TO ALLOW A ONE-FOOT (1') SIDE SETBACK INSTEAD OF THE**

REQUIRED FIVE-FOOT (5') SIDE SETBACK FOR THE PROPERTY LOCATED AT 1105 W BRONSON ST, ZONED "R-2" RESIDENTIAL 2 DISTRICT

Mr. Patterson stated the request is for a variance to allow a 1-foot side yard setback in lieu of the required 5-foot side yard setback at 1105 W. Bronson Street, a property zoned "R-2" Residential 2 District. He explained the applicant is seeking approval to construct a porch addition with a 1-foot setback along the west side of the property rather than complying with the required 5-foot setback. **Mr. Patterson** said the applicant indicated no additional construction would encroach further toward the property line beyond the proposed addition. **Mr. Patterson** stated the Planning Department recommends denial of the request.

Dennis Griffin stated he would like to construct a carport at the front of his property. He said the side of the house is not wide enough to accommodate a double-car carport while maintaining the required 5-foot setback, and the variance would allow him to park vehicles side by side.

Chairman McCormick asked what materials would be used to construct the carport. **Mr. Griffin** said it would be constructed of corrugated metal and professionally installed.

Chairman McCormick noted a water line is located along the side of the property and expressed concern about encroachment into the area needed to maintain utility access and any applicable easement rights. **Mr. Griffin** stated he was not aware of the water line's location prior to the discussion.

0:21:26 **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Madrid-Boyea to table until July 6, 2026 a Variance from Ord. 56-90(b) to allow a one-foot (1') side setback instead of the required five-foot (5') side setback for the property located at 1105 W Bronson St, zoned "R-2" Residential 2 District

0:21:35 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:22:39 **5. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.09 ACRES LOCATED AT 103 S CYPRESS ST, FROM "C-2" COMMERCIAL 2 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "C-2" Commercial District to "R-2" Residential District for the property located at 103 S. Cypress. He said the properties to the north, east, and west are currently zoned "C-2" Commercial District, while the property to the south is zoned "R-2" Residential District, which would not

create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request.

Justin Angell stated he intends to construct a duplex on the property. He said the duplex would provide housing for his family, while rental income from the second unit would help offset the mortgage costs.

0:25:20 **Chairman McCormick** asked if anyone would like to speak regarding this item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

0:25:51 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.09 acres located at 103 S Cypress St, from "C-2" Commercial 2 District to "R-2" Residential 2 District

0:25:58 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

0:26:56 **6. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING AT THE PROPERTY LOCATED AT 302 W PIERCE ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "C-1" Commercial District for the property located at 302 W. Pierce Street. He explained that the properties to the north, east, and west are zoned "R-1" Residential District, while the properties to the south are zoned "C-2" Commercial District. He said the proposed rezoning would not create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request, the Building Department recommends denial at this time, and has requested additional information regarding the proposed development.

Shawn Mitchell stated he plans to install fencing along the north side of the property at a height that meets City requirements. He said residential housing would be located along Tracy Place, while the portion of the property fronting W. Pierce Street would be developed for one or two small retail establishments.

0:30:34 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ann Cross said she opposes the request, citing concerns that the proposed development would increase traffic in an area that already experiences congestion. She said she

would like it to remain residential and noted that a petition had circulated throughout the neighborhood reflecting opposition to the rezoning request.

Mr. Mitchell said based on the current traffic volume in the area, the proposed small-scale commercial development would not significantly increase traffic.

Commissioner Cornum informed Ms. Cross that a small commercial business would likely generate less traffic than additional residential housing. **Commissioner Cornum** asked whether W. Pierce Street is a state highway. **Mr. Patterson** said yes.

Commissioner Cornum asked Mr. Mitchell whether the proposed fencing would run east to west. **Mr. Mitchell** said yes, and he intends for the fencing to complement the residential housing planned for the property.

John Bowen said he opposes the request and would prefer the area to remain a residential neighborhood.

Mr. Mitchell said his goal is to improve the area by creating a development that is unique to Carlsbad. He said the project would enhance the appearance of the neighborhood and provide a development that he believes is needed in the community.

Deborah Coluim said she opposes the request. She said she spoke with representatives of the New Mexico Department of Transportation (NMDOT), who advised that any additional commercial development would increase traffic. She said if the zoning change were approved and the property were later sold, future development could occur without the restrictions associated with the current zoning. She said there is a gas line easement across the property.

Mr. Mitchell said he intends to improve the area and noted that the gas line easement is an existing utility matter over which he has no control.

David Rodriguez said a fire station is located on W. Pierce Street, and increased traffic could create a bottleneck that might impede emergency response operations.

