

# Commission Meeting Agenda



## Mayor

Samuel D. Cobb

## City Commission

R. Finn Smith – District 1  
Christopher R. Mills – District 2  
Larron B. Fields – District 3  
Joseph D. Calderón – District 4  
Dwayne Penick – District 5  
Don R. Gerth – District 6

## City Manager

Manny Gomez

*November 7, 2022*



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

**Monday, November 7, 2022 - 6:00 p.m.**

Sam D. Cobb, Mayor

R. Finn Smith  
Commissioner – District 1

Christopher R. Mills  
Commissioner – District 2

Larron B. Fields  
Commissioner – District 3

Joseph D. Calderón  
Commissioner – District 4

Dwayne Penick  
Commissioner – District 5

Don R. Gerth  
Commissioner – District 6

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**A G E N D A**

City Commission Meetings are  
Broadcast Live on KHBX FM 99.3 Radio and  
Available via Livestream at [www.hobbsnm.org](http://www.hobbsnm.org)

**CALL TO ORDER AND ROLL CALL**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

1. Minutes of the October 17, 2022, Regular Commission Meeting (*Jan Fletcher, City Clerk*)

**PROCLAMATIONS AND AWARDS OF MERIT**

2. Proclamation Proclaiming October 24, 2022, as “*World Polio Day*” (*Meghan Mooney, Communications Director*)
3. Proclamation Proclaiming the Week of November 13-19, 2022, as “*National Nurse Practitioner Week*” (*Shawna Read, CNP, Lea County Nurse Practitioner Group*)

**PUBLIC COMMENTS** *(Citizens who wish to speak must sign the Public Comment Registration Form located in the Commission Chamber prior to the beginning of the meeting.)*

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

4. Resolution No. 7268 – Approving the FY 2023 Department of Finance and Administration (DFA) 1<sup>st</sup> Quarter Financial Report *(Deb Corral, Assistant Finance Director)*
5. Resolution No. 7269 – Approving the FY 2023 Department of Finance and Administration (DFA) 1<sup>st</sup> Quarter Financial Report for Lodgers' Tax *(Toby Spears, Finance Director)*
6. Resolution No. 7270 – Authorizing the Transfer of Ownership of the Hobbs Police Department Canine Named Loki to the City of Lovington *(August Fons, Police Chief)*
7. Resolution No. 7271 – Authorizing a Memorandum of Agreement with the City of Lovington for the Purchase and Transfer of a Police Unit from the City of Hobbs *(August Fons, Police Chief)*

## **DISCUSSION**

8. Recognition of Recipients of the New Mexico Recreation and Parks Association's 2022 Annual Awards *(Doug McDaniel, Recreation Director)*

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

9. **FINAL ADOPTION:** Ordinance No. 1147 - Amending Title 5 of the Hobbs Municipal Code Requiring Abortion Providers in the City of Hobbs to Comply with Federal Law *(Efren Cortez, City Attorney)*
10. Consideration and Approval of a CES Contract with G & G Roofing, Inc., in the Amount of \$91,073.94 for Replacement of the Roof at the Hobbs Animal Adoption Center *(August Fons, Police Chief)*
11. Consideration and Approval of an Allocation Disbursement from the Department of Finance and Administration (DFA) in the Amount of \$4,987,500.00 to be Utilized in Accordance with the Provisions of HB68 Relating to Public Safety *(August Fons, Police Chief)*

12. Resolution No. 7272 – Authorizing the Opening of a New Special Revenue Fund in Accordance with State Audit Rule (*Deb Corral, Assistant Finance Director*)
13. Resolution No. 7273 – Adopting Budgetary Adjustment #2 for FY 2022-2023 (*Deb Corral, Assistant Finance Director*)
14. Resolution No. 7274 – Authorizing the City to Renew 2023 Benefit Plan Offerings (*Nicholas Goulet, Human Resources Director*)
15. Consideration and Approval of Bid No. 1599-23 to Furnish a 4-Wheel Drive Wheel Loader and Recommendation to Accept Bid from Power Motive Corporation in the Amount of \$261,427.32 (*Tim Woomer, Utilities Director*)
16. Consideration and Approval to Purchase a Truck Mounted Sewer Inspection Camera System with Installation from Visual Imaging Resources Utilizing the HGAC Buy Contract in the Amount of \$134,652.00 (*Tim Woomer, Utilities Director*)
17. Resolution No. 7275 – Authorizing a Grant Agreement with the State of New Mexico Department of Transportation for Roadway Maintenance Along SR208 (West County Road), Navajo Road and SR218 (East Bender) (*Todd Randall, City Engineer*)

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

18. Next Meeting Date:
  - City Commission Regular Meeting:
    - **Monday, November 21, 2022, at 6:00 p.m.**

### **ADJOURNMENT**

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the above meeting, please contact the City Clerk's Office at (575) 397-9200 at least 72 hours prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

**SUBJECT: City Commission Meeting Minutes**

DEPT. OF ORIGIN: City Clerk's Office  
DATE SUBMITTED: October 31, 2022  
SUBMITTED BY: Jan Fletcher, City Clerk

**Summary:**

The following minutes are submitted for approval:

- Regular Commission Meeting of October 17, 2022

**Fiscal Impact:**

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

N/A

**Attachments:**

Minutes as referenced under "Summary".

**Legal Review:**

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

**Recommendation:**

Motion to approve the minutes as presented.

Approved For Submittal By:

  
\_\_\_\_\_  
*Department Director*  
  
\_\_\_\_\_  
*City Manager*

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

Minutes of the regular meeting of the Hobbs City Commission held on Monday, October 17, 2022, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico. This meeting was also viewable to the public via Livestream on the City's website at [www.hobbsnm.org](http://www.hobbsnm.org).

### **Call to Order and Roll Call**

Mayor Pro Tem Calderón called the meeting to order at 6:00 p.m. and welcomed everyone to the meeting. The City Clerk called the roll and the following answered present:

Mayor Sam D. Cobb (*via telephone*)  
Commissioner R. Finn Smith  
Commissioner Christopher Mills  
Commissioner Larron B. Fields  
Commissioner Joseph D. Calderón  
Commissioner Dwayne Penick (*via telephone*)  
Commissioner Don Gerth

Also present:

Efren Cortez, City Attorney  
Valerie Chacon, Deputy City Attorney  
Danny Garrett, Police Captain  
Barry Young, Fire Chief  
Kevin Shearer, Fire Captain  
Shawn Williams, Fire Marshal  
Tony Alarcon, Fire Inspector Investigator  
Adam Marinovich, Fire Inspector  
Toby Spears, Finance Director  
Nicholas Goulet, Human Resources Director  
Selena Estrada, Risk Manager  
Bobby Arther, Municipal Judge  
Shelia Baker, General Services Director  
Tim Woomer, Utilities Director  
Missy Funk, Hobbs Animal Adoption Center Manager  
Matt Hughes, Rockwind Community Links Superintendent  
Bryan Wagner, Parks and Open Spaces Director  
Christa Belyeu, Information Technology Director  
Julie Nymeyer, Executive Assistant  
Kristen Salas, Clerk Record Specialist  
Jan Fletcher, City Clerk  
127 citizens

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

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

### **Approval of Minutes**

Commissioner Smith moved the minutes of the regular meeting of October 3, 2022, be approved as written. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried.

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

Mayor Pro Tem Calderón proclaimed November 1, 2022, as “*Extra Mile Day*”, and requested Ms. Jan Fletcher, City Clerk, to read the proclamation aloud.

### **Public Comments**

A large crowd was present at the meeting and approximately 30 citizens registered to speak regarding the proposed abortion and right to life ordinance. Due to this large crowd, Mayor Pro Tem Calderón requested that Mr. Efrén Cortez, City Attorney, review the City Commission’s Rules of Procedure.

Mr. Cortez stated under Section 2.040.060 of the Hobbs Municipal Code, the Chair can limit cumulative speech and repetitive remarks. He stated the City’s rules prohibit slanderous remarks, disruptive remarks and derogatory remarks. The time limit for public comments should not exceed 30 minutes. If deemed appropriate, the City Commission can extend the time for public comments with an appropriate motion, second and vote.

Mayor Pro Tem Calderón stated the City has 30 minutes for public comment and will permit five citizens to speak in support of the proposed abortion ordinance and five citizens to speak against the proposed abortion ordinance. He stated he will begin with those in support of the ordinance and the following citizen addressed comments to the Commission: Ms. Lori Bova, Mr. Mike Seibel, Mr. Mark Lee Dickson, Rev. Lavoid Ford and Ms. Kim Van Dyke.

Those speaking against the proposed ordinance are as follows: Mr. Steve Townsend.

### **Consent Agenda**

Mayor Pro Tem Calderón explained the process for the consent agenda which is reserved for items which are routine when the agenda is lengthy. He stated any member of the Commission may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote.

Commissioner Gerth moved for approval of the following Consent Agenda item(s):

Resolution No. 7264 - Consideration of Bid No. 1597-23 to Provide Veterinary Services for Spaying and Neutering Dogs and Cats at the Hobbs Animal Adoption Center and Recommendation to Award Bid and Enter Into a Contract with Lea County Veterinary Services

Resolution No. 7265 - Approving an Agreement with the Hobbs Municipal Schools Regarding Middle School Athletic Programs

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

### **Discussion**

None.

### **Action Items**

Resolution No. 7266 – Authorizing an Allocation of Lodgers’ Tax to Fund Various Events for FY 2023 (Prior to November 15, 2022)

Mr. Toby Spears, Finance Director, stated the Lodgers’ Tax Board met on October 12, 2022, and recommended funding awards to the City Commission for various lodgers’ tax events for FY 2023. He identified the entities requesting lodgers’ tax funds for events prior to November 15, 2022, as follows:

Impacto JAG Promotions, LLC – 1 event - \$25,000.00  
(Date of event - November 12, 2022)

Southwest Symphony – 1 event - \$2,909.88  
(Date of event – November 7 & 8, 2022)

USSSA Baseball Permian Basin – 1 event - \$10,000.00  
(Date of event - November 4 & 5, 2022)

Mr. Spears stated the total cash available for allocation as of September 30, 2022, is \$113,837.84. During the Lodgers’ Tax Board meeting, event requests were considered in a total amount of \$325,000.00. Due to the lack of funding available, staff has bifurcated the events into two groups: events which occur prior to November 15, 2022, and events occurring after November 15, 2022, to minimize the impact on the fund.

Commissioner Mills commented the demand for spending outstrips the supply.

Commissioner Smith requested a member of Impacto JAG Promotions to come forward and answer some questions. In response to Commissioner Smith's question, Mr. Spears stated a limitation of \$25,000.00 per event is set by ordinance.

A lengthy discussion was held regarding the history of this event, the number of prospective attendees and cost.

Commissioner Gerth moved that Resolution No. 7266 be adopted as presented. Following some additional discussion, the motion died for lack of a second.

Commissioner Mills moved that Resolution No. 7266 be adopted with funding allocated in the amount of \$2,909.88 for Southwest Symphony, \$12,500.00 for Impacto JAG Promotions and \$10,000.00 for USSSA Baseball Permian Basin. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7267 - Authorizing an Allocation of Lodgers' Tax to Fund Various Events for FY 2023 (After November 15, 2022)

Mr. Spears stated additional lodgers' tax funding requests are pending for the following entities with events occurring after November 15, 2022:

- Western Heritage – 2 events - \$18,913.00
- Hobbs Chamber of Commerce - 2 events - \$34,929.38
- Tuff Hedeman Bull Riding Tour - 1 event - \$20,000.00
- Cycle City Promotions – 2 events - \$50,000.00
- Impacto JAG Promotions, LLC – 1 event - \$25,000.00
- Southwest Symphony – 3 events - \$24,793.76
- USSSA Baseball Permian Basin – 1 event - \$20,200.00
- West Texas Warbird Football – 2 events - \$35,700.00
- City of Hobbs – Hobbs Downtown Slam & Jam - \$35,000.00

In light of the prior agenda item, Mr. Spears stated City staff recommends tabling this resolution as additional work is needed on lodgers' tax funding.

Commissioner Mills moved that Resolution No. 7267 be tabled due to funding constraints. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

FINAL ADOPTION: Ordinance No. 1146 - Amending Chapter 3.10 of the Hobbs Municipal Code Amending the City's Economic Development Strategic Plan Ordinance

Mr. Cortez stated during the 2021 New Mexico Legislative Session, the New Mexico Legislature adopted Senate Bill (SB) 49 which amended the State's Local Economic Development Act (LEDA). He stated the key amendments allowed "retail" and "cultural facilities" to qualify for "public support," as defined by NMSA 1978, § 5-10-3. Pursuant to NMSA 1978, § 5-10-4(E), on March 1, 2022, the voters approved allowing the expenditure of public support for retail and cultural facilities via Proposition No. 1 which passed by over 80% (Yes - 576; No -115). Mr. Cortez stated in order to implement the wishes of the voters, the City must amend its previously adopted Economic Development Strategic Plan Ordinance originally adopted on November 3, 2003, by Ordinance No. 915. The proposed amendments reflect the addition of retail businesses and cultural facilities as qualifying entities. Notice of the proposed ordinance was published in the Hobbs News-Sun on September 27, 2022. If approved, the ordinance will be published once more and become effective five (5) days after final publication.

Mr. Cortez praised the work of the City Commission on economic development and stated two public work sessions were held to discuss the proposed ordinance. He also stated the Economic Development Corporation has also been very instrumental in this process. Any Project Participation Agreement that is developed to use public funds must be approved by ordinance of the City Commission at a public meeting.

Proper publication having been made, and there being no further discussion or public comment, Commissioner Mills moved that Ordinance No. 1146 be adopted as presented. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the ordinance is attached and made a part of these minutes.

PUBLICATION: Proposed Ordinance Amending Title 5 of the Hobbs Municipal Code Requiring Abortion Providers in the City of Hobbs to Comply with Federal Law

Mr. Cortez presented a proposed ordinance amending Title 5 of the Hobbs Municipal Code requiring abortion providers in the City of Hobbs to comply with Federal Law. He reviewed the details of a PowerPoint presentation explaining the law and details of the proposed ordinance. Mr. Cortez stated in 2021, the New Mexico Legislature adopted Senate Bill (SB) 10 repealing NMSA 1978, §§ 30-5-1 through 30-5-3, which previously regulated abortions in New Mexico. The Legislature did not supplement the repealed laws with any provisions in any way regulating abortion providers in New Mexico. Thereafter, on June 24, 2022, the US Supreme Court in *Dobbs, et al. v. Jackson Women's Health Organization, et al.*, 142 S.Ct. 2228 (2022), determined that there is no Constitutional right to an abortion. Mr. Cortez stated the City of Hobbs seeks to require abortion providers to comply with Federal law as a condition of obtaining a business license to operate within the municipal boundaries of Hobbs, New Mexico.

There being no discussion, Commissioner Penick moved that the Commission publish notice of intent to adopt the ordinance at a later date. Commissioner Mills seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the proposed ordinance is attached and made a part of these minutes.

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

Mr. Manny Gomez, City Manager, recognized Lea County Commissioner Rebecca Long in the audience and thanked her for an appropriation of discretionary funds in the amount of \$250,000.00 from Lea County to expand the spay and neuter program at the Hobbs Animal Adoption Center.

Commissioner Mills commented the City is aware of the school traffic issue in the area of Bender and Brazos and is working on a solution to the problem. He also stated it is great to see everyone in attendance at tonight's meeting.

Commissioner Smith expressed appreciation to everyone for being at the meeting tonight. He stated it is nice to see people being civil and respectful on an issue, even if they may disagree. Commissioner Smith stated publication of the ordinance is part of the process in how an ordinance gets adopted. He thanked everyone for doing a good job of conveying their thoughts on the proposed ordinance.

Mayor Pro Tem Calderón recognized Hobbs Municipal School board members Gary Eidson and Peggy Appleton in the audience. He also stated he took a tour of the CTECH facility last week when students were in session and it is an amazing opportunity for students, along with the New Mexico Junior College. He encouraged everyone to take advantage of these educational opportunities right here in Hobbs.

Mayor Cobb apologized for not being able to attend the meeting tonight in person. He stated he is attending a conference in Santa Fe relating to ways to address behavioral issues. He thanked members of the audience for being at the meeting and being a part of the governmental process.

Commissioner Penick expressed thanks and appreciation to the community for all being here tonight and letting their voices be heard.

Commissioner Gerth gave kudos to the staff at the CORE for the recent swim meet in which 300 kids participated.

Commissioner Fields recognized the Hobbs Fire Department for being present in the schools during Fire Prevention Week.

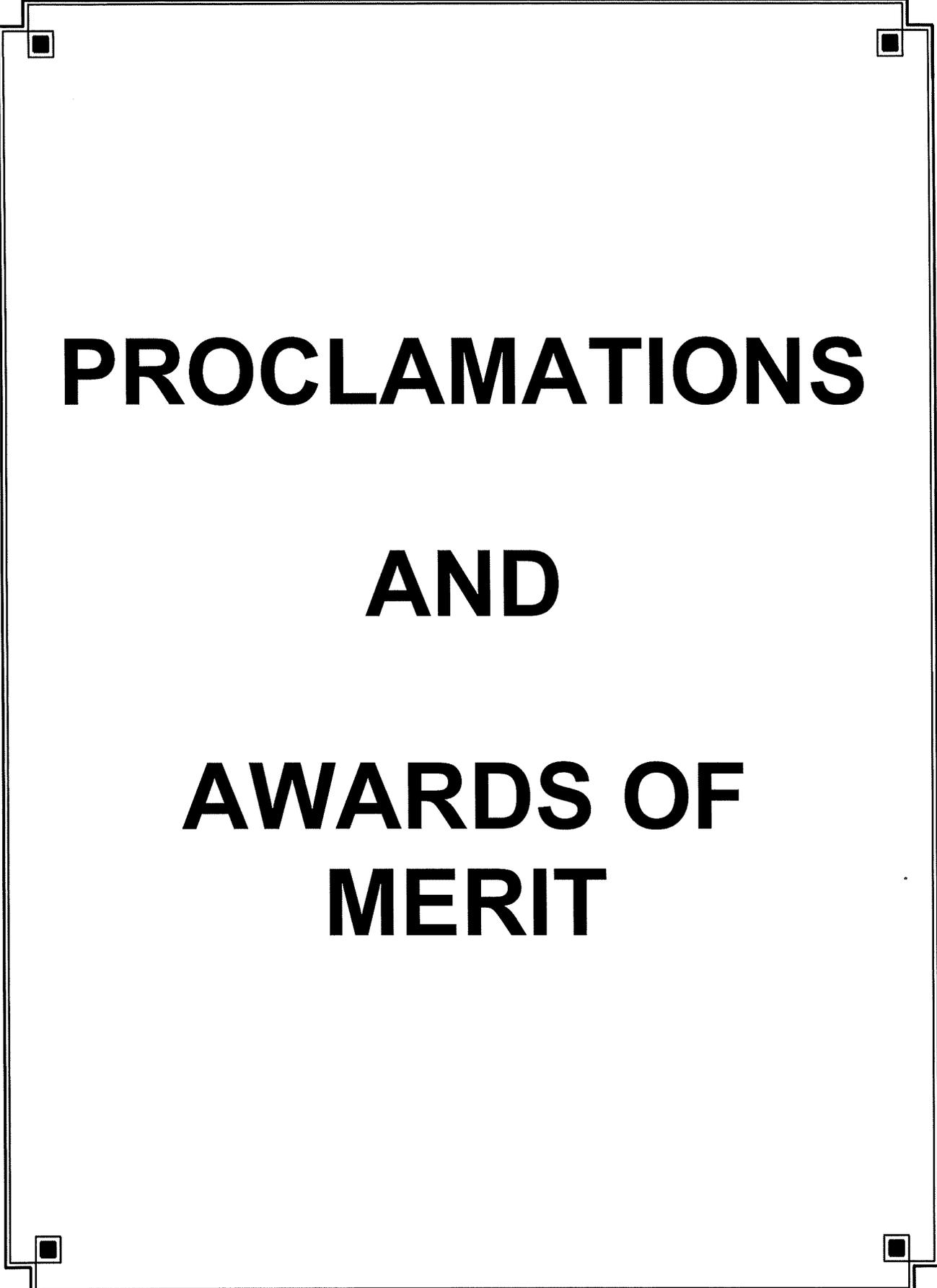
**Adjournment**

There being no further business or comments, Commissioner Smith moved that the meeting adjourn. Commissioner Mills seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:25 p.m.

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

ATTEST:

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



**PROCLAMATIONS**

**AND**

**AWARDS OF  
MERIT**

Office of the Mayor  
Hobbs, New Mexico

## PROCLAMATION

**WHEREAS**, Rotary is a global network of neighbors, friends, leaders, and problem-solvers who unite and take action to create lasting change in communities across the globe, and

**WHEREAS**, the Rotary motto, **Service Above Self**, inspires members to provide humanitarian service, follow high ethical standards, and promote goodwill and peace in the world, and

**WHEREAS**, Rotary in 1985 launched PolioPlus and in 1988 helped establish the Global Polio Eradication Initiative, which today includes the World Health Organization, U.S. Centers for Disease Control and Prevention, UNICEF, and the Bill & Melinda Gates Foundation, and Gavi, the Vaccine Alliance, to immunize the children of the world against polio; and

**WHEREAS**, polio cases have dropped by 99.9 percent since 1988 and the world stands on the threshold of eradicating the disease; and

**WHEREAS**, to date, Rotary has contributed more than \$2.4 billion US Dollars and countless volunteer hours to protecting nearly 3 billion children in 122 countries; and

**WHEREAS**, Rotary is working to raise an additional \$50 million per year, which will be leveraged for maximum impact by an additional \$100 million annually from the Bill & Melinda Gates Foundation; and

**WHEREAS**, these efforts are providing much-needed operational support, medical staff, laboratory equipment, and educational materials for health workers and parents; and

**WHEREAS**, in addition, Rotary has played a major role in decisions by donor governments to contribute more than \$10 billion to the effort; and

**WHEREAS**, there are over 1.4 million Rotary members in 46,000 clubs, throughout the world that sponsor service projects to address such critical issues as poverty, disease, hunger, illiteracy, and the environment in their local communities and abroad.

**NOW, THEREFORE**, I, Sam D Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim October 24, 2022, as

### "WORLD POLIO DAY"

And encourage all citizens to join me and Rotary International in the fight for a polio-free world.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 7th day of November, 2022, and cause the seal of the City of Hobbs to be affixed hereto.

