

Commission Meeting Agenda



Mayor

Samuel D. Cobb

City Commission

Marshall R. Newman

Cynthia D. Calderon

Patricia A. Taylor

Joseph D. Calderón

Garry A. Buie

Don R. Gerth

City Manager

J. J. Murphy

August 21, 2017



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

Monday, August 21, 2017 - 6:00 p.m.

Sam D. Cobb, Mayor

Marshall R. Newman
Commissioner - District 1

Cynthia D. Calderon
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

A G E N D A

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

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes of the August 7, 2017, Regular Commission Meeting
2. Minutes of the July 31, 2017, Special Commission Meeting

PROCLAMATIONS AND AWARDS OF MERIT

3. Proclamation Honoring Zeak Williams, Jr., and Proclaiming August 21, 2017, as "Zeak Williams, Jr., Day"
4. Presentation of Appreciation Plaque to J. J. Murphy (*Mayor Sam Cobb*)

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.)

5. Resolution No. 6581 - Authorizing a Memorandum of Understanding Between the City of Hobbs Police Department and the Lea County Sheriff's Department Regarding the 2017 Edward Byrne Memorial Justice Assistance Grant (Police Chief Chris McCall)

DISCUSSION

ACTION ITEMS (Ordinances, Resolutions, Public Hearings)

6. Resolution No. 6582 - Authorizing the Appointment of an Acting City Manager (Mayor Sam Cobb)
7. Consideration of Bid No. 1562-18 to Provide Veterinary Services for Spaying and Neutering Dogs and Cats at the Hobbs Animal Adoption Center and Recommendation to Accept the Bid from Lea County Veterinary Service for an Indefinite Quantity Amount Not to Exceed \$75,000 (Britt Lusk)
8. Resolution No. 6583 - Approving the FY 2019 - 2023 Infrastructure Capital Improvement Plan (ICIP) (Kevin Robinson)
9. Resolution No. 6584 - Authorizing Submission of a Grant Application to the New Mexico Department of Transportation (NMDOT) to Provide Funding for Public Transportation for FY 18-19 Under Section 5311 of the Federal Transit Act (Jan Fletcher)
10. Resolution No. 6585 - Authorizing Participation in the Local Government Road Fund Program Administered by the New Mexico Department of Transportation (NMDOT) for Traffic Signal Improvements in Hobbs (Todd Randall)
11. **PUBLICATION:** Proposed Ordinance Authorizing the City of Hobbs to Enter Into a Loan Agreement with the New Mexico Environment Department in the Amount of \$6,314,300 to Finance the Design and Construction of New Aerobic Digestion Basins at the City of Hobbs Wastewater Reclamation Facility (Tim Woomeer)

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

12. Next Meeting Date:

- ▶ Regular Meeting - ****Tuesday, September 5, 2017**, at 6:00 p.m.
(***Date change due to the Labor Day Holiday*)

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. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: August 15, 2017
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- ▶ Regular Commission Meeting of August 7, 2017
- ▶ Special Commission Meeting of July 31, 2017

Fiscal Impact:

Reviewed By: _____
Finance Department

N/A

Attachments:

Minutes as referenced under "Summary".

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Motion to approve the minutes as presented.

Approved For Submittal By:



Department Director

City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____

Ordinance No. _____

Approved _____

Other _____

Continued To: _____

Referred To: _____

Denied _____

File No. _____

Minutes of the regular meeting of the Hobbs City Commission held on Monday, August 7, 2017, in the City Commission Chamber, 200 East Broadway, 1st 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 Cynthia Calderon
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
Efren Cortez, Assistant City Attorney
Chris McCall, Police Chief
Charles Cunningham, Police Captain
Manny Gomez, Fire Chief
Raymond Bonilla, Community Services Director
Benjamin Maynes, Building Official
Art De La Cruz, Code Enforcement Superintendent
Todd Randall, City Engineer
Ronny Choate, General Services Director
Tim Woomer, Utilities Director
Toby Spears, Finance Director
Nicholas Goulet, Human Resources Director
Britt Lusk, Administrative Services Director
Ron Roberts, Information Technology Director
Doug McDaniel, Parks and Recreation Director
Matt Hughes, Golf Superintendent
Michal Hughes, Recreation Superintendent
Meghan Mooney, Director of Communications
Shannon Carter, Municipal Court Administrator
Sandy Farrell, Library Director
Ann Betzen, Risk Manager/Executive Assistant
Mollie Maldonado, Deputy City Clerk
Jan Fletcher, City Clerk
45 citizens

Invocation and Pledge of Allegiance

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

Executive Session

The Commission convened in closed executive session on Monday, July 24, 2017, at 5:00 p.m. for discussion of limited personnel matters, specifically the City Manager's employment contract. The matters discussed in the closed meeting were limited only to discussion of limited personnel matters, specifically the City Manager's employment contract. No action was taken during the meeting.

The Commission convened in closed executive session on Monday, August 14, 2017, at 3:30 p.m. for discussion of limited personnel matters, specifically the assignment or appointment of an Acting City Manager. The matters discussed in the closed meeting were limited only to discussion of limited personnel matters, specifically the assignment or appointment of an Acting City Manager. No action was taken during the meeting.

Approval of Minutes

Commissioner Joseph Calderón moved that the minutes of the regular meeting held on July 17, 2017, be approved as presented. Commissioner Cynthia Calderon seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Joseph Calderón yes, Taylor yes, Buie yes, Gerth yes, Cobb yes. The motion carried.

Proclamations and Awards of Merit

There were no proclamations and/or awards of merit presented.

Public Comments

Reverend B. J. Choice expressed appreciation to the Williams Family for taking care of one another as a family during the recent loss of Mr. Zeak Williams. He also expressed appreciation to Police Chief Chris McCall along with the police officers for escorting the funeral procession and showing respect for Mr. Williams and his family.

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.

Mayor Cobb stated Item #4 Resolution No. 6577 - Approving the 4th Quarter FY 2017 DFA Report for Lodgers' Tax reflects that lodgers' tax revenues have increased which indicates a good sign for a growing economy.

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

Resolution No. 6575 - Authorizing the Mayor to Execute an Agreement Between the City of Hobbs and the Southeastern New Mexico Economic Development District/COG for Membership Renewal for FY 18 in the Amount of \$10,237.00.

Resolution No. 6576 - Determining that Certain Structures are Ruined, Damaged and Dilapidated, are a Menace to Public Comfort, Health and Safety and Requires Removal from the Municipality (211 North Jefferson).

Resolution No. 6577 - Approving the 4th Quarter FY 2017 DFA Report for Lodgers' Tax.

Resolution No. 6578 - Approving an Agreement Between the City of Hobbs and the Hobbs Municipal Schools Regarding Middle School Athletic Programs.

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

Discussion

Discussion and Prioritization of the Top 10 Projects for the FY 2019 - 2023 Infrastructure Capital Improvements Plan (ICIP) as Recommended by the City of Hobbs Planning Board.

Mr. Todd Randall, City Engineer, presented the suggested Top 10 Projects, which mimics last year's list, for the proposed Infrastructure Capital Improvements Plan (ICIP) and stated the final list needs to be submitted to the New Mexico Department of Finance and Administration (DFA) by the first week of September, 2017. He stated the following 10 projects are the recommendations of the Planning Board:

1. Sewer Main Replacement Program:
2. WWTP Effluent System
3. Drainage Master Plan:
4. Taylor Ranch Park Improvements
5. New Municipal Detention Facility
6. West College Lane Realignment
7. West Bender Widening Project & Drainage
8. Southeast and Northwest Bypass
9. Community Housing Projects
10. City Park Improvements

Mr. Randall suggested that the Commission review and rank the projects. He stated the Commission can then discuss the list and vote on the project ranking and priority at the next Commission meeting.

In response to Commissioner Gerth's question, Mr. Randall stated DFA requires the City to submit a Top 10 ICIP Project list every year.

Action Items

Consideration of Approval of an Employment Transition and Settlement Agreement with J. J. Murphy.

Mr. Mike Stone, City Attorney, stated an Employment Transition and Settlement Agreement for Mr. J.J. Murphy, City Manager, has been prepared and is before the Commission for consideration. He stated the Commission has the opportunity to ask questions or can vote to approve or reject the agreement

In reply to Mayor Cobb's question, Mr. Murphy stated he is agreeable to the Employment Transition and Settlement Agreement as presented to the Commission.

There being no further discussion, Commissioner Joseph Calderón moved to approve the Employment Transition and Settlement Agreement with Mr. Murphy as presented. Commissioner Taylor seconded the motion and the vote was recorded as follows: Newman no, Cynthia Calderon yes, Taylor yes, Joseph Calderón yes, Buie no, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Mayor Cobb stated the City will begin the transition with Mr. Murphy. He stated it will be a positive transition and the City will continue to move forward. Mayor Cobb thanked Mrs. Colleen Murphy for attending tonight's meeting.

Consideration of RFP No. 488-17 for Professional Engineering Services for the City of Hobbs Northeast Reclaimed Water Distribution System and Recommendation to Accept Proposal and Enter Into an Agreement with Parkhill, Smith & Cooper, Inc.

Mr. Tim Woomer, Utilities Director, explained RFP #488-17 and stated this proposal will provide professional engineering services in the planning, funding and construction of a reclaimed water pipeline that will connect to the existing Rockwind pipeline. He stated the Northeast Distribution System will convey reclaimed water for the irrigation of green spaces in addition to providing supplemental fire protection to the City. He added Parkhill, Smith and Cooper, Inc., was the highest rated firm in the selection process.

In response to Mayor Cobb's question, Mr. Woomer stated \$25,000 has been projected for a website to explain the project and to raise overall public awareness; however the funds were not included within RFP #488-17. He added the entire project will be completed in three phases.

In answer to Commissioner Gerth's inquiry, Mr. Woomer stated the City uses Class B effluent water for irrigation at the City's cemeteries, golf course and the soccer complex. He stated the City can utilize the Class 1A effluent water for lakes and fishing.

Mr. Woomer stated the City is currently looking at storage projects. He explained the permitting process, and stated he is working with the New Mexico Environmental Dept. toward the goal of having Class 1A effluent water available for use by the City.

In response to Commissioner Gerth's inquiry, Mr. Woomer stated the pipeline will be utilized by all grades of effluent water.

In answer to Mayor Cobb's question, Mr. Woomer stated there are two separate pipelines for water; one pipeline is used for potable water and one is used for effluent water. He stated neither of the pipes will ever cross with another which prevents mixing potable water with effluent water. Mr. Woomer further stated if the storage facility is in place, the full water savings to the City will be approximately 2 billion gallons of water each year, which will reduce the amount of potable water used from the Ogallala Aquifer.

Mayor Cobb stated the pipeline will allow the City to use effluent water on the North and East sides of town.

Mr. Woomer stated there are many advantages to looping the pipeline. He added the funding of this phase of the project will loop the pipeline from Gomez Boulevard to Del Norte. He stated the City is currently without storage for the effluent water. Having a storage facility would allow the City to have a holding place during winter months when there is less irrigation.

In response to Commissioner Taylor's inquiry, Mayor Cobb clarified the pipeline is coming from the Wastewater Treatment Plant. He stated additional construction will be necessary to connect the Taylor Ranch area to the effluent pipeline.

Mr. Woomer stated the City has been using effluent water for irrigation at the three cemeteries and the soccer complex. He further stated by adding the irrigation of Rockwind Community Links, the City will fulfill the contractual obligation to utilize all of the effluent water produced.

In answer to Commissioner Taylor's question, Mr. Woomer stated effluent water is not available for residential use. Citizens may still use potable water for personal irrigation. He added the purpose of the pipeline is to help extend the life of the Ogallala Aquifer.

In response to Commissioner Cynthia Calderon's inquiry, Mr. Woomer stated the funding of the pipeline has been secured through a 2016 Water Trust Board grant/loan award totaling \$586,400 and the remaining balance of the 2015 Water Trust Board award in the amount of \$1,484,851.27, bringing the total available for funding to \$2,038,251.27. He further stated the City's local match obligation is \$449,480.00. Mr. Woomer stated the City will have to utilize all of the funding from the loan before it can request future additional monies.

Commissioner Taylor expressed her concern for the green space at Taylor Ranch.

Mayor Cobb stated the project will be completed in phases to add green space without an impact to the municipal water system. He further stated it is not good to use drinking water for irrigation. He added this makes it better because the Class 1A effluent water can be used for watering and fishing. Mr. Woomer stated New Mexico has no restrictions for the use of Class 1A effluent water.

In response to Commissioner Joseph Calderón's inquiry, Mr. Woomer stated the Hobbs Municipal Schools currently use potable water for their irrigation needs. He explained that part of the plan is to get them over to non-potable water. Mr. Woomer stated the City intentionally selected the path of the effluent piping to cross the paths of schools.

Mayor Cobb thanked Commissioner Joseph Calderón for his question and stated staff has done a great job working on the pipeline project.

There being no further questions or comments, Commissioner Joseph Calderón moved to approve approval of RFP No. 488-17 for professional engineering services for the Hobbs Northeast Reclaimed Water Distribution System and recommendation to accept the proposal from Parkhill, Smith & Cooper, Inc. Commissioner Gerth seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Taylor yes, Joseph Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Resolution No. 6579 - Approving and Adopting the Market Rate Housing Incentive Program for FY 18.

Mr. Murphy explained the Market Rate Housing Incentive Program and stated in 2012, a housing study indicated the City was in need of 300 to 500 homes to be developed every year. He stated the City has offered an incentive for housing and 1,300 housing units have been built in Hobbs. Mr. Murphy stated rent in Hobbs has declined. He stated the approval being requested tonight is for continuation of the incentive program only. Any allocations for housing would come before the Commission for approval. Mr. Murphy stated the funding for Single Family Housing is in the amount of \$500,000.00 and for Affordable Housing is in the amount of \$100,000.00. He stated people are still buying and renting housing units in Hobbs.

In response to Commissioner Gerth's inquiry, Mr Murphy stated the City partnered with the J. F Maddox Foundation and Lea County to hire an organization to do a population census survey in Lea County. The survey projected the population in Lea County will be 47,000 by 2020. Mayor Cobb stated enrollment at the Hobbs Municipal Schools had only declined only by 125 students last school year. He stated he is starting to see work activity in the area which is good for the economy.

