

# Commission Meeting Agenda



## ***Mayor***

Samuel D. Cobb

## **City Commission**

Marshall R. Newman

Jonathan Sena

Patricia A. Taylor

Joseph D. Calderón

Garry A. Buie

Don R. Gerth

## ***City Manager***

J. J. Murphy

***June 6, 2016***



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

**Monday, June 6, 2016 - 6:00 p.m.**

Sam D. Cobb, Mayor

Marshall R. Newman  
Commissioner - District 1

Jonathan Sena  
Commissioner - District 2

Patricia A. Taylor  
Commissioner - District 3

Joseph D. Calderón  
Commissioner - District 4

Garry A. Buie  
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*

**CALL TO ORDER AND ROLL CALL**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

1. Minutes of the May 16, 2016, Regular Commission Meeting

**PROCLAMATIONS AND AWARDS OF MERIT**

**PUBLIC COMMENTS** *(For non-agenda items.)*

**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.)*

2. Resolution No. 6442 - Approving an Amendment to the Development Agreement with Gold Creek Homes Dated September 8, 2015, Extending the Term to July 22, 2017 (*Kevin Robinson*)
3. Resolution No. 6443 - Approving a Letter of Understanding with Habitat for Humanity of Hobbs Regarding the Conveyance of Properties Dated October 17, 2011 (*Kevin Robinson*)
4. Resolution No. 6444 - Approving the Final Plan for Lynch Subdivision No. 2, as Recommended by the Planning Board, Located Southwest of the Intersection of College Lane and Ja-Rob within the Extra-territorial Jurisdiction of the City of Hobbs, Submitted by Elizabeth Lynch (*Kevin Robinson*)

## **DISCUSSION**

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

5. Resolution No. 6445 - Approving the Final Plan for Homestead Estates Subdivision, as Recommended by the Planning Board, Located Southeast of the Intersection of East Bender Boulevard and North Steven Drive within the Municipal Boundaries of the City of Hobbs, Submitted by CRV Investments, LLC. (*Kevin Robinson*)
6. Resolution No. 6446 - Authorizing FY 16-17 Funding Appropriations to Economic Development and Marketing Entities and Authorizing the Mayor to Execute Professional Service Agreements with Each Agency (*J.J. Murphy*)
7. Resolution No. 6447 - Authorizing FY 16-17 Funding Appropriations to Various Social Service Agencies and Authorizing the Mayor to Execute Professional Services Agreements with Each Agency (*J.J. Murphy*)
8. Consideration of Bid No. 1548-16 for Main Street Sidewalk and ADA Improvements and Recommendation to Accept Proposal from Abraham's Construction, Inc., in the Amount of \$639,298.00 not Including GRT (*Todd Randall*)
9. Resolution No. 6448 - Approving a 15% Matching Requirement and Verification of Loan Repayment for Water Trust Board Project 3555-WTB; Water Conservation; Phase II Effluent Reuse Project (*Tim Woomer*)
10. Consideration of Bid No. 1546-16 for the Effluent Pipeline Phase I Modifications and Recommendation to Accept Proposal from DuCross Construction, LLC in the Amount of \$286,514.84 not including GRT (*Tim Woomer*)

11. Resolution No. 6449 - Authorizing City Staff to Purchase Video Equipment for Recording City Commission Meetings (*Ron Roberts*)

**COMMENTS BY CITY COMMISSIONERS, CITY MANAGER**

12. Next Meeting Date:

- ▶ Regular Meeting - ***Monday, June 20, 2016***, at 6:00 p.m.

**ADJOURNMENT**

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



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office  
DATE SUBMITTED: May 27, 2016  
SUBMITTED BY: Jan Fletcher, City Clerk

**Summary:**

The following minutes are submitted for approval:

- ▶ Regular Commission Meeting of May 16, 2016

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_  
Finance Department

N/A

**Attachments:**

Minutes as referenced under "Summary".


**Legal Review:**

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

**Recommendation:**

Motion to approve the minutes as presented.

Approved For Submittal By:

  
Department Director  
  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

Minutes of the regular meeting of the Hobbs City Commission held on Monday, May 16, 2016, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico.

**Call to Order and Roll Call**

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

Mayor Sam D. Cobb  
Commissioner Marshall R. Newman  
Commissioner Jonathan Sena  
Commissioner Patricia A. Taylor  
Commissioner Joseph D. Calderón  
Commissioner Garry A. Buie  
Commissioner Don Gerth

Also present:

J. J. Murphy, City Manager  
Mike Stone, City Attorney  
Chris McCall, Police Chief  
Brandon Roberts, Acting Fire Chief  
Barry Young, Deputy Fire Chief  
Paul Thompson, Fire Captain  
Shawn Williams, Fire Marshal  
Ronny Choate, General Services Director  
Ron Roberts, Information Technology Director  
Todd Randall, City Engineer  
Kevin Robinson, Development Coordinator  
Nicholas Goulet, Human Resources Director  
Tim Woomer, Utilities Director  
Raymond Bonilla, Community Services Director  
Manny Marquez, Building Official  
Art De La Cruz, Code Enforcement Superintendent  
Toby Spears, Finance Director  
Deborah Corral, Assistant Finance Director  
Doug McDaniel, Parks and Recreation Director  
Matt Hughes, Golf Superintendent  
Britt Lusk, Teen Center Supervisor  
Sandy Farrell, Library Director  
Meghan Mooney, Director of Communications  
Ann Betzen, Executive Assistant/Risk Manager  
Mollie Maldonado, Deputy Clerk  
Jan Fletcher, City Clerk  
14 citizens

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

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

### **Approval of Minutes**

Commissioner Taylor moved that the minutes of the regular meeting held on May 2, 2016, be approved as presented. Commissioner Buie seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried.

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

*Proclamation Proclaiming May 15-21, 2016, as "Police Week"*. Mayor Cobb proclaimed the week of May 15-21, 2016, as "Police Week" and presented the proclamation to Police Chief Chris McCall on behalf of the Hobbs Police Department.

*Proclamation Proclaiming May 15-21, 2016, as "Emergency Medical Services Week"*. Mayor Cobb proclaimed the week of May 15-21, 2016, as "Emergency Medical Services Week" and presented the proclamation to Acting Fire Chief Brandon Roberts on behalf of the Hobbs Fire Department.

*United States Golf Association's Video and Recognition of Rockwind Community Links*. Mr. J. J. Murphy, City Manager, announced that the United States Golf Association (USGA) has recognized Rockwind Community Links for its community links concept and being a model for other municipalities that are looking to use golf to offer numerous benefits to its residents. Mr. Murphy stated he attended a USGA Symposium in January which garnered much attention about the success of Rockwind Community Links. He played the recognition video, recorded by a filming crew from the USGA. Mr. Murphy stated there are many positive comments from players and visitors regarding the golf course. He stated youth are now becoming more involved in the game of golf thanks to the First Tee Program approved by the Commission. Mr. Murphy thanked the Commission for its vision and for allowing staff to move forward with a new innovative design concept for the golf course.

Mayor Cobb stated Rockwind Community Links hosted golf pros Mr. Fred Couples, Ms. Natalie Gulbis, Mr. Lee Trevino and Mr. Jim Colbert. He stated Rockwind Community Links is a great opportunity for economic development, and he is proud to be part of it.

### **Public Comments**

Ms. Wanda Bell commended the City of Hobbs Environmental Department for doing a fantastic job in areas of South Hobbs.

Mr. Thomas Blackman, a 20-year Veteran of the U. S. Air Force, stated Lea County is proposing to build a Veterans Memorial. He recommended the City of Hobbs coordinate with Lea County and both construct one nice Veterans Memorial. Mr. Robert Lujan agreed with Mr. Blackman and stated the HIAP Airbase is a great area for the Veterans Memorial.

Mayor Cobb stated Lea County has formed a Committee for the proposed Veterans Memorial, and he will visit with them regarding the project.

### **Consent Agenda**

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

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

Resolution No. 6435 - Authorizing a Memorandum of Agreement with the New Mexico Energy, Minerals and Natural Resource Department on Behalf of the Waste Isolation Pilot Plant Transportation Safety Program for Grant Funds in the Amount of \$30,000.00 for the Hobbs Police Department.

Resolution No. 6436 - Approving an Encroachment Agreement to Permit Non-Habitable Structures in the City Right-of-Way within the SE 1/4 of Section 18 South, Range 37 East, Lea County, New Mexico.

Resolution No. 6437 - Approving a Grant Application with the Department of Homeland Security Federal Emergency Management Agency Programs Directorate for the Assistance to Firefighter Grant Program for the Hobbs Fire Department.

Resolution No. 6438 - Authorizing an Agreement with Lea County to House Hobbs Detention Facility Prisoners in the Lea County Detention Facility.

Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolutions and supporting documentation are attached and made a part of these minutes.

### **Discussion**

Report on Activities by the Southeastern New Mexico Economic Development District (SNMEDD). Mr. Hubert Quintana with SNMEDD stated their mission is to provide leadership to enhance the quality of life, jobs and services. He stated the organization



assists local governments in planning for major capital improvements, procuring Federal and State aid or needed capital improvement projects and assisting with capacity building and technical assistance. Mr. Quintana stated the SNMEDD was formed in 1971 and fees have not increased since then. He stated SNMEDD is recommending to increase the membership fee for municipalities which is calculated by the 2010 Census statistics of .30 cents per capita. Mr. Quintana stated the City of Hobbs' membership fee would increase by \$2,200.00 due to the City's population increase. He encouraged the City to pay the increased dues and continue to be a member with the SNMEDD. He further stated that if City is unwilling to pay the increased membership fee, the SNMEDD will still honor its current membership fee amount.

Mayor Cobb stated that Legislators spoke very highly of Mr. Quintana, and his recommendation is for the City to continue as a member of SNMEDD. He stated there are training opportunities for events that can be brought to Hobbs. Mr. Quintana stated he will propose a future NMDOT Planning in Hobbs.

In response to Commissioner Buie's question, Mr. Quintana stated Alamogordo, New Mexico, lost population of approximately 6,000 per the 2010 Census and that is why its recommended membership fee decreased. He stated Alamogordo is still arguing the issue.

### **Action Items**

Resolution No. 6439 - Approving the 2016 Third Quarter Financial Report for the New Mexico Department of Finance and Administration. Mr. Toby Spears, Finance Director, stated the New Mexico Department of Finance and Administration (DFA) requires municipalities to approve DFA Financial Reports by its governing body quarterly. He stated the Cash Balance at the end of March, 2016, is \$118,806,663.69 for all funds that are restricted and unrestricted. Mr. Spears further stated that Hobbs' year-to-date actual revenues and expenditures for the period ending March, 31, 2016, are encumbered expenses. He stated the FY 2016 Third Quarter Financial Report will be posted on the City's website in its entirety.

Commissioner Calderón moved that Resolution No. 6439 be adopted as presented. Commissioner Sena seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Resolution No. 6440 - Approval of Preliminary Budget for FY 16-17. Mr. Spears stated the Preliminary Budget for FY 16-17 was discussed at the April 18, 2016, Commission meeting and there have not been any changes since that date. He stated, by State law,

the preliminary budget must be approved and submitted to DFA by June 1, 2016. Mr. Spears stated the preliminary budget includes \$55,913,769.00 in proposed General Fund expenditures and \$97,442,234.00 in proposed expenditures for all funds. Mr. Spears further stated the revenues in the General Fund are projected at \$50,997,745.00 in total revenue and projections for all funds are set at \$89,756,380.00. He stated the projected General Fund cash reserve is set at 34%.

In reply to Commissioner Buie's inquiry, Mr. Spears stated gross receipts tax (GRT) revenue is trending down. He stated last month's GRT check was \$4.2 million and this month's check is \$3.6 million. Mr. Spears stated \$3.5 million per month is budgeted for GRT Revenue for FY 17.

Commissioner Calderón moved that Resolution No. 6440 be adopted as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Resolution No. 6441 - Approving the Parkside Subdivision, a Subdivision of the Original Hobbs Addition, Block 47, a Vacated Portion of Dunnam and Fowler Streets and Alley. Mr. Kevin Robinson, Development Coordinator, explained the resolution and stated that a portion of Fowler Street located between Blocks 47 and 48 as well as the East/West alleyway were previously vacated at the Commission Meeting held on March 21, 2016. He displayed the plat that defines the property boundaries that will contain the Parkside Terrace Development and also defines the rededicated portion of Fowler and a portion of East Dunnam that was previously vacated.

In response to Commissioner Sena's inquiry, Mr. Robinson stated the anticipated ground breaking for the Parkside Terrace Development will be in June, 2016.

Commissioner Newman moved that Resolution No. 6441 be adopted as presented. Commissioner Sena seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Consideration of Approval for the Hobbs Fire Department to Purchase SCBA Equipment in the Amount of \$120,234.00 from Artesia Fire Equipment, Inc., Utilizing the Contract for Bernalillo County Fire & Rescue for Firefighting and Apparatus Equipment and Parts, RFB No. 045-13-CS. Acting Fire Chief Brandon Roberts explained the purchase and stated the Hobbs Fire Department was awarded a grant in the amount of \$96,089.60 from the NM State Fire Marshal Fire Protection Fund for SCBA equipment. He stated the

City is responsible for 20% matching funds which is in the amount of \$24,144.40. The equipment will be purchased from Artesia Fire Equipment, Inc., utilizing a price arrangement with Bernalillo County Fire & Rescue.

In response to Commissioner Taylor's question, Acting Fire Chief Roberts stated the SCBA equipment is utilized to protect firefighters from smoke inhalation. He stated the equipment is similar to SCBA equipment used underwater when diving.

Commissioner Buie moved to approve the purchase of SCBA equipment from Artesia Fire Equipment, Inc., in the amount of \$120,234.00 as presented. Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Consideration of Bid No. 1541-16 for HWLC and Railroad Corridor Improvements and Recommendation to Accept Bid from Smithco Construction, Inc., in the Amount of \$827,490.00. Mr. Todd Randall, City Engineer, explained the bid and stated the project consists of installing an earthen channel and concrete box culverts with appurtenances from Millen Drive near the railroad, running parallel to Lovington Highway to the existing retention/detention pond located west of the railroad. He stated Smithco Construction, Inc, is the lowest bidder. Mr. Randall stated there is a technical irregularity in Smithco's bid. He explained the signatory page submitted was the original page from the original bid document but an addendum was issued to change the bid opening date and a new signature page was issued to reflect the date change of the bid opening. He stated the Finance and Legal Departments have reviewed the documents and made the determination that the City has the right to waive this irregularity.

