

Commission Meeting Agenda



Mayor

Samuel D. Cobb

City Commission

Marshall R. Newman

Christopher R. Mills

Patricia A. Taylor

Joseph D. Calderón

Dwayne Penick

Don R. Gerth

Acting City Manager

Manny Gomez

October 15, 2018



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

Monday, October 15, 2018 - 6:00 p.m.

Sam D. Cobb, Mayor

Marshall R. Newman
Commissioner - District 1

Christopher R. Mills
Commissioner - District 2

Patricia A. Taylor
Commissioner - District 3

Joseph D. Calderón
Commissioner - District 4

Dwayne Penick
Commissioner - District 5

Don R. Gerth
Commissioner - District 6

A G E N D A

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

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes of the October 1, 2018, Regular Commission Meeting

PROCLAMATIONS AND AWARDS OF MERIT

2. Proclamation Proclaiming Thursday, November 1, 2018, as "Extra Mile Day"

3. Recognition of Employee Milestone Service Awards for October, 2018:

- ▶ 5 years - Amand Aguilar Castillo, General Services Department
- ▶ 5 years - Roger Kibad, Utilities Department
- ▶ 5 years - Jessica Silva, Environmental Department
- ▶ 5 years - Kevin Martinez, Hobbs Police Department
- ▶ 15 years - Maxey Brown, Hobbs Fire Department
- ▶ 15 years - Kevin Shearer, Hobbs Fire Department
- ▶ 25 years - Dalia Conken, Hobbs Senior Center

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

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

4. Resolution No. 6726 - Authorizing the Appointment of Mark Bateman to the Community Affairs Board *(Mayor Sam Cobb)*
5. Resolution No. 6727 - Approving the City of Hobbs 2018 Fiscal Year Capital Asset Inventory *(Toby Spears, Finance Director)*
6. Resolution No. 6728 - Authorizing the Submission of a Grant Application with the Department of Homeland Security for the Federal Assistance to Firefighter Grant Program for the Purchase of Personal Protective Equipment (PPE), Specifically Bunker Gear and Technical Rescue Gear *(Barry Young, Deputy Fire Chief)*

DISCUSSION

7. Update Regarding Convention and Visitors Bureau *(Meghan Mooney, Communications Director)*

ACTION ITEMS (Ordinances, Resolutions, Public Hearings)

8. Resolution No. 6729 - Authorizing Renewals of Medical, Benefit Value Advisor, Dental, Vision, Teladoc, Life Insurance, Short Term Disability, Long Term Disability, Critical Illness, Group Accident Coverage and Chard Snyder *(Nicholas Goulet, Human Resources Director)*

9. **PUBLIC HEARING:** Resolution No. 6730 - Concerning the Issuance of a Restaurant Liquor License to Baker Brothers Holiday Restaurant Bar-B-Q and Catering d/b/a Holiday Restaurant Located at 2827 North Dal Paso, Suite 134, Hobbs, New Mexico (*Efren Cortez, City Attorney*)
10. Resolution No. 6731 - Authorizing a Grant Agreement with the State of New Mexico Environment Department, Capital Appropriation Project No. 18-C2252-STB, for the Hobbs Aerobic Digestion Basins (*Tim Woomeer, Utilities Director*)
11. Consideration of Approval of the Purchase of Street Sweeper Equipment from Tymco, Inc., in the Amount of \$233,090.00 Utilizing the HGAC-Buy Cooperative Purchasing Program (*Shelia Baker, General Services Director*)
12. Resolution No. 6732 - Authorizing an Allocation of Lodgers' Tax Funds to the New Mexico Junior College for the NJCAA Division I Outdoor National Track and Field Championship (*Toby Spears, Finance Director*)

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

13. Next Meeting Date:

- ▶ City Commission Regular Meeting
Monday, November 5, 2018, at 6:00 p.m.

ADJOURNMENT

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the above meeting, please contact the City Clerk's Office at (575) 397-9207 at least 72 hours prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: October 9, 2018
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- ▶ Regular Commission Meeting of October 1, 2018

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 1, 2018, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico.

Call to Order and Roll Call

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

Mayor Sam D. Cobb
Commissioner Marshall R. Newman
Commissioner Christopher Mills
Commissioner Patricia A. Taylor
Commissioner Joseph D. Calderón
Commissioner Dwayne Penick
Commissioner Don Gerth

Also present:

Manny Gomez, Acting City Manager/Fire Chief
Efren Cortez, City Attorney
Chris McCall, Police Chief
Barry Young, Deputy Fire Chief
Shawn Williams, Fire Marshal
Mark Doporto, Fire Inspector
Brandon Roberts, Fire Captain
Kevin Shearer, Fire Captain
Mark Ray, Battalion Chief
Shelia Baker, General Services Director
Todd Randall, City Engineer
Kevin Robinson, Development Director
Tim Woomer, Utilities Director
Doug McDaniel, Parks and Recreation Director
Matt Hughes, Golf Superintendent
Raymond Bonilla, Community Services Director
Ron Roberts, Information Technology Director
Meghan Mooney, Communications Director
Missy Funk, Hobbs Animal Adoption Center Manager
Nicholas Goulet, Human Resources Director
Tracy South, Assistant Human Resources Director
Sandy Farrell, Library Director
Ann Betzen, Risk Manager/Executive Assistant
Mollie Maldonado, Deputy City Clerk
Jan Fletcher, City Clerk
23 citizens

Invocation and Pledge of Allegiance

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

Approval of Minutes

Commissioner Calderón moved that the minutes of the regular meeting held on September 17, 2018, be approved as presented. Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried.

Proclamations and Awards of Merit

Proclamation Proclaiming October 1, 2018, as "National Domestic Violence Awareness Day".

Mayor Cobb proclaimed October 1, 2018, as "*Domestic Violence Awareness Day*". He presented the proclamation to Mrs. Dinora Guthrie of Option, Inc., and members of the Option Board. Mrs. Guthrie expressed her sincere gratitude to the Commission for its support.

Proclamation Proclaiming the Week of October 7 - 13, 2018, as "Fire Prevention Week".

Mayor Cobb proclaimed October 7-13, 2018, as "Fire Prevention Week" and presented the proclamation to Fire Marshal Shawn Williams, Fire Captain Brandon Roberts, Fire Inspector Mark Doporto and members of the Hobbs Fire Department (HFD). Fire Marshal Williams stated the HFD will be working at 13 elementary schools this week to educate students on the importance of fire safety. Fire Inspector Doporto stated HFD is excited about Fire Prevention Week. He stated the Fire Prevention Week theme is "Look, Listen and Learn. Be aware - Fire can happen anywhere".

Public Comments

Mr. Robert Guthrie with Option, Inc., invited the community to attend Domestic Violence Awareness Day on October 5, 2018, at Option, Inc., located at 200 North Dalmont from 11:00 a.m. to 2:00 p.m. He stated lunch will be served and exhibits will be displayed.

Consent Agenda

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

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

Resolution No. 6718 - Authorizing the Cash on Hand and Petty Cash Balances to Reflect the Actual Cash Present at Various Locations Throughout the City.

Resolution No. 6719 - Approving Execution of a Quitclaim Deed for Property Located within Block 84 of the Original Hobbs Addition.

Resolution No. 6720 - Authorizing Donation of a Used 2013 Chevy G4500 Type III Ambulance to Otero County, New Mexico

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

Discussion

City of Hobbs - Energy Efficiency and Cost Savings Program.

Ms. Shelia Baker, General Services Director, introduced Mr. Scott Stevens with ENGIE Services. Mr. Stevens presented a PowerPoint to the Commission. He explained the background energy cost savings, ENGIE/Hobbs collaboration process to achieve results, measurement and verification, methodology and results on the Energy Efficiency Cost Savings Program. Mr. Stevens stated there is continued savings to the City of Hobbs by utilizing ENGIE.

Action Items

Resolution No. 6721 - Authorizing the Purchase of a 2017 Ford F550 Type 6 Brush Truck at a Cost of \$194,861.00 Utilizing an HGAC Contract.

Deputy Fire Chief Barry Young stated the Hobbs Fire Department wishes to purchase a 2017 Ford F550 Type 6 Brush Truck utilizing an HGAC contract in the amount of \$194,861.00. He stated the purchase of this apparatus would replace a 2006 F550 Quick Attack which has been removed from service due to major mechanical issues. Deputy Fire Chief Young explained that the 2017 Ford F550 Type 6 Brush Truck is a demo apparatus which has not been utilized in any operational conditions by any departments and the odometer reads 5,000. He stated a new Brush Truck would cost the City \$250,000.00 and the City would have to wait six to nine months to have it built. Deputy Fire Chief Young stated the Brush Truck is utilized to fight wildland grass fires.

He further stated specifications have been reviewed by a committee within the Department and it meets and/or exceeds the standards followed by the Department.

After a short discussion, Commissioner Newman moved to approve Resolution No. 6721 as presented authorizing the purchase of the fire apparatus. Commissioner Mills seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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.

Consideration of Approval of a CES Contract with Klein Automation and Electric in the Amount of \$92,495.31 for the Installation of Security Cameras at Jefferson Park Sports Complex and the Taylor Splash Pad.

Mr. Doug McDaniel, Parks and Recreation Director, explained the contract for installation of security cameras and stated in FY18, the following parks and splash pads received replacements or new cameras from Klein Automation and Electric at these locations: (1) Charlie Brown Park; (2) Washington Heights Park; (3) Heizer Park; (4) City Park; (5) Jefferson Park; (6) Del Norte Park. Splash pads listed are: (1) Washington; (2) Jefferson; and (3) Mills. He stated for FY19, in cooperation with the Hobbs Police Department, the Parks and Recreation Department is requesting additional cameras and camera/hardware infrastructure at the following locations: Jefferson Park Sports Complex and the Taylor Splash Pad. Mr. McDaniel stated funding in the amount of \$100,000.00 was included in the FY19 Budget. He stated Klein Automation and Electric is a local vendor. Mr. McDaniel stated HPD has staff who are very knowledgeable with the systems, cameras and hardware that Klein will install.

Mr. McDaniel stated there currently is not much vandalism at the Jefferson location. He stated the life expectancy of the cameras is three to five years. Mr. McDaniel stated he attended a conference and one municipality's campaign is "Please Enjoy, Don't Destroy". He stated he would like to start a similar campaign in Hobbs.

There being no further discussion, Commissioner Gerth moved to approve the CES contract with Klein Automation and Electric to install security cameras at Jefferson Park Sports Complex and the Taylor Splash Pad in the amount of \$92,495.31. Commissioner Taylor seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor yes, Calderón yes, Gerth yes, Penick yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Resolution No. 6722 - Authorizing Budgetary Adjustment #2 for FY 18-19.

Mr. Toby Spears, Finance Director, stated the budget is prepared prior to the beginning of the fiscal year and 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. He stated the budgetary adjustment includes increases to expenditure accounts as well as cash transfers between funds. Mr Spears stated total expenditures are projected to increase by \$606,157.26 and total revenues will increase by \$2,288,317.00. The ending cash balance for all funds will increase from \$51,761,994.53 to \$53,444,154.27. Mr. Spears stated transfers to the Golf Fund in the amount of \$23,153.00 and to the CORE Fund in the amount of \$50,000.00 are also included in this budget adjustment. He stated revenue, expenditures and subsidies are included in this budget adjustment as the New Mexico Department of Finance and Administration(DFA) will not approve a budget adjustment with negative amounts.

Acting City Manager/Fire Chief Manny Gomez stated the General Fund reserve balance increased from 32% to 34%.

Mayor Cobb applauded City staff for watching costs and being efficient with City funds.

Commissioner Calderón moved to approve Resolution No. 6722 as presented. Commissioner Penick seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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.

PUBLICATION: Proposed Ordinance Amending Chapter 2.04 of the Hobbs Municipal Code Related to the Rules of Procedure for the City Commission and Mayor.

Mr. Efren Cortez, City Attorney, explained the proposed ordinance and stated on January 28, 2008, the City Commission adopted Ordinance No. 978, which repealed and amended certain sections of Chapter 2.04 of the Hobbs Municipal Code. He stated those amendments left conflicts regarding the Mayor's duties in a public meeting in Article I(F)(d) and Article II(A)(1)(e), which both address public comments at Commission meetings. Mr. Cortez stated additionally, the 2008 amendments did not account for time, place, and manner restrictions on public comments which are authorized under both the United States Constitution and the New Mexico Constitution. He stated a new section, Article II(B)(4) "Public Comment", has been added. Mr. Cortez further stated the proposed amendments seek to resolve any conflicts in the Mayor's duties and implement time, place, and manner restrictions on public comments. He stated a large sign will be posted in the entry way of the Commission Chambers to inform citizens to sign up if they desire to speak. He further stated a staff member will be there assisting the citizens.

There being no further discussion, and no comments from the audience, Commissioner Penick moved that the Commission publish notice of its intent to adopt the ordinance at a later date. Commissioner Mills seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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.

PUBLICATION: Proposed Ordinance Consenting to the Annexation of Approximately 163.23 Acres of Land Located Northwest of the Intersection of West Bender and West County Road (East of North Bensing) as Recommended by the Planning Board.

Mr. Kevin Robinson, Development Director, explained the proposed ordinance and stated the East of North Bensing Annexation area contains 163.23 +/- acres and is located northwest of the intersection of West Bender and West County Road. He stated the annexation is comprised of 86.14 +/- acres of petitioned property and additional acreage totaling 163.23 acres of land. Mr. Robinson stated the annexation proposal was presented to the City of Hobbs Planning Board (Board) at the September 18, 2018, meeting and recommended approval to the Commission with a 5-0 vote. The Commission must authorize publication of the ordinance. Final review and adoption of the ordinance would occur in November, 2018.

There being no further discussion, and no comments from the audience, Commissioner Calderón moved that the Commission publish notice of its intent to adopt the ordinance at a later date. Commissioner Gerth seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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.

Resolution No. 6723 - Approving Amendments to the City of Hobbs Major Thoroughfare Plan.

Mr. Robinson explained the Major Thoroughfare Plan and stated a resolution was adopted by the City Commission in November, 2005, as an amendment to the 2004 Comprehensive Community Development Plan. He stated the Major Thoroughfare Plan establishes minimum on-site parking requirements for residential units within the municipal boundaries. Mr. Robinson stated the proposed amendment will clarify the intent of the City of Hobbs Planning Board (Board) as to the minimum on-site parking requirements for residential units within the municipal boundaries. He stated this amendment requires residents to have two vehicle parking spaces at their home. Mr. Robinson stated the Board approved the proposed amendment at its September 18, 2018, meeting and recommended approval to the Commission with a vote of 5-0.

After a short discussion, Commissioner Mills moved to approve Resolution No. 6723 as presented. Commissioner Penick seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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. 6724 - Approving a Development Agreement with Black Gold Estates Concerning the Development of Market Rate Single Family Housing.

Mr. Robinson stated the Black Gold Estates has requested a Development Agreement concerning the development of single-family housing units located within the municipal boundaries. He stated the developer proposes to produce market rate single-family units and is requesting infrastructure incentives of \$56,000.00 which is the total amount of the incentive.

Mr. Daniel Dattola, representative of Black Gold Estates, stated there have been 280 homes built in Hobbs and will have a total of 300 once Phase I is completed. He stated Phase II will have 400 homes built. Mr. Dattola thanked the Commission for its support in building homes in Hobbs as it has been essential for its success.

Commissioner Penick moved to approve Resolution No. 6724 as presented. Commissioner Calderón seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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. 6725 - Authorizing a Memorandum of Agreement for FY 18-19 with the New Mexico Department of Transportation for Public Transportation Services.

Ms. Jan Fletcher, City Clerk, explained the resolution and stated the annual Memorandum of Agreement is for continued operation of Public Transportation Services for the Federal FY 18-19 beginning October 1, 2018, through September 30, 2019. She stated this is a formulary grant whereby the costs of the program are shared as follows:

Administrative	20% City	80% State
Operating	50% City	50% State
Capital	20% City	80% State

Mr. Fletcher stated the total award amount is \$972,443.92 with the Federal portion being \$565,182.36 and the local match being \$407,261.56. She stated the capital

amount of \$179,500.00 is for the purchase of a new bus and paving of a parking area on the north side of the Hobbs Express facility.

Ms. Fletcher reviewed ridership for FFY 17-18 which fell short of the goal of 60,000 riders and current personnel shortages for Hobbs Express.

Commissioner Newman moved to approve Resolution No. 6725 as presented. Commissioner Calderón seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor 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.

Consideration of Approval of RFP No. 504-19 to Furnish Chlorine Based Disinfection Products and Recommendation to Accept the Proposal from DPC Industries, Inc.

Mr. Tim Woomeer, Utilities Director, stated proposals were received and opened on Thursday, August 23, 2018, for RFP No. 504-19 to furnish chlorine based disinfection products. He stated these disinfecting products will be used by the Park and Recreation and Utilities Departments. Mr. Woomeer stated two proposals were received and the evaluation team has reviewed the proposals and based on the criteria listed in the RFP, has rated DPC Industries, Inc., as the highest proposer.

Commissioner Gerth moved to approve RFP No. 504-19 and award the proposal to DCP Industries, Inc., to furnish chlorine based disinfection products, as presented. Commissioner Calderón seconded the motion and the vote was recorded as follows: Newman yes, Mills yes, Taylor yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of supporting documentation are attached and made a part of these minutes.

Comments by City Commissioners, City Manager

Mayor Cobb stated the next Commission meeting will be held on Monday, October 15, 2018.

Acting City Manager/Fire Chief Gomez thanked the Fire Marshal's office for its Fire Safety efforts throughout the year. He stated HFD does courtesy home inspections for the citizens and business owners of Hobbs.

Acting City Manager/Fire Chief Gomez also thanked Ms. Baker for the Energy Program savings to the City.

Commissioner Gerth thanked everyone for attending tonight's meeting.

Commissioner Penick also thanked everyone for their attendance at tonight's meeting.

Commissioner Mills also thanked everyone for their attendance at tonight's meeting on a long agenda and stated it is great to see citizens concerned about the City.

Commissioner Gerth stated Hobbs has received a large amount of rain lately and he has been receiving numerous calls regarding weeds. He encouraged citizens to cut their weeds and warned that a citation could be issued by the City of Hobbs' Code Enforcement Department.

Mayor Cobb stated education of the public does help reduce fire danger, and he thanked the HFD for those efforts.

Mayor Cobb announced that the City received a check in the amount of \$10,000.00 from Chevron and its employees. He thanked them for their generosity.

Mayor Cobb stated he drove by City Park on Sunday, and he observed it was totally filled with people enjoying and utilizing the park.

Adjournment

Commissioner Newman moved that the meeting adjourn. Commissioner Calderón yes seconded the motion the vote was recorded as follows: Newman yes, Mills yes, Taylor yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:30 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, Hobbs, New Mexico, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Hobbs, New Mexico, is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Hobbs, New Mexico, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and


WHEREAS, Hobbs, New Mexico, acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2018.

NOW, THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim Thursday, November 1, 2018, as:

“EXTRA MILE DAY”

I urge each individual in the community to take time take on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of October, 2018, and cause the seal of the City of Hobbs to be affixed hereto.


SAM D. COBB, Mayor

ATTEST:


JAN FLETCHER, City Clerk



October Milestones

25 years

Dalia Conken	Senior Center	10/24/1993
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15 years

Kevin Shearer	Fire	10/07/2003
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Maxey Brown	Fire	10/13/2003
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5 years

Kevin Martinez	Police	10/02/2013
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Jessica Silva	Environmental	10/09/2013
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Roger Kibad	Utilities	10/14/2013
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Amand Aguilar Castillo	General Services	10/16/2013
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CONSENT AGENDA



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: 10-15-18

SUBJECT: A Resolution Authorizing the Mayor to Make An Appointment to the Community Affairs Board.

DEPT. OF ORIGIN: Mayor's Office
DATE SUBMITTED: 10-2-18
SUBMITTED BY: Ann Betzen

Summary:

The Mayor would like to appoint Mark Bateman to fill the position vacated by Arturo Navarrette, term will expire March 31, 2019.

Fiscal Impact:

There is no effect on the current year budget.

Reviewed By: _____


Department

Attachments:

Resolution

Legal Review:

Approved As To Form: _____


City Attorney

Recommendation:

Motion to approve Resolution.

Approved For Submittal By:

Department Director

City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

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

CITY OF HOBBS

RESOLUTION NO. 6726

A RESOLUTION AUTHORIZING THE MAYOR
TO MAKE AN APPOINTMENT TO THE
COMMUNITY AFFAIRS BOARD

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized to appoint Mark Bateman to the Community Affairs Board; said term will run through March 31, 2019.

PASSED, ADOPTED AND APPROVED this 15th day of October, 2018.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: Resolution approving FY2018 Capital Asset Inventory
DEPT. OF ORIGIN: Finance Department
DATE SUBMITTED: 10/08/18
SUBMITTED BY: Deborah Corral, Assistant Finance Director

Summary:

The City Commission should certify the Capital Asset Inventory annually per Section 2.20.1.16.E NMAC which states "The results of the physical inventory shall be recorded in a written inventory report, certified as to correctness and signed by the governing authority of the agency." Amounts submitted for certification for the Fiscal Year ending June 30, 2018 are as follows:

- Governmental Fixed Assets \$357,395,009.05
- Business Type Activity Fixed Assets \$148,253,404.32

Each department has been provided a listing of the assets related to their various areas and have submitted a certification of correctness to the Finance Department.

Fiscal Impact:

No fiscal impact.

Reviewed By: _____

[Signature]
Finance Department

Attachments:

- Resolution,
- A summary of capital assets detailing the beginning balance, additions, deletions and the FY16 ending balance.

Legal Review:

Approved As To Form _____

[Signature]
City Attorney

Recommendation:

Approval of resolution.

Approved For Submittal By: _____

[Signature]
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. _____

CITY OF HOBBS

RESOLUTION NO. 6727

A RESOLUTION APPROVING THE CITY OF
HOBBS 2018 FISCAL YEAR CAPITAL ASSET INVENTORY

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS,
NEW MEXICO that the City Commission hereby approves and certifies the City of
Hobbs Fiscal Year 2018 Capital Asset Inventory.

