

**AGENDA**  
**City of Hobbs Planning Board – Regular Meeting**  
**June 20, 2017 at 10:00 AM**

**W. M. “Tres” Hicks, Chairman**  
**Bill Ramirez**  
**Brett Drennan**  
**Larry Sanderson**

**Guy Kesner, Vice Chairman**  
**Bobby Shaw**  
**Dwayne Penick**

**Tentative Agenda for the Planning Board Regular Session Meeting to be held on Tuesday, June 20, 2017 at 10:00 AM at the City of Hobbs Annex Building, First Floor Commission Chambers located at 200 E. Broadway, Hobbs, NM 88240.**

**AGENDA**

- 1) Call To Order.**
- 2) Review and Consider Approval of Agenda.**
- 3) Review and Consider Approval of Minutes.**

**May 16, 2017 – Regular Meeting**

- 4) Communications from Citizens.**
- 5) Review Proposed Subdivision (Libba Land Division) Sketch Plan located northeast of the intersection of Kansas and Grimes within the ETJ.**
- 6) Review Proposed Subdivision Sketch Plan located northeast of the intersection of College Lane and the projection of Ja-Rob.**
- 7) Review and Consider proposed parking & buffering variance for property located at 424 N. Dal Paso.**
- 8) Review and Consider proposed naming of a roadway traversing through Del Norte Park.**
- 9) Discussion Items:**
  - A) Review of 2018-2022 ICIP and Timeline for 2019-2023 submittals.**
  - B) MC 2.01 and the City of Hobbs Governmental Conduct Act\Financial Disclosure Act Forms.**
- 10) Adjournment.**

**The City will make every effort to provide reasonable accommodations for people with disabilities who wish to attend a public meeting. Please notify the City at least 24 hours before the meeting. Telephone 397-9351.**

*“Notice is hereby given that a quorum of the Hobbs City Commission may be in attendance at this meeting.”*

**PLANNING BOARD MEETING  
MINUTES  
May 16, 2017**

The Hobbs Planning Board met on May 16, 2017 at 10:00 a.m. at City of Hobbs Annex Building, First Floor Commission Chambers, located at 200 E. Broadway, Hobbs, NM 88240 with Mr. W.M. “Tres” Hicks Chairman presiding.

**Members Present:**

Tres Hicks, Chairman  
Guy Kesner, Vice Chairman  
Bill Ramirez  
Larry Sanderson

**Members Absent:**

Dwayne Penick  
Bobby Shaw  
Brett Drennan

**Also present were members of the public and City staff as follows:**

Kevin Robinson, Development Director  
Todd Randall, City Engineer  
Julie Nymeyer, Staff Secretary

Commissioner Newman  
Bruce Reid, County Planner  
Ben Maynes, Building Official

**1) Call To Order.**

Chairman Hicks called the meeting to order at 10:05 am.

**2) Review and Consider Approval of Agenda.**

The first item of business was to review and approve the Agenda for the May 16, 2017 meeting. Mr. Hicks asked if there were any changes or additions to the Agenda? Mr. Robinson said there is an interested party for item 6 so he suggested moving item up to item 5. Mr. Ramirez made a motion, seconded by Mr. Kesner to approve the agenda as amended. The vote on the motion was 4-0 and the motion carried.

**3) Review and Consider Approval of Minutes.**

**April 18, 2017 – Regular Meeting**

Mr. Hicks asked if everyone has had a chance to read the Regular Minutes from April 18, 2017? Mr. Kesner made a motion seconded by Mr. Sanderson to approve the minutes as presented. The vote on the motion was 4-0 and the motion carried.

**4) Communications from Citizens.**

There were no communications from citizens.

- 6) **Review and Consider a proposed subdivision of a +/- 12.15 acre tract located northwest of E. Navajo Drive and the proposed projection of Ranchland. Ranchland at this location is an undeveloped projection of a Major Collector to be contained within the +/- 2 acres dedicated with this plat. To be compliant with MC Title 16 all infrastructures need to be in place or adequate surety given by the developer acceptable by the public for the construction thereof.**

Mr. Robinson said this is located NW of the projection of Ranchland. He said this is an undivided parent parcel. He said Municipal Code Title 16 requires infrastructure to be in place or to be placed by the developer. He said Title 16 does give us some latitude as far as approving a subdivision as long as the infrastructure and the cost are addressed.

Mr. Robinson said there is a developer agreement with the developer of the property prior to the subdivision. He said there is a fair share reimbursement of a 180 dollars a centerline linear foot. He said that will be due and payable upon the development of the property, the conveyance of a property or the future subdivision of the property.

Mr. Robinson said this will be going to City Commission for final approval. Mr. Ramirez asked if there was a timeline on this Developer Agreement? Mr. Robinson said five years. He said after five years the investments starts at a 2% interest. Mr. Kesner asked if the roadway would be dedicated per this plat? Mr. Robinson said yes. He said within Title 16 if you are developing a lot adjacent to an unimproved previously dedicated right-of-way it is your responsibility to place the infrastructure in that dedicated right-of-way. He said staff is addressing this upfront with the plat.

Mr. Hicks said if you have this recorded and they do a title search it will be questionable whether they will find section 24. He said the development agreement should call out sections 23 and 24 so it will be discoverable by title search.

Mr. Hicks said they should draw a centerline. Mr. Robinson said they can put it all in the developer agreement. Mr. Ramirez made a motion, seconded by Mr. Sanderson to recommend approval to the City Commission with the modifications. The vote on the motion was 4-0 and the motion carried.

- 5) **Review and Consider front yard setback variance request for development to be located at 2907 N. McKinley, as submitted by Habitat for Humanity, property owner. McKinley at this location is classified as a Minor Residential and this Block was platted and developed for rear access without a reduced front yard setback. A Minor Residential requires a front yard setback of 21' from the property line; the proposed structure is requested to be located 17' from the property line requiring a 4' variance.**

Mr. Robinson said this is a front yard setback for Habitat for Humanity. He said the plats were done as a rear access subdivision. He said the front yard setback was not reduced which is generally what is done with a rear access garage. He said these structures have a front porch that will be encroaching into the front yard setback by 4 foot. Mr. Hicks asked how many lots there were? Mr. Robinson said there are 6 lots within the blocks not counting what they are using for their construction yard.

Mr. Ramirez made a motion, seconded by Mr. Kesner to approve the setback variance. The vote on the motion was 4-0 and the motion carried.

- 7) **Review and Consider a proposed replat located northeast of the intersection of Comanche Drive and N. Grimes within the ETJ. The proposed replat will combine two tracts that are non-compliant and non-developable into a single non-compliant but developable tract.**

Mr. Robinson said this is a noncompliant creation of a subdivision. He said there was an attempt to make a flag pole lot and subsequently there is a 15 foot lot. He said this will allow a single occupancy of this structure. He said the addressing manual will disallow a multiple family or another structure to be placed on this lot. He said this is in front of the Board because it is not compliant to Title 16. He said this replat is solving a problem not creating a problem. Mr. Sanderson made a motion, seconded by Mr. Ramirez to approve the replat. The vote on the motion was 4-0 and the motion carried.

- 8) **Review and Consider a proposed summary subdivision located northeast of the intersection of Kansas and N. Dal Paso within the ETJ. The proposed subdivision will combine 2 existing Tracts and create a 3 Tract Subdivision.**

Mr. Robinson said this is the Palmer Subdivision located northeast of Kansas and Dal Paso. He said this is a replat of two tracts and creating three tracts. He said this has been to the County Planning and Zoning Board. Mr. Hicks asked if there were any dedications in this area. Mr. Robinson said no. Mr. Hicks asked if the owners want it dedicated? He said it was brought up by Mr. Reid and he said in most cases these property owners are not showing up to the meetings so the message does not get conveyed. Mr. Kesner said it is his understanding that this land owner did not offer dedication. Mr. Robinson said the offering in this case is required and then the county will look and see if they will accept that dedication. Mr. Hicks asked if dedicating the right-of-way make the lots undevelopable per EID? Mr. Robinson said no. Mr. Kesner said he thought dedication should be granted and requested. Mr. Robinson said the Lea County subdivision rules and regulations say that you will dedicate 60 feet for any street. He said the municipality does have streets that extend into the ETJ. He said this street is a major collector which an 80 right-of-way required. He said in both situations of the county and the city's requirement of a major collector all of the structures will be located the same distance from center line of the roadway.

Mr. Sanderson made a motion, seconded by Mr. Ramirez to approve the summary subdivision with the dedication requirement. The vote on the motion was 4-0 and the motion carried.

- 9) **Adjournment.**

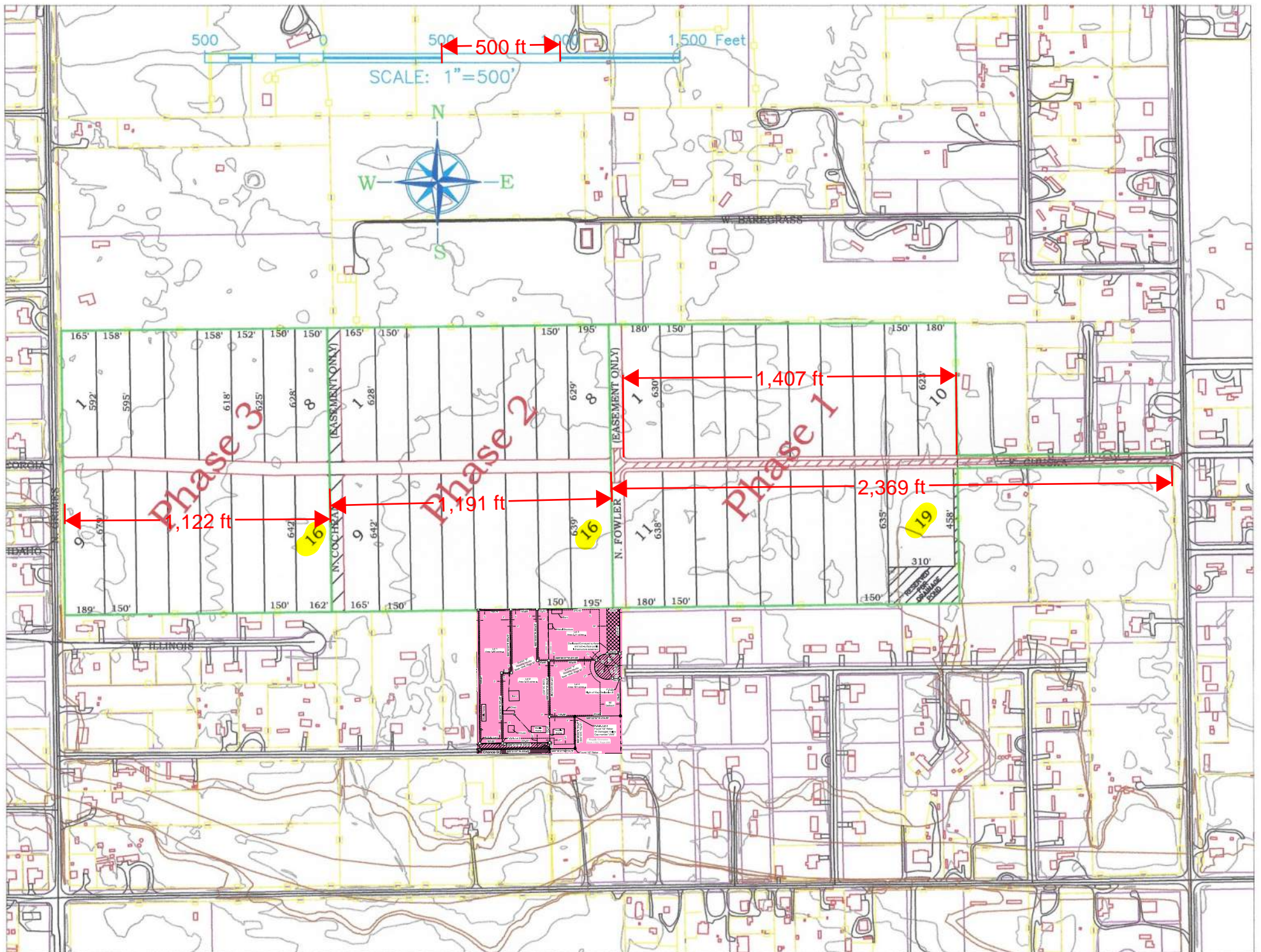
With nothing further to discuss the meeting adjourned at 11:54 am.