In response to Mayor Cobb's question, Mr. Randall stated there are options being reviewed as to how the water will be utilized. He also stated that drainage water is funneled North which ends up at the Hobbs High School.

In reply to Commissioner Sena's inquiry, Mr. Randall stated there is always the potential to request work orders on low bids but staff can only approve up to \$60,000.00 and any amount higher would need the Commission's approval.

After a lengthily discussion regarding water detention and any potential concerns, Commissioner Newman moved to approve the bid for the railroad corridor improvements with Smithco Construction, Inc., in the amount of \$827,490.00 as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of supporting documentation are attached and made a part of these minutes.

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**Comments by City Commissioners, City Manager**

Commissioner Taylor welcomed back Commissioner Newman who returned from a recent hospitalization. Commissioner Buie echoed Commissioner Taylor's sentiments.

Commissioner Newman congratulated Police Chief Chris McCall for being the recipient of the Jim R. Allison Leadership Award.

There being no further discussion or business, Commissioner Calderón moved that the meeting adjourn. Commissioner Buie seconded the motion. The vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Buie yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:05 p.m.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk



# **CONSENT AGENDA**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** RESOLUTION TO APPROVE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN GOLD CREEK HOMES AND THE CITY OF HOBBS DATED SEPTEMBER 8, 2015.

**DEPT. OF ORIGIN:** Planning Division  
**DATE SUBMITTED:** April 27, 2015  
**SUBMITTED BY:** Kevin Robinson – Planning Department

**Summary:** The City of Hobbs Commission approved a Development Agreement with Gold Creek Homes on September 8, 2015, the terms of which allows for municipal infrastructure reimbursement for any unit receiving a Certificate of Occupancy permitted prior to 270 days from the date of ratification. The Developer has requested the terms of the DA be extended allowing units permitted prior to July 22, 2017 eligibility to receive municipal infrastructure reimbursement. The Developer has requested this Amendment due to unforeseen construction delays encountered refurbishing and replacing abandoned infrastructures put in place by the previous developer.

Homestead Estates was an abandoned and defunct subdivision with some installed infrastructure located southeast of the intersection of E. Bender and Steven Drive and northwest of Municipal owned property. The Developer purchased the property and worked closely with the municipality in replating the property for the benefit of the community. The subdivision encompasses +/- 37.67 acres and will contain 1 Parcel containing a 240 unit multi-family development and 102 single family residential lots. Additionally, the Developer has developed a drainage area south of the development on municipal property for the community's benefit.


**Fiscal Impact:**

*Reviewed By:*   
Finance Department

This resolution would not incur an additional expense to the City as funds have already been encumbered.

**Attachments:** Resolution, Amendment.


**Legal Review:**

*Approved As To Form:*   
City Attorney

**Recommendation:**

Staff recommends consideration to approve the Resolution to amend the Development Agreement.

**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. 6442.

**A RESOLUTION TO APPROVE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN GOLD CREEK HOMES AND THE CITY OF HOBBS DATED SEPTEMBER 8, 2015.**

WHEREAS, the City of Hobbs entered into a development agreement with Gold Creek Homes per Resolution #6358, said agreement dated September 21, 2015; and

WHEREAS, the intent of the development agreement is to increase the available housing inventory within the municipal boundaries of the City of Hobbs; and

WHEREAS, the term of the agreement allows for municipal infrastructure reimbursement following issuance of a Certificate of Occupancy for no more than 42 structures and not to exceed \$400,000.00 in total reimbursement for those units permitted within 270 days following the execution of said agreement; and

WHEREAS, the parties bound by the agreement desire to extend the permitted date to July 22, 2017 to allow units permitted up to and prior to the amended date to be eligible for municipal infrastructure reimbursement under the original limitations of the Agreement.

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

1. The City of Hobbs hereby approves the amending of the Development Agreement extending the permit date to July 22, 2017 all other provisions within the Development Agreement shall remain the same.

2. That City staff and officials are authorized to do any and all deeds necessary to carry out the intention of this Resolution.

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of June, 2016

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

ATTEST:

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

**AMENDMENT TO THE  
HOUSING DEVELOPMENT AGREEMENT BETWEEN  
THE CITY OF HOBBS AND DEVELOPER  
GOLD CREEK HOMES  
DATED SEPTEMBER 21, 2015**

WHEREAS, the City of Hobbs entered into a development agreement with Gold Creek Homes per Resolution #6358, said agreement dated September 21, 2015; and

WHEREAS, the intent of the development agreement is to increase the available housing inventory within the municipal boundaries of the City of Hobbs; and

WHEREAS, the term of the agreement allows for municipal infrastructure reimbursement following issuance of a Certificate of Occupancy for no more than 42 structures and not to exceed \$400,000.00 in total reimbursement for those units permitted within 270 days following the execution of said agreement; and

WHEREAS, the parties bound by the agreement desire to extend the permitted date to July 22, 2017 to allow units permitted up to and prior to the amended date to be eligible for municipal infrastructure reimbursement under the original limitations of the Agreement.

**NOW, THEREFORE**, the City of Hobbs and Developer do hereby agree as follows:

The permit date of the development agreement as herein referenced shall hereby be extended to July 22, 2017. Allowing units permitted up to and prior to July 22, 2017 to be eligible for municipal infrastructure reimbursement under the original limitations of the Agreement

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment to the Agreement.

**City of Hobbs**

**Developer**

\_\_\_\_\_  
By: Sam D. Cobb, Mayor

\_\_\_\_\_  
By: Ryan Voorhees

APPROVED AS TO FORM:

\_\_\_\_\_  
Mike H. Stone, City Attorney





# Gold Creek Homes

1015 East Bender Blvd, suite 100  
Hobbs, NM 88240

May 31st, 2016

Kevin Robinson  
City of Hobbs, Planning Director  
200 East Broadway  
Hobbs, NM 88240

Dear, Mr. Robinson,

Concerning the development agreement between Gold Creek Homes and the City of Hobbs, dated 9/8/2015.

The Homestead Estates subdivision was originally scheduled to be completed last fall. We experienced significant construction delays due in large part to the difficulty designing, inspecting and utilizing existing utility improvements. These delays pushed construction into the winter months and we have just now completed this project.

Incomplete improvements and the map not being recorded has impaired my ability to build and sell homes in the time line that I originally anticipated.

In addition, this existing Development agreement does not have a defined termination date and it is my understanding that city Staff would like to correct this over site.

The above cited reason are why I respectfully request that an amendment be made to this development agreement, specifying that all units permitted prior to July 22nd, 2017 will be eligible for payment.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Ryan Voorhees'. The signature is fluid and cursive, written over a horizontal line.

C. Ryan Voorhees

date



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

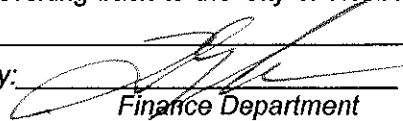
**SUBJECT:** A RESOLUTION APPROVING A LETTER OF UNDERSTANDING BETWEEN THE CITY OF HOBBS AND HABITAT FOR HUMANITY OF HOBBS REGARDING THE CONVEYANCE OF PROPERTIES AS PER RESOLUTION #5745 APPROVED ON OCTOBER 17, 2011.

DEPT. OF ORIGIN: Planning Division  
DATE SUBMITTED: May 30, 2016  
SUBMITTED BY: Kevin Robinson – Planning Department

**Summary:** The Municipality conveyed three properties to Habitat for Humanity as per Resolution #5745 on October 17, 2011 as a requirement for a 2008 Agreement. The instrument used to convey, a Special Warranty Deed, retained a fee interest in the properties through the use of a reversionary clause restricting usage and encumbering the property for future conveyances. However, the Deeds were never recorded with Lea County so in effect the conveyance has not closed and the Municipality is still owner of record. Attached, and made part of this Resolution, is a Letter of Understanding executed by Habitat for Humanity that is believed to carry out the initial intent of the deed restrictions as well as new Special Warranty Deeds. The deeds herein will allow Habitat for Humanity to convey the property without the threat of title reverting back to the City of Hobbs at some point in the future.

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_

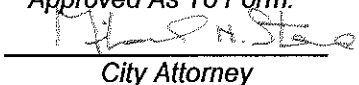
  
Finance Department

This Resolution will not have a Fiscal Impact on the Municipality.

**Attachments:** Resolution, Resolution #5745, Letter of Understanding and Special Warranty Deeds.

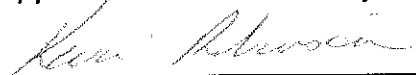
**Legal Review:**

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

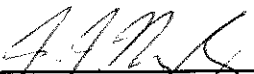
  
City Attorney

**Recommendation:**

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. 6443

**A RESOLUTION APPROVING A LETTER OF UNDERSTANDING BETWEEN THE CITY OF HOBBS AND HABITAT FOR HUMANITY OF HOBBS REGARDING THE CONVEYANCE OF PROPERTIES AS PER RESOLUTION #5745 APPROVED ON OCTOBER 17, 2011.**

WHEREAS, Habitat for Humanity is requesting new Deeds be executed in lieu of those received on October 17, 2011, which have not nor will be recorded; and

WHEREAS, Habitat for Humanity has executed a Letter of Understanding in line with the intent of the previous Resolution #5745 that originally sought to convey the properties to Habitat for Humanities.

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

1. The City of Hobbs hereby approves the Letter of Understanding as attached hereto and made a part of this Resolution.

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

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of June, 2016.

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

ATTEST:

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

CITY OF HOBBS

RESOLUTION NO. 5745

**A RESOLUTION TO APPROVE GRANTING THREE (3) SPECIAL WARRANTY DEEDS TO HABITAT FOR HUMANITY OF HOBBS FOR VACANT BUILDING LOTS LOCATED AT 1622 NORTH COLEMAN STREET, AT 515 NORTH CECIL STREET AND AT 206 WEST TEMPLE STREET.**

WHEREAS, the City of Hobbs is required by a 2008 Agreement to deed building lots to Habitat for Humanity, and the Commission hereby finds that deeding these three building lots to Habitat for Humanity is in the best interests of the City of Hobbs.

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

1. The City of Hobbs hereby approves the grant of the following building lots to Habitat for Humanity of Hobbs:

**1622 NORTH COLEMAN STREET  
515 NORTH CECIL STREET AND  
206 WEST TEMPLE STREET**

2. The Mayor is hereby authorized to sign special warranty deeds to convey these three real properties and City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 17th day of October 2011.

  
GARY DON REAGAN, Mayor

ATTEST:

  
JAN FLETCHER, City Clerk



SPECIAL WARRANTY DEED

THE CITY OF HOBBS, a New Mexico municipal corporation, for consideration paid, grants to HABITAT FOR HUMANITY OF HOBBS, INC. NEW MEXICO AREA, the following described real estate in Lea County, New Mexico:

Lot 11, Block 11, Southern Heights Addition to the City of Hobbs, in Lea County, New Mexico.

SUBJECT TO reservations, restrictions, easements of record and taxes for the year 2011 and thereafter.

SUBJECT ALSO TO a reversionary interest retained by the City of Hobbs that this property transfer is made with the condition that this real property shall be used only to locate and build one (1) site built single family residence, and if the real property use ceases to be only one site built single family residence, then the exercise of the reversion shall be automatic and without compensation to the owner at that time.

with special warranty covenants.

WITNESS its hand and seal this 17th day of October 2011.

CITY OF HOBBS

BY: Gary Don Reagan  
Gary Don Reagan, Mayor

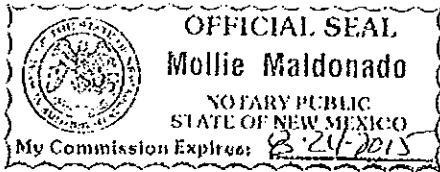
ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO )  
  ) ss.  
COUNTY OF LEA                                  )

This instrument was acknowledged before me this 17th day of October, 2011, by Gary Don Reagan, Mayor of the Hobbs, a New Mexico municipal corporation, on behalf of said corporation.

Mollie Maldonado  
Notary Public

My Commission Expires:  
8-24-2015



**SPECIAL WARRANTY DEED**

**THE CITY OF HOBBS**, a New Mexico municipal corporation, for consideration paid, grants to **HABITAT FOR HUMANITY OF HOBBS, INC. NEW MEXICO AREA**, the following described real estate in Lea County, New Mexico:

**Lots 3 and 4, Block 19, Grimes Addition to the City of Hobbs, in Lea County, New Mexico.**

SUBJECT TO reservations, restrictions, easements of record and taxes for the year 2011 and thereafter.

SUBJECT ALSO TO a reversionary interest retained by the City of Hobbs that this property transfer is made with the condition that this real property shall be used only to locate and build one (1) site built single family residence, and if the real property use ceases to be only one site built single family residence, then the exercise of the reversion shall be automatic and without compensation to the owner at that time.

with special warranty covenants.

WITNESS its hand and seal this 17th day of October 2011.

CITY OF HOBBS

BY: Gary Don Reagan  
Gary Don Reagan, Mayor

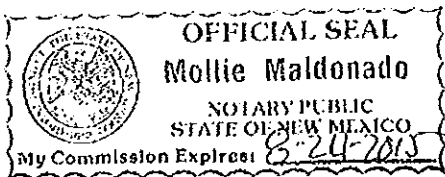
**ACKNOWLEDGMENT FOR CORPORATION**

STATE OF NEW MEXICO )  
  ) ss.  
COUNTY OF LEA             )

This instrument was acknowledged before me this 17th day of October, 2011, by Gary Don Reagan, Mayor of the Hobbs, a New Mexico municipal corporation, on behalf of said corporation.

Mollie Maldonado  
Notary Public

My Commission Expires:  
8-24-2015



SPECIAL WARRANTY DEED

THE CITY OF HOBBS, a New Mexico municipal corporation, for consideration paid, grants to HABITAT FOR HUMANITY OF HOBBS, INC. NEW MEXICO AREA, the following described real estate in Lea County, New Mexico:

Lot 2, Block 4, First Unit of the Dale Bellamah Addition to the City of Hobbs, in Lea County, New Mexico.

SUBJECT TO reservations, restrictions, easements of record and taxes for the year 2011 and thereafter.

