

# 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

*July 1, 2024*



## **Hobbs City Commission**

Regular Meeting

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

**Monday, July 1, 2024 - 6:00 p.m.**

Sam D. Cobb, Mayor

R. Finn Smith  
Commissioner – District 1

Christopher R. Mills  
Commissioner – District 2

Larron B. Fields  
Commissioner – District 3

Joseph D. Calderón  
Commissioner – District 4

Dwayne Penick  
Commissioner – District 5

Don R. Gerth  
Commissioner – District 6

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## **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](http://www.hobbsnm.org)

### **CALL TO ORDER AND ROLL CALL**

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MINUTES**

1. Minutes of the June 17, 2024, Regular Commission Meeting (*Jan Fletcher, City Clerk*)

### **PROCLAMATIONS AND AWARDS OF MERIT**

2. Recognition of Capt. Marina Barrientes as a Graduate of the FBI National Academy (*August Fons, Police Chief*)
3. Recognition of the Hobbs Police Department Graduates of the Law Enforcement Academy (*August Fons, Police Chief*)

4. Proclamation Proclaiming the Month of July, 2024, as “Parks and Recreation Month” (Doug McDaniel, Recreation Director; and Bryan Wagner, Parks and Open Space Director)

**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**

None

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

5. Resolution No. 7501 – Relating to the Deletion and Removal of a Crematorium from the Hobbs Animal Adoption Center Inventory (Jessica Silva, Community Services Superintendent)
6. Resolution No. 7502 – Authorizing a Memorandum of Understanding with the University of the Southwest for Use of the University’s Kitchen for Senior Meal Services (Doug McDaniel, Recreation Director)
7. Resolution No. 7503 – Authorizing a Grant Application with the Health Resources and Services Administration Community Project Funding/Congressionally Directed Spending in the Amount of \$400,000.00 for the Purchase of an Ambulance (Mark Doporto, Fire Chief)

## **COMMENTS BY CITY COMMISSIONERS, CITY MANAGER**

8. Next Meeting Dates:

➤ **City Commission Regular Meeting:**

- Monday, July 15, 2024, at 6:00 p.m.
- Monday, August 5, 2024, at 6:00 p.m.
- Monday, August 19, 2024, 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: July 1, 2024

**SUBJECT: City Commission Meeting Minutes**

DEPT. OF ORIGIN: City Clerk's Office  
DATE SUBMITTED: June 28, 2024  
SUBMITTED BY: Jan Fletcher, City Clerk

**Summary:**

The following minutes are submitted for approval:

- Regular City Commission meeting held on June 17, 2024

**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. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

Minutes of the regular meeting of the Hobbs City Commission held on Monday, June 17, 2024, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico. This meeting was also broadcast via Livestream on the City's website at [www.hobbsnm.org](http://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 City Clerk called the roll and the following answered present:

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

Also present:

Manny Gomez, City Manager  
Todd Randall, Assistant City Manager  
Valerie Chacon, City Attorney  
Amber Leija, Assistant City Attorney  
Heather Bara, Legal Administrative Assistant  
Bobby Arther, Municipal Judge  
August Fons, Police Chief  
Shane Blevins, Deputy Police Chief  
Steve Butler, Detention Administrator  
Mark Doporto, Fire Chief  
Tony Alarcon, Fire Inspector  
Toby Spears, Finance Director  
Anthony Henry, Acting City Engineer  
Nicki Lawless, Library Director  
Doug McDaniel, Recreation Director  
Lyndsey Henderson, Core Facility Director  
Bryan Wagner, Parks and Open Spaces Director  
Lou Maldonado, Parks and Open Spaces Superintendent  
Matt Hughes, Rockwind Superintendent  
Meghan Mooney, Communications Director  
Nicholas Goulet, Human Resources Director  
Selena Estrada, Risk Management  
Tracy South, Assistant HR Director  
Matt Blandin, Assistant I.T. Director  
Jan Fletcher, City Clerk  
Alyxandra Salas, City Clerk Record Specialist  
11 citizens

### **Invocation and Pledge of Allegiance**

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

### **Approval of Minutes**

Commissioner Calderón moved the minutes of the regular meeting of June 3, 2024, be approved as written. Commissioner Smith seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried.

### **Closed Session**

Mayor Cobb stated the City Commission convened in closed executive session on Monday, June 17 2024, at 4:00 p.m. for the discussion of the purchase, acquisition or disposal of real property, specifically related to real properties located at the Hobbs Industrial Air Park. The matters discussed in the closed meeting were limited only to that specified above. No action was taken during the meeting.