PASSED, ADOPTED AND APPROVED THIS 15th day of October, 2018.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

FY18 EOY FIXED ASSETS

Governmental Activities:

	Balance June 30, 2017	Additions	Deletions	Balance June 30, 2018
Capital assets not being depreciated:				
Land	8,004,303.89			8,004,303.89
Construction in progress	33,906,922.57	32,164,189.84		66,071,112.41
	<u>41,911,226.46</u>	<u>32,164,189.84</u>	<u>-</u>	<u>74,075,416.30</u>
Capital assets being depreciated:				
Buildings	56,248,131.75			56,248,131.75
Equipment	42,322,561.22	4,628,271.24	1,342,421.24	45,608,411.22
Land improvements	66,784,879.10	304,809.60		67,089,688.70
Infrastructure	111,533,814.19	232,419.28	-	111,766,233.47
	<u>276,889,386.26</u>	<u>5,165,500.12</u>	<u>1,342,421.24</u>	<u>280,712,465.14</u>
Amortizable assets				
Intangible assets	<u>2,607,127.61</u>			<u>2,607,127.61</u>
Total amortizable assets	<u>2,607,127.61</u>	<u>-</u>	<u>-</u>	<u>2,607,127.61</u>
Total capital assets	<u>321,407,740.33</u>	<u>37,329,689.96</u>	<u>1,342,421.24</u>	<u>357,395,009.05</u>

FY18 EOY FIXED ASSETS

Business-type Activities:

	Balance June 30, 2017	Additions	Deletions	Balance June 30, 2018
Capital assets not being depreciated:				
Land	12,472.69			12,472.69
Construction in progress	6,130,656.31	6,219,839.13		12,350,495.44
	<u>6,143,129.00</u>	<u>6,219,839.13</u>	-	<u>12,362,968.13</u>
Capital assets being depreciated:				
Buildings	28,445,723.13		12,597.96	28,433,125.17
Equipment	43,867,907.75	223,244.37	159,192.85	43,931,959.27
Land improvements	2,252,333.39			2,252,333.39
Infrastructure	61,204,688.45	63,329.91		61,268,018.36
	<u>135,770,652.72</u>	<u>286,574.28</u>	<u>171,790.81</u>	<u>135,885,436.19</u>
Amortizable assets				
Intangible assets	5,000.00			5,000.00
Total amortizable assets	<u>5,000.00</u>	<u>-</u>	<u>-</u>	<u>5,000.00</u>
Total capital assets	<u>141,918,781.72</u>	<u>6,506,413.41</u>	<u>171,790.81</u>	<u>148,253,404.32</u>



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: Assistance to Firefighters Grant (AFG)

DEPT. OF ORIGIN: Fire Department
DATE SUBMITTED: October 9, 2018
SUBMITTED BY: Barry Young, Deputy Fire Chief

Summary:

The Assistance to Firefighters Grant (AFG) was created to enhance the safety of the public and firefighters with respect to fire and related hazards by providing critically needed resources to equip and train personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. The objective of AFG is to enhance a fire department's ability to protect the health and safety of the public, as well as that of first responder personnel. The Hobbs Fire Department will utilize this opportunity to apply for funding for the purchase of personal protective equipment (PPE), specifically bunker gear and technical rescue gear.

Fiscal Impact:

Reviewed By: 
Finance Department

The total cost of the PPE is approximately \$145,000. The grant will cover 90% of this cost or \$131,818.18, with the City responsible for the other 10% or approximately \$13,181.82. Cost share requirements are based on the population of the community the department serves. Any community with more than 20,000 residents, but less than 1,000,000 must agree to provide 10% of the funds requested in the grant.

Attachments:

1. Resolution
2. AFG grant information

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Approval of resolution and to proceed with the application for the Assistance to Firefighters Grant (AFG).

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. 6728

A RESOLUTION APPROVING THE GRANT APPLICATION
WITH THE DEPARTMENT OF HOMELAND SECURITY FEDERAL
ASSISTANCE TO FIREFIGHTER GRANT PROGRAM

WHEREAS, the City of Hobbs Fire Department is eligible for funding from the Department of Homeland Security under the Assistance to Firefighter Grant Program; and

WHEREAS, the grant will provide financial assistance directly to the Fire Department to purchase personal protective equipment (PPE), specifically bunker gear and technical rescue gear; and

WHEREAS, cities with more than 20,000 residents, but less than 1,000,000 must agree to provide 10% of the funds requested in the grant; and

WHEREAS, the total cost of the PPE is approximately \$145,000.00; and

WHEREAS, the grant will cover 90% of this cost or \$131,818.18 with the City being responsible for 10% or approximately \$13,181.12;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is, authorized and directed to execute on behalf of the City of Hobbs this resolution approving the Grant Application with the Department of Homeland Security, Federal Emergency Management Agency for funding to provide personal protective equipment to the Hobbs Fire Department.

PASSED, ADOPTED AND APPROVED this 15th day of October, 2018.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

The Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
Fiscal Year 2018 Assistance to Firefighters Grants

NOTE: Eligible recipients who plan to apply for this funding opportunity, but who have not obtained a Data Universal Numbering System (DUNS) number and/or are not currently registered in the System for Award Management (SAM), should take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take four weeks or more after the submission of a SAM registration before the registration becomes active in SAM, then an additional 24 hours for [Grants.gov](http://www.grants.gov) to recognize the information. Information on obtaining a DUNS number and registering in SAM is available from [Grants.gov](http://www.grants.gov) at <http://www.grants.gov/web/grants/register.html>. Detailed information regarding DUNS and SAM is also provided in Section D of this Notice of Funding Opportunity (NOFO), subsection, Content and Form of Application Submission.

A. Program Description

Issued By

US Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)/Grant Programs Directorate (GPD)

Catalog of Federal Domestic Assistance (CFDA) Number
97.044

CFDA Title

Assistance to Firefighters Grants (AFG)

Notice of Funding Opportunity Title

FY 2018 Assistance to Firefighters Grants

Notice of Funding Opportunity Number

DHS-18-GPD-044-00-99

Authorizing Authority for Program

Section 33 of the *Federal Fire Prevention and Control Act of 1974*, Pub. L. No. 93-498, as amended (15 U.S.C § 2229)

Appropriation Authority for Program

Department of Homeland Security Appropriations Act, 2018 (Pub. L. No. 115-141)

Program Type

New

Program Overview, Objectives, and Priorities

Program Overview

The FY 2018 Assistance to Firefighters Grant (AFG) Program is set against the backdrop of a year in which the United States faced numerous and unprecedented homeland security challenges. These included the three major hurricanes that devastated parts of Texas, Florida, and much of Puerto Rico and the U.S. Virgin Islands, as well as massive wildfires across the State of California. In addition to these natural disasters, the Nation also responded to multiple incidents as part of the evolving threat landscape, including witnessing the first known terrorist attack executed against mass transportation on our soil; cyberattacks against critical port infrastructure; and mass casualty events involving both vehicles and active shooters.

The National Preparedness Goal (the Goal) defines what it means to be prepared for such diverse and complicated events. The National Preparedness System is the instrument the Nation employs to build, sustain, and deliver the core capabilities needed to achieve the goal of a more secure and resilient Nation. The development and sustainment of these core capabilities is not exclusive to any single level of government or organization, but rather requires the combined effort of the whole community. To that end, the FY 2018 AFG Program represents one part of a comprehensive set of measures authorized by Congress and implemented by the Administration. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, the AFG Program supports the goal to Strengthen National Preparedness and Resilience.

The recently released 2018-2022 FEMA Strategic Plan creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The AFG Program supports the goals of Building a Culture of Preparedness and Ready the Nation for Catastrophic Disasters. We invite all of our stakeholders and partners to also adopt these priorities and join us in fostering a more prepared and resilient Nation.

Program Objectives

The purpose of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The program provides direct financial assistance to eligible fire departments, nonaffiliated emergency medical service (EMS) organizations, and State Fire Training Academies (SFTA). The funds provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience.

In awarding grants, the Administrator of FEMA is required to consider the following:

- The findings and recommendations of the Technical Evaluation Panel (TEP).
- The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire related and other hazards.
- The extent of an applicant's need for an AFG grant and the need to protect the United States as a whole.

- The number of calls requesting or requiring a firefighting or emergency medical response received by an applicant.

Performance metrics for this program are as follows:

- Percentage of AFG PPE recipients who equipped 100 percent of on-duty active members with PPE in compliance with applicable NFPA and OSHA standards
- Percentage of AFG equipment recipients who reported that the AFG grant brought them into compliance with either state, local, NFPA, or OSHA standards
- Percentage of AFG award recipients who reported having successfully replaced their fire vehicles 25 years old or older in accordance with industry standards

Priorities

Information on program priorities and objectives for the FY 2018 AFG can be found in [Appendix B](#), FY 2018 AFG Programmatic Information and Priorities.

The AFG Program also addresses the following “Core Capabilities” of the National Preparedness Goal:

- Fire Management and Suppression
- Environmental Response/Health and Safety
- Threats and Hazards Identification
- Public Health, Healthcare, and Emergency Medical Services
- Operational Coordination
- Operational Communications
- Mass Search and Rescue Operations
- Community Resilience
- Long-term Vulnerability Reduction

B. Federal Award Information

Award Amounts, Important Dates, and Extensions

Available Funding for the NOFO: \$315,000,000¹

Projected number of Awards: 2,500

Period of Performance: Twelve months from the date of award. For additional information on period of performance extensions, refer to Section H. Additional Information and [Appendix C: Award Administration Information](#), VIII. Payments and Amendments.

Projected Period of Performance Start Date(s): 11/12/2018

¹ Note that this figure differs from the total amount appropriated under the *Department of Homeland Security Appropriations Act, 2018*, Pub. L. No. 115-141. In this FY 2018 AFG NOFO, percentages of “available grant funds” refers to the total amount appropriated—\$350,000,000—by Pub. L. No. 115-141 to meet the statutory requirements of § 33 of the *Federal Fire Prevention and Control Act of 1974*, as amended. A portion of these “available grant funds” will be allocated to the Fire Prevention & Safety (FP&S) program, which will have a separate NOFO and application period. \$35,000,000 will be allocated to FP&S for FY 2018.

Projected Period of Performance End Date(s): 11/11/2019

Funding Instrument: Grant

C. Eligibility Information

Eligible Applicants

Fire Departments: Fire departments operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,² or any federally recognized Indian tribe or tribal organization. A fire department is an agency or organization having a formally recognized arrangement with a state, territory, local, or tribal authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression to a population within a geographically fixed primary first due response area.

Nonaffiliated EMS organizations: Nonaffiliated EMS organizations operating in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,² or any federally recognized Indian tribe or tribal organization. A nonaffiliated EMS organization is an agency or organization that is a public or private nonprofit emergency medical service entity providing medical transport that is not affiliated with a hospital and does not serve a geographic area in which emergency medical services are adequately provided by a fire department.

FEMA considers the following as hospitals under the AFG Program:

- Clinics
- Medical centers
- Medical college or university
- Infirmary
- Surgery centers
- Any other institution, association, or foundation providing medical, surgical, or psychiatric care and/or treatment for the sick or injured.

State Fire Training Academies: A State Fire Training Academy (SFTA) operates in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico.² Applicants must be designated either by legislation or by a Governor's declaration as the sole fire service training agency within a state, territory, or the District of Columbia. The designated SFTA shall be the only agency/bureau/division, or entity within that state, territory, or the District of Columbia.

² The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico are all defined as "States" in the Federal Fire Prevention and Control Act of 1974.

Eligible Activities

AFG has three program activities:

- Operations and Safety
- Vehicle Acquisition
- Regional Projects

Each activity has its own eligibility requirements. These requirements are outlined in Appendix B: Programmatic Information and Priorities.

Other Eligibility Criteria

National Fire Incident Reporting System (NFIRS)

NFIRS reporting is not a requirement to apply for any AFG Program; however, fire departments that receive funding under this program must agree to provide information to the NFIRS for the period covered by the assistance. If a recipient does not currently participate in the incident reporting system and does not have the capacity to report at the time of the award, that recipient must agree to provide information to the system for a twelve-month period commencing as soon as possible after they develop the capacity to report. Capacity to report to the NFIRS must be established prior to the termination of the one-year performance period. The recipient may be asked by FEMA to provide proof of compliance in reporting to NFIRS. Any recipient that stops reporting to NFIRS during their grant's period of performance may be subject to the remedies for noncompliance at 2 C.F.R. § 200.338, unless they have yet to develop the capacity to report to NFIRS, as described above.

There is no NFIRS reporting requirement for nonaffiliated EMS organizations or SFTAs.

Note: While data collection is an important tool for understanding and justifying assistance, participation in other data sources, (e.g., National Fire Operations Reporting System (NFORS)) does not satisfy the requirement for reporting to NFIRS).

National Incident Management System (NIMS) Implementation

AFG applicants are not required to be in compliance with the NIMS to apply for AFG funding or to receive an AFG award. Any applicant who receives an FY 2018 AFG award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government), prior to the end of the grant's period of performance.

Maintenance of Effort

As required by 15 U.S.C. § 2229(k)(3), an applicant seeking an AFG grant shall agree to maintain, during the term of the grant, the applicant's aggregate expenditures relating to activities allowable under this NOFO, at not less than 80 percent of the average amount of such expenditures in the two preceding fiscal years to the year this grant is awarded.

Cost Share or Match

Grant recipients must share in the costs of the projects funded under this grant program as required by 15 U.S.C. 2229(k)(1) and in accordance with applicable federal regulations at 2 CFR Part 200, but they are not required to have the cost-share at the time of application nor at the time of award. However, before a grant is awarded, FEMA will contact potential awardees to determine whether the grant recipient has the funding in hand or if the grant recipient has a viable plan to obtain the funding necessary to fulfill the cost-sharing requirement.

Recipient cost sharing is generally required as described below.

In general, eligible applicants shall agree to make available non-federal funds to carry out an AFG award in an amount equal to not less than 15 percent of the grant awarded. Exceptions to this general requirement apply to entities serving smaller communities as follows:

- When serving a jurisdiction of 20,000 residents or fewer, the applicant shall agree to make available non-federal funds in an amount equal to not less than 5 percent of the grant awarded;
- When serving a jurisdiction of more than 20,000 residents, but not more than 1,000,000 residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 10 percent of the grant awarded;
- When serving a jurisdiction of more than 1,000,000 residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 15 percent of the grant awarded.

The cost share for SFTAs will apply the requirements above based on the total population of the state. .

The cost share for a Regional application will apply the requirements above based on the aggregate population of the primary first due response areas of the Host and participating partner organizations that execute a Memorandum of Understanding (MOU) as described in Appendix B, Section J, Regional projects.

FEMA has developed a cost share calculator tool in order to assist applicants with determining their cost share. The cost share tool is available at: <https://www.fema.gov/media-library/assets/documents/153366>

Types of Cost Share

- i. **Cash (Hard Match):** Cost share of non-federal cash is the only allowable recipient contribution for AFG activity (Vehicle Acquisition, Operations and Safety, and Regional).
- ii. **Trade-In Allowance/Credit:** On a case-by-case basis, FEMA may allow recipients already owning assets acquired with non-federal cash, to use the trade-in allowance/credit value of those assets as cash for the purpose of meeting their cost share obligation. In order for FEMA to consider a trade-in allowance/credit value as cash, the allowance amount must be reasonable, and

the allowance amount must be a separate entry clearly identified in the acquisition documents.

- iii. In-kind (Soft Match): In-kind cost share is not allowable for AFG.
- iv. Overmatch: In the application narrative, an organization may indicate a voluntary pledge to commit additional financial support toward a project(s) cost, which is in addition to their required cost share obligation as detailed in the NOFO and required by law. FEMA will not account for this promised additional funding in the terms of the award.
- v. The award budget will not account for any voluntary committed cost sharing or overmatch. The use of an overmatch is not given additional consideration when scoring applications.

Economic Hardship Waivers

The Administrator of FEMA may waive or reduce recipient cost share or maintenance of effort requirements in cases of demonstrated economic hardship. Please see Appendix C: Award Administration Information for additional information.

D. Application and Submission Information

Key Dates and Times

Date Posted to Grants.gov:	09/24/2018
Application Start Date:	09//24/2018
Application Submission Deadline:	10/26/2018 at 5:00 PM EST
Anticipated Funding Selection Date:	03/01/2019
Anticipated Award Date:	06/01/2019

In general, FEMA will not review applications received after the deadline or consider them for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant’s control that prevent submission of the application by the deadline, or other exigent or emergency circumstances. Applicants experiencing technical issues should notify the FEMA Help Desk as soon as possible. The AFG Help Desk can be reached at 1-866-274-0960 or by e-mail: firegrants@dhs.gov.

Other Key Dates

Event	Suggested Deadline for Completion
Obtaining DUNS Number	Four weeks before actual submission deadline
Obtaining a valid EIN	Eight weeks before actual submission deadline
Updating SAM registration	Four weeks before actual submission deadline
Submitting complete application in eGrants	One week before actual submission deadline

Address to Request Application Package

The AFG eGrants system is only accessible through the AFG application portal at <https://portal.fema.gov>. There are several ways to get AFG application information:

- AFG website (<http://www.fema.gov/firegrants>)
- Grants.gov (<http://www.grants.gov>)
- US Fire Administration: (<https://www.usfa.fema.gov>)

Note: Hard copies of the application are not available.

In addition, the Telephone Device for the Deaf (TDD) and/or Federal Information Relay Service (FIRS) number available for this Notice is: (800) 462-7585.

Application tutorials and Frequently Asked Questions (FAQs) assist with the online grant application, and highlight lessons learned, to include changes, for FY 2018. For more details, please visit the AFG website at <http://www.fema.gov/rules-tools>.

Technological Note: The application system and related websites may have issues with any other browser other than Internet Explorer (IE 6 or higher). The eGrants system is compatible up to Internet Explorer 11, which should be used if available to the applicant. Do not have multiple browser tabs open when entering information, even when using Internet Explorer. There are several known problems entering application information using non-IE browsers or having multiple browsers open, including but not limited to:

- System failure to recognize correct information.
- System failure to capture and retain correct information.
- System functions like “cut and paste” being disabled.

The eGrants system will allow an authorized representative to log in and create a user name and password. This user name and password is specific to the authorized user and must not be shared with other personnel. If the applicant has submitted other Assistance to Firefighters Grants Program applications (AFG, Staffing for Adequate Fire and Emergency Response (SAFER), Fire Prevention and Safety (FP&S), and/or Station Construction Grants (SCG)) in a previous grant cycle, they must continue to use the same username, password, and DUNS number for any FY 2018 application(s).

If the applicant has forgotten the password or primary point of contact has changed, please visit <http://www.fema.gov/assistance-firefighters-grant-program-most-frequently-asked-questions> for instructions on how to update and correct the organization’s information.

Prior to final submission, an online application may be saved, retrieved, or edited, up to the application deadline.

Content and Form of Application Submission

DHS makes all funding opportunities available through the common electronic storefront Grants.gov, accessible on the Internet at <http://www.grants.gov>. If applicants

experience difficulties accessing information or have any questions, please call the Grants.gov Contact Center at (800) 518-4726.

Required Forms and Registrations

All required forms have been incorporated into the online application submission.

Application Submission Receipt

Once the application is submitted and received, the primary point of contact listed in the application will be electronically messaged within the eGrants system.

Unique Entity Identifier and System for Award Management (SAM)

All applicants for this award must:

1. **Be registered in SAM before submitting its application;**
2. **Provide a valid DUNS number in its application; and**
3. **Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a DHS FAO.**

DHS is participating in the Grants.gov initiative that provides the grant communities a single site to find grant funding opportunities. Before applying for a DHS Grant, applicants must have a Data Universal Number System, or DUNS number, and must be registered in SAM.

Obtain a DUNS Number: All entities applying for funding, including renewal funding, must have a Data Universal Numbering System (DUNS) number from Dun & Bradstreet (D&B). Applicants must enter the DUNS number in the data entry field labeled "Organizational DUNS" on the SF-424 form.

Instructions for obtaining a DUNS number can be found at the following Website:
<http://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>

System for Award Management (SAM)

Applicant registration in SAM is free. All applicants must register in order to apply online. Step-by-step instructions for registering with SAM can be found here: <http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>. Please remember that SAM registration is only active for one year and must be renewed annually.

Register with SAM: In addition to having a DUNS number, all organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually.

Detailed instructions for registering with SAM are available online.

Existing SAM.GOV account holders should check their account to make sure it is "ACTIVE." SAM registration should be completed at the very beginning of the application period, and renewed annually to avoid being "INACTIVE."

Please allow plenty of time before the grant application submission deadline to obtain a DUNS number and then to register in SAM. It may take four weeks or more after the applicant submits the SAM registration before the registration is active in SAM, then an additional 24 hours for Grants.gov to recognize the information.

DHS may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time DHS is ready to make a federal award. DHS may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

IMPORTANT: The SAM registration process must be completed by the applicant. It is imperative that the information provided by the applicant is correct and current. Please ensure that your organization's name, address, DUNS number, and Employer Identification Number, or EIN, are up to date in SAM and that the DUNS number used in SAM is the same one used to apply for all other FEMA awards. The organization's name on the SF 1199A Direct Deposit Form must be entered as it appears in SAM. Payment under any FEMA award is contingent on the recipient's having a current SAM registration.

Help with SAM

The SAM quick start guide for new recipient registration and SAM video tutorial for new applicants are tools created by the General Services Administration (GSA) to assist those registering with SAM. If applicants have questions or concerns about a SAM registration, please contact the Federal Support Desk at <https://www.fsd.gov/fsd-gov/home.do> or call toll free (866) 606-8220.

How to Get a Commercial and Government Entity (CAGE) Code

To get a CAGE code, applicants must first be registered in SAM, which is a requirement for doing business with the Federal Government. Applicants will be assigned a CAGE code as part of the SAM validation process, and as soon as the registration is active, applicants may view the CAGE code online by logging in to the SAM account.

Timely Receipt Requirements and Proof of Timely Submission

All applications must be received by 10/26/2018 at 5:00:00 PM EST. Proof of timely submission is automatically recorded by the AFG eGrants System. An electronic date/time stamp is generated within the system when the application is successfully received by AFG eGrants. The applicant with the Point of Contact role who submitted

the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from AFG eGrants with the successful transmission of their application. This applicant with the POC role will also receive the official date/time stamp and an AFG eGrants tracking number in an email serving as proof of their timely submission.

AFG eGrants will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the POC role who submitted the application. Again, proof of timely submission shall be the official date and time that AFG eGrants receives your application. Applications received by AFG eGrants after the established due date for applications will be considered late and will not be considered for funding by DHS.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before AFG eGrants receives your application. Again, AFG eGrants will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the POC role. The eGrants Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application.

Intergovernmental Review

An intergovernmental review may be required. Applicants must contact their State's Single Point of Contact (SPOC) to comply with the State's process under Executive Order 12372 (see <http://www.fws.gov/policy/library/rgeo12372.pdf>).

Funding Restrictions

Federal funds made available through this award may only be used for the purpose set forth in this award and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the Federal Government or any other government entity. Failure to adhere to the award conditions will cause the recipient to be considered in default of the grant agreement, and may require the return of all federal funds disbursed under the grant.

Federal employees are prohibited from serving in any capacity (paid or unpaid) on the development of any proposal submitted under this program.

Construction

Construction costs are *not eligible* under the AFG grants. Construction includes major alterations to a building that changes the profile or footprint of the structure. Modifications to facilities costs described in Appendix A Funding Priorities, are not

considered construction costs and may be eligible.

Pre-award Costs

Generally, grant funds cannot be used to pay for products and services contracted for or obligated prior to the effective date of the award. However, costs incurred after the application deadline, but prior to an offer of award, may be eligible for reimbursement only if the following conditions are met:

- The recipient must submit a written request to FEMA to incur such pre-award costs by providing notification (containing the application number and a justification narrative) to FEMA via email to the AFG Help Desk at FireGrants@fema.dhs.gov. The notification to FEMA should be concurrent with their acquisition activity, and must be submitted within the eligible timeframe and noted above.
- The recipient must receive confirmation from FEMA that the expenses have been reviewed and FEMA has determined the costs to be justified, unavoidable, and consistent with the grant's scope of work.
- Fees for grant writers are considered an exception and may be included as a pre-award expenditure.