SUBJECT ALSO TO a reversionary interest retained by the City of Hobbs that this property transfer is made with the condition that this real property shall be used only to locate and build one (1) site built single family residence, and if the real property use ceases to be only one site built single family residence, then the exercise of the reversion shall be automatic and without compensation to the owner at that time.

with special warranty covenants.

WITNESS its hand and seal this 17th day of October 2011.

CITY OF HOBBS

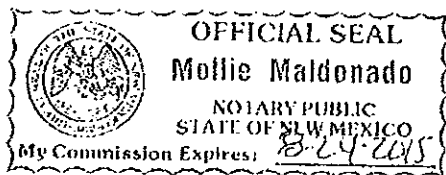
BY: Gary Don Reagan  
Gary Don Reagan, Mayor

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO )  
  ) ss.  
COUNTY OF LEA                                )

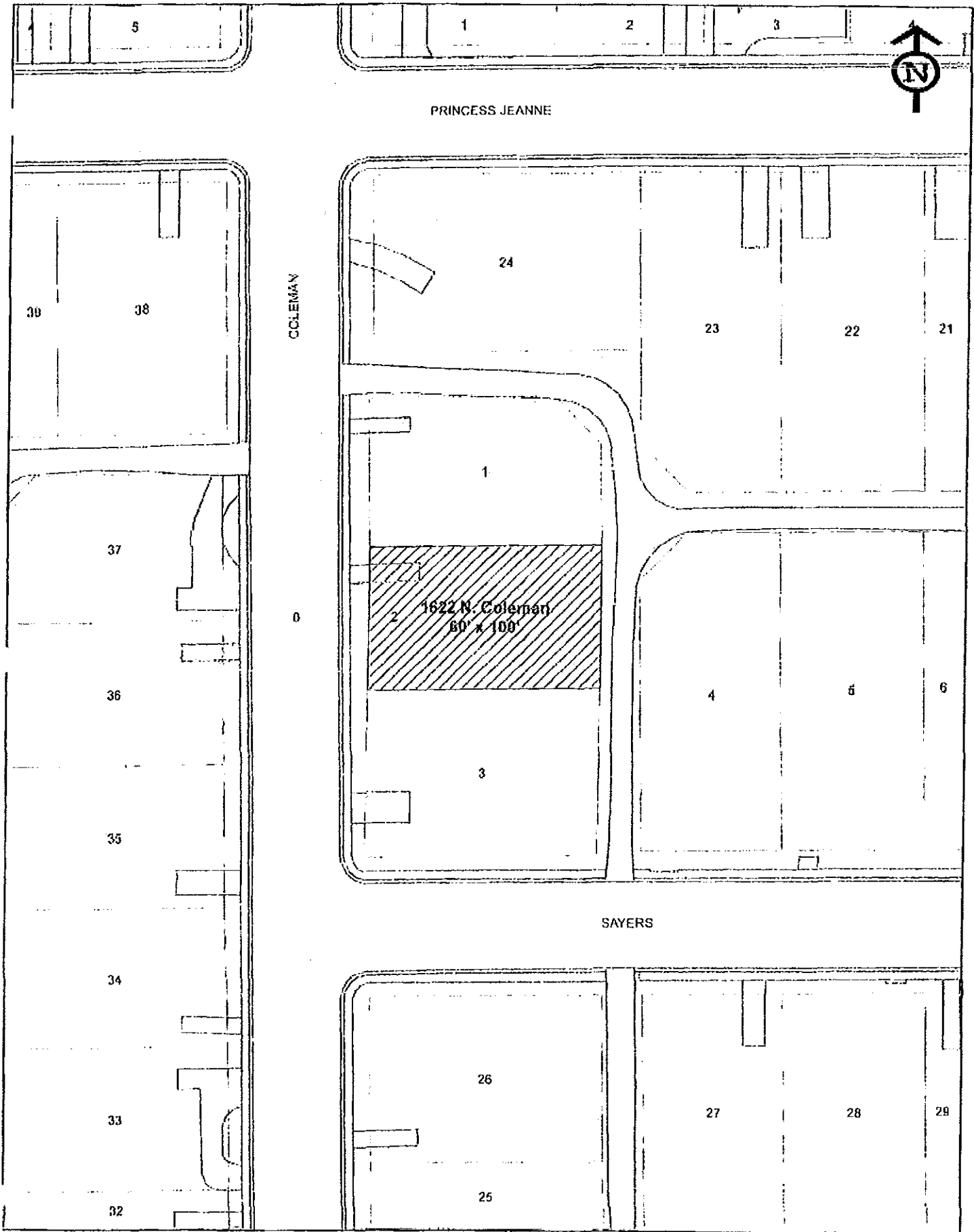
This instrument was acknowledged before me this 17th day of October, 2011, by Gary Don Reagan, Mayor of the Hobbs, a New Mexico municipal corporation, on behalf of said corporation.

Mollie Maldonado  
Notary Public

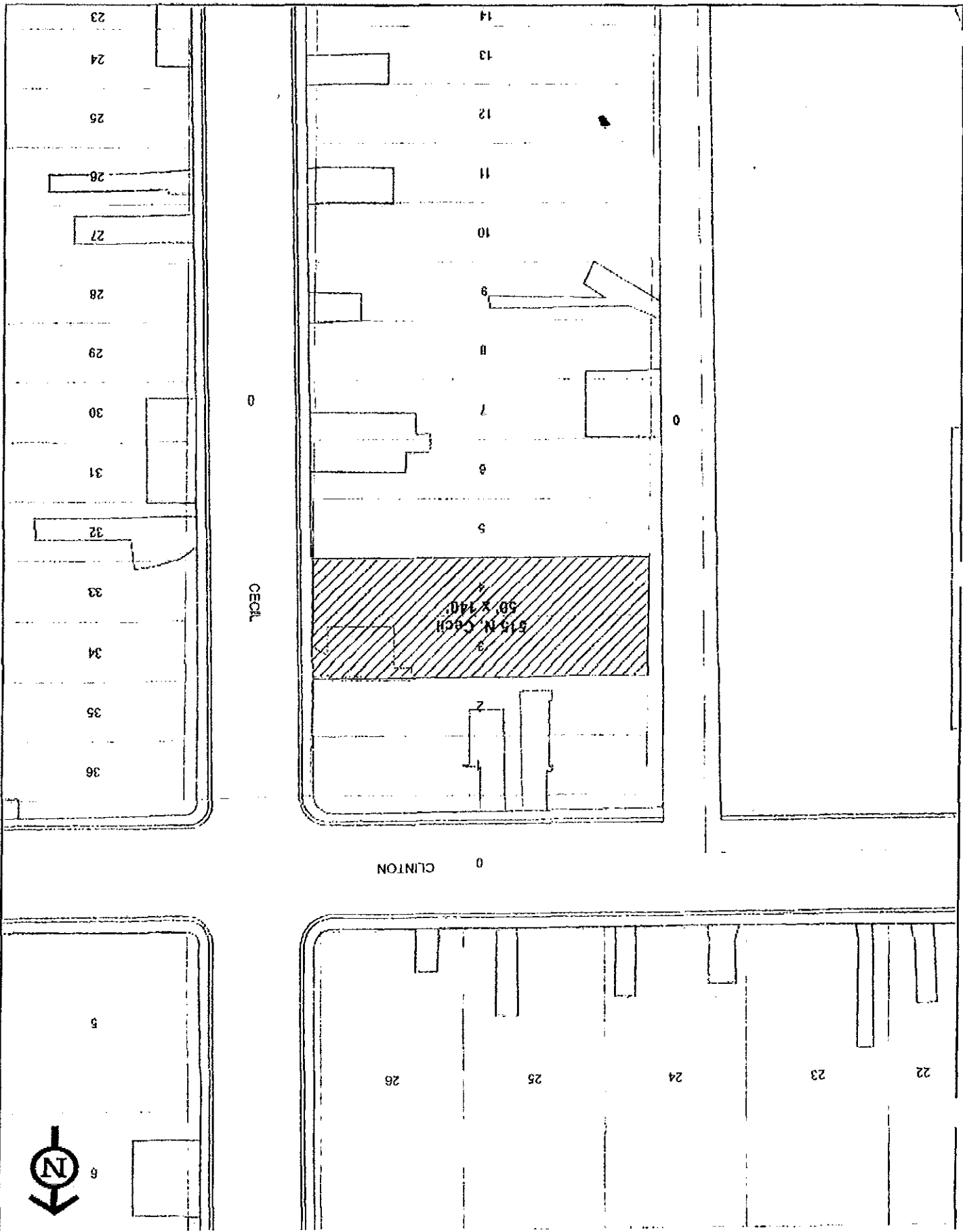


My Commission Expires:

8-24-2015







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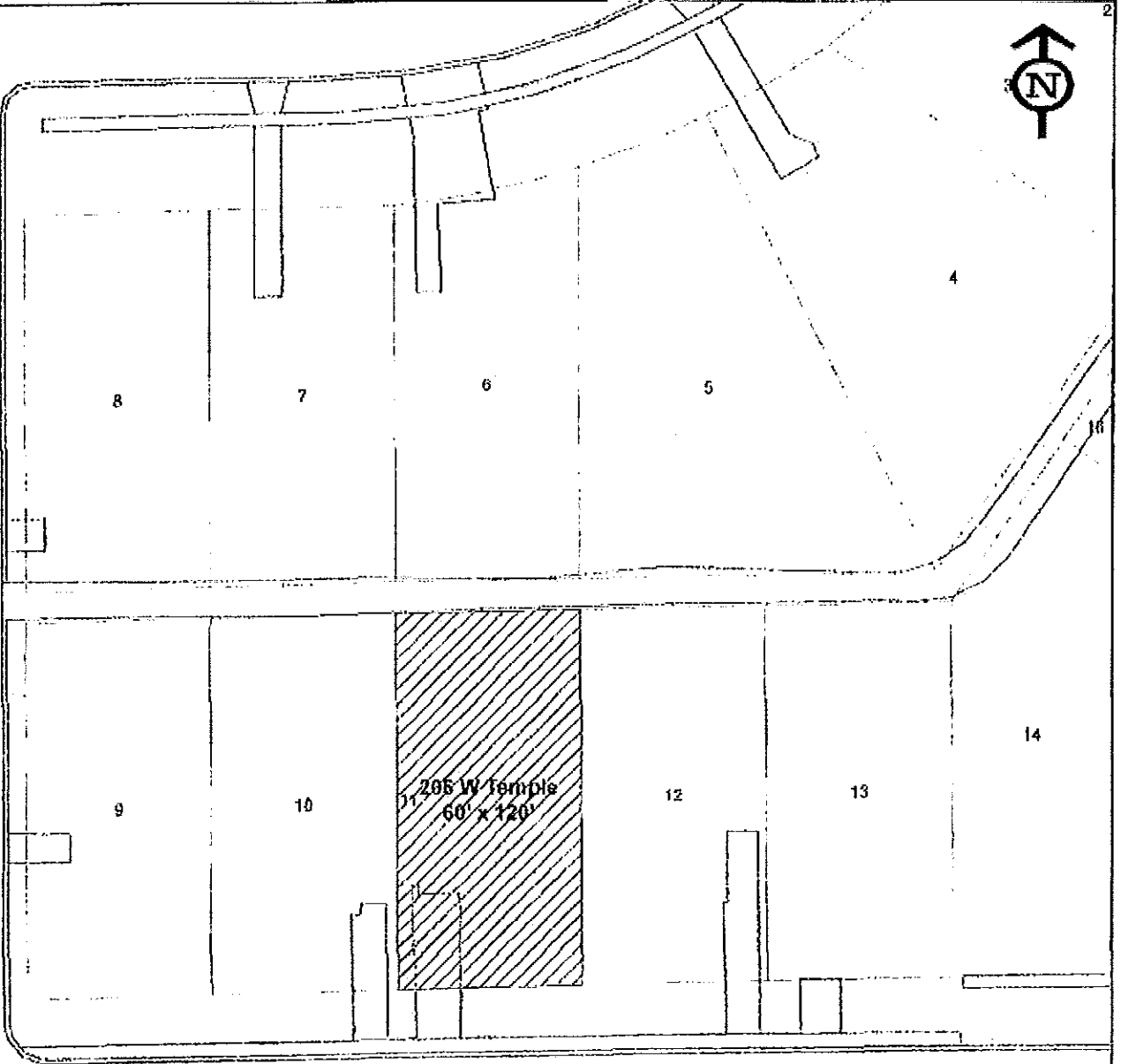
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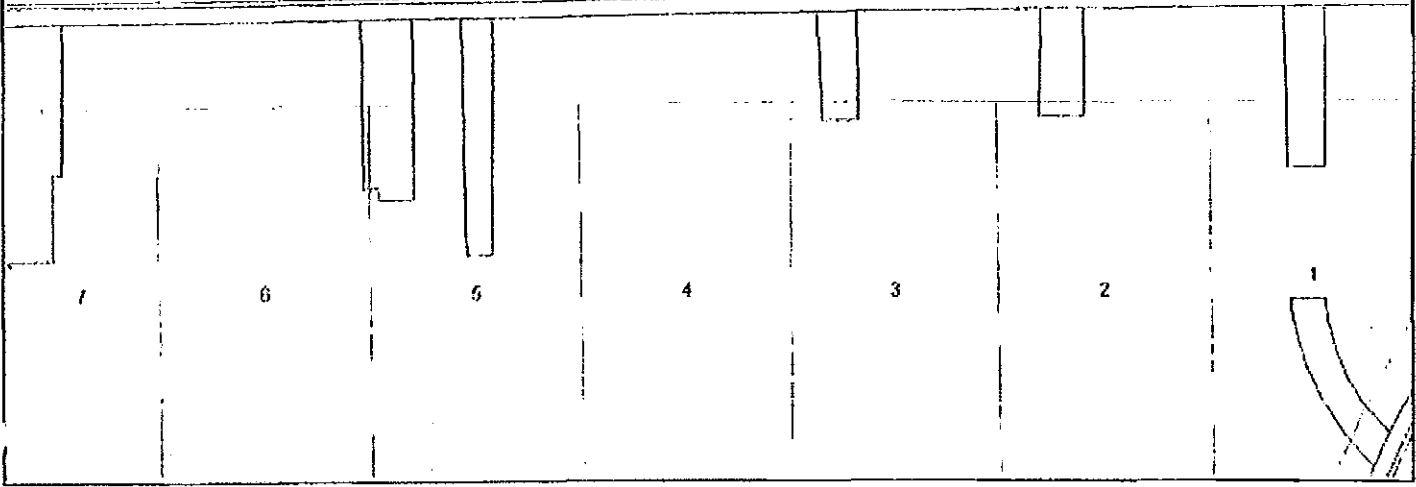
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**PLANNING DIVISION**

200 E. Broadway St.  
Hobbs, NM 88240

575-397-9351 bus  
575-397-9227 fax

*City of Hobbs, New Mexico*

May 23, 2016

Habitat for Humanity of Hobbs  
PO Box 5833  
Hobbs NM 88241

Dear Mr. Campbell:

This letter summarizes the understanding we have reached regarding the property conveyed to Habitat for Humanities of Hobbs per Resolution #5745 on October 17, 2011. And more specifically, rescission of the reversionary interest retained by the Municipality as reflected by the instruments of conveyance.

