

**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 JULY 14, 2026, AT 6:00 P.M.**

|               |                      |                                |
|---------------|----------------------|--------------------------------|
| Present:      | Richard D. Lopez     | Mayor                          |
|               | Lisa A. Anaya Flores | Councilor                      |
|               | Edward T. Rodriguez  | Councilor                      |
|               | Karla Niemeier       | Councilor                      |
|               | Anthony Foreman      | Councilor                      |
|               | Mark C. Walterscheid | Councilor                      |
|               | Jeff Forrest         | Councilor                      |
|               | Mary Garwood         | Councilor                      |
| Absent:       | Jason O. Chavez      | Councilor                      |
| Also Present: | Wendy Austin         | City Manager                   |
|               | Ken Ahrens           | Deputy City Manager            |
|               | K.C. Cass            | Chief of Operations            |
|               | Barbara Hodgson      | City Attorney                  |
|               | Nadine Mireles       | City Clerk                     |
|               | Jalynn Armendarez    | Open Meetings Act Manager      |
|               | Stephan Brown        | Compliance Clerk               |
|               | Dina Navarrette      | Community Services Director    |
|               | 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                  |
|               | Jeff Patterson       | Planning Director              |
|               | Alan Perez           | Captain                        |
|               | Randy Galindo        | Safety and Compliance Director |
|               | Collis Johnson       | Municipal Judge                |
|               | Tammy Carrigan       | Court Administrator            |
|               | Imy Parraz           | Court Clerk                    |
|               | Zach Bird            | Police Officer                 |
|               | Brandy Mendoza       | Eddy County DWI Program        |
|               | Shawn Mitchell       | Citizen                        |
|               | Amanda Mashaw        | Century 21 Dunagan Associates  |
|               | Anne Cross           | Citizen                        |
|               | Debroah Culvan       | Citizen                        |

|                 |         |
|-----------------|---------|
| Ellen Krumm     | Citizen |
| Howard Ample    | Citizen |
| David Rodriguez | Citizen |
| Danny Cross     | 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**

0:01:45                    **Invocation – Pledge of Allegiance**

0:02:26            **1.        ROUTINE AND REGULAR BUSINESS**

**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

0:02:46      **Mayor Lopez asked Mr. Abell to briefly discuss item C1, Consider Approval for Invitation to Solicit Bids for Primary Lift Station Number Two**  
**Mr. Abell** said approval is being requested to solicit bids for the construction of the new Primary Lift Station No. 2. He said the project will provide a redundant backup system to the existing lift station currently operated by the City, enhancing reliability and operational capacity.

0:03:38      **Mayor Lopez asked Mr. Ahrens to briefly discuss item D1, 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**

**Mr. Ahrens** said, annually, the City enters into an agreement with Eddy County to provide certain Community Services to county residents who live outside the City limits. He said these services include access to the Public Library, Senior Citizens Center, Sports Complex, Recreation Center, Golf Course, Fire and EMS services, and City convenience stations. **Mr. Ahrens** said the agreement will be effective from July 1, 2026, through June 30, 2027. He said Eddy County has proposed a contribution of \$742,500.00 for the services provided under this agreement.

0:04:48      **Mayor Lopez asked Judge Johnson to briefly discuss item D2, Consider Approval of Memorandum of Understanding between the City of Carlsbad and the Eddy County DWI Program**

**Judge Johnson** said this is a request to renew the City's contract with the Eddy County DWI Program. She said Eddy County applies for a grant that supports DWI tracking and open container enforcement efforts. She said a City employee is funded through this grant to track and maintain the related information.

0:05:53      **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve Routine and Regular Business

0:06:02      **VOTE**

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

0:06:20      **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**

Mr. Patterson said the City operates a Public Infrastructure Reimbursement Program, which provides reimbursement of up to 15% of eligible costs associated with the installation of public infrastructure needed to serve new development within the City. He said the request pertains to the South Ridge Subdivision and that approval of the application would authorize the City and the applicant to enter into a Public Infrastructure Reimbursement Agreement, as outlined in the Resolution. Mr. Patterson said the South Ridge Subdivision improvements include the installation of approximately 290 linear feet of waterline and all associated appurtenances; approximately 360 linear feet of sanitary sewer main and all associated appurtenances; approximately 800 square yards of street construction and paving; approximately 650 linear feet of two-foot-wide curb and gutter; and approximately 290 square yards of concrete sidewalk. Mr. Patterson said the Planning and Zoning Commission reviewed the application and recommended approval of reimbursement to the applicant in an amount not to exceed \$102,936.12.