In reply to Commissioner Buie's question, Mr. Murphy stated he does not know offhand how much the City paid out in housing incentives for FY 17, but he will get the dollar amount and provide it to him tomorrow.

Commissioner Joseph Calderón moved to approve Resolution No. 6579 as presented. Commissioner Taylor seconded the motion and the vote was recorded as follows: Newman no, Cynthia Calderon yes, Taylor yes, Joseph Calderón yes, Buie no, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 6580 - Establishing a Livestream Media Policy for the City of Hobbs.

Ms. Meghan Mooney, Communications Director, and Mr. Ron Roberts, Information Technology Director, presented a Livestream Media Policy to the Commission for consideration. Ms. Mooney stated the City Commission recently held a work session to discuss a policy regarding usage of the livestream system. She stated the City wishes to move forward and establish a policy of livestreaming regular City Commission meetings, special City Commission meetings, and City Commission work sessions. Ms. Mooney further stated all on-site recorded meetings held in the Commission Chambers of the City Hall Annex will be livestreamed, then archived and available for viewing at a later time and date.

Commissioner Buie moved to approve Resolution No. 6580 as presented. Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Taylor no, Joseph Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Comments by City Commissioners, City Manager

Mayor Cobb stated the next Commission Meeting will be held on Monday, August 21, 2017.

Commissioner Cynthia Calderon stated she attended today's "Stand Behind the Line" ceremony which was a great event. She stated she is proud of everyone who participated.

Commissioner Taylor stated "Stand Behind the Line" was a beautiful ceremony.

Commissioner Taylor stated Mr. Williams' funeral was very impressive with how the family treated one another and how the family was treated by the community. She stated Hobbs is a great place to live.

Commissioner Calderón stated Mrs. Murphy deserves an apology from the City and the community regarding the way she and her family have been treated during the negotiations of Mr. Murphy's contract. He stated Mrs. Irene Calderón experienced the same hatefulness years ago when he was part of a recall election.

Commissioner Buie thanked Pettigrew and Associates for bidding on a local project. He encouraged them to bid again in the future.

Mayor Cobb stated a press release was issued today regarding the Hobbs Police Department's new training system. He stated HPD will have a booth at the Lea County Fair and Rodeo showcasing the system.

Mayor Cobb thanked all City Departments for always trying to improve their departments.

Adjournment

There being no further discussion or business, Commissioner Calderon moved that the meeting adjourn. Commissioner Newman seconded the motion. The vote was recorded as follows: Newman yes, Cynthia Calderon yes, Taylor yes, Joseph Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 8:15 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Minutes of the special meeting of the Hobbs City Commission held jointly with the Hobbs Municipal School Board on Monday, July 31, 2017, at 5:00 p.m., at Murray Elementary School, 510 North Dal Paso, Hobbs, New Mexico.

Invocation, Pledge of Allegiance and Roll Call

School Board President Gary Eidson called the meeting to order at 5:00 p.m. Ms. Peggy Appleton delivered the invocation and led the Pledge of Allegiance.

President Eidson welcomed everyone to the special joint meeting between the School and the City.

Mayor Sam Cobb also welcomed everyone in attendance at the meeting, specifically recognizing the Mr. Don and Susan Maddox, Mr. Jim and Sue Maddox, Mr. Paul Campbell, the Board of the J. F Maddox Foundation, Mr. Bob Reid, and Wilson & Company.

The following members were in attendance at the meeting.

Hobbs City Commission

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

Hobbs Municipal School Board

Gary Eidson, President
Peggy Appleton, Vice-President
Patricia Jones, Secretary
Joe Calderon, Member
Terry O'Brain, Member

Approximately 35 citizens were in the audience.

Presentation and Review of Proposed City Park Improvements

Mayor Cobb stated this project has been a collaboration and hard work by all of the partners and staff. He thanked the J. F Maddox Foundation for their contribution of \$3.4 million to the design and construction of the project. He also expressed thanks to the Hobbs School Board, Mr. T. J. Parks, and Mr. Gene Strickland for their leadership and vision in th project. Additionally, Mayor Cobb thanked Mr. J. J. Murphy, Mr. Todd Randall, Mr. Ronny Choate, Mr. Doug McDaniel and Mr. Wade Whitehead for their contributions and effort. He stated the City Park Renovation Project will be a legacy to the community for many years. Mayor Cobb also thanked the members of the City Commission for their support of the project.

Mr. J. J. Murphy, City Manager, presented a PowerPoint presentation showing the conceptual plans and proposed improvements designed for City Park. He stated it will attract many people and become a destination park for families. He highlighted the plans for the first-ever outdoor covered basketball court, outdoor volleyball court, walking trail around the park, walking area within the center of the park, splash pad and a multi-use court that can be used by younger children. He stated the Northern area of the park would be more for use by youth and the Southern area of the park would be the adult covered basketball area. Mr. Murphy stated the nature and environment of the park would be very pleasing.

Mr. T. J. Parks, Hobbs Schools Superintendent, stated that three and a half years ago, he stood in front of the City Commission talking about building Murray Elementary School. He stated it is a great commitment to enrich and improve City Park. Mr. Parks expressed special thanks to Mr. Jim Maddox for working with the Murray Family and the great collaboration of efforts, and also thanks to Mr. J. J. Murphy for the City's contribution of a portion of City Park to build the school area. He stated one single entity cannot do the job alone but three mighty entities have pulled together and will accomplish phenomenal things.

Consideration of Approval of an Amendment to the Memorandum of Understanding Between the Hobbs Municipal Schools and the City of Hobbs Related to Improvements at City Park.

On behalf of the Hobbs Municipal Schools, Ms. Terry Appleton recommended approval of the amended Memorandum of Understanding between the Hobbs Municipal Schools and the City of Hobbs. Ms. Pat Jones seconded the motion. All members voted aye. The motion carried unanimously.

Mayor Cobb stated the City will now consider approval of the amended agreement. On behalf of the City of Hobbs, Commissioner Joe Calderón moved to approve the amended Memorandum of Understanding between the Hobbs Municipal Schools and the City of Hobbs. Commissioner Cynthia Calderon seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Taylor yes, Joe Calderon yes, Buie yes, Gerth yes, Cobb yes. The motion carried unanimously. A copy of the agreement is attached and made a part of these minutes.

Consideration of Approval of RFQ/RFP No. 490-17 for City Park Improvements and Recommendation to Accept Proposal and Execute a Contract with CDR Construction, Inc., in the Amount of \$4,107,244.00 Pending DFA Approval of the City's FY 18 Budget.

Mayor Cobb stated the City is now ready to move forward with approval of RFQ/RFP No. 490-17 to CDR Construction, Inc., in the amount of \$4,107,244.00 pending DFA approval of the City's FY 18 Budget. On behalf of the City of Hobbs, Commissioner Joe Calderon moved to accept the proposal as presented.

Commissioner Buie seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Taylor yes, Joe Calderon yes, Buie yes, Gerth yes, Cobb yes.

Public Comments

None.

Closing Remarks and Adjournment

President Gary Eidson commended all partners for a job well done. Mr. Joe Calderón moved to adjourn the meeting and Ms. Pat Jones seconded the motion. All members voted aye and the motion carried unanimously.

Mayor Cobb thanked everyone for their attendance at the special meeting.

There being no further discussion or comments, Commissioner Newman moved that the meeting adjourn. Commissioner Cynthia Calderon seconded the motion and all members voted in favor of adjourning the meeting. The motion carried. The meeting adjourned at 5:20 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, our community lost a valued member and leader on July 31, 2017 with the passing of Zeak Lovell Williams, Jr.; and

WHEREAS, Zeak was a lifelong resident of Hobbs and a graduate of Hobbs High School, where he was known to many as the “fastest man in New Mexico”; and

WHEREAS, he served as a Hobbs City Commissioner from March 1986 to December 1993; and

WHEREAS, Zeak served as Mayor of the City of Hobbs from June 1988 to March 1989 and again in December 1990; and

WHEREAS, he served on the Lea County Board of Commissioners from 1996 to 2004 and on the New Mexico Junior College Board from 2011 to 2017; and

WHEREAS, Zeak worked with all cultural and racial groups to provide the right solutions for the community.

NOW, THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, in recognition of the dedication, devotion and countless hours dedicated to the citizens of Hobbs, do hereby proclaim, August 21, 2017 as,

“Zeak Williams, Jr. Day”

in Hobbs, New Mexico.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of August, 2017, and cause the seal of the City of Hobbs to be affixed hereto.

SAM D. COBB, Mayor

ATTEST:



JAN FLETCHER, City Clerk





CONSENT AGENDA



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: Aug 21, 2017

SUBJECT: Edward Byrne Memorial Justice Assistance Grant (JAG – US DOJ)

DEPT. OF ORIGIN: Police Department
DATE SUBMITTED: August 4, 2017
SUBMITTED BY: Captain Charles Cunningham

Summary:

The Edward Byrne Justice Assistance Grant is federal funding allotted by the United States Department of Justice to law enforcement agencies in the United States. The grant funding can be used to purchase law enforcement equipment. The Hobbs Police Department and the Lea County Sheriff's Department have historically applied for this grant jointly through a memorandum of understanding (MOU). The award for the City of Hobbs and Lea County, NM is \$24,467.00 for FY 2017-18. The funding will be divided 60/40 with the Hobbs Police Department receiving \$14,680.20 and the Lea County Sheriff's Department receiving \$9,786.80.

Fiscal Impact:

No fiscal impact. Grant funding source

Reviewed By: _____


Finance Department

Attachments:

Memorandum of understanding between the Municipal government of the City of Hobbs and the County government of Lea County, New Mexico respectively to be signed by governing officials of the City of Hobbs and Lea County, New Mexico.

Legal Review:

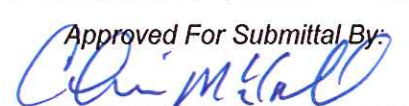
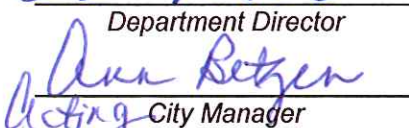
Approved As To Form: _____


City Attorney

Recommendation:

A resolution authorizing the entering into the memorandum of understanding between the City of Hobbs and Lea County and submission of the JAG grant and acceptance of any award(s).

Approved For Submittal By: _____


Department Director

Acting 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. 6581

A RESOLUTION ALLOWING THE CITY OF HOBBS POLICE DEPARTMENT
AND THE LEA COUNTY SHERIFF'S DEPARTMENT TO ENTER A
MEMORANDUM OF UNDERSTANDING REGARDING THE
2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

WHEREAS, the 2017 Edward Byrne Memorial Justice Assistance Grant has awarded \$24,467.00 to the City of Hobbs Police Department and to the Lea County Sheriff's Department for FY 2017-2018; and

WHEREAS, the funding will be divided 60/40 with the Hobbs Police Department receiving \$14,680.20 and the Lea County Sheriff's Department receiving \$9,786.80; and

WHEREAS, the Lea County Sheriff's Department has agreed to allow the City of Hobbs Police Department to act as fiscal agent;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized and directed to execute this Memorandum of Understanding between the City of Hobbs and Lea County New Mexico.

PASSED, ADOPTED AND APPROVED this 21st day of August, 2017.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF HOBBS AND
LEA COUNTY, NEW MEXICO**

This Memorandum of Understanding is made this _____ day of August 2017, by and between the City of Hobbs and Lea County.

WHEREAS, the 2017 Edward Byrne Memorial Justice Assistance Grant Program has awarded \$24,467.00 to the City of Hobbs and Lea County, New Mexico

And;

WHEREAS, the funding will be distributed as follows:

The Grant Total \$24,467.00 will be divided 60/40 with the City of Hobbs Police Department receiving \$14,680.20 and the Lea County Sheriff's Department receiving \$9,786.80.

NOW, THEREFORE it is hereby agreed by the parties that the City of Hobbs will act as the fiscal agent.

AGREED:

CITY OF HOBBS, NEW MEXICO

LEA COUNTY, NEW MEXICO

By: _____
Sam Cobb, Mayor

By: _____
Ron Black
Commission Chairman

CITY OF HOBBS POLICE DEPT.

LEA COUNTY SHERIFF'S DEPT.

By: _____
Chris D. McCall, Chief of Police

By: _____
Byron Wester, Sheriff

APPROVED AS TO FORM:

By: _____
Michael Stone
City of Hobbs Attorney

By: _____
John Caldwell
Lea County Attorney



ACTION ITEMS



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: A Resolution Appointing an Acting City Manager

DEPT. OF ORIGIN: Mayor's Office
DATE SUBMITTED: August 17, 2017
SUBMITTED BY: Sam D. Cobb, Mayor

Summary:

Manny Gomez is currently the City of Hobbs Fire Chief and has previously served as Acting City Manager for the city. It is recommended that Manny Gomez be designated and appointed as the duly authorized Acting City Manager effective August 24, 2017 and vested with all authority for the proper and efficient administration of City Government pursuant to the City of Hobbs Charter. Chief Gomez will receive a ten percent increase in salary for the additional responsibilities while serving as the Acting City Manager.

Fiscal Impact:

Chief Gomez will receive a ten percent increase in salary for the additional responsibilities he will assume as Acting City Manager. An Amended Employment Contract will address the additional salary.

Reviewed By: [Signature]
Finance Department

Attachments: Resolution Appointing an Acting City Manager

Legal Review:

Approved As To Form: [Signature]
City Attorney

Recommendation: The Commission adopt the proposed Resolution.

Approved For Submittal By:

Department Director
[Signature]
Acting 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. 6582

A RESOLUTION APPOINTING
AN ACTING CITY MANAGER

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Manny Gomez be and is hereby appointed as the duly authorized Acting City Manager for the City of Hobbs effective August 24, 2017. Chief Gomez shall be entitled to a ten percent increase in salary while serving as the Acting City Manager.

BE IT FURTHER RESOLVED that Manny Gomez is hereby vested with all authority for the proper and efficient administration of City Government pursuant to the City of Hobbs Charter and the mayor is hereby authorized and directed to execute this Resolution and any other documentation to give effect to this Resolution.

