

Commission Meeting Agenda



Mayor

Samuel D. Cobb

City Commission

R. Finn Smith – District 1

Christopher R. Mills – District 2

Larron B. Fields – District 3

Joseph D. Calderón – District 4

Dwayne Penick – District 5

Don R. Gerth – District 6

City Manager

Manny Gomez

November 21, 2022



Hobbs City Commission

Regular Meeting

City Hall, City Commission Chamber

200 E. Broadway, 1st Floor Annex, Hobbs, New Mexico

Monday, November 21, 2022 - 6:00 p.m.

Sam D. Cobb, Mayor

R. Finn Smith
Commissioner – District 1

Christopher R. Mills
Commissioner – District 2

Larron B. Fields
Commissioner – District 3

Joseph D. Calderón
Commissioner – District 4

Dwayne Penick
Commissioner – District 5

Don R. Gerth
Commissioner – District 6

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 November 7, 2022, Regular Commission Meeting (*Jan Fletcher, City Clerk*)

PROCLAMATIONS AND AWARDS OF MERIT

2. Proclamation Proclaiming Saturday, November 26, 2022, as “*Small Business Saturday*” (*Patty Collins, President & CEO, Hobbs Chamber of Commerce*)

3. Recognition of City Employees - Milestone Service Awards for the Months of October and November, 2022 (*Manny Gomez, City Manager*)
 - 5 years – Joshua Dellinges, Golf Maintenance
 - 5 years – Christopher Mull, Parks and Open Spaces Dept.
 - 5 years – Debra Young, Water Office
 - 10 years – Matthew Blandin, Computer Operations
 - 15 years – Jeffrey Sanford, Computer Operations
 - 20 years – Robert Hamilton, Library
 - 25 years – Todd Ray, Water Distribution

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

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

4. Resolution No. 7276 – Approving the City of Hobbs Fiscal Year 2022 Capital Asset Inventory (*Deb Corral, Assistant Finance Director*)

DISCUSSION

5. Discussion of the City of Hobbs Jail Transition (*August Fons, Police Chief*)

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

6. Resolution No. 7277 – Authorizing a Legislative Capital Appropriation Project Agreement with the State of New Mexico Department of Transportation in the Amount of \$1,400,000.00 for Sewer Line Replacement Along Joe Harvey Blvd. from Central Drive to North Grimes Street and on North Grimes Street from Joe Harvey Blvd. to West Millen Drive (*Todd Randall, City Engineer*)
7. Resolution No. 7278 – Setting the City of Hobbs Medical Insurance Rates for Calendar Year 2023 (*Toby Spears, Finance Director*)
8. Resolution No. 7279 – Authorizing an Allocation of Lodgers' Tax Funds for FY 2023 for Various Events Occurring After November 15, 2022 (*Toby Spears, Finance Director*)

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

9. Next Meeting Date:

- City Commission Regular Meeting:
 - **Monday, December 5, 2022, at 6:00 p.m.**

ADJOURNMENT

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



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 21, 2022

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: November 19, 2022
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- Regular Commission Meeting of November 7, 2022

Fiscal Impact:

N/A

Reviewed By: _____
Finance Department

Attachments:

Minutes as referenced under "Summary".

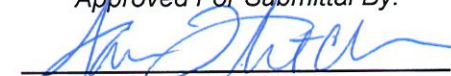
Legal Review:

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, November 7, 2022, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico. This meeting was also viewable to the public via Livestream on the City's website at www.hobbsnm.org.

Call to Order and Roll Call

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

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

Also present:

Manny Gomez, City Manager
Efren Cortez, City Attorney
Valerie Chacon, Deputy City Attorney
Rocio Ocano, Assistant City Attorney
Amber Leija, Assistant City Attorney
Danny Garrett, Police Captain
Barry Young, Fire Chief
Mark Doporto, Assistant Fire Chief
Kevin Shearer, Fire Captain
Shawn Williams, Fire Marshal
Tony Alarcon, Fire Inspector Investigator
Adam Marinovich, Fire Inspector
Toby Spears, Finance Director
Deb Corral, Assistant Finance Director
Nicholas Goulet, Human Resources Director
Sandy Farrell, Library Director
Meghan Mooney, Communications Director
Bobby Arther, Municipal Judge
Tim Woomer, Utilities Director
Bryan Wagner, Parks and Open Spaces Director
Wade Whitehead, Parks and Open Spaces Superintendent
Doug McDaniel, Recreation Director
Lyndsey Henderson, CORE Facility Director
Christa Belyeu, Information Technology Director
Julie Nymeyer, Executive Assistant
Kristen Salas, Clerk Record Specialist
Mollie Maldonado, Deputy City Clerk
Jan Fletcher, City Clerk
110 citizens

Invocation and Pledge of Allegiance

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

Approval of Minutes

Mayor Cobb recognized Representative Larry Scott and Senator David Gallegos in the audience.

Commissioner Calderón moved the minutes of the regular meeting of October 17, 2022, be approved as written. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried.

Proclamations and Awards of Merit

Mayor Cobb proclaimed October 24, 2022, as "*World Polio Day*" and presented the proclamation to members of the Hobbs Rotary Club, Mr. Dennis Holmberg and Ms. Meghan Mooney.

Mayor Cobb proclaimed the week of November 13-19, 2022, as "*National Nurse Practitioner Week*". He presented the proclamation to Ms. Shawna Read and Ms. Nickie Blevins of the Lea County Nurse Practitioner Group.

Public Comments

A large crowd was present at the meeting and approximately 30 citizens registered to speak regarding the proposed abortion ordinance. Mayor Cobb stated five individuals will be allowed to speak on each side of the proposed ordinance. A total of three minutes will be allowed per speaker and Ms. Jan Fletcher, City Clerk, will track time and let the speaker know when thirty seconds are remaining. Mayor Cobb stated he will begin with those opposed to adoption of the ordinance.

The following citizens addressed comments to the Commission opposed to adoption of the ordinance: Mr. Clayburn Griffin, Mr. Steven Helmreich and Mr. Nicholas Maxwell.

The following citizens spoke in favor of adoption of the ordinance: Rev. Lavid Ford, Mr. Henry DeLara, Mr. Logan Brown, Senator David Gallegos, Ms. Lori Bova, and Mr. Bob Auld.

Consent Agenda

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

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

Resolution No. 7268 – Approving the FY 2023 Department of Finance and Administration (DFA) 1st Quarter Financial Report

Resolution No. 7269 – Approving the FY 2023 Department of Finance and Administration (DFA) 1st Quarter Financial Report for Lodgers' Tax

Resolution No. 7270 – Authorizing the Transfer of Ownership of the Hobbs Police Department Canine Named Loki to the City of Lovington

Resolution No. 7271 – Authorizing a Memorandum of Agreement with the City of Lovington for the Purchase and Transfer of a Police Unit from the City of Hobbs

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

Discussion

Mr. Doug McDaniel presented an update from the New Mexico Recreation and Parks Association (NMRPA) Conference recently held in Hobbs on October 18-21, 2022. He stated the conference was a great success with approximately 143 attendees from six states. Mr. McDaniel expressed appreciation to the committee of 20 City staff members from four departments who worked tirelessly to make this event successful. Mr. McDaniel announced that Ms. Lyndsey Henderson, Ms. Paula Drake and Mr. Theron Drake of the CORE received an award for the Youth Program of the Year. He then announced the recipient of the 2022 Outstanding Volunteer Service Award was presented to Ms. Bonnie Moran, a 52-year dedicated member of the City of Hobbs' Cemetery Board. Ms. Moran received a standing ovation from the audience. Mr. McDaniel thanked the Lodgers' Tax Board and City Commission for the funding allocated to the NMRPA Conference.

Action Items

FINAL ADOPTION: Ordinance No. 1147 - Amending Title 5 of the Hobbs Municipal Code Requiring Abortion Providers in the City of Hobbs to Comply with Federal Law

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

Mayor Cobb requested public comments on the ordinance and stated the same time limit rules would apply. He stated he would begin with those citizens in favor of the ordinance.

The following citizens spoke in favor of the ordinance: Mr. Mark Lee Dickson, Mr. Chris Hanie, Mr. Mark Cavaliere, Mr. Kevin Espino and Mr. Leo Martinez.

The following individuals spoke against the ordinance: Mr. Clayburn Griffin and Mr. Stephen Helmreich.

Mayor Cobb commended the Legal Department for their work on the ordinance. He stated he believes it has been properly vetted and an overwhelming amount of the community has voiced support for the ordinance.

Proper publication having been made, and there being no further public comment or discussion, Commissioner Penick moved that Ordinance No. 1147 be adopted as presented. Commissioner Calderón seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the ordinance is attached and made a part of these minutes.

Consideration and Approval of a CES Contract with G & G Roofing, Inc., in the Amount of \$91,073.94 for Replacement of the Roof at the Hobbs Animal Adoption Center

Police Captain Danny Garrett requested consideration and approval of a CES Contract with G & G Roofing, Inc., in the amount of \$91,073.94 for replacement of the roof at the Hobbs Animal Adoption Center (HAAC) located at 702 North Grimes. He stated the roof is leaking through various areas of the building, causing puddling of water in the walkways and producing potential hazards for slip and fall accidents. G & G Roofing, Inc., will accomplish this task by power washing around all roof penetrations and along the west walls of both buildings on location. One coat of trowel-grade acrylic metal roof primer with 12" fabric will be installed on all roof penetrations and the base along the west wall. Police Chief Fons stated the gutters on both buildings will be cleaned with a power washer. Steel

walkways will be measured, cut, and modified to fit around air conditioner curbs. He stated modified walkway panels will be installed on the existing walkways on sixteen units. Funding for the project is Junior Bill funding awarded to the HAAC.

There being no discussion, Commissioner Calderón moved for approval of a CES Contract with G & G Roofing, Inc., in the amount of \$91,073.94 for replacement of the roof at the Hobbs Animal Adoption Center (HAAC). Commissioner Penick seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Consideration and Approval of an Allocation Disbursement from the Department of Finance and Administration (DFA) in the Amount of \$4,987,500.00 to be Utilized in Accordance with the Provisions of HB68 Relating to Public Safety

Police Chief Fons stated the Hobbs Police Department was awarded funds from the Department of Finance and Administration (DFA) in the amount of \$4,987,500.00 to be utilized in accordance with the provisions of HB68 relating to public safety. He stated the allocated funds will be disbursed 100% up to \$2,850,000.00 the first year, 50% up to \$1,425,000.00 the second year, and 25% up to \$712,500.00 in the third year. The allocation recipient will submit to DFA this signed document and evidence of approval of the local governing body. Disbursements of funds will be made within 5 business days of receipt of the signed agreement and evidence of approval of the local governing body. Funds for the first disbursement must be expended by June 30, 2023; the second 50% disbursement will be made in July 2023 to be expended by June 30, 2024; and the last disbursement of 25% will be made in July 2024 to be expended by June 30, 2025. Any amount not expended in each of the three years will be returned to DFA in the year that it is scheduled for reversion. All expenditures must occur prior to the reversion date.

Commissioner Fields moved to approve the acceptance of an allocation disbursement from DFA for the Hobbs Police Department in the amount of \$4,987,500.00. Commissioner Mills seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Resolution No. 7272 – Authorizing the Opening of a New Special Revenue Fund in Accordance with State Audit Rule

Ms. Deb Corral, Assistant Finance Director, stated with the City's acceptance of the \$4.9 million allocation disbursement from DFA, a new special revenue funds need to be opened for FY 2023 entitled Fund 300 - Law Enforcement Recruitment Fund. She stated State Audit Rule 2.2.2.10(0) mandates that authority must be granted for the creation of any new special revenue fund. The creation of this fund will allow for good accounting practices for audit and reporting purposes.

There being no discussion, Commissioner Gerth moved for approval of Resolution No. 7272 be adopted as presented. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution is attached and made a part of these minutes.

Resolution No. 7273 – Adopting Budgetary Adjustment #2 for FY 2022-2023

Ms. Deb Corral, Assistant Finance Director, explained the resolution and stated the budget is prepared prior to the beginning of the fiscal year and as such, from time to time, it becomes necessary to adjust the budget for items not contemplated at the time of its preparation or for issues that arise during the fiscal year. She stated in the proposed Budget Adjustment #2 for FY 2022-2023, total revenue is increasing by \$3,450,000.00 and total expense is increasing by \$1,852,000.00 providing a budgeted ending cash balance of \$79,572,384.43 for all funds. Ms. Corral stated this budget adjustment moves the General Fund reserve from 42% to 45% due to an inter-fund cash transfer and the reduction of General Fund expense.

There being no discussion, Commissioner Fields moved Resolution No. 7273 be adopted as presented. Commissioner Mills seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7274 – Authorizing the City to Renew 2023 Benefit Plan Offerings

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

MEDICAL - BLUE CROSS/BLUE SHIELD

The current funding ratios for Medical coverage are shared between the employer/employee 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

Mr. Goulet stated based on current enrollment of 384 active employees and 54 retirees on the health plan (438 total), the combined calendar BCBS renewal for both active employees is as follows:

Employee cost	\$1,421,405.40	Retiree cost	\$473,172.60
City cost	\$7,537,062.60	City cost	\$502,076.40
TOTAL COST	\$8,958,468.00	TOTAL COST	\$975,252.00

Mr. Goulet stated this is a previous year increase from \$7,759,391.00.

BENEFIT VALUE ADVISOR - BLUE CROSS/BLUE SHIELD - The cost for Benefit Value Advisor is currently placed into the administrative fees for Blue Cross Blue Shield.