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**Tres Hicks, Chairman**

**June 20, 2017**  
**Planning Board Regular Meeting**

- 5) **Review Proposed Subdivision (Libba Land Division) Sketch Plan located northeast of the intersection of Kansas and Grimes within the ETJ.**



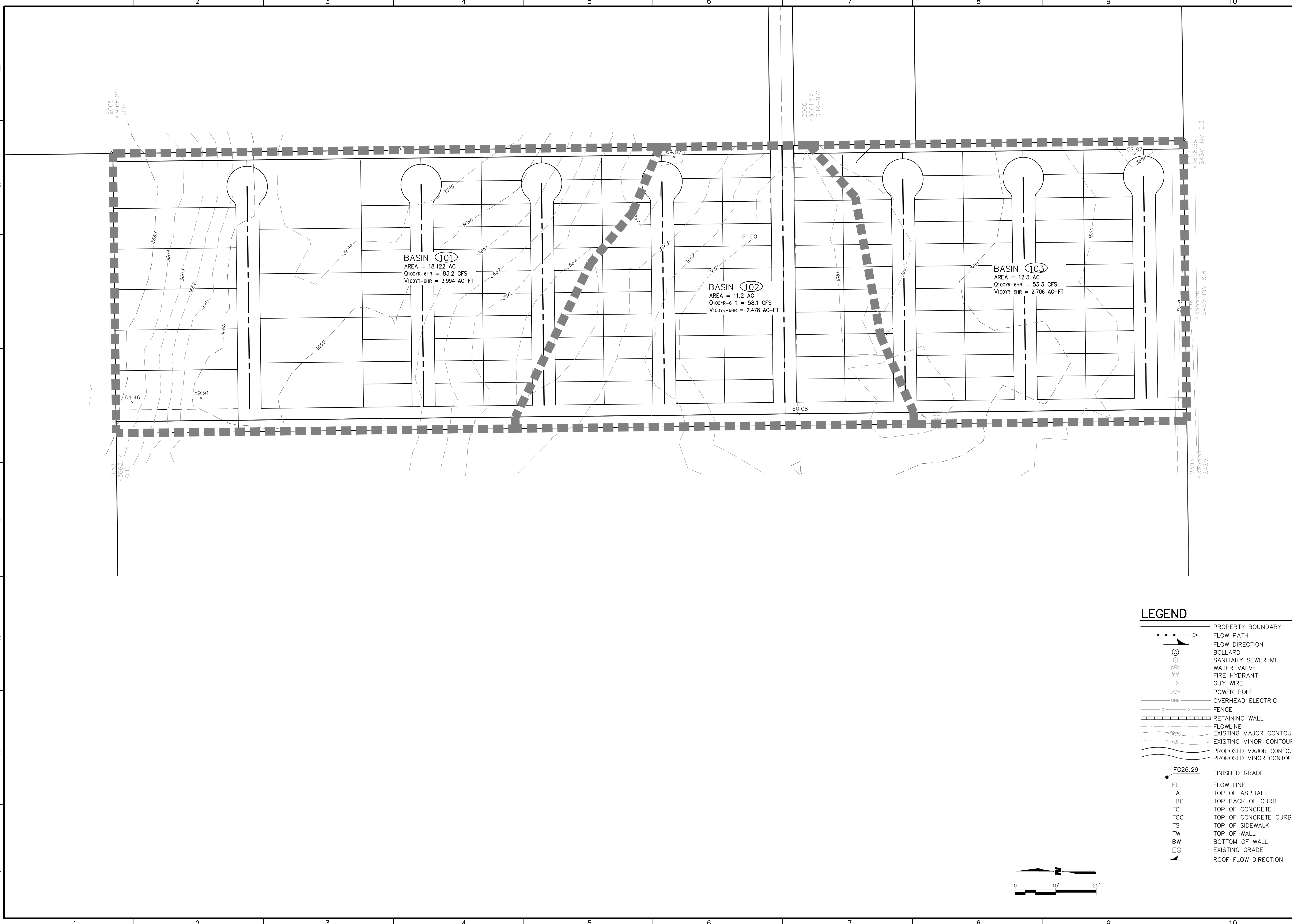
LIBBA LAND, MIN. LOT SIZE 2.15 ACRE, 3-24-2017

**June 20, 2017**  
**Planning Board Regular Meeting**

- 6) **Review Proposed Subdivision Sketch Plan located northeast of the intersection of College Lane and the projection of Ja-Rob.**



\\Seagate-4004ED\Public\PROJECTS\2017\17034\CADD\17034-EXST DRAINAGE PLAN.dwg 6/11/2017 3:10:59 PM



ENGINEER'S SEAL

**PROPOSED 40 ACRE SUBDIVISION**  
SECTION 4, TOWNSHIP 18 SOUTH, RANGE 38 EAST  
HOBBS, LEA COUNTY, NEW MEXICO

PROJECT NAME

REV.	DATE	DESCRIPTION	BY

PROJECT NO: 17026  
DESIGNED BY: RJF  
DRAWN BY: STAFF  
CHECKED BY: RJF  
DATE: JUNE 2017  
SHEET TITLE: SITE PLAN  
SHEET NO: C-1.0



ENGINEER'S SEAL

**PROPOSED 40 ACRE SUBDIVISION**  
SECTION 4, TOWNSHIP 18 SOUTH, RANGE 38 EAST  
HOBBS, LEA COUNTY, NEW MEXICO

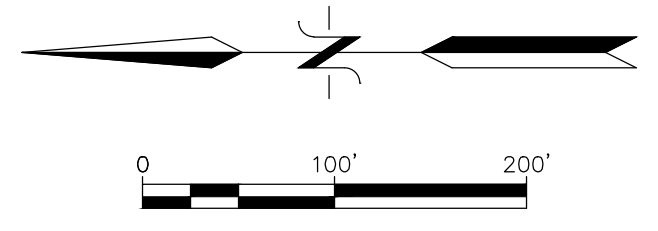
PROJECT NAME	DATE	REV.	DESCRIPTION	BY

PROJECT NO:	17034
DESIGNED BY:	RJF
DRAWN BY:	STAFF
CHECKED BY:	RJF
DATE:	JUNE 2017
SHEET TITLE	

**PROPOSED DRAINAGE PLAN**

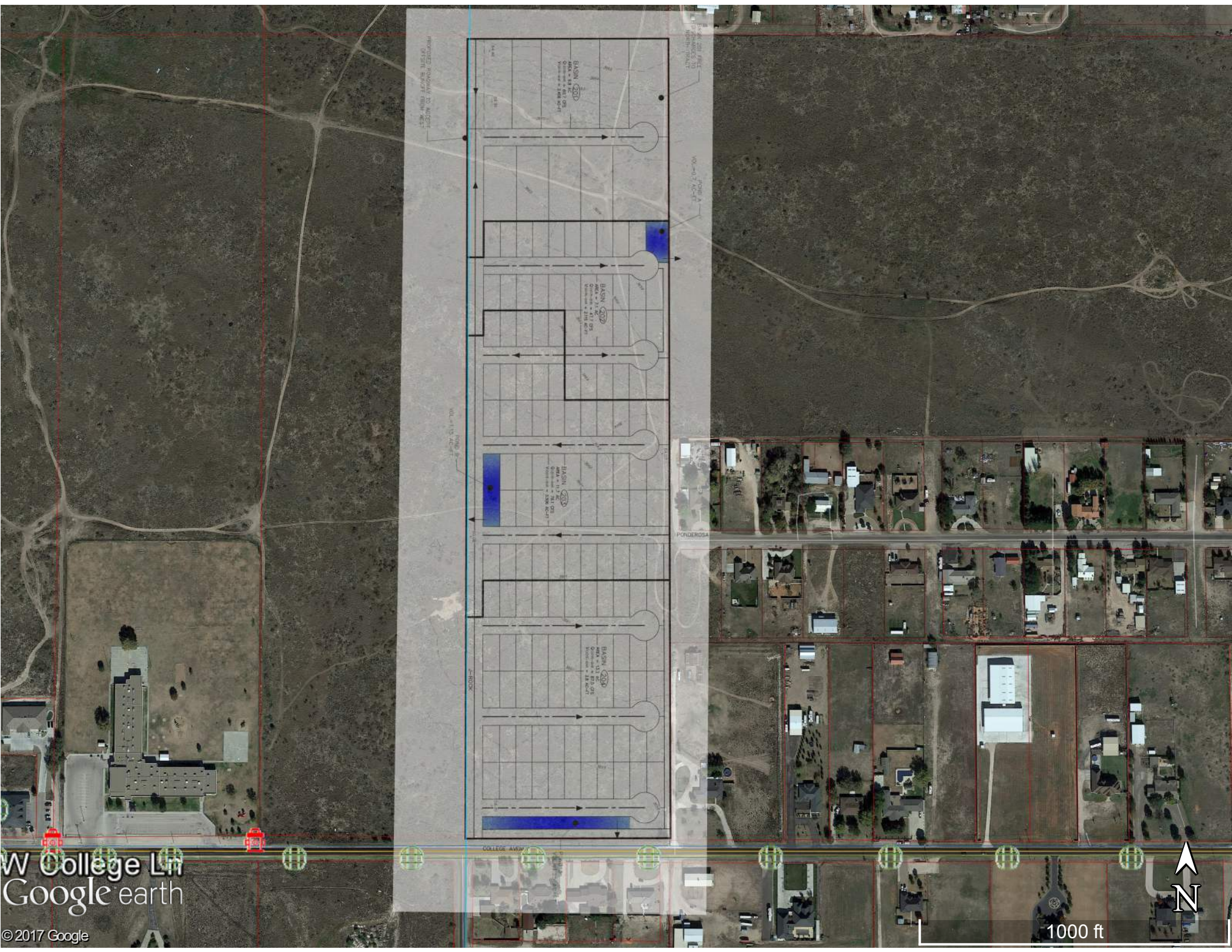
SHEET NO:  
**C-3**

- LEGEND**
- PROPERTY BOUNDARY
  - FLOW PATH
  - FLOW DIRECTION
  - ⊙ BOLLARD
  - ⊙ SANITARY SEWER MH
  - ⊙ WATER VALVE
  - ⊙ FIRE HYDRANT
  - ⊙ GUY WIRE
  - ⊙ POWER POLE
  - OHE OVERHEAD ELECTRIC
  - x x FENCE
  - RETAINING WALL
  - FLOWLINE
  - EXISTING MAJOR CONTOUR
  - EXISTING MINOR CONTOUR
  - PROPOSED MAJOR CONTOUR
  - PROPOSED MINOR CONTOUR
  - FG26.29 FINISHED GRADE
  - FL FLOW LINE
  - TA TOP OF ASPHALT
  - TBC TOP BACK OF CURB
  - TC TOP OF CONCRETE
  - TCC TOP OF CONCRETE CURB
  - TS TOP OF SIDEWALK
  - TW TOP OF WALL
  - BW BOTTOM OF WALL
  - EG EXISTING GRADE
  - ROOF FLOW DIRECTION