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

Mr. Manny Gomez, City Manager, recognized the following employees for their Milestone Service Awards for the month of May, 2024:

- 15 years – Joseph Clemmer, Hobbs Police Department

Mr. Gomez thanked the Commission for recognizing Mr. Clemmer. Mr. Gomez reviewed highlights about Mr. Clemmer's time with the City. He expressed gratitude to Mr. Clemmer for his hard work and contributions to the organization.

### **Public Comments**

Ms. Becca Titus of United Way stated she is very grateful to the City for everything it does, both personally and on behalf of United Way. She stated the flag football tournament they recently held was very successful, partially funded by Lodger's Tax, which was a great turn-out and the children really enjoyed it. She also mentioned the partnership with the CORE to have the wheelchair basketball tournament coming up on June 29, 2024. She expressed again how grateful she is that the City is behind a lot of these events that would not be possible without the support from the City and the community.

### **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 Calderón moved for approval of the following Consent Agenda item(s):

Consideration of Approval of a Professional Services Agreement with the Friends of the Hobbs Public Library for FY 24-25

Resolution No. 7487 – Approving a Memorandum of Understanding Between the Hobbs Municipal Schools and the City of Hobbs for Field Use at Veterans Memorial Complex

Resolution No. 7488 – Authorizing a Memorandum of Understanding with the United Way of Lea County to Conduct a Wheelchair Basketball Tournament on June 29, 2024

Consideration of Approval of RFP No. 551-24 for HVAC Repairs/Replacement for the City of Hobbs and Recommendation to Accept Proposals from After Hours Heating and Air Conditioning, Valuable A/C & Heating, and ABSW

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

### **Discussion**

None.

### **Action Items**

Resolution No. 7489 - Approving the FY 2026 – 2030 Infrastructure Capital Improvements Plan (ICIP)

Mr. Todd Randall, Assistant City Manager, thanked the Commission for getting their ICIP rankings submitted to the Clerk's Office. He explained the City Commission is requested to establish the Top 5 Projects for inclusion within the ICIP Plan, as each Commissioner is asked to assign a ranking to each project as recommended by the City of Hobbs Planning Board. He presented the rankings and the project list as follows:

1. Street Improvements / Resurfacing
2. Drainage Master Plan & Improvements
3. Joe Harvey Blvd. Improvements
4. West College Lane Realignment
5. Aquatic Facility

There being no discussion, Commissioner Penick moved to approve Resolution No. 7489 with the project list as identified. Commissioner Smith seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

Resolution No. 7490 – Adopting Budgetary Adjustment #5 for Fiscal Year 2023-2024

Mr. Toby Spears, Finance Director, explained that this is a budgetary adjustment for the current year which includes the housing payment from Lea County and it also includes an amendment to the Boys and Girls Club contract which will be discussed in the next resolution. He states that the total revenue increased by \$2,805,000.00 and total expenses increased by \$2,835,000.00 providing a budgeted ending cash balance of \$91,646,460.26 for all funds.

There being no discussion, Commissioner Gerth moved to adopt Resolution No. 7490 as presented. Commissioner Fields seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

Resolution No. 7491 – Approving an Amended Professional Services Agreement with the Hobbs Boys and Girls Club for FY 23-24

Mr. Doug McDaniel, Recreation Director, stated that previously, the City of Hobbs and the Boys and Girls Club of Hobbs entered into a Professional Services agreement which includes an annual contribution of \$69,000.00. He stated there has been an increase in costs like operating costs, equipment, and minimum wage. He mentioned that the Boys and Girls Club also operates a Special Needs Program, along with the Summer Youth Program and he wants them to continue to be successful in all that they do. Mr. McDaniel stated the City's annual contribution will increase to \$99,000.00 for this fiscal year.

Commissioner Fields inquired about the old Boys and Girls Club on Dunnam Street and it was made known that the old building has been sold.

Commissioner Penick stated that the Boys and Girls Club have been underfunded and usually go in the negative with the Gus Macker Event so he believes their request is warranted. He stated that it is a great organization for the kids and the community.

Commissioner Mills stated the Boys and Girls Club is a tremendous asset to the community that helps children and parents. He stated he was there recently and was able to talk with some of the kids about his career as an attorney and the fact that he went to Heizer Middle School.

There being no further discussion, Commissioner Fields moved to approve Resolution No. 7486 as presented. Commissioner Calderón seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

*Resolution No. 7492 – Extending the Professional Services Agreement as Amended with Life Skills Fore Youth of the Pecos for Operation of the First Tee Program at Rockwind Community Links*

Mr. Doug McDaniel, Recreation Director stated the City of Hobbs wishes to amend the Professional Services Agreement in the amount of \$19,600.00, which would be paid on a reimbursement basis to Life Skills Fore Youth of The Pecos to retain, administer, and compensate a maximum of 28 golf professionals who participate in the annual Rockwind Pro-Am Golf Tournament in the amount of \$700.00 each for a total not to exceed \$19,600.00 per year.