PASSED, ADOPTED AND APPROVED this 21st day of August 2017.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: Award Bid No 1562-18 TO PROVIDE VETERINARY SERVICES FOR SPAYING AND NEUTERING DOGS AND CATS AT THE HOBBS ANIMAL ADOPTION CENTER

DEPT. OF ORIGIN: Hobbs Animal Adoption Center
DATE SUBMITTED: August 14, 2017
SUBMITTED BY: Britt Lusk, Administrative Services Director

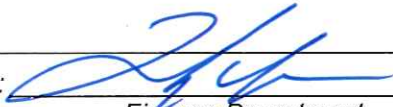
Summary:

The Hobbs Animal Adoption Center has experienced an increase in intakes, and has successfully begun saving more of the animals that arrive at the Adoption Center. The pets must be spayed or neutered before leaving our facility. To meet this need Bid No 1562-18 was sent out and sealed bids were received. Sealed bids were opened Thursday, August 10, 2017 at 2:00 pm to provide veterinary services for spaying and neutering dogs and cats at the Hobbs Animal Adoption Center. The bid consists of performing the spay/neuter procedures to cats/dogs at the Hobbs Animal Adoption Center and to perform health certificate inspections of animals that will be crossing state and international borders on rescue transports.

An advertisement was placed in the local newspaper, and the bid was sent to local veterinary offices. One bid was submitted by **Lea County Veterinary Services**

The indefinite quantity bid process was used since the City of Hobbs budget amounts are exceeding \$60,000 as per procurement ordinance.

Fiscal Impact:

Reviewed By: 

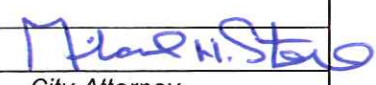
Finance Department

Budget amount = \$75,000
Indefinite quantity amount is approximately \$75,000
Acct# 010343 42601

Attachments:

Bid from Lea County Veterinary Services

Legal Review:

Approved As To Form: 

City Attorney

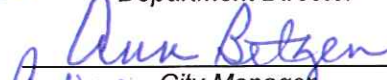
Recommendation:

Staff recommends Lea County Veterinary Service to provide spaying/neutering and health certificate inspections at the Hobbs Animal Adoption Center.

Approved For Submittal By:



Department Director


Acting City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

INVITATION TO BID/PRICE AGREEMENT

BID NO. 1562-18

PROVIDE VETERINARY SERVICES FOR SPAYING AND NEUTERING
DOGS AND CATS AT THE HOBBS ANIMAL ADOPTION CENTER

City of Hobbs, New Mexico

Sealed bids will be received by the City of Hobbs, New Mexico, at the office of the Finance Director in City Hall, 200 E Broadway, Hobbs, New Mexico 88240 until 2:00 p.m., August 10, 2017 to PROVIDE VETERINARY SERVICES FOR SPAYING AND NEUTERING DOGS AND CATS AT THE HOBBS ANIMAL ADOPTION CENTER as specified.

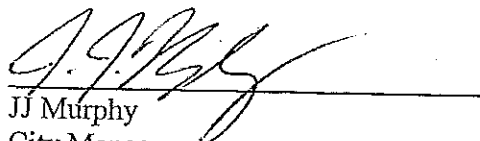
DEADLINE 2:00 P.M. AUGUST 10, 2017

At the above time, bids will be publicly opened in the Conference Room of the Finance Department on the second floor of City Hall and read aloud. Any bid received after the stated time will be returned unopened.

Copies of the specifications may be procured without charge from the office of the City Finance Director. If there are any questions regarding this bid contact Shelly Raulston at (575) 397-9244.

In case of ambiguity or lack of clearness in stating proposal prices the City of Hobbs, New Mexico, reserves the right to adopt the most advantageous thereof, or to reject any or all bids and waive irregularities.

CITY OF HOBBS, NEW MEXICO


JJ Murphy
City Manager

Publication Date: July 30, 2017

INSTRUCTIONS TO BIDDERS

I. SUBMITTING BIDS

- A. Sealed bids will be received by the Finance Department, in accordance with the Bid Advertisement. Bidders shall use the bid form included with the specifications. Bid forms must bear the signature of the bidder to be considered. Pursuant to NMSA 1978, § 13-1-191.1 (2006), bidders shall complete the attached Campaign Contribution Disclosure form. Failure of bidders to complete bidding documents in accordance with all instructions provided is cause for the City of Hobbs to reject bids.
- B. Bids must be submitted in a sealed envelope with the outside marked: BID NO. 1562-18, TO PROVIDE VETERINARY SERVICES FOR SPAYING AND NEUTERING DOGS AND CATS AT THE HOBBS ANIMAL ADOPTION CENTER.
- C. All Bids are subject to all applicable taxes. Any contracts that include labor or services require that the full amount be subject to the City of Hobbs Gross Receipts Tax. Do not include the taxes in the total bid price. Taxes will be added and paid at time of billing.
- D. Resident preference - pursuant to sections 13-1-1 & 13-4-2 NMSA 1978, bidders claiming 5% preference must be certified prior to bid opening. Bidder's preference will be taken into consideration, only if the preference number is stated on the bid form on page 7.
- E. It is the bidder's responsibility to deliver his bid to the proper place and at the time designated. The fact that a bid was dispatched will not be considered. The time of bid opening is determined by the clock in the City of Hobbs Finance Department.
- F. Brand name and numbers are for reference only, equivalents will be considered. If bidding "Equivalent," Bidders must be prepared to furnish "Complete Data" upon request, preferably with bid to avoid delay in award.
- G. Specifications
 - 1. Specifications on the bid are not meant to exclude any bidder or manufacturer. Where a brand name or equal is indicated, it is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to restrict competition.
 - 2. Exceptions and/or alternatives to specifications and conditions of this bid shall be listed on a separate sheet of paper and attached to the bid. This sheet shall be labeled "Exceptions and/or Alternatives to Specifications and Conditions", and illustrative brochures and specifications shall be included. After examination and comparison of the specifications, the City of Hobbs reserves the right to reject any or all bids.

3. If any bidder is of the opinion that the specifications as written preclude him from submitting a bid, it is requested that his opinion be made known to the City of Hobbs, in writing, AT LEAST FIVE (5) DAYS PRIOR to the bid opening date.

H. NON-COLLUSION: In signing this bid, the Vendor certifies he/she has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this proposal submitted to the City of Hobbs.

I. NON-DISCRIMINATION: Vendors doing business with the City of Hobbs must be in compliance with the Federal Civil Rights Act of 1964 and Title VII of the Act (Rev.1979), and the Americans with Disabilities Act of 1990, (Public Law 101-336)

J. DEFAULT: The city reserves the right to cancel all or any part of this bid without cost to the City, if the Vendor fails to meet the provisions of this bid and, except as otherwise provided herein, to hold the Vendor liable for any excess cost occasioned by the City due to the Vendor's default. The Vendor shall not be liable for any excess cost if failure to perform the order arises out of causes beyond the control and without the fault or negligence of the vendor; such causes include, but are not restricted to, acts of God or the public enemy, acts of the State or Federal Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, unusually severe weather and defaults of subcontractors due to any of the above, unless the City shall determine that the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Vendor to meet the required scheduled delivery. The rights and remedies of the City provided in this paragraph shall not be exclusive and are in addition to any other rights not being provided by law or under this order.

II. TERM OF PRICE AGREEMENT

A. The City of Hobbs is asking for an "Indefinite Quantity Contract". The term of this agreement for issuance of purchase orders shall be for one (1) year from the date of written notification of award of bid, with option to extend the contract an additional three (3) years one year at a time if mutually agreeable with the City of Hobbs and the vendor, in accordance with the Attorney General ruling. The City of Hobbs reserves the right to purchase more or less than the estimated quantities at the proposed price.

III. SERVICES

A. WARRANTY: The vendor agrees that the supplies or services furnished under this bid shall be covered by the most favorable commercial warranties the vendor gives to any customer for such supplies or services, and that the rights and remedies provided herein shall extend to the City and are in addition to and do not limit any rights afforded to the City by any other clause of this bid. Vendor agrees to honor manufacturer's warranty.

IV. AWARD OF CONTRACT

- A. The City Commission of the City of Hobbs, New Mexico, reserves the right to waive irregularities in bids, and to reject any or all bids or portions thereof. They may award to the bidder whose bid is deemed to be in the best interest of the City of Hobbs.
- B. All bids shall remain open for sixty (60) days after the day of the bid opening.
- C. Alternate bids will be considered only if the bidder is successful on the base bid. Offers with two base bids will be disqualified. Base bid must be identified as prime bid.
- D. To preclude possible errors and/or misinterpretations, bid prices must be affixed legibly in ink, or typewritten. Corrections or changes must be signed or initialed by bidder prior to scheduled bid opening. Failure to do so will be just cause for rejection of bid.
- E. Bids may be withdrawn upon receipt of written request prior to scheduled bid opening for the purpose of making any corrections and/or changes. Such corrections must be properly identified and signed or initialed by bidder. Resubmitting must be prior to scheduled bid opening for consideration.
- F. After bid opening, no modifications on bid prices or other provisions of bids shall be permitted. A low bidder alleging a material mistake of fact, after bids have been opened, may be permitted to withdraw the bid upon written request prior to award at the discretion of the Finance Director.
- G. This bid will be awarded on cumulative pricing. Prices must be firm for each annual contract period. Notice of proposed price changes must be submitted sixty days prior to renewal date for consideration. Approval is not automatic. Request must be submitted in writing to the City of Hobbs Finance Department.
- H. This bid will be awarded on a Total Bid basis.
- I. This indefinite quantity price agreement may be terminated by and at the will of either party for any reason upon sixty (60) days prior written notice delivered or mailed by certified mail, return receipt requested, to the other party. Additionally, City may give notice at any time for cause, including, but not limited to, unsatisfactory performance of duties or for any other good cause shown.

IV. DELIVERY

- A. F.O.B. Destination - Means goods are to be delivered to the destination designated by the user, which is the point at which the user accepts ownership or title to the goods. Any exception to F.O.B. Destination may cause a bid to be declared non-responsive.

F.O.B. - Job-Site HOBBS, NEW MEXICO 88240

V. PAYMENT

- A. The City of Hobbs requests one invoice following completion of work. Payment will be made within fifteen (15) days of acceptance of the work by the Hobbs Animal Adoption Center upon certification that all contract terms have been met.

VI. INSURANCE

- A. The successful bidder shall obtain, and provide proof thereof, to the City the following insurance coverage:

General Liability as follows: Premises, operations, explosions and collapse hazard, underground hazard, contractual insurance, products with completed operations, broad form property damage, independent contractors and personal injury. The limits of liability shall be no less than \$1,000,000 combined single limits for bodily injury and property damage.

Automobile Liability as follows: Owned, hired and non-owned vehicles. The limits of liability shall be no less than \$1,000,000 combined single limit bodily injury and property damage.

The City of Hobbs shall be named as an additional insured.

Workers' Compensation is required along with State statutory employer's liability limits regardless of number of employees.

DETAILED SPECIFICATIONS

The City of Hobbs is asking for a PRICING BID on services provided at The City of Hobbs Animal Adoption Center.

1.0 GENERAL:

- A. The City of Hobbs is asking for sealed bids to perform spay/neuter procedures to cats/dogs at The City of Hobbs Animal Adoption Center. Spay/Neuter surgery is needed three days per week to fulfill rescues and adoptions needs. All materials are provided by the City of Hobbs for the actual procedures to be performed.
- B. The City of Hobbs is asking for a sealed bid to perform health certificate inspections upon animals that will be crossing state and international borders. This will require forms that are signed by a licensed veterinarian and could be followed up by the veterinarian in other states upon request.

2.0 Experience: Bidder shall have a valid New Mexico license to practice Veterinary medicine/surgery. Proof of license may be required.

INVITATION TO BID/PRICE AGREEMENT
PROVIDE VETERINARY SERVICES FOR SPAYING AND NEUTERING
DOGS AND CATS AT THE HOBBS ANIMAL ADOPTION CENTER

TO: The City of Hobbs, New Mexico

August 5, 2017

Bid of Lea County Veterinary Service :
(Company Name)

A) A Corporation under the laws of the State of _____; or

B) A partnership consisting of _____; or

C) An individual trading as Linda Westall Taylor, DVM

The undersigned bidder, pursuant to the foregoing "Notice to Bidders", has carefully examined the instructions to Bidders, this bid form and the Detailed Specifications.

Resident Preference
Certification Number

Company Name Lea County Veterinary Service

BY: Linda Westall Taylor, DVM
Type or Print Name

357 Wilks Rd.
Address

575-396-3649
Telephone Number

Lovington, NM 88260
City State Zip

NOTE: To be valid, bid must be signed. The signature of a corporation is its president, or an authorized representative. A signature of a partnership must be a valid partner or authorized representative.

Do Not Return Invitation to Bid Form in Case of a "NO BID"

If applicable - bidder acknowledges receipt of the following AMENDMENT(S):

Amendment No: 1 Dated: 8/2/17 Amendment No.: _____ Date:

Amendment No: _____ Dated: _____ Amendment No.: _____ Date:

Linda Westall, DVM

Lea County Veterinary Service
357 Wilks Road
Lovington, NM 88260
Phone: (575) 396-3649
Fax: (575) 396-3289

Pricing Bid for Bid No. 1562-18, To Provide Veterinary Services for Spaying and Neutering Dogs and Cats
at the Hobbs Animal Adoption center

August 5, 2017

Detailed Specifications:

- A. Spay/ Neuter surgeries will be performed at a rate of \$100.00 per hour of service. Service will be provided three days per week with the specific days of surgery under the discretion of the Animal Adoption Center Manager.
- B. Health Certificates will be billed at \$35.00 per certificate. This includes animal inspection, data entry on the official certificate, and an official health certificate signed by a licensed veterinarian.

