**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 AUGUST 25, 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 |
| | Jason O. Chavez | Councilor |
| | Mary Garwood | Councilor |
| Absent: | | |
| Also Present: | Wendy Austin | City Manager |
| | K.C. Cass | Chief of Operations |
| | Barbara Hodgson | City Attorney |
| | Nadine Mireles | 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 |
| | Stormy Valenzuela | IT Technician |
| | Jeff Patterson | Planning Director |
| | Jessie Rodriguez | Police Chief |
| | Patrick Brownfield | Police Officer |
| | Sarah Jones | Library Manager |
| | Dale Balzano | Citizen |
| | Jimmy Westfall | Citizen |
| | Clayton Bradley | Bradley Law Office |
| | Denise Madrid-Boyea | ELEA |
| | Chris Johnson | 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**

0:01:56 **Invocation – Pledge of Allegiance**

**Mayor Lopez stated item 1 would be removed from the agenda and all other agenda items will retain their original number.**

0:02:40 **1. CITY EMPLOYEE RECOGNITION - ASHLEY MEDINA, ARC DRIVER**

0:02:41 **2. CITY OF CARLSBAD FINANCIALS – JULY 2026**

**Ms. Salcido** reviewed the revenues and expenditures as of July 2026, the first accounting period for Fiscal Year 2027.

0:04:08 **3. ROUTINE AND REGULAR BUSINESS**

**A. Minutes of the City Council Meeting held on August 11, 2026**

**B. City Personnel Report**

**C. Purchasing**

1) Consider Approval for Invitation to Solicit Bids for One (1) 2026 Polaris Ranger Crew UTV for the Carlsbad Fire Department

**D. Agreements and Contracts**

1) Consider Approval of Agreement between the City of Carlsbad and the Department of Cultural Affairs, New Mexico State Library Division for the 2024 General Obligation (GO) Bond Grant Agreement

2) Consider Approval of Agreement between the City of Carlsbad and the State of New Mexico Aging and Long-Term Services Department for a New Mexico Capital Outlay Emergency Grant Agreement for Kitchen Equipment at the Cascades Recreation and Wellness Center

**E. Monthly Reports**

1) Building Department — July 2026

2) Community Development Department — July 2026

3) Planning & Regulation Department and Condemnation Report - July 2026

4) Public Works Department — July 2026

**F. Board Appointments**

1) Parks and Recreation and Tree Advisory Board Appoint: Lisbeth Quinn Kimbell - 4 Year Term

**G. Set the Date: October 27, 2026**

1) Ordinance rezoning part of "PUD" Planned Unit Development District to "R-R" Rural Residential District for approximately 2.79 acres, located at 401 Rio Hondo Avenue

2) Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 2.01 acres, located at 102 East Hamilton Street

0:04:23 **Mayor Lopez asked Sarah Jones to discuss item D-1, Consider Approval of Agreement between the City of Carlsbad and the Department of Cultural Affairs, New Mexico State Library Division for the 2024 General Obligation (GO) Bond Grant Agreement**
**Ms. Jones** stated this is a grant request under the 2024 General Obligation (GO) Bond Grant Agreement. She said a maximum of $118,898.65 is available for qualifying purchases from July 1, 2026, through April 1, 2029. She stated the funds will be used for online resources, furniture, and delivery of services.

0:05:19 **Mayor Lopez asked Angie Barrios-Testa to discuss item D-2, Consider Approval of Agreement between the City of Carlsbad and the State of New Mexico Aging and Long-Term Services Department for a New Mexico Capital Outlay Emergency Grant Agreement for Kitchen Equipment at the Cascades Recreation and Wellness Center**
**Mrs. Barrios-Testa** stated this request is for a grant agreement with the New Mexico Aging and Long-Term Services Department for Emergency Senior Funding. She said the funding is available to address urgent needs arising at qualifying senior centers. She stated the temporary relocation of the Alejandro Ruiz Senior Center (ARSC) to the Cascades Recreation and Wellness Center (CRWC) identified a need for additional equipment to support the Senior Meals Program. She said the requested emergency funding will be used to purchase a permanent outdoor walk-in freezer and cooler at CRWC, to provide adequate food storage capacity and safe and efficient service.

0:06:49 **MOTION**
The motion was made by Councilor Forrest and seconded by Councilor Garwood to approve Routine and Regular Business

0:06:53 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez, Forrest, Niemeier; No - None; Absent - None; the motion carried.

0:07:16 **4. CONSIDER APPROVAL OF REQUEST FROM TRINITY HOTEL & SUITES FOR A RESTAURANT "A" (BEER AND WINE) LICENSE WITH ON-PREMISE CONSUMPTION**
**Mr. Patterson** stated this request is for a liquor license located at 201 S. Canal St.

