# 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

Acting City Manager
Manny Gomez



### **Hobbs City Commission**

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

#### Tuesday, January 2, 2018 - 6:00 p.m.

Sam D. Cobb, Mayor

Marshall R. Newman Commissioner - District 1

Joseph D. Calderón Commissioner - District 4 Cynthia D. Calderon Commissioner - District 2

Garry A. Buie Commissioner - District 5

Patricia A. Taylor Commissioner - District 3

Don R. Gerth Commissioner - District 6

#### AGENDA

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. December 4, 2017, Regular Commission Meeting

#### PROCLAMATIONS AND AWARDS OF MERIT

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

**CONSENT AGENDA** (The consent agenda is approved by a single motion. Any member of the Commission may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote.)

- 2. Resolution No. 6614 Declaring All Meetings of the City Commission and Boards to be Public Meetings and Adopting Reasonable Notice Procedures (Efren Cortez)
- Consideration of Approval of a Memorandum of Agreement with the New Mexico Department of Health for the Purchase of Equipment and Spray for Mosquito Abatement in the Amount of \$16,865.05 (Britt Lusk)

#### DISCUSSION

4. CORE Special Revenue Fund Presentation (*Toby Spears*)

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

- Consideration of Approval of RFP No. 495-18 and Recommendation to Multi-Award the Proposal to TechnoGym Fitness Equipment, FitLogistix Fitness Equipment and Home Fitness Warehouse Fitness Equipment in an Amount Not to Exceed \$686,971.94 (Plus GRT) (Doug McDaniel, Catherine Vorrasi)
- 6. Resolution No. 6615 Concerning the Issuance of a Restaurant Liquor License to El Vaquero G, LLC, d/b/a El Vaquero located at 921 South Dal Paso, Hobbs, New Mexico (Mike Stone)
- 7. Consideration of Approval of a GSA Agreement with Bohannan Huston for the Purchase of High Resolution Aerial Imagery in the Amount of \$171,875.00 (Plus GRT) (Todd Randall, T. Staggs)
- 8. <u>FINAL ADOPTION</u>: Ordinance No. 1108 Amending Hobbs Municipal Code 8.28.040 Regarding Smoking in City-Owned, City-Operated and City-Leased Buildings (*Mike Stone*)
- 9. <u>FINAL ADOPTION</u>: Ordinance No. 1109 Amending Section 2.04.120 Related to the Salary of the Mayor, Mayor Pro-Tem and Commissioners (*Mike Stone*)
- FINAL ADOPTION: Ordinance No. 1110 Amending Section 2.12.030 of the Hobbs Municipal Code Related to the Salary of the Municipal Judge Position (Mike Stone)

- 11. <u>FINAL ADOPTION</u>: Ordinance No. 1111 Amending Section 6.04.090 of the Hobbs Municipal Code Related to Impounding Animals (*Efren Cortez*)
- FINAL ADOPTION: Ordinance No. 1112 Amending Section 6.04.110 of the Hobbs Municipal Code Related to Retention of Stray or Owner-Surrendered Animals (Efren Cortez)
- 13. <u>FINAL ADOPTION</u>: Ordinance No. 1113 Amending Section 6.04.170 of the Hobbs Municipal Code Related to the Reduced Cost Spay and Neuter Program (*Efren Cortez*)

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

- 14. Next Meeting Date:
  - ► Regular Meeting *Tuesday, January 16, 2018,* at 6:00 p.m.

#### **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the above meeting, please contact the City Clerk's Office at (575) 397-9207 at least 72 hours prior to the meeting or as soon as possible. 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: January 2, 2018 **City Commission Meeting Minutes** SUBJECT: City Clerk's Office DEPT. OF ORIGIN: December 19, 2017 DATE SUBMITTED: Jan Fletcher, City Clerk SUBMITTED BY: Summary: The following minutes are submitted for approval: Regular Commission Meeting of December 4, 2017 Reviewed By: Fiscal Impact: Finance Department N/A Attachments: Minutes as referenced under "Summary". Approved As To Form: \_\_\_\_\_ Legal Review: City Attorney Recommendation: Motion to approve the minutes as presented. Approved For Submittal By: CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN Continued To: \_\_\_\_\_ Resolution No. \_\_\_\_\_ Referred To: Ordinance No. \_\_\_\_\_ Denied Approved \_\_\_\_\_ File No. \_\_\_\_\_ Other City Manager

Minutes of the regular meeting of the Hobbs City Commission held on Monday, December 4, 2017, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico.

#### Call to Order and Roll Call

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

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

Jan Fletcher, City Clerk

25 citizens

Also present:

Manny Gomez, Acting City Manager/Fire Chief Mike Stone, City Attorney Efren Cortez, Assistant City Attorney Benjamin Harrison, Municipal Judge Chris McCall, Police Chief Brian Dunlap, Deputy Police Chief Michael Walker, Police Captain Clipper Miller, Police Lieutenant Barry Young, Deputy Fire Chief Kevin Shearer, Fire Captain Mark Ray, Battalion Chief Toby Spears, Finance Director Raymond Bonilla, Community Services Director Ronny Choate, General Services Director Britt Lusk, Administrative Services Director Missy Funk, Hobbs Animal Adoption Center Manager Tim Woomer, Utilities Director Ron Roberts, Information Technology Director Doug McDaniel, Parks and Recreation Director Wade Whitehead, Recreation Supervisor Monica Mendoza, Prairie Haven Memorial Park Secretary Catherine Vorrasi, CORE Facility Director Matt Hughes, Golf Superintendent Nicholas Goulet, Human Resources Director Meghan Mooney, Communications Director Robert Hamilton, Resource Librarian Ann Betzen, Risk Manager/Executive Assistant Sandra Boltshauser, Clerk Record Specialist

#### Invocation and Pledge of Allegiance

Commissioner Taylor delivered the invocation and Commissioner Cynthia Calderon led the Pledge of Allegiance.

#### **Approval of Minutes**

Commissioner Joseph Calderón moved that the minutes of the regular meeting held on November 20, 2017, be approved as presented. Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Joseph Calderón yes, Taylor yes, Gerth yes, Buie yes, Cobb yes. The motion carried.

#### **Closed Session**

The City Commission convened in closed executive session on December 4, 2017, at 5:00 p.m. for the discussion of limited personnel matters, specifically the hiring of a City Manager. The matters discussed in the closed meeting were limited only to discussion of limited personnel matters, specifically the hiring of a City Manager. No action was taken during the meeting.

#### Proclamations and Awards of Merit

There were no proclamations and awards of merit presented.

#### **Public Comments**

There were no Public Comments.

#### Consent Agenda

There were no consent items presented.

#### Discussion

Presentation of Integrated Resource Plan by Zia Natural Gas Company.

Mr. Kajen Stockert, the Regulatory Compliance Manager for Zia Natural Gas, presented a PowerPoint presentation to the Commission outlining its Integrated Resource Plan. He stated this presentation is required as part of the Energy Efficiency Program for Zia Natural Gas. He reviewed the various topics and stated the goal is to identify the most cost effective resources to supply the energy needs of existing and future customers. Mr. Stockert stated the Integrated Resource Plan (IRP) requires Zia to file a new energy

efficiency plan every four years with a planning period of four to ten years. He further stated public participation is also a requirement for the IRP. Mr. Stockert stated Zia Natural Gas currently services approximately 38,000 customers in New Mexico with distribution to Lea, Eddy, Lincoln, Colfax and Dona Ana Counties. He further stated there is approximately 11,000 customers in Lea County. He also reviewed existing and future demand, resourse options, evaluation of potential additional resources, cost effective portfolio of resources, energy efficiency plan and energy efficiency program.

#### **Action Items**

Resolution No. 6613 - Approval of the City's 50% Cost-Sharing Portion of a Reclassification Pay Plan Adjustment for the Lea County Communication Authority (LCCA).

Acting City Manager/Fire Chief Manny Gomez explained the resolution and stated the cost sharing portion of the LCCA reclassification pay plan adjustment was discussed by the Commission at its last meeting on November 20, 2017. He further stated Mr. Craig Bova, Human Resources Director for Lea County, has provided the information as requested by the Commission. Acting City Manager/Fire Chief Gomez stated the fiscal impact for the remainder of FY18 will be approximately \$22,440.00 with a recurring cost of \$45,000.00 annually. Acting City Manager/Fire Chief Gomez stated there is a favorable variance in the budget so an adjustment will not be needed to its budget.

Acting City Manager/Fire Chief Gomez acknowledged LCCA Board Members Police Chief Chris McCall, Deputy Chief Brian Dunlap and Fire Captain Kevin Shearer in the audience. He also recognized Ms. Angela Martinez, LCCA Director, and stated the staff at LCCA do a great job.

Commissioner Newman thanked Mr. Bova for his quick response in submitting the requested information regarding the pay plan adjustment for the LLCA. Commissioner Buie agreed.

There being no further discussion, Commissioner Newman moved to approve Resolution No. 6613 to approve of the City's 50% cost-sharing portion of a reclassification pay plan adjustment for the LCCA. Commissioner Buie seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon abstain, Taylor yes, 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.

Mayor Cobb requested that the minutes reflect Commissioner Cynthia Calderon abstained from the vote of the Reclassification Pay Plan Adjustment for the LCCA because she has family member currently working at the LCCA.

Consideration of Approval of a Task Order with Ramirez & Sons, Inc., for Paving at the Prairie Haven Memorial Park Cemetery Shop Compound.

Mr. Doug McDaniel, Parks and Recreation Director, introduced Ms. Joann Zespy, Cemetery Board member, Mr. Wade Whitehead, Parks Superintendent, and Ms. Monica Mendoza, Prairie Haven Memorial Park Secretary. He stated the proposed task order in the amount of \$70,258.55 is to pave the Cemetery Maintenance Shop Compound which is currently caliche. He reviewed the completed capital projects for Prairie Haven Memorial Park include the columbaria, new maintenance shop, purchase of new heavy equipment, recycling the roads, upgrading to LED lights throughout the cemetery and drainage improvement.

Mr. McDaniel stated the Cemetery Board prioritized upcoming capital projects at its meeting on November 7, 2017, and determined the first priority is to pave the maintenance shop grounds. He stated the next project will be new fencing to the east and west of the cemetery grounds. Mr. McDaniel added they will start on the east side when the project begins.

There being no discussion, Commissioner Newman moved to approve a task order with Ramirez & Sons, Inc., for paving at the Prairie Haven Memorial Park Cemetery Shop Compound. Commissioner Joseph Calderón seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Joseph Calderón yes, Taylor yes, Gerth yes, Buie yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

<u>PUBLICATION: Proposed Ordinance Amending Section 6.04.090 of the Hobbs Municipal Code Related to Impounding Animals.</u>

Mr. Efren Cortez, Assistant City Attorney, explained the proposed ordinance to amend Section 6.04.090 of the Hobbs Municipal Code regarding impounding animals. He stated the amendment will address specific issues with the current ordinance. He introduced Ms. Missy Funk, Hobbs Animal Adoption Center (HAAC) Manager, and Mr. Britt Lusk, Administrative Services Director.

Ms. Funk stated the purpose of this amendment is to streamline the process for impounding animals. She stated pet owners will be required to either purchase a breeder's permit or pay a low cost spay/neuter fee for animals that have been picked up by Hobbs Animal Control before allowing them to be reclaimed. Ms. Funk stated the HAAC staff is hoping to reduce the number of animals who are repeatedly picked up by animal control by updating the way animals are reclaimed by its owner.

Mr. Cortez stated the current ordinance allows owners to reclaim unsterilized animals after paying a small reclaim fee. He further explained amending Section 6.04.090 of the Hobbs Municipal Code will give the animal owner two options for reclaiming the animal. Mr. Cortez stated the proposed amended ordinance will mirror the State statute.

There being no comments from the audience or Commission, Commissioner Buie moved that the Commission publish notice of its intent to adopt the proposed ordinance at a later date. Commissioner Newman 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.

<u>PUBLICATION: Proposed Ordinance Amending Section 6.04.110 of the Hobbs Municipal</u> Code Related to Retention of Stray or Owner-Surrendered Animals.

Mr. Cortez explained the proposed ordinance to amend Section 6.04.110 of the Hobbs Municipal Code and stated the amendment will specifically address the retention of stray and owner-surrendered animals.

Ms. Funk stated a problem facing the HAAC is observing animals that are making repeat visits to the facility, even after they have been surrendered and reclaimed by their owners. She further stated the numbers of animals being surrendered from Hobbs specifically are declining but more animals are being surrendered at HAAC from outside of Lea County. Ms. Funk stated the HAAC would like to impose a surrender fee to deter owner surrenders and to offset the cost of treatment for the animals. Ms. Funk stated the HAAC absorbs the costs for various medical treatments for the animals as well as routine vaccinations. She further explained that a person surrendering a litter of animals would not be required to pay a fee per animal. Ms. Funk stated the owner would be required to sign a contract to spay the female.

In response to Commissioner Gerth's question, Ms. Funk stated the HAAC has had animals surrendered from Texas and Nebraska when situations arise and owners have had to surrender their pets.

In answer to Commissioner Taylor's inquiry, Ms. Funk explained when a litter is surrendered to the HCCA, the owner will be required to sign a contract agreeing to have the female spayed.

In reply to Commissioner Newman's question, Ms. Funk explained they considered the idea that people would simply turn the animals out into the street instead of paying the surrender fee; however, staff feels that negotiating a reasonable cost for the citizens is important. She further stated the HAAC welcomes communications from any citizens regarding fees.

In answer to Acting City Manager/Fire Chief Gomez' question, Ms. Funk stated the average surrendered animal spends approximately 25 days at the HAAC. The average cost per day is \$10 for a total of \$250 for a 25-day stay.

Mr. Cortez explained the legality of the fees and stated that in order to avoid being considered an excise tax, the fee must be incidental to the cost for care of the animal. He stated there must be no revenue generated from the surrender fee being collected. Mr. Cortez stated the burden of care for surrendered animals is currently being borne by the City of Hobbs taxpayers.

There being no further discussion, Commissioner Cynthia Calderon moved that the Commission publish notice of its intent to adopt the proposed ordinance at a later date. Commissioner Buie 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.

<u>PUBLICATION: Proposed Ordinance Amending Section 6.04.170 of the Hobbs Municipal</u> Code Related to the Reduced Cost Spay and Neuter Program.

Mr. Cortez explained the proposed ordinance to amend Section 6.04.170 of the Hobbs Municipal Code and stated the amendment will specifically address the reduced cost spay and neuter program.

Ms. Funk stated guidelines for the current spay and neuter program were created with an ordinance revision in 2009 which applied to Hobbs residents only. She explained the ordinance did not meet the needs of Hobbs citizens. Ms. Funk stated the proposed ordinance would change the age requirements from 70 to 65 and redefine the low income requirements to follow the Federal Poverty Levels determined by the Department of Health and Human Services. She added there are no proposed changes to the disabled qualifications.

In reply to Commissioner Taylor's inquiry, Ms. Funk stated the proposed changes to Section 6.04.170 will expand the eligibility of the spay and neuter program to more citizens. The proposed low cost program will be \$40 for dog neuters, \$45 for dog spays and \$35 for cats neuters/spays.

Mr. Cortez stated the proposed amendments to the reduced cost spay and neuter program will have more inclusive language. He stated by using the Federal Poverty Levels determined by the Department of Health and Human Services, more households will be eligible to utilize the low cost spay and neuter program. He also stated "Elderly" will be changed to "Persons 65 and Older".

Mr. Cortez stated the adjustments to the fees will need to be adopted by resolution. He stated the current fees were determined by Resolution No. 5432 and a resolution amending the fees will come before the Commission for its approval after the proposed changes to the ordinance have been adopted.

Mr. Cortez praised the phenomenal job done by Ms. Funk, Mr. Lusk and the staff at the HAAC as well as the non-profit partners who provide various services.

In response to Commissioner Gerth's question, Ms. Funk stated citizens wishing to use the low cost program will have to provide their tax documentation as proof of income.

There being no comments from the audience or further discussion by the Commission, Commissioner Joseph Calderón moved that the Commission publish notice of its intent to adopt the proposed ordinance at a later date. Commissioner Cynthia Calderon 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.

<u>PUBLICATION: Proposed Ordinance Amending Section 2.04.120 Related to the Salary of the Mayor, Mayor Pro-Tem and Commissioners.</u>

Mr. Mike Stone, City Attorney, explained the proposed amendment to Section 2.04.120 of the Hobbs Municipal Code related to the salary of the Mayor, Mayor Pro-Tem and Commissioners. He stated Section 8.1 of the City of Hobbs Charter determines the salary of the Mayor and Commissioners with any revisions to be adopted by ordinance. Mr. Stone stated the Mayor's salary was last revised in 2001 and the Commissioners have had the same salary since 1989. He added the proposed amendment would increase the Mayor's salary to \$26,000 annually and the Commissioners to \$12,000 annually. Mr. Stone stated because of concerns with constitutionality, the governing body may enact an increase but it cannot benefit those currently serving in office. He explained this proposed amendment will only affect Commissioners from Districts 2, 4, 5 and 6 whose positions will be elected at the next regular municipal election to be held in March, 2018. Mr. Stone stated the changes would not become effective until July 1, 2018, with the new budget year. The increase would not be effective for Districts 1 and 3 as well as the Mayor until after the election in March, 2020.

Commissioner Joseph Calderón stated he is uncomfortable with the proposed amendment as he did not run for office for money. He added the Commission was able to help the City employees a little this year but he sees the hard work done by various departments daily.

In response to Commissioner Joseph Calderón's questions, Mr. Stone stated the average employee increase has been approximately 2.5% over the last 24 years. He added this increase is fair to the Commissioners and Mayor. Mr. Stone also stated the City cannot issue bonuses to employees as it falls into the same category as a governing body giving themselves an increase.

Commissioner Joseph Calderón recommended the Commissioners to remember this date and take care of the employees in the future.

Commissioner Buie stated he is not running for re-election in March and he is against this raise. He stated he did not run for his position for the pay and the Commissioners should do this work for free as it should be for the good of the people. He further stated he will be voting against the proposed amendment to Section 2.04.120.

There being no comments from the audience or further discussion by the Commission, Commissioner Gerth moved that the Commission publish notice of its intent to adopt the proposed ordinance at a later date. Commissioner Taylor seconded the motion.

Mayor Cobb reminded the Commission and public that this vote is for the intent to publish notice only.

The vote was recorded as follows: Newman yes, Cynthia Calderon yes, Taylor yes, Joseph Calderón yes, Buie no, Gerth yes, Cobb yes. The motion carried.

<u>PUBLICATION: Proposed Ordinance Amending Section 2.12.030 of the Hobbs Municipal Code Related to the Salary of the Municipal Judge Position.</u>

Mr. Stone explained the proposed amendment to Section 2.12.030 of the Hobbs Municipal Code to increase the salary of the Municipal Judge. He stated the current salary was increased from \$48,000 to \$60,000 in 2009. He further stated the pay range throughout the State varies across the board. Mr. Stone issued a comparison and stated the Municipal Court in Las Cruces, New Mexico, has two municipal judges and a staff of 12 opposed to Hobbs with one judge and a staff of five. He added the current judge will not receive this increase and will only apply to the judge elected in March, 2018, and would become effective July 1, 2018, with the new fiscal year.

Commissioner Newman moved to approve Resolution No. 6610 as presented. Commissioner Buie seconded the motion and the vote was recorded as follows: Newman yes, Cynthia Calderon yes, Joseph Calderón yes, Taylor yes, Gerth yes, Buie 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

Commissioner Joseph Calderón stated he has heard good things about Ms. Catherine Vorrasi, CORE Facility Director, and he is looking forward to visiting with her regarding the CORE and taking a tour of the new facility.

Commissioner Cynthia Calderon thanked City employees for their hard work.

Commissioner Gerth expressed his appreciation to Municipal Judge Ben Harrison for allowing him the opportunity to sit in court and observe. He stated he used the information he witnessed to write a report for his MOLI training.

Acting City Manager/Fire Chief Gomez stated City Hall will be hosting an open house on December 6, 2017, in honor of the 10-year anniversary of being open in its new location on Broadway. He also reminded the Commission of the City Employee Christmas Party to be held on December 8, 2017.

Acting City Manager/Fire Chief Gomez stated the Hobbs Fire Department will have 13 recruits graduating on December 9, 2017, and the Hobbs Police Department will have three officers graduating on December 12, 2017.

Mayor Cobb stated the next meeting of the City Commission will be held on January 2, 2018. He wished everyone a Merry Christmas. Likewise, each Commissioner individually wished everyone a Merry Christmas and a Happy New Year.

Commissioner Buie stated the City is the best group he has been associated with and he has enjoyed every minute of his terms in office.