ATTEST:

  
JAN FLETCHER, City Clerk

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



Office of the Mayor  
Hobbs, New Mexico

## PROCLAMATION

**WHEREAS**, nurse practitioners (NPs) play a critical role as trusted providers of health care for patients in our state; and

**WHEREAS**, NP's work to expand health care access in underserved communities, promote health equity in care; and

**WHEREAS**, patients depend on the more than 355,000 licensed NP's in the United States, and 5146 in New Mexico to diagnose manage, and treat patients with acute health care conditions; and

**WHEREAS**, NPs provide high-quality primary, acute and specialty health care services while emphasizing health promotion, disease prevention, health education and counseling, guiding patients to make smarter health and lifestyle choices every day; and

**WHEREAS**, the confidence that patients have in NP-delivered health care is evidenced by the more than one billion visits made annually to NPs across the country; and

**WHEREAS**, more than five decades of research demonstrates the high quality of care provided by NPs; and.

**WHEREAS**, better utilization of NPs through modernized state laws and improved policies creates better health through a more accessible, efficient, cost-effective and higher quality health care system; and

**WHEREAS**, more than half the nation – including 26 states, the District of Columbia, Guam and the Northern Mariana Islands – has adopted Full Practice Authority legislation, offering patients full and direct access to the outstanding care provided by NPs; and

**WHEREAS**, leading governmental and policy entities including the National Academy of Medicine, National Council of State Boards of Nursing, National Governors Association and Federal Trade Commission have taken notice of the benefits of providing patients full and direct access to NP-delivered care; and

**WHEREAS**, NPs serve as the primary care provider of choice for many New Mexico residents and play a pivotal role in the health and welfare of our communities; and

**WHEREAS**, the City of Hobbs is proud to recognize and honor the service of NPs to our state.

**NOW, THEREFORE**, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim the week of November 13th-19<sup>th</sup>, 2022, as

### "NATIONAL NURSE PRACTITIONER WEEK"

In recognition of the countless contributions NPs have made over the past half century and will continue to make on behalf of the health and well-being of citizens in our state.

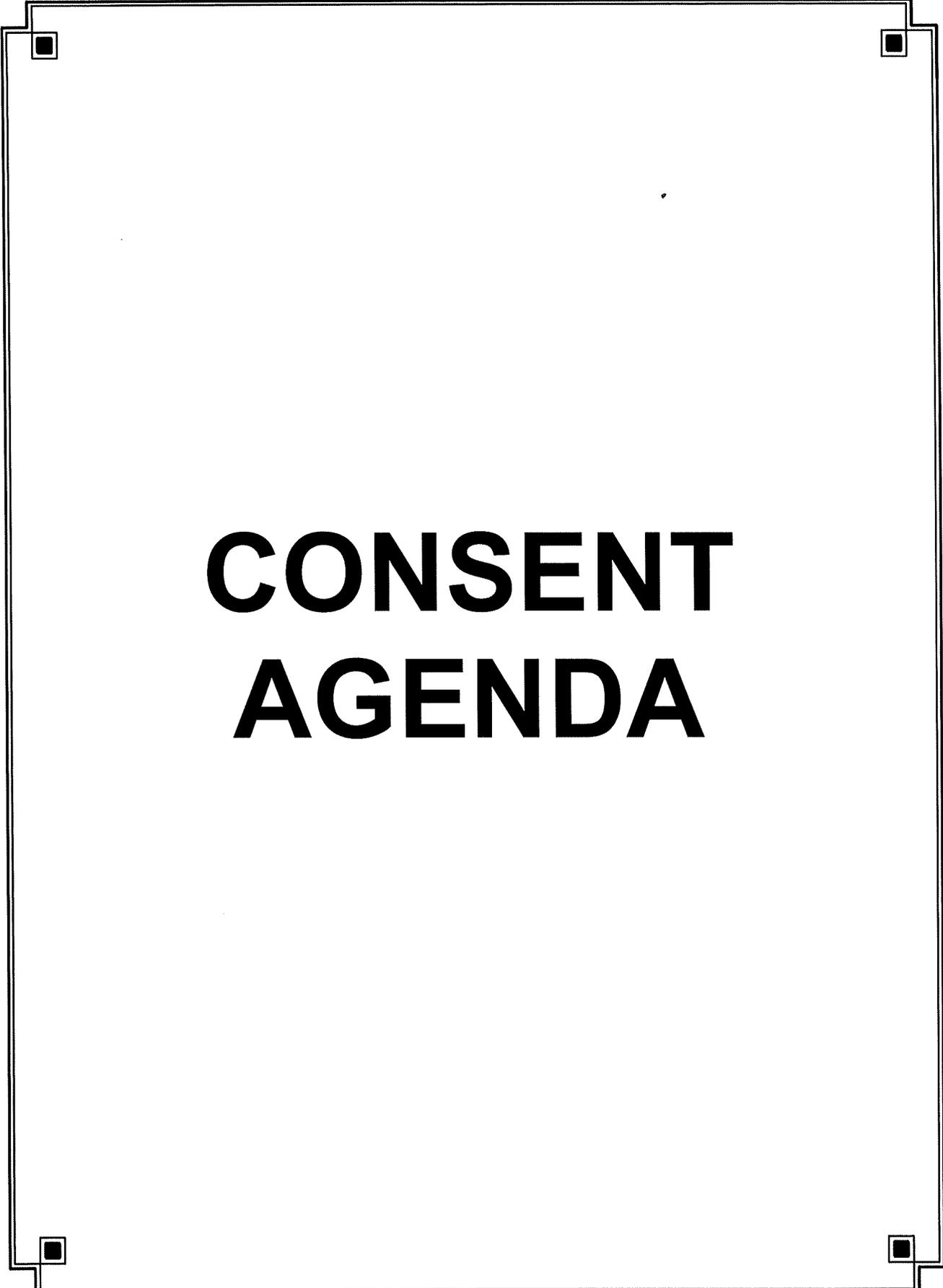
**IN WITNESS WHEREOF**, I have hereunto set my hand this 7th day of November, 2022, and cause the seal of the City of Hobbs to be affixed hereto.

ATTEST:

  
JAN FLETCHER, CITY CLERK

  
SAM D. COBB, MAYOR





# **CONSENT AGENDA**



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

**SUBJECT:** Resolution approving the FY2023 DFA 1<sup>st</sup> Quarter (September 2022) Financial Report  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** October 26, 2022  
**SUBMITTED BY:** Deborah Corral, Assistant Finance Director

**Summary:**

Submitting the FY2023 1<sup>st</sup> Quarter DFA Financial Report for the approval of the Governing Body. The Department of Finance and Administration only **requires** that the 4<sup>th</sup> Quarter DFA Report be approved by resolution, however, it **recommends** all quarterly reports be approved by the governing body.

**Fiscal Impact:**

Reviewed By:   
Finance Department

The ending cash balance represents actual revenue and expenditure activity from 07/01/22-09/30/22.

- Actual Ending Cash Balance at 09/30/2022 is \$152,079,208.15 for all funds (restricted and unrestricted).
- The City of Hobbs year-to-date actual revenues and expenditures for the period are \$36,166,212.88 and \$26,844,211.05 respectively.

**Attachments:**

- 1<sup>st</sup> Quarter DFA Report Recap
- September 30, 2022 City of Hobbs Cash Report
- Resolution approving 1st Quarter DFA Report

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

Motion to approve the resolution.

Approved For Submittal By:

  
Department Director  
  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

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

CITY OF HOBBS

RESOLUTION NO. 7268

A RESOLUTION APPROVING THE FY2023  
DFA 1<sup>st</sup> QUARTER FINANCIAL REPORT

WHEREAS, the State of New Mexico only requires the 4<sup>TH</sup> quarter DFA Financial Report to be approved annually, however, they now recommend that all quarterly financial reports be approved.

WHEREAS, the ending cash balance for the period ending September 30, 2022 was \$152,079,208.15 for all funds; and

WHEREAS, the City of Hobbs actual year-to-date revenue and expenditures for fiscal year 2023 crosswalk the amounts to the DFA 1<sup>st</sup> Quarter Financial Report;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the herein referenced 1<sup>st</sup> Quarter Financial Report be approved.

PASSED, ADOPTED AND APPROVED this 7<sup>th</sup> day of November, 2022.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk

City of Hobbs  
Cash Balance by Fund  
9/30/2022

		Ending Cash 06/30/2022	June - July FY2023 Revenues	Actual Cash TRANSFERS	June - July FY2023 Expenditures	FY23 Balance Sheet Adjustments	Ending Cash 09/30/22
<b>GOVERNMENTAL FUNDS</b>							
11000	001 GENERAL	69,874,044.71	16,516,946.65	(827,084.71)	13,241,049.39	(167,397.29)	72,490,254.55
29900	002 LAND ACQUISITION	381,763.30				-	381,763.30
		70,255,808.01	16,516,946.65	(827,084.71)	13,241,049.39	(167,397.29)	72,872,017.85
<b>SPECIAL REVENUES</b>							
20100	110 LOCAL GOV CORR	1,074,296.19	36,471.90		30,796.64	-	1,079,971.45
21100	120 POLICE PROTECTION	15,820.35	123,000.00		38,706.43	(2,247.99)	102,361.91
29900	130 P D N (parif, drug, narcotics)	1,918.75				-	1,918.75
29900	150 COPS GRANT	26,251.09	8,881.98	-		-	35,133.07
21700	160 HWLC	1,000.00	520,411.88	438,917.04	969,845.18	(10,516.26)	1,000.00
21900	170 OLDER AMERICAN	1,000.00	43,825.39	173,843.13	218,598.52	(930.00)	1,000.00
51800	180 GOLF	1,000.00	364,683.51	342,981.92	709,364.43	(1,699.00)	1,000.00
50600	190 CEMETERY	1,000.00	54,207.21	87,099.93	318,538.53	(177,231.39)	1,000.00
50400	200 AIRPORT	477,531.99	36,599.80		380.09	-	513,751.70
30300	210 LEGISLATIVE APPROP	1,000.00	106,537.62	-	72,827.55	-	34,710.07
21800	220 INTERGOVERNMENTAL GRANTS	4,835,515.50	4,835,515.50	-		-	9,671,031.00
21400	230 LODGERS' TAX	1,086,935.57	357,791.42	(215,757.31)	139,744.98	-	1,089,224.70
27000	240 LG Abatement Fund (Opioid)						-
28000	250 Cannabis Regulation Act Fund	-	138,699.77		4,160.98		134,538.79
29900	270 PUBLIC TRANSPORTATION	46,432.79	220,064.95	-	211,272.46	(1,225.77)	56,451.05
20900	280 FIRE PROTECTION	1,069,786.59	319,107.82		43,252.72	-	1,345,641.69
20600	290 EMER MEDICAL SERV	792.28	20,000.00		7,048.40	-	13,743.88
30200	370 COMM DEVE CONST	110,420.82		-	16,741.30	-	93,679.52
		8,750,701.92	7,185,798.75	827,084.71	2,781,278.21	(193,850.41)	14,176,157.58
<b>CAPITAL PROJECTS FUNDS</b>							
39900	460 BEAUTIFICATION IMPROVEMENT	1,538,849.89				-	1,538,849.89
21600	480 STREET IMPROVEMENTS	4,817,036.89	233,026.33		18,491.91	-	5,031,571.31
39900	490 CITY COMM. IMPROVEMENTS	7,720,652.90	686,097.22	-	20,080.10	-	8,386,670.02
		14,076,539.68	919,123.55	-	38,572.01	-	14,957,091.22
<b>DEBT SERVICE FUNDS</b>							
40400	510 UTILITY BOND	0.00		25,583.67	25,583.67	-	0.00
40400	530 2005 WASTEWATER BOND ISSU	1,989,842.96		1,921,489.13	1,921,489.13	-	1,989,842.96
		1,989,842.96	-	1,947,072.80	1,947,072.80	-	1,989,842.96
<b>TOTAL GOVERNMENTAL FUNDS</b>		95,072,892.57	24,621,868.95	1,947,072.80	18,007,972.41	(361,247.70)	103,995,109.61
<b>ENTERPRISE FUNDS</b>							
50200	100 SOLID WASTE	2,683,078.04	1,973,225.37		1,944,438.62	-	2,711,864.79
39900	440 JOINT UTILITY EXTENSIONS CAPI	1,000.00	600,000.00	-	504,294.73	-	96,705.27
50100	600 JOINT UTILITY	1,000.00	-	1,321,705.91	1,321,749.27	(43.36)	1,000.00
50100	610 JOINT UTILITY CONST	1,000.00		15,336.54	15,336.54	-	1,000.00
50300	620 WASTE WATER PLANT CONST	7,325,364.88			26,711.42	-	7,298,653.46
50300	630 JOINT UTILITY - WASTEWATER	1,030.00		806,812.80	828,846.66	(22,003.86)	1,000.00
50300	650 JOINT UTILITY INCOME - WASTE	9,536,173.55	2,284,155.78	(2,728,301.93)	10,040.01	-	9,081,987.39
50100	660 JOINT UTILITY INCOME	7,436,818.88	2,826,761.94	(1,362,626.12)		(0.76)	8,900,955.46
50100	680 METER DEPOSIT RES	1,220,767.82	95,725.00		36,373.09	-	1,280,119.73
	<b>TOTAL ENTERPRISE FUNDS</b>	28,206,233.17	7,779,868.09	(1,947,072.80)	4,687,790.34	(22,047.98)	29,373,286.10
<b>INTERNAL SERVICE FUNDS</b>							
69900	640 MEDICAL INSURANCE	3,201,377.27	1,718,492.30	(166,840.89)	2,012,316.20	(9,547.75)	2,750,260.23
69900	670 WORKERS COMP TRUST	1,160,937.04	129,327.67		123,048.46	-	1,167,216.25
69900	690 INTERNAL SUPPLY	67,797.49	68,521.07	-	82,970.97	-	53,347.59
69900	740 INSURANCE - RISK	5,284,206.75	121,694.17	-	113,805.17	-	5,292,095.75
	<b>TOTAL INTERNAL SERVICE FUNDS</b>	9,714,318.55	2,038,035.21	(166,840.89)	2,332,140.80	(9,547.75)	9,262,919.82
<b>TRUST AND AGENCY FUNDS</b>							
79900	700 MOTOR VEHICLE	23,966.39	1,448,061.38		1,455,032.10	-	16,995.67
79900	710 MUNI JUDGE BOND FUND	107,575.34				(598.00)	108,173.34
79900	720 RETIREE HEALTH INSURANCE TRI	8,915,123.87	256,678.86	166,840.89	347,707.37	(9,063.75)	9,000,000.00
79900	730 CRIME LAB FUND	75,261.05	13,411.32		13,099.82	-	75,572.55
79900	750 FORECLOSURE TRUST FUND		71.88			-	71.88
79900	770 LIBRARY TRUST	6,220.10	189.05			-	6,409.15
79900	780 SENIOR CITIZEN TRUST	4,699.94	-			-	4,699.94
79900	790 PRAIRIE HAVEN MEM	5,839.42	18.33			-	5,857.75
79900	800 COMMUNITY PARK TRUST	1,562.02	4.89			-	1,566.91
79900	820 EVIDENCE TRUST FUND	210,724.33	10.61			-	210,734.94
79900	830 HOBBS BEAUTIFUL	8,042.66	7,780.23			-	15,822.89
79900	860 CITY AGENCY TRUST	2,169.85	285.96		468.21	-	1,987.60
	<b>TOTAL TRUST AND AGENCY FUNDS</b>	9,361,256.85	1,726,440.63	166,840.89	1,816,307.50	(9,661.75)	9,447,892.62
<b>GRAND TOTAL ALL FUNDS</b>		142,354,701.14	36,166,212.88	0.00	26,844,211.05	(402,505.18)	152,079,208.15

**State of New Mexico**  
**Local Government Budget Management System (LGBMS)**

**Report Recap - Fiscal Year 2022-2023 - Hobbs (City) - FY2023 Q1**

Printed from LGBMS on 2022-10-26 11:08:32

Fund	Cash	Investments	Revenues	Transfers	Expenditures	Adjustments	Balance	Reserves	Adjusted Balance
11000 General Operating Fund	69,874,045.00	0.00	16,516,946.65	-827,084.71	13,241,049.39	167,397.29	72,490,254.84	1,103,420.78	71,386,834.06
20100 Corrections	1,074,297.00	0.00	36,471.90	0.00	30,796.64	0.00	1,079,972.26	0.00	1,079,972.26
20600 Emergency Medical Services	793.00	0.00	20,000.00	0.00	7,048.40	0.00	13,744.60	0.00	13,744.60
20900 Fire Protection	1,069,787.00	0.00	319,107.82	0.00	43,252.72	0.00	1,345,642.10	0.00	1,345,642.10
21100 Law Enforcement Protection	15,821.00	0.00	123,000.00	0.00	38,706.43	2,247.99	102,362.56	0.00	102,362.56
21400 Lodgers' Tax	1,086,936.00	0.00	357,791.42	-215,757.31	139,744.98	0.00	1,089,225.13	0.00	1,089,225.13
21600 Municipal Street	4,817,037.00	0.00	233,026.33	0.00	18,491.91	0.00	5,031,571.42	0.00	5,031,571.42
21700 Recreation	1,000.00	0.00	520,411.88	438,917.04	969,845.18	10,516.26	1,000.00	0.00	1,000.00
21800 Intergovernmental Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
21900 Senior Citizens	1,000.00	0.00	43,825.39	173,843.13	218,598.52	930.00	1,000.00	0.00	1,000.00
26000 American Rescue Plan Act	4,835,516.00	0.00	4,835,515.50	0.00	0.00	0.00	9,671,031.50	0.00	9,671,031.50
27000 LG Abatement Opioid Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
28000 Cannabis Regulation Act	0.00	0.00	138,699.77	0.00	4,160.98	0.00	134,538.79	0.00	134,538.79
29900 Other Special Revenue	456,366.00	0.00	228,946.93	0.00	211,272.46	1,225.77	475,266.24	0.00	475,266.24
30200 CDBG (HUD) Project	110,421.00	0.00	0.00	0.00	16,741.30	0.00	93,679.70	0.00	93,679.70
30300 State Legislative Appropriation Project	1,000.00	0.00	106,537.62	0.00	72,827.55	0.00	34,710.07	0.00	34,710.07
39900 Other Capital Projects	9,260,503.00	0.00	1,286,097.22	0.00	524,374.83	0.00	10,022,225.39	0.00	10,022,225.39
40400 NMFA Loan Debt Service	1,989,843.00	0.00	0.00	1,947,072.80	1,947,072.80	0.00	1,989,843.00	0.00	1,989,843.00
50100 Water Enterprise	8,659,587.00	0.00	2,922,486.94	-25,583.67	1,373,458.90	44.12	10,183,075.49	0.00	10,183,075.49

50200 Solid Waste Enterprise	2,683,079.00	0.00	1,973,225.37	0.00	1,944,438.62	0.00	2,711,865.75	0.00	2,711,865.75
50300 Wastewater/Sewer Enterprise	16,862,569.00	0.00	2,284,155.78	-1,921,489.13	865,598.09	22,003.86	16,381,641.42	0.00	16,381,641.42
50400 Airport Enterprise	477,532.00	0.00	36,599.80	0.00	380.09	0.00	513,751.71	0.00	513,751.71
50600 Cemetery Enterprise	1,000.00	0.00	54,207.21	87,099.93	318,538.53	177,231.39	1,000.00	0.00	1,000.00
51800 Golf Course Enterprise	1,000.00	0.00	364,683.51	342,981.92	709,364.43	1,699.00	1,000.00	0.00	1,000.00
69900 Other Internal Service	9,714,319.00	0.00	2,038,035.21	-166,840.89	2,332,140.80	9,547.75	9,262,920.27	0.00	9,262,920.27
79900 Other Trust & Agency	9,361,257.00	0.00	1,726,440.63	166,840.89	1,816,307.50	9,661.75	9,447,892.77	0.00	9,447,892.77
<b>Totals</b>	<b>142,354,708.00</b>	<b>0.00</b>	<b>36,166,212.88</b>	<b>0.00</b>	<b>26,844,211.05</b>	<b>402,505.18</b>	<b>152,079,215.01</b>	<b>1,103,420.78</b>	<b>150,975,794.23</b>



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7th, 2022

SUBJECT: Approving the 1st quarter fiscal year 2023 DFA Report for Lodgers' Tax.

DEPT. OF ORIGIN: Finance  
DATE SUBMITTED: October 27, 2022  
SUBMITTED BY: Toby Spears, Finance Director

**Summary:**

The NM Department of Finance Administration recommends approving the City of Hobbs quarterly lodgers' tax process. The following attachment is for the 1st quarter 2023 DFA report.

**Fiscal Impact:**

Reviewed By:   
Finance Department

The September 30, 2022 Cash Balance for the Lodgers' Tax Fund is \$1,089,224.70

Total lodgers' tax revenue for the 1st quarter fiscal year 2023 was \$ 353,990.78 and total expenditures were \$355,502.29. Breakdown of the **encumbered cash balances at Sept 30, 2022** by category are as follows:

Profit, Non-profit, Public Entities (20%)	=	\$ 221,490.08
Local Government (40%)	=	\$(104,040.98)
Fire, EMS, Sanitation (15%)	=	\$ 0.00
Airline Subsidy (25%)	=	\$ (3,611.26)

**Attachments:**

DFA Quarterly Report  
Resolution  
9-30-2022 Financial Report

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

To be determined by City Commission.

Approved For Submittal By:

  
Department Director

  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

CITY OF HOBBS  
RESOLUTION NO. 7269

A RESOLUTION APPROVING THE FY 2023  
LODGERS' TAX DFA 1ST QUARTER FINANCIAL REPORT

WHEREAS, the State of New Mexico requires the 1st quarter Lodgers' Tax DFA Financial Report to be approved annually, they now recommend that all quarterly financial reports be approved.

WHEREAS, the ending cash balance for the period ended September 30, 2022 was \$1,089,224.70 for lodgers' tax funds; and

WHEREAS, the City of Hobbs actual quarter-to-date lodgers' tax revenue and expenditures for fiscal year 2023 crosswalk the amounts to the DFA 1st quarter financial report;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the herein referenced 1st quarter lodgers' tax financial report be approved.