0:57:16 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Chairman McCormick said the Planning and Zoning Commission would make a recommendation on the request; the final decision rests with the City Council. He said if the property is rezoned to "C-1" Commercial District, any use permitted within that zoning classification could potentially be developed on the site.

Commissioner Branson said the concerns extend beyond the intersection itself and include the speed of vehicles traveling along W. Pierce Street.

Commissioner Cornum said commercial development already exists in the area and that traffic concerns are not unique to this location but are experienced throughout the city. He said the proposed development itself is not the primary issue; rather, concerns center on traffic flow and safety. He said the installation of a traffic signal at the intersection could help reduce vehicle speeds and improve traffic conditions.

Mr. Mitchell said the nearby fire station is equipped with a warning system intended to alert motorists when emergency vehicles are responding to calls. He said the system has reportedly been activated only once in the past 13 years. He said a traffic study conducted for the area found traffic volumes comparable to those on Canal Street and concluded that traffic congestion is a citywide issue rather than one specific to this location.

Commissioner Wilson stated the surrounding residential neighborhood would not be adversely affected, and the residential portion of the development would remain residential while the commercial component would be located adjacent to existing commercial properties.

Commissioner Madrid-Boyea asked whether the proposed zoning change would create a spot zone. **Mr. Patterson** said yes.

1:05:42 **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning at the property located at 302 W Pierce St, from "R-1" Residential 1 District to "C-1" Commercial 1 District

1:05:51 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson; No - Madrid-Boyea; Absent -None

1:06:49 **7. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.21 ACRES LOCATED AT 922 REX ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "R-2" Residential District for the property located at 922 Rex Street. He said the properties to the north, south, east, and west are all zoned "R-1" Residential District and that the proposed rezoning would create a spot zone. **Mr. Patterson** said the Planning Department recommends denial of the request.

Ivan Sosa stated he would like to construct a secondary structure on the property that would include living quarters.

Chairman McCormick asked whether the request for “R-2” Residential District zoning was intended to allow multiple dwelling units on the property. **Mr. Sosa** said yes.

1:09:44 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ken Aaron stated he is concerned about the proposed secondary dwelling unit, noting that parking in the area is already limited and that vehicles are frequently parked along both sides of the street. He asked whether the zoning change would be permanent.

Chairman McCormick said the zoning change would be permanent if approved.

Mr. Patterson said the property is currently zoned “R-1” Residential District, which permits one dwelling unit per lot for single-family residential use. He explained that “R-2” Residential District zoning allows for multiple dwelling units and emphasized that the requested rezoning would not permit commercial uses.

Mr. Aaron asked whether there is a limit to the number of dwelling units that could be constructed on the property. **Mr. Patterson** said yes, there is a limit, which is determined by the size of the property and applicable density requirements.

Mr. Aaron also asked whether parking requirements would apply. **Mr. Patterson** stated the property would be required to provide two off-street parking spaces for the additional dwelling unit.

Chairman McCormick asked whether parking would be permitted along Blodgett Street. **Mr. Patterson** stated he was unsure of any restrictions and would need to consult with the Police Department regarding applicable traffic regulations.

Mr. Sosa stated he intends to construct a driveway from Blodgett Street into the backyard to provide access to the proposed dwelling unit.

Commissioner Madrid-Boyea asked how construction access to the backyard would be provided. **Mr. Sosa** said a section of the existing cinder block fence would be temporarily removed to allow construction vehicles and equipment to enter and exit the property. He said he has concerns about using the alley for access due to the presence of utility lines.

Commissioner Branson asked whether it would be possible to add living space to the existing residence without changing the zoning designation. **Mr. Sosa** said the family would prefer separate living quarters to provide privacy for both households.

Mr. Patterson noted that “R-1” Residential District zoning allows for multi-generational living arrangements, provided the additional living space is attached to the primary residence.

Amanda Sosa said the request intends to create a separate dwelling unit to provide privacy for both parties. She said expanding the existing home would also present parking challenges that the proposed detached dwelling would better address.

1:22:04 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Commissioner Madrid-Boyea said this would create a spot zone.

Commissioner Wilson asked what the church is zoned as. **Mr. Patterson** said "R-1" Residential 1 District. **Commissioner Madrid-Boyea** said there is parking for the church across the street. **Mr. Sosa** said the additional dwelling will match the exterior of the home, so it will not be an eyesore.