- A. Pending Commission approval documentation will be recorded rescinding the reversionary deed interest retained by the City of Hobbs for the properties so conveyed per Resolution #5745.
- B. Habitat for Humanity of Hobbs shall either utilize the conveyed properties for their intended use, as a site for a single family home, or convey the properties to be utilized for residential purposes only.
- C. Any funds received through the conveyance of said properties to third parties shall be utilized only for the furtherance of Habitat for Humanity's core mission of providing affordable housing to the community. Funds received from the disposition of the properties shall not be used for the operating expenses of Habitat for Humanity of Hobbs.

Sincerely,

\_\_\_\_\_  
JJ Murphy, City Manager

I acknowledge and agree to the process, terms and conditions set forth above.

\_\_\_\_\_  
Paul Campbell, Habitat for Humanity

\_\_\_\_\_  
Date

**SPECIAL WARRANTY DEED**

**THE CITY OF HOBBS**, a New Mexico municipal corporation, for consideration paid, grants to Habitat for Humanity of Hobbs, Inc. New Mexico Area, the following described real estate in Lea County, New Mexico:

**Lot 2, Block 4, First Unit of the Dale Bellamah Addition to the City of Hobbs, in Lea County, New Mexico**

SUBJECT TO reservations, restrictions, easements of record and taxes for the year 2016 and thereafter.

with special warranty covenants.

WITNESS its hand and seal this 6th day of June 2016.

CITY OF HOBBS

BY: \_\_\_\_\_  
Sam D. Cobb, Mayor

**ACKNOWLEDGMENT FOR CORPORATION**

STATE OF NEW MEXICO )  
                                  ) ss.  
COUNTY OF LEA         )

This instrument was acknowledged before me this 6th day of June, 2016, by Sam D. Cobb, Mayor of the Hobbs, a New Mexico municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_



**SPECIAL WARRANTY DEED**

**THE CITY OF HOBBS**, a New Mexico municipal corporation, for consideration paid, grants to Habitat for Humanity of Hobbs, Inc. New Mexico Area, the following described real estate in Lea County, New Mexico:

**Lot 11, Block 11, Southern Heights Addition to the City of Hobbs, in Lea County, New Mexico**

SUBJECT TO reservations, restrictions, easements of record and taxes for the year 2016 and thereafter.

with special warranty covenants.

WITNESS its hand and seal this 6th day of June 2016.

CITY OF HOBBS

BY: \_\_\_\_\_  
Sam D. Cobb, Mayor

**ACKNOWLEDGMENT FOR CORPORATION**

STATE OF NEW MEXICO )  
  ) ss.  
COUNTY OF LEA       )

This instrument was acknowledged before me this 6th day of June, 2016, by Sam D. Cobb, Mayor of the Hobbs, a New Mexico municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** RESOLUTION TO APPROVE THE FINAL PLAN FOR LYNCH SUBDIVISION, AS RECOMMENDED BY THE PLANNING BOARD. Located southwest of the intersection of College Lane and Ja-Rob within the extra-territorial jurisdiction of the municipality, submitted by Elizabeth Lynch, property owner.


DEPT. OF ORIGIN: Planning Division  
DATE SUBMITTED: May 30, 2016  
SUBMITTED BY: Kevin Robinson – Planning Department

**Summary:** The Final Plan for Lynch Subdivision No. 2 is submitted by Elizabeth D. Lynch, property owner. The proposed subdivision is located southwest of the intersection of College Lane and Ja-Rob within the extra-territorial jurisdiction of the municipality. The proposed subdivision encompasses +/- 19.35 acres and will create 4 tracts plus dedications of improved public roadways. The average tract size is +/- 4.5 acres. The Planning Board reviewed this issue on May 17, 2016 and voted 4 to 0 to recommend approval.

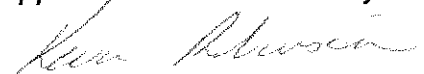
**Fiscal Impact:** Reviewed By:   
Finance Department

This subdivision is located within the Extraterritorial Jurisdiction of the City of Hobbs; each structure may be served by domestic water wells and private sewer systems. Lea County will assume maintenance of any infrastructure dedicated upon their acceptance of the same.

**Attachments:** Resolution, Final Plan, Planning Board Minutes.

**Legal Review:** Approved As To Form:   
City Attorney

**Recommendation:**  
Approval of the Resolution to approve the Final Plan for Lynch Subdivision No. 2 as recommended by the Planning Board.

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. 6444

**A RESOLUTION APPROVING THE FINAL PLAN OF LYNCH SUBDIVISION  
No. 2, AS RECOMMENDED BY THE PLANNING BOARD.**

WHEREAS, Elizabeth D. Lynch has submitted a Final Plan for Lynch Subdivision No. 2, for review by the City Planning Board; and

WHEREAS, the subdivision Final Plan was reviewed and approved by the Hobbs Planning Board at the May 17, 2016 meeting.

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

1. The City of Hobbs hereby grants Final Plan Approval to Lynch Subdivision No. 2, as recommended by the Planning Board; and
2. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of June, 2016.

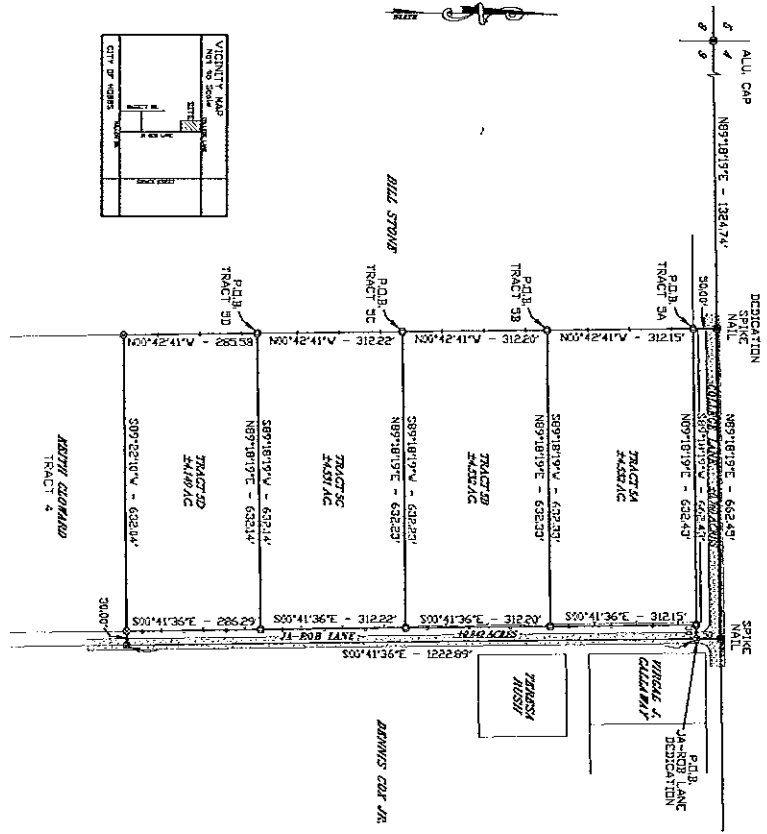
\_\_\_\_\_  
SAM D. COBB, Mayor

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, CITY CLERK



**LYNCH SUBDIVISION NO. 2**  
**PLAT FOR THE SUBDIVISION OF TRACT 5 OF THE LYNCH SUBDIVISION**  
**(FILED IN BOOK 1939, PAGE 158 IN THE LEA COUNTY CLERKS OFFICE,**  
**LOVINGTON, NEW MEXICO)**  
**FOUR TRACTS OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION 9,**  
**TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO**



DRAFT

- LEGENDA**
- DENOTES FOUND MONUMENT AS NOTED
  - CAP MARKED SET 1/2" REBAR W/P/C
  - CAP MARKED N.M. 15079 TX 3204
  - DENOTES SET MAG NAIL W/VA-SHIER
  - MARKED YASSEL SURVEYING N.M. 15079
  - CAP MARKED P&W/C
  - DENOTES FENCE LINE
  - DENOTES ELECTRIC LINE
  - DENOTES GAS LINE

**SUBDIVISION CERTIFICATE**

I, TERRY A. ADEL, NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR NO. 12673, DO HEREBY CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THE SURVEY IS ACCORDING TO THE STANDARD PRACTICES AND METHODS AND MEETS THE STANDARD STANDARDS FOR SURVEYING IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

Terry A. Adel N.M. Registration No. 12673 DATE \_\_\_\_\_

**OWNERS STATEMENTS**

5000 FOOT 5' BENCH BEING PLACED WITH THE FREE CORNER AND IN ACCORDANCE WITH THE 2016 PLAT FOR THE SUBDIVISION OF TRACT 5 OF THE LYNCH SUBDIVISION, THE TRACTS OF LAND HEREIN SHOWN WITH ALL RIGHTS OF WAY AS SHOWN BEING CONVEYED TO THE PUBLIC.

**EVIDENCE OF PAYMENT**

ADDITIONAL INFORMATION:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME PERSONALLY APPEARED \_\_\_\_\_, known to me to be the PERSONAL REPRESENTATIVE OF THE ABOVE DESCRIBED TRACTS, WHOSE NAME AND ADDRESS ARE HEREIN SET FORTH AND WHO HAS ACKNOWLEDGED THAT HE HAS PAID THE TAXES AND FEES WHICH HE HAS AND OBTAIN THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY PLANNING BOARD**

THE PLAT, RESTRICTIONS AND CONDITIONS IS APPROVED AND ACCEPTED BY THE CITY PLANNING BOARD OF \_\_\_\_\_ COUNTY, NEW MEXICO, AS SHOWN ON ITS RECORD BY ITS CHAIRMAN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

WILLIAM W. HOGG III - CHAIRMAN

**CERTIFICATE OF APPROVAL**

COUNTY OF LEA, NEW MEXICO

I, DAN FLETCHER, THE CLERK OF THE COUNTY CLERK OF THE CITY OF HOBBS, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED TRACTS OF LAND HAVE BEEN RECORDED IN THE OFFICE OF THE COUNTY CLERK OF LEA COUNTY, NEW MEXICO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

DAN FLETCHER, CITY CLERK

**CERTIFICATE OF APPROVAL FOR PLANNING AND ZONING BOARD**

THE PLANNING AND ZONING BOARD HAS CONSIDERED THE PLAT, RESTRICTIONS AND CONDITIONS OF THE LEA COUNTY PLANNING AND ZONING BOARD AND HAS DETERMINED THAT THE PLANNING AND ZONING BOARD HAS APPROVED THE PLAT AND THE RESTRICTIONS AND CONDITIONS AS SHOWN ON THE ATTACHED PLAT HAS THE APPROVAL AND ACCEPTED BY A MAJORITY OF THE MEMBERS OF THE BOARD.

IN WITNESS WHEREOF THE PLANNING AND ZONING BOARD OF LEA COUNTY, NEW MEXICO HAS CAUSED THESE RESOLUTIONS TO BE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF LEA COUNTY, NEW MEXICO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

PLANNING AND ZONING BOARD  
 LEA COUNTY, NEW MEXICO

**ATTEN:** \_\_\_\_\_

COUNTY CLERK: \_\_\_\_\_

ADDITIONAL INFORMATION:

STATE OF NEW MEXICO

COUNTY OF LEA

THE PERSONAL REPRESENTATIVE HAS APPEARED BEFORE ME THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016 BY THE ABOVE COUNTY CLERK AND CHAIRMAN OF THE LEA COUNTY PLANNING AND ZONING BOARD.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

**LEGAL DESCRIPTION**

FOUR TRACTS OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO DESCRIBED AS FOLLOWS:

**TRACT 5A**

BEING A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT WHICH LIES N89°18'19"E - 1324.74 FEET AND N89°18'19"E - 624.45 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT; THENCE S89°18'19"E - 1113.13 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE SOUTHWEST CORNER OF THIS TRACT; THENCE N89°18'19"E - 624.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.325 ACRES OF LAND, MORE OR LESS.

**TRACT 5B**

BEING A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT WHICH LIES N89°18'19"E - 1324.74 FEET AND S89°18'19"E - 624.45 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT; THENCE S89°18'19"E - 1113.13 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE SOUTHWEST CORNER OF THIS TRACT; THENCE N89°18'19"E - 624.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.325 ACRES OF LAND, MORE OR LESS.

**TRACT 5C**

BEING A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT WHICH LIES N89°18'19"E - 1324.74 FEET AND S89°18'19"E - 624.45 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT; THENCE S89°18'19"E - 1113.13 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE SOUTHWEST CORNER OF THIS TRACT; THENCE N89°18'19"E - 624.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.325 ACRES OF LAND, MORE OR LESS.

**TRACT 5D**

BEING A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT WHICH LIES N89°18'19"E - 1324.74 FEET AND S89°18'19"E - 624.45 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT; THENCE S89°18'19"E - 1113.13 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE SOUTHWEST CORNER OF THIS TRACT; THENCE N89°18'19"E - 624.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.325 ACRES OF LAND, MORE OR LESS.

**COLLECTOR STATEMENT**

BEING A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT WHICH LIES N89°18'19"E - 1324.74 FEET AND S89°18'19"E - 624.45 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE NORTHWEST CORNER OF THIS TRACT; THENCE S89°18'19"E - 1113.13 FEET TO A 1/2" REBAR W/P/C CAP MARKED N.M. 15079 TX 3204 SET AS THE SOUTHWEST CORNER OF THIS TRACT; THENCE N89°18'19"E - 624.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.325 ACRES OF LAND, MORE OR LESS.

