

Commission Meeting Agenda



Mayor

Samuel D. Cobb

City Commission

R. Finn Smith – District 1
Christopher R. Mills – District 2
Larron B. Fields – District 3
Joseph D. Calderón – District 4
Dwayne Penick – District 5
Don R. Gerth – District 6

City Manager

Manny Gomez

November 15, 2021



Hobbs City Commission
Regular Meeting
City Hall, City Commission Chamber
200 E. Broadway, 1st Floor Annex, Hobbs, New Mexico

Monday, November 15, 2021 – 6:00 p.m.

Sam D. Cobb, Mayor

R. Finn Smith
Commissioner – District 1

Joseph D. Calderón
Commissioner – District 4

Christopher R. Mills
Commissioner – District 2

Dwayne Penick
Commissioner – District 5

Larron B. Fields
Commissioner – District 3

Don R. Gerth
Commissioner – District 6

This meeting is open to the public to attend. Members of the public are asked to wear a face mask and follow social distancing guidelines. The public is invited to address public comments to the Commission in person at the meeting or submit written comments prior to the meeting. Written comments should be submitted no later than 4:30 p.m. on November 15, 2021, addressed to the City Clerk by email at jfletcher@hobbsnm.org or faxed to (575) 397-9334.

A G E N D A

City Commission Meetings are
Broadcast Live on KHBX FM 99.3 Radio and
Available via Livestream at www.hobbsnm.org

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes of the November 1, 2021, Regular Commission Meeting (*Jan Fletcher, City Clerk*)

PROCLAMATIONS AND AWARDS OF MERIT

2. Recognition of City Employees - Milestone Service Awards for the Month of November, 2021 (*Manny Gomez, City Manager*)
 - 5 years – Marcus Ayala, Hobbs Fire Department
 - 25 years – Marcos Juarez, Parks Department
3. Recognition of the World Champion Hobbs Fire Department Combat Team (*Barry Young, Fire Chief*)

PUBLIC COMMENTS (*Citizens who wish to speak must sign the Public Comment Registration Form located in the Commission Chamber prior to the beginning of the meeting.*)

Due to COVID-19, public comment may be submitted in person or in writing. Written comments should be submitted to the City Clerk at jfletcher@hobbsnm.org or faxed to (575) 397-9334 no later than 4:30 p.m. on the day of the meeting, November 15, 2021.

CONSENT AGENDA (*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.*)

4. Resolution No. 7133 – Amending Resolution No. 7129 Authorizing the Use of Coronavirus State and Local Fiscal Recovery Funds (*Manny Gomez, City Manager*)

DISCUSSION

None

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

5. Consideration and Approval of a Proposed Redistricting Plan for the City of Hobbs (*Jan Fletcher, City Clerk, and Michael Sharp, Research & Polling, Inc.*)
6. **PUBLICATION**: Proposed Ordinance Repealing Section 1.08.010 of the Hobbs City Code and Enacting a New Section 1.08.010 Regarding Designation of City Districts (*Jan Fletcher, City Clerk*)
7. **PUBLICATION**: Proposed Ordinance Amending Chapter 5.06 of the Hobbs Municipal Code for the Possession, Cultivation, Manufacture and Sale of Cannabis (*Valerie Chacon, Deputy City Attorney*)

8. **PUBLICATION:** Proposed Ordinance Amending Section 3.10.040 of the Hobbs Municipal Code Amending the City's Economic Development Strategic Plan Ordinance (*Efren Cortez, City Attorney*)
9. Resolution No. 7134 - A Resolution Authorizing the Mayor to Approve Renewals of Medical, Benefit Value Advisor, Dental, Vision, Teladoc, Life Insurance, Short Term Disability, Long Term Disability, Critical Illness Coverage, Hospital Indemnity Coverage and Accident Coverage (*Nicholas Goulet, Human Resources Director*)
10. Resolution No. 7135 – Determining that Certain Structures are Ruined, Damaged and Dilapidated, are a Menace to Public Comfort, Health and Safety and Requires Removal from the Municipality (812 East Humble) (*Jessica Silva, Code Enforcement Officer, and Valerie Chacon, Deputy City Attorney*)
11. Resolution No. 7136 – Determining that Certain Structures are Ruined, Damaged and Dilapidated, are a Menace to Public Comfort, Health and Safety and Requires Removal from the Municipality (1602 West Marland) (*Jessica Silva, Code Enforcement Officer, and Valerie Chacon, Deputy City Attorney*)

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

12. Next Meeting Date:

- City Commission:
Regular Meeting – ***Monday, December 6, 2021, 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) 397-9200 at least 72 hours prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: November 10, 2021
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- Regular Commission Meeting of November 1, 2021

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 Submittal By:
[Signature]
Department Director
City Manager

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

Minutes of the regular meeting of the Hobbs City Commission held on Monday, November 1, 2021, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico. This meeting was also viewable to the public via Livestream on the City's website at www.hobbsnm.org.

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 and everyone viewing through Livestream. The City Clerk called the roll and the following answered present:

Mayor Sam D. Cobb
Commissioner R. Finn Smith
Commissioner Christopher Mills
Commissioner Larron B. Fields
Commissioner Joseph D. Calderón
Commissioner Dwayne Penick
Commissioner Don Gerth

Also present:

Manny Gomez, City Manager
Efren Cortez, City Attorney
Valerie Chacon, Deputy City Attorney
Barry Young, Fire Chief
Kevin Shearer, Battalion Chief
John Ortolano, Police Chief
Jessica Silva, Code Enforcement Officer
Doug McDaniel, Recreation Director
Bryan Wagner, Parks and Open Spaces Director
Matt Hughes, Rockwind Community Links Superintendent
Nicholas Goulet, Human Resources Director
Selena Estrada, Risk Manager
Toby Spears, Finance Director
Deb Corral, Assistant Finance Director
Shelia Baker, General Services Director
Kevin Robinson, Development Director
Ron Roberts, Information Technology Director
Meghan Mooney, Communications Director
Bobby Arther, Municipal Judge
Sandy Farrell, Library Director
Julie Nymeyer, Executive Assistant
Mollie Maldonado, Deputy City Clerk
Jan Fletcher, City Clerk
7 citizens

Invocation and Pledge of Allegiance

Commissioner Fields delivered the invocation and Commissioner Penick led the Pledge of Allegiance.

Approval of Minutes

Commissioner Smith moved the amended minutes of the regular Commission Meeting held on October 4, 2021, and the minutes of the regular Commission Meeting held on Monday, October 18, 2021, be approved as written. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Gerth yes, Penick yes, Cobb yes. The motion carried.

Proclamations and Awards of Merit

Proclamation Proclaiming November 1, 2021, as "Extra Mile Day"

Mayor Cobb read a proclamation proclaiming November 1, 2021, as "Extra Mile Day" and urged each individual in the community to take time take on this day to "go the extra mile" in his or her own life. He acknowledged all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Proclamation Proclaiming November 7 - 13, 2021, as "National Nurse Practitioner Week"

Mayor Cobb read a proclamation proclaiming the week of November 7 - 13, 2021, as "National Nurse Practitioner Week". He presented the proclamation to Ms. Shawwna Read, CNP, Lea County Nurse Practitioner Group. Ms. Read thanked Mayor Cobb and the Commission for their continued support. She acknowledged Ms. Barbara Lane also present in the audience.

Commissioner Calderón thanked Ms. Lane for being his personal Nurse Practitioner.

Public Comments

Due to COVID-19, public comments may be submitted in person or in writing. Written comments should be submitted to the City Clerk at jfletcher@hobbsnm.org or faxed to (575) 397-9334 no later than 4:30 p.m. on the day of the meeting, November 1, 2021.

Mr. Matthew Burgess, Hobbs Operations and Production Manager for Chevron, introduced himself, Ms. Beverly Allen, Community Representative and Mid-Continent Business Unit Public & Government Affairs with Chevron North America, as well as Ms. Cindy Herrera, Regulatory Representative for Chevron. He expressed the appreciation of Chevron for the longstanding partnership with the Hobbs Fire Department (HFD) and the City of Hobbs.

Mayor Cobb stated Ms. Herrera is the mother of Mr. Ryan Herrera, a 15-year veteran of HFD. He further stated Ms. Allen has ties to the community as well.

Mayor Cobb stated last year, in 2020, Chevron donated \$25,000 to HFD for the purchase of sanitizing equipment to assist in combating the COVID-19 pandemic. He further stated this year, Chevron is donating \$5,000 to HFD and \$10,000 to the City of Hobbs for the benefit of the community. Mayor Cobb stated at a recent Energy Conference, representatives from the Chevron Mid-Continent Office were present and recognized the commitment Chevron has to Lea and Eddy Counties.

Ms. Allen expressed her appreciation to HFD, especially those who are out in the field protecting the community. She also announced a Chevron donation to the Hobbs Municipal Schools in the amount of \$70,000 for Science Engineering Technology and Math (STEM) labs for the middle schools and \$30,000 to New Mexico Junior College. Ms. Allen stated Chevron is grateful to be a part of Hobbs.

Consent Agenda

There were no items on the Consent Agenda.

Discussion

Lea County Communication Authority - Auto-Attendant Presentation

Lea County Communications Authority (LCCA) Director Angela Martinez stated 9-1-1 centers everywhere are short staffed. She stated she spoke with the 9-1-1 center directors in Carlsbad, New Mexico, and Las Cruces, New Mexico, both of whom have switched to an Auto-Attendant telephone service. The director for the Las Cruces 9-1-1 center stated calls have been reduced by 50% and they have been able to operate with one or two fewer employees. LCCA Director Martinez stated there are currently 29 budgeted positions at LCCA with 24 of them being dispatchers. Due to COVID-19, three positions were frozen and six employees left LCCA to stay home with children or for other COVID-19 related reasons. She stated there were eight employees working from home during the COVID-19 pandemic. LCCA Director Martinez stated there are currently four dispatch positions open. She stated there are five employees still in training; therefore, LCCA is essentially down 11 employees. LCCA Director Martinez stated the dispatchers were working five eight-hour shifts per week prior to the pandemic; however, dispatchers are now currently working 12-hour shifts and more days per week if another dispatcher is off. With the Auto-Attendant, fewer dispatchers are needed on certain days, allowing the dispatchers to have time off.

LCCA Director Martinez reviewed the call numbers and stated the purpose of the Auto-Attendant is to reduce the number of calls being transferred out of LCCA. Auto-Attendant is allowing the dispatchers to focus more on the calls for emergency services.

In response to a question from Commissioner Penick, LCCA Director Martinez stated the Auto-Attendant keeps the dispatchers from answering non-emergency calls; however, some citizens are used to automatically calling 9-1-1 for everything.

Commissioner Fields stated there are some citizens that are unhappy with the Auto-Attendant process. He added people do not like change.

LCCA Director Martinez stated the 9-1-1 director in Las Cruces, New Mexico, stated it took a couple of years to see a major decrease in the number of calls coming in through their Auto-Attendant. She added LCCA has only been using Auto-Attendant for six months and have already seen a difference.

City Manager Manny Gomez thanked LCCA Director Martinez and stated LCCA has been a model for other 9-1-1 centers throughout the State, thanks to LCCA Director Martinez' leadership. He further stated LCCA Director Martinez strives to make LCCA a more effective 9-1-1 center. City Manager Gomez stated he serves on the LCCA Board with Fire Battalion Chief Kevin Shearer and Police Chief John Ortolano as representatives for the City of Hobbs. He further stated the Auto-Attendant telephone service is going well but it is a change. City Manager Gomez stated LCCA needs to be fully staffed before making any further changes. He reminded citizens to call 9-1-1 if they have an emergency.

In response to Commissioner Penick's question, LCCA Director Martinez stated LCCA is not fully staffed due, in part, to the COVID-19 pandemic and also a lack of applicants for the position. She further stated every center in New Mexico is having the same staffing issues.

Commissioner Penick suggested more advertising for the Auto-Attendant because not every citizen is going to know when to call 9-1-1 and when to dial the non-emergency telephone number. He stated he personally called the non-emergency dispatch telephone number and had no problem with it.

LCCA Director Martinez stated Hobbs Police Chief Ortolano has been working to update the Hobbs Police Department website with telephone numbers for specific departments and the LCCA website also has a directory for other police agencies they serve.

LCCA Director Martinez stated she is working with Lea County and the LCCA Board to increase the pay for LCCA dispatchers. She stated they are currently one of the lowest paid dispatch centers in the State, with the average dispatcher making approximately \$16 per hour. LCCA Director Martinez stated the State average is approximately \$19 per hour and in Carlsbad, New Mexico, 9-1-1 dispatchers are making an average of \$22 per hour.

In response to Commissioner Fields' question, LCCA Director Martinez stated the training time can last anywhere from six months to one year. She added dispatchers must also obtain a New Mexico certification, which is obtained through their academy, before being released to work on their own as a dispatcher. LCCA Director stated there were recently five dispatchers who graduated from academy.