PASSED, ADOPTED AND APPROVED this 7th day of November, 2022

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

ATTEST:

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

**CITY OF HOBBS  
EVENT SUMMARIES  
9/30/2022**

**AMOUNT  
SPENT**

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23-03	Hobbs Airfield Speedway, LLC	5,452.93
20-27	CITY OF HOBBS - MARKETING/BRANDING CAMPAIGN	5,616.00
23-14	City of Hobbs - CORE Marketing	32,042.69
23-15	City of Hobbs - CORE Operating	125,000.00
	City of Hobbs - Police/Fire	53,098.62
23-02	EDC - MARKETING/AIRLINE SUBSIDY (91,191.40)	98,891.05
22-01	Western Heritage Museum	26,181.00
23-04	Juneteenth 2022	4,900.00
23-05	United Way of Lea County - Flag Bowl	4,320.00

**TOTAL**

---

**355,502.29**

9/30/22

CITY OF HOBBS LODGERS' TAX PROGRAM  
EXPENDITURE REPORT FOR THE 1ST QUARTER OF 2022 - 2023

		PROMO	NON PROMO	TOTAL
CASH BAL.	6/30/22	1,071,424.11	15,511.46	1,086,935.57
FIRST QUARTER INCOME		353,990.78		353,990.78
FIRST QUARTER INTEREST		3,800.64		3,800.64
TOTAL REVENUE		357,791.42	0.00	357,791.42
FIRST QUARTER EXPENSES		355,502.29		355,502.29
CASH BAL.	9/30/22	1,073,713.24	15,511.46	1,089,224.70
SECOND QUARTER INCOME				0.00
SECOND QUARTER INTEREST				0.00
TOTAL REVENUE		0.00	0.00	0.00
SECOND QUARTER EXPENSES				0.00
CASH BAL.	12/31/22	1,073,713.24	15,511.46	1,089,224.70
THIRD QUARTER INCOME				0.00
THIRD QUARTER INTEREST				0.00
TOTAL REVENUE		0.00	0.00	0.00
THIRD QUARTER EXPENSES				0.00
CASH BAL.	3/31/23	1,073,713.24	15,511.46	1,089,224.70
FOURTH QUARTER INCOME(FORCE EXTRA TO PROMO)				0.00
FOURTH QUARTER INTEREST				0.00
TOTAL REVENUE		0.00	0.00	0.00
FOURTH QUARTER EXPENSES**				0.00
CASH BAL.	6/30/23	1,073,713.24	15,511.46	1,089,224.70
YEAR TO DATE INCOME			0.00	353,990.78
YEAR TO DATE INTEREST			0.00	0.00
TOTAL REVENUE		0.00	0.00	353,990.78
YEAR TO DATE EXPENSES		355,502.29	0.00	355,502.29
YEAR TO DATE CASH BALANCES		1,073,713.24	15,511.46	1,089,224.70

**STATE OF NEW MEXICO**  
**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
**Local Government Division - Budget and Finance Bureau**  
**Lodgers' Tax Quarterly Report**

**INSTRUCTIONS**

1. Provide quarterly and year-to-date revenue for the quarterly reporting period. Money received through joint powers agreements must be reported separately. Other sources includes private grants, donations, reimbursements, etc.
2. Allocate revenue to the promotional, non-promotional and general funds based on the percent of tax imposed. Administrative costs may not exceed 10% of the gross pro
3. Provide a "book cash balance" for both the promotional and non-promotional funds for the quarterly reporting period and year to date amounts.
4. Provide quarterly and year-to-date transfers-in and transfers - out.  
 [Note: The Lodgers' Tax Act does not allow transfers from the Lodgers' Tax Fund to the General Fund or other Funds of the local public body.]
5. Provide quarterly and year-to-date expenditures on the expenditures tab. Contractual service expenditures must comply with the Lodgers' Tax Act, terms of the contract and the Procurement Code 13-1-28 through 13-1-199 NMSA 1978.

REPORTING ENTITY:	<u>City of Hobbs</u>	<u>5</u>	(PERCENT IMPOSED)	QUARTER ENDING:	<u>9/30/2022</u>
				MONTH/YEAR	
<b>1. REVENUE SUMMARY:</b>	QUARTERLY AMOUNT <small>(THIS REPORTING PERIOD)</small>	YEAR-TO-DATE (Y-T-D) AMOUNT <small>(SUM OF ALL QUARTERS)</small>	<b>2. REVENUE ALLOCATION:</b>	QUARTERLY AMOUNT <small>(THIS REPORTING PERIOD)</small>	YEAR-TO-DATE (Y-T-D) AMOUNT <small>(SUM OF ALL QUARTERS)</small>
LODGERS' TAX PROCEEDS \$	353,991	353,991	NON-PROMOTIONAL FUND	0	0
INVESTMENT INCOME	3,801	3,801	PROMOTIONAL FUND	357,791	357,791
LATE PENALTIES			ADMINISTRATIVE COST	0	0
CONVENTION CENTER FINANCING FEES					
HOSPITALITY FEE ACT FEES					
1. _____			( 10% IS THE MAXIMUM OF GROSS TAX PROCEEDS,		
2. _____			i.e. 10% OF QUARTERLY AMOUNT FOR THIS REPORTING PERIOD)		
TOTAL REVENUE \$	357,791	357,791			

<b>4. TRANSFERS: IN</b>		
INTERGOVERNMENT, INTERFUND TRANSFERS - IN		
(e.g. JPAs, GRANTS TRANSFERRED TO LODGERS' TAX FUND)		
1. _____	\$ _____	\$ _____
2. _____		
	\$ 0	\$ 0

**3. CASH BALANCES:**

Carryover From Previous Fiscal Year: Non-Promotional	\$ 15,511
Carryover From Previous Fiscal Year: Promotional	1,071,424
(Note: 2 years maximum carryover before money must be spent).	
NON-PROMOTIONAL FUND	\$ 0
PROMOTIONAL FUND	\$ 2,290
Grand Total (Non-Promo)	\$ _____
Grand Total (Promo)	\$ 1,089,225

**TRANSFERS:OUT**

<b>NON-PROMOTIONAL FUND</b>		
INTERFUND TRANSFERS - (OUT)		
(e.g. FROM NON-PROMOTIONAL TO VENDOR OR PROMOTIONAL)		
1. _____	\$ _____	\$ _____
2. _____		
3. _____		
4. _____		
	\$ 0	\$ 0
INTERGOVERNMENTAL TRANSFERS - (OUT)		
1. _____	\$ _____	\$ _____
2. _____		
3. _____		
4. _____		
	\$ 0	\$ 0

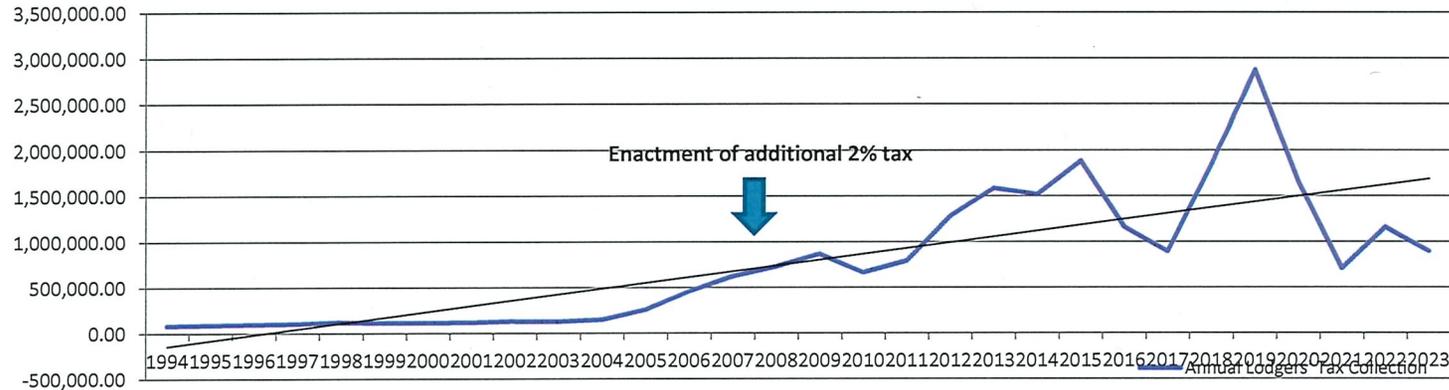
<b>PROMOTIONAL FUND</b>		
INTERFUND TRANSFERS - (OUT)		
(e.g. FROM PROMOTIONAL TO VENDOR OR NON-PROMOTIONAL)		
1. _____	\$ _____	\$ _____
2. _____		
3. _____		
4. _____		
	\$ 0	\$ 0
INTERGOVERNMENTAL TRANSFERS - (OUT)		
1. _____	\$ _____	\$ _____
2. _____		
3. _____		
4. _____		
	\$ 0	\$ 0



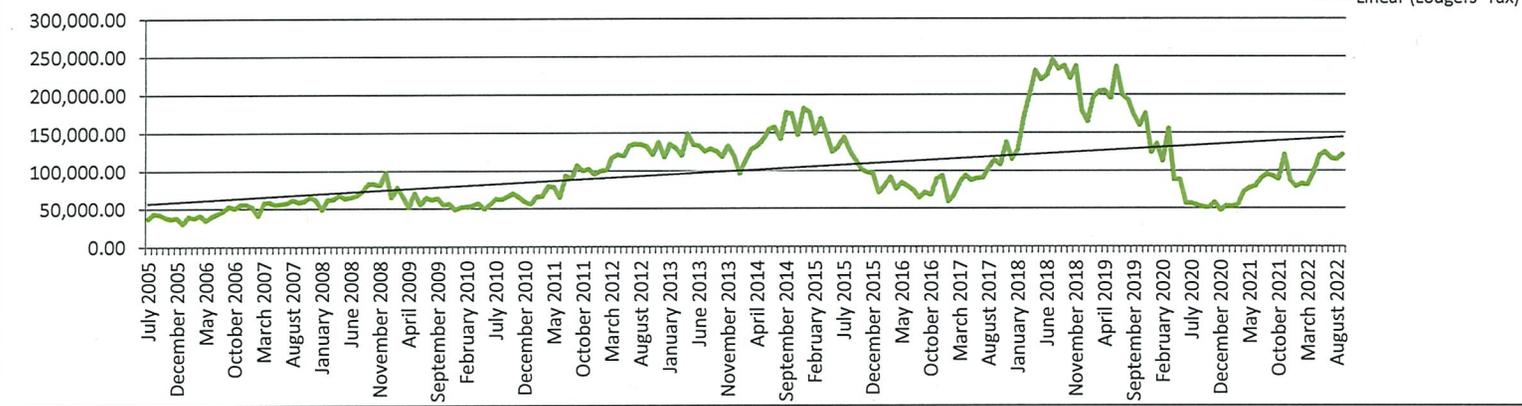


CITY OF HOBBS LODGERS' TAX PROGRAM						
9/30/2022						
	AWARD					
				ACTUAL		
		PROJECT	DATE	AMOUNT	EXPENSE	
9/30/2022	CASH BALANCE				1,089,224.70	
<b>Proof of Cash:</b>						
Beginning Cash Available for Profit, Non-Profit, and Public Entities (20%)						
					267,636.22	
22-15	Cinco De Mayo Committee		4-13-22	18,800.00	5,675.86	
23-01	Hobbs USSSA		5-12-22	11,500.00	0.00	
23-03	Hobbs Airfield Speedway, LLC		5-12-22	20,971.00	9,518.47	
23-06	Western Heritage Museum		7-13-22	8,511.50	0.00	
23-07	Hobbs USSSA		7-13-22	10,000.00	0.00	
23-08	Southwest Symphony		7-13-22	12,127.38	0.00	
23-09	Hobbs Airfield Speedway, LLC		7-13-22	16,730.00	0.00	
23-10	Permian Basin USSSA		7-13-22	18,000.00	0.00	
23-11	NAACP - State Conference		7-13-22	15,498.75	0.00	
	TOTAL REMAINING ALLOCATION FOR PROFIT, NON-PROFIT AND PUBLIC ENTITIE			132,138.63	0.00	116,944.30
Add:	20% Monthly Tax Revenue (starting April 1st, 2013)					70,798.16
	<b>Cash Available for Allocation</b>					<b>221,490.08</b>
<b>Beginning Cash Available for Local Government (City and County) (40%)</b>						
						519,107.87
20-27	CITY OF HOBBS - MARKETING/BRANDING CAMPAIGN		3/2/2020	250,000.00	42,507.15	207,492.85
23-12	City of Hobbs - Rockwind Golf Marketing		7-13-2022	64,650.00	0.00	64,650.00
23-13	City of Hobbs - NM Recreation and Parks Association State Conf.		7-13-2022	49,995.00	0.00	49,995.00
23-14	City of Hobbs - CORE Marketing		7-13-2022	99,650.00	32,042.69	67,607.31
23-15	City of Hobbs - CORE Operating		7/13/2022	500,000.00	125,000.00	375,000.00
	TOTAL REMAINING ALLOCATION FOR LOCAL GOVERNMENT			964,295.00	199,549.84	764,745.16
Add:	40% Monthly Tax Revenue (starting April 1st, 2013)					141,596.31
	<b>Cash Available for Allocation</b>					<b>(104,040.98)</b>
<b>Beginning Cash Available for Fire, EMS, Sanitation (15%)</b>						
	TOTAL REMAINING ALLOCATION FOR CITY OF HOBBS POLICE AND FIRE			53,098.62	53,098.62	0.00
Add:	15% Monthly Tax Revenue (starting April 1st, 2013)					53,098.62
	<b>Cash Available for Allocation</b>					-
<b>Beginning Cash Available for Airline subsidy (25%)</b>						
						300,191.48
23-02	EDC - MARKETING/AIRLINE SUBSIDY (91,191.40)		5-12-22	491,191.48	98,891.05	392,300.43
Add:	25% Monthly Tax Revenue (starting April 1st, 2013)					88,497.70
	TOTAL REMAINING ALLOCATION FOR AIRLINE SUBSIDY					
	<b>Cash Available for Allocation</b>					<b>(3,611.26)</b>

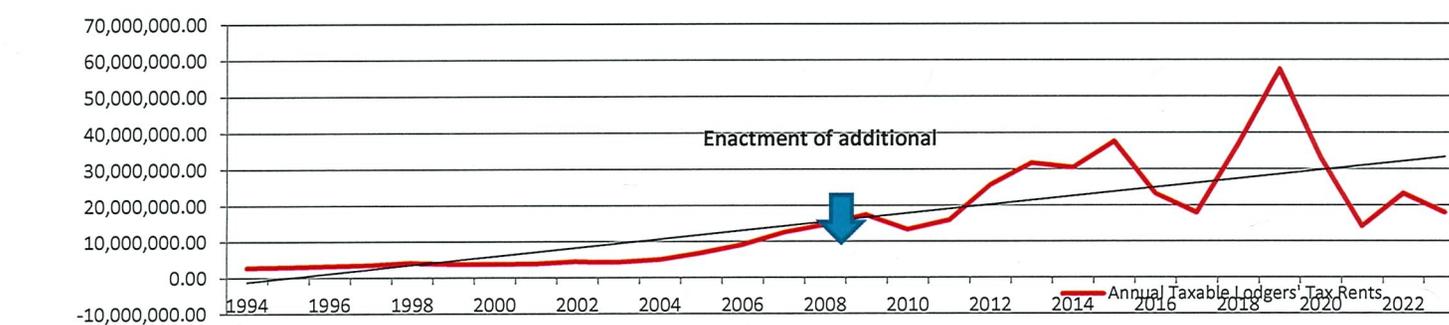
### Annual Lodgers' Tax Collection



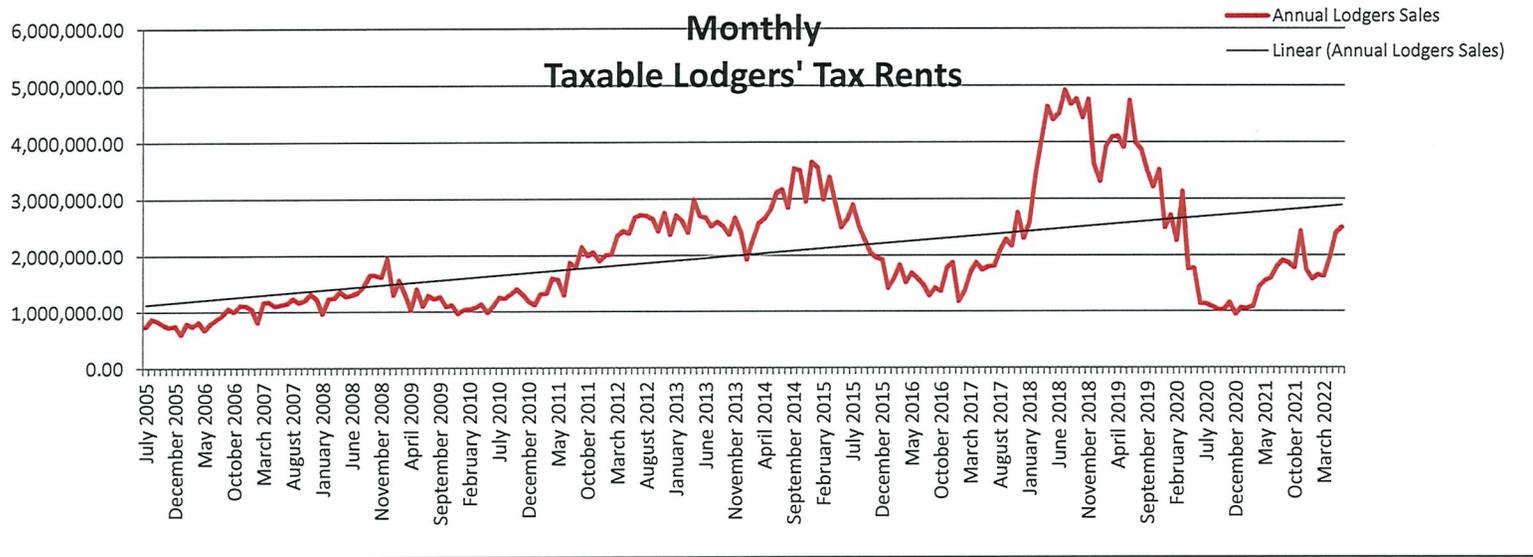
### Monthly Lodgers' Tax Collection



### Annual Taxable Lodgers' Tax Rents



# Monthly Taxable Lodgers' Tax Rents





**FINANCE DEPARTMENT**

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200 E. Broadway  
Hobbs, NM 88240

575-397-9235 bus  
575-397-9450 fax

October 27th, 2022

Shirley T. Green  
Department of Finance & Administration  
Local Government Division  
407 Galistero  
Santa Fe, NM 87501

Re: 1st quarter lodgers' tax quarterly report

Enclosed is the following:

1st quarter lodgers' tax report for fiscal year 2023

Sincerely,

A handwritten signature in blue ink, appearing to read "Toby Spears", is written over the typed name.

Toby Spears, CPA, CFE  
Finance Director  
CITY OF HOBBS



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

SUBJECT: A RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP OF THE HOBBS POLICE DEPARTMENT CANINE NAMED LOKI

DEPT. OF ORIGIN: Hobbs Police Department
DATE SUBMITTED: November 2, 2022
SUBMITTED BY: August Fons, Chief of Police

Summary: The Hobbs Police Department currently employs Canine Loki. Canine Loki was acquired by the City of Hobbs on January 31, 2022, and has an estimated value of \$11,000. Canine Loki's handler left the Hobbs Police Department and there is no canine handler available to work Canine Loki. The City of Lovington has been identified as a suitable destination for Canine Loki. The proposed Resolution seeks to transfer ownership of Canine Loki to the City of Lovington. This measure will allow Canine Loki to continue his service to the residents of Lea County. The parties will execute a Transfer of Ownership and Release of Liability upon approval of both the City of Hobbs City Commission and the City of Lovington City Commission.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

Canine Loki (Asset #8153) has an estimated value of \$11,000.00. If approved, all necessary deletions will be conducted to the City's asset lists to ensure the City's asset lists reflect the transfer. There will be no other fiscal impact to the City in that the City of Lovington will be solely responsible for all care and liability of Loki.

Attachments:

Resolution; Transfer of Ownership and Release of Liability

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

The Commission should consider approval of this Resolution.

Approved For Submittal By:

[Signature] Department Director
[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7270

A RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP OF THE  
CITY OF HOBBS POLICE DEPARTMENT CANINE NAMED LOKI

WHEREAS, the City of Hobbs currently has ownership of a working police canine named Loki; and

WHEREAS, Loki has completed his beneficial service to the citizens of Hobbs and currently does not have a canine handler available within the Hobbs Police Department; and

WHEREAS, Loki's handler, former Hobbs Police Department Officer Robert Still, is currently employed by the City of Lovington for the Lovington Police Department; and

WHEREAS, transferring Loki to the City of Lovington provides an opportunity for the canine to continue his service to Lea County residents; and

WHEREAS, the City of Lovington will become responsible for the canine's medical care, annual licensing and food and will assume all liability associated with Loki as set forth in a Transfer of Ownership and Release of Liability Agreement, and;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, that the Mayor be and hereby is authorized and directed to take all necessary and appropriate action to effectuate this resolution and specifically to transfer ownership of the City of Hobbs Police Department canine named Loki to the City of Lovington as set forth in a Transfer of Ownership and Release of Liability Agreement.

PASSED, ADOPTED AND APPROVED this 7<sup>TH</sup> day of November, 2022.

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

ATTEST:

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

TRANSFER OF OWNERSHIP AND  
RELEASE OF LIABILITY

WHEREAS, The City of Hobbs, hereinafter referred to as "City", owns a working canine named "Loki". Former Hobbs Police Department Officer Officer Robert Still has served as Loki's handler; and

WHEREAS, Officer Still is now employed by the City of Lovington in the Lovington Police Department; and

WHEREAS, the decision has been made to transfer Loki from Hobbs Police Department to the Lovington Police Department for the benefit of Loki and the City of Lovington; and

WHEREAS, the City of Lovington desires to keep and employ Loki and become responsible for the complete care of the canine; and

WHEREAS, The City desires to transfer ownership of Loki in return for a complete release from the City of Lovington of any and all legal liability associated with Loki that may arise in the future and the complete care and responsibility of Loki.