#### **Adjournment**

There being no further discussion or business, Commissioner Joseph Calderón 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, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:15 p.m.

| yes, Gerth yes, Cobb yes. | The motion carried. | The meeting adjourned at 7:15 p.m. |   |
|---------------------------|---------------------|------------------------------------|---|
|                           | CAMA                | COPP Mover                         | - |
| ATTEST:                   | SAIVI D             | . COBB, Mayor                      |   |
|                           |                     |                                    |   |
| JAN FLETCHER, City Clerk  | <u> </u>            |                                    |   |

# CONSENT AGENDA



#### **CITY OF HOBBS**

COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2, 2018

SUBJECT: Approval of a Resolution Declaring All Meetings of City Commission, Boards and Committees to be Public Meetings and Adopting Reasonable Notice Procedures DEPT. OF ORIGIN: City Attorney DATE SUBMITTED: December 20, 2017 Michael H. Stone SUBMITTED BY: Summary: NMSA 1978, §10-15-1(D), provides that the public body shall determine at least annually in a public meeting what notices for public meetings are reasonable. This Resolution is adopted annually by the governing body setting forth the City of Hobbs' notice procedures. Reviewed By: Fiscal Impact: Finance Department There is no fiscal impact associated with this Resolution. Attachments: Resolution Approved As To Form: Legal Review: City Attorney Recommendation: The Commission should approve the Resolution. CITY CLERK'S USE ONLY Approved For Submittal By: COMMISSION ACTION TAKEN ~ RH. Sts Resolution No. \_\_\_\_\_ Continued To: Department Director Referred To: Ordinance No. \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ File No. City Manager Other

#### CITY OF HOBBS

#### RESOLUTION NO. 6614

## A RESOLUTION STATING THE REASONABLE NOTICE PROCEDURES FOR THE CITY OF HOBBS PER THE NEW MEXICO OPEN MEETINGS ACT.

WHEREAS, The Hobbs City Commission met in regular session at the City Hall, City Commission Chambers located at 200 E. Broadway, 1st Floor Annex, Hobbs, New Mexico on January 2, 2018, at 6 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, all persons desiring shall be permitted to attend and listen to the deliberations and proceedings of all public meetings; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meeting Act requires the Hobbs City Commission to determine annually what constitutes reasonable notice of its public meetings;

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

- All meetings shall be held at City Hall, City Commission Chamber, 200 E. Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico at 6 p.m., or as otherwise indicated in the meeting notice.
- 2. Unless otherwise specified, regular meetings shall be held each month on the first and third Monday of the month. The agenda will be available at least seventy-two hours prior to the meeting from the City Clerk's Office, whose office is located at City Hall in Hobbs, New Mexico. The agenda will also be posted on the Community Bulletin Board located on the first floor of City Hall, and on the City of Hobbs' website at www.hobbsnm.org.
- 3. Special meetings may be called by the Mayor or a majority of the members upon three days' notice. The notice for a special meeting shall include an agenda for the meeting or information on how a copy of the agenda may be obtained. The agenda will be available at least seventy-two hours before the meeting and posted on the City of Hobbs' website at www.hobbsnm.org.
- 4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Hobbs City Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a majority of the members with twenty-four hours prior notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall

- include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the Hobbs City Commission will notify the Attorney General's Office.
- 5. For the purpose of regular meetings described in Paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and posted in the following locations: on the Community Bulletin Board located on the first floor of City Hall, and the City of Hobbs' website at www.hobbsnm.org. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
- 6. For the purposes of special meetings and emergency meetings described in Paragraphs 3 and 4, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted on the Community Bulletin Board located on the first floor of City Hall. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
- 7. In addition to the information specified above, all notices shall include the following language:
  - 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 hearing or meeting, please contact The City Clerk's Office at City Hall located at 200 E. Broadway, Hobbs, New Mexico or by calling (575) 397-9200 at least one (1) week 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.

- 8. The Hobbs City Commission may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.
  - (a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Hobbs City Commission taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
  - (b) If a closed meeting is conducted when the Hobbs City Commission is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.
  - (c) Following completion of any closed meeting, the minutes of the open meeting that was closed or the minutes of the next open meeting if the

closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

- (d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Hobbs City Commission in an open public meeting.
- 9. As provided by NMSA 1978, §10-15-1(C), a member of the public body may participate in a meeting of the public body by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of January, 2018.

|                          | SAM D. COBB, Mayor | · · · · · · · · · · · · · · · · · · · |
|--------------------------|--------------------|---------------------------------------|
| ATTEST:                  |                    |                                       |
| JAN FLETCHER, City Clerk | ·                  |                                       |



#### **CITY OF HOBBS**

COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2, 2018

SUBJECT: Approval of MOA with New Mexico Department of Health (NMDOH) for Mosquito Spray Equipment

DEPT. OF ORIGIN: Administrative Services Department

DATE SUBMITTED: 12/20/2018

SUBMITTED BY: Britt Lusk, Administrative Services Director

Summary:

NMDOH is offering a grant to improve mosquito control capacity in the City of Hobbs by purchasing equipment for mosquito abatement that licensed/trained staff from the city will utilize, and participating in planning for resource assessment and obtaining vector control training, which will help to decrease the risk of Zika virus infection in the residents of the county where the mosquitoes capable of transmitting Zika virus have been found.

This grant provides for the purchase and delivery of both equipment and spray for mosquito abatement. The grant also provides to send staff for training at the Annual Vector Control Course in Albuquerque. Total funding available is \$16,865.05

| Fiscal Impact:   | Reviewed By: Finance Department                          |
|--|--|
| This grant does not require a matching amount and there Parks will request a budget adjustment in the amount expense which will net 0. The budget adjustment will be recommended to the support of the property of the propert | of \$16,865.05 for revenue and 16,865.05 for an          |
| Attachments:   |  |
| MOA with NMDOH   |  |
|  | Man .  |
| Legal Review:  | Approved As To Form: A for Michael It Some City Attorney |
| a s  |  |
|  |  |

#### Recommendation:

Staff recommends approving the MOA and accepting the grant.

| Approved For Submittal By:        |  | ITY CLERK'S USE ONLY<br>MMISSION ACTION TAKEN      |
|-----------------------------------|--|--|
| Department Director  City Manager | Resolution No<br>Ordinance No<br>Approved<br>Other | Continued To:<br>Referred To:<br>Denied<br>File No |

#### MEMORANDUM OF AGREEMENT

Between

#### New Mexico Department of Health And City of Hobbs

This Agreement entered into between New Mexico Department of Health (DOH) and the City of Hobbs, the entity providing services (Entity).

#### IT IS AGREED BETWEEN THE PARTIES

#### 1. PURPOSE

The purpose of this agreement is to improve mosquito control capacity in the City of Hobbs by purchasing equipment for mosquito abatement that licensed/trained staff from the city will utilize, and participating in planning for resource assessment and obtaining vector control training, which will help to decrease the risk of Zika virus infection in the residents of the county where the mosquitoes capable of transmitting Zika virus have been found.

#### 2. SCOPE OF WORK

The Entity shall perform the following work:

| TASK# | TASK   | DELIVERABLES  | DUE              |
|-------|--|---|------------------|
|       |  |   | DATE             |
| 1.    | Purchase and delivery of mosquito abatement equipment: Grizzly OHV Smart Flow w/GPS and two Mosquito Master 412 30GAL drums.                           | Provide DOH with the purchase and delivery document for this deliverable                        | May 31,<br>2018  |
| 2.    | Participate in a teleconference to discuss resource availability template and complete the template  | Attendance on the conference call and completion and delivery to NMDOH of the resource template | June 30,<br>2018 |
| 3.    | Attend the New Mexico<br>Environmental Health<br>Association (NMEHA)<br>annual Vector Control<br>Course in Albuquerque,<br>NM in the spring of<br>2018 | Attendance at the Annual Vector Control Course in the spring of 2018                            | June 30,<br>2018 |

#### 3. ADMINISTERING AGENCY

The administering agency is the DOH.

#### 4. COMPENSATION

- A. The total amount payable to the Entity under this Agreement, including gross receipts tax and expenses, shall not exceed \$16,865.05. This amount is a maximum and not a guarantee that the work assigned to Entity under this Agreement to be performed shall equal the amount stated herein.
- B. The DOH shall pay to the Entity in full payment for services satisfactorily performed at the rate of \$16,865.05 dollars BASED UPON DELIVERABLES, such compensation not to exceed \$16,865.05 (as set forth in Paragraph A) including gross receipts tax if applicable. Payment is subject to availability of funds as appropriated by the Legislature to the DOH and to any negotiations between the parties from year to year pursuant to Article 2, Scope of Work. All invoices MUST BE received by the DOH no later than fifteen (15) days after the termination of the Fiscal Year in which the services were delivered. Invoices received after such date WILL NOT BE PAID. Invoices shall be submitted monthly. The Entity shall submit to the DOH at the close of each month a signed invoice reflecting the total allowable costs incurred during the preceding month. No invoices will be reimbursed unless submitted within thirty (30) days after the last day of the month in which services were performed.

#### BUDGET:

| TASK# | DELIVERABLES   | BUDGET<br>AMOUNT | FUNDING<br>SOURCE |
|-------|--|------------------|-------------------|
| 1.    | Purchase, deliver, and provide DOH with the purchase and delivery document of:  - Grizzly OHV Smart Flow w/GPS.  Qty. 1 @ \$11,810.45 each, plus freight (\$128.00). Total:  \$11,938.45 | \$11,938.45      | DOHZIKA1701S      |
|       | - Mosquito Master 412 30GAL<br>drum. Qty. 2 @ \$1,405.80 each,<br>plus freight (\$115.00). Total:<br>\$2,926.60.   | \$2,926.60       | DOHZIKA1701S      |
| 2.    | Attendance on the conference call and completion and delivery to NMDOH of the resource template  | \$1,000.00       | DOHZIKA1701S      |
| 3.    | Attendance at the Annual Vector Control<br>Course in the spring of 2018  | \$1,000.00       | DOHZIKA1701S      |
|       | TOTAL  | \$16,865.05      |                   |

C. The Entity must submit a detailed statement accounting for all services performed and expenses incurred. If the DOH finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Entity that payment is requested, it shall provide the Entity a letter of exception explaining the defect or objection to the services,

and outlining steps the Entity may take to provide remedial action. Upon certification by the DOH that the services have been received and accepted, payment shall be tendered to the Entity within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the DOH shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

#### 5. PROPERTY

The parties understand and agree that property acquired under this Agreement shall be the property of the DOH.

#### 6. CLIENT RECORDS AND CONFIDENTIALITY

- A. The Entity shall protect the confidentiality, privacy and security of all confidential information and records and shall not release any confidential information to any other third party without the express written authorization of the client when the record is a client record, or the DOH.
- B. The Entity shall maintain complete confidential records for the benefit of clients, sufficient to fulfill the provisions of the Scope of Work, and to document the services rendered under the Scope of Work. All records maintained pursuant to this provision shall be available for inspection by the DOH.
- C. The Entity shall comply with the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1996, the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act) and applicable regulations and all other State and Federal rules, regulations and laws protecting the confidentiality of information. If the Entity may reasonably be expected to have access to Departments' Protected Health Information (PHI) as defined by HIPAA, Entity shall execute the HIPAA/HITECH Business Associate Agreement as a separately executed mandatory agreement which is hereby incorporated by reference into and made part of this Agreement. Failure to execute the HIPAA/HITECH Business Associate Agreement when required by the DEPARTMENT shall constitute grounds for termination of this Agreement in accordance with Article 9 of this Agreement.

#### 7. FUNDS ACCOUNTABILITY

The Entity shall maintain detailed time and expenditure records, which indicate the date, time, nature, and cost of services rendered during the Agreement term and retain them for a period of three (3) years from the date of final payment under the Agreement. The records shall be subject to inspection by the DOH, the Department of Finance and Administration and the Office of the State Auditor. The DOH shall have the right to audit billings both before and after payment; payment under this Agreement shall not foreclose the right of the DOH to recover excessive or illegal payments.

#### 8. LIABILITY

As between the parties, each party will be responsible for claims or damages arising from personal injury or damage to persons or tangible property to the extent they result from negligence of its employees, subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et seq., NMSA 1978, as amended.

#### 9. TERMINATION OF AGREEMENT

This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the DOH's sole liability upon such termination shall be to pay for acceptable work performed prior to the Entity's receipt of the notice of termination, if the DOH is the terminating party, or the Entity's sending of the notice of termination, if the Entity is the terminating party; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Entity shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Entity if the Entity becomes unable to perform the services contracted for, as determined by the DOH or if, during the term of this Agreement, the Entity or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of state funds or due to insufficient appropriation by the Legislature to the DOH. THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE STATE'S OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE ENTITY'S DEFAULT/BREACH OF THIS AGREEMENT.

#### 10. APPLICABLE LAW

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with NMSA 1978 Section 38-3-1(G). By execution of this Agreement, the Entity acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement. The parties agree to abide by all state and federal laws and regulations.

#### 11. PERIOD OF AGREEMENT

This Agreement shall be effective upon approval of both parties, whichever is later and shall terminate on **June 30, 2018** or as stated in **ARTICLE 9, Termination of Agreement.** Any and all amendments shall be made in writing and shall be agreed to and executed by the respective parties before becoming effective.

#### 12. FEDERAL GRANT OR OTHER FEDERALLY FUNDED AGREEMENTS.

- Lobbying. The Entity shall not use any funds provided under this Agreement, either A. directly or indirectly, for the purpose of conducting lobbying activities or hiring a lobbyist or lobbyists on its behalf at the federal, state, or local government level, as defined in the Lobbyist Regulation Act, NMSA 1978, Sections 2-11-1, et. seq., and applicable federal law. No federal appropriated funds can be paid or will be paid, by or on behalf of the Entity, or any person for influencing or attempting to influence an officer or employee of any Department, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, or the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any Department, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection of any applicable Federal contract, grant, loan, or cooperative agreement, the Entity shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- B. Suspension and Debarment. For contracts which involve the expenditure of Federal funds, each party represents that neither it, nor any of its management or any other employees or

independent Entities who will have any involvement in the services or products supplied under this Agreement, have been excluded from participation in any government healthcare program, debarred from or under any other Federal program (including but not limited to debarment under the Generic Drug Enforcement Act), or convicted of any offense defined in 42 U.S.C. Section 1320a-7, and that it, its employees, and independent Entities are not otherwise ineligible for participation in Federal healthcare or education programs. Further, each party represents that it is not aware of any such pending action(s) (including criminal actions) against it or its employees or independent Entities. Each party shall notify the other party immediately upon becoming aware of any pending or final action in any of these areas.

- C. Political Activity. No funds hereunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office.
- D. Grantor and Entity Information.
- 1. If applicable, funding under this agreement is from the Catalog of Federal Domestic Assistance (CFDA) Program:
  - i. CFDA Number 93.323
  - Program Title PPHF2014 Epidemiology & Laboratory Capacity for Infectious Diseases (ELC) Building & Strengthening Epidemiology, Laboratory & Health Info Systems
  - iii. AGENCY/OFFICE Centers for Disease Control and Prevention
  - iv. GRANT NUMBER 6NU50CK000413
- 2. ENTITY'S Dun and Bradstreet Data Universal Numbering System Number (DUNS Number) is N/A
- E. Entity Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Sept. 2013)[Federal Grant funded projects only].
  - 1. This Agreement and employees working on this Agreement will be subject to the whistleblower rights and remedies in the pilot program on Entity employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L.112-239) and FAR 3.908.
  - 2. The Entity shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation.
  - 3. The Entity shall insert the substance of this clause, including this paragraph (3), in all subcontracts over the simplified acquisition threshold.
- F. For contracts and subgrants which involve the expenditure of Federal funds for amounts in excess of \$150,000, requires the Entity to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- G. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) For contracts which involve the expenditure of Federal funds, Entities that apply or bid for an contract exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

- H. For contracts which involve the expenditure of Federal funds, Entity must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
- I. For contracts which involve the expenditure of Federal funds, and under which the Entity is considered a subrecipient, the provisions of Appendix A shall apply and are incorporated herein. The operating code of this agreement is 0000000005.

IN WITNESS WHEREOF the parties have executed this AGREEMENT at Santa Fe, New Mexico. The effective date is upon approval of both parties, whichever is later.

| New Mexico Department of Health  | Entity: City of Hobbs               |
|----------------------------------|-------------------------------------|
| By:Authorized Signature Designee | By:                                 |
| Date:                            | Date: 1-2-18                        |
| Certified For Legal Sufficiency: |                                     |
| By:                              | By: MICHAEL H. STONE, City Attorney |
| Date:                            | Date:1-2-18                         |

# ACTION ITEMS

# Hobbs.

#### **CITY OF HOBBS**

COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2, 2018

SUBJECT: CONSIDER AWARD OF RFP 495-18: FITNESS EQUIPMENT AT THE

CORE

DEPT. OF ORIGIN: Parks and Recreation / CORE

DATE SUBMITTED: December 20, 2017

SUBMITTED BY: Doug McDaniel, Parks & Recreation Director Catherine Vorrasi, CORE Facility Director

#### Summary:

RFP 495-18 calling for proposals for fitness equipment at the CORE was sent out on November 5, 2017. Responses were due on November 30, 2017, Seven (7) proposals were received by the Finance Department and all seven were determined to be responsive. An evaluation committee, which was comprised of staff from Parks & Recreation, Finance, Fire Dept., New Mexico Junior College, Hobbs Municipal Schools and the University of the Southwest, reviewed, evaluated and scored the proposals. The score sheet showing average scores is attached. The proposal receiving the highest average score:

TechnoGym Avg. Score: 126.75 (150 points possible)

After all seven responses were scored in Phase I, three (3) highest ranked proposers advanced to Phase II which was an in-person interview. After completion of the interviews and upon final scoring, Technogym received the highest average score from the Evaluation Committee, 126.75 points. The City of Hobbs Parks & Recreation Staff is recommending a multi-award to include the purchase of various pieces of fitness equipment from all three vendors who advanced to Phase II. The award list is attached. Pricing is as follows:

| TechnoGym Fitness Equipment:                                  | \$439,933.75 |
|---|--------------|
| FitLogistix Fitness Equipment:                                | \$50,658.80  |
| Home Fitness Warehouse Fitness Equipment:                     | \$12,455.04  |
| TechnoGym 5 Year Extended Warranty on Cardio Equipment:       | \$63,183.45  |
| TechnoGym Fitness Application and Fitness Tracking Equipment: | \$54,144.04  |
| Freight, Delivery and Installation:                           | \$66,596.86  |
|   | \$686,971,94 |

In addition to cardio equipment (treadmills, ellipticals, bikes, rowing machines, spin bikes, etc.) and strength equipment (both pin-selectorized and other assorted strength equipment), the fitness equipment at the CORE will also include both free weights and plate-loaded equipment to replace equipment currently being used at the New Mexico Junior College's Del Norte Fitness Center. Staff is recommending that a multi-award be made as indicated on the equipment list in an amount not to exceed \$686,971.94, which does not include NMGRT.

Fiscal Impact

Reviewed by:

Finance Department

The City of Hobbs has included \$1,708,074.46 for Furniture, Fixtures and Equipment (FF&E) at the CORE. Currently, the only item previously purchased/awarded from the CORE FF&E funds was the CORE Furniture at a cost of \$428,840.26

**Attachments:** RFP Evaluation Criteria Score Sheet with average scores, Fitness Equipment Item List/Pricing for Multi-Award

| Legal Review:   | Approved As To Form:  A low Michael  City Attorney   | 1 H. Hore |
|---|--|-----------|
|   | consider awarding RFP 495-18 as a multi-award to TechnoGym, at a total not to exceed \$686,971.94, not including NMGRT.            | ,         |
| Approved For Submittal By:  Department Director  City Manager | CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN  Resolution No Continued To: Ordinance No Referred To: Approved Denied Other File No |           |