1:23:28 **MOTION**

The motion was made by Commissioner Cornum and seconded by Commissioner Wilson to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.21 acres located at 922 Rex St, from "R-1" Residential 1 District to "R-2" Residential 2 District

1:23:37 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson; No - Madrid-Boyea; Absent -None

1:24:03 **8. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE SOUTHERN SKY SUBDIVISION, UNIT 4, HOUSING DEVELOPMENT, CREATING 24 NEW RESIDENTIAL LOTS FOR DEVELOPMENT, ZONED PLANNED UNIT DEVELOPMENT (PUD)**

Mr. Patterson stated the request is for approval of a preliminary plat creating 24 new residential lots within the Southern Sky Subdivision. He said this phase represents the fourth unit of the Southern Sky development. He said the project engineer has submitted construction plans for the development and that City staff is currently conducting an internal review of those plans. **Mr. Patterson** said City water and sewer services are available for connection and are capable of serving the proposed development. He said the Planning Department recommends approval of the preliminary plat, subject to the conditions outlined in the staff report.

Chairman McCormick asked Sarah Folmar whether there would be any issues complying with the recommended conditions. **Ms. Folmar** said no, the construction plans are nearly complete, and that she would like to address any staff comments before the plans are finalized and stamped.

Commissioner Madrid-Boyea asked whether the development includes adequate points of ingress and egress to comply with the requirements of the City's subdivision

Ordinance. **Mr. Patterson** said yes and confirmed that the development meets the applicable access requirements.

1:29:50 **Chairman McCormick** asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

1:30:13 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve of a preliminary plat for the Southern Sky Subdivision, Unit 4, housing development, creating 24 new residential lots for development, zoned Planned Unit Development (PUD)

1:30:22 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

1:30:36 **9. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 47-7 TO ALLOW A SEPTIC SYSTEM TO BE INSTALLED AT THE BRANSON INDUSTRIAL SUBDIVISION LOCATED ON THE SOUTH SIDE OF WEST DERRICK ROAD, ZONED "I" INDUSTRIAL DISTRICT**

Commissioner Branson recused herself from this agenda item

Mr. Patterson stated the request is to allow the use of in-ground septic service in place of connection to the City sanitary sewer system for the Branson Industrial Subdivision, located along the south side of West Derrick Road within property zoned I Industrial District. He said a similar request for this development previously came before the Commission in May.

Chairman McCormick asked whether sanitary sewer service had been extended to the property from National Parks Highway. **Mr. Patterson** said the closest City sewer line is located on Production Lane. **Chairman McCormick** recalled a previous case in which it was indicated that the City had adequate septic capacity for a request, with the understanding that sewer infrastructure would need to be extended to support future development. **Mr. Patterson** said earlier discussions were focused on a neighboring property to the west, and infrastructure planning at that time was intended to serve that area. **Mr. Patterson** said the sewer line installed along Production Lane was intended to serve the Carlson Ranch Master Plan community and, in the future, the Branson Subdivision once developed. He said according to the Utility Department, sufficient capacity exists to serve the development at that time. He said the sewer line has not been extended east of Production Lane.

Commissioner Wilson asked whether there are plans to extend the line in the near future. **Mr. Patterson** said, to his knowledge, the City does not currently have plans to extend sewer service eastward.

Chairman McCormick asked about the status of other utilities, including water, gas, and electricity. **Mr. Patterson** said City water has been extended to the first portion of the development, though he was unsure whether it extends throughout the entire subdivision. He said the intent is to extend City water to serve the full development. He said other utilities would need to be extended, and he was uncertain regarding the status of natural gas service.

George Dunagan said, as development planning has progressed, it has become clear that a new water line will need to be extended from National Parks Highway to serve the subdivision. He said the requested variance to utilize septic instead of sanitary sewer would offset some of the increased costs associated with the required water line extension and the installation of a pressure-reducing valve.

Chairman McCormick stated that both water and sewer infrastructure updates are required. **Mr. Dunagan** said the primary infrastructure concern relates to water service. **Chairman McCormick** asked if sewer service is still tied to the broader infrastructure upgrades and indicated that the overall project costs are substantial and were not originally anticipated. **Mr. Dunagan** agreed, stating that the costs were not anticipated based on the initial information available during planning. **Chairman McCormick** asked whether the request was effectively a trade-off, allowing septic service in exchange for the cost of extending water infrastructure. **Mr. Dunagan** said yes and reiterated that the project must remain economically feasible. He said that approval had previously been granted in May for construction on Lot 1.

Commissioner Madrid-Boyea stated the water line must still be installed because the development cannot proceed without water service, and that the cost increase was not anticipated due to the assumption that the existing line was closer than it is. **Mr. Dunagan** said the developers initially believed the water line at Production Lane would provide adequate service for fire suppression but have since determined that connection must instead occur at National Parks Highway. **Commissioner Madrid-Boyea** asked if the water line is farther than originally assumed. **Mr. Dunagan** said yes noting additional costs associated with the required pressure-reducing valve. **Commissioner Madrid-Boyea** asked whether these additional costs were unforeseen. **Mr. Dunagan** said yes. **Commissioner Madrid-Boyea** asked whether these conditions constitute a financial hardship. **Mr. Dunagan** said yes and extending sewer service approximately 500 feet would not be economically feasible.