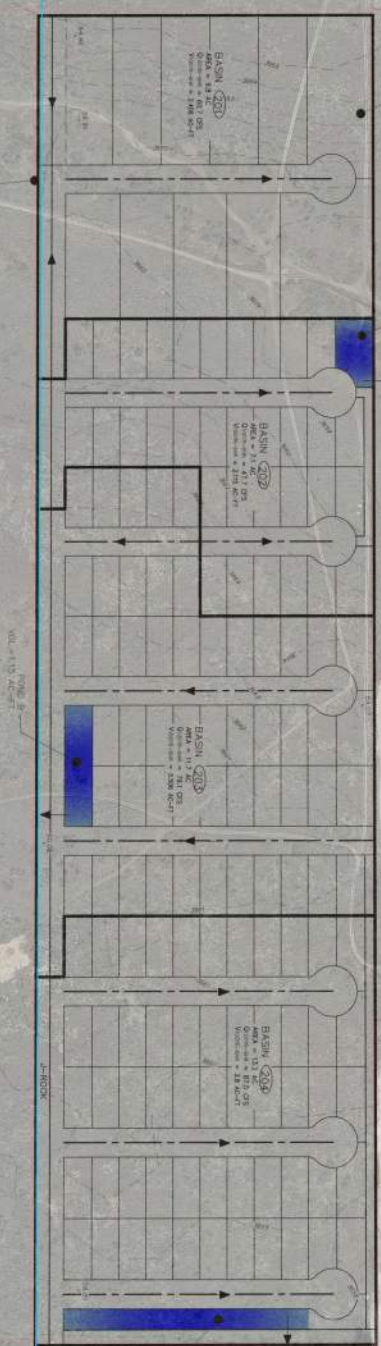


\\Seagate-4004ED\Public\PROJECTS\2017\17034\CADD\SHEETS\17034-New Drainage PLAN.dwg 6/11/2017 3:59:54 PM





REVERTED FROM AVE TO ADJACENT  
OWNER RIGHTS FROM 455'



100'-0" 3'-0" 100'-0" 3'-0" 100'-0" 3'-0" 100'-0" 3'-0"

POND

BASIN  
Area = 471.05  
Volume = 218.46 cu ft

BASIN  
Area = 471.05  
Volume = 218.46 cu ft

BASIN  
Area = 471.05  
Volume = 218.46 cu ft

PONDERSA

COLLEGE AVE

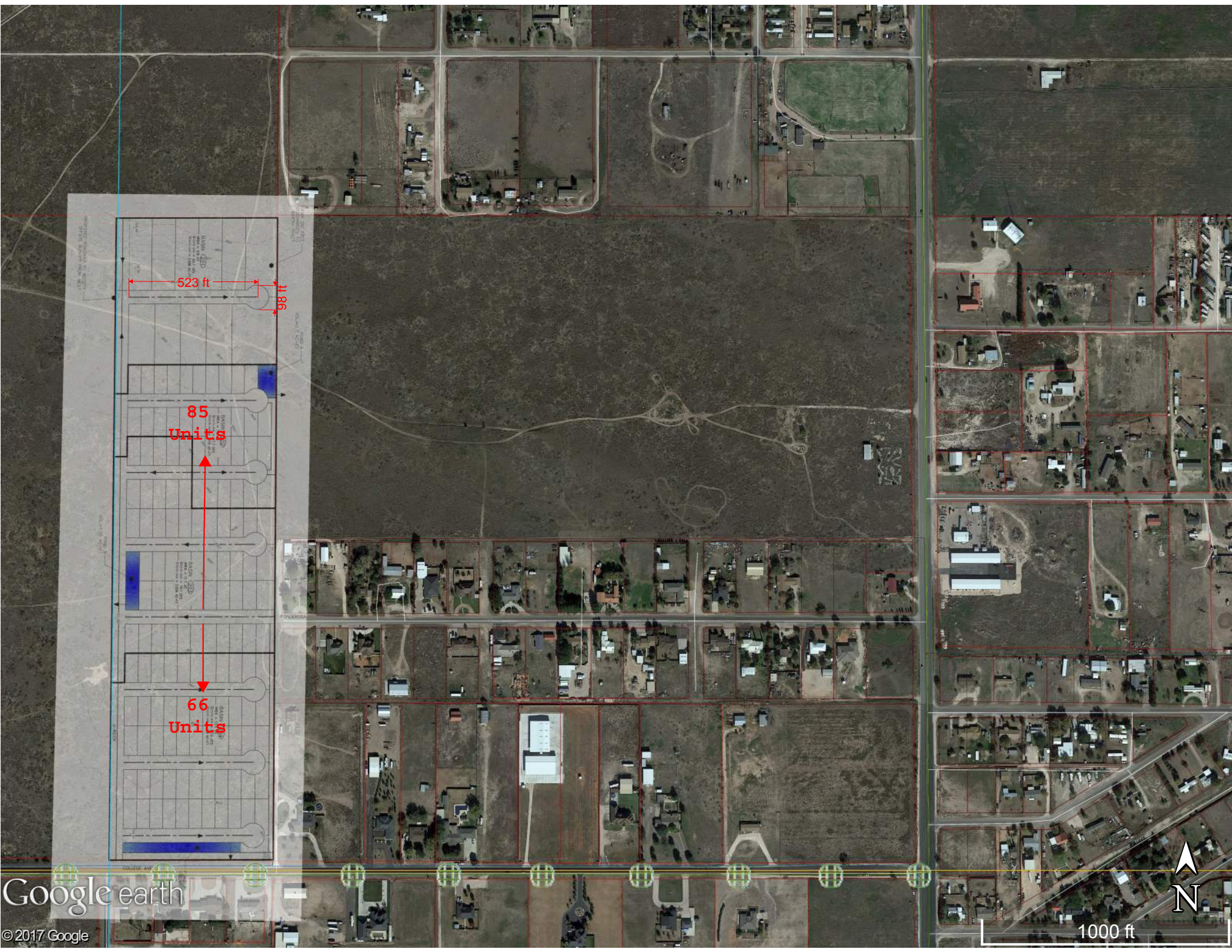
W College Ln  
Google earth

© 2017 Google



1000 ft





523 ft

98 ft

85  
Units

66  
Units

Google earth

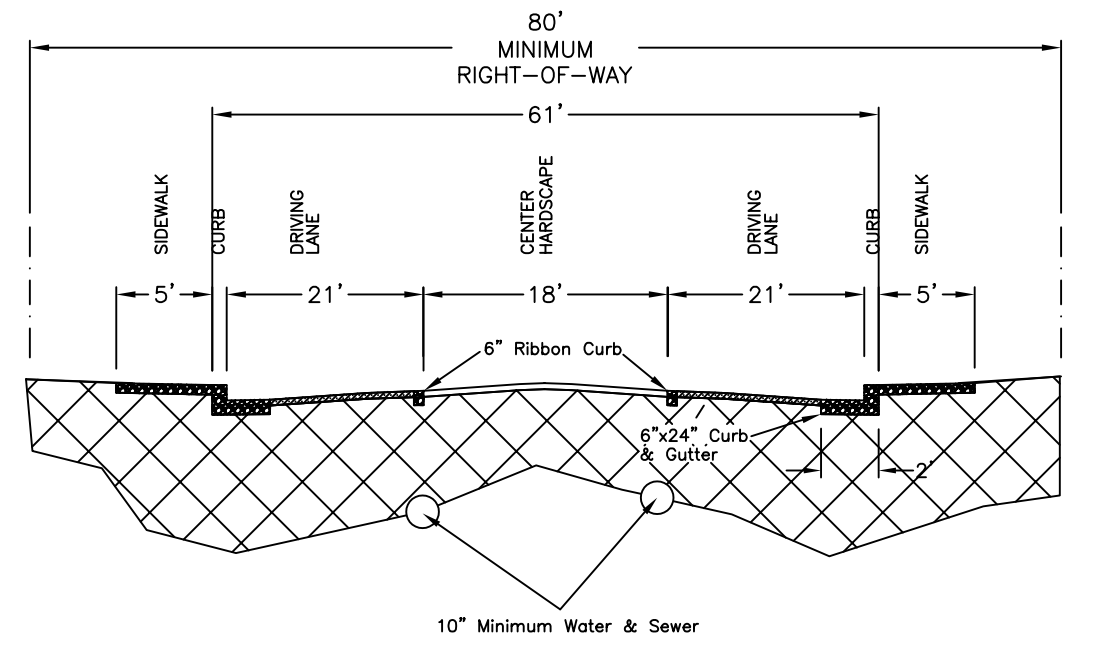
© 2017 Google



1000 ft



40 ACRES #3  
CONCEPT PLAN



JaRob is projected north of College Lane as a Minor Collector requiring an 80' ROW. 40' of the projection is located within the proposed subdivision boundaries. Staff proposes a hybrid road section similar to attached.

Phase 3 requires an additional egress or full development of Ja-Rob??

Phase 3 = +/- 73 lots

Phase 2 = +/- 44 lots

Phase 1 = +/- 25 lots

Actually, a variance request from MC 16.16.050 requiring each lot created to be 35' minimum adjacent to a public street. The flag lots in question (excluding "A") would be +/- 27.5' adjacent to a public street.

- FLAG LOTS ABCDE 120'x140'**
- 20' WIDE CROSS ACCESS EASEMENT w/ CURB LANDSCAPE MAINTENANCE AGREEMENTS REQUIRED
  - PRIVATE DRIVEWAYS
  - NO ACCESS TO COLLEGE

**DRAINAGE**  
 CPS 3, 4, 5, 6 DRAIN TO JAROB  
 CPS 1, 2, 4 PONDEROSA TO DETENT POND w/ 10" CONCRETE SPILL PAN  
 STREET GRADE MIN .30%  
 DETERMINE BFE FOR SUBDIVISION  
 PAVILITE 50' WIDE DRAINAGE BASIN MIN. PER DESIGN REQUIREMENTS

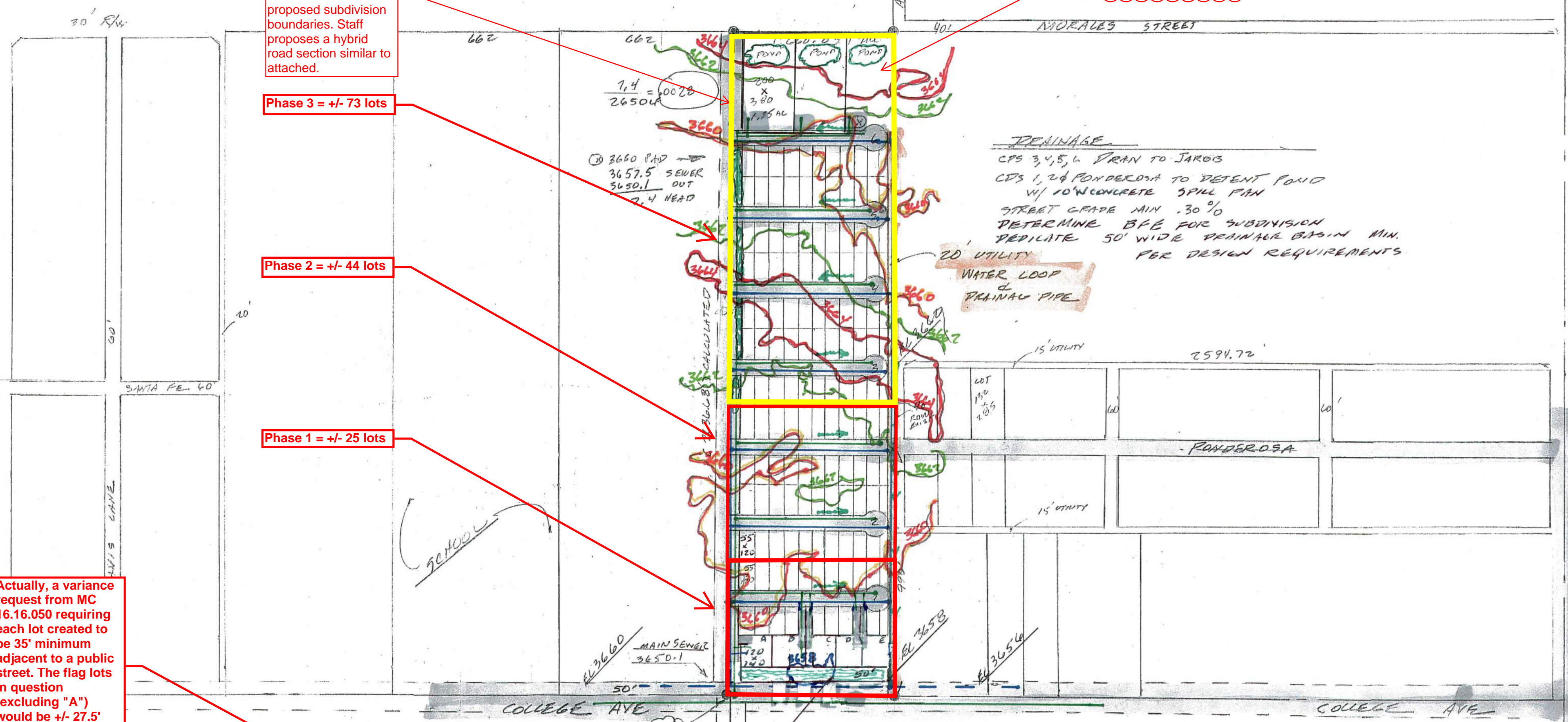
50' WIDE DRAINAGE BASIN

SANITARY SEWER  
 S = .28% 7.4' HEAD  
 2650LF LOT/COLLESA

LOT YIELD	
5	120 x 140
141	55 x 120 ±
3	1.75 AC
<b>149</b>	<b>LOTS</b>

LEMKE 4-29-17  
 REV 5-13-17  
 REV 5-16-17

1" = 300'