DENTAL-DELTA DENTAL - Rates are increasing by .08%. This is a very small increase resulting in minor changes for enrollees.

TELEMEDICINE – TELADOC - The current cost of Teladoc, to include My Strength Complete (mental health component), to the City based on current enrollment is \$51,105.60. Program enrollment cost is expected to increase to \$55,317.60 or a total increase of \$4,212.00. Current savings to medical claims by use of the program through September 2022 is \$110,458.00. Savings are based on the employee using other means for medical treatment. For example, an emergency room or specialty provider.

VSP - Vision Insurance - No cost increases for dual option plan through December of 2023.

SHORT TERM DISABILITY - THE HARTFORD - If approved, the City provided benefit will continue with the Hartford for the current short-term disability plan without a rate increase and a projected cost of \$29,420.00 for 2023.

THE HARTFORD- PREMIUM PAID BY PARTICIPANT LONG TERM DISABILITY - Long Term Disability with the Hartford will be offered with 100% of the premium paid for by the participant. Rate Guarantee.

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

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

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

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

FSA FLEXIBLE SPENDING ACCOUNT - Continuation of the program through Chard Snyder. Administrative costs for employees are provided for by the City as an annual cost of \$5,220.00 (116 current participants). The City realizes tax savings that more than makes up for the cost of having this program.

Mr. Goulet summarized staff's recommendation for a continuation of Blue Cross/Blue Shield as the medical insurance provider in the current self-funded program with no change to current cost structure (90%/85%/80%). Staff requests the addition of the High Deductible Health Plan option for a second choice for employees choosing health care. Staff requests to keep the individual stop loss at \$150,000.00. Staff requests to continue the Benefit Value Advisor analytical tool but implement a mandatory first call by users of the plan for services to include imaging. Staff would like to continue the self-funded plan with Delta Dental with a minimal increase of .8% to current cost. Staff would like to continue Teladoc at no cost to the participants with the comparison of the overall savings value versus the cost to provide. Staff would like to continue with VSP for the vision provider with a dual option. Staff requests to continue Hartford STD at no cost to benefit eligible employees and continue Hartford LTD at 100% funding by the participant. Staff would like to continue with Hartford Life Insurance programs with no changes to premiums. Staff would like to continue with Group Accident, Hospital Indemnity Coverage, and Critical Illness coverage which is funded 100% by the participant. Staff requests for continuation of the Flexible Spending Account program with Chard Snyder.

Following a lengthy discussion, Commissioner Smith moved to approve Resolution No. 7274 to renew the City's health insurance and benefit plan offerings as presented. Commissioner Penick seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón 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 and Approval of Bid No. 1599-23 to Furnish a 4-Wheel Drive Wheel Loader and Recommendation to Accept Bid from Power Motive Corporation in the Amount of \$261,427.32

Mr. Tim Woomeer, Utilities Director, requested approval of Bid No. 1599-23 to furnish one 4-wheel drive wheel loader for use at the Wastewater Reclamation Facility (WWRF). He stated two bids were received for the equipment and the lowest bid was submitted by Power Motive Corp., in the amount of \$261,427.32. He stated the front loader serves the critical functions of processing bio-solids waste associated with normal operations of the WWRF and sanitary sewer system. Mr. Woomeer stated a secondary function of this unit will be to operate as an additional asset in both the community cleanup events as well as the large item, city wide cleanup efforts undertaken by the City of Hobbs.

There being no discussion, Commissioner Fields moved to approve Bid No. 1599-23 and accept the bid submitted by Power Motive Corp. in the amount of \$261,427.32 for purchase of the wheel loader. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick no, Calderón yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Consideration and Approval to Purchase a Truck Mounted Sewer Inspection Camera System with Installation from Visual Imaging Resources Utilizing the HGAC Buy Contract in the Amount of \$134,652.00

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

There being no discussion, Commissioner Smith moved to approve the purchase of a new sewer video inspection system from Visual Imaging Resources utilizing HGAC Buy Contract in the amount of \$134,652.00 as presented. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Resolution No. 7275 – Authorizing a Grant Agreement with the State of New Mexico Department of Transportation for Roadway Maintenance Along SR208 (West County Road), Navajo Road and SR218 (East Bender)

Mr. Todd Randall, City Engineer, stated the City of Hobbs submitted an application on April 4, 2022 and was awarded funding from the New Mexico Department of Transportation in the amount of \$1,000,000.00. He explained the scope of work for the project includes surface treatment, striping, signage replacement and traffic signal equipment replacement along SR 208 (West County Rd), Navajo Rd., and SR218 (East Bender). Mr. Randall stated the State match is 95% (\$950,000.00) and the City's local match will be 5% (\$50,000.00). Staff recommends roadway improvements to the West County, Navajo Rd and East Bender, which would include chip sealing (7.6 miles), striping and signage replacement.

There being no discussion, Commissioner Penick moved to adopt Resolution No. 7275 as presented. Commissioner Mills seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes.

The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

Mr. Manny Gomez, City Manager, reminded everyone that Tuesday, November 8, 2022, is General Election Day and the polls will be open from 7:00 a.m. to 7:00 p.m.

Mr. Gomez stated the City will host a Veterans Day Ceremony on Friday, November 11, 2022, at 10:00 a.m. at the Veterans Memorial Park.

Mr. Gomez stated a 3-D Mammogram Health Fair will be held on Tuesday, November 8, 2022, as part of the City's wellness testing program in its continuing efforts to reduce costs and keep its employees healthy.

Commissioner Mills stated he spoke recently at the Hobbs Municipal Schools Career Day, and he also saw two members of the Legal Department in attendance. He stated it is a valuable learning experiencing for the students to hear these presentations.

Commissioner Penick expressed appreciation to members of the community who attended the meeting tonight on the ordinance.

Commissioner Smith also stated he appreciated the feedback from the community.

Adjournment

There being no further business or comments, Commissioner Smith moved that the meeting adjourn. Commissioner Calderón seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 8:30 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



PROCLAMATIONS

AND

**AWARDS OF
MERIT**

Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, Hobbs economic history and progress has been driven by pioneers who think big, take risks, and work hard; and

WHEREAS, small businesses support economies, employ local residents, encourage youth entrepreneurship, engage in philanthropic and civic campaigns, and contribute to the vibrancy of Hobbs, New Mexico and

WHEREAS, residents of Hobbs are asked to shop local this holiday season and support our local businesses contributions and the key role they play in keeping our economy strong and

WHEREAS, this country's 28 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

WHEREAS, the City of Hobbs supports our local businesses that create jobs, boost our local economy and preserve our communities; and

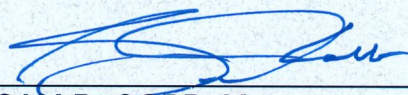
WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday®.

NOW, THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim November 26, 2022 as,

“SMALL BUSINESS SATURDAY”

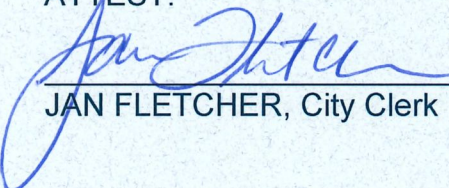
And urge the residents of our community, and communities across the country, to support our local small businesses on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of November, 2022, and cause the seal of the City of Hobbs to be affixed hereto.



SAM D. COBB, Mayor

ATTEST:



JAN FLETCHER, City Clerk



Milestones

October 2022

5 years

Joshua Dellinges	Golf Maintenance	10/09/2022
Christopher Mull	Parks	10/23/2022

15 years

Jeffrey Sanford	Computer Operations	10/01/2022
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20 years

Robert Hamilton	Library	10/14/2022
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Milestones

November 2022

5 years

Debra Young	Water Office	11/27/2022
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10 years

Matthew Blandin	Computer Operations	11/05/2022
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25 years

Todd Ray	Water Distribution	11/12/2022
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CONSENT AGENDA



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 21, 2022

SUBJECT: Resolution approving FY2022 Capital Asset Inventory
DEPT. OF ORIGIN: Finance Department
DATE SUBMITTED: 11/14/2022
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, 2022 are as follows:

- Governmental Fixed Assets \$386,668,634.92
- Business Type Activity Fixed Assets \$169,417,370.97

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: 
Finance Department

Attachments:

- Resolution,
- A summary of capital assets detailing the beginning balance, additions, deletions and the FY22 ending balance.

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Approval of 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. 7276

A RESOLUTION APPROVING THE CITY OF
HOBBS 2022 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 2022 Capital Asset Inventory.

PASSED, ADOPTED AND APPROVED THIS 21st day of November, 2022.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Governmental Activities:

	Balance June 30, 2021	Additions	Deletions	Balance June 30, 2022
Capital assets not being depreciated:				
Land	7,558,685.52	-	-	7,558,685.52
Construction in progress	4,678,265.18	312,276.03	3,338,141.81	1,652,399.40
	<u>12,236,950.70</u>	<u>312,276.03</u>	<u>3,338,141.81</u>	<u>9,211,084.92</u>
Capital assets being depreciated:				
Buildings	103,428,025.22	3,605,430.11		107,033,455.33
Equipment	55,699,007.96	3,746,245.93		59,445,253.89
Land improvements	73,283,034.55	1,850,694.35	35,009.43	75,098,719.47
Infrastructure	128,871,230.95	4,157,660.12		133,028,891.07
	<u>361,281,298.68</u>	<u>13,360,030.51</u>	<u>35,009.43</u>	<u>374,606,319.76</u>
Amortizable assets				
Intangible assets	2,592,776.71	258,453.53		2,851,230.24
Total amortizable assets	<u>2,592,776.71</u>	<u>258,453.53</u>	-	<u>2,851,230.24</u>
Total capital assets	<u>376,111,026.09</u>	<u>13,930,760.07</u>	<u>3,373,151.24</u>	<u>386,668,634.92</u>

Business-type Activities:

	Balance June 30, 2021	Additions	Deletions	Balance June 30, 2022
Capital assets not being depreciated:				
Land	12,472.69			12,472.69
Construction in progress	16,500,872.34	1,962,306.68	15,551,612.88	2,911,566.14
	<u>16,513,345.03</u>	<u>1,962,306.68</u>	<u>15,551,612.88</u>	<u>2,924,038.83</u>
Capital assets being depreciated:				
Buildings	28,439,363.15	6,126.00		28,445,489.15
Equipment	45,116,771.69	386,995.19	9,572.00	45,494,194.88
Land improvements	2,341,196.73			2,341,196.73
Infrastructure	74,124,625.46	16,082,825.92		90,207,451.38
	<u>150,021,957.03</u>	<u>16,475,947.11</u>	<u>9,572.00</u>	<u>166,488,332.14</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>166,540,302.06</u>	<u>18,438,253.79</u>	<u>15,561,184.88</u>	<u>169,417,370.97</u>



ACTION ITEMS



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 21, 2022

SUBJECT: Grant Agreement for Sewer Line Replacement along Joe Harvey Blvd from Central Dr. to N. Grimes St. and N. Grimes St. from Joe Harvey Blvd. to W. Millen

DEPT. OF ORIGIN: Engineering Department & Utility Dept.
DATE SUBMITTED: November 10, 2022
SUBMITTED BY: Todd Randall, City Engineer & Tim Woomer, Utilities Director

Summary:

City of Hobbs has received Legislative Funding in the amount \$1,400,000.00 to plan, design, replace and construct a wastewater system, including the sewer main and road repair and restoration on Joe Harvey Blvd. from Central Dr. to N. Grimes St. and on N. Grimes St. from Joe Harvey Blvd. to W. Millen.

Fiscal Impact:

Reviewed By:

Digitally signed by Toby Spear, CFE, CPA
DN: cn=Toby Spear, CFE, CPA, o=City of Hobbs, ou=Finance Director,
email=tspear@hobbsnm.org, c=US
Date: 2022.11.14 10:43:02 -0700

Finance Department

Budget Line: 62-4062-44901-00097
Budget Amnt: \$10,275,244.91
Grant Amount: \$1,400,000.00
Preliminary Construction Estimate: \$12M+

Attachments:

Resolution, Grant Agreement, Project Map

Legal Review:

Approved As To Form: Efren A. Cortez

Digitally signed by Efren A. Cortez
DN: cn=Efren A. Cortez, o=City of
Hobbs, ou=City Attorney's Office,
email=ecortez@hobbsnm.org, c=US
Date: 2022.11.14 11:25:30 -0700

City Attorney

Recommendation:

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

Approved For Submission By:

TODD RANDALL

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. 7277

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
GRANT AGREEMENT WITH THE STATE OF NEW MEXICO
DEPARTMENT OF TRANSPORTATION FOR CN: C2223142**

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is, authorized and directed to execute on behalf of the City of Hobbs a grant agreement with the State of New Mexico Department of Transportation for Control No.C2223142; in the amount of **\$1,400,000.00** and any certification or supporting documentation for the implementation of the grant agreement requirements. The scope of the work includes to plan, design, replace and construct a wastewater system, including the sewer main and road repair and restoration on Joe Harvey Blvd. from Central Dr. to N. Grimes St. and on N. Grimes St. from Joe Harvey Blvd. to W. Millen. A copy of the grant agreement is attached hereto and made a part hereof by reference.

PASSED, ADOPTED AND APPROVED this 21 day of November, 2022.