**0:08:50      MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve 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

**0:09:03      VOTE**

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

**0:09:18      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**

Mrs. Austin stated the City of Carlsbad maintains an annual membership with the Southeastern New Mexico Economic Development District (SENMEDD), which is renewed each year for the services the organization provides. She said SENMEDD works on behalf of the City by providing planning, technical assistance, and capacity-building services. She said the agreement assists the City and the community with economic development initiatives, legislative activities, and the preparation of funding applications for state, federal, and private grant opportunities. Mrs. Austin said the agreement will be effective from July 1, 2026, through June 30, 2027, at a cost of \$7,641.00 to the City.

**0:10:34      MOTION**

The motion was made by Councilor Anaya- Flores and seconded by Councilor Walterscheid to approve 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

0:10:42        **VOTE**

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

0:10:55        **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**

Mrs. Hodgson said this Resolution requires the removal of the ruins, rubbish, wreckage, debris and weeds at 606 W Hagerman. She said the property is occupied and has City utilities connected. She said on February 13, 2026, Code Enforcement inspected the property. Mrs. Hodgson said a Notice of Violation was mailed by Code Enforcement to the address listed on the Eddy County records via certified mail on February 23, 2026. She said the property has been inspected by the Fire Marshal 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 the property line. She said a Resolution has been prepared for Council consideration and if adopted, would require the property owner to remove the ruins, wreckage, debris, rubbish and weeds within 30 days of the Resolution.

0:14:09        Mayor Lopez asked if anyone with interest in this property would like to address Council. No one appeared.

0:14:20        **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve 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

0:14:31        **VOTE**

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

0:14:44        **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**

**Mrs. Hodgson** said this Resolution requires the removal of the ruins, rubbish, wreckage, debris and weeds at 503 N Guadalupe. She said the property is occupied and has City utilities connected. She said on February 23, 2026, Code Enforcement inspected the property. **Mrs. Hodgson** said a Notice of Violation was mailed by Code Enforcement to the address listed on the Eddy County records via certified mail on February 24, 2026. She said the property has been inspected by the Fire Marshal and found the property in violation of the 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. She said a Resolution has been prepared for council consideration and if adopted, would require the property owner to remove the ruins, wreckage, debris, rubbish and weeds within 30 days of the Resolution.

**Councilor Niemeier** asked if the junk on the property is the renters or the property owners'. She suggested notifying the tenants on the property that the property will be cleaned up.

0:19:39      **Mayor Lopez** asked if anyone with interest in this property would like to address Council. No one appeared.

0:19:46      **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to approve 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

0:19:56      **VOTE**

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

0:20:06      **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**

**Mrs. Hodgson** said this Resolution requires the removal of the ruins, rubbish, wreckage, debris, and weeds at 505 N Guadalupe. She said the property is occupied and has City utilities connected. She said on February 12, 2026, Code Enforcement inspected the property. **Mrs. Hodgson** said a Notice of Violation was mailed by Code Enforcement to the address listed on the Eddy County records via certified mail on February 23, 2026. She said the property has been inspected by the Fire Marshal and found the property in violation of the 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. She said a Resolution has been prepared for Council consideration and if adopted, would require the property owner to remove the ruins, wreckage, debris, rubbish and weeds within 30 days of the Resolution.

0:22:50        Mayor Lopez asked if anyone with interest in this property would like to address Council. No one appeared.

0:22:58        **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve 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

0:23:08        **VOTE**

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

0:23:20        **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**

Mrs. Hodgson said this Resolution requires the removal of the ruins, rubbish, wreckage, debris and weeds at 4801 Concho Street. She said the property is occupied and has City utilities connected. She said on February 10, 2026, Code Enforcement inspected the property. Mrs. Hodgson said Code Enforcement mailed a Notice of Violation to the address listed on the Eddy County records via certified mail on February 11, 2026. She said the property has been inspected by the Fire Marshal and found the property in violation of the 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. She said a Resolution has been prepared for Council consideration and if adopted, would require the property owner to remove the ruins, wreckage, debris, rubbish and weeds within 30 days of the Resolution.