Award Limits

Fire Departments and Nonaffiliated EMS organizations

The total amount of funding a fire department or nonaffiliated EMS organization recipient may receive under an AFG award is limited to maximum amounts set by §33(c)(2) of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. § 2229(c)(2)). These award limits are based on two factors: population served and a one percent aggregate amount of available grant funds.

The population of the jurisdiction served by the recipient will determine the maximum amount of AFG funding a recipient is eligible to receive but no recipient may receive an award that exceeds one (1) percent of available grant funds in FY 2018, or \$3,500,000. FEMA may waive this aggregate cap of \$3,500,000 in individual cases where FEMA determines that a recipient has an extraordinary need for a grant that exceeds the aggregate cap. FEMA may not waive the statutory funding caps based on population served.

The following table explains the maximum funding that a recipient may receive in FY 2018:

Population of jurisdiction served by the recipient	Maximum award in FY 2018	Statutory waiver available subject to extraordinary need?
100,000 or fewer people	No more than \$1 million	None available
100,001 – 500,000 people	No more than \$2 million	None available
500,001 – 1,000,000 people	No more than \$3 million	None available

1,000,001 – 2,500,00 people	No more than \$3,500,000	Yes, but no more than \$6 million
More than 2,500,000 people	No more than \$3,500,000	Yes, but no more than \$9 million

Regional applicants will be subject to the funding limitations based on the total population served by the host and participating partners. Additionally, Regional grants awarded are included in the host organization’s funding limitations. For example: if a recipient serves a population of 100,000 or fewer and is the recipient of a Regional award for \$1 million, they have met their cap and are no longer eligible for additional funds through the Operations & Safety or Vehicle activity.

Allocations and Restrictions of Available Grant Funds by Organization Type

- **Nonaffiliated EMS Organizations:** Not more than 2 percent of available grant funds shall be collectively awarded to all nonaffiliated EMS organization recipients.
- **Emergency Medical Services Providers:** Not less than 3.5 percent of available grant funds shall fund emergency medical services provided by fire departments and nonaffiliated EMS organizations.
- **State Fire Training Academy:** Not more than 3 percent of available grant funds shall be collectively awarded to all State Fire Training Academy recipients. Further, not more than \$500,000 of available grant funds are eligible per applicant.
- **Vehicles:** Not more than 25 percent of available grant funds may be used by recipients for the purchase of vehicles. Of that amount, based on stakeholder recommendations, FEMA aims to allocate 10 percent of the total Vehicle funds for ambulances.
- **Micro Grants:** The selection of the voluntary Micro Grant option (cumulative federal funding of \$50,000) for eligible Operations and Safety activities does not impact an applicant’s request or federal participation under the Vehicle Acquisition or Regional projects. Applicants who select Micro Grants under Operations and Safety as a funding opportunity choice may still apply for a Vehicle Acquisition or Regional project.

Management and Administration

Management and administrative expenses should be based only on actual expenses or known contractual costs; requests that are simple percentages of the award, without supporting justification, will not be allowed or considered for reimbursement.

No more than 3 percent of the federal share of AFG funds awarded may be expended by the recipient for management and administration (M&A) for purposes associated with the AFG award.

Indirect (Facilities & Administrative {F&A}) Costs

Indirect costs are allowable under this program as described in 2 C.F.R. § 200.414. With the exception of recipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f), recipients must have an approved indirect cost rate agreement with their cognizant federal agency to charge indirect costs to this award. A copy of the approved rate (a fully executed, agreement negotiated with the applicant's cognizant federal agency) is required at the time of application, and must be provided to FEMA before indirect costs are charged to the award. Copies of the indirect cost rate agreements, along with the AFG application number, must be submitted electronically to FireGrants@fema.dhs.gov.

Indirect costs will be evaluated as part of the application for federal funds to determine if they are allowable, reasonable, or disproportionately impact an application's cost benefit.

Other Submission Requirements

Environmental and Historical Preservation (EHP)

As a federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by the agency, including grant-funded projects, comply with Federal EHP regulations, laws, and Executive Orders as applicable.

Recipients proposing projects that have the potential to impact the environment, including but not limited to modification or renovation of existing buildings, structures, and facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a screening form that includes a detailed project description that explains the goals and objectives of the proposed project along with supporting documentation, so that FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. In some cases, FEMA may also be required to consult with other regulatory agencies and the public in order to complete the review process. The EHP review process must be completed before funds are released to carry out the proposed project. FEMA will not fund projects that are initiated without the required EHP Review.

Additionally, all recipients are required to comply with FEMA EHP Policy Guidance. EHP Policy Guidance can be found in FP 108-023-1, [Environmental Planning and Historic Preservation Policy Guidance](#), and FP 108.24.4, [Environmental Planning and Historical Preservation Policy](#).

All modifications to Facility activities, and any renovation to facilities that would qualify as a modification to facilities supporting activities under Training, Equipment, PPE, or Wellness and Fitness, will require an EHP review. Some Equipment activities will require an EHP review as well. Such activities include but are not limited to the installation of:

- Air compressor/fill station/cascade system (fixed) for filling SCBA

- Air quality systems
- Fire/Smoke alarm systems for the facility (life safety)
- Generators (fixed)
- Sprinklers
- Vehicle exhaust systems (fixed)
- Washer/dryer/extractors

If the recipient receives an award package from FEMA that contains an EHP comment in the “Negotiation Comments” section of the award package, the recipient MUST submit an EHP screening form to FEMA for review and approval prior to beginning any work that required the screening.

The following activities would not require the submission of the FEMA EHP Screening Form:

- Planning and development of policies or processes
- Management, administrative, or personnel actions
- Classroom-based training
- Acquisition of mobile and portable equipment (not involving installation) on or in a building

The AFG EHP Screening form and instructions are available at:
<https://www.fema.gov/media-library/assets/documents/90195>

Complete the AFG EHP Screening form and submit to the EHP Office at
GPDEHPInfo@fema.dhs.gov.

E. Application Review Information

Prior to making a federal award, the federal-awarding agency is required by 31 U.S.C. § 3321 note, 41 U.S.C. § 2313, and 2 C.F.R. § 200.205 to review information available through any OMB- designated repositories of government-wide eligibility qualification or financial integrity information. Therefore application evaluation criteria may include the following risk based considerations of the applicant: (1) financial stability; (2) quality of management systems and ability to meet management standards; (3) history of performance in managing federal awards; (4) reports and findings from audits; and (5) ability to effectively implement statutory, regulatory, or other requirements.

FEMA will rank all complete and submitted applications based on how well they match the program priorities for the type of jurisdiction(s) served. Answers to the application’s activity specific questions provide information used to determine each application’s ranking relative to the stated program priorities.

Funding priorities and criteria for evaluating AFG applications are established by FEMA based on the recommendations from the Criteria Development Panel (CDP). Each year, FEMA convenes a panel of fire service professionals to develop funding

priorities for the AFG grant program. The panel makes recommendations about funding priorities as well as developing criteria for awarding grants.

The **nine major fire service organizations** represented on the panel are:

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Service Institute

The CDP is charged with making recommendations to FEMA regarding the creation or modification of previously established funding priorities as well as developing criteria for awarding grants. The content of this NOFO reflects implementation of the CDP's recommendations with respect to the priorities, direction, and criteria for awards.

Review and Selection Process

AFG applications are reviewed through a multi-phase process. All applications are electronically pre-scored and ranked based on how well they align with the funding priorities outlined in this NOFO.

Applications with the highest pre-score rankings are then scored competitively by (no less than three) members of a Peer Reviewer Panel. Applications will also be evaluated through a series of internal FEMA review processes for completeness, adherence to programmatic guidelines, technical feasibility, and anticipated effectiveness of the proposed project(s). Below is the process by which applications will be reviewed:

i. Pre-Scoring Process

The application undergoes an electronic pre-scoring process based on established program priorities listed in Appendix B and answers to activity specific questions within the online application. Application Narratives are not reviewed during pre-score process. "Request Details" and "Budget" information should comply with program guidance and statutory funding limitations. The pre-score is 50 percent of the total application score.

ii. Peer Review Panel Process

Applications with the highest rankings from the pre-score process will undergo a peer review process. A panel of peer reviewers is comprised of fire service representatives recommended by the national organizations from the CDP. Peer reviewers will assess each application's merits based on the narrative statement

on the requested activity. The evaluation elements listed in the “Narrative Evaluation Criteria” below will be used to calculate the narrative’s score for each activity requested.

Panelists will independently score each requested activity within the application, discuss the merits and/or shortcomings of the application with his or her peers, and document the findings. A consensus is not required. The panel score is 50 percent of the total application score.

iii. Technical Evaluation Process (TEP)

The highest ranked applications will be considered within the fundable range. Applications that are in the fundable range will undergo both a Technical Review by a Subject Matter Expert (SME) as well as a FEMA Program Office review prior to being recommended for award. The FEMA Program Office will assess the request with respect to costs, quantities, feasibility, eligibility, and recipient responsibility prior to recommending any application for award.

Once the TEP is complete, each application’s cumulative score will be determined and a final ranking of applications will be created. FEMA will award grants based on this final ranking and the ability to meet statutorily required funding limitations outlined in Appendix B, V. Restrictions on Use of Award Funds.

Narrative Evaluation Criteria

1. Financial Need (25%)

Applicants should describe their financial need and how consistent it is with the intent of the AFG Program. The Financial Need statement should include details describing the applicant’s financial distress such as summarizing budget constraints, unsuccessful attempts to secure other funding, and proving the financial distress is out of their control.

2. Project Description and Budget (25%)

The Project Description and Budget statement should clearly explain the applicant’s project objectives and its relationship to the applicant’s budget and risk analysis. The applicant should describe various activities, including program priorities or facility modifications, ensuring consistency with project objectives, the applicant’s mission and national, state, and/or local requirements.

Applicants should link the proposed expenses to operations and safety, as well as to the completion of the project’s goals.

3. Operations and Safety/Cost Benefit (25%)

Applicants should describe how they plan to address the operations and personal safety needs of their organization, including cost effectiveness and sharing assets. The Operations and Safety/Cost Benefit statement should also include details about gaining the maximum benefits from grant funding by citing reasonable or required costs, such as specific overhead and administrative costs. The applicant's request should also be consistent with their mission and identify how funding will benefit their organization and affected personnel.

4. Statement of Effect/Impact on Daily Operations (25%)

The Statement of Effect/Impact on Daily Operations statement should explain how this funding request will enhance an organization's overall effectiveness. It should address how an award will improve daily operations and reduce an organization's risk(s). Applicants should include how frequently the requested item(s) will be used and in what capacity. Applicants should also indicate how the requested item(s) will help the community and increase an organization's ability to save additional lives and property.

Simplified Acquisition Threshold Requirements

If the anticipated federal award amount will be greater than the simplified acquisition threshold, currently \$250,000 (see 2 C.F.R. § 200.88³):

- Prior to making a federal award with a total amount of federal share greater than the simplified acquisition threshold, DHS is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)).
- An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a federal awarding agency previously entered within the designated integrity and performance system accessible through SAM.
- FEMA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, when making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.205, "Federal Awarding Agency Review of Risk Posed by Applicants".

Turndown Notifications

All applicants who do not receive an FY 2018 AFG award will receive a decision notification from FEMA through the eGrants system.

³ Pursuant to its authority at 2 C.F.R. § 200.102, the Office of Management and Budget (OMB) increased the simplified acquisition threshold to \$250,000 on June 20, 2018. See OMB memorandum M-18-18 at <https://www.whitehouse.gov/wp-content/uploads/2018/06/M-18-18.pdf>.

The notification email will briefly describe those application factors that did not adequately align to the higher AFG Program priorities and consequently, why the application did not score high enough for further consideration. Due to the historical volume of applications and turndowns, a detailed debrief for each applicant will not be possible.

F. Federal Award Administration Information Notice of Award

Notice of Award

Once an award has been approved and recorded in the system, an award package is sent to the grant official authorized by the recipient. The award package and email notification will be made through the eGrants system. The authorized grant official should follow the directions in the notification to accept the award documents. The authorized grant official should carefully read the award package for instructions on administering the grant, whether there has been an adjustment to the award, and to become familiar with the terms, conditions, and responsibilities of federal awards.

The offered award will remain on hold and be available (for a maximum of 30 days) until the recipient either accepts the award via the online AFG eGrants system or declines the award. Failure to accept the grant award within 30 days of an offer of award may result in a loss of funds. Recipients may request additional time to accept the award if needed.

Negotiation of Award

During the offer of an AFG award, the application request(s) may have been modified during the review process, or awarded activities may require EHP Review.

If the awarded activities, scope of work, or requested dollar amount(s) do not match the application as submitted, the recipient shall only be responsible for completing the activities actually funded by FEMA. The recipient is under no obligation to start, modify, or complete any activities requested but not funded by the award.

Administrative and National Policy Requirements

All successful applicants for all DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: [DHS Standard Terms and Conditions](#)

The applicable DHS Standard Terms and Conditions will be those in effect at the time in which the award was made.

Before accepting the award, the Authorized Organizational Representative (AOR) should carefully read the award package for instructions on administering the grant award and the terms and conditions associated with responsibilities under Federal Awards.

Recipients must accept all conditions in this NOFO as well as any special terms and conditions in the Notice of Award to receive an award under this program.

Reporting

Recipients are required to submit various financial and programmatic reports as a condition of their award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent. Recipients should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of purchasing documentation along with copies of cancelled checks for verification.

Federal Financial Reporting Requirements

Federal Financial Reports (FFR)

Recipients of AFG grants are required to submit a Federal Financial Report (SF-425) on a semi-annual basis. The FFR is to be submitted using the online eGrants system based on the calendar year beginning with the period after the award is made. Grant recipients are required to submit an FFR throughout the entire period of performance of the grant.

Reports are due:

- **No later than July 30** (for the period January 1 – June 30)
- **No later than January 30** (for the period July 1 – December 31)
- **Within 90 days** after the end of the Period of Performance

The Federal Financial Report Form (SF-425) and instructions are available at the following sites: [SF-425 OMB #4040-0014](#).

Financial and Compliance Audit Report

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend \$750,000 or more from all federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of GAO's Government Auditing Standards, located at <http://www.gao.gov/govaud/ybk01.htm>, and the requirements of Subpart F of 2 C.F.R. Part 200, located at: <https://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-%20sec200-501.pdf>

Program Performance Reporting Requirements

The recipient is responsible for completing and submitting a programmatic Performance Report using the eGrants system. The programmatic Performance Report is due every six months after the grant's award date, and thereafter until the award is closed out.

Monitoring

Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestones, budgets, and other related program criteria are being met.

Monitoring may be accomplished through either a desk-based review or on-site monitoring visits, or both. Monitoring will involve the review and analysis of the financial, programmatic, performance, compliance, and administrative processes and policies, activities, and other attributes of each federal assistance award and will identify areas where technical assistance, corrective actions, and other support may be needed. Recipients should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of purchasing documentation along with copies of cancelled checks for verification.

Recipients have the opportunity to participate in a Post Award Orientation (PAO) offered by the FEMA Regional Fire Program Specialist (FPS) to have their questions answered, receive technical assistance, or to review the terms and conditions of the grant. The PAO is optional.

Closeout

Within 90 days after the end of the period of performance, recipients must submit a final Federal Financial Report Form (SF-425) and a final performance report (within the closeout module in eGrants system) detailing all accomplishments and a qualitative summary of the impact of those accomplishments throughout the period of performance. The closeout tutorial may be found at: <https://www.fema.gov/closeout-report-tutorial-introduction>

After the final SF-425 and final performance reports have been reviewed and approved by FEMA, a Closeout Notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final Federal Financial Report Form (SF-425).

The recipient is responsible for returning any federal funds that they have liquidated but remain unobligated by the recipient.

Disclosing Information per 2 C.F.R. § 180.335

This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with FEMA, the recipient must notify FEMA if it knows if any of the recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335. At any time after accepting the award, if the recipient learns that any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to FEMA in accordance with 2 C.F.R. § 180.350.

G. DHS Awarding Agency Contact Information

Contact and Resource Information

AFG Help Desk

The AFG Help Desk provides technical assistance to applicants for the online completion and submission of applications into the eGrants system, answers questions concerning applicant eligibility and recipient responsibilities, and offers assistance in the programmatic administration of awards. The AFG Help Desk can be contacted at (866) 274-0960 or by email at FireGrants@fema.dhs.gov. Normal hours of operation are from 8:00 a.m. to 4:30 p.m., Monday through Friday. All times listed are Eastern Time.

FEMA Regional Fire Program Specialists

Each FEMA region has specialists who can assist applicants with application information, award administration, and technical assistance. Contact information for a Regional Fire Program Specialist can be located on the AFG website at <https://www.fema.gov/fire-grant-contact-information>.

H. Additional Information

Extensions to the Grant Period of Performance

An award's period of performance must be active for a recipient to submit a proposed extension request to FEMA. Recipients should request extensions sparingly and only under exceptional circumstances. Approval is not guaranteed.

Extensions to the initial period of performance identified in the award will only be considered through formal amendment requests, via the eGrants system, and must contain specific and compelling justifications as to why an extension is required.

All extension requests must contain:

- Grant Program, fiscal year, and award number
- Reason for delay—this must include details of the legal, policy, or operational challenges being experienced that prevent the final outlay of awarded funds by the applicable deadline
- Current status of the activity/activities
- Approved period of performance termination date and new project completion date
- Amount of funds drawn down to date
- Remaining available funds, both federal and non-federal
- Budget outlining how remaining federal and non-federal funds will be expended
- Plan for completion, including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion
- Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA

Requirements for Consideration

To be eligible for consideration, requests must be submitted via the eGrants system. Requests should be submitted no earlier than 120 days but no later than 60 days prior to the end of the award's period of performance.

- In accordance with FEMA policy, extensions are reviewed on a case-by-case basis and typically granted for no more than a six-month time period. Extension requests will be granted only due to compelling legal, policy, or operational challenges. The review process can take up to 30 days or longer. This review period should be factored into the timing of when to submit a request for an extension.

Example: Recipients may request an extension when not adjusting the timeline for liquidating obligations would constitute a verifiable legal breach of contract by the recipient with vendors or sub-recipients; or where a specific statute or regulation mandates an environmental review that cannot be completed within this timeframe; or where other exceptional circumstances warrant a discrete waiver.

Appendix A – FY 2018 AFG Program Updates-
Appendix A contains a brief list of changes between FY 2017 and FY 2018 to
the AFG Program.

New for FY 2018

The FY 2018 AFG NOFO contains some changes to definitions, descriptions, and priority categories. Changes to the FY 2018 AFG NOFO include:

- Under the equipment category, FEMA has updated the reasons for equipment purchases. The new descriptions are:
 - High priority - Obtain equipment to achieve minimum operational and deployment standards for existing missions
 - High priority - Replace unusable/unrepairable equipment to meet current standard
 - High priority - Replace non-compliant equipment to current standard
 - Medium priority - Obtain equipment for new mission
 - Low priority - Upgrade technology to current standard
- Under the PPE category, FEMA has updated the purchase reason for PPE/SCBA. The new descriptions are:
 - High priority - Replace unusable/unrepairable PPE to meet current standard
 - High priority - Increase supply for new hires and/or existing firefighters that do not have one set of turnout gear (PPE) or allocated seated positions (SCBA)
 - Medium priority - Replace non-compliant PPE to current standard
- Priority categories for Wellness and Fitness requests have been updated
- Mass Casualty and HazMat Technician training have been updated from a Medium to High funding priority for fire department and regional training under the Training Activity.
- Cancer Screening Programs that meet NFPA 1582 were added as a Priority 1 activity required for a Wellness and Fitness program.
- Specialized training has been added as a medium priority, and includes training such as Crisis Intervention Training, to provide specialized training to firefighters, paramedics, emergency medical service workers, and other first responders to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness, including strategies for verbal de-escalation of crisis.

Assistance to Firefighters Grant (AFG) - Frequently Asked Questions (FAQs)

1. New for FY 2018
2. Reminders for 2018
3. May I change or edit my application after it has been submitted?
4. When is the AFG Operations and Safety application period?
5. Where can I find a copy of the Environmental and Historical Preservation (EHP) review screening form?
6. Once the scope of work of an awarded project is finished and there are funds remaining, how much of these remaining funds can be spent without an amendment request approval?
7. What is Management and Administration (M&A)?
8. Who do I contact to help FEMA prevent fraud, waste and abuse or mismanagement by an AFG recipient?
9. Is reporting to the National Fire Incident Reporting System (NFIRS) required to apply for and be awarded an AFG grant?
10. How do I access the National Fire Protection Association (NFPA) standards to assist with filling out the 2018 AFG application if I am not a NFPA member?
11. Can a State Fire Training Academy (SFTA) apply for an AFG grant?
12. Are training props that support the delivery of training by State Fire Training Academies (SFTA) eligible under the Assistance to Firefighters Grant (AFG) Program?
13. What is a Community Paramedic and what are their roles?
14. What is the standard that an ambulance must meet and where can this standard be found?
15. What is a Micro Grant?
16. When an AFG grant is accepted by the recipient, when does the period of performance for the award start?
17. How do I obtain a user ID and/or password to access the eGrant system if I don't have the username and password of the person who submitted a grant from our Department in previous years?
18. Where can the NFPA Codes that the AFG Program reference be found?
19. When must an applicant achieve the level of NIMS compliance if awarded a grant?

1. New for FY2018

Equipment/Personal Protective Equipment (PPE)

The FY 2018 AFG NOFO contains some changes to definitions, descriptions, and priority categories. Changes to the FY 2018 AFG NOFO include:

- Under the equipment category, FEMA has updated the reasons for equipment purchases. The new descriptions are:
 - High priority - Obtain equipment to achieve minimum operational and deployment standards for existing missions
 - High priority - Replace unusable/unrepairable equipment to meet current standard
 - High priority - Replace non-compliant equipment to current standard
 - Medium priority - Obtain equipment for new mission

- Medium priority - Replace non-compliant equipment to current standard
- Low priority - Upgrade technology to current standard
- Under the PPE category, FEMA has updated the purchase reason for PPE/SCBA. The new descriptions are:
 - High priority - Replace unusable/unrepairable PPE to meet current standard
 - High priority - Increase supply for new hires and/or existing firefighters that do not have one set of turnout gear (PPE) or allocated seated positions (SCBA)
 - Medium priority - Replace noncompliant to current standard

Wellness and Fitness Micro Grants

- Priority categories for Wellness and Fitness requests have been updated
- Cancer Screening Programs that meet NFPA 1582 were added as a Priority 1 activity required for a Wellness and Fitness program.

Training

- Mass Casualty and HazMat Technician training have been updated from a Medium to High funding priority for urban, suburban, and rural departments under the Training Activity.
- Specialized training has been added as a medium priority, and includes training such as Crisis Intervention Training, to provide specialized training to firefighters, paramedics, emergency medical service workers, and other first responders to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness, including strategies for verbal de-escalation of crisis.

2. Reminders for 2018

Applicants must now affirm all of the following in order to complete and submit an AFG application:

- The applicant organization should provide its own unique Dun & Bradstreet Data Universal Numbering System (DUNS) number in this application.
- The applicant organization, as required per 2 CFR § 25.205, is currently registered in the System for Award Management (SAM).
- The applicant organization has consulted the appropriate Funding Opportunity Announcement and that all requested activities are programmatically allowable, technically feasible and can be completed within the award's one year Period of Performance (POP).
- The applicant organization is aware that this application period is open Monday, September 24, 2018 from 8 AM EST and will close, Friday, October 26, EST; furthermore, the applicant organization is aware that once an application is submitted, even if the application period is still

open, a submitted application cannot be changed or released back to the applicant for modification.