1. The City of Hobbs shall transfer ownership of Loki to the City of Lovington upon approval by the City of Hobbs City Commission and at the time this document is executed by all parties.
2. The City of Lovington shall receive ownership of Loki from the City of Hobbs upon approval by the City of Lovington City Commission and at the time this document is executed by all parties.
3. The City of Lovington shall be responsible for the on-going care for Loki, including, but not limited to, any and all medical care, preventative inoculations (rabies, distemper, bordetella, etc.), all annual city/state licensing fees, and food.
4. The City of Lovington agrees to abide by all City Ordinances and State Statutes regarding the ownership of the canine.
5. The City of Lovington agrees to assume all responsibility and liability associated with Loki. The City of Lovington and the City of Hobbs shall each bear liability only for the acts or omissions of their own employees. Nothing contained herein shall be construed as the City of Hobbs assuming any liability, whatsoever, for Loki once the transfer of ownership is complete. Currently, the parties are unaware of any pending legal matters as a result of acts or alleged negligence on the part of Loki.

6. The City shall present this Transfer of Ownership and Release of Liability to the City of Hobbs City Commission to obtain an appropriate Resolution, authorizing Mayor Sam D. Cobb to execute this agreement on behalf of the City of Hobbs.
7. Lovington Police Department, by and through its Chief of Police, shall present this Transfer of Ownership and Release of Liability to the City of Lovington City Commission to obtain an appropriate Resolution, authorizing Mayor Howard "Robbie" Roberts to execute this agreement on behalf of the City of Lovington.

DATED this 7<sup>th</sup> day of November, 2022.

CITY OF HOBBS

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SAM D. COBB  
Mayor

ATTEST:

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JAN FLETCHER  
City Clerk

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TOBY SPEARS  
Finance Director

CITY OF LOVINGTON

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HOWARD "ROBBIE" ROBERTS  
Mayor

ATTEST:

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SHANNON LESTER  
City Clerk

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TRACY ESPINOZA  
Treasurer/Finance Director

Approved as to Form:

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EFREN A. CORTEZ  
City of Hobbs City Attorney

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PATRICK B. McMAHON  
City of Lovington City Attorney



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

SUBJECT: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE CITY OF LOVINGTON FOR THE PURCHASE AND TRANSFER OF A POLICE UNIT

DEPT. OF ORIGIN: Hobbs Police Department
DATE SUBMITTED: November 2, 2022
SUBMITTED BY: August Fons, Chief of Police

Summary: This resolution authorizes the Mayor to execute a Memorandum of Agreement with the City of Lovington detailing the terms and responsibilities of for each party regarding the purchase and transfer of a police unit currently owned by the City of Hobbs for the sum of \$10,000.00. The unit in question is Unit #1594 and is a 2015 Chevrolet Tahoe K9 Edition with approximately 117,524 miles and approximately \$15,000 in equipment upgrades.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

If approved, Unit #1594 (Asset #6739) will be removed from the City's asset list upon transfer and the \$10,000.00 will be placed in account 19999-30611 upon receipt.

Attachments: Resolution; MOA

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

The Commission should consider approval of this measure.

Approved For Submittal By: [Signature] Department Director
[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7271

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A MEMORANDUM OF AGREEMENT WITH THE CITY OF LOVINGTON FOR THE  
PURCHASE AND TRANSFER OF A POLICE UNIT

WHEREAS, the City of Hobbs has offered, via a Memorandum of Agreement ("MOA"), to provide the City of Lovington with a police canine Unit #1594 and the City of Lovington has offered to pay the City of Hobbs \$10,000.00 for the same; and

WHEREAS, under the terms of the MOA, the transfer of Unit #1594 must be completed by March 1, 2023; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that the Mayor be and is hereby directed to execute a Memorandum of Agreement with the City of Lovington for the purchase and transfer of police canine Unit #1594.

PASSED, ADOPTED AND APPROVED this 7<sup>th</sup> day of November, 2022.

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

ATTEST:

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

**MEMORANDUM OF AGREEMENT BETWEEN  
THE CITY OF HOBBS AND  
THE CITY OF LOVINGTON**

This Memorandum of Agreement (hereinafter "Agreement") is made on the date of the signatures below by and between the City of Hobbs, (hereinafter "Hobbs") and the City of Lovington (hereinafter "Lovington").

**PURPOSE**

The purpose of this Agreement is to memorialize the terms and conditions, including changes thereto, between Hobbs and Lovington regarding Hobbs' transfer of a police canine unit to Lovington and Lovington's anticipated payment therefore.

WHEREAS, Hobbs wishes to transfer and Lovington wishes to accept the police canine unit; and

WHEREAS, Lovington wishes to expend and Hobbs wishes to accept \$10,000.00 as good and valuable consideration in exchange for the police canine unit.

**AGREEMENT**

1. Hobbs will provide a police canine unit from its current fleet to Lovington. Specifically, Hobbs will transfer to Lovington Unit #1594, which is a 2015 Chevrolet Tahoe K9 Edition with 117,524 miles bearing VIN #1GNLC2EC2FR673547 (hereinafter "Unit #1594).
2. Hobbs will deliver Unit #1594 within 15 days of full execution of this Agreement.
3. Hobbs will complete any and all paperwork necessary, as the "transferor," to facilitate the legal transfer of Unit #1594 to Lovington.
4. Hobbs will ensure Unit #1594 is removed from its asset list and all paperwork associated with the purchase and transfer of Unit #1594 is made available to any third-party entities that may periodically review Hobbs' financial records.
5. Lovington will accept Unit #1594 "as is" and thereafter will remain responsible for any and all legal obligations in any way associated with acceptance and maintenance of Unit #1594.
6. Lovington will remit payment to Hobbs in the amount of \$10,000 within 30 days after delivery of Unit #1594. Lovington will make all checks payable to "the City of Hobbs Attention: Accounts Receivable."
7. Lovington will complete any and all paperwork necessary, as the "transferee," to facilitate the legal transfer of Unit #1594 to Lovington.

8. Lovington will ensure Unit #1594 is added to its asset list and all paperwork associated with the purchase and transfer of Unit #1594 is made available to any third-party entities that may periodically review Lovington's financial records.

### **SOVEREIGN IMMUNITY**

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

### **LIABILITY**

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

### **THIRD PARTY BENEFICIARIES**

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

### **INSURANCE**

Both Hobbs and Lovington shall maintain liability insurance or qualify as a self-insured entity, as required by law.

### **TERM**

This Agreement shall continue in full force and effect, until the full transfer of Unit #1594, including all necessary paperwork required to complete the legal transfer of the same, have been completed, or March 1, 2023, whichever occurs first.

### **SEVERABILITY**

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

**NO ORAL MODIFICATION**

The forgoing constitutes the entire Agreement between the Parties and may be modified only in writing signed by both Parties. Amendments and alterations to this Agreement after execution may only be made in writing signed by both parties.

**GOVERNING LAW**

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

**EFFECTIVE DATE**

This Agreement shall be in full force and effect upon execution and approval of the parties hereto.

ATTEST:

CITY OF HOBBS

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

Date: \_\_\_\_\_

ATTEST:

CITY OF LOVINGTON

BY: \_\_\_\_\_  
Howard "Robbie" Roberts,  
Mayor

Date: \_\_\_\_\_

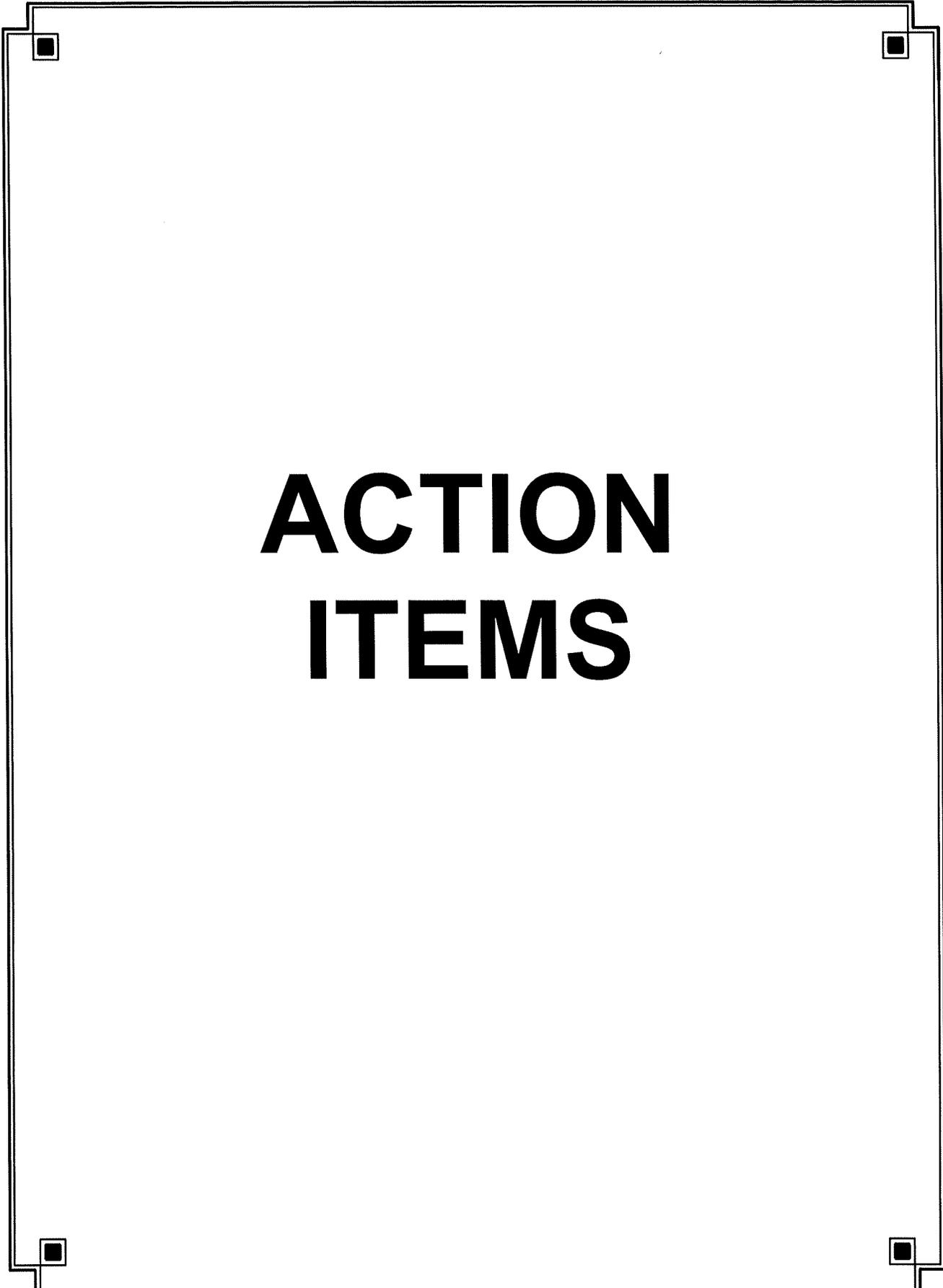
Approved as to Form:

By: \_\_\_\_\_  
Efren A. Cortez  
City of Hobbs City Attorney

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Patrick B. McMahon  
City of Lovington City Attorney

Date: \_\_\_\_\_



# **ACTION ITEMS**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

**SUBJECT:** ADOPTION OF AN ORDINANCE AMENDING TITLE 5 OF THE HOBBS MUNICIPAL CODE REQUIRING ABORTION PROVIDERS IN HOBBS TO COMPLY WITH FEDERAL LAW

**DEPT. OF ORIGIN:** Legal Department  
**DATE SUBMITTED:** October 31, 2022  
**SUBMITTED BY:** Valerie S. Chacon, Deputy City Attorney

**Summary:** In 2021, during the First Regular Session of the 55<sup>th</sup> Legislature, the New Mexico Legislature adopted Senate Bill (SB) 10 repealing NMSA 1978, §§ 30-5-1 through 30-5-3, which previously regulated abortions in New Mexico. The Legislature did not supplement the repealed laws with any provisions in any way regulating abortion providers in New Mexico. Thereafter, on June 24, 2022, the US Supreme Court in *Dobbs, et al. v. Jackson Women's Health Organization, et al.*, 142 S.Ct. 2228 (2022), determined that there is no Constitutional right to an abortion. Now, the City of Hobbs seeks to require abortion providers to comply with federal law as a condition of obtaining a business license to operate within the municipal boundaries of Hobbs, New Mexico. Pursuant to NMSA 1978, § 3-17-3, the proposed title and subject matter of the proposed ordinance was published in the Hobbs News-Sun on October 20<sup>th</sup> and 27<sup>th</sup> 2022, and a copy of the proposed ordinance was available in the City Clerk's Office and was also placed on the City's website for public review.

**Fiscal Impact:**

Reviewed By:   
Finance Department

There is no direct fiscal impact for this measure.

**Attachments:**

Proposed Ordinance; Affidavit of Publication

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

The Commission should consider approving publication.

Approved For Submittal By:

  
Department Director

  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

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

CITY OF HOBBS  
ORDINANCE NO. 1147

AN ORDINANCE AMENDING TITLE 5 OF THE HOBBS MUNICIPAL CODE  
REQUIRING ABORTION PROVIDERS IN HOBBS TO COMPLY WITH FEDERAL LAW

WHEREAS, Federal law imposes felony criminal liability on every person who ships or receives abortion pills or abortion-related paraphernalia in interstate or foreign commerce, see 18 U.S.C. §§ 1461–62, and all such acts are predicate offenses under the federal Racketeer Influenced and Corrupt Organizations Act (RICO), see 18 U.S.C. § 1961; and

WHEREAS, the state constitution of New Mexico does not and cannot secure a right, privilege or immunity to act in violation of federal statutes such as 18 U.S.C. §§ 1461–62, or to engage in criminal and racketeering conduct as defined by federal law; and

WHEREAS, the members of the City Commission are bound by oath to support and defend the Constitution of the United States, and the statutory provisions codified at 18 U.S.C. §§ 1461–62 are the “supreme Law of the Land” under Article VI of the Constitution and must be obeyed and respected by every person within the municipal boundaries of Hobbs and by every judge in the State of New Mexico. See U.S. Const. art. VI (“[T]he Laws of the United States . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”); and

WHEREAS, the City of Hobbs City Commission calls upon the United States Attorneys for the District of New Mexico, both present and future, to investigate and

prosecute abortion providers and abortion-pill distribution networks under 18 U.S.C. §§ 1461–62 and the Racketeer Influenced and Corrupt Organizations Act (RICO); and

WHEREAS, the City of Hobbs City Commission encourages all victims of abortion providers and abortion-pill distribution networks, including the mothers, fathers, and surviving relatives of aborted unborn children, to sue these racketeering enterprises under civil RICO; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Title 5 of the Hobbs Municipal Code is hereby amended as more specifically described as follows:

## Chapter 5.52 - ABORTION CLINICS

### 5.52.010 - Purpose.

The purpose of this section is to preserve the integrity of the local medical profession by ensuring compliance with applicable law.

### 5.52.020 - Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section unless in context it appears that a different meaning is intended:

“Abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of an individual, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. The term does not include:

1. In vitro fertilization or fertility treatments of any type;
2. The use, prescription, administration, procuring, or selling of Plan B, morning-after pills, intrauterine devices, or any other type of contraception or emergency contraception; or
3. An act performed with the purpose to:
  - (A) Save the life or preserve the health of the unborn child;
  - (B) Remove a dead unborn child caused by spontaneous abortion; or
  - (C) Remove an ectopic pregnancy, the implantation of a fertilized egg or embryo outside of the uterus.

“Abortion clinic” means any building or facility, other than a hospital, where an abortion of any type is performed, or where abortion-inducing drugs are dispensed, distributed, or ingested.

“Hospital” means an institution that is:

1. Primarily engaged in providing, by or under the supervision of physicians, inpatient diagnostic and therapeutic services or rehabilitation services; and
2. Duly licensed for this purpose under the laws of New Mexico.

“Interactive computer service” means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

**5.52.030 - Abortion License—Required.**

It is unlawful for any person or business entity to open or operate an abortion clinic within the municipal boundaries of the City without first obtaining a license pursuant to this chapter.

**5.52.040 - Abortion License—Application.**

Any person or business entity wishing to apply for a license to open or operate an abortion clinic within the City shall file an application with the City Clerk containing the following:

- A. Name. The name of the person or business entity requesting the license.
- B. Address and Phone Number. The mailing address and phone number of the person or business entity requesting the license.
- C. Location. A street address and legal description for the property for which the license is requested.
- D. Map. Attached to the application must be a map showing the location, proposed and existing improvements (such as buildings, fences, etc.), and the relationship of the location to nearby streets, residential housing, public buildings (such as churches, schools, etc.), public utilities, and the like.
- E. Proposed Activity. A brief narrative describing the activities planned at the location, including the types of abortions to be performed.
- F. Compliance Statement. A statement to the effect that the applicant, or its representative if a business entity, is aware of the regulations contained in this chapter that require compliance with federal abortion laws, and that it will comply with those requirements of federal law as set forth in section 5.52.070.

**5.52.050 - License—Issuance or Refusal.**

The City Commission shall issue a license to the applicant within thirty (30) days of receiving the application unless:

- A. The applicant fails to provide the information and material required by section 5.52.040; or
- B. The City Commission finds that the proposed activity cannot be accomplished as described without violating the requirements of federal law as set forth in section 5.52.070.

**5.52.060 - License—Period of validity—Revocation—Appeal.**

- A. Once issued, a license shall be valid until revoked as provided herein. The City Commission shall revoke a license if it finds that:

1. The applicant or licensee, or any of their employees or agents, have violated the requirements of federal law as set forth in section 5.52.070; or
  2. The applicant or licensee, or any of their employees or agents, have deviated from the activities and plans presented in the application or are no longer actively pursuing such activities.
- B. If the City Commission fails to revoke a license as required by this section, then any resident of the City has standing to sue and may sue the Commission and its individual members for a writ of mandamus compelling them to comply with the requirements of this chapter.

**5.52.070 - Compliance with Federal Abortion Laws Required.**

- A. It shall be unlawful for any person or licensed abortion clinic within the municipal boundaries of the City, or any employee or agent of an abortion clinic licensed by the City, to violate 18 U.S.C. § 1461 by using the mails for the mailing, carriage in the mails, or delivery of:
1. Any article or thing designed, adapted, or intended for producing abortion; or
  2. Any article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for producing abortion;
- B. It shall be unlawful for any person or licensed abortion clinic within the municipal boundaries of the City, or any employee or agent of an abortion clinic licensed by the City, to violate 18 U.S.C. § 1462 by:
1. Using any express company or other common carrier or interactive computer service for carriage in interstate or foreign commerce of any drug, medicine, article, or thing designed, adapted, or intended for producing abortion; or
  2. Knowingly taking or receiving from such express company or other common carrier or interactive computer service any matter or thing described in subsection (B)(1).
- C. It shall be unlawful for any person or licensed abortion clinic within the municipal boundaries of the City, or any employee or agent of an abortion clinic licensed by the City, to engage in conduct that aids or abets the violations of 18 U.S.C. § 1461 or 18 U.S.C. § 1462 described in subsection (A).

**5.52.080 – Severability.**

- A. Mindful of *Leavitt v. Jane L.*, 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion the Supreme

Court of the United States held that an explicit statement of legislative intent is controlling, it is the intent of the City Commission that every provision, section, subsection, sentence, clause, phrase, or word in this chapter, and every application of the provisions in this chapter to every person, group of persons, or circumstances, are severable from each other.

- B. If any application of any provision in this chapter to any person, group of persons, or circumstances is found by any court to be invalid, preempted, or unconstitutional, for any reason whatsoever, then the remaining applications of that provision to all other persons and circumstances shall be severed and preserved, and shall remain in effect. All constitutionally valid applications of the provisions in this chapter shall be severed from any applications that a court finds to be invalid, preempted, or unconstitutional, because it is the City Commission's intent and priority that every single valid application of every provision in this chapter be allowed to stand alone.
- C. The City Commission further declares that it would have enacted this chapter, and each provision, section, subsection, sentence, clause, phrase, or word, and all constitutional applications of the provisions of this chapter, irrespective of the fact that any provision, section, subsection, sentence, clause, phrase, or word, or applications of this chapter were to be declared invalid, preempted, or unconstitutional.
- D. If any provision of this chapter is found by any court to be unconstitutionally vague, then the applications of that provision that do not present constitutional vagueness problems shall be severed and remain in force, consistent with the severability requirements of Subsections (A), (B), and (C).
- E. No court may decline to enforce the severability requirements of Subsections (A), (B), (C), and (D) on the ground that severance would "rewrite" the ordinance or involve the court in legislative or lawmaking activity. A court that declines to enforce or enjoins a state or local official from enforcing a statute or ordinance is never rewriting the underlying law or engaging in legislative or lawmaking activity, as the statute or ordinance continues to contain the same words as before the court's decision. A judicial injunction or declaration of unconstitutionality:
1. Is nothing more than an edict prohibiting enforcement that may subsequently be vacated by a later court if that court has a different understanding of the requirements of the New Mexico Constitution or United States Constitution;
  2. Is not a formal amendment of the language in a statute or ordinance; and

3. No more rewrites a statute or ordinance than a decision by the executive not to enforce a duly enacted statute in a limited and defined set of circumstances.

F. If any court, including any state or federal court, disregards any of the severability requirements in Subsections (A), (B), (C), (D), or (E), and declares or finds any provision of this chapter facially invalid, preempted, or unconstitutional, when discrete applications of that provision can be enforced against a person, group of persons, or circumstances without violating federal or state law or the federal or state constitutions, then that provision shall be interpreted, as a matter of city law, as if the city had enacted a provision limited to the persons, group of persons, or circumstances for which the provision's application will not violate federal or state law or the federal or state constitutions, and every court shall adopt this saving construction of that provision until the court ruling that pronounced the provision facially invalid, preempted, or unconstitutional is vacated or overruled.

**5.52.090 - Effective date.**

This ordinance shall go into immediate effect upon adoption by the City of Hobbs City Commission and may be amended as authorized by ordinance or statute.

PASSED, ADOPTED, AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

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

# 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  
October 20, 2022  
and ending with the issue dated  
October 27, 2022.



Publisher

Sworn and subscribed to before me this  
27th day of October 2022.



