# Commission Meeting Agenda



Mayor

Samuel D. Cobb

## City Commission

Marshall R. Newman Jonathan Sena Crystal G. Mullins Joseph D. Calderón Garry A. Buie John W. Boyd

## City Manager

J. J. Murphy

June 1, 2015



#### Hobbs City Commission Regular Meeting City Hall, City Commission Chamber 200 E. Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico

#### Monday, June 1, 2015 - 6:00 p.m.

Sam D. Cobb, Mayor

Marshall R. Newman Commissioner - District 1 Jonathan Sena Commissioner - District 2

Joseph D. Calderón Commissioner - District 4 Garry A. Buie Commissioner - District 5 Crystal Mullins Commissioner - District 3

John W. Boyd Commissioner - District 6

## AGENDA

#### CALL TO ORDER AND ROLL CALL

#### INVOCATION AND PLEDGE OF ALLEGIANCE

#### APPROVAL OF MINUTES

1. Minutes of the May 19, 2015, Regular Commission Meeting

#### PROCLAMATIONS AND AWARDS OF MERIT

PUBLIC COMMENTS (For non-agenda items.)

<u>CONSENT AGENDA</u> (The consent agenda is approved by a single motion. Any member of the Commission may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote.)

2. Resolution No. 6300 - Approving Funding in an Approximate Amount Not to Exceed \$6,500.00 to Purchase Encryption Equipment for Hobbs Police Department Communications (*Mike Stone*)

#### DISCUSSION

**ACTION ITEMS** (Ordinances, Resolutions, Public Hearings)

- 3. <u>FINAL ADOPTION</u>: Ordinance No. 1086 Amending Sections 3.25 of the Hobbs Municipal Code Regarding Capping and Annual Funding of Social Service Agencies and Economic Development and Marketing Entities (*Mike Stone*)
- 4. Resolution No. 6301 Approving Funding for the Community Drug Coalition of Lea County for FY 15-16 (*Mike Stone*)
- 5. Resolution No. 6302 Approving Funding for Economic Development and Marketing Entities and Authorizing the Mayor to Execute Professional Service Agreements with the Hobbs Hispano Chamber of Commerce, Hobbs Chamber of Commerce, African American Chamber of Commerce and Economic Development Corporation of Lea County (*Mike Stone*)
- 6. Resolution No. 6303 Granting Final Plan Approval to Zia Crossing Subdivision, Unit 3, Phase 1, as Submitted by Black Gold Estates, LLC, Located Southeast of the Intersection of Millen Drive and Zia Crossing Parkway *(Kevin Robinson)*
- 7. Resolution No. 6304 Granting Preliminary Plan Approval to Zia Crossing Subdivision, Unit 5, Phase 1, as Submitted by Black Gold Estates, LLC, Located Southwest of the Intersection of Millen Drive and Zia Crossing Parkway *(Kevin Robinson)*

#### COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

- 8. Next Meeting Date:
  - Regular Meeting *Monday, June 15, 2015,* at 6:00 p.m.

#### **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the above meeting, please contact the City Clerk's Office at (575) 397-9207 at least 72 hours prior to the meeting or as soon as possible.

	CITY OF HOBBS
	COMMISSION STAFF SUMMARY FORM
TTODDS	MEETING DATE: <u>June 1, 2015</u>
SUBJECT:	Commission Meeting Minutes
DEPT. OF ORIGIN:	City Clerk's Office
DATE SUBMITTED: SUBMITTED BY:	May 29, 2015 Jan Fletcher, City Clerk
Summary:	
The following minutes	are submitted for approval:
<ul> <li>Regular Me</li> </ul>	eting of May 19, 2015
Eigent Impacts	Deviewed Dw
Fiscal Impact:	Reviewed By: Finance Department
N/A	
Attachments:	
Minutes as referenced	under "Summary".
Legal Review:	Approved As To Form:
	City Attorney
Recommendation:	
Motion to approve the	minutes as presented.
Approved For Subr	nittal By: CITY CLERK'S USE ONLY
Approved For Subr	
	COMMISSION ACTION TAKEN

Minutes of the regular meeting of the Hobbs City Commission held on Tuesday, May 19, 2015, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico.

#### Call to Order and Roll Call

Mayor Cobb called the meeting to order at 6:00 p.m. and welcomed everyone in attendance to the meeting. The City Clerk called the roll and the following answered present:

	Mayor Sam D. Cobb Commissioner Marshall R. Newman Commissioner Jonathan Sena Commissioner Crystal Mullins Commissioner Joseph D. Calderón Commissioner Garry A. Buie Commissioner John W. Boyd
Also present:	J. J. Murphy, City Manager Mike Stone, City Attorney Efren Cortez, Assistant City Attorney Brian Dunlap, Deputy Police Chief Eric Enriquez, Fire Chief Barry Young, Deputy Fire Chief Paul Thompson, Fire Captain Shawn Williams, Deputy Fire Marshal Raymond Bonilla, Plan Examiner Coordinator Freddie Salgado, Community Engagement Representative Manny Marquez, Building Official Deborah Corral, Assistant Finance Director Todd Randall, City Engineer Kevin Robinson, Development Coordinator Ronny Choate, General Services Director Ron Roberts, Information Technology Director Doug McDaniel, Parks and Recreation Director Linda Howell, Golf Course General Manager Matt Hughes, Golf Superintendent Britt Lusk, Teen Center Supervisor Tim Woomer, Utilities Director Nikki Sweet, Human Resources Director Nicholas Goulet, Benefits and Safety Coordinator Sandy Farrell, Library Director Mollie Maldonado, Deputy City Clerk Jan Fletcher, City Clerk 33 citizens

Mayor Cobb stated tonight's meeting is being broadcast live on the City's radio station 99.3 FM.

#### Invocation and Pledge of Allegiance

Commissioner Mullins delivered the invocation and Commissioner Sena led the Pledge of Allegiance.

Mayor Cobb removed agenda Item #16, Authorizing the Reclassification of Lodgers' Tax Funds and General Fund Expenditures to Fund the City of Hobbs' Toby Keith Concert at Watson Memorial Stadium from the agenda.

#### Approval of Minutes

Commissioner Calderón moved that the minutes of the regular meeting held on May 4, 2015, be approved as presented. Commissioner Buie seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Mullins yes, Calderón yes, Buie yes, Boyd yes, Cobb yes. The motion carried.

#### **Proclamation Proclamations and Awards of Merit**

<u>Hobbs Fire Department - Promotion of Officers</u>. Mr. J. J. Murphy, City Manager, stated promotions are based not on the past but on the vision and energy for the future and passion for the job. He announced that Mr. Eric Enriquez has been selected as the new Fire Chief for the City of Hobbs. He congratulated Fire Chief Enriquez on his new promotion. His wife, Yvette Enriquez, and sons, Zach Enriquez, and Ivan Enriquez, pinned on his badge.

<u>Presentation of 2015 Outstanding Hispano of the Year Award</u>. Mr. Hermilo Ojeda thanked the Commission and the community for making 2015 Cinco de Mayo a big success. Mr. Ojeda presented Mr. Freddie Salgado, Community Engagement Representative, with the 2015 Outstanding Hispanic of the Year Award. He stated Mr. Salgado was chosen because of his volunteer work, dedication to the schools, City, community and his Church.

Mr. Salgado stated the 2015 Outstanding Hispanic of the Year Award is the biggest award that he has received. He stated his parents, Mr. and Mrs. Ted Salgado, laid the foundation for him to follow in their footsteps. Mr. Salgado stated his parents received this same award approximately 20 years ago. He expressed love and appreciation to his parents and stated they are listening to tonight's meeting on the radio broadcast. <u>Proclamation Proclaiming May 17-23, 2015, as National EMS Week</u>. Mayor Cobb proclaimed the week of May 17-23, 2015, as "*Emergency Medical Services Week*". He presented the proclamation to Deputy Fire Chief Barry Young who stated all of the Fire Stations in Hobbs will be open to the public from 8:00 a.m. to 5:00 p.m. this week to check blood pressure, monitor glucose levels and answer any other health questions the public may have.

#### **Public Comments**

Mr. Bryon Marshall recommended to the Commission that the City Commission meetings be televised. He stated the City spends money on other items from the General Fund and he thinks the City can afford to purchase equipment to have the meetings televised. Mr. Marshall stated it will be good for transparency.

Mayor Cobb stated he will meet with the Commission individually and will move forward with televising the meetings if it is the desire of the Commission.

Mr. Jim Koontz addressed the Commission regarding the poor internet service Windstream Communication provides to the community. He stated his business cannot receive time sensitive emails and it is causing a loss of business.

Mayor Cobb recommended that City staff meet with Windstream Communications to address the internet problem. He stated the franchise agreement with Windstream requires that they provide good service to the community.

Commissioner Buie remarked that complaints fall on deaf ears with Windstream's representatives.

Mr. Murphy stated he has a meeting scheduled with Windstream representatives on Tuesday, May 26, 2015, to discuss the internet problem.

Ms. Helen Houston with the Hobbs African American Chamber of Commerce stated a program has been scheduled entitled "Tearing Down the Barriers of Housing" on Saturday, May 23, 2015, at 9:00 a.m., at the Hobbs High School Training Center.

Mr. Kirk Chavez, a New Mexico defense attorney, addressed concerns regarding the District Attorney's Office, who does not provide its own investigator on cases presented by the Hobbs Police Department for Hobbs Magistrate Court cases. He stated the result of not having an investigator causes the HPD officers to waste tax dollars by having to wait around the courtroom as witnesses but who are never called upon to testify because the hearings never take place. Mr. Chavez stated the District Attorney's Offices in other surrounding areas, with the exception of Hobbs and

Carlsbad, provide their own staff investigators. He stated the job of an investigator is to weed out witnesses that do not really pertain to the case. Mr. Chavez stated it is mandated by State Statute that the District Attorney's Office have an investigator on staff. He stated the City of Hobbs is paying unnecessary funds due to the District Attorney's Office not having a staff investigator. Mayor Cobb stated he will have City staff research the issue.