0:26:03        Mayor Lopez asked if anyone with interest in this property would like to address Council.

Christina Nava said she lives next door and the property is an eyesore.

0:27:38        **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve 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

0:27:48        **VOTE**

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

0:28:01      **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**

**Mr. Patterson** said this is 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. He said the properties to the north, east and west are zoned "R-1" Residential 1 District and the properties to the south are zoned "C-2" Commercial 2 District this would create a spot zone. He said the applicant brought their application before the Planning and Zoning Commission at the June 1, 2026 meeting and the commission voted to recommend approval of this request.

0:30:10      **A)      Public Hearing**

0:30:14      **Mayor Lopez asked if anyone would like to speak regarding the Ordinance.**

**Shawn Mitchell** presented the Mayor and City Council with a copy of the original 1946 subdivision plat and read from the restrictive covenant associated with the property. He said the area was originally platted for commercial use rather than residential use.

**Councilor Garwood** asked whether **Mr. Patterson** had any additional information regarding the property's zoning history. **Mr. Patterson** stated that **Mr. Mitchell** recently brought the original plat to his attention. He said, by 2002, the City had considered the property to be residentially zoned, although he was unsure when or how that designation was applied. He said the property has been treated as residential for decades. **Mr. Patterson** noted that a rezoning request for the property was considered by the Planning and Zoning Commission in 2008 but was not approved.

**Councilor Forrest** said the applicant was requesting the property be rezoned to "C-1" Commercial 1 District and asked **Mr. Patterson** to explain the differences between "C-1" Commercial 1 District and "C-2" Commercial 2 District, as well as why "C-1" Commercial 1 District was requested. **Mr. Patterson** said "C-1" Commercial 1 District is intended to be more compatible with adjacent residential neighborhoods. He said it allows smaller-scale commercial uses, such as retail businesses and restaurants, and generally limits building size to approximately 5,000 square feet. He said many larger-scale commercial and oilfield-related uses permitted in "C-2" Commercial 2 District are not allowed in "C-1" Commercial 1 District, while "C-2" Commercial 2 District accommodates a broader range of larger-scale commercial operations.

**Councilor Niemeier** referred to the conceptual rendering and noted that it depicted two residential homes and a small commercial building with access appearing to be from Pierce Street. **Mr. Mitchell** stated that although the rendering showed access from Pierce Street, he intends to retain the existing ingress and egress from Canal Street.

**Councilor Niemeier** asked whether the proposed homes would face Tracy Place. **Mr. Mitchell** said yes. **Councilor Niemeier** asked whether access to the homes would be from the front or the rear. **Mr. Mitchell** replied that access would be from the rear. **Councilor Niemeier** asked what type of business was proposed for the commercial building. **Mr. Mitchell** stated he plans to construct a small boutique of approximately 800 to 1,000 square feet and that the residential structures would be small homes. **Mr. Mitchell** said he had consulted with an attorney regarding the property and believes that future development could be restricted to ensure the property is developed in accordance with his intended plan.

**Councilor Rodriguez** asked whether the request constituted spot zoning because the applicant was requesting "C-1" Commercial 1 District rather than "C-2" Commercial 2 District. **Mr. Patterson** said the request would technically constitute spot zoning, even though commercial zoning exists adjacent to the property. **Councilor Rodriguez** asked whether this could be another instance where zoning had inadvertently crossed into an area where it was not intended. **Mr. Patterson** said the current zoning map was adopted in 2011 and that, prior to that, the property had been zoned Residential B. He said he could not determine whether the current zoning designation resulted from an error or was intentionally applied.

**Councilor Forrest** asked whether the request would still be considered spot zoning if the property were rezoned to "C-2" Commercial 2 District. **Mr. Patterson** said no.