Mayor Cobb and the Commission thanked LCCA Director Martinez for the presentation and information.

Action Items

Resolution No. 7127 - Approving the FY 2022 DFA 1st Quarter Financial Report

Ms. Deb Corral, Assistant Finance Director, submitted the FY 2022 1st Quarter Department of Finance and Administration (DFA) Financial Report for approval. DFA recommends all quarterly reports be approved by the governing body. She stated the ending cash balance represents actual revenue and expenditure activity from July 1, 2021, through September 30, 2021. The actual ending cash balance as of September 30, 2021, is \$146,420,627.45 for all funds (restricted and unrestricted). Ms. Corral stated the City of Hobbs year-to-date actual revenues are \$31,525,932.67 and expenditures \$27,527,455.43.

There being no discussion, Commissioner Calderón moved that Resolution No. 7127 be approved as presented. Commissioner Penick seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7128 - Approving the FY 2022 DFA 1st Quarter Financial Report for Lodgers' Tax

Ms. Corral stated the September 30, 2021, cash balance for the Lodgers' Tax Fund is \$1,216,122.97. Ms. Corral stated the total lodgers' tax revenue for the 1st quarter of FY 2022 was \$279,315.68 and total expenditures were \$247,482.21. The breakdown of the cash balances by category are as follows:

Profit, Non-profit, Public Entities (20%)	\$309,346.76
Local Government (40%)	\$905,776.21
Fire, EMS, Sanitation (15%)	\$ 0.00
Airline Subsidy (25%)	\$ 0.00

There being no discussion, Commissioner Fields moved that Resolution No. 7128 be approved as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7129 - Authorizing the Use of Coronavirus State and Local Fiscal Recovery Funds

City Manager Gomez stated the United States Congress passed the American Rescue Plan Act of 2021 (HR 1319) in March of 2021. He explained a portion of HR 1319 was designated "Coronavirus State and Local Fiscal Recovery Funds" to be utilized by local governments for: (1) Public Health and Economic Impacts; (2) Premium Pay for Essential Workers; (3) Revenue Loss; and/or (4) Investments in Infrastructure.

City Manager Gomez stated, on July 23, 2021, the City of Hobbs received \$4,835,515.50 in Coronavirus State and Local Fiscal Recovery Funds from the United States Department of Treasury (DOT). To date, the City of Hobbs has not expended any of the funds. City Manager Gomez stated the proposed resolution acknowledges the courageous sacrifices City of Hobbs employees have made, and will continue to make, by serving the residents of Hobbs during the current and ongoing COVID-19 pandemic. He further stated the proposed resolution seeks to grant "premium pay" to City of Hobbs employees in the form of a one-time payment to the employee. Importantly, the DOT's interim final rule requires that premium pay "must be entirely additive to the worker's regular rate of wages" and the "worker may receive both retrospective premium pay for prior work as well as prospective premium pay for current or ongoing work." City Manager Gomez stated, if approved, 445 full-time City of Hobbs employee will receive a one-time payment of \$1,422.00 and 63 part-time City of Hobbs employee will receive a one-time payment of \$711.00, subject to applicable taxes. He stated the total cost for these payments will be \$677,583.00. City Manager Gomez stated he is a lifelong public servant standing in support of the City of Hobbs employees.

Commissioner Fields stated the one-time payment to City employees is well deserved.

There being no further discussion, Commissioner Calderón moved that Resolution No. 7129 be approved as presented. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution is attached and made a part of these minutes.

Resolution No. 7130 - Approving a Development Agreement with Lemke Development, Inc., Concerning the Development of Market Rate Single-Family Housing

Mr. Kevin Robinson, Development Director, stated Lemke Development Inc., has requested a development agreement concerning the development of market rate single-family housing units located within the municipal boundaries and is requesting infrastructure incentives of \$100,000.00. He stated this is the eighth development agreement proposed by Lemke Development Inc.

There being no discussion, Commissioner Calderón moved that Resolution No. 7130 be approved as presented. Commissioner Smith seconded the motion and the vote was

recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and agreement are attached and made a part of these minutes.

Consideration of Approval to Issue a Purchase Order to Watson Truck and Supply, Inc., in the Amount of \$37,384.38 for Certified Warranty Work and Repairs on International and Cummins Heavy Equipment

Ms. Shelia Baker, General Services Director, stated the City wishes to issue a Purchase Order to Watson Truck and Supply, Inc., in the amount of \$37,384.38 for Certified Warranty Work and Repairs on International and Cummins Heavy Equipment. She further stated the City Garage relies on certified services to be performed for warranty work and repair on International and Cummins heavy equipment. In order to procure services for FY 2022, the Garage received 3 quotes from certified service vendors, for 250 labor hours. The received quotes were as follows:

Company	Total Price Quote
Watson Truck and Supply	\$37,384.38
Roberts Truck Center	\$40,722.81
Border International	\$41,250.00

Ms. Baker stated it is the recommendation of the General Services Department to issue a Purchase Order to Watson Truck and Supply, Inc. in the amount of \$37,384.38.

There being no discussion, Commissioner Penick moved for approval to issue a Purchase Order to Watson Truck and Supply, Inc., in the amount of \$37,384.38 for certified warranty work and repairs on International and Cummins heavy equipment as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith abstain, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Consideration of Approval to Purchase Three Pickup Trucks from Melloy Ford in the Total Amount of \$121,341.80 Utilizing Cooperative Educational Services Contract Number 20-31A-C107-ALL

Ms. Baker explained the Cooperative Educational Services (CES) contract and stated City staff has identified the need for replacing vehicles and has budgeted to do so in the FY 2022 budget. Ms. Baker stated the City would utilize CES contract number 20-31A-C107-ALL with Melloy Ford. She explained the CES contract provides an 18% discount based on the type of vehicles and region. She stated the quoted prices for vehicles are as follows:

- Two 2022 2WD F-150 trucks at \$39,480 each
- One 2022 4WD F-150 truck at \$42,381

In response to an inquiry from Commissioner Gerth, Ms. Baker stated in order to keep the prices lower, the City utilized the CES contract instead of going out to bid for the vehicles. She further stated the CES pricing is in the best interest of the City. Ms. Baker stated there are no Hobbs businesses with CES contract pricing.

Mayor Cobb stated even though the vehicles are purchased elsewhere through the CES contracts, the servicing of the vehicles is done in Hobbs. He further stated availability is often a reason Hobbs dealers cannot supply vehicles to the City.

In response to Commissioner Penick's question, Mayor Cobb stated he has had conversations with local dealerships and it is often more profitable for the dealerships to offer competitive pricing opposed to CES pricing.

Commissioner Smith stated the CES pricing bids are only open every three years. He explained CES sends out the RFP and dealers must submit a bid. He added the dealers set the CES pricing. Commissioner Smith commented some dealers do not even respond to the RFP sent out by CES because they will not make more money selling vehicles at full market price.

Mr. Toby Spears, Finance Director, stated he has been a part of the CES scoring process. He briefly explained the scoring process and how vendors are selected.

There being no further discussion, Commissioner Calderón moved to approve the purchase of three pickup trucks from Melloy Ford in the total amount of \$121,341.80 utilizing CES Contract Number 20-31A-C107-ALL as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Resolution No. 7131 - Determining that Certain Structures are Ruined, Damaged and Dilapidated, are a Menace to Public Comfort, Health and Safety and Requires Removal from the Municipality (1523 East Dunnam, 2121 East Clinton, 210 South Morris)

Ms. Jessica Silva, Code Enforcement Officer, explained the resolution and stated in its continuing promotion of safety and cleanup efforts in the City of Hobbs, the Environmental Division of the Hobbs Community Services Department has identified structures which present safety and fire hazards and warrant their destruction. She further stated the structures presented to the Commission tonight are in dire need of repair.

In response to an inquiry from Commissioner Penick, Ms. Valerie Chacon, Deputy City Attorney, stated the City has been attempting to work with the owners of the property at

2121 East Clinton since 2009. She stated the property does not have running water or even waterlines to the property. Ms. Chacon stated there is major concern for the family, with children, living at this property. She further stated the property owners have been given ample opportunities to sell the property and recoup any losses. She stated the house is inhabited; however, the inhabitants cannot run water lines to the structure and the property owner is unwilling to run water lines.

Mayor Cobb stated by enforcing the condemnation of the property, the City will have more leeway to work with the property owner to remediate the property.

Commissioner Fields stated the properties being proposed for condemnation are in District 3. He commended City staff for the hard work put in to remediate these properties.

Commissioner Penick stated small children living at this property with no running water is a problem and the City needs to take the steps necessary to protect the children.

Commissioner Smith moved that Resolution No. 7131 be approved as presented. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7132 - Rescinding Condemnation of Certain Properties that have Previously Been Determined to be Ruined, Damaged, Dilapidated and a Menace to Public Comfort, Health and Safety

Ms. Chacon stated the City of Hobbs is proposing a resolution to rescind the condemnation of certain properties. These properties were previously condemned by the City but are no longer ruined, damaged, dilapidated or a menace to public comfort, health and safety. She stated pursuant to Section 8.24.010 of the Hobbs Municipal Code, the City of Hobbs may condemn a property if it is determined ruined, damaged, dilapidated and a menace to public comfort, health and safety and require such properties to be removed. Ms. Chacon stated the properties listed in attachment "A" have all been demolished or renovated, therefore, rendering the properties in compliance with the Hobbs Municipal Code. The proposed resolution will rescind the condemnation designation from the properties described in attachment "A", for they are no longer ruined, damaged, dilapidated, or a menace to public comfort, health and safety.

In response to a question from Mayor Cobb, Ms. Chacon stated there are 28 properties being removed from condemnation status.

Commissioner Fields stated a majority of the properties being removed from condemnation status are located in District 3. He expressed his appreciation for Code Enforcement Officer Silva and the hard work that has been done to make District 3 more appealing.

There being no further discussion, Commissioner Fields moved that Resolution No. 7132 be approved as presented. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached and made a part of these minutes.

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

Mayor Cobb stated the next regular Commission meeting will be held on November 15, 2021, at 6:00 p.m.

City Manager Gomez stated the purpose of the condemnation process is to protect the public. He further stated no water or electricity makes a home unfit for occupancy. City Manager Gomez expressed his appreciation to the Commission for its support of the condemnation process. He thanked staff for their hard work with the condemned properties and the property owners.

City Manager Gomez announced dates to remember as follows:

- The next Redistricting Meeting is on Thursday, November 4, 2021 at 5:30 p.m.
- The last Large Item Pickup will be held on November 6, 2021, serving the residences located north of Sanger Street and east of Fowler Street.
- November 8, 2021, the City will host the Divestment Ceremony for the National Guard Building at 1:30 p.m.

City Manager Gomez expressed condolences for the families of former Commissioner Marshall Newman and Hobbs News-Sun Editor, Mr. Todd Bailey, both of whom recently passed away. Both men served the City of Hobbs honorably. He encouraged everyone to remember the Newman and Bailey families in their thoughts and prayers.

Commissioner Mills expressed his pleasure for the resolution giving City employees a one-time premium payment for essential workers. He stated City employees are one of the most important assets to the City.

Commissioner Mills stated there are millions of people across the country without running water. Some are due to cultural opinions but others just cannot afford luxuries like running water. He further stated it is the duty of Christians everywhere to support their communities. Commissioner Mills stated it is the duty of citizens to take care of their fellow man.

Commissioner Calderón reminded citizens that the CORE is offering classes for home school groups.

Commissioner Penick also expressed condolences to the Newman and Bailey families. He commented that Halloween was very busy in his neighborhood. He reminded everyone of Veterans Day on Thursday, November 11, 2021. Commissioner Penick stated there will be a Veterans Day Celebration on Saturday, November 13, 2021, beginning at 10:00 a.m. with the Veterans Day Parade and continuing at Rockwind Community Links with a corn-hole tournament and family activities. He further stated the Justin Kemp Band will also be performing. He added he would like to see this become an annual event to celebrate Veterans.

Commissioner Smith announced that he abstained from the vote on the Purchase Order to Watson Truck and Supply due to his financial interest in the business.

Commissioner Smith stated he thinks about Commissioner Newman a lot, and he will be sorely missed. He also stated Mr. Bailey was a gentleman who took time to visit with him when he was a part of the Economic Development Corporation. The City lost two good men. Commissioner Smith also mentioned the passing of Mr. Ed Jennings who was also a very good man.

Mayor Cobb agreed with all of the statements regarding Commissioner Newman and Mr. Bailey. He stated Commissioner Newman was a friend and advocate for all of Hobbs. He further stated Mr. Bailey was always professional and showed his passion for Hobbs in his work.