Mayor Cobb stated this is not an additional expense as the City was paying the money directly to the golf professionals but it will now be reimbursed by the City to Life Skills Fore Youth of the Pecos.

There being no discussion, Commissioner Penick moved to approve Resolution No. 7492 as presented. Commissioner Mills seconded the motion and roll call vote was recorded as follows: Smith yes, Fields yes, Mills yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

*Resolution No. 7493 – Authorizing a Memorandum of Understanding with Permian Basin USSSA for Use of City of Hobbs' Sports Fields for Youth Baseball Tournaments*

Mr. Doug McDaniel, Recreation Director, stated when the artificial turf installation project was completed at the Veterans Memorial Complex in 2015, the City of Hobbs entered into two previous agreements with the Permian Basin United States Sports Specialty Association for the use of the complex to host youth baseball tournaments. The original agreement was a one-year agreement, with three additional one-year

terms, the second agreement was also for one-year, with three additional one-year terms. The City wishes to renew that agreement with an increase in the fees. He stated the recommended increase for the fees, as discussed recently by the Community Affairs Board, will increase from \$25.00 to \$40.00. The Community Affairs Board also recommended the proposed new fee should begin on January 1, 2025. Permian Basin USSSA will not have to pay this per-team fee to the City for teams that are sanctioned as Hobbs teams.

Mayor Cobb stated that fees are based off a poll that was done for the region and other areas are charging the same fee amount.

Commissioner Gerth moved to table Resolution No. 7493.

Mr. Gomez asked if this Resolution would affect the current agreement.

Mr. McDaniel stated that the current fees would stay the same of \$25.00 until the time it is revised and changed.

There being no further discussion, Commissioner Mills seconded the motion and roll call vote was recorded as follows: Smith yes, Fields yes, Mills yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

Resolution No. 7494 – Authorizing a Memorandum of Understanding with Hobbs USSSA for Use of City of Hobbs' Sports Fields for Adult Slow-pitch Tournaments

Mr. Doug McDaniel, Recreation Director, stated the City of Hobbs entered into two previous agreements with Hobbs USSSA use of the complex to host adult slow-pitch softball tournaments. The Community Affairs Board recommended to increase the current fee from \$30.00 per team to \$40.00 per team. The Community Affairs Board also recommended that the proposed fee begin on January 1, 2025. Hobbs USSSA will not have to pay this per-team fee to the City for teams that are sanctioned as Hobbs teams.

There being no discussion, Commissioner Calderón moved to approve Resolution No. 7494 as presented. Commissioner Mills seconded the motion and roll call vote was recorded as follows: Smith yes, Fields yes, Mills yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

Resolution No. 7495 – Authorizing a Memorandum of Understanding with Hobbs USSSA for Use of City of Hobbs' Sports Fields for Girls Fastpitch Tournaments

Mr. Doug McDaniel, Recreation Director, stated that the agreement presented is for use of the sports fields by the Hobbs USSSA for girls fastpitch tournaments. The proposed fee will increase from \$25.00 to \$40.00 per team effective January 1, 2025. He stated that the revenue generated from the USSSA Tournament fees totaled \$13,185.00 in 2023 and \$9,260.00 to date in 2024. The revenue for 2025 will be dependent on the number of teams participating and the number of tournaments played.

There being no discussion, Commissioner Penick moved to approve Resolution No. 7495 as presented. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Smith yes, Fields yes, Mills yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

*Resolution No. 7496 – Designating Persons as Qualified as an Acting Municipal Judge and Setting Forth Compensation*

Ms. Valerie Chacon, City Attorney, explained that pursuant to Section 2.12.050 of the Hobbs Municipal Code, the Municipal Judge may appoint an acting Municipal Judge to serve during the temporary incapacity or absence from a list designated by the Commission. The Commission brought forward two candidates, who are Ms. Diane Henry and Mr. Brian Belyeu. Municipal Judge Bobby Arther wrote a letter expressing his selection of Mr. Brian Belyeu, to serve as Acting Municipal Judge who meets the qualifications criteria. The Acting Municipal Judge shall be compensated from the Municipal Court budget at a rate of \$200.00 per day not to exceed \$20,000.00.