SAM D COBB, Mayor

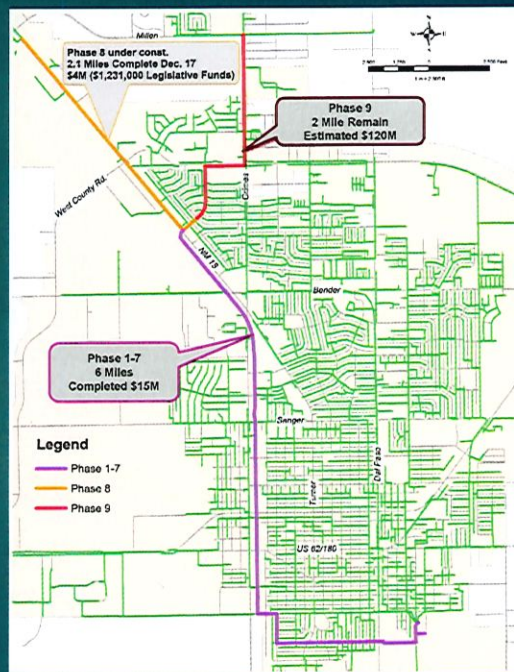
ATTEST:

JAN FLETCHER, City Clerk

Sewer Main Replacement – Phase 9

4

- ▶ Project will complete the urgently needed replacement of the City's major Sewer Trunk Line F. Original construction was in the early 80's using lined concrete sewer pipe, which has severely deteriorated due to sewage gases over the last two and a half decades.





October 18, 2022

Ms April Hargrove
Clerk
City of Hobbs
200 E. Broadway
Hobbs, New Mexico 88240

RE: Agreement for CN C2223142, Appropriation ID G3142

Dear Ms Hargrove:

Enclosed for your coordination of signatures are three originals of the Severance Tax Agreement. **Please return them to the District Capital Coordinator.** DO NOT fill in the date on the first page of the enclosed Agreements. An original will be mailed to you at the time they are fully executed. The Agreement contains the standard terms and conditions required by DFA to ensure proper accounting of capital funds to include the reporting requirements listed in Article VIII. The City should review the terms and conditions listed in the Agreement carefully to ensure compliance.

The Department of Finance and Administration is working to improve the management of capital appropriations granted to and administered by local entities. As part of this process, **DFA is requiring monthly electronic reporting using the Capital Project Monitoring System (CPMS).** The City can access CPMS at the following web site <http://cpms.dfa.state.nm.us/Login.aspx>. The City will need to log in as a local entity and report the status on all of the City's open General Fund and Severance Tax projects. The City of Hobbs should contact Melody Montoya with DFA, State Budget Division Capital Outlay Bureau at (505) 827-3696 or e-mail Melody.Montoya@state.nm.us to obtain a user id and password.

If you have any questions concerning the Agreement or if I can be of further assistance, please contact me at 505-699-9946.

Sincerely,

Clarissa Martinez
Capital Outlay Manager
Project Oversight Division

Concur:

District Capital Coordinator

**Michelle Lujan
Grisham**
Governor

Ricky Serna
Cabinet Secretary

Commissioners

Jennifer Sandoval
Commissioner, Vice-Chairman
District 1

Bruce Ellis
Commissioner
District 2

Hilma E. Chynoweth
Commissioner
District 3

Walter G. Adams
Commissioner, Chairman
District 4

Thomas C. Taylor
Commissioner
District 5

Charles Lundstrom
Commissioner, Secretary
District 6

Contract Number: _____
Vendor Number: **0000054339**
Control Number: **C2223142**

**STATE OF NEW MEXICO
DEPARTMENT OF TRANSPORTATION
FUND 89200 CAPITAL APPROPRIATION PROJECT**

THIS AGREEMENT is made and entered into as of this ____ day of _____, 20____, by and between the Department of Transportation, hereinafter called the “Department” or abbreviation such as “NMDOT”, 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 2022, SB212, Chapter 53, Section 36, Subsection 60, 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, pursuant to the NMSA 1978, Section 67-3-28, as amended, and State Highway Commission Policy No. 44, the Department has the authority to enter into this Grant Agreement.

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:

DFA Appropriation ID G3142 NMDOT Control Number C2223142 **\$1,400,000**
APPROPRIATION REVERSION DATE: 6/30/2026

Laws of 2022, Chapter 53, Section 36, Subsection 60, One Million Four Hundred Thousand Dollars and No Cents (\$1,400,000), to plan, design, replace and construct a wastewater system, including the sewer main and road repair and restoration, on Joe Harvey boulevard, from Central drive to north Grimes street, and on north Grimes street, from Joe Harvey boulevard to west Millen.

The Grantee’s total reimbursements shall not exceed One Million Four Hundred Thousand Dollars and No Cents \$1,400,000 (the “Appropriation Amount”) minus the allocation for Art in Public Places (“AIPP

amount”)¹, if applicable, Zero Dollars and No Cents (\$ 0.00), which equals One Million Four Hundred Thousand Dollars and No Cents (**\$1,400,000**) (the “Adjusted Appropriation Amount”).

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:

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.

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.

- 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 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: City of Hobbs
Name: April Hargrove
Title: Clerk
Address: 200 E. Broadwary, Hobbs, New Mexico 88240
Email: ahargrove@hobbsnm.or
Telephone: 505-597-9232

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: Department of Transportation District 2 Office
Name: Libby Coslin
Title: Local Government Road Fund Coordinator
Address: P.O. Box 1457, Roswell, NM 88202
Email: Libby.Coslin2@state.nm.us
Telephone: 575-840-3373

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 6/30/2026 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 I. 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) Twenty (20) days from date of Early Termination; or
- (iii) 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 Wage 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 subawards, 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 Department of Transportation 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 Department of Transportation Grant Agreement. Should the Department of Transportation 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 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.

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.

[THIS SPACE LEFT BLANK INTENTIONALLY]

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

Entity Name

By: _____
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

DEPARTMENT OF TRANSPORTATION

By:

Its: Cabinet Secretary or Designee

Date

REVIEWED AND APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL

DocuSigned by:



By: Aaron Frankland

Its: Deputy General Counsel

11/3/2022

Date

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

I. Grantee Information				II. Payment Computation			
<small>(Make sure information is complete & accurate)</small>							
A.	Grantee:			A.	Payment Request No.		
B.	Address:			B.	Grant Amount:		
<small>(Complete Mailing, including Suite, if applicable)</small>				C.	AIPP Amount <i>(If Applicable)</i> :		
	<small>City</small>	<small>State</small>	<small>Zip</small>	D.	Funds Requested to Date:		
C.	Phone No:			E.	Amount Requested this Payment:		
D.	Grant No:			F.	Reversion Amount <i>(If Applicable)</i> :		
E.	Project Title:			G.	Grant Balance:		
F.	Grant Expiration Date:			H.	<input type="checkbox"/> GF <input type="checkbox"/> GOB <input type="checkbox"/> STB <i>(attach wire if first draw)</i>		
				I.	<input type="checkbox"/> Final Request for Payment <i>(if Applicable)</i>		
III. Fiscal Year :							
<small>(The State of NM Fiscal Year is July 1, 20XX through June 30, 20XX of the following year)</small>							
IV.	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 Outlay Grant Agreement.						
<input type="checkbox"/>							
V.	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.						
<input type="checkbox"/>							
Grantee Fiscal Officer or Fiscal Agent <i>(if applicable)</i>				Grantee Representative			
Printed Name				Printed Name			
Date:				Date:			
(State Agency Use Only)							
Vendor Code:		Fund No.:		Loc No.:			
I certify that the State Agency financial and vendor file information agree with the above submitted information.							
Division Fiscal Officer				Division Project Manager			
Date				Date			

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

Notice of Obligation to Reimburse Grantee [# 1]

DATE: [_____]

TO: Department Representative: [_____]

FROM: Grantee: [_____]

Grantee Official Representative: [_____]

SUBJECT: Notice of Obligation to Reimburse Grantee

Grant Number: [_____]

Grant Termination Date: [_____]

As the designated representative of the Department for Grant Agreement number [_____]
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.

NMDOT ATTACHEMNT A

The City of Hobbs shall agree to comply with the following Provisions:

1. Assume the lead role for the Project.
2. Be responsible for all applicable design, environmental and archaeological clearances, and right-of-way acquisition, in accordance with current local, state, federal laws, Uniform Relocation Act, and current design practices and specifications.
3. Be responsible for project development, project construction, construction management, and testing.
4. Utilize the Project Control Number in all correspondence and submittals to the Department.
5. Adopt a written resolution of support for the Project, including as applicable an assumption of ownership, liability, and maintenance responsibility for the scope, or related amenities and required funding to support the Project.
6. Complete the Project using current American Public Works Association (APWA) specifications, implemented Grantee's design standards and specifications, or Department specifications.
7. Use Rental Rate Blue Book rates, if not provided in the Department established equipment rates, in the implementation of this Project. Any equipment rates not found in the Department established rates shall be reimbursed at the Blue Book rates.

The City of Hobbs shall agree to comply with the following Lighting and Signal Provisions as applicable:

1. After subject signal system(s) has/have been constructed, make provisions for and provide, at its own expense, all electrical energy, routine maintenance such as lamp replacement, emergency shutdown in case of accidental damage or equipment failure and make any repairs necessary due to accidental damage to, or equipment failure of, the signal head and poles.
2. In the event that accidental damage or equipment failure should occur, provide for equipment shut down/or emergency traffic control as needed. In addition, should the accidental damage or equipment failure involve the Controller (and cabinet) or the loop detection system, promptly notify the Traffic Technical Support Bureau of the Department.
3. In the event that the traffic signal should be rendered completely inoperable as a result of accidental damage, secure the intersection with stop signs at all approach legs until such time as the traffic signal is made operable.
4. Make ample future provisions in its budget each year for the cost of maintaining and providing energy to the traffic signals and telephone service to the signal system and intersection lighting.
5. At its own expense, maintain the signal controller and control equipment (the "Controller") including and maintenance of the machine vision vehicle detection system with cameras and emergency vehicle pre-empt system and repair or replace the Controller in the event the Controller and/or cabinet is damaged or there is an equipment failure.
6. After the installation of the roadway lighting system, if any, provide any and all utilities, maintenance, and such other items as may be necessary of continued satisfactory operation of said subject lighting system.
7. Make all timing adjustments to the Signal Control equipment and review the Signal System(s) for efficient and satisfactory operation.
8. Obtain approval from the Department for all signal equipment prior to installation.
9. Require the construction contractor to name the Department and the Grantee as an additional insured in the construction contractor's general liability policy.
10. Enter into a Signalization and Lighting Agreement with the Department's Traffic Technical Support Bureau as required.
- 1.



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 21, 2022

SUBJECT: Resolution setting the City of Hobbs medical insurance rates for calendar year 2023

DEPT. OF ORIGIN: Finance Department
DATE SUBMITTED: November 14, 2022
SUBMITTED BY: Toby Spears, Finance Director

Summary: On November 7th, 2022, the City of Hobbs Commission approved the health insurance renewal with Blue Cross Blue Shield (BCBS) as presented by AON. (resolution # 7274) The renewal resulted in a 38.6% increase from calendar year 2022 to 2023. In reviewing the insurance trust fund future budgeted cash balance, the City of Hobbs is recommending a medical insurance cost increase of 10% for both employer, employee and retiree.

With the 10% increase, the projected ending cash balance (June 30, 2023) of the insurance trust fund would be approximately \$1,012,725.44. The trust fund would absorb approximately 28.6%. (38.6% renewal increase less 10% projected shared increase for employer, employee and retiree).

The recommended rates are listed on exhibit 1.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

If approved, a budget adjustment would need to be made in January 2023 reducing the overall medical insurance trust fund by 28.6%. (adjustment will be reviewed at the end of December 2022 for indications of claim history, medical inflation and enrollment)

Attachments:

- Resolution
Exhibit 1 - Recommended rates
Exhibit 2- Cash projection of insurance trust fund

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

The Commission should consider approval of this measure.

Approved For Submittal By:

[Signature] Department Director

[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

CITY OF HOBBS

RESOLUTION NO. 7278

RESOLUTION SETTING THE CITY OF HOBBS MEDICAL
INSURANCE RATES FOR CALENDAR YEAR 2023

WHEREAS, on November 7, 2022, the City of Hobbs City Commission approved the health insurance renewal with Blue Cross Blue Shield (BCBS) via Resolution No. 7274; and

WHEREAS, the health insurance renewal resulted in a 38.6% increase shared cost to the City of Hobbs and the City's employees; and

WHEREAS, the City of Hobbs seeks to mitigate the fiscal impact to both the City of Hobbs and the City's employees by utilizing funds secured in the City's insurance trust fund future cash balance to offset the health insurance renewal costs; and

WHEREAS, by utilizing funds secured in the City's insurance trust fund future cash balance, the City of Hobbs and the City's employees will share 10% of the health insurance renewal cost and the trust fund future cash balance will absorb 28.6% of the health insurance renewal cost; and

WHEREAS, after use and application of the trust fund future cash balance, the proposed rates for health insurance for calendar year 2023 will be as follows:

Salary Under \$30K (Monthly) –

90/10

<u>Coverage</u>	<u>Total</u>	<u>Employee Rate</u>	<u>City Share</u>
Single	\$804.00	\$80.40	\$723.60
Employee Plus One	\$1,526.00	\$152.60	\$1,373.40
Family	\$2,330.00	\$233.00	\$2,097.00

Salary Over \$30K But Under \$70K (Monthly) –

85/15

<u>Coverage</u>	<u>Total</u>	<u>Employee Rate</u>	<u>City Share</u>
Single	\$804.00	\$120.60	\$683.40
Employee Plus One	\$1,526.00	\$228.90	\$1,297.10
Family	\$2,330.00	\$349.50	\$1,980.50

Salary Over \$70K (Monthly) –

80/20

<u>Coverage</u>	<u>Total</u>	<u>Employee Rate</u>	<u>City Share</u>
Single	\$804.00	\$160.80	\$643.20
Employee Plus One	\$1,526.00	\$305.20	\$1,220.80
Family	\$2,330.00	\$466.00	\$1,864.00

High Deductible Plan Salary Under \$30K (Monthly) - 90/10

<u>Coverage</u>	<u>Total</u>	<u>Employee Rate</u>	<u>City Share</u>
Single	\$618.00	\$61.80	\$556.20
Employee Plus One	\$1,174.00	\$117.40	\$1,056.60
Family	\$1,790.00	\$179.00	\$1,611.00

High Deductible Plan Salary Over \$30K But Under \$70K (Monthly) – 85/15

<u>Coverage</u>	<u>Total</u>	<u>Employee Rate</u>	<u>City Share</u>
Single	\$618.00	\$92.70	\$525.30
Employee Plus One	\$1,174.00	\$176.10	\$997.90
Family	\$1,790.00	\$268.50	\$1,521.50

High Deductible Salary Over \$70K (Monthly) – 80/20

<u>Coverage</u>	<u>Total</u>	<u>Employee Rate</u>	<u>City Share</u>
Single	\$618.00	\$123.60	\$494.40
Employee Plus One	\$1,174.00	\$234.80	\$939.20
Family	\$1,790.00	\$358.00	\$1,432.00

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor and City Manager are hereby authorized to execute any and all documents necessary and proper to effectuate the rates set forth herein.