Adjournment

There being no further business or comments, Commissioner Calderón moved that the meeting adjourn. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:22 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



PROCLAMATIONS

AND

**AWARDS OF
MERIT**

November Milestones 2021

5 years

Marcus Ayala	HFD	11/28/2016
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25 years

Marcos Juarez	Parks	11/17/1996
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CONSENT AGENDA



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: A RESOLUTION AMENDING RESOLUTION NO. 7129 AUTHORIZING THE USE OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

DEPT. OF ORIGIN: City Manager's Office
DATE SUBMITTED: November 9, 2021
SUBMITTED BY: Manny Gomez, City Manager

Summary: The United States Congress passed the American Rescue Plan Act of 2021 (H.R. 1319) in March of 2021. A portion of the Act designated "Coronavirus State and Local Fiscal Recovery Funds" to be utilized by local governments for: 1) Public Health and Economic Impacts; 2) Premium Pay for Essential Workers; 3) Revenue Loss; and/or 4) Investments in Infrastructure. On July 23, 2021, the City of Hobbs received \$4,835,515.50 in Coronavirus State and Local Fiscal Recovery Funds from the United States Department of Treasury. To date, the City of Hobbs has not expended any of the funds.

Resolution # 7129 was adopted on November 1, 2021 with the intent to ensure that after applicable taxes and deductions, each full-time employee received \$1,000.00 and each part-time employee received \$500.00. The City of Hobbs Finance Department realized that applicable taxes and deductions would actually be higher than originally anticipated and therefore each employee would receive less than the amounts intended following applicable taxes and deductions.

If amended, each full-time City of Hobbs employee (445) will receive a one-time payment of \$ 1,000.00 and each part-time City of Hobbs employee (63) will receive a one-time payment of \$500.00 after applicable taxes.

Fiscal Impact:


Reviewed By: 
Finance Department

The amended change amount for this Resolution is \$61,341.50, which will be withdrawn from 22-4022-41101-00322 leaving a remaining balance in (22-4022-44901-00322) of \$4,096,591.00.

Note: Original gross and part-time amounts were originally \$1,422.00 and \$711.00 resolution with a total aggregate amount of \$677,583.00. Total aggregate after amendment would be \$738,924.50.

Attachments:

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

The Commission should consider the amended resolution.

Approved For Submittal By:

Department Director

City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____

Ordinance No. _____

To: _____

Approved _____

Other _____

Continued To: _____

Referred To: _____ Referred

Denied _____

File No. _____

File No. _____

CITY OF HOBBS

RESOLUTION NO. 7133

A RESOLUTION AMENDING RESOLUTION NO 7129
AUTHORIZING THE USE OF CORONAVIRUS STATE AND
LOCAL FISCAL RECOVERY FUNDS

WHEREAS, on November 1, 2021, the City of Hobbs City Commission adopted Resolution No. 7129, which authorized the use of Coronavirus State and Local Fiscal Recovery Funds to provide “premium pay” for City of Hobbs full-time and part-time employees employed with the City of Hobbs as of the date of the Resolution adoption – November 1, 2021; and

WHEREAS, pursuant to Resolution No. 7129, the City of Hobbs was to provide a one-time payment of premium pay pursuant to the Coronavirus State and Local Fiscal Recovery Funds to each full-time employee employed by the City of Hobbs as of the date of the Resolution in the amount of \$1422.00, and to each part-time employee employed by the City of Hobbs as of the date of this Resolution in the amount of \$711.00 for an aggregate amount of \$677,583.00.

WHEREAS, the intent of the individual amounts set forth in Resolution No. 7129 was to ensure that after applicable taxes and deductions, each full-time employee received \$1,000.00 and each part-time employee received \$500.00; and

WHEREAS, following the adoption of Resolution No. 7129, the City of Hobbs Finance Department realized that applicable taxes and deductions would actually be higher than originally anticipated and therefore each employee would receive less than the amounts intended following applicable taxes and deductions; and

WHEREAS, it is the intent of the City of Hobbs to ensure that each full-time employee receives \$1,000.00 in premium pay after taxes and deductions and that each part-time employee receives \$500.00 in premium pay after taxes and deductions; and

WHEREAS, an increase in the allotted Coronavirus State and Local Fiscal Recovery Funds approved via Resolution No. 7129 is necessary to ensure the City of Hobbs' intent is met; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HBOBS, NEW MEXICO, that the City of Hobbs City Commission approves an increase to the previously allotted State and Local Fiscal Recovery Funds for premium pay in an additional amount of \$61,341.50 and a budget adjustment will be posted to the project account upon approval to account for this increase.

BE IT FURTHER RESOLVED that the one-time payment of premium pay pursuant to the Coronavirus State and Local Fiscal Recovery Funds to each full-time employee employed by the City of Hobbs on November 1, 2021, shall be \$1,000.00 after applicable taxes and deductions and to each part-time employee employed by the City of Hobbs on November 1, 2021, shall be \$500.00 after applicable taxes and deductions.

BE IT FURTHER RESOLVED that the amended aggregate amount authorized for City of Hobbs Coronavirus State and Local Fiscal Recovery Funds for premium pay is \$738,924.50 and a budget adjustment will be posted to the project account upon approval to increase to budget to the new total requested amount.

BE IT FURTHER RESOLVED that the one-time payment of premium pay outlined herein shall be drawn from the City of Hobbs' current State and Local Fiscal Recovery Funds and shall not entitle any employee that receives the same to any future premium payments nor shall the one-time payment act as a permanent increase to the future annual salary for any employee.

PASSED, ADOPTED AND APPROVED this _____ day of November, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



ACTION ITEMS



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: Consideration and Approval of Proposed Redistricting Plan for the City of Hobbs

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: November 9, 2021
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

Chapter 1.08 of the Hobbs Municipal Code requires adjustment of the City's districts every 10 years following receipt of the U. S. Census data. The City contracted with Research & Polling to assist with the demographic work on the project. A Redistricting Committee was appointed and public meetings were conducted by the Committee on October 25, November 4 and November 8 to review and adjust the districts. After review and deliberation, the Committee voted 5 - 2 to recommend Plan H for consideration by the Commission.

Fiscal Impact:

Reviewed By: [Signature]
Finance Department

Attachments:

- 1. Current District Map and Population Data Table
2. Redistricting PowerPoint Presentation by Research & Polling, Inc.
3. Proposed Map of Redistricting Plan H and Population Data Table

Legal Review:

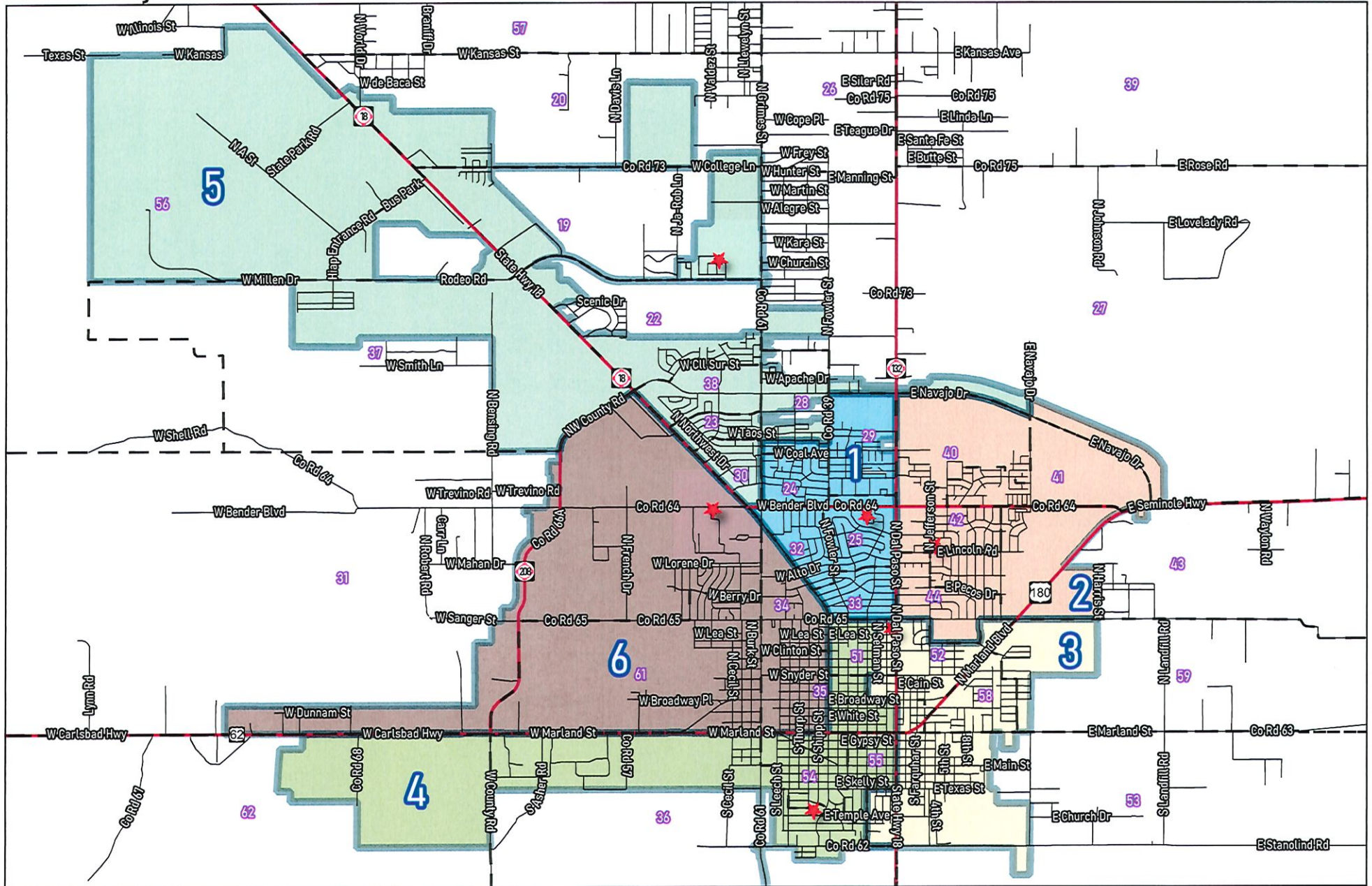
Approved As To Form: [Signature]
City Attorney

Recommendation:

Motion to select and approve a redistricting plan.

Approved For Submittal By:
[Signature] Department Director
[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN
Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____



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★ Commissioners
▭ Precincts



**Hobbs City Commission
Current Districts**

**2020 Census
Redistricting**

District	Pop	Deviation	Hispanic	Non-Hispanic									
				White		Native American		Black		Asian		Other Races	
1	6,697	-52 -0.8%	3,275 48.9%	2,892	43.2%	44	0.7%	200	3.0%	91	1.4%	195	2.9%
18+	4,762		2,047 43.0%	2,329	48.9%	41	0.9%	155	3.3%	81	1.7%	109	2.3%
2	8,383	1,634 24.2%	4,839 57.7%	2,657	31.7%	75	0.9%	437	5.2%	127	1.5%	248	3.0%
18+	5,751		2,994 52.1%	2,111	36.7%	54	0.9%	329	5.7%	95	1.7%	168	2.9%
3	6,027	-722 -10.7%	4,573 75.9%	686	11.4%	23	0.4%	586	9.7%	43	0.7%	116	1.9%
18+	4,017		2,911 72.5%	529	13.2%	19	0.5%	446	11.1%	38	0.9%	74	1.8%
4	5,681	-1,068 -15.8%	4,464 78.6%	827	14.6%	35	0.6%	233	4.1%	24	0.4%	98	1.7%
18+	3,977		3,026 76.1%	673	16.9%	29	0.7%	168	4.2%	13	0.3%	68	1.7%
5	8,166	1,417 21.0%	3,723 45.6%	3,502	42.9%	104	1.3%	375	4.6%	183	2.2%	279	3.4%
18+	6,178		2,621 42.4%	2,856	46.2%	101	1.6%	313	5.1%	137	2.2%	150	2.4%
6	5,544	-1,205 -17.9%	4,202 75.8%	943	17.0%	31	0.6%	227	4.1%	23	0.4%	118	2.1%
18+	3,919		2,843 72.5%	781	19.9%	24	0.6%	176	4.5%	16	0.4%	79	2.0%
Totals	40,498	Ideal: 6,749	25,076 61.9%	11,507	28.4%	312	0.8%	2,058	5.1%	491	1.2%	1,054	2.6%
18+	28,604		16,442 57.5%	9,279	32.4%	268	0.9%	1,587	5.5%	380	1.3%	648	2.3%

City of Hobbs

City Commission Redistricting

October 25, 2021

Presented by:

Michael Sharp
Vice President
Research & Polling, Inc.



About Us

- Research & Polling, Inc. has 40 years of redistricting experience
 - Staff has over 80 years combined redistricting experience

- Over 150 redistricting projects for state and local governments
 - NM State Legislature (4 cycles)
 - City of Hobbs
 - Hobbs Municipal Schools
 - New Mexico Junior College

Who Redistricts?