There being no discussion, Commissioner Gerth moved to approve Resolution No. 7496 as presented. Commissioner Mills seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached

*Consideration of Approval of Contract with Stantec Consulting Services, Inc., for 60% Design Phase of College Lane Widening and Realignment Project RFP 538-23*

Mr. Anthony Henry, Acting City Engineer, stated that the City of Hobbs Engineering Department Staff, in collaboration with Lea County Staff, have negotiated a preliminary engineering 60% design scope, schedule and price contract with Stantec Consulting Services Inc. in accordance with the City of Hobbs Procurement Policy. Mr. Henry gave a brief history of what led up to the design process, starting in March of 2023. He showed some slides that highlighted the project area on a map which will include curb, gutter, and sidewalk. He also mentioned that that a major part of this phase of this project is the ROW Acquisition that will be necessary to complete the roadway reconstruction and secure the ROW for future College Lane roadway section. He

stated that approximately 29 parcels will be appraised as part of the ROW Acquisition services for this project. City staff is currently discussing dedications with the developer of the property located at the existing College Lane and Lovington Highway intersection which will be a part of this project. The final budget for this design phase will be \$1,026, 831.03.

Mayor Cobb inquired about the timeline for the buildout on College Lane and asked if it has been started yet.

Mr. Henry stated the design phase would take 18 months or less to buildout, once started.

Commissioner Gerth inquired about a traffic light there near College Lane and also asked about a traffic light near Texas Roadhouse.

Mr. Henry stated that a light that is owned by the City would be installed and they would get the required permits through NMDOT which is something that will be a part of the project.

Commissioner Penick inquired about purpose of the median near College Lane, when turning right to enter or exit. He asked if it would cause motorists to make a U-turn in the highway.

Mr. Henry stated in this case, they would extend the safe hits (the yellow posts that stick up) far enough down the median to discourage motorists from turning after the median.

Mr. Randall stated that the purpose is to control left turns and steer people to the signalized intersection. The benefit is to provide access to enter the church parking lot and be able to get back to the intersection. It also provides access to the convenience center.

There being further discussion, Commissioner Fields moved to approve the Contract with Stantec Consulting Services, Inc., for 60% Design Phase of College Lane Widening and Realignment Project RFP 538-23 as presented. Commissioner Penick seconded the motion and roll call vote was recorded as follows: Smith yes, Fields yes, Mills yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached.

Resolution No. 7497 - Approving and Adopting the Market Rate Multi-Family and Single-Family Unit Production Municipal Infrastructure Reimbursement Incentive Program for FY 24-25

Mr. Todd Randall, Assistant City Manager, presented the market rate multi-family and single-family housing reimbursement incentive for FY 24-25. He stated that in FY 21-

22, the Housing Incentive program was reduced from a maximum of \$10,000.00 per unit to \$5,000.00 per unit for a single-family house. He stated staff is evaluating unit prices and incentives to present to the Planning Board on June 18, 2024 for the recommendation on the infrastructure base unit prices, alternative incentive for in-fill housing within the City of Hobbs and expanding the program outside city limits where City infrastructure is installed.

There being no discussion, Commissioner Gerth moved to approve Resolution No. 7497 as presented. Commissioner Penick seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached.

Resolution No. 7498 - Approving a Development Agreement with ALJO Development, LLC, Concerning the Development of Market Rate Single-Family Housing

Mr. Todd Randall, Assistant City Manager, stated that ALJO, LLC, has requested a Development Agreement concerning the development of single-family housing units located within municipal boundaries. The developer proposes to produce market rate single-family units and is requesting infrastructure incentives of \$100,000.00.

There being no discussion, Commissioner Calderón moved to approve Resolution No. 7498 as presented. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached

Resolution No. 7499 - Approving a Development Agreement with Corrales Construction, LLC, Concerning the Development of Market Rate Single-Family Housing

Mr. Todd Randall, Assistant City Manager, stated that Corrales Construction, LLC, has requested a Development Agreement concerning the development of single-family housing units located within the municipal boundaries. The developer proposes to produce market rate single-family units and is requesting infrastructure incentives of \$100,000.00.

There being no discussion, Commissioner Fields moved to approve Resolution No. 7499 as presented. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached

*Resolution No. 7500 - Approving a Development Agreement with YMH Concerning the Development of Market Rate Single-Family Housing*

Mr. Todd Randall, Assistant City Manager, stated that Young's Mobile Homes has requested a Development Agreement concerning the development of single-family housing units located within the municipal boundaries. The developer proposes to produce market rate single-family units and is requesting infrastructure incentives of \$70,000.00.