Mr. Devon Allen addressed the Commission to request the creation of an art/studio in the community for the residents of Hobbs. He stated this could have a positive impact in the community and may eliminate some of the negativity that exists throughout Hobbs. Mayor Cobb stated he agrees with Mr. Allen's concept. Mr. Murphy stated Mr. Britt Lusk, Teen Center Supervisor, has recently introduced hip hop classes at the Teen Center.

Mr. Chance Clark and his son thanked the Commission for keeping Green Meadows Lake stocked with fish as it was recommended by Mr. Chris Chavez a year ago.

Mayor Cobb expressed appreciation to Mr. Clark and his son for their thankful remarks.

Mr. Joe Cotton, President of the National Association for the Advancement of Colored People (NAACP), addressed the Commission regarding the hateful remarks that were written on the doors of the Lea County Center for the Arts. He stated racism should not be tolerated in the community.

Commissioner Newman stated messages of hate and discontent were being spread by an individual in the area of the Shipp Street Plaza and has since been arrested for shoving a woman to the ground.

Mayor Cobb stated he will meet with Mr. Cotton as the City will have zero tolerance for this sort of behavior.

Commissioner Mullins thanked Mr. Cotton for coming to the meeting to address racism in the community and stated it should not be tolerated.

Mr. Harold Martin addressed the Commission regarding the new water and sewer rates and regulations. He stated he would like to see more transparency on the matter.

Mayor Cobb stated extensive public meetings were held by the Utilities Board regarding major changes in the water and sewer rates and regulations over a period of about eight months. He stated the City Commission then discussed the topic at

length during two City Commission meetings and subsequently approved the new rates and regulations. He stated public comments were sought during all meetings.

After a lengthy discussion regarding water conservation, Mayor Cobb stated the City is in the process of building effluent lines that will water the golf course and the Health Trail.

In reply to Mr. Martin's inquiry, Mayor Cobb stated businesses are no longer purchasing City water for oilfield fracking due to the cost being too expensive at \$80.00 per 1,000 gallons.

Mayor Cobb stated Commissioner Calderón is being excused from the meeting in order to attend the Hobbs Municipal School Board meeting. Commissioner Calderón left the meeting at 7:05 p.m.

#### Consent Agenda

Mayor Cobb explained the Consent Agenda and the process for removing an item from the Consent Agenda and placing it under Action Items.

Commissioner Sena moved for approval of the following Consent Agenda Item(s):

<u>Resolution No. 6293 - Determining that Certain Structures are Ruined, Damaged and</u> <u>Dilapidated Requiring Removal from the Municipality (115 West Midwest)</u>.

<u>Resolution No. 6294 - Authorizing a Memorandum of Understanding Between the</u> <u>City of Hobbs Police Department and the Lea County Sheriff's Department</u> <u>Regarding the 2015 Edward Byrne Memorial Justice Assistance Grant</u>.

<u>Resolution No. 6295 - Authorizing a Mutual Aid Agreement Between the Hobbs</u> <u>Police Department and the Carlsbad Police Department</u>.

<u>Resolution No. 6296 - Authorizing the Adoption of the City of Hobbs' Cash Handling</u> <u>and Receipting Policy</u>.

<u>Consideration of Approval of a Task Order with Pettigrew & Associates to Provide</u> <u>Supporting Engineering Services for Bidding of the Effluent Reuse Project, Phase</u> <u>II</u>.

Commissioner Mullins seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Mullins yes, Buie yes, Boyd yes, Cobb yes. The motion carried. Copies of the resolutions and supporting documentation are attached and made a part of these minutes.

#### **Discussion**

There were no discussion items presented.

#### Action Items

<u>FINAL ADOPTION:</u> Ordinance No. 1084 - Amending Sections 3.20.040 and 3.20.080 of the Hobbs Municipal Code Regarding the City of Hobbs' Procurement Policy. Ms. Deborah Corral, Assistant Finance Director, explained the ordinance and stated language will be added to the Procurement Policy as follows: (1) Requiring a Certified Public Accountant (CPA) to be employed in the Finance Department and making a Certified Procurement Officer optional as long as a CPA is maintained within the Department; (2) Adding additional language requiring annual renewal and review of contracts; and (3) Adding language for determining and maintaining annual employment contracts versus contracts for independent contractors.

Proper publication having been made, and there being no public comments or discussion, Commissioner Buie moved that Ordinance No. 1084 be adopted as presented. Commissioner Mullins seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Mullins yes, Buie yes, Boyd yes, Cobb yes. The motion carried. A copy of the ordinance is attached and made a part of these minutes.

<u>FINAL ADOPTION: Ordinance No. 1085 - Amending Section 2.56.050 of the Hobbs</u> <u>Municipal Code Regarding Nepotism</u>. Ms. Nikki Sweet, Human Resources Director, explained the ordinance and stated with the growth of seasonal services offered by the City, restricting the hiring of qualified candidates who are related to the City Manager, Commissioners or Mayor to the third kindred has posed a hardship in filling vacant seasonal and temporary positions. Ms. Sweet stated the policy is being modified and applicants related within third kindred will no longer be excluded from employment in seasonal and temporary roles. She stated the City pools will be opening this week and the Parks and Recreation Department is currently short ten lifeguards.

In reply to Commissioner Mullins' question, Ms. Sweet clarified that the relatives of the City Manager, Commissioners or Mayor to the third kindred are only for seasonal and temporary positions.

Proper publication having been made, and there being no public comments or further discussion, Commissioner Mullins moved that Ordinance No. 1085 be adopted as presented. Commissioner Sena seconded the motion and the vote was recorded as

follows: Newman no, Sena yes, Mullins yes, Buie no, Boyd no, Cobb yes. The motion failed.

#### Consideration of Approval of Bid No. 1532-15 for Water Supply Well #13 Phase II Project and Recommendation to Accept Bid from Entrench, Inc.

In reply to Mayor Cobb's question, Mr. Tim Woomer, Utilities Director, stated the earlier remarks made by Mayor Cobb regarding water conservation are correct. He stated the enforcement of water conservation will be overseen by the City of Hobbs Code Enforcement Department and any citations will funnel through the Municipal Court.

Mr. Woomer explained the bid and stated the base project includes the installation of the well collection line and associated appurtenances to connect the new water well to the City's existing hydro well field. He stated it also includes all of the site preparation for the construction of a new well building for well #13. Mr. Woomer stated the additives are as follows: Alternate #1 includes the complete construction of the well house for well #13 including all mechanical fittings, pump, and motor. Alternate #2 includes the complete construction of the well house for well #13 including all mechanical fittings but does not include the pump and motor.

Commissioner Buie moved to accept the bid from Entrench, Inc., in the amount of \$286,402.77 including gross receipts tax for the Water Supply Well #13 Phase II Project. Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Mullins yes, Buie yes, Boyd yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

<u>Resolution No. 6297 - Authorizing Approval of a Development Agreement with CRV</u> <u>Investments, LLC, Concerning the Development of Market Rate Multi-Family</u> <u>Housing Located Southwest of the Intersection of East Bender Blvd. and Ranchland</u>. Mr. Kevin Robinson, Development Coordinator, explained the resolution and stated the development agreement is for multi-family rental housing units to be located southwest of the intersection of East Bender Boulevard and Ranchland. He stated the developer proposes to produce 240 multi-family market rate rental units and is requesting infrastructure incentives in the maximum amount of \$400,000.00. Mr. Robinson stated this is the first agreement with the 2015 Market Rate Multi-family and Single Family Unity Production Municipal Infrastructure reimbursement of the Incentive Program adopted January 20, 2015. He stated Mr. Ryan Voorhees is present in the audience. Commissioner Sena stated he has been in contact with residents in the area regarding the proposed development and they understand that Hobbs is in need housing.

Mr. Voorhees stated the proposed development located at the southwest of the intersection of East Bender Boulevard and Ranchland is not an ideal area for housing development due to issues such as flooding problems. He stated the housing development would not be possible without the City incentives.

In reply to Commissioner Sena's question, Mr. Voorhees stated he will coordinate with the Hobbs Police Department to have Eagle IC cameras installed at the development site. He stated the development will consist of 240 units at market rate rental prices.

Commissioner Sena moved that Resolution No. 6297 be adopted as presented

In response to Commissioner Buie's inquiry, Mr. Robinson stated the total amount Mr. Voorhees is entitled to receive for the development project is \$400,000.00.

In reply to Mayor Cobb's inquiry, Mr. Robinson stated the City has allocated \$8.546 million in housing incentives which has increased the value of housing in the community by \$140 million.

In response to Mayor Cobb's inquiry, Mr. Voorhees stated he is optimistic in the development project and he does not plan to sell the housing project, which will create a long term investment for him.

Commissioner Buie stated he has questions regarding the development located at the southwest of the intersection of East Bender Boulevard and Ranchland and moved to table Resolution No. 6297 until these questions have been answered.

Commissioner Sena stated he currently has a motion on the table to approve Resolution No. 6297. Mayor Cobb agreed and asked for a second to Commissioner Sena's motion. Commissioner Mullins seconded the motion and the vote was recorded as follows: Newman no, Sena yes, Mullins yes, Buie no, Boyd no, Cobb yes. The motion failed.

<u>Resolution No. 6298 - Authorizing Approval of a Collective Bargaining Agreement</u> <u>with the Hobbs Police Association</u>. Mayor Cobb requested that this item be tabled until an agreement can be reached by both parties. Commissioner Boyd moved that Resolution No. 6291 be tabled. Commissioner Sena seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Mullins yes, Buie yes, Boyd yes, Cobb yes.