Business Manager

My commission expires  
January 29, 2023  
(Seal)

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

## LEGAL NOTICE October 20 and 27, 2022

### NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the 7th day of November, 2022, at its meeting at 6:00 p.m., in the City Commission Chamber at City Hall, 1st Floor Annex, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance amending Title 5 of the Hobbs Municipal Code requiring abortion providers in Hobbs to comply with Federal law. A summary of the ordinance is contained in its title and is described as follows:

#### AN ORDINANCE AMENDING TITLE 5 OF THE HOBBS MUNICIPAL CODE REQUIRING ABORTION PROVIDERS IN HOBBS TO COMPLY WITH FEDERAL LAW

WHEREAS, Federal law imposes felony criminal liability on every person who ships or receives abortion pills or abortion-related paraphernalia in interstate or foreign commerce, see 18 U.S.C. §§ 1461-62, and all such acts are predicate offenses under the federal Racketeer Influenced and Corrupt Organizations Act (RICO), see 18 U.S.C. § 1961; and

WHEREAS, the state constitution of New Mexico does not and cannot secure a right, privilege or immunity to act in violation of federal statutes such as 18 U.S.C. §§ 1461-62, or to engage in criminal and racketeering conduct as defined by federal law; and

WHEREAS, the members of the City Commission are bound by oath to support and defend the Constitution of the United States, and the statutory provisions codified at 18 U.S.C. §§ 1461-62 are the "supreme Law of the Land" under Article VI of the Constitution and must be obeyed and respected by every person within the municipal boundaries of Hobbs and by every judge in the State of New Mexico. See U.S. Const. art. VI ("[T]he Laws of the United States . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."); and

WHEREAS, the City of Hobbs City Commission calls upon the United States Attorneys for the District of New Mexico, both present and future, to investigate and prosecute abortion providers and abortion-pill distribution networks under 18 U.S.C. §§ 1461-62 and the Racketeer Influenced and Corrupt Organizations Act (RICO); and

WHEREAS, the City of Hobbs City Commission encourages all victims of abortion providers and abortion-pill distribution networks, including the mothers, fathers, and surviving relatives of aborted unborn children, to sue these racketeering enterprises under civil RICO; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that Title 5 of the Hobbs Municipal Code is hereby amended as more specifically described as follows:

#### Chapter 5.52 - ABORTION CLINICS

- 5.52.010 - Purpose.
- 5.52.020 - Definitions.
- 5.52.030 - Abortion License—Required.
- 5.52.040 - Abortion License—Application.
- 5.52.050 - License—Issuance or Refusal.
- 5.52.060 - License—Period of validity—Revocation—Appeal.
- 5.52.070 - Compliance with Federal Abortion Laws Required.
- 5.52.080 - Severability.
- 5.52.090 - Effective date.

A full copy of the ordinance is available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The ordinance is also available for viewing online at [www.hobbsnm.org](http://www.hobbsnm.org).

/s/Jan Fletcher  
Jan Fletcher, City Clerk

#38167

67108146

00272238

CITY OF HOBBS FINANCE DEPT  
200 E. BROADWAY ST  
HOBBS, NM 88240



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: 11/07/2022

SUBJECT: Hobbs Animal Adoption Center Roof Repair Utilizing the Junior Bill funds.

DEPT. OF ORIGIN: Hobbs Police Department
DATE SUBMITTED: 10/26/22
SUBMITTED BY: Chief August Fons

Summary: The roof of the Hobbs Animal Adoption Center (HAAC) located at 702 N. Grimes is leaking through various areas of the building, causing puddling of water in the walkways and producing potential hazards for slip and fall accidents.

G & G Roofing, Inc., located at 115 W. Marland, was chosen as a potential candidate to provide this service. G & G Roofing, Inc. will accomplish this task by power washing around all roof penetrations and along the west walls of both buildings on location. One coat of trowel-grade acrylic metal roof primer with 12" fabric will be installed on all roof penetrations and the base along the west wall. Gutters on both buildings will be cleaned via a power washer. Steel walkways will be measured, cut, and modified to fit around air conditioner curbs. Modified walkway panels will be installed on the existing walkways on sixteen units.

We are using G&G Roofing, who is a CES provider, to repair the HAAC roof.

Fiscal Impact:

Reviewed By: Finance Department

The total cost for this repair is \$91,073.94. The money for this project will come from the Junior Bill awarded to the HAAC. The account number is 214021-44901-00347, and the account balance is currently \$200,000.00. This repair will have no monetary impact on the City of Hobbs.

Attachments: G&G Roofing HAAC Roof Repair Quote, and City of Hobbs Requisition and Quote Form.

Legal Review:

Approved As To Form: Efrén A. Cortez City Attorney

Recommendation:

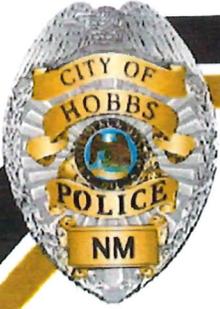
Motion to approve.

Approved For Submittal By:

Department Director
City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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



# HOBBS POLICE DEPARTMENT

To: Chief August Fons *FW 10/24/22*  
 Deputy Chief Blevins *10/20/22 0840*  
 Captain Danny Garrett *10/17/22*

From: Lieutenant Josh James *Josh James*

Date: October 17, 2022

Reference: HAAC Roof Repair

The attached City of Hobbs Requisition/Quote Form is to provide much-needed roof repair for the Hobbs Animal Adoption Center (HAAC) located at 702 N. Grimes. G & G Roofing, Inc., located at 115 W. Marland, was chosen as a potential candidate to provide this service.

G & G Roofing, Inc. will accomplish this task by power washing around all roof penetrations and along the west walls of both buildings on location. One coat of trowel-grade acrylic metal roof primer with 12" fabric will be installed on all roof penetrations and the base along the west wall. Gutters on both buildings will be cleaned via a power washer. Steel walkways will be measured, cut, and modified to fit around air conditioner curbs. Modified walkway panels will be installed on the existing walkways on sixteen units.

The total cost for this repair is \$91,073.94. The money for this project will come from the Junior Bill awarded to the HAAC. The account number is 214021-44901-00347, and the account balance is currently \$200,000.00

Thank you.

August Fons, Chief of Police  
 300 N. Turner • Hobbs, New Mexico 88240  
 Dispatch (575) 397-9265 • Fax (575) 397-3867  
 www.hobbspd.com

Accredited By The  
 New Mexico Law Enforcement Professional Standards Council



**CITY OF HOBBS REQUISITION/QUOTE FORM**

(Purchases \$500.00-\$5,000.00 SPD & GSA Contract)

TO: CPO

FROM: Lieutenant Josh James

DATE: 10/17/22

VENDOR NAME:  
ADDRESS:

PHONE/FAX NO:

1) G & G Roofing, Inc.  
(115 W. Marland,  
Hobbs, NM 88240)

2)

3)

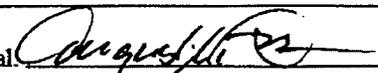
QTY	DESCRIPTION ITEM(S) SERVICE TO BE PURCHASED	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Roof repair for the Hobbs Animal Adoption Center (HAAC) located at 702 N. Grimes.	\$91,073.94	\$91,073.94				
	G & G Roofing, Inc., located at 115 W. Marland, was chosen as a potential candidate						
	to provide this service. G & G Roofing, Inc. will accomplish this task by power						
	washing around all roof penetrations and along the west walls of both buildings on						
	location. One coat of trowel-grade acrylic metal roof primer with 12" fabric will be						
	installed on all roof penetrations and the base along the west wall. Gutters on both						
	buildings will be cleaned via a power washer. Steel walkways will be measured, cut,						
	and modified to fit around air conditioner curbs. Modified walkway panels will be						
	installed on the existing walkways on sixteen units.						
	<b>TOTAL AMOUNT</b>		\$91,073.94				
	<b>DELIVERY DATE</b>						
	<b>ESTIMATED SHIPPING CHARGES</b>		\$0.00				

CHECK ONE: STATE CONTRACT / GSA CONTRACT CONTRACT NO. \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

SPD or GSA contracts should be attached or on file in CPO. GSA contracts must have a letter from the contractor indicating a willingness to extend pricing, and all terms to the City of Hobbs.

AWARD TO: G & G Roofing, Inc. POINT OF CONTACT: 115 W. Marland (If new vendor make sure address is on this form)

If lowest price is not recommended, please state why (subject to approval by CPO) \_\_\_\_\_

Account No. 214021-44901-00347 Prepared By: Lieutenant Josh James Department Approval: 



**Job Order Contract**

**Price Proposal Summary - CSI**

Date: October 14, 2022  
 Contract Number: 2020-10-GGR-R6  
 Job Order Number: 231007-1.00  
 Job Order Title: City of Hobbs-Animal Adoption Center  
 Contractor: G & G Roofing, Inc.  
 Proposal Value: \$91,073.94  
 Proposal Name: City of Hobbs-Animal Adoption Center  
 Detailed Scope: SCOPE OF WORK

**LABOR & MATERIALS:**

**PENETRATIONS:**

POWER WASH AROUND ALL ROOF PENETRATIONS AND ALONG THE WEST WALLS ON BOTH BUILDINGS.  
 INSTALL ONE COAT OF TROWEL GRADE ACRYLIC METAL ROOF PRIMER WITH 12" FABRIC ON ALL ROOF PENETRATIONS AND ON THE BASE ALONG THE WEST WALL.

INSTALL THREE COATS OF ACRYLIC ELASTOMERIC SURFACE COATING AROUND ALL ROOF PENETRATIONS AND ON ALL THE BASE ALONG THE WEST WALL.

CLEAN GUTTERS ON BOTH BUILDING WITH A POWER WASHER.

**WALKWAYS:**

MEASURE, CUT AND MODIFY STEEL WALKWAY TO FIT AROUND AIR CONDITIONER CURBS AND INSTALL MODIFIED WALKWAY PANELS TO EXISTING WALKWAYS ON SIXTEEN UNITS.

**NOTE:**

THE MATERIALS FOR THE WALKWAYS WILL BE FURNISHED BY THE CITY OF HOBBS. G & G ROOFING, INC. WILL ONLY PROVIDE LABOR TO INSTALL AND MODIFY WALKWAYS.

**NOTE:**

MY UNDERSTANDING IS THAT THERE HAVE BEEN PROBLEMS WITH THIS ROOF FROM THE BEGINNING. IT IS MY OPINION, THAT THE ROOF REPAIRS ARE NOT A PERMANENT FIX. THE PROBLEM IS THE EXPANSION AND CONTRACTION OF THE METAL ROOF PANELS. THE ROOF REPAIRS WOULD EXTEND THE LIFE OF THIS ROOF AND WOULD REQUIRE REGULAR AND PROPER MAINTENANCE. THIS WOULD CONSIST OF RECOATING AROUND THE PENETRATIONS APPROXIMATELY EVERY 3-5 YEARS. IF PROPERLY MAINTAINED, THIS WOULD PREVENT THE ROOF FROM LEAKING IN THESE AREAS. THE OTHER OPTION WOULD BE TO INSTALL A NEW ROOF SYSTEM WHICH WOULD BE COSTLY AND IS NOT WARRANTED AT THIS POINT AND TIME.

<b>Category - 01 - General Requirements:</b>	<b>\$55,758.29</b>
<b>Category - 07 - Thermal &amp; Moisture Protection:</b>	<b>\$35,315.65</b>
<b>Proposal Total</b>	<b>\$91,073.94</b>

**Price Proposal Summary - CSI Continues..**

**Job Order Number:** 231007-1.00  
**Job Order Title:** City of Hobbs-Animal Adoption Center

---

This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.

**The Percent of NPP on this Proposal:** 0.00%

# Job Order Contract

## Price Proposal Detail - CSI

**Date:** October 14, 2022  
**Contract Number:** 2020-10-GGR-R6  
**Job Order Number:** 231007-1.00  
**Job Order Title:** City of Hobbs-Animal Adoption Center  
**Contractor:** G & G Roofing, Inc.  
**Proposal Value:** \$91,073.94  
**Proposal Name:** City of Hobbs-Animal Adoption Center  
**Adjustment Factor(s) Used:** 1.0000-No Adjustment, 1.4328-NWH Req State Wage Rates (Outside Tribal Land) > \$60,000

Rec#	CSI Number	Mod.	UOM	Description	Line Total		
<b>CSI - 01 - General Requirements</b>							
1	01 22 16 00 0004		EA	New Mexico Gross Receipts Tax – Varies by County	\$5,708.79		
				Quantity	Unit Price	Factor	Total
			Installation	5,708.79 x	\$1.00 x	1.0000 =	\$5,708.79
			<b>User Note:</b> Hobbs NMGRT @ 6.6875%				
2	01 22 20 00 0015		HR	LaborerFor tasks not included in the Construction Task Catalog® and as directed by owner only.	\$14,433.01		
				Quantity	Unit Price	Factor	Total
			Installation	311.00 x	\$32.39 x	1.4328 =	\$14,433.01
3	01 22 20 00 0027		HR	Roofer, CompositeFor tasks not included in the Construction Task Catalog® and as directed by owner only.	\$22,547.40		
				Quantity	Unit Price	Factor	Total
			Installation	311.00 x	\$50.60 x	1.4328 =	\$22,547.40
4	01 22 23 00 0867		WK	3,000 PSI Pressure Washer With Full-Time Operator	\$3,472.03		
				Quantity	Unit Price	Factor	Total
			Installation	1.50 x	\$1,815.50 x	1.4328 =	\$3,472.03
5	01 22 23 00 0942		WK	14 To 15 Ton Lift, Truck Mounted Hydraulic Crane With Full-Time Operator	\$8,622.78		
				Quantity	Unit Price	Factor	Total
			Installation	1.50 x	\$4,012.09 x	1.4328 =	\$8,622.78
6	01 74 19 00 0016		EA	40 CY Dumpster (5 Ton) "Construction Debris"Includes delivery of dumpster, rental cost, pick-up cost, hauling, and disposal fee. Non-hazardous material.	\$974.28		
				Quantity	Unit Price	Factor	Total
			Installation	1.00 x	\$679.98 x	1.4328 =	\$974.28

**Subtotal for CSI - 01 - General Requirements: \$55,758.29**

### CSI - 07 - Thermal & Moisture Protection

7	07 41 13 00 0066		SF	Acrylic, Metal Roof Primer, One Coat	\$2,384.18		
				Quantity	Unit Price	Factor	Total
			Installation	5,200.00 x	\$0.32 x	1.4328 =	\$2,384.18
8	07 41 13 00 0067		SF	Acrylic Elastomeric, Surface Or Base Coating For Metal Roofing, One Coat55% solids by volume.	\$3,874.29		
				Quantity	Unit Price	Factor	Total
			Installation	5,200.00 x	\$0.52 x	1.4328 =	\$3,874.29
9	07 41 13 00 0067		SF	Acrylic Elastomeric, Surface Or Base Coating For Metal Roofing, One Coat55% solids by volume.	\$3,874.29		
				Quantity	Unit Price	Factor	Total
			Installation	5,200.00 x	\$0.52 x	1.4328 =	\$3,874.29
10	07 41 13 00 0067		SF	Acrylic Elastomeric, Surface Or Base Coating For Metal Roofing, One Coat55% solids by volume.	\$3,874.29		
				Quantity	Unit Price	Factor	Total
			Installation	5,200.00 x	\$0.52 x	1.4328 =	\$3,874.29

Price Proposal Detail - CSI Continues..

Job Order Number: 231007-1.00  
 Job Order Title: City of Hobbs-Animal Adoption Center

Rec#	CSI Number	Mod.	UOM	Description	Line Total																
<b>CSI - 07 - Thermal &amp; Moisture Protection</b>																					
11	07 51 13 00 0113		LF	12" BURmesh FabricGlass membrane for reinforcement or repair of roof membranes and flashings.	\$21,308.60																
				<table border="0"> <tr> <td></td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td></td> <td>Total</td> </tr> <tr> <td></td> <td>Installation</td> <td>5,200.00</td> <td>x</td> <td>\$2.86</td> <td>x</td> <td>1.4328 =</td> <td>\$21,308.60</td> </tr> </table>		Quantity		Unit Price		Factor		Total		Installation	5,200.00	x	\$2.86	x	1.4328 =	\$21,308.60	
	Quantity		Unit Price		Factor		Total														
	Installation	5,200.00	x	\$2.86	x	1.4328 =	\$21,308.60														

**Subtotal for CSI - 07 - Thermal & Moisture Protection: \$35,315.65**

**Proposal Total \$91,073.94**

This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.

The Percent of NPP on this Proposal: 0.00%



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: 11/7/2022

SUBJECT: \$ 4,987,500.00 over three years to be utilized in accordance with the provisions of HB68.

DEPT. OF ORIGIN: Hobbs Police Department
DATE SUBMITTED: 10/24/22
SUBMITTED BY: Chief August Fons

Summary: Four million nine hundred eighty-seven thousand five hundred dollars and zero cents over three years to be utilized in accordance with the provisions of HB68. The first allocations will be disbursed at 100% within 5 business days of acceptance of this agreement to include approval of the local governing body.

Fiscal Impact:

Reviewed By: Finance Department

The allocated funds will be disbursed 100% up to \$2,850,000 the first year, 50% up to \$1,425,000 the second year, and 25% up to \$712,500 the third year. The Allocation Recipient will submit to the Department of Finance & Administration this signed document and evidence of approval of the local governing body. Disbursements of funds will be made within 5 business days of receipt of the signed agreement and evidence of approval of the local governing body.

Funds for the first disbursement must be expended by June 30, 2023; the second 50% disbursement will be made in July 2023 to be expended by June 30, 2024; and the last disbursement of 25% will be made in July 2024 to be expended by June 30, 2025. Any amount not expended in each of the three years will be returned to the State of New Mexico, Department of Finance and Administration in the year that it is scheduled for reversion. All expenditures must occur prior to the reversion date.

The Allocation Recipient agrees to submit quarterly reports using Exhibit A, Law Enforcement Report, providing updates on expenditures for the eligible activities defined in HB68.

Attachments: Allocation Agreement and Law Enforcement Fund Report Form "Exhibit A"

Legal Review:

Approved As To Form: Efran A. Cortez
City Attorney

Recommendation:

Motion to approve.

Approved For Submittal By:

August Fons
Department Director

[Signature]
City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

RECIPIENT:

City of Hobbs

<u>APPROPRIATION NUMBER:</u>	<u>ALLOCATION AMOUNT:</u>	<u>REVERSION DATE:</u>
22-ZG1016-12	\$4,987,500.00	June 30, 2023

ALLOCATION PURPOSE

**Four million nine hundred eighty-seven thousand five hundred dollars and zero cents over three years to be utilized in accordance with the provisions of HB68. The first allocations will be disbursed at 100% within 5 business days of acceptance of this agreement to include approval of the local governing body.**

ALLOCATION DISBURSEMENT

The allocated funds will be disbursed 100% up to \$2,850,000 the first year, 50% up to \$1,425,000 the second year, and 25% up to \$712,500 the third year. The Allocation Recipient will submit to the Department of Finance & Administration this signed document and evidence of approval of the local governing body. Disbursements of funds will be made within 5 business days of receipt of the signed agreement and evidence of approval of the local governing body.

**Funds for the first disbursement must be expended by June 30, 2023; the second 50% disbursement will be made in July 2023 to be expended by June 30, 2024; and the last disbursement of 25% will be made in July 2024 to be expended by June 30, 2025. Any amount not expended in each of the three years will be returned to the State of New Mexico, Department of Finance and Administration in the year that it is scheduled for reversion. All expenditures must occur prior to the reversion date.**

The Allocation Recipient agrees to submit quarterly reports using Exhibit A, Law Enforcement Report, providing updates on expenditures for the eligible activities defined in HB68.

CERTIFICATION

I hereby certify that the City of Hobbs

1. Will only use the allocated funds to carry out and/or perform activities described in allocation language.
2. Will follow the procedure described in "Allocation Reporting" of allocated funds.

\_\_\_\_\_  
Local Law Enforcement Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Local Governing Body Authority

\_\_\_\_\_  
Date

APPROVAL

In in accordance with the authority conferred on the Department of Finance & Administration by the statute appropriating these funds, I hereby approve this certification for appropriation number 22-ZG1016-12 in the amount of \$4,987,500.00.

\_\_\_\_\_  
Donnie Quintana  
Director, Local Government Division

\_\_\_\_\_  
Date





# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

**SUBJECT:** Opening a special revenue funds in accordance with State Audit Rule 2.2.2.10 0  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** October 26, 2022  
**SUBMITTED BY:** Deborah Corral, Assistant Finance Director

**Summary:**

A new special revenue funds need to be opened for FY2023:

- Fund 300 – Law Enforcement Recruitment Fund

State Audit Rule 2.2.2.10(O) mandates that authority must be granted for the creation of a special revenue funds. The creation of this funds will allow for good accounting practices for audit and reporting purposes.

**Fiscal Impact:**

- Budget for this fund will be included in BAR #2 for FY23. Budget will be based on current years distribution of \$2,850,000 for both revenue and expense.

Reviewed By: [Signature]  
Finance Department

**Attachments:**

- Resolution

**Legal Review:**

Approved As To Form: [Signature]  
City Attorney

**Recommendation:**

Approve the resolution to open the funds listed above in accordance with GASB No. 54.

Approved For Submittal By:

[Signature]  
Department Director  
[Signature]  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7272

A RESOLUTION AUTHORIZING THE OPENING OF  
1 NEW SPECIAL REVENUE FUND IN ACCORDANCE WITH  
STATE AUDIT RULE 2.2.2.10 O

WHEREAS, in order to maintain good accounting practices for audit and reporting purposes, one new special revenue funds would be beneficial.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and hereby is authorized and directed to effectuate this resolution authorizing the opening of Fund 300 – Law Enforcement Recruitment Fund in accordance with State Audit Rule 2.2.2.10 O.

PASSED, ADOPTED AND APPROVED THIS 7<sup>th</sup> day of November, 2022.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

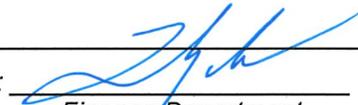
**SUBJECT:** Resolution Adopting Budgetary Adjustment #2 for the Fiscal Year 2022-2023  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** October 26, 2022  
**SUBMITTED BY:** Deborah Corral, Assistant Finance Director

**Summary:**

The fiscal budget of the City of Hobbs is adopted by resolution, and reviewed and approved by the Department of Finance & Administration. The budget is prepared prior to the beginning of the fiscal year, and as such, from time to time it becomes necessary to adjust the budget for items not contemplated at the time of its preparation or for issues that arise during the fiscal year.