<i>Elected Body</i>	<i>Districts</i>	<i>Authority to Redistrict</i>
U.S. House of Representatives	3	State Legislature / Governor
New Mexico Legislature State House State Senate	70 42	State Legislature / Governor
Public Education Commission	10	State Legislature / Governor
County Commission	3/5	County Commission
City Council/Commission	4 to 10	City Council/Commission
Local School Board	5/7	Local School Board

Redistricting Timeline

April 1, 2020	2020 Census Day
August 2021	Census Bureau delivered 2020 Census redistricting data
October - November 2021	Consider and adopt redistricting plan
December 31, 2021	Deadline to complete redistricting

Redistricting

- What is “redistricting”?
 - Draw (and re-draw) lines that determine which voters are represented by each district
- Why redistrict?
 - NM Statutes
 - Population > 10,000 (Hobbs = 40,498)
 - Population changes over the past 10 years
 - Unequal distribution of change
- When redistrict (typically)?
 - After Decennial Census data is released
 - Use most current population data

Principles of Districting

- ❑ Equal population
- ❑ Minority Voting Rights
- ❑ Compactness
- ❑ Contiguity
- ❑ Communities of interest

Who gets Counted?

- ❑ Everyone, including, but not limited to:
 - Adults
 - Children
 - College students in dorms
 - Prisoners
 - Non-citizens
 - ❑ Documented immigrants
 - ❑ Undocumented immigrants
 - ❑ Foreign students

- ❑ Where are people counted?
 - At the place where they live and sleep most of the time

Population Change 2010 to 2020

District	2010	2020	Change	% Change
1	5,915	6,697	782	13.2%
2	5,927	8,383	2,456	41.4%
3	5,444	6,027	583	10.7%
4	5,433	5,681	248	4.6%
5	5,928	8,166	2,238	37.8%
6	5,475	5,544	69	1.3%
Total	34,122	40,498	6,376	18.7%

Constitutional Mandate to Redistrict

Baker v. Carr (1962)
Gray v. Sanders (1963)
Wesberry v. Sanders (1964)
Reynolds v. Sims (1964)

“One person, one vote”
Equal population = equal representation

- Congressional districts: as equal as “practicable”
- City Commissions
 - Total population deviation of no more than 10% (\pm 5%)

Ideal Population

- Hobbs total population: 40,498

- Ideal population = total pop. / # of districts
 - 2020 Census, Hobbs: $40,498 / 6 = 6,749$

- Districts must be “substantially equal”
 - No more than 10% total deviation
 - Within $\pm 5\%$ of the ideal population
 - Population of each district (ideal pop $\pm 5\%$)
 - $6,749 \pm 337$, range: 6,412 – 7,086

- Based on total population, not registered voters

Minority Voting Strength

- ❑ Do not dilute voting strength of ethnic/language minority groups (Voting Rights Act, Section 2):
 - Native Americans
 - African Americans
 - Hispanics

- ❑ Give the minority population an opportunity to elect a candidate of their choice

- ❑ Do not create districts in which race is the predominant criterion in subordination of traditional districting principles (Shaw v. Reno, 509 U.S. 630 (1993))

Compactness

- Different ways to measure compactness
 - None are perfect

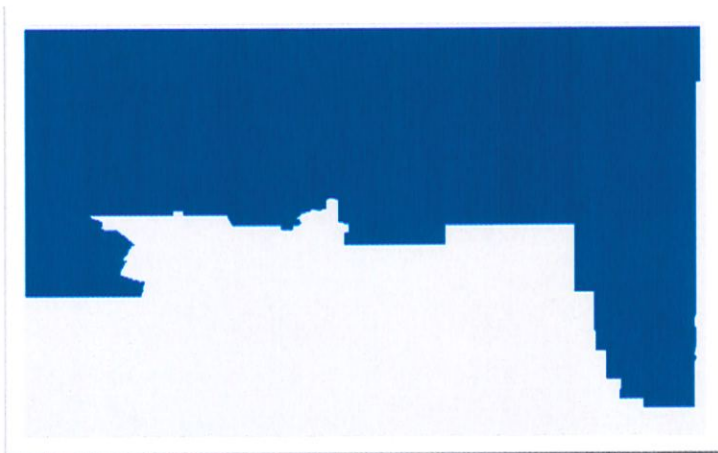
- Refers to shape, not geographic size
 - Could have a very large district in area that is compact in shape

- Compactness of a district can be affected by:
 - A jurisdiction's irregular outer boundary

Compactness

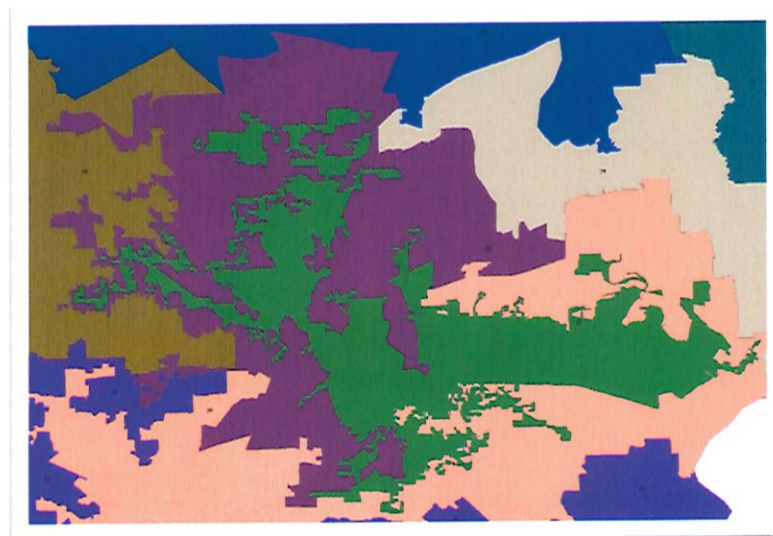
□ Compact:

NM – 3rd CD
1991

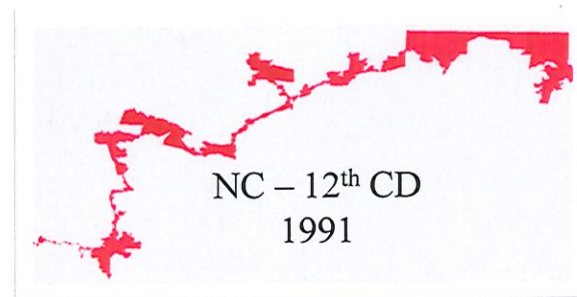


□ Not Compact:

TX – 18th CD (light purple)
1991

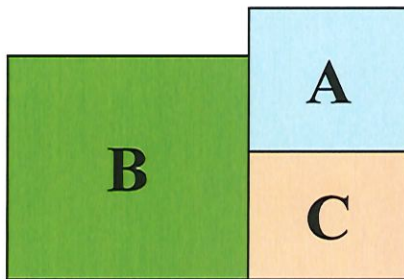


NC – 12th CD
1991

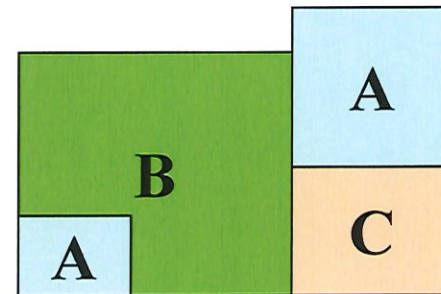


Contiguity

- ❑ No islands of territory
- ❑ One distinct part, not two or more
- ❑ Contiguous:



Not Contiguous:



Communities of Interest

- ❑ Other factors which may determine where a district boundary could be drawn
 - Respecting political subdivisions/neighborhoods/geographic boundaries
 - Respect cultural/historical traditions
 - Maintaining core of existing districts
 - Avoid pairing incumbents

- ❑ Can be considered as long as previous districting principles are not violated

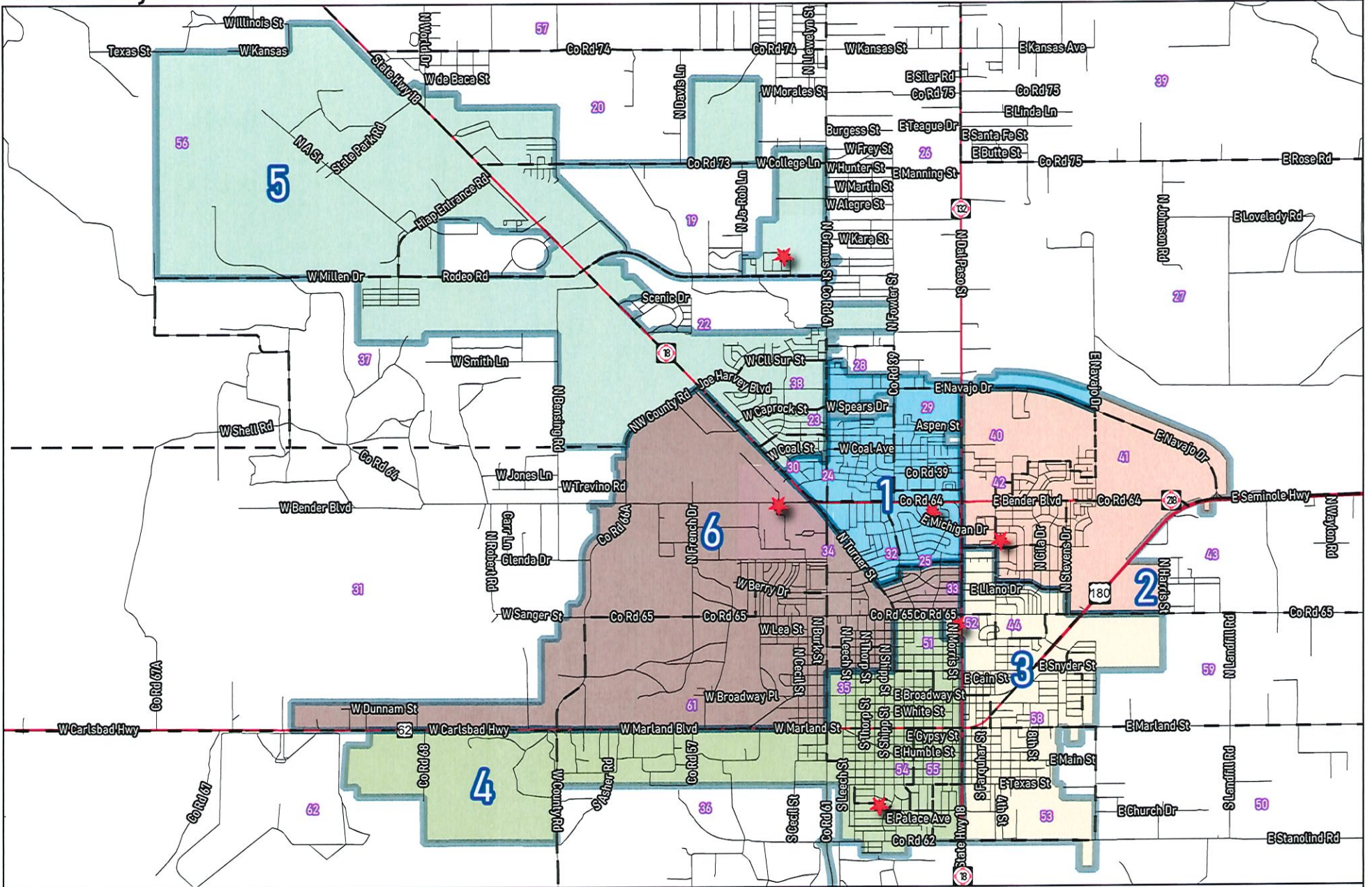
Remember...