1:43:35 **Chairman McCormick** asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

1:43:57 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a variance from Ord. 47-7 to allow a septic system to be installed at the Branson Industrial Subdivision located on the south side of West Derrick Road, zoned "I" Industrial District

1:44:09 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Branson, Wilson, Madrid-Boyea; No - None; Absent -None

1:44:23 **10. REPORT OF SUMMARY REVIEW SUBDIVISIONS**

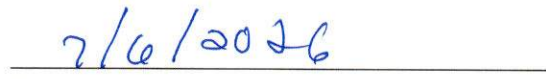
Mr. Patterson stated that the item is the Veterans Cemetery replat. He explained that the State has requested the City replat the property to create Tract B-1, which will be dedicated to the State to support the Veterans Cemetery project at Sunset Gardens. He noted that the State is preparing to proceed with the construction of the cemetery and that the State will own Tracts A and B.

Commissioner Madrid-Boyea asked whether there is adequate water service available for the expanded area. **Mr. Patterson** responded that there should be sufficient water availability to support the project.

1:47:43 **Adjourned**

With no further business to discuss, Chairman McCormick declared the meeting adjourned at 7:46 PM.


Denise Madrid-Boyea, Commissioner


Date



CITY OF CARLSBAD

*Planning, Engineering, and
Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 4-27-26Existing Zoning: R-1Fee Paid (\$100.00): 100.00Proposed Zoning: R-2

APPLICANT INFORMATION:

Ivan Sosa

NAME

922 Rex st

ADDRESS

Carlsbad

CITY

NM

STATE

88220

ZIP

575-499-3939

PHONE

EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Ivan Sosa

NAME

922 Rex st

ADDRESS

Carlsbad

CITY

NM

STATE

88220

ZIP

575-499-3939

PHONE

EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS
DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

922 Rex st Carlsbad, NM 88220

ADDRESS

9

LOT

17

BLOCK

Carter

SUBDIVISION

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

- ☒ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.
- ☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.
- ☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.
- ☒ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.
- ☒ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.
- ☒ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.
- ☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.
- ☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:**Required prior to P & Z:**

Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:

Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

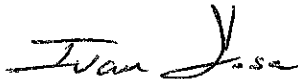
Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.



APPLICANT SIGNATURE

4-27-26
DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

Date: 4-27-26

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Ivan Sosa 922 Rex St 575-499-3939
Name Address Phone
Subject Site Location: 922 Rex St

The proposed action is a:

☒ Zoning Change from R-1 to R-2 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

☐ Home Occupation: _____

☐ Other Use: _____

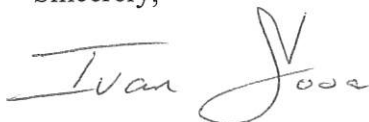
The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: 6/1/26Time: **5:00pm**Place: **City Annex Planning Room****114 S. Halagueno St.****Carlsbad, NM 88220**

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.