**NOTES**

ALL TRACTS ARE BEING BOUND FROM A TRACT OF LAND CONVEYED TO ELIZABETH D. LYNCH AS DESCRIBED IN DEED BOOK 1034, PAGE 110 OF THE LEA COUNTY RECORDS AND ARE SUBJECT TO ALL RESTRICTIONS, EASEMENTS, ENCUMBRANCES, AND DOCUMENTS OF RECORD WITH RESPECT TO SAID TRACTS.

RESURVEYING DATA, HEREIN SET FORTH, HAS BEEN OBTAINED AND COMPARED TO THE US NATIONAL COORDINATE SYSTEM NEW MEXICO DATUM 1983 NORTH AMERICAN DATUM OF 1881 DATUMS ARE SHOWN SUBJECT MEASUREMENTS.

Elizabeth D. Lynch, County Clerk  
 Date of Survey: 04/27/2016  
 Scale: 1" = 200'

Work Order #160427PS  
 Surveyed by: Terry Adel  
 Drawn by: Kristie Adel  
 Sheet 1 of 1

do what he needs to do to make it right. He said if he needs to take the west wall down or shorten it he will. Mr. Hicks said the Planning Board's stance on this in the past is to not allow the violation within a city block. He said neighborhoods should be consistent or similar and that is why the rules are made. He said they are not against carports but it is a problem when they violate setbacks and the character of the neighborhood. Mr. Hicks said he has to have the two houses across the street sign the variance because they are required to sign.

Ms. Stephanie Vaughn said she lives at 101 Aspen. She said if you are keeping the neighborhood the same what about the trash and junk cars sitting around. She said there is a huge tree at another house that blocks the line of site. Mr. Robinson said that is complaint driven and people have to call and complain. He said the tree was there before 2005 and it was legal then because there were no regulations against it.

Mr. Kesner said the Planning Board is charged with development and integrity of the neighborhood. He said not everyone has signed the variance and if he is going to change the integrity of the neighborhood then he wants everyone on the block to say yes I agree with it. He said he wants to be consistent with all the neighbors. Mr. Sanderson if everyone on the block says I am willing to change the agreement then he would be willing to look at that. He said the people that didn't sign the variance are his concern right now. Mr. Shaw said he agreed with that. Mr. Hicks asked staff to send a letter to property owners from Fowler to McKinley excluding the church and see if they agree to allow the carport.

Mr. Kesner made a motion, seconded by Mr. Sanderson to table this item until the next meeting after planning staff notifies the owners and receives approval or disapproval for carports. The vote on the motion was 4-0 and the motion was tabled.

**6) Review and Consider Subdivision of Tract 5 of the Lynch Subdivision as submitted by Elizabeth D. Lynch, property owner.**

Mr. Robinson said this is the subdivision of the Lynch Subdivision tract number 5. He said there is a dedication of Jarob and College Lane as required per the Municipal Subdivisions. He said this will need signatures by the county. Mr. Sanderson made a motion to approve, seconded by Mr. Shaw to approve the subdivision. The vote on the motion was 4-0 and the motion carried.

**7) Review and Consider New Mexico Junior College proposed lease of property for use as a Driver Training Facility located within Hobbs Industrial Air Park South Subdivision.**

**8) Discussion Items:**

**A) Review of 2017-2021 ICIP and Timeline for 2018-2022 submittals.**

Mr. Robinson said staff is trying to get this out earlier because the DFA said the ICIP will be assuming a more crucial role for the financings of Municipalities. He said the DFA wants to see ICIP's as truly infrastructure capital improvement plans. He said staff is going through the existing list and scrubbing them and the next ICIP list the Planning Board will



# **ACTION ITEMS**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** RESOLUTION TO APPROVE THE FINAL PLAN FOR HOMESTEAD ESTATES SUBDIVISION, AS RECOMMENDED BY THE PLANNING BOARD. Located southeast of the intersection of E. Bender Boulevard and N. Steven Drive within the municipal boundaries, submitted by CRV Investments, LLC.

DEPT. OF ORIGIN: Planning Division  
DATE SUBMITTED: May 30, 2016  
SUBMITTED BY: Kevin Robinson – Planning Department

**Summary:** The Final Plan for Homestead Estates Subdivision is submitted by CRV Investments, LLC. The proposed subdivision is located southeast of the intersection of E. Bender Boulevard and N. Steven Drive within the municipal boundaries. The proposed subdivision encompasses +/- 37.67 acres and will contain 1 Parcel containing a 240 unit multi-family development and 102 single family residential lots. The average residential lot size is 60' x 130'. The Planning Board reviewed this issue on February 16, 2016 and voted 5 to 0 to recommend approval pending receipt of an Engineer of Record Certification as to infrastructure; certification has been received.

**Fiscal Impact:**

Reviewed By:   
Finance Department

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

**Attachments:** Resolution, Final Plan, Planning Board Minutes.

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

Approval of the Resolution to approve the Final Plan for Homestead Estates Subdivision as recommended by the Planning Board.

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. 6445

**A RESOLUTION APPROVING THE FINAL PLAN OF HOMESTEAD ESTATES  
SUBDIVISION, AS RECOMMENDED BY THE PLANNING BOARD.**

WHEREAS, CRV Investments, LLC has submitted a Final Plan for Homestead Estates Subdivision, for review by the City Planning Board; and

WHEREAS, the subdivision Final Plan was reviewed and approved by the Hobbs Planning Board at the February 16, 2016 meeting.

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

1. The City of Hobbs hereby grants Final Plan Approval to Homestead Estates Subdivision, as recommended by the Planning Board; and
2. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of June, 2016.

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

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, CITY CLERK

Mr. Robinson said if the conversation with the owner is successful then the Buchannan's will need to be a signatory on the plat. Mr. Hicks said or they could do a separate document that shows an easement was dedicated and refer to the plat. Mr. Robinson said he would prefer a dedication and that the Buchannan's be a signatory on the plat. Mr. Kesner said the County would not accept the dedication. He said the County only accepts dedication on roadways they maintain.

**7) Review and Consider Homestead Estates Subdivision, as submitted by property owner CRV Investments, LLC.**

Mr. Robinson said this is the final plat of Homestead Estates Subdivision. He said the final plat will not go before the Commission prior to an Engineer of record certification that all infrastructures are in place. He said title 16 says that if the subdivider is going to bond the infrastructure then this Board will be approving the bond. He said the subdivider could put up a cash bond with the municipality. He said the municipality cannot give them a certificate of occupancy because the entire infrastructure is not in place and there is no access.

Mr. Robinson said the Municipality wants to retain easements for the looped waterline that goes around the multifamily property. Mr. Hicks asked if they were getting close to completion? Mr. Robinson said they are getting close to completion. Mr. Hicks asked if Rose Lane will be built? Mr. Robinson said yes that will be the second access which will be required as part of their completion. He said the municipality will be a signatory on this plat because of the extension of Ranchland Road which will be extended by the developer but it is upon municipal property. Mr. Drennan made a motion, seconded by Mr. Ramirez to approve the subdivision with the condition that the subdivision is complete or bonding is in place. The vote on the motion was 5-0 and the motion carried.

**8) Discussion Item:**

**A. Review and Discuss Title 16 (Subdivision) sub-committee progress.**

Mr. Robinson said the Planning Board did form a subcommittee to go over all of the amended changes on Title 16 and the subcommittee has met more than once. Mr. Hicks said they started on definitions and are slowly working through it. He said the Commissioners are welcome at the meeting.

**9) Adjournment.**

With nothing further to discuss the meeting adjourned at 11:13 am.

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W.M. "Tres" Hicks, Chairman

# HOMESTEAD ESTATES SUBDIVISION

CITY OF HOBBS, LEA COUNTY, NEW MEXICO



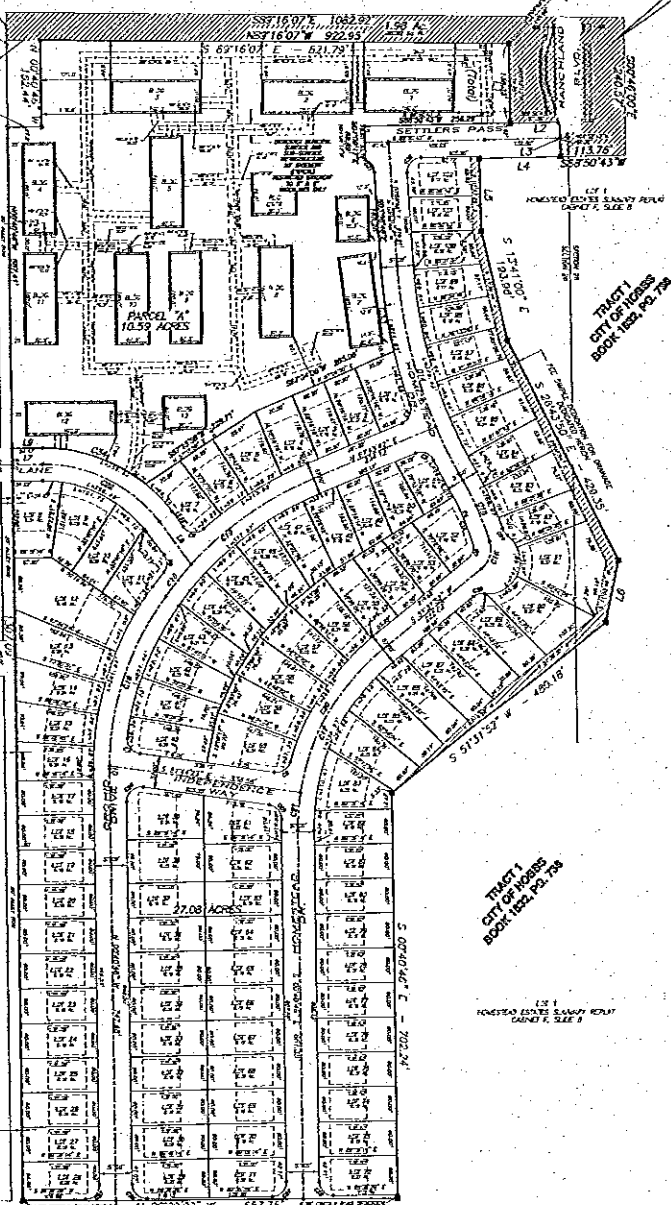
N 00°40'51" W 49.10'  
CITY OF HOBBS  
BOOK 242, PG. 427  
BOOK 1632, PG. 744  
SURVEY BOOK 1, PG. 769

BENDER BLVD.

1.98 ACRES  
HOMESTEAD ESTATE  
CITY OF HOBBS

TRACT	ACRES	SURV.	COM.	CH.	PL.	PT.	SEC.	T.	R.
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N 87°37'08" E 60.00'  
SECOND UNIT TAYLOR  
BALCONY ADDITION  
BOOK 122, PAGE 298



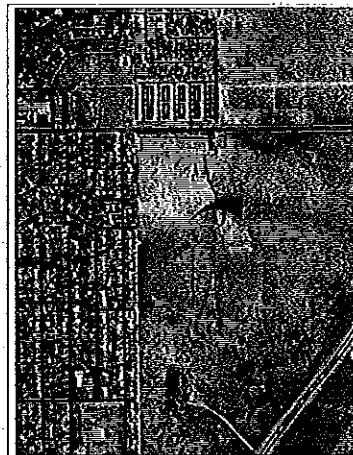
TRACT	ACRES	SURV.	COM.	CH.	PL.	PT.	SEC.	T.	R.
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30	1.98	1	1	1	1	1	1	1	1

AS AN AGREEMENT BETWEEN THE SUBDIVISION AND THE CITY OF HOBBS, ALL EASEMENTS, ETC. ARE TO BE MAINTAINED FOR THE CITY OF HOBBS.

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TRACT 1  
CITY OF HOBBS  
BOOK 122, PAGE 298



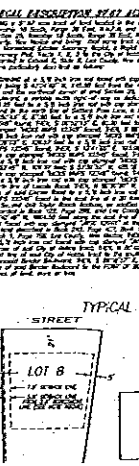
### CERTIFICATE STATEMENT AND AFFIDAVIT

I, the undersigned, being duly sworn on oath, state that the map and plat hereon filed are true and correct copies of the original map and plat on file in the office of the County Clerk, Lea County, New Mexico, and that the same conform to the requirements of the City of Hobbs, New Mexico, and that the same are in full compliance with the requirements of the City of Hobbs, New Mexico, and that the same are in full compliance with the requirements of the City of Hobbs, New Mexico, and that the same are in full compliance with the requirements of the City of Hobbs, New Mexico.

WITNESSED BY TWO OTHER TRUE AND SOLEMNLY SWORN TO IN THE PRESENCE OF ME.

BY *[Signature]*  
CITY CLERK

OFFICIAL SEAL  
LEA COUNTY  
NEW MEXICO



### LEGAL DESCRIPTION PARCEL A

DESCRIPTION OF PARCEL A

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RECORDED INFORMATION FOR COUNTY CLERK  
CITY OF HOBBS, NEW MEXICO



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** Resolution Authorizing Funding Appropriations to Economic Development and Marketing Entities and Authorizing the Mayor to Execute Professional Service Agreements

**DEPT. OF ORIGIN:** City Manager's Office  
**DATE SUBMITTED:** May 27, 2016  
**SUBMITTED BY:** JJ Murphy, City Manager

**Summary:**

Funding is proposed for economic development and marketing of Hobbs for FY 16-17 as identified in the resolution attached hereto.

**Fiscal Impact:**

Reviewed By: 

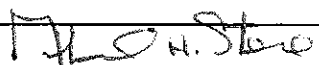
Finance Department

Funding appropriations are recommended for economic development and marketing entities for FY 16-17 in the total amount of \$668,502.38. A budget adjustment in the amount of \$364,002.38 will need to be made in the FY 16-17 final budget.

**Attachments:**

Resolution, History of Funding Ledger

**Legal Review:**

Approved As To Form: 

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: \_\_\_\_\_  
Dated \_\_\_\_\_  
File No. \_\_\_\_\_



CITY OF HOBBS

RESOLUTION NO. 6446

A RESOLUTION AUTHORIZING FY 16-17 FUNDING APPROPRIATIONS  
FOR ECONOMIC DEVELOPMENT AND MARKETING ENTITIES

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that FY 16-17 funding appropriations are approved for economic development and marketing of Hobbs in the following amounts:

Economic Development Corporation <i>(Operating and Special Projects)</i>	\$ 250,000.00
Economic Development Corporation <i>(Airline Subsidy from General Fund)</i>	\$ 225,502.38
Hobbs Chamber of Commerce	\$ 75,000.00
Hobbs Hispano Chamber of Commerce	\$ 60,000.00
Hobbs African American Chamber of Commerce <i>(of which \$20,000.00 is for Juneteenth)</i>	\$ 45,000.00
Western Heritage Museum <i>(Marketing of Titanic Exhibit)</i>	\$ 17,500.00

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized and directed to execute appropriate Professional Services Agreements with each agency in the amounts specified above.