## APPENDIX D

# FIRE APPARATUS ACCESS ROADS

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

### SECTION D101 GENERAL

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

### SECTION D102 REQUIRED ACCESS

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

### SECTION D103 MINIMUM SPECIFICATIONS

**D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

**D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade.

**Exception:** Grades steeper than 10 percent as *approved* by the fire chief.

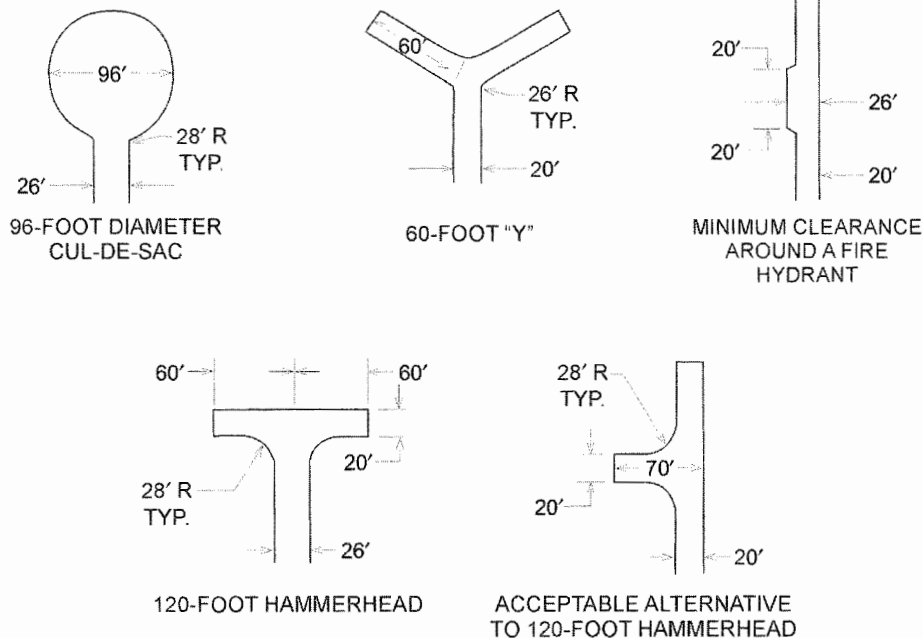
**D103.3 Turning radius.** The minimum turning radius shall be determined by the *fire code official*.

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4  
REQUIREMENTS FOR DEAD-END  
FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one *person*.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the *fire code official*.
8. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**D103.6 Signs.** Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

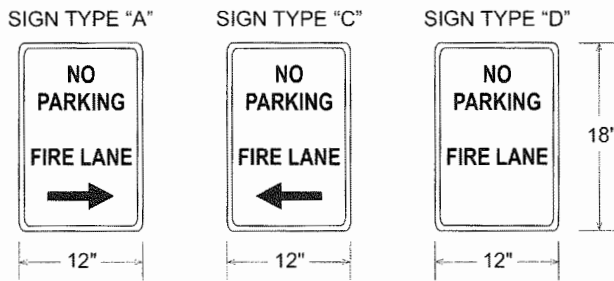


FIGURE D103.6  
FIRE LANE SIGNS

**D103.6.1 Roads 20 to 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).

**D103.6.2 Roads more than 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).

**SECTION D104  
COMMERCIAL AND INDUSTRIAL DEVELOPMENTS**

**D104.1 Buildings exceeding three stories or 30 feet in height.** Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

**D104.2 Buildings exceeding 62,000 square feet in area.** Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m<sup>2</sup>) shall be provided with two separate and *approved* fire apparatus access roads.

**Exception:** Projects having a gross *building area* of up to 124,000 square feet (11 520 m<sup>2</sup>) that have a single *approved* fire apparatus access road when all buildings are equipped throughout with *approved automatic sprinkler systems*.

**D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

**SECTION D105  
AERIAL FIRE APPARATUS ACCESS ROADS**

**D105.1 Where required.** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), *approved aerial fire apparatus access roads* shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

## SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with two separate and *approved* fire apparatus access roads.

**Exception:** Projects having up to 200 *dwelling units* may have a single *approved* fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**D106.2 Projects having more than 200 dwelling units.** Multiple-family residential projects having more than 200 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads regardless of whether they are equipped with an *approved automatic sprinkler system*.

## SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads, and shall meet the requirements of Section D104.3.

### Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

## D108 REFERENCED STANDARDS

ASTM	F 2200—05	Standard Specification for Automated Vehicular Gate Construction	D103.5
ICC	IFC—12	International Fire Code	D101.5, D107.1
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through February 2006	D103.5



**June 20, 2017**  
**Planning Board Regular Meeting**

- 7) **Review and Consider proposed parking & buffering variance for property located at 424 N. Dal Paso.**

City of Hobbs Planning and Zoning Request

Submitted by Judy Hanna  
June 20, 2017  
Submitted Attention Kevin

I respectfully request a variance for parking at 424 N. Dal Paso with a change of usage from office to small retail. The building is 1,424 sq. ft. built on a lot that is greater than 17,000 sq. ft. with parking capabilities for 20 pickup trucks or 25 cars.

Thank you for your consideration in this matter!

Judy Hanna  
Building Owner

Re: On behalf of prospective purchasers of the building

Excerpt from the "City of Hobbs Major Thoroughfare Plan" as per Resolution #4420 adopted November 2005.

(6) Private Drive.

A traveled drive, street, road or way located on private property which is intended to serve the private property. Standards for private drives serving multi-family developments such as large residential apartment complexes or mobile home parks are promulgated herein. Private Drives are not intended to be dedicated as a public street, since the construction does not meet City Street Standards.

Excerpt from the "Minimum Developmental Standards for Buffering, Screening and Lighting Standards" as per Resolution #5482 adopted February 2010.

**D. Alley Access Not Permitted for Employee and Customer Traffic.**

Commercial development or industrial use shall not utilize an alley for parking of unattended vehicles or for access to parking lots. Secondary vehicular access allowing customers for pick-up and delivery to the business site is permitted. Use of the alley to access a drive-up window for taking orders and subsequent pick-up by the customer is not permitted. Commercial and industrial deliveries are permitted as long as the City Noise Ordinance is not violated with night-time deliveries and the delivery vehicle does not block alley traffic. The use of an alley is primarily for residential access, emergency vehicle access, utility access, refuse collection and other service related uses such as loading and unloading. Vehicles utilizing the alley shall not be permitted to idle truck engines (Chapter 8.20).

**15.20.30 Off-street parking.**

A. The following is the minimum off-street parking requirements for all new commercial construction. Off-street parking shall be any vehicle parked on private property. No vehicle shall exit an off-street parking area by backing up into a public street. Parking shall be a minimum of fifteen (15) feet from front or side street curb or pavement edge or as directed by the Engineering Department to minimize visibility hindrances. All existing and proposed public parking areas, including accesses from the public right-of-way, shall be maintained to assure safe passage of motor vehicles.

Parking requirements are as follows:

1. Office or lease space (GFA less storage\warehouse) = 1 space per 200 sq. ft.
2. Assembly areas = 1 space per 4 occupants.
3. Employee Parking (areas within parcel not used to meet parking requirements) = Must be contained within a parcel.
4. All parking shall be accessible from an all-weather asphalt or concrete surface at least 50' in length.

B. Accessible parking shall be as required by the New Mexico Building Code, Table 1106.1. (Ord. 885 (part), 2001: prior code § 7-18)



E Alston St

N Dal Paso St

18

55 ft

31 ft

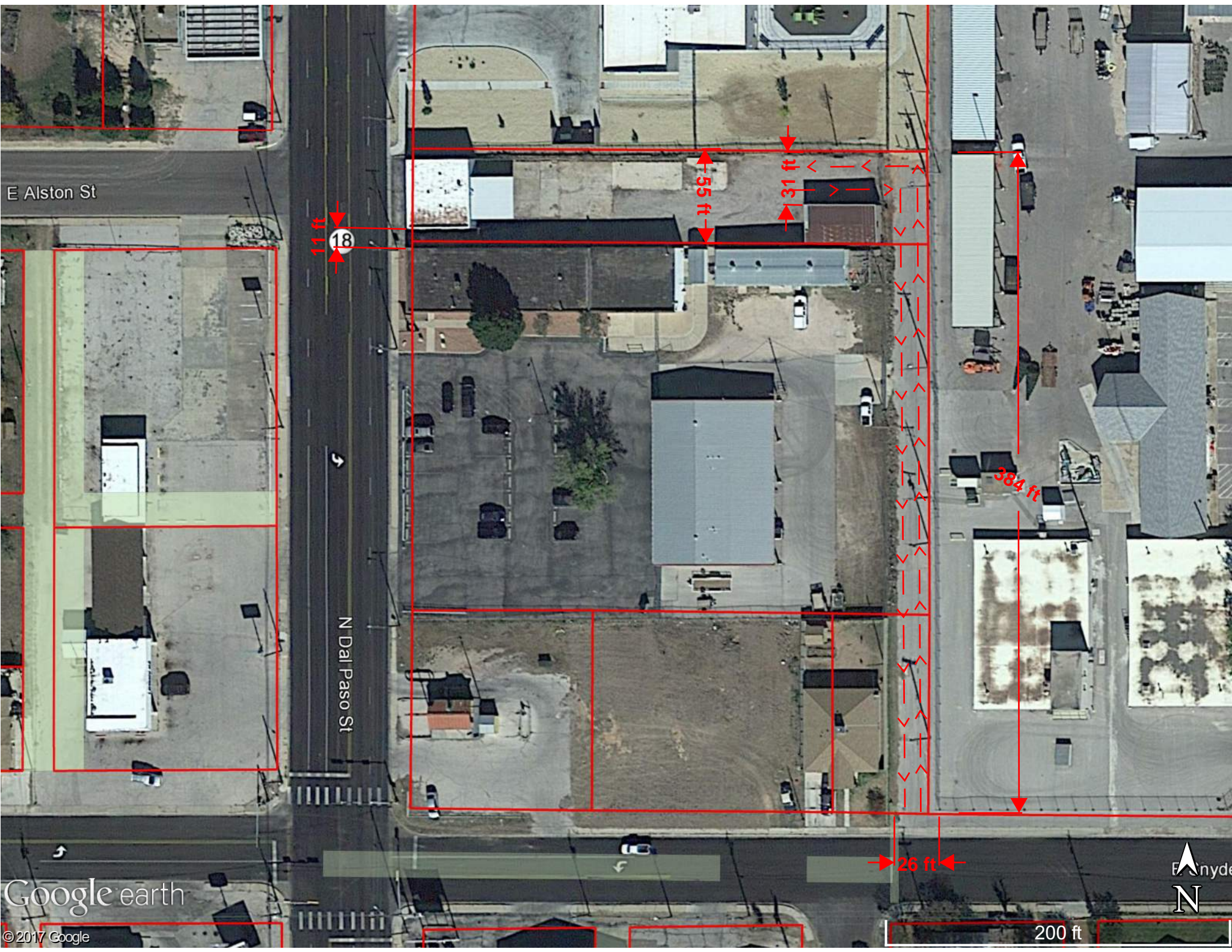
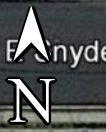
384 ft

