

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

March 6, 2023



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

Monday, March 6, 2023 - 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

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 February 21, 2023, Work Session (*Jan Fletcher, City Clerk*)
2. Minutes of the February 21, 2023, Regular Commission Meeting (*Jan Fletcher, City Clerk*)
3. Minutes of the February 22, 2023, Work Session (*Jan Fletcher, City Clerk*)

PROCLAMATIONS AND AWARDS OF MERIT

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.*)

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.)*

None

DISCUSSION

4. Law Enforcement Assisted Diversion (LEAD) Update *(Jessica Owen with LEAD)*
5. Golf Fee Survey Results *(Doug McDaniel, Recreation Director; Ben Kirkes, Golf Professional; and Camren Bergman, Golf Instruction/Community Engagement)*

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

6. Resolution No. 7314 – Determining that Certain Structures are Ruined, Damaged and Dilapidated, are a Menace to Public Comfort, Health and Safety and Requires Removal from the Municipality (2604 West Texas, 712 South Selman, 1408 East Humble, and 306 South McKinley) *(Valerie Chacon, Deputy City Attorney and Jessica Silva, Code Enforcement Superintendent)*
7. Resolution No. 7315 - Authorizing Approval to Submit a Grant Application to the Department of Homeland Security and the Federal Emergency Management Agency for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the Hobbs Fire Department *(Barry Young, Fire Chief)*
8. FINAL ADOPTION: Ordinance No. 1148 - Amending Section 15.04.020 of the Hobbs Municipal Code to Incorporate the 2021 International Fire Code *(Barry Young, Fire Chief)*
9. FINAL ADOPTION: Ordinance No. 1149 - Amending Chapter 8.32 of the Hobbs Municipal Code Amending the City's Fire Code Ordinance *(Barry Young, Fire Chief)*

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

10. Next Meeting Date:
 - City Commission Regular Meeting:
 - **Monday, March 20, 2023, at 6:00 p.m.**

ADJOURNMENT

If you are an individual with a disability who needs 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: March 6, 2023

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: March 2, 2023
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- Commission work session held on February 21, 2023
- Regular Commission meeting held on February 21, 2023
- Commission work session held on February 22, 2023

Fiscal Impact:

Reviewed By: _____
Finance Department

N/A

Attachments:

Minutes as referenced under "Summary".

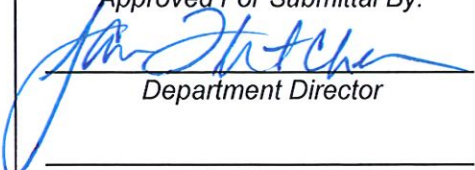
Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Motion to approve the minutes as presented.

Approved For Submittal By:



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. _____

Minutes of the work session of the Hobbs City Commission held on Tuesday, February 21, 2023, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico.

Mayor Cobb called the work session to order at 5:00 p.m. and welcomed everyone in attendance at 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 were Mr. Manny Gomez, City Manager, Mr. Efren Cortez, City Attorney, and Ms. Mollie Maldonado, Deputy City Clerk. Other staff members and public were also present.

Mayor Cobb stated the purpose of today's work session is a presentation of the Final Report on the Seasonal Aquatics Feasibility Study by Halff Associates, Inc.

Mr. Doug McDaniel, Recreation Director, stated due to the age and with some very expensive repairs on the horizon, the City of Hobbs realized a need for an independent, third party evaluation of the City's aquatics facilities. A firm with experience and expertise in this area could evaluate the current state of the City's seasonal aquatics facilities and make both short and long term recommendations related to needed repairs and the consideration of continuing to operate the current seasonal aquatics facilities, or a need to consider updating these facilities to a new facility with modern amenities.

The City of Hobbs entered into a Professional Services Agreement with Halff Associates, Inc., to conduct a feasibility study of the City's seasonal aquatics facilities to include needed repairs and new, modern facilities that the City of Hobbs may want to consider going forward. Mr. Kirk Wilson, Director of Landscape Architecture for Halff Associates, Inc., and Mr. Doug Whiteaker, Principle for Water Technology, Inc., both visited Hobbs and conducted site visits and evaluations at all seasonal aquatics facilities. They also interviewed staff and reviewed the infrastructure at the three seasonal pools and five splashpads.

While in Hobbs, Mr. Wilson and Mr. Whiteaker assisted with a public input session which was held at the CORE wherein community members were invited to provide their input regarding current facilities and any amenities that they would like to see in any new facilities which would be considered in the future. The same interactive survey used in this public meeting was then posted on the City's social media pages and website with very good results. With those responses in hand, Mr. Wilson and Mr. Whiteaker put together a list of recommendations which were previously presented to

the Community Affairs Board. Tonight, they are attending the meeting virtually to present the final version of the study to the City Commission.

Mr. Whiteaker and Mr. Wilson presented a PowerPoint presentation to the Commission of the Aquatics Facility Strategy. Mr. Wilson stated to make all of this happen, the public had to be introduced into this process. He said a public meeting was held and a poll was conducted by Poll Everywhere which had a series of questions such as:

- Why is a pool important to you? Answers: Relax, Exercise, Swim, Family time, Fun, Affordable. Mr. Wilson said they are all great responses.
- Why do you not use the City Aquatic Facilities? He said the most common answers are: Crowded, Water too cold, Dirty, Interested in Splash Pads. He said Dirty is not trashy or water dirty is just a common response to public areas.
- Do you feel safe? Answers: Mr. Wilson said they did not have one person say they did not feel safe.
- What are your favorite features at a pool? Answers: Slides, open water, diving boards.
- How do you feel about the water quality? Answers: Good water quality and well preserved.

Mr. Wilson discussed the Public Input Summary and stated 63% of the survey responses attend the pools multiple times per week; 60% of the survey responses attend the pools for recreation and fun; and 89% of the survey responses attend the pools with family. He stated citizens of Hobbs are very concerned about the aquatic facilities and have a desire for the facilities to remain an integral part of their recreational experiences. Mr. Wilson stated the community has expressed a desire to improve aquatic systems that are inline with today's public parks to include updated facilities, more experiences, water courses, toys and slides for all ages, and an overall fresh look. He further explained that Hobbs citizens have a strong understanding that funds and staff need to be dedicated to operate, staff or improve the aquatic facilities.

Mr. Wilson then turned the meeting over to Mr. Whiteaker. Mr. Whiteaker stated staff does an excellent job of maintaining these pools. He stated they look in better shape than they actually are. Mr. Whiteaker stated Del Norte Pool has a lot of the features which people look for in pools. He further stated the repairs needed at Del Norte Pool are as follows:

- Clean pool interior and tile and replace unbonded areas of tile and special aggregate finish
- Replace damaged and broken gutter grating
- Remove existing deck coating, prepare surface and install new deck finish with proper safety signage
- Repair damaged waterslide surfaces and regel coat fiberglass areas
- Repair or replace existing spray play features

- Add new aquatic features for increased user appeal
- Add shade to deck areas
- Update changing room finishes

Mr. Whiteaker stated they could add more shade to the deck and update the changing rooms.

Mr. Whiteaker then began a discussion related to Heizer pool. He stated Heizer pool needs the following changes:

- Pool needs a complete renovation with new interior, new deck work and major waterslide refurbishment.
- The children's water slide needs to be refurbished and gel coated and the faux rock work need to be repaired and then color coated.
- The kids pool does not meet code and need to be replaced.
- The pool deck needs additional shade.
- The pool deck needs some sun turf inside the fence.

Mr. Whitaker said the pool is in good condition but it does not have much of a recreational draw for users. The stated a minor renovation could keep it operational.

Mr. Whitaker outlined the following recommendations:

- Due to significant needed renovations and subsequent expenses, it is time to close Heizer Pool and consider a short-range plan to also close Humble Pool. These actions would enable combining the operational and maintenance cost of these pools into one new outdoor family aquatic center appropriately located in the southern region of Hobbs.

Mr. Whitaker stated they feel Heizer renovation costs would be better spent toward a new outdoor facility with relevant amenities, higher revenue potential, better cost recovery, and lower maintenance & operational cost.

Mr. Whitaker stated the Humble Pool location continues to experience low participation numbers and is just not a neighborhood friendly pool. He also stated associated buildings can be repurposed to support other uses such as:

- Skate Park as an option to the Teen Center
- Dog Park
- Nature areas
- Other uses

Mr. Whiteaker suggested the following actions:

- Consider identifying an appropriate location for a new family aquatic center that will serve the City of Hobbs now and for future generations. With City Commission support, start a planning process that serves the Heizer and Humble areas and the entire Hobbs community with a plan for a new outdoor Multi-Generational Family Aquatic Center.