There being no discussion, Commissioner Penick moved to approve Resolution No. 7500 as presented. Commissioner Calderón seconded the motion and roll call vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached

**Comments by City Commissioners, City Manager**

Mr. Gomez reminded the public that City offices will be closed on June 19, 2024 in observance of Juneteenth, which is a Federal holiday.

Mr. Gomez also reminded the public about the fireworks show and celebration that will be held on Wednesday, July 3, 2024, at the Hobbs Industrial Air Park. Mr. Gomez thanked the Recreation Department and City staff for their hard work and planning. He reminded citizens about the safe zone which will be put in place July 4<sup>th</sup> – 6<sup>th</sup>. He stated fire safety is very important and currently, the Hobbs Fire Department has been dispatched to assist with the active fire which is going on in Ruidoso, New Mexico.

Mr. Gomez reminded the public of the Hobbs Beautiful initiative which has been put in place in an effort to keep our City clean and keep Hobbs beautiful. He reviewed the total tons of trash and debris cleaned up at several events held since March 20, 2024.

Mr. Gomez stated there will be some events going on for the children in the community, one being the CORE Kids Camp at the CORE on July 19, 2024, and the Tall Paul Show at the Hobbs Public Library on July 20, 2024.

Mr. Gomez stated there will be a free vaccine clinic at the Hobbs Animal Adoption Center on Friday, July 21, 2024.

Mr. Gomez that there will be a free lunch program which is held at the Hobbs Public Library from June 17-21.

Mr. Gomez reminded the public about using TextMyGov to report issues. He stated it has been well used and encouraged citizens to continue using it.

Commissioner Gerth encouraged citizens to be safe out in the heat and stay hydrated as the temperatures will only be getting hotter.

Commissioner Fields stated that he appreciated the Engineering Department for all the work that has been done in District 3 and he is seeing the progress that has come along.

**ADJOURNMENT**

There being no further business or comments, Commissioner Calderón moved that the meeting adjourn. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried and the meeting adjourned at 7:08 p.m.

\_\_\_\_\_  
SAM COBB, Mayor

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, City Clerk



**PROCLAMATIONS**

**AND**

**AWARDS OF  
MERIT**

Office of the Mayor  
Hobbs, New Mexico

## PROCLAMATION

**WHEREAS**, parks and recreation are an integral part of communities throughout this country, including Hobbs; and

**WHEREAS**, parks and recreation promote health and wellness, improving the physical and mental health of people who live near parks; and

**WHEREAS**, parks and recreation promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being and alleviating illnesses such as depression, attention deficit disorders and Alzheimer's; and

**WHEREAS**, parks and recreation encourage physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

**WHEREAS**, parks and recreation are a leading provider of healthy meals, nutrition services and education; and

**WHEREAS**, parks and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education are critical to childhood development; and

**WHEREAS**, Hobbs recognizes the benefits derived from parks and recreation resources.

**NOW, THEREFORE**, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim July, as

### **"PARKS AND RECREATION MONTH"**

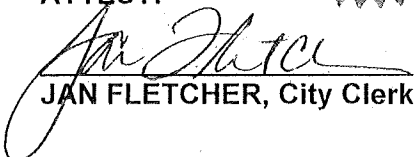
in the City of Hobbs.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 1st day of July, 2024, and cause the seal of the City of Hobbs to be affixed hereto.



\_\_\_\_\_  
**SAM D. COBB, Mayor**

**ATTEST:**

  
**JAN FLETCHER, City Clerk**

# **ACTION ITEMS**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: July 1, 2024

**SUBJECT: Power-Pak II Crematorium**

DEPT. OF ORIGIN: Hobbs Police Department – Support Services Division – Community Services Department

DATE SUBMITTED: June 20, 2024

SUBMITTED BY: Jessica Silva, Community Services Superintendent

**Summary:**

HPD Community Services Department is requesting to delete from its inventory and dispose of one (1) Power-Pak II Crematorium, located at the Hobbs Animal Adoption Center. This crematorium is no longer functional and will be destroyed and deleted from fixed assets. International Crematorium Services will pick it up and dispose of it properly.

**Fiscal Impact:**

Reviewed By: 

Finance Department

Delete and Destroy Power – Pak II Crematorium

Serial Number #0210402

Acquired June 16, 2002

Cost \$90,145.59

Accumulated Depreciation \$90,145.59

Book Value \$0

**Attachments:**

1. Resolution
2. Capital Asset Worksheet

**Legal Review:**

Approved As To Form: \_\_\_\_\_

Valerie S. Chacon

City Attorney

**Recommendation:**

Motion to approve the resolution.