PASSED, ADOPTED AND APPROVED this **6th** day of **June, 2016**.

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

ATTEST:

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

City of Hobbs  
 History and Current Funding Requests for Ordinance # 1086 Organizations - (GENERAL FUND ONLY)  
 for Budget Fiscal Year 2017

	City Commission		2017 Funding Request	2016 Funding Amount	2015 Funding Amount	2014 Funding Amount	2013 Funding Amount	2012 Funding Amount
	Recommended	Manager Recommended						
Economic Development Corporation***	250,000.00	250,000.00	250,000.00	250,000.00	278,350.00	250,000.00	250,000.00	200,000.00
Economic Development Corporation (AIRLINE SUBSIDY)****	220,502.38	220,502.38						
	470,502.38							
Hobbs Chamber of Commerce	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	90,000.00	44,500.00
Hobbs Hispano Chamber of Commerce	60,000.00	60,000.00	60,000.00	60,000.00	55,000.00	50,000.00	50,000.00	50,000.00
Hobbs African American Chamber of Commerce **	45,000.00	45,000.00	55,000.00	45,000.00				

\*\* = Hobbs African American Chamber \$25,000, Juneteenth \$20,000

\*\*\* = EDC funding is \$200,000 operating, \$50,000 for City initiated special projects. Funding is dependent on EDC spending reserves of \$100,000 or more in fiscal year 2017

\*\*\*\* = Airline Subsidy of \$500,000, General Fund = 220,502.38 Lodgers' Tax Fund = \$279,497.62



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** Resolution Authorizing Funding Appropriations to Social Service Agencies and Authorizing the Mayor to Execute Professional Service Agreements

**DEPT. OF ORIGIN:** City Manager's Office  
**DATE SUBMITTED:** May 27, 2016  
**SUBMITTED BY:** JJ Murphy, City Manager

**Summary:**

Funding is proposed for community social service agencies and the Community Drug Coalition for FY 16-17 as identified in the resolution attached hereto.

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_

  
Finance Department

Ordinance No. 1086 capped funding at \$400,000; the committee's recommendation for social service agencies is \$192,000. These appropriations are budgeted under the FY 16-17 preliminary budget.


The recommendation for the Community Drug Coalition funding is \$100,000.00. A budget adjustment of \$48,000 will need to be made in the FY 16-17 final budget.

**Attachments:**

Resolution, History of Funding Ledger

**Legal Review:**


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

  
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. 6447

A RESOLUTION AUTHORIZING FY 16-17 FUNDING  
APPROPRIATIONS TO VARIOUS SOCIAL SERVICE AGENCIES

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that FY 16-17 funding appropriations are approved for various social service agencies in the following amounts:

CASA	\$ 20,000
Community Drug Coalition	\$ 100,000
Faith In Action	\$ 10,000
Isaiah's Kitchen	\$ 10,000
Lea County Commission for the Arts	\$ 15,000
Manna Outreach	\$ 10,000
My Power	\$ 20,000
Opportunity House	\$ 8,500
Option	\$ 15,000
Palmer Drug Abuse Program	\$ 35,000
Salvation Army	\$ 6,000
Senior Bash	\$ 2,000
Southwest Symphony	\$ 3,000
Teen Court	\$ 20,000
Weekend Hunger Initiation	\$ 17,500

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized and directed to execute appropriate Professional Service Agreements with each agency in the amounts specified above for the provision of social services to the citizens of Hobbs.

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of **June, 2016**.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk

**HISTORY OF FUNDING  
SOCIAL SERVICE AGENCIES**

	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY15-16	FY 16-17 Agency Proposal	FY 16-17 Committee Recommended
CASA	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Faith In Action	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Isaiah's Kitchen	\$ 7,500	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Lea County Commission for the Arts	\$10,000	\$12,500	\$12,500	\$15,000	\$15,000	\$28,505	\$15,000
Manna Outreach	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$15,000	\$10,000
My Power, Inc.	\$15,000	\$17,500	\$17,500	\$20,000	\$20,000	\$20,000	\$20,000
Option	\$20,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Opportunity House	\$10,000	\$ 7,500	\$ 7,500	\$ 8,500	\$ 8,500	\$12,500	\$ 8,500
PDAP	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
Salvation Army	\$ 5,000	\$ 5,000	\$ 5,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000

Senior Bash	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Southwest Symphony	\$30,000	\$ 2,000	\$ 2,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 10,000	\$ 10,000	\$ 3,000
Teen Court	\$15,000	\$17,500	\$17,500	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Weekend Hunger Initiative				\$17,500	\$17,500	\$17,500	\$20,000	\$20,000	\$17,500
Community Drug Coalition	\$200,000	\$353,255	\$353,255	\$125,000	\$125,000	\$125,000	\$100,000	\$100,000	\$100,000
<b>TOTAL</b>	<b>\$389,500</b>	<b>\$517,255</b>	<b>\$517,255</b>	<b>\$317,000</b>	<b>\$317,000</b>	<b>\$317,000</b>	<b>\$324,005</b>	<b>\$324,005</b>	<b>\$292,000</b>



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

**SUBJECT:** AWARD BID No 1548-16 FOR MAIN STREET SIDEWALK & ADA IMPROVEMENTS  
**DEPT. OF ORIGIN:** Engineering Department  
**DATE SUBMITTED:** 5-31-16  
**SUBMITTED BY:** Todd Randall, City Engineer

**Summary:**

Bids were opened at 2:00 PM on Thursday, May 26, 2016 for the Main Street Sidewalk & ADA Improvements, Project CN: 2100840. The project consists of construction of sidewalk and ADA ramps on Main St., east of NM 18 (Dal Paso).


An advertisement was placed in the local newspaper. Two bids were submitted.

<u>Contractor</u>	<u>Bid Alternate A</u>
Abraham's Construction, Inc.	\$ 639,298.00
Entrench, Inc.	\$ 679,992.50

Abraham's Construction, Inc. is the lowest bidder. They are properly licensed and their registration with the NMDWS is current.

In accordance with the above narrative, it is the recommendation of the Engineering Department that the bid for construction of the project be awarded to Abraham's Construction, Inc., as low bidder in the amount of \$639,298.00 (not including GRT), upon NMDOT concurrence.

**Fiscal Impact:**

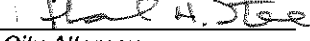
Reviewed By:   
Finance Department

Estimated Construction Cost:	\$750,000
Admin / Testing / Other:	\$ 50,000
Estimated Total Cost:	\$800,000

Amount Budgeted:	\$800,000 (\$185,000 Federal Funds)
Budgeted Line Item:	48-4048-44901-00212

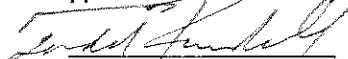

**Attachments:** Bid Tabulation Sheet

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:** Award the Main Street Sidewalk & ADA Improvements Project to Abraham's Construction, Inc.

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. \_\_\_\_\_



Item No.	Description	Unit	Est. Qty. Bid Alt. A	Abraham's Unit Price	Abraham's Total Bid price Alt. A	Entrench Unit Price	Entrench Total Bid price Alt. A
203000	UNCLASSIFIED EXCAVATION	CY	150	\$25.00	\$3,750.00	\$25.00	\$3,750.00
203100	BORROW	CY	400	\$25.00	\$10,000.00	\$28.00	\$11,200.00
203200	SUBEXCAVATION	CY	400	\$13.00	\$5,200.00	\$50.00	\$20,000.00
207000	SUBGRADE PREPARATION	SY	2200	\$3.00	\$6,600.00	\$5.00	\$11,000.00
303160	BASE COURSE 6"	SY	2850	\$16.00	\$45,600.00	\$12.00	\$34,200.00
408100	PRIME COAT MATERIAL	TON	2.75	\$700.00	\$1,925.00	\$950.00	\$2,612.50
416000	MINOR PAVEMENT	SY	2200	\$25.00	\$55,000.00	\$20.00	\$44,000.00
515000	REINFORCED CONCRETE FOR MINOR STRUCTURES	CY	150	\$500.00	\$75,000.00	\$210.00	\$31,500.00
601000	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	LS	1	\$47,390.00	\$47,390.00	\$89,040.00	\$89,040.00
607199	REMOVE AND REBUILD FENCE	LF	725	\$40.00	\$29,000.00	\$28.00	\$20,300.00
608004	CONCRETE SIDEWALK 4"	SY	2255	\$35.00	\$78,925.00	\$50.00	\$112,750.00
608106	DRIVE PAD 6"	SY	1773	\$56.00	\$99,288.00	\$60.00	\$106,380.00
609500	STANDARD CURB & GUTTER	LF	2915	\$18.00	\$52,470.00	\$19.00	\$55,385.00
609706	CONCRETE LAYDOWN CURB 6"	LF	1675	\$18.00	\$30,150.00	\$18.00	\$30,150.00
617003	VIDEO TAPING	LS	1	\$3,000.00	\$3,000.00	\$9,500.00	\$9,500.00
618000	TRAFFIC CONTROL MANAGEMENT	LS	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
621000	MOBILIZATION	LS	1	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00
663110	REMOVE AND RELOCATE FIRE HYDRANT	EA	1	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00
663855	ADJUST VALVE BOX TO GRADE	EA	3	\$500.00	\$1,500.00	\$375.00	\$1,125.00
663890	VALVE BOX WITH COVER	EA	1	\$600.00	\$600.00	\$550.00	\$550.00
663896	GATE VALVE-6"	EA	1	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00
663933	ADJUST SANITARY SEWER CLEANOUT	EA	6	\$300.00	\$1,800.00	\$400.00	\$2,400.00
667004	MISCELLANEOUS LANDSCAPING	LS	1	\$10,000.00	\$10,000.00	\$9,100.00	\$9,100.00
667110	MAILBOX INSTALLATION - SINGLE	EA	42	\$300.00	\$12,600.00	\$375.00	\$15,750.00
702810	TRAFFIC CONTROL DEVICES FOR CONSTRUCTION	LS	1	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
801000	CONSTRUCTION STAKING BY THE CONTRACTOR	LS	1	\$15,000.00	\$15,000.00	\$14,000.00	\$14,000.00
					<b>\$639,298.00</b>		<b>\$679,992.50</b>



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

SUBJECT: Resolution of Match Requirement and Loan Repayment; 3555-WTB  
DEPT. OF ORIGIN: Utilities  
DATE SUBMITTED: May 31, 2016  
SUBMITTED BY: Tim Woomer, Utilities Director

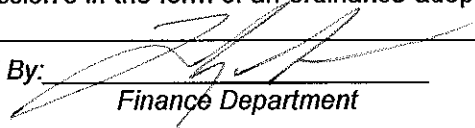
Summary:

On May 11, 2016, the Water Trust Board awarded a 2016 Water Trust Fund loan/grant in the amount of \$586,400 toward the City of Hobbs Effluent Reuse Project (Project). City's funding request is to proceed forward with design of approximately 8.5 miles of reclaimed water pipeline termed the Northeast Distribution System, including an engineer report on the feasibility of relocating and utilizing the Hardin elevated water tower for reclaimed water storage at HIAP.

The New Mexico Finance Authority (NMFA) has approved this award and set the funding terms at a 40% loan (20 years @ 0.25%) in the amount of \$234,560, and a 60% grant in the amount of \$351,840. A local match of 15% of the awarded amount, or \$87,960, is a requirement of this funding.

As a condition of funding, a resolution verifying the City of Hobbs will commit a 15% match in the amount of \$87,560, including a verification of the 40% loan repayment in the amount of \$234,560, for Project is required by NMFA. The Commission's adoption of a resolution verifying a match component and future loan repayment is a readiness to proceed item and does not commit the City of Hobbs to accepting, or approving, this WTB loan/grant. The execution of the actual loan/grant agreement between NMFA and the City of Hobbs will be presented for consideration by the Commission's in the form of an ordinance adoption at a later date.

Fiscal Impact:

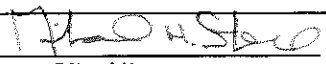
Reviewed By:   
Finance Department

There no fiscal impact with adopting a resolution stating that City will provide a 15% match in the amount of \$87,560 and make repayment of a 40% loan in the amount of \$234,560 upon execution of a 2016 Water Trust Fund loan/grant totaling \$586,400.

Attachments:

Resolution to Approve 15% Matching Requirement and Verification of 40% Loan Repayment for Water Trust Board Project 3555; Water Conservation; Phase II Effluent Reuse Project. NMFA Summary 3555-WTB.

Legal Review:

Approved As To Form:   
City Attorney

Recommendation:

Approve and adopt the Resolution to Approve 15% Matching Requirement and Verification of 40% Loan Repayment for Water Trust Board Project 3555; Water Conservation; Phase II Effluent Reuse Project.

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. 6448

RESOLUTION TO APPROVE 15% MATCHING REQUIREMENT  
AND VERIFICATION OF LOAN REPAYMENT  
FOR WATER TRUST BOARD PROJECT 3555-WTB; WATER CONSERVATION;  
PHASE II EFFLUENT REUSE PROJECT

WHEREAS, the State of New Mexico Water Trust Board has approved the final terms, structure and conditions of Water Project Funding in the amount of \$586,400 to the City of Hobbs for its Water Conservation project; and

WHEREAS, the City will provide a 15% match requirement in the amount of \$87,560; and

WHEREAS, the City will be required to repay a 40% loan in the amount of \$234,560;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor is hereby authorized and directed to approve the 15% match requirement in the amount of \$87,560 and repayment of the 40% loan in the amount of \$234,560.

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of June, 2016.