Linda Westall Taylor, DVM

Linda Westall, DVM

Lea County Veterinary Service
357 Wilks Road
Lovington, NM 88260
Phone: (575) 396-3649
Fax: (575) 396-3289

Exceptions and/or Alternatives to Specifications and Conditions

Bid No. 1562-18 To Provide Veterinary Services for Spaying and Neutering Dogs and Cats at the Hobbs
Animal Adoption Center

VI. Insurance

A Professional Liability Policy will be submitted in the place of a General Liability Policy.

Linda Westall Saylor, DVM

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Person" means any corporation, partnership, individual, joint venture, association or any other private legal entity.

"Prospective contractor" means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature _____ Date _____

_____ Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Linda Westall Taylor DVM August 5, 2017
Signature Date

Veterinarian/owner
Title (Position)

Resident Veterans Preference Certification

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

Please check one box only

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$3M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

"I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime."

(Signature of Business Representative)*

(Date)

*Must be an authorized signatory for the Business.

The representations made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or unaward of the procurement involved if the statements are proven to be incorrect.

NON-COLLUSION AFFIDAVIT

STATE OF NM

City OF Lovington

Linda Westall Taylor (name) being first duly sworn, deposes and

says that he/she is (title) Owner/Veterinarian

of (organization) Lea County Veterinary Service

who submits herewith to the City of Hobbs, a bid/proposal:

That all statements of fact in such bid/proposal are true:

That said proposal/bid was not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation;

That said proposer/bidder has not, directly or indirectly by agreement, communication or conference with anyone attempted to induce action prejudicial to the interest of the City of Hobbs, or of any proposer/bidder of anyone else interested in the proposed contract; and further,

That prior to the public opening and reading of bid/proposal, said bidder/proposer;

1. Did not directly or indirectly, induce or solicit anyone else to submit a false or sham proposal
2. Did not directly or indirectly collude, conspire, connive or agree with anyone else that said bidder or anyone else would submit a false or sham proposal, or that anyone should refrain from bidding or withdraw his/her proposals;
3. Did not in any manner, directly or indirectly, seek by agreement, communication or conference with anyone to raise or fix the proposal price of said bidder or of anyone else, or to raise or fix any overhead, profit or cost element of their proposal price, or of that of anyone else;
4. Did not directly or indirectly, submit his proposed price or any breakdown thereof, or the contest thereof, or divulge information or data relative thereto, to any corporation, partnership, company, association organization, bid depository or to any member or agent thereof, or to any individual group of individuals, except that City of Hobbs, or to any person or persons who have a partnership or other financial interests with said proposer/bidder in his/her business.

By: Linda Westall Taylor DVM

Title: Owner/Veterinarian

SUBSCRIBED and sworn to before me this 8th day of Aug., 2017

Notary Public: Shona Able

My Commission Expires: 5-15-2020

RELATED PARTY DISCLOSURE FORM

(Bidders and Proposers only)

1. Are you indebted to or have a receivable from any member of the City of Hobbs Commissioners, administration officials, department heads, and key management supervisors with the City of Hobbs?

YES ___ NO

2. Are you, or any officer of your company related to any member of the City of Hobbs Commissioners, administration officials, department heads, key management supervisors of the City of Hobbs and have you had any of the following transactions since January 1, 2017 to which City of Hobbs was, is to be, a party?

Sales, Purchase or leasing of property? YES ___ NO
Receiving, furnishing of goods, services or facilities? YES ___ NO
Commissions or royalty payments? YES ___ NO

3. Does any member of the City Commission; administration officials, department heads, key management supervisors with the City of Hobbs, have any financial interest in your company whether a sole proprietorship, partnership, or corporation of any kind that currently conducts business with the City of Hobbs?

YES ___ NO

4. At any time from January 1, 2017 through the present, did you, your company, or any officer of your company have an interest in or signature authority over a bank account for the benefit of a member of the City Commission administration officials, department heads, key management supervisors with the City of Hobbs?

YES ___ NO

5. Are you negotiating to employ or do you currently employ any employee, officer, or family member of an employee or officer for the City of Hobbs? NO

6. Are you an employee of the City of Hobbs or a member of your family an employee of the City of Hobbs?

YES ___ NO

BID NO.1562-18

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Signature of Owner or Company President Linda Westall Taylor DVM Date August 5, 2017
(Print Name and Title): Linda Westall Taylor DVM Veterinarian/Owner

City of Hobbs
Certification Regarding Debarment, Suspension, Ineligibility and
Voluntary Exclusion

The Bidder/Proposer certifies, by submission of this bid/proposal, neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this submission of bid/proposal by any Federal, State or Local government. It further agrees by submitting this bid/proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts and subcontracts. Where the bidder/proposer or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this bid/proposal submission

Failure to acknowledge the above conditions would render the Bid/Proposal non-responsive.

I acknowledge:

Company Name: Lea County Veterinary Service

Signature Linda Westall Taylor, DVM

Print Name Linda Westall Taylor, DVM



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: A RESOLUTION APPROVING THE FY 2019-2023 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP).

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: August 15, 2017
SUBMITTED BY: Kevin Robinson – Planning Department

Summary: The Fiscal Year 2019-2023 Infrastructure Capital Improvement Plan (ICIP) was reviewed and approved at the June 2017 regular meeting of the City of Hobbs Planning Board. After review the Board recommended approval by City Commission with unanimous approval.

The City Commission discussed the ICIP during the August 7, 2017 regular meeting. The top 5 priority projects from last year is as follows: #1WWTP Effluent System; #2 Sewer Main Replacement Program; #3 Community Housing Projects; #4 Drainage Master Plan; #5 Multi-Generational Recreational Center. The top 5 ICIP priority projects for this year are to be determined during public discussion prior to adoption.

Fiscal Impact:

Reviewed By: _____


Finance Department

The City will be financially impacted negatively if the ICIP is not approved and sent to the State, as the City will be ineligible for State grant funding for City projects.

Attachments: Resolution, Top 5 Selection, Draft ICIP Plan, Planning Board Minutes.

Legal Review:


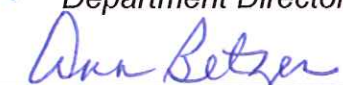
Approved As To Form: _____


City Attorney

Recommendation:

Staff recommends approval of the ICIP Plan.

Approved For Submittal By:


Department Director

Acting 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. 6583

A RESOLUTION APPROVING THE FISCAL YEAR 2019-2023 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP).

WHEREAS, the City of Hobbs recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue strategic actions and objectives to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in the short and long range capital planning efforts.

WHEREAS, on June 18, 2017, the City of Hobbs Planning Board conducted a Public Hearing and discussed the proposed capital improvement plan, and after due review and with recommendations for minor modifications, the Planning Board unanimously approved the draft plan and recommended approval by the City Commission.

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

1. The City of Hobbs hereby adopts the attached Infrastructure Capital Improvements Plan, subject to availability of funds; and
2. The City intends that this Plan will be a working document and one of many steps toward improving rational, long range capital planning and budgeting for New Mexico's infrastructure.

PASSED, ADOPTED AND APPROVED this 21st day of August, 2017.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS
2019 - 2023 ICIP Project List
City Commission Recommendations
Top 5 Priority List

- #1 _____
- #2 _____
- #3 _____
- #4 _____
- #5 _____

**Fiscal Year 2019 – 2023
Local Infrastructure
Capital Improvement Plan
(ICIP)**



City of Hobbs

MAYOR

Sam D. Cobb

CITY COMMISSION

Joseph D. Calderón, Mayor Pro Tem

Marshall Newman

Cynthia D. Calderon

Patricia A. Taylor

Garry Buie

Don R. Gerth

CITY MANAGER

J.J. Murphy

Infrastructure Capital Improvement Plan FY 2019-2023

Hobbs Project Summary

ID	Year	Rank	Project Title	Category	Funded to date						Total	Amount	Phases?
						2019	2020	2021	2022	2023	Project Cost	Not Yet Funded	
22423	2019	001	Sewer Main Replacement	Utilities (publicly-owned)	18,000,000	7,000,000	7,000,000	7,000,000	0	0	39,000,000	21,000,000	Yes
15693	2019	002	WWRF Effluent Reuse Project	Utilities (publicly-owned)	12,642,000	7,000,000	7,000,000	7,000,000	0	0	33,642,000	21,000,000	Yes
17615	2019	003	Drainage Master Plan	Storm/Surface Water Control	1,888,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,888,000	5,000,000	Yes
26329	2019	004	Taylor Ranch Improvements	Public Parks (local)	6,000,000	14,000,000	5,000,000	5,000,000	5,000,000	5,000,000	40,000,000	34,000,000	Yes
26430	2019	005	New Municipal Detention Facility	Public Safety Equipment/Bldgs	310,000	5,000,000	45,000,000	0	0	0	50,310,000	50,000,000	No
28046	2019	006	West College Lane Realignment	Hiways/Roads/Streets/Bridges	90,000	1,250,000	0	0	0	0	1,340,000	1,250,000	No
14775	2019	007	West Bender Widening Project & Drainage	Hiways/Roads/Streets/Bridges	500,000	500,000	7,500,000	0	0	0	8,500,000	8,000,000	Yes
17012	2019	008	Southeast and Northwest Bypass	Hiways/Roads/Streets/Bridges	783,000	900,000	0	17,500,000	0	0	19,183,000	18,400,000	Yes
17022	2019	009	Community Housing Projects	Housing-Related Cap Infra	13,500,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	18,500,000	5,000,000	Yes
33827	2019	010	City Park Improvements	Public Parks (local)	0	0	0	0	0	0	0	0	No
9673	2019	011	CDBG Annual Project	Hiways/Roads/Streets/Bridges	1,000,000	530,000	530,000	530,000	530,000	530,000	3,650,000	2,650,000	Yes
26443	2019	012	RR Crossing Upgrades and New Crossings	Hiways/Roads/Streets/Bridges	0	250,000	50,000	0	0	0	300,000	300,000	No
26429	2019	013	Citywide Wireless Internet	Other	0	2,500,000	1,000,000	1,000,000	1,000,000	1,000,000	6,500,000	6,500,000	No
29585	2019	014	WWRF Aerobic Digester Renovation	Wastewater	780,000	250,000	3,400,000	3,100,000	0	0	7,530,000	6,750,000	Yes
31398	2019	015	WWRF Tertiary Treatment	Utilities (publicly-owned)	100,000	3,650,000	3,100,000	0	0	0	6,850,000	6,750,000	Yes
31358	2019	016	HPD Body Camera Program	Public Safety Equipment/Bldgs	0	750,000	0	0	0	0	750,000	750,000	No

Infrastructure Capital Improvement Plan FY 2019-2023

25058	2019	017	ADA Intersection Improvement Project	Hiways/Roads/Streets/Bridges	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	Yes
25059	2019	018	Traffic Signal Upgrades	Hiways/Roads/Streets/Bridges	0	600,000	500,000	500,000	500,000	500,000	2,600,000	2,600,000	Yes
25060	2019	019	Street Resurfacing	Hiways/Roads/Streets/Bridges	10,000,000	2,000,000	1,000,000	1,000,000	1,000,000	0	15,000,000	5,000,000	No
25061	2019	020	Water Wells Program	Water Supply	630,000	550,000	600,000	550,000	500,000	0	2,830,000	2,200,000	No
25179	2019	021	Del Norte Park Expansion Area	Public Parks (local)	1,600,000	4,070,000	0	0	0	0	5,670,000	4,070,000	No
25063	2019	022	Street Sign Replacement	Hiways/Roads/Streets/Bridges	530,000	500,000	500,000	500,000	500,000	500,000	3,030,000	2,500,000	No
21233	2019	023	Sanger St Improvments	Hiways/Roads/Streets/Bridges	0	250,000	750,000	750,000	0	0	1,750,000	1,750,000	Yes
18972	2019	024	Traffic Study Update	Hiways/Roads/Streets/Bridges	0	350,000	0	0	0	0	350,000	350,000	No
21082	2019	025	Apache Dr/Fowler St Utilities Extension	Utilities (publicly-owned)	0	150,000	1,500,000	0	0	0	1,650,000	1,650,000	Yes
26447	2019	026	SR 18 Corridor - Safety / Congestion Improvements	Hiways/Roads/Streets/Bridges	0	500,000	2,500,000	2,500,000	1,500,000	1,500,000	8,500,000	8,500,000	Yes
26448	2019	027	HIAP Sewer Extension	Wastewater	0	350,000	0	3,500,000	0	0	3,850,000	3,850,000	No
26535	2019	028	Manhole Repair Program	Utilities (publicly-owned)	0	60,000	60,000	60,000	60,000	60,000	300,000	300,000	No
21091	2019	029	Concrete Intersections Program	Hiways/Roads/Streets/Bridges	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	No
14435	2019	030	MAP Roadway Rehabilitation Projects	Hiways/Roads/Streets/Bridges	0	600,000	600,000	600,000	600,000	600,000	3,000,000	3,000,000	No
14370	2019	031	Arterial COOP Project	Hiways/Roads/Streets/Bridges	0	125,000	125,000	125,000	125,000	125,000	625,000	625,000	No
26331	2019	032	Municipal Recreational Facilities	Public Parks (local)	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	No
22675	2019	033	Municipal Vehicles and Equipment	Other	960,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,960,000	5,000,000	No
12548	2019	034	Infrastructure Extensions	Utilities (publicly-owned)	3,500,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	9,750,000	6,250,000	No
17013	2019	035	Arterial Roadway Enhancement Projects	Hiways/Roads/Streets/Bridges	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	No
32605	2019	036	JOE HARVEY & CENTRAL TRAFFIC SIGNAL	Hiways/Roads/Streets/Bridges	3,000,000	2,000,000	0	0	0	0	5,000,000	2,000,000	No