PASSED, ADOPTED AND APPROVED this 21st day of November, 2022.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

BCBS - RENEWAL (10% INCREASE FOR SHARED COSTS OF EMPLOYER AND EMPLOYEE)

EXHIBIT 1

MEDICAL INSURANCE - SALARY UNDER 30K - MONTHLY						90/10		LY - EE		LY - CITY		Yearly Difference LY VS. TY	
COVERAGE	MEDICAL		EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY	BI-WK EE	BI-WK CITY	EE	CITY		
SINGLE	\$804.00		\$80.40	\$723.60	\$804.00	\$40.20	\$361.80		\$36.53	\$328.77		\$88.08	\$792.72
EMP PLUS ONE	\$1,526.00		\$152.60	\$1,373.40	\$1,526.00	\$76.30	\$686.70		\$69.41	\$624.67		\$165.36	\$1,488.72
FAMILY	\$2,330.00		\$233.00	\$2,097.00	\$2,330.00	\$116.50	\$1,048.50		\$105.94	\$953.45		\$253.44	\$2,281.20

MEDICAL INSURANCE - SALARY OVER 30K BUT UNDER 70K - MONTHLY						85/15		LY - EE		LY - CITY		Yearly Difference LY VS. TY	
COVERAGE	MEDICAL		EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY	BI-WK EE	BI-WK CITY	EE	CITY		
SINGLE	\$804.00		120.60	683.40	804.00	60.30	341.70		54.8	310.51		\$132.00	\$748.56
EMPLOYEE PLUS ONE	\$1,526.00		228.90	1297.10	1526.00	114.45	648.55		104.11	589.97		\$248.16	\$1,405.92
FAMILY	\$2,330.00		349.50	1980.50	2330.00	174.75	990.25		158.91	900.48		\$380.16	\$2,154.48

MEDICAL INSURANCE - SALARY OVER 70K - MONTHLY						80/20		LY - EE		LY - CITY		Yearly Difference LY VS. TY	
COVERAGE	MEDICAL		EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY	BI-WK EE	BI-WK CITY	EE	CITY		
SINGLE	\$804.00		160.80	643.20	804.00	80.40	321.60		73.06	292.24		\$176.16	\$704.64
EMPLOYEE PLUS ONE	\$1,526.00		305.20	1220.80	1526.00	152.60	610.40		138.82	555.26		\$330.72	\$1,323.36
FAMILY	\$2,330.00		466.00	1864.00	2330.00	233.00	932.00		211.88	847.51		\$506.88	\$2,027.76

BCBS - HIGH DEDUCTIBLE HEALTH PLAN

MEDICAL INSURANCE - SALARY UNDER 30K - MONTHLY						90/10	
COVERAGE	MEDICAL		EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	\$ 618.00		61.80	556.20	618.00	30.90	278.10
EMP PLUS ONE	\$ 1,174.00		117.40	1056.60	1174.00	58.70	528.30
FAMILY	\$ 1,790.00		179.00	1611.00	1790.00	89.50	805.50

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	\$ 618.00		92.70	525.30	618.00	46.35	262.65
EMPLOYEE PLUS ONE	\$ 1,174.00		176.10	997.90	1174.00	88.05	498.95
FAMILY	\$ 1,790.00		268.50	1521.50	1790.00	134.25	760.75

MEDICAL INSURANCE - SALARY OVER 70K - MONTHLY						80/20	
COVERAGE	MEDICAL		EMP. RATE	CITY SHARE	TOTAL	BI-WK EE	BI-WK CITY
SINGLE	\$ 618.00		123.60	494.40	618.00	61.80	247.20
EMPLOYEE PLUS ONE	\$ 1,174.00		234.80	939.20	1174.00	117.40	469.60
FAMILY	\$ 1,790.00		358.00	1432.00	1790.00	179.00	716.00

ACTIVE EMPLOYEES - CURRENT ENROLLMENT		ANNUALIZED COST			
		Employee Cost			
Less than \$30,000 (Salary): 90/10	Enrolled	(10%)	City Cost (90%)	Total	
Single	35	\$33,768.00	\$303,912.00	\$337,680.00	
Employee Plus One	14	\$25,636.80	\$230,731.20	\$256,368.00	
Family	7	\$19,572.00	\$176,148.00	\$195,720.00	
	56	\$78,976.80	\$710,791.20	\$789,768.00	
Total:				\$789,768.00	
		Employee Cost			
Between \$30,000 and \$70,000 (Salary): 85/15	Enrolled	(15%)	City Cost (85%)	Total	
Single	98	\$141,825.60	\$803,678.40	\$945,504.00	
Employee Plus One	61	\$167,554.80	\$949,477.20	\$1,117,032.00	
Family	80	\$335,520.00	\$1,901,280.00	\$2,236,800.00	
	239	\$644,900.40	\$3,654,435.60	\$4,299,336.00	
Total:				\$4,299,336.00	
		Employee Cost			
Over \$70,000 (Salary): 80/20	Enrolled	(20%)	City Cost (80%)	Total	
Single	16	\$30,873.60	\$123,494.40	\$154,368.00	
Employee Plus One	18	\$65,923.20	\$263,692.80	\$329,616.00	
Family	55	\$307,560.00	\$1,230,240.00	\$1,537,800.00	
	89	\$404,356.80	\$1,617,427.20	\$2,021,784.00	
Total:				\$2,021,784.00	
Final Total:	Enrolled	Employee Cost	City Cost	Total	
	384	\$1,128,234.00	\$5,982,654.00	\$7,110,888.00	

EXHIBIT 1

ACTIVE EMPLOYEES - CURRENT ENROLLMENT		ANNUALIZED COST			
ALL EMPLOYEES: 90/10		Enrolled	Employee Cost (10%)	City Cost (90%)	Total
Single		149	\$143,755.20	\$1,293,796.80	\$1,437,552.00
Employee Plus One		93	\$170,301.60	\$1,532,714.40	\$1,703,016.00
Family		142	\$397,032.00	\$3,573,288.00	\$3,970,320.00
		384	\$711,088.80	\$6,399,799.20	\$7,110,888.00
Total:					\$7,110,888.00

Current Tier: City Cost	\$5,982,654.00
90/10 Tier All: City Cost	\$6,399,799.20
Difference:	\$417,145.20

85/15	Annual Cost to Employees:	90/10	Savings to EE	
	Employee Only	\$1,447.20	\$964.80	\$482.40
	Plus One	\$2,746.80	\$1,831.20	\$915.60
	Family	\$4,194.00	\$2,796.00	\$1,398.00

80/20	Annual Cost to Employees:	90/10	Savings to EE	
	Employee Only	\$1,929.60	\$964.80	\$964.80
	Plus One	\$3,662.40	\$1,831.20	\$1,831.20
	Family	\$5,592.00	\$2,796.00	\$2,796.00

TELADOC:

2022 COST PEPM (468): \$9.10	TOTAL COST: \$51,105.60
2023 COST PEPM (468): \$9.85	TOTAL COST: \$55,317.60
2022 (THROUGH SEPTEMBER):	SAVINGS YEAR TO DATE: \$110,458
	*BASED ON \$526 PER EPISODE AND 210 TOTAL VISITS

CHARD SNYDER: FLEXIBLE SPENDING ACCOUNT

EXHIBIT 1

2022 COST PEPM: \$3.75 ANNUALLY: \$5,220

2023 COST PEPM: \$3.75 (no change) ANNUALLY: \$5,220 (PROJECTED)

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

Rate Guarantee Through 2023

EXHIBIT 2

Increase by only 10% on calendar year			Employer	Employee	Total
Current					
Budget	15.00%	Active	6,851,881.93	1,266,927.95	8,118,809.88
(note: 30% 6 months/12 months)		Retiree	620,000.00	750,000.00	1,370,000.00
			7,471,881.93	2,016,927.95	9,488,809.88
Renewal:					
	38.60%	Active	7,643,366.07	1,419,602.34	9,062,968.41
		Retiree	646,660.00	782,250.00	1,428,910.00
			8,290,026.07	2,201,852.34	10,491,878.41
	10.00%	Active	6,275,118.55	1,156,760.30	7,431,878.85
		Retiree	553,350.00	669,375.00	1,222,725.00
			6,828,468.55	1,826,135.30	8,654,603.85
CHANGE OF PRELIMINARY BUDGET		Active	576,763.38	110,167.65	686,931.03
(reduction of 10%)		Retiree	66,650.00	80,625.00	147,275.00
			643,413.38	190,792.65	834,206.03
Anticipated increase in premium renewal			818,144.14	184,924.39	1,003,068.53
Reduction of Budgeted Revenue to Trust Fund			(1,461,557.52)	(375,717.04)	(1,837,274.56)
Budgeted Cash Balance					2,850,000.00
Adjusted Cash Balance (Projected)					1,012,725.44



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: November 21st, 2022

SUBJECT: Authorizing an allocation of Lodgers' Tax to fund various events for fiscal year 2023

DEPT. OF ORIGIN: Finance
DATE SUBMITTED: November 18th, 2022
SUBMITTED BY: Toby Spears, Finance Director

Summary:

On October 12th, 2022, the Lodgers' Tax Board met and recommended awarding to the Commission, various events for Fiscal Year 2023.

Western Heritage – 2 events - \$18,913.00
Hobbs Chamber of Commerce – 2 events - \$34,929.38
Tuff Hedeman Bull Riding Tour - 1 event - \$20,000.00
Cycle City Promotions – 2 events - \$50,000.00
Southwest Symphony – 3 events - \$24,793.76

Some entity events after November 15th, 2022 were tabled on October 17th, 2022 and will be heard at a later Commission meeting.

Fiscal Impact:

Reviewed By: 
Finance Department

September 30, 2022 Estimated Cash Balance (per Lodgers' Tax ordinance) for the Lodgers' Tax Fund is as follows:

Security and Sanitation (15%)	\$ 0.00
Non-Profit/For Profit/Public Entity (20%)	\$ 221,490.08
City and County (40%)	\$ (104,040.98)
Airline (25%)	\$ (3,611.26)
TOTAL CASH AVAILABLE	\$ 113,837.84

The 2023 budgeted lodgers' tax revenues are projected to be \$900,000.00.

Attachments:

Estimated Financial Report for September 30, 2022
Resolution
Requests

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Staff recommends awarding the following entities as follows: Western Heritage – 1 event at \$7,500.00; Hobbs Chamber of Commerce 1 event at \$22,144.87; Tuff Hedeman Bull Riding Tour 1 event at \$20,000.00; Cycle City Promotions 2 events at \$45,000.00; Southwest Symphony 3 events at \$4,500.00

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. 7279

A RESOLUTION AUTHORIZING AN ALLOCATION OF
LODGERS' TAX FUNDS

WHEREAS, the Lodgers' Tax Advisory Board met on October 12, 2022 and recommends awarding the following events for fiscal year 2023;

	Amount Requested	Lodger's Tax Board Recommendation	City Commission Recommendation
Western Heritage	\$18,913.00	\$18,913.00	_____
Hobbs Chamber of Commerce	\$34,929.38	\$34,929.38	_____
Tuff Hedeman Bull Riding Tour	\$20,000.00	\$20,000.00	_____
Cycle City Promotions	\$50,000.00	\$50,000.00	_____
Southwest Symphony	\$24,793.76	\$24,793.76	_____

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 21st day of November, 2022.