Mr. Whiteaker stated this planning process should include presentations on outdoor trends and amenities to:

- Understand the recreation needs of user groups and program desires through public feedback on desired aquatic components.
- Develop a family aquatic center program and initial cost opinion.
- Select site for new facility.
- Create a concept to align with user input which will complement existing community aquatic venues.
- Provide projected cost options for approved concept.

It should also include working with your consultant team to conduct a Benchmarking process that considers:

- Similar Aquatic facilities
- Fees and charges
- Rental Opportunities
- Birthday parties
- Supporting shaded areas
- Maintenance Cost
- Staffing and other operational costs

Mr. Whiteaker reviewed funding options and time frames. He discussed what today's aquatic facilities look like. Mr. Whiteaker stated there are two different types of aquatic destinations. One of them is like a regional draw similar to Del Norte Park. It takes a larger footprint and large parking area. He said transparency with shortages of life guards are popular now. Mr. Whiteaker stated the large regional draw facilities cost in the neighborhood of \$10 to \$18 million dollars.

Mr. Wilson stated then there are neighborhood facilities which are smaller more neighborhood style pools at a lower price. He displayed photos of various neighborhood style pools which were renovated from old pools into a play area with slides. Mr. Wilson stated they can all be used for learning swim programs.

Mr. Wilson thanked staff and everyone who was involved with this study, including the Commission, Community Affairs Boards and citizens. He stated he loves when citizens come forward to speak about what they are looking for in a pool feature.

Commissioner Finn Smith commented he thought he saw white water rafting on one of the slides. He asked if there was white water rafting available now-a-days. Mr. Wilson said it is something that you do see in parks in other parts of the country. He said you can do waves and action channels and you can also simulate these items in pools. He would like to see the cost per feature. Commissioner Smith said they do have them on cruise ships and other places that have a lot of curb appeal, but the cost per user might not make sense.

Commissioner Smith stated, as a parent, the wave pool was always something his kids liked. He said this seems to be a cost-effective way to draw a lot of people. Mr. Wilson stated the surf simulators are very popular and wave pools are a hallmark for many people.

Commissioner Penick stated Heizer needs a full renovation and inquired if the recommendation is to demolish Heizer or to renovate another aquatic center. Mr. Wilson stated it would be more cost effective to renovate because the bath house and park area are still in good condition.

In response to Mayor Cobb's question about construction costs and supply issues and whether there has been any relief in those two areas, Mr. Whitaker stated there is no letup but a little less pressure in the escalation rate.

Mayor Cobb asked if they have any illustrations of an aquatic park in a shopping center. Mr. Whitaker stated some water park destinations have shopping.

Mr. Wilson stated there are a lot of splash pads in commercial development areas.

Commissioner Mills stated maybe there is some data to show how aquatics facilities perform with shopping for the parents and pools for the kids.

There being no further discussion, Mayor Cobb adjourned the work session at 5:53 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Minutes of the regular meeting of the Hobbs City Commission held on Tuesday, February 21, 2023, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico. This meeting was also available to the public via Livestream on the City's website at www.hobbsnm.org.

Call to Order and Roll Call

Mayor Sam Cobb called the meeting to order at 6:00 p.m. and welcomed everyone to the meeting. The Deputy 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
August Fons, Police Chief
Shane Blevins, Deputy Police Chief
Danny Garrett, Police Captain
Marina Barrientes, Police Captain
Barry Young, Fire Chief
Mark Doporto, Deputy Fire Chief
Kevin Shearer, Fire Battalion Chief
Toby Spears, Finance Director
Alicia Jacobs, Clerk Record Specialist
Bob Hamilton, Acting Library Director
Anthony Henry, Deputy City Engineer
Tim Woomeer, Utilities Director
Shelia Baker, General Services Director
Todd Randall, City Engineer
Julie Nymeyer, Executive Assistant
Bryan Wagner, Parks and Open Spaces Director
Matt Hughes, Rockwind Golf Course Superintendent
Doug McDaniel, Recreation Director
Christa Belyeu, I.T. Director
Meghan Mooney, Communications Director
Selena Estrada, Risk Manager
Wade Whitehead, Parks Superintendent
Kristen Salas, Clerk Record Specialist
Mollie Maldonado, Deputy City Clerk
14 citizens

Invocation and Pledge of Allegiance

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

Approval of Minutes

Commissioner Smith moved the minutes of the regular meeting of February 6, 2023, be approved as written. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried.

Commissioner Calderón left at 6:05 p.m. to attend a school board meeting.

Proclamations and Awards of Merit

Mr. Manny Gomez, City Manager, recognized the following employees for their Milestone Service Awards for the month of February, 2023.

- 5 years – Jason Ulrich, Hobbs Water Distribution
- 5 years – Elena Dominguez, Hobbs CORE
- 5 years – Lindsey Henderson, Hobbs CORE
- 10 years – RP Hopper, Hobbs Police Department
- 15 years – Carol Gober, Hobbs Meters & Service
- 15 years – Royce Finney, Hobbs Streets/Highways
- 15 years – Amanda Gonzales, Hobbs Police Detention/Jail
- 25 years – Wade Whitehead, Hobbs Parks/Open Space

Mr. Gomez reviewed highlights about the work of each employee. He expressed gratitude to each employee for their hard work and also thanked the employees' families for their contributions to the organization.

Public Comments

None.

Consent Agenda

Mayor Cobb explained the process for the consent agenda which is reserved for items which are routine when the agenda is lengthy. He stated any member of the Commission may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote.

Commissioner Gerth moved for approval of the following Consent Agenda item(s):

Consideration of Approval of Bid No. 1603-23 to Furnish Polyelectrolyte Coagulation Aids and Recommendation to Accept the Bid from Polydyne, Inc., in the Projected Total Annual Cost of \$74,000.00

Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried. Copies of the resolutions and supporting documentation are attached and made a part of these minutes.

Discussion

2022 Summary of Activities for the Parks and Open Spaces Department

Mr. Bryan Wagner, Parks and Open Spaces Director, presented a summary of accomplishments for the Parks and Open Spaces Department for 2022. He reviewed the highlights of each department; Golf, Trails and McAdams Division, Cemetery Division, Sports Division, and Parks Division. Mr. Wagner reviewed the future department goals for 2023. He thanked the City Manager, City Commissioners, as well as all of the employees of the Parks and Open Spaces Department, for their hard work. A copy of Mr. Wagner's PowerPoint Presentation is attached to these minutes for reference

2022 Summary of Activities for the City Library

Mr. Bob Hamilton, Interim Library Director, presented a summary of the databases and programs the City Library currently offers.

In response to Commissioner Gerth's question, Mr. Hamilton stated he has not seen or been made aware of anyone parking in the Library's' vicinity to use the facility's internet.

In response to Mayor Cobb's question, Mr. Hamilton stated all of the databases the Library offers are available to the public to use at home through a subscription using the patron number on their issued Library card.

Mayor Cobb stated he would like Mr. Gomez to work with Mr. Hamilton, and Ms. Meghan Mooney, Communication Director, to get this information out to the public.

In response to Commissioner Smith's question, Mr. Hamilton stated the career building software provides templates for resumes. If someone needs further assistance, the Library staff are there to help.

In response to Commissioner Mills' question, Mr. Hamilton stated if someone has a specific author or genre of literature they would like to request, they will need to come into the Library and speak with him directly.

A copy of Mr. Hamilton's Library PowerPoint presentation is attached to these minutes for reference.

Action Items

Resolution No. 7312 – Approving the Final Plan for the Trinity Estates Subdivision, Unit One, as Recommended by the Planning Board.

Mr. Todd Randall, City Engineer, reviewed the resolution regarding the final plan for the Trinity Estates Subdivision. He stated the subdivision will provide 56 new lots covering an area of approximately 15.5 acres.

There being no discussion, Commissioner Penick moved that Resolution No. 7312 be adopted as presented. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7313 – Approving the Final Plan for the Bender Trails Summary Subdivision as recommend by the Planning Board.

Mr. Randall explained the resolution for the final plan for the Bender Trails Summary and stated the total infrastructure cost is just under \$160,000.00. This will supply fresh water and wastewater disposal for both commercial properties.

There being no discussion, Commissioner Penick moved that Resolution No. 7313 be adopted as presented. Commissioner Gerth seconded the motion voting was recorded as follows: Smith yes, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Consideration of Approval of a CES Contract with Ramirez & Sons, Inc., for Reconstruction of West Berry Street

Mr. Todd Randall, City Engineer, reviewed the contract and stated there is a need to reconstruct West Berry Street due to rain waters flowing into the development site of the West Berry Apartments. In addition to the reconstruction of the roadway itself, sidewalks and residential driveways would also be reconstructed. The total price is \$177,577.94.