Infrastructure Capital Improvement Plan FY 2019-2023

32606	2019	037	RECREATION STUDY	Public Parks (local)	0	50,000	0	0	0	0	50,000	50,000	No
26434	2020	001	Aerial Class A Pumper	Fire	0	0	600,000	0	0	0	600,000	600,000	No
18969	2020	002	FEMA Map Update	Storm/Surface Water Control	0	0	250,000	500,000	500,000	0	1,250,000	1,250,000	No
26433	2020	003	Outdoor Range Phase II	Public Safety Equipment/Bldgs	0	0	450,000	0	0	0	450,000	450,000	No
31972	2020	004	HPD MOBILE COMMAND POST	Public Safety Vehicles	0	0	400,000	0	0	0	400,000	400,000	No
31432	2020	005	Safety Improvements	Hiways/Roads/Streets/Bridges	0	0	125,000	750,000	750,000	0	1,625,000	1,625,000	Yes
33772	2021	001	Bobtail Water Tender	Fire	0	0	0	300,000	0	0	300,000	300,000	No
14407	2021	002	Fowler Street Extension	Hiways/Roads/Streets/Bridges	0	0	0	5,400,000	4,000,000	0	9,400,000	9,400,000	Yes
28053	2021	003	Industrial Frontage Road	Hiways/Roads/Streets/Bridges	0	0	0	355,000	3,680,000	0	4,035,000	4,035,000	No
15692	2021	004	Water System Improvements (North Reservoir)	Water Supply	0	0	0	3,000,000	2,000,000	0	5,000,000	5,000,000	No
26436	2021	005	Ambulance	Fire	0	0	0	200,000	200,000	0	400,000	400,000	No
16997	2022	001	New Elevated Water Storage	Water Supply	0	0	0	0	3,000,000	0	3,000,000	3,000,000	Yes
31436	2022	002	Millen Projection	Hiways/Roads/Streets/Bridges	0	0	0	0	250,000	2,000,000	2,250,000	2,250,000	No
28058	2023	001	Bensing South Projection	Hiways/Roads/Streets/Bridges	0	0	0	0	0	1,750,000	1,750,000	1,750,000	No

Number of projects:	50											
Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:					
Grand Totals	75,813,000	61,985,000	95,790,000	67,970,000	31,945,000	19,815,000	353,318,016	277,505,024				

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 001

ID:22423

Project Title: Sewer Main Replacement

Project Type: Replace Existing

Category: Utilities (publicly-owned)

Contact Name: Tim Woomer

Contact Phone: 575-397-9315

Contact E-mail: twoomer@hobbsnm.org

Project Location: 2000 N. Grimes St. Hobbs NM 88240

Latitude: 32.72747

Longitude: -103.144879

Legislative Language: To plan, design, remove and replace, construct existing sewer main in Hobbs, NM, Lea County.

Description/Scope of Work: The project includes the designing, replacement and reconstruction of 24 inch diameter reinforced concrete pipe main sewer transmission pipe lines. An engineering design will need to be completed showing the location of the line and the construction details. The scope of work is for continued construction purposes. The first segment of Project is the replacement of existing concrete pipeline along the Texas New Mexico Railway corridor from the Grimes/Turner intersection to the Lovington Hwy/Central St intersection. Design is currently underway for this segment with construction projected to take place early 2016. The remaining segments are the continuation of the Truck F sewermain north along the Lovington Hwy, and the replacement of concrete pipeline from Central/Lovington Hwy to Joe Harvey Blvd. Seven phases have been completed previously. The phases include 4 miles of sewer main removal and replacement along with pavement reconstruction, sidewalk and ADA improvements. This construction phase will be bid out and will consist of removing and replacing 1 mile of sewer main.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
CAP	650,000	Yes	650,000	0	2014	will expend for construction
CAP	150,000	Yes	150,000	0	2015	will expend for construction
LFUNDS	17,200,000	No	17,200,000	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	18,000,000		18,000,000	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

_____ Estimated Costs Not Yet Funded _____

Infrastructure Capital Improvement Plan FY 2019-2023

	Completed	Funded to Date	2019	2020	2021	2022	2023	Total Project Cost
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	1,000,000	0	0	0	0	0	1,000,000
Construction	No	17,000,000	7,000,000	7,000,000	7,000,000	0	0	38,000,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		18,000,000	7,000,000	7,000,000	7,000,000	0	0	39,000,000
Amount Not Yet Funded		21,000,000						

Can this project be phased? Yes

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	7,000,000	No	No	Yes	No	No	9
2	7,000,000	No	No	Yes	No	No	12
3	7,000,000	No	No	Yes	No	No	12
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	21,000,000						

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

If no, please explain why:

Infrastructure Capital Improvement Plan FY 2019-2023

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	10,000	10,000	11,000	12,000	12,500	55,500
Annual Operating Revenues	6,000	6,000	7,000	7,000	7,500	33,500
Does the project lower operating costs?	No					
If yes, please explain and provide estimates of operating savings						

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? Yes
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
4. Has the land for the project been acquired? Yes

5. Is this project a regional priority? For example, is it supported by more than one local government entity? Yes
 If yes, please explain. The trunk line project effects residents throughout Hobbs as the line is aging and collapsing.
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). Project managers oversee construction and approve monthly construction schedule and progress payments as well as any change orders.
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? Yes
 If yes, please explain. Design and construction to replace segments of the existing sewermain is such that system is fully functional upon completion of all phases.
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes
 If yes, please explain. Project is essential to both maintaining the current economy and allowing for future development within the City.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? Yes
 If yes, please explain and provide the number of people that will benefit from the project. The project benefits all of the residents that tie into the sewer main and additionally all of the people that drive over the line since that area will also be improved.

Infrastructure Capital Improvement Plan FY 2019-2023

10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. Yes
If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

If the deteriorating sewer main collapses there are potential health risks due to the exposed sewage as well as potential risk for sinking into the hole that would form above the line

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 002

ID:15693

Project Title: WWRF Effluent Reuse Project

Project Type: New

Category: Utilities (publicly-owned)

Contact Name: Tim Woomer

Contact Phone: 575-397-9315

Contact E-mail: twoomer@hobbsnm.org

Project Location: W. Millen Dr. Hobbs NM 88240

Latitude: 32.743877

Longitude: -103.179249

Legislative Language: To plan, design and construct WWRF effluent reuse system to include enviro studies, planning, design, construction and furnish and equip in Hobbs, NM, Lea County.

Description/Scope of Work: Project is a water conservation project which consists of developing infrastructure to fully utilize available treated effluent water for irrigation purposes on public green spaces, and other recreational sites as categorized within City's Effluent Reuse Master Plan. In addition to constructing pipelines and above ground storage, Project also entails the storage of excess effluent water meeting applicable regulations within the aquifer for recovery at a later date. Termed Underground Storage and Recovery (USR), a feasibility study, including an update of Project's professional engineering report, have been completed. Annual potable water savings as a result of effluent reuse for irrigation of recreational sites within the City of Hobbs is approximately 200 AcFt per Yr. Upon full implementation of Project in the year 2020, annual potable water savings based upon 2014 flows and volumes are projected to be approximately 534 AcFt per Yr.

The City of Hobbs WWRF Effluent Reuse Project is comprised of two segments, the physical construction of piping/storage systems to provide treated effluent to the point of usage; and the ability to store excess winter volumes for future use via aquifer storage. Following the Project's Master Plan, work to done includes the design and construction of an above ground storage tank at the Hobbs Industrial Air Park (HIAP) and completion of the NE effluent distribution line. This segment approximately will create a looped system and is approximately 12.5 miles in length. To fully utilize excess reclaimed water during the winter months, a demonstration underground storage/recovery (USR) facility is being designed. The demonstration facility has been permitted through OSE. The draft NMED discharge permit is projected to be issued in July 2017 with construction projected to commence in August 2017.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
OTHER	450,000	Yes	450,000	0	2009	
OTHER	3,298,720	Yes	3,298,720	0	2012	
CAP	810,000	Yes	810,000	0	12/15/16	
OTHER	5,500,000	Yes	3,200,000	0	2015	
OTHER	1,807,600	Yes	1,807,600	0	2015	
OTHER	586,400	No	586,400	0	2016	
	0	No	0	0		
	0	No	0	0		

Infrastructure Capital Improvement Plan FY 2019-2023

TOTALS	12,452,720	10,152,720	0
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Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	Yes	250,000	0	0	0	0	0	250,000
Planning	No	650,000	0	0	0	0	0	650,000
Design (Engr./Arch.)	No	1,650,000	400,000	400,000	400,000	0	0	2,850,000
Construction	No	9,066,320	6,000,000	6,000,000	6,000,000	0	0	27,066,320
Furnishing/Equipment	No	1,025,680	600,000	600,000	600,000	0	0	2,825,680
TOTALS		12,642,000	7,000,000	7,000,000	7,000,000	0	0	33,642,000
Amount Not Yet Funded		21,000,000						

Can this project be phased? **Yes**

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	3,000,000	Yes	Yes	Yes	Yes	No	30
2	5,000,000	Yes	Yes	Yes	No	No	24
3	5,000,000	Yes	Yes	Yes	No	No	24
4	5,000,000	Yes	Yes	Yes	No	No	0
5	3,000,000	Yes	Yes	Yes	Yes	No	0
TOTAL	21,000,000						

Infrastructure Capital Improvement Plan FY 2019-2023

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

If no, please explain why:

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	577,000	650,000	650,000	650,000	650,000	3,177,000
Annual Operating Revenues	577,000	650,000	650,000	650,000	650,000	3,177,000

Does the project lower operating costs? **No**

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? **Yes**

2. Has the project had public input and buy-in? **Yes**

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

4. Has the land for the project been acquired? **Yes**

5. Is this project a regional priority? For example, is it supported by more than one local government entity? **Yes**

If yes, please explain. The project is a regional priority as the water aquifer is shared by multiple municipalities. The effluent water project will decrease the demand Hobbs places on the aquifer.

6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? **Yes**

What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). The City of Hobbs Utilities Department is responsible for project oversight. Procurement officer for the City of Hobbs is Mr. Toby Spears, Finance Director.

7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? **Yes**

If yes, please explain. Funding request is based upon a two-year construction period. Each phase of project will be fully functional.

8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? **Yes**

If yes, please explain. Public benefits as a result of project include: potable water conservation; public safety; deference of capital costs to develop additional water supply infrastructure; future

Infrastructure Capital Improvement Plan FY 2019-2023

economic

9. Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

As a water conservation project, will extend regions sole drinking water source, the Ogallala Aquifer. Residents and businesses within Lea County will receive benefit est 50000

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

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 003

ID:17615

Project Title: Drainage Master Plan

Project Type: New

Category: Storm/Surface Water Control

Contact Name: Todd Randall

Contact Phone: 575-397-9237

Contact E-mail: trandall@hobbsnm.org

Project Location: 321 E. Sanger St. Hobbs NM 88240

Latitude: 32.702612

Longitude: -103.136040

Legislative Language: To plan, design and construct drainage master plan and drainage facilities for the City of Hobbs, NM, Lea County.

Description/Scope of Work: Develop drainage master plan for Hobbs Urban Area. Plan, design and construct storm water and drainage facilities needed; prepare capital improvement plan for facilities with funding mechanisms, joint use policies for drainage facilities and new rules for development projects. Phase 1 will be the planning phase - right of way, acquisition and design. Phase 2 will be completing the design and beginning construction. Phases 3 - 5 will be construction. An RFP will be go out for the design of Phase 1.

Acquire & develop stormwater retention sites, drainage channels and storm drain systems to contain flood waters during times of heavy rains. If possible, retention sites will be designed as multi-use facilities to share with recreation and open space activities. Drainage channels in floodways should be utilized to convey drainage waters to retention sites. New development should be addressed. These sites will also include necessary treatment and remediation of stormwater flows.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
LFUNDS	1,888,000	No	1,888,000	1,888,000	2014	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	1,888,000		1,888,000	1,888,000		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

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	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	No	0	200,000	0	0	0	0	200,000
Acquisition	No	0	200,000	100,000	0	0	0	300,000
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	No	888,000	200,000	0	0	0	0	1,088,000
Design (Engr./Arch.)	No	0	400,000	100,000	0	0	0	500,000
Construction	No	1,000,000	0	800,000	1,000,000	1,000,000	1,000,000	4,800,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		1,888,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,888,000
Amount Not Yet Funded		5,000,000						

Can this project be phased? Yes

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	1,000,000	Yes	Yes	No	No	Yes	18
2	1,000,000	No	Yes	Yes	No	Yes	12
3	1,000,000	No	No	Yes	No	No	10
4	1,000,000	No	No	Yes	No	No	10
5	1,000,000	No	No	Yes	No	No	10
TOTAL	5,000,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

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If no, please explain why: will budget once funded

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? Yes
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
4. Has the land for the project been acquired? No

5. Is this project a regional priority? For example, is it supported by more than one local government entity? Yes
 If yes, please explain. Drainage effects the entire community.
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). Project managers oversee construction and approve monthly construction schedule and progress payments as well as any change orders.
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? Yes
 If yes, please explain. All phases completed will be functional.
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
 If yes, please explain.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? Yes
 If yes, please explain and provide the number of people that will benefit from the project. The project benefits all of the citizens within the Hobbs City Limits.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and No

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unavoidable? Emergencies must be documented by a Subject Matter Expert.

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 004

ID:26329

Project Title: Taylor Ranch Improvements

Project Type: New

Category: Public Parks (local)

Contact Name: Doug McDaniel

Contact Phone: 575-397-9293

Contact E-mail: dmcdaniel@hobbsnm.org

Project Location: Sanger Hobbs NM 88240

Latitude: 32.719944

Longitude: -103.108059

Legislative Language: To design, construct and furnish Taylor Ranch Park for the City of Hobbs NM, Lea County.