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

ATTEST:

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



**City of Hobbs**  
**Water Conservation or Treatment, Recycling or Reuse Projects**  
**Water Trust Board**

App # 16-007

3555-WTB

**A. EXECUTIVE SUMMARY**

1. **Applicant:** City of Hobbs  
Effluent Reuse Project, Phase II Northeast
2. **Project Name:** Distribution Pipeline
3. **Request:** Design and construction
4. **Recommended for Funding**
5. **NMFA Water Analyst:** Angela Quintana  
**NMFA Financial Analyst:** Zach Dillenback/Maria Gallardo
6. **Funding Description**

<b>WPF Grant:</b>	60%	\$	<u>351,840</u>
<b>WPF Required Loan:</b>	40%	\$	<u>234,560</u>
<b>Required Match</b>	15%	\$	<u>87,960</u>
7. **Compliance with NMFA & WTB Project Management Policies:**

**NMFA Board Date** May 26, 2016  
**County:** Lea  
**Amount:** \$ 586,400  
 Yes  No

*Waiver request from project continuation policy was approved by WTB on April 13, 2016.*

**B. PROJECT**

1. **Project Background:**

The City of Hobbs seeks funding to conduct an environmental assessment and design of an elevated reclaimed water storage tank and approximately 8.5 miles of a reclaimed water transmission line (Northeast Distribution Segment). The pipeline would provide reclaimed water to the Zia Plex Sports Fields, Taylor Ranch Subdivision, Del Norte Park and tie in to the Southwest Distribution Segment. The storage tank would provide storage and water pressure. The use of the reclaimed water for irrigation purposes will result in an annual potable water savings of approximately 61 million gallons per year.

2. **Timing:** Aug-16

3. **Total Estimated Project Cost:**

<b>SOURCES:</b>	Water Project Fund Request		\$	586,400
	NMFA WTB Grant	\$	351,840	60%
	NMFA WTB Loan	\$	234,560	40%
	Local Match Funds (Secured)		\$	168,000
	Other State Funds (Non-STB Sourced)			
	<b>Total Sources</b>		<b>\$</b>	<b>754,400</b>
<b>USES:</b>	Water Project Fund		\$	586,400
	Local Match Funds (Secured)		\$	168,000
	Other State Funds (Non-STB Sourced)		\$	-
	Other Public Funds			
	<b>Total Uses</b>		<b>\$</b>	<b>754,400</b>

4. **OSE Water Rights Verification:** YES  NO  N/A

**5. Consulting Professionals**

<b>Engineer / Architect:</b>	Clayton Ten Eyck, PE	<b>Legal Counsel:</b>	Michael Stone
<b>Project Manager:</b>	Tim Woomer	<b>Financial Advisor:</b>	

**C. FINANCING**

**1. Funding Structure**

<b>Grant Amount</b>	\$ 351,840	60%	<b>Term (years)</b>	20 yrs
<b>Loan Amount</b>	\$ 234,560	40%	<b>Interest Rate</b>	0.00%

**2. Security**

<b>Pledge</b>	Net System Revenues of the Joint Utility Fund		
<b>Historic Annual Revenues Generated</b>	\$4,154,892 (3 year average)	<b>Minimum Coverage for all Debt</b>	1.72x
<i>* All WTB Project Fund Loans will contain waivers for annual principal and interest payments for hardship cases as determined annually by the Department of Finance.</i>			

<b>Lien Status</b>	Subordinate
<b>Senior Lien</b>	2011 NMED Loan (CWSRF 001), 2005 NMFA DW Loan (1510-DW)
<b>Subordinate Lien Debt</b>	N/A
<b>Parity Debt</b>	2013 NMFA WTB Loan (0250-WTB), 2015 NMFA WTB Loan (0316-WTB), 2015 NMFA WTB Loan (0339-WTB).

**3. WTB Funding History:**

Project Type	Project #	Status	Grant Amt	Loan Amt	Total Amt	Maturity
Water Conservation or	115-WTB	Complete	\$ 360,000	\$ 90,000	\$ 450,000	6/2029
Water Conservation or	250-WTB	Complete	\$ 1,979,232	\$ 1,319,488	\$ 3,298,720	6/2033
Water Conservation or	316-WTB	Active	\$ 1,920,000	\$ 1,280,000	\$ 3,200,000	6/2035
Water Conservation or	339-WTB	Active	\$ 1,084,560	\$ 723,040	\$ 1,807,600	6/2035
Water Conservation or	3555-WTB	This Request	\$ 351,840	\$ 234,560	\$ 586,400	6/2036
			<b>\$ 5,695,632</b>	<b>\$ 3,647,088</b>	<b>\$ 9,342,720</b>	

**D. READINESS TO PROCEED**

Prior to funding of this application, the NMFA requires the following criteria to be met:

1. A monthly draw-down schedule of project expenditures;
2. Verification of required 15% match in the amount of \$87,960;
3. Verification of loan repayment;
4. All contingencies must be satisfied by September 30, 2016; and
5. Any additional information requested by the Water Trust Board or the NMFA Board.

**E. READINESS TO PROCEED - DISBURSEMENT**

Prior to disbursement of construction funds, the NMFA requires the following criteria to be met:

1. Verification/update of project description;
2. Copy of detailed final cost estimates for project;
3. Approval from NMED on all construction plans and specifications;



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: JUNE 6, 2016

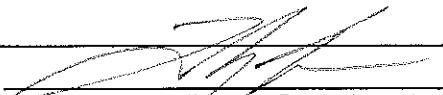
SUBJECT: Bid 1546-16: Effluent Pipeline Phase I Modifications  
DEPT. OF ORIGIN: Utilities  
DATE SUBMITTED: May 17, 2016  
SUBMITTED BY: Tim Woomer, Utilities Director

Summary: Bid 1546-16 is for mechanical upgrades to the existing 20" reclaimed pipeline extending S. to City's Nadine Facility, including an extension of the existing Memorial Cemetery reclaimed pipeline to Prairie Haven Cemetery. The modifications on the 20" include installation of a pressure sustaining/flow regulating control station on the S&H Farm lateral including 12 fire hydrant assemblies along Hwy 18 where currently no source of water for fire protection exists.

Bids were opened on April 20, 2016, with six (6) bids having been received. The apparent low bid was submitted by M&M Excavation (MMX) of Carlsbad, NM, totaling \$241,566.88. In preparing the bid tabulation, Engineer of Record, Souder, Miller & Associates, noted that a significant difference in MMX's bid amount and Engineers' estimated cost for materials and installation of fire hydrant assemblies. MMX has noted an inaccuracy in preparing their bid and is requesting that their bid be withdrawn. The second lowest bid submitted is from DuCross Construction, of Las Cruces, NM at \$286,514.84.

Engineer has issued a recommendation to allow MMX to withdraw their bid and that Bid 1546-16 be awarded to DuCross Construction upon approval of all bid documents by NM Construction Programs Bureau.

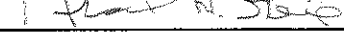
Fiscal Impact: \$306,033.66

Reviewed By:   
Finance Department

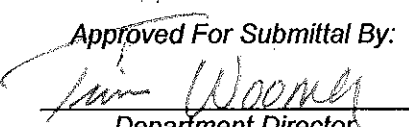

Funding for construction has been budgeted under Fund 624062-44901-00204, in the amount of \$450,000 and includes a 2015 Legislative Appropriations grant (SAP-15-0509-STB) of \$100,000.00.

Attachments: Engineers' certified bid tabulation, and recommendation to award Bid 1546-16 to DuCross Construction upon approval by funding agency. Ducross Construction bid form.

Legal Review:

Approved As To Form:   
City Attorney

Recommendation: Staff recommends that M&M Excavation be allowed to withdraw their bid due to inaccuracies, and that DuCross Construction of Las Cruces, NM be awarded Bid 1546-16. Notice of Award to not be issued pending formal approval by NM Construction Programs Bureau (CPB) official representative for Legislative appropriations SAP-15-0509-STB.

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. _____

**SECTION 3 - BID FORM (Unit Price Contract)**

Bid No. 1546-16

PLACE: City of Hobbs Purchasing Agent  
200 E. Broadway  
Hobbs, New Mexico 88240

DATE: 4/20/2016

Bid of DuCross Construction, LLC (hereinafter called "BIDDER"), organized and existing under the laws of the State of NM to the City of Hobbs (hereinafter called "OWNER").

**CITY OF HOBBS EFFLUENT REUSE PIPELINE, PHASE I, MODIFICATIONS**

Gentlemen:

The Bidder, in compliance with your invitation for bids for construction of the EFFLUENT PHASE I MODIFICATIONS, having examined the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of labor, hereby proposes to furnish all materials, labor, and equipment, within the time set therein, at the prices stated below in accordance with the following:

1. Advertisement for bids dated March 17, 2016.
2. New Mexico Standard Specifications for Public Works Construction, 2006 Edition. New Mexico State Highway and Transportation Departments' Standard Specifications for Highway and Bridge Construction, 2007 Edition.
3. The contract documents, including General Conditions, Project Description, Special Conditions, Construction Procedures and Sequencing, and Technical and Supplemental Specifications as prepared by the City of Hobbs and Souder, Miller & Associates.
4. Construction Plans and Specifications as prepared by Souder, Miller & Associates.

All of which are incorporated herein and made a part hereof. The following prices are to cover all expenses incurred in performing the work required under the contract documents, of which this bid is a part.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in a written Notice to proceed by the Owner and to fully complete the project within time frame specified in Section 7 – Contract. Bidder further agrees to pay as liquidated damages, as stated in Section 7 – Contract.

Bidder agrees to perform all of the work described in the Specifications and shown on the plans for the following unit prices. Each item must be bid. The cost of any work added or deducted from the following estimated quantities shall be computed at the unit prices bid.

## Base Bid

Bid Item #	Item Description	Unit	Estimated Qty	Unit Price	Extended Price
1	Construction Mobilization	LS	1	10,256.34	10,256.34
2	Testing (waterline pressure testing)	LS	1	3,987.20	3,987.20
3	NPDES Permitting and NMDOT Permitting, complete	LS	1	1,693.70	1,693.70
4	Preconstruction and post construction Video Documentation	LS	1	742.50	742.50
5	Construction Traffic Control and Barricading, complete	LS	1	2,822.80	2,822.80
6	Furnish, Install, & Start-up 10-inch electromagnetic flow meter at the Reclamation Facility (include fittings, floor door, H2O loading concrete lid, concrete vault and all appurtenances not included separately on Bid Form) CIP	LS	1	22,544.60	22,544.60
7	Furnish and Install 6-inch C-900 PVC DR18 purple pipe at the Prairie Haven connection location (include trenching, all required fittings, restraints, angles, thrust blocking, bedding, backfill tracer wire, warning tape, compaction, removal and replacement of asphalt, base course subgrade preparation and all related appurtenances not included on Bid Form), CIP	LF	16	499.40	7,990.40
8	Furnish and Install Prairie Haven cemetery effluent meter connection (include fittings, DI pipe, 4-inch electromagnetic flow meter, gate valve, remove and dispose existing 2-inch effluent line and all related appurtenances not included on Bid Form), CIP	LS	1	9,172.40	9,172.40
9	Furnish and Install Everglade cemetery effluent meter connection (include fittings, DI pipe, 3-inch electromagnetic flow meter, gate valves, remove and dispose existing pump house plumbing and all related appurtenances not included on Bid Form), CIP	LS	1	10,078.80	10,078.80
10	Furnish, Install, & Start-up 14" pressure reducing valve at the S&H Farms connection (include fittings, 14-inch electromagnetic meter, 14-inch PVC 14-inch valve w/ non potable water valve Box, solar panel	LS	1	103,546.80	103,546.80



	w/ control panel, floor door, H2O loading concrete lid, concrete vault and all appurtenances not included separately on Bid Form) CIP				
11	Furnish & Install 20-inch resilient seat gate valve w/ non potable water valve box (include fittings, trench, backfill, tracer wire, floor door, H2O loading concrete lid, concrete vault and all appurtenances not included separately on Bid Form) CIP	EA	1	31,449.00	31,449.00
12	Furnish and Install Fire Hydrant Assembly (include PVC pipe required from mainline to assembly, 6' bury, fittings, hot tap tee, gravel, bollards, gate valve and all related appurtenances not included separately on Bid Form) (Design STD No. 110), CIP	EA	12	6,155.20	73,862.40
13	Furnish and Install Eight Foot High Chain Link Fence (incl. pedestrian gate and all related appurtenances), CIP	LF	110	53.90	5,929.00
14	Construction Demobilization	LS	1	2438.90	2438.90

Total Base Bid

\$ 286,514.84

Total Base Bid, in writing

Two Hundred Eighty Six Thousand Dollars & Five Hundred Fourteen Dollars and Eighty Four Cents

New Mexico Gross Receipts Tax will be added to total bid price at the time of billing. Do not add New Mexico Gross Receipts Tax to the total bid price shown above.

Bid Guarantee shall be 5% of the Total Bid Price.

Receipt of Addenda to be acknowledged

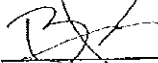
Addendum No. 1 Date 4/15/2016  
 Addendum No. \_\_\_\_\_ Date \_\_\_\_\_  
 Addendum No. \_\_\_\_\_ Date \_\_\_\_\_  
 Addendum No. \_\_\_\_\_ Date \_\_\_\_\_  
 Addendum No. \_\_\_\_\_ Date \_\_\_\_\_

Bids will be opened on April 20, 2016 at 2:00 P.M., Hobbs City Hall, New Mexico.

The Bid is hereby respectfully submitted by:

DuCross Construction, LLC

Name of Bidder



4/20/2016

By (Signature)

Date

(SEAL) if Bid is by Corp.

Ben Lopez, President

Printed Name & Title

New Mexico Contractor's  
License Number

378767

PO Box 13230

Address

Las Cruces, NM

88013

City & State

Zip

New Mexico Contractor's  
Resident Bidder's Preference  
Number

02901920130614

(575) 636-3023

Telephone Number

New Mexico Contractor's  
Resident Veteran's Preference  
Number

NA

New Mexico Workforce  
Solution Registration  
Number

L0137728464

LIST OF SUBCONTRACTORS

1. To be fully executed and included with bid as a condition of the bid.
2. The listing threshold is \$5,000.00 or one half of one percent of the total project cost whichever is greatest.

<u>Nature of work</u>	<u>SubContractor Name</u>	<u>Location of Business</u>
Electrical	Current Electric, Inc.	Dona Ana, NM
Fence	Valley Fence	Albuquerque, NM

Note:  
1. A Contractor or SubContractor that submits a bid valued at more than sixty thousand dollars (\$60,000.00) for a public works project that is subject to the Public Works Minimum Wage Act [13-4-10 NMSA 1978] shall be registered with the labor and industrial division of the labor department. All tiers of SubContractors shall be subject to the requirements of this subsection.