For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant/Agent

Property Owner Name

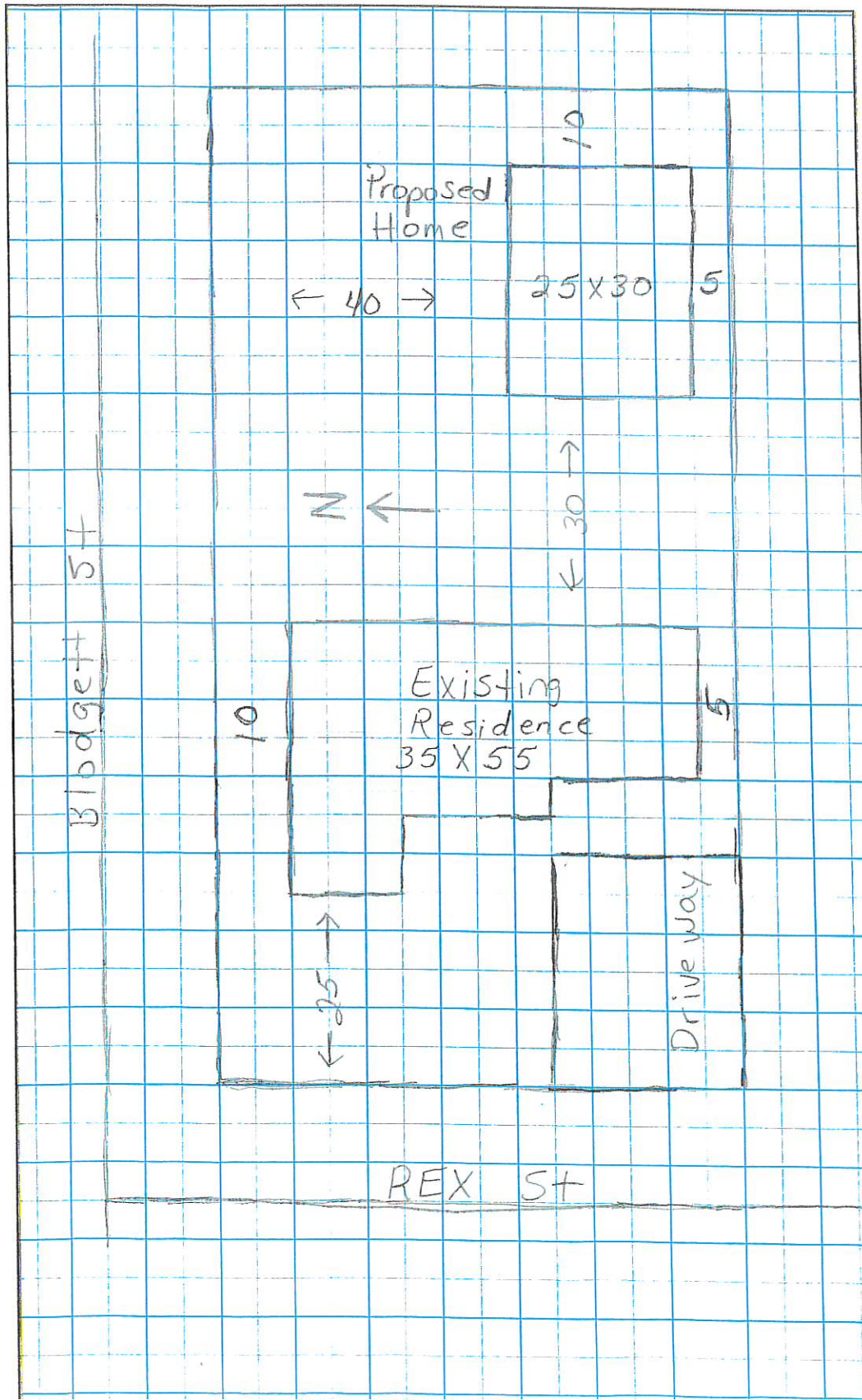
Site Plan

Property Description

Ivan Sosa

Carter B:17 L:9

Subdivision/Block/Lot/Tract - Parcel #



Property Dimensions

Length 130 Ft.

Width 70 Ft.

Area 9,100 Sq. Ft.

Building Dimensions

Length 25 Ft.

Width 30 Ft.

Wall Height 10 Ft.

Area 750 Sq. Ft.

Setbacks

Front 90 Ft.

Rear 10 Ft.

Sides 40 & 5 Ft.

Required Information

- ☒ Dimensions/Setbacks
- ☒ North Arrow
- ☒ Streets
- ☒ Driveway/Access location

Additional Information (if necessary)

- ☐ Onsite Parking
- ☐ Onsite Drainage Retention
- ☐ Storm Water Management
- ☐ Elevation