- The applicant organization is aware that it is solely the applicant organization's responsibility to ensure that all activities funded by this award(s) comply with Federal environmental planning and historic preservation (EHP) regulations, laws, and Executive Orders as applicable. The EHP Screening Form designed to initiate and facilitate the EHP Review is available at http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/gpd_ehp_screening_form_51815.pdf.
- The applicant organization is aware that it is ultimately responsible for the accuracy of all application information submitted. Regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by FEMA that include, but are not limited to the submitted application not being considered for award, an existing award being locked pending investigation, or referral to the Office of the Inspector General.

Overmatch

- In the application narrative, an organization may indicate a voluntary pledge to commit additional financial support toward a project(s) cost, which is in addition to their required cost share obligation as detailed in the NOFO and required by law. FEMA will not account for this promised additional funding in the terms of the award. The award budget will not account for any voluntary committed cost sharing or overmatch.

Environmental and Historical Preservation:

- It is FEMA Policy that actions initiated and/or completed without fulfilling the specific documentation and procedural requirements of NEPA will not be considered for funding.
- AFG Activities that may require renovation or installation, (supporting Training, Equipment, PPE, or Wellness and Fitness), that would qualify as a modification to facility, and will require an EHP review; include but not limited to: air compressor/fill station/cascade system (Fixed) for filling SCBA; air quality systems; alarm/alerting systems; antennas; generators (fixed); sprinklers; vehicle exhaust systems (fixed) or washer/dryer/extractors.
- Please see FEMA's Environmental and Historic Preservation (EHP) Screening Process. EHP Screening form and instructions are available at http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/gpd_ehp_screening_form_51815.pdf
- The EHP Policy can be found at [Environmental Planning and Historical Preservation Policy](#)
- Recipients will be notified of their EHP responsibilities in the grant award package.

Excess Funds: The \$10,000 maximum is cumulative for any grant, regardless of the number of activities within the award, and will require no amendment; except when the use of excess funds (not to exceed \$10,000 cumulatively) is for any eligible activity that would normally require an EHP Review.

- Excess funds cannot be used to support Fire Prevention and Safety activities. The opportunity for excess funds is limited when the original uncompleted Scope of Work is changed via Amendment.
- Excess funds cannot be used for grant writer/preparer fees.
- Excess funds may only be used for allowable activities identified in the program guidance for that fiscal year's grant cycle.

Help FEMA Prevent Fraud, Waste and Abuse: If you have information about instances of fraud, waste, abuse or mismanagement involving FEMA programs or operations, you should contact the DHS OIG Hotline at 1-800-323-8603; by fax at 202-254-4297; or e-mail <https://www.oig.dhs.gov/hotline>. All procurement activity must be conducted in accordance with Federal Procurement Standards at 2 C.F.R. §§ 200.317 – 200.326

National Fire Protection Association (NFPA): Courtesy of the NFPA (and at no cost during the AFG Application period), relevant standards that should be referenced in your applications may be viewed at NFPA Free Access: <https://www.nfpa.org/freeaccess>

Eligible Applicant Category: State Fire Training Academies became an eligible applicant in 2013

EMS Category: Community Paramedics (EMT-Ps with Primary Care certification) was added in 2013

Standard for Ambulances: Ambulances must meet *NFPA 1917: Standard for Automotive Ambulances, Edition 2018* or *GSA Federal Standard KKK-A-1822F*
<http://standards.globalspec.com/std/1588426/gsa-kkk-a-1822>

State Fire Training Academies: Eligible for all AFG vehicle acquisition.

System for Award Management (SAM). A valid SAM Registration is a requirement to apply for an AFG grant. The registration is free. AFG will not accept any application(s), make any award, process any payment request or consider any amendment until the applicant or recipient has complied with the requirements to provide a valid DUNS number and an active SAM registration with current information. The Banking information, EIN number, organization/entity name, address and DUNS number provided in your AFG application must match the information that you provided in SAM.gov. SAM will send notifications to the registered user via email 60, 30 and 15 days prior to expiration of the record. All grant applicants must have an active current SAM registration status at the time of application submission and throughout the duration of any Federal award. You can search for registered entities in SAM by typing the DUNS number or business name into the search box.

The link to access SAM.GOV is: *System for Award Management (SAM)*

3. May I change or edit my application after it has been submitted?

Once you have submitted your application, you cannot change it. You will not be allowed to update your application to correct errors discovered after submission or to reflect changes in your organization's circumstances.

4. When is the 2018 AFG Operations and Safety application period?

Recipients may submit completed applications from Monday, September 24, 2018, 8 AM EST and will close, Friday, October 26, 2018 -- 5pm EST.

5. Where can I find a copy of the Environmental and Historical Preservation (EHP) review screening form?

The Environmental and Historical Preservation Guidance can be found at <https://www.fema.gov/media-library/assets/documents/85376> and The Environmental and Historical Preservation Screening Form can be found at, https://www.fema.gov/media-library-data/1501003650506-853eeedee8632ebd25408cd0241683c4/FEMA_Form_024-0-1_Final_Version_7-25-2018.pdf

6. Once the scope of work of an awarded project is finished and there are funds remaining, how much of these remaining funds can be spent without an amendment request approval?

The excess funds threshold is \$10,000. If the excess funds in this amount or less, the funding may be used to enhance the awarded activities and you will not be required to submit an amendment request for AFG Approval unless you want to use excess funds for another activity. For more details, please see Appendix C > VI. The Excess Funds section of the 2018 AFG NOFO

7. What is Management and Administration (M&A)?

Management and Administration are administrative expenses that are incurred during the administration of an AFG award.

No more than three percent (3%) of AFG Funds awarded may be used solely for management and administration with the AFG under any of the program areas (Vehicle Acquisition, Operations and Safety & Joint or Regional) listed above in accordance with 2 CFR Part 225, Cost Principles for state, local and Indian Tribal Governments (OMB Circular A-87) or 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122), as applicable.

Applicants may apply for administrative costs if the costs are directly related to the implementation of the program for which they are applying. Administrative costs are identifiable costs directly associated with the implementation and management of the grant and cannot exceed three percent (3%) of the award. If you are requesting administrative expenses, you must list the costs under the "Other" category in the budget and explain the purpose for the administrative costs in your Project Narrative.

Administrative costs should be based on actual expenses only, not a percentage of the overall grant. Examples of eligible administrative costs include shipping, office supplies and computers and software associated with the National Fire Incident Reporting System (NFIRS) reporting requirements.

Grant funds may not be used for insurance, Internet service provider fees, or any similar monthly service fees.

8. Who do I contact to help FEMA prevent fraud, waste and abuse or mismanagement by an AFG recipient?

If you have information about instances of fraud, waste, abuse or mismanagement involving FEMA programs or operations, you should contact the DHS OIG Hotline at 1-800-323-8603; by fax at 202-254-4297; or e-mail.

<https://www.oig.dhs.gov/hotline>

9. Is reporting to the National Fire Incident Reporting System (NFIRS) required to apply for and be awarded an AFG grant?

While NFIRS reporting is strongly encouraged for all fire departments (as defined by 15 USC § 2229(a)(7)), NFIRS reporting is not a requirement to apply for any AFG program, however fire departments that receive funding under this program must agree to provide information to the National Fire Incident Reporting System (NFIRS) for the period covered by the assistance. If a recipient does not currently participate in the incident reporting system and does not have the capacity to report at the time of the award, that recipient must agree to provide information to the system for a twelve-month period commencing as soon as possible after they develop the capacity to report. Capacity to report to the NFIRS must be established prior to the termination of the one-year performance period. The recipient may be asked by FEMA to provide proof of compliance in reporting to NFIRS. Any recipient that stops reporting to NFIRS during their grant's period of performance is subject to having their award(s) modified or withdrawn.

AFG does not have NFIRS reporting requirements for nonaffiliated EMS organizations and State Fire Training Academies.

10. How do I access the National Fire Protection Association (NFPA) standards to assist with filling out the 2018 AFG application if I am not a NFPA member?

Courtesy of the NFPA (and at no cost during the AFG Application period), relevant standards that should be referenced in your applications may be viewed at

<https://www.nfpa.org/freeaccess>

11. Can a State Fire Training Academy apply for an AFG grant?

Yes, the State Training Academies are eligible applicants to submit applications for an AFG grant. A State Fire Training Academy applicant may only apply for Equipment and PPE awards.

12. Are training props that support the delivery of training by State Fire Training Academies (SFTA) eligible under the Assistance to Firefighters Grant (AFG) Program?

FEMA recognizes the unique mission of State Fire Training Academies (SFTA) to deliver training to firefighters and Emergency Medical Services personnel throughout their state.

13. What are Community Paramedics and what is their role?

Community Paramedics are Paramedics with Primary Care certification. The

Community Paramedic (CP) is considered as a back-up emergency response unit when no actual emergency exist. They should be immediately available to respond to a scene, arrange appointments and transport patients to alternate destinations through established partnerships or direct field communication. Established alternative destinations should include walk-in clinics, mental health triage, social detox facilities, shelters and homeless services and in-home assistance services among others. They also schedule in-home evaluation of high-risk patients following hospital discharge. They are able to assess and report to the referring physicians using standard field tools including EKG, blood glucose, pulse oximetry, venous lactate, end-tidal carbon dioxide, along with the standard vital signs and optional blood draws along with the immediate availability of transport and treatment if needed.

A Community Paramedic Program should seek to establish a sustainable model for improving the use of existing EMS providers through scope of practice flexibility and coordination with other health providers. A Community Paramedic Program has the potential to: 1) Reduce health system expenditures 2) Become self-sustaining 3) Enhance public health and safety by meaningfully supporting the health and social welfare needs of the community.

14. What is the standard that an ambulance must meet and where can this standard be found?

The new standard that an ambulance must meet is NFPA 1917 or *GSA Federal Standard KKK-A-1822F*. The link for the NFPA standard is NFPA 1917: Standard for Automotive Ambulances - NFPA.org then go to *NFPA Standard 1917: Standard for Automotive Ambulances, Edition 2018*. The link for the GSA Federal Standard KKK-A-1822F is <http://standards.globalspec.com/std/1588426/gsa-kkk-a-1822>.

15. What is a Micro Grant?

Fire departments and nonaffiliated EMS organizations have a voluntary funding limitation choice (within the application) for any AFG Operations & Safety program activity. Micro Grants are *not an additional funding opportunity* but applicants *may* receive additional consideration for an award.

The selection of the voluntary Micro Grant option (cumulative Federal participation of \$50,000), for eligible Operations and Safety activities, does not impact an applicant's request or federal participation under the Vehicle Acquisition or Regional programs. Applicants that select Micro Grants as a funding opportunity choice may receive additional consideration for award. Please see the section on Micro Grants, in the 2018 AFG NOFO.

16. When an AFG grant is accepted by the recipient, when does the period of performance for the award start?

Recipients are notified via email and through the AFG e-grants system of the award offer. The recipient shall notify the awarding agency of its intent to accept or decline the award. Recipients must accept their grant awards no later than 30 days from the award date.

Funds remain on hold (for a maximum of 90 days) until the recipient accepts or declines the award through official correspondence (e.g., written, electronic

signature, signed letter or fax) to the Grant Programs. The grant award date can be found in the award agreement within the Obligating Document for Award in section "14. - Performance Period".

17. How do I obtain a user ID and/or password to access the grant system if I don't have the username and password of the person who submitted a grant from our department in previous years?

Send a letter explaining why you need this information and if you also need to change the Primary Contact information. Please be aware changing the Primary Contact on one grant will cause the Primary Contact to be changed on all other department grants submitted under the same user ID. Contact changes may take up to two weeks to process. The letter must be on your fire department letterhead and signed by the Authority Having Jurisdiction (AHJ), that titled position having the authority to request such change(s) e.g. "Fire Chief" in an organization where the Fire Chief has such authority; or "President" in a nonaffiliated EMS organization where the President has such authority.

Fax a copy of the letter to the AFG Program Office. The number is 540-504-2884. After faxing the letter to the AFG Program Office, please mail the original letter to:

**DHS/FEMA/Grant Programs Directorate
Assistance to Firefighters Grant Program - 3rd Floor
400 C Street, SW
Washington, DC 20472**

The following information must be included in the letter:

1. Grant number
2. Previous primary contact person's name
3. Explanation of why access to the grant is needed
4. New contact person's name
5. New contact person's mother's maiden name
6. New contact person's date of birth
7. New contact person's e-mail address
8. Two phone numbers for the new contact person

A mailed letter may take two weeks to process. However, soon after faxing the letter to the AFG Program Office, you will receive an e-mail telling you that the system has been updated and your name was placed on the grant as the main contact person. You will also receive an automated e-mail from EOPS@dhs.gov with your user ID and temporary password.

If you do not receive this automated e-mail from EOPS@dhs.gov within two days of faxing your request and receiving the e-mail telling you that your name was placed on the grant, you should look in your junk mail file. The electronic e-mails are sometimes filtered and sent directly to junk mail.

18. Where can the NFPA Codes that the AFG Program reference be found? As part of their commitment to enhance public safety, NFPA made its codes and standards

available online to the public for free. To access these codes, please visit:

<https://www.nfpa.org/freeaccess>

19. When must an applicant achieve the level of NIMS compliance if awarded a 2018 AFG grant? Any applicant that receives an FY 2018 AFG award must achieve the level of NIMS compliance required by the authority having command and control jurisdiction over the applicant's emergency service operations, prior to the end of the grant's period of performance. AFG applicants are not required to be in compliance with the National Incident Management System (NIMS), either to apply for AFG funding or to receive an AFG award.



ACTION ITEMS



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: Resolution for the City to renew 2019 Benefit Plan Offerings.
DEPT. OF ORIGIN: Human Resources
DATE SUBMITTED: October 5, 2018
SUBMITTED BY: Nicholas Goulet, HR Director

Summary: As prepared from our partners at AON, the City anticipates a twenty two percent reduction in associated costs related to medical insurance. Staff proposes that we reduce rates for employees and the City by fifteen percent in relation to the current rates paid in calendar year 2018. We are reducing rates by fifteen percent and not the full twenty two percent to ensure that the City has the budgeted funds to handle any unanticipated large claims. Budget was based on current enrollment through September of the current year. In regards to medical insurance providers, AON received bids from Blue Cross Blue Shield (Current Provider), United Healthcare, Cigna, and Presbyterian. Although Presbyterian was \$127,053 lower in administrative fixed costs, their claims discount percentage and total cost of projected claims could not be verified as they failed to timely respond. This is important due to our claims accounting for 85% of our total spend projected at \$5,987,238. BCBS continues to have the lowest overall verified cost and the most comprehensive provider network for our area.

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

Total cost of available medical insurance will be reduced by fifteen percent.

BENEFIT VALUE ADVISOR – BLUE CROSS/BLUE SHIELD

If approved, Benefit Value Advisor will remain 100% City provided for Blue Cross Blue Shield participants for calendar year 2019. This program is used to investigate the best pricing options for our employees. As a self-funded entity, when employees make informed pricing decisions, the City realizes savings due to paid claims. Based on current enrollment as of September 2018 the total cost to the City is \$13,980, but the realized savings to the medical plan through July is \$25,641.

DENTAL – DELTA DENTAL

For calendar year 2019, we project a 5.96% increase in the renewal for Delta Dental. Staff proposes raising the overall rates by 5.96% and continuing the current percentage split between City and employee. The impact of an overall cost increase is minimal.

TELEMEDICINE - TELADOC

If approved, Teladoc will remain a 100% City provided benefit for medical plan enrolled participants for calendar year 2019. Current cost per employee per month is flat to 2018 as we have been provided a rate pass (guarantee) for 2019. Estimated cost of Teladoc to the City based on current enrollment is \$29,914.80. Current savings to medical claims by use of the program through September 2018 is \$82,720. Savings are based on the employee using other means for medical treatment. For example, an emergency room or specialty provider.

VSP - Vision Insurance

Currently in a rate guarantee. Rates will remain flat for participants.

SHORT TERM DISABILITY – 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 \$24,035 for 2019.

LONG TERM DISABILITY – HARTFORD

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

LIFE INSURANCE - HARTFORD

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

HARTFORD

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.

FSA FLEXIBLE SPENDING ACCOUNT- Continuation of program through Chard Snyder. Administrative costs for employees are provided for by the City as an annual cost of \$3,735. The City realizes tax savings that more than make up for the cost of having this program.

RECOMMENDATION

We would like to continue with Blue Cross/Blue Shield as our medical provider in the current self-funded program with no change to current cost structure. We ask to continue the BVA analytical tool at no cost to the participants. We would like to continue the self-funded plan with Delta Dental with no change to current cost structure but implement the 5.96% increase to overall cost. This still results in an overall minimal increase when compared to our medical plan. We would like to continue the Teladoc program at no cost to the participants and compare the value of the overall savings with the cost to provide. We will continue with VSP for our vision provider with no increase to premiums due to the current rate guarantee. We will continue Hartford STD at no cost to benefit eligible employees. We will continue Hartford LTD at 100% funding by the participant. We will continue with Hartford Life Insurance with no changes to premiums. We will continue with Group Accident 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 budget is approximately \$7,561,135.20. Total City of Hobbs employer related budgeted expense, associated with the trust funds are \$5,768,861.40. Fund balance at 08-31-2018 equals \$3,894,352.64

Reviewed By: _____


Finance Department

Attachments:

Spreadsheet detailing the insurance premium breakdown for monthly and biweekly cost for both the City and the employee. PowerPoint presentation.

Legal Review:

Approved As To Form: _____


City Attorney

Recommendation:

The Commission approves the 2019 benefit renewal of BCBS, BVA, Delta Dental, VSP, Teladoc. Hartford Life Insurance, STD, LTD, Critical Illness and Group Accident coverage, and Chard Snyder.

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. 6729

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, AND ACCIDENT COVERAGE

WHEREAS, The City's medical, benefit value advisor, dental, telemedicine, life, disability, critical illness and 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 so that they are within the anticipated amounts included in the budget preparation process; 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 \$115,000, dental insurance coverage be renewed with Delta Dental of NM, telemedicine coverage be renewed with Teladoc, life insurance be renewed with The Hartford, short and long term disability coverage's be renewed with The Hartford, critical illness 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.

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 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, and critical illness and accident coverage as outlined in the staff summary.

PASSED, ADOPTED AND APPROVED this 15th day of October, 2018.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

MEDICAL INSURANCE - SALARY UNDER 30K - MONTHLY					90/10	
COVERAGE	MEDICAL	EMP RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	631.2	63.12	568.08	631.20	31.56	284.04
EMP PLUS ONE	1199.26	119.93	1079.33	1199.26	59.96	539.67
FAMILY	1830.42	183.04	1647.38	1830.42	91.52	823.69

MEDICAL INSURANCE - SALARY OVER 30K BUT UNDER 70K - MONTHLY					85/15	
COVERAGE	MEDICAL	EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	631.2	94.68	536.52	631.20	47.34	268.26
EMPLOYEE PLUS ONE	1199.26	179.89	1019.37	1199.26	89.94	509.69
FAMILY	1830.42	274.56	1555.86	1830.42	137.28	777.93

MEDICAL INSURANCE - SALARY OVER 70K - MONTHLY					80/20	
COVERAGE	MEDICAL	EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	631.2	126.24	504.96	631.20	63.12	252.48
EMPLOYEE PLUS ONE	1199.26	239.85	959.41	1199.26	119.93	479.70
FAMILY	1830.42	366.08	1464.34	1830.42	183.04	732.17

ACTIVE EMPLOYEES - CURRENT ENROLLMENT		ANNUALIZED COST			
		Employee Cost			
Less than \$30,000 (Salary): 90/10	Enrolled (10%)		City Cost (90%)	Total	
Single	44	\$33,327.36	\$299,946.24	\$333,273.60	
Employee Plus One	21	\$30,221.35	\$271,992.17	\$302,213.52	
Family	9	\$19,768.54	\$177,916.82	\$197,685.36	
	74	\$83,317.25	\$749,855.23	\$833,172.48	
Total:				\$833,172.48	
		Employee Cost			
Between \$30,000 and \$70,000 (Salary): 85/15	Enrolled (15%)		City Cost (85%)	Total	
Single	92	\$104,526.72	\$592,318.08	\$696,844.80	
Employee Plus One	77	\$166,217.44	\$941,898.80	\$1,108,116.24	
Family	98	\$322,886.09	\$1,829,687.83	\$2,152,573.92	
	267	\$593,630.24	\$3,363,904.72	\$3,957,534.96	
Total:				\$3,957,534.96	
		Employee Cost			
Over \$70,000 (Salary): 80/20	Enrolled (20%)		City Cost (80%)	Total	
Single	12	\$18,178.56	\$72,714.24	\$90,892.80	
Employee Plus One	14	\$40,295.14	\$161,180.54	\$201,475.68	
Family	33	\$144,969.26	\$579,877.06	\$724,846.32	
	59	\$203,442.96	\$813,771.84	\$1,017,214.80	
Total:				\$1,017,214.80	
Final Total:	400	\$880,390.45	\$4,927,531.79	\$5,807,922.24	

BENEFIT VALUE ADVISOR:

2018 COST PEPM: \$2.50	TOTAL: 13,980
2019 COST PEPM: \$2.50 (NO RATE INCREASE)	TOTAL: 13,980

TELADOC:

2018 COST PEPM: \$4.85	TOTAL COST: \$29,914.80	
2019 COST PEPM: \$4.85 (NO RATE INCREASE)	TOTAL COST: \$29,914.80	*BASED ON CURRENT ENROLLMENT

2018 (THROUGH SEPTEMBER):	SAVINGS YEAR TO DATE: \$82,720
	*BASED ON \$517 PER EPISODE AND 160 TOTAL VISITS

CHARD SNYDER: FLEXIBLE SPENDING ACCOUNT

2018 COST PEPM: \$3.75	ANNUALLY: \$3735
2019 COST PEPM: \$3.75	ANNUALLY: \$3735 (PROJECTED)

*SAVINGS BASED ON SOCIAL SECURITY TAX REDUCTION - BASED ON ENROLLMENT SELECTION AMOUNT

DENTAL INSURANCE - SALARY UNDER 30K - MONTHLY					86/14	
COVERAGE	DENTAL	EMP RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	19.79	2.77	17.02	19.79	1.39	8.51
EMP PLUS ONE	39.56	5.54	34.02	39.56	2.77	17.01
FAMILY	77.46	10.84	66.62	77.46	5.42	33.31

DENTAL INSURANCE - SALARY OVER 30K - MONTHLY					76/24	
COVERAGE	DENTAL	EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	19.79	4.75	15.04	19.79	2.37	7.52
EMPLOYEE PLUS ONE	39.56	9.49	30.07	39.56	4.75	15.03
FAMILY	77.46	18.59	58.87	77.46	9.30	29.43

Rates increased by 5.96% for 2019.