Enclosed is a budgetary adjustment #2 for the current year. A summary of the funds adjusted is attached to this resolution. After this adjustment is approved by the Commission, it must be forwarded to the Department of Finance & Administration for their approval.

**Fiscal Impact:**

Reviewed By:   
Finance Department

Total revenue is increased by \$3,450,000.00 and total expense increased by \$1,852,000.00 providing a budgeted ending cash balance of \$79,572,384.43 for all funds.

General fund reserve moves from 42% to 45% due to an interfund cash transfer and the reduction of general fund expense.

**Attachments:**

- Budget Cash Balance Sheet
- Budgeted Adjustments Detail
- Resolution approving Budget Adjustment for the fiscal year 2022-2023

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

Motion to approve the resolution.

Approved For Submittal By:

  
Department Director

  
City Manager

CITY CLERKS USE ONLY  
COMMISSION ACTION TAKEN

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

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

CITY OF HOBBS

RESOLUTION NO. 7273

BUDGETARY ADJUSTMENT #2

FISCAL YEAR 2022-2023

WHEREAS, the fiscal budget for the City of Hobbs is prepared, reviewed and approved prior to the beginning of the fiscal year; and

WHEREAS, from time to time it becomes necessary to adjust the budget due to items not contemplated at the time it is prepared; and

WHEREAS, included in this budgetary adjustment total revenue is increased by \$3,450,000.00 total expense is increased by \$1,852,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the herein referenced budget adjustments be approved.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY of the City of Hobbs, New Mexico, that the budgetary adjustments be subject to the approval of the Department of Finance and Administration of the State of New Mexico and that a copy of this Resolution be forwarded to their office in Santa Fe, New Mexico, for approval.

PASSED, ADOPTED AND APPROVED this 7<sup>th</sup> day of November, 2022.

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

ATTEST:

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

**City of Hobbs BAR #2  
FY23 Fund Summary**

	Beginning Cash 6/30/2022	Total Revenue	Interfund Transfer	Total Expenditures	Ending Cash	
001 GENERAL	69,874,044.71	58,450,731.51	(8,223,606.70)	83,083,898.53	37,017,270.99	45%
002 LAND ACQUISITION	381,763.30	100,000.00	-	100,000.00	381,763.30	
<b>General Fund Subtotal</b>	<b>70,255,808.01</b>	<b>58,550,731.51</b>	<b>(8,223,606.70)</b>	<b>83,183,898.53</b>	<b>37,399,034.29</b>	
110 LOCAL GOV CORR	1,074,296.19	145,750.00	-	487,615.69	732,430.50	
120 POLICE PROTECTION	15,820.35	123,000.00	-	138,820.35	-	
130 P D N (parif, drug, narcotics)	1,918.75	-	-	-	1,918.75	
150 COPS GRANT	26,251.09	-	-	-	26,251.09	
160 RECREATION (CORE)	1,000.00	1,740,730.00	3,473,173.46	5,213,903.46	1,000.00	
170 OLDER AMERICAN	1,000.00	225,100.00	940,786.20	1,165,886.20	1,000.00	
180 GOLF	1,000.00	957,000.00	3,981,816.88	4,938,816.88	1,000.00	
190 CEMETERY	1,000.00	227,850.00	806,613.75	1,034,463.75	1,000.00	
200 AIRPORT	477,531.99	174,724.00	-	20,500.00	631,755.99	
210 Legislative Appropriations	1,000.00	1,904,773.50	-	1,825,729.81	80,043.69	
220 Intergovernmental Grants	4,835,515.50	4,835,515.50	-	9,671,031.00	-	
230 LODGERS' TAX	1,086,935.57	902,000.00	(848,045.00)	998,248.06	142,642.51	
240 LG Abatement Fund (Opioid)	-	489,000.00	-	489,000.00	-	
250 Cannabis Excise Tax Fund	-	600,000.00	(582,000.00)	18,000.00	-	
270 PUBLIC TRANSPORTATION	46,432.79	1,784,884.28	-	1,425,296.70	406,020.37	
280 FIRE PROTECTION	1,069,786.59	500,500.00	-	942,353.27	627,933.32	
290 EMER MEDICAL SERV	792.28	20,000.00	-	20,000.00	792.28	
300 Law Enforcement Retention Fund	-	2,850,000.00	-	2,850,000.00	-	
<b>Special Revenue Subtotals</b>	<b>8,640,281.10</b>	<b>17,480,827.28</b>	<b>7,772,345.29</b>	<b>31,239,665.17</b>	<b>2,653,788.50</b>	
370 COMM DEVE CONST	110,420.82	750,000.00	464,806.80	1,324,227.62	1,000.00	
460 BEAUTIFICATION IMPROVEMENT	1,538,849.89	-	-	-	1,538,849.89	
480 STREET IMPROVEMENTS	4,817,036.89	2,463,245.52	(464,806.80)	4,953,940.04	1,861,535.57	
490 CITY COMM. IMPROVEMENTS	7,720,652.90	2,100,000.00	(2,009,515.58)	63,000.00	7,748,137.32	
<b>Capital Project Subtotals</b>	<b>14,186,960.50</b>	<b>5,313,245.52</b>	<b>(2,009,515.58)</b>	<b>6,341,167.66</b>	<b>11,149,522.78</b>	
510 UTILITY BOND	-	-	307,004.14	307,004.14	-	
530 WASTEWATER BOND	1,989,842.96	-	2,442,795.60	2,442,795.60	1,989,842.96	
<b>Debt Service Subtotals</b>	<b>1,989,842.96</b>	<b>-</b>	<b>2,749,799.74</b>	<b>2,749,799.74</b>	<b>1,989,842.96</b>	
100 SOLID WASTE	2,683,078.04	7,750,000.00	-	8,290,336.90	2,142,741.14	
440 JOINT UTILITY EXTENSIONS CAPITAL PROJECT	1,000.00	850,000.00	2,009,515.58	2,859,515.58	1,000.00	
600 JOINT UTILITY	1,000.00	-	6,980,342.10	6,980,342.10	1,000.00	
610 JOINT UTILITY CONST	1,000.00	-	3,809,606.09	3,809,606.09	1,000.00	
620 WASTE WATER PLANT CONST	7,325,364.88	1,413,107.66	9,892,587.97	18,630,060.51	1,000.00	
630 JOINT UTILTIY - WASTEWATER	1,030.00	-	5,927,242.87	5,927,272.87	1,000.00	
650 JOINT UTILTIY INCOME - WASTEWATER	9,536,173.55	8,116,300.00	(16,727,454.75)	31,500.00	893,518.80	
660 JOINT UTILITY INCOME	7,436,818.88	8,569,000.00	(12,632,124.02)	-	3,373,694.86	
680 METER DEPOSIT RES	1,220,767.82	375,000.00	-	375,000.00	1,220,767.82	
690 INTERNAL SUPPLY	67,797.49	225,000.00	-	225,000.00	67,797.49	
<b>Utility Subtotals</b>	<b>28,274,030.66</b>	<b>27,298,407.66</b>	<b>(740,284.16)</b>	<b>47,128,634.05</b>	<b>7,703,520.11</b>	
640 MEDICAL INSURANCE	3,201,377.27	7,830,000.00	(334,876.13)	7,839,200.00	2,857,301.14	
670 WORKERS COMP TRUST	1,160,937.04	725,000.00	-	725,000.00	1,160,937.04	
740 INSURANCE - RISK	5,284,206.75	1,400,000.00	451,261.41	1,935,468.16	5,200,000.00	
<b>Internal Service Subtotal</b>	<b>9,646,521.06</b>	<b>9,955,000.00</b>	<b>116,385.28</b>	<b>10,499,668.16</b>	<b>9,218,238.18</b>	
700 MOTOR VEHICLE	23,966.39	4,000,000.00	-	4,000,000.00	23,966.39	
710 MUNI JUDGE BOND FUND	107,575.34	-	-	-	107,575.34	
720 RETIREE HEALTH INSURANCE TRUST FUND	8,915,123.87	1,370,000.00	334,876.13	1,620,000.00	9,000,000.00	
730 CRIME LAB FUND	75,261.05	52,000.00	-	52,000.00	75,261.05	
750 FORECLOSURE TRUST FUND	71.88	-	-	-	71.88	
770 LIBRARY TRUST	6,220.10	1,500.00	-	1,500.00	6,220.10	
780 SENIOR CITIZEN TRUST	4,699.94	3,000.00	-	3,000.00	4,699.94	
790 PRAIRIE HAVEN MEM	5,839.42	-	-	-	5,839.42	
800 COMMUNITY PARK TRUST	1,562.02	-	-	-	1,562.02	
820 EVIDENCE TRUST FUND	210,724.33	5,000.00	-	-	215,724.33	
830 HOBBS BEAUTIFUL	8,042.66	20,965.28	-	13,660.65	15,347.29	
860 CITY AGENCY TRUST	2,169.85	1,500.00	-	1,500.00	2,169.85	
<b>Trust &amp; Agency Subtotals</b>	<b>9,361,256.85</b>	<b>5,453,965.28</b>	<b>334,876.13</b>	<b>5,691,660.65</b>	<b>9,458,437.61</b>	
<b>Grand Total All Funds</b>	<b>142,354,701.14</b>	<b>124,052,177.25</b>	<b>(0.00)</b>	<b>186,834,493.96</b>	<b>79,572,384.43</b>	
		3,450,000.00		1,852,000.00		

Expense									
Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #2 Request	Total Budget	Comment
001	010202	41101		POLICE PATROL	SALARIES - CERTIFIED	3,955,702.40	(600,000.00)	3,355,702.40	Reduction of general fund budget due to transfer of 10 positions from general fund to the Law Enforcement Recruitment Fund
001	010202	41102		POLICE PATROL	OVERTIME	1,140,000.00	(200,000.00)	940,000.00	
001	010202	41111		POLICE PATROL	FICA	350,244.95	(46,000.00)	304,244.95	
001	010202	41112		POLICE PATROL	PERA	1,192,321.57	(170,000.00)	1,022,321.57	
<b>001 Total</b>							<b>(1,016,000.00)</b>		
250	254025	42251		CANNABIS EXCISE TAX	CANNABIS ADMIN FEES	-	18,000.00	18,000.00	Expense budget for Admin Fees on Cannabis Excise Tax
<b>250 Total</b>							<b>18,000.00</b>		
300	304030	41101		Law Enforcement Rec	SALARIES	-	600,000.00	600,000.00	Budget for Law Enforcement Recruitment Fund Expenses FOR Salary, Overtime, Retention Stipend and associated Recruiting Expenses
300	304030	41102		Law Enforcement Rec	OVERTIME	-	200,000.00	200,000.00	
300	304030	41111		Law Enforcement Rec	FICA	-	111,200.00	111,200.00	
300	304030	41112		Law Enforcement Rec	PERA	-	170,000.00	170,000.00	
300	304030	41140		Law Enforcement Rec	Incentive	-	852,000.00	852,000.00	
300	304030	42302		Law Enforcement Rec	TRAVEL MEALS AND SCHOOLS	-	60,000.00	60,000.00	
300	304030	42357		Law Enforcement Rec	ADVERTISING	-	200,000.00	200,000.00	
300	304030	42361		Law Enforcement Rec	Academy/Recruiting	-	356,800.00	356,800.00	
300	304030	43004		Law Enforcement Rec	Vehicle-New	-	200,000.00	200,000.00	
300	304030	43006		Law Enforcement Rec	EQUIPMENT OVER 5000	-	100,000.00	100,000.00	
<b>300 Total</b>							<b>2,850,000.00</b>		
<b>Grand Total</b>							<b>1,852,000.00</b>		
Revenue									
Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #2 Request	Total Budget	Comment
250	259999	30120		CANNABIS REGULATIC	CANNABIS EXCISE TAX	-	(600,000.00)	(600,000.00)	Projected revenue for FY23 for Cannabis Excise Tax - based on receipts from first Qtr FY23
<b>250 Total</b>							<b>(600,000.00)</b>		
300	309999	30718		Law Enforcement Rec	Law Enforcement Appropriation	-	(2,850,000.00)	(2,850,000.00)	Projected FY23 distribution for Law Enforcement Recruitment Fund
<b>300 Total</b>							<b>(2,850,000.00)</b>		
<b>Grand Total</b>							<b>(3,450,000.00)</b>		
Transfers									
Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #2 Request	Total Budget	Comment
001	019999	30875		GENERAL FUND REVENUE	TRANSFER FROM - 250	-	(582,000.00)	(582,000.00)	CASH TRANSFER FROM CANNABIS REGULATION FUND TO GENERAL FUND
250	259999	30814		CANNABIS REGULATIC	TRANSFER TO 1	-	582,000.00	582,000.00	
<b>Grand Total</b>							<b>-</b>		



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 07, 2022

SUBJECT: Resolution for the City to renew 2023 Benefit Plan Offerings.  
DEPT. OF ORIGIN: Human Resources  
DATE SUBMITTED: October 27, 2022  
SUBMITTED BY: Nicholas Goulet, HR Director

**Summary:** As prepared by our partners at AON, the City has received medical insurance quotes from Blue Cross Blue Shield (BCBS) and Presbyterian Health for the calendar 2023 plan year. United Health Care and Cigna both declined to quote. Both of the received quotes are higher than our current rates in calendar year 2022, with the Presbyterian quote amount coming in \$2.29 million above the BCBS quote, and \$5.17 million above the current plan. Staff recommends staying with the current provider BCBS. BCBS rates are proposed to increase over the current year by 38.6% or \$2.82 million. Staff also recommends the addition of a secondary High Deductible Health Plan (HDHP) to give employees a choice for their health care coverage. The HDHP would have a \$3,000/\$6,000 deductible that would need to be met prior to the City paying coinsurance for claims and/or prescriptions on behalf of the employee. This plan would also have a \$5,000/\$15,000 out of pocket max. The monthly premium cost of this plan would be lower for the employee if they chose to select this option.

### **MEDICAL – BLUE CROSS/BLUE SHIELD**

Current funding ratios for Medical are as follows:

- Employee annual salary less than \$30,000: 90% employer/ 10% employee
- Employee annual salary between \$30,000 and \$70,000: 85% employer/ 15% employee
- Employee annual salary over \$70,000: 80% employer/ 20% employee

Based on current enrollment of 384 active employees and 54 retirees on the health plan (438 total), the combined calendar BCBS renewal for both active employees (employee cost \$1,421,405.40)/(city cost \$7,537,062.60)/(total \$8,958,468) and retirees (retiree cost \$473,172.60)/(city cost \$502,076.40)/(total \$975,252.00) is approximately \$9,933,720 combined. This is a previous year increase from \$7,759,391.

### **BENEFIT VALUE ADVISOR – BLUE CROSS/BLUE SHIELD**

The cost for Benefit Value Advisor is currently placed into the administrative fees for Blue Cross Blue Shield.

### **DENTAL – DELTA DENTAL**

Rates are increasing by .8%. This is a very small increase resulting in minor changes for enrollees.

### **TELEMEDICINE - TELADOC**

Current cost of Teladoc, to include My Strength Complete (mental health component), to the City based on current enrollment is \$51,105.60. Program enrollment cost is expected to increase to \$55,317.60 or a total increase of \$4,212.00. Current savings to medical claims by use of the program through September 2022 is \$110,458. Savings are based on the employee using other means for medical treatment. For example, an emergency room or specialty provider.

### **VSP - Vision Insurance**

No cost increases for dual option plan through December of 2023

### **SHORT TERM DISABILITY – THE HARTFORD**

If approved, The City provided benefit will continue with the Hartford for the current short-term disability plan without a rate increase and a projected cost of \$29,420 for 2023.

### **THE HARTFORD – PREMIUM PAID BY PARTICIPANT**

### **LONG TERM DISABILITY**

Long Term Disability with the Hartford will be offered with 100% of the premium paid for by the participant. Rate Guarantee.

### **LIFE INSURANCE**

Life Insurance renewal resulted in no changes year-over-year.

**CRITICAL ILLNESS INSURANCE** - 100% of the premium paid for by the participant. No increase. Rate guarantee.

**GROUP ACCIDENT INSURANCE PLAN** - 100% of the premium paid for by the participant. No Increase. Rate guarantee.

**HOSPITAL INDEMNITY INSURANCE PLAN** - 100% of the premium paid for by the participant. No Increase. Rate guarantee.

**FSA FLEXIBLE SPENDING ACCOUNT-** Continuation of program through Chard Snyder. Administrative costs for employees are provided for by the City at an annual cost of \$5,220 (116 current participants). The City realizes tax savings that more than make up for the cost of having this program.

**RECOMMENDATION**

Continuation of Blue Cross/Blue Shield as our medical insurance provider in the current self-funded program with no change to current cost structure (90%/85%/80%). We ask for the addition of the High Deductible Health Plan option for a second choice for employees choosing health care. We ask to keep the individual stop loss at \$150,000. We ask to continue the Benefit Value Advisor analytical tool, but implement a mandatory call first by users of the plan for services to include imaging. We would like to continue the self-funded plan with Delta Dental with a minimal increase (.8%) change to current cost. We would like to continue Teladoc at no cost to the participants with the comparison of the overall savings value versus the cost to provide. We would like to continue with VSP for our vision provider with a dual option. We would like to continue Hartford STD at no cost to benefit eligible employees. We would like to continue Hartford LTD at 100% funding by the participant. We would like to continue with Hartford Life Insurance programs with no changes to premiums. We would like to continue with Group Accident, Hospital Indemnity Coverage, and Critical Illness coverage that are funded 100% by the participant. We ask for a continuation of the Flexible Spending Account program with Chard Snyder.

***Fiscal Impact:***

Total Active and Retiree Trust Fund expenditure budget is approximately \$9,459,200.00 Health Insurance Trust Fund balance at 09-30-2022 equals \$2,750,260.23.

Projected Renewal with Blue Cross/Blue Shield is approximately \$10,569,206.00

A Budget Adjustment will be needed in the amount of \$1,020,000.00

Reviewed By: 

Finance Department

***Attachments:***

***Legal Review:***

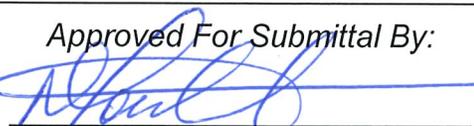
Approved As To Form: 

City Attorney

***Recommendation:***

The Commission approves the 2023 benefit renewal of BCBS, BVA, Delta Dental, VSP, Teladoc, Hartford Life Insurance, STD, LTD, Critical Illness and Group Accident coverage, and Chard Snyder (FSA).

Approved For Submittal By:



Department Director



City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

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

Approved \_\_\_\_\_

Other \_\_\_\_\_

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

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

Denied \_\_\_\_\_

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

CITY OF HOBBS

RESOLUTION NO. 7274

A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE RENEWALS OF MEDICAL, BENEFIT VALUE ADVISOR, DENTAL, VISION, TELADOC, LIFE INSURANCE, SHORT TERM DISABILITY, LONG TERM DISABILITY, CRITICAL ILLNESS COVERAGE, HOSPITAL INDEMNITY COVERAGE AND ACCIDENT COVERAGE.

WHEREAS, The City's medical, benefit value advisor, dental, telemedicine, life, disability, critical illness, hospital indemnity, accident coverage, and vision insurance are due to expire and must be renewed; and

WHEREAS, premium costs to renew these insurance coverage's have been researched and a competitive vendor selection process has been performed, with necessary budget adjustments likely to be made in the current fiscal year; and

WHEREAS, it is City staff's recommendation that medical insurance coverage and Benefit Value Advisor be renewed with Blue Cross/Blue Shield with the individual stop loss option of \$150,000, dental insurance coverage be renewed with Delta Dental of NM, telemedicine coverage be renewed with Teladoc with the MyStrength Complete program, life insurance be renewed with The Hartford, short and long term disability coverage's be renewed with The Hartford, critical illness, hospital indemnity and group accident coverage's be renewed with The Hartford, flexible spending account (FSA) be renewed with Chard Snyder, and vision insurance coverage be renewed with VSP with a dual plan option.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and hereby is authorized and directed to approve on behalf of the City of Hobbs the following:

1. Awarding the City's medical insurance coverage and Benefit Value Advisor to Blue Cross/Blue Shield as outlined in the staff summary, renewal of the City's telemedicine/mental health coverage with Teladoc, renewal of the City's dental coverage with Delta Dental of NM, renewal of the FSA program's administration

through Chard Snyder, and renewal of the City's voluntary vision coverage with VSP.

2. The City renews the agreement with The Hartford to provide life insurance, short term disability coverage, long term disability coverage, critical illness, accident and hospital indemnity coverage as outlined in the staff summary.

PASSED, ADOPTED AND APPROVED this 7th day of November, 2022.

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

ATTEST:

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



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

SUBJECT: BID NUMBER 1599-23; Furnish 4-Wheel Drive Wheel Loader  
DEPT. OF ORIGIN: Utilities  
DATE SUBMITTED: October 21, 2022  
SUBMITTED BY: Tim Woomer, Utilities Director

**Summary:**

- Bid 1599-23 to furnish one (1), 4-wheel drive, articulating, rubber tired, wheel loader, per specifications, advertised on September 18, 2022
- Two (2) qualified bids were received.
- The lowest bid was submitted by Power Motive Corp., Komatsu, at \$261,427.32.
- The second, unsuccessful bid, was submitted by Wagner Equipment, Caterpillar, at \$265,200.00.
- This front loader will service the City of Hobbs WWRF critical functions of processing bio-solids wastes associated with normal operation of the WWRF and sanitary sewer system.
- A secondary function of this unit will be to provide an additional asset in both the Community Cleanup events as well as the large item, city wide clean-up efforts the City of Hobbs undertakes.

**Fiscal Impact:** \$261,427.32

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

*[Signature]*  
Finance Department

The total amount includes the lowest Base Bid received that met all required specifications. This equipment purchase is budgeted and funded through the Utilities Enterprise Fund; 634375-43015 for FY 2022-23.

**Attachments:**

Bid Tabulation for Bid 1599-23 and supporting documentation

**Legal Review:**

Approved as to Form: \_\_\_\_\_

*[Signature]*  
City Attorney

**Recommendation:**

Award Bid 1599-23, Furnish 4-wheel drive wheel loader to Power Motive Corporation in the amount of \$261,427.32 (NMGRT exempt).