#### Comments by City Commissioners, City Manager

Commissioner Boyd expressed his appreciation to City staff for the outstanding job at the grand opening ceremony at the Rockwind Community Links Golf Course. He stated it was a super golf event.

Commissioner Sena expressed his appreciation to the Cavanaugh family for their attendance at tonight's meeting. He stated he attended the recent Southwest Symphony concert and it was great.

Commissioner Sena also expressed appreciation to the Hobbs Fire Department for all they do in the community.

Commissioner Mullins stated Royal Tailor will be at the Lea County Center for the Arts on Friday, May 22, 2015, at 6:30 p.m., and encouraged everyone to attend.

Commissioner Mullins also commented that the grand opening at the Rockwind Community Links Golf Course was awesome.

Commissioner Buie expressed to Mr. Cotton that racial issues do affect him personally.

Commissioner Buie expressed appreciation to the Hobbs Police Officers for their courteous behavior to the public and for what they have to endure as police officers.

Commissioner Newman expressed appreciation to Mr. Cotton for his comments regarding racism not being tolerated in the community.

Commissioner Newman thanked the Hobbs Police Department for singing "Happy Birthday" to a student at school.

Commissioner Newman also agreed that the grand opening at the Rockwind Community Links Golf Course was a great event.

Mayor Cobb also stated the grand opening at the Rockwind Community Links Golf Course was an outstanding, successful event and it will receive national media attention. Mayor Cobb congratulated Fire Chief Enriquez for his promotion to Chief at the Hobbs Fire Department.

#### <u>Adjournment</u>

There being no further discussion or business, Commissioner Newman moved that the meeting adjourn. Commissioner Mullins seconded the motion. The vote was recorded as follows: Newman yes, Sena yes, Mullins yes, Buie yes, Boyd yes, Cobb yes. The motion carried. The meeting adjourned at 7:45 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk





COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 1, 2015

SUBJECT: Resolution Approving Funding to Enable Encryption to Hobbs Police Department Communication

DEPT. OF ORIGIN: Legal Department DATE SUBMITTED: May 28, 2015 SUBMITTED BY: Michael H. Stone, City Attorney

Summary:

The Lea County Communication Authority ("LCCA") purchased equipment several months ago to enable encryption in its communication capabilities. However, that technology will not be available for the entire county until the Lovington tower is constructed and operational. The completion of the tower is estimated to be September 1, 2015. The City has the ability to enable encryption to its own communications within 30-45 days for approximately \$6,500.00. This technology is essential to the safety of our officers. The LCCA Board has approved allowing the City to proceed with the encryption.

Fiscal Impact:

The fiscal impact will be \$approximately \$6,500.00. The money will come from HPD budget

Reviewed By: Finance Department

Attachments: Resolution Legal Review: ste.use Approved As To Form: City Attorney Recommendation: The Commission should approve the Resolution Approved For Submittal By: CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN Department Director Continued To: Resolution No. Referred To: \_\_\_\_\_ Ordinance No. \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ File No. Other \_\_\_\_\_ larlager

#### RESOLUTION NO. 6300

#### A RESOLUTION APPROVING FUNDING TO ENABLE ENCRYPTION TO HOBBS POLICE DEPARTMENT COMMUNICATION

WHEREAS, the Lea County Communication Authority ("LCCA") has purchased equipment to enable encryption in its communication capabilities: and

WHEREAS, that technology will not be available for the entire county until the Lovington tower is constructed and operational; and

WHEREAS, the completion of the Lovington tower is estimated to be September 1, 2015; and

WHEREAS, the City of Hobbs ("City") has the ability to enable encryption to its own communications within 30-45 days for approximately \$6,500.00; and

WHEREAS, this technology is essential to the safety of our officers and the LCCA Board has approved allowing the City to proceed with the encryption;

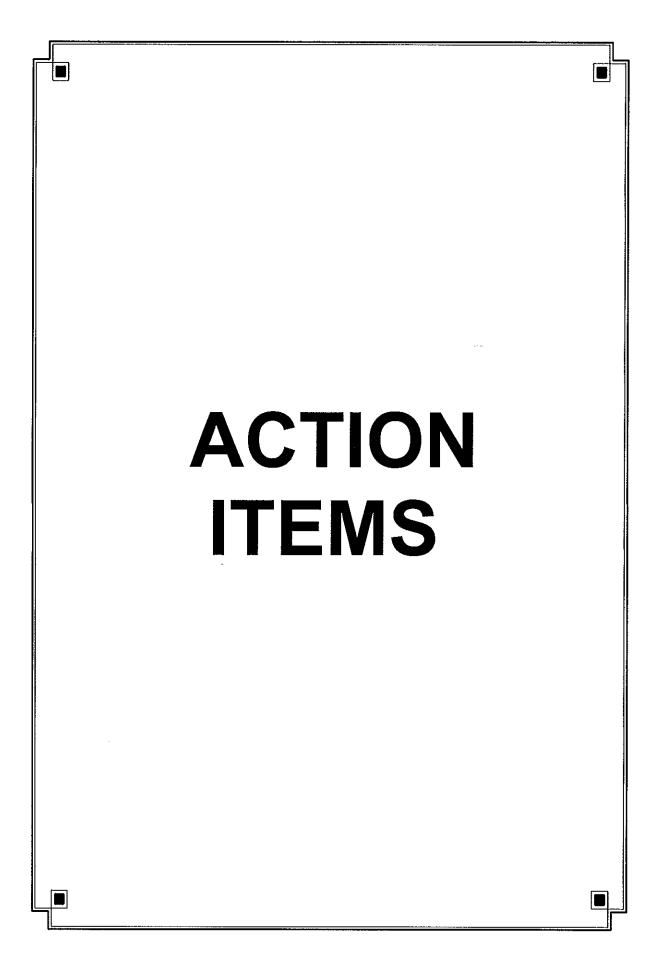
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized to approve funding in the amount of approximately \$6,500.00 to purchase encryption equipment for Hobbs Police Department communications.

PASSED, ADOPTED AND APPROVED this 1st day of June, 2015.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk





COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 1, 2015

SUBJECT: Amending Section 3.25.030 of the Hobbs Municipal Code

DEPT. OF ORIGIN: Legal Department DATE SUBMITTED: May 26, 2015 SUBMITTED BY: Michael H. Stone, City Attorney

#### Summary:

Section 3.25.030 of the Hobbs Municipal Code exempts several entities from the fund capping requirements of social service agencies the City funds each year. The annual cap is set at 20 agencies and \$250,000.00. Currently, the Economic Development Corporation of Lea County, Hobbs Chamber of Commerce, Hobbs Hispano Chamber of Commerce, Hobbs Juneteenth Committee and any Lodger's Tax Event are exempt from the capping requirements. The Community Drug Coalition of Lea County ("CDC") was exempt for three fiscal years, but, it is no longer an exempt agency under the ordinance and shall be a social service agency.

The proposed Ordinance makes the following changes:

1. The approximate annual funding of social service agencies increases from \$250,000.00 to \$375,000.00 and is capped at \$400,000.00 by ordinance;

2. Economic Development and Marketing entities are exempt from the annual funding cap (3.25.010) and annual number of social service agencies (3.25.020);

3. Economic Development and Marketing entities are:

a. Economic Development Corporation of Lea County;

- b. Hobbs Chamber of Commerce;
- c. Hobbs Hispanic Chamber of Commerce; and
- d. African American Chamber of Commerce, Hobbs;

4. Hobbs Juneteenth Committee ceases being an exempt entity; however, it will operate cooperatively through the African American Chamber for funding to promote the objectives of the Juneteenth Committee.

The proposed Ordinance has been appropriately published.

Fiscal Impact:

The annual social services budget will increase from \$250,000.00 to approximately \$375,000.00 and will be capped by ordinance at \$400,000.00

Reviewed By

Finance Department

Attachments: Ordinance

Legal Review:

Approved As To Form:

City Attorney

Recommendation: Approve amendment to Section 3.25 of the Hobbs Municipal Code.

Approved For Submittal By:	CIT	Y CLERK'S USE ONLY
Merster	COMN	ISSION ACTION TAKEN
Department Director	Resolution No Ordinance No Approved Other	Continued To:

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#### ORDINANCE NO. \_\_\_\_\_

#### AN ORDINANCE AMENDING SECTION 3.25 OF THE HOBBS MUNICIPAL CODE REGARDING CAPPING AND FUNDING SOCIAL SERVICE AGENCIES

#### BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS,

NEW MEXICO that Section 3.25 of the Hobbs Municipal Code is hereby amended as

follows:

#### 3.25. CAPPING AND FUNDING SOCIAL SERVICE AGENCIES

#### 3.25.010 Capping the annual funding of non-exempt social service agencies.

The total annual funding by the City of Hobbs of all social service agencies shall not exceed the sum of four hundred thousand dollars (\$400,000.00) from the General Fund.

#### 3.25.020 Capping the annual number of social service agencies

The total annual number of social service agencies funded by the City of Hobbs shall not exceed twenty (20).

#### 3.25.025 Special Projects

The City Commission may approve capital projects with social service agencies, on a case-by-case basis to be funded through a professional services agreement. Said special projects shall be approved at an open commission meeting. Special projects shall not be subject to the limitations of Sections 3.25.010 and 3.25.020 herein.

#### 3.25.030 Economic Development and Marketing entities.

The following entities shall be exempt from the capping requirements of Sections 3.25.010 and 3.25.020 of this Code:

 A. Economic Development Corporation of Lea County; Hobbs Chamber of Commerce; Hobbs Hispano Chamber of Commerce; and African American Chamber of Commerce, Hobbs; PASSED, ADOPTED AND APPROVED this <u>1<sup>st</sup></u> day of <u>June</u>, 2015.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

## Affidavit of Publication

STATE OF NEW MEXICO COUNTY OF LEA

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

> Beginning with the issue dated May 09, 2015 and ending with the issue dated May 09, 2015.