VSP (Optional Vision Plan)

VISION INSURANCE - 2017 - MONTHLY						
COVERAGE	VISION	EMP RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	10.7	10.70	0.00	10.70	5.35	0.00
EMP PLUS ONE	15.5	15.50	0.00	15.50	7.75	0.00
FAMILY	27.80	27.80	0.00	27.80	13.90	0.00

VISION INSURANCE - 2018 (6.9% INCREASE) - MONTHLY						
COVERAGE	VISION	EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	11.44	11.44	0.00	11.44	5.72	0.00
EMPLOYEE PLUS ONE	16.57	16.57	0.00	16.57	8.29	0.00
FAMILY	29.72	29.72	0.00	29.72	14.86	0.00



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: Restaurant Liquor License Application of Baker Brothers Holidaze Restaurant Bar-B-Q and Catering d/b/a Holidaze Restaurant, 2827 North Dal Paso, Suite 134, Hobbs, New Mexico, 88240, for the Sale of Beer and Wine Only

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: October 5, 2018
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

Baker Brothers Holidaze Restaurant Bar-B-Q and Catering d/b/a Holidaze Restaurant has applied to the State of New Mexico, Alcohol and Gaming Division, for the issuance of a restaurant liquor license at 2827 North Dal Paso, Suite 134, for the sale of beer and wine only. This application has received preliminary approval from the State of New Mexico.

The application was received by the City Clerk's Office on September 9, 2018, and a public hearing must be held by the City within forty-five (45) days from receipt of such notice. The City has duly published notice of the hearing and properly notified the applicant of such hearing by certified mail.

Fiscal Impact:


Reviewed By: 
Finance Department

The applicant has paid the required \$250.00 administrative fee to the City.

Attachments:

1. Application packet from State of New Mexico, Alcohol and Gaming Division
2. Area map
3. Affidavit of Publication
4. Resolution concerning approval or disapproval of the application

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Appoint a Hearing Officer; Motion to approve or disapprove the application.

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. 6730

A RESOLUTION CONCERNING THE ISSUANCE OF A
RESTAURANT LIQUOR LICENSE TO HOLIDAZE RESTAURANT
LOCATED AT 2827 NORTH DAL PASO, SUITE 134, HOBBS, NEW MEXICO

WHEREAS, the City of Hobbs has received the application of Baker Brothers
Holidaze Restaurant Bar-B-Q and Catering for the issuance of a restaurant liquor license
for the sale of beer and wine at Holidaze Restaurant, 2827 North Dal Paso, Suite 134,
Hobbs, New Mexico, and said application has received preliminary approval from the State
of New Mexico, Alcohol and Gaming Division; and

WHEREAS, a public hearing is being held by the governing body of the City of
Hobbs on October 15, 2018, on the question of whether or not the proposed restaurant
liquor license should be granted for the sale of beer and wine.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF HOBBS, NEW MEXICO, that the restaurant liquor license application of
Baker Brothers Holidaze Restaurant Bar-B-Q and Catering d/b/a Holidaze Restaurant,
2827 North Dal Paso, Suite 134, Hobbs, New Mexico, be and is hereby
_____ (approved or disapproved) for the sale of beer and wine.

PASSED, ADOPTED AND APPROVED this 15th day of **October, 2018**.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



Rec'd 9-4-18

it

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION
 P.O. Box 25101 ▪ Santa Fe, New Mexico 87504-5101
 (505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/alcoholandgaming

August 29, 2018

Certified Mail No.: 9171 9690 0935 0155 1795 11

Susana Martinez
Governor

Robert "Mike" Unthank
Superintendent

Pat McMurray
Deputy Superintendent

Claudia Armijo
Deputy General Counsel

Debra A. Lopez
Acting Director

City of Hobbs
Attn: Jan Fletcher
200 East Broadway
Hobbs, NM 88240

Re: Lic. No. /Appl. No.: Application No. 1101979
Name of Applicant: Baker Brothers Holiday Restaurant Bar-B-Q and Catering
Doing Business As: Holiday Restaurant
Proposed Location: 2827 N. Dal Paso Street, Suite 134 Hobbs, New Mexico 88240

Greetings:

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

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

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

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

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

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

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

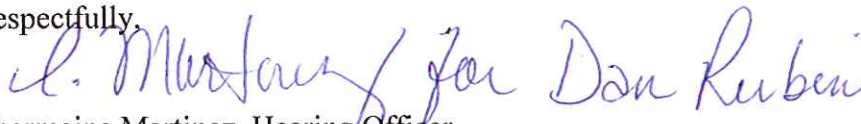
Administrative Services Division
(505) 476-4800

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

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

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

Respectfully,



Charmaine Martinez, Hearing Officer
New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division
Phone: (505) 476-4804 Fax: (505) 476-4595
Email: charmaine.martinez2@state.nm.us

Enclosures:

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



AGD USE ONLY: Payment| Application Fee \$ 200 Received on: 7-17-18 Receipt No. 2104458
License Fee \$ _____ Received on: _____ Receipt No. _____
Application # 1101979 Local Option District: _____

RESTAURANT LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes: Application is for: New Restaurant Liquor License
Applicant is: Individual Limited Liability Company Corporation Partnership (General/Limited)

NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER

Baker Brothers Holiday Restaurant Bar-B-Q and Catering

2827 N. Dal Paso Street, Hobbs, NM 88240

D/B/A Name to be used: **Holiday Restaurant** Business Phone #: **575-392-7169**

Email Address (required): **bakerbroslc@yahoo.com**

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)
2827 N. Dal Paso Street, Suite 134, Hobbs, NM 88240



Mailing Address: **2827 N. Dal Paso Street, Suite 134, Hobbs, NM 88240**

Agent/Contact Person: **Fred R. Baker** Phone#: **575-704-6778** Email: **bakerbroslc@yahoo.com**

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License # / Type: _____

I, (print name) **Fred R. Baker**, as (title) **Managing Member**
being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form before a Notary Public.

Signature of Applicant: [Signature] Date: 7-9-18

NOTARY PUBLIC USE ONLY: (State of NM, County of Lea)

SUBSCRIBED AND SWORN TO before me this 9th day of July, 2018

By: Fred R Baker Notary Public: Krista Butler

My Commission Expires: March 1, 2022



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: _____ City, County, Village

Public Hearing held on _____, 20____. Check one: Approved Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: Approved Disapproved

Signed by Director: _____ Date: _____



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

1. The land and building which is proposed to be the licensed premises is: (check one)

- Owned by Applicant, copy of deed/document attached Leased by Applicant, copy of lease/document attached
 Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): The Phoenix Property Management LLC (Gail Waddell, Broker)

B. Date and Term of Lease: 05/15/2018 through 05/15/2022

3. Premises location is Zoned (example C-1, see Zoning Statement): No zoning in the City of Hobbs, NM

Zoning Statement attached, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Northside Church of Christ Miles/feet: 600 Feet

Address/location of Church: 2821 N. Dal Paso, Hobbs, NM 88240

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: Highland Junior High School Miles/feet: .4 Miles

Address/location of School: 2500 N. Jefferson, Hobbs, NM 88240

6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, *circle one:* Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
 Miles: 130 Miles Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and **must be labeled** with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: Hotel Lounge Package Grocery Restaurant Racetrack

Small Brewer Craft Distiller Winery Wholesaler

Other (specify): _____

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.



PLANNING DEPARTMENT

200 E. Broadway Street, Hobbs, NM 88240
Ph. 1-505-397-9232 Fax 1-505-397-9227

August 8, 2018

Holidaze Restaurant
2827 N. Dal Paso Street
Hobbs, NM 88240

RE: Zoning Certification for a Restaurant, Holidaze Restaurant, located at 2827 N. Dal Paso Street in Hobbs, NM 88240.

Dear Mr. Baker:

Pursuant to your request for a Zoning Certification regarding a Restaurant, Holidaze Restaurant, located at 2827 N. Dal Paso Street in Hobbs, NM, please be advised that the City of Hobbs has not adopted a zoning ordinance to regulate land uses and locations of different types of development or specific business uses throughout the City. Consequently, the City of Hobbs has no current regulations which govern zoning districts and/or land uses, use of buildings, or use of vacant land. Therefore, the current land use as referred to herein, including a Restaurant, Holidaze Restaurant, located at 2827 N. Dal Paso Street in Hobbs, NM is considered a use by right as of this date of August 8, 2018. The proposed use is in conformance with applicable zoning law as of this date.

Please note that the City does have a Major Thoroughfare Plan, Subdivision Regulations, Flood Zone, Fire Zone, Landscaping Regulations, Building Code, Liquor License and other development regulations that must be followed for improvements and changes in building occupancy types, including yard setback requirements. This letter is in regards to that portion of the above referenced real property that exists within the corporate limits of the City of Hobbs, NM on August 8, 2018.

If you have any questions or need further information, please contact me at (575) 397-9351.

Sincerely,

CITY OF HOBBS, NEW MEXICO

A handwritten signature in cursive script, appearing to read "Kevin Robinson", written over a horizontal line.

Kevin Robinson - Planning Department

Affidavit of Publication

STATE OF NEW MEXICO
COUNTY OF LEA

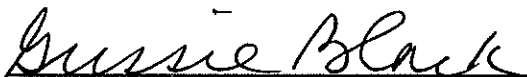
I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 2 issue(s).

Beginning with the issue dated
September 09, 2018
and ending with the issue dated
September 16, 2018.



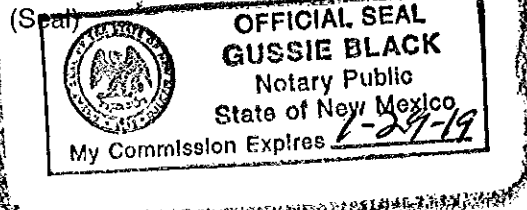
Publisher

Sworn and subscribed to before me this
16th day of September 2018.



Business Manager

My commission expires
January 29, 2019



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	LEGAL
LEGAL NOTICE September 9 and 16, 2018	
NOTICE OF PUBLIC HEARING	
NOTICE is hereby given that the City Commission of the City of Hobbs, New Mexico, will hold a public hearing on Monday, October 15, 2018, at 6:00 p.m. , in the City Commission Chamber at City Hall, First Floor Annex, 200 East Broadway, Hobbs, New Mexico. The purpose of the hearing will be to consider whether the State of New Mexico Regulation and Licensing Department, Alcohol and Gaming Division, should approve or disapprove the following liquor license application. Protests and objections may be made by any interested persons at the time, date and place of hearing.	
NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in the hearing, please contact Jan Fletcher at least three days before the hearing date at (575) 397-9200.	
If you are in need of an interpreter to participate in the hearing, please contact Jan Fletcher at (575) 397-9200 at least three days before the hearing date.	
APPLICATION FOR RESTAURANT LICENSE FOR THE SALE OF BEER AND WINE	
Application #:	1101979
Applicant:	Baker Brothers Holiday Restaurant Bar-B-Q and Catering
D/B/A Name:	Holiday Restaurant
Proposed Address:	2827 N. Dal Paso Street, Suite 134 Hobbs, NM 88240
DATED this 5th day of September, 2018.	
/s/ Sam D. Cobb SAM D. COBB, Mayor	
#33210	

67108146

00217613

CITY OF HOBBS ATTN: ACCOUNT PAYABLES
200 E. BROADWAY
HOBBS, NM 88240

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City Commission of the City of Hobbs, New Mexico, will hold a public hearing on **Monday, October 15, 2018, at 6:00 p.m.**, in the City Commission Chamber at City Hall, First Floor Annex, 200 East Broadway, Hobbs, New Mexico. The purpose of the hearing will be to consider whether the State of New Mexico Regulation and Licensing Department, Alcohol and Gaming Division, should approve or disapprove the following liquor license application. Protests and objections may be made by any interested persons at the time, date and place of hearing.

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If you are in need of an interpreter to participate in the hearing, please contact Jan Fletcher at (575) 397-9200 at least three days before the hearing date.

APPLICATION FOR RESTAURANT LICENSE FOR THE SALE OF BEER AND WINE

Application #:	1101979
Applicant:	Baker Brothers Holidaze Restaurant Bar-B-Q and Catering
D/B/A Name:	Holidaze Restaurant
Proposed Address:	2827 N. Dal Paso Street, Suite 134 Hobbs, NM 88240

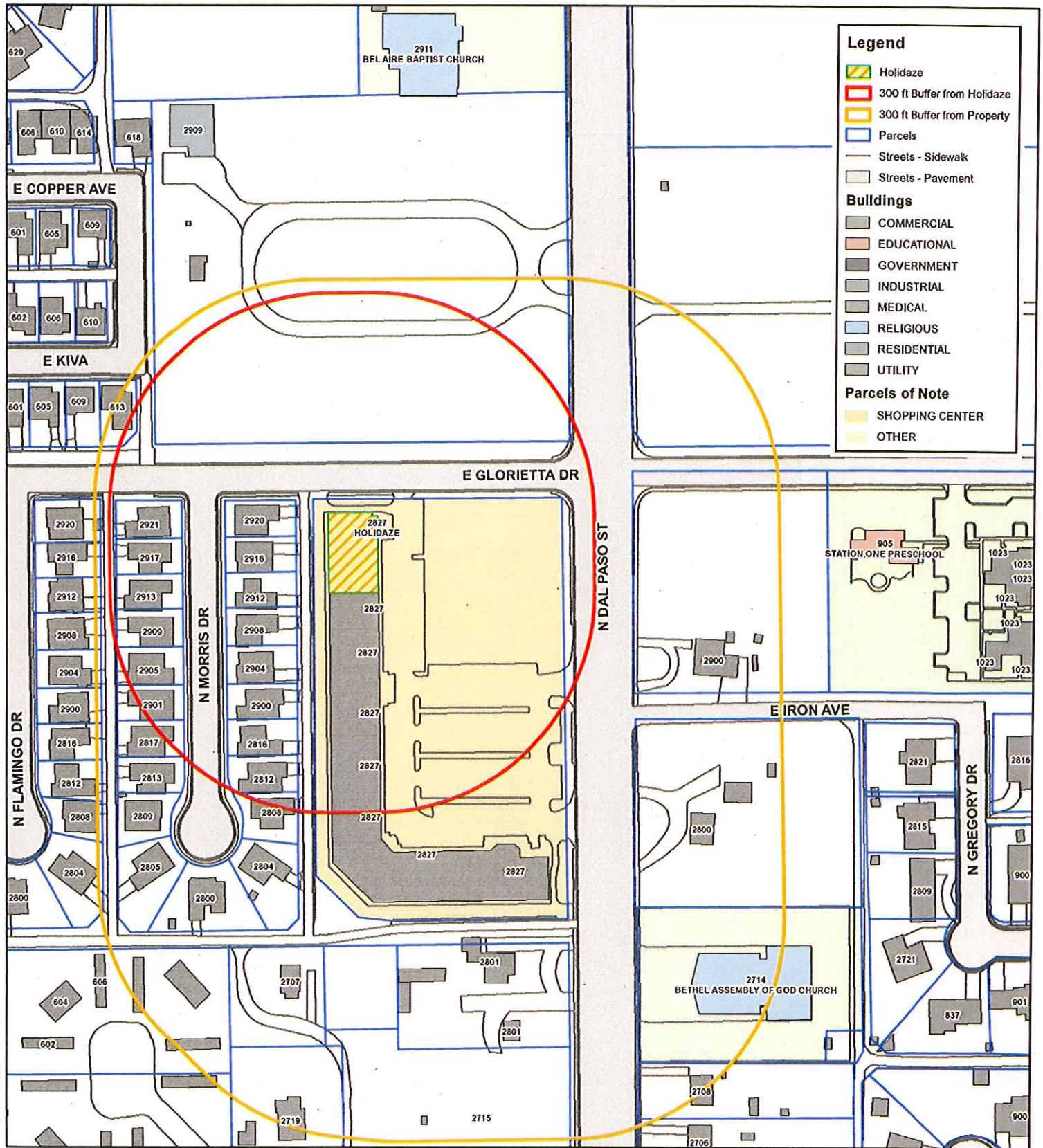
DATED this 5th day of September, 2018.



SAM D. COBB, Mayor

Holidaze

300 ft Buffer Zone Map for Liquor License



City of Hobbs GIS Division SY

Date: 10/9/2018 1 inch = 175 feet Time: 4:35:36 PM

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



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: 2018 Appropriation; 18-C2252-STB Hobbs Aerobic Digestion Basins
DEPT. OF ORIGIN: Utilities
DATE SUBMITTED: October 5, 2018
SUBMITTED BY: Tim Woomeer, Utilities Director

Summary:

A State of New Mexico 2018 Legislative special appropriation in the amount of \$250,000 has been awarded for the City of Hobbs Wastewater Treatment Facility Aerobic Digester Replacement Project. This grant is for construction, purchase, and installation of pumping equipment for the new aerobic digester basins that are currently under construction. This project is also funded through a CWSRF #064 Loan and Local Utilities Enterprise Funds. This project is addressing deficiencies with the current facility by constructing and equipping new, larger aerobic digester basins that will allow for greater operational reliability and additional treatment capacity that will accommodate community growth into the future.

A resolution of the City of Hobbs City Commission is required which authorizes the Mayor to sign the grant agreement, and designation of an official representative, including an alternate, who will be point of contact and authorized signatory(s) for reimbursement requests and other documents required by the New Mexico Environmental Department.

Fiscal Impact: \$250,000.00 (revenue)

Reviewed By: _____

[Signature]
Finance Department

After execution of the grant agreement, City will be eligible to submit for reimbursement of actual costs for construction and purchase of equipment up to the appropriation amount of \$250,000.00. The reversion date for this appropriation is June 30, 2022.

Attachments:

- A Resolution authorizing the Mayor to sign grant agreement 18-C2252-STB, and designating both the Finance Director and City Clerk as official representatives authorized to sign official grant documents.
- Grant agreement 18-C2252-STB; State of New Mexico, Department of Environment

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation:

Approve a Resolution authorizing the Mayor of the City of Hobbs to sign grant agreement 18-C2252-STB in the amount of \$250,000.00 for the City of Hobbs Aerobic Digester Replacement Project and designate the City of Hobbs Finance Director and City Clerk as official signatory representatives for this agreement.

~~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. 6731

A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE A GRANT AGREEMENT 2018 APPROPRIATION
PROJECT NUMBER 18-C2252-STB
HOBBS AEROBIC DIGESTION BASINS

WHEREAS, the State of New Mexico 2018 Legislative appropriation has been awarded for the City of Hobbs Wastewater Treatment Facility Aerobic Digester Replacement Project; and

WHEREAS, this grant is for construction, purchase, and installation of pumping equipment for the new aerobic digester basins that are currently under construction; and

WHEREAS, this project is addressing deficiencies with the current facility by constructing and equipping new, larger aerobic digester basins that will allow for greater operational reliability and additional treatment capacity that will accommodate community growth into the future;

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

1. The Mayor be, and hereby is, authorized and directed to take all necessary and appropriate action to effectuate this Resolution for a Grant Agreement with the State of New Mexico, Department of Environment for the Project No. 18-C2252-STB a copy of which is attached hereto and incorporated herein.

2. The Finance Director and City Clerk is the GRANTEE REPRESENTATIVE who is authorized to submit any documents pertaining to the project and act as the single point of contact.

3. The Finance Director and City Clerk is the SIGNATORY AUTHORITY who is authorized to sign reimbursement requests and other documents requiring a signature for submittal to the New Mexico Environment Department.

PASSED, ADOPTED AND APPROVED this 15th day of October, 2018.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

**STATE OF NEW MEXICO
DEPARTMENT OF ENVIRONMENT
FUND 89200 CAPITAL APPROPRIATION PROJECT
18-C2252-STB**

THIS AGREEMENT is made and entered into as of this [] day of [], 20[], by and between the New Mexico Environment Department hereinafter called the "Department" or "NMED", and City of Hobbs hereinafter called the "Grantee". This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2018, Chapter 80, Section 20, Paragraph 20, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, NMED is empowered pursuant to Section 74-1-6 B, NMSA 1978 to contract in its own name.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

**SAP 18-C2252-STB (\$250,000.00) APPROPRIATION REVERSION DATE: June 30, 2022
Laws of 2018 Chapter 80, Section 20, Paragraph 20,
Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00):**

To construct aerobic digestion basins and purchase, construct and install pumping equipment at the wastewater reclamation facility in Hobbs in Lea county

The Grantee's total reimbursements shall not exceed Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) minus the allocation for Art in Public Places¹, if applicable, zero dollars (0) which equals Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) (the "Adjusted Appropriation Amount").

¹ The AIPP amount is "an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000)." Section 13-4A-4 NMSA 1978.

In the event of a conflict among the Appropriation Amount, the Reversion Date, as defined herein and/or the purpose of the Project, as set forth in this Agreement, and the corresponding appropriation language in the laws cited above in this Article I(A), the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I(A) is referred to collectively throughout the remainder of this Agreement as the "Project Description." Optional Attachment A sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Optional Attachment A imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment A shall prevail, in the event of irreconcilable conflict. The Grantee shall reference the Project's number in all correspondence with and submissions to the Department concerning the Project, including, but not limited to, Requests for Payment and reports.

ARTICLE II. LIMITATION ON DEPARTMENT'S OBLIGATION TO MAKE GRANT DISBURSEMENT TO GRANTEE

A. Upon the Effective Date of this Agreement, for permissible purposes within the scope of the Project Description, the Grantee shall only be reimbursed monies for which the Department has issued and the Grantee has received a Notice of Department's Obligation to Reimburse² Grantee (hereinafter referred to as "Notice of Obligation"). This Grant Agreement and the disbursement of any and all amounts of the above referenced Adjusted Appropriation Amount are expressly conditioned upon the following:

- (i) Irrespective of any Notice of Obligation, the Grantee's expenditures shall be made on or before the Reversion Date and, if applicable, an Early Termination Date (i.e., the goods have been delivered and accepted or the title to the goods has been transferred to the Grantee and/or the services have been rendered for the Grantee); and
- (ii) The total amount received by the Grantee shall not exceed the lesser of: (a) the Adjusted Appropriation Amount identified in Article I(A) herein or (b) the total of all amounts stated in the Notice(s) of Obligation evidencing that the Department has received and accepted the Grantee's Third-Party Obligation(s), as defined in subparagraph iii of this Article II(A); and
- (iii) The Grantee's expenditures were made pursuant to the State Procurement Code and execution of binding written obligations or purchase orders with Third-Party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the Project, hereinafter referred to as "Third-Party Obligations"; and
- (iv) The Grantee's submittal of timely Requests for Payment in accordance with the procedures set forth in Article IX of this Agreement; and
- (v) In the event that capital assets acquired with Project funds are to be sold, leased, or licensed to or operated by a private entity, the sale, lease, license, or operating agreement:
 - a. must be approved by the applicable oversight entity (if any) in accordance with law; or
 - b. if no oversight entity is required to approve the transaction, the Department must approve the transaction as complying with law.