| Cardio Equipment   | Original<br>QTY          |            | TechnoGym        |                |                 |               | Fit Logistix |  |   |  | Home Fitness Warehouse  |                     |   |   |  |
|--|--------------------------|------------|------------------|----------------|-----------------|---------------|--------------|--|---|--|-------------------------|---------------------|---|---|--|
|  |                          | 8085       | Qty              | Description    | Cost per Unit   | Extended Cost | Qty          | Description  | Cost per Unit                                     | Extended Cost  | Qty                     | Description         | Cost per Unit                           | Extended Cost                           |  |
| Freadmills   | 13                       |            | 13               | Run 1000       | \$7,796.7       | \$101,357.75  |              |  |   |  |                         |                     |   |   |  |
| readmills (self-powered)   | 2                        |            | 3                | Skill Mill     | \$7,425.00      |               |              |  |   |  |                         |                     |   |   |  |
| llipticals   | 9                        |            | 10               | Synchro        | \$6,301.7       |               | 1            |  |   |  |                         |                     |   |   |  |
| ariable Stide Units  | 6                        |            | 4                | Vario          | \$7,276.7       |               |              |  |   |  |                         |                     |   |   |  |
| tanding Crostrainers   | 4                        |            | -                | 14,12          | ψ.,z, <b></b> . | \$0.00        |              | Matrix Ascent Full Bod   | y \$7,232.9                                       | 4 \$28,931.76  |                         |                     |   |   |  |
| eated Crosstrainers  | 2                        |            |                  |                |                 | \$0.00        | 2            | Matix REX7001-INT  | \$5,104.1   |  |                         |                     |   |   |  |
| eated Crosstrainers<br>tair Climbers   | 4                        |            | 4                | Climb          | \$7,721.2       |               | 1 ~          | Made ICA 007-1141  | 45,104.1  | , 520,2000   |                         |                     |   |   |  |
|  | 4                        |            | 4                | Sike           | \$4,221.7       |               |              |  |   |  |                         |                     |   |   |  |
| Pright Bikes   | 4                        |            | 4                |                | \$4,351.7       |               |              |  |   |  |                         |                     |   |   |  |
| lecumbent Bikes  | ,                        |            | 4                | Recline        | \$4,351.73      |               |              |  |   |  | 2                       | NuStep T5           | \$4,899.0                               | \$9,79                                  |  |
| eated Crosstrainers - battery  | 2                        |            |                  |                |                 | \$0.00        |              |  |   |  |                         | Nasteb 12           | 34,033.01                               | , ,3,73                                 |  |
| lowers - battery or self   | 4                        |            | 4                | Skillrow       | \$2,331.0       |               |              |  |   |  |                         |                     |   |   |  |
| Fitness Bikes - battery or self  | 3                        |            |                  |                |                 | \$0.00        |              |  |   |  | 3                       | Schwinn Airdyne Pro | \$885.6                                 | \$2,65                                  |  |
| ipin Bikes   | 21                       |            | 21               | Cycle Connect  | \$1,813.00      |               |              | and the property of the contract of the contra | ACCUSE CONTROL MARCH CONTROL MARCH NATIONAL MARCH |  | nd taroninan en richard |                     | *************************************** | mantensca sa condicione como            |  |
|  |                          |            | 850/SUA          | 500-00-00-00-0 |                 | \$328,333.25  | S. 73. 9     |  |   | \$39,140.10  | 20.00                   |                     |   | \$12,45                                 |  |
| Strength Equipment   | Original                 |            |                  |                | TechnoGym       |               |              | Fit  | Logistix  |  |                         | Home Fitne          | ess Warehou                             | ase                                     |  |
| ottengar Equipment   | QTY                      |            | *                |                | •               |               | -            |  | Cost per Unit                                     | Extended Cost  | Qty                     | Description         | Cost per Unit                           | Extended Cost                           |  |
|  |                          |            | Qty              | Description    |                 | Extended Cost | Qty          | Description  | cost per onit                                     | Extended Cost  | QLY                     | Description         | cost per onit                           | extended cost                           |  |
| Chast Press  | 1                        |            | 1                | Unity Mini     | \$2,264.5       |               |              |  |   |  |                         |                     |   |   |  |
| ec Fly/Rear Delt   | 1                        |            | 1                | Unity Mini     | \$2,264.5       |               |              |  |   |  |                         |                     |   |   |  |
| ncline Chest Press   | 1                        |            | 1                | Unity Mini     | \$3,882.0       |               |              |  |   |  |                         |                     |   |   |  |
| ec Dek (pads at elbows)  | 1                        |            | 1                | Unity Mini     | \$3,882.0       |               |              |  |   |  |                         |                     |   |   |  |
| Overhead Press   | 1                        |            | 1                | Unity Mini     | \$2,264.5       |               |              |  |   |  |                         |                     |   |   |  |
| ateral Pulldown  | 1                        |            | 1                | Unity Mini     | \$2,264.5       |               |              |  |   |  |                         |                     |   |   |  |
| Seated Row   | 1                        |            | 1                | Unity Mini     | \$2,229.5       | \$2,229.50    |              |  |   |  |                         |                     |   |   |  |
| ower Back  | 1                        |            | 1                | Unity Mini     | \$2,229.5       | \$2,229.50    |              | •  |   |  |                         |                     |   |   |  |
| Deltoid/Lateral Raise  | 1                        |            | 1                | Unity Mini     | \$2,194.5       | 0 \$2,194.50  |              |  |   |  |                         |                     |   |   |  |
| Tricep Press   | 1                        |            | 1                | Unity Mini     | \$2,229.5       | \$2,229.50    |              |  |   |  |                         |                     |   |   |  |
| Sicep Curl   | 1                        | S1000      | 1                | Unity Mini     | \$2,229.5       | \$2,229.50    | )            |  |   |  |                         |                     |   |   |  |
| Ab Crunch  | 1                        |            | 1                | Unity Mini     | \$2,334.5       |               |              |  |   |  |                         |                     |   |   |  |
| Seated Leg Curl  | 1                        |            | î                | Unity Mini     | \$2,229.5       |               |              |  |   |  |                         |                     |   |   |  |
| Seated Leg Extension   | 1                        |            | 1                | Unity Mini     | \$2,229.5       |               |              |  |   |  |                         |                     |   |   |  |
| Leg Press  | 1                        |            | 1                | Unity Mini     | \$3,227.0       |               |              |  |   |  |                         |                     |   |   |  |
| <u> </u>   | 1                        |            | -                | Other with     | 33,221.0        | \$0.00        |              | Glute G7S78  | \$3,950.0   | 0 \$3,950.00   |                         |                     |   |   |  |
| Slute Machine  | - 1                      |            | •                | T              | Ć4 000 F        | •             |              | Giule Grafa  | 0.088,88  | J. J   |                         |                     |   |   |  |
| Dual Adjustable Pulley Unit  | 2                        |            | 2                | Technogym      | \$4,998.5       |               |              |  |   |  |                         |                     |   |   |  |
| Modular Cable Crossover Unit   | 1                        |            | 1                | Technogym      | \$9,548.5       |               |              |  |   |  |                         |                     |   |   |  |
| Assisted Pullup/Dip  | 1                        |            | 1<br>Oguneration | Easy Chin Dip  | \$3,315.0       |               |              | Control of the Contro | Annua menganan sebagai dalam dan panan men        | NAMES OF THE PERSON OF THE PER | 20100125103510          |                     |   | *************************************** |  |
| CALL PRODUCT CONTRACTOR CONTRACTO | ex everal experience and |            |                  |                |                 | \$60,815.50   | 1999/986/99  |  |   | \$3,950.00   | 6/22/2                  |                     |   | \$                                      |  |
| Plate Loaded Equipment   | Original<br>QTY          |            |                  | •              | TechnoGym       |               |              | Fit  | Logistix  |  |                         | Home Fitne          | ess Warehou                             | ıse                                     |  |
| • •  |                          |            |                  |                |                 |               | <del> </del> |  |   |  |                         |                     |   |   |  |
|  |                          |            | Qty              | Description    | •               | Extended Cost | Qty          | Description  | Cost per Unit                                     | Extended Cost  | Qty                     | Description         | Cost per Unit                           | Extended Cos                            |  |
| solateral Chest Press  | 1                        |            | 1                | Pure Strength  | \$2,372.5       |               |              |  |   |  |                         |                     |   |   |  |
| solateral High Row   | 1                        |            | 1                | Pure Strength  | \$2,372.5       |               |              |  |   |  |                         |                     |   |   |  |
| ieated Dip   | 1                        |            | 1                | Pure Strength  | \$2,372.5       |               |              |  |   |  |                         |                     |   |   |  |
| solateral Row  | 1                        |            | 1                | Pure Strength  | \$2,372.5       |               |              |  |   |  |                         |                     |   |   |  |
| reacher Curl   | 1                        |            | 1                | Pure Strength  | \$2,372.56      | \$2,372.50    |              |  |   |  |                         |                     |   |   |  |
| og Press   | 1                        |            | 1                | Pure Strength  | \$4,452.5       | \$4,452.50    |              |  |   |  |                         |                     |   |   |  |
| Seated Calf Raise  | 1                        |            | 1                | Pure Strength  | \$2,372.5       | \$2,372.50    | ol .         |  |   |  |                         |                     |   |   |  |
| iombo - Similar to Pit Shark   | 1                        |            |                  | -              |                 | \$0.00        |              | Matrix - Pit Shark   | \$3,850.0   | 0 \$3,850.00   |                         |                     |   |   |  |
|  | - 1                      | 66.6376769 |                  |                |                 | QU.00         |              |  |   |  |                         |                     |   |   |  |

**b** 

| Additional Equipment | Original   |               | Tech                   | noGym               |               |     |  | Fit Logistix  |                          |       | Home Fit    | ness Warehou  | ise                 |
|----------------------|--|---------------|------------------------|---------------------|---------------|-----|--|---------------|--------------------------|-------|-------------|---------------|---------------------|
|                      |  | Qty           | Description            | Cost per Unit       | Extended Cost | Qty | Description  | Cost per Unit | Extended Cost            | Qty   | Description | Cost per Unit | Extended Cost       |
| Roman Chair          | 1  | 1             | Roman chair            | \$1,163.50          | \$1,163.50    |     |  |               |                          |       |             |               |                     |
| Back Extension unit  | 1  | 1             | Back Extension         | \$1,040.00          | \$1,040.00    |     |  |               |                          |       |             |               |                     |
| lexibility Units     | 2  | 2             | Anterior and Posterior | see detail          | \$4,340.00    |     |  |               | CO PAGE ALCOHOLIA MAGA   |       |             |               |                     |
| Stretching Cage      | 2  |               |                        |                     | \$0.00        | 2   | True Stretch   | \$1,859.3     | \$3,718.70               |       |             |               |                     |
| Plyometric Boxes     | 1 set  | 1             | Plyo Boxes (set of 3)  | \$1,620.00          | \$1,620.00    |     |  |               |                          |       |             |               |                     |
|                      |  |               |                        |                     | \$8,163.50    |     | Victoria de la companya della companya della companya de la companya de la companya della compan |               | \$3,718.70               |       |             |               | III-sai - saan - sa |
| Suspension Equipment | Original   |               | Tech                   | noGym               |               |     |  | Fit Logistix  |                          |       | Home Fit    | tness Warehou | ise                 |
| suspension Equipment |  | Qty           | Description            | Cost per Unit       | Extended Cost | Qty | Description  | Cost per Unit | Extended Cost            | Qty   | Description | Cost per Unit | Extended Cost       |
| Suspension Units     | 20   | 20            | TRX Commercial         | \$169.95            | \$3,399.00    |     |  |               | INVESTIGATION CONTRACTOR |       |             |               |                     |
| maspension of the    |  |               |                        | NAMES OF THE OWNERS | \$3,399.00    | -   |  |               | \$0.00                   |       |             |               |                     |
| Alternate Equipment  | Original<br>QTY  | TechnoGym     |                        |                     | Fit Logistix  |     |  |               | Home Fitness Warehouse   |       |             |               |                     |
|                      |  | Qty           | Description            | Cost per Unit       | Extended Cost | Qty | Description  | Cost per Unit | Extended Cost            | Qty   | Description | Cost per Unit | Extended Cost       |
|                      |  | 2             | SkillRun               | \$10,267.50         | \$20,535.00   |     |  |               |                          |       |             |               |                     |
|                      | A CONTRACTOR OF THE PARTY OF TH | State Company |                        |                     | \$20,535.00   |     |  |               |                          | 1100  |             |               |                     |
| ,                    |  |               |                        |                     |               |     |  |               |                          |       |             |               |                     |
| Totals               |  |               |                        |                     | \$439,933.75  |     |  |               | \$50,658.80              | 1.010 |             |               | \$12,455            |

| RFP 495-18 - Fitness Equipment for the CORE         | Advanced Exercise | The Fitness<br>Superstore | The ABS Company | Home Fitness<br>Warehouse | NUSTEP | Techno-Gym | Fit Logistix    |
|---|-------------------|---------------------------|-----------------|---------------------------|--------|------------|-----------------|
| AVG. SCORING For Evaluation Criteria #1             | 6.750             | 7.375                     | 4.250           | 7.625                     | 5.000  | 8.375      | 8.625           |
| AVG. SCORING For Evaluation Criteria #2             | 9.000             | 8.250                     | 6.625           | 7.625                     | 8.625  | 6.875      | 8.625           |
| AVG. SCORING For Evaluation Criteria #3             | 4.750             | 3.250                     | 0.000           | 3.000                     | 2.250  | 1.875      | 4.375           |
| AVG. SCORING For Evaluation Criteria #4             | 9.500             | 6.625                     | 6.250           | 9.750                     | 6.000  | 9.875      | 9.750           |
| AVG. SCORING For Evaluation Criteria #5             | 11.750            | 10.500                    | 4.000           | 13.500                    | 2.250  | 10.750     | 12.875          |
| AVG. SCORING For Evaluation Criteria #9             | 8.375             | 8.875                     | 6.875           | 8.250                     | 7.500  | 9.875      | 8.625           |
|   |                   |                           | ALCOHOL: NO.    | (生)(是)(是)                 |        |            | <b>以及</b> 及自然的。 |
| AVG. SCORING For Evaluation Criteria #6             | 6.625             | 3.250                     | 0.000           | 5.750                     | 0.000  | 8.375      | 6.875           |
| AVG. SCORING For Evaluation Criteria #7             | 14.875            | 9.125                     | 4.625           | 18.625                    | 5.375  | 15.500     | 17.625          |
| AVG. SCORING For Evaluation Criteria #8             | 5.875             | 2.875                     | 0.625           | 8.375                     | 0.000  | 8.000      | 8.000           |
| NM Bidder Preference                                | 0.000             | 5.000                     | 0.000           | 5.000                     | 0.000  | 0.000      | 0.000           |
| Vendor Sub-Total For Phase I                        | 77.500            | 65.125                    | 33.250          | 87.500                    | 37.000 | 79.500     | 85.375          |
| NM Bidder Preference                                |                   |                           |                 | 2.500                     |        |            |                 |
| AVG. SCORING Phase II Scoring (In-Person Interview) | 0.000             | 0.000                     | 0.000           | 33.125                    | 0.000  | 47.250     | 25.625          |
| Vendor TOTALS                                       | 77.500            | 65.125                    | 33.250          | 123.125                   | 37.000 | 126.750    | 111.000         |



### **CITY OF HOBBS**

COMMISSION STAFF SUMMARY FORM

| NEW MEXICO   | MEETING DATE:   | January 2, 2018   |
|--|---|---|
| SUBJECT: Restaurant Liquor License Application of El Vaquero G, LLC, d/b/a El Vaquero, 921 South Dal Paso, Hobbs, New Mexico, 88240, for the Sale of Beer and Wine Only  |   |   |
| DATE SUBMITTED:  | city Clerk's Office<br>December 18, 2017<br>an Fletcher, City Clerk |   |
| Summary:   |   |   |
| Division, for the issuance   | of a restaurant liquor lice   | o the State of New Mexico, Alcohol and Gaming<br>ense at 921 South Dal Paso for the sale of beer<br>minary approval from the State of New Mexico. |
| This application was received by the City Clerk's Office on November 27, 2017, and a public hearing must be held by the City within forty-five (45) days from receipt of such notice. The City has duly published notice of the hearing and properly notified the applicant of such hearing by certified mail. |   |   |
| Fiscal Impact:   |   | Reviewed By:  |
| The applicant has paid the required \$250.00 administrative fee to the City.   |   |   |
| Attachments:   |   |   |
| <ol> <li>Application packet from State of New Mexico, Alcohol and Gaming Division</li> <li>Area map</li> <li>Letter of consent from <i>Our Lady of Guadalupe Catholic Church</i></li> <li>Affidavit of Publication</li> <li>Resolution concerning approval or denial of the application</li> </ol>             |   |   |
| Legal Review:  | A   | pproved As To Form: City Attorney   |
| Recommendation:  |   | 2 0   |
| Appoint a Hearing Officer; Motion to approve or deny the request; second; vote.  |   |   |
|  |   | CITY CLERK'S USE ONLY<br>COMMISSION ACTION TAKEN  |
| Department Direct  City Manager  | Ordinance No Approved   | Continued To:  Referred To:  Denied  File No  |

### CITY OF HOBBS

RESOLUTION NO. 6615

A RESOLUTION CONCERNING THE ISSUANCE OF A
RESTAURANT LIQUOR LICENSE TO
EL VAQUERO G, LLC, D/B/A EL VAQUERO LOCATED AT
921 SOUTH DAL PASO, HOBBS, NEW MEXICO

WHEREAS, the City of Hobbs has received the application of EL Vaquero G, LLC, for the issuance of a restaurant liquor license for the sale of beer and wine at El Vaquero, 921 South Dal Paso, Hobbs, New Mexico, and said application has received preliminary approval from the State of New Mexico, Alcohol and Gaming Division; and

WHEREAS, a public hearing is being held by the governing body of the City of Hobbs on January 2, 2018, on the question of whether or not the proposed restaurant liquor license should be granted for the sale of beer and wine.

| NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE                             |
|---|
| CITY OF HOBBS, NEW MEXICO, that the restaurant liquor license application of EI         |
| Vaquero G, LLC, d/b/a El Vaquero, 921 South Dal Paso, Hobbs, New Mexico, be and is      |
| hereby (approved or disapproved) for the sale of beer and wine.                         |
| PASSED, ADOPTED AND APPROVED this 2 <sup>nd</sup> day of <b>January</b> , <b>2018</b> . |
| SAM D. COBB, Mayor  |
| ATTEST:   |
| •   |
| JAN FLETCHER, City Clerk  |



Susana Martinez Governor

Robert "Mike" Unthank Superintendent

Alex Sanchez
Deputy Superintendent

Claudia Armijo Deputy General Counsel

> Mary Kay Root Director

Alcohol and Gaming Division (505) 476-4875

Boards and Commissions Division (505) 476-4600

Construction Industries Division (505) 476-4700

Financial Institutions Division (505) 476-4885

Manufactured Housing Division (505) 476-4770

> Securities Division (505) 476-4580

Administrative Services Division (505) 476-4800

### New Mexico Regulation and Licensing Department ALCOHOL AND GAMING DIVISION

P.O. Box 25101 Santa Fe, New Mexico 87504-5101 (505) 476-4875 Fax (505) 476-4595 www.rld.state.nm.us/alcoholandgaming

November 21, 2017

Certified Mail No.: 9171 9690 0935 0079 1724 21

City of Hobbs

Attn: Jan Fletcher 200 East Broadway Hobbs, NM 88240 RECEIVED

NOV 27 2017

Re: Lic. No. /Appl. No.: Application No. 1065511 OFFICE OF THE CITY CLERK

Name of Applicant: El Vaquero G, LLC

HOBBS, NEW MEXICO

Doing Business As: El Vaquero

Proposed Location: 921 S. Dal Paso Street, Hobbs, NM 88240

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval.** It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted. The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcohol & Gaming Division;

(C) The location of the licensed premises.

In addition, if the Local Option District has a website, the Notice shall also be published on the website.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

THE APPLICANT IS SEEKING A RESTAURANT BEER/WINE LICENSE WITH ON PREMISES CONSUMPTION ONLY.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,

Beverly Kennedy, Hearing Officer

NM Regulation & Licensing Dept. | Alcohol & Gaming Division

Phone: (505) 476-4548 Fax: (505) 476-4595

Email: beverly.kennedy@state.nm.us

### **Enclosures:**

- 1. Original Page 1 of the Application (must be signed and returned w/notices of publication)
- 2. Copy of Page 2 of the Application
- 3. Copy of Zoning Statement

| ATTA | MIL  |
|------|------|
| P    | A    |
| 0    |      |
| E    | A.   |
| COL  | Teno |

New Mexico Regulation and Licensing Department | Alcohol and Gaming Division

| ge I Recised in | 61 2011 |
|-----------------|---------|
| 345             |         |

City, County, Village

| PO Box 25101 Santa Fe, NM 87504-5101   Phone: (505) 476-4875 Fax: (505) 476-4505 ALCOHOL & GAMING DIVISI  |
|---|
| AGD USE ONLY: Payment   Application Fee \$ 900 Received on: 9-21-17 Receipt No. 2001933   |
| License Fee \$ Received on:, Receipt No   |
| Application # 1045511 Local Option District: Hobbs  |
| RESTAURANT LIQUOR LICENSE APPLICATION \$200.00 Application Fee, non-refundable.   |
| Check appropriate boxes: Application is for: New Restaurant Liquor License  |
| Applicant is: Individual  |
| NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER   |
| EL VAQUETO G. UC  |
| D/B/A Name to be used: EL VA Quero Business Phone #: 575-397.0097   |
| Email Address (required): 49 Sir garcia @ 40hov. Com  |
| Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)  921 5 Dal PASO ST   |
| Hobbs NM 88240  |
| Mailing Address: 904 E Bell pl. 4sbbs NM 88340  |
| Agent/Contact Person: Suntiago GARCIA Phone#: 595-402-301 SEmail: 40314 garcia Qyahoo, lom  |
| Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License # / Type:  |
| I, (print name) Sontiaco Green, as (title) membre.  being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time. |
| You must sign and date this form before a Notary Public.  |
| Signature of Applicant: OPFICIAL SEAL   |
| NOTARY PUBLIC USE ONLY: (State of   |
| SUBSCRIBED AND SWORN TO before me this 15th day of Sept NOTARY PUBLIC STATE OF NEW MEXICO   |
| By: Santiago Barcia Notary Public: Atlan Romand My Commission Expires: 11.03.17   |
| My Commission Expires: //-03-17   |

Public Hearing held on \_\_\_\_\_\_ January 2 Check one: □Approved □ Disapproved Signature and Title of City/County Official:\_

SAM D. COBB, Mayor

FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: \_\_\_

FOR ALCOHOL AND GAMING DIVISION USE ONLY:

☐ Approved

Disapproved

CITY OF HOBBS

Signed by Director:



New Mexico Regulation and Licensing Department | Alcohol and Gaming Division
PO Box 25101 Santa Fe, NM 87504-5101 | Phone: (505) 476-4875 Fax: (505) 47 ALCOHOL & GAMING DIVISION



# PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION NMISA §60-6B-10

| 1. The land and building which is   | proposed to be the lic  | ensed premises is: (check o  | ne)   |
|---|---|--|---|
| Owned by Applicant, copy of deed  | d/document attached .   | Leased by Applicant  | t, copy of lease/document attached  |
| Other (provide details):  |   |  |   |
| 2. If the land and building are not of A. Owner(s):   |   |  |   |
| B. Date and Term of Lease:_   |   |  |   |
| 3. Premises location is Zoned (example 20   | mple C-1, see Zoning Staten<br>which must be obta<br>e, state whether alcol<br>s, patio service and/o | nent):  Ained from the Local Go  Cholic beverages are allow  Or manufacturing is allow | overnment, listing the proposed ved at proposed location, and if able. If there is no zoning in the |
| 4. Distance* from nearest Church: Name of Church: OUR LADY Of   | • •   |  |   |
| Address/location of Church: 914 S   |   |  |   |
| 5. Distance* from nearest School: Name of School $EDISON\ SCHO$ Address/location of School: $501\ E$  | (Property line of school<br>OOL<br>GYPSY ST. HOB  | ol to closest point of license<br>BS NM 88240  | rd premises—shortest distance) Miles/feet 0.5 MILES   |
| 6. Distance from military installati  |   |  |   |
| Name of Military Installation, circle Miles: 127  | <sup>one:</sup> Kirtland Air Force<br>Holloman Air Forc   | Base (Albuquerque), White<br>ce Base (Alamogordo) (Car                                 | Sands Missile Range (Las Cruces),<br>mon Air Force Base (Clovis)                                    |
| 7. Attach Detailed Floor Plan, must Show which direction is North; Slexterior walls, doors, and interior floor plan should be no larger that which will reflect the proposed Lice | ust include the Tota<br>how each level (floo<br>walls; Patio Area w<br>an 8½ x 11 inches a            | 1 Square Footage of pre<br>r) where alcoholic beve<br>gith type of barrier used        | mises; List nearest cross street; rages will be sold or consumed, : Highlight Bonded Areas. The     |
| 8. Type of Operation: Hotel   |   | Package Grocery ■ R  | <b>4</b>  |
| Small Brewer Craft Disti  |   |  |   |
| *NOTE: If the distance is beyond  | 300 feet, but less that   | nn 400 feet, a Registered<br>listance.   | Engineer or Licensed Surveyor   |



### PLANNING DEPARTMENT

200 E. Broadway Street, Hobbs, NM 88240 Ph. I-505-397-9232 Fax I-505-397-9227

May 9, 2017

RE: Zoning Certification for a Restaurant located at 921 S. Dal Paso St. in Hobbs, New Mexico.

Dear Ms. Garcia:

Pursuant to your request for a current zoning certification for Restaurant located at 921 S.. Dal Paso St. in Hobbs, in Hobbs, New Mexico, please be advised that the City of Hobbs has not adopted a zoning ordinance to regulate land uses and location of different types of development or specific business uses throughout the City at this time. Consequently, the City of Hobbs has no current regulations which govern zoning districts and/or land uses, or use of buildings or use of vacant land. Therefore, the proposed land use as referred to herein, including a proposed Restaurant, on the above referenced property in Hobbs is considered a use by right as of this date of May 9, 2017. Therefore, the proposed use is in conformance with applicable zoning law as of this date.

Please note that the City does have a Major Thoroughfare Plan, Subdivision Regulations, Flood Zone, Fire Zone, Landscaping Regulations, Building Code, Liquor License and other development regulations that must be followed for improvements and changes in building occupancy types, including yard setback requirements. This letter is in regards to that portion of the above referenced real property that exists within the corporate limits of the City of Hobbs, NM on May 9, 2017. If you have any questions or need further information, please contact me at (575) 397-9232.