Approved For Submittal By: \_\_\_\_\_

Department Director

City Manager

**CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN**

Resolution No. \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Approved \_\_\_\_\_

Other \_\_\_\_\_

Continued To: \_\_\_\_\_

Referred To: \_\_\_\_\_

Denied \_\_\_\_\_

File No. \_\_\_\_\_

CITY OF HOBBS

RESOLUTION NO. 7501

A RESOLUTION RELATING TO THE DELETION AND REMOVAL  
OF A CREMATORIUM FROM THE HOBBS ANIMAL ADOPTION CENTER  
INVENTORY

WHEREAS, the City of Hobbs desires to delete from its public inventory and dispose of one (1) Power-Pak II Crematorium, Model #IE43-PPII, Serial Number 0210402, currently on the City of Hobbs Animal Adoption Center inventory; and

WHEREAS, the Power-Pak II Crematorium, is no longer functional and will be picked up and disposed of by International Crematorium Services; and

WHEREAS, the value of the Power-Pak II Crematorium purchased on June 16, 2002, is \$90,145.59.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Hobbs, New Mexico, that:

A. The City desires to delete from its public inventory and dispose of the items of personal property, attached hereto and incorporated herein by reference and the governing body hereby makes the official, specific finding that each item of property on the attached list:

1. is obsolete; and
2. is worn-out, unusable, or obsolete to the extent that the item is no longer economical or safe for continued use by the City of Hobbs; and
3. that all such items should be deleted from the City's public inventory and destroyed.

B. A copy of this official finding and proposed disposition of the property sought to be disposed of shall be made a permanent part of the official minutes of the governing body.

PASSED, ADOPTED, AND APPROVED this 1<sup>st</sup> day of July, 2024.

\_\_\_\_\_  
SAM D. COBB, Mayor

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, City Clerk

# CITY OF HOBBS



## CAPITAL ASSET WORKSHEET

ASSET # 3658	MASTER ASSET	DESCRIPTION	CREMATORIUM
CLASS BU BUILDING	FUND SOURCE	MAINT CONT	N
SUBCL 510 STATIONARY BUIL	ACQUIS METH PU PURCHASED	VENDOR DESC	Vendor Name Mi
COMMODITY		INSURED	N
DEPT 0208 PD Animal Adopt	ACQUIS DATE 06/16/2002	CARRIER	
LOC CODE 0208 PD ANIMAL ADOPT	ACQUIS COST 90,145.59	INSURED VAL	0.00
LOC MEMO PD ANIMAL ADOPTION C	ACRES 0.000	EXP. DATE	
ROOM	QTY 1	POLICY CST	0.00
STORAGE LOC ANIMAL SHELTER	UNIT PRICE 59,437.00	MEMO	
	PURCH MEMO		
STATUS A ACTIVE			
CONDITION	SOY BOOK 64,379.11	DEPRECIATE Y	
CUSTODIAN FIXED ASSET CUSTODIAN	CURRENT BOOK 62,299.81	DEPREC PRIN 88,145.59	
TITLEHOLDER	EST SALVAGE 2,000.00	FIRST YR/PR 2002/12	LAST YR/PR 2023/12
	REPL COST 90,145.59	EST LIFE 50	
TAG #	LAST INVENT	PERIODS TAKEN 252	
SERIAL #	IMPROVE MEMO	ACCUM DEPREC 27,845.78	
MANUFACTURER			
MODEL	RETIRE DATE		
MODEL YEAR 2002	DISP CODE		
LICENSE # OLD#: 902477	DISP PRICE 0.00		
	SALE PRICE 0.00		
VEND #	PO #	DOCUMENT #	INVOICE #
			INV DATE
			INV AMT

### GL Accounts

TYPE	ORG	OBJ	PROJ	PERCENT
Asset	910	16011		100.00
Contra	910	16015		100.00
Depreciation Expense	910	48000		100.00
Accumulated Depreciation	910	16111		100.00

### PO Accounts

ORG	OBJ	PROJ	AMOUNT
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**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: July 1, 2024

**SUBJECT:** A Resolution Authorizing the Mayor and City Manager to Execute a Memorandum of Understanding with the University of the Southwest for Use of the University's Kitchen

DEPT. OF ORIGIN: Recreation  
DATE SUBMITTED: June 20, 2024  
SUBMITTED BY: Doug McDaniel, Recreation Director

**Summary:**

- The most recent Memorandum of Understanding between the City of Hobbs and the University of the Southwest expires on June 30, 2024. If approved, this MOU would be the third such agreement between the two parties.
- The usage fee outlined in previous MOU has increased by \$500.00 per month (\$6,000.00 per year) from \$1,000.00 per month to \$1,500.00 per month due to an increase in USW's costs for utilities, equipment, and operating expenses. If approved, the proposed MOU will be effective on July 1, 2024 and will expire on June 30, 2025.
- This MOU will ensure the current Senior Center meal program remains uninterrupted through the end of FY25 (June 2025). Through May 31, 2024, a total of 44,403 meals have been prepared by Great Western Dining and delivered/served by Hobbs Senior Center staff in FY24.