Prior to the sale, lease, license, or operating agreement being approved pursuant to Articles II(A)(v)(a) and II(A)(v)(b) herein, the Department may, in its sole and absolute discretion and unless inconsistent with State Board of Finance imposed conditions, reimburse the Grantee for necessary expenditures

² "Reimburse" as used throughout this Agreement includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a Third-Party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee.

incurred to develop the Project sufficiently to make the sale, lease, license, or operating agreement commercially feasible, such as plan and design expenditures; and

(vi) The Grantee's submission of documentation of all Third-Party Obligations and amendments thereto (including terminations) to the Department and the Department's issuance and the Grantee's receiving of a Notice of Obligation for a particular amount in accordance with the terms of this Agreement shall be governed by the following:

- a. The Grantee shall submit to the Department one copy of all Third-Party Obligations and amendments thereto (including terminations) as soon as possible after execution by the Third-Party **but prior to execution by the Grantee.**
- b. Grantee acknowledges and agrees that if it chooses to enter into a Third-Party Obligation prior to receiving a Notice of Obligation that covers the expenditure, it is solely responsible for such obligations.
- c. The Department may, in its sole and absolute discretion, issue to Grantee a Notice of Obligation for the particular amount of that Third-Party Obligation that only obligates the Department to reimburse Grantee's expenditures made on or before the Reversion Date or an Early Termination Date. The current Notice of Obligation form is attached to this Agreement as Exhibit 2.
- d. The date the Department signs the Notice of Obligation is the date that the Department's Notice of Obligation is effective. After that date, the Grantee is authorized to budget the particular amount set forth in the Notice of Obligation, execute the Third-Party Obligation and request the Third-Party to begin work. Payment for any work performed or goods received prior to the effective date of the Notice of Obligation is wholly and solely the obligation of the Grantee.

B. The Grantee shall implement, in all respects, the Project. The Grantee shall provide all necessary qualified personnel, material, and facilities to implement the Project. The Grantee shall finance its share (if any) of the costs of the Project, including all Project overruns.

C. Project funds shall not be used for purposes other than those specified in the Project Description.

D. Unless specifically allowed by law, Project funds cannot be used to reimburse Grantee for indirect Project costs.

ARTICLE III. NOTICE PROVISIONS AND GRANTEE AND DEPARTMENT DESIGNATED REPRESENTATIVES

Whenever written notices, including written decisions, are to be given or received, related to this Agreement, the following provisions shall apply.

The Grantee designates the person(s) listed below, or their successor, as their official representative(s) concerning all matters related to this Agreement:

Grantee: _____
Name: _____
Title: _____
Address: _____
Email: _____
Telephone: _____

Please provide this information in the Resolution and Signature page; this page does NOT need to be completed.

The Grantee designates the person(s) listed below, or their successor, as their Fiscal Officer or Fiscal Agent concerning all matters related to this Agreement:

Grantee: _____
Name: _____
Title: _____
Address: _____
Email: _____
Telephone: _____

The Department designates the persons listed below, or their successors, as the Points of Contact for matters related to this Agreement.

Department: New Mexico Environment Department
Name: Paulette Ortiz
Title: Project Administrator
Address: Construction Program Bureau
NMED, Harold Runnels Building
1190 St. Francis Drive S-2072
Santa Fe, NM 87502

Email: paulette.ortiz@state.nm.us
Telephone: (505) 827-2958

The Grantee and the Department agree that either party shall send all notices, including written decisions, related to this Agreement to the above-named persons by email or regular mail. In the case of mailings, notices shall be deemed to have been given and received upon the date of the receiving party's actual receipt or five calendar days after mailing, whichever shall first occur. In the case of email transmissions, the notice shall be deemed to have been given and received on the date reflected on the delivery receipt of email.

ARTICLE IV. REVERSION DATE, TERM, DEADLINE TO EXPEND FUNDS

A. As referenced in Article I(A), the applicable law establishes a date by which Project funds must be expended by Grantee, which is referred to throughout the remainder of this Agreement as the "Reversion Date." Upon being duly executed by both parties, this Agreement shall be effective as of the date of execution by the

Department. It shall terminate on June 30, 2022 the Reversion Date unless Terminated Before Reversion Date (“Early Termination”) pursuant to Article V herein.

B. The Project’s funds must be expended on or before the Reversion Date and, if applicable, Early Termination Date of this Agreement. For purposes of this Agreement, it is not sufficient for the Grantee to encumber the Project funds on its books on or before the Project's Reversion Date or Early Termination Date. Funds are expended and an expenditure has occurred as of the date that a particular quantity of goods are delivered to and received by the Grantee or title to the goods is transferred to the Grantee and/or as of the date particular services are rendered for the Grantee. Funds are *not* expended and an expenditure has *not* occurred as of the date they are encumbered by the Grantee pursuant to a contract or purchase order with a Third-Party.

ARTICLE V. EARLY TERMINATION

A. Early Termination Before Reversion Date Due to Completion of the Project or Complete Expenditure of the Adjusted Appropriation or Violation of this Agreement

Early Termination includes:

- (i) Termination due to completion of the Project before the Reversion Date; or
- (ii) Termination due to complete expenditure of the Adjusted Appropriation Amount before the Reversion Date; or
- (iii) Termination for violation of the terms of this Agreement; or
- (iv) Termination for suspected mishandling of public funds, including but not limited to, fraud, waste, abuse, and conflicts of interest.

Either the Department or the Grantee may early terminate this Agreement prior to the Reversion Date by providing the other party with a minimum of fifteen (15) days’ advance, written notice of early termination. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(A).

B. Early Termination Before Reversion Date Due to Non-appropriation

The terms of this Agreement are expressly made contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. Throughout this Agreement the term “non-appropriate” or “non-appropriation” includes the following actions by the New Mexico Legislature: deauthorization, reauthorization or revocation of a prior authorization. The Legislature may choose to non-appropriate the Appropriation referred to in Article I and, if that occurs, the Department shall early terminate this Agreement for non-appropriation by giving the Grantee written notice of such termination, and such termination shall be effective as of the effective date of the law making the non-appropriation. The Department’s decision as to whether sufficient appropriations or authorizations are available shall be accepted by the Grantee and shall be final. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(B).

C. Limitation on Department’s Obligation to Make Grant Disbursements to Grantee in the Event of Early Termination

In the event of Early Termination of this Agreement by either party, the Department’s sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth Article II.

ARTICLE VI. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

A. The Department may choose, in its sole and absolute discretion, to provide written notice to the Grantee to suspend entering into new and further obligations. Upon the receipt of such written notice by the Grantee:

- (i) The Grantee shall immediately suspend entering into new or further written obligations with third parties; and
- (ii) The Department will suspend the issuance of any new or further Notice of Obligation under this Agreement; and
- (iii) The Department may direct the Grantee to implement a corrective action plan in accordance with Article VI(D) herein.

B. In the event of Suspension of this Agreement, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth in Article II herein.

C. A suspension of new or further obligations under this Agreement shall remain in effect unless or until the date the Grantee receives written notice given by the Department informing the Grantee that the Suspension has been lifted or that the Agreement has been Early Terminated in accordance with Article V herein. If the Suspension is lifted, the Department will consider further requests for Notice of Obligation.

D. Corrective Action Plan in the Event of Suspension

In the event that the Department chooses, in its sole and absolute discretion to direct the Grantee to suspend entering into new or further written obligations with third parties pursuant to Article VI(A), the Department may, but is not obligated to, require the Grantee to develop and implement a written corrective action plan to remedy the grounds for the Suspension. Such corrective action plan must be approved by the Department and be signed by the Grantee. Failure to sign a corrective action plan or meet the terms and deadlines set forth in the signed corrective action plan, is hereby deemed a violation of the terms of this Agreement for purposes of Early Termination, Article V(A)(iii). The corrective action plan is in addition to, and not in lieu of, any other equitable or legal remedy, including but not limited to Early Termination.

ARTICLE VII. AMENDMENT

This Agreement shall not be altered, changed, or amended except by instrument in writing duly executed by both the parties hereto.

ARTICLE VIII. REPORTS

A. Database Reporting

The Grantee shall report monthly Project activity by entering such Project information as the Department and the Department of Finance and Administration may require, such information entered directly into a database maintained by the Department of Finance and Administration (<http://cpms.dfa.state.nm.us>). Additionally, the Grantee shall certify on the Request for Payment form (Exhibit 1) that updates have been maintained and are current in the database. The Grantee hereby acknowledges that failure to perform and/or certify updates into the database will delay or potentially jeopardize the reimbursement of funds. The Department shall give Grantee a minimum of thirty (30) days' advance written notice of any changes to the information the Grantee is required to report.

Monthly reports shall be due on the last day of each month, beginning with the first full month following execution of this Agreement by the Department and ending upon the submission of the final request for reimbursement for the Project.

B. Requests for Additional Information/Project Inspection

During the term of this Agreement and during the period of time during which the Grantee must maintain records pursuant to Article VIII, the Department may:

- (i) request such additional information regarding the Project as it deems necessary; and
- (ii) conduct, at reasonable times and upon reasonable notice, onsite inspections of the Project.

Grantee shall respond to such requests for additional information within a reasonable period of time, as established by the Department.

ARTICLE IX. REQUEST FOR PAYMENT PROCEDURES AND DEADLINES

A. The Grantee shall request payment by submitting a Request for Payment, in the form attached hereto as Exhibit 1. Payment requests are subject to the following procedures:

- (i) The Grantee must submit a Request for Payment; and
- (ii) Each Request for Payment must contain proof of payment by the Grantee or liabilities incurred by the Grantee showing that the expenditures are valid or are liabilities incurred by the Grantee in the form of actual unpaid invoices received by the Grantee for services rendered by a Third-Party or items of tangible personal property received by the Grantee for the implementation of the Project; provided, however, that the Grantee may be reimbursed for unpaid liabilities only if the Department, in its sole and absolute discretion, agrees to do so and in accordance with any special conditions imposed by the Department.
- (iii) In cases where the Grantee is submitting a Request for Payment to the Department based upon invoices received, but not yet paid, by the Grantee from a Third-Party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee, the Grantee shall make payment to those contractors or vendors within five (5) business days from the date of receiving reimbursement from the Department or such shorter period of time as the Department may prescribe in writing. The Grantee is required to certify to the Department proof of payment to the Third-Party contractor or vendor within ten (10) business days from the date of receiving reimbursement from the Department.

B. The Grantee must obligate 5% of the Adjusted Appropriation Amount within six months of acceptance of the grant agreement and must have expended no less than 85% of the Adjusted Appropriation Amount six months prior to the reversion date.

C. Deadlines

Requests for Payments shall be submitted by Grantee to the Department on the earlier of:

- (i) Immediately as they are received by the Grantee but at a minimum thirty (30) days from when the expenditure was incurred or liability of the Grantee was approved as evidenced by an unpaid invoice received by the Grantee from a Third-Party contractor or vendor; or
- (ii) July 15 of each year for all unreimbursed expenditures incurred during the previous fiscal year; or
- (iii) Twenty (20) days from date of Early Termination; or
- (iv) Twenty (20) days from the Reversion Date.

D. The Grantee's failure to abide by the requirements set forth in Article II and Article IX herein will result in the denial of its Request for Payment or will delay the processing of Requests for Payment. The Department has the right to reject a payment request for the Project unless and until it is satisfied that the expenditures in the Request for Payment are for permissible purposes within the meaning of the Project Description and that the expenditures and the Grantee are otherwise in compliance with this Agreement, including but not limited to, compliance with the reporting requirements and the requirements set forth in Article II herein to provide Third-Party Obligations and the Deadlines set forth in Article IX herein. The Department's ability to reject any Request for Payment is in addition to, and not in lieu of, any other legal or equitable remedy available to the Department due to Grantee's violation of this Agreement.

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

- A. The following general conditions and restrictions are applicable to the Project:
- (i) The Project's funds must be spent in accordance with all applicable state laws, regulations, policies, and guidelines, including, but not limited to, the State Procurement Code (or local procurement ordinance, where applicable).
 - (ii) The Project must be implemented in accordance with the New Mexico Public Works Minimum Works Act, Section 13-4-10 through 13-4-17 NMSA 1978, as applicable. Every contract or project in excess of sixty thousand dollars (\$60,000) that the Grantee is a party to for construction, alteration, demolition or repair or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, shall be based upon the wages and benefits that will be determined by the New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the project, unconditionally and not less often than once a week and without subsequent unlawful deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to Section 13-4-11 (B) NMSA 1978 to be the prevailing wage rates and prevailing fringe benefit rates issued for the project.
 - (iii) The Project may only benefit private entities in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, the "Anti-Donation Clause."
 - (iv) The Grantee shall not for a period of 10 years from the date of this agreement convert any property acquired, built, renovated, repaired, designed or developed with the Project's funds to uses other than those specified in the Project Description without the Department's and the Board of Finance's express, advance, written approval, which may include a requirement to reimburse the State for the cost of the project, transfer proceeds from the disposition of property to the State, or otherwise provide consideration to the State.
 - (v) The Grantee shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules and regulations the Grantee agrees to assure that no person shall, on the grounds of race, color, national origin, sex,

sexual preference, age or handicap, be excluded from employment with Grantee, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under, any activity performed under this Agreement. If Grantee is found to be not in compliance with these requirements during the life of this Agreement, Grantee agrees to take appropriate steps to correct any deficiencies. The Grantee's failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.

- B. The Grantee hereby represents and warrants the following:
- (i) The Grantee has the legal authority to receive and expend the Project's funds.
 - (ii) This Agreement has been duly authorized by the Grantee, the person executing this Agreement has authority to do so, and, once executed by the Grantee, this Agreement shall constitute a binding obligation of the Grantee, enforceable according to its terms.
 - (iii) This Agreement and the Grantee's obligations hereunder do not conflict with any law or ordinance or resolution applicable to the Grantee, the Grantee's charter (if applicable), or any judgment or decree to which the Grantee is subject.
 - (iv) The Grantee has independently confirmed that the Project Description, including, but not limited to, the amount and Reversion Date, is consistent with the underlying appropriation in law.
 - (v) The Grantee's governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the Grantee to sign the Agreement and to sign Requests for Payment.
 - (vi) The Grantee shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. The Grantee specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no other public official of the locality who exercises any function or responsibility with respect to this Grant, during their tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed or goods to be received, pursuant to this Grant. Further, Grantee shall require all of its contractors to incorporate in all subcontracts the language set forth in this paragraph prohibiting conflicts of interest.
 - (vii) No funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of this or any agency or body in connection with the awarding of any Third-Party Obligation and that the Grantee shall require certifying language prohibiting lobbying to be included in the award documents for all sub awards, including subcontracts, loans and cooperative agreements. All subrecipients shall be required to certify accordingly.

ARTICLE XI. STRICT ACCOUNTABILITY OF RECEIPTS AND DISBURSEMENTS; PROJECT RECORDS

A. The Grantee shall be strictly accountable for receipts and disbursements relating to the Project's funds. The Grantee shall follow generally accepted accounting principles, and, if feasible, maintain a separate bank account or fund with a separate organizational code, for the funds to assure separate budgeting and accounting of the funds.

B. For a period of six (6) years following the Project's completion, the Grantee shall maintain all Project related records, including, but not limited to, all financial records, requests for proposals, invitations to bid,

selection and award criteria, contracts and subcontracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted for the Project, the purpose for which such funds were used, and such other records as the Department shall prescribe.

C. The Grantee shall make all Project records available to the Department, the Department of Finance and Administration, and the New Mexico State Auditor upon request. With respect to the funds that are the subject of this Agreement, if the State Auditor or the Department of Finance and Administration finds that any or all of these funds were improperly expended, the Grantee may be required to reimburse to the State of New Mexico, to the originating fund, any and all amounts found to be improperly expended.

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

If the Department determines that part or all of the Appropriation Amount was improperly reimbursed to Grantee, including but not limited to, Project funds reimbursed to Grantee based upon fraud, mismanagement, misrepresentation, misuse, violation of law by the Grantee, or violation of this Agreement, the Grantee shall return such funds to the Department for disposition in accordance with law.

ARTICLE XIII. LIABILITY

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 immunities and limitations of the New Mexico Tort Claims Act.

ARTICLE XIV. SCOPE OF AGREEMENT

This Agreement constitutes the entire and exclusive agreement between the Grantee and Department concerning the subject matter hereof. The Agreement supersedes any and all prior or contemporaneous agreements, understandings, discussions, communications, and representations, written or verbal.

ARTICLE XV. REQUIRED NON-APPROPRIATIONS CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

The Grantee acknowledges, warrants, and agrees that Grantee shall include a "non-appropriations" clause in all contracts between it and other parties that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement that states:

"The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, the City of Hobbs may immediately terminate this Agreement by giving Contractor written notice of such termination. The City of Hobbs's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. Contractor hereby waives any rights to assert an impairment of contract claim against the City of Hobbs or the New Mexico Environment Department or the State of New Mexico in the event of immediate or Early Termination of this Agreement by the City of Hobbs or the Department"

ARTICLE XVI. REQUIRED TERMINATION CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

Grantee acknowledges, warrants, and agrees that Grantee shall include the following termination clause in all contracts that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

“This contract is funded in whole or in part by funds made available under a New Mexico Environment Department Grant Agreement. Should the New Mexico Environment Department early terminate the grant agreement, the City of Hobbs may early terminate this contract by providing Contractor written notice of such termination. In the event of termination pursuant to this paragraph, the City of Hobbs’s only liability shall be to pay Contractor for acceptable goods delivered and services rendered before the termination date.”

Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department.

ARTICLE XVII. COMPLIANCE WITH UNIFORM FUNDING CRITERIA.

A. Throughout the term of this Agreement, Grantee shall:

1. submit all reports of annual audits and agreed upon procedures required by Section 12-6-3(A)-(B) NMSA 1978 by the due dates established in 2.2.2 NMAC, reports of which must be a public record pursuant to Section 12-6-5(A) NMSA 1978 within forty-five days of delivery to the State Auditor;
2. have a duly adopted budget for the current fiscal year approved by its budgetary oversight agency (if any);
3. timely submit all required financial reports to its budgetary oversight agency (if any); and
4. have adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds.

B. In the event Grantee fails to comply with the requirements of Paragraph A of this Article XVII, the Department may take one or more of the following actions:

1. suspend new or further obligations pursuant to Article VI(A) of this Agreement;
2. require the Grantee to develop and implement a written corrective action plan pursuant to Article VI(D) of this Agreement to remedy the non-compliance;
3. impose special grant conditions to address the non-compliance by giving the Grantee notice of such special conditions in accordance with Article III of this Agreement; the special conditions shall be binding and effective on the date that notice is deemed to have been given pursuant to Article III; or
4. terminate this Agreement pursuant to Article V(A) of this Agreement.

ARTICLE XVIII. SEVERANCE TAX BOND AND GENERAL OBLIGATION BOND PROJECT CLAUSES

A. Grantee acknowledges and agrees that the underlying appropriation for the Project is a severance tax bond or general obligation bond appropriation, and that the associated bond proceeds are administered by the New Mexico State Board of Finance (SBOF), an entity separate and distinct from the Department. Grantee acknowledges and agrees that (i) it is Grantee’s sole and absolute responsibility to determine through SBOF staff what (if any) conditions are currently imposed on the Project; (ii) the Department’s failure to inform Grantee of a SBOF imposed condition does not affect the validity or enforceability of the condition; (iii) the

SBOF may in the future impose further or different conditions upon the Project; (iv) all SBOF conditions are effective without amendment of this Agreement; (v) all applicable SBOF conditions must be satisfied before the SBOF will release to the Department funds subject to the condition(s); and (vi) the Department's obligation to reimburse Grantee from the Project is contingent upon the then current SBOF conditions being satisfied.

B. Grantee acknowledges and agrees that the SBOF may in its sole and absolute discretion remove a project's assigned bond proceeds if the project doesn't proceed sufficiently. Entities must comply with the requirement to encumber five percent (5%) of Project funds within six months of bond issuance as certified by the grantee in the Bond Questionnaire and Certification documents submitted to the SBOF. Failure to comply may result in the bond proceeds reassignment to a new ready project. If this should occur this grant agreement will be suspended until the entity has demonstrated readiness as determined by the SBOF and the Department.

C. Grantee acknowledges and agrees that this Agreement is subject to the SBOF's Bond Project Disbursements rule, NMAC 2.61.6, as may be amended or re-codified. The rule provides definitions and interpretations of grant language for the purpose of determining whether a particular activity is allowable under the authorizing language of the agreement.

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Authorization Page

Hobbs Wastewater Aerobic Digestion Basins & Equip SAP 18-C2252-STB

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date of execution by the Department.

GRANTEE

Signature of Official with Authority to Bind Grantee

City of Hobbs

Entity Name

By: Sam D. Cobb
(Type or Print Name)

Its: Mayor
(Type or Print Title)

Date

NEW MEXICO ENVIRONMENT DEPARTMENT

By:

Its: Cabinet Secretary or Designee

Date

**STATE OF NEW MEXICO
CAPITAL GRANT PROJECT
Request for Payment Form
Exhibit 1**

I. Grantee Information		II. Payment Computation	
A. Grantee: City of Hobbs		A. Payment Request No.	
B. Address:		B. Grant Amount: 250000	
		C. AIPP Amount (if Applicable)	
		D. Funds Requested to Date:	
C. Phone No:		E. Amount Requested this Payment:	
D. Grant No: SAP 18-C2252-STB		F. Reversion Amount (if Applicable):	
E. Project Title: Hobbs Wastewater Aerobic Digestion Basins & Equip		G. Grant Balance:	
F. Grant Expiration Date: June 30, 2022		H. <input type="checkbox"/> GF <input type="checkbox"/> GOB <input checked="" type="checkbox"/> STB (attach wire if first draw)	
		I. <input type="checkbox"/> Final Request for Payment (if Applicable)	
III. Fiscal Year:			
<i>(The State of NM Fiscal Year is July 1, 20XX through June 30 20XX of the following year)</i>			
IV. <input type="checkbox"/>	Reporting Certification: I hereby certify to the best of my knowledge and belief, that database reporting is up to date; to include the accuracy of expenditures and grant balance, project status, project phase, achievements and milestones; and in compliance with Article VIII of the Capital Oulay Grant Agreement.		
V. <input type="checkbox"/>	Compliance Certification: Under penalty of law, I hereby certify to the best of my knowledge and belief, the above information is correct; expenditures are properly documented, and are valid expenditures or actual receipts; and that the grant activity is in full compliance with Article IX, Sec. 14 of the New Mexico Constitution known as the "anti donation" clause.		
Grantee Fiscal Officer or Fiscal Agent (if Applicable):		Grantee Representative:	
Printed Name:		Printed Name:	
Date:		Date:	
(State Agency Use Only)			
Vendor Code	Fund Code 89200		
I certify that the State Agency financial and vendor file information agree with the above submitted information.			
Division (SAP PA) Fiscal Officer/ Date:		Division (CPB) Project Manager/Date:	

**SAMPLE NOTICE OF OBLIGATION TO REIMBURSE GRANTEE
EXHIBIT 2**

Notice of Obligation to Reimburse Grantee [# 1]

DATE: [_____]

TO: Department Representative: Sara Rhoton FROM:

Grantee: City of Hobbs

Grantee Official Representative: [_____]

SUBJECT: Notice of Obligation to Reimburse Grantee

Grant Number: SAP 18-C2252-STB

Grant Termination Date: June 30, 2022

As the designated representative of the Department for Grant Agreement number SAP 18-C2252-STB entered into between Grantee and the Department, I certify that the Grantee has submitted to the Department the following Third-Party obligation executed, in writing, by the Third-Party's authorized representative:

Vendor or Contractor: [_____]
Third-Party Obligation Amount: [_____]

Vendor or Contractor: [_____]
Third-Party Obligation Amount: [_____]

Vendor or Contractor: [_____]
Third-Party Obligation Amount: [_____]

I certify that the State is issuing this Notice of Obligation to Reimburse Grantee for permissible purposes within the scope of the project description, subject to all the terms and conditions of the above referenced Grant Agreement.