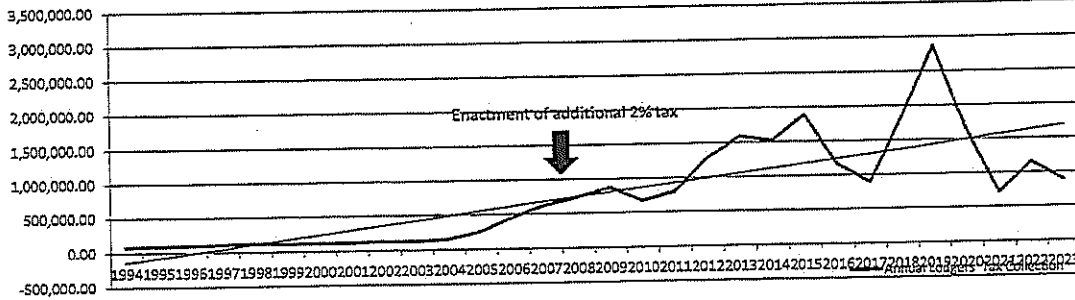
SAM D. COBB, Mayor

ATTEST:

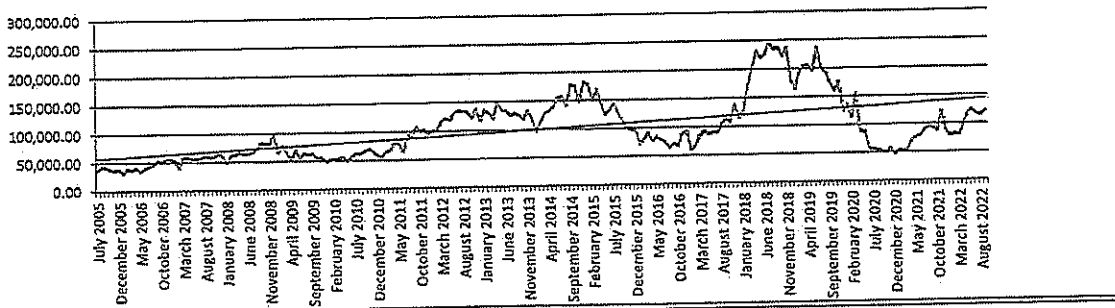
JAN FLETCHER, City Clerk

CITY OF HOBBS LODGERS' TAX PROGRAM:						
9/30/2022						ACTUAL OUTSTANDING GRANT
	AWARD					
	PROJECT	DATE	AMOUNT	ACTUAL EXPENSE		
9/30/2022	CASH BALANCE					1,087,461.40
Proof of Cash:						
Beginning Cash Available for Profit, Non-Profit, and Public Entities (20%)						267,636.22
22-15	Cinco De Mayo Committee	4-13-22	18,800.00	5,675.86		13,124.14
23-01	Hobbs USSSA	5-12-22	11,500.00	0.00		11,500.00
23-03	Hobbs Airfield Speedway, LLC	5-12-22	20,971.00	9,518.47		11,452.53
23-06	Western Heritage Museum	7-13-22	8,511.50	0.00		8,511.50
23-07	Hobbs USSSA	7-13-22	10,000.00	0.00		10,000.00
23-08	Southwest Symphony	7-13-22	12,127.38	0.00		12,127.38
23-09	Hobbs Airfield Speedway, LLC	7-13-22	16,730.00	0.00		16,730.00
23-10	Permian Basin USSSA	7-13-22	18,000.00	0.00		18,000.00
23-11	NAACP - State Conference	7-13-22	15,498.75	0.00		15,498.75
	TOTAL REMAINING ALLOCATION FOR PROFIT, NON-PROFIT AND PUBLIC ENTITIES		132,138.63	0.00		116,944.30
Add:	20% Monthly Tax Revenue (starting April 1st, 2013)					70,798.16
	Cash Available for Allocation					227,490.08
Beginning Cash Available for Local Government (City and County) (40%)						619,107.87
20-27	CITY OF HOBBS - MARKETING/BRANDING CAMPAIGN	3/2/2020	250,000.00	42,507.15		207,492.85
23-12	City of Hobbs - Rockwind Golf Marketing	7-13-2022	64,650.00	0.00		64,650.00
23-13	City of Hobbs - NM Recreation and Parks Association State Conf.	7-13-2022	49,985.00	0.00		49,985.00
23-14	City of Hobbs - CORE Marketing	7-13-2022	99,650.00	32,042.69		67,607.31
23-15	City of Hobbs - CORE Operating	7/13/2022	500,000.00	125,000.00		375,000.00
	TOTAL REMAINING ALLOCATION FOR LOCAL GOVERNMENT		964,295.00	199,549.84		764,745.16
Add:	40% Monthly Tax Revenue (starting April 1st, 2013)					141,896.31
	Cash Available for Allocation					(104,840.98)
Beginning Cash Available for Fire, EMS, Sanitation (15%)						
	TOTAL REMAINING ALLOCATION FOR CITY OF HOBBS POLICE AND FIRE		53,098.62	53,098.62		0.00
Add:	15% Monthly Tax Revenue (starting April 1st, 2013)					53,098.62
	Cash Available for Allocation					
Beginning Cash Available for Airline subsidy (25%)						300,191.48
23-02	EDC - MARKETING/AIRLINE SUBSIDY (91,191.40)	5-12-22	491,191.48	98,891.05		392,300.43
Add:	25% Monthly Tax Revenue (starting April 1st, 2013)					88,497.70
	TOTAL REMAINING ALLOCATION FOR AIRLINE SUBSIDY					(3,511.26)
	Cash Available for Allocation					

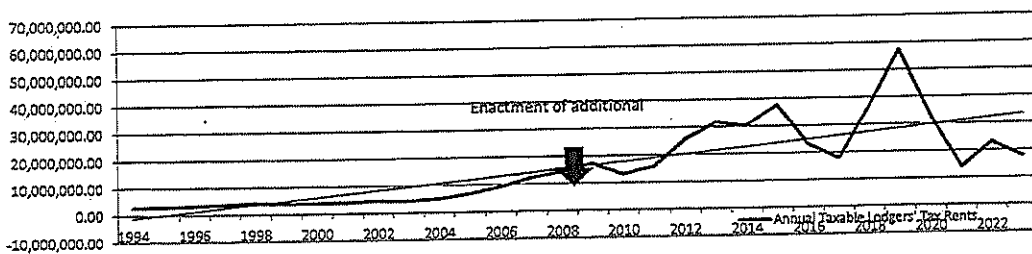
Annual Lodgers' Tax Collection

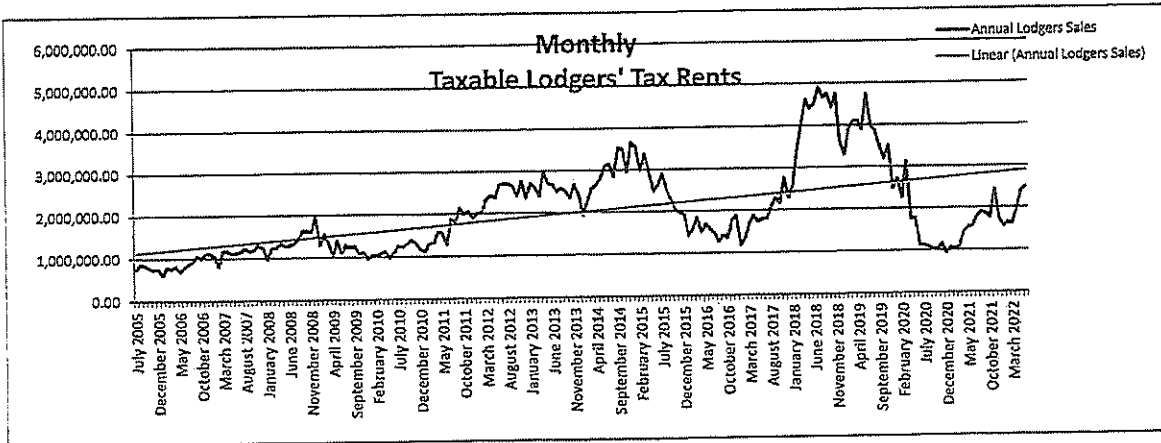


Monthly Lodgers' Tax Collection



Annual Taxable Lodgers' Tax Rents





Western Heritage Museum

*"Winter Wonderland Featuring Bonnie Moran's North Pole Village
November 29, 2022 – December 16, 2022"*

*"Amazing Pollinators: An Immersive Role-Play Adventure
January 28, 2023 – May 14, 2023"*



City of Hobbs
Annual Funding Guidelines
Lodgers' Tax Requests for Proposal (RFP)
from 05/01/2022 - 06/30/2023

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 Sound and Lighting as Related to Performance Advertising/Promotion Items Sanitation Sanction Fees	Administrative Office Overhead Website Costs Real Property Tangible Property

For internal control purposes of lodgers' tax funds, the organization must provide valid proof of expenditures and contracts. Cash transactions by the organization (eg: cash currency payments to individuals) will not be considered valid. All invoices and contracts must be legible. The Finance Department may ask the organization to provide a W-9 for a vendor, cleared check, bank statement or other documentation to determine whether or not the transaction is valid for lodgers' tax. Note: If cancellation of an event results in a refund of any deposit, this refund must be returned to the City of Hobbs Lodgers' Tax Fund.

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 18th, 2022**. (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 (05/01/2022-06/30/2023) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2023.
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

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

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

[Signature]
 Representative

Western Heritage Museum
 Name of Organization NMJC

9/20/22
 date

Received at City Hall:
 (date and time)

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

Organization	Western Heritage Museum and Lea County Cowboy Hall of Fame
Name of Contact	Erin Anderson, Executive Director
Address	5317 Lovington Hwy
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	575-492-2681/575-492-2680
email	eanderson@nmjc.edu

Event Budget

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
Income	Sponsorships						-
	Sales	2,000.00	5,000.00				7,000.00
	Donations	1,500.00	50,000.00				51,500.00
	Prior Year Carryover						-
	NMJC Support	5,000.00	50,000.00				55,000.00
	Total Income	8,500.00	105,000.00	-	-	-	113,500.00

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
EXPENSE (NON- LODGERS' TAX	Cost of Sales Items	1,000.00	2,500.00				3,500.00
	Cost of Awards						-
	Building/Booth Rent						-
	Advertising	3,000.00	12,000.00				15,000.00
	Printing & Mailing	2,000.00	2,000.00				4,000.00
	Print Media	4,000.00	6,000.00				10,000.00
	Electronic Media	1,000.00	5,000.00				6,000.00
	Misc. Exhibit rental/costs (Please explain)	5,000.00	80,000.00				85,000.00
	Shipping and setup/tear down	1,000.00	10,000.00				11,000.00
	Total NON- LODGERS' Exp.	17,000.00	117,500.00	-	-	-	134,500.00

NON-
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	212.50	812.50	-	-	-	1,025.00
Print Media	3,529.00	7,729.00	-	-	-	11,258.00
Electronic Media	710.00	1,470.00	-	-	-	2,180.00
Other	450.00	4,000.00	-	-	-	4,450.00
TOTAL LODGERS' TAX REQ. SUMMARY	4,901.50	14,011.50	-	-	-	18,913.00

LODGERS'
TAX

Instructions: Please complete all areas of PINK that apply. Lodgers' Tax Budget Summary must reconcile to Event Details

Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event Winter Wonderland featuring Bonnie Moran's North Pole Village
Date November 29-December 16, 2022
Location Western Heritage Museum and Lea County Cowboy Hall of Fame
Description The Museum is decorated with over 50 trees and Bonnie Moran's North Pole Village which has over 2,000 Dept 56 pieces. We also do several events like the Inflatible Extravaganza, crafts, movies, and more. This has become a must-do event for the holiday season.

Expected Attendance	2000	# of Overnights	200
Is this an annual event?	Yes	Is this a new event?	No

PRINTING

	Cost	Quantity	Total		Cost	Quantity	Total
	Posters (save-the-date)	1.25	50		62.50	Flyers Tickets	2.00
Programs	1.00	50	50.00				
	SUBTOTAL				SUBTOTAL		
			112.50				100.00
					TOTAL PRINTING COSTS		
Mailings			-				212.50

PRINT MEDIA

	Name	# of ads	Cost	Total
	Newspaper	Hobbs News-Sun	15	120.00
Lovington Leader		5	60.00	300.00
SUBTOTAL			2,100.00	
Magazine/Other	TravelHost	1	800.00	800.00
	Ritz Hospitality	1	629.00	629.00
	SUBTOTAL			1,429.00
TOTAL PRINT MEDIA				3,529.00

ELECTRONIC MEDIA

	Name	# of spots	Cost	Total
Radio	Noalmark Stations	40	7.00	280.00
	MTD Stations	40	7.00	280.00
Television				-
Social Media	Facebook	30	5.00	150.00
				-
TOTAL ELECTR. MEDIA				710.00

OTHER EXPENSE

	Name	# of Item	Cost	Total
Professional Performance Fees				-
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Movie rights	3	150.00	450.00
				-
				-
				-
				-
TOTAL OTHER EXPENSE				450.00

TOTAL REQUEST FOR EVENT 1

4,904.50

Instructions: Please complete all areas of PINK that apply.

Lodgers' Tax Budget - Event Number 2 Event Information

Name of Event: Amazing Pollinators: An immersive role-play adventure
 Date: January 28-May 14, 2023
 Location: Western Heritage Museum and Lea County Cowboy Hall of Fame
 Description: This is a visually-stunning, game-based, role-play adventure immersing audiences in the colorful and diverse world of pollinator/plant relationships. Choose your character and play as a bee, bat, fly and more as you attempt to survive and learn the importance of pollinators and the critical work they do.