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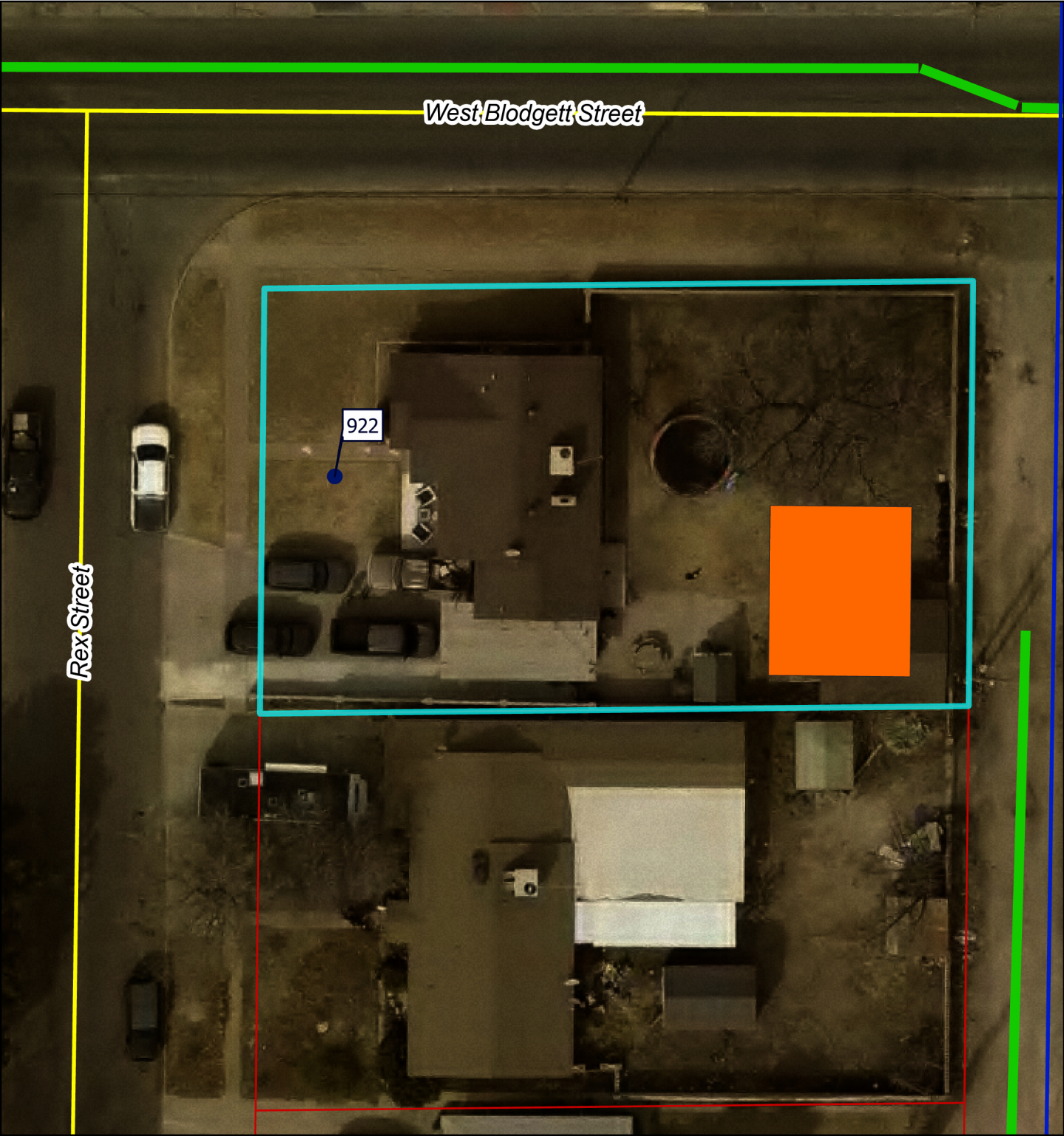
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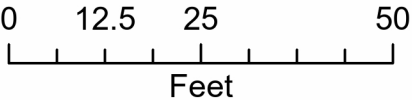
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Zone Change
Carlsbad, NM

Map # 3531_ed01
Date: 5/18/2026



- Carlsbad Address
- Parcel
- Roads
- Water Lines
- Water Main
- Sewer Lines
- Sewer Main
- ProposedStructure