Grant Amount (Minus AIPP if applicable): [_____]
The Amount of this Notice of Obligation: [_____]
The Total Amount of all Previously Issued Notices of Obligation: [_____]
The Total Amount of all Notices of Obligation to Date: [_____]

Note: Contract amounts may exceed the total grant amount, but the invoices paid by the grant will not exceed the grant amount.

Department Rep. Approver: [_____]
Title: [_____]
Signature: [_____]
Date: [_____]

1 Administrative and/or Indirect Cost – generally, the legislation authorizing the issuance of bonds prohibits the use of its proceeds for indirect expenses (e.g. penalty fees or damages other than pay for work performed, attorney fees, and administrative fees). Such use of bond proceeds shall not be allowed unless specifically authorized by statute.

NMED ATTACHMENT A
NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
PROJECT DESCRIPTION

Name of Grantee: City of Hobbs
Project Number: SAP 18-C2252-STB

Project consists of the construction of new aerobic digester basins and associated equipment at the Hobbs Wastewater Reclamation Facility. Construction of the new basins will address deficiencies of the existing system and allow for additional growth with the community of Hobbs within Lea County.

X		X
SAM D. COBB, Mayor	10-15-18	
Official Representative/Date		NMED Project Manager Approval/Date

**NMED ATTACHMENT B – NMENV TECHNICAL REQUIREMENTS
TO
STATE OF NEW MEXICO
CAPITAL APPROPRIATION FUND AGREEMENT**

REVIEW

Upon execution of the agreement, the Grantee will follow the procedures listed below unless waived in writing by the New Mexico Environment Department (NMED) (payment may be withheld if any of these procedures are not followed by the Grantee).

- A. The Grantee must submit a detailed project description to NMED Construction Programs Bureau prior to committing to expenditures from these funds. The detailed description will be provided on the Attachment A form. The Grantee must submit copies to NMED of all executed contracts entered into by the Grantee prior to this agreement, that are related to the project, for review and, if appropriate, approval.
- B. If these grant funds are to be used for engineering and/or other professional services, the Grantee must submit documentation regarding the hiring process to be used and the Request for Proposals (RFP), if applicable, to NMED for review and approval prior to selecting engineering and/or other professional services. An RFP for engineering services and/or other professional services must be performed in compliance with the New Mexico Procurement Code [Sections 13-1-21 et seq. NMSA 1978]. If, for any one circumstance, engineering fees will exceed \$60,000, excluding gross receipt taxes, the Grantee is also required to contact the Professional Technical Advisory Board (PTAB) for assistance in the preparation of the RFP package. (PTAB: phone (505) 888-6161 and e-mail ptab@acecnm.org.)
- C. If these grant funds are to be used for engineering and/or other professional services, the Grantee must submit a draft of any engineering agreement and/or other professional services contract, or a letter certifying that the Grantee's staff will be used for design, to NMED for review and approval prior to executing the agreement/contract or using Grantee's staff. The required engineering agreement format is the "Publicly Funded Project" form prepared by NMED and posted on the website at www.nmenv.state.nm.us/cpb/cpbttop.html.
- D. A preliminary engineering report (PER) or study by a registered New Mexico Professional Engineer may be required. If a PER or study is to be prepared, the Grantee and their consultant shall meet with NMED before starting any work for a "scoping" meeting to fully discuss the scope and extent of the PER. The consultant shall present their preliminary outline for the PER, including the alternatives to be considered. The Grantee must submit the final PER and/or study to NMED for review and approval before preparation of plans and specifications. The purpose of the PER and/or study is to analyze and choose the most technically feasible and cost effective solution for the project. The PER must follow USDA RUS Bulletin 1780-2.
- E. Grantee agrees not to start the preparation of plans and specifications until NMED approval of the PER, study, or waiver of the report requirement has been received.
- F. If the grant funds are to be used for engineering design or for construction, the Grantee must submit all plans, specifications, and any addenda for this project (prepared by a registered New Mexico Professional Engineer) to NMED for review and approval before the project is advertised for construction bids.

- G. The Grantee must submit all work related to easements, rights-of-ways, other property rights, and financing provisions associated with the project to NMED for review prior to advertising for construction. A site certificate certifying that all necessary easements and/or property upon or through which the project is being constructed have been obtained must be submitted prior to the advertisement for bid of the project. The Site Certificate must be signed by an attorney, engineer, surveyor, or title abstractor. The Grantee must submit the recommendation of award, certified bid tabulation, a copy of bid bond for the selected contractor and evidence of full project financing to NMED for review and approval prior to awarding the contract. Grantee shall not award the contract until NMED has concurred in writing with the award. Competitive bidding, in accordance with applicable state laws (including local wage determinations as provided for in Section 13-4-11 NMSA 1978), will be used for awarding construction contracts. Contracts will be awarded to the responsive, responsible bidder who submits the lowest acceptable bid, or as provided for by State Law.
- H. Following NMED approval of the proposed award, the Grantee will submit the notice of the award and the minutes of the meeting in which the award was made, the notice of a pre-construction conference, a copy of the executed construction contract documents (including payment and performance bonds), and the notice to contractor to proceed to NMED for review. The selected contractor will be required to post a performance and payment bond in accordance with requirements of Section 13-4-18 NMSA 1978.
- I. The selected contractor will submit a construction schedule to the Grantee and NMED if requested at the pre-construction conference with a copy to NMED. The Grantee will submit all modifications to plans and contract by change orders to the NMED project manager promptly for review and approval prior to implementation of such modification or change. The decision by NMED will be rendered promptly in writing to the Grantee. In cases necessitating immediate action, a verbal decision will be rendered by NMED and followed by a written confirmation to the Grantee.
- J. The Grantee will provide a full-time construction inspector during construction of the project. The Grantee will be required to submit the inspector's résumé to NMED for review and approval. All daily inspection reports shall be made available to the NMED Project Manager upon request.
- K. Notwithstanding the inspections performed by the Grantee and its engineer, NMED will have the right to examine all installations comprising the project, including materials delivered and stored on-site for use on the project. Such examinations will not be considered an inspection for compliance with contract plans, but will be a general NMED review as described in Article 2 below.
- L. If applicable, the Grantee (or the system owner) will employ qualified utility operators and will comply with all provisions of the New Mexico Utility Operators Certification Act, Section 61-33-1 et seq. NMSA 1978.
- M. If the grant funds are to be used for construction of wastewater collection lines or water distribution lines, the Grantee will assure NMED that the existing population will connect to the collection system or distribution system within reasonable time after project completion. This will be accomplished by adoption and annual review of an ordinance and user charge system or other legal documents or other official act requiring such connection to the system, to the extent permitted by law.
- N. NMED will reimburse the grantee its actual costs when NMED determines, in its sole discretion, that expenditures were appropriate under the terms of the Agreement and that the expenditures were properly documented.

NMED OVERSIGHT

NMED inspection, review and approval are only for purposes of compliance with applicable state grant requirements, procedures, statutes and regulations. NMED approval will not be interpreted as any warranty or guarantee of any kind. Approval of plans and design of the project means only that plans are complete and in compliance with applicable state grant requirements, procedures and regulations. NMED will bring to the Grantee's attention, any obvious defects in the project's design, materials or workmanship, but all such defects and their correction will be the responsibility of the Grantee and its contractors and consultants. Any questions raised by NMED during its inspections and reviews shall be resolved exclusively by the Grantee. The Grantee and its contractors and consultants will remain responsible for the completion and success of the project. Approval does not relieve the owner or engineer of legal responsibilities for the overall integrity of the project, adequacy of the design, safety, or compliance with all applicable regulations.

CLOSEOUT

- O. The project will not be considered complete until the work as defined in this agreement has been fully performed, and finally and unconditionally accepted by the Grantee and NMED.
- P. If the grant funds are to be used for preparation of a PER, a study, or plans and specifications, final payment will be made after approval by NMED of the PER, study, or plans and specifications. Payments do not constitute approval of any of these documents.
- Q. If the grant funds are to be used for purchase of equipment, final payment will be made after approval by NMED of receipt of equipment title and appraisal reports for used equipment.
- R. If the grant funds are to be used for construction, final payment will be made after the final inspection has been conducted by NMED and the following items, unless waived by NMED, have been provided to NMED, and have been reviewed and approved by NMED:
 - i. Operation and maintenance manuals or a letter from the owner certifying receipt and acceptance of the operation and maintenance manuals;
 - ii. A final reimbursement request including the final certified construction pay request prepared by the Grantee's project engineer and approved by the Grantee;
 - iii. A certificate of substantial completion including punch list items;
 - iv. A letter certifying project acceptance by the Grantee and the Grantee's project engineer stating that work has been satisfactorily completed and the construction contractor has fulfilled all of the obligations required under the contract documents with the Grantee, or if payment and materials performance bonds are "called", an acceptance close-out settlement to the Grantee and contractors will be submitted to NMED for final review and approval;
 - v. Certification letter by the Grantee that the Labor Standards Contract Provisions have been met;
 - vi. Record drawings prepared by the Grantee's project engineer or a letter from the owner certifying receipt and acceptance of the record drawings;
 - vii. Complete and legally effective releases or waivers (satisfactory to the Grantee) of all liens arising out of the contract documents and the labor services performed and the materials and

equipment furnished there under. In lieu thereof and as approved by the Grantee, contractor(s) may furnish receipts or releases in full; an affidavit of contractor that the releases and receipts include labor, services, materials, and equipment for which a lien could be filed and that all payrolls, material and equipment bills, and other indebtedness connected with the work for which the Grantee or its property might in any way be responsible, have been paid or otherwise satisfied;

viii. A written consent of the surety, if any, to final payment; and

ix. Grantee's ledger sheets including all payments made by the Grantee may be requested with the final reimbursement request and before the final reimbursement request can be processed by NMED.

With the exception of easements (See Article 1.G above), when real property is acquired by the Grantee, either through purchase or donation as a part of this project and within the project period, the Grantee will submit documentation of the acquisition to NMED, including a legal description of the property, the date the property will be acquired, evidence of clear title, and an appraisal report prepared by a qualified appraiser who was selected through applicable procurement procedures. These documents must be reviewed and approved by NMED prior to the acquisition of any real property. After real property acquisition, the Grantee will make available to NMED all documents of title pertaining to the acquired property and all easements or rights-of-way necessary for the completion of work under this grant agreement.

NMED Attachment C
NMED Contact Information Sheet
Project Number SAP 18-C2252-STB
Grantee City of Hobbs

Project Manager: Sara Rhoton
Project Manager Address: NMED Construction Programs Bureau
121 Tijeras Ave, NE Suite 1000
Albuquerque, NM 87102-3400
Phone: (575) 222 - 9568
Email: Sara.Rhoton@state.nm.us

Project Administration: Paulette Ortiz
Project Admin Address: 1190 St. Francis Drive S-2072
Santa Fe, NM 87502
Phone: (505) 827-2958
Email: paulette.ortiz@state.nm.us

For General Assistance, please call 505-827-2806 and ask for "Special Appropriations" or email:
NMENV-cpbsap@state.nm.us

NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU

**NMED ATTACHMENT D DISBURSEMENT REQUEST
SPECIAL APPROPRIATIONS PROGRAM (SAP)**

A. NAME OF ENTITY

C. DISBURSEMENT REQUEST NUMBER

B. PROJECT NUMBER

D. GRANT AMOUNT

	PREVIOUS EXPENDITURES		CURRENT EXPENDITURES		CUMULATIVE		FUNDS REMAINING	
	NMED PROGRAM	OTHER FUNDS	NMED PROGRAM	OTHER FUNDS	NMED PROGRAM	OTHER FUNDS	NMED PROGRAM	OTHER FUNDS
Engineer Fees							\$ -	\$ -
Other Professional							\$ -	\$ -
Service Fees							\$ -	\$ -
Inspection Fees							\$ -	\$ -
Property Acquisition							\$ -	\$ -
Construction Cost							\$ -	\$ -
Planning Cost							\$ -	\$ -
Equipment							\$ -	\$ -
Other Costs (specify)							\$ -	\$ -
Contingencies							\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Article IX.A. (g). By checking this box you are stating that payment has NOT been paid to the vendors associated with this request. Upon receipt of payment from NMED, certification of payment will be sent within 10 days from the date of receiving reimbursement.

Article IX.A. (i). By checking this box you are certifying that the vendors associated with this request have been paid.

Certification: Under penalty of law, I certify that all the above expenditures are true and correct and are for appropriate purposes in accordance with the terms and conditions of the pertinent Loan/Grant Agreement; that all of the above expenses are properly documented, and are actual invoices; that payment has not been received; and that the grant activity is in full compliance with Article IX, Sec. 14 of the New Mexico Constitution known as the "anti-donation" clause.

Signature of Authorized Official

Typed or Printed Name:

Phone:

Date:

X

NMED Attachment E
New Mexico Environment Department (NMED)
Capital Appropriations Certification Document
Article IX. A. (ii) and (iii)
Project SAP 18-C2252-STB
Grantee City of Hobbs
Payment Request No _____

I certify that payment to all vendors on the above referenced payment request were paid no more than five (5) days after receiving reimbursement from NMED.

Official Representative, Signed Name, Printed Name, Date

**NMED Attachment G
SAP Signature Page**

Project Name:	Hobbs Wastewater Aerobic Digestion Basins & Equip
Project Number:	SAP 18-C2252-STB
Official Representative:	
Name	Toby Spears
Title	Finance Director
Signature	
Address	200 E. Broadway, Hobbs, NM 88240
E-mail	tspears@hobbsnm.org
Phone	(575) 397 - 9239

Alternate - Official Representative:	
Name	Jan Fletcher
Title	City Clerk
Signature	
Address	200 E. Broadway, Hobbs, NM 88240
E-mail	jfletcher@hobbsnm.org
Phone	(575) 397 - 9200



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15, 2018

SUBJECT: AUTHORIZE PURCHASE OF STREET SWEEPER EQUIPMENT
DEPT. OF ORIGIN: General Services
DATE SUBMITTED: 10-9-18
SUBMITTED BY: Shelia Baker, General Services Director

Summary:

The City of Hobbs would like to purchase a Street Sweeper to replace an existing Street Sweeper, Unit 1312, which has exceeded its useful life. The City of Hobbs Street Dept. provides the service to the community of sweeping the City streets on a daily basis. There are three day sweepers, which work different quadrants of town, on residential streets. There is one night sweeper that is utilized for sweeping the major corridors. The nature of the work is hard on the equipment so the replacement schedule has typically been every 4-6 years. The street sweeper that currently needs to be replaced is the night sweeper. It was put in service in 2010 and has exceeded its useful life. There have been numerous repairs resulting in over \$40,000 of expenses and it has been in the shop over 2 full months in 2018 alone. It currently has electrical short issues, a problem with the hopper assembly, pickup head assembly, and transmission that deem the unit inoperable and a safety hazard. The estimate for the repairs is \$97,000. The electrical work would be additional, but we are unable to obtain an estimate without taking the unit to Albuquerque. Also, there isn't a spare sweeper so if the night sweeper is down, another unit must be utilized, creating an extra burden on that unit.

The other street sweepers were put in service in 2014, 2016 and 2018. With the replacement of this unit, the fleet should be in good condition and a replacement won't be needed for a couple of years. The unit that was replaced earlier this year was purchased at the exact same time as this sweeper and it had problems that made it inoperable.

Staff had identified the need for the equipment replacement and included it in the FY19 budget. For the replacement unit, the City would utilize a Cooperative Purchasing Program, HGACBuy, contract to purchase the sweeper. The total cost of the equipment plus added options is \$233,090.00 and has an estimated life of 5-7 years.

Fiscal Impact:

Reviewed By: 

Finance Department

Estimated Purchase Amount: \$233,090.00


Budget Number: 001-010423-43003

FY19 Budget Amount: \$300,000

Attachments:

Price Estimate

Legal Review:

Approved As To Form: 

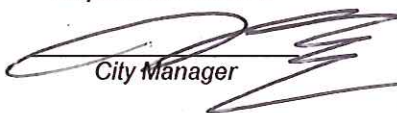
City Attorney

Recommendation: Authorize Purchase from HGACBuy

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. _____

HGACBuy		CONTRACT PRICING WORKSHEET For MOTOR VEHICLES Only		Contract No.:	SW04-18	Date Prepared:	9/4/2018
<i>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.</i>							
Buying Agency:	City of Hobbs, NM			Contractor:	TYMCO, Inc. (ISSUE P.O. TO TYMCO, Inc.- email below)		
Contact Person:				Prepared By:	Kaye Morgan		
Phone:				Phone:	254-799-5546		
Fax:				Fax:	254-799-2722		
Email:				Email:	kaye.morgan@tymco.com		
Product Code:	BI06	Description:	TYMCO Model 600 Regenerative Air Sweeper				
A. Product Item Base Unit Price Per Contractor's H-GAC Contract:							\$ 116,300.00
B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.							
Description		Cost	Description		Cost		
Gutter Broom Tilt Adjuster - Left & Right 600022		\$ 1,300.00	Gutter Broom Drop Downs - Left & Right 600081		\$ 1,600.00		
Sweeper Deluge 600013		\$ 1,050.00	CAT 290 Water Pump 600044		\$ 1,050.00		
High Output Water 600045		\$ 850.00	Abrasion Protection Package 600036		\$ 1,275.00		
Pick-Up Head Curtain Lifter 600087		\$ 1,605.00	Hopper Drain 600020		\$ 565.00		
Auxiliary Hydraulic System 600053		\$ 1,130.00	Reverse Pick-Up Head System 600082		\$ 410.00		
Traffic Directing Light - LED 600823		\$ 1,200.00	Auxiliary Hand Hose - 8" 600035		\$ 1,225.00		
AWTI Camera/Monitor System - Rear		\$ 1,530.00	2018 International 4300-ISB Chassis		\$ 83,000.00		
			COMDEX Package 600021		\$ 4,900.00		
High Capacity Dust Separator is standard on HGAC Contract			Broom Assist Pick-Up Head		\$ 4,350.00		
					Subtotal From Additional Sheet(s):		
					Subtotal B:		\$ 107,040.00
C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.							
Description		Cost	Description		Cost		
LED Lights - Stop/Turn/Tail/Clearance/Markers		\$ 500.00	Dump Switch in Cab		\$ 200.00		
Hopper Suction Throat Liner w/Flange Wear Liners		\$ 1,500.00	2019 International 4300-ISB w/Power Windows UPGRADE		\$ 1,750.00		
Additional Nozzles w/Separate Switch - Hopper		\$ 400.00	Auto Sweep Interrupt w/Overspeed Interrupt		\$ 1,000.00		
					Subtotal From Additional Sheet(s):		
					Subtotal C:		\$ 5,350.00
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:		2%
D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)							\$ 228,690.00
Quantity Ordered:	1	X Subtotal of A + B + C:	\$ 228,690.00	=	Subtotal D:		\$ 228,690.00
F. Trade-Ins / Other Allowances / Special Discounts / Freight / Installation							
Description		Cost	Description		Cost		
Freight/PDI/Inservice		\$ 2,900.00	Training - 2 People		\$ 1,500.00		
					Subtotal F:		\$ 4,400.00
Delivery Date:		90-120 Days		G. Total Purchase Price (D+E+F):		\$ 233,090.00	



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: October 15th, 2018

SUBJECT: Resolution authorizing an allocation of Lodgers' Tax funds to NMJC for the NJCAA Division 1 Outdoor National Track and Field Championship

DEPT. OF ORIGIN: Finance
DATE SUBMITTED: October 11, 2018
SUBMITTED BY: Toby Spears, Finance Director

Summary:

The Lodgers' Tax Board met on October 10th and recommended **funding in the amount of \$35,000** for NMJC to host the NJCAA Division 1 Outdoor National Track and Field Championship on May 16th thru May 19th, 2019.

Fiscal Impact:

Reviewed By: _____

Finance Department

September 30, 2018 Unallocated Cash Balance for the Lodgers' Tax Fund is as follows:

Cash for Grants	\$ 94,703.93
City and County	\$ 72,177.09
Airline Subsidy	\$144,101.61
TOTAL	<u>\$310,982.63</u>

Attachments:

Breakdown of request
Financial Summary
Resolution

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. 6732

A RESOLUTION AUTHORIZING THE ALLOCATION OF
LODGERS' TAX FUNDS FOR NMJC – NJCAA DIVISION 1 OUTDOOR NATIONAL TRACK
AND FIELD CHAMPIONSHIP

WHEREAS, the Lodgers' Tax Advisory Board met on October 10th, 2018, to consider and make a recommendation for the allocation of lodgers' tax, the NMJC – NJCAA Division 1 Outdoor National Track and Field Championship request has been forwarded to the Commission for consideration;

	Amount Requested	Commission Recommendation
NMJC – NJCAA Division 1 Outdoor National Track and Field Championship	\$ 35,000.00	\$ _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is authorized to allocate Lodgers' Tax Funds in the total amounts as specified herein.

PASSED, ADOPTED AND APPROVED this 15th day of October, 2018.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

New Mexico Junior College

"NJCAA Division 1 Outdoor National Track and Field Championship"



City of Hobbs
Annual Funding Guidelines
Lodgers' Tax Requests for Proposal (RFP)
from 05/01/2018 - 06/30/2019

The City of Hobbs and the Hobbs City Commission wish to ensure that your events have the greatest chance of success. The following guidelines have been adopted by the City Commission to outline procedures for the annual expenditures of Lodgers' Tax funds.

1. The City of Hobbs is accountable to the City Commission for Lodgers' Tax Funds and is responsible for the placement of any orders involving expenditures of Lodgers' Tax funds. The table below details eligible & non-eligible expenses per Ordinance # 1052

Eligible	Non-Eligible
Professional Performance Fees	Administrative Office Overhead
Sound and Lighting as Related to Performance	Website Costs
Advertising/Promotion	Real Property
Sanitation	Tangible Property

2. The organization requesting Lodgers' Tax funding shall designate a representative to serve in the capacity of spokesperson for that organization. The representative or designee must make all attempts to attend the Lodgers' Tax meeting or City Commission meeting as appropriate when requesting funding to answer questions.
3. All Requests for Proposal's (RFP's) for Lodgers' Tax annual funding must be received by March 15, 2018. (This is to include all events to occur during the period indicated above for which your organization is requesting funding.)
4. A proposed budget must be submitted with the RFP for annual Lodgers' Tax funding explaining how fees and other revenues are to be used and include a detailed list of estimated expenses for any and all events on an annual basis.
5. Event Summaries from prior year funding will be required during the annual presentation process. Event summaries should include the number in attendance, the number of overnight stays and the actual revenue and expenditures. Any unspent funding at the end of the funding cycle (05/01/2018-06/30/2019) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2019.
6. In addition to the above listed criteria, organizations requesting funding may be asked to provide the following information:

- Proof of non-profit status and copy of last years IRS form 990
- Proof of agency good standing with the NM Corporation Commission
- Proof of Workers-Comp or Liability Insurance Coverage

RECEIVED

OCT 04 2018

Advertising not included in the initial request for funding is the RESPONSIBILITY AND OBLIGATION OF THE ORGANIZATION PLACING SUCH ORDER.

OFFICE OF THE CITY CLERK
 HOBBS, NEW MEXICO

I have read and fully understand the above guidelines for the Lodgers' Tax Funding.