- Redistricting plans are rarely perfect
 - Any single district cannot be looked at in a vacuum
 - Changing one district may impact others
 - Many factors are considered
 - Factors may work against each other
 - Not set in stone, changes can be made
 - Intended to initiate discussion

Redistricting Process

- Public meeting(s)
 - ABCs of redistricting
 - Public input
 - Show plans
 - Gather input about plans
 - Revise plan(s), if needed
 - Adopt a plan

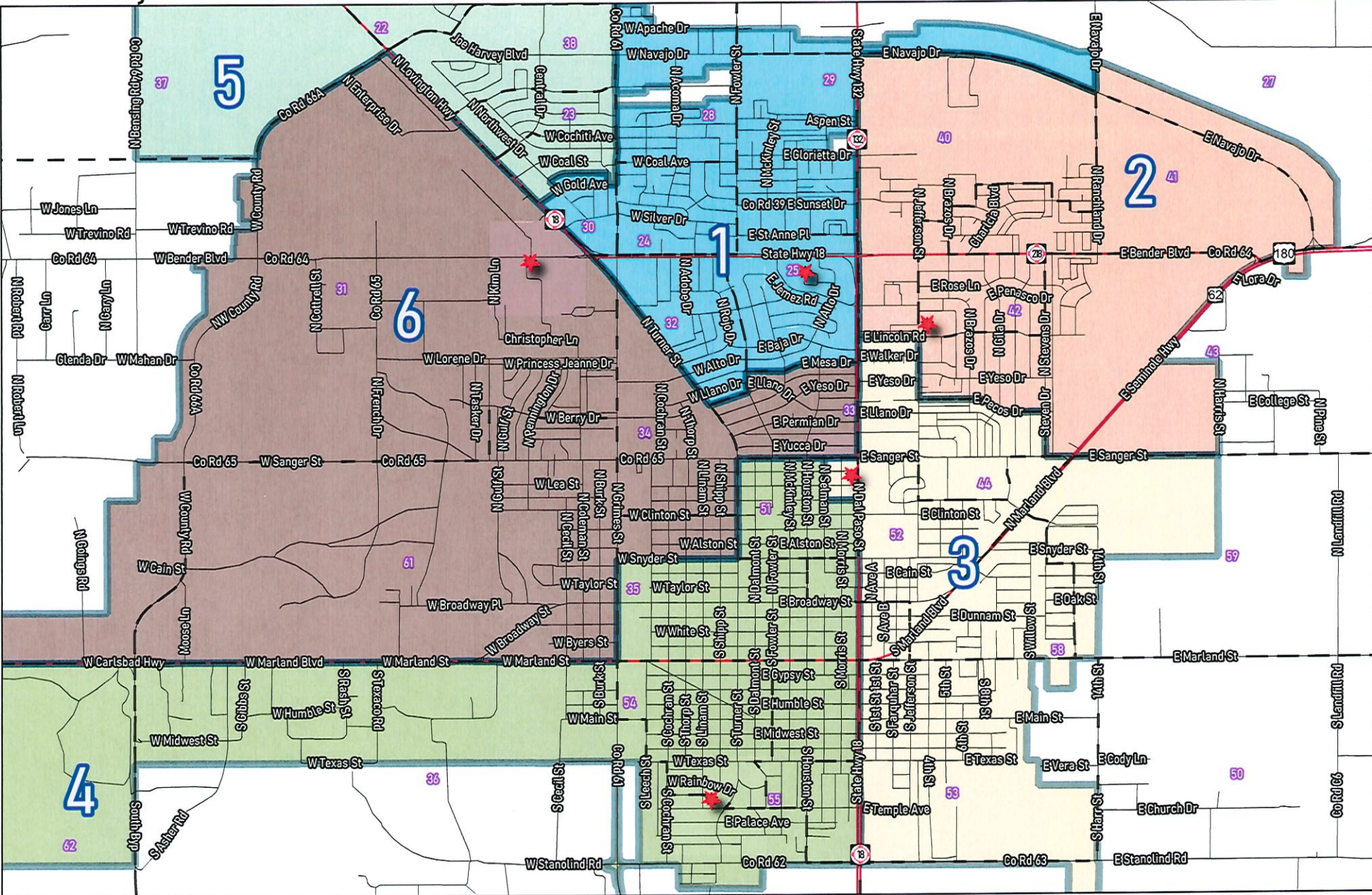
- Following plan adoption
 - County clerk assigns voters to correct districts
 - Election resolution
 - Filing date
 - Election



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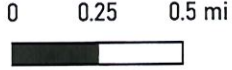
★ Commissioners
- - - Precincts





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★ Commissioners
 □ Precincts



Hobbs City Commission
Plan H

2020 Census
Redistricting

District	Pop	Deviation	Hispanic	Non-Hispanic										
				White		Native American		Black		Asian		Other Races		
1	6,470	-279 -4.1%	3,077 47.6%	2,805 43.4%	43 0.7%	233 3.6%	105 1.6%	207 3.2%						
18+	4,625		1,927 41.7%	2,284 49.4%	40 0.9%	177 3.8%	87 1.9%	110 2.4%						
2	6,781	32 0.5%	3,809 56.2%	2,210 32.6%	51 0.8%	376 5.5%	123 1.8%	212 3.1%						
18+	4,674		2,360 50.5%	1,753 37.5%	38 0.8%	282 6.0%	93 2.0%	148 3.2%						
3	6,812	63 0.9%	4,965 72.9%	1,032 15.1%	44 0.6%	614 9.0%	21 0.3%	136 2.0%						
18+	4,529		3,128 69.1%	806 17.8%	32 0.7%	465 10.3%	18 0.4%	80 1.8%						
4	6,944	195 2.9%	5,406 77.9%	1,042 15.0%	40 0.6%	282 4.1%	51 0.7%	123 1.8%						
18+	4,881		3,666 75.1%	852 17.5%	34 0.7%	205 4.2%	36 0.7%	88 1.8%						
5	6,950	201 3.0%	3,098 44.6%	3,053 43.9%	98 1.4%	316 4.5%	161 2.3%	224 3.2%						
18+	5,355		2,239 41.8%	2,500 46.7%	95 1.8%	275 5.1%	124 2.3%	122 2.3%						
6	6,541	-208 -3.1%	4,721 72.2%	1,365 20.9%	36 0.6%	237 3.6%	30 0.5%	152 2.3%						
18+	4,540		3,122 68.8%	1,084 23.9%	29 0.6%	183 4.0%	22 0.5%	100 2.2%						
Totals	40,498	Ideal: 6,749	25,076 61.9%	11,507 28.4%	312 0.8%	2,058 5.1%	491 1.2%	1,054 2.6%						
18+	28,604		16,442 57.5%	9,279 32.4%	268 0.9%	1,587 5.5%	380 1.3%	648 2.3%						



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: Proposed Ordinance Amending Section 1.08.010 of the Hobbs Municipal Code Regarding Designation of City Districts

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: November 9, 2021
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

Chapter 1.08 of the Hobbs Municipal Code requires adjustment of the City's districts every 10 years following receipt of the U. S. Census data. The City contracted with Research & Polling to assist with the demographic work on the project. A Redistricting Committee was appointed and public meetings were conducted to review and adjust the districts. The attached ordinance designates the six single-member Commission districts of the City pursuant to the plan as recommended by the Redistricting Committee.


Fiscal Impact:

Reviewed By: 
Finance Department

Attachments:

- 1. Plan H – Map and Data as Recommended by the Redistricting Committee
- 2. Proposed Ordinance

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Motion to approve publication of the ordinance.

Approved For Submittal By:



Department Director


City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____

CITY OF HOBBS

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTION 1.08.010 OF THE
HOBBS MUNICIPAL CODE REGARDING DESIGNATION OF
CITY DISTRICTS AND ADOPTING A NEW SECTION 1.08.010

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 1.08.010 of the Hobbs Municipal Code is hereby repealed in its entirety and a new Section 1.08010 is hereby enacted as follows:

Chapter 1.08

CITY DISTRICTS DESIGNATED

1.08.010 City districts.

The City shall be divided into six (6) districts having boundaries as follows:

A. **District 1.** District 1 consists of those portions of voting precincts numbered 24, 25, 27, 28, 29, 30 and 32 lying within the City limits and being more particularly described as follows:

Beginning at the point of intersection of Gold Ave and Lovington Hwy, and proceeding easterly along the centerline of Gold Ave to Northwest Dr, northerly along the centerline of Northwest Dr to Iron Ave, easterly along the centerline of Iron Ave to North Acres Dr, southerly along the centerline of North Acres Dr to Gold Ave, easterly along the centerline of Gold Ave to Grimes St, northerly along the centerline of N Grimes St to Calle Sur St, easterly along the centerline of Calle Sur St to Hobbs municipal line, easterly and southerly along the Hobbs municipal line to unnamed road, southerly along unnamed road to Navajo Dr, westerly on the centerline of Navajo Dr to Dal Paso St, southerly along the centerline of Dal Paso St to Mesa Dr, westerly along the centerline of Mesa Dr to Fowler St, southerly along the centerline of Fowler St to Berry Dr, westerly along the centerline of Berry Dr to Turner St, northerly along the centerline of Turner St to Lovington Hwy, northerly along the centerline of Lovington Hwy to the point of beginning.

B. **District 2.** District 2 consists of those portions of voting precincts numbered 27, 40, 41, 42, and 43 lying within the City limits and being more particularly described as follows:

Beginning at the point of intersection of Dal Paso St and Lincoln Rd, and proceeding northerly along the centerline of Dal Paso St to Navajo Dr, easterly along the centerline of Navajo Dr (1 mi) to an unnamed road, northerly along the centerline of unnamed road (800 ft) to the Hobbs municipal line, easterly and southerly along Hobbs municipal line to Sanger St, westerly along the centerline of Sanger St to Stevens Dr, northerly along the centerline of Stevens Dr to Pecos Dr, westerly along the centerline of Pecos Dr to Jefferson St, northerly along the centerline of Jefferson St to Lincoln Rd, westerly along the centerline of Lincoln Rd to the point of beginning.

C. **District 3.** District 3 consists of all of those portions of voting precincts numbered 35, 44, 50, 51, 52, 53, 58 and 59 lying within the City limits and being more particularly described as follows:

Beginning at the point of intersection of Sanger St and Selman St, and proceeding easterly along the centerline of Sanger St to Dal Paso St, northerly along the centerline of Dal Paso St to Lincoln Rd, easterly along the centerline of Lincoln Rd to Jefferson St, southerly along the centerline of Jefferson St to Pecos Dr, easterly along the centerline of Pecos Dr to Stevens Dr, southerly along the centerline of Stevens Dr to Sanger St, easterly along the centerline of Sanger St to the Hobbs municipal line, southerly and westerly along the Hobbs municipal line to the centerline of Dal Paso St, northerly along the centerline of Dal Paso St to Scharbauer St, westerly along the centerline of Scharbauer St to Selman St, northerly along the centerline of Selman St to the point of beginning.

D. **District 4.** District 4 consists of those portions of voting precincts numbered 35, 36, 51, 52, 53, 54, 55 and 62 lying within the City limits and being more particularly described as follows:

Beginning at the point of intersection of West County Rd and Marland Blvd, and proceeding easterly along the centerline of Marland Blvd to Grimes St, northerly along the centerline of Grimes St to Snyder St, easterly along the centerline of Snyder St to Turner St, northerly along the centerline of Turner St to Sanger St, easterly along the centerline of Sanger St to Selman St, southerly along the

centerline of Selman St to Scharbauer St, easterly along the centerline of Scharbauer St to Dal Paso St, southerly along the centerline of Dal Paso St to the Hobbs municipal line, westerly along the Hobbs municipal line to W Carlsbad Hwy, easterly along the centerline of W Carlsbad Hwy to West County Rd and the point of beginning.

E. **District 5.** District 5 consists of those portions of voting precincts numbered 19, 20, 22, 23, 27, 28, 30, 37, 38 and 56 lying within the City limits and being more particularly described as follows:

Beginning at the point of intersection of Lovington Hwy and West County Rd, and proceeding westerly along the centerline of West County Rd to Hobbs municipal line, westerly, northerly, easterly and southerly along the Hobbs municipal line to Calle Sur St, westerly along the centerline of Calle Sur St to Grimes St, southerly along the centerline of Grimes St to Gold Ave, westerly along the centerline of Gold Ave to North Acres Dr, northerly along the centerline of North Acres Dr to Iron Ave, westerly along the centerline of Iron Ave to Northwest Dr, southerly along the centerline of Northwest Dr to Gold Ave, westerly along the centerline of Gold Ave to Lovington Hwy, northerly along the centerline of Lovington Hwy to West County Rd to the point of beginning.

F. **District 6.** District 6 consists of those portions of voting precincts numbered 31, 33, 34, 35, and 61 lying within the City limits and being more particularly described as follows:

Beginning at the point of intersection of West County Rd and Carlsbad Hwy, and proceeding westerly along Carlsbad Hwy to the Hobbs municipal line, northerly along the Hobbs municipal line to West County Rd, northerly along the centerline of West County Rd to Lovington Hwy, southerly along the centerline of Lovington Hwy to Turner St, southerly along the centerline of Turner St to Berry Dr, easterly along the centerline of Berry Dr to Fowler St, northerly along the centerline of Fowler St to Mesa Dr, easterly along the centerline of Mesa Dr to Dal Paso St, southerly along the centerline of Dal Paso St to Sanger St, westerly along the centerline of Sanger St to Turner St, southerly along Turner St to Snyder St, westerly along the centerline of Snyder St to Grimes St, southerly along the centerline of Grimes St to Marland Blvd, westerly along the centerline of Marland Blvd to West County Rd and the point of beginning.