Expected Attendance	10,000	# of Overnights	300
Is this an annual event?	No	Is this a new event?	Yes

PRINTING							
				Flyers Tickets			
	Cost	Quantity	Total		Cost	Quantity	Total
Posters (save-the-date) Programs	1.25	50	62.50		2.00	100	200.00
	1.00	50	50.00				
SUBTOTAL			112.50	SUBTOTAL			200.00
Mailings	0.50	1,000	500.00	TOTAL PRINTING COSTS			812.50

PRINT MEDIA				
	Name	# of ads	Cost	Total
Newspaper	Hobbs News-Sun	40	120.00	4,800.00
	Livingston Leader	25	60.00	1,500.00
	SUBTOTAL			
Magazine/Other	TravelHost	1	800.00	800.00
	Ritz Hospitality	1	629.00	629.00
	SUBTOTAL			
TOTAL PRINT MEDIA				7,729.00

ELECTRONIC MEDIA				
	Name	# of spots	Cost	Total
Radio	Northmark Stations	80	7.00	560.00
	MTD Stations	80	7.00	560.00
Television				-
Social Media	Facebook	70	5.00	350.00
	SUBTOTAL			
TOTAL ELECTR. MEDIA				1,470.00

OTHER EXPENSE				
	Name	# of item	Cost	Total
Professional Performance Fees	Special Guests/Lecturers	4	1,000.00	4,000.00
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)				-
SUBTOTAL				-
TOTAL OTHER EXPENSE				4,000.00

TOTAL REQUEST FOR EVENT 2

14,014.50

Instructions: Please complete all areas of PINK that apply.

Hobbs Chamber of Commerce

*"Hobbs Holiday Tournament
December 28, 2022 – December 30, 2022"*
*"feBREWary fest
February 18, 2023"*



**City of Hobbs
Annual Funding Guidelines
Lodgers' Tax Requests for Proposal (RFP)
from 05/01/2022 - 06/30/2023**

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.

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

For internal control purposes of lodgers' tax funds, the organization must provide valid proof of expenditures and contracts. Cash transactions by the organization (eg: cash currency payments to individuals) will not be considered valid. All invoices and contracts must be legible. The Finance Department may ask the organization to provide a W-9 for a vendor, cleared check, bank statement or other documentation to determine whether or not the transaction is valid for lodgers' tax. **Note: If cancellation of an event results in a refund of any deposit, this refund must be returned to the City of Hobbs Lodgers' Tax Fund.**

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- 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

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

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

Patricia A. Collins
Representative

Hobbs Chamber of Commerce
Name of Organization

2/28/2022
date

Received at City Hall:
(date and time)

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

Organization	Hobbs Chamber of Commerce, Inc.
Name of Contact	Patricia A. Collins (Patty)
Address	400 N. Marland Blvd.
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	575397-3202
email	executive@hobbschamber.org

Event Budget

Income		Event 1	Event 2	Event 3	Event 4	Event 5	Total
		Sponsorships		-	3,500.00		
Sales		-	5,000.00	8,500.00			13,500.00
Donations		-	-	-			-
Prior Year Carryover		-	-	1,200.00			1,200.00
Other (please explain) IF Ma		-	-	-			-
Total Income		-	5,000.00	13,200.00	-	-	18,200.00

EXPENSE (NON- LODGERS' TAX		Event 1	Event 2	Event 3	Event 4	Event 5	Total
		Cost of Sales Items	-	-			
Cost of Awards			-				-
Building/Booth Rent			-	4,111.45			4,111.45
Advertising			-				-
Printing & Mailing		-	800.00				800.00
Print Media		-	1,000.00				1,000.00
Electronic Media			1,000.00				1,000.00
Misc. (Please explain)	Stipends for beer/wine			3,480.00			3,480.00
	Insurance			850.00			850.00
	Professional entertainment			-			-
Total NON- LODGERS' Exp.		-	2,800.00	8,441.45	-	-	11,241.45

NON-
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	-	8,100.00	-	-	-	8,100.00
Print Media	-	3,629.20	3,433.40	-	-	7,062.60
Electronic Media	-	5,415.67	5,415.67	-	-	10,831.34
Other	-	5,000.00	3,935.44	-	-	8,935.44
TOTAL LODGERS' TAX REQ. SUMMARY	-	22,144.87	12,784.51	-	-	34,929.38

LODGERS'
TAX

Instructions: Please complete all areas of PINK that apply. Lodgers' Tax Budget Summary must reconcile to Event Details

Lodgers' Tax Budget - Event Number 2 Event Information

Name of Event: Hobbs Holiday Tournament
 Date: Traditionally last week of December (determined by Hobbs Athletics Dept) Dec 28, 29, 30, 2022
 Location: Ralph Tasker Arena
 Description: Hobbs Basketball tournament that was first established in 1958, bringing teams and fans from Texas, Arizona, California, Nevada, Oklahoma and others for three full days of basketball competition. Scheduled for 2022 APS School, Las Cruces, Cleveland, Artesia, Spring Valley NV, Ferris TX, Farmington, Piedra Vista, EP Carutillo, Ironwood/Juridee Tucson AZ and EP El Dorado

Expected Attendance: 3500 # of Overnights: 525
 Is this an annual event? Yes Is this a new event? No

PRINTING							
	Posters (save-the-date)			Flyers Tickets	Total		
	Cost	Quantity	Total		Cost	Quantity	
Programs	18.00	450	8,100.00			0.00	
	SUBTOTAL					-	
			8,100.00				
Mailings							
					TOTAL PRINTING COSTS		8,100.00

PRINT MEDIA						
	Name		# of ads	Cost	Total	
	Newspaper	Local - HNS, Lovington Leader, Thrift		7	195.80	1,370.60
Out of area - El paso, LC, Alb, AZ, NV		10	225.86	2,258.60		
SUBTOTAL				3,629.20		
Magazine/Other	Name		# of ads	Cost	Total	
					-	
	SUBTOTAL				-	
				TOTAL PRINT MEDIA		3,629.20

ELECTRONIC MEDIA						
	Name		# of spots	Cost	Total	
	Radio	Local - Nealmark, MDT, KLMA		212	11.66	2,471.92
Out of area - El paso, LC, Alb, AZ, NV		125	23.55	2,943.75		
Television					-	
Social Media					-	
				TOTAL ELECTR. MEDIA		5,415.67

OTHER EXPENSE						
	Name		# of Item	Cost	Total	
	Professional Performance Fees					-
Sound and Lighting Costs					-	
Sanction Fees					-	
Promotional Items (eg: t-shirts, rings, etc.)	T-shirts for players and coaches		400	12.50	5,000.00	
Other: (please list)					-	
				TOTAL OTHER EXPENSE		5,000.00

TOTAL REQUEST FOR EVENT 2 **22,144.87**

Instructions: Please complete all areas of PINK that apply.

Lodgers' Tax Budget - Event Number 3 Event Information

Name of Event feBREWary fest
 Date February 18, 2023
 Location Lea County Event Center
 Description Beer and wine festival bringing a taste of New Mexico brews and wines to our community.

Expected Attendance	485	# of Overnights	100
Is this an annual event?	yes	Is this a new event?	no

PRINTING							
Posters (save-the-date)	Cost	Quantity	Total	Flyers	Cost	Quantity	Total
	Programs				-	Tickets	
			-				-
	SUBTOTAL				SUBTOTAL		
			-				-
Mallings			-		TOTAL PRINTING COSTS		
			-				-

PRINT MEDIA				
Newspaper	Name	# of ads	Cost	Total
		Local - HNS, Lovington Leader, Thrift	6	195.80
	Out of area - El paso, LC, Alb, AZ, NV	10	225.86	2,258.60
	SUBTOTAL			3,433.40
Magazine/Other	Name	# of ads	Cost	Total
				-
				-
	SUBTOTAL			-
TOTAL PRINT MEDIA				3,433.40

ELECTRONIC MEDIA				
Radio	Name	# of spots	Cost	Total
		Local - Noalmark, MDT, KLMA	212	11.66
	Out of area - Texas, LC, Alb, Gallup, AZ,	125	23.55	2,943.75
Television				-
Social Media				-
TOTAL ELECTR. MEDIA				5,415.67

OTHER EXPENSE				
Professional Performance Fees	Name	# of item	Cost	Total
		Professional DJ	1	550.00
Sound and Lighting Costs	Sound equipment	1	450.00	450.00
Sanction Fees				-
Promotional Items (eg: t-shirts, rings, etc.)	Beer glasses/wine glasses free to attend	648	4.53	2,935.44
Other: (please list)				-
				-
				-
				-
				-
				-
TOTAL OTHER EXPENSE				3,935.44

TOTAL REQUEST FOR EVENT 3	12,784.51
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Instructions: Please complete all areas of PINK that apply.

Tuff Hedeman Bull Riding Tour

*"Tuff Hedeman Bull Riding Tour
January 21, 2023"*



City of Hobbs
Annual Funding Guidelines
Lodgers' Tax Requests for Proposal (RFP)
from 05/01/2022 - 06/30/2023

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 Items	Real Property
Sanitation	Tangible Property
Sanction Fees	

For internal control purposes of lodgers' tax funds, the organization must provide valid proof of expenditures and contracts. Cash transactions by the organization (eg: cash currency payments to individuals) will not be considered valid. All invoices and contracts must be legible. The Finance Department may ask the organization to provide a W-9 for a vendor, cleared check, bank statement or other documentation to determine whether or not the transaction is valid for lodgers' tax. **Note:** If cancellation of an event results in a refund of any deposit, this refund must be returned to the City of Hobbs Lodgers' Tax Fund.

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 18th, 2022**. (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 (05/01/2022-06/30/2023) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2023.
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

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

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

Cheryl Hedeman
Representative

Tuff Hedeman Bull Riding Tour
Name of Organization

3/15/2022
date

Received at City Hall:
(date and time)

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

Organization	TUFF HEDEMAN BULL RIDING TOUR
Name of Contact	CHERYL HEDEMAN
Address	POB 146
City, State Zip	MORGAN MILL, TX 76465
Phone#/Fax#	254-459-9205
email	cfhedeman@aol.com

Event Budget

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Income						
Sponsorships	35,000.00					35,000.00
Sales	80,000.00					80,000.00
Donations						-
Prior Year Carryover						-
Other: Lodger's Tax Assistan	20,000.00					20,000.00
Total Income	135,000.00	-	-	-	-	135,000.00

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
EXPENSE (NON-LODGERS' TAX)						
Cost of Sales Items						-
Cost of Awards	30,000.00					30,000.00
Building/Booth Rent	10,000.00					10,000.00
Advertising						-
Printing & Mailing						-
Print Media						-
Electronic Media						-
Production Cost	65,000.00					65,000.00
Misc. (Please explain)						-
Total NON- LODGERS' Exp.	105,000.00	-	-	-	-	105,000.00

NON-
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	2,108.00	-	-	-	-	2,108.00
Print Media	3,004.00	-	-	-	-	3,004.00
Electronic Media	14,037.98	-	-	-	-	14,037.98
Other	850.02	-	-	-	-	850.02
TOTAL LODGERS' TAX REQ. SUMMARY	20,000.00	-	-	-	-	20,000.00

LODGERS'
TAX

Instructions: Please complete all areas of PINK that apply. Lodgers' Tax Budget Summary must reconcile to Event Details

Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event TUFF HEDEMAN BULL RIDING TOUR
 Date JANUARY 21, 2023
 Location LEA COUNTY EXPO CENTER
 Description PROFESSIONAL BULL RIDING

Expected Attendance	3500	# of Overnights	400
Is this an annual event?	YES	Is this a new event?	NO

PRINTING							
	Cost	Quantity	Total		Cost	Quantity	Total
	Posters (save-the-date)	1.00	300		300.00	Flyers Tickets	0.04
Programs	1.00	1,000	1,000.00				
SUBTOTAL			1,300.00	SUBTOTAL			808.00
Mallings					TOTAL PRINTING COSTS		2,108.00

PRINT MEDIA				
	Name	# of ads	Cost	Total
Newspaper	Hobbs Daily News	8	325.50	2,604.00
	Noticias Del Sol	1	400.00	400.00
	SUBTOTAL			
Magazine/Other	Name	# of ads	Cost	Total
SUBTOTAL				-
TOTAL PRINT MEDIA				3,004.00

ELECTRONIC MEDIA				
	Name	# of spots	Cost	Total
Radio	Noalmark-Hobbs, Noalmark-Roswell, Carlsbad Radio, KSSL, ZIA, MTD	1050	9.56	10,038.00
Television	KCBD TV Lubbock	41	48.78	1,999.98
Social Media	FaceBook	4	500.00	2,000.00
TOTAL ELECTR. MEDIA				14,037.98

OTHER EXPENSE				
	Name	# of Item	Cost	Total
Professional Performance Fees				-
Sound and Lighting Costs	Q Systems Music & Sound	1	850.00	850.00
Sanction Fees				-
Promotional Items (eg: t-shirts, rings, etc.)				-
Other: (please list)	Miscellaneous	1	0.02	0.02
TOTAL OTHER EXPENSE				850.02

TOTAL REQUEST FOR EVENT 1	20,000.00
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Instructions: Please complete all areas of PINK that apply.

Cycle City Promotions

*"Kicker Monster Truck Show
February 10 – 11, 2023"*
*"Kicker Arenacross Show
February 25, 2023"*



**City of Hobbs
Annual Funding Guidelines
Lodgers' Tax Requests for Proposal (RFP)
from 05/01/2022 - 06/30/2023**

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.