Approved For Submittal By:

*[Signature]*  
Department Director

*[Signature]*  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

FURNISH (1) WHEEL LOADER WTH GENERAL PURPOSE AND  
MULTIPURPOSE BUCKETS

EACH OFFEROR MUST COMPLETE THE FOLLOWING STATEMENT:

BID of Bower Motie Corp proposes to furnish the following.  
Company Name

Recommended delivery time 90 days after notification of award.

Vendor delivery time 45 days after notification of award.

ITEM NO.	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	1	Wheel Loader as specified.	\$ _____	\$ <u>201,427.32</u>
		TOTALS	\$ <u>201,427.32</u>	

FURNISH (1) WHEEL LOADER WTH GENERAL PURPOSE AND  
MULTIPURPOSE BUCKETS

EACH OFFEROR MUST COMPLETE THE FOLLOWING STATEMENT:

BID of Wagner Equipment proposes to furnish the following.  
Company Name

Recommended delivery time 90 days after notification of award.

Vendor delivery time 180 days after notification of award.

ITEM NO.	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	1	Wheel Loader as specified.	\$ <u>265,200</u>	\$ <u>265,200</u>
		TOTALS	\$ <u>265,200</u>	

## **Bid No. 1599-23 Furnish (1) Wheel Loader Minimum Specifications**

**General:** Bidder shall furnish one (1) 4 WHEEL DRIVE, RUBBER TIRE, ARTICULATING WHEEL LOADER WITH A MINIMUM OPERATING WEIGHT OF 30,000LBS WITH BOTH A GENERAL PURPOSE BUCKET, AND HYDRAULICALLY ACTUATED MULT'-PURPOSE BUCKET. The unit shall be a new 2022 or 2023 year model.

### **MINIMUM SPECIFICATIONS: WHEEL LOADER BID 1599-23**

#### **I. General Information:**

1. The wheel loader must be new, unused current productions model with articulated frame, Hi-Lift Parallel Z-Bar loader linkage front frame.
2. It shall have all standard equipment as shown in the manufacturer's printed literature.
3. Modifications of existing models to meet these specifications will not be permitted.

#### **II. Work Equipment:**

1. The Parallel Z-bar loader linkage must provide parallel movement while lifting the bucket in both fork and bucket applications.
2. The machine will have a quick coupler with hydraulic pin engagement. The pins will be engaged or retracted by the operator from within the cab. The quick coupler is preferred to be compatible with JRB attachments.
3. The machine will have a 3-spool valve mono lever control for boom and bucket controls.

#### **III. Basic Specifications:**

1. The advertised operating weight of the base wheel loader, including standard equipment, lubricants, coolant, full fuel tank, coupler, bucket, counterweight, and operator shall be no less than 30,000 lbs (13,620 kg). The operating weight shall not include fluid filled or solid rubber tires, optional equipment, or other optional counterweight or ballast.
2. Tire size shall be 20.5-R25 radial tires on construction equipment type steel rims at all four corners.
3. The SAE rated general purpose bucket capacity with hydraulic quick coupler shall be no less than 3.0 yd<sup>3</sup> (2.3m<sup>3</sup>) cubic yards and have bolt on cutting edges.
4. The SAE rated Multi-Purpose (hydraulically actuated) bucket capacity with hydraulic quick coupler shall be no less than 2.5yd<sup>3</sup> (1.9m<sup>3</sup>) cubic yards and shall have bolt on cutting edges.
5. Dump clearance with a general purpose bucket and hydraulic quick coupler shall be no less than 11'7"(2525mm) at full height and the bucket at a 45-degree dump angle.

#### **IV. Engine Specifications:**

1. The engine shall be manufactured by the loader manufacturer.
2. Engine shall have six cylinders in an inline configuration, a variable geometry turbocharger with an air-to-air-aftercooler.
3. Engine shall have a minimum rating of 165HP (123KW) when ratted according to ISO 9249/SAE J1349 standards.
4. Engine shall be EPA Tier 4 Final emissions certified and use cooled EGR technology.
5. The engine shall be equipped with a common rail high pressure injection system.

## **Bid No. 1599-23 Furnish (1) Wheel Loader Minimum Specifications**

6. Engine displacement shall be at least 400 cubic inches (6.5L)
7. Standard Equipment shall include variable geometry turbocharger, air to air aftercooler, air cleaner with two stage filtering, water pump, fuel pump with electronic fuel primer, secondary engine shutdown switch, exhaust pipe with rain cap.
8. The variable geometry turbo must be hydraulically actuated for long life and precise air control.
9. The engine emissions aftertreatment system shall NOT have a "burner" device with a spark.
10. The engine shall have an auto idle shutdown feature that turns the engine off after a prolonged period of inactivity.
11. Engine air will be filtered by a dry element, two stage radial sealed air cleaner with a dust indicator and evacuator.
12. The engine cooling system shall use a hydraulically driven fan that can be reversed for radiator cleaning both manually and via an automatic reverse mode through the use of a single switch during operation. The fan reverse mode and timing will be controlled through the monitor.
13. The engine shall have a cold weather starting system consisting of an electric intake manifold pre-heater or engine glow plugs.

### **V. Electrical System:**

1. The engine shall be equipped with a 24 volt starting and charging system with a 90 amp alternator and dual 12V batteries (92ah, 680 CCA). A battery disconnect switch shall be provided.
2. The cab shall have two 12V power outlets.
3. The lighting system shall include two front high/low beam cab mounted headlights with a high beam indicator on the instrument panel, two front work lights on cab, two front working lights fender mounted, two rear work lights grill mounted, tow rear combination stop and tail lights, rear back up light, two front and two rear turn signals with flasher switch, instrument panel illumination, interior dome light, and outside yellow strobe light mounted on left of cab.

### **VI. Transmission:**

1. The transmission shall be hydrostatic with proper controls or a powershift style with lockup converter and neutralizer.
2. Maximum travel speed, both forward and reverse, shall be 23.6 mph (38.0kph).
3. The transmission will feature and in-cab controlled variable traction control system that shall reduce torque to the wheels at low speeds to reduce wheel spin. The traction control system shall include a special mode for snow covered surfaces.
4. An audible alarm shall indicate when the machine is in reverse travel mode.

### **VII. Hydraulic System:**

1. The loader shall employ a closed center load sensing hydraulic system which shall be equipped with an oil cooler.
2. Maximum hydraulic system relief valve pressure shall be a maximum of 3,000 psi (30.4Mpa).
3. All hydraulic flow shall pass through a three (3) spool control valve. The first spool shall feed the steering circuit. A second spool will control flow to the loader circuits.

## **Bid No. 1599-23 Furnish (1) Wheel Loader Minimum Specifications**

The third spool shall provide flow for any attachments such as a multi-purpose bucket. All necessary piping on the loader arm shall be provided for the attachment circuit.

4. The hydraulic system shall employ two (2) piston type pumps as well as a pilot control pump.
5. Hydraulic cycle time, with the bucket carrying load not exceeding its maximum, shall be 6.3 seconds to raise, 1.9 seconds to dump, and 3.5 seconds to lower when empty, for a total cycle time of 11.7 seconds.
6. Ride control shall be included as standard equipment.
7. The hydraulic system shall have a total hydraulic flow (including work equipment and steering) of 47.6 gallons/minute (180 L/min) supplied by a piston pump.
8. Bucket breakout force (with a 3.0 yd<sup>3</sup> bucket) shall be no less than 29,026lbs(13166kgf).

### **VIII. Steering:**

1. The wheel loader shall have a minimum of 40-degree full turn articulation steering angle both right and left of center.
2. The steering system shall be a full hydraulic type and shall perform consistently and independently of engine speed variations.
3. The turning radius at the outside of the bucket at carry position with a bolt on cutting edge shall be no more than 22 feet (7010 mm).

### **IX. Brakes:**

1. The loader shall be equipped with (4) wheel, hydraulic, inboard mounted, wet disc type service brakes. The service brakes shall be controlled by two pedals. Both pedals shall be used for braking.
2. The parking brake shall be an electronically actuated wet multi disc type and shall neutralize the transmission when applied.

### **X. Driveline/Final Drive:**

1. The differentials are preferred to be manual hydraulically actuated locking (from a footswitch in the cab). Torque proportioning (not requiring manual locking/unlocking) are acceptable.
2. The final drive shall be an inboard planetary type.
3. The rear axle shall be semi-floating, supported by a center pin with a total minimum oscillation of 24 degrees.

### **XI. Operator Compartment:**

1. The operator compartment shall protect the operator from the environment and feature an integrated R.O.P.S.(roll-over protection system) F.O.P.S. (falling object protection system) Level 2 that meets OSHA requirements.
2. The operator compartment shall have a standard dedicated rear-view monitor which can be set to either turn ON when the machine is in reverse, or to be ON at all times. The monitor shall be a full color with machine guidelines which can be adjusted or turned off. The rear-view camera shall be standard and mounted on the rear of the machine.
3. The operator compartment shall have full vision safety glass, two inside rearview mirrors and two outside mounted, remote controlled and heated West Coast type rearview mirrors.

## **Bid No. 1599-23 Furnish (1) Wheel Loader Minimum Specifications**

4. The operator compartment shall be mounted on multi-layer viscous mounts for comfort and noise reduction.
5. The cab shall include a tilt and telescoping steering wheel, and sun visor.
6. Both front and rear windows shall have wipers and washers. The rear window shall have an integrated heating system for removing ice, frost, and fog.
7. The floor of the cab shall have a full size, rubber floor mat that shall be flush with the sills of the doors for easy cab cleaning.
8. The cab shall have lock-outs for the hydraulic controls that do not allow for boom or bucket operation while engaged.
9. The cab shall have a AM/FM/WB/Clock radio and necessary speakers.
10. The left hand side door of the cab should be easily opened and closed from the both the operator's seat and while standing with both feet at ground level.
11. The operator compartment shall have an automatic climate control system for heating and air conditioning operated by an electronic control panel.

### **XII. Instrumentation:**

1. The wheel loader shall have the following gauges: Hour meter, speedometer, tachometer, fuel level, DEF level, hydraulic oil and/or hydrostatic oil temperature, and engine coolant temperature.
2. The instrument panel shall include the following indicator lights: battery charge, engine preheat, engine coolant level and temperature, engine oil level, parking brake warning, low brake pressure, brake temperature, transmission oil temperature, fuel level, DEG level, transmission oil filter clogging, air cleaner clogging, ECO lamp and full maintenance monitor system that will store and display service intervals and fault codes. Diesel particulate filter restriction indicator.

### **XIII. Serviceability:**

1. The hydraulic tank shall have an oil level sight gauge that allows checking the fluid level without removing the cap.
2. The DEF tank shall have a level sight gauge that allows checking the fluid level without removing the filler cap.
3. A cartridge-type hydraulic return filter shall be located outside of the hydraulic tank for easy service and to avoid system contamination.
4. All daily engine checks will be performed on the right engine side and easily reachable or viewable from one position.
5. Rear engine access doors shall lock in two positions for safety and to allow for operators and technicians of varying heights, and be hinged at the top for easy engine compartment access.

### **XV. Guards and Vandalism Protection:**

1. An emergency exit door shall be on the right side of the machine to allow operator exit in the event that the machine is tipped over onto the left door, or the left door is otherwise damaged to the point that it cannot be opened.
2. Rear view monitoring system with separate monitor.
3. An engine cooling fan guard must be installed to protect the operator from the engine cooling fan.
4. Heat shields shall be installed over the exhaust manifold, turbo, and other components

## **Bid No. 1599-23 Furnish (1) Wheel Loader Minimum Specifications**

heated by exhaust gases to decrease the likelihood of severe burns due to accidental contact.

5. Vandalism protection should include: cap locks and cover for fuel tank filler, padlocks for the battery box, hydraulic oil tank, engine hood side panels, radiator cap cover, radiator tank and transmission oil filler cover.

### **XVI. Service Fill Capacity:**

1. The fuel tank shall have a diesel fuel capacity of at least 50 US gallons (189.3 L).
2. The engine cooling system shall have a coolant/antifreeze capacity of at least 9.3 US gallons (35.2L).
3. The engine crankcase shall have an oil capacity of at least 6.1 US gallons (23L).
4. Front axle shall have an oil capacity of at least 6.5 US gallons (24.6L).
5. Rear axle shall have an oil capacity of 6.0 US gallons (22.7L).
6. The DEF tank shall have a capacity of 3.7 US gallons (14.0L),
7. The hydraulic system shall have an hydraulic oil capacity of 24.3 US gallons (92L).
8. The transfer case shall have a lubricant capacity of 1.5 US gallons (5.8L).

### **XVII. Warranty:**

The manufacturer's warranty shall be a minimum of 2,000 hours or three (3) years to include parts, labor, emission equipment, field service, and preventative maintenance service intervals.



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

**SUBJECT:** Replacement of Sewer Video Inspection Equipment  
**DEPT. OF ORIGIN:** Utilities  
**DATE SUBMITTED:** October 27, 2022  
**SUBMITTED BY:** Tim Woomey, Utilities Director

**Summary:**

- The Utilities Department is requesting the purchase of a new sewer video inspection system from Visual Imaging Resources utilizing HGAC Buy Contract in the amount of \$134,652.00 (Not Including NMGR).
- The existing sewer video inspection system (ARIES) has been in use since 2005 and is not working and cannot be repaired feasibly.
- This equipment is utilized for inspecting new and old sewer mains to ensure proper installation and to pin point problem area in the sewer collections system.
- This purchase consists of a new video inspection system installed into the existing camera inspection vehicle, a 2005 GMC panel truck.

**Fiscal Impact:** \$134,652.00 (Not Including NMGR)

Reviewed By:   
Finance Department

Funds for the replacement of the Sewer Video Inspection Equipment is budgeted in the Enterprise Fund's FY 2022/2023 Joint Utility Construction Budget under Account Number 61-4061-43006.

**Attachments:**

- HGAC Buy Contract & specification sheet. Contract price \$134,652.00 (Not Including NMGR).

**Legal Review:**

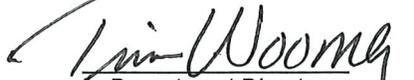
Approved as To Form: 

City Attorney

**Recommendation:**

Approve the purchase of new Sewer Video Inspection Equipment from Visual Imaging Resources utilizing the HGAC Buy Contract in the amount of \$134,652.00.

Approved for Submittal By:

  
Department Director  
  
City Manager

CITY CLERKS USE ONLY  
COMMISSION ACTION TAKEN

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

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

# CITY OF HOBBS REQUISITION/QUOTE FORM

(Purchases \$20,000.00-\$75,000.00 SPD, GSA & Quote Contract)

TO: CPO

FROM: Utilities Dept.

DATE: 10/27/2022

1) <b>VENDOR NAME:</b> <i>Visual Imaging Resources</i> <b>ADDRESS:</b> <i>P.O. Box 703443</i> <i>Plymouth, MI 48170</i> <b>PHONE NUMBER:</b> <i>(734) 744-5557</i> <b>FAX NUMBER:</b>		
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QTY	DESCRIPTION ITEM(S) SERVICE TO BE PURCHASED	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	VCU500 Truck Mounted Sewer Inspection Camera System with Installation	\$133,402.00	\$133,402.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00
			\$0.00		\$0.00		\$0.00

<b>TAX:</b>			
<b>TOTAL AMOUNT:</b>	\$133,402.00		
<b>DELIVERY DATE:</b>	N/A		
<b>ESTIMATED SHIPPING CHARGES:</b>	\$1,250.00		

CIRCLE ONE: STATE / GSA / HGAC CONTRACT OR QUOTE      CONTRACT/QUOTE NO. SC01-21      EXPIRATION DATE: N/A

SPD or GSA contracts should be attached or on file in CPO, GSA contracts must have a letter from the contractor indicating a willingness to extend pricing, and all terms to the City of Hobbs.

AWARD TO: Visual Imaging Resources      POINT OF CONTACT: Keith Veros (734) 744-5557 (If it is a new vendor make sure address is on this form)

If lowest price is not recommended, please state why (subject to approval by CPO): \_\_\_\_\_

Account No.: 610-614061-43006      Prepared By: Todd Ray      Department Approval: \_\_\_\_\_



**CONTRACT PRICING WORKSHEET**  
For Standard Equipment Purchases

Contract No.:

SC01-21

Date Prepared:

10/26/2022

**This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.**

Buying Agency:	City of Hobbs	Contractor:	Visual Imaging Resources, LLC
Contact Person:	Todd Ray	Prepared By:	Keith Veros
Phone:	915-497-5735	Phone:	734-744-5557
Fax:		Fax:	
Email:	tray@hobbsnm.org	Email:	Keith@virproteus.com

Product Code:	E084	Description:	Sewer Cleaning, Hydro-Excavating, Inpsection Equipment, & Miscellaneous Services
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**A. Product Item Base Unit Price Per Contractor's H-GAC Contract:** 115,692.00

**B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable**

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
QRW115SR/150 - 4	928.00		
QRW140SR/150 - 4	1012		
QRW90CB/150 - 4	1612		
QRW115CB/150 - 2	922		
QRW140CB/150 - 2	1022		
RACKMOUNT COMPUTER	2900		
		Subtotal From Additional Sheet(s):	
		Subtotal B:	8396

**C. Unpublished Options - Itemize below - Attach additional sheet if necessary**

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
VIP07	790		
RC350/500 Rack	4080		
PKP01	790		
CGP01	790		
TRP01	790		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	7240

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).	For this transaction the percentage is:	6%
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**D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)**

Quantity Ordered:	1	X Subtotal of A + B + C:	131328	=	Subtotal D:	131328
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**E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges**

Description	Cost	Description	Cost
Upgrade CCU208 to VCU500	5450	Custom Installation	5567
Freight	1250	Special Discount	-11443
Training	2500		
		Subtotal E:	3324

Delivery Date:	<b>F. Total Purchase Price (D+E):</b>	134652
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**VISUAL IMAGING RESOURCES**  
P.O. Box 703443  
Plymouth, MI 48170  
734-744-5557  
Sales@virproteus.com  
WWW.VISUALIMAGINGRESOURCES.COM



**ADDRESS**  
Todd Ray  
City of Hobbs  
1301 S. 5th St.  
Hobbs, NM 88240

**SHIP TO**  
Todd Ray  
City of Hobbs  
1301 S. 5th St.  
Hobbs, NM 88240

ESTIMATE# 6057

DATE 10/17/2022

EXPIRATION DATE 11/14/2022

<b>SHIP VIA</b> TBD	<b>P.O. NUMBER</b> ***QUOTE-RETROFIT & EQUIP***	<b>END USER/VIN#</b> HOBBS, City of	<b>VIR REP</b> A. Jacobo
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ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Thank you for the opportunity to quote a retrofit of your existing box truck to provide an install our Proteus mainline crawler system with fully synchronized drum reel.			
	<b>CONTROL UNIT AND REEL:</b>			
<b>VCU500</b>	VCU500 TRUCK MOUNTED CONTROL UNIT: - Compatible With, RAP, ACR & LCR Reels - Standard Controls Operate CRP90/140, CPL150, CRP300 & LAT150 - 30GB Hard Drive Standard For Record and Reporting Functions - Compatible with External Computer for 3rd Party Software - Rack Mount Power Supply Included	1	18,970.00	18,970.00T
<b>ACR350</b>	1,150' FULLY SYNCHRONIZED REEL: - Self Layering Level Wind With Built In Counter - Removable Drip Tray - Bluetooth Joystick Remote - Cable Included - Requires Cable Guide - Use VGP350	1	37,310.00	37,310.00T
<b>VIP07</b>	7M LINK CABLE: Van Interface Plate For Use With ACR Reels	1	790.00	790.00T
<b>VGP350</b>	VGP350 VAN MOUNTED ROLLER: - Required For ACR350 Reel	1	4,930.00	4,930.00T
	<b>PIPE CRAWLER &amp; PRECISION CAMERA HEAD:</b>			
<b>CRP140</b>	140MM PROTEUS CRAWLER: - Steerable 6-Wheel Drive - Motorized Lift - Built-In Standard - Inclination & Tilt Sensor - Standard - Multi-Frequency Sonde - 33, 512 & 640Hz - Includes (6) 90MM Soft Rubber Wheels - Center In 6 - 24"	1	23,020.00	23,020.00T

PLEASE NOTE: PAYMENTS MADE BY CREDIT CARD WILL BE SUBJECTED TO A 3% PROCESSING FEE.

<b>CAM028L</b>	<b>CAM028L PAN&amp;TILT:</b> - Lasers Standard for Measurement Functions - High Resolution - Adjustable Focus - Continuous Rotation - Auto-Home Feature - (6) High Powered & Adjustable LED Lights - Pressurized to 14psi - 120:1 Zoom (10x Optical-12x Digital) & 135Deg of Pan - Compatible with CRP140, CPL150 & CRP300	1	20,820.00	20,820.00T
<b>ALB300</b>	<b>AUX LIGHT/BACKEYE CAMERA - PROTEUS</b>	1	3,150.00	3,150.00T
	<b>WHEEL OPTIONS &amp; TOOL ACCESSORIES:</b>			
	-Rubber Wheels-			
<b>QRW115SR/150</b>	<b>115MM SOFT RUBBER WHEEL:</b> Compatible With: - CRP140 & CPL150 - Use (4) - LAT150 - Use (6) - Quick Release Connection - Center In 8 - 15"	4	280.00	1,120.00T
<b>QRW140SR/150</b>	<b>140MM SOFT RUBBER WHEEL:</b> Compatible With: - CRP140 & CPL150 - Use (4) - LAT150 - Use (6) - Quick Release Connection - Center In 12 - 20"	4	310.00	1,240.00T
	-Carbide Wheels-			
<b>QRW90CB/150</b>	<b>90MM CARBIDE WHEEL:</b> Compatible With: - CRP140 & CPL150 - Use (2) or (4) - LAT150 - Use (4) or (6) - Quick Release Connection - Center In 6 - 12"	4	480.00	1,920.00T
<b>QRW115CB/150</b>	<b>115MM CARBIDE WHEEL:</b> Compatible With: - CRP140 & CPL150 - Use (2) or (4) - LAT150 - Use (4) or (6) - Quick Release Connection - Center In 8 - 15"	2	540.00	1,080.00T
<b>QRW140CB/150</b>	<b>140MM CARBIDE WHEEL:</b> Compatible With: - CRP140 & CPL150 - Use (2) - LAT150 - Use (2) or (4) - Quick Release Connection - Center In 10 - 18"	2	610.00	1,220.00T
	-Reel Rack & Accessories-			
<b>RC350/500</b>	<b>VIR/Proteus Dual Reel Rack - Truck Mount Camera Reel Frame</b>	1	4,080.00	4,080.00T
<b>PKP01</b>	<b>PRESSURIZATION KIT:</b> - Compatible With All Proteus Equipment	1	790.00	790.00T
<b>88100Z</b>	<b>Cannister CO2 - 74g - 5/8 Thread</b>	2	30.00	60.00T

PLEASE NOTE: PAYMENTS MADE BY CREDIT CARD WILL BE SUBJECTED TO A  
3% PROCESSING FEE.