D.W. Clark
 Representative

New Mexico Junior College
 Name of Organization

10/3/18
 date

Received at City Hall:
 (date and time)

**Request for Lodgers' Tax Assistance
Contact Information**

Organization New Mexico Junior College
 Name of Contact Deron Clark - Athletic Director
 Address 1 Thunderblrd Cr.
 City, State Zip Hobbs, NM 88240
 Phone#/Fax# 575-492-2741
 email dclark@nmjc.edu

Event Budget

		Event 1	Event 2	Event 3	Event 4	Event 5	Total	
Income	Sponsorships	5,000.00					5,000.00	
	Sales	3,500.00					3,500.00	
	Donations	-					-	
	Prior Year Carryover	-					-	
	Entry Fees / Soft Goods	16,500.00					16,500.00	
Total Income		25,000.00	-	-	-	-	25,000.00	
		Event 1	Event 2	Event 3	Event 4	Event 5	Total	
Expense (non-lodgers tax)	Cost of Sales Items	3,000.00					3,000.00	
	Cost of Awards	4,000.00					4,000.00	
	Building/Booth Rent	2,500.00					2,500.00	
	Advertising	7,500.00					7,500.00	
	Printing & Mailing	2,500.00					2,500.00	
	Print Media	-					-	
	Electronic Media	-					-	
		Volunteer Apparel Give-Away	15,000.00					15,000.00
	Miscellaneous (Please explain)	Participant Apparel Give-Away	20,000.00					20,000.00
		Banquet / Hospitality Room	20,000.00					20,000.00
Total Expense		74,500.00	-	-	-	-	74,500.00	

Lodgers Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	2,500.00	-	-	-	-	2,500.00
Print Media	2,500.00	-	-	-	-	2,500.00
Electronic Media	1,000.00	-	-	-	-	1,000.00
Other	55,000.00	-	-	-	-	55,000.00
Total Cost of Event		-	-	-	-	61,000.00

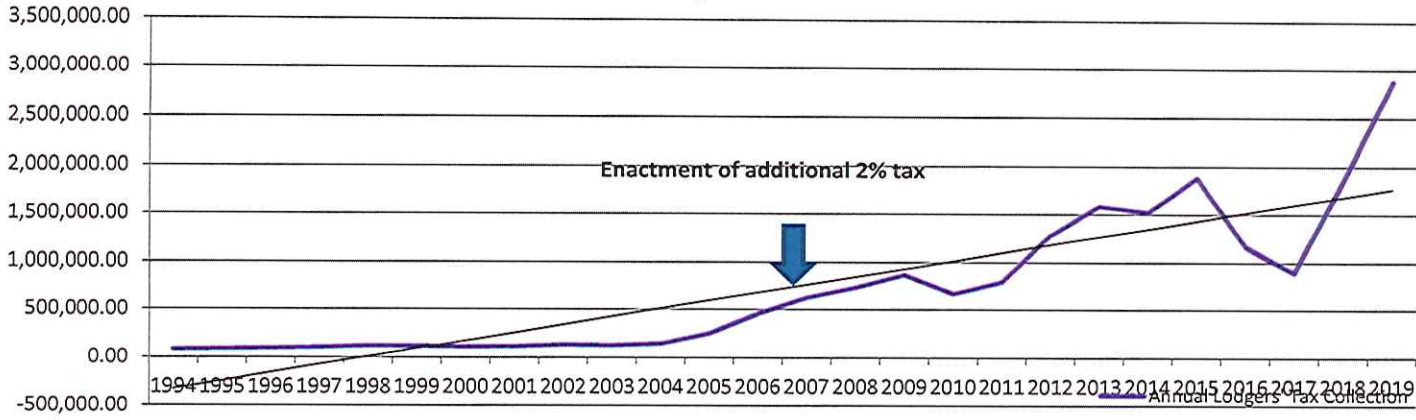
CITY OF HOBBS LODGERS' TAX PROGRAM						ACTUAL OUTSTANDING GRANT	CATEGORY
9/30/2018	AWARD						
9/30/2018	PROJECT	DATE	AMOUNT	ACTUAL EXPENSE			
	CASH BALANCE					1,382,920.55	
Proof of Cash:							
Beginning Cash Available for Profit, Non-Profit, and Public Entities (20%)						276,584.11	
18-10	WESTERN HERITAGE MUSEUM COMPLEX	4/17/2017	18,000.00	18,000.00		0.00	NP
18-11	TUFF HEDEMAN CHAMPIONSHIP BULL RIDING	4/17/2017	10,000.00	10,000.00		0.00	P
18-12	CYCLE CITY PROMOTIONS	4/17/2017	17,500.00	17,500.00		0.00	P
19-1	JUNETEENTH	4/16/2018	4,900.00	4,144.20		755.80	NP
19-2	NM NATIONAL BLACK CHAMBER OF COMMERCE	4/16/2018	8,800.00	2,978.25		5,821.75	NP
19-3	HOBBS CHAMBER OF COMMERCE - HOBBS HOLIDAY TOURNEY	4/16/2018	21,233.22	0.00		21,233.22	NP
19-4	HOBBS HISPANO CHAMBER OF COMMERCE - MARIACHI CHRISTM	4/16/2018	20,000.00	0.00		20,000.00	NP
19-5	HOBBS HISPANO CHAMBER OF COMMERCE - SEPTIEMBRE	4/16/2018	25,000.00	0.00		25,000.00	NP
19-6	SOUTHWEST SYMPHONY 2019	4/16/2018	62,012.50	0.00		62,012.50	NP
19-7	HOBBS USSSA (PERMIAN BASIN MIDLAND)	4/16/2018	80,000.00	0.00		80,000.00	NP
19-8	WESTERN HERITAGE MUSEUM COMPLEX	4/16/2018	45,645.00	0.00		45,645.00	NP
19-9	CINCO DE MAYO COMMITTEE	4/16/2018	10,000.00	0.00		10,000.00	NP
19-10	TUFF HEDEMAN CHAMPIONSHIP BULL RIDING	4/16/2018	20,000.00	0.00		20,000.00	P
19-11	CYCLE CITY PROMOTIONS	4/16/2018	50,000.00	25,000.00		25,000.00	P
19-12	IMPACTO - JAG PROMOTIONS	4/16/2018	9,500.00	9,500.00		0.00	P
19-13	HOBBS QUARTERBACK CLUB	7/11/2018	7,500.00	0.00		7,500.00	NP
19-14	SOUTH EASTERN NM CHILI SOCIETY -NATIONAL CHAMPIONSHIP	7/11/2018	3,209.09	0.00		3,209.09	NP
TOTAL REMAINING ALLOCATION FOR PROFIT, NON-PROFIT AND PUBLIC ENTITIES			413,299.81	106,276.30		326,177.36	
Add:	20% Monthly Tax Revenue (starting April 1st, 2013)					144,297.18	
Cash Available for Allocation						94,703.93	
Beginning Cash Available for Local Government (City and County) (40%)						553,168.22	
18-13	LEA COUNTY EVENT CENTER 2018	4/17/2017	25,000.00	0.00		25,000.00	LOCAL GOV
18-15	ROCKWIND COMMUNITY LINKS - 2018	10/16/2017	66,500.00	38,823.68		27,676.32	LOCAL GOV
18-16	C.O.R.E - 2018	10/16/2017	99,800.00	62,845.83		36,954.17	LOCAL GOV
19-13	ROCKWIND COMMUNITY LINKS - 2019	4/16/2018	54,655.00	0.00		54,655.00	LOCAL GOV
19-14	C.O.R.E - 2019 - MARKETING	4/16/2018	88,800.00	0.00		88,800.00	LOCAL GOV
19-15	C.O.R.E - 2019 - OPERATING	4/16/2018	500,000.00	0.00		500,000.00	LOCAL GOV
19-16	CITY OF HOBBS - SLAM & JAM 2019	4/16/2018	36,500.00	0.00		36,500.00	LOCAL GOV
TOTAL REMAINING ALLOCATION FOR LOCAL GOVERNMENT			871,255.00	101,669.51		769,585.49	
Add:	40% Monthly Tax Revenue (starting April 1st, 2013)					288,594.36	
Cash Available for Allocation						72,177.09	
Beginning Cash Available for Fire, EMS, Sanitation (15%)							
TOTAL REMAINING ALLOCATION FOR CITY OF HOBBS POLICE AND FIRE						0.00	
Add:	15% Monthly Tax Revenue (starting April 1st, 2013)		108,222.88	0.00		108,222.88	
Cash Available for Allocation						108,222.88	
Beginning Cash Available for Airline subsidy (25%)						355,730.14	
	EDC - 2018 AIRLINE SUBSIDY (\$220,502.38 GENERAL FUND)		235,162.89	235,162.89		0.00	
	EDC - 2019 AIRLINE SUBSIDY		392,000.00	0.00		392,000.00	
Add:	25% Monthly Tax Revenue (starting April 1st, 2013)					180,371.47	
TOTAL REMAINING ALLOCATION FOR AIRLINE SUBSIDY						415,534.36	0.00
Cash Available for Allocation						144,101.61	

CITY OF HOBBS LODGERS' TAX REPORT

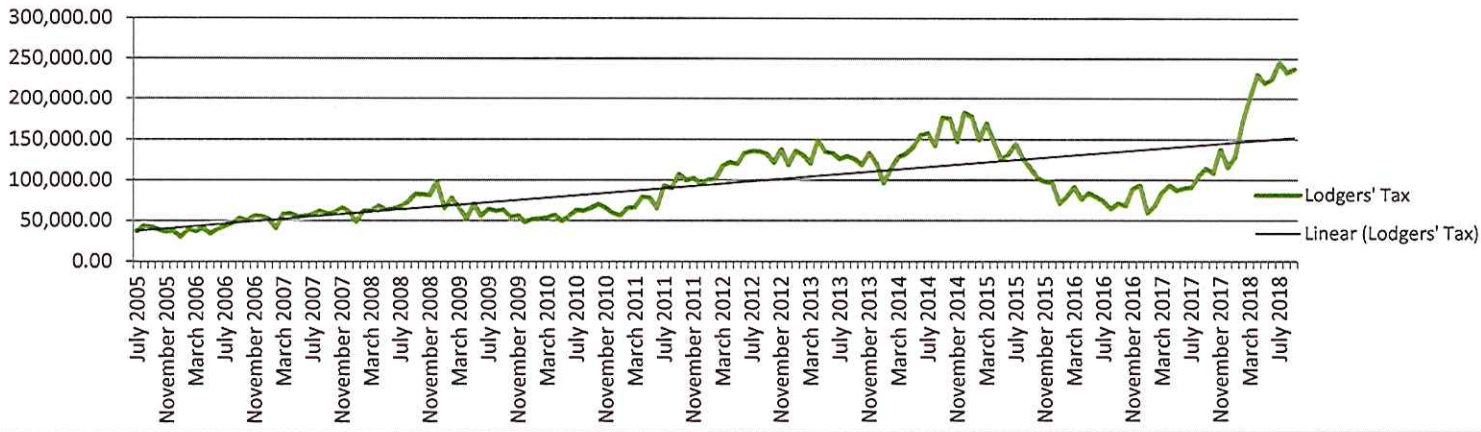
September 30, 2018

Month	Month	RECEIPTS 239999-			EXPENDITURES			NET CHANGE		Cash Balance	
		Gross Taxable Revenue	Lodgers' Tax	Other Income	Contract for Services	Advert & Promotion	TOTAL	For Month	YTD		
SUBTOTAL		15,364,272.60	768,213.63	527.46	768,741.09	0.00	762,619.97	762,619.97			
SUBTOTAL		18,028,844.80	901,442.24	973.44	902,415.68	0.00	1,452,826.32	1,452,826.32			
CASH BALANCE	06/30/15	713,543.86	1,885,088.47	1,769.80	1,886,858.27		2,219,502.38	2,219,502.38			
CASH BALANCE	06/30/16	188,954.74	1,166,403.92	1,637.41	1,168,041.33	0.00	1,692,630.45	1,692,630.45			
July 2016		1,483,720.00	74,186.00	174.74	74,360.74		10,000.00	10,000.00	64,360.74	64,360.74	253,315.48
August 2016		1,286,676.40	64,333.82	229.08	64,562.90		35,000.00	35,000.00	29,562.90	93,923.64	282,878.38
September 2016		1,427,108.20	71,355.41	411.72	71,767.13		25,375.27	25,375.27	46,391.86	140,315.50	329,270.24
October 2016		1,363,327.20	68,166.36	508.97	68,675.33		88,717.26	88,717.26	-20,041.93	120,273.57	309,228.31
November 2016		1,783,813.00	89,190.65	574.99	89,765.64		20,000.00	20,000.00	69,765.64	190,039.21	378,993.95
December 2016		1,877,455.00	93,872.75	680.49	94,553.24		15,069.00	15,069.00	79,484.24	269,523.45	458,478.19
SUBTOTAL		9,222,099.80	461,104.99	2,579.99	463,684.98	0.00	194,161.53	194,161.53			
January 2017		1,183,489.00	59,174.45	371.91	59,546.36		291,814.62	291,814.62	-232,268.26	-232,268.26	226,209.93
February 2017		1,357,364.20	67,868.21	421.71	68,289.92		0.00	0.00	68,289.92	68,289.92	294,499.85
March 2017		1,701,676.00	85,083.80		85,083.80		12,391.92	12,391.92	72,691.88	72,691.88	367,191.73
April 2017		1,877,931.00	93,896.55	1,399.24	95,295.79		38,170.00	38,170.00	57,125.79	57,125.79	424,317.52
May 2017		1,745,164.20	87,258.21	1,253.77	88,511.98		1,133.00	1,133.00	87,378.98	87,378.98	511,696.50
June 2017		1,803,606.00	90,180.30	1,457.94	91,638.24		336,083.26	336,083.26	-244,445.02	-244,445.02	267,251.48
SUBTOTAL		9,669,230.40	483,461.52	4,904.57	488,366.09	0.00	679,592.80	679,592.80			
CASH BALANCE		267,251.48	944,566.51	7,484.56			873,754.33				
July 2017		1,815,246.20	90,762.31	976.79	91,739.10		1,372.17	1,372.17	90,366.93	90,366.93	357,618.41
August 2017		2,089,782.80	104,489.14	1,216.90	105,706.04		18,130.31	18,130.31	87,575.73	177,942.66	445,194.14
September 2017		2,291,105.80	114,555.29	1,738.91	116,294.20		26,500.00	26,500.00	89,794.20	267,736.86	534,988.34
October 2017		2,170,628.60	108,531.43	3,549.66	112,081.09		59,216.40	59,216.40	52,864.69	320,601.55	587,853.03
November 2017		2,764,121.40	138,206.07	2,979.81	141,185.88		14,757.64	14,757.64	126,428.24	447,029.79	714,281.27
December 2017		2,308,667.00	115,433.35	3,413.63	118,846.98		0.00	0.00	118,846.98	565,876.77	833,128.25
SUBTOTAL		13,439,551.80	671,977.59	13,875.70	685,853.29	0.00	119,976.52	119,976.52			
January 2018		2,580,920.60	129,046.03	3,498.85	132,544.88		229,785.48	229,785.48	-97,240.60	-97,240.60	735,887.65
February 2018		3,428,414.60	171,420.73	3,567.45	174,988.18		14,804.51	14,804.51	160,183.67	160,183.67	896,071.32
March 2018		4,035,431.00	201,771.55	629.14	202,400.69		51,663.32	51,663.32	150,737.37	150,737.37	1,046,808.69
April 2018		4,639,998.60	231,999.93	802.01	232,801.94		10,521.88	10,521.88	222,280.06	222,280.06	1,269,088.75
May 2018		4,406,434.20	220,321.71	967.59	221,289.30		9,500.00	9,500.00	211,789.30	211,789.30	1,480,878.05
June 2018		4,525,501.20	226,275.06	1,143.42	227,418.48		325,375.98	325,375.98	-97,957.50	-97,957.50	1,382,920.55
SUBTOTAL		23,616,700.20	1,180,835.01	10,608.46	1,191,443.47	0.00	641,651.17	641,651.17			
CASH BALANCE		1,382,920.55	1,852,812.60	24,484.16	1,877,296.76		761,627.69				
July 2018		4,924,557.60	246,227.88	1,183.55	247,411.43		0.00	0.00	247,411.43	247,411.43	1,630,331.98
August 2018		4,682,780.80	234,139.04	1,484.86	235,623.90		13,644.20	13,644.20	221,979.70	469,391.13	1,852,311.68
September 2018		4,769,011.20	238,450.56		238,450.56		25,000.00	25,000.00	213,450.56	682,841.69	2,065,762.24
October 2018		0.00			0.00			0.00	0.00	682,841.69	2,065,762.24
November 2018		0.00			0.00			0.00	0.00	682,841.69	2,065,762.24
December 2018		0.00			0.00			0.00	0.00	682,841.69	2,065,762.24
SUBTOTAL		14,376,349.60	718,817.48	2,668.41	721,485.89	0.00	38,644.20	38,644.20			
January 2019		0.00			0.00			0.00	0.00	0.00	2,065,762.24
February 2019		0.00			0.00			0.00	0.00	0.00	2,065,762.24
March 2019		0.00			0.00			0.00	0.00	0.00	2,065,762.24
April 2019		0.00			0.00			0.00	0.00	0.00	2,065,762.24
May 2019		0.00			0.00			0.00	0.00	0.00	2,065,762.24
June 2019		0.00			0.00			0.00	0.00	0.00	2,065,762.24
SUBTOTAL		0.00	0.00	0.00	0.00	0.00	0.00	0.00			
CASH BALANCE		2,065,762.24	718,817.48	2,668.41	721,485.89		38,644.20				

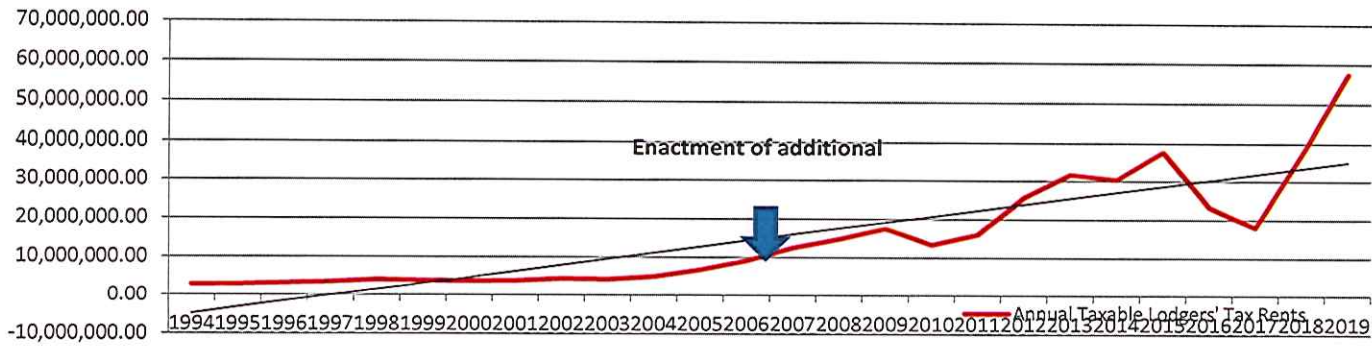
Annual Lodgers' Tax Collection



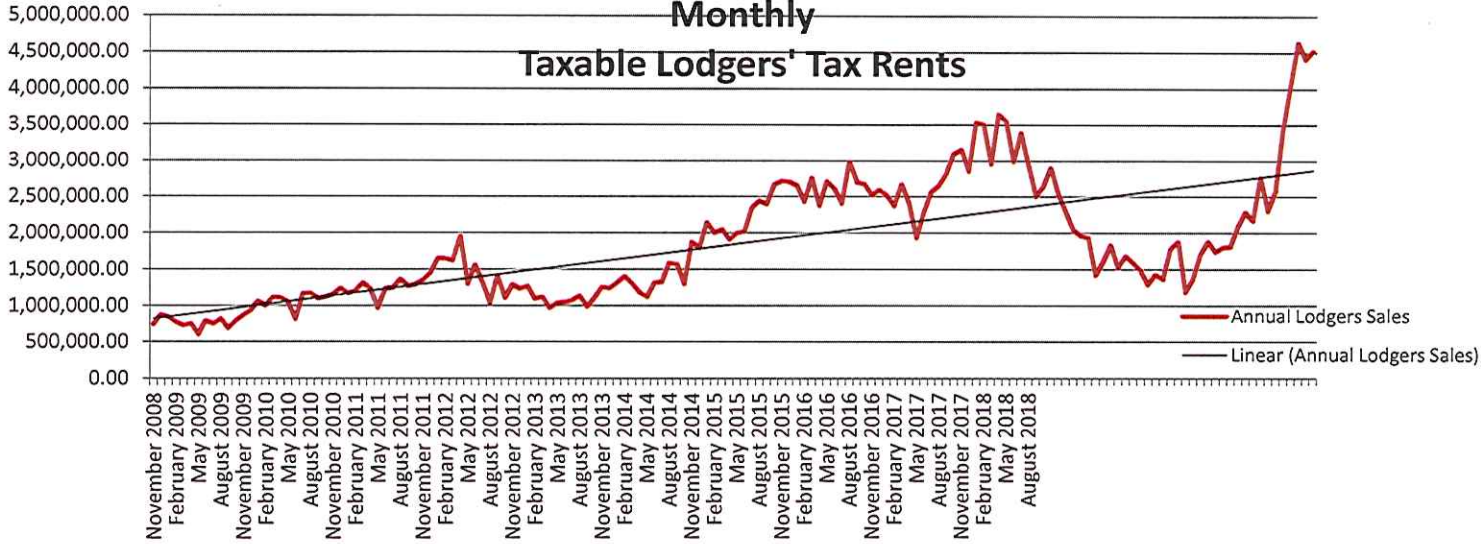
Monthly Lodgers' Tax Collection



Annual Taxable Lodgers' Tax Rents



Monthly Taxable Lodgers' Tax Rents



9/30/18

CITY OF HOBBS LODGERS' TAX PROGRAM
EXPENDITURE REPORT FOR THE 1st QUARTER OF 2018 - 2019

		PROMO	NON PROMO	TOTAL
CASH BAL.	6/30/18	1,367,409.09	15,511.46	1,382,920.55
FIRST QUARTER INCOME		593,817.48	125,000.00	718,817.48
FIRST QUARTER INTEREST		2,668.41		2,668.41
TOTAL REVENUE		596,485.89	125,000.00	721,485.89
FIRST QUARTER EXPENSES		38,644.20		38,644.20
CASH BAL.	9/30/18	1,925,250.78	140,511.46	2,065,762.24
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.	12/31/18	1,925,250.78	140,511.46	2,065,762.24
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.	3/31/19	1,925,250.78	140,511.46	2,065,762.24
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.	6/30/19	1,925,250.78	140,511.46	2,065,762.24
YEAR TO DATE INCOME		593,817.48	125,000.00	718,817.48
YEAR TO DATE INTEREST		2,668.41	0.00	2,668.41
TOTAL REVENUE		596,485.89	125,000.00	721,485.89
YEAR TO DATE EXPENSES		38,644.20	0.00	38,644.20
YEAR TO DATE CASH BALANCES		1,925,250.78	140,511.46	2,065,762.24