Sincerely,

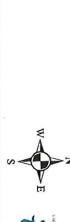
CITY OF HOBBS, NEW MEXICO

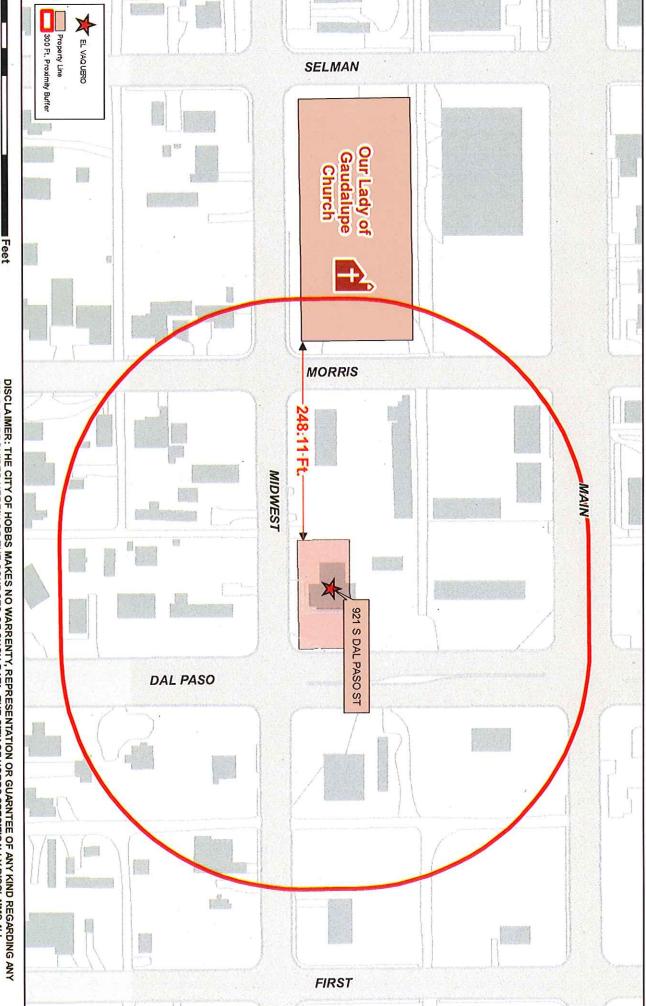
Kevin Robinson – Planning Department



# El Vaquero

300 Ft. Buffer Zone Map for Liquor License





0 50 100 200 300 GR City of Hobbs GIS Division TS OF TH Date: 12/4/2017 1 inch = 120 feet Time: 10:25:58 AM ST

DISCLAIMER: THE CITY OF HOBBS MAKES NO WARRENTY, REPRESENTATION OR GUARNTEE OF ANY KIND REGARDING ANY GIS DATA PROVIDED HEREIN OR THE SOURCES OF SUCH DATA. THE CITY OF HOBBS SPECIFICALLY DISCLAIMS ALL REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. DATA CONTAINED WITHIN THIS PRODUCT IS PROVIDED BY THE CITY OF HOBBS FOR INFORMATIONAL PURPOSES ONLY AND NOT IN COMPLIANCE WITH ANY LEGAL REQUIRED SURVEYING STANDARD.



# Our Lady of Guadalupe Catholic Church

(575) 393-4991 Office (575) 397-1480 Fax 914 South Selman Hobbs, New Mexico 88240

November 14th 2017

TO WHO MAY IT CONCERN:

We hereby refer to you to let you know that we give our consent for the business "El Vaquero Restaurant" located at 921 S. Dal Paso, Hobbs, NM. have sale of alcoholic beverages.

We believe that the personnel of that business is responsible for the consumption of its customers, therefore we have no problem in that this business has such sale.

Without more for the moment we say goodbye to you not without first wish that God Our Lord continue to fill you with blessings as before.

Sincerely,

Judy Robquillo

**Business Manager** 

RECEIVED

DEC 0 4 2017

OFFICE OF THE CITY CLERK HOBBS, NEW MEXICO

### **LEGAL NOTICE**

### NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City Commission of the City of Hobbs, New Mexico, will hold a public hearing at 6:00 p.m., on Tuesday, January 2, 2018, in the City Commission Chamber at City Hall, First Floor Annex, 200 East Broadway, Hobbs, New Mexico. The purpose of the hearing will be to determine whether the State of New Mexico Regulation and Licensing Department, Alcohol and Gaming Division, should approve or disapprove the following application:

# APPLICATION FOR RESTAURANT LICENSE FOR THE SALE OF BEER AND WINE

Application #:

1065511

Applicant:

El Vaquero G, LLC

D/B/A Name:

El Vaquero

Proposed Address:

921 South Dal Paso

Hobbs, NM 88240

DATED this 28th day of November, 2017.

SAM D. COBB, Mayor

### **Affidavit of Publication**

STATE OF NEW MEXICO **COUNTY OF LEA** 

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 2 issue(s).

> Beginning with the issue dated November 30, 2017 and ending with the issue dated December 07, 2017.

Publisher

Sworn and subscribed to before me this 7th day of December 2017.

**Business Manager** 

My commission expires

January 29, 2019

(Seal)

Notary Public State of New Mexico

OFFICIAL SEAL

GUSSIE BLACK

My Commission Expires

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

LEGAL

LEGAL

LEGAL NOTICE November 30 and December 7, 2017

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City Commission of the City of Hobbs, New Mexico, will hold a public hearing at 6:00 p.m., on Tuesday, January 2, 2018, in the City Commission Chamber at City Hall, First Floor Annex, 200 East Broadway, Hobbs, New Mexico. The purpose of the hearing will be to determine whether the State of New Mexico Regulation and Licensing Department, Alcohol and Gaming Division, should approve or disapprove the following application:

APPLICATION FOR RESTAURANT LICENSE FOR THE SALE OF BEER AND WINE

Application #: Applicant: D/B/A Name: Proposed Address: 1065511 El Vaquero G, LLC El Vaquero 921 South Dal Paso Hobbs, NM 88240

DATED this 28th day of November, 2017.

/s/ Sam D. Cobb SAM D. COBB, Mayor

#32285

67108146

00203377

**ELDA GONZALEZ** CITY OF HOBBS 200 E. BROADWAY HOBBS, NM 88240



### CITY OF HOBBS COMMISSION STAFF SUMMARY FORM

MEETING DATE: Jan. 2<sup>nd</sup>, 2018

SUBJECT: GSA CONTRACT WITH BOHANNAN HUSTON FOR AERIAL IMAGE & DATA CAPTURE (ELEVATION LIDAR FOR HYROLIGICAL STUDY)

DEPT. OF ORIGIN:

Engineering Department & GIS Mapping Dept.

DATE SUBMITTED:

12-18-17

SUBMITTED BY:

Todd Randall, City Engineer & T. Staggs, GIS Manager

#### Summary:

The GIS/Mapping Division in conjunction with the Engineering Department recommend entering into a GSA agreement with Bohannon & Huston for the procurement of high resolution aerial imagery along with planimetric data, including new elevation through LiDAR. This project will consist of the following items:

- Updating the City's GPS Base System Preparation for 2022 NGS Datum Shift
- Adjust existing GIS data to updated CRS
- · Configure GPS Base station from expanded Cellular/internet access
- Permanent Monument Geodetic Network
- 6" Resolution Orthophotography

Approved For Submittal By:

Department Director

City Manager

- 1-Foot Contour Interval LiDAR QL2 Surface data capture
- Building & Paving Planimetric data capture

The results of this project will be used throughout the City organization for improved data management process, flood plain studies, and in applying standards on data processes by surveyors and contractors supporting the City. In addition, this project will be the foundation for a new Master Drainage Plan, which will support prioritizing drainage improvement project and part of the City Commission top 5 ICIP project for FY19.

Phase I is already under contract with B&H to meet timelines and other work B&H has in the area to benefit from the mobilization costs already incurred by Dona Ana County, NM and Lubbock, Tx aerial flights.

I had a

| Fiscal Impact:   | Reviewed By: Finance Department  |  |  |  |
|--|--|--|--|--|
| Budget Line:<br>Amount:<br>Encumbered:<br>BH Contract:<br>Remaining Balance:                           | 01-0415-44901-00158<br>\$350,000<br>\$75,405.00 (plus GRT) Phase 1 B&H Contract & GPS Equipment Purchase<br>\$171,875 (plus GRT) Phase II & Options 7, 9, 14 & 15<br>\$75,000 To be used for additional planimetric work and data entry. |  |  |  |
| Attachments: Memo  | / BH GSA proposal  |  |  |  |
| Legal Review:  | Approved As To Form: City Attorney   |  |  |  |
| Recommendation: Consideration for approval of Bonhannon & Huston Contract Award for Phase II services. |  |  |  |  |
|  |  |  |  |  |

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

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

Approved \_\_\_\_\_

Other

CITY CLERK'S USE ONLY

COMMISSION ACTION TAKEN

Continued To:

File No.

Referred To:

Denied \_\_\_\_\_



### ENGINEERING DEPARTMENT

200 E. Broadway Hobbs, NM 88240 575-397-9232 bus 575-397-9227 fax

December 8th, 2017

P.C. AMOUNT: # 56, 4699 ACENT: PROJ 158

### **MEMORANDUM**

TO: Toby Spears, Finance Director

From: Todd Randall, City Engineer

CC: T Staggs, GIS Manager

Kevin Robinson, Planning Director

RE: RECOMMENDATION FOR AERIAL IMAGE & DATA CAPTURE

INCLUDING ELEVATION LIDAR FOR HYDROLOGICAL STUDY

Phase I Services with Bohannon & Huston

This is a request and justification to enter into a GSA agreement with Bohannon & Huston for the procurement of high resolution aerial imagery along with planimetric data, including new elevation through LiDAR. This project will consist of the following items:

Updating the City's GPS Base System – Preparation for 2022 NGS Datum Shift

Adjust existing GIS data to updated CRS

· Configure GPS Base station from expanded Cellular/internet access

Permanent Monument Geodetic Network

6" Resolution Orthophotography

1-Foot Contour Interval LiDAR QL2 Surface data capture

Building & Paving Planimetric data capture

The results of this project will be used throughout the City organization for improved data management process, flood plain studies, and in applying standards on data processes by contractors supporting the City.

Terrance Staggs and other GIS staff have met with Bohannon & Huston once to outline the basic scope of this project. T. Staggs has continued phone and email correspondence to fine tune the logistics and parameters to best suit the City's needs. Bohannon & Huston were recommended by the City's Trimble representative, Bob Green as being most capable, with extensive experience and knowledge to fulfill the depth of this particular project. In addition, Bohannon & Huston have an active GSA with the state of New Mexico affording the City benefits in using them for all aspects, from monument establishment to aerial image capture.

This work will be paid for under line item 01-0415-44901-00158 (AERIALS, DTM AND CONTOURS). DFA has approval the FY 18 budget (\$350,000). To date the City has issued a PO to purchase directly the new GPS base station and recommend proceeding with Phase I Services with BH (establishing new base station, GIS adjustment and permanent documentation), which will be below \$60,000. On January 2<sup>nd</sup>, Phase II and strategic options in the attached proposal will be taken to the City Commission for their approval.

Please do not hesitate to contact if you have any questions or comments.

### Phase 1:

### TASK 1 - 4: Currently under contract

| No. | Task  | Description   | Total Price |
|-----|---|---|-------------|
| 1   | Update City GPS<br>Base Coordinate<br>Reference System<br>(CRS) | Install new NetR9 system (price includes equipment) Relocate existing NetR5 system  | \$22,351    |
| 2   | GIS Feature Data<br>Adjustment to<br>updated CRS                | Existing feature translation based on updated CRS   | \$16,641    |
| 3   | Configure GPS<br>radio base for<br>cellular / internet /<br>FTP | Configure base station connectivity and operational functionality of cellular, internet, and FTP communications. (price includes Vectors, Inc. configuration support) | \$10,841    |
| 4   | Permanent<br>Monumented<br>Geodetic Network                     | Establish new control network to support aerial mapping over the City ETZ with control monuments adjusted to national reference frame with updated CRS.               | \$25,572    |

### Phase 2

Table 3. Pricing Table Phase II Base Scope of Work Task 5 & 6

| No. | Task   | Description   | Total Price |
|-----|--|---|-------------|
| 5   | 6-inch resolution orthophotography                   | ~200 square miles (UCE Digital Aerial Photography)<br>6-inch pixel resolution                           | \$31,103.00 |
| 6   | 1-foot contour<br>interval (CI) LIDAR<br>QL2 surface | ~86 square miles (H300 LiDAR) QL2 (> or = to 2 points per square meter; 1.0' contour interval accuracy) | \$51,258.00 |
|     |  | Total Pricing:  | \$82,361.00 |

Table 4. Pricing Table Optional Products

| No. | Task                                  | Total Area   | Total Price |
|-----|---------------------------------------|--|-------------|
| 7   | Optional Building<br>Footprint Update | ~86 square miles<br>building footprint polygon update  | \$23,623    |
| 88  | Optional Edge of pavement Update      | ~200 square miles<br>edge of pavement polygon update   | \$21,025    |
| 9   | Optional Parking<br>Lot Update        | ~200 square miles<br>parking lot polygon update        | \$15,748    |
| 10  | Optional Driveway Update              | ^200 square miles<br>driveway polygon update           | \$28,618    |
| 11  | Optional Sidewalk<br>Update           | -200 square miles<br>sidewalk polygon update           | \$17,752    |
| 12  | Optional Flowline Update              | ~200 square miles flowline / flow path drainage update | \$16,030    |

| No. | Task   | Total Area   | Total Price  |
|-----|--|--|--------------|
| 13  | Optional Vegetation (Tree) Update                        | ~200 square miles<br>vegetation (tree) polygon update  | \$15,184     |
| 14  | Optional 2-foot<br>Contours                              | ~120 square miles<br>2.0' contour interval data from UCE 6-inch pixel<br>resolution                | \$16,684     |
| 15  | Optional Additional Control One Point for Every Section. | Additional control monuments (37)  One point per City Limits section added to the geodetic network | \$33,459     |
|     |  | Total Optional Pricing:  | \$180,123.00 |

|  | PI | n | a | S | е | 2 |
|--|----|---|---|---|---|---|
|--|----|---|---|---|---|---|

| Task 5    | \$31,103 |
|-----------|----------|
| Task 6    | \$51,258 |
| Option 7  | \$23,623 |
| Option 9  | \$15,748 |
| Option 14 | \$16,684 |
| Option 15 | \$33,459 |

Total Phase 2 w/ Option: \$171,875 (not including GRT)

### Bohannan A Huston

7500 Jefferson St. NE Albuquerque, New Mexico, 87109 USA

# PROPOSAL FOR PROVIDING GEOGRAPHIC INFROMATION SYSTEMS (GIS) SERVICES

PHASE I — Coordinate Reference System PHASE II — Aerial, LiDAR & GIS Data
The purpose of this proposal is to provide a scope of work and fee estimate for services associated with various task items related to development of fundamental data infrastructure in support of City of Hobbs GIS data maintenance operations.

### Submitted to:

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### Submitted by:

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Timothy Solinski, PS, PLS

Vice President

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November 27, 2017

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### 1 BACKGROUND AND TECHNICAL APPROACH

Bohannan Huston, Inc. (BHI / Surveyor / Contractor) is pleased to submit this refined project proposal and approach, as the basis of estimate for development of key components of The City of Hobbs (COH, "City") foundation-level geospatial data in support of City operations. This proposal builds upon initial discussions with the City held earlier this year (2017). Those discussions outlined a broad vision for framework GIS data development including geodetic reference framework support to prepare for both existing and future base mapping requirements.

The overall GIS services vision included a task outline comprised of the following items.

Phase I

- 1. Update City GPS Base Coordinate Reference System (CRS).
- 2. GIS Feature Data Adjustment to updated CRS.
- 3. Configure GPS radio base for cellular / internet / FTP.
- 4. Permanent Monumented Geodetic Network.

Phase II

- 5. 6-inch resolution orthophotography.
- 6. 1-foot contour interval (CI) LiDAR QL2 surface.
- 7. Building footprint collection and edge of pavement GIS features only.

The present proposal corresponds to all items referenced above. The project has been grouped into a two-phased approach to the development of the services. These tasks are interrelated and build upon one another. Phase I project tasks (1 through 4) focus on the establishing the project Coordinate Reference System (CRS). Phase II project tasks (5 through 7) utilize the established Phase I CRS and services to develop the base mapping framework (imagery, elevation and GIS feature data) to update and support COH GIS operations. Additionally, BHI will provide project management services that include progress tracking and regular communication to the City's Project Manager including bi-weekly reporting of project progress. Contractor shall furnish all materials, supervision, labor, equipment, and transportation, unless otherwise specified in this scope to complete project tasks and deliver specified products. GPS equipment and installation services will be provided by BHI's teammate—Vectors, inc. Aerial acquisition services will be provided by BHI's teammate—Vectors, inc. (AGI).

### 2 SCOPE OF WORK

The collection, production, and delivery of the products and services to be provided by the Contractor are to adhere to applicable professional standards (with footnote references and/or hyperlinks to applicable standards) for the development of surveying, GIS, digital aerial imagery and LiDAR services. A standards-based technical approach to the Phase I and II task items is provided subsequently highlighting and defining the scope of work to be performed for each of these items.

### 2.1 Update City GPS Base Coordinate Reference System (CRS).

The horizontal geodetic datum used in the United States (US) is being redefined in 2022. Most geospatial data in the US is currently referenced horizontally to the North American Datum of 1983 (NAD 83) based on the National Geodetic Survey (NGS) determination of the GRS80 ellipsoid. Similarly, elevation values for most vertical control marks are referenced to orthometric heights based the North American Vertical Datum of 1988 (NAVD 88). NGS, the Federal agency responsible for establishing,

developing, and maintaining the National Geodetic Reference System (NGRS)<sup>1</sup> is in the process of developing new reference datums that will be published in 2022.<sup>2</sup>

This task will help prepare the City for the transition to the new 2022 geodetic reference frameworks by updating the City GPS Base coordinate reference system to the newest realizations of the current published datums. Establishing the City's geospatial framework data on current datums and epochs will facilitate the transition to the 2022 framework as the NGS develops tools and procedures to accomplish these transformations. Adjusted coordinates under this task will then be based on the latest realization of the NAD83 datum (NAD 83(2011) EPOCH: 2010.0000) and the current Geoid Model (GEOID 12B). Coordinate data will be referenced to NAD 83 State plane New Mexico East FIPS 3001 Feet (EPSG:6531³) and NAVD 88 Feet (EPSG:6360³).

Surveyor will coordinate with BHI teammate Bob Green of Vectors, Inc. to provision and install new Trimble® NetR9® Ti-2 Reference Station with Zephyr and Geodetic 2 Antenna with associated equipment supplied by Vectors, Inc. The designated location and infrastructure supporting this installation site will be prepared in advance by the City as described below. Pre-field installation coordination and communication with the City via e-mail, teleconference and/or other additional means will occur prior to equipment deployment to review City prepared infrastructure for installation suitability.

The BHI team will also coordinate to relocate and install existing Trimble® NetR5® system. The designated location and infrastructure supporting this relocation site will be prepared in advance by the City. Pre-field installation conditions for the relocated NetR5® shall be like that of the NetR9®.

The City shall assume responsibility in the preparation of an appropriate site for GPS Base installation. Permanent physical preparation of the GPS base station site shall include some of the following key elements:

- compliant building penetration free of electromagnetic field interference
- on-site internet access
- uninterrupted clean power supply with information technology supported power backup and surge protection equipment
- · electrical grounding and installation of lightening arrestor
- · sealed / shielded conduit for cabling to interior space
- interior space for operation of GPS equipment

The BHI team will address questions the City may have during its infrastructure pre-work and planning stage to ensure the installation sites meet recommended conditions for both the new NetR9 and the relocated NetR5 base stations prior to physical equipment deployment. The figures below provide examples of NetR9® roof top system installations. In addition, example equipment mounting configuration is pictured below in Figure 3.

<sup>3</sup> http://www.epsg-registry.org/



<sup>&</sup>lt;sup>1</sup> David Doyle. *Development of The National Spatial Reference System.* https://www.ngs.noaa.gov/PUBS\_LIB/develop\_NSRS.html

<sup>&</sup>lt;sup>2</sup> NGS. New Datums: Replacing NAVD 88 and NAD 83 https://www.geodesy.noaa.gov/datums/newdatums/index.shtml



Figure 1. Various examples of Trimble® NetR9® base station roof-top antenna mounted installation configurations.

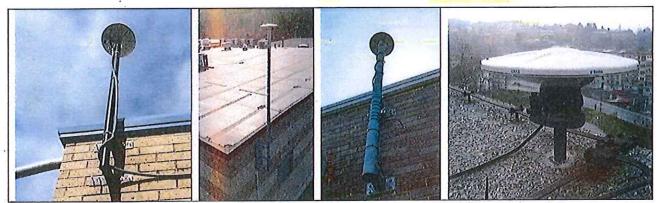


Figure 2. Additional examples of Trimble® NetR9® base station roof-top antenna mounted installation configurations.

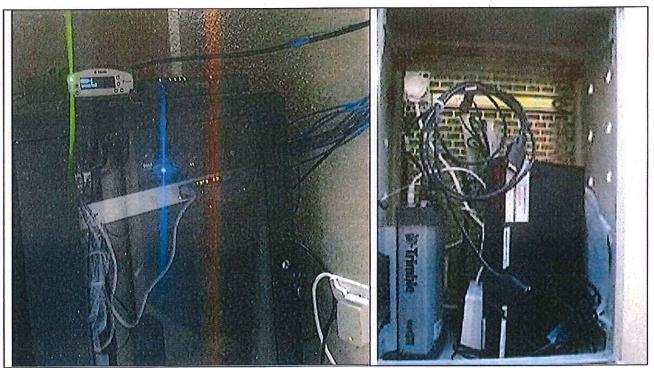


Figure 3. Examples of Trimble® NetR9® base station interior installation and cabling configurations.

The installed antenna location will form the basis for the updated City GPS Base coordinate location. Once new base station data has been collected and processed at this location as outlined in the Geodetic Network task item, base station coordinates will be derived through a network adjustment and updated to the current coordinate reference system. These coordinate values will be published in a datasheet for the NetR9® base station within the overall project survey report. Surveyor will collect site metadata (photos depicting the monument and antenna) for incorporation into survey report. Quality review for installation of the City GPS Base will include appropriate leveling and orientation of the GPS antenna.