Description/Scope of Work: Design and construction of Taylor Ranch park and recreational areas. Taylor Ranch is a 219 acre parcel of land owned by the City of Hobbs that will serve as the city's new gateway for those entering the city from the east. Phase I of the Taylor Ranch Improvements Project is currently in Design Development phase and the following amenities are being considered: a Family Entertainment Center that would include miniature golf, go-karts, and arcade games; a 5.45 acre lake with a large pavilion and great lawn on the north side, corporate pavilions, fishing piers, shade structures and two restaurant pad sites; a Veteran's Memorial; a skate park.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
LFUNDS	6,000,000	No	6,000,000	0	2016	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	6,000,000		6,000,000	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded				Total Project Cost
			2019	2020	2021	2022	
Water Rights		N/A					

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		0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	1,000,000	0	0	0	0	0	1,000,000
Construction	No	5,000,000	10,000,000	4,000,000	4,000,000	4,000,000	4,000,000	31,000,000
Furnishing/Equipment	No	0	4,000,000	1,000,000	1,000,000	1,000,000	1,000,000	8,000,000
TOTALS		6,000,000	14,000,000	5,000,000	5,000,000	5,000,000	5,000,000	40,000,000
Amount Not Yet Funded		34,000,000						

Can this project be phased? Yes

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	14,000,000	No	No	Yes	Yes	No	24
2	5,000,000	No	No	Yes	Yes	No	12
3	5,000,000	No	No	Yes	Yes	No	12
4	5,000,000	No	No	Yes	Yes	No	12
5	5,000,000	No	No	Yes	Yes	No	24
TOTAL	34,000,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why: will be budgeted upon completion

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
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Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0
Does the project lower operating costs?	No					
If yes, please explain and provide estimates of operating savings						

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
Lease/operating agreement in place?	No	No	No	No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? Yes
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
4. Has the land for the project been acquired? Yes

5. Is this project a regional priority? For example, is it supported by more than one local government entity? Yes
 If yes, please explain. Supported by more than one legislator
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). Project managers oversee construction and approve monthly construction schedule and progress payments as well as any change orders.
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? Yes
 If yes, please explain. Each phase will be fully functional
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
 If yes, please explain.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? No
 If yes, please explain and provide the number of people that will benefit from the project.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No

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If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 005

ID:26430

Project Title: New Municipal Detention Facility

Project Type: New

Category: Public Safety Equipment/Bldgs

Contact Name: Chris McCall

Contact Phone: 575-397-9284

Contact E-mail: cmccall@hobbsnm.org

Project Location: Pending at this time Hobbs NM 88240

Latitude:

Longitude:

Legislative Language: To plan, design, construct a new detention facility for the City of Hobbs NM, Lea County.

Description/Scope of Work: Design and construct new detention facility that meets current needs of the department. The inmate count has been steadily increasing and a bigger facility is needed to accommodate the increase. New jail to meet current standards and that is ADA compliant. More information upon completion of design.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
LFUNDS	310,000	Yes	310,000	0	2016	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	310,000		310,000	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded				Total Project Cost
			2019	2020	2021	2022	
Water Rights	N/A	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0

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Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	60,000	750,000	0	0	0	0	810,000
Construction	No	250,000	4,250,000	45,000,000	0	0	0	49,500,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		310,000	5,000,000	45,000,000	0	0	0	50,310,000
Amount Not Yet Funded		50,000,000						

Can this project be phased? No

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	5,000,000	No	Yes	Yes	No	No	12
2	45,000,000	No	No	Yes	No	No	24
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	50,000,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why: will budget upon completion

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0
Does the project lower operating costs?	No					

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If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? No
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
4. Has the land for the project been acquired? No

5. Is this project a regional priority? For example, is it supported by more than one local government entity? No
 If yes, please explain.
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? No
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). Chief Chris McCall, Deputy Chief Brian Dunlap, Ronny Choate
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? No
 If yes, please explain.
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
 If yes, please explain.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? No
 If yes, please explain and provide the number of people that will benefit from the project.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No
 If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

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ICIP Capital Project Description

Year/Rank 2019 006

ID:28046

Project Title: West College Lane Realignment

Project Type: New

Category: Hiways/Roads/Streets/Bridges

Contact Name: Todd Randall

Contact Phone: 575-397-9237

Contact E-mail: trandall@hobbsnm.org

Project Location: College Lane and SR 18 Hobbs NM 88240

Latitude:

Longitude:

Legislative Language: Plan, design and construct the realignment of West College Lane to SR 18.

Description/Scope of Work: Realignment of West College Lane to SR 18 to allow for a 90 degree intersection, facilitating better egress for emergency response vehicles leaving Station 4.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
LFUNDS	90,000	Yes	90,000	0	2014	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	90,000		90,000	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	Yes	50,000	0	0	0	0	0	50,000

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Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	Yes	20,000	50,000	0	0	0	0	70,000
Design (Engr./Arch.)	No	20,000	200,000	0	0	0	0	220,000
Construction	No	0	1,000,000	0	0	0	0	1,000,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		90,000	1,250,000	0	0	0	0	1,340,000
Amount Not Yet Funded		1,250,000						

Can this project be phased? No
 Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.
 Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	15,000	Yes	No	No	No	No	0
2	50,000	No	Yes	No	No	No	0
3	435,000	No	No	Yes	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	500,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why: will budget upon completion

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

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Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
Lease/operating agreement in place?	No	No	No	No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? No
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? No
4. Has the land for the project been acquired? Yes

5. Is this project a regional priority? For example, is it supported by more than one local government entity? No
If yes, please explain.
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? No
What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s).
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? No
If yes, please explain.
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
If yes, please explain.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? No
If yes, please explain and provide the number of people that will benefit from the project.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. Yes
If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 007

ID:14775

Project Title: West Bender Widening Project & Drainage

Project Type: New

Category: Hiways/Roads/Streets/Bridges

Contact Name: Todd Randall

Contact Phone: 575-397-9237

Contact E-mail: trandall@hobbsnm.org

Project Location: Bender Hobbs NM 88240

Latitude: 32.726443

Longitude: -103.159043

Legislative Language: Design and construct W. Bender Widening Project and Drainage Improvements.

Description/Scope of Work: Design, widen and make drainage improvements on Bender Blvd.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc. Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
LFUNDS	500,000	Yes	500,000	0	2014	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	500,000		500,000	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0

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Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	75,000	500,000	0	0	0	0	575,000
Construction	No	425,000	0	7,500,000	0	0	0	7,925,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		500,000	500,000	7,500,000	0	0	0	8,500,000
Amount Not Yet Funded		8,000,000						

Can this project be phased? Yes

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	500,000	No	Yes	No	No	No	6
2	6,000,000	No	No	Yes	No	No	12
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	6,500,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why: will budget upon completion

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0
Does the project lower operating costs? No						
If yes, please explain and provide estimates of operating savings	62					

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Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
	City of Hobbs	City of Hobbs	City of Hobbs	10000		
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? No
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
4. Has the land for the project been acquired? No

5. Is this project a regional priority? For example, is it supported by more than one local government entity? No
 If yes, please explain.
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? No
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s).
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? No
 If yes, please explain.
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
 If yes, please explain.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? No
 If yes, please explain and provide the number of people that will benefit from the project.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. Yes
 If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 008

ID:17012

Project Title: Southeast and Northwest Bypass

Project Type: New

Category: Hiways/Roads/Streets/Bridges

Contact Name: Todd Randall

Contact Phone: 575-397-9237

Contact E-mail: trandall@hobbsnm.org

Project Location: Grimes Hobbs NM 88240

Latitude: 32.759507

Longitude: -103.244530

Legislative Language: Acquire, design, construct Southeast and Northwest Bypass.

Description/Scope of Work: Acquire right-of-way, design and construct the Hobbs Southeast and Northwest Bypass. The Southeast bypass is an arterial roadway bypass connection with SR 18, Eunice Hwy and SR 18, Seminole Hwy. The Northwest bypass is an arterial roadway bypass connection with SR 18, Lovington Hwy and US 62/180, Carlsbad Hwy.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s)	
					Received	Comment
DOT	783,000	Yes	783,000	0	2014	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	783,000		783,000	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0

Infrastructure Capital Improvement Plan FY 2019-2023

Acquisition	No	0	750,000	0	0	0	0	750,000
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	600,000	0	0	0	0	0	600,000
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	183,000	150,000	0	500,000	0	0	833,000
Construction	No	0	0	0	17,000,000	0	0	17,000,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		783,000	900,000	0	17,500,000	0	0	19,183,000
Amount Not Yet Funded		18,400,000						

Can this project be phased? **Yes**
 Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.
 Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	900,000	No	Yes	No	No	Yes	8
2	400,000	No	Yes	No	No	No	4
3	5,300,000	No	Yes	Yes	No	No	9
4	10,000,000	No	No	Yes	No	No	12
5	0	No	No	No	No	No	0
TOTAL	16,600,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed? **No**

If no, please explain why: will budget upon completion

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0
Does the project lower operating costs?	No					

Infrastructure Capital Improvement Plan FY 2019-2023

If yes, please explain and provide estimates of operating savings

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Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? Yes
2. Has the project had public input and buy-in? Yes
3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
4. Has the land for the project been acquired? No

5. Is this project a regional priority? For example, is it supported by more than one local government entity? Yes
 If yes, please explain. Supported by more than one legislator
6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). Project managers oversee construction and approve monthly construction schedule and progress payments as well as any change orders.
7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? No
 If yes, please explain. All phases would be fully functional
8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
 If yes, please explain.
9. Does the project benefit all citizens within a recognized region, district or political subdivision? No
 If yes, please explain and provide the number of people that will benefit from the project.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. Yes
 If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 009

ID:17022

Project Title: Community Housing Projects

Project Type: New

Category: Housing-Related Cap Infra

Contact Name: Kevin Robinson

Contact Phone: 575-391-4111

Contact E-mail: krobinson@hobbsnm.org

Project Location: 321 E. Sanger St. Hobbs NM 88240

Latitude: 32.702612

Longitude: -103.136040

Legislative Language: To acquire property, design and construct community housing projects for the City of Hobbs, NM, Lea County.

Description/Scope of Work: Acquire, design and construct developments on vacant land and redevelopments of real property sites with necessary infrastructure to facilitate Housing Development by public and private agencies including City. By amending Municipal Code Chapter 3.14 the Municipality has gained needed tools allowing additional funding mechanisms for property receiving Low Income Tax Credits. The Municipality is working with those developers with proven track records providing this type of housing to increase our affordable housing inventory. In an effort to stimulate the production of market rate housing units, both multi-family and single family, the Municipality is offering Development Agreements, incentivizing the production of market rate housing units by reimbursing the Developer a portion of the municipal infrastructure costs required to support the development. Once the design is complete, information on the size and type of construction will be available. Federal dollars are passed down and administered through NM Finance Authority. Developers apply for the funds and will develop in locally if Hobbs is able to attract them, as is the goal through this project.

Secured and Potential Funding Budget:						
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.						
Please complete table below with all secured and potential funding sources.						
Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
LFUNDS	13,000,000	Yes	13,000,000	0	2010-2015	
NMFA	500,000	Yes	500,000	0	2015	
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	13,500,000		13,500,000	0		

Infrastructure Capital Improvement Plan FY 2019-2023

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	No	13,500,000	400,000	400,000	400,000	400,000	400,000	15,500,000
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	0	25,000	25,000	25,000	25,000	25,000	125,000
Construction	No	0	575,000	575,000	575,000	575,000	575,000	2,875,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		13,500,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	18,500,000
	Amount Not Yet Funded	5,000,000						

Can this project be phased? Yes

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	930,000	No	Yes	Yes	No	Yes	7
2	530,000	No	Yes	Yes	No	Yes	7
3	550,000	No	Yes	Yes	No	Yes	7
4	605,000	No	Yes	Yes	No	Yes	7
5	605,000	No	Yes	Yes	No	Yes	7
TOTAL	3,220,000						

Infrastructure Capital Improvement Plan FY 2019-2023

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why: will have budget once funded

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0
Does the project lower operating costs?	No					
If yes, please explain and provide estimates of operating savings	61					

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
	City of Hobbs	City of Hobbs	City of Hobbs	Developer	Developer	
Lease/operating agreement in place?	No	No		No	No	No

1. Does the project have life expectancy of 10 or more years? Yes

2. Has the project had public input and buy-in? Yes

3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

4. Has the land for the project been acquired? No

5. Is this project a regional priority? For example, is it supported by more than one local government entity? No

If yes, please explain.

6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? No

What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s). Project managers oversee construction and approve monthly construction schedule and progress payments as well as any change orders.

7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? No

If yes, please explain. All phases would be fully functional

8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No

If yes, please explain.

Infrastructure Capital Improvement Plan FY 2019-2023

9. Does the project benefit all citizens within a recognized region, district or political subdivision? Yes
If yes, please explain and provide the number of people that will benefit from the project. There will be more housing options for those currently residing and those interested in moving to Hobbs.
10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No
If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2019-2023

ICIP Capital Project Description

Year/Rank 2019 010

ID:33827

Project Title: City Park Improvements

Project Type: Renovate/Repair

Category: Public Parks (local)

Contact Name: Doug McDaniel

Contact Phone: 575-397-9293

Contact E-mail: dmcdaniel@hobbsnm.org

Project Location: E. Clinton St. Hobbs NM 88240

Latitude: 32.706095

Longitude: -103.124608

Legislative Language: To reconstruct City Park.

Description/Scope of Work: The Project consists of demolition of existing park elements and providing new: site grading, landscaping improvements, resurfacing of the existing sports courts, lighting, parking areas, playgrounds, shade structures, splashpad, and refurbishing the existing picnic structures.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc. Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
TOTALS	0		0	0		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2019	2020	2021	2022	2023	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0

Infrastructure Capital Improvement Plan FY 2019-2023

Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	N/A	0	0	0	0	0	0	0
Construction	N/A	0	0	0	0	0	0	0
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
TOTALS		0	0	0	0	0	0	0
<i>Amount Not Yet Funded</i>		0						

Can this project be phased? No

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	0	No	No	No	No	No	0
2	0	No	No	No	No	No	0
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	0						

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why:

ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0
Annual Operating Revenues	0	0	0	0	0	0

Does the project lower operating costs? No

Infrastructure Capital Improvement Plan FY 2019-2023

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:	Maintain:
	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs	City of Hobbs
Lease/operating agreement in place?	No	No		No	No	No

- 1. Does the project have life expectancy of 10 or more years? Yes
- 2. Has the project had public input and buy-in? Yes
- 3. Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes
- 4. Has the land for the project been acquired? Yes

- 5. Is this project a regional priority? For example, is it supported by more than one local government entity? No
 If yes, please explain.
- 6. Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes
 What department or department head would be in charge of oversight for the project? Provide name(s) of procurement officer(s).
- 7. Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? Yes
 If yes, please explain.
- 8. Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No
 If yes, please explain.
- 9. Does the project benefit all citizens within a recognized region, district or political subdivision? Yes
 If yes, please explain and provide the number of people that will benefit from the project.
- 10. Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No
 If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO PROVIDE FUNDING FOR PUBLIC TRANSPORTATION FOR FY 18-19 UNDER SECTION 5311 OF THE FEDERAL TRANSIT ACT

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: August 14, 2017
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

- The City of Hobbs operates the Public Transportation Program known as the "Hobbs Express" under a Section 5311 Grant through the Federal Transit Act (FTA) which is administered by the State of New Mexico, Department of Transportation, (NMDOT), Transit and Rail Division.
This is a formulary grant whereby the costs of the program are shared as follows:
Administrative 20% City 80% State
Operating 50% City 50% State
Capital 20% City 80% State

Fiscal Impact:

Reviewed By: [Signature]
Finance Department

The City's portion of the funding is provided through fares charged for the service and by subsidy from the General Fund. Upon approval of the grant application by the NMDOT, a project agreement will be presented to the Commission for formal consideration at a later date.