<b>CGP01</b>	CABLE GUIDE PULLEY: Sub-Surface Cable Protection	1	790.00	790.00T
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<b>TRP</b>	TOP ROLLER PULLEY: Surface Level Cable Protection	1	790.00	790.00T
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MISCELLANEOUS:

<b>CUSTOM CONVERSION</b>	Custom Vehicle Installation & Conversion Packages: - Sliding doors made to fit where doors are missing - Mainline VIR reel rack - Large water tank (30gal or so) mounted behind where VIR reel rack. - Pump and retractable reel	1	4,872.00	4,872.00T
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<b>Dual Screen Monitor</b>	34" PBP dual screen monitor for use with camera system and computer	1	425.00	425.00T
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<b>Rear facing TV</b>	TV for back end of inspection vehicle: - Visually assists operator with deployment of camera into pipe. - Provides viewing for spectators without entering vehicle.	1	215.00	215.00T
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<b>Monitor Mount</b>	Mount for securing Computer monitors and TV's	2	55.00	110.00T
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<b>Rackmount-PC</b>	Rackmount computer - Intel Core i7 processor, 16GB RAM, 256GB M.2 SSD drive for Operating system and programs, 1TB M.2 SSD for data storage, DVD drive, Video capture card, Windows 10 Pro Operating system, keyboard and mouse.  - For Use of PipeLogix Pipeline Inspection Software	1	3,200.00	3,200.00T
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<b>Freight-Inbound</b>	Shipping  -Customer Is Notified Upon Completion And Responsible For Scheduling Transport. *Unless Otherwise Agreed Upon	1	1,250.00	1,250.00
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<b>Miscellaneous</b>	Training	1	2,500.00	2,500.00T
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Thank you for the opportunity to quote!	<b>SUBTOTAL</b>			134,652.00
	<b>TAX</b>			0.00

PRINT NAME: \_\_\_\_\_

Date: \_\_\_\_\_



Accepted By

Accepted Date

PLEASE NOTE: PAYMENTS MADE BY CREDIT CARD WILL BE SUBJECTED TO A 3% PROCESSING FEE.



# CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 7, 2022

**SUBJECT: GRANT AGREEMENT FOR TRANSPORTATION PROJECT FUND (TPF) FOR ROADWAY MAINTENANCE ALONG SR208 (WEST COUNTY), NAVAJO RD, AND SR218 (EAST BENDER)**

**DEPT. OF ORIGIN:** Engineering Department

**DATE SUBMITTED:** October 7, 2022

**SUBMITTED BY:** Todd Randall, City Engineer

**Summary:**

City of Hobbs submitted an application on April 4<sup>th</sup>, 2022 and was awarded from the New Mexico Department of Transportation. The scope of work includes surface treatment, striping, signage replacement and traffic signal equipment replacement along SR 208 (West County Rd), Navajo Rd., and SR218 (East Bender).

Staff recommends roadway improvements to the West County, Navajo Rd and East Bender, which would include chip sealing (7.6 miles), striping and signage replacement.

**Fiscal Impact:**

*Reviewed By:*

Digitally signed by Toby Spears, CFE, CPA  
DN: cn=Toby Spears, CFE, CPA, o=City of Hobbs,  
ou=Finance Director, email=tspears@hobbsnm.org, c=US  
Date: 2022.11.01 09:09:34 -0600

Finance Department

**Grant Amount:** \$1,000,000.00  
**Local Match:** \$50,000  
**State Match:** \$950,000

Funds to be budgeted in Fund 48, which there are sufficient reserves for the grant match and contingencies (FY23 – Final Budget Process)

**Attachments:**

Resolution, Grant Agreement, Project Map

**Legal Review:**

*Approved As To Form:* **Efren A. Cortez**

Digitally signed by Efren A. Cortez  
DN: cn=Efren A. Cortez, o=City of Hobbs, ou=City Attorney's Office,  
email=ecortez@hobbsnm.org, c=US  
Date: 2022.11.01 08:57:58 -0600

City Attorney

**Recommendation:**

Consider and approve the Resolution for the Mayor to execute resolution and grant agreement

*Approved For Submittal By:*

**TODD RANDALL**  
Digitally signed by Todd Randall  
DN: C=US, E=t.randall@hobbsnm.org,  
O=CITY OF HOBBS, OU=Engineering  
Dept. CN=TODD RANDALL  
Reason: I am approving this document  
Contact Info: 575-397-9237  
Date: 2022.11.07 15:26:0600

Department Director

City Manager

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

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

CITY OF HOBBS

RESOLUTION NO. 7275

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
GRANT AGREEMENT WITH THE STATE OF NEW MEXICO  
DEPARTMENT OF TRANSPORTATION FOR CN: LP20037**

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is, authorized and directed to execute on behalf of the City of Hobbs a grant agreement with the State of New Mexico Department of Transportation for Control No. LP20037; in the amount of **\$1,000,000.00 (95%/5% share)** and any certification or supporting documentation for the implementation of the grant agreement requirements. The scope of the work includes surface treatment, striping, signage replacement and traffic signal equipment replacement along SR208 (West County Rd.), Navajo Rd. and SR218 (East Bender). A copy of the grant agreement is attached hereto and made a part hereof by reference.

PASSED, ADOPTED AND APPROVED this 7 day of November, 2022.

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

ATTEST:

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

Contract No. \_\_\_\_\_  
Vendor No. 0000054339  
Control No. HW2LP20037

**TRANSPORTATION PROJECT FUND  
GRANT AGREEMENT**

**This Agreement** is between the **New Mexico Department of Transportation** (Department) and **City of Hobbs** (Public Entity). This Agreement is effective as of the date of the last party to sign it on the signature page below.

Pursuant to NMSA 1978, Sections 67-3-28 and 67-3-78 and 18.27.6 NMAC, the parties agree as follows:

**1. Purpose.**

The purpose of this Agreement is to provide Transportation Project Funds (TPF) to the Public Entity for the following project scope **SR 208, Navajo & SR 218 Improvements-Roadway Maintenance Chip Sealing and striping SR 208 (US62/180 to SR18), Navajo (Grimes St. to US62/180), and SR 218 (E. Bender) work to include signage, pavement markings and signal improvements** (Project or CN LP20037). This Agreement specifies and delineates the rights and duties of the parties.

**2. Project Funding.**

- a. The estimated total cost for the Project is One Million Dollars and No Cents **(\$1,000,000.00)** to be funded in proportional share by the parties as follows:
  - 1. Department's share shall be 95% **\$950,000.00**  
SR 208, Navajo & SR 218 Improvements-Roadway Maintenance Chip Sealing and striping SR 208 (US62/180 to SR18), Navajo (Grimes St. to US62/180), and SR 218 (E. Bender) work to include signage, pavement markings and signal improvements
  - 2. The Public Entity's required proportional matching Share shall be 5% **\$50,000.00**  
For purpose stated above
  - 3. Total Project Cost **\$1,000,000.00**
- b. The Public Entity is responsible for all costs that exceed Project funding.
- c. All allocated funds must be spent by **June 30, 2025**.
- d. The Public Entity represents that no federal funds will be used to finance the Project.
- e. The Public Entity must repay Project funding to the Department if:
  - 1. The Project is cancelled or partially performed.
  - 2. A final audit conducted by the Department at Project completion determines the following: an overpayment, unexpended monies or ineligible expenses.

### **3. The Department:**

- a. Shall distribute the funds, identified in Section 2a1, in a lump sum to the Public Entity after:
  1. The Department has received this Agreement fully executed with a Resolution of Sponsorship attached as Exhibit B.
  2. Receipt of a letter requesting funds, which includes the following Project documents: Notice of Award/Work Order and Notice to Proceed for the Project.
  3. If a Department's or another entity's right-of-way is involved, a permit or letter of approval/authorization, from the entity with jurisdiction over the Project right-of-way.
- b. Will not:
  1. Perform any detailed technical reviews of Project scope, cost, budget, schedule, design or other related documents;
  2. Have any involvement in the construction phase;
  3. Be involved in permit preparation or the review or coordination with regulatory agencies.
  4. Conduct periodic assurance inspections or comparison material testing.
  5. Participate in resolving bidding and contract disputes between the Public Entity and contractors.
- c. May perform Project monitoring that might consist of the following:
  1. Review of Project status to ensure that project goals, objectives, performance requirements, timelines, milestone completion budgets and other guidelines are being met.
  2. Request written Project status reports.
  3. Conduct a review of the Local Entity's performance and administration of the Project funds identified in Section 2a.
- d. Reserves the right, upon receipt of the Public Entity's Certification of Completion, Exhibit A, to request additional documents that demonstrate Project completion.
- e. If required, the District Engineer or designee, will conduct a Project review to determine if permit is required from the Department. If there is a determination that a permit is not required, a letter of approval and authorization will be forwarded to the Public Entity.

### **4. The Public Entity Shall:**

- a. Act in the capacity of lead agency for the purpose as described in Section 1.
- b. Procure and award any contract in accordance with applicable procurement law, rules, regulations and ordinances.
- c. Be responsible for all design activities necessary to advance the Project to construction and coordinate construction.
- d. Unless otherwise specified in a letter of authorization or permit, design and construct the Project in accordance with the Public Entity's established design standards.
- e. Have sole responsibility and control of all project phases and resulting quality of the completed work.
- f. If the Project is in full or on a portion of a state highway, on a Department right of way or a National Highway System route:
  1. Obtain from the Department a permit in accordance with 18.31.6.14 NMAC, State Highway Access Management Requirements or a letter of authorization; and

2. Design and construct the Project in accordance with standards established by the Department.
- g. Adopt a written resolution of Project support that includes a commitment to funding, ownership, liability and maintenance. The resolution is attached to this Agreement as Exhibit B.
- h. Consider placing pedestrian, bicycle and equestrian facilities in the Project design in accordance with NMSA 1978, Section 67-3-62.
- i. Comply with any and all state, local and federal regulations including the Americans with Disabilities Act (ADA) and laws regarding noise ordinances, air quality, surface water quality, ground water quality, threatened and endangered species, hazardous materials, historic and cultural properties, and cultural resources.
- j. Be responsible for all permit preparation, review and coordination with regulatory agencies.
- k. Cause all designs, plans, specifications and estimates to be performed under the direct supervision of a Registered New Mexico Professional Engineer, in accordance with NMSA 1978 Section 61-23-26.
- l. Allow the Department to perform a final inspection of the Project and all related documentation to determine if the Project was constructed in accordance with the provisions of this Agreement. At the Department's request, provide additional documentation to demonstrate completion of the required terms and conditions.
- m. Meet with the Department, as needed, or provide Project status reports within thirty (30) days of request.
- n. Within 60 days after Project completion, provide the Certification of Completion, which is attached as Exhibit A, that it has complied with the requirements of 18.27.6 NMAC and this Agreement.
- o. Upon completion, maintain all the Public Entity's facilities constructed or reconstructed under this Agreement.

**5. Both Parties Agree:**

- a. Upon termination of this Agreement any remaining property, materials, or equipment belonging to the Department will be accounted for and disposed of by the Public Entity as directed by the Department.
- b. Unless otherwise indicated in a letter of authorization, the Project will not be incorporated into the State Highway System and the Department is not assuming maintenance responsibility or liability.
- c. Pursuant to NMSA 1978, Section 67-3-78, Transportation Project Funds granted under this provision cannot be used by the Public Entity to meet a required match under any other program.
- d. The requirements of 18.27.6 NMAC are incorporated by reference.
- e. The inability to properly complete and administer the Project may result in the Public Entity being denied future grant funding.

**6. Term.**

This Agreement becomes effective upon signature of all parties. The effective date is the date when the last party signed the Agreement on the signature page below. This Agreement terminates on the earliest of the following dates: (a) Department receipt of the Certification of

Completion or (b) **June 30, 2025**. In the event an extension to the term is needed, the Public Entity shall provide written notice along with detailed justification to the Department sixty (60) days prior to the expiration date to ensure timely processing of an Amendment. Neither party shall have any obligation after said date except as stated in Sections 2e, 4l, 4n and 7.

#### **7. Termination.**

If the Public Entity fails to comply with any provision of this Agreement, the Department may terminate this Agreement by providing thirty (30) days written notice. This Agreement may also be terminated pursuant to Section 15. Neither party has any obligation after termination, except as stated in Sections 2e, 4l, 4n and 7.

#### **8. Third Party Beneficiary.**

It is not intended by any of the provisions of any part of this Agreement to create in the public or any member of the public a third party beneficiary or to authorize anyone not a party to the Agreement to maintain a suit(s) for wrongful death(s), bodily and/or personal injury(ies) to person(s), damage(s) to property(ies), and/or any other claim(s) whatsoever pursuant to the provisions of this Agreement.

#### **9. New Mexico Tort Claims Act.**

As between the Department and Public Entity, neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1, *et seq.*

#### **10. Contractors Insurance Requirements.**

The Public Entity shall require contractors and subcontractors hired for the Project to have a general liability insurance policy, with limits of liability of at least \$1,000,000 per occurrence. The Department is to be named as an additional insured on the contractors and subcontractor's policy and a certificate of insurance must be provided to the Department and it must state that coverage provided under the policy is primary over any other valid insurance.

To the fullest extent permitted by law, the Public Entity shall require the contractor and subcontractors to defend, indemnify and hold harmless the Department from and against any liability, claims, damages, losses or expenses (including but not limited to attorney's fees, court costs, and the cost of appellate proceedings) arising out of or resulting from the negligence, act, error, or omission of the contractor and subcontractor in the performance of the Project, or anyone directly or indirectly employed by the contractor or anyone for whose acts they are liable in the performance of the Project.

#### **11. Scope of Agreement.**

This Agreement incorporates all the agreements, covenants, and understandings between the parties concerning the subject matter. All such covenants, agreements, and understandings have been merged into this written Agreement. No prior Agreement or understandings, verbal or otherwise, of the parties or their agents will be valid or enforceable unless embodied in this Agreement.

**12. Terms of this Agreement.**

The terms of this Agreement are lawful; performance of all duties and obligations must conform with and not contravene any state, local, or federal statutes, regulations, rules, or ordinances.

**13. Legal Compliance.**

The Public Entity shall comply with all applicable federal, state, local, and Department laws, regulations and policies in the performance of this Agreement, including, but not limited to laws governing civil right, equal opportunity compliance, environmental issue, workplace safety, employer-employee relations and all other laws governing operations of the workplace. The Public Entity shall include the requirements of this Section 13 in each contract and subcontract at all tiers.

**14. Equal Opportunity Compliance.**

The parties agree to abide by all federal and state laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, the parties agree to assure that no person in the United States will, on the grounds of race, color, national origin, ancestry, sex, sexual preference, age or handicap, be excluded from employment with, or participation in, any program or activity performed under this Agreement. If the parties are found to not be in compliance with these requirements during the term of this Agreement, the parties agree to take appropriate steps to correct these deficiencies.

**15. Appropriations and Authorizations.**

The terms of this Agreement are contingent upon sufficient appropriations and authorizations being made by the governing board of the Public Entity, the Legislature of New Mexico for performance of the Agreement. If sufficient appropriations and authorizations are not made by the Public Entity and the Legislature this Agreement will terminate upon written notice being given by one party to the other. The Department and Public Entity are expressly not committed to expenditure of any funds until such time as they are programmed, budgeted, encumbered, and approved for expenditure.

**16. Accountability of Receipts and Disbursements.**

There shall be strict accountability for all receipts and disbursements relating to this Agreement. The Public Entity shall maintain all records and documents relative to the Project for a minimum of five (5) years after completion of the Project. The Public Entity shall furnish the Department and State Auditor, upon demand, any and all such records relevant to this Agreement. If an audit finding determines that specific funding was inappropriate or not related to the Project, the Public Entity shall reimburse that portion to the Department within thirty (30) days of written notification. If documentation is insufficient to support an audit by customarily accepted accounting practices, the expense supported by such insufficient documentation must be reimbursed to the Department within thirty (30) days.

**17. Severability.**

In the event that any portion of this Agreement is determined to be void, unconstitutional or otherwise unenforceable, the remainder of this Agreement will remain in full force and effect.

**18. Applicable Law.**

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue is proper in a New Mexico Court of competent jurisdiction in accordance with NMSA 1978, Section 38-3-1(G).

**19. Amendment.**

This Agreement may be amended by an instrument in writing executed by the parties.

**The remainder of this page is intentionally left blank.**

**In witness whereof**, each party is signing this Agreement on the date stated opposite that party's signature.

**NEW MEXICO DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
Cabinet Secretary or Designee

Date: \_\_\_\_\_

Approved as to form and legal sufficiency by the New Mexico Department of Transportation's Office of General Counsel

By: \_\_\_\_\_  
Assistant General Counsel

Date: \_\_\_\_\_

**City of Hobbs**

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

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT A**

**CERTIFICATION OF PROJECT COMPLETION**

**Public Entity:**

**Control No. LP20037**

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_ of \_\_\_\_\_ certify in regard to Control No. **LP20037**:

1. That the Public Entity has complied with the terms and conditions of the requirements under this Agreement and 18.27.6 NMAC.
2. That all work in was performed in accordance with the Agreement.
3. That the total Project cost of \_\_\_\_\_, with New Mexico Department of Transportation 95% share of \_\_\_\_\_ and the Public Entity share of \_\_\_\_\_ is accurate, legitimate, and appropriate for the Project.
4. That the Project was completed on \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_

**In Witness Whereof**, \_\_\_\_\_ in his/her capacity as \_\_\_\_\_ of \_\_\_\_\_ certify that the matters stated above are true to his/her knowledge and belief.

**City of Hobbs**

By: \_\_\_\_\_ Date: \_\_\_\_\_

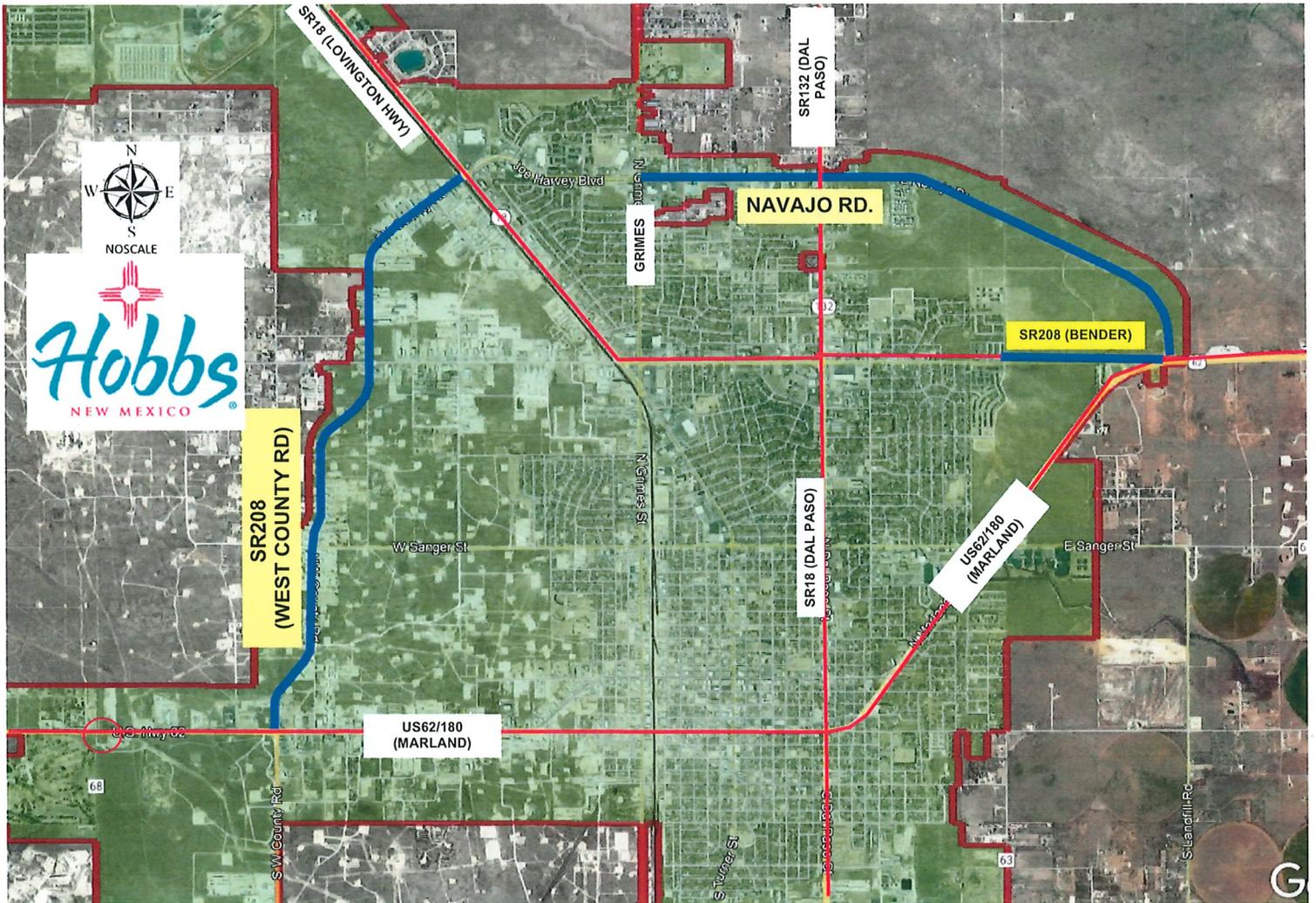
Title: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_ Date: \_\_\_\_\_

**Public Entity Clerk**

When completed, send Certification of Project Completion to the District Coordinator, New Mexico Department of Transportation.



**CITY OF HOBBS - PROJECT LOCATION MAP  
 SR208 (WEST COUNTY) / NAVAJO / SR218 (BENDER) ROADWAY SURFACING  
 FY23 - TRANSPORTATION TRAFFIC FUNDING - SERPTO**