### 2.2 GIS Feature Data Adjustment to updated CRS.

To assist in scoping the level of effort related to this task, the City has shared a working copy of its GIS feature data. BHI not only recognizes that this data is useful from a visual and count perspective, but also provides valuable indications as to data structure and organization supporting the current quote development in other task areas as well such as 2.4 (Geodetic Network). Analysis of these data reveal the following data structure by feature geometry and are understood to be approximate and for estimating purposes only.

Table 1. Feature data counts (reference only) by geometry type and number of layers for City GIS data.

| Geometry Type        | Number of Feature Layers | Feature Count |  |
|----------------------|--------------------------|---------------|--|
| 3D Multi Line String | 2                        | 47,381        |  |
| 3D Multi Polygon     | 4                        | 35            |  |
| 3D Point             | 4                        | 24,578        |  |
| Multi Line String    | 18                       | 133,178       |  |
| Multi Polygon        | 29                       | 58,952        |  |
| None                 | 3                        | 13,354        |  |
| Point                | 33                       | 95,351        |  |
|                      | Total                    | 372,829       |  |

Working with current City GIS data, BHI will develop appropriate seven parameter 3D transformation workbenches using spatial ETL (extract, transform, load) technology to perform corresponding 2D or 3D translation depending upon the source data geometry type. Execution of the transformation work benches will be performed on a per data layer or single object class applied to all features in the corresponding data layer. Data review and analysis will be performed to ensure appropriate data transformation consistent with expected results.

For quality review and ground truth verification of transformed GIS data, field survey crews shall collect well-defined features for coordinate data validation. Well-defined points<sup>4</sup> are those that can be repeatedly measured in the field at the same location with a high degree of confidence. For example, manhole centers could constitute well-defined features for this quality review task. Surveyor will coordinate with the City to mutually determine the best features in the City GIS data inventory which

<sup>4</sup> Well-defined point definition: http://www.asprs.org/a/society/committees/standards/1990\_jul\_1068-1070.pdf

could meet the definition of well-defined along with corresponding field collection guidance. BHI has allocated one field day for data collection of well-defined points. These points will be used to analyze and assess the overall coordinate data transformation of GIS data under this task.

### 2.3 Configure GPS radio base for cellular / internet / FTP.

BHI has coordinated with the City's GPS base station supplier to develop the proposal for reconfiguration (software installation) of the GPS radio base for required connectivity.

The City will be responsible for determining and provisioning adequate data storage for collected base station data files and FTP server protocol and access development according to City of Hobbs information technology policies.

The BHI team under the leadership of Bob Green will reconfigure and program both the new Trimble® NetR9® and the relocated Trimble® NetR5® GPS base station communication equipment to interface with the City's established IT network infrastructure.

Quality review for this task shall include post-configuration communications tests to ensure full operational connectivity.

### 2.4 Permanent Monumented Geodetic Network.

Permanent monuments will be distributed across the City of Hobbs Extraterritorial Zone Area of Interest (AOI) primarily as ground control in support of planned new aerial photography data acquisition. These monuments will be included in the geodetic network adjustment and subsequently with datasheets recording monument published coordinate values in the current CRS as part of the survey control report. Siting of permanent monuments will be coordinated with the City for optimal access, long term stability and use. Surveyor will coordinate with the City to locate where possible permanent control on public owned properties. At other locations within the network, where permanent control is required, BHI recommends establishing control within public road right-of-way where possible. In addition, BHI is proposing monumentation consisting of 3.5-inch custom aluminum caps (Figure 4) set on 3/4-inch by 36inch rebar for new control.

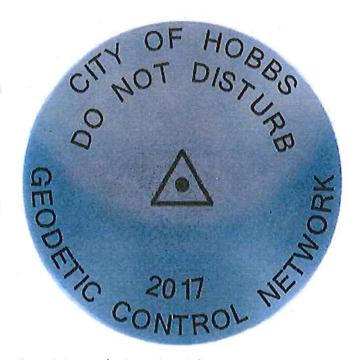


Figure 4. Proposed monument stamping.

Surveyor will process at least 24 hours of uninterrupted observation data collected by the City over the City's three-dimensional (3D) installed base stations. Base station observation data will be collected concurrent with static field observations. These collected source datasets will be used to compute

adjusted coordinates based on an NGS Online Positional Users System Projects (OPUS-Projects)<sup>5</sup> solution with long baseline ties to the national network of Continuous Operating Reference Stations (CORS) for optimal accuracy. This work will be performed by Tim Solinski—one of BHI's OPUS-Projectstrained New Mexico licensed professional surveyors.

For points within the network, BHI will use four to six receivers simultaneously for static GPS observations. Each station will have a minimum of two 4-hour sessions.

Surveyor will prepare a signed geodetic control report documenting details of the OPUS solution and processing methodology in conformance with Minimum Standards for Surveying in New Mexico.<sup>6</sup>

For quality review, the OPUS Projects adjustment results shall include independent verification of final adjusted coordinate values with other software resources. This independent verification will be included in the geodetic control report.

### 2.5 6-inch resolution orthophotography.

Digital orthophotography shall be produced for the area shown as "COH Aerial Photography Defined Project Area (DPA)" on Exhibit A. The work to be completed for this project task shall be suitable for the production of digital photogrammetric mapping meeting the specified accuracy requirements according to guidance supporting standard mapping and GIS work outlined primary by the American Society for Photogrammetry and Remote Sensing (ASPRS). Where additional standards bodies or authorities are applicable to this project, these shall be highlighted in the scope as appropriate. Orthophotography collection/production requirements are outlined in the following tables which reference specific technical aspects of the task item.

http://www.sblpes.state.nm.us/uploads/FileLinks/3a22dfad719d4b208229a6ac3d17b69c/2016 NM Min Standards Surve ying 1.pdf



<sup>&</sup>lt;sup>5</sup> https://www.ngs.noaa.gov/OPUS-Projects/OpusProjects.shtml

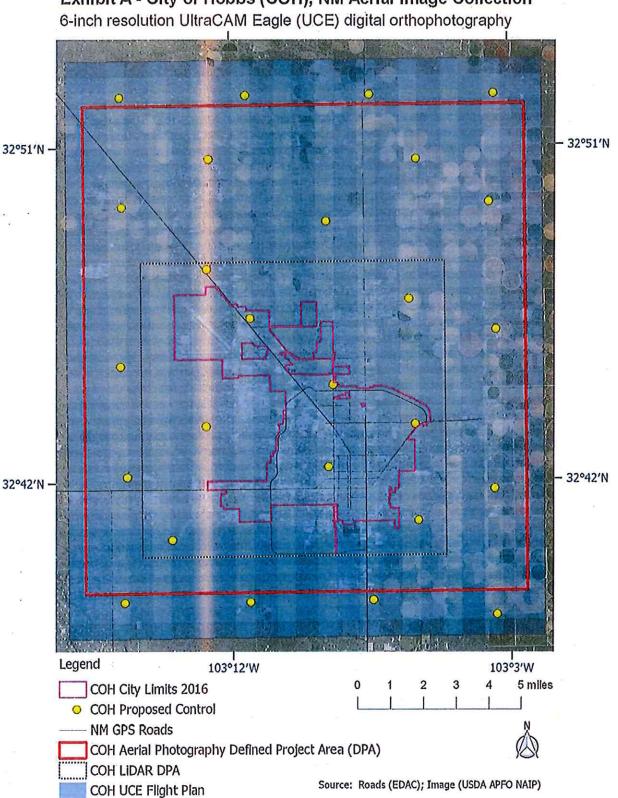


Exhibit A - City of Hobbs (COH), NM Aerial Image Collection

Figure 5. Exhibit A - City of Hobbs, NM Aerial Image Collection

| Requirement                   | Description   |  |  |
|-------------------------------|---|--|--|
| Geodetic Control              | Ground control targeting will support the absolute geometric accuracy specified in the Horizontal Accuracy Standards table. The project will be controlled using the new geodetic control network developed under Phase I of the COH project.  Check point specifications for horizontal accuracy are listed in the ASPRS Positional Accuracy Standards for Digital Geospatial Data. Project checkpoints are anticipated to be originate from validation data collected under Phase I (Task 2). |  |  |
| Projection                    | New Mexico State Plane East Zone EPSG:6531 (http://www.epsg-registry.org/)  |  |  |
| Horizontal Datum              | NAD83(2011)   |  |  |
| Vertical Datum                | NAVD88, Geoid 12B<br>https://www.ngs.noaa.gov/GEOID/  |  |  |
| Target and<br>Location Detail | Control targets are optimally located in flat areas with little or no vegetation. They are paneled as crosses with 4 foot legs that are 1-foot-wide and either painted on pavement or made from vinyl nailed to the ground when located on terrain. Each cross is centered on the control monument. New monument specifications are described above under Phase I (Task 4).   |  |  |

| Requirement   | Description   |  |  |
|---|---|--|--|
| Data Capture<br>Method: Camera<br>type and<br>acquisition<br>platform | Sensor: Vexcel UltraCam Eagle (UCE), area CCD array – 100mm lens. <a href="http://www.vexcel-imaging.com/products/ultracam-eagle/ultracam-eagle-prime-technical-specs/">http://www.vexcel-imaging.com/products/ultracam-eagle/ultracam-eagle-prime-technical-specs/</a> The UCE is equipped with Forward Motion Compensation and mounted in a GSM-3000 gyro-stabilized mount (GSM). Acquisition operations are managed in real time by Vexcel UltraNAV flight management system (FMS) ( <a href="https://www.vexcel-imaging.com/products/ultranav/">https://www.vexcel-imaging.com/products/ultranav/</a> ) which integrates GPS and IMU into one cooperative unit.  Aircraft: Cessna T310R  Flight Range: 1,300 nm  Maximum Cruise Speed: 230 kt  FAA Certified Ceiling: 25,000 ft |  |  |
| Acquisition time frame  | Spring leaf-off prior to February 28  |  |  |

| Aerial Imagery N                           | Aerial Imagery Mission Planning and Acquisition  |                         |  |  |  |
|--|--|-------------------------|--|--|--|
| Sun angle and<br>time of day of<br>capture | Imagery will be acquired during a time of day to minimize shadows due to sun angle. Target sun angle should be > 30 degrees above the horizon.  http://aa.usno.navy.mil/cgi-bin/aa_altazw.pl?form=1&body=10&year=2017&month=1&day=10&intv_mag=1_0&state=NM&place=Hobbs   |                         |  |  |  |
| Tilt                                       | Less than 3 degrees  |                         |  |  |  |
| Capture<br>Condition                       | Imagery shall be captured in leaf-off conditions with no haze, clouds, cloud shadows, fog, dust, smoke, air pollution, or snow. Ground features will be free of excessive waters due to rain or snow. Other environmental factors causing non-manmade obstruction of the ground surface will be minimal. Light conditions shall be such that images are free from smear, blur, excessive glare, or noise.  |                         |  |  |  |
|  | Altitude (ft, AGL)   | 9,466                   |  |  |  |
|  | GSD<br>CL (9/) everyone  | 15cm<br>60              | . "  |  |  |
| Flight Design<br>Parameters                | 02(70) 2101295   |                         |  |  |  |
| Parameters                                 | SL(%) average 30<br>Lines 11   |                         |  |  |  |
|  | Images   | 385                     |  |  |  |
| Forward overlap                            | 60% or greater   |                         | e .  |  |  |
| Sidelap                                    | 30% standard flight line   |                         |  |  |  |
| Airspace Access<br>Permissions             | Tunerations for overlight access as required over project all space.   |                         |  |  |  |
| Coverage                                   | No voids due to cloud cover (< 5%), instrum  | nent failui             | re, or water bodies.   |  |  |
| Airborne GPS                               | Camera position (latitude, longitude, and elevation) shall be recorded with airborne GPS. Airborne GPS data shall be differentially corrected and organized as individual datasets grouped by corresponding flight line. The horizontal root-mean-square error (RMSE) of the airborne GPS control data shall not exceed 0.2m. The vertical RMSE of the airborne GPS control shall not exceed 0.3m  |                         |  |  |  |
| IMU exterior orientation                   | Inertial Measurement Unit (IMU) is include Airborne GPS control. The RMSE of the adjusted in the control of the adjusted in the control of the adjusted in the control of t | d as a cor<br>usted IMU | nponent of the camera station  J data shall not exceed 0.3m. |  |  |

| Requirement  | Description  |  |  |
|--|--|--|--|
| Horizontal<br>Positional<br>Accuracy                       | Conforming to validation of NSSDA FGDC-STD-007 .3-1998:  https://www.fgdc.gov/standards/projects/FGDC-standards- projects/accuracy/part3/chapter3  Accuracy of 2.45 feet or better at 95% confidence Accuracy of 1.41 feet Root Mean Square Error (RMSE)   |  |  |
| Spectral<br>resolution                                     | 4-Band (R,G,B,NIR) Bands will be ordered 1-Red 2-Green 3-Blue 4-Near Infrared. All bands (R,G,B,NIR) will be captured simultaneously with the UCE and resampled to 32 bit 4-band orthophotography.   |  |  |
| Radiometric<br>esolution                                   | Unprocessed (raw) data is collected at 12 bit with the UCE. Final tiled uncompressed and compressed orthoimagery will be 8-bit unsigned per band. The original bit depth at data acquisition will remain the same throughout all image processing steps. Conversion to 8-bit occurs during the mosaic step.  |  |  |
| mage Quality,<br>Radiometric, and<br>Mosaic<br>Adjustments | <ul> <li>Histogram Clipping - Imagery will have a tonal range that prevents the clipping of highlight or shadow detail.</li> <li>Brightness - The mean pixel count shall be within ±7.5% of the middle DN value allowed for 8-bit data (min. 108, max. 147). Images should not appear too dark or too bright. Nor shall the images lose information in shadows or highlights. Shadows will not be too dark. Features in shadows areas will retain a maximum level of detail without compromising other components of the image.</li> <li>Contrast - Images shall not be faded or washed out.</li> <li>Color balancing is performed so that no color shift (one dominant color) exists within an image. Overall tonal quality will be rich and not dull. Features will exhibit their true color in a natural color composite. In a color infrared composite, dominant red/pink tones will not be present in non-infrared sensitive features.</li> <li>Seamlines - Localized adjustment of the brightness and color values are done to reduce radiometric differences between seamline join areas. Changes in color balance across the project are minimized and gradual if they exist. Seamlines are placed to avoid clipping man-made structures and be undetectable in the imagery.</li> <li>Defects - The imagery shall not contain defects such as out-of-focus, blurs, whorls, color blemish, or pixel corruption.</li> <li>Artifacts - Image data shall be free of artifacts and blemishes that obscure ground feature detail. Feature warp or misalignment, smearing, double image and stretching we not be present in the image. Distortions of elevated surfaces at bridges and interchanges shall be corrected or removed.</li> <li>Noise - Image data shall be free of noise caused by camera sensor abnormalities.</li> </ul> |  |  |

| Orthophotography Data Processing and Product Development   |  |  |  |  |
|--|--|--|--|--|
| Orthorectification<br>method and<br>elevation datasets   | A rigorous orthorectification model in combination with a newly acquired LiDAR surface model will be used to orthorectify image frames. Project areas not covered by LiDAR, will use elevation data developed from source digital aerial photography. The most nadir part of every image will be used in the mosaicking process to minimize radial distortion. Elevation data will be transformed to the identical project coordinate system (including Geiod 12b adjustment) to perfect vertical distortion rectification.  Orthorectification parameters: Bicubic interpolation and resampling processes |  |  |  |
| 3  | shall be employed to preserve image quality and absolute accuracy. Sampling of the surface model shall be 8 foot or better to preserve absolute.   |  |  |  |
| Image Tiling Existing City of Hobbs Tile Grid or modified Tile Grid to accommodate deproject area (DPA). |  |  |  |  |
| Image Mosaics, Formats and   | GeoTIFF tiles, 4-band – Uncompressed GeoTIFF Format Specification  |  |  |  |
| Compression  | ECW mosaics – Compressed, 3-band or 4-band, 15:1 optimal ratio, transparency band and/or no data area, MG2, MG3.   |  |  |  |
| *  | Deliverables will include file and project level metadata consistent with the Federal Geographic Data Committee's Content Standard for Digital Geospatial Metadata FGDC. <a href="http://www.fgdc.gov/metadata/csdgm">http://www.fgdc.gov/metadata/csdgm</a> Metadata development will be guided and validated with USGS Metadata Parser ( <a href="https://geology.usgs.gov/tools/metadata/tools/doc/mp.html">https://geology.usgs.gov/tools/metadata/tools/doc/mp.html</a> )   |  |  |  |
|  | Metadata will include all processing steps and software used. Compiled RMSE and at 95% will be reported. Additional items addressed in the metadata:   |  |  |  |
| Metadata   | <ul> <li>Aircraft type and tail number</li> <li>Average flying/acquisition height (AGL)</li> <li>Camera manufacturer and model</li> <li>Camera calibration process</li> <li>Camera footprint description</li> <li>Raw capture pixel resolution and bit depth</li> <li>Final pixel resolution of product</li> </ul>   |  |  |  |
|  | <ul> <li>Total bands of data acquired and spectral ranges (μm)</li> <li>Use of ground control and/or GPS/IMU and associated internal validation or inspection processes</li> <li>Elevation data used and detail</li> <li>Quality control – Tests for accuracy</li> </ul>   |  |  |  |
|  | Metadata documentation will consist of a single separate file per product delivery type in extensible markup language (.xml) format.   |  |  |  |

### 2.6 1-foot contour interval (CI) LiDAR QL2 surface.

Light detection and ranging (LiDAR) data shall be produced for the area shown as "COH LiDAR Defined Project Area (DPA)" on Exhibit B. The work to be completed for this project task shall be suitable for the production of LiDAR derived products (e.g., bare earth surface and 1-foot CI contours). Bare earth surface data will also support orthorectification of imagery collected in task above. LiDAR collection and data processing requirements will be guided according to specifications outlined primary by the US Geological Survey, National Geospatial Program, Lidar Base Specification Version 1.2 (Revised November 12, 2014). Where additional standards bodies or authorities are applicable to this project task, these shall be highlighted in the scope as appropriate. LiDAR collection/production requirements are outlined in the following tables which reference specific technical aspects of the task item.

# Exhibit B - City of Hobbs (COH), NM LiDAR Collection QL2 2 Points Per Square Meter - Optech Orion H300 LiDAR

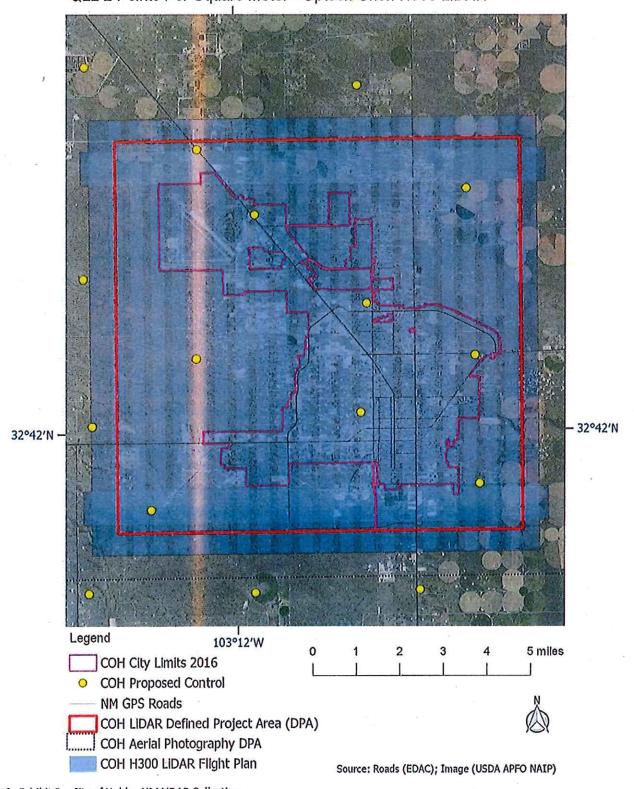


Figure 6. Exhibit B - City of Hobbs, NM LiDAR Collection

| Requirement   | 4 2 -  |                | Description  |  |
|---|--|----------------|--|--|
| Raw Point Cloud<br>Requirements   | Requirements  allow unique timestamps for each return. Intensity values shall retain native radiometric resolution. The signal strength (intensity) of each return pulse shall be recorded.  |                |  |  |
|   | The LiDAR system shall be configured to collect multiple returns per pulse, with a minimum of a first return and a last return and at least one additional intermediate return (minimum of 3 returns). All returns captured during acquisition shall be delivered. Return number shall be recorded. Data Voids within a single swath are not acceptable, except: |                |  |  |
| Signal Returns  | where caused by water bodies.  |                |  |  |
|   | <ul> <li>where caused by areas of low near infra-red (NIR) reflectivity such as asphalt or composition<br/>roofing.</li> </ul>   |                |  |  |
| N   | where appropriately filled-in by another swath.  |                |  |  |
| 0   | USGS Lil<br>B4.pdf   | DAR Base S     | pecification v1.2; <a href="https://pubs.usgs.gov/tm/11b4/pdf/tm11">https://pubs.usgs.gov/tm/11b4/pdf/tm11</a> |  |
|   |  | Table 6. M     | inimum classified point cloud classification scheme.   |  |
| - ·   |  |                | inimum classified point cloud classification scheme.   |  |
| Elevation   |  | Table 6. M     | inimum classified point cloud classification scheme.  Description  |  |
| Development   |  |                |  |  |
| Development<br>Specification and  |  | Code           | Description  |  |
| Development<br>Specification and<br>Classification                        |  | Code           | Description  Processed, but unclassified.  |  |
| Development Specification and Classification                              |  | Code 1         | Description  Processed, but unclassified.  Bare earth.   |  |
| Elevation<br>Development<br>Specification and<br>Classification<br>Levels |  | Cod e  1 2 7   | Description  Processed, but unclassified.  Bare earth.  Low noise.   |  |
| Development<br>Specification and<br>Classification                        |  | Cod e  1 2 7 9 | Processed, but unclassified.  Bare earth.  Low noise.  Water.  |  |

|   |  | No. of the last of |  |  |    |
|---|--|--|--|--|----|
| LIDAR Data Collecti   | ion and Product Develo   | on and Product Development   |  |  |    |
| 8   | https://www.fgdc.gov<br>projects/accuracy/par<br>and USGS LiDAR Base<br>Table 2. Relative vert                                 | Conforming to validation of NSSDA FGDC-STD-007 .3-1998: <a href="https://www.fgdc.gov/standards/projects/FGDC-standards-projects/accuracy/part3/chapter3">https://www.fgdc.gov/standards/projects/FGDC-standards-projects/accuracy/part3/chapter3</a> und USGS LiDAR Base Specification v1.2 Positional Accuracy Validation on page 7  Table 2. Relative vertical accuracy for lidar-swath data, Quality Level 0-Quality Level 3.  [cm, centimeter: RMSD <sub>2</sub> , root mean square difference in z; \( \leq \) less than or equal to; \( \pm \), plus or minus]  |  |  |    |
| Positional<br>Accuracy  | Quality Level (QL)   | Smooth surface repeatability (cm)  | Swath overlap difference, RMSD <sub>Z</sub> (cm) | Swath overlap<br>difference, maximum<br>(cm) |    |
| ,   | QL0  | ≤3   | ≤4 '   | <b>≐8</b>                                    |    |
| 1 0   | QL1  | ≤6   | ≤8   | 4:16   |    |
|   | QL2  | ≤6   | _≤8  | ±16  |    |
| *   | . QL3  | ≤12  | ≤16  | 1.32   |    |
| Project checkpoints are anticipated to be originate from validation under Phase I (Task 2) in coordination with City project manager.  Collection Density Greater than or equal to 2 points per square meter. |  |  | ect manager.                                     |  |    |
|   | Flight Parameter QL2   |  | QL2  | 1  |    |
|   | Altitude (ft, AGL)   |  | 6,726  |  |    |
|   | Speed(kts) max   | e de la companya del companya de la companya del companya de la co | 115  |  | ±: |
|   | PRF(kHz)   | 1  | 175  |  |    |
|   | PIA (Pulses in air)  | 9 5 5 1  | 3  | t u  |    |
| W. 1204   | Laser Power  |  | High   | 9<br>9<br>9                                  |    |
| Acquisition   | Lines  |  | 23   |  |    |
| Specifications for 1.0 contour  | Scan Freq(Hz)  |  | 42.1   | 1  |    |
| interval  | Scan Angle (Full)  |  | 34   | 2  |    |
|   | PPM^2  | 0  | 2.02   |  |    |
|   | Cross Track Res (n   | n)   | 0.7  | ]  |    |
|   | Down Track Res (n  | 1)   | 0.7  |  |    |
|   | LiDAR Sidelap %  |  | 30   |  |    |
|   | LiDAR Swath Widt   | h (m)  | 1,254  | J  |    |
| Hydro Flattening<br>Enforcement<br>Requirements   | The City is not requiring Hydro-Flattening or Hydro-Enforcement services for project but may proceed with these in the future. |  |  | ces for this                                 |    |