**Councilor Forrest** asked if this request is to renew their liquor license since the Trinity Hotel already has one. **Councilor Walterscheid** asked if everyone that has a liquor license will have to do the same. **Mr. Patterson** stated only when changes to the license occur including name changes.

0:09:55 **A. Public Hearing**

**Councilor Rodriguez** asked Dale Balzano why this request was being made if the liquor license is staying the same. **Mr. Balzano** stated this request is due to a name change on the license.

0:11:33 **B. Consider Approval of Liquor License**

0:11:37 **MOTION**
The motion was made by Councilor Niemeier and seconded by Councilor Anaya-Flores to approve a request from Trinity Hotel & Suites for a Restaurant "A" (Beer and Wine) License with on-premise consumption

0:11:47 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez, Forrest, Niemeier; No - None; Absent - None; the motion carried.

0:11:59 **5. CONSIDER APPROVAL OF REQUEST BY CAVERN CITY EVENTS, LLC, TO HOST A RENAISSANCE FESTIVAL ON CITY PROPERTY AND SERVE ALCOHOL (BEER, WINE & MEAD) ON CITY PROPERTY**
**Mr. Patterson** stated this is a request to hold a Renaissance Festival on Friday, September 25, and Saturday, September 26, 2026, at the Carlsbad Beach Park. He said the event will take place from 4:00 P.M. to 8:00 P.M. on Friday, September 25, and from 10:00 A.M. to 8:00 P.M. on Saturday, September 26. He stated event setup will begin on Thursday, September 24, and event teardown will be completed on Sunday, September 27. He said the event will include food trucks, vendors, a variety of entertainment, an Armored Combat Professional Knight's Tournament, and eight alcohol vendors. **Mr. Patterson** stated the event will be a paid-ticket entry event, and the entire event area will be fenced off. He said within the fenced-off area, open alcohol carry will be permitted throughout the event area. He stated the event will have one entrance for attendees, and security will be provided. He said all attendees 21 years of age or older may obtain a bracelet, which will be required to purchase alcohol. **Mr. Patterson** stated all designated drivers entering the event will receive a separate bracelet for identification. He said staff recommends approval.

**Councilor Walterscheid** asked if there have been any problems in the past with attendees under the influence of alcohol. **Mr. Patterson** stated to his knowledge there has not been.

**Councilor Garwood** stated Carlsbad Mainstreet is in full support of this event and this event has been certified by the New Mexico True making it the first New Mexico True certified event in Carlsbad this year.

**Councilor Walterscheid** asked Chief Rodriguez if there have been any issues resulting from the Renaissance Festival. **Chief Rodriguez** said no.

0:17:56 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve a request by Cavern City Events, LLC, to host a Renaissance Festival on City property and serve alcohol (beer, wine & mead) on City property

0:18:03 **VOTE**

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

0:18:19 **6. CONSIDER APPROVAL OF REQUEST FOR A TEMPORARY USE BUSINESS LICENSE FROM UNIVERSAL FIGHT PROMOTIONS FOR A MIXED MARTIAL ARTS EVENT AT THE CARLSBAD BEACH PARK**

**Mr. Patterson** stated this request is for a special event business license for a mixed martial arts event on City property. He said the event is scheduled for September 4 and 5, 2026, at the Carlsbad Beach Park Bandshell. He stated the applicant is currently working with HUB International to obtain a warranty bond for the event. He said approval of the business license application would not include approval for alcohol service or a beer garden on City property. **Mr. Patterson** stated approval of the license would be based on the following conditions: a warranty bond must be provided prior to the event; the applicant shall ensure the Beach Park is left in a litter-free condition; and approval of the business license application does not include approval for alcohol service or a beer garden on City property.

**Councilor Forrest** asked if security will be required. **Mr. Patterson** said yes.

**Councilor Garwood** asked what a warranty bond is. **Mr. Patterson** explained it is used as a level of protection for the city in case any accidents or injuries occur.

**Jimmy Westfall** stated this event is not a mixed martial arts event, but rather a martial arts exhibition. He said several different martial artists will participate and provide demonstrations. He stated there will also be a wrestling tournament and a grappling tournament in the evening. He said they were asked if a beer garden could be included at the event, and the beer garden would be located separately from most of the activities. **Mr. Westfall** stated a liquor license application has not been submitted. He said, as far as the beer garden is concerned, the event will proceed with or without it.

0:26:28 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Anaya-Flores to approve a request for a Temporary Use Business License from Universal Fight Promotions for a mixed martial arts event at the Carlsbad Beach Park without the sale of alcohol

0:26:43 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez, Forrest, Niemeier; No - None; Absent - None; the motion carried.