May 10, 2016

#6C23654

Mr. Leo Wilson  
Wastewater Reclamation Facility Superintendent  
City of Hobbs  
200 E. Broadway Street  
Hobbs, NM 88240  
Phone: (575) 397-9315 Ext. 204  
Fax: (575) 397-9370  
Email: lwilson@hobbsnm.org

**RE: RECOMMENDATION REGARDING AWARD OF CONSTRUCTION CONTRACT FOR THE  
HOBBS EFFLUENT PIPELINE PHASE 1 MODIFICATIONS**

Dear Mr. Wilson:

Bids were opened for the Hobbs Effluent Pipeline Phase 1 Modifications project on April 20, 2016 at 200 E. Broadway Hobbs, NM. Six bids were received for the project, and all bid packages were determined to be complete at the time of bid opening. The apparent low bidder was *M&M Excavating*. The **total** of the **Base Bids** ranged from three hundred sixty-three thousand, one hundred fifty-eight dollars and fifty cents (\$363,158.50) to two hundred forty-one thousand, five hundred sixty-six dollars and eighty eight cents (\$241,566.88). Based on a review of the base bid the low bidder, M&M Excavating has requested to withdraw their bid because of inaccuracies, thus the second low bidder, *DuCross Construction LLC*. with a total bid amount of two hundred eighty-six thousand, five hundred fourteen dollars and eighty-four cents (\$286,514.84) is recommended as the responsive low bidder. Please refer to the attached bid tabulation spreadsheets for a detailed breakdown of the bid received.

SMA investigated *DuCross Construction LLC*. past experience. The references provided by *DuCross Construction LLC*., contacted by SMA, provided good feedback on their quality of work. Please refer to the References Contacted.

Souder, Miller & Associates recommends awarding the Base Bid of the contract in the amount of \$286,514.84 to *DuCross Construction LLC*.

If the City of Hobbs agrees, the City should pass a resolution "tentatively" awarding the construction contract to *DuCross Construction LLC*. pending funding agency concurrence. SMA will then need a copy of the corresponding minutes to submit to the funding and review agency, along with the Contractor's bid proposal, bid bond, qualification statement and compliance statement, to request concurrence from the funding agency in the award of the bid to *DuCross Construction LLC*.

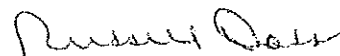
*Mr. Leo Wilson*  
*May 10, 2016*  
*Page 2 of 2*

If the funding agency concurs with the decision of the City of Hobbs, the attached Notice of Award will be submitted to the contractor. The contractor will then have 15 days to deliver insurance, performance and payment bonds. Then the Notice to Proceed and Agreement between Owner and Contractor will be signed by the City and sent to the Contractor.

Please feel free to contact either of the undersigned if you have any questions or concerns related to this recommendation of award.

Sincerely,  
**MILLER ENGINEERING, INC. D/B/A**  
**SOUDER, MILLER & ASSOCIATES**

  
Adrian Renteria, P.E.  
Project Engineer II  
[adrian.renteria@soudermiller.com](mailto:adrian.renteria@soudermiller.com)

  
Russell Doss, P.E.  
Senior Engineer II  
[Russell.doss@soudermiller.com](mailto:Russell.doss@soudermiller.com)

Enclosures: Bid Tabulation, M&M Excavating email, References Contacted and Notice of Award

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY.	OPCC		DUGREX CONSTRUCTION, INC.		ENVOYCH, INC.		FILE CONSTRUCTION, LLC		J&H SERVICES		M&M EXCAVATING, INC.		SMITHCO CONSTRUCTION, INC.	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Construction Mobilization	LS	1	\$ 5,000	\$ 5,000	\$ 10,256.34	\$ 10,256.34	\$ 7,500.00	\$ 7,500.00	\$ 25,337.00	\$ 25,337.00	\$ 5,500.00	\$ 5,500.00	\$ 466.16	\$ 466.16	\$ 15,000.00	\$ 15,000.00
2	Testing in existing pressure tunnel	LS	1	\$ 1,000	\$ 1,000	\$ 3,987.30	\$ 3,987.30	\$ 2,000.00	\$ 2,000.00	\$ 6,572.00	\$ 6,572.00	\$ 4,700.00	\$ 4,700.00	\$ 765.00	\$ 765.00	\$ 1,000.00	\$ 1,000.00
3	NIPDES Permitting and NISDOT Permitting, CIP	LS	1	\$ 2,000	\$ 2,000	\$ 1,693.70	\$ 1,693.70	\$ 2,700.00	\$ 2,700.00	\$ 4,471.00	\$ 4,471.00	\$ 4,100.00	\$ 4,100.00	\$ 7,475.00	\$ 7,475.00	\$ 1,500.00	\$ 1,500.00
4	Preconstruction and post construction video documentation	LS	1	\$ 2,000	\$ 2,000	\$ 742.50	\$ 742.50	\$ 7,500.00	\$ 7,500.00	\$ 3,674.00	\$ 3,674.00	\$ 1,000.00	\$ 1,000.00	\$ 480.00	\$ 480.00	\$ 500.00	\$ 500.00
5	Construction Traffic Control and Barricading, CIP	LS	1	\$ 5,000	\$ 5,000	\$ 2,822.80	\$ 2,822.80	\$ 4,000.00	\$ 4,000.00	\$ 2,933.00	\$ 2,933.00	\$ 6,000.00	\$ 6,000.00	\$ 2,496.45	\$ 2,496.45	\$ 10,000.00	\$ 10,000.00
6	Furnish, install, & start-up 10-inch electromagnetic flow meter at the Reclamation Facility includes fittings, floor door, H2O loading, concrete lid, concrete vault and all appurtenances not included separately on Bid Form CIP	LS	1	\$ 7,000	\$ 7,000	\$ 22,544.60	\$ 22,544.60	\$ 76,950.00	\$ 76,950.00	\$ 27,218.00	\$ 27,218.00	\$ 53,600.00	\$ 53,600.00	\$ 24,066.93	\$ 24,066.93	\$ 46,000.00	\$ 46,000.00
7	Furnish and install 6-inch Orange PVC DR 18 purple pipe at the Pointe Haven connection location include trenching, all required fittings, restrooms, angles, thrust blocking, bedding, backfill, trench wire, warning tape, compaction, removal and replacement of asphalt, base course, subgrade preparation and all related appurtenances not included on Bid Form, CIP	LF	16	\$ 100	\$ 1,600	\$ 7,950.40	\$ 7,950.40	\$ 35.00	\$ 560.00	\$ 4,534.40	\$ 73,125.00	\$ 375.00	\$ 6,000.00	\$ 6.56	\$ 104,387.67	\$ 500.00	\$ 8,000.00
8	Furnish and install Frame Haas concrete effluent meter connection (includes fittings, DI pipe, 1-inch electromagnetic flow meter, gate valve and all related appurtenances not included on Bid Form), CIP	LS	1	\$ 8,000	\$ 8,000	\$ 9,172.40	\$ 9,172.40	\$ 17,125.00	\$ 17,125.00	\$ 11,250.00	\$ 11,250.00	\$ 17,200.00	\$ 17,200.00	\$ 10,397.67	\$ 10,397.67	\$ 13,000.00	\$ 13,000.00
9	Furnish and install Evapitude sensor, offflow meter connection (includes fittings, DI pipe, 1-inch electromagnetic flow meter, gate valve and all related appurtenances not included on Bid Form), CIP	LS	1	\$ 5,000	\$ 5,000	\$ 10,078.80	\$ 10,078.80	\$ 23,500.00	\$ 23,500.00	\$ 12,024.00	\$ 12,024.00	\$ 19,000.00	\$ 19,000.00	\$ 10,916.25	\$ 10,916.25	\$ 16,000.00	\$ 16,000.00
10	Furnish, install, & start-up 14" pressure reducing valve at the S&H Farms connection include fittings, 14-inch electromagnetic meter, 14-inch PVC 14-inch valve w/ non potable water valve box, solenoid w/ control panel, SCADA w/ control panel, floor door, H2O loading, concrete lid, concrete vault and all appurtenances not included separately on Bid Form, CIP	LS	1	\$ 40,000	\$ 40,000	\$ 105,546.80	\$ 105,546.80	\$ 121,700.00	\$ 121,700.00	\$ 110,512.00	\$ 110,512.00	\$ 120,200.00	\$ 120,200.00	\$ 120,244.20	\$ 120,244.20	\$ 125,000.00	\$ 125,000.00
11	Furnish & install 20-inch resilient seat gate valve w/ non potable water valve box include fittings, trench, backfill, trench wire, floor door, H2O loading, concrete lid, concrete vault and all appurtenances not included separately on Bid Form, CIP	EA	1	\$ 20,000	\$ 20,000	\$ 31,449.00	\$ 31,449.00	\$ 49,800.00	\$ 49,800.00	\$ 28,406.00	\$ 28,406.00	\$ 37,000.00	\$ 37,000.00	\$ 21,908.22	\$ 21,908.22	\$ 32,000.00	\$ 32,000.00
12	Furnish and install Fire Hydrant Assembly (include PVC pipe required from mainline to establish 6" run, fittings, hot tap tee, gate, bolsters, gate valve and all related appurtenances not included separately on Bid Form) (Design STD No. 110), CIP	EA	12	\$ 6,000	\$ 72,000	\$ 6,155.20	\$ 73,862.40	\$ 5,750.00	\$ 69,000.00	\$ 5,824.50	\$ 69,894.00	\$ 6,850.00	\$ 82,200.00	\$ 2,119.50	\$ 25,434.72	\$ 6,500.00	\$ 78,000.00
13	Furnish and install Equis Foot High Chain Link Fence (incl pedestrian gate and all related appurtenances), CIP	LF	110	\$ 70	\$ 7,700	\$ 53.00	\$ 5,829.00	\$ 60.00	\$ 6,600.00	\$ 44.20	\$ 4,862.00	\$ 42.35	\$ 4,658.50	\$ 60.00	\$ 6,600.00	\$ 66.00	\$ 7,150.00
14	Construction Demobilization	LS	1	\$ 5,000	\$ 5,000	\$ 2,438.90	\$ 2,438.90	\$ 7,500.00	\$ 7,500.00	\$ 8,464.00	\$ 8,464.00	\$ 2,000.00	\$ 2,000.00	\$ 466.14	\$ 466.14	\$ 1,000.00	\$ 1,000.00
				Total Calculated Cost		\$ 185,500.00	\$ 286,514.84	\$ 349,235.00	\$ 349,235.00	\$ 330,151.40	\$ 330,151.40	\$ 363,158.50	\$ 363,158.50	\$ 249,566.90	\$ 249,566.90	\$ 347,850.00	\$ 347,850.00
				Bid Form Differences from		\$	\$ 286,514.84	\$	\$	\$ 320,151.40	\$	\$	\$	\$	\$	\$	
				Total Bid Price		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	

Note: Items shown in red text illustrate a discrepancy between calculated amount based on unit bid price and total price shown on Total bid price.

**CERTIFICATION:**  
 I certify that the above figures are the evaluated bid prices from those submitted in the Bid Form.

Adrian Renteria, P.E., Project Engineer  
 Souder, Miller & Associates  
 10-May-16  
 Date

## Adrian Renteria

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**From:** Parker <parkermmx@gmail.com>  
**Sent:** Tuesday, May 03, 2016 10:56 AM  
**To:** Adrian Renteria  
**Subject:** Hobbs Effluent

Mr. Renteria,

After reviewing my bid I found that my bid is inaccurate not to make excuses but I did find that my bid software did not include any material cost bid item 12, it appears that this is the only bid item that it happened with. I am sorry for any inconvenience that this causes but I would like to excuse my bid from this project. I am very sorry again.

Thank You  
Parker Kimbley  
M&M Excavating Inc.  
2737 Pecos Highway  
Carlsbad NM 88220  
Office 575-236-6600  
Fax 575-236-6201  
Cell 575-706-2724



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 6, 2016

SUBJECT: Video equipment and streaming services for meetings

DEPT. OF ORIGIN: Information Technology Department

DATE SUBMITTED: May 17, 2016

SUBMITTED BY: Ron Roberts, I.T. Director

**Summary:**

The I.T. Department is proposing 2 options for the purchase of live stream/archived on demand video and camera equipment to record city commission meetings. Both options would provide High Definition quality video. Option 1 would live stream and on demand archived meetings. It would take 30 days to implement. Option 2 would additionally allow indexing or bookmarking to the archived videos, which would allow for skipping to specific agenda items. It would take 60 days to implement.

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_

*Finance Department*

**Option 1**

**Non-indexed**

**Livestream**

**Startup Equipment**

- Streaming software \$ 799
- Cameras \$4,095
- Video switcher \$1,500

**Live/archival streaming**      \$2,388 annual  
   \$8,782 first year

**\$2,388 recurring annual**

**Option 2**

**Indexed archives**

**Granicus**

**Startup Equipment**

- Encoder \$3,200
- Cameras \$4,095
- Video switcher \$1,500

**Live/archival streaming**      \$7,200 annual  
   \$15,995 first year

**\$7,200 recurring annual**

This equipment and services would be paid by reclassifying funds from Communications 01-0145-42202 to a Professional Services line item account 01-0145-42601

**Attachments:**

**Legal Review:**

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

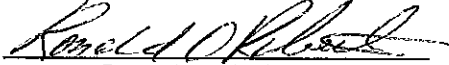
*City Attorney*



Recommendation:

Motion to approve.

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. 6449

A RESOLUTION AUTHORIZING THE PURCHASE OF VIDEO EQUIPMENT FOR RECORDING CITY COMMISSION MEETINGS

WHEREAS, a request has been made that the City Commission begin recording City Commission meetings; and

WHEREAS, the IT Department is proposing two options that would provide high definition quality video;

			Accepted
Option 1:	Livestream		
	Non-indexed		
	First year cost	\$ 8,782	_____
	Recurring cost (annual)	\$ 2,388	
Option 2:	Granicus		
	Indexed Archives		
	First year cost	\$15,995	_____
	Recurring cost (annual)	\$ 7,200	

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor is hereby authorized and directed to approve the purchase of Video Equipment for recording of City Commission meetings as set forth herein.

PASSED, ADOPTED AND APPROVED this 6<sup>th</sup> day of June, 2016.

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

ATTEST:

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