Aluss 11

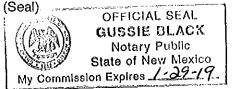
Publisher

Sworn and subscribed to before me this 9th day of May 2015.

Cack

**Business Manager** 

My commission expires January 29, 2019



This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

LEGAL	LEGAL	LEGAL
	LEGAL NOTICE May 9, 2015	
•	NOTICE OF ORDINANCE	
NOTICE IS HEREBY GIVEN th in the City Commission Chamba New Mexico, the governing bod the Hobbs Municipal Code reg follows:		
HOBBS	CE AMENDING SECTION 3 MUNICIPAL CODE REGAR FUNDING SOCIAL SERVIC	DING
3.25. CAPPING AN	ND FUNDING SOCIAL SERV	/ICE AGENCIES
3.25.010 Capping the annual fi	unding of <del>non-exempt</del> soci	al service agencies.
The total annual funding by t shall not exceed the sum of fou filty thousand dollars (\$250,000 (Ord. No. 1043, 4-4-2011)	r nundred thousand dollar	<del>xempt</del> social service agencies 's (\$400,000.00) <del>two hundred</del>
3.25.020 Capping the annual n	umber of <del>non-exempt</del> socia	al service agencies
The total annual number of Hobbs shall not exceed twenty ( (Ord. No. 1043, 404-2011)	<del>non-exempl</del> social service a (20).	gencies funded by the City of
3.25.025 Special Projects		
The City Commission may agencies, on a case-by-case agreement. Said special project Special projects shall not be suf herein. (Ord. No. 056 11-5-2012)	as snag ne annroven er en	ODOD commission modules
3.25.030 Economic Developme	nt and Marketing <del>Exempt</del> e	ntities.
The following entities shall be ex and 3.25.020 of this Code:	한 같은 것 같은	
A. Economic Development C Hobbs Chamber of Comm Hobbs Hispano Chamber Hobbs Juneteenth Comm African American Cham Any Lodgers' Tax Event	nerce; of Commerce:	unio Venezia de la composi- Nacional de la composi-
B The Community Drug Con requirements of Sections 3.21 following fiscal years:	alition shall be exempt from th 5.010 and 3.25.020 of this Co	<del>he capping</del> d <del>e for the</del>
<del>2011-2012</del> - 2012-2013; and - 2013-2014;		

(Ord. No. 1043, 4-4-2011)

Copies of the ordinance in its entirety are available to interested persons during regular business hours in the office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The ordinance is also available for viewing online at <u>www.hobbsnm.org</u>.

#30015

/s/Jan Fletcher Jan Fletcher, City Clerk

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SHELLY RAULSTON CITY OF HOBBS 200 E. BROADWAY HOBBS, NM 88240

	CITY OF HOBBS COMMISSION STAFF SUMMARY FORM
T LOOOS	MEETING DATE: June 1, 2015
SUBJECT: Resolution to Appro	ve 2015-16 Funding for Community Drug Coalition of Lea County
DEPT. OF ORIGIN: Legal Dep DATE SUBMITTED: May 28, 20 SUBMITTED BY: Michael H.	
Summary:	· · · ·
The Community Drug Coalition The City Commission should de	on ("CDC") has requested funding for 2015-16 in the amount of \$125 termine funding.
•	es the Mayor to execute a Professional Service Agreement with CD
Fiscal Impact:	
The funding has been approv	ved in the 2015-16 budget.
	Reviewed By:
• * *	Finance Department
Attachments: Resolution	
	Approved As To Form: Tile H. Stace
	Approved As To Form:
Legal Review:	
Legal Review:	City Attorney
Legal Review:	City Attorney
Legal Review: Recommendation: The Commis	City Attorney  ssion should determine funding of CDC and approve the Resolution  CITY CLERK'S USE ONLY  COMMISSION ACTION TAKEN  Resolution No Continued To:
Legal Review: Recommendation: The Commis Approved For Submittal B Department Director A J. M. A	City Attorney         ssion should determine funding of CDC and approve the Resolution         CITY CLERK'S USE ONLY         CITY CLERK'S USE ONLY         COMMISSION ACTION TAKEN         Resolution No.       Continued To:         Ordinance No.       Referred To:         Approved       Denied
Legal Review: Recommendation: The Commis Approved For Submittal B	City Attorney  ssion should determine funding of CDC and approve the Resolution  CITY CLERK'S USE ONLY  COMMISSION ACTION TAKEN  Resolution No Continued To: Ordinance No Referred To:
Legal Review: Recommendation: The Commis Approved For Submittal B Department Director A.M.M.	City Attorney         ssion should determine funding of CDC and approve the Resolution         CITY CLERK'S USE ONLY         CITY CLERK'S USE ONLY         COMMISSION ACTION TAKEN         Resolution No.       Continued To:         Ordinance No.       Referred To:         Approved       Denied

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#### RESOLUTION NO. 6301

#### A RESOLUTION APPROVING FUNDING FOR COMMUNITY DRUG COALITION OF LEA COUNTY FOR FISCAL YEAR 2015-2016

WHEREAS, the Community Drug Coalition of Lea County has requested funding for the

2015-16 fiscal year; and

WHEREAS, a Professional Service Agreement will be executed with Community Drug

Coalition of Lea County to formalize the terms and responsibilities of the parties; and

WHEREAS, the City Manager recommends the following funding be approved for the Lea

Community Drug Coalition of Lea County:

	Amount	City Managers	City Commission
	Requested	Recommendation	Determination
Community Drug Coalition of Lea County	\$125,000.00	\$125,000.00	

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE

CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized to approve funding in the amount as specified herein and to execute a Professional Services Agreement

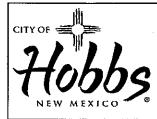
with the Community Drug Coalition of Lea County.

PASSED, ADOPTED AND APPROVED this 1st day of June, 2015.

ATTEST:

SAM D. COBB, Mayor

JAN FLETCHER, City Clerk



COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 1, 2015

SUBJECT: Resolution Approving Funding for Economic Development and Marketing Entities and Authorizing the Mayor to Execute Professional Service Agreements with Hobbs Hispano Chamber of Commerce, Hobbs Chamber of Commerce, African American Chamber of Commerce and Economic Development Corporation of Lea County

DEPT. OF ORIGIN: Legal Department DATE SUBMITTED: May 28, 2015 SUBMITTED BY: Michael H. Stone, City Attorney

#### Summary:

The following entities are Economic Development and Marketing entities that have made requests for funding and the City Commission should determine the funding:

]	Funding Request
African American Chamber	\$ 45,000.00
Hispano Chamber of Commerce	\$ 60,000.00
Hobbs Chamber of Commerce	\$ 75,000.00
Economic Development Corporation	\$ 250,000.00

This Resolution also authorizes the Mayor to execute Professional Service Agreements with the four entities to formalize the terms and responsibilities of the parties.

Fiscal Impact:

The funding has been approved in the 2015-16 budget.

Reviewed By: Finance Department

Attachments: Resolution

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Legal Review:

Approved As To Form.

City Attorney

Recommendation: The Commission should determine funding of each entity and approve the Resolution

Approved For Submittal By:	CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN	
Department Director	Resolution No Ordinance No Approved Other	Continued To: Referred To: Denied File No

#### RESOLUTION NO. 6302

#### A RESOLUTION APPROVING FUNDING FOR ECONOMIC DEVELOPMENT AND MARKETING ENTITIES FOR FISCAL YEAR 2015-2016

WHEREAS, the, African American Chamber of Commerce, Hobbs Hispano Chamber of Commerce, Hobbs Chamber of Commerce and Economic Development Corporation of Lea County have requested funding for the 2015-16 fiscal year; and

WHEREAS, Professional Service Agreements will be executed with each entity to formalize the terms and responsibilities of the parties; and

WHEREAS, the City Manager recommends the following funding be approved for the

Hispano Chamber of Commerce, Hobbs Chamber of Commerce, African American Chamber of

Commerce and Economic Development Corporation of Lea County:

	Amount Requested	City Managers Recommendation	City Commission Determination
African American Chamber of Commerce	\$ 45,000.00	45,000.00 total (\$20,000.00 to Ju	neteenth)
Hispano Chamber of Commerce	\$ 60,000.00	60,000.00	
Hobbs Chamber of Commerce	\$ 75,000.00	75,000.00	
Economic Development Corporation	\$ 250,000.00	250,000.00	

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized to approve funding in the amounts as specified herein and to execute a Professional Services Agreement with each entity.

PASSED, ADOPTED AND APPROVED this 1st day of June, 2015.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 1, 2015

SUBJECT: RESOLUTION APPROVING AND ACCEPTING ZIA CROSSING SUBDIVISION, UNIT 3, Phase 1 AS SUBMITTED BY PROPERTY OWNER BLACK GOLD ESTATES, LLC AND RECOMMENDED BY THE CITY OF HOBBS PLANNING BOARD. DEPT. OF ORIGIN: Planning Division

DATE SUBMITTED: May 26, 2015 SUBMITTED BY: Kevin Robinson – Planning Department

Summary: The Final Plan of Zia Crossing Subdivision, Unit 3, Phase 1 has been submitted for acceptance by property owner Black Gold Estates, LLC. The City Engineer has accepted a certification letter from the Engineer of Record certifying that all municipal infrastructures to be dedicated is in place and in compliance with the plan set and municipal standards. Zia Crossing Subdivision, Unit 3, Phase 1 is an 22.9 acre subdivision located southeast of Millen Drive and Zia Crossing Parkway creating 88 single family lots. The Planning Board reviewed this issue on May 19, 2015 and voted 4 to 0 to recommend approval providing an Engineers Certification was received for completed infrastructure.