### LIDAR Data Collection and Product Development

Deliverables will include file and project level metadata consistent with the Federal Geographic Data Committee's Content Standard for Digital Geospatial Metadata FGDC. <a href="http://www.fgdc.gov/metadata/csdgm">http://www.fgdc.gov/metadata/csdgm</a> Metadata development will be guided and validated with USGS Metadata Parser (<a href="https://geology.usgs.gov/tools/metadata/tools/doc/mp.html">https://geology.usgs.gov/tools/metadata/tools/doc/mp.html</a>)

Metadata will include all processing steps and software used. Compiled RMSE and at 95% will be reported, Additional items addressed in the metadata:

- Aircraft type and tail number
- Average flying/acquisition height (AGL)
- LiDAR Sensor manufacturer and model
- LiDAR calibration process
- Point cloud capture density and returns description
- Point cloud classification routines
- Break line processing
- Use of ground control and/or GPS/IMU and associated internal validation or inspection processes
- Elevation data used and detail
- Quality control Tests for accuracy

### Metadata

### 2.7 Building footprint collection and edge of pavement GIS features.

Building footprint and edge of pavement planimetric GIS feature data shall be produced over the City of Hobbs City Limits. The work to be completed for this project task shall constitute a comprehensive geometry update of two existing polygon GIS feature classes: Buildings, and Streets (edge of pavement). Requirements are outlined in the following tables which reference specific technical aspects of the task item.

| OPTIONAL: Buildh | PTIONAL: Building Footprint Update  |  |  |  |  |
|------------------|---|--|--|--|--|
| Requirement      |   | Description  |  |  |  |
|                  | Update of added, modified, and delete includes current City limits.   | ed building footprint polygons within the LiDAR DPA which  |  |  |  |
| Updated Building | The building footprint update will provide polygon shape files derived from heads-up digitizing.  |  |  |  |  |
| Polygons         |   | The footprints will be compiled from targeted differences between existing footprint data and  |  |  |  |
| * ,              | current project orthophotography and LiDAR surface elevation data. All buildings will be updated to receive 3D geometry from point cloud source(s). New building footprint geometry will be collected for newly added and/or modified footprints adhering to the collection guidance below:                   |  |  |  |  |
|                  | Building Collection Criteria  | Criteria Value   |  |  |  |
|                  | Minimum Building Size   | >= 120 sq. ft.   |  |  |  |
|                  | Indentations and/or protrusions (Arms)  | >= 2.5 ft.   |  |  |  |
| <b>X</b> 2       | Building Extent   | Perimeter  |  |  |  |
|                  | Building Delineation  | At "drip line"   |  |  |  |
|                  | Feature Placement Method  | by Point and by Rotated Rectangle  |  |  |  |
|                  | No. Polygons per Building   | 1  |  |  |  |
| Data Collection  | Hole / Courtyard Collection   | >= 120 sq. ft.   |  |  |  |
| Criteria         | Temporary Structure / Porch   | Not Required   |  |  |  |
| · ·              | Orthogonal angle  | Enforced by Feature Construction Aid   |  |  |  |
|                  | Building Lean Correction  | Not Required   |  |  |  |
|                  | Source Image Resolution (GSD) / Scale   | 0.5 ft. / 1"=100'  |  |  |  |
| - 1              | 3D Data Source  | Point cloud (2018 LiDAR / photography source)  |  |  |  |
| *                | 3D Attribution Methodology  | Statistically determined from intersection of 3D source (2018 LiDAR / photography source) at drip line.  |  |  |  |
| Metadata         | Deliverables will include project level metadata consistent with the FGDC Content Standard for <a href="Digital Metadata">Digital Metadata</a> . A complete description of the developed 2018 building footprint data layer will be developed in xml format and validated with the USGS metadata parser (mp). |  |  |  |  |
| Attribution      | although, other than elevation, newly appropriate null values for attributes.   | oud source. Features will be delivered in City schema<br>developed footprint features will be populated with<br>Modified footprints may retain existing non-geometry<br>ing status feature-level metadata related to add/removed |  |  |  |

| OPTIONAL: Edge of Pavement Update                |   |   |  |
|--|---|---|--|
| Requirement                                      | VI S  | Description   |  |
| Updated Edge of<br>Pavement (Street)<br>Polygons | areas of the City Permit Area.  The edge of pavement update will provand/or semi-automated feature detect Existing street area feature class data was geometry may be replaced to be visual orthophotography and/or LiDAR intens to receive 3D geometry from point closinclude associated transportation feature. | vide polygons within the aerial imagery and LiDAR coverage vide polygon shape files derived from heads-up digitizing tion from 2018 LiDAR and/or orthophotography source. Will serve as a criteria guide to new data collection. Existing the coincident to edge of pavement detected in sity imagery. Edge of pavement polygons will be updated and source(s). Edge of pavement update collection will not the such as parking lot, pad, driveway, curb, shoulder, rement will adhere to the following collection guidance:  |  |
| Data Collection<br>Criteria                      | Edge of Pavement Collection Criteria Definition  Capture Intersections  Extent Delineation Feature Placement Method Logical Consistency  Connectivity  Hole Collection  3D Data Source 3D Attribution Methodology   | Criteria Value Identifiable route typically paved to allow easy travel between two or more places All area features located inside project boundary Area features that intersect at the same grade are not required to be split at intersections Full extent of the roadway surface Area feature at ground level by Point All edge of pavement features must logically continue over any bridges. Road components are collected to be continuous if continuity can be interpreted from imagery. Any road may be collected to ensure connectivity and/or completeness of the transportation network. Edge of pavement features exclude medians and other built-up traffic islands which will be cut out as holes in the area feature collection. Point cloud (2018 LiDAR / photography source) Statistically determined from intersection of 3D source (2018 LiDAR / photography source) at feature geometry with analysis for spike/well detection, removal, and smoothing. |  |
| Metadata   | Digital Metadata. A complete descript   | netadata consistent with the <u>FGDC Content Standard for</u> ion of the developed 2018 edge of pavement data layer slidated with the USGS metadata parser ( <u>mp</u> ).   |  |
| Attribution                                      | Features will be delivered in existing City schema with appropriate null values for attributes. BHI will track source information feature-level metadata related to primary collection source.  |   |  |

### 2.8 Additional Impervious surface, drainage and vegetation GIS features.

Under the following option additional GIS features related to impervious surface, drainage and vegetation GIS feature datasets. Specific GIS features will include all parking lots, driveways, sidewalks, flowlines representing drainage flow paths and vegetation (tree) polygons. Curb features will be excluded from the collection of additional impervious surface data collection.

| OPTIONAL: Parking lot Update    |   |   |  |  |
|---------------------------------|---|---|--|--|
| Requirement                     | Description   |   |  |  |
| Updated Parking<br>Lot Polygons | Update of all parking lot polygon area features within the aerial imagery and LiDAR coverage areas of the City Permit Area.  The parking lot update will provide polygon shape files derived from heads-up digitizing and/or semi-automated feature detection from 2018 LiDAR and/or orthophotography source. Existing COH feature class data will serve as a criteria guide to new data collection. Existing geometry may be replaced to be visually coincident to other collected impervious surface GIS features |   |  |  |
|                                 | and/or edge of pavement collected in the street option above. Parking lot polygons will be updated to receive 3D geometry from point cloud source(s). Parking lot collection will adhere to the following collection guidance:  |   |  |  |
|                                 | Edge of Pavement Collection Criteria  | Criteria Value  |  |  |
| ,                               | Definition Capture  | An area divided into individual spaces, intended for the parking of motor vehicles. All parking lot area features including commercial, industrial, multi-family located inside project boundary  |  |  |
|                                 | Extent  | Full extent of the park lot surface   |  |  |
|                                 | Delineation   | Area feature at ground level  |  |  |
| Data Callantian                 | Feature Placement Method  | by Point  |  |  |
| Data Collection<br>Criteria     | Logical Consistency  Hole Collection  | Parking lot area features will have coincident geometry with other transportation features (ex. Street/Road (edge of pavement), etc.) Parking lot features exclude medians and other built-up traffic islands which will be cut out as holes in the |  |  |
|                                 | 3D Data Source  | area feature collection. Point cloud (2018 LiDAR / photography source)  |  |  |
| 59-                             | 3D Attribution Methodology  | Statistically determined from intersection of 3D source (2018 LiDAR / photography source) at feature geometry with analysis for spike/well detection, removal, and smoothing.   |  |  |
| Metadata                        | Deliverables will include project level metadata consistent with the FGDC Content Standard for Digital Metadata. A complete description of the developed 2018 Parking Lot data layer will be developed in xml format and validated with the USGS metadata parser (mp).  |   |  |  |
| Attribution                     |   | City schema with appropriate null values for attributes. BH<br>evel metadata related to primary collection source.  |  |  |

| OPTIONAL: Driveway Update    |   |  |
|------------------------------|---|--|
| Requirement                  |   | Description  |
| Updated Driveway<br>Polygons | Update of all driveway polygon area features within the aerial imagery and LiDAR coverage areas of the City Permit Area.  The parking lot update will provide polygon shape files derived from heads-up digitizing and/or semi-automated feature detection from 2018 LiDAR and/or orthophotography source. Existing COH feature class data will serve as a criteria guide to new data collection. Existing geometry may be replaced to be visually coincident to other collected impervious surface GIS features and/or edge of pavement collected in the street option above. Driveway polygons will be updated to receive 3D geometry from point cloud source(s). Driveway collection will adhere to the following collection guidance: |  |
| Data Collection<br>Criteria  | Edge of Pavement Collection Criteria Definition  Capture  Extent Delineation Feature Placement Method Logical Consistency  3D Data Source 3D Attribution Methodology  | Criteria Value A private road leading from a street to a building, house, gargage, etc. All driveway area features located inside project boundary Full extent of the driveway surface Area feature at ground level by Point Driveway area features will have coincident geometry with other transportation features (ex. Street/Road (edge of pavement), Parking Lot, etc.) where they intersect. Point cloud (2018 LiDAR / photography source) Statistically determined from intersection of 3D source (2018 LiDAR / photography source) at feature geometry with analysis for spike/well detection, |
| Metadata                     | Deliverables will include project level metadata consistent with the <u>FGDC Content Standard for Digital Metadata</u> . A complete description of the developed 2018 Driveway data layer will be developed in xml format and validated with the USGS metadata parser ( <u>mp</u> ).  |  |
| Attribution                  | Features will be delivered in existing City schema with appropriate null values for attributes. BHI will track source information feature-level metadata related to primary collection source.  |  |

| OPTIONAL: Sidewa             | alk Update   |  |  |
|------------------------------|--|--|--|
| Requirement                  |  | Description  |  |
| Updated Sidewalk<br>Polygons | Update of all Sidewalk polygon area features within the aerial imagery and LiDAR coverage areas of the City Permit Area.  The sidewalk lot update will provide polygon shape files derived from heads-up digitizing and/or semi-automated feature detection from 2018 LiDAR and/or orthophotography source. Existing COH feature class data will serve as a criteria guide to new data collection. Trails and/or foot paths will not collected in the sidewalk feature update. Existing geometry may be replaced to be visually coincident to other collected impervious surface GIS features and/or edge of pavement collected in the street option above. Sidewalk polygons will be updated to receive 3D geometry from point cloud source(s). Driveway collection will adhere to the following collection guidance: |  |  |
| 20<br>4                      | Edge of Pavement Collection Criteria Definition Capture  | Criteria Value A constructed walkway located at the side of a street or road. All sidewalk area features located inside project boundary   |  |
| Data Collection              | Extent Delineation Feature Placement Method  | Full extent of the sidewalk surface Area feature at ground level by Point  |  |
| Criteria                     | Logical Consistency  3D Data Source 3D Attribution Methodology   | Sidewalk area features will have coincident geometry with other transportation features (ex. Street/Road (edge of pavement), Parking Lot, Driveway, etc.) where they may intersect one another.  Point cloud (2018 LiDAR / photography source)  Statistically determined from intersection of 3D |  |
|                              |  | source (2018 LiDAR / photography source) at feature geometry with analysis for spike/well detection, removal, and smoothing.   |  |
| Metadata                     | Deliverables will include project level metadata consistent with the <u>FGDC Content Standard for Digital Metadata</u> . A complete description of the developed 2018 Sidewalk data layer will be developed in xml format and validated with the USGS metadata parser ( <u>mp</u> ).   |  |  |
| Attribution                  | Features will be delivered in existing City schema with appropriate null values for attributes. BHI will track source information feature-level metadata related to primary collection source.   |  |  |

| OPTIONAL: Flowline Update     |  |  |  |
|-------------------------------|--|--|--|
| Requirement                   | Description  |  |  |
| Updated Drainage<br>Flowlines | Update of drainage network flowline/flow path line features within the aerial imagery and LiDAR coverage areas of the City Permit Area.  The flowline drainage network dataset will produce single-line hydro feature (stream) line shape files derived from semi-automated feature detection from 2018 LiDAR and/or orthophotography source. Elevation model data will guide high density hydro feature new data collection. Storm drainage within the urban areas may not be represented by surface drainage ways, delineated as part of the naturally elevation modeled watershed. Geometry may be replaced to be visually coincident to flowlines derived from different elevation source data (i.e. LiDAR vs. imagery). |  |  |

| Data Collection /<br>Enforcement<br>Criteria | <ul> <li>Monotonicity: vertices along single-line streams will be at or below the previous vertex in downstream flow.</li> <li>Culvert data: the City will supply point data representing known or existing culvert locations for network enforcement. Contractor with correlate these data to other hydro flowline sources.</li> <li>Cutlines: All cutlines used to modify the surface are to be delivered as an ESRI shapefile (PolylineZ or PolygonZ as appropriate to the type of feature represented).</li> <li>Smoothing: Vector line generalization will be applied to smooth the drainage network.</li> </ul> |  |
|--|---|--|
| Metadata                                     | Deliverables will include project level metadata consistent with the <u>FGDC Content Standard for Digital Metadata</u> . A complete description of the developed 2018 Flowline data layer will be developed in xml format and validated with the USGS metadata parser ( <u>mp</u> ).  |  |
| Attribution                                  | Features will be delivered in existing City schema with appropriate null values for attributes. BHI will track source information feature-level metadata related to primary collection source. Stream ordering attribution will be added to allow for hierarchical display of network detail.   |  |

| Requirement                                  | Description   |
|--|---|
| Updated                                      | Update of vegetation (tree) polygon area features within the aerial imagery and LiDAR coverage areas of the City Permit Area.  The vegetation polygon dataset will produce area (tree) feature polygon shape files derived from   |
| Vegetation (Tree)<br>Polygons                | semi-automated feature detection from 2018 LiDAR and/or orthophotography source. Point cloud data will guide extraction of vegetation tree polygons. Over LiDAR areas first and last return point differencing will assist in deriving polygons combined with potential four band (including infrared (IR)) image analysis over the project boundary.                               |
| Data Collection /<br>Enforcement<br>Criteria | <ul> <li>Polygon Representation: Vegetation area features may represent single trees and or aggregates of multiple trees where canopies make individual trees indistinguishable.</li> <li>Extraction Criteria: Vegetation area features will be extracted to full extent of the feature above ground level for canopy data discernible from LiDAR and/or Imagery source.</li> </ul> |
| Metadata                                     | Deliverables will include project level metadata consistent with the <u>FGDC Content Standard for Digital Metadata</u> . A complete description of the developed 2018 Vegetation (tree) data layer will be developed in xml format and validated with the USGS metadata parser (mp).  |
| Attribution                                  | Features will be delivered in existing City schema with appropriate null values for attributes. BHI will track source information feature-level metadata related to primary collection source.  |

#### 2.9 2-foot Contours.

Under the following option 2-foot contours will be developed over areas outside of the LiDAR 1-foot contour area of interest.

| Requirement                 | Description  |
|-----------------------------|--|
| •                           | Develop 2-foot contour polyline Z line within the aerial imagery DPA and outside of the LiDAR coverage areas of the City Permit Area.  |
| 2-foot Contours             | The 2-foot contour dataset will produce contours at a 2-foot contour interval (CI). Data assessment will be performed using well defined vertical features over this area to assess the vertical accuracy of the surface model used in the derivation of the 2-foot contours.              |
| Data Collection<br>Criteria | <ul> <li>Surface model: Contour features will be derived from bare-earth surface model data<br/>developed from aerial photography with 6-inch ground sample distance (GSD) resolution.</li> </ul>  |
| Metadata                    | Deliverables will include project level metadata consistent with the <u>FGDC Content Standard for Digital Metadata</u> . A complete description of the developed 2018 2-foot contour data layer will be developed in xml format and validated with the USGS metadata parser ( <u>mp</u> ). |
| Attribution                 | Features will be delivered with attribution consistent with 1-foot contours developed over LiDAR DPA.  |

# 2.10 Additional Control - One Point for Every Section.

Under the following option, additional control monuments will be set and observed within the geodetic network established in the permanent geodetic network as described above. Monumentation will adhere to the same standards described above. Geospatial intersection analysis of the sections and the City Limits boundaries was performed to identify all sections where control had not already been planned. A total of four points (in four sections) were already planned within the City Limits. After excluding these four sections, the remaining sections were filtered further to identify those sections where a minimum of 20 acres of City Limits existed within the section. This analysis yielded a total of 37 sections in the City Limits which would require an additional control monument under this option. Exhibit C provides a graphic depiction of the both the initial planned control and sections requiring additional control under this option. As with the initial control planning, additional control would be planned in coordination with the City to place where possible additional control on existing Government property or existing road right-of-way.

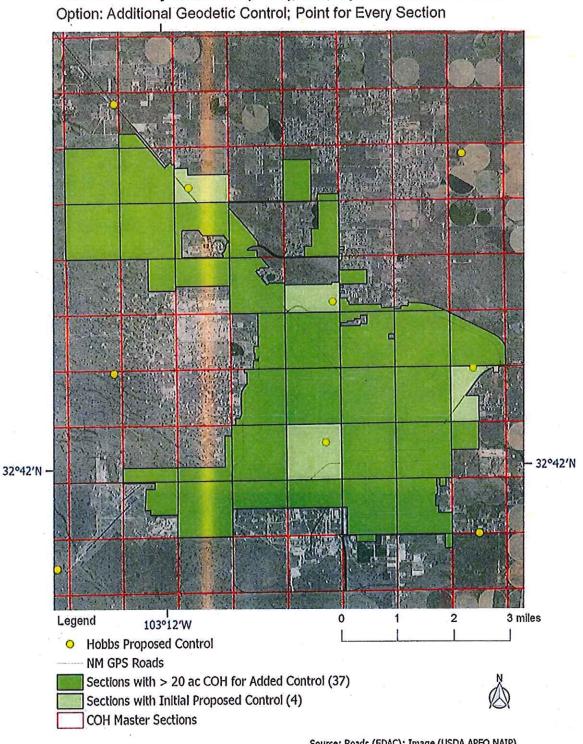


Exhibit C - City of Hobbs (COH), NM; Option: Added Control

Source: Roads (EDAC); Image (USDA APFO NAIP)

Figure 7. Exhibit C - City of Hobbs, NM Option: Added Control

# **3 QUALITY REVIEW**

Data validation will be performed during feature collection and prior to delivery. Independent review controls will be instituted throughout production to ensure quality data development with completeness and logical consistency across the project. Tests will be performed to validate data and ensure proper representation. Specific validation procedures will be applied at the task level as described above.

### 4 DELIVERABLES

All GIS data will be delivered in the updated project coordinate reference system (CRS) in digital format on electronic media. Contractor will provide all deliverables in ESRI Geodatabase format per City provided feature schema requirements.