Attachments:

- Resolution Authorizing Grant Application under Section 5311 of the FTA
-Summary Page of the Grant Application

Legal Review:

Approved As To Form: [Signature]
City Attorney

Recommendation:

Motion to approve the resolution.

Approved For Submittal By:
[Signature] Department Director
[Signature] Acting 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. 6584

A RESOLUTION AUTHORIZING THE CITY OF HOBBS
TO SUBMIT A GRANT APPLICATION TO THE NMDOT
FOR PUBLIC TRANSPORTATION FOR FY 18-19
UNDER SECTION 5311 OF THE FEDERAL TRANSIT ACT

WHEREAS, the City of Hobbs seeks to continue to offer public transportation to residents and visitors in the City of Hobbs; and

WHEREAS, the State of New Mexico, under Section 5311 of the Federal Transit Act, is requesting applications for grant funding to assist local communities with public transportation needs; and

WHEREAS, the City of Hobbs hereby acknowledges and supports submission of an application for FTA Section 5311 Rural Transportation Grant Funding which provides funding to offset the administrative, operating and capital costs of operating public transportation services in rural areas; and

WHEREAS, the City of Hobbs continues to support the transit program and commits to provide local matching funds in the proposed amount of \$432,186.00.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the City Manager be, and he hereby is, authorized and directed to take all necessary and appropriate action to effectuate this resolution and specifically to submit a grant application for FTA Section 5311 Rural Transportation Grant Funding for FY 18-19 to the State of New Mexico, Department of Transportation, for operation of the Hobbs Express public transportation program.

PASSED, ADOPTED AND APPROVED this 21st day of August, 2017.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

FY 19 APPLICATION

Section 5311 Rural Public Transit

October 1, 2018 - September 30, 2019

I. Applicant Information

Organization/ Agency:	City of Hobbs/ Hobbs Express Public Transportation		
Contact Person Name and Title:	Jan Fletcher, Program Manager		
Mailing Address:	200 E. Broadway		
City, State, ZIP:	Hobbs, New Mexico 88240		
Physical Address:	424 W. Broadway		
Phone and Cell Number:	575-397-9207		
FAX Number:	575-397-9334		
E-mail Address: (Required)	jfletcher@hobbsnm.org		
Regional Planning Transportation Organization: (circle one)	NERTPO	MRRTPO	<u>SERTPO</u> SWRTPO
	NPRTPO	NWRTPO	SCRTPO
Applicant Signature and Date Signed:			
Please Print Name and Title	J. J. Murphy, City Manager		
DUNS Number *	079339222		

*In addition to including your agency's DUNS Number, please provide a print screen of your agency DUNS Number from the following website: <https://www.sam.gov>

II. Summary of Budget Request

Please enter the dollar amount of **your application request (Administration, Operating, and Capital)** in the appropriate column below. This information should come directly from the budget pages in Section III of this application. Please double check calculations

	Total	Federal Share	Local Share
Administrative (80/20)	101,931	81,545	20,386
Operating (50/50)	737,600	368,800	368,800
◆ Capital (80/20)	215,000	172,000	43,000
TOTAL	\$1,054,531	622,345	432,186

Capital Breakdown

	Total	Federal Share	Local Share
Capital to Subgrantee	215,000	172,000	43,000
Capital to Vendor			
List vendor if utilizing Capital to Vendor (if applicable)			
◆ TOTAL should equal 'Capital' amt. above	215,000	172,000	43,000



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 8-15-17
SUBMITTED BY: Todd Randall, City Engineer

Summary:

The NMDOT STC approved the Hobbs project during their 5/18/17 meeting. The project is for improvements to existing traffic signals located at 1) Dal Paso/Sanger, 2) Dal Paso/Clinton, 3) Dal Paso/Main, 4) Bender/Grimes and 5) Bender/Michigan. The improvements at the signalized intersections include the installation of new video detection systems and replacing controller cabinets.

The City applied for \$78,000 but has received a total grant amount is \$133,333.00 with the NMDOT share of 75% or \$100,000 and the City's share of 25% or \$33,333 for FY 17/18. The grant agreement terminates December 31, 2018.

Fiscal Impact:

Reviewed By: [Signature]
Finance Department

Estimated Cost: \$133,333.00
Local Match: \$ 33,333.00
State Match: \$ 100,000.00
Budget Project No. 00236

Attachments:

Resolution

Legal Review:

Approved As To Form: [Signature]
City Attorney

Recommendation:

To make a motion to approve the Resolution for the City to enter into Cooperative Agreement SP-2-18(910), L200368, with the NMDOT

Approved For Submittal By:

[Signature]
Department Director
[Signature]
Acting City Manager

**CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN**

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

CITY OF HOBBS

RESOLUTION NO. 6585

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM
ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the City of Hobbs and the New Mexico Department of Transportation enter into a Cooperative Agreement; and

WHEREAS, the total cost of the project will be \$133,333.00 to be funded in proportional share by the parties hereto as follows:

a. New Mexico Department of Transportation's share shall be 75% or \$100,000.00

and

b. The City of Hobbs proportional matching share shall be 25% or \$33,333.00

TOTAL PROJECT COST IS \$133,333.00

WHEREAS, the City of Hobbs shall pay all costs, which exceed the total amount of \$133,333.00

Now therefore, be it resolved in official session that the City of Hobbs determines, resolves and orders as follows:

That the project for this Cooperative agreement is adopted and has priority standing.

The agreement terminates on December 31, 2018 and the City of Hobbs incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreements.

NOW, THEREFORE, BE IT RESOLVED BY GOVERNING BODY OF THE CITY OF HOBBS to enter into Cooperative Agreement Project Number SP-2-18(910), Control Number L200368 with the New Mexico Department of

Transportation for LGRF Project for year 2017-2018 to improve traffic signals located at 1) Dal Paso and Sanger, 2) Dal Paso and Clinton, 3) Dal Paso and Main, 4) Bender and Grimes, 5) Bender and Michigan within the control of the City of Hobbs in Hobbs, Lea County, New Mexico.

PASSED, ADOPTED AND APPROVED this 21st day of August, 2017.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 21, 2017

SUBJECT: Ordinance authorizing the City of Hobbs to enter into a Loan Agreement with the New Mexico Environment Department in the amount of \$6,314,300 to finance the design and construction of new aerobic digestion basins at the City of Hobbs Wastewater Reclamation Facility.

DEPT. OF ORIGIN: Utilities

DATE SUBMITTED: August 14, 2017

SUBMITTED BY: Tim Woomey, Utilities Director

Summary: On March 16, 2017, the Commission approved the submission of an application to the Clean Water State Revolving Fund (CWSRF) for financial assistance in final design and construction of new aerobic digestion basins and related appurtenances at the Wastewater Reclamation Facility. Aerobic digestion is stabilization of the sludge, or biosolids, generated during wastewater treatment in accordance with EPA regulations.

Administered by the State of NM Environment Department, the CWSRF is a low interest federal loan specifically for the treatment of wastewater. NMED has extended an offer to finance the aerobic digester project under the CWSRF program. Engineer's opinion of probable cost for design and construction of the aerobic digestion project is \$6,143,300.00. A loan process package has been completed and an ordinance is required for entering into an agreement with the NM Environment Department to finance the design and construction of the aerobic digester project in the amount of \$6,314,300.00. The terms of the loan are for 20 years at a fixed annual interest rate of 1.2%. Pledged revenues for repayment of the loan will be net revenues (rates) from the operation of the City of Hobbs Enterprise Fund.

Fiscal Impact:

Reviewed By: _____

Finance Department

Upon completion of the project, future debt payments of approximately \$347,328.35, will need to be budgeted for twenty (20) years to repay the CWSRF loan. NMED has determined the Enterprise Fund's FY 2014-2016 debt service ratio at 1.9. The additional debt will revise this ratio to 1.6. As a condition of funding, the Enterprise Fund must maintain a debt service coverage ratio of no less than 1.2.

Attachments:

Interim Loan Amortization Schedule; Ordinance authorizing the City of Hobbs to enter into a loan agreement with the New Mexico Environment Department for the purpose of obtaining project loan funds in the principle amount of \$6,143,300.00.

Legal Review:

Approved As To Form: _____

City Attorney

Recommendation:

Approve to publish an ordinance authorizing the execution of a loan agreement between the City of Hobbs and the New Mexico Environment Department in the amount of \$6,143,300.00 for the design and construction of the City of Hobbs Aerobic Digester Project.

Approved For Submittal By:

Tim Woomey
Department Director

Ann Betzen
Acting City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

**INTERIM LOAN AGREEMENT
INTERIM LOAN AMORTIZATION SCHEDULE**

Entity	CITY OF HOBBS					
Loan Number	CWSRF 064					
Amount	\$6,143,300.00					
Rate	1.20%					
Term in Years	20					
	<u>#</u>	<u>Amount of</u>	<u>Paid On</u>	<u>Paid On</u>	<u>Loan</u>	
	<u>of Payments</u>	<u>Payment</u>	<u>Principal</u>	<u>Interest</u>	<u>Balance</u>	
						\$6,143,300.00
	1	\$347,328.35	\$273,608.75	\$73,719.60		\$5,869,691.25
	2	\$347,328.35	\$276,892.05	\$70,436.30		\$5,592,799.20
	3	\$347,328.35	\$280,214.76	\$67,113.59		\$5,312,584.44
	4	\$347,328.35	\$283,577.34	\$63,751.01		\$5,029,007.10
	5	\$347,328.35	\$286,980.26	\$60,348.09		\$4,742,026.84
	6	\$347,328.35	\$290,424.03	\$56,904.32		\$4,451,602.81
	7	\$347,328.35	\$293,909.12	\$53,419.23		\$4,157,693.69
	8	\$347,328.35	\$297,436.03	\$49,892.32		\$3,860,257.66
	9	\$347,328.35	\$301,005.26	\$46,323.09		\$3,559,252.40
	10	\$347,328.35	\$304,617.32	\$42,711.03		\$3,254,635.08
	11	\$347,328.35	\$308,272.73	\$39,055.62		\$2,946,362.35
	12	\$347,328.35	\$311,972.00	\$35,356.35		\$2,634,390.35
	13	\$347,328.35	\$315,715.67	\$31,612.68		\$2,318,674.68
	14	\$347,328.35	\$319,504.25	\$27,824.10		\$1,999,170.43
	15	\$347,328.35	\$323,338.30	\$23,990.05		\$1,675,832.13
	16	\$347,328.35	\$327,218.36	\$20,109.99		\$1,348,613.77
	17	\$347,328.35	\$331,144.98	\$16,183.37		\$1,017,468.79
	18	\$347,328.35	\$335,118.72	\$12,209.63		\$682,350.07
	19	\$347,328.35	\$339,140.15	\$8,188.20		\$343,209.92
	20	\$347,328.35	\$343,209.92	\$4,118.43		\$0.00
		<u>\$6,946,567.00</u>	<u>\$6,143,300.00</u>	<u>\$803,267.00</u>		

ORDINANCE NO. _____

AUTHORIZING THE CITY OF HOBBS, NEW MEXICO (“BORROWER”) TO ENTER INTO A LOAN AGREEMENT WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT (“NMED”) FOR THE PURPOSE OF OBTAINING PROJECT LOAN FUNDS IN THE PRINCIPAL AMOUNT OF \$6,143,300.00 (SIX MILLION ONE HUNDRED FORTY THREE THOUSAND THREE HUNDRED DOLLARS AND NO CENTS) PLUS ACCRUED INTEREST; DESIGNATING THE USE OF THE FUNDS FOR THE PURPOSE DEFINED IN THE MOST CURRENT PROJECT DESCRIPTION FORM AS APPROVED BY NMED; DECLARING THE NECESSITY FOR THE LOAN; PROVIDING THAT THE LOAN WILL BE PAYABLE AND COLLECTIBLE SOLELY FROM THE CITY OF HOBBS ENTERPRISE FUND (“PLEGGED REVENUES”); PRESCRIBING OTHER DETAILS CONCERNING THE LOAN AND THE SECURITY THEREFOR.

Capitalized terms used in the following preambles are defined in Section 1 of this Ordinance, unless the context requires otherwise.

WHEREAS, the Borrower is a legally and regularly created public body organized under the general laws of the State of New Mexico (“State”); and

WHEREAS, the Borrower now owns, operates and maintains a public utility constituting a joint water and wastewater system (“System”), which includes a system for disposing of wastes by surface and underground methods; and

WHEREAS, the present System is insufficient and inadequate to meet the needs of the Borrower and its residents for the treatment and disposal of wastewater or for groundwater protection; and

WHEREAS, the Loan Agreement and Note will be payable solely from the Pledged Revenues; and

WHEREAS, the funds for this Project will include funds from a one-time federal grant to the NMED from the Environmental Protection Agency (“EPA”); and

WHEREAS, the Project is subject to specific requirements of the federal grant; and

WHEREAS, the Borrower has the following obligations outstanding to which the Pledged Revenues have already been pledged:

Funding Source	Principal Amount Outstanding at 06/30/2017	Is the listed funding source superior, subordinate or on parity with this funding?
NMFA: DWRLF-150	3,484,004.00	Superior
NMED: CWSRF-001	23,262,025.31	Superior
NMFA: 250-WTB	996,243.00	Superior
NMFA: 316-WTB	1,156,578.00	Superior
NMFA: 339-WTB	669,583.00	Superior
NMFA: 3555-WTB	-0- (No draw down on loan)	Superior

WHEREAS, the Governing Body of the Borrower has determined that it is in the best interest of the Borrower to accept and enter into the Loan Agreement and to execute and to deliver the Note to the NMED.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE BORROWER:

Section 1. DEFINITIONS. As used in the Ordinance, the following terms shall have the meanings specified below, unless the context clearly requires otherwise (*such meanings to be*

equally applicable to both the singular and the plural forms of the terms defined unless the plural form is separately defined):

ACT. The general laws of the State, including the Wastewater Facility Construction Loan Act at sections 74-6A-1 to 74-6A-15 NMSA 1978, as amended; enactments of the governing Body of the Borrower relating to the Note and the Loan Agreement made by resolution or ordinance, including this Ordinance; and the powers of the Borrower as a public body under authority given by the Constitution and Statutes of the State.