Fiscal Impact:

Reviewed By:

Finance Department

The City will have maintenance responsibility for the dedicated street, water and sewer lines.

Attachments: Resolution, Final Plat Plan, Planning Board Minutes May 19, 2015.

Legal Review:

Approved As To Form: City Attorney

Recommendation:

Staff recommends consideration to Approve and Accept Zia Crossing Subdivision, Unit 3, Phase 1.

Approved For Submittal By:	CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN	
Department Director <u>J.J.M.</u> City Manager	Resolution No.       Continued To:         Ordinance No.       Referred To:         Approved       Denied         Other       File No.	-

#### RESOLUTION NO. 6303

#### A RESOLUTION APPROVING AND ACCEPTING ZIA CROSSING SUBDIVISION, UNIT 3, PHASE 1 AS SUBMITTED BY PROPERTY OWNER BLACK GOLD ESTATES, LLC AND RECOMMENDED BY THE CITY OF HOBBS PLANNING BOARD.

WHEREAS, Black Gold Estates, LLC has submitted a Final Plan for Zia Crossing Subdivision, Unit 3, Phase 1 for review by the City Planning Board; and

WHEREAS, the subdivision was reviewed and approved, providing receipt of an Engineer of Record Certification, by the Hobbs Planning Board at the May 19, 2015 meeting; and

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD OF THE CITY OF HOBBS, NEW MEXICO, that

1. The City of Hobbs hereby grants Final Plan Approval to Zia Crossing Subdivision, Unit 3, Phase 1 as recommended by the Planning Board; and

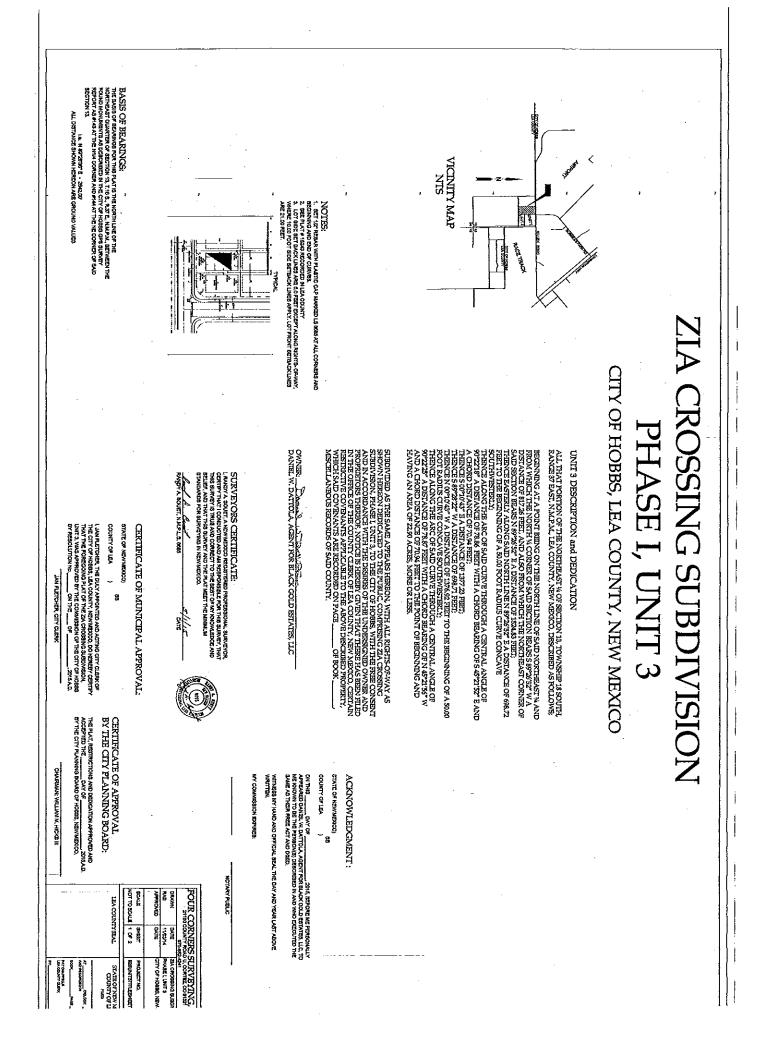
2. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

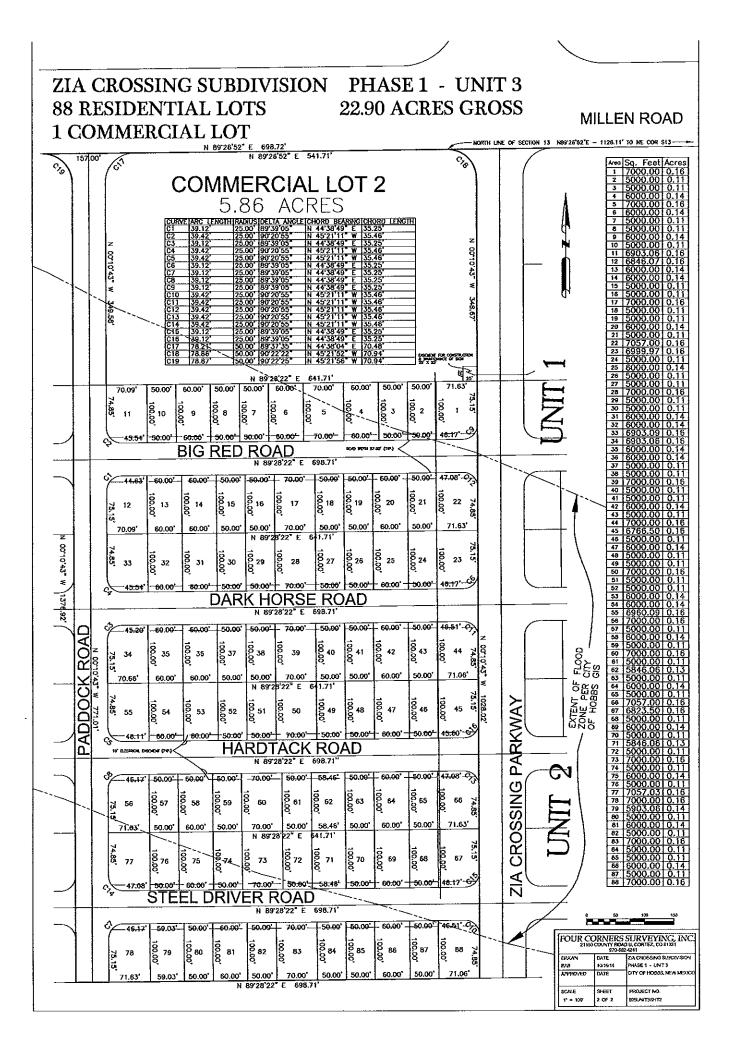
PASSED, ADOPTED AND APPROVED this <u>1<sup>st</sup></u> day of <u>June</u>, 2015.

ATTEST:

SAM D. COBB, Mayor

JAN FLETCHER, CITY CLERK





#### **Kevin Robinson**

From:	Philip Ross <pross@rossgrp.biz></pross@rossgrp.biz>
Sent:	Tuesday, May 26, 2015 11:58 AM
То:	Todd Randall; Kevin Robinson
Subject:	Zia Crossing Unit 3
Attachments:	Sign Off Letter.pdf

Attached is a sign off letter for Unit 3. I fully anticipate that all construction will be complete by the date (Friday) on the letter. If circumstances prevent this I will notify you such that you can strike the item from the Commission Agenda.

Thank you for your assistance in providing much needed housing in our community.

Philip L. Ross, P.E. The Ross Group Consulting Engineers 410 N. Dal Paso Hobbs, NM 88240 Tel: (575) 392-7918 Fax: (575) 392-9114 CELL: (575) 390-6134



May 29, 2015

Mr. Todd Randall City Engineer City of Hobbs 200 E. Broadway Hobbs, New Mexico 88240

#### Re: Zia Crossing, Unit 3

Dear Mr. Randall:

The construction of the infrastructure proposed for City ownership has been completed. Periodic inspection and testing indicate that the work was completed pursuant to the approved plans and specifications.

The infrastructure is ready for utilization.

If you have any questions regarding the project, please contact our office.

Sincerely,

the Ross Group

Philip L. Rose

Philip L. Ross, PE



COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 1, 2015

SUBJECT: RESOLUTION TO APPROVE THE PRELIMINARY PLAN FOR ZIA CROSSING SUBDIVISION, UNIT 5, PHASE 1 AS RECOMMENDED BY THE PLANNING BOARD. Located southwest of the intersection of Millen Drive and Zia Crossing Parkway within the municipal boundaries, submitted by Black Gold Estates, LLC.

DEPT. OF ORIGIN: Planning Division DATE SUBMITTED: May 26, 2015 SUBMITTED BY: Kevin Robinson – Planning Department

**Summary:** The Preliminary Plan for Zia Crossing Subdivision, Unit 5, Phase 1, is submitted by Black Gold Estates, LLC. The proposed subdivision is located southwest of the intersection of Millen Drive and Zia Crossing Parkway within the municipal boundaries (newly annexed). The proposed subdivision will contain 54 single family residential lots. The average residential lot size is 50' x 100'. The Planning Board reviewed this issue on May 19, 2015 and voted 4 to 0 to recommend approval.

Fiscal Impact:

Reviewed By:

Finance Department

The positive impact of the new development and new housing from GRT collections and monthly utility bills of the residents should offset any expenses that the City will incur from the maintenance responsibility of streets, water and sewer lines.

Attachments: Resolution, Preliminary Plan, Planning Board Minutes.