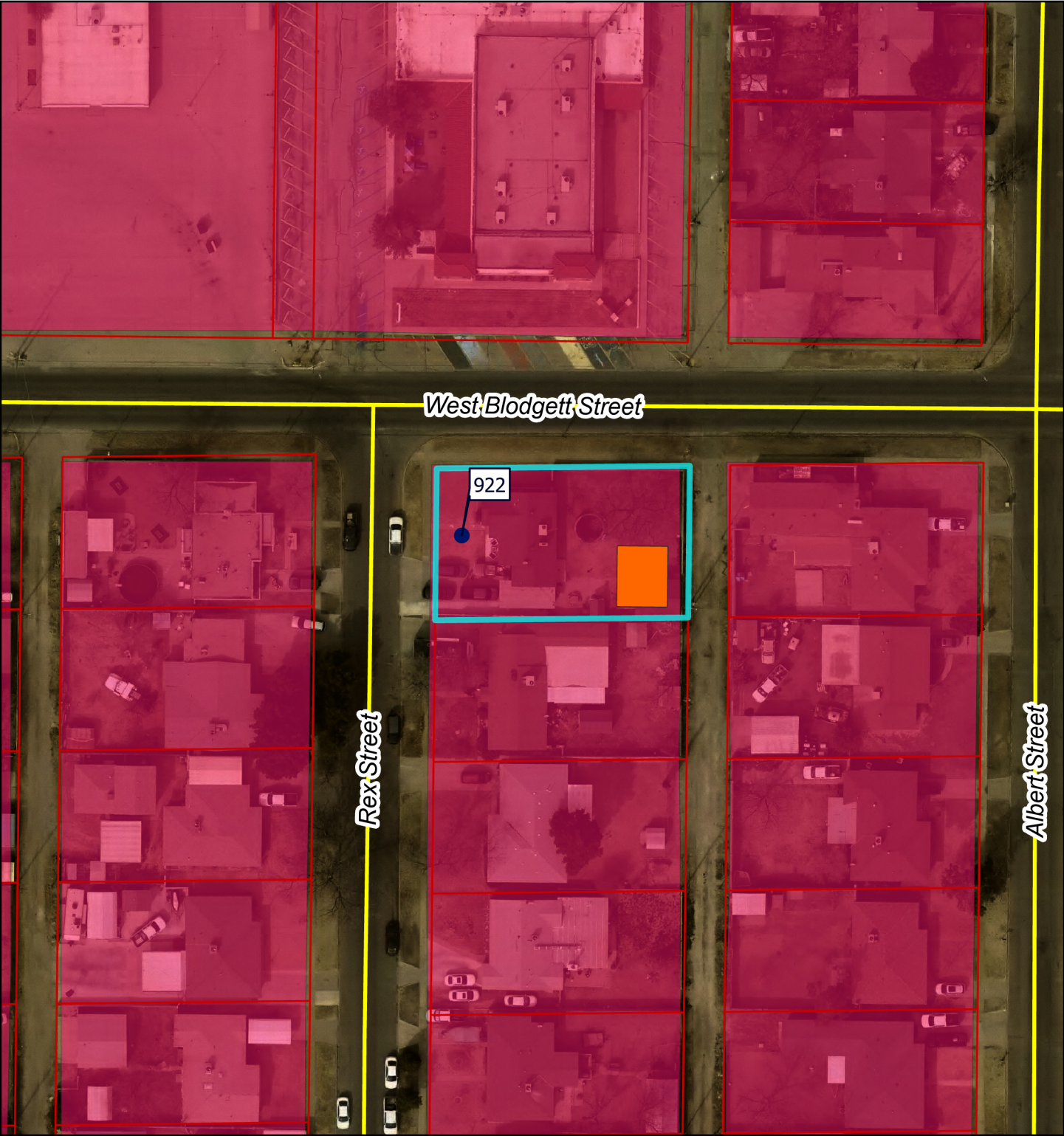
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and are only to be used as a reference.



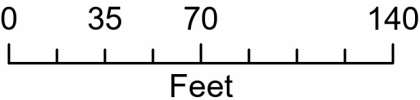
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Zone Change
Carlsbad, NM

Map # 3531_ed02
Date: 5/18/2026



- Carlsbad Address
- ▭ Parcel
- ▭ ProposedStructure
- Zoning
- ▭ R-1



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and are only to be used as a reference.



PUBLIC COMMENTS AND ANNOUNCEMENTS

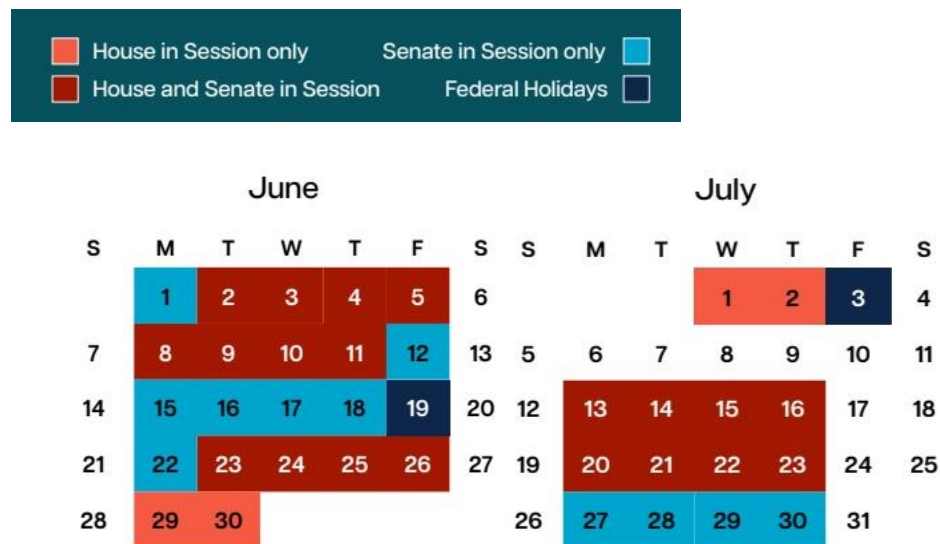
Committee Reports



MEMORANDUM

TO: Mayor Lopez – City of Carlsbad
FROM: Jeff Murray
RE: Monthly Consulting Report, June, 2026

Congressional Schedule



U.S. Government Affairs Report: June 2026

Issue priorities for June: NDAA / FY27 Appropriations / PILT

NDAA: Update

A gambit by House GOP leaders to tie the annual NDAA to a controversial voter restriction bill turned into a political quagmire this afternoon when 14 Republicans voted with Democrats to block the measure from being brought to the floor.