0:27:10 **7. CONSIDER APPROVAL OF A PERMIT APPLICATION FROM SELECT WATER SOLUTIONS TO CONSTRUCT AND OPERATE A PRODUCED WATER PIPELINE WITHIN CITY LIMITS**

**Mr. Patterson** stated on February 24, 2026, the City Council voted to approve a permit application from Select Water Solutions to construct and operate a 20-inch produced water pipeline. He said Select Water Solutions has submitted a second application to construct and operate another pipeline. He stated the alignment and pipeline specifications are the same as those in the first application. He said the pipeline will be 20 inches in diameter and constructed of High-Density Polyethylene material. **Mr. Patterson** stated the pipeline will be approximately 15.2 miles in length, with less than three-quarters of a mile constructed within City limits. He said approximately 3.5 miles will run within the Significant Impact Zone of the City's Wellhead Protection Area. He said the pipeline will be buried at a minimum depth of 36 inches and will operate at a pressure not exceeding 200 pounds per square inch. He stated after review by Mr. Clayton Bradley of the Bradley Law Office, Mr. Bradley recommends approval of the permit application with certain express conditions. He stated the conditions include filing and City receipt of approved Eddy County bore permits for Hidalgo Road and Rubble Lane; verification of contractors' business registrations with the City prior to mobilization; the applicant maintaining contact with the City's appointed inspector throughout construction; and submission of as-built GPS coordinates upon completion of the installation.

**Councilor Rodriguez** asked if there is a trespass fee being assessed for the 3/4 mile being constructed within the city. **Mr. Patterson** said no. He said it is within city limits but not on city owned property.

0:31:17 **MOTION**
The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve a permit application from Select Water Solutions to construct and operate produced water pipeline within City Limits

0:31:28 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez, Forrest, Niemeier; No - None; Absent - None; the motion carried.

0:31:49 **8. CONSIDER APPROVAL OF A PERMIT APPLICATION FROM NGL WATER SOLUTIONS PERMIAN, LLC TO CONSTRUCT AND OPERATE A PRODUCED WATER PIPELINE WITHIN CITY LIMITS AND ACROSS CITY OWNED PROPERTY**

**Mr. Patterson** stated this permit application is to construct and operate a produced water pipeline within City limits. He said the total length of the pipeline will be approximately 3.18 miles, with 0.43 miles crossing through the Significant Impact Zone of the Wellhead Protection Area and 0.65 miles located within the County. He stated 2.53 miles will be located inside City limits, with certain portions of the pipeline constructed on City-owned property. He said NGL Water Solutions Permian, LLC, is seeking an easement from the City to construct approximately 5,998.75 linear feet, or 363.56 rods, of pipeline along the north/northeast edges of the airport property. **Mr. Patterson** stated they are also requesting an easement from the City to construct a section of the pipeline measuring approximately 903.11 linear feet, or 54.73 rods, across City-owned property located on the west side of National Parks Highway, just northeast of the airport entrance. He said the easements will be 15 feet wide, with an additional 20 feet of temporary workspace during construction. He stated the total length of the easements will be 6,901.86 feet, covering a total area of 2.38 acres. He said NGL Water Solutions Permian, LLC, has agreed to pay the City $2,000 per rod for the easements, resulting in a total payment of $836,580.00 to the City. **Mr. Patterson** stated the proposed pipeline will be 18 inches in diameter, with a pressure rating of 250 pounds per square inch. He said after review by Clayton Bradley of the Clayton Bradley Law Firm, Mr. Bradley recommends approval of the permit application with conditions. He stated the conditions require final approval by the "Notification Form for Municipal and Double Eagle Water Systems Pipeline Crossing" and the City of Carlsbad Water Department; the applicant maintaining contact with the City's appointed inspector throughout construction and installation; and submission of as-built GPS coordinates upon completion of the installation.

0:35:41 **MOTION**
The motion was made by Councilor Niemeier and seconded by Councilor Foreman to approve a permit application from NGL Water Solutions Permian, LLC to construct and operate a produced water pipeline within City limits and across City owned property

0:35:53 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Foreman, Rodriguez, Forrest, Niemeier; No - Garwood; Absent - None; the motion carried.

0:36:14 **9. CONSIDER APPROVAL OF RESOLUTION 2026-50, A RESOLUTION AUTHORIZING AND APPROVING THE SUBMISSION OF COMPLETED APPLICATIONS FOR FINANCIAL ASSISTANCE TO THE NEW MEXICO FINANCE AUTHORITY - NEW MEXICO WATER TRUST BOARD FOR THE FISCAL YEAR 2027 DESIGN CYCLE**
**Mr. Abell** stated approval of this Resolution will authorize staff to submit completed applications to the New Mexico Finance Authority (NMFA) for grants under the Water Project Act. He said there are nine projects staff would like to apply for. He stated NMFA has allowed the City to apply for design-only grants, which are fully funded and will not require a City match.

**Mrs. Austin** stated there are two phases this first round is for projects that need design and engineering and in January the shovel ready projects are due.