26 ft

200 ft

Google earth

© 2017 Google







1,476 sf

HCP

Fire Access



100 ft

**June 20, 2017**  
**Planning Board Regular Meeting**

- 8) **Review and Consider proposed naming of a roadway traversing through Del Norte Park.**



61

N Grimes St

Cortio Cir

N Mohawk St

N Fowler St

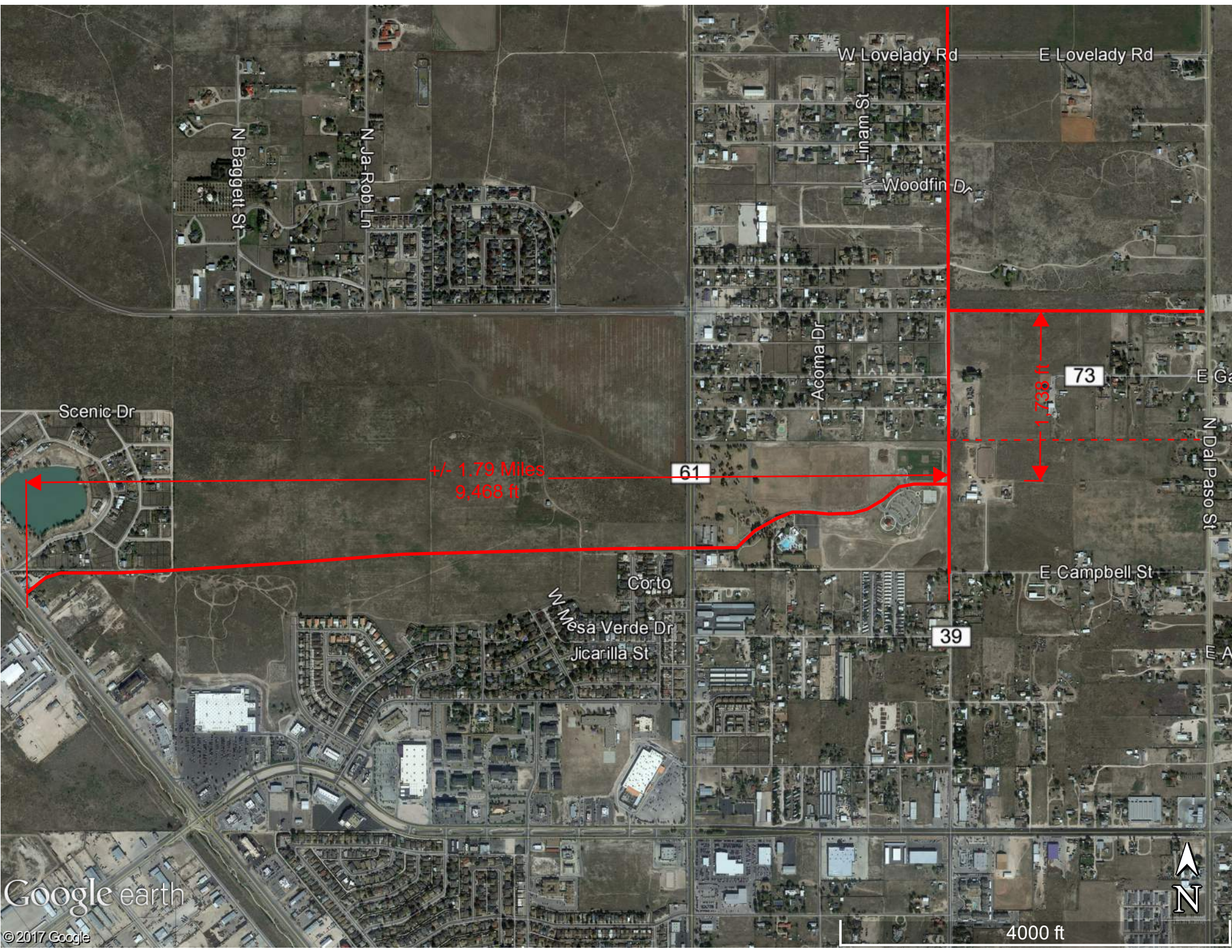
Google earth

© 2017 Google

1000 ft







Google earth

© 2017 Google

+/- 1.79 Miles  
9,468 ft

61

73

39

4000 ft





**June 20, 2017**  
**Planning Board Regular Meeting**

9) **Discussion Items:**

A) **Review of 2018-2022 ICIP and Timeline for 2019-2023 submittals.**

## **2017 ICIP Schedule (2019-2023 ICIP):**

June 16 <sup>th</sup>	Dept. Head Meeting – last yr/this year/forms
June 16 <sup>th</sup>	Dept. Heads –submit projects
June 20 <sup>st</sup>	Planning Board – meeting – Discussion
July 7 <sup>th</sup>	Dept. Heads – last day to submit new projects
July 18 <sup>th</sup>	Planning Board – meeting – select top 10
August 7 <sup>st</sup>	Commission Board – meeting - select top 5
August 21 <sup>th</sup>	Commission Board – agenda - final adoption

# Infrastructure Capital Improvement Plan FY 2018-2022

## Hobbs

### Project Summary

Year	Rank	Project Title	Category	Funded	2019	2020	2021	2022	2023	Total	Amount
				to date						Project	Not Yet
2018	001	Sewer Main Replacement	Utilities (publicly-owned)	18,000,000	7,000,000	7,000,000	7,000,000	0	0	39,000,000	21,000,000
2018	002	WWRF Effluent Reuse Project	Utilities (publicly-owned)	9,466,320	7,000,000	7,000,000	7,000,000	0	0	30,466,320	21,000,000
2018	003	Drainage Master Plan	Storm/Surface Water Control	1,888,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,888,000	5,000,000
2018	004	Taylor Ranch Improvements	PublicParks (local)	6,000,000	14,000,000	5,000,000	5,000,000	5,000,000	5,000,000	40,000,000	34,000,000
2018	005	New Municipal Detention Facility	Public Safety Equipment/ Bldgs	310,000	5,000,000	45,000,000	0	0	0	50,310,000	50,000,000
2018	006	Citywide Wireless Internet	Other	0	2,500,000	1,000,000	1,000,000	1,000,000	1,000,000	6,500,000	6,500,000
2018	007	West College Lane Realignment	Hiways/Roads/Streets/Bridges	90,000	1,250,000	0	0	0	0	1,340,000	1,250,000
2018	008	Health Wellness Learning Center	Public Parks (local)	67,000,000	0	0	0	0	0	67,000,000	0
2018	009	West Bender Widening Project & Drainage	Hiways/Roads/Streets/Bridges	500,000	500,000	7,500,000	0	0	0	8,500,000	8,000,000
2018	010	Southeast and Northwest Bypass	Hiways/Roads/Streets/Bridges	783,000	900,000	0	17,500,000	0	0	19,183,000	18,400,000
2018	011	CDBG Annual Project	Hiways/Roads/Streets/Bridges	1,000,000	530,000	530,000	530,000	530,000	530,000	3,650,000	2,650,000
2018	012	Community Housing Projects	Housing-Related Cap Infra	13,500,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	18,500,000	5,000,000
2018	013	RR Crossing Upgrades and New Crossings	Hiways/Roads/Streets/Bridges	0	250,000	50,000	0	0	0	300,000	300,000
2018	014	WWRF Aerobic Digester Renovation	Wastewater	500,000	250,000	3,650,000	3,100,000	0	0	7,500,000	7,000,000
2018	015	WWRF Tertiary Treatment	Utilities (publicly-owned)	100,000	250,000	2,000,000	2,000,000	0	0	4,350,000	4,250,000
2018	016	HPD Body Camera Program	Public Safety Equipment/ Bldgs	0	750,000	0	0	0	0	750,000	750,000
2018	017	ADA Intersection Improvement Project	Hiways/Roads/Streets/Bridges	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000
2018	018	Traffic Signal Updates	Hiways/Roads/Streets/Bridges	0	600,000	500,000	500,000	500,000	500,000	2,600,000	2,600,000
2018	019	Street Resurfacing	Hiways/Roads/Streets/Bridges	10,000,000	2,000,000	1,000,000	1,000,000	1,000,000	0	15,000,000	5,000,000
2018	020	Water Wells Program	Water Supply	630,000	550,000	600,000	550,000	500,000	0	2,830,000	2,200,000
2018	021	Del Norte Park Expansion Area	Public Parks (local)	1,600,000	4,070,000	0	0	0	0	5,670,000	4,070,000
2018	022	Street Sign Replacement	Hiways/Roads/Streets/Bridges	530,000	500,000	500,000	500,000	500,000	500,000	3,030,000	2,500,000
2018	023	Sanger St Improvements	Hiways/Roads/Streets/Bridges	0	250,000	750,000	750,000	0	0	1,750,000	1,750,000
2018	024	Traffic Study Update	Hiways/Roads/Streets/Bridges	0	350,000	0	0	0	0	350,000	350,000
2018	025	Apache Dr/Fowler St Utilities Extension	Utilities (publicly-owned)	0	150,000	150,000	0	0	0	300,000	300,000
2018	026	SR18 Corridor - Safety / Congestion Improvements	Hiways/Roads/Streets/Bridges	0	500,000	2,500,000	2,500,000	1,500,000	1,500,000	8,500,000	8,500,000
2018	027	HIAP Sewer Extension	Wastewater	0	350,000	0	3,500,000	0	0	3,850,000	3,850,000
2018	028	Manhole Repair Program	Utilities (publicly-owned)	0	60,000	60,000	60,000	60,000	60,000	300,000	300,000
2018	029	Concrete Intersections Program	Hiways/Roads/Streets/Bridges	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000
2018	030	MAP Roadway Rehabilitation Projects	Hiways/Roads/Streets/Bridges	0	600,000	600,000	600,000	600,000	600,000	3,000,000	3,000,000
2018	031	Arterial COOP Project	Hiways/Roads/Streets/Bridges	0	125,000	125,000	125,000	125,000	125,000	625,000	625,000
2018	032	Municipal Recreational Facilities	Public Parks (local)	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000
2018	033	Municipal Vehicles and Equipment	Other	960,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,960,000	5,000,000
2018	034	Infrastructure Extensions	Utilities (publicly-owned)	3,500,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	9,750,000	6,250,000
2018	035	Arterial Roadway Enhancement Projects	Hiways/Roads/Streets/Bridges	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000
2018	036	JOE HARVEY & CENTRAL TRAFFIC SIGNAL	Hiways/Roads/Streets/Bridges	3,000,000	2,000,000	0	0	0	0	5,000,000	2,000,000

Year	Rank	Project Title	Category	Funded to date	2019	2020	2021	2022	2023	Total Project Cost	Amount Not Yet Funded
2018	037	RECREATION STUDY	Public Parks (local)	0	50,000	0	0	0	0	50,000	50,000
2019	001	Aerial Class A Pumper	Fire	0	0	600,000	0	0	0	600,000	600,000
2019	002	FEMA Map Update	Storm/Surface Water Control	0	0	250,000	500,000	500,000	0	1,250,000	1,250,000
2019	003	Outdoor Range Phase II	Public Safety Equipment/ Bldgs	0	0	450,000	0	0	0	450,000	450,000
2019	004	HPD MOBILE COMMAND POST	Public Safety Vehicles	0	0	400,000	0	0	0	400,000	400,000
2019	005	Safety Improvements	Hiways/Roads/Streets/Bridges	0	0	125,000	750,000	750,000	0	1,625,000	1,625,000
2020	001	Wildland Fire Apparatus	Fire	0	0	0	240,000	0	0	240,000	240,000
2020	002	Fowler Street Extension	Hiways/Roads/Streets/Bridges	0	0	0	5,400,000	4,000,000	0	9,400,000	9,400,000
2020	003	Industrial Frontage Road	Hiways/Roads/Streets/Bridges	0	0	0	355,000	3,680,000	0	4,035,000	4,035,000
2020	004	Water System Improvements (North Reservoir)	Water Supply	0	0	0	3,000,000	2,000,000	0	5,000,000	5,000,000
2020	005	Ambulance	Fire	0	0	0	200,000	200,000	0	400,000	400,000
2021	001	New Elevated Water storage	Water Supply	0	0	0	0	3,000,000	0	3,000,000	3,000,000
2021	002	Millen Projection	Hiways/Roads/Streets/Bridges	0	0	0	0	250,000	2,000,000	2,250,000	2,250,000
2022	001	Bensing South Projection	Hiways/Roads/Streets/Bridges	0	0	0	0	0	1,750,000	1,750,000	1,750,000
<b>Number of projects:</b>			<b>50</b>	<b>Funded to Date</b>	<b>Year: 1</b>	<b>Year: 2</b>	<b>Year: 3</b>	<b>Year: 4</b>	<b>Year: 5</b>	<b>Total Project Cost</b>	<b>Total Not Yet Funded:</b>
<b>Grand Totals</b>				<b>139,357,320</b>	<b>58,585,000</b>	<b>93,590,000</b>	<b>69,910,000</b>	<b>31,945,000</b>	<b>19,815,000</b>	<b>413,202,320</b>	<b>273,845,000</b>
				<b>Engineering</b>	<b>Utilities</b>	<b>Planning</b>	<b>Parks &amp; Rec</b>	<b>Police Dept</b>	<b>Streets</b>	<b>IT</b>	<b>Fire Dept</b>

**Project Information** For purposes of the ICIP, a project is any partially funded or unfunded capital improvement for which the entity plans to have funding in place during state fiscal years FY 2019-2023 (July 1, 2018 to June 30, 2023). **DO NOT INCLUDE ANY FULLY FUNDED PROJECTS or PLACEHOLDER PROJECTS.** This worksheet provides pages for only one FY 2019-2023 project. If you would like more blank worksheets for additional projects, please copy this form before you fill in the blanks. Information must be entered into the website. Do not submit these worksheets with the ICIP submission.