Following a brief discussion, Commissioner Penick moved that the CES contract with Ramirez & Sons, Inc., be approved as presented. Commissioner Mills seconded the motion and the vote was recorded as follows: Smith abstained due to past financial interest in the property, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried. Copies of the contract and supporting documentation are attached and made a part of these minutes.

Consideration of Approval of RFP 537-23 for Water System and Wastewater Collection System Master Plan and Recommendation to Accept Proposal Submitted by Freese & Nichols, Inc.

Mr. Anthony Henry, Deputy City Engineer, presented RFP 537-23 for Water System and Wastewater Collection System Master Plan. Mr. Henry stated the Water and Wastewater System Master Plan is a comprehensive plan designed to guide and recommend actions to the current and future utility system needs for the City of Hobbs. This crucial planning document also presents a vision for long-term goals for the utility system in step with overall community goals. The last plan was completed in 2012 and the Utilities Department completes this plan every 7 to 10 years. He also stated one of the more important factors of this plan is that it allows the City to apply for grant funding.

After a brief discussion, Commissioner Mills moved the Commission that RFP 537-23 be awarded to Freese & Nichols, Inc., for the Water System and Wastewater Collection System Master Plan as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried. A copy of the PowerPoint and RFP are attached and made a part of these minutes.

Consideration of Approval of RFP 536-23 to Provide Material, Labor, Programming and Associated Engineering Services for the City of Hobbs Wastewater Reclamation Facility (WWRF) SCADA System Design and Replacement Project and Recommendation to Accept Proposal Submitted by IPS, Inc.

Mr. Tim Woomeer, Utilities Director, explained RFP 536-23. He stated this is for a contract in an amount not to exceed \$6,921,054.97 which will provide the City of Hobbs with a state of the art control, monitoring, and alarm system that will exceed 25 years of life. Mr. Woomeer reviewed a construction schedule indicating this will be a three-year project with a start date of April 2023 and a projected conclusion of 2025.

After a brief discussion, Commissioner Gerth moved the Commission that RFP 536-23 be awarded to IPS, Inc., for the SCADA System Design and Replacement Project as presented. Commissioner Mills seconded the motion and voting was recorded as follows: Smith yes, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. The motion carried. A copy of the RFP is attached and made a part of these minutes.

Consideration of Approval of Bid No. 1601-23 to Furnish One Emergency/Standby Diesel Generator Unit and One Automatic Transfer Switch, Including Installation, Testing, Training, and Commissioning of All Equipment, to be Located at the City of Hobbs' HIAP Booster Pump Station and Reservoir and Recommendation to Reject all Bids

Mr. Woomer stated after reviewing Bid No. 1601-23 to Furnish One Emergency/Standby Diesel Generator Unit and One Automatic Transfer Switch and the proposed bids, it was evident there was some confusion in the bid specifications and the interpretation of what may or may not be required to complete the project. Accordingly, Mr. Woomer requested that all bids be rejected.

There being no discussion, Commissioner Mills moved the Commission that Bid No. 1601-23 be rejected. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Cobb yes, Fields yes, Mills yes, Gerth yes. Motion carried. A copy of the documentation is attached and made a part of these minutes.

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

Mr. Gomez stated Coffee with Cops will be held on Wednesday, February 22, 2023, from 7:30 – 9:00 a.m. at the United Way Office.

Mr. Gomez stated the Father Daughter Dance, held on February 18, 2023 at the CORE, recorded 432 participants. He thanked the CORE staff for their hard work.

Mr. Gomez referred the Swing Fore Nine Memorial Golf Tournament to Ms. Mooney. She stated the Tournament is in honor, as well as in memory, of those lost in the car accident last year involving the 2021-2022 men's and women's golf teams at the University of the Southwest. This year's tournament is to establish a scholarship fund. Anyone interested in participating should contact the Rockwind Golf Course Pro Shop to register a team. For sponsorship and event information, please contact Ms. Mooney directly.

Mr. Gomez reminded everyone of the City Commission work session scheduled on February 22, 2023 at 8:00 a.m. at the CORE Banquet Room Number One.

Mayor Cobb reported having some success at the State Legislature. He has testified at a number of Committee Hearings. There are some bills moving through the process that will be very favorable for the City of Hobbs. He stated he will continue to fight the fight on the behalf of our community.

Adjournment

There being no further business or comments, Commissioner Mills moved that the meeting adjourn. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:21 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Minutes of the work session of the Hobbs City Commission held on Wednesday, February 22, 2023, in the banquet room of the CORE, 4827 North Lovington Hwy., Hobbs, New Mexico.

Mayor Cobb called the work session to order at 8:45 a.m. and welcomed everyone to the meeting. The Deputy 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
August Fons, Police Chief
Barry Young, Fire Chief
Toby Spears, Finance Director
Deborah Corral, Assistant Finance Director
Nicholas Goulet, Human Resources Director
Bob Hamilton, Acting Library Director
Tim Woomer, Utilities Director
Shelia Baker, General Services Director
Todd Randall, City Engineer
Julie Nymeyer, Executive Assistant
Bryan Wagner, Parks and Open Spaces Director
Matt Hughes, Rockwind Golf Course Superintendent
Doug McDaniel, Recreation Director
Christa Belyeu, I.T. Director
Mollie Maldonado, Deputy City Clerk
2 citizens

Mr. Manny Gomez, City Manager, thanked everyone for attending today's work session on strategic planning. He introduced Mr. Patrick Ibarra, founder of The Mejorando Group.

Mr. Ibarra provided a brief introduction of his background, discussing his time as a former City Manager and recapping his experience working with other City Council members over time. He also outlined the goals for today's meeting.

Mr. Ibarra, the City Commission and City staff reviewed the following items:

Benefits of Good Government – A group discussion was held about the positive impacts to the quality of life for residents in Hobbs, which are the result of decisions made by the Mayor and Commissioners.

What's Your Legacy – The Mayor and each Commissioner briefly shared comments regarding what they would like their legacy to be.

Refresher on the Commissioner-Manager Form of Government – A discussion was held on the various roles and expectations of Elected Officials, City Manager, Department Directors, City staff and community members.

Review and Update – Mr. Gomez, through the use of a PowerPoint Presentation, reviewed the major accomplishments from 2022 and shared goals for 2023.

“Headwinds: Change as a Process, Not an Event” – The group explored various trends impacting the role of government, the community, and the departments.

Role as Community Builder – A group discussion was held about the City's role as a community builder reflecting on its past role, present approach, and possible future role.

Sample Key Result Areas (KRAs) – Borrowed from another municipality, a discussion was held on the value of creating KRAs with the purpose being to establish the foundation for the goal setting, and future strategic planning.

“Hot” Topics – A discussion was held on some “hot topic” items which were provided to the facilitator prior to today's session. Mr. Ibarra stated the focus of the discussion is to discuss these topics without necessarily determining whether or not each is a goal, at this time.

Establish Goals – Based on the entire day's discussion, identify and discuss a series of goals for the foreseeable future.

Next Steps – Mr. Gomez, working with staff, will create additional detail such as a schedule, for the priorities/goals identified by the governing body and share this information at a future Commission meeting.

A short lunch break was held by the group. Mayor Cobb adjourned the work session at 5:00 p.m. and thanked everyone for attending.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



ACTION ITEMS



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: March 6, 2023

SUBJECT: Condemnation Recommendation on Certain Properties

DEPT. OF ORIGIN: City of Hobbs Legal Department, Hobbs Police Department - Community Services Division

DATE SUBMITTED: February 27, 2023

SUBMITTED BY: Valerie S. Chacon, Deputy City Attorney, Jessica Silva Code Enforcement Superintendent

Summary:

In its continuing promotion of safety and clean-up efforts within city limits, the Hobbs Police Department-Community Services Division has identified properties which present health, life and safety hazards, which warrant remediation. The properties are in dire need of repair. The properties are located at 2604 W. Texas, 712 S. Selman, 1408 E. Humble, and 306 S. Mckinley are ruined, damaged and dilapidated and a menace to the public comfort, health and safety. Attachment A contains the information for the properties.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

The demolition and clean-up of these properties will cost approximately \$94,663.63. 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 properties 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 2604 W. Texas, 712 S. Selman, 1408 E. Humble, and 306 S. Mckinley as ruined, damaged and dilapidated and a menace to public health and safety, which require remediation.