Legal Review:

Approved As To Form: \_\_\_\_\_\_\_City Attorney

Recommendation:

Consideration to approve the Resolution approving the Preliminary Plan for Zia Crossing Subdivision, Unit 5, Phase 1, as recommended by the Planning Board.

Approved For Submittal By:	CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN
Department Director	Resolution No.         Continued To:           Ordinance No.         Referred To:           Approved         Denied           Other         File No.

#### RESOLUTION NO. <u>6304</u>.

## A RESOLUTION APPROVING THE PRELIMINARY PLAN OF ZIA CROSSING SUBDIVISION, UNIT 5, PHASE 1, AS RECOMMENDED BY THE PLANNING BOARD.

WHEREAS, Black Gold Estates, LLC has submitted a Preliminary Plan for Zia Crossing Subdivision, Unit 5, Phase 1, for review by the City Planning Board; and

WHEREAS, the subdivision Preliminary Plan was reviewed and approved by the Hobbs Planning Board at the May 19, 2015 meeting.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD OF THE CITY OF HOBBS, NEW MEXICO, that

1. The City of Hobbs hereby grants Preliminary Plan Approval to Zia Crossing Subdivision, Unit 5, Phase 1, as recommended by the Planning Board; and

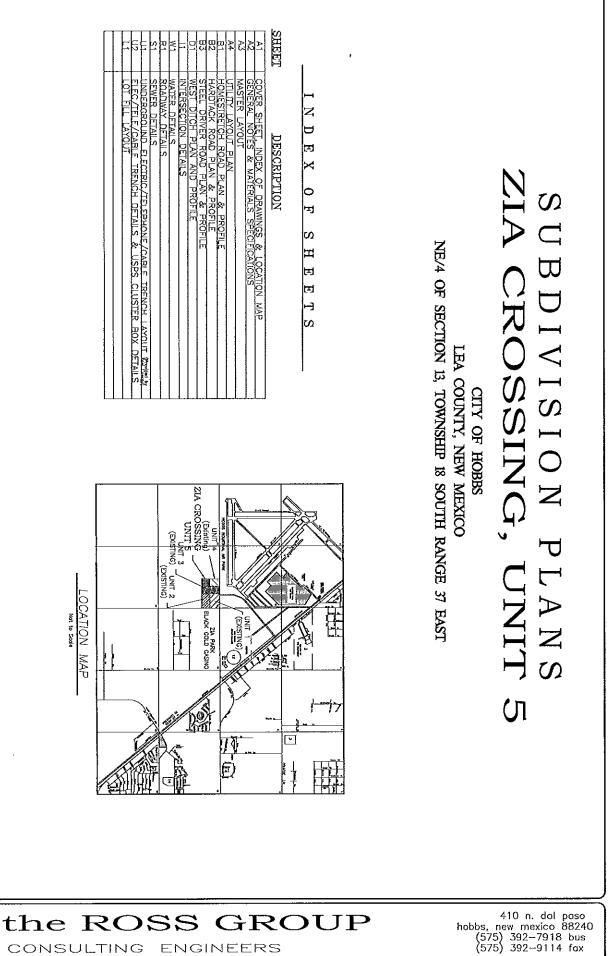
2. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this <u>1<sup>st</sup></u> day of <u>June</u>, 2015.

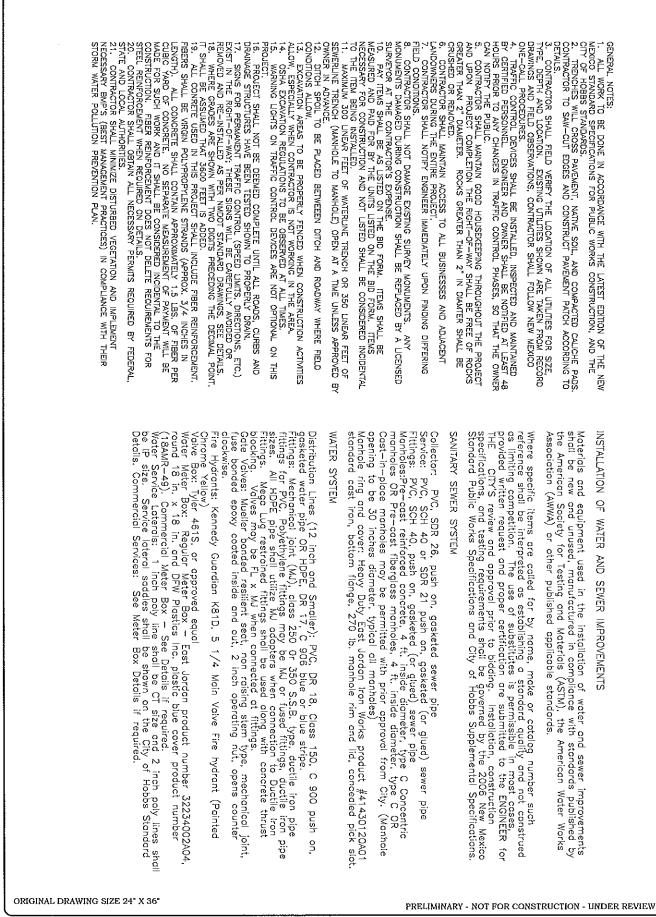
ATTEST:

SAM D. COBB, Mayor

JAN FLETCHER, CITY CLERK



CONSULTING ENGINEERS



DATE 

ZIA CROSSING, UNIT 5

GENERAL NOTES & MATLS, SPECS.