1. **Project Title:** (50 maximum characters allowed) Provide a short, but descriptive title. Example: Gold Street Improvements or WWTP Upgrades. Do not include descriptives i.e., Pln, Dsgn, Acq, Const, etc. in the title. Use sentence title structure. "Senior Center Renovations". \_\_\_\_\_

2. **Project Contact Information:** (Provide name and contact information of individual who be able to provide detailed information on the project)

Project Contact Name: \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

3. **Year:** (List year project will begin. This year must match the budget. Example: Project begins in 2019 – first budget item should begin in 2019.) \_\_\_\_\_

4. **Plan Project Priority Year and Rank:** (Enter the appropriate project year (**FY 2019-2023**), then rank your projects **1-401**): 201\_\_\_\_ - \_\_\_\_ (The database will not allow you to list the same rank for multiple projects. The first 2019 top 5 projects listed may begin with preference if your entity is seeking State Capital Outlay funds or other state funding.)

5. **Project Type:** (If your project is a brand new project you will choose the category – “New”. If you are upgrading or renovating an existing building, choose “Renovate/Repair; if you are relining lagoons or replacing waterline, choose Replacing Existing.) New ; Replacing Existing ; or Renovate/Repair

6. **Category:** (Choose one of the following categories. Note that several categories may fit your project; however, choose the BEST, most descriptive category. Each category includes buildings, vehicles, equipment, land acquisition, and other infrastructure. All categories apply to both state and local infrastructure unless otherwise indicated.)

- |   |  |
|---|--|
| <input type="checkbox"/> Acequias                           | <input type="checkbox"/> Medians                           |
| <input type="checkbox"/> Adm/Service Facilities             | <input type="checkbox"/> Museums                           |
| <input type="checkbox"/> Airports                           | <input type="checkbox"/> Overpasses                        |
| <input type="checkbox"/> Arts (other than museums)          | <input type="checkbox"/> Other                             |
| <input type="checkbox"/> Clean Energy                       | <input type="checkbox"/> Public Education (state only)     |
| <input type="checkbox"/> Colonias                           | <input type="checkbox"/> Public Parks (local)              |
| <input type="checkbox"/> Convention Facilities              | <input type="checkbox"/> Public Safety Equipment           |
| <input type="checkbox"/> Cultural Facilities                | <input type="checkbox"/> Public Safety Vehicles            |
| <input type="checkbox"/> Daycare Facilities                 | <input type="checkbox"/> Rest Areas                        |
| <input type="checkbox"/> Domestic Violence Facilities       | <input type="checkbox"/> Senior Facilities                 |
| <input type="checkbox"/> Economic Development               | <input type="checkbox"/> Solid Waste                       |
| <input type="checkbox"/> Fair Facilities (state only)       | <input type="checkbox"/> State Gov. Facilities (not local) |
| <input type="checkbox"/> Fire                               | <input type="checkbox"/> State Parks (not local)           |
| <input type="checkbox"/> Health-Related Cap Infrastructure  | <input type="checkbox"/> Storm/Surface Water Control       |
| <input type="checkbox"/> Higher Education (state only)      | <input type="checkbox"/> Transit                           |
| <input type="checkbox"/> Highways/Roads/Bridges             | <input type="checkbox"/> Utilities (publicly owned)        |
| <input type="checkbox"/> Housing-Related Cap Infrastructure | <input type="checkbox"/> Wastewater                        |
| <input type="checkbox"/> Landfills                          | <input type="checkbox"/> Water Rights                      |
| <input type="checkbox"/> Lighting                           | <input type="checkbox"/> Water Supply                      |
| <input type="checkbox"/> Libraries                          |  |

7. **Project Location: MANDATORY.**

(50 characters maximum) (Physical address or mid-point address if city/county wide project)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

8. **Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_ MANDATORY**

(20 maximum characters allowed each) (Utilizing address listed in Project Location, go to

<http://itouchmap.com/latlong.html> or <http://www.gps-coordinates.net/> for Latitude and Longitude.) List in decimal degrees. Example: Latitude 35.683263; Longitude -105-942546.

9. **Legislative Language:** (500 maximum characters allowed) Provide recommended Legislative language. Include action words, such as "To plan and design" or "To design and construct" as well as what the project is, such as "a multipurpose center". Provide a broad statement of the work to be completed in this section. Anticipate any expenses that may arise that are not included in your project budget; i.e., Equipment and Furnishings. Do not include justification for the project, only specifics on the projected use of the requested funding. It is important to complete this section, as it is tied to how funding may be used.

Type Response in Box.

Example: To plan, design, construct, furnish and equip a new Fire Station for the City of \_\_\_\_\_, City, State, in \_\_\_\_\_ County.

10. **Description/Scope of Work:** (2000 maximum characters allowed) Provide a brief description of work to be completed. Must match budget categories. (i.e., complete Environmental Studies, plan, design, and construct). Do not include justification for the project, only specifics on the project itself and any funds that may have already been expended, and what is being requested in order to complete next phase or complete the project. If street/roads/hwy. project, include street name(s).

Type in response in Box:

Example – New Fire Station

Plan, design, and construct a new Fire Station. The building will be 10,000 sq. ft. pre-engineered metal building with a cultured stone/EIFS finish on exposed exterior areas, with two "40' X 80' apparatus bays. The project will be completed in three phases. Phase I will include the easements, cultural resource inventory, environmental assessment, the planning, design and the first half of the construction. The phase will take 12 months with some of the studies being completed concurrently. Phase II consists of the second half of the construction and will be completed in 12 months. Phase III will include the purchase of furnishings and equipment to include furnishings and equipment include tables, chairs, office desks and furniture, commercial kitchen appliances, cots, storage lockers and fire safety equipment. The project will be designed by a registered professional engineer and construction services procured through a sealed bid process.

**11. Secured & Potential Funding Budget**

[State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc. Amount Secured must match Funded to Date column in the Project Budget.]

Please complete table below with all secured and potential funding sources. (No decimals or dollar symbols \$) Instructions are available on the ICIP Data Entry manual, pages 17-18 which can be found on the ICIP website at <http://nmdfa.state.nm.us/ICIP.aspx>.

<b>Funding Source(s)</b>	<b>Funding Amount</b>	<b>Applied For? Yes or No</b>	<b>Amount Secured</b>	<b>Amount Expended to Date</b>	<b>Date(s) Received</b>	<b>Comment</b>
<b>Totals</b>	<b>\$0.00</b>		<b>\$0.00</b>	<b>\$0.00</b>		





### 13. PHASING BUDGET

Can this project be phased? Y  N  (If yes, please complete table below)

**Phase:** A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project. Phases can be grouped into three main categories: Planning, Design, and Construction.

**Project Phases: MANDATORY IF YOU ARE PHASING YOUR PROJECT IN TO TWO OR MORE PHASES.** Provide the unfunded amount, category, and # of months to complete for each phase. (Do not use decimals, or \$ signs) (Total Phase Amount Must Equal Amount Not Yet Funded in Budget) Instructions available in the ICIP Data Entry manual, pages 23-25, which can be found on the ICIP website at <http://nmdfa.state.nm.us/ICIP.aspx>.

Can this project be phased?  Yes  No (If yes, please complete table below. MANDATORY)

**Phase:** A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project. Phases can be grouped into three main categories: Planning, Design and Construction.

**Project Phases:** Provide the unfunded amount, category and # of months to complete each phase. (No commas, decimals or \$.)

Phase Number	Amount	Plan	Design	Construct	Furnish/Equip	Other (Water Rights, ROW, Easements, Acquisition)	# Months to Complete
Phase 1							
Phase 2							
Phase 3							
Phase 4							
Phase 5							
<b>Totals</b>							

**14. Has your local government/agency budgeted for operating expenses for the project when it is completed?**

- Y  If Yes – please complete operating budget below.  
 N  If no – please explain. (150 maximum characters)

Type response in box.

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**ANNUAL OPERATING BUDGET**

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	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Annual Operating Expenses plus Debt Service</b>					
<b>Annual Operating Revenues</b>					

**15. Does the project lower operating costs?**      Y    N

If yes, explain and provide estimates of operating savings. (Include amount of savings.)

Type response in box.

**16. Identify who will assume the following responsibilities related to this project**

(50 maximum characters for each.)

Own: \_\_\_\_\_

If private entity or non-profit, is a lease or operating agreement in place with the local government? Y    N

Operate: \_\_\_\_\_

If private entity or non-profit, is a lease or operating agreement in place with the local government? Y    N

Fiscal Agent: \_\_\_\_\_

Own Land: \_\_\_\_\_

If private entity or non-profit, is a lease or operating agreement in place with the local government? Y    N

Own Asset: \_\_\_\_\_

If private entity or non-profit, is a lease or operating agreement in place with the local government? Y    N

Maintain: \_\_\_\_\_

If private entity or non-profit, is a lease or operating agreement in place with the local government? Y    N

**17. (1.) Does the project have 10 years or more of actual use?**      Y    N

**18. (2.) Has the project had public input and buy-in?**      Y    N

**19. (3.) Is the project necessary to address population or client growth, and if so will it provide services to that population or clientele?**      Y    N

20. (4.) Has the land for the project been acquired? Y  N

21. (5.) Is the project a regional priority? For example, is it supported by more than one local government entity? Y  N

Please explain.

Type response in box.

22. (6.) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Y  N

What department or department head would be in charge of oversight for the project? Provide name of procurement officer(s).

Please explain.

Type response in box.

23. (7.) Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? Y  N

Please explain.

Type response in box.

24. (8.) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Y  N

Please explain.

Type response in box.

25. (9.) Does the project benefit all citizens within a recognized region, district or political subdivision? Y  N

Please explain and provide the number of people the project will benefit.

Type response in box.

26. (10.) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. Y  N

Please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate, such as Declaration of Emergency, Administrative Order, Notice of Violation, or other.

Type response in box.