Project deliverables will include:

| No. | Deliverable  | Content   | Format   | Scheme    | Phase  |
|-----|--|---|--|-----------|--------|
| 1   | New Base Station<br>Instali                                  | Trimble® NetR9® Ti-2 Reference     Station with Zephyr and Geodetic 2     Antenna     Relocated NetR5® system | At City-prepared sites   | Project   |        |
| 2   | COH Existing GIS<br>Adjusted to updated<br>CRS               | Existing GIS features translated and verified with field survey validation points                             | ESRI Geodatabase (.gdb)  | Project   | 1      |
| 3   | Configure GPS radio<br>base for cellular /<br>internet / FTP | Configuration and testing of GPS     Base Station Operations  | Operations Manual (online)   | Project   | 1      |
| 4   | Survey Report  | 1.Control Survey Report   | Minimum Standards for Surveying In New Mexico (pdf)                                | · Project | 1      |
| 5   | Control and Validation points                                | 1.Survey Control  | ESRI Geodatabase<br>Comma Separated Value (CSV)                                    | Project   |        |
| 6   | Orthophotography   | 1.State Plane Raster (WKID=6531)  | GeoTiFF 4-band     ECW Compressed Mosaics  | COH Tile  | 11     |
| 7   | Classified Point Cloud                                       | 1.State Plane Classified LiDAR point cloud (WKID=6531)  | 1.LAS v1.2   | COH Tile  | II     |
| 8   | Surface  | 1. Bare-earth LIDAR DEM (2.0 ft. GSD)   | 1.GeoTIFF (.tif) 32 bit FLOAT and<br>ESRI Grid (ASCII), ESRI Raster<br>Geodatabase | COH Tile  | II     |
|     |  | 2.1.0-foot Contours   | 2.ESRI SHP format with elevation and index attribution                             | COH Tile  |        |
|     |  | 3. Orthorectification surface (only outside H300 DPA)   | 3.GeoTiFF (.tif) 32 bit FLOAT and<br>ESRI Grid (ASCII), ESRI Raster<br>Geodatabase | COH Tile  |        |
| 9   | Metadata   | COH LIDAR/Ortho Project Metadata     FGDC Compliant   | 1.FGDC (xml)   | Product   | 1 & II |
| 10  | Collection Report  | 1.LiDAR and Aerial Collection Plans     2.Flight Line     3.Flight Swath/Footprints                           | 1.ESRI Geodalabase and ESRI<br>SHP   | Project . | l      |

| No. | Deliverable                                       | Content   | Format  | Scheme   | Phase  |
|-----|---|---|---|----------|--------|
| 11  | Processing Report                                 | BHI LIDAR Classification Approach<br>and Methodology – Orthorectification<br>Methodology      | 1.Document (pdf)  | Project. | i .    |
| 12  | QA/QC Reports                                     | 1.Accuracy Assessments     2.Geodetic Network Validation     3.Feature Translation Assessment | FGDC NSSDA Horizontal and<br>Vertical Worksheets (xis)     Document (pdf) | Project  | 1811   |
| 13  | Descriptive file list documenting delivered files | ReadMe file describing deliverable contents   | 1.ASCII (IXI)   | Project  | 1811   |
| 14  | Deliverable Media                                 | 1.USB Hard Drive  | 1.LaCie (2-4TB)   | Project  | 181    |
| 15  | Option: Building<br>Footprint Update              | 3D Polygons for added, modified, deleted building footprints                                  | 1.ESRI FGDB with status attribute   | Project  | 11     |
| 16  | Option: Edge of Pavement Update                   | 3D Polygons for edge of payment features  | 1,ESRI FGDB with source attribute   | Project  | II ·   |
| 17  | Option: Parking Lot<br>Update                     | 1. 3D Polygons for parking lot features   | 1.ESRI FGDB with source attribute   | Project  | II     |
| 18  | Option: Driveway<br>Update                        | 1. 3D Polygons for driveway features  | 1.ESRI FGDB with source attribute   | Project  | 1I<br> |
| 19  | Option: Sidewalk<br>Update                        | 1. 3D Polygons for sidewalk features  | 1.ESRI FGDB with source attribute   | Project  | 11     |
| 20  | Option: Flowline<br>Update                        | 3D hydro stream flowlines for natural watershed drainage features                             | ESRI FGDB with source attribute   | Project  | 11     |
| 21  | Option: Additional<br>Control One per<br>Section  | 1.Control Survey Report   | Minimum Standards for Surveying in New Mexico (pdf)                       | Project  | t      |

## 5 SCHEDULE

The overall project schedule will fit within a 6-month window from notice to proceed.

# 6 PRICING

The table below presents the project cost estimate by task item. Pricing information presented below does not include applicable NM state tax. Aerial acquisition cost estimate assumes aircraft mobilization from Las Cruces, NM performed in conjunction with another BHI 2018 project. Optional products and associated pricing are shown in a separate table.

# Phase 1:

# TASK 1 - 4: Currently under contract

| Task  | Description  | Total Price   |
|---|--|---|
| Update City GPS<br>Base Coordinate<br>Reference System<br>(CRS) | Install new NetR9 system (price includes equipment) Relocate existing NetR5 system   | \$22,351  |
| GIS Feature Data<br>Adjustment to<br>updated CRS                | Existing feature translation based on updated CRS  | \$16,641  |
| Configure GPS<br>radio base for<br>cellular / internet /<br>FTP | Configure base station connectivity and operational functionality of cellular, internet, and FTP communications. (price includes Vectors, Inc. configuration support)            | \$10,841  |
| Permanent<br>Monumented<br>Geodetic Network                     | Establish new control network to support aerial mapping over the City ETZ with control monuments adjusted to national reference frame with updated CRS.                          | \$25,572  |
|   | Update City GPS Base Coordinate Reference System (CRS)  GIS Feature Data Adjustment to updated CRS  Configure GPS radio base for cellular / internet / FTP  Permanent Monumented | Update City GPS Base Coordinate Reference System (CRS)  GIS Feature Data Adjustment to updated CRS  Configure GPS radio base for cellular / internet / FTP  Communications. (price includes equipment) Relocate existing NetR5 system  Existing feature translation based on updated CRS  Configure base station connectivity and operational functionality of cellular, internet, and FTP communications. (price includes Vectors, Inc. cónfiguration support)  Permanent Monumented  Install new NetR9 system (price includes equipment) Relocate existing NetR5 system  Relocate existing NetR5 system  CRS  Configure based on updated CRS  Configure base station connectivity and operational functionality of cellular, internet, and FTP communications. (price includes Vectors, Inc. cónfiguration support)  Establish new control network to support aerial mapping over the City ETZ with control monuments adjusted to |

#### Phase 2

Table 3. Pricing Table Phase II Base Scope of Work Task 5 & 6

| No. | Task   | Description   | Total Price |
|-----|--|---|-------------|
| 5   | 6-inch resolution orthophotography                   | ~200 square miles (UCE Digital Aerial Photography)<br>6-inch pixel resolution                           | \$31,103.00 |
| 6   | 1-foot contour<br>interval (CI) LiDAR<br>QL2 surface | ~86 square miles (H300 LiDAR) QL2 (> or = to 2 points per square meter; 1.0' contour interval accuracy) | \$51,258.00 |
|     |  | Total Pricing:  | \$82,361.00 |

Table 4. Pricing Table Optional Products

| No. | Task                                  | Total Area   | Total Price |
|-----|---------------------------------------|--|-------------|
| 7   | Optional Building<br>Footprint Update | ~86 square miles<br>building footprint polygon update  | \$23,623    |
| 8   | Optional Edge of pavement Update      | *200 square miles<br>edge of pavement polygon update   | \$21,025    |
| 9   | Optional Parking<br>Lot Update        | ~200 square miles<br>parking lot polygon update        | \$15,748    |
| 10  | Optional Driveway<br>Update           | ^200 square miles<br>driveway polygon update           | \$28,618    |
| 11  | Optional Sidewalk<br>Update           | 200 square miles<br>sidewalk polygon update            | \$17,752    |
| 12  | Optional Flowline Update              | ~200 square miles flowline / flow path drainage update | \$16,030    |

| No. | Task   | Total Area   | Total Price  |
|-----|--|--|--------------|
| 13  | Optional Vegetation (Tree) Update                          | ~200 square miles vegetation (tree) polygon update   | \$15,184     |
| 14  | Optional 2-foot<br>Contours                                | ~120 square miles<br>2.0' contour interval data from UCE 6-inch pixel<br>resolution                | \$16,684     |
| 15  | Optional Additional Control - One Point for Every Section. | Additional control monuments (37)  One point per City Limits section added to the geodetic network | \$33,459     |
|     |  | Total Optional Pricing:  | \$100,123.00 |

# Phase 2

| Task 5<br>Task 6 | \$31,103<br>\$51,258 |
|------------------|----------------------|
| Option 7         | \$23,623             |
| Option 9         | \$15,748             |
| Option 14        | \$16,684             |
| Option 15        | \$33,459             |

Total Phase 2 w/ Option: \$171,875 (not including GRT)



### Vectors, Inc.

P: 303-283-0343 10670 E. Bethany Drive, Bldg 4 Aurora, CO 80014

# **Estimate**

| Date      | Estimate # |
|-----------|------------|
| 8/30/2017 | 9348       |

City of Hobbs
Finance Department
Accounts Payable
200 E. Broadway St.
Hobbs, New Mexico 88240

Terms Rep P.O.
Net 30 ABQ

| Item     | Description   | Qty | Cost      | Total      |
|----------|---|-----|-----------|------------|
| 97502-10 | NetR9 Ti-2 Reference Station with Zephyr<br>Geodetic 2 Antenna *** (List \$19,000.00)<br>67668-20NetR9 Ti-2 Receiver Assembly<br>97501-99NetR9 Accessory kit                  | 1/  | 17,100.00 | 17,100.001 |
|          | consisting of<br>78650PWR SUP,65W,19V,3.42A,100-240VAC<br>78651Power Cord kit - Cords for USA, EU, UK,<br>AUS with C7 Connector<br>50150-00Cable, 2m, Ethernet, 10BaseT Cat 5 |     |           |            |
|          | 59044Cable - 1.5m, DB9(F) Y to 05/7P/M to<br>Power Jack<br>19309D9 serial Cable<br>11517Cable - BNC M / BNC M   |     |           |            |
|          | 51010-00Notice for charging Battery<br>27953Screw(qty 1)<br>41124Tripod clip<br>50854Reseatable Baggie<br>74399-00CABLE USB MINI-B PLUG HOST TO A                             |     | , er      |            |
|          | JACK<br>74404-00CABLE USB MINI-B PLUG HOST TO<br>MINI-B PLUG  |     |           | •          |
| /        | 74406-00CABLE USB MINI-B PLUG HOST TO B PLUG 74408-00CABLE USB MINI-B PLUG TO A PLUG 58295-00Trimble Zephyr Geodetic 2 Antenna with integrated Radome, w/ 30m ant. Cable      |     |           |            |

Thank you for the opportunity to earn your business!

| Subtotal         |  |
|------------------|--|
| Sales Tax (0.0%) |  |
| Total            |  |

Accept as Purchase Order:

Page 1



#### Vectors, Inc.

P: 303-283-0343 10670 E. Bethany Drive, Bldg 4 Aurora, CO 80014

# **Estimate**

| Date      | Estimate # |
|-----------|------------|
| 8/30/2017 | 9348       |

City of Hobbs Finance Department Accounts Payable 200 E. Broadway St. Hobbs, New Mexico 88240

Terms Rep P.O.
Net 30 ABQ

| ltem         | Description  | Qıy | Cost     | Total     |
|--------------|--|-----|----------|-----------|
| installation | Programming and Product Training List price<br>\$2040.00 | /1  | 1,836.00 | 1,836.00T |
|              |  |     | • 5      |           |
|              |  |     |          |           |
|              |  |     |          |           |
|              |  |     |          |           |
|              |  |     |          |           |
| •            |  |     |          |           |
| . /          |  |     |          |           |
|              | 6  |     |          |           |

Thank you for the opportunity to earn your business!

| Subtotal      |        | \$18,936.00 |
|---------------|--------|-------------|
| <br>Sales Tax | (0.0%) | \$0.00      |
| Total         | \$1    | 8,936.00    |

| Accept as Purchase Order:   |  |
|-----------------------------|--|
| recept as i ordinate order. |  |

Page 2

| AMENDMENT OF SOLICITATION/MO  | DIFICATION C   | F CONTRAC  | т  | 1.Contract ID Cod   | le                            | Page of Pages<br>1   2  |
|---|--|--|--|---|-------------------------------|---|
| Amendment/Modification No.  | Application of the second  | ive Date:<br>9, 2017   | 4. Requisition/P   | urchase Req. No.  | 5. Projec                     | t No. (If Applicable) CORPORATE                               |
| General Service Administra<br>GSA, MANAGEMENT SERVICES C<br>400 15TH ST, SW RM 2757 (   | CTR  |  |  | ninistered By: (if Oth<br>GSA/FAS/QV0CE<br>401 WEST PEAC<br>ATLANTA, GA | HTREE                         | ST  |
| B. Name and Address of Contractor (No. Stree  | et, County, State a  | nd Zip Code)   |  | 9A Amendment o  | f Soliciati                   | on No:  |
| BOHANNAN-HUSTON, INC.<br>7500 JEFFERSON ST NE   | ****<br>**   |  |  | 9B. Dated (See Ite  | em 11)                        |   |
| ALBUQUERQUE, NM 871094385   |  |  | х  | 10A. Modification  GS00F000  10B. Dated (See I Nov 19,                  | 1Y                            | act/Order No.   |
| Code  | Facility Code  | **   |  |   |                               |   |
|   |  | PI IES TO A  | MENDMENTS O  | F SOLICITATION  | NS.                           |   |
| The above numbered solicitation is am date specified for receipt of Offers  |  |  |  | is extended   |                               | is not extended.  |
| Offerors must acknowledge receipt of this amend<br>(a) By completing items 8 and 15, and returning copies of the ame<br>reference to the solicitation and amendment numbers. FAILURE<br>DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OF<br>elegram or letter makes reference to the solicitation and this ame | nendment; (b) By acknow<br>OF YOUR ACKNOWLED<br>FER. If by virtue of this ar | ledging receipt of this<br>DGEMENT TO BE RE<br>nendment you desire | amendment on each copy o<br>CEIVED AT THE PLACE DI<br>to change an offer already s | f the offer submitted; or (c) B<br>ESIGNATED FOR THE REC                | y separate let<br>EIPT OF OFF | ler or telegram which includes a<br>ERS PRIOR TO THE HOUR AND |
| 12. ACCOUNTING AND APPROPRIATION DAT  |  |  |  |   |                               |   |
|   |  |  | FICATIONS OF CON   |   |                               |   |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT<br>IN ITEM 10A.   |  |  |  |   | DER NO.                       |   |
| B. THE ABOVE NUMBERED CONTRACT/ORDER  |  |  |  | changes in paying office, ap  | propriation da                | la, etc.) SET FORTH IN  |
| C. THIS SUPPLEMENTAL AGREEMENT IS ENTER   |  |  |  | 1   |                               |   |
| X D. OTHER (Specify type of modification and authori  | w): See Block  | 13 Notes.  | • •  |   |                               |   |
| E. IMPORTANT: Contractor: is not  | X is   | require  | d to sign this document and  | return, copies to the iss   | uing office.                  |   |
| 14. DESCRIPTION OF MODIFICATION (Organized by UCF sect  | ion headings,including so  | licitation/contract sub)   | ect matter where feasible.)  |   |                               |   |
| In accordance with clause (Evergreen), this contract 2022, Option Period 2. The to this option period. The  | is hereby pricing in   | extended in  | from November<br>supplemental  | : 19, 2017 <mark>th</mark><br>. modification                            | rough 1<br>n PS-0             | November 18,<br>034 applies                                   |
| In accordance with clause will adversely impact the this modification should k  | customers<br>be directed   | ability to   | o use your se<br>cting Special   | ervices. Ques   | tions :                       | regarding   |
| 15A. NAME AND TITLE OF SIGNER (Type or Print)   | ·  |  |  | RACTING OFFICER (Type o   | r Print)                      |   |
| GSA Initiated Mod   |  |  |  |   |                               |   |
| ALL CONTRACTORIOTECTOR  | 15C, DATE SIGNED   |  | erla E. Lee  | 2Δ  |                               | 16C, DATE SIGNED  |
| Signature Not Required  | INO, DATE SIGNED   |  | gned electroni   | 30.00<br>   | above                         | Nov 17, 2017  |
| Signature Not Required Signature of person authorized to sign)  |  |  | re of Contracting Officer)   | Dec o   | ~~~~                          | 200 21, 2011  |

## Block 13 Notes

Block 13.D:

I-FSS-163 OPTION TO EXTEND THE TERM OF THE CONTRACT (EVERGREEN) (APR 2000)



COMMISSION STAFF SUMMARY FORM

| MEETING DATE: January 2, 2018  |
|--|
| Municipal Code 8.28.040, Smoking in City-Owned, City Operated  |
| City Attorney  |
|  |
| cipal Code 8.28.040. The amendment clarifies the ordinance to include any electronic vapor device. Further, the amendment 16-13, NMSA, 1978 amended) prohibiting smoking, "within twenty entilation systems of all City owned, operated and/or leased at the same penalties as the corresponding state statute (24-16-18, Ordinance amendment has been appropriately published and opproval. |
|  |
| roposed ordinance amendment  |
| Reviewed By: Finance Department  |
|  |
|  |
| oproved As To Form:City Attorney   |
| ould approve the amended ordinance.  |
| CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN  Resolution No Continued To: Ordinance No Referred To: Approved Denied Other File No   |
|  |

#### ORDINANCE NO. 1108

# AN ORDINANCE AMENDING CHAPTER 8.28.040 OF THE HOBBS MUNICIPAL CODE – SMOKING IN CITY-OWNED, CITY-OPERATED AND CITY-LEASED BUILDINGS

WHEREAS, THE City Commission finds and declares that the smoking of tobacco, or any other weed or plant, including electronic vaping devices is a positive danger to health and a health hazard to those who are present in enclosed places and in areas in the close vicinity of entrances, windows and ventilation systems of cityowned buildings;

WHEREAS, the City Commission desires to amend its current smoking ordinance to include electronic vaping and similar devices;

WHEREAS, it is the City Commission's desire to protect the public health of its employees and citizens by amending its smoking ordinance to include electronic vaping devices in the smoking ordinance.

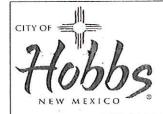
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Chapter 8.28.040 of the Hobbs Municipal Code is hereby amended to read as follows:

8.28.040 - Smoking in City-owned, City-operated and City-leased buildings

- A. Definitions. For the purpose of this chapter, the following words or phrases shall have the meanings respectively ascribed to them by this section:
  - 1. "City-owned building" means the interior area of any building owned, operated, or leased by the City including, but not limited to hallway, lounge, restroom and entryway airlock areas, in which the City employees occupy all or any portion of the building.
  - 2. "Smoke" or "smoking" means the carrying or holding of a lighted pipe, cigar or, cigarette of any kind, any electronic vapor device or any other lighted smoking equipment or the lighting or emitting or exhaling the

|            | smoke <u>or vapor</u> of a pipe, cigar <del>or</del> , cigarette of any kind, <u>or any elect</u> |
|------------|---|
|            | vapor device  |
| B.         | Smoking Prohibited.   |
|            | 1. It is unlawful for any person to smoke in any City-owned buildi                                |
|            | any time.   |
|            | 2. Smoking is prohibited within twenty (20) feet of all entrances,                                |
|            | windows and ventilation systems of all City-owned, buildings at any t                             |
| C.         | No Smoking Signs. On all entrances to City-owned buildings, or in a                               |
|            | position where the sign is clearly visible upon entry into a City-owned                           |
|            | building, the City shall conspicuously post a sign using the words "no                            |
| _          | smoking or vaping" or the international no smoking symbol, or both.                               |
| <u>D.</u>  | Penalties. A person eighteen years of age or older who violates a                                 |
|            | provision of this chapter is subject to:  |
|            | 1. A fine not to exceed one hundred dollars (\$100.00) for the firs                               |
|            | violation of this chapter;  |
|            | 2. A fine not to exceed two-hundred dollars (\$200.00) for the sec                                |
|            | violation of this chapter within any consecutive twelve-month period of first violation; and      |
|            | 3. A fine not to exceed five hundred dollars (\$500.00) for the third                             |
|            | each subsequent violation of this chapter within any consecutive twe                              |
|            | month period of a previous violation.   |
|            | monar period of a provious violation.   |
|            |   |
|            |   |
| PASSED, A  | DOPTED AND APPROVED this 2nd day of January, 2018.  |
|            |   |
|            | CAM D. COPP. Mayor  |
|            | SAM D. COBB, Mayor  |
| ATTEST:    | -   |
|            |   |
| TANLET ETC | NUED Oit Old  |
| JAN FLETC  | CHER, City Clerk  |
|            |   |
|            |   |

.



COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2,2018

SUBJECT: AN ORDINANCE REPEALING AND ENACTING A NEW SECTION 2.04.120 - SALARY OF THE MAYOR, MAYOR PRO-TEM AND COMMISSIONERS

DEPT. OF ORIGIN: Legal Department DATE SUBMITTED: December 21, 2017

Michael H. Stone, City Attorney SUBMITTED BY:

#### Summary:

Pursuant to City of Hobbs Charter 8-1, the salary of the Mayor, Mayor Pro-Tem and the City Commissioners shall be determined by Ordinance. The salary for the Mayor has not been adjusted since 2001 and the salary for the City Commissioners has not been adjusted since 1989. The salary for the Mayor has been \$18,000.00 per year for the past seventeen years. The salary for City Commissioners has been \$4,800.00 per year for the last twenty-eight years. This proposed new Ordinance increases the salary of the Mayor to \$26,000.00 per year and the Hobbs City Commissioners to \$12,000.00 per year, subject to the prohibition against current elected officials receiving an increase in salary during their current terms of office. Ordinance will become effective upon final approval by the City Commission; however, the increase in salary will not be effective during the current terms of office for each of the elected officials. A newly elected Mayor shall receive the increase upon his/her qualification in March 2020, or upon the qualification of a newly appointed Mayor after July 1, 2018. Newly-elected Commissioners from Districts 2, 4, 5 and 6 shall receive the increase beginning July 1, 2018, to ensure appropriate budgeting considerations. The increase for Commissioners in District 1 and 3 will not occur until the newly-elected Commissioners in those two districts are qualified in March 2020, or until a newly appointed Commissioner is qualified after July 1, 2018. The salary of the Mayor Pro-Tem shall continue to be the same as a Commissioner's salary. The current Ordinance shall be repealed in its entirety and a new section 2.04.120 shall be enacted as described herein. This proposed Ordinance has been published and comes before the commission for final approval,

#### Fiscal Impact:

There will be no fiscal impact during the 2018 fiscal year. Beginning July 1, 2018 there will be an increase in salary for Commissioners in Districts 2, 4, 5 and 6 of \$600.00 per month, per Commissioner. Beginning March 2020, there will be an increase in salary for Commissioners in Districts 1 and 3 of \$600.00 per month, per Commissioner. Beginning March 2020, there will be an increase in salary for the Mayor of approximately \$667.00 per month.