All as set forth on the map of the City on file in the office of the City Clerk. Within one (1) year after publication of each United States Census, the City Commission shall review the districting of the City and shall either reaffirm by ordinance that the City is divided into six (6) districts that meet the requirements stated below or, in the event that population shifts have made such reaffirmation impossible, the Commission shall appoint a committee of no less than seven (7) persons to review and adjust the districting in order to insure that ethnicity/language minority groups, compactness, contiguity, substantial equality in population, community interests, and other criteria set out in the Voting Rights Act and court decisions are maintained in each single member district, and written recommendations shall be made to the Commission within sixty (60) days of the appointment of said committee. Any adjustment in district lines shall be approved by City ordinance; provided, however, that this review shall not occur more than once every ten (10) years in keeping with the current census practice even if the census should be taken more frequently in the future.

Section 1.08.011 Effect of Redistricting.

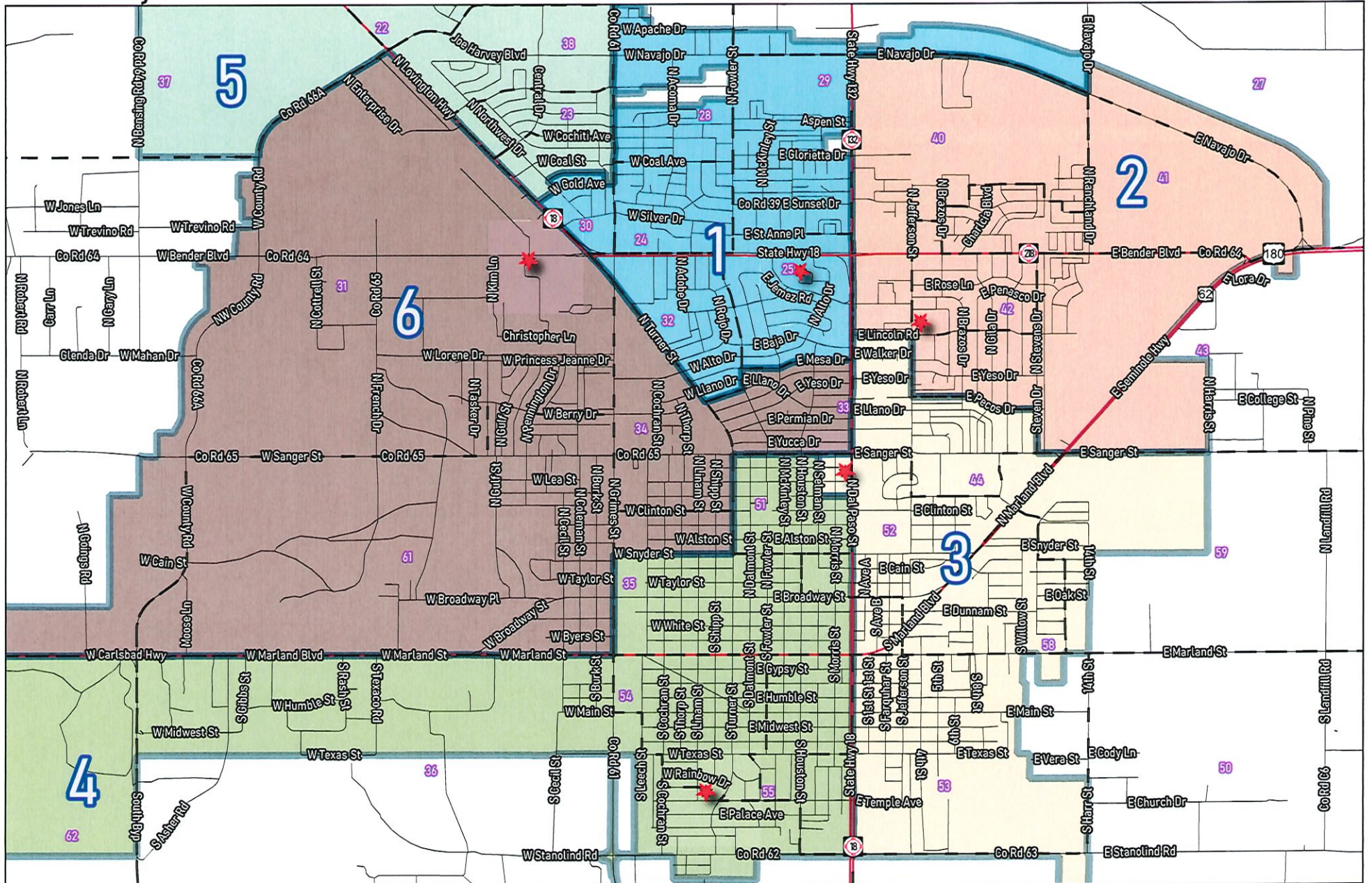
Notwithstanding the provisions of Section 4-5 of the Hobbs City Charter, no vacancy in the Office of a City Commissioner shall be caused by redistricting. All incumbent City Commissioners shall be entitled to serve out their terms, even if redistricting causes a City Commissioner to reside outside the district which that City Commissioner was elected to represent.

PASSED, ADOPTED AND APPROVED this _____ day of December, 2021.

SAM D. COBB, Mayor

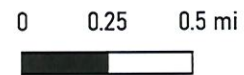
ATTEST:

JAN FLETCHER, City Clerk



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★ Commissioners
 □ Precincts



**Hobbs City Commission
Plan H**

**2020 Census
Redistricting**

District	Pop	Deviation	Hispanic	Non-Hispanic									
				White		Native American		Black		Asian		Other Races	
1	6,470	-279 -4.1%	3,077 47.6%	2,805	43.4%	43	0.7%	233	3.6%	105	1.6%	207	3.2%
18+	4,625		1,927 41.7%	2,284	49.4%	40	0.9%	177	3.8%	87	1.9%	110	2.4%
2	6,781	32 0.5%	3,809 56.2%	2,210	32.6%	51	0.8%	376	5.5%	123	1.8%	212	3.1%
18+	4,674		2,360 50.5%	1,753	37.5%	38	0.8%	282	6.0%	93	2.0%	148	3.2%
3	6,812	63 0.9%	4,965 72.9%	1,032	15.1%	44	0.6%	614	9.0%	21	0.3%	136	2.0%
18+	4,529		3,128 69.1%	806	17.8%	32	0.7%	465	10.3%	18	0.4%	80	1.8%
4	6,944	195 2.9%	5,406 77.9%	1,042	15.0%	40	0.6%	282	4.1%	51	0.7%	123	1.8%
18+	4,881		3,666 75.1%	852	17.5%	34	0.7%	205	4.2%	36	0.7%	88	1.8%
5	6,950	201 3.0%	3,098 44.6%	3,053	43.9%	98	1.4%	316	4.5%	161	2.3%	224	3.2%
18+	5,355		2,239 41.8%	2,500	46.7%	95	1.8%	275	5.1%	124	2.3%	122	2.3%
6	6,541	-208 -3.1%	4,721 72.2%	1,365	20.9%	36	0.6%	237	3.6%	30	0.5%	152	2.3%
18+	4,540		3,122 68.8%	1,084	23.9%	29	0.6%	183	4.0%	22	0.5%	100	2.2%
Totals	40,498	Ideal: 6,749	25,076 61.9%	11,507	28.4%	312	0.8%	2,058	5.1%	491	1.2%	1,054	2.6%
18+	28,604		16,442 57.5%	9,279	32.4%	268	0.9%	1,587	5.5%	380	1.3%	648	2.3%



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: PUBLICATION OF AN ORDINANCE AMENDING CHAPTER 5.06 OF THE HOBBS MUNICIPAL CODE FOR THE POSSESSION, CULTIVATION, MANUFACTURE AND SALE OF CANNABIS

DEPT. OF ORIGIN: Legal Department
DATE SUBMITTED: November 8, 2021
SUBMITTED BY: Valerie S. Chacon, Deputy City Attorney

Summary: On October 4, 2021, the City Commission adopted Ordinance No. 1133 (Cannabis Regulation Ordinance), which set forth the time, place and manner rules for cannabis establishments in Hobbs, New Mexico.

- Allowing Level 1 Producers (201-1,000 mature cannabis plants) to connect to City water services;
Creating an appeal process for a producer to obtain a variance from the 10" water line requirement;
Revising the appeal process to set forth evidentiary standards in an appeal.
Revising the appeal process to create an appellate review standard before the City Commission.

Pursuant to NMSA 1978, § 3-17-3, publication of this proposed ordinance is required at least two weeks prior to consideration for final adoption by the City Commission.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

There is no direct fiscal impact for this ordinance. Any gross receipts taxes (GRT) derived from the production, manufacture and sale of cannabis shall be distributed to the City of Hobbs pursuant to NMSA 1978, Section 7-1-6.4.

Attachments:

Ordinance

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

The Commission should consider publication of this Ordinance.

Approved For Submittal By:

[Signature] Department Director
[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____

CITY OF HOBBS

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 5.06 OF THE HOBBS MUNICIPAL CODE FOR THE POSSESSION, CULTIVATION, MANUFACTURE AND SALE OF CANNABIS

WHEREAS, on October 4, 2021, the City Commission adopted Ordinance No. 1133, the City of Hobbs Cannabis Regulation Ordinance, which authorized the City of Hobbs to exercise the authority granted to it by the Cannabis Regulation Act (NMSA 1978, §§ 26-2C-1 through 26-2C-42), to control and restrict the cultivation, manufacture and sale of cannabis and cannabis-derived products in Hobbs, New Mexico; and

WHEREAS, on September 27, 2021, prior to the adoption of the Cannabis Regulation Ordinance, the City of Hobbs City Commission held a work session wherein members of the public voiced their concerns and desires related to the Ordinance; and

WHEREAS, having considered the concerns of the public and so desiring to honor the wishes of the public to the greatest extent possible while protecting the health, safety, and welfare of the general public, the City Commission seeks to amend the Cannabis Regulation Ordinance, Chapter 5.06 of the Hobbs Municipal Code; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Chapter 5.06, is hereby amended as more specifically described as follows:

Chapter 5.06 POSSESSION, CULTIVATION, MANUFACTURE AND SALE OF CANNABIS

5.06.110 Cannabis Producers – restrictions.

Pursuant to Chapter 13.04 of the Hobbs Municipal Code, the City of Hobbs operates and maintains the public water distribution system in Hobbs, New Mexico. It has been a matter of public policy that water conservation is of high importance to the City of Hobbs as the geographical location of Hobbs, New Mexico, is situated in an area with no natural surface water. Pursuant to NMSA 1978, Section 26-2C-7(B)(3), the City of Hobbs municipal water supply is not designed to sustain agricultural activity and depletion of the municipal water supply presents a substantial risk to the health, safety and welfare of the residents of Hobbs, New Mexico.

- A. Cannabis producers engaged in cultivation of cannabis plants shall not connect to the City of Hobbs water service at the cannabis establishment wherein the cultivation activity shall occur. Exceptions to this subsection shall include personal use producers (as set forth in NMSA 1978, Section 26-2C-27), cannabis producer microbusinesses (1-200 mature cannabis plants), integrated cannabis microbusinesses (1-200 mature cannabis plants), ~~and~~ vertically integrated cannabis establishments (1-200 mature cannabis plants) engaged in the cultivation of two hundred (200) or fewer cannabis plants, and Level 1 Producers (201-1,000 mature cannabis plants). Cannabis producer microbusinesses, integrated cannabis microbusinesses, ~~and~~ vertically integrated cannabis establishments, and Level 1 Producers shall be required to connect to a 10 inch water line at minimum, to ensure adequate water services to neighboring properties, and submit a satisfactory cultivation plan to the City of Hobbs Utilities Director that exhibits the producer's steps to limit impact on neighboring properties through use of water reduction and water conservation opportunities, including:
1. drip irrigation or subsurface drip irrigation;
 2. water reclamation and reuse systems;
 3. measures to limit or prohibit evaporation;
 4. renewable energy generation and energy efficiency measures; and
 5. measures to limit or prohibit noxious odors.
- B. Upon review of the required minimum water line connection and cultivation plan, the City of Hobbs Utilities Director may approve or deny a request to connect to the City of Hobbs water service from a Cannabis producer microbusinesses, integrated cannabis microbusinesses, ~~and~~ vertically integrated cannabis establishments, or Level 1 Producers. Within ten (10) business days after the request, the City of Hobbs Utilities Director shall state in writing the basis of their decision to approve or deny the request. The City of Hobbs Utilities Director's decision may be appealed to the City of Hobbs Utilities Board. A written notice of appeal, stating the basis for the appeal, must be filed

with the City of Hobbs Utilities Director within fifteen (15) days of the City of Hobbs ~~Utility~~Utilities Director's written decision. Failure to timely file a written notice of appeal shall preclude the ~~applicant~~appellant from further appeal of the ~~Utility~~Utilities Director's decision. The appeal outlined herein may be:

1. an appeal of the Utilities Director's denial based on the minimum water line connection and requesting a variance from the minimum water line connection requirement; or

2. an appeal of the Utilities Director's denial based on the adequacy of the producer's cultivation plan.

- C. Appeal Process and Considerations. The appeal will be heard by the Utilities Board within thirty (30) days of the written notice of appeal. A request to continue the appeal hearing shall operate to waive the thirty (30) day requirement for the appeal hearing and the appeal hearing will be reset as soon as practical. Notice of the date and time of the appeal hearing shall be mailed to the ~~applicant~~producer, via US Postal mail, to the ~~applicant's~~producer's address of record. The appeal hearing shall be recorded and witnesses in support of and opposed to the approval may testify before the Utilities Board. The parties may be represented by counsel. The City of Hobbs will be represented by the City Attorney or their designee. The appellant shall bear the burden of proof at the appeal hearing before the Utilities Board. A decision will be rendered by the Utilities Board via majority vote in an open meeting. Within ten (10) days of the Board's decision, the Utilities Board chair shall render a written decision either upholding or overturning the decision of the Utilities Director. The written decision of the Utilities Board may be appealed to the City Commission. A written notice of appeal, stating the basis for the appeal, must be filed with the City of Hobbs Utilities Board within fifteen (15) days of the Utilities Board's written decision. Failure to timely file a written appeal shall preclude the ~~applicant~~appellant from further appeal of the Utilities Board's decision.

1. Variance from Water Line Requirement. At the conclusion of the appeal hearing, the Utilities Board will render a decision either upholding or overturning the decision of the Utilities Director related to the producer's water line requirement. If the Utilities Board renders a decision to overturn the Utilities Director's decision, the Utilities Board may grant a preliminary variance, subject to review by the City Commission, from the requirement that the producer connect to a 10 inch water line. The Utilities Board may grant a preliminary variance if the record before the Utilities Board establishes that:

- a. based on the producer's submitted cultivation plan, the producer's current water line will allow adequate water service to producer's property for producer's intended use; and

- b. based on the written opinion of a New Mexico licensed certified professional engineer of record, the producer's intended water use will not limit or significantly impact the water services to neighboring properties; and
- c. the producer has exhibited acknowledgment and consent, via sworn letter(s) or direct testimony, from the majority of adjacent properties that share the common water line with the producer's property or no substantial evidence is presented that adjacent property owners are opposed to the producer's intended use of the common water line.

2. Adequacy of Producer's Cultivation Plan. At the conclusion of the appeal hearing, the Utilities Board will render a decision either upholding or overturning the decision of the Utilities Director related to the producer's cultivation plan. In their appeal review, the Utilities Board may consider an amended cultivation plan submitted by the producer which corrects any errors or directly addresses any deficiencies noted by the Utilities Director. If the Utilities Board renders a decision to overturn the Utilities Director's decision, the Utilities Board may grant approval of the producer's cultivation plan as written if the record before the Utilities Board establishes that:

- a. based on the cultivation plan before the Utilities Board, the producer has exhibited an ability to significantly and consistently conserve water utilizing any process that may be well established as a water conservation tool in the industry or that is proprietary or novel; and
- b. based on the written opinion of a New Mexico licensed certified professional engineer of record, the producer's intended cultivation practices will not limit or significantly impact the water services to neighboring properties; and
- c. the producer has established, via direct evidence and direct testimony, that they have corrected all deficiencies noted in their original cultivation plan which was previously denied by the Utilities Director.

D. The appeal of the Utilities Board's decision will be heard by the City Commission within thirty (30) days of the written notice of appeal. A request to continue the appeal hearing shall operate to waive the thirty (30) day requirement for the appeal hearing and the appeal hearing will be reset as soon as practical. Notice of the date and time of the appeal hearing shall be published once in the Hobbs News-Sun and also mailed to the applicant/producer, via US Postal mail, to the applicant's-producer's address of record. Notwithstanding the procedures outlined in Article III of Chapter 2.04 of the Hobbs Municipal Code, the appeal before the City Commission shall be limited to a review of the evidence and record established before the Utilities Board. The parties may be represented by counsel. The City of Hobbs will be represented by the City

Attorney or their designee. Prior to the appeal hearing, the parties, either pro se or through their counsel, may submit briefing regarding applicable law, points of error made by the Utilities Board, and other issues brought to the attention of the Utilities Board that may substantially impact the outcome of the City Commission's decision. The City Commission, through affirmative vote, may allow additional evidence and testimony to be presented for consideration. The parties, either pro se or through their counsel, may present argument before the City Commission and the City Commission reserves the right to ask questions of the parties. The appeal hearing shall be recorded, ~~and witnesses in support of and opposed to the approval may testify before the City Commission.~~ A decision will be rendered by the City Commission via majority vote in an open meeting. Within ten (10) days of the Commission's decision, the Mayor shall render a written decision either upholding or overturning the decision of the Utilities Board. The written decision of the City Commission shall be final.

- E. Cannabis producer microbusinesses, integrated cannabis microbusinesses, ~~and~~ vertically integrated cannabis establishments, and Level 1 Producers that connect to the City of Hobbs water service, as set forth herein, shall abide by all requirements as outlined in Chapter 13.04 of the Hobbs Municipal Code. Cannabis producers engaged in the cultivation of cannabis plants shall constitute "commercial consumers" and pay the applicable water and sewer service rates.
- F. Cannabis producer microbusinesses, integrated cannabis microbusinesses, ~~and~~ vertically integrated cannabis establishments, and Level 1 Producers that connect to the City of Hobbs water service, as set forth herein, shall abide by the City of Hobbs water conservation and water restriction ordinance as outlined in Chapter 13.20 of the Hobbs Municipal Code titled, "Regulations For Water Conservation, Water Restrictions and Water Waste."
- G. Cannabis producer microbusinesses, integrated cannabis microbusinesses, ~~and~~ vertically integrated cannabis establishments, and Level 1 Producers that connect to the City of Hobbs water service, as set forth herein, shall submit, and have approved by the Utilities Director, a cultivation plan as contemplated by 16.8.2.27(B) NMAC.
- H. Cannabis producer microbusinesses, integrated cannabis microbusinesses, ~~and~~ vertically integrated cannabis establishments, and Level 1 Producers that connect to the City of Hobbs water service, as set forth herein, shall submit, and have approved by the Utilities Director, cannabis waste procedures as contemplated by 16.8.2.27(E) NMAC.
- I. It shall be unlawful for any person who is less than twenty-one years of age to intentionally produce cannabis. A person that violates this subsection shall be subject to penalties as outlined in the Cannabis Regulation Act.
- J. It shall be unlawful for any person 21 years of age or older, unless licensed under the Act and permitted as required by this Chapter, to intentionally produce cannabis or any

cannabis product in excess of those amounts permitted by the Cannabis Regulation Act. A person that violates this subsection shall be subject to penalties as outlined in the Cannabis Regulation Act.

PASSED, ADOPTED AND APPROVED this ____ day of November, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: PUBLICATION OF AN ORDINANCE AMENDING SECTION 3.10.040 OF THE HOBBS MUNICIPAL CODE AMENDING THE CITY'S ECONOMIC DEVELOPMENT STRATEGIC PLAN ORDINANCE

DEPT. OF ORIGIN: Legal Department
DATE SUBMITTED: November 10, 2021
SUBMITTED BY: Efren A. Cortez, City Attorney

Summary: On March 19, 2021, the New Mexico Legislature passed Senate Bill (SB) 49 which amended the Local Economic Development Act ("LEDA") (NMSA 1978, §§ 5-10-1 through 5-10-17), to allow for the utilization of public support for retail businesses throughout New Mexico.

- Amends Section 3.10.040 to state that cultural facilities and retail businesses constitute qualifying businesses;
Amends the term "assets" to "public support" in compliance with NMSA 1978, § 5-10-3(K).

Pursuant to NMSA 1978, § 3-17-3, publication of this proposed ordinance is required at least two weeks prior to consideration for final adoption by the City Commission. Pursuant to NMSA 1978, § 5-10-4(E), if this ordinance amendment is published and subsequently adopted, an election on the question will need to be held within seventy-five (75) days of adoption.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

This Ordinance will not have any direct fiscal impact on the City's general fund. If the Ordinance is approved by the voters, the City Commission may create a local economic development fund through the annual budgeting process and may expend no more than ten percent (10%) of the annual general fund expenditures of the City of Hobbs in a fiscal year for economic development projects.

Attachments:

Ordinance

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

The Commission should consider publication of this Ordinance.

Approved For Submittal By:

[Signature] Department Director

[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

CITY OF HOBBS

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3.10.040 OF THE
HOBBS MUNICIPAL CODE AMENDING THE CITY'S
ECONOMIC DEVELOPMENT STRATEGIC PLAN ORDINANCE

WHEREAS, on March 19, 2021, the New Mexico Legislature passed Senate Bill (SB) 49 which amended the Local Economic Development Act ("LEDA") (NMSA 1978, §§ 5-10-1 through 5-10-17), to allow for the utilization of public support for cultural facilities and retail businesses as qualifying entities throughout New Mexico; and

WHEREAS, previously on November 3, 2003, the City of Hobbs City Commission adopted Ordinance No. 915, which created the City of Hobbs Economic Development Strategic Plan Ordinance; and

WHEREAS, pursuant to NMSA 1978, §5-10-4(E) the City of Hobbs must have an election within seventy-five days of the date an ordinance is adopted on the question of approving cultural facilities or retail businesses as qualifying entities eligible to utilize revenue generated by Municipal Local Option Gross Receipts; and

WHEREAS, cultural facilities add to the rich history of Hobbs, New Mexico, and preserving, educating and promoting the arts and culture of Southeastern New Mexico and West Texas will serve to enhance the quality of life for all residents of Hobbs and the surrounding areas; and

WHEREAS, retail businesses have the potential to be an economic driver in Hobbs, New Mexico, and affording the residents of Hobbs and the surrounding areas more retail options will serve to enhance the quality of life for all residents; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 3.10.040 of the Hobbs Municipal Code, is hereby amended as more specifically described as follows:

3.10.040 Assistance from City.

The City is authorized to provide direct or indirect assistance to qualifying businesses, including, but not limited to, cultural facilities and retail businesses, for furthering or implementing economic development planning and projects, and shall have the authority to contribute assets-public support, as defined in the Local Economic Development Act, to development projects, but the imposition of taxes must be approved by the voters in referendum election as required by State law.

(Ord. 915 (part), 2003)

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: Resolution for the City to renew 2022 Benefit Plan Offerings.
DEPT. OF ORIGIN: Human Resources
DATE SUBMITTED: November 5, 2021
SUBMITTED BY: Nicholas Goulet, HR Director

Summary: As prepared from our partners at AON, the City has received medical insurance quotes for United Health Care (UHC) and Blue Cross Blue Shield (BCBS). Both of the quotes are lower than our current rates in calendar year 2021, and are competitive to each other, with BCBS having a 1.9% increase over UHC. Staff recommends staying with the current provider BCBS. BCBS rates are proposed to be a reduction of 6.05% or \$499,677. We have a positive track record of 11 years with our current vendor and would like to consider a passive enrollment process due to the continued impacts of COVID-19. Staff proposes that we decrease rates for both the employees, retirees (BCBS), and the City by the 6.05% of the selected vendor in relation to the current rates paid in calendar year 2021. Budget was based on current enrollment through September of the current year. In regards to medical insurance providers, AON received bids from Blue Cross Blue Shield (Current Provider), United Healthcare and Cigna (well above BCBS and UHC).

MEDICAL – BLUE CROSS/BLUE SHIELD

Current funding ratios for Medical are as follows :

- Employee annual salary less than \$30,000: 90% employer/ 10% employee
- Employee annual salary between \$30,000 and \$70,000: 85% employer/ 15% employee
- Employee annual salary over \$70,000: 80% employer/ 20% employee

Total cost of available medical insurance will decrease by 6.05% from calendar 2021. The combined calendar BCBS renewal for both active employees (\$6,864,814.) and retirees (\$894,577.) is approximately \$7,759,391. This is a previous year reduction from \$8,259,067.

BENEFIT VALUE ADVISOR – BLUE CROSS/BLUE SHIELD

The cost for Benefit Value Advisor is currently placed into the administrative fees for Blue Cross Blue Shield.

DENTAL – DELTA DENTAL

For calendar year 2021, rates are increasing by .02%. This is a very small increase resulting in minor changes for enrollees.

TELEMEDICINE - TELADOC

Staff is requesting an increase to the Teladoc platform. The MyStrength Complete addition will result in free mental health consultations for members. Currently, Teledoc is a 100% City provided benefit for medical plan enrolled participants for calendar year 2021. Estimated cost of Teladoc to the City based on current enrollment is \$32,314. With this change, the new program enrollment cost is \$53,944. Current savings to medical claims by use of the program through August 2021 is \$62,557. Savings are based on the employee using other means for medical treatment. For example, an emergency room or specialty provider.

VSP - Vision Insurance

Staff proposes a dual level option with this year's renewal. VSP Signature and VSP Signature buy-up plan. The plan will offer frame/contact allowances to move from \$130 to \$180/\$225. This is an employee option plan and not paid for by the City.

SHORT TERM DISABILITY – THE HARTFORD

If approved, The City provided benefit will continue with the Hartford for the current short term disability plan without a rate increase and a projected cost of \$29,532 for 2022.

THE HARTFORD – PREMIUM PAID BY PARTICIPANT

LONG TERM DISABILITY

Long Term Disability with the Hartford will be offered with 100% of the premium paid for by the participant. Rate Guarantee.

LIFE INSURANCE

Life Insurance renewal resulted in no changes year-over-year.

CRITICAL ILLNESS INSURANCE - 100% of the premium paid for by the participant. No increase. Rate guarantee.

GROUP ACCIDENT INSURANCE PLAN - 100% of the premium paid for by the participant. No Increase. Rate guarantee.

HOSPITAL INDEMNITY INSURANCE PLAN - 100% of the premium paid for by the participant. No Increase. Rate guarantee.

FSA FLEXIBLE SPENDING ACCOUNT- Continuation of program through Chard Snyder. Administrative costs for employees are provided for by the City as an annual cost of \$5,175. The City realizes tax savings that more than make up for the cost of having this program.

RECOMMENDATION

We would like to continue with Blue Cross/Blue Shield as our medical insurance provider in the current self-funded program with no change to current cost structure (90%/85%/80%). We ask to continue the Benefit Value Advisor analytical tool. We would like to continue the self-funded plan with Delta Dental with a minimal increase (.02%) change to current cost. We would like to continue Teladoc with the addition of the MyStrength Complete program at no cost to the participants and compare the value of the overall savings with the cost to provide. We will continue with VSP for our vision provider with an eligible dual option that still provides a decrease to the employees. We will continue Hartford STD at no cost to benefit eligible employees. We will continue Hartford LTD at 100% funding by the participant. We will continue with Hartford Life Insurance with no changes to premiums. We will continue with Group Accident, Hospital Indemnity Coverage and Critical Illness coverage that are funded 100% by the participant. We ask for a continuation of the Flexible Spending Account program with Chard Snyder.

Fiscal Impact:


Total Active and Retiree Trust Fund expenditure budget is approximately \$7,816,162.38. Health Insurance Trust Fund balance at 09-30-2021 equals \$4,653,138.61.

Projected Renewal with Blue Cross/Blue Shield is approximately \$7,759,391.00

Reviewed By: 
Finance Department

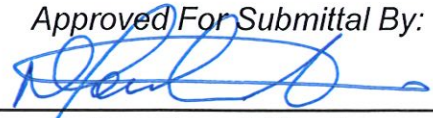
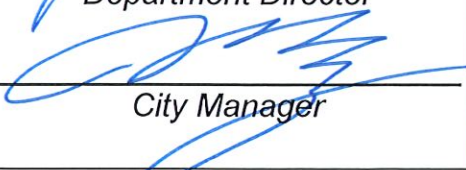
Attachments:

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

The Commission approves the 2022 benefit renewal of BCBS, BVA, Delta Dental, VSP, Teladoc with MyStrength. Hartford Life Insurance, STD, LTD, Critical Illness and Group Accident coverage, and Chard Snyder.

<p>Approved For Submittal By:</p>  <p>Department Director</p>  <p>City Manager</p>	<p style="text-align: center;">CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN</p> <table><tr><td>Resolution No. _____</td><td>Continued To: _____</td></tr><tr><td>Ordinance No. _____</td><td>Referred To: _____</td></tr><tr><td>Approved _____</td><td>Denied _____</td></tr><tr><td>Other _____</td><td>File No. _____</td></tr></table>	Resolution No. _____	Continued To: _____	Ordinance No. _____	Referred To: _____	Approved _____	Denied _____	Other _____	File No. _____
Resolution No. _____	Continued To: _____								
Ordinance No. _____	Referred To: _____								
Approved _____	Denied _____								
Other _____	File No. _____								

CITY OF HOBBS

RESOLUTION NO. 7134

A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE RENEWALS OF MEDICAL, BENEFIT VALUE ADVISOR, DENTAL, VISION, TELADOC, LIFE INSURANCE, SHORT TERM DISABILITY, LONG TERM DISABILITY, CRITICAL ILLNESS COVERAGE, HOSPITAL INDEMNITY COVERAGE AND ACCIDENT COVERAGE.

WHEREAS, the City's medical, benefit value advisor, dental, telemedicine, life, disability, critical illness, hospital indemnity, accident coverage, and vision insurance are due to expire and must be renewed; and

WHEREAS, premium costs to renew these insurance coverage's have been researched so that they are within the anticipated amounts included in the budget preparation process; and

WHEREAS, it is City staff's recommendation that medical insurance coverage and Benefit Value Advisor be renewed with Blue Cross/Blue Shield with the individual stop loss option of \$150,000, dental insurance coverage be renewed with Delta Dental of NM, telemedicine coverage be renewed with Teladoc to include the addition of the MyStrength Complete program, life insurance be renewed with The Hartford, short and long term disability coverage's be renewed with The Hartford, critical illness, hospital indemnity and group accident coverage's be renewed with The Hartford, flexible spending account (FSA) be renewed with Chard Snyder, and vision insurance coverage be renewed with VSP with a dual plan option.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and hereby is authorized and directed to approve on behalf of the City of Hobbs the following:

1. Awarding the City's medical insurance coverage and Benefit Value Advisor to Blue Cross/Blue Shield as outlined in the staff summary, renewal of the City's telemedicine/mental health coverage with Teladoc, renewal of the City's dental coverage with Delta Dental of NM, renewal of the FSA program's administration through Chard Snyder, and renewal of the City's voluntary vision coverage with VSP.

2. The City renews the agreement with The Hartford to provide life insurance, short term disability coverage, long term disability coverage, critical illness, accident and hospital indemnity coverage as outlined in the staff summary.

PASSED, ADOPTED AND APPROVED this 15th day of November, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: Condemnation Recommendation on Certain Properties
DEPT. OF ORIGIN: Hobbs Police Department - Community Services Division
DATE SUBMITTED: November 12, 2021
SUBMITTED BY: Jessica Silva, Code Enforcement and Valerie S. Chacon, Deputy City Attorney

Summary:

In the City of Hobbs' continuing promotion of safety and clean-up efforts within city limits, the Environmental Division of the City of Hobbs Community Services, it has identified properties which present health, life and safety hazards, which warrant remediation. The property is in dire need of repair. The 812 E. Humble is a property that is ruined, damaged and dilapidated and a menace to the public comfort, health and safety. Attachment A contains the information of the property.

Fiscal Impact:

Reviewed By: [Signature]
Finance Department

The demolition and clean-up of these properties will cost approximately \$24,032.81. The current budget in the "Professional Services" line item of the Environmental Budget (01340-42601) has an adequate balance to sustain this expenditure.

Attachments:

- 1. Resolution
2. Photos of property contained in Attachment "A".
3. Attachment "A"

Legal Review:

Approved As To Form: [Signature]
City Attorney

Recommendation:

The City Commission approve the adoption of the Resolution determining 812 E. Humble as ruined, damaged and dilapidated and a menace to public health and safety, which require remediation.

Approved For Submittal By:

[Signature]

Department Director

City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____

CITY OF HOBBS

RESOLUTION NO. 7135

A RESOLUTION DETERMINING THAT CERTAIN PROPERTIES THAT ARE RUINED, DAMAGED AND DILAPIDATED, ARE A MENACE TO PUBLIC COMFORT, HEALTH AND SAFETY AND REQUIRES REMOVAL FROM THE MUNICIPALITY

WHEREAS, pursuant to Section 8.24.010 of the Hobbs Municipal Code, and Section 3-18-5 NMSA as amended, the City has inspected the premises described in Attachment "A", attached hereto and incorporated herein by reference, and finds that the structure thereon are ruined, damaged, and dilapidated, are a menace to the public comfort, health and safety and requires removal from the municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the structures described in Attachment "A" are found to be ruined, damaged and dilapidated, are a menace to the public comfort, health and safety, and should be removed.

BE IT FURTHER RESOLVED that a copy of this Resolution be served on the owner, occupant or agent in charge of such premises; and that a copy of the same be published as required by law.

BE IT FURTHER RESOLVED that unless the owner, occupant or agent in charge of such premises, within ten (10) days from such service or posting and publication of this Resolution, has commenced removing such structures from the real property or has filed written objection with the City, the City shall cause the removal of such structures at the cost and expense of the property owner.

BE IT FURTHER RESOLVED that in cases where the City removes a structure so condemned, a lien shall be levied by the City against the real property involved in an amount equal to the reasonable cost of the services rendered, which lien may be foreclosed in default of satisfaction.

PASSED, ADOPTED AND APPROVED this 15th day of November, 2021

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Attachment A

	Address	Owner	Owner's Address	Estimated Cost of Demolition
1	812 E. Humble Hobbs, Lea County, NM *Lots Nineteen (19) and Twenty (20), Block Twenty-one (21), Original New Hobbs Addition to the City of Hobbs, Lea County, New Mexico are referenced on that certain Plat filed January 10, 1929.	Penny Sue Markhart	812 E. Humble Hobbs, NM, 88240	\$24,032.81

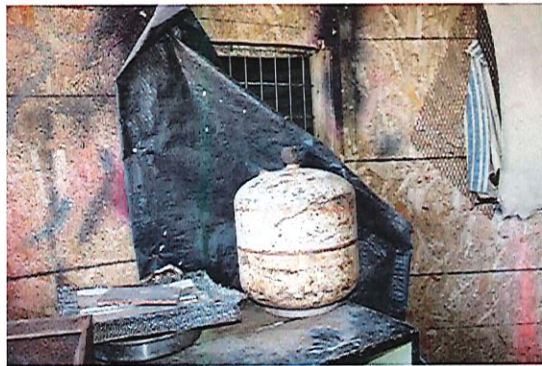
812 E. Humble



812 E. Humble



812 E. Humble





CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 15, 2021

SUBJECT: Condemnation Recommendation of a Certain Property
DEPT. OF ORIGIN: Hobbs Police Department - Community Services Division
DATE SUBMITTED: November 12, 2021
SUBMITTED BY: Jessica Silva, Code Enforcement and Valerie S. Chacon, Deputy City Attorney

Summary:

In the City of Hobbs' continuing promotion of safety and clean-up efforts within city limits, the Environmental Division of the City of Hobbs Community Services, it has identified properties which present health, life and safety hazards, which warrant remediation. The property is in dire need of repair. The 1602 W. Marland is a property that is ruined, damaged and dilapidated and a menace to the public comfort, health and safety. Attachment A contains the information of the property.

Fiscal Impact:

Reviewed By: 
Finance Department

The demolition and clean-up of these properties will cost approximately \$59,959.20. The current budget in the "Professional Services" line item of the Environmental Budget (01340-42601) has an adequate balance to sustain this expenditure.

Attachments:

- 1. Resolution
- 2. Photos of property contained in Attachment "A".
- 3. Attachment "A"

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

The City Commission approve the adoption of the Resolution determining 1602 W. Marland as ruined, damaged and dilapidated and a menace to public health and safety, which require remediation.

Approved For Submittal By:


Department Director

City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____

CITY OF HOBBS

RESOLUTION NO. 7136

A RESOLUTION DETERMINING THAT CERTAIN PROPERTIES THAT ARE RUINED, DAMAGED AND DILAPIDATED, ARE A MENACE TO PUBLIC COMFORT, HEALTH AND SAFETY AND REQUIRES REMOVAL FROM THE MUNICIPALITY

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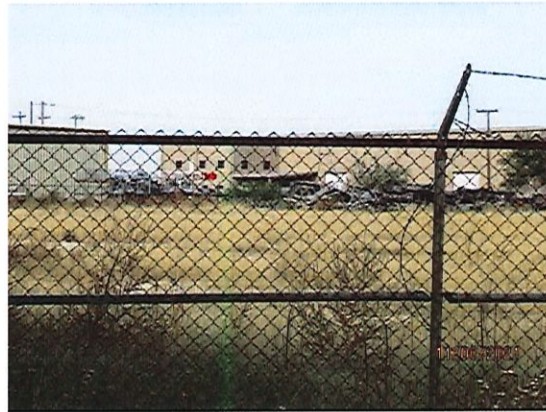
JAN FLETCHER, City Clerk

1	1602 W. Marland Hobbs, Lea County, NM *A tract of land located in Section 33, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico.	Bell Gas Incorporated	1811 SE Main St. Roswell, NM, 88201	\$59,959.20
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1602 W. Marland



1602 W. Marland



1602 W. Marland