**Councilor Walterscheid** asked how many wells in the Tatum Wellfield are operational. **Mr. Abell** stated three wells are drilled for production two wells drilled for monitoring, and currently those wells are not connected to the double eagle or city water system.

0:40:27 **MOTION**
The motion was made by Councilor Niemeier and seconded by Councilor Garwood to approve Resolution 2026-50, a Resolution authorizing and approving the submission of completed applications for Financial Assistance to the New Mexico Finance Authority - New Mexico Water Trust Board for the Fiscal Year 2027 Design Cycle

0:40:36 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez, Forrest, Niemeier; No - None; Absent - None; the motion carried.

0:40:50 **10. CONSIDER APPROVAL OF RESOLUTION 2026-51, A RESOLUTION APPROVING THE EDDY-LEA ENERGY ALLIANCE'S PROPOSED EASEMENT RIGHT-OF-WAY AGREEMENT WITH DOUBLE E PIPELINE, SUBJECT TO REQUIRED STATE APPROVALS**

**Ms. Hodgson** stated this Resolution concerns a proposed pipeline easement across the Eddy-Lea Energy Alliance (ELEA) property. She said Double E Pipeline has requested an easement to place pipelines across the ELEA property. She stated the ELEA Board has already approved the proposed easement through a Resolution.

**Councilor Chavez** asked if the easement would affect any future projects. **Denise Madrid-Boyea** with ELEA stated the pipeline will be located along the very edge of the property and will not affect future development. **Councilor Chavez** asked if the pipelines will be high-pressure or low-pressure lines. **Ms. Madrid-Boyea** stated the pipeline pressure will comply with applicable federal pipeline regulations.

0:46:27 **MOTION**
The motion was made by Councilor Forrest and seconded by Councilor Niemeier to approve Resolution 2026-51, a Resolution approving the Eddy-Lea Energy Alliance's Proposed Easement Right-of-Way Agreement with Double E Pipeline, Subject to Required State Approvals

0:46:40 **VOTE**
The vote was as follows: Yes - Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez, Forrest, Niemeier; No - None; Absent - None; the motion carried.

0:46:56 **11. CONSIDER APPROVAL OF RESOLUTION 2026-52, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS, AND/OR WEEDS AT 408 W SHAW STREET OWNER: NANCY L GALLOWAY**

**Ms. Hodgson** stated the subject property at 408 W. Shaw Street is located in a residential neighborhood. She stated the property was inspected by Code Enforcement, the Building Inspector, and the Fire Marshal at various times in 2026. She said a final notice was mailed to the owner's address on February 23, 2026, and no one contacted the Code Enforcement Office. **Ms. Hodgson** stated another inspection was conducted on June 16, 2026, and revealed the code violations had not been corrected. She said the Fire Marshal conducted an inspection on May 11, 2026, and determined the property presents an extreme fire hazard. She stated a certified letter was sent to the owner on July 24, 2026, notifying the owner of the opportunity to address the City Council regarding the property.

0:50:45 **Mayor Lopez asked if anyone in the audience would like to address the Council. No one appeared.**

0:50:54 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Chavez to approve Resolution 2026-52, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, and/or weeds at 408 W Shaw Street Owner: Nancy L Galloway

0:51:06 **VOTE**

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

0:51:21 **12. PUBLIC COMMENTS AND ANNOUNCEMENTS. ALL COMMENTS MUST BE RESPECTFUL AND COURTEOUS (THREE-MINUTE TIME LIMIT PER PERSON)**

**Chris Johnson** asked Pat Cass to read his statement since he is disabled. **Mr. Cass** read the concerns for the City of Carlsbad including or regarding flock cameras and taxes. He said he would like rumbles sticks or balls placed in or around the curb located at 3006 Standpipe Road.

**Mr. Johnson** addressed the City Council directly. He stated there have been many different accidents located on Standpipe that have damaged his personal property.

0:54:25 **13. COUNCIL COMMITTEE REPORTS**

None at this time.

0:54:32 **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**

0:54:41 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Anaya-Flores 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

0:54:52 **VOTE**

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

0:55:11 **15. CONSIDER APPROVAL TO RECONVENE INTO OPEN SESSION**

0:55:12 **MOTION**

The motion was made by Councilor Foreman and seconded by Councilor Chavez to approve and reconvene into open session

0:55:13 **VOTE**

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

0:55:15 **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**

**Mayor Lopez** stated 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.

0:55:36 **MOTION**

The motion was made by Councilor Niemeier and seconded by Councilor Foreman 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

0:55:46 **VOTE**

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

0:56:06 **Adjourned**

With no further business to discuss, the Mayor declared the meeting adjourned at 8:01 PM.

__________________________________

Richard D. Lopez, Mayor

ATTEST:

__________________________________

Nadine Mireles, City Clerk