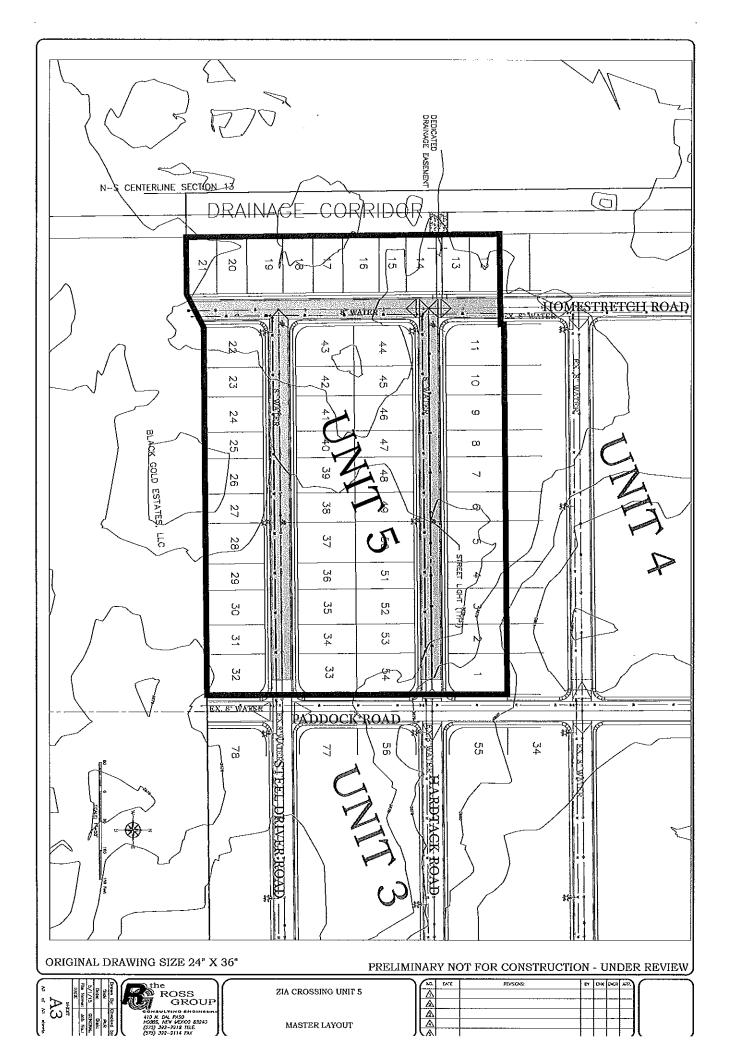
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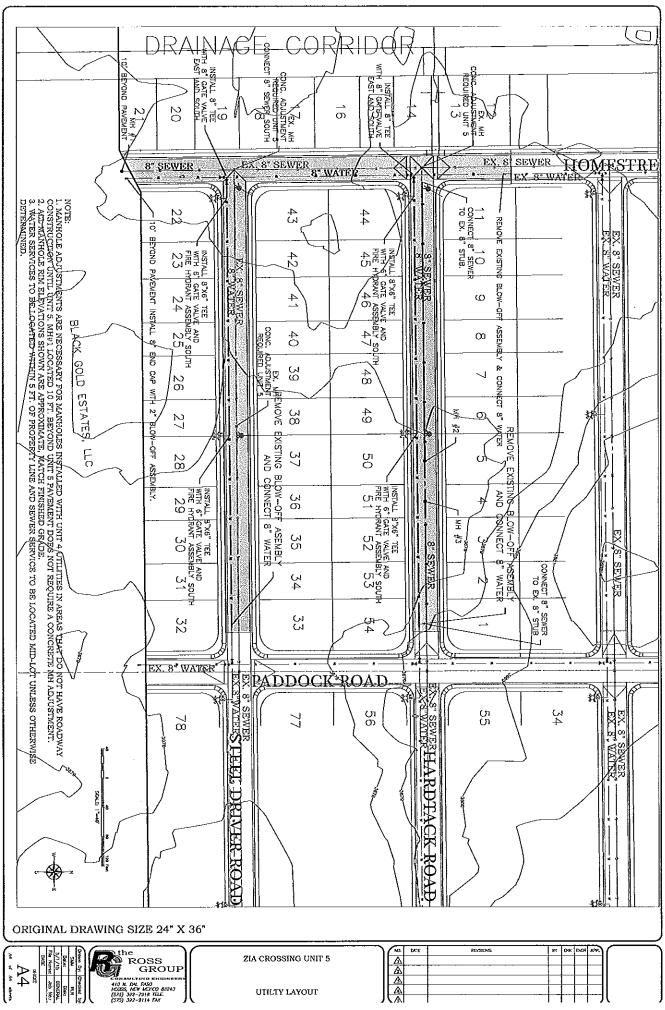
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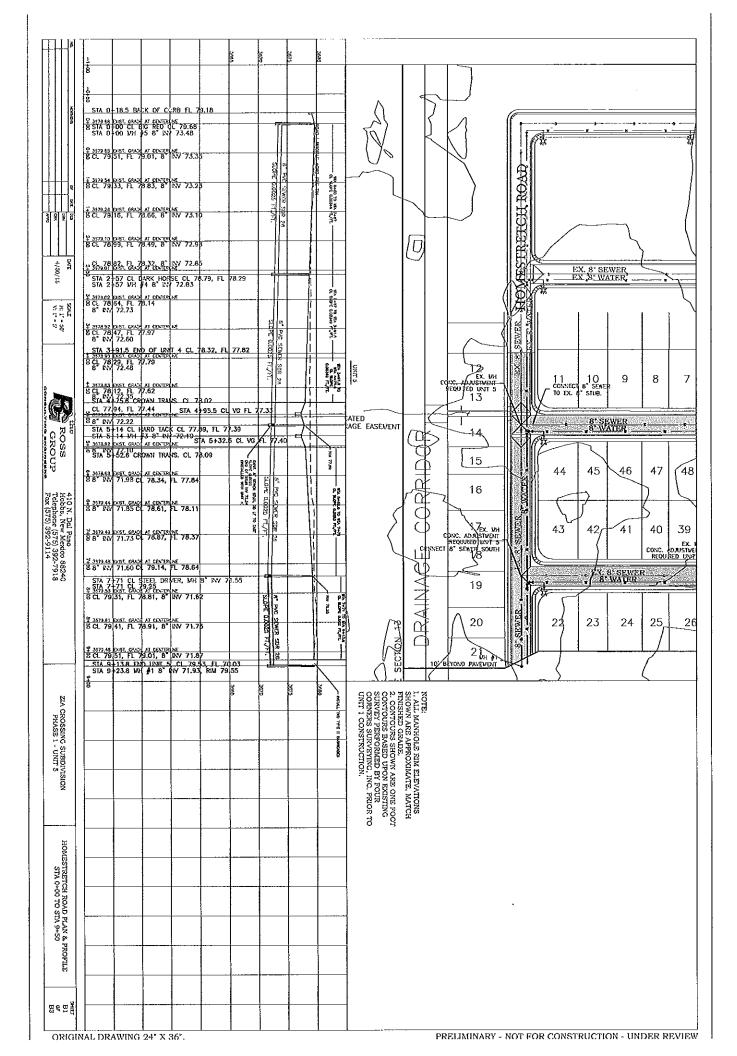
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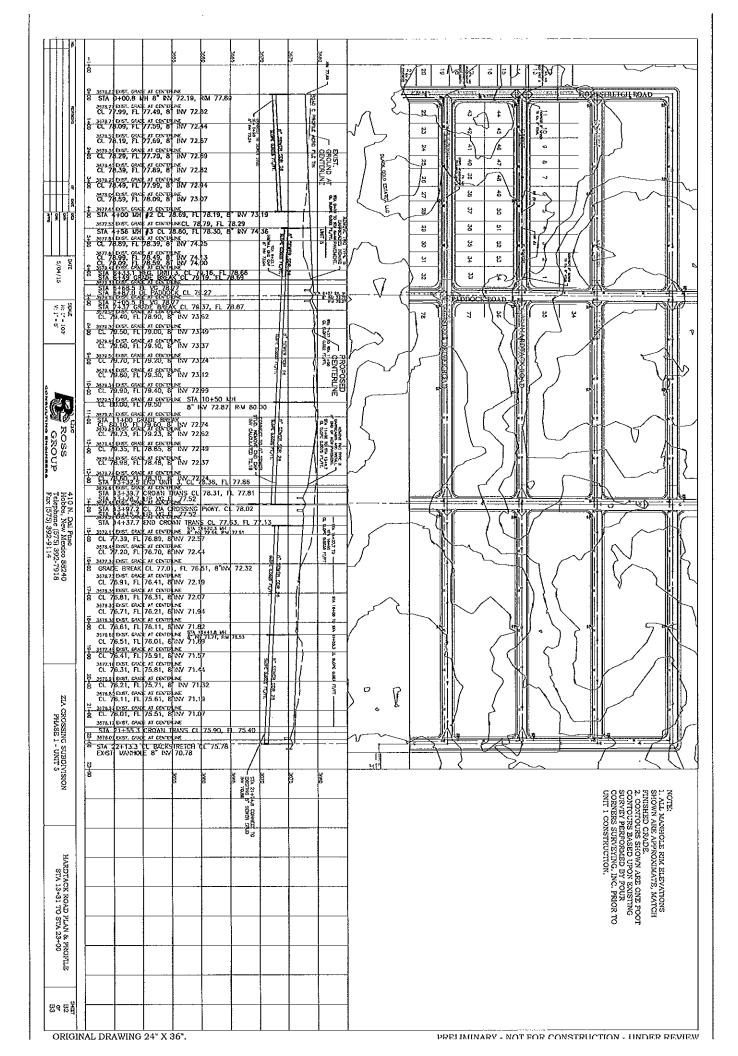
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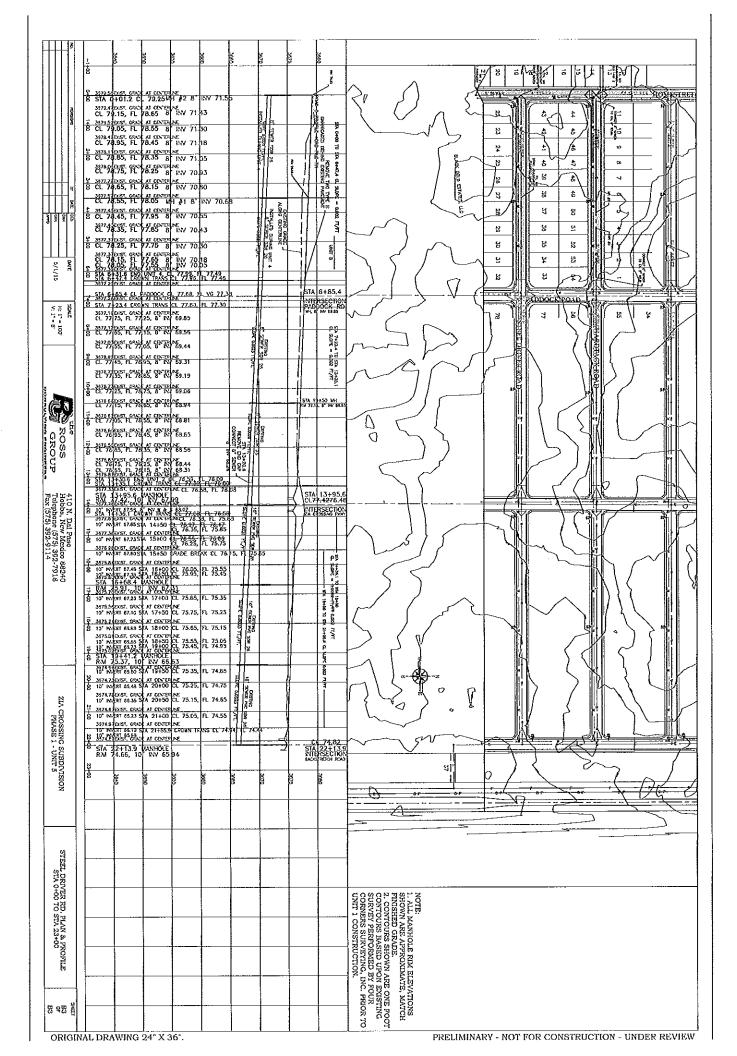
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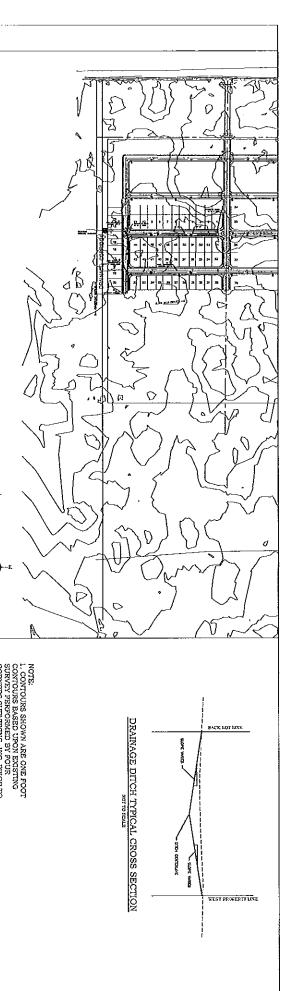