**Fiscal Impact:**

A total of \$12,000.00 was included for this expense in the FY25 preliminary budget. The Recreation Department will request an additional \$6,000.00 in the FY25 final budget to fund the additional expense. (Professional Services 17-4017-42601)

Reviewed By: 

Finance Department

**Attachments:**

Resolution  
Memorandum of Understanding between the City and USW

**Legal Review:**

Approved As To Form: 

City Attorney

**Recommendation:** Staff recommends that the Commission approve the Resolution.

Approved For Submittal By:

  
Department Director

  
City Manager

**CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN**

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

CITY OF HOBBS

RESOLUTION NO. 7502

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE  
A MEMORANDUM OF UNDERSTANDING WITH THE UNIVERSITY OF THE  
SOUTHWEST FOR USE OF THE UNIVERSITY'S KITCHEN

WHEREAS, the City of Hobbs and the University of the Southwest seek to maintain a harmonious relationship for the benefit of the residents of Hobbs, New Mexico; and

WHEREAS, the City and University seek to enter into an agreement wherein the City utilizes the University's kitchen to prepare meal services for the City of Hobbs Senior Center, which benefits an important population in Hobbs, New Mexico; and

WHEREAS, the City will pay the University \$1,500.00 a month as a usage fee to offset maintenance and operational expenses incurred by the daily operation of the kitchen; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that the Mayor and City Manager be and are hereby directed to execute a Memorandum of Understanding with the University of the Southwest for use of the University's kitchen.

PASSED, ADOPTED AND APPROVED this 1st day of July, 2024.

\_\_\_\_\_  
SAM D. COBB, Mayor

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, City Clerk

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE UNIVERSITY OF THE SOUTHWEST AND THE  
CITY OF HOBBS**

This Memorandum of Understanding is made this 1st day of July, 2024, by and between the City of Hobbs (hereinafter "CITY") and the University of the Southwest (hereinafter "USW").

**PURPOSE**

The purpose of this agreement is to establish guidelines for the usage, and access by CITY, its staff and contractors, at USW's kitchen facility on the campus of USW. CITY and USW aim to promote a working relationship between each to achieve the best results for the community. CITY and USW agree to cooperate as outlined in this Memorandum of Understanding.

**DUTIES**

**I. USW DUTIES**

USW will ensure the following obligations are met:

- A. USW will provide kitchen access, space, storage, and appliances for CITY's current contractor, Great Western Dining Service, Inc., as well as CITY's staff to prepare and deliver food for the CITY's meal services for the Senior Center.
- B. USW will determine the food storage space available to CITY for all food storage including freezer, walk-in refrigerator, and dry storage. Space shall be adequate for all food associated with the CITY's meal services for the Senior Center.
- C. USW will ensure that all available kitchen space is adequate to achieve the desired purpose of preparing food for the CITY's meal services for the Senior Center.
- D. USW will provide storage for all cleaning supplies and equipment used by CITY's current contractor, Great Western Dining Service, Inc., as well as CITY's staff, associated with the use of USW's kitchen and the meal services for the Senior Center.
- E. USW will provide all regular utilities and shall ensure that all utilities remain operational during use of the kitchen space

for preparation and delivery of the CITY's meals services for the Senior Center.

## II. CITY DUTIES

CITY will ensure the following obligations are met:

- A. CITY will coordinate with Great Western Dining Services, Inc. to provide USW with a list of all staff that will be working to fulfill Great Western Dining Service, Inc.'s contract with the CITY by utilizing USW's kitchen space.
- B. CITY will ensure that all staff follow applicable rules and regulations for campus access and kitchen usage currently in place at USW. CITY further understands that failure to abide by this requirement will result in removal from campus of non-compliant individuals.
- C. CITY will ensure best practices and reasonable care are exercised in use of USW's kitchen.
- D. CITY shall remain responsive to any concerns raised by USW as to the care, use, and maintenance of USW's kitchen by CITY staff.

## III. COMPENSATION

CITY will pay USW a sum of \$1,500.00 per month for use of the USW's kitchen facility. The payment from CITY to USW is to offset maintenance and operational expenses incurred with the daily operation of USW's kitchen. Compensation from CITY to USW will be made for the purpose set forth herein. Strict accountability of all receipts and payments will be maintained by CITY and USW.