Lawmakers voted 198-224 against a procedural measure — known as a “rule” — that would have allowed debate to begin on the fiscal 2027 NDAA, but which would have combined the defense bill with the SAVE America Act after passage and before being sent to the Senate.

The failed vote essentially stalls movement on the House’s version of the [FY27 NDAA](#), which authorizes \$1.15 trillion in base budget funding for the Defense Department (including WIPP).

UPDATE: FY27 Budget/Appropriations (Energy and Water Appropriations)

Energy Bill High on Appropriations To-Do List.

Before [Republican leaders’ plans collapsed](#), they were getting ready for a House floor vote on the rule governing debate for the fiscal 2027 energy and water appropriation ([H.R. 9022](#)).

That legislation, funding the Energy Department (including WIPP), Army Corps of Engineers, and related agencies, would provide \$58.5 billion in discretionary funding, a below-inflation increase of roughly 0.8% above fiscal 2026 levels, *John Woolley* writes in this [BGOV Bill Analysis](#).

Among the highlights:

Data Centers: House appropriators adopted language in the [committee report](#) directing the department to provide recommendations for mitigating the effect of artificial intelligence data centers on the electric grid, energy costs, and water use.

Nukes: The National Nuclear Security Administration would get more money next year—a 6.6% increase, or about \$1.7 billion extra, for its weapons activities account. Its naval reactors account would increase by \$259.7 million, or 12.2%. The agency’s defense nuclear nonproliferation account, dedicated to stopping foreign actors from developing nuclear weapons or acquiring weapons-grade radiological material, would be cut by \$282.2 million, or 11.9% from fiscal 2026. Clean Energy Standards: DOE wouldn’t be allowed to use its appropriation to enforce a clean energy standard for federal buildings finalized during the Biden

administration. That standard requires federal agencies to reduce their use of coal, petroleum, natural gas, and other fossil fuels.

DOI (PILT):

On June 23, the U.S. Department of the Interior [announced](#) the payment of \$733 million to local governments through the Payments in Lieu of Taxes (PILT) program. These funds are designed to support essential government services in public lands counties – including Eddy County - nationwide that are home to untaxable federal land.

Although the county services that PILT supports are mandatory, **the PILT program continues to be discretionary spending subject to the annual appropriations cycle.**

For FY26 the Department of Interior announced that **Eddy County will receive \$4,739,597** – this represents an increase of \$147,871 over last year’s funding. Additionally, Eddy remains the highest funded county in the state of New Mexico. Counties in New Mexico received a total of \$55,915,938 in FY26.

Activities:

Rep Clark	We hosted Rep Clark – the Democratic Whip in the US House – for a New Mexico visit where we discussed issue priorities in Eddy and Carlsbad. Note: Should the Democrats regain control of the House in 2027 – she is expected to become the majority Leader in the House.
Congressional Delegation	We hosted a Congressional delegation of 10 members of Congress (5 Republican and 5 Democrats) to discuss priority issues – including energy production and FY27 funding priorities.

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6/1/26 – Attended the Workforce Stronger New Mexico meeting hosted by the New Mexico Department of Workforce Solutions in partnership with the Carlsbad Chamber of Commerce. Discussions focused on workforce development initiatives, employer resources, and training opportunities.

6/8&9/26 - Participated in the Energy Plex Conference in Hobbs, NM.

6/9/26 – Participated virtually in the Permian Strategic Partnership (PSP) Road Safety Committee meeting.

6/10/26 – Participated in a housing update meeting with local Realtors to discuss current housing needs, market trends, and opportunities to address future residential growth in Carlsbad.

6/11/26 – Attended the Carlsbad Department of Development (CDOD) Annual Banquet.

6/17/26 – Attended the Carlsbad Chamber of Commerce Board of Directors meeting.

6/22/26 – Attended the Carlsbad MainStreet Board of Directors meeting.

6/23/26 – Participated virtually in an introductory meeting hosted by the Carlsbad Department of Development with RW Energy and the New Mexico Oil & Gas Association (NMOGA) to discuss a potential Small Modular Reactor (SMR) project and its economic development opportunities for the region.

6/29/26 – Attended a dinner with prospective developers hosted by the Carlsbad Department of Development to discuss investment opportunities and continued commercial and residential growth in Carlsbad.