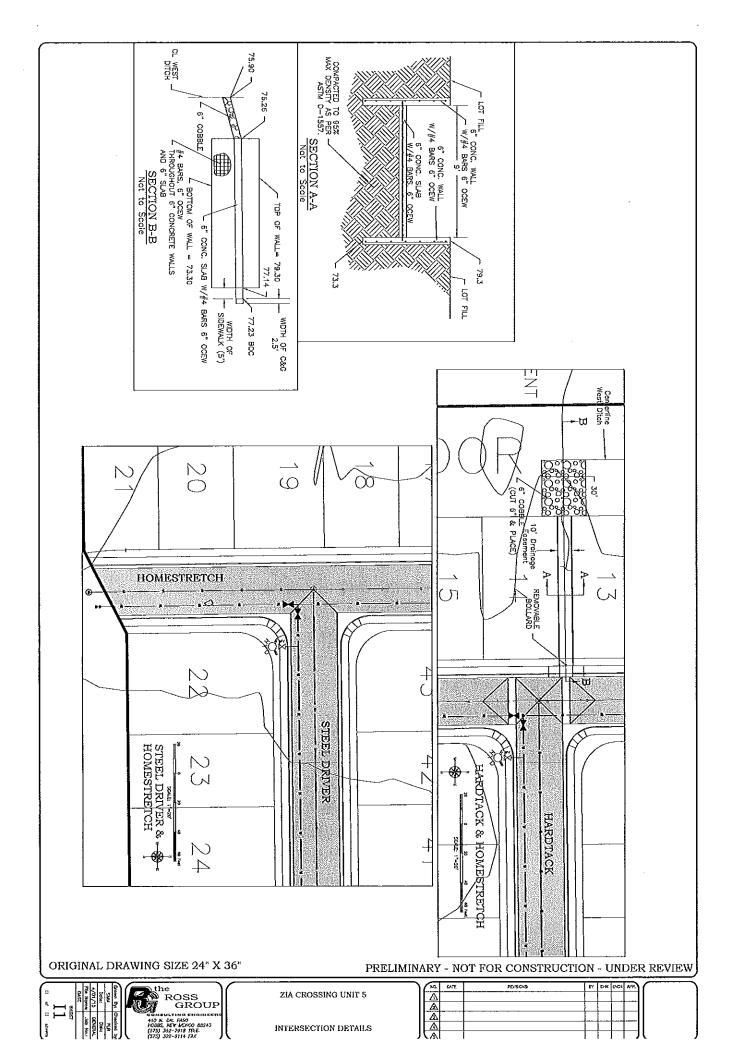


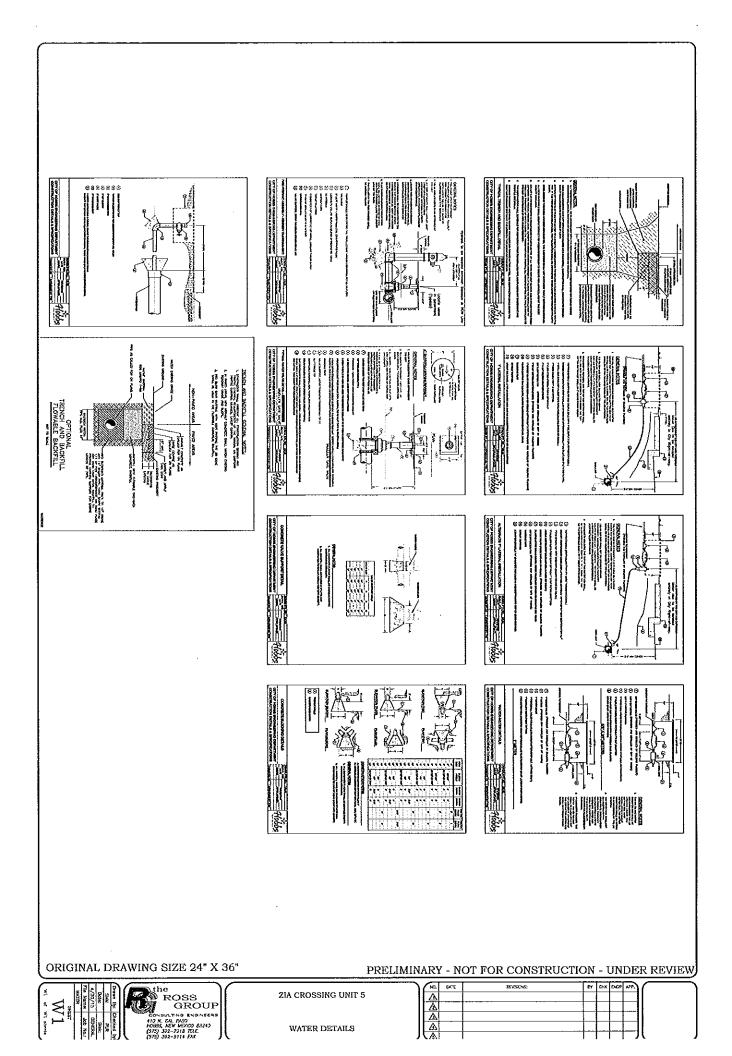


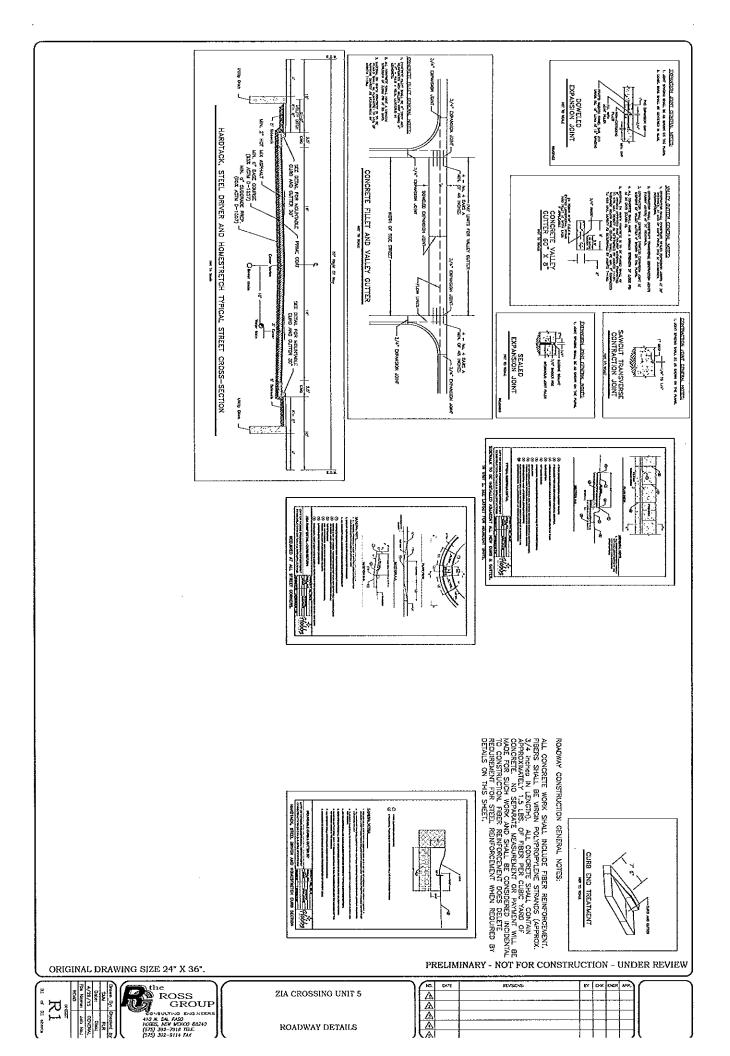


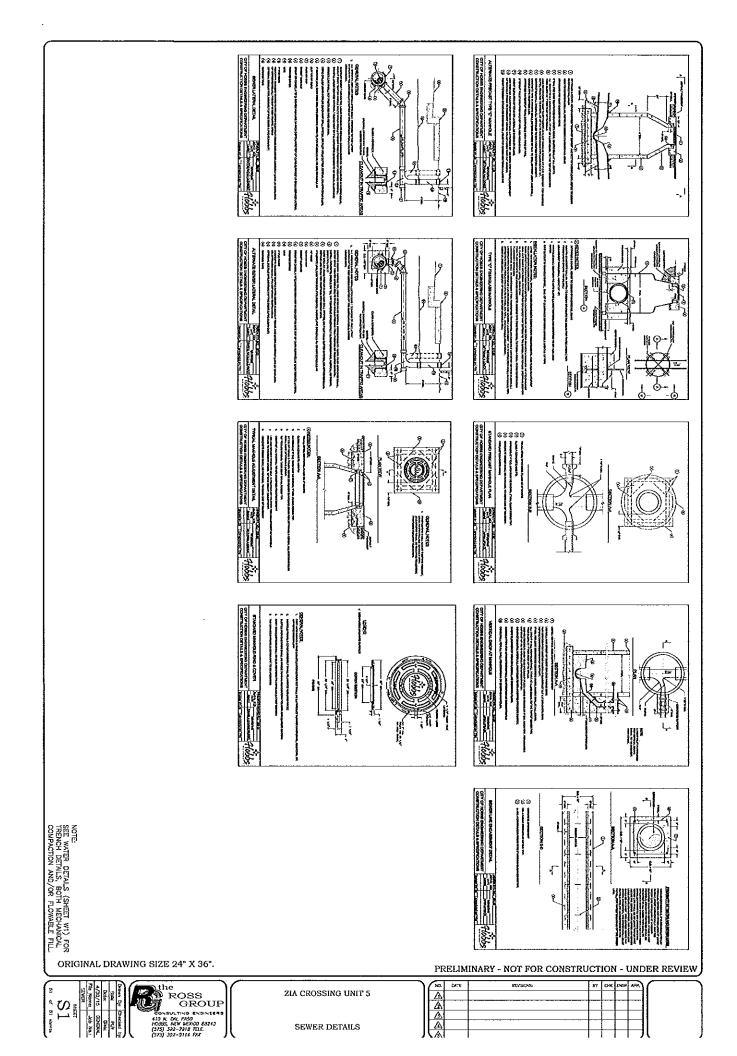
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Design Pending DRAWING PROVIDED BY XCEL ENERGY. ORIGINAL DRAWING SIZE 24" X 36". PRELIMINARY - NOT FOR CONSTRUCTION - UNDER REVIEW Conservative Conservative Conservative Construction Const -DATE PEVSONS 67 ZIA CROSSING UNIT 5 ~ U1 UTILITY (ELECTRIC/CABLE/TELEPHONE) LAYOUT PLAN (BY XCEL ENERGY)