**Councilor Niemeier** asked why the applicant had not requested "C-2" Commercial 2 District zoning instead. **Mr. Patterson** said residential uses such as the proposed homes are not permitted within "C-2" Commercial 2 District. He said his department would not recommend "C-2" Commercial 2 District zoning for that location.

**Amanda Mashaw**, Century 21 Dunagan Associates, addressed Council and encouraged approval of the request based on the property's original 1946 plat, which identified the tract for commercial use. She said the restrictive covenant excluded the tract from the residential covenant established at that time. **Ms. Mashaw** noted the importance of supporting local businesses and stated that commercial property is in limited supply in Carlsbad. She said traffic concerns have been raised over the years but commented that the intersection has historically been challenging. **Ms. Mashaw** said **Mr. Mitchell's** proposal would be a quality development that would benefit the community.

0:42:34      **Mayor Lopez** asked if anyone would like to speak regarding the Ordinance.

**Ann Cross** said the residents of the Tracy Place Subdivision would like to keep the area residential. She said the primary concern with the request is spot zoning. **Ms. Cross** stated that a petition opposing the rezoning and supporting the preservation of the neighborhood as residential was circulated among residents, including those living

along Alameda Street. She asked the Mayor and City Council to keep the area zoned residential.

**Deborah Culvan** stated that she wanted to address the traffic implications associated with the proposed rezoning. She said she has spoken with state engineers regarding traffic flow and the increase in traffic that commercial development could generate. **Ms. Culvan** said the area is currently the subject of a traffic study being conducted by the State. She stated the area is commonly referred to as the "North Y bottleneck," where industrial traffic converges with city traffic. She said the area has two points of egress one on the east side and one on the south side and stated that if the zoning is changed, both the State and the City would need to be notified.

**Ellen Krumm** stated that her primary concern is the safety of children in the neighborhood. She said that approving the rezoning would change the flow of traffic and stated that she is opposed to the request.

**Howard Ample** stated he believes the property should remain residential. He said commercial storage containers and heavy commercial equipment have already been present in the area. He said if the property is rezoned to "C-1" Commercial 1 District, residents would have no assurance regarding the types of businesses or uses that could be established on the property in the future.

**David Rodriguez** stated he is opposed to the rezoning request. He said commercial development would further increase traffic congestion in the area. He questioned the capacity of the existing sewer infrastructure and raised concerns about recurring flooding caused by inadequate drainage. **Mr. Rodriguez** stated nearby residential properties have experienced sewer line issues and noted that the sewer lines are located in the alley adjacent to the proposed development.

**Danny Cross** stated that entering and exiting the subdivision has become increasingly difficult due to the increased traffic at both ends of the block. He asked the Council to clarify Mr. Mitchell's earlier statement regarding the property being included in his will, specifically questioning whether there would be any restrictions on future owners if the property were rezoned.

**Mayor Lopez** asked whether, if the property were rezoned to "C-1" Commercial 1 District, any use permitted within that zoning district could be established on the property. **Mr. Patterson** said the applicant had provided a conceptual rendering illustrating his intended use of the property. He added that there is nothing legally binding the applicant or any future owner to that specific plan. **Mr. Patterson** stated if the rezoning is approved, any use permitted within the "C-1" Commercial 1 District would be allowed on the property.

1:02:03 Mayor Lopez asked if anyone would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session

1:02:16 B) Consider Approval of Ordinance 2026-23

1:02:33 Councilor Walterscheid stated Shawn Mitchell has been an excellent partner in the community and has generously supported numerous local clubs and organizations through donations. He said Mr. Mitchell's building project has already been approved by the Planning and Zoning Commission and stated that the City thrives on progress. Councilor Walterscheid expressed his belief that the proposed project would enhance the property and said Mr. Mitchell has consistently completed first-class projects.

Councilor Forrest said some of the concerns raised regarding the request should be considered in the context of the property's "C-2" Commercial 2 District zoning, rather than "C-1" Commercial 1 District zoning. He said the applicant intends to establish a boutique, which he believes should not significantly increase traffic. Councilor Forrest said there are limitations on the types of uses permitted on the property under the proposed zoning. He said the increased traffic is often a result of a growing community.