ANNUAL AUDIT or SINGLE AUDIT. Financial statements of the Borrower as of the end of each Fiscal Year, audited by an Independent Accountant, consistent with the federal Single Audit Act and the State Auditor's rules.

AUTHORIZED OFFICER. The Borrower's mayor, chief administrative officer, or other officer or employee of the Borrower as designated by the Borrower's Resolution Number _____ adopted by the governing body of the Borrower, as amended.

BORROWER. The entity requesting funds pursuant to the Act.

FISCAL YEAR. The twelve-month period commencing on the first day of July of each year and ending on the last day of June of the succeeding year, or any other twelve-month period which the Borrower hereafter may establish as the fiscal year or the System.

GOVERNING BODY OF THE BORROWER City of Hobbs Commission.

LOAN. A loan of funds from NMED made pursuant to the Loan Agreement.

LOAN AGREEMENT. One or more loan agreements between the Borrower and the NMED, pursuant to which funds will be loaned to the Borrower to construct the Project and pay eligible costs relating thereto; and the amended loan agreement which shall state the final amount the NMED loaned to the Borrower, which shall be executed upon completion of the Project and dated on the date of execution thereof.

NMSA. New Mexico Statutes Annotated, 1978 Compilation, as amended and supplemented.

NOTE. The interim and final promissory notes issued by the Borrower to the NMED evidencing the obligation of the Borrower to the NMED incurred pursuant to the Ordinance and Loan Agreement.

OPERATION AND MAINTENANCE. All reasonable and necessary current expenses of the System, paid or accrued, relating to operating, maintaining and repairing the System.

ORDINANCE. This Ordinance as amended or supplemented from time to time.

PARITY BONDS or PARITY OBLIGATIONS. Revenue Bonds and other bonds or other obligations payable from the Pledged Revenues issued with a lien on the Pledged Revenues on parity with the bonds or obligations as listed in this Ordinance.

PLEGGED REVENUES. City of Hobbs Enterprise Fund which consists of the water and wastewater joint utility revenues.

PROJECT. The most current NMED approved Project Description listed on the Project Description Form on file with NMED.

PROJECT COMPLETION DATE. Means the date that operations of the completed works are initiated or capable of being initiated, whichever is earlier. This also applies to individual phases or segments.

REGULATIONS. Regulations promulgated by the Water Quality Control Commission at 20.7.5 NMAC and New Mexico Environment Department at 20.7.6 – 20.7.7 NMAC.

SUBORDINATE OBLIGATIONS. Other obligations payable from the Pledged Revenues issued with a lien on the Pledged Revenues subordinate to the lien of the Loan Agreement and Note as may be listed in this Ordinance.

Section 2. RATIFICATION. All action heretofore taken (not inconsistent with the provisions of the Ordinance) by the Board, the officers and employees of the Borrower, directed toward the Loan Agreement and the Note, is hereby ratified, approved and confirmed.

Section 3. FINDINGS. The Governing Body of the Borrower hereby declares that it has considered all necessary and relevant information and data and hereby makes the following findings:

(A) The execution and delivery of the Loan Agreement and the Note pursuant to the Act to provide funds to finance the Project, is necessary and in the interest of the public health, safety, and welfare of the residents of the Borrower and will result in savings of finance costs to the Borrower.

(B) The Borrower will acquire, improve and finance the Project.

(C) The money available for the Project from all sources other than the Loan Agreement is not sufficient to pay when due the cost of the Project.

(D) The Project is and will be part of the System.

(E) The Pledged Revenues may lawfully be pledged to secure the payment of amounts due under the Loan Agreement and Note.

Section 4. SYSTEM. The System shall continue to constitute a joint water and wastewater system and shall be operated and maintained as such.

Section 5. AUTHORIZATION OF PROJECT. The acquisition and construction of the Project and payment of eligible items as set forth in the Regulations from proceeds of the Loan Agreement and Note is hereby authorized at a cost not to exceed the principal Loan amount of \$6,143,300.00 excluding any cost of the Project to be paid from any source other than the proceeds of the Loan Agreement and Note.

Section 6. AUTHORIZATION OF LOAN AGREEMENT.

(A) For the purpose of protecting the public health, conserving the property, and protecting the general welfare of the residents of the Borrower and acquiring the Project, it is hereby declared necessary that the Borrower, pursuant to the Act and the Regulations execute and deliver the Loan Agreement and Note, and the Borrower is hereby authorized to execute and deliver the Loan Agreement and the Note, to be payable and collectible solely from the Pledged Revenues. The NMED has agreed to disburse the proceeds according to the terms of the Loan Agreement to the Borrower over the construction period of the Project. The principal Loan amount of the Note shall not exceed \$6,143,300.00 plus accrued interest without the adoption of another Ordinance amending the Ordinance by the Governing Body of the Borrower, and the annual interest rate on that principal amount shall not exceed 1.2 percent per annum. Interest shall be computed as a percentage per year on the outstanding principal amount on the Loan on the basis of a 365-day year, actual number of days lapsed. The final maturity date on the Note shall not extend beyond the agreed upon useful life of the project. The Loan shall be repaid in substantially equal annual installments in the amount and on the dates provided in the Loan Agreement with the first annual installment due no later than one year after completion of the project. The Borrower must maintain a debt service coverage ratio of no less than 1.2 and must also obtain the written consent of the NMED before issuing additional obligations secured by the Pledged Revenues.

(B) If the Borrower fails to satisfy any federal grant requirements or conditions, the Borrower may be required to refund any federal grant funds disbursed to the Borrower from NMED. Specific federal grant requirements include but are not limited to:

- (1) Federal Grant Reporting Requirements; and
- (2) Wage Rate Requirements

(C) The form of the Loan Agreement and the Note are approved. An Authorized Officer is hereby authorized and directed to execute and deliver the Loan Agreement and the Note and any extensions of or amendments to any such document to be executed after completion of the Project, or any substitution therefore, with such changes therein consistent with the Ordinance and as shall be approved by an Authorized Officer whose execution thereof, or any extension thereof, or substitution therefore, in their final forms shall constitute conclusive evidence of their approval and compliance with this section.

(D) From and after the date of the initial execution and delivery of the Loan Agreement and the Note, Authorized Officers, agents and employees of the Borrower are authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of this Ordinance, the Loan Agreement and the Note.

Section 7. SPECIAL LIMITED OBLIGATIONS. The Loan Agreement and the Note and all payments thereon shall be special limited obligations of the Borrower and shall be payable and collectible solely from the Pledged Revenues which are irrevocably pledged as set forth in this Ordinance. The NMED may not look to any general or other fund for the payment on the Loan Agreement and the Note except the designated special funds pledged therefore. The Loan Agreement and the Note shall not constitute indebtedness or debts within the meaning of any constitutional, charter or statutory provision or limitation, nor shall they be considered or be held to be general obligations of the Borrower and shall recite that they are payable and collectible solely from the Pledged Revenues the income from which is so pledged.

Section 8. OPERATION OF PROJECT. The Borrower will operate and maintain the Project so that it will function properly over its structural and material design life.

Section 9. USE OF PROCEEDS. The NMED shall disburse Funds pursuant to the Loan Agreement for NMED approved costs incurred by the Borrower for the Project or to pay contractors or suppliers of materials for work performed on the Project as set forth in the Loan Agreement.

Section 10. APPLICATION OF REVENUES.

(A) **OPERATION AND MAINTENANCE.** The Borrower shall pay for the operation and maintenance expenses of the System, approved indirect charges, and any amounts for capital replacement and repair of the System as incurred.

(B) **PARITY OBLIGATIONS AND OTHER APPROVED DEBT(S).** The Borrower shall pay the principal, interest and administrative fees (if applicable) of parity obligations and other approved debts which are secured from the Pledged Revenues as scheduled.

(C) **EQUITABLE AND RATABLE DISTRIBUTION.** Obligations of the Borrower secured by the Pledged Revenues on parity with the Loan Agreement and the Note, from time to time outstanding, shall not be entitled to any priority one over the other in the application of the Pledged Revenues, regardless of the time or times of their issuance or creation.

(D) **SUBORDINATE OBLIGATIONS.** The Pledged Revenues used for the payment of Subordinate Obligations shall be applied first to the payment of the amounts due the Loan Agreement and the Note, including payments to be made to other obligations payable from the Pledged Revenues which have a lien on the Pledged Revenues on parity with the Loan Agreement and the Note.

Section 11. LIEN OF LOAN AGREEMENT AND NOTE. The Loan Agreement and the Note shall constitute irrevocable liens upon the Pledged Revenues with priorities on the Pledged Revenues as set forth in this Ordinance. The Borrower hereby pledges and grants a

security interest in the Pledged Revenues for the payment of the Note and any other amounts owed by the Borrower to the NMED pursuant to the Loan Agreement.

Section 12. OTHER OBLIGATIONS. Nothing in the Ordinance shall be construed to prevent the Borrower from issuing bonds or other obligations payable from the Pledged Revenues and having a lien thereon subordinate to the liens of the Loan Agreement and the Note. The Borrower must obtain the written consent of the NMED before issuing additional obligations secured by the Pledged Revenues.

Section 13. DEFAULT. The following shall constitute an event of default under the Loan Agreement:

(A) The failure by the Borrower to pay the annual payment due on the repayment of the Loan set forth in the Loan Agreement and Note when due and payable either at maturity or otherwise; or

(B) Default by the Borrower in any of its covenants or conditions set forth under the Loan Agreement (*other than a default described in the previous clause of this section*) for 60 days after the NMED has given written notice to the Borrower specifying such default and requiring the same to be remedied.

UPON OCCURRENCE OF DEFAULT:

(A) The entire unpaid principal amount of the Interim and Final Promissory Note plus accrued interest and any fees thereon may be declared by the NMED to be immediately due and payable and the Borrower shall pay the amounts due under Note from the Pledged Revenues, either immediately or in the manner required by the NMED in its declaration, but only to the extent funds are available for payment of the Note. However, if insufficient funds are available for payment of the Note(s), the NMED may require the Borrower to adjust the rates charged by the System to ensure repayment of the Note.

(B) If default by the Borrower is of covenants or conditions required under the federal grant, the Borrower may be required to refund the amount of the Loan disbursed to the Borrower from NMED.

(C) The NMED shall have no further obligation to make payments to the Borrower under the Loan Agreement.

Section 14. ENFORCEMENT; VENUE. The NMED retains the right to seek enforcement of the terms of the Loan Agreement. If the NMED and the Borrower cannot reach agreement regarding disputes as to the terms and conditions of this Loan Agreement, such disputes are to be resolved promptly and expeditiously in the district court of Santa Fe County. The Borrower agrees that the district court for Santa Fe County shall have exclusive jurisdiction over the Borrower and the subject matter of this Loan Agreement and waives the right to challenge such jurisdiction.

Section 15. REMEDIES UPON DEFAULT. Upon the occurrence of any of the events of default as provided in the Loan Agreement or in this Ordinance, the NMED may proceed against the Borrower to protect and enforce its rights under the Ordinance by mandamus or other suit, action or special proceedings in equity or at law, in any court of competent jurisdiction, either for the appointment of a receiver or for the specific performance of any covenant or agreement contained in the Ordinance for the enforcement of any proper legal or equitable remedy as the NMED may deem most effective to protect and enforce the rights provided above, or to enjoin any act or thing which may be unlawful or in violation of any right of the NMED, or to require the Borrower to act as if it were the trustee of an express trust, or any combination of such remedies. Each right or privilege of the NMED is in addition and cumulative to any other right or privilege under the Ordinance or the Loan Agreement and Note and the exercise of any right or privilege by the NMED shall not be deemed a waiver of any other right or privilege.

Section 16. DUTIES UPON DEFAULT. Upon the occurrence of any of the events of default as provided in this Ordinance, the Borrower, in addition, will do and perform all proper acts on behalf of and for the NMED to protect and preserve the security created for the payment of the Note to ensure the payment on the Note promptly as the same become due. All proceeds derived from the System, so long as the Note is outstanding, shall be treated as revenues. If the Borrower fails or refuses to proceed as required by this Section, the NMED, after demand in writing, may proceed to protect and enforce the rights of the NMED as provided in the Ordinance and the Loan Agreement.

Section 17. TERMINATION. When all obligations under the Loan Agreement and Note have been paid, the Loan Agreement and Note shall terminate and the pledge, lien, and all other obligations of the Borrower under the Ordinance shall be discharged. The principal amount of the Note, or any part thereof, may be prepaid at any time without penalty at the discretion of the Borrower and the prepayments of principal shall be applied as set forth in the Loan Agreement.

Section 18. AMENDMENT OF ORDINANCE. This Ordinance may be amended with the prior written consent of the NMED.

Section 19. ORDINANCE IRREPEALABLE. After the Loan Agreement and Note have been executed and delivered, the Ordinance shall be and remain irrevocable until the Note has been fully paid, terminated and discharged, as provided in the Ordinance.

Section 20. SEVERABILITY CLAUSE. If any section, paragraph, clause or provision of the Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.

Section 21. **REPEALER CLAUSE.** All bylaws, orders, Ordinances and Ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer clause shall not be construed to revive any bylaw, order, Ordinance or Ordinance, or part thereof, heretofore repealed.