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

For internal control purposes of lodgers' tax funds, the organization must provide valid proof of expenditures and contracts. Cash transactions by the organization (eg: cash currency payments to individuals) will not be considered valid. All invoices and contracts must be legible. The Finance Department may ask the organization to provide a W-9 for a vendor, cleared check, bank statement or other documentation to determine whether or not the transaction is valid for lodgers' tax. **Note: If cancellation of an event results in a refund of any deposit, this refund must be returned to the City of Hobbs Lodgers' Tax Fund.**

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3. All Requests for Proposal's (RFP's) for Lodgers' Tax annual funding must be received by **March 18th, 2022**. (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 (05/01/2022-06/30/2023) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2023.**
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

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

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

Ted Hammock
Representative

Cycle City Promotions
Name of Organization

9-28-2022
date

Received at City Hall:

(date and time)

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

Organization	Cycle City Promtlons
Name of Contact	Tod Hammock
Address	10711 S Holley Street
City, State Zip	Jenks, Okla 74037
Phone#/Fax#	918-629-9930
email	todhammock@gmail.com

Event Budget

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Income	Sponsorships	2,000.00	2,000.00			4,000.00
	Sales	49,500.00	29,400.00			78,900.00
	Donations					-
	Prior Year Carryover					-
	Other (please explain)					-
	Total Income	51,500.00	31,400.00	-	-	-

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
EXPENSE (NON- LODGERS' TAX	Cost of Sales Items					-
	Cost of Awards	2,500.00	2,500.00			5,000.00
	Building/Booth Rent	11,000.00	14,500.00			25,500.00
	Advertising					-
	Printing & Mailing					-
	Print Media					-
	Electronic Media					-
	Misc. Staffing (Please explain)	9,500.00	9,800.00			19,300.00
	lodging	3,000.00	3,000.00			6,000.00
	equipment	1,500.00	2,500.00			4,000.00
Total NON- LODGERS' Exp.	27,500.00	32,300.00	-	-	-	59,800.00

NON -
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	600.00	6,800.00	-	-	-	7,400.00
Print Media	1,000.00	2,700.00	-	-	-	3,700.00
Electronic Media	14,100.00	12,220.00	-	-	-	26,320.00
Other	33,500.00	28,700.00	-	-	-	62,200.00
TOTAL LODGERS' TAX REQ. SUMMARY	49,200.00	50,420.00	-	-	-	99,620.00

LODGERS'
TAX

Instructions: Please complete all areas of PINK that apply. Lodgers' Tax Budget Summary must reconcile to Event Details

Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event Kicker Monster Truck Show
 Date February 10 & 11, 2023
 Location Lea County Event Center
 Description Indoor Monster Truck Show with various ancillary acts. Out of town performers and competitors, plus regional spectators will be attending. Requiring multiple days lodging.

Expected Attendance	6000	# of Overnights	800	
Is this an annual event?	yes	Is this a new event?	no	

PRINTING							
Posters (save-the-date) Programs	Cost	Quantity	Total	Flyers Tickets	Cost	Quantity	Total
		1.00	400		400.00		1.00
			-			-	
			SUBTOTAL			200.00	
			Cost	Quantity			Total
					SUBTOTAL		200.00
					TOTAL PRINTING COSTS		600.00

PRINT MEDIA				
Newspaper	Name	# of ads	Cost	Total
	Hobbs News Sun	2	250.00	500.00
	Lovington Ledger	10	50.00	500.00
			SUBTOTAL	1,000.00
Magazine/Other	Name	# of ads	Cost	Total
				-
				-
			SUBTOTAL	-
			TOTAL PRINT MEDIA 1,000.00	

ELECTRONIC MEDIA				
Radio	Name	# of spots	Cost	Total
	KLMA	100	10.00	1,000.00
	Carlsbad Radio, Noalmark & MTD	800	7.50	6,000.00
Television	Name	# of spots	Cost	Total
	KOBR TV	40	62.50	2,500.00
	Comcast Cable	100	25.00	2,500.00
Social Media	Name	# of spots	Cost	Total
	Facebook, Instagram, Google Ads	7	300.00	2,100.00
			TOTAL ELECTR. MEDIA 14,100.00	

OTHER EXPENSE				
Professional Performance Fees	Name	# of Item	Cost	Total
	Professional Entertainers	6	4,800.00	28,800.00
Sound and Lighting Costs	ATV Performers	8	400.00	3,200.00
Sanction Fees	Sound	1	1,500.00	1,500.00
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)				-
				-
				-
				-
				-
				-
			TOTAL OTHER EXPENSE 33,500.00	

TOTAL REQUEST FOR EVENT 1 49,200.00

Instructions: Please complete all areas of PINK that apply.

Lodgers' Tax Budget - Event Number 2

Event Information

Name of Event Kicker Arenacross Show
 Date February 25, 2023
 Location Lea County Event Center
 Description Kicker Arenacross is an "on-road" motorcycle racing competition, occurring in top arenas across the country, with dirt brought in and man-made tracks designed using construction equipment. The nation's most elite racers compete in what some tout to be the most physically demanding sport ever. Both amateur and professional competitors travel the country, following the Kicker

Expected Attendance	5000	# of Overnights	1600	
Is this an annual event?	yes	Is this a new event?	no	

PRINTING

	Cost	Quantity	Total	Flyers Tickets	Cost	Quantity	Total
	Posters (save-the-date)	1.00	400		400.00		1.60
Programs			-				-
	SUBTOTAL				SUBTOTAL		
			400.00				6,400.00
Mailings			-		TOTAL PRINTING COSTS		
			-				6,800.00

PRINT MEDIA

Newspaper	Name	# of ads	Cost	Total
		Hobbs News Sun	2	350.00
	SUBTOTAL			700.00
Magazine/Other	Name	# of ads	Cost	Total
	Cycle News	2	1,000.00	2,000.00
	SUBTOTAL			2,000.00
TOTAL PRINT MEDIA				2,700.00

ELECTRONIC MEDIA

Radio	Name	# of spots	Cost	Total
		8 Stations Purchased	7000	0.86
Television	Name	# of spots	Cost	Total
	Comcast Cable & KOBR	200	25.00	5,000.00
Social Media	Name	# of spots	Cost	Total
	Facebook, Instagram, OTT digital	6	200.00	1,200.00
TOTAL ELECTR. MEDIA				12,220.00

OTHER EXPENSE

	Name	# of Item	Cost	Total
	Professional Performance Fees	Freestyle Motocross Entertainers	4	4,000.00
Sound and Lighting Costs	Sound	1	1,500.00	1,500.00
Sanction Fees	AMA Sanction Fees	2	600.00	1,200.00
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Professional Riders Pro Purse	1	10,000.00	10,000.00
				-
				-
				-
				-
				-
TOTAL OTHER EXPENSE				28,700.00

TOTAL REQUEST FOR EVENT 2

50,420.00

Instructions: Please complete all areas of PINK that apply.

Southwest Symphony

*"Southwest Symphony Orchestra Youth Series – Superheroes!"
November 7-8, 2022"*

*"Christmas Concert with Lubbock Christian University
December 10, 2022"*

*"Michael W. Smith with Southwest Symphony Orchestra
January 14, 2023"*

*"Playing by Air Concert
February 24, 2023"*



City of Hobbs
Annual Funding Guidelines
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from 05/01/2022 - 06/30/2023

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- 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

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

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

Heanne Salgado
 Representative

Southwest Symphony
 Name of Organization

9/29/22
 date

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

Organization	Southwest Symphony
Name of Contact	Leanne Salgado
Address	PO Box 101
City, State Zip	Hobbs, NM 88241
Phone#/Fax#	(office)575-738-1041/575-390-8069(cell)
email	director@swsymphony.org

Event Budget

		Event 1	Event 2	Event 3	Event 4	Event 5	Total	
Income	Sponsorships						-	
	Sales						-	
	Donations						-	
	Prior Year Carryover						-	
	Other (please explain)						-	
	Total Income	-	-	-	-	-	-	-
		Event 1	Event 2	Event 3	Event 4	Event 5	Total	
EXPENSE (NON- LODGERS' TAX	Cost of Sales Items	Please see attached budget						-
	Cost of Awards						-	
	Building/Booth Rent						-	
	Advertising						-	
	Printing & Mailing						-	
	Print Media						-	
	Electronic Media						-	
	Misc. (Please explain)						-	
	Total NON- LODGERS' Exp.	-	-	-	-	-	-	-

NON-
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	-	525.00	735.00	3,830.00	525.00	5,615.00
Print Media	-	957.00	957.00	957.00	957.00	3,828.00
Electronic Media	-	1,130.88	1,130.88	1,180.00	1,130.88	4,572.64
Other	-	297.00	5,297.00	297.00	7,797.00	13,688.00
TOTAL LODGERS' TAX REQ. SUMMARY	-	2,909.88	8,119.88	6,264.00	10,409.88	27,703.64

LODGERS'
TAX

Instructions: Please complete all areas of PINK that apply. Lodgers' Tax Budget Summary must reconcile to Event Details

Lodgers' Tax Budget - Event Number 2

Event Information

Name of Event Southwest Symphony Orchestra Youth Series -Superheroes!
 Date November 7-8, 2022
 Location Hobbs, NM
 Description We are requesting funding for the Southwest Symphony Orchestra's Annual Youth Series concerts presented to Lea County 4th and 5th graders as well as the second of our 7 public concert in Hobbs, NM for the 2022-23 Season presented between Sept. - June.

Expected Attendance	2,250	# of Overnighters	72	
Is this an annual event?	Yes	Is this a new event?	No	

PRINTING

				Flyers Tickets			
	Cost	Quantity	Total		Cost	Quantity	Total
Posters (save-the-date)			-			0.00	
Programs	2.10	250	525.00			-	
	SUBTOTAL					-	
Mailings			-			-	
TOTAL PRINTING COSTS						525.00	

PRINT MEDIA

			Cost	Total
	Name	# of ads		
Newspaper	Hobbs News Sun	7	120.00	840.00
	Lovington Leader	1	117.00	117.00
	SUBTOTAL			957.00
Magazine/Other				-
	SUBTOTAL			-
TOTAL PRINT MEDIA				957.00

ELECTRONIC MEDIA

			Cost	Total
	Name	# of spots		
Radio	Noalmark Broadcasting	1	640.88	640.88
	MTD Radio	1	440.00	440.00
Television				-
Social Media	Social Media	1	50.00	50.00
TOTAL ELECTR. MEDIA				1,130.88

OTHER EXPENSE

			Cost	Total
	Name	# of item		
Professional Performance Fees				-
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Digital Billboard - 3 locations	1	297.00	297.00
				-
				-
				-
TOTAL OTHER EXPENSE				297.00

TOTAL REQUEST FOR EVENT 2 **2,909.88**

Instructions: Please complete all areas of PINK that apply.

Lodgers' Tax Budget - Event Number 3 Event Information

Name of Event	Southwest Symphony 2022-2023 - Christmas Concert with Lubbock Christian University		
Date	December 10, 2022		
Location	Hobbs, NM		
Description	We are requesting funding the Southwest Symphony's Cultural Arts Series event-Christmas Concert with Lubbock Christian University ACappella Choirs. This is the third of 7 public concerts to be performed in Hobbs, NM between Sept. 2022-June 2023.		

Expected Attendance	300	# of Overnights	10
Is this an annual event?	Yes	Is this a new event?	No

PRINTING							
	Posters (save-the-date)			Flyers Tickets	Total		
	Cost	Quantity	Total		Cost	Quantity	Total
			-			0.00	
Programs	2.10	350	735.00			-	
	SUBTOTAL				-		
			-			-	
Mailings			-			-	
	SUBTOTAL				-		
	TOTAL PRINTING COSTS				735.00		

PRINT MEDIA				
	Newspaper		Cost	Total
	Name	# of ads		
	Hobbs News Sun	7	120.00	840.00
	Lovington Leader	1	117.00	117.00
	SUBTOTAL			957.00
	Magazine/Other		Cost	Total
	Name	# of ads		
				-
				-
	SUBTOTAL			-
	TOTAL PRINT MEDIA			957.00

ELECTRONIC MEDIA				
	Radio		Cost	Total
	Name	# of spots		
	Noalmark Broadcasting	1	640.88	640.88
	MTD Radio	1	440.00	440.00
				-
Television				-
				-
Social Media	Social Media	1	50.00	50.00
				-
	TOTAL ELECTR. MEDIA			1,130.88

OTHER EXPENSE				
	Professional Performance Fees		Cost	Total
	Name	# of Item		
	Cultural Arts Series	1	5,000.00	5,000.00
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Digital Billboards-3 locations	1	297.00	297.00
				-
				-
				-
				-
	TOTAL OTHER EXPENSE			5,297.00

TOTAL REQUEST FOR EVENT 3	8,119.88
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Instructions: Please complete all areas of PINK that apply.

Lodgers' Tax Budget - Event Number 4 Event Information

Name of Event	Michael W. Smith with Southwest Symphony Orchestra
Date	January 14, 2023
Location	Hobbs, NM
Description	We are requesting funding for Michael W. Smith in concert with the Southwest Symphony Orchestra. This is the fourth of 7 concerts for our Proposed 2022-2023 Season of public concerts to be performed in Hobbs, NM between Sept. 2022-June 2023.