1:04:41 MOTION

The motion was made by Councilor Forrest and seconded by Councilor Foreman to approve 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

1:04:56 VOTE

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

1:05:20 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

Mr. Patterson stated the request was to rezone the property located at 103 S. Cypress Street from "C-2" Commercial 2 District to "R-2" Residential 2 District. He said the properties to the north, east, and west are zoned "C-2" Commercial 2 District, while the properties to the south are zoned "R-2" Residential 2 District; approval of the request would not create a spot zone. Mr. Patterson stated that the Planning and Zoning Commission reviewed the request and recommended approval.

**Councilor Rodriguez** asked whether the proposed development would provide off-street parking and whether that requirement could be addressed through the zoning request. **Mr. Patterson** said the applicant intends to construct a small apartment for his family and has indicated that there is adequate parking available on an adjacent property that he owns.

1:08:24      **A) Public Hearing**

1:08:26      **Mayor Lopez** asked if anyone would like to speak regarding the Ordinance.

**Justin Angell** stated the purpose of the rezoning request is to allow the construction of a duplex, as duplexes are not permitted within the "C-2" Commercial 2 District zoning. He said he intends to use one unit to house his family and make the second unit available as a rental property.

1:09:15      **Mayor Lopez** asked if anyone would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session

1:09:21      **B) Consider Approval of Ordinance 2026-24**

1:09:30      **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve 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

1:09:40      **VOTE**

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

1:09:57      **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**

**Mr. Patterson** stated the request was to rezone the property located at 922 Rex Street from "R-1" Residential 1 District to "R-2" Residential 2 District. He explained that the surrounding properties to the north, south, east, and west are all zoned "R-1" Residential 1 District, and approving the request would create a spot zone. **Mr. Patterson** said the applicant presented the request to the Planning and Zoning Commission, and they recommended approval.

**Councilor Niemeier** asked whether there was an existing residential dwelling on the property and stated there appeared to be a structure in the rear. **Mr. Patterson**

confirmed that there is an existing dwelling and explained that, during the Planning and Zoning Commission meeting, the applicant stated his intention to construct an additional dwelling unit on the property, resulting in two residential dwelling structures on the lot. **Councilor Niemeier** asked if the applicant would be required to provide off-street parking. **Mr. Patterson** said this requirement would apply.

1:12:19      **A) Public Hearing**

1:12:21      **Mayor Lopez** asked if anyone would like to speak regarding the Ordinance.

**Ivan Sosa** stated he is the property owner and is requesting the rezoning in order to construct a secondary dwelling for his parents. He said there is an existing structure on the property that he plans to demolish before construction and that the new dwelling will comply with all required setback regulations. **Mr. Sosa** said the new structure will be similar in appearance to the existing residence to ensure it is compatible with the surrounding neighborhood and does not become an eyesore. He said there is currently no on-street parking available along Blodgett Street or Rex Street and he plans to construct a driveway with access from Blodgett Street, allowing vehicles to park on the property without obstructing traffic.

1:13:38      **Mayor Lopez** asked if anyone would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.

1:13:52      **B) Consider Approval of Ordinance 2026-25**

1:13:57      **MOTION**

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

1:14:06      **VOTE**

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

1:14:21      **11. PUBLIC COMMENTS AND ANNOUNCEMENTS. ALL COMMENTS MUST BE RESPECTFUL AND COURTEOUS (THREE-MINUTE TIME LIMIT PER PERSON)**

**Zach Bird** said he would like to thank Mayor and Council for updating the Employee Benefits.

1:16:08      **12. COUNCIL COMMITTEE REPORTS**

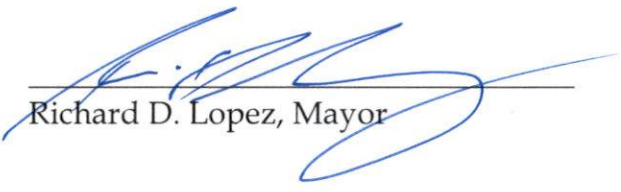
None to report

1:16:20

**Adjourned**

With no further business to discuss, the Mayor declared the meeting adjourned at 7:16 PM.



  
Richard D. Lopez, Mayor

  
Nadine Mireles, City Clerk