## **MERGER OF AGREEMENT**

This agreement incorporates all agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this Agreement. No prior statements, representations, promises or agreement of understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in the Agreement.

## **SOVEREIGN IMMUNITY**

The City of Hobbs and their public employees (as defined in the New Mexico Tort Claims Act) do not waive sovereign immunity, do not waive any

defense(s), and/or do not waive any limitation(s) pursuant to the New Mexico Tort Claims Act. No provision in the Agreement modifies and/or waives any provision of the New Mexico Tort Claims Act as it relates to the City and their public employees.

### **LIABILITY**

Each party agrees to bear liability and responsibility for the negligent, reckless or deliberate acts or omissions of their own officers and employees, as limited by the New Mexico Tort Claims Act.

### **THIRD PARTY BENEFICIARIES**

It is specifically agreed between the parties executing the Agreement that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof, a third party beneficiary, or to authorize anyone not a party to the Agreement to maintain, pursuant to the provisions of the Agreement, a suit of any nature, including but not limited to suits alleging wrongful death, bodily and/or personal injury to person(s), damages to property(ies), and/or any cause of action.

### **INSURANCE**

Both CITY and USW will maintain liability insurance or qualify as a self-insured entity, as required by law.

### **TERM**

This Memorandum of Understanding shall continue in full force and effect from July 1, 2024, until June 30, 2025, or until both parties mutually agree in writing otherwise.

### **SEVERABILITY**

If any provision of this Memorandum of Understanding is found to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a court finds that any provision of this Memorandum of Understanding is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed, and enforced as so limited.

### **GOVERNING LAW**

This Memorandum of Understanding shall be construed in accordance with the laws of the State of New Mexico.

## EFFECTIVE DATE

This Memorandum of Understanding shall be in full force and effect upon execution and approval of the parties hereto and performance shall begin on July 1, 2024.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

### UNIVERSITY OF THE SOUTHWEST

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. Ryan Tipton  
Interim President

### CITY OF HOBBS

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
Sam Cobb  
Mayor

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
Manny Gomez  
City Manager

Approved as to Form:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Valerie S. Chacon  
City Attorney

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Attorney for University of the Southwest



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM  
MEETING DATE: July 1, 2024

**SUBJECT: Community Project Funding/Congressionally Directed Spending (CPF/CDS): Facilities and/or Equipment Projects**

DEPT. OF ORIGIN: Fire Department

DATE SUBMITTED: June 24, 2024

SUBMITTED BY: Mark Doporto, Fire Chief

**Summary:**

The City of Hobbs Fire Department is eligible to participate in the Community Project Funding/Congressionally Directed Spending (CPF/CDS) Facilities and/or Equipment ("Construction") Projects that will be funded through the Health Resources and Services Administration (HRSA). Congress appropriated funding in the Further Consolidated Appropriations Act, 2024 (P.L. 118-47) for CPF/CDS projects that support the construction and renovation (including movable equipment) of health care and other facilities. The Hobbs Fire Department has requested \$400,000 for the purchase of an ambulance.

**Fiscal Impact:**

Reviewed By: 

Finance Department

The total cost of this project is \$400,000. It is a 100% grant, with no matching funds required from the City, resulting in no fiscal impact on the City of Hobbs.

**Attachments:**

1. Resolution

**Legal Review:**

Approved As To Form: 

City Attorney

**Recommendation:**

Approval of resolution and to proceed with the application for the Community Project Funding/Congressionally Directed Spending (CPF/CDS): Facilities and/or Equipment Projects 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. 7503

A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE  
SUBMISSION OF A GRANT APPLICATION WITH THE  
HEALTH RESOURCES AND SERVICES ADMINISTRATION  
COMMUNITY PROJECT FUNDING/CONGRESSIONALLY DIRECTED SPENDING  
(CPF/CDS): FACILITIES AND/OR EQUIPMENT PROJECTS

WHEREAS, the Hobbs Fire Department is eligible to participate in the Community Project Funding/Congressionally Directed Spending (CPF/CDS) Facilities and/or Equipment ("Construction") Projects that will be funded through the Health Resources and Services Administration (HRSA).; and

WHEREAS, the total amount of the grant is \$400,000 for the purchase of an ambulance, with no match required;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized and directed to execute on behalf of the City of Hobbs a Grant Application with the Health Resources and Services Administration (HRSA).

PASSED, APPROVED AND ADOPTED this 1<sup>st</sup> day of July, 2024.

\_\_\_\_\_  
SAM D. COBB, Mayor

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, City Clerk