Expected Attendance	1800	# of Overnights	50
Is this an annual event?	Yes	Is this a new event?	No

PRINTING

				Flyers Tickets			
	Cost	Quantity	Total		Cost	Quantity	Total
Posters (save-the-date)	1.00	50	50.00			0.00	
Programs	2.10	1,800	3,780.00			-	
	SUBTOTAL		3,830.00			-	
	Cost	Quantity	Total				
Mailings			-			-	
	SUBTOTAL		-	TOTAL PRINTING COSTS		3,830.00	

PRINT MEDIA

			Cost	Total
	Name	# of ads		
Newspaper	Hobbs News Sun	7	120.00	840.00
	Lovington Leader	1	117.00	117.00
	SUBTOTAL			957.00
			Cost	Total
	Name	# of ads		
Magazine/Other				-
				-
	SUBTOTAL			-
			TOTAL PRINT MEDIA	957.00

ELECTRONIC MEDIA

			Cost	Total
	Name	# of spots		
Radio	Noelmark Broadcasting	1	640.00	640.00
	MTD Radio	1	440.00	440.00
Television				-
Social Media	Social Media	2	50.00	100.00
				-
			TOTAL ELECTR. MEDIA	1,180.00

OTHER EXPENSE

	Name	# of item	Cost	Total
Professional Performance Fees				-
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Digital Billboard - 3 locations	1	297.00	297.00
				-
				-
				-
				-
			TOTAL OTHER EXPENSE	297.00

TOTAL REQUEST FOR EVENT 4 **6,264.00**

Instructions: Please complete all areas of PINK that apply.

Lodgers' Tax Budget - Event Number 5 Event Information

Name of Event	Southwest Symphony 2022-2023 - Playing By Air concert
Date	February 24, 2023
Location	Hobbs, NM
Description	We are requesting funding for Southwest Symphony's Cultural Arts Series event: Playing By Air. This is the fifth of 7 concerts for our Proposed 2022-2023 Season of public concerts to be performed in Hobbs, NM between September 2022-June 2023.

Expected Attendance	250	# of Overnights	4
Is this an annual event?	Yes	Is this a new event?	No

PRINTING

				Flyers Tickets			
	Cost	Quantity	Total		Cost	Quantity	Total
Posters (save-the-date)			-			0.00	
Programs	2.10	250	525.00			-	
	SUBTOTAL		525.00		SUBTOTAL		-
Mailings			-				
	SUBTOTAL		-		TOTAL PRINTING COSTS		525.00

PRINT MEDIA

			Cost	Total
	Name	# of ads		
Newspaper	Hobbs News Sun	7	120.00	840.00
	Lovington Leader	1	117.00	117.00
	SUBTOTAL			957.00
Magazine/Other				-
				-
	SUBTOTAL			-
			TOTAL PRINT MEDIA	957.00

ELECTRONIC MEDIA

			Cost	Total
	Name	# of spots		
Radio	Noalmark Broadcasting	1	640.88	640.88
	MTD Radio	1	440.00	440.00
Television				-
Social Media	Social Media	1	50.00	50.00
				-
			TOTAL ELECTR. MEDIA	1,130.88

OTHER EXPENSE

	Name	# of Item	Cost	Total
Professional Performance Fees	Cultural Arts Series	1	7,500.00	7,500.00
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Digital Billboard - 3 locations	1	297.00	297.00
				-
				-
				-
				-
			TOTAL OTHER EXPENSE	7,797.00

TOTAL REQUEST FOR EVENT 5

10,409.88

Instructions: Please complete all areas of PINK that apply.

Proposed Budget
2022-2023 Season

	CAS	SWSO	CAS	SWSO	CAS	CAS	SWSO				
CONCERTS	One Hit Wonders	Youth Series	LCU Choir	SWSO & Guest	Playing By Air	TX Guitar Quartet	SWSO			TOTAL	Lodgers' Tax
	Tydings	Tydings	Church	Tydings	Tydings	Church	Tydings	Oper. Exp.			Request
SWS PERSONNEL:											22-23
Artistic Dir.		\$2,000.00		\$1,200.00			\$1,200.00			\$4,400.00	
SWS Musicians		\$17,500.00		\$13,000.00			\$13,000.00			\$43,500.00	
OUTSIDE ARTISTIC:											
Performance Fee	\$15,000.00		\$5,000.00		\$7,500.00	\$6,000.00				\$33,500.00	\$33,500.00
Residency Fee		\$300.00		\$300.00	\$2,500.00					\$2,800.00	
TRAVEL/LODGING:											
Airfare		\$500.00		\$500.00		\$500.00	\$500.00			\$2,000.00	
Hotel	\$2,000.00	\$6,200.00		\$10,000.00	\$900.00	\$400.00	\$9,500.00			\$29,000.00	
Mileage		\$4,800.00		\$5,000.00		\$500.00	\$5,000.00			\$15,300.00	
Meals	\$500.00	\$500.00	\$500.00	\$800.00	\$300.00	\$250.00	\$300.00			\$3,150.00	
U-haul											
Hospitality					\$50.00	\$50.00				\$100.00	
Rental Car	\$500.00	\$400.00		\$400.00	\$400.00		\$400.00			\$2,100.00	
ADMINISTRATIVE:											
Executive Director									\$48,600.00	\$48,600.00	
Prog. Coordinator									\$20,000.00	\$20,000.00	
YS/OF Coordinator									\$17,500.00	\$17,500.00	
OFFICE EXPENSES:											
Rent									\$6,600.00	\$6,600.00	
Utilities/Phone									\$4,000.00	\$4,000.00	
Office Supplies/expenses									\$6,500.00	\$6,500.00	
Postage									\$2,500.00	\$2,500.00	
Taxes									\$5,000.00	\$5,000.00	
DEVELOPMENT:											
Friends of the Symphony									\$4,000.00	\$4,000.00	
Ex Dir. Prof. Exp.									\$3,000.00	\$3,000.00	
TECHNICAL:											
Lts/sound/bklin	\$2,250.00			\$2,000.00	\$500.00	\$500.00				\$5,250.00	
Stage Crew	\$500.00	\$100.00		\$200.00			\$100.00			\$900.00	
Piano Tuning										\$0.00	
SPACE/RENTAL	\$200.00	\$200.00	\$500.00	\$200.00	\$200.00	\$250.00	\$200.00			\$1,750.00	
MARKETING	\$3,000.00	\$3,000.00	\$3,000.00	\$3,500.00	\$3,000.00	\$3,000.00	\$3,000.00			\$21,500.00	\$21,500.00
radio/newspaper											
billboard/social media											
Website annual fee									\$250.00	\$250.00	
PRINTING:											
Program Booklets									\$2,100.00	\$2,100.00	\$2,100.00
Brochures (Season)									\$250.00	\$250.00	\$250.00
Misc. magnets/posters/tickets									\$592.50	\$592.50	\$592.50
OTHER:											
WAA membership									\$275.00	\$275.00	
Mem.									\$600.00	\$600.00	
Liability Ins.									\$1,600.00	\$1,600.00	
NMPA dues									\$100.00	\$100.00	
ASCAP/BMI									\$1,000.00	\$1,000.00	
Music Rental		\$500.00					\$500.00			\$1,000.00	
Misc./Benevolence fund									\$1,000.00	\$1,000.00	
TOTAL	\$23,950.00	\$36,000.00	\$9,000.00	\$37,100.00	\$15,350.00	\$11,450.00	\$33,700.00	\$125,467.50	\$291,717.50	\$57,942.50	

SOUTHWEST SYMPHONY

2022-2023 PROPOSED SEASON SECOND - FIFTH PERFORMANCES

The Southwest Symphony and Cultural Arts Series concerts are recommended by the Programming Committee in October. A Rubric selection process is used to rank the artists. Concert expenses may include: space rental, lights/sound, backline equipment, stage crew, piano tuning, rental car, hospitality, meals, hotel, mileage and music rental.

NOVEMBER 2022 – Tydings Auditorium, Hobbs, NM SOUTHWEST SYMPHONY ORCHESTRA YOUTH SERIES

SWS Orchestra brings its Youth Series “Superheroes” to the public as well as to Lea County schools. Area fourth and fifth graders will be invited to Tydings Auditorium for an interactive and educational musical experience.

PROJECTED TOTAL COST: \$36,000.00

Includes artistic director, concert manager, musicians, operating and concert expenses and all marketing.

DECEMBER 2022 – St. Helena Church, Hobbs, NM LUBBOCK CHRISTIAN UNIVERSITY A CAPPELLA CHOIRS

Lubbock Christian University A Cappella Choirs will bring in the Holiday season with a Christmas program. Hobbs will be the first stop on their New Mexico tour.

PROJECTED TOTAL COST: \$9,000.00

Performance fee: \$5,000

Additional expenses of \$4,000 includes operating and concert expenses and all marketing.

JANUARY 2023 – Tydings Auditorium, Hobbs, NM MICHAEL W. SMITH WITH SOUTHWEST SYMPHONY ORCHESTRA

Legendary singer/song writer Michael W. Smith will be live in concert performing with the SWS Orchestra. This is expected to be a large audience with out of town overnighters.

PROJECTED TOTAL COST: \$87,100

Performance fee: \$50,000

Additional expenses of \$37,100 include artistic director, concert manager, musicians, operating and concert expenses and all marketing. Cost also includes school residencies at middle or high school with orchestra members.

FEBRUARY 2023 – Tydings Auditorium, Hobbs, NM PLAYING BY AIR

Playing By Air captivates public audiences with a joyful fusion of music, juggling, and circus in which traditional theatricality meets absurd comedy. The award-winning performers of Playing By Air share their sense of playfulness and breathtaking feats in a production enjoyed equally by adults, families, and children. Audiences are drawn into the performance with a contagious attitude of expressive play and creativity. Area third graders will be invited to Tydings for an interactive and educational experience.

www.playingbyair.com

PROJECTED TOTAL COST: \$15,350

Performance fee: \$7,500

Residency Cost: \$2,500

Additional expenses of \$5,350 include operating and concert expenses and all marketing.



WORKERS COMP COVERAGE

Southwest Symphony employs one three-quartered time, salaried employee, as Executive Director and two part time hourly employees. The part time employees are hired on a contractual basis. Per the NM Worker's Compensation Act chapter 52, Article 1978: SWS Inc. is not required by law to carry coverage. Southwest Symphony however, has provisions in our General Liability, which upon investigation, will cover the contractual hires in the event of injury, under third party liability coverage. The City of Hobbs is listed as additional insured on this policy.

See attached.

52-1-6. Application of provisions of act.

A. The provisions of the Workers' Compensation Act [Chapter 52, Article 1 NMSA 1978] shall apply to employers of three or more workers; provided that act shall apply to all employers engaged in activities required to be licensed under the provisions of the Construction Industries Licensing Act [Chapter 60, Article 1, NMSA 1978] regardless of the number of employees. The provisions of the Workers' Compensation Act shall not apply to employers of private domestic servants and farm and ranch laborers.

B. An election to be subject to the Workers' Compensation Act by employers of private domestic servants or farm and ranch laborers, by persons for whom the services of qualified real estate sales persons are performed or by a partner or self-employed person may be made by filing, in the office of the director, either a sworn statement to the effect that the employer accepts the provisions of the Workers' Compensation Act or an insurance or security undertaking as required by Section 52-1-1, NMSA 1978.

C. Every worker shall be conclusively presumed to have accepted the provisions of the Workers' Compensation Act if his employer is subject to the provisions of that act and has complied with its requirements, including insurance.

D. Such compliance with the provisions of the Workers' Compensation Act, including the provisions for insurance, shall be, and construed to be, a surrender by the employer and the worker of their rights to any other method, form or amount of compensation or determination thereof or to any cause of action at law, suit in equity or statutory or common-law right to remedy or proceeding whatever for or on account of personal injuries or death of the worker than as provided in the Workers' Compensation Act and shall be an acceptance of all of the provisions of the Workers' Compensation Act and shall bind the worker himself and, for compensation for his death, shall bind his personal representative, his surviving spouse and next of kin, as well as the employer and those conducting his business during bankruptcy or insolvency.

E. The Workers' Compensation Act provides exclusive remedies. No cause of action outside the Workers' Compensation Act shall be brought by an employee or dependent against the employer or his representative, including the insurer, guarantor or surety of any employer, for any matter relating to the occurrence of or payment for any injury or death covered by the Workers' Compensation Act. Nothing in the Workers' Compensation Act, however, shall affect or be construed to affect, in any way, the existence of or the mode of trial of any claim or cause of action that the worker has against any person other than his employer or another employee of his employer, including a management or supervisory employee, or the insurer, guarantor or surety of his employer.



Simply Design Studio and Print Shop, LLC
 1401 N Turner St Ste 10
 Hobbs, NM 88240
 575-408-8274
 info@simplyprintshop.com
 www.simplyprintshop.com

Estimate

ADDRESS
 Southwest Symphony
 Southwest Symphony

ESTIMATE # 1118
 DATE 01/12/2022

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Brochures	Double Sided Full color, 8.5"x11" Tri fold, bleed, folding	500	0.50	250.00
	Magnet		300	0.75	225.00
	<u>Posters</u>	Full color, 8.5"x11" posters 100 at \$1.00 each 200 at \$.85 each	100	1.00	100.00
	Tickets	Full color, 2"x5.5" one sided, stapled, perforation, ticket booklets	250	0.89	222.50
	Postcards	Direct Mailer Postcards	150	0.30	45.00
	<u>Booklets</u>	8.5"x5.5" Full Color Program Insert 8 pages - 250 at \$1.80 300 at \$1.60 12 pages - 250 at \$2.00 300 at \$1.80 16 pages - 250 at \$2.30 300 at \$2.10	1,000	2.10	2,100.00

SUBTOTAL 2,942.50
 TAX 0.00
 TOTAL **\$2,942.50**

Feb. 11, 2022

Christy,

Here is our Hobbs News-Sun advertising quote for Southwest Symphony current season.

7 ads at \$120.00 per 3 x 6 black & white (3 column wide x 6 inches tall) ad per concert for in-person