Reviewed By: Finance Department

Attachments:

Proposed new Ordinance History of pay for City Commissioners

Legal Review:

Approved As To Form: City Attorney

Recommendation: The Commission should approve the repealed and new Ordinance.

|   | Approved For Submittal By: |
|---|----------------------------|
|   | Hash Stre                  |
|   | Department Director        |
|   | 11/2                       |
| _ | City Manager               |

# CITY CLERK'S USE ONLY COMMISSION ACTION TAKEN

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

| ORDINANCE NO. | 1109 |  |
|---------------|------|--|
|---------------|------|--|

# AN ORDINANCE REPEALING AND ENACTING A NEW SECTION 2.04.120 OF THE HOBBS MUNICIPAL CODE - SALARY OF MAYOR, MAYOR PRO-TEM AND CITY COMMISSIONERS

WHEREAS, Hobbs City Commissioners' salary has been \$4,800.00 per year since 1989;

WHEREAS, the Mayor's salary has been \$18,000.00 per year since 2001.

WHEREAS, the City of Hobbs Charter, Chapter 8-1, requires the salary of the Mayor and City Commissioners to be determined by Ordinance;

WHEREAS, the City desires to increase the Mayor's salary to \$26,000.00 and the City Commissioner's salary to \$12,000.00 per year as described herein;

WHEREAS, because the New Mexico Constitution prohibits a Mayor or a Commissioner's compensation from being increased or diminished during that person's term of office, the change in compensation shall not be effective until the next term of each elected official.

WHEREAS, the effective date for the salary increase for the Mayor shall be upon the qualification of a newly elected Mayor in March 2020, or until a newly appointed Mayor is qualified after July 1, 2018;

WHEREAS, the effective date for the salary increase for Commissioners in Districts 2, 4, 5 and 6 shall be July 1, 2018 to ensure appropriate budgeting considerations;

WHEREAS, the effective date for the salary increase for Commissioners in Districts 1 and 3 shall be when newly elected Commissioners are qualified in March 2020, or until a newly appointed Commissioner is qualified after July 1, 2018;

WHEREAS, the salary of the Mayor Pro-Tem shall be the same as a Commissioner's salary as determined in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that Section 2.04.120 of the Hobbs Municipal Code is hereby repealed and enacted as follows:

2.04.120 Salary of Mayor, Mayor Pro-Tem and Commissioners.

Commencing upon the qualification of a newly elected Mayor in March 2020, or upon a newly appointed Mayor being qualified after July 1, 2018, shall receive as salary \$26,000.00 per year. Commencing July 1, 2018, City Commissioners in Districts 2, 4, 5 and 6 shall receive as salary \$12,000.00 per year. Commencing March 2020, upon qualification of newly-elected City Commissioners in Districts 1 and 3, or until a newly appointed commissioner is qualified after July 1, 2018, shall receive as salary \$12,000.00 per year. The current Mayor in his current term shall continue to receive as salary \$18,000.00 per year. Current Commissioners, in their current terms, shall continue to receive as salary \$4,800.00 per year. The salary for the Mayor Pro-Tem shall be the same as the salary of a Commissioner as herein described.

PASSED, ADOPTED AND APPROVED this 2nd day of January, 2018.

| ·    | SAM D. COBB, Mayor |
|------|--------------------|
| EST: |                    |
|      |                    |



City Manager

# CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

| TODOS<br>NEW MEXICO  | MEETING DATE: <u>Jan</u>   | uary 2, 2018  |
|--|--|---|
| SUBJECT: AN ORDINANCE AMENDING THE SALARY OF THE MUNICIPAL JUD   |  | BS MUNICIPAL CODE – INCREASING  |
| DEPT. OF ORIGIN: Legal Department DATE SUBMITTED: December 21, 2017 SUBMITTED BY: Michael H. Stone, C  |  | - v · · · · · · · · · · · · · · · · · ·   |
| Summary:   | 6  |   |
| This proposed amended Ordinance increyear (\$1,155.00 per week) to \$72,722.00 position was in 2009. The salary in 2009 year. The amended Ordinance shall be esalary increase will not be effective until Jay not occur during the term in which he considerations. This matter has been put | per year (\$1,398.50 per wwas \$48.000.00 per year ffective upon final approvuly 1, 2018 to ensure a sayshe is serving and to en | and was increased to \$60,060.00 per ral by the City Commission; however, the alary increase for the Municipal Judge sure appropriate budgeting |
| Fiscal Impact:   |  |   |
| There will be no fiscal impact during the increase in the Municipal Judge's salary of  | of \$243.50 per week.<br>Reviewed By:  | nning July 1, 2018 there will be an nance Department  |
| Attachments:   |  | , s   |
| Proposed amended Ordinance   |  | 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9   |
| Legal Review:  | pproved As To Form:  | City Attorney   |
| Recommendation: The Commission sho   | uld approve the amended  | Ordinance.  |
| Approved For Submittal By:   | COMM   | CLERK'S USE ONLY<br>ISSION ACTION TAKEN   |
| Department Director  | Resolution No<br>Ordinance No  | Continued To:   |
| 1 2  | Approved   | Denied  |

ORDINANCE NO. \_\_\_1110

# AN ORDINANCE AMENDING SECTION 2.12.030 A. OF THE HOBBS MUNICIPAL CODE - SALARY OF MUNICIPAL JUDGE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS,

NEW MEXICO that 2.12.030 is hereby amended as follows:

#### 2.12.030 Salary - Duties - Administration - Training.

A. Commencing July 1, 2018, the salary of the Municipal Judge shall be increased to one-thousand one hundred fifty-five dollars (\$1.155.00) one thousand thirteen hundred ninety eight dollars and fifty cents (\$1,398.50) per week for fifty-two weeks per year, payable in twenty-six (26) payments to coincide with the payroll dates of the City. No payment shall be made when the Municipal Judge is not available and is failing to render services in violation of the anti-donation provision of the New Mexico Constitution except for the twenty (20) days per year of paid time off set forth in Section 2.12.040.

PASSED, ADOPTED AND APPROVED this 2nd day of January, 2018.

|                         | SAM D. COBB, Mayor |
|-------------------------|--------------------|
| TEST:                   |                    |
| AN FLETCHER, City Clerk |                    |



COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2, 2018

SUBJECT: Final Consideration and Adoption of an Amendment to Section 6.04.090

of the Hobbs Municipal Code DEPT. OF ORIGIN: HAAC

DATE SUBMITTED: 12/20/2017

SUBMITTED BY: Britt Lusk, Administrative Services Director

#### Summary:

This amendment was approved for publication and publicized. Section 6.04.090 discusses impounding animals. The changes recommended deal specifically with the reclaim of an impounded animal. The current ordinance requires a reclaim fee be paid to reclaim the animal. We are proposing that the reclaim fee be removed and give citizens an option to pay for a hobby breeders permit to reclaim their unsterilized pet or enter into a sterilization contract to have their pet spayed or neutered. This will both simplify and make clearer the reclaim process while leading to less pets running at large.

| Fiscal Impact:  | Reviewed By:   |                           |
|---|--|---------------------------|
| ·   | Commence of the Commence of th | Finance Department        |
| Total reclaim fees in 2017 are \$12,146.00. current activity. | The changes proposed would h   | ave minimal impact on the |
|   |  |                           |
| Attachments:  |  | •                         |
| Proposed changes to section 6.04.090 of                       | the Hobbs Municipal Code   |                           |
|   |  |                           |
| Legal Review:   | Approved As To Form:   | Milea M. Stere            |
|   | , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,  | City Attorney             |
|   |  |                           |
|   |  |                           |
|   |  |                           |
| Recommendation:   |  |                           |
|   |  |                           |

Staff recommends to publish the proposed changes to section 6.04.090

| Approved For Submittal By:        |  | CITY CLERK'S USE ONLY<br>DMMISSION ACTION TAKEN | 2 |
|-----------------------------------|--|---|---|
| Department Director  City Manager | Resolution No<br>Ordinance No<br>Approved<br>Other |   |   |

#### ORDINANCE NO. \_\_\_1111

# AN ORDINANCE AMENDING SECTION 6.04.090 OF THE HOBBS MUNICIPAL CODE RELATED TO THE IMPOUNDING OF ANIMALS

WHEREAS, Section 6.04.090 of the Hobbs Municipal Code currently discusses impounding of animals; and

WHEREAS, the current Section 6.04.090(E), has resulted in broad and often contradictory interpretations that often lead to confusion by animal owners and City staff alike; and

WHEREAS, the changes to Section 6.04.090(E), affords a simpler interpretation by eliminating the "reclaim fee" associated with the reclaiming of an animal from the Hobbs Animal Adoption Center (HAAC) by the owner; and

WHEREAS, the changes to Section 6.04.090(E), provides for two options for an owner that seeks to reclaim an animal from the HAAC, which are clearly articulated in the changes; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 6.04.090 of the Hobbs Municipal Code is hereby amended as follows:

6.04.090 - Impounding animals.

- A. An Animal Protection Officer may take up and impound in any designated animal protection facility stray animals or livestock or any animal or livestock kept or maintained contrary to the requirements of this code.
- B. The animal shall be confined in accordance with the City's regulations.
- C. The owner shall be responsible for all impound fees, boarding fees and other costs whether or not the animal is reclaimed.
- D. Reclaim of animal and payment of fees or presentment of valid permit does not waive prosecution for violations under this chapter.
- E. The owner shall be required to pay a reclaim fee to reclaim any unsterilized dog or eatabide by one of the following in order to reclaim any unsterilized dog or cat-:
  - An unsterilized dog or cat reclaimed by its owner shall be released without assessment of reclaim fee upon presentment of a valid hobby breeder permit plus payment of impound fees, boarding fees and other costs imposed by the City-, or

- 2. Reclaim fee shall be reduced by fifty (50) percent, but shall not be less than one hundred dollars (\$100.00) for first time reclaim of an animal. This reduced fee is per household per calendar year. An unsterilized dog or cat reclaimed by its owner shall be released upon entering into a sterilization contract and payment of the sterilization fee plus payment of impound fees boarding fees and other costs imposed by the City.
- 3. Reclaim fee will be waived for the second reclaim of a specific dog or cat within one (1) calendar year. Full reclaim fee will be charged for third and subsequent reclaim.
- 43. Reclaim Sterilization fee will be refunded to the owner of any dog or cat that is sterilized by a licensed veterinarian, other than the veterinarian contracted with the City, within thirty (30) days after release. To obtain a refund the owner must provide a written certificate from athe licensed veterinarian stating the animal has been neutered or spayed containing sufficient description to match reclaimed animal.
- Owner may pay sterilization fee in lieu of reclaim fee to have dog or cat spay or neutered by City prior to release.
- 65. Canine hybrid will not be released unsterilized.
- 76. Owner must provide proof that they possess a current City license (or proof of non-residency) and rabies vaccination for the animal.
- F. A sterilized dog with current rabies vaccination, current City license, and a microchip may be reclaimed without owner being cited for running at large once each calendar year. Owner shall be responsible for impound and boarding fees.
- G. Any animal which is not reclaimed becomes the property of the City and may be placed for adoption or humanely destroyed in accordance with City's policy and procedures.
- H. The Animal Protection Department may require inspection of enclosures for livestock prior to reclaim.
- The City Manager is hereby authorized to place for adoption unclaimed livestock that has been impounded by the City and to execute adoption papers to the purchaser at the end of a ten-day waiting period.
  - Adoption of large livestock may be done after submitting a sealed bid to the Animal Protection Department.
  - 2. Adoption of small livestock may be done after paying an adoption fee to the Animal Protection Department.
- J. The Supervisor shall maintain, for a reasonable period of time or as required by law, a record of all animals impounded. At least the following information shall be included:
  - 1. Complete description and picture of the animal;
  - Manner and date of its acquisition;

- 3. Date, manner, and place of impoundment;
- 4. Impoundment number;
- 5. Date, manner, and description of final disposition
- K. Owner relinquishing an animal shall be required to complete an owner's release at the time of impoundment.
- L. An Animal Protection Officer may take possession of a stray animal not wearing a current rabies tag, if required, who is deemed critically injured or critically ill for euthanizing. A report must be filed with the City Manager.
- M. Whenever the City Manager finds that any animal is or will be without adequate care because of injury, illness, incarceration or other absence of the owner or person responsible for the care of such animal, the City Manager may take up such animal for protective care. The owner of the animal may reclaim the animal after paying all required fees and costs imposed by the City. If the animal is unclaimed at the end of the protective custody period, the animal will become the property of the City and may be placed for adoption, be humanely destroyed or otherwise disposed of by the City.

**State Law reference**— Sterilization agreement and sterilization deposit required, NMSA 1978, § 77-1-20 (1993).

| PASSED, ADOPTED AND APPROV | VED this <u>2<sup>nd</sup></u> day of <u>January</u> , 2018. |
|----------------------------|--|
|                            | SAM D. COBB, Mayor   |
| ATTEST:                    |  |
| JAN FLETCHER, City Clerk   | -  |



COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2, 2018

| NEW MEXICO  | WILE TING DATE   |
|---|--|
| SUBJECT: Final Co   | onsideration and Adoption of an Amendment to Section 6.04.110 cipal Code   |
| DEPT. OF ORIGIN:  | HAAC   |
| DATE SUBMITTED:   | 12/20/2017   |
| SUBMITTED BY:   | Britt Lusk, Administrative Services Director   |
| 6.04.110 include the protection facilities. relinquishment form; associated with intake surrender of an unward. | approved for publication and was publicized. Proposed changes to section addition of a section C to discuss surrendering an animal to the City animal. The addition includes the owner shall be required to sign an owner and the owner shall be required to pay a surrender fee to offset the cost and vaccination of the animal. This addition also includes an option for the nted litter in which the owner has the option to pay for the sterilization of the lieu of the surrender fee of each animal in the litter. |
| There currently are noted and the HAAC absorbers the intake.  | o guidelines to surrendering an animal to the Hobbs Animal Adoption Center os all cost incurred during the intake process. A fee will help with the cost of  |
| Fiscal Impact:  | Reviewed By:   |
| riscar iiripaci.  | Figance Department   |
| The proposed ordinance  | e would increase a surrender fee in the approximate amount of \$25.00 per animal.<br>2017 are as follows:  |
| Intakes 6472<br>Surrenders 1321   |  |
| \$7.00 for vaccinations a   | ate cost associated with intake process is:<br>nd deworming  |
| \$10.00 to board<br>Average length of stay t  | or each animal is 25 days.   |
| Attachments:  |  |
| Proposed changes to   | section 6.04.110 of the Hobbs Municipal Code   |
| Legal Review:   | Approved As To Form: City Attorney   |
|   |  |

#### Recommendation:

Staff recommends publishing proposed changes to municipal code 6.04.110

| Approved For Submittal By:        |  | TY CLERK'S USE ONLY<br>IMISSION ACTION TAKEN       |
|-----------------------------------|--|--|
| Department Director  City Manager | Resolution No<br>Ordinance No<br>Approved<br>Other | Continued To:<br>Referred To:<br>Denied<br>File No |

#### ORDINANCE NO. 1112

## AN ORDINANCE AMENDING SECTION 6.04.110 OF THE HOBBS MUNICIPAL CODE RELATED TO THE RETENTION OF STRAYS OR OWNER SURRENDERED ANIMALS

WHEREAS, Section 6.04.110 of the Hobbs Municipal Code currently discusses the retention of strays or owner surrendered animals; and

WHEREAS, the current Section 6.04.110, did not provide procedures for surrendering an animal to the Hobbs Animal Adoption Center (HAAC); and

WHEREAS, the changes to Section 6.04.110, outlines procedures for surrendering an animal to the HAAC by the owner; and

WHEREAS, the changes to Section 6.04.110, implements a surrender fee to offset the cost associated with intake and vaccination of the animal; and

WHEREAS, the changes to Section 6.04.110, provides an option to owners that may surrender a litter of animals to have the mother of the litter sterilized in lieu of a surrender fee.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 6.04.110 of the Hobbs Municipal Code is hereby amended as follows:

6.04.110 - Retention of strays or owner-surrendered animals.

- A. No person shall, without the knowledge and consent of the owner, hold or retain possession of any animal for more than twenty-four hours without first reporting the possession of the animal to the Animal Protection Department.
  - 1. The report shall contain the person's name and address, a true and complete statement of the circumstances under which he took up the animal, and the precise location where the animal is confined.
  - 2. No person having such an animal in his possession shall refuse to immediately surrender the animal to an Animal Protection Officer upon demand.
- B. Duly incorporated humane societies or the rescue arms of accredited dog and cat clubs or horse organizations capable of providing proper confinement, shelter, and care for stray, lost or owner-surrendered animals shall be allowed to assume the care of such animals.

- 1. The owner of a stray animal wearing a rabies tag or other form of identification shall be notified that the animal has been impounded.
- 2. If the owner is not located within three (3) working days the society may assume responsibility for finding the animal a new home.
- C. The owner of an animal may surrender the animal to the City animal protection facilities provided:
  - 1. The owner shall be required to sign an owner relinquishment form; and
  - 2. The owner shall be required to pay a surrender fee to offset the cost associated with intake and vaccination of the animal; or
  - 3. In the event the owner is requesting to surrender an unwanted litter, the owner may surrender the litter, have the mother of the litter sterilized, and pay the sterilization fee in lieu of paying the surrender fee for each animal in the litter.

| PASSED, ADOPTED AND APPROVED | this <u><b>2</b><sup>nd</sup></u> day of <u><b>January</b></u> , 2018 |
|------------------------------|---|
|                              |   |
|                              |   |
|                              | SAM D. COBB, Mayor  |
|                              |   |
| ATTEST:                      |   |
|                              |   |
| JAN FLETCHER, City Clerk     |   |



COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 2, 2018

SUBJECT: Final Consideration and Adoption of an Amendment to Section 6.04.170 of the Hobbs Municipal Code DEPT. OF ORIGIN: HAAC DATE SUBMITTED: 12/20/2017 SUBMITTED BY: Britt Lusk, Administrative Services Director Summary: This amendment was approved for publication and publicized. Section 6.04.170 of the municipal code contains the reduced cost of spay and neuter programs. As outlined in this section to qualify for the low cost program a person must meet one of the following criteria: 1. Elderly (70 or more years of age) or 2. Disabled (qualify for social security disability income); or 3. Low income (eligible for LIHEAP). We would like to expand this to include Persons 65 or older and Persons that meet the Federal Poverty Level (FPL) as determined by the Department of Health and Human Services (HHS). Low cost spay and neuter programs help decrease the dog and cat overpopulation and humane euthanasia. Our number of intakes has increased, but the number of intakes from within the City of Hobbs has decreased showing that our programs are beginning to have a positive impact in the community. Expanding the eligibility of the low cost program will help reach more citizens and continue to have a positive effect in our community. Reviewed By: Fiscal Impact: Finance Department The changes proposed would have a minimal impact on the current activity. Anticipated reduction in fees average approximately 25% (per spay/neuter) decrease for persons 65 or older, disabled persons, or persons that meet the federal poverty level. The HAAC currently provides for persons 70 or older, disabled persons, and low income persons. Attachments: Proposed changes to 6.04.170 Legal Review: Approved As To Form:

Recommendation:

Staff recommends publishing the proposed changes to municipal code 6.04.170.

| Approved For Submittal By:        | CITY CLERK'S USE ONLY<br>COMMISSION ACTION TAKEN   |  |
|-----------------------------------|--|--|
| Department Director  City Manager | Resolution No<br>Ordinance No<br>Approved<br>Other |  |

#### ORDINANCE NO. 1113

# AN ORDINANCE AMENDING SECTION 6.04.170 OF THE HOBBS MUNICIPAL CODE RELATED REDUCED COST SPAY AND NEUTER PROGRAM

WHEREAS, Section 6.04.170 of the Hobbs Municipal Code currently discusses the reduced cost spay and neuter program; and

WHEREAS, the current Section 6.04.170, has resulted a positive impact on the overpopulation of dogs and cats and humane euthanasia; and

WHEREAS, the changes to Section 6.04.170, will broaden the definition of pet owners that qualify for the reduced cost spay and neuter program to further impact the community in a positive manner; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Section 6.04.170 of the Hobbs Municipal Code is hereby amended as follows:

6.04.170 - Reduced cost spay and neuter program.

The City of Hobbs has a targeted dog or cat spay and neuter program aimed at assisting those citizens most in need: the elderly, disabled, or very low income.

- A. Participants must meet one of following requirements (income information is subject to verification):
  - Elderly (Seventy (70) or more years of age) Persons Sixty-five (65) or older; or
  - Disabled <u>Persons</u> (qualify for Social Security disability income payments);
  - 3. Low income (eligible for LIHEAP). Persons that meet the Federal Poverty Level (FPL) as determined by the Department of Health and Human Services (HHS).
- B. Cost to participants required pursuant to this section shall be established and adopted through resolution adopted by the Commission.
- C. Spay and neuter program includes the surgery, vaccinations (FVRCP and Rabies/cat or DHLPP and Rabies/dog), one (1) night's hospitalization, and return visit for suture removal, if needed.
- D. There shall be a charge to participants who fail to keep an appointment or do not provide four (4) business days notice to cancel an appointment. This charge shall be established and adopted through resolution.

- E. Minimum age of dog or cat at time of surgery is three (3) months.
- F. Dogs must be restrained on a leash and cats must be in a carrier upon arrival at the Hobbs Animal Adoption Center.
- G. If the animal needs to be treated for flea and tick infestation prior to surgery, the additional days of care will be charged the "boarding fee" rate.
- H. City Manager reserves the right to postpone surgery or refuse to perform surgery if the animal is not healthy enough to undergo surgery.

| PASSED, ADOPTED AND APPRO | VED this <u><b>2</b><sup>nd</sup></u> day of <u>January</u> | , 2018. |
|---------------------------|---|---------|
|                           | SAM D. COBB, Mayor  |         |
| ATTEST:                   |   |         |
| JAN FLETCHER. City Clerk  | -   |         |