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

RESOLUTION NO. 7314

A RESOLUTION DETERMINING THAT CERTAIN PROPERTIES THAT ARE RUINED, DAMAGED AND DILAPIDATED, ARE A MENACE TO PUBLIC COMFORT, HEALTH AND SAFETY AND REQUIRE 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 6TH day of March, 2023

SAM D. COBB, Mayor

ATTEST:

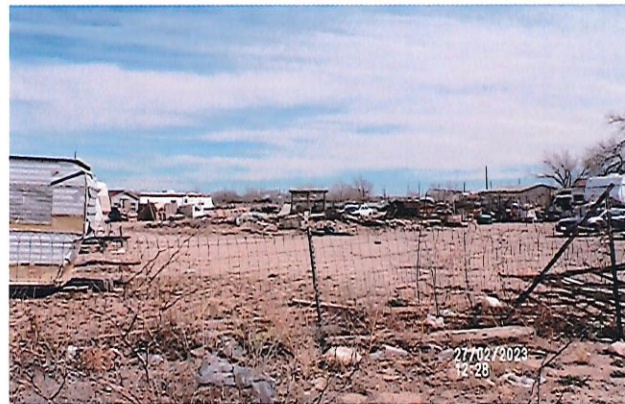
JAN FLETCHER, City Clerk

Attachment A

	Address	Owner	Owner's Address	Estimated Cost of Demolition
1	<p>2604 W. Texas Hobbs, Lea County, NM</p> <p>*A tract of land located the Southwest Quarter of the Northeast Quarter (SW1/ 4NE1 / 4) of Section 5, Township 19 South, Range 38 East, N.M.P.M., Lea County, New Mexico and being more particularly described as follows: Beginning West 1440.7 feet East Quarter Corner of the said Section 5, thence West 211 feet, N0 4'E 349.99 feet, thence S89 56'E 211 feet, thence S0 4'W 349.62 feet to the point of beginning</p>	<p>J.F. Morphis, Earlene Morphis, Judy E. Morphis & Deborah Jo West</p>	<p>6322 W. Potter Dr. Glendale, AZ, 85308</p> <p>6238 N. 10th St. Phoenix, AZ, 85014</p>	\$50,356.58
2	<p>712 S. Selman Hobbs, Lea County, NM</p> <p>*Lot Thirteen (13), Block Thirty (30), New Hobbs Addition to the City of Hobbs, Lea County, New Mexico, as referenced on that certain Plat filed August 26, 1930.</p>	<p>Lazaro Bueno Jr., Raul Ortega Bueno, Luz Dibina Buena "AKA" Luz Divina Rojas, Jose Bueno, Ramona Ortega, & Larzaro Bueno Jr. ETAL</p>	<p>510 E. Gypsy Hobbs, NM, 88240</p> <p>2908 N. Houston Hobbs, NM, 88240</p> <p>1314 E. Byers Hobbs, NM, 88240</p> <p>602 E. Humble Hobbs, NM, 88240</p>	\$11,612.65
3	<p>1408 E. Humble Hobbs, NM, 88240</p> <p>* Lot Fifteen (15), Fifteenth Unit of the Original New Hobbs Addition to the City of Hobbs, Lea County, New Mexico, as</p>	<p>Lloyd & Dollie Mae Fagan</p>	<p>1408 E. Humble Hobbs, NM, 88240</p> <p>1418 E. Humble Hobbs, NM, 88240</p>	\$17,090.00

	referenced on that certain Plat filed July 30, 1928.			
4	306 S. Mckinley * Lot Eight (8), Block Sixty-seven (67), Original Hobbs to the City of Hobbs, Lea County, New Mexico, as referenced on the official Plat filed.	Teodoro V. Ortiz & Rosa Carrasco	PO Box 2154 Hobbs, NM, 88241 1315 E. Clinton Hobbs, NM, 88240	\$15,217.05

2604 W. Texas



2604 W. Texas



2604 W. Texas



712 S. Selman



712 S. Selman



1408 E. Humble



1408 E. Humble



306 S. Mckinley



306 S. Mckinley





CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: March 6, 2023

SUBJECT: Staffing for Adequate Fire & Emergency Response Grants (SAFER)

DEPT. OF ORIGIN: Fire Department
DATE SUBMITTED: February 27, 2023
SUBMITTED BY: Barry Young, Fire Chief

Summary:

The Department of Homeland Security and the Federal Emergency Management Agency is responsible for the implementation and administration of the SAFER Grant. The Hobbs Fire Department is eligible for funding to increase the number of firefighters to help meet industry minimum standards, to attain staffing to provide adequate protection from fire and fire related hazards, and to fulfill the mission of the fire department. The SAFER grant provides three-year grants to assist fire departments by paying the salaries and benefits of the SAFER-funded positions. The Hobbs Fire Department wishes to apply for the funding of six (6) firefighter positions to be funded through the SAFER grant.

Fiscal Impact:

Reviewed By: 
Finance Department

Grant will fund total salary and benefit costs for a three year period for SAFER-funded positions. The total amount of the grant if awarded would be \$1,905,273.24. After three years, the City will be responsible for all costs associated with the positions.

Attachments:

1. Resolution
2. Notice of Funding Opportunity

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Approval to submit the application for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant.

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. 7315

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
WITH THE DEPARTMENT OF HOMELAND SECURITY AND
THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE
STAFFING FOR ADEQUATE FIRE & EMERGENCY RESPONSE GRANT

WHEREAS, the Department of Homeland Security and the Federal Emergency Management Agency is responsible for the implementation and administration of the Staffing for Adequate Fire & Emergency Response Grant ("SAFER"); and

WHEREAS, the Hobbs Fire Department is eligible for funding to increase the number of firefighters to help meet the industry minimum standards and to attain staffing to provide adequate protection from fire and fire related hazards, and to fulfill the mission of the fire department; and

WHEREAS, the SAFER grant provides three-year grants to assist fire departments by paying the salaries and benefits of the SAFER-funded positions; and

WHEREAS, the Hobbs Fire Department wishes to apply for the funding of six (6) firefighter positions to be funded through the SAFER grant;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby authorizes the submission of the SAFER grant application through the Department of Homeland Security and the Federal Emergency Management Agency.

PASSED, APPROVED AND ADOPTED this 6th day of March, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

**The Department of Homeland Security (DHS)
 Notice of Funding Opportunity (NOFO)
 Fiscal Year 2022 Staffing for Adequate Fire and Emergency Response
 (SAFER) Grant Program**

Effective April 4, 2022, the Federal Government transitioned from using the Data Universal Numbering System or DUNS number, to a new, non-proprietary identifier known as a Unique Entity Identifier or UEI. For entities that have an active registration in the System for Award Management (SAM) prior to this date, the UEI has automatically been assigned and no action is necessary. For all entities filing a new registration in SAM.gov after April 4, 2022, the UEI will be assigned to that entity as part of the SAM.gov registration process.

UEI registration information is available on GSA.gov at: [Unique Entity Identifier Update | GSA](#).

Grants.gov registration information can be found at: <https://www.grants.gov/web/grants/register.html>. Detailed information regarding UEI and SAM is also provided in Section D of this NOFO.

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A. Program Description**1. Issued By**

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Grant Programs Directorate (GPD)

2. Assistance Listings Number

97.083

3. Assistance Listings Title

Staffing for Adequate Fire and Emergency Response (SAFER) Grant

4. Funding Opportunity Title

Fiscal Year 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant

5. Funding Opportunity Number

DHS-22-GPD-083-00-99

6. Authorizing Authority for Program

Section 34 of the *Federal Fire Prevention and Control Act of 1974*, Pub. L. No. 93-498, as amended (15 U.S.C § 2229a)

7. Appropriation Authority for Program

Department of Homeland Security Appropriations Act, 2022 (Pub. L. No. 117-103)

8. Announcement Type

Initial

9. Program Category

Preparedness: Fire and Life Safety

10. Program Overview, Objectives, and Priorities**a. *Overview***

The Fiscal Year (FY) 2022 Staffing for Fire and Emergency Response (SAFER) Grant Program (hereafter referred to as the SAFER Program) is one of three grant programs that constitute the Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA) focus on enhancing the safety of the public and firefighters with respect to fire and fire-related hazards. The SAFER Program provides funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate fire protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. Since 2005, the SAFER Program has awarded approximately \$5.2 billion in grant funding to provide critically needed resources to hire new, additional firefighters (or to change the status of part-time or paid-on-call firefighters to full-time firefighters), to rehire laid off firefighters, or to retain firefighters facing layoff, as

well as recruitment and retention of volunteer firefighters. Information about success stories for this program can be found at [Assistance to Firefighters Grants Program | FEMA.gov](#).

The SAFER Program is part of a comprehensive set of measures authorized by Congress and implemented by DHS. Among the five basic homeland security missions noted in the [DHS Strategic Plan for Fiscal Years 2020-2024](#), the SAFER Program supports the goal to Strengthen National Preparedness and Resilience. In awarding grants, the FEMA Administrator is required to consider:

- The findings and recommendations of the Technical Evaluation Panel;
- The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire-related and other hazards;
- The extent of an applicant's need for a SAFER Program grant and the need to protect the United States as a whole; and,
- The number of calls requesting or requiring a firefighting or emergency medical response received by an applicant.

The [2022–2026 FEMA Strategic Plan](#) creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The SAFER Program directly supports Goal 3 to Promote and Sustain a Ready FEMA and Prepared Nation. We invite all our stakeholders and partners to join us in building a more prepared and resilient nation.

b. Objectives

The objectives of the SAFER Program are to assist local fire departments with staffing and deployment capabilities to respond to emergencies and ensure that communities have adequate protection from fire and fire-related hazards. Local fire departments accomplish this by improving staffing and deployment capabilities, so they may more effectively and safely respond to emergencies. With enhanced staffing levels, recipients should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene.

c. Priorities

Information on program priorities and objectives for the FY 2022 SAFER Program can be found in [Appendix B – Programmatic Information and Priorities](#) of this NOFO.

11. Performance Measures

The grant recipient is required to collect data to allow FEMA to measure performance of the awarded grant in support of the SAFER Program metrics, which are tied to the programmatic objectives and priorities. To measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient must submit sufficient information to demonstrate it has met the performance goal as stated in its award. FEMA will measure the recipient's performance of the grant by comparing the number of items, supplies, projects, and activities needed and requested in its application with the number of items, supplies, projects, and activities acquired and delivered

by the end of the period of performance using the following programmatic metrics:

- Percent of “majority career” SAFER Program recipients’ structural fire responses that complied with National Fire Protection Association (NFPA) 1710 structural response standards
- Percent of “majority volunteer” SAFER Program recipients’ structural fire responses that complied with NFPA 1720 structural response standards
- Percent of SAFER Program recipients who reported and provided evidence that the grant funding increased compliance with NFPA 1710 or 1720 assembly and deployment standards.

B. Federal Award Information

1. Available Funding for the NOFO: **\$360,000,000**
2. Projected Number of Awards: **300**
3. Period of Performance: **12–48 months**
 - **Hiring of Firefighters (Hiring) Activity:** The period of performance for applications funded under the Hiring Activity will be 36 months.
 - **Recruitment and Retention (R&R) Activity:** The period of performance for applications funded under the R&R Activity will be 12, 24, 36, or 48 months.

Extensions to the period of performance are allowed. For additional information on period of performance extensions, please refer to Section H of this NOFO.

FEMA awards under most programs, including this program, only include one budget period, so it will be same as the period of performance. *See* 2 C.F.R. § 200.1 for definitions of “budget period” and “period of performance.”

4. Projected Period of Performance Start Date(s): **06/02/2023 (will vary based on award date and activity type)**
5. Projected Period of Performance End Date(s): **05/31/2024, 05/31/2025, 05/31/2026 or 05/31/2027 (will vary based on award date and activity type)**
6. Funding Instrument Type: **Grant**

C. Eligibility Information

1. Eligible Applicants

a. *Hiring Activity*

Fire departments operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands,

Guam, American Samoa, the Commonwealth of Puerto Rico,¹ or any federally recognized Indian tribe or tribal organization. A fire department is an agency or organization having a formally recognized arrangement with a state, local, tribal, or territorial authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression to a population within a geographically fixed primary first due response area.

b. R&R Activity

Volunteer and combination fire departments operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or any federally recognized Indian tribe or tribal organization. A fire department is an agency or organization having a formally recognized arrangement with a state, local, tribal, or territorial authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression to a population within a geographically fixed primary first due response area. National, regional, state, local, tribal and nonprofit interest organizations representing the interests of volunteer firefighters are eligible to receive a SAFER Program award under the R&R Activity.

Information on ineligible applications and/or organizations is in [Appendix B – Programmatic Information and Priorities](#) of this NOFO.

2. Applicant Eligibility Criteria

- a. Hiring Activity:** The Hiring Activity offers grants to support applications to hire new, additional firefighters (or to change the status of part-time or paid-on-call firefighters to full-time firefighters), rehire laid off firefighters, or to retain firefighters facing layoff. National, regional, state, local, tribal, and nonprofit interest organizations representing the interests of volunteer firefighters are not eligible to receive a SAFER Program award under the Hiring Activity.
- b. R&R Activity:** The R&R Activity offers grants to support applications to assist fire departments with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response. Career fire departments are not eligible to apply for funding under the R&R Activity.

Each activity has its own application and eligibility requirements, as further outlined in [Appendix B – Programmatic Information and Priorities](#) of this NOFO.

An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: **1) a current**

¹ The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as “States” in the Federal Fire Prevention and Control Act of 1974. See 15 U.S.C. § 2203(10).

employee, personnel, official, staff, or leadership of the non-federal entity; and 2) duly authorized to apply for an award on behalf of the non-federal entity at the time of application.

Further, the Authorized Organization Representative (AOR) must be a duly authorized current employee, personnel, official, staff, or leadership of the recipient and *provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or contractors of the recipient are not permitted to be the AOR of the recipient.*

3. Other Eligibility Criteria

National Incident Management System (NIMS) Implementation

SAFER Program applicants are not required to comply with NIMS to apply for SAFER Program funding or to receive a SAFER Program award. Any applicant who receives an FY 2022 SAFER Program award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government), prior to the end of the grant's period of performance.

4. Maintenance of Effort (MOE)

There is no MOE or minimum budget requirement for the FY 2022 SAFER Program.

5. Cost Share or Match

There is no cost share or match or position cost limit for the FY 2022 SAFER Program. The award budget will not account for any voluntary committed cost sharing or overmatch. The use of an overmatch is not given additional consideration when scoring applicants.

6. Economic Hardship Waivers

Because there is no minimum budget requirement, cost share requirement, or position cost limit, an economic hardship waiver process is not necessary for the FY 2022 SAFER Program.

D. Application and Submission Information

1. Key Dates and Times

a. ***Application Start Date:*** February 13, 2023 at 8 a.m. ET

b. ***Application Submission Deadline:*** March 17, 2023 at 5 p.m. ET

All applications **must** be received by the established deadline.

FEMA's Grants Outcomes (FEMA GO) system automatically records proof of timely submission, and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely

submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled “Timely Receipt Requirements and Proof of Timely Submission” in Section D of this NOFO.

FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant’s control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. “Timely notification” of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

A list of FEMA contacts can be found in Section G of this NOFO, “DHS Awarding Agency Contact Information.” For technical assistance with the FEMA GO system, please contact the FEMA GO Help Desk at FEMAGO@fema.dhs.gov or (877) 611-4700, Monday through Friday, 8 a.m. – 6 p.m. ET.

For programmatic or grants management questions, please contact your Preparedness Officer or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the SAFER Program Help Desk by phone at (866) 274-0960 or by email at FireGrants@fema.dhs.gov, Monday through Friday, 8 a.m. – 4:30 p.m. ET.

- c. **Anticipated Funding Selection Date:** **No later than 9/30/2023**
- d. **Anticipated Award Date:** Beginning on approximately 06/02/2023 and continuing thereafter until all FY 2022 SAFER Program grant awards are issued (but no later than 09/30/2023).
- e. **Other Key Dates**

Event	Suggested Deadline for Completion
Obtaining Unique Entity Identifier (UEI) number	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline
Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or updating SAM registration	Four weeks before actual submission deadline



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: March 6, 2023

SUBJECT: ADOPTION OF AN ORDINANCE AMENDING SECTION 15.04.020 OF THE HOBBS MUNICIPAL CODE TO INCORPORATE THE 2021 INTERNATIONAL FIRE CODE

DEPT. OF ORIGIN: Hobbs Fire Department
DATE SUBMITTED: February 27, 2023
SUBMITTED BY: Barry Young, Fire Chief

Summary: The City of Hobbs Building Code is adopted in Chapter 15.04. Section 15.04.020 authorizes the City Building Official to issue orders in conjunction with the Fire Marshal in accordance with and substantially embodied in the applicable provisions of the City's Fire Code. Currently, Section 15.04.020 incorporates the 2006 Edition of the International Fire Code. On January 17, 2017, the City Commission adopted the "2015 Edition" of the International Fire Code. The City of Hobbs Fire Department, including the Fire Marshal's Office, believes a change to the 2021 International Fire Code would allow the Department to proactively address fire concerns that are not contemplated by the 2015 International Fire Code. Pursuant to NMSA 1978, § 3-17-3, the proposed title and subject matter of the proposed ordinance was published in the Hobbs News-Sun on February 14, 2023, and a copy of the proposed ordinance was available in the City Clerk's Office for public inspection and review.

Fiscal Impact:

Reviewed By:

[Signature]
Finance Department

There is no fiscal impact for this Ordinance.

Attachments:

Ordinance; Affidavit of Publication

Legal Review:

Approved As To Form:

[Signature]
City Attorney

Recommendation:

The Commission should consider adoption of the proposed 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. 1148

AN ORDINANCE AMENDING SECTION 15.04.020 OF THE HOBBS MUNICIPAL CODE TO INCORPORATE THE 2021 INTERNATIONAL FIRE CODE

WHEREAS, The City of Hobbs has adopted the International Fire Code as the City of Hobbs Fire Code and is seeking to update to the International Fire Code, 2021 Edition; and

WHEREAS, currently, the City of Hobbs Fire Code, by adoption, is the “International Fire Code, 2015 Edition” which was adopted on January 17, 2017; and

WHEREAS, the International Fire Code, 2015 Edition, does not address many contemporary fire issues facing the Hobbs Fire Department in 2023; and

WHEREAS, Section 15.04.020 authorizes the City of Hobbs Building Official to issue orders in conjunction with the Fire Marshal in accordance with and as substantially embodied in the applicable provisions of the adopted Fire Code; and

WHEREAS, the City of Hobbs Fire Department, including and especially the City of Hobbs Fire Marshal’s Office, believes adoption of the International Fire Code, 2021 Edition, will allow the Department to more efficiently and proactively save lives and property, in conjunction with the City of Hobbs Building Official, by preventing certain fire hazards not contemplated by the 2015 Edition.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 15.04.020 of the Hobbs Municipal Code, is hereby amended as more specifically described as follows:

15.04.020 Power, duties and enforcement by building inspection department.

The building code adopted by Section 15.04.010(A) shall be enforced by the Building Official or authorized agent. The Building Official is directed and empowered to enforce such rules and regulations necessary to carry out the duties of his or her office and more specifically to issue orders in conjunction with the Fire Marshal in accordance with and as substantially embodied in the applicable provisions of the International Fire Code, ~~2006-2021~~ Edition, as adopted in Chapter 8.32 of this Code, and all additions, amendments, appendices and changes as may occur therein.

(Ord. No. 992, § 3, 6-16-2008)

PASSED, ADOPTED AND APPROVED this 6th day of March, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Affidavit of Publication

STATE OF NEW MEXICO
COUNTY OF LEA

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

Beginning with the issue dated
February 14, 2023
and ending with the issue dated
February 14, 2023.



Publisher

Sworn and subscribed to before me this
14th day of February 2023.



Business Manager

My commission expires
January 29, 2027
(Seal)

STATE OF NEW MEXICO
NOTARY PUBLIC
GUSSIE RUTH BLACK
COMMISSION # 1087528
COMMISSION EXPIRES 01/29/2027

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

LEGAL NOTICE February 14, 2023

NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the 6th day of March, 2023, at its meeting at 6:00 p.m., in the City Commission Chamber at City Hall, 1st Floor Annex, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance amending Chapter 15.04.020 of the Hobbs Municipal Code to incorporate the 2021 International Fire Code. A summary of the ordinance is contained in its title and is described as follows:

AN ORDINANCE AMENDING SECTION 15.04.020 OF THE HOBBS MUNICIPAL CODE TO INCORPORATE THE 2021 INTERNATIONAL FIRE CODE

WHEREAS, the City of Hobbs has adopted the International Fire Code as the City of Hobbs Fire Code and is seeking to update to the International Fire Code, 2021 Edition; and

WHEREAS, currently, the City of Hobbs Fire Code, by adoption, is the "International Fire Code, 2015 Edition" which was adopted on January 17, 2017; and

WHEREAS, the International Fire Code, 2015 Edition, does not address many contemporary fire issues facing the Hobbs Fire Department in 2023; and

WHEREAS, Section 15.04.020 authorizes the City of Hobbs Building Official to issue orders in conjunction with the Fire Marshal in accordance with and as substantially embodied in the applicable provisions of the adopted Fire Code; and

WHEREAS, the City of Hobbs Fire Department, including and especially the City of Hobbs Fire Marshal's Office, believes adoption of the International Fire Code, 2021 Edition, will allow the Department to more efficiently and proactively save lives and property, in conjunction with the City of Hobbs Building Official, by preventing certain fire hazards not contemplated by the 2015 Edition.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 15.04.020 of the Hobbs Municipal Code, is hereby amended as more specifically described as follows:

15.04.020 Power, duties and enforcement by building inspection department.

The building code adopted by Section 15.04.010(A) shall be enforced by the Building Official or authorized agent. The Building Official is directed and empowered to enforce such rules and regulations necessary to carry out the duties of his or her office and more specifically to issue orders in conjunction with the Fire Marshal in accordance with and as substantially embodied in the applicable provisions of the International Fire Code, ~~2015~~ 2021 Edition, as adopted in Chapter 8.32 of this Code, and all additions, amendments, appendices and changes as may occur therein.

A full copy of the ordinance is available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The ordinance is also available for viewing online at www.hobbsnm.org.

/s/Jan Fletcher
Jan Fletcher, City Clerk

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CITY OF HOBBS FINANCE DEPT
200 E. BROADWAY ST
HOBBS, NM 88240



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: March 6, 2023

SUBJECT: ADOPTION OF AN ORDINANCE AMENDING CHAPTER 8.32 OF THE HOBBS MUNICIPAL CODE AMENDING THE CITY'S FIRE CODE ORDINANCE

DEPT. OF ORIGIN: Hobbs Fire Department
DATE SUBMITTED: February 27, 2023
SUBMITTED BY: Barry Young, Fire Chief

Summary: On January 17, 2017, the City Commission adopted the "2015 Edition" of the International Fire Code via Ordinance No. 1099. The City of Hobbs Fire Department, including the Fire Marshal's Office, believes a change to the 2021 International Fire Code would allow the Department to proactively address fire concerns that are not contemplated by the 2015 International Fire Code. Pursuant to NMSA 1978, § 3-17-3, the proposed title and subject matter of the proposed ordinance was published in the Hobbs News-Sun on February 14, 2023, and a copy of the proposed ordinance was available in the City Clerk's Office for inspection and public review.

Fiscal Impact:

Reviewed By: *Deborah Conrad*
Finance Department

There is no fiscal impact for this Ordinance.

Attachments:

Ordinance; Affidavit of Publication

Legal Review:

Approved As To Form: *EDAC*
City Attorney

Recommendation:

The Commission should consider adoption of the proposed Ordinance.

Approved For Submittal By:

Barry Young
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. 1149

AN ORDINANCE AMENDING CHAPTER 8.32 OF THE HOBBS MUNICIPAL CODE
AMENDING THE CITY'S FIRE CODE ORDINANCE

WHEREAS, The City of Hobbs has adopted the International Fire Code as the City of Hobbs Fire Code; and

WHEREAS, The City of Hobbs Fire Code is codified in the Hobbs Municipal Code Chapter 8.32; and

WHEREAS, The City of Hobbs Fire Code was last amended via Ordinance No. 1099 on January 17, 2017; and

WHEREAS, currently, the City of Hobbs Fire Code, by adoption, is the "International Fire Code, 2015 Edition"; and

WHEREAS, the International Fire Code, 2015 Edition, does not address many contemporary fire issues facing the Hobbs Fire Department in 2023; and

WHEREAS, the City of Hobbs Fire Department, including and especially the City of Hobbs Fire Marshal's Office, believes adoption of the International Fire Code, 2021 Edition, will allow the Department to more efficiently and proactively save lives and property by preventing certain fire hazards not contemplated by the 2015 Edition.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Chapter 8.32 of the Hobbs Municipal Code, is hereby amended as more specifically described as follows:

Chapter 8.32 FIRE CODE¹

8.32.010 International Fire Code—Adopted.

- A. There is adopted by the City Commission, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code and those certain standards known as the International Fire Code, 2015-2021 Edition, published by the International Fire Code Institute, ~~along with~~except the following appendix chapters:
1. Appendix ~~BE, Fire-flow requirements for buildings~~Hazard Categories;
 2. Appendix ~~CG, Fire hydrant locations and distribution~~Cryogenic Fluids – Weight and Volume Equivalents;
 3. Appendix ~~DM, Fire apparatus access roads or as determined by authority having jurisdiction~~High-Rise Buildings – Retroactive Automatic Sprinkler Requirement.
- B. The International Fire Code mentioned in subsection A of this section, including the enumerated appendices, is adopted, saved and except such portions as are deleted, modified or amended by this chapter. One (1) copy is filed in both the office of the City Clerk and the City Fire Prevention Bureau, and the same is adopted and incorporated as fully as set out at length herein, and the provisions thereof shall be controlling within the City.
- C. All references to Electrical, Mechanical and Plumbing in the International Fire Code are deleted and the blended codes as adopted by the New Mexico Building Code are referenced in this Fire Code.

(Ord. No. 1099 , 1-17-2017)

8.32.020 Establishment and duties of fire prevention services.

- A. The Fire Code, as adopted in Section 8.32.010 and as amended in this chapter, shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City, which is established and which shall be operated under the supervision of the Chief of the Fire Department.
- B. The Chief of the Fire Department may detail such members of the Fire Department and Code Enforcement officers as shall from time to time be necessary to administer this code.

¹Editor's note(s)—Ord. No. 1099, adopted Jan. 17, 2017, amended ch. 8.32 in its entirety to read as herein set out. Former ch. 8.32, §§ 8.32.010—8.32.090, pertained to similar subject matter and derived from Ord. 923 §§ 1, 2 (part), adopted 2004; Ord. No. 991, adopted June 16, 2008; and Ord. No. 1054, adopted April 16, 2012.

C. The Fire Marshal is directed and empowered to enforce such rules and regulations necessary to carry out the duties of his or her office and more specifically to issue orders in conjunction with the Building Official in accordance with and as substantially embodied in the applicable provisions of the International Building Code, 2015 Edition, as adopted in Chapter 15.04 of this code, and all additions, amendments and changes as may occur therein.

(Ord. No. 1099 , 1-17-2017)

8.32.030 Definitions.

As used in this chapter:

"Building Official" means the designated authority charged with the administration and enforcement of the International Building Code.

"Fire Marshal" means the officer or the designated authority charged with the administration of the fire prevention bureau; "Fire Marshal" is interchangeable with "fire code official" in this chapter.

"Jurisdiction" means all property within the corporate limits of the City of Hobbs, New Mexico and that property within the extraterritorial zone.

(Ord. No. 1099 , 1-17-2017)

8.32.040 Establishment of limits—Areas in which storage of flammable or combustible liquids in outside aboveground tanks prohibited.

The limits referred to in Sections 5704.3.4 and 5704.3.4.3 of the International Fire Code, in which the storage of flammable or combustible liquids is restricted, is established as City limits, subject to any exceptions as may be established by those rules and regulations promulgated by the Chief of the Fire Department.

(Ord. No. 1099 , 1-17-2017)

8.32.050 Establishment of limits—Areas in which storage of liquefied petroleum gases prohibited.

The limits referred to in Section 6109.1 of the International Fire Code, in which storage and use of liquefied petroleum gas is restricted, are established as City limits. The aggregate capacity of any one (1) installation shall not exceed a two thousand (2,000) gallon water capacity in residential areas. Exceptions are where approved by the Fire Marshal in a multi-container location such as a dispensing station and bulk facilities.

(Ord. No. 1099 , 1-17-2017)

8.32.060 Reserved.

Editor's note(s)—Ord. No. 1054, adopted Apr. 16, 2012, deleted § 8.32.060 which pertained to establishment of limits— Area in which storage of flammable cryogenic fluids in stationary containers prohibited and derived from Ord. 923 §§ 1, 2 (part), 2004.

8.32.070 Amendments.

The International Fire Code is amended as set forth in this section. When an existing section number of the International Fire Code is referred to in the following section, the text in this section shall control. When a new section or subsection is referred to in the following section it shall be added to the International Fire Code, as adopted. The International Fire Code is amended and changed as follows:

Chapter 1 Administration.

Section 101.1 Title shall be amended to read as follows:

These regulations shall be known as the Fire Code of the City of Hobbs, hereinafter also referred to as "this code."

Section 104.6 Official records shall be amended to read as follows:

The fire code official shall keep official records as required by Sections 104.6 through 104.6.4. Such records shall be retained in accordance with the record retention requirements established by the City of Hobbs and State of New Mexico.

104.10.2 Section added with following language: Fire prevention personnel and police authority.

- A. Members of the fire prevention service shall have the powers of police officer in performing their duties under this code when:
 - 1. Such members of the fire prevention services have been certified by a law enforcement academy authorized by the State of New Mexico and;
 - 2. Such members have been commissioned as peace officers in the State of New Mexico;
- B. Members of the fire prevention service who meet the requirement stated in paragraphs (1) and (2) of subpart A of the section shall have the following powers:
 - 1. Powers of arrest for criminal matters;
 - 2. Authority to carry such weapons and utilizes such equipment necessary in the discharging of their duties pursuant to this code;

3. Authority to investigate arson and related crimes if so appointed and authorized;
- C. All other members of the fire preventions services who do not meet the requirements of subpart A of this section shall have the power to issue citations only for violations of the International Fire Code, and have the authority to investigate arson and related crimes.

Section 105.7 Required construction permits shall be amended to read as follows:

The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7 through 105.7.14. Such permits shall be processed through the City of Hobbs Fire Prevention Bureau and shall be in conformance with the requirements established by this code and the Building Inspection Division.

105.7.1.1 Section added with following language: Automatic fire-extinguishing systems. Hydraulic calculations shall be provided for modification to an existing automatic fire-extinguishing system requiring the installation of additional heads when either of the following occurs:

1. Number of heads being added exceeds 10.
2. Number of heads being added is greater than 10 percent of total heads for the system

The fire code official may require hydraulic calculations be submitted for and modification to an existing system with deemed necessary to adequately evaluate the impact on the system.

105.7.1.2 Section added with following language: Automatic fire-extinguishing systems. Hydraulic calculations shall be provided with a 10 psi safety margin on all commercial buildings requiring an automatic fire-extinguishing system.

The fire code official shall have the authority to reduce the safety margin where deemed adequate.

Section 108.1 Board of appeals established shall be amended to read as follows:

Whenever the chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, applicant may appeal from the decision to City Manager by writing to the Chief of the Fire Department requesting an appeal within 30 days of the aggrieved action.

Section 108.2 Limitations on authority shall be deleted in its entirety.

Section 108.3 Qualifications shall be deleted in its entirety.

Section 109.3 Violation penalties shall be deleted in its entirety; refer to section 8.32.080 of the Hobbs Municipal Code. Section 111.4 Failure to comply shall be amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be considered to be in violation of this code and shall be subject to the penalties as set forth in Section 109.3.

Chapter 4 Emergency Planning and Preparedness

Table 405.2-3 Fire and evacuation drill frequency and participation shall be amended as follows:

Group H occupancies shall be included with Group A occupancies in the table.

Chapter 9 Fire Protection Features

Section 902.1 Definitions shall have the definition of Standpipe System, Classes as amended to read as follows:

Standpipe classes are as follows:

Class I system. A system providing 2.5-inch (64 mm) hose connections to supply water for use by fire departments and those trained in handling heavy fire streams.

Class II system. A system providing 1.5-inch (38 mm) hose stations to supply water for use primarily by the building occupants or by the fire department during initial response. 1.5-inch hoses & hose cabinets shall not be provided, unless required by the Fire Code Official.

Class III system. A system providing 1.5-inch (38 mm) hose stations to supply water for use by building occupants and 2.5-inch (64 mm) hose connections to supply a larger volume of water for use by fire departments and those trained in handling heavy fire streams. 1.5-inch hoses and hose cabinets shall not be provided, unless required by the Fire Code Official.

Chapter 57 Flammable and Combustible Liquids

Section 5706.3 Well drilling operations shall be in accordance with Chapter 8.44 of the Hobbs Municipal Code.

(Ord. No. 1099 , 1-17-2017)

8.32.080 Violations—Penalties.

- A. Any person who violates any of the provisions of the Fire Code, as adopted and amended in this chapter [8.32], who fails to comply with the Fire Code, who violates or fails to comply with any order made under the Fire Code, who builds in violation of any order made under the Fire Code, who builds in violation of any

detailed statement of specifications or plans submitted and approved under the Fire Code or any certificate or permit issued under the Fire Code and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by this chapter or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

- B. The application of the penalty in subsection A of this section shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. No. 1099 , 1-17-2017)

8.32.090 Permits and fee schedule.

A fee of twenty-five dollars (\$25.00) shall be paid to the City of Hobbs for any permit required by this chapter or as required by the City of Hobbs Fire Department pursuant to its administrative regulations, unless a special permit fee is applicable. The fees for a special permit shall be as required by subsection D of this section.

- A. Definitions. As used in this section:

"Automatic fire sprinkler system" means a system that has a water supply, piping, valves, and sprinklers, and is designed to automatically detect and control an unwelcome fire in a building.

"Chemical automatic fire extinguishing system" means a system that uses a gaseous, liquid, or powder form of extinguishing agent, other than water or a water-foam mixture, to control an unwelcome fire. Such systems include at least a supply of the chemical agent, means to distribute the agent, and a fire detection system.

"Device" means a component of a fire alarm system that initiates a signal or that provides notification of a signal. Device also includes a component that transmits a signal or a fire alarm control panel.

"Fire alarm control panel" means a component of a fire alarm system that receives initiating signals and sends notification signals.

"Fire alarm system" means a system of components and circuits arranged to receive notification of a fire by automatic or manual means and arranged to initiate an appropriate warning signal.

"Sprinkler" means a device that is a part of an automatic fire sprinkler system, and is intended to spray suppression water into a fire environment.

B. Special Permit Requirement.

1. A special permit from the City of Hobbs Fire Department is required for the installation or modification of any automatic fire sprinkler system, chemical automatic fire extinguishing system, and fire alarm systems as defined in subsection A of this section.
2. Exception: A special permit shall not be required for the installation or modification of a fire alarm system in a single-family dwelling or in a two-family dwelling.

C. Application. Application for special permits shall be made on forms provided by the City of Hobbs Fire Department and shall include such plans and attached information as required. No work on the system requiring the special permit shall be done until the permit is issued by the Fire Department.

D. Special Permit Fees. Fees shall be paid to the City of Hobbs for any special permit required. Fees shall be paid at the time of application for a special permit.

1. The fee for special permit for an automatic fire sprinkler system shall be as follows:
 - a. For installation of systems or modifications to existing systems involving twenty (20) or fewer sprinklers, the fee shall be thirty dollars (\$30.00).
 - b. For installation of systems or modifications to existing systems involving twenty-one (21) to fifty (50) sprinklers the fee shall be fifty dollars (\$50.00).
 - c. For installation of systems or modifications to existing systems involving fifty-one (51) to one hundred (100) sprinklers the fee shall be one hundred dollars (\$100.00).
 - d. For installation of systems or modifications to existing systems involving more than one hundred (100) sprinklers the fee shall be one hundred fifty dollars (\$150.00).
2. The fee for a special permit for a fire alarm system shall be as follows:
 - a. For installation of systems or modifications to existing systems involving no more than ten (10) devices, the fee shall be thirty dollars (\$30.00).

- b. For installation of systems or modifications to existing systems involving eleven (11) to thirty (30) devices, the fee shall be fifty dollars (\$50.00).
 - c. For installation of systems or modifications to existing systems involving more than thirty (30) devices, the fee shall be one hundred dollars (\$100.00).
- 3. The fee for a special permit for a chemical automatic fire extinguishing system shall be as follows: for installation of systems or modifications to existing systems the fee shall be thirty dollars (\$30.00).
- E. Issuance. Applications for special permits shall be reviewed by the City of Hobbs Fire Department, and if in compliance with the applicable codes and regulations, the special permit shall be issued.
- F. Validity of Permit. The issuance of a permit or approval of plans shall not be construed to be a permit for, or an approval of, any violations of the provisions of the International Fire Code or any other ordinance of the City. The issuance of a permit shall not prevent the Fire Department from thereafter requiring the correction of errors in plans.
- G. Suspension or Revocation. The Fire Chief or the Fire Marshal may, in writing, suspend or revoke a special permit that has been issued in error, or issued on the basis of incorrect information supplied, or is otherwise in violation of any ordinance.
- H. Stop Orders. When any work is being done or a condition is being established contrary to the provisions of a special permit, the Fire Chief or the Fire Marshal may order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Such work shall stop until continuation is authorized in writing by the Fire Chief or the Fire Marshal.
- I. Expiration. Any special permit issued by the City of Hobbs Fire Department shall expire by limitation, and become null and void if the work authorized is not commenced within one hundred eighty (180) days from the issuance of the special permit, or if the work authorized is suspended or abandoned for a period of one hundred eighty (180) days any time after the work is commenced. For review of a permit after expiration, the applicant must submit a new application and pay a new fee.
- J. Re-inspection Fee for Permits. A fee of twenty-five dollars (\$25.00) shall be paid to the City of Hobbs for any re-inspection on permitted work.
- K. Posting of Permits. Any required special permit shall be conspicuously posted on the premises, and shall not be removed, except by the City of Hobbs Fire Department.

(Ord. No. 1099 , 1-17-2017)

PASSED, ADOPTED AND APPROVED this 6th day of March, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

NOTICE OF ORDINANCE

Affidavit of Publication

STATE OF NEW MEXICO
COUNTY OF LEA

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

Beginning with the issue dated
February 14, 2023
and ending with the issue dated
February 14, 2023.

NOTICE IS HEREBY GIVEN that on the 6th day of March, 2023, at its meeting at 6:00 p.m., in the City Commission Chamber at City Hall, 1st Floor Annex, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance amending Chapter 8.32.010, 8.32.040 and 8.32.070 of the Hobbs Municipal Code adopting the International Fire Code, 2021 Edition, as the City's Fire Code Ordinance. A summary of the ordinance is contained in its title and is described as follows:

AN ORDINANCE AMENDING CHAPTER 8.32 OF THE HOBBS MUNICIPAL CODE AMENDING THE CITY'S FIRE CODE ORDINANCE

WHEREAS, the City of Hobbs has adopted the International Fire Code as the City of Hobbs Fire Code; and

WHEREAS, the City of Hobbs Fire Code is codified in the Hobbs Municipal Code Chapter 8.32; and

WHEREAS, the City of Hobbs Fire Code was last amended via Ordinance No. 1099 on January 17, 2017; and

WHEREAS, currently, the City of Hobbs Fire Code, by adoption, is the "International Fire Code, 2015 Edition"; and

WHEREAS, the International Fire Code, 2015 Edition, does not address many contemporary fire issues facing the Hobbs Fire Department in 2023; and

WHEREAS, the City of Hobbs Fire Department, including and especially the City of Hobbs Fire Marshal's Office, believes adoption of the International Fire Code, 2021 Edition, will allow the Department to more efficiently and proactively save lives and property by preventing certain fire hazards not contemplated by the 2015 Edition.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Chapter 8.32 of the Hobbs Municipal Code, is hereby amended as more specifically described as follows:

**Chapter 8.32 FIRE CODE
8.32.010 International Fire Code—Adopted.**

A. There is adopted by the City Commission, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code and those certain standards known as the International Fire Code, 2015 Edition, published by the International Fire Code Institute, along with ~~except~~ the following appendix chapters:

1. Appendix B E, Hazard Categories;
2. Appendix G G, Fire hydrant locations and distribution ~~Cryogenic Fluids – Weight and Volume Equivalents;~~
3. Appendix D M, Fire apparatus access roads or as determined by authority having jurisdiction ~~High-Rise Buildings – Retroactive Automatic Sprinkler Requirement.~~

8.32.040 Establishment of limits—Areas in which storage of flammable or combustible liquids in outside aboveground tanks prohibited.

The limits referred to in Sections 5704.3.4 and 5704.3.4.3 of the International Fire Code, in which the storage of flammable or combustible liquids is restricted, is established as City limits, subject to any exceptions as may be established by those rules and regulations promulgated by the Chief of the Fire Department.

8.32.070 Amendments.

The International Fire Code is amended as set forth in this section. When an existing section number of the International Fire Code is referred to in the following section, the text in this section shall control. When a new section or subsection is referred to in the following section it shall be added to the International Fire Code, as adopted. The International Fire Code is amended and changed as follows:

Chapter 4 Emergency Planning and Preparedness

~~Table 405.2.3 Fire and evacuation drill frequency and participation shall be amended as follows:~~

Group H occupancies shall be included with Group A occupancies in the table.

A full copy of the ordinance is available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The ordinance is also available for viewing online at www.hobbsnm.org.

/s/Jan Fletcher
Jan Fletcher, City Clerk

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CITY OF HOBBS FINANCE DEPT
200 E. BROADWAY ST
HOBBS, NM 88240

STATE OF NEW MEXICO
NOTARY PUBLIC
GUSSIE RUTH BLACK
COMMISSION # 1087526
COMMISSION EXPIRES 01/29/2027

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