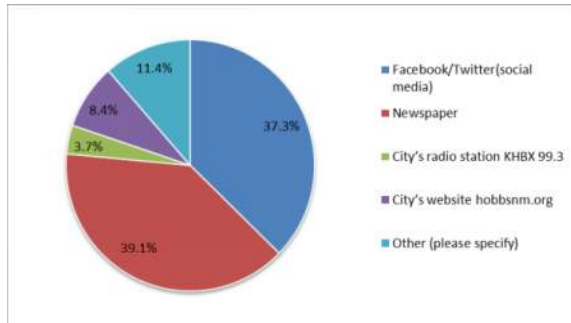


IT ALL HAPPENS HERE™

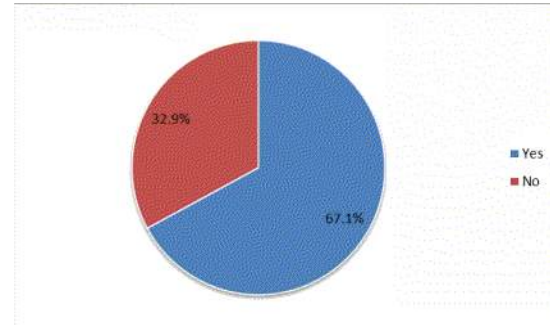
## City of Hobbs 2017 Survey Results

Here are the results of the recently conducted City of Hobbs Survey. For questions about the survey or the survey results call 575-391-4103 or email [survey@hobbsnm.org](mailto:survey@hobbsnm.org).

### How would you like to receive City updates and information?



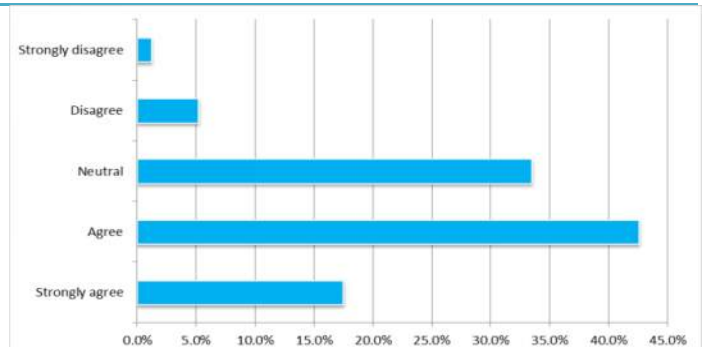
### Does traffic enforcement in hobbs meet the needs of the community?



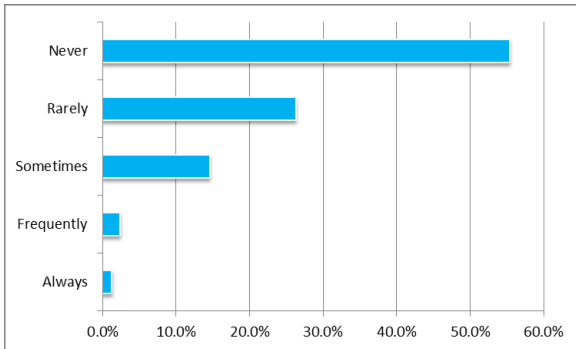
### Please rate the quality of each of the following City of Hobbs Services:

Answer Options	Excellent	Good	Fair	Poor	Don't Know	Response Count
Police services	38%	43%	11%	4%	4%	621
Fire services	49%	38%	3%	0%	9%	618
Ambulance or emergency medical services	43%	36%	6%	2%	13%	618
Customer service at NM State MVD - Hobbs office	10%	26%	31%	27%	6%	623
Street cleaning	16%	45%	26%	10%	3%	610
Citizen self-service website (online bill pay)	13%	25%	10%	4%	48%	601
City utilities (water and sewer)	21%	50%	19%	6%	5%	618
Traffic signal timing	8%	37%	34%	20%	1%	622
Hobbs Express (public transportation)	9%	18%	5%	2%	66%	608
Library's public computer labs	12%	20%	6%	1%	61%	605
Library's young adult programming and services	11%	16%	6%	1%	66%	612
Online employment application process	5%	15%	11%	3%	66%	606
Street repair	7%	26%	37%	26%	4%	609
Animal control	9%	34%	29%	16%	12%	613
Code enforcement (weeds, abandoned buildings, etc.)	6%	24%	30%	34%	7%	612
Building inspection	6%	19%	16%	9%	50%	609
Parks	29%	50%	13%	3%	5%	617
Pools	25%	41%	11%	2%	21%	615
Sports fields	26%	42%	9%	3%	21%	615
Teen Center	12%	21%	9%	4%	55%	613
Senior Center	16%	24%	8%	1%	51%	612
Cemeteries	18%	43%	12%	4%	23%	614
Rockwind Community Links	24%	21%	4%	2%	49%	609
Municipal Courts Service	10%	26%	19%	8%	37%	243

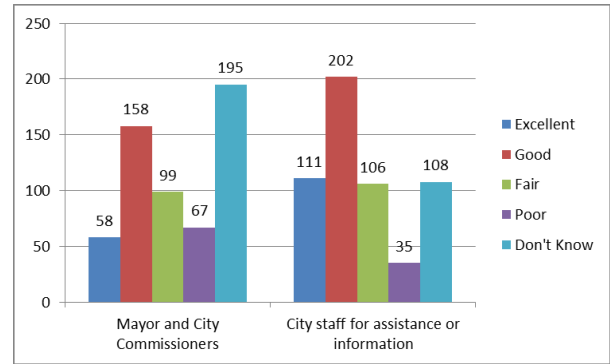
The Hobbs Parks & Rec Department provides classes, programs, special events and activities that are fun, safe and enjoyable for all residents?



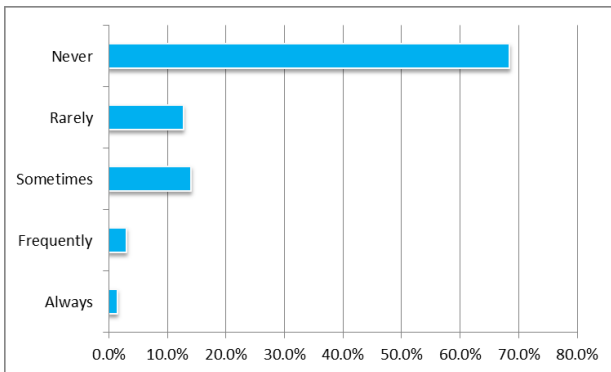
**How often do you attend City of Hobbs Commission meetings?**



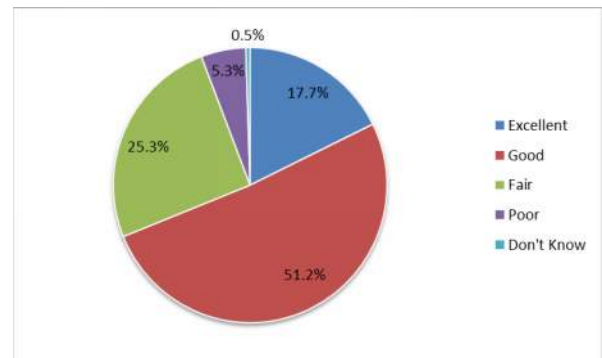
**Please rate each of the following on accessibility:**



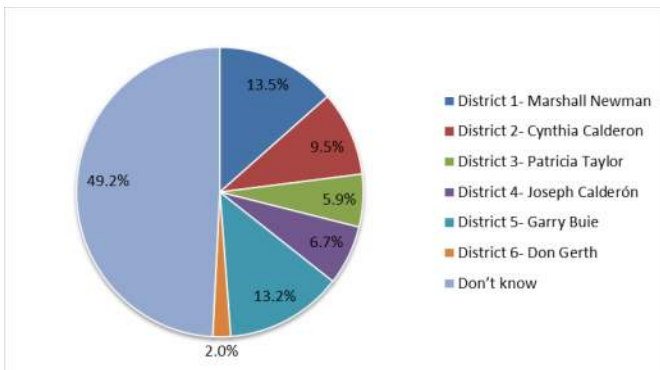
**How often do you watch City of Hobbs Commission Meetings at [www.hobbsnm.org](http://www.hobbsnm.org)?**



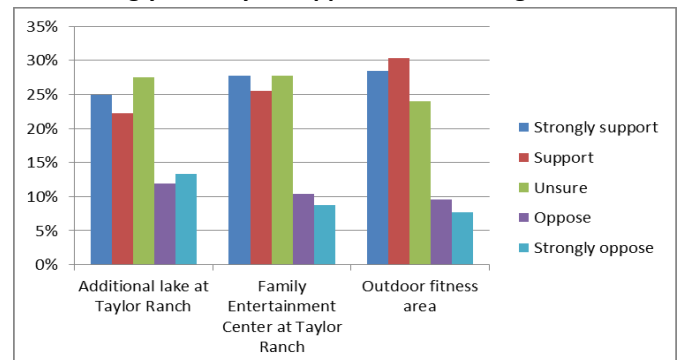
**How would you rate the overall service for the City of Hobbs?**



**Please check the name of your City Commissioner:**



**How strongly would you support the following:**



**Please rate in order where you would like to see the city invest more money (1 is most important to you, 5 is least important to you):**

Answer Options	1	2	3	4	5	Rating Average	Response Count
Public safety	285	85	73	30	49	1.99	522
Taylor Ranch upgrades	76	59	99	112	173	3.48	519
Drainage improvements	145	135	146	69	33	2.45	528
Continued housing incentives	80	77	98	120	152	3.35	527
Infrastructure upgrades	154	144	118	66	52	2.47	534

**June 20, 2017**  
**Planning Board Regular Meeting**

**9) Discussion Items:**

**B) MC 2.01 and the City of Hobbs Governmental Conduct Act/Financial Disclosure Act Forms.**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 5, 2017

**SUBJECT: FINAL ADOPTION OF AN ORDINANCE REPEALING RESOLUTION 5329 CODE OF ETHICS/RELATED PARTY POLICY FOR THE CITY OF HOBBS AND ADOPTING AN ORDINANCE AMENDING CHAPTER 2 OF THE HOBBS MUNICIPAL CODE WHICH SHALL BE THE CITY OF HOBBS CODE OF CONDUCT.**

DEPT. OF ORIGIN: Legal  
DATE SUBMITTED: May 24, 2017  
SUBMITTED BY: Michael H. Stone, City Attorney

Summary: The City's Code of Ethics/Related Party Policy was adopted via Resolution 5329 on June 1, 2009. The State of New Mexico Legislature made changes to the State's ethics statute, the Governmental Conduct Act, which made the Act applicable to municipalities as of July 1, 2011. The proposed ordinance very closely tracks the language of the Governmental Conduct Act as the same applies to municipalities and shall serve to replace Resolution 5329. This proposed ordinance has been appropriately published and is now ready for consideration of final approval.

Fiscal Impact:

Reviewed By: [Signature]  
Finance Department

No foreseeable fiscal impact.

Attachments:

Proposed Ordinance and accompanying Public Officer Disclosure Form and Employee Disclosure Form

Legal Review:

Approved As To Form: [Signature]  
City Attorney

Recommendation:

Adopt the Ordinance.

Approved For Submittal By:

[Signature]  
Department Director  
[Signature]  
City Manager

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COMMISSION ACTION TAKEN

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

Chapter 2.01 – Code of Conduct

2.01.010 - Purpose.

The proper administration of democratic government requires that public officials be independent, impartial and responsible to the people; that government decisions and policy be made in the best interest of the people, the community and the government; and that the public have confidence in the integrity of its government. In recognition of these goals, the following City of Hobbs Code of Conduct shall apply to all Public Officers and Employees.

2.01.020 – Definitions.

The following definitions shall apply to the City of Hobbs Code of Conduct:

"Anything of value" means any money, property, service, loan or promise, but does not include food and refreshments with a value of less than one hundred dollars (\$100) consumed in a day;

"Business" means a corporation, partnership, sole proprietorship, firm organization or individual carrying on a business;

"Confidential information" means information that by law or practice is not available to the public;

"Contract" means an agreement or transaction having a value of more than one thousand dollars (\$1,000) with the City of Hobbs for:

- (a) The rendition of services, including professional services;
- (b) The furnishing of any material, supplies or equipment;
- (c) The construction, alteration or repair of any public building or public work;
- (d) The acquisition, sale or lease of any land or building;
- (e) A licensing agreement;
- (f) A loan or loan guarantee; or the purchase of financial securities or instruments;

"Contribution" means a donation or transfer to a recipient for the personal use of the recipient, without commensurate consideration;

"Employment" means rendering of services for compensation in the form of salary as an employee;

"Family" means an individual's spouse, parents, children or siblings, by consanguinity or affinity;

"Financial interest" means an interest held by an individual or the individual's family that is:

- (a) An ownership interest in business or property; or
- (b) Any employment or prospective employment for which negotiations have already begun;

"Honorarium" means payment of money, or anything of value in excess of one hundred dollars (\$100), but does not include reasonable reimbursement for meals, lodging or actual travel expenses incurred in making a speech or rendering a service, or payment or compensation for services rendered in the normal course of a private business pursuit.

"Official act" means an official decision, recommendation, approval, disapproval or other action that involves the use of discretionary authority;

"Public officer or employee" means any elected or appointed official or employee of the City of Hobbs who receives compensation in the form of salary or is eligible for per diem or mileage;

"Substantial interest" means an ownership interest that is greater than twenty percent.



2.01.030 – Public Trust.

- A. A public officer or employee shall treat the public officer's or employee's government position as a public trust and as such shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests.
- B. A public officer or employee shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.
- C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.

2.01.040 – Improper Influence and Gifts.

- A. A public officer or employee shall not request or receive, and no person may offer a public officer or employee, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act. A violation of this section, pursuant to NMSA 1978, §10-16-3, may constitute a fourth degree felony under the laws of the State of New Mexico.
- B. A business that contracts with the City of Hobbs to provide financial services involving the investment of public money or issuance of bonds for public projects shall not knowingly contribute anything of value to a public officer or employee who has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects.
- C. A public officer or employee that has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects, shall not knowingly accept a contribution of anything of value from a business that contracts with the City of Hobbs to provide financial services involving the investment of public money or issuance of bonds for public projects.

2.01.050 – Conflicts of Interests.

- A. A public officer or employee shall not take an official act for the primary purpose of directly enhancing the public officer's or employee's financial interest or financial position. A violation of this section, pursuant to NMSA 1978, §10-16-4, may constitute a fourth degree felony under the laws of the State of New Mexico.
- B. A public officer or employee shall be disqualified from engaging in any official act directly affecting the public officer's or employee's financial interest, except a public officer or employee shall not be disqualified from engaging in an official act if the financial benefit of the financial interest to the public officer or employee is proportionately less than the benefit to the general public.
- C. A public officer during the term for which elected and a public employee during the period of employment shall not acquire a financial interest when the public officer or employee believes or should have reason to believe that the new financial interest will be directly affected by the officer's or employee's official act.
- D. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to an employee supervised by the public officer or employee.

This section does not apply if the employee is not supervised by the public officer or employee that is otherwise the seller.

- E. A public officer or employee shall not receive a commission or shall not profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to an employee supervised by the public officer or employee. This section does not apply if the employee is not supervised by the public officer or employee that is the recipient of the commission or profit.
- F. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property, directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to a person over whom the public officer or employee has regulatory authority.
- G. A public officer or employee shall not receive a commission or profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to a person over whom the public officer or employee has regulatory authority.
- H. The City of Hobbs shall not enter into a contract with a public officer or employee, with the family of the public officer or employee or with a business in which the public officer or employee or the family of the public officer or employee has a substantial interest unless the public officer or employee has disclosed the public officer's or employee's substantial interest through public notice and unless a contract is awarded pursuant to a competitive process.

This subsection does not apply to a contract of official employment with the City of Hobbs. A person negotiating or executing a contract on behalf of the City of Hobbs shall exercise due diligence to ensure compliance with the provisions of this section.

- I. A public officer or employee shall not use or disclose confidential information, acquired by virtue of the public officer's or employee's position with the City of Hobbs, for the public officer's or employee's or another person's private gain.
- J. A public employee who is participating directly or indirectly in the contracting process shall not become, while such an employee, the employee of the outside person or business contracting with the City of Hobbs.
- K. A public officer or employee shall not accept from a person over whom the public officer or employee has regulatory authority an offer of employment or an offer of a contract in which the public officer or employee provides goods, services, construction, items of tangible personal property or other things of value to the person over whom the public officer or employee has regulatory authority.
- L. A public officer or employee shall not request or receive an honorarium for a speech or service rendered that relates to the performance of public duties.
- M. The City of Hobbs shall not accept a bid or proposal from a person who directly participated in the preparation of specifications, qualifications or evaluation criteria on which the specific competitive bid or proposal was based. A person accepting a bid or proposal on behalf of the City of Hobbs shall exercise due diligence to ensure compliance with this section.

2.01.060 – Former Public Employees.

- A. The City of Hobbs shall not enter into a contract with, or take any action favorably affecting, any person or business that is:
  - 1. represented personally in the matter by a person who has been a public officer or employee of the City of Hobbs within the preceding year if the value of the contract or action is in excess of one thousand dollars (\$1,000) and the contract is a direct result of an official act by that former public officer or employee; or
  - 2. assisted in the transaction by a former public officer or employee of the City of Hobbs whose official act, while in employment with the City, directly resulted in the City making the contract or taking the action.
- B. A former public officer or employee shall not represent a person in the person's dealings with the City of Hobbs on a matter in which the former public officer or employee participated personally and substantially while a public officer or employee.
- C. A former public officer or employee shall not represent for pay a person before the City of Hobbs, including any City division, for a period of one year after leaving public service or employment with the City.

2.01.070 – Political Activity.

- A. A public officer or employee shall not directly or indirectly coerce or attempt to coerce another public officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political purpose.
- B. A public officer or employee shall not threaten to deny a promotion or pay increase to an employee who does or does not vote for certain candidates, requiring an employee to contribute a percentage of the employee's pay to a political fund, influencing a subordinate employee to purchase a ticket to a political fundraising dinner or similar event, advising an employee to take part in political activity or similar activities.
- C. A public officer or employee shall not use the property of the City of Hobbs for their benefit as it relates to any political purpose.

2.01.080 – Implementation.

- A. The City of Hobbs Code of Conduct shall be reviewed at least once every four years from the time of its adoption.
- B. Within thirty (30) days after the City of Hobbs Code of Conduct is adopted, a copy shall be given to and reviewed with all public officers and employees. All new public officers and employees shall review the City of Hobbs Code of Conduct prior to or at the time of assuming office (public officer) or being hired (employee).
- C. The City Manager shall adopt ongoing education programs to advise public officers and employees about the City of Hobbs Code of Conduct.
- D. Nothing in the City of Hobbs Code of Conduct shall relieve any member of the City Commission or the Mayor from the obligations imposed by Section 2.04.060(H) of the Hobbs Municipal Code.

2.01.090 – Required Disclosures.

- A. Every public officer shall complete a "Public Officer Disclosure Form," as the same may be amended from time to time, upon taking office or within thirty (30) days of adoption of the City of Hobbs Code of Conduct, whichever is applicable. The public officer shall be required to file the same with the Office of the City Clerk for the City of Hobbs.
- B. Every public officer shall complete a "City of Hobbs Financial Disclosure Form," as the same may be amended from time to time, upon taking office or within thirty (30) days of adoption of the City of Hobbs Code of Conduct, whichever is applicable. The public officer shall be required to file the same with the Office of the City Clerk for the City of Hobbs.
- C. Every public employee shall complete an "Employee Disclosure Form," as the same may be amended from time to time, upon hire or within thirty (30) days of adoption of the City of Hobbs Code of Conduct, whichever is applicable. The public employee shall be required to return the same to the Human Resources office for the City of Hobbs.
- D. Every public employee shall complete a "City of Hobbs Financial Disclosure Form," as the same may be amended from time to time, upon hire or within thirty (30) days of adoption of the City of Hobbs Code of Conduct, whichever is applicable. The public employee shall be required to return the same to the Human Resources office for the City of Hobbs.
- E. Every public officer and employee shall be required to complete and file/return the forms outlined herein every December of every year thereafter.
- F. Every public officer and employee has a duty to update their individual forms outlined herein as their individual circumstances may change.
- G. The forms outlined herein shall constitute "Public Records" for the purposes of the Inspection of Public Records Act (NMSA 1978, §§14-2-1, et seq.).

2.01.100 – Enforcement.

- A. It shall be the responsibility of every individual public officer and employee to adhere to the City of Hobbs Code of Conduct.
- B. A violation of the City of Hobbs Code of Conduct by any public officer may be referred to the State of New Mexico's Attorney General's Office or the District Attorney's Office for investigation and/or legal action.
- C. A violation of the City of Hobbs Code of Conduct by any public employee is grounds for discipline, including suspension, demotion or dismissal.
- D. Any violation of the City of Hobbs Code of conduct may be subject to the enforcement procedures outlined in NMSA 1978, §§10-16-14, 10-16-17, and 10-16-18, which include both criminal and civil penalties in a court of competent jurisdiction in the State of New Mexico if the same is determined to have been a violation of the Governmental Conduct Act.
- E. Any individual, other than an individual suspected of committing a violation, who cooperates as a fact witness or reporting party in an investigation of a violation of the City of Hobbs Code of Conduct shall not be dismissed, threatened with dismissal, or otherwise retaliated against by any public officer or employee on the basis of their cooperation.

PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2017.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

**CITY OF HOBBS  
GOVERNMENTAL CONDUCT ACT AND  
FINANCIAL DISCLOSURE ACT  
EMPLOYEE DISCLOSURE FORM - 2017**

Effective July 1, 2011, the State of New Mexico amended the Governmental Conduct Act, NMSA 1978, § 10-16-1, et seq., to apply to employees of local governments. The Act states that public employees shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests. It also states, "Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service." NMSA 1978, § 10-16-3.

Pursuant to NMSA 1978, §10-16-4.2, "A public officer or employee shall disclose in writing to the officer's or employee's respective office or employer all employment engaged in the by the officer or employee other than the employment with or service to a state agency or local government agency." The Act defines employment as meaning the "rendering of services for compensation in the form of salary as an employee." This includes being self-employed. It does not include being an unpaid volunteer for an organization.

1. Please provide a list of all employment you hold other than with the City of Hobbs:

A. \_\_\_\_\_  
 (Name of Employer) (Employer Address)

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(Type of Business) (Position held with Employer) (Part Time/Full Time)

B. \_\_\_\_\_  
 (Name of Employer) (Employer Address)

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(Type of Business) (Position held with Employer) (Part Time/Full Time)

C. \_\_\_\_\_  
 (Name of Employer) (Employer Address)

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(Type of Business) (Position held with Employer) (Part Time/Full Time)

I have no employment other than my employment with the City of Hobbs.

The State of New Mexico has adopted the Financial Disclosure Act, NMSA 1978, §10-16A-1, et seq., which requires disclosure of financial interests by state officials and employees, particularly when they may influence official actions. The City of Hobbs seeks to require the following additional information.

2. Spouse of Reporting Individual:

Last Name	First Name	Middle
Name of Spouse's Employer		
Address of Spouse's Employer		
City	State	Zip
Spouses Title or Position Held		Nature of Business or Occupation

3. Real estate interest owned in Lea County, New Mexico: (other than personal residence)

Name	Address	General Description

4. Any other business interests not previously disclosed herein in Lea County, New Mexico of \$10,000 or more:

Name of Business	Position Held	By Whom (individual or spouse)	Business Purpose

5. Memberships held by reporting individual (or his/her spouse) on boards for **for-profit** businesses in Lea County, New Mexico:

Name of Business

Board Member (individual or spouse)

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6. Provide whatever other financial interest or additional information you believe should be noted to describe potential areas of interest that should be disclosed, or (as applicable) you believe or have reason to believe, may be affected by your official acts:

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PLEASE ATTACH ADDITIONAL SHEETS OF PAPER IF MORE SPACE IS NEEDED.

I understand that (Please initial):

\_\_\_\_\_ Missing, incomplete, misleading, or false information may be grounds for disciplinary action, including, but not limited to suspension, demotion, and/or dismissal.

\_\_\_\_\_ I must inform the City in writing any time there are changes to the information I have given above.

\_\_\_\_\_ The Governmental Conduct Act imposes civil and criminal penalties for its violation.

I hereby swear or affirm under penalty of perjury that the foregoing information is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Job Title / Classification

\_\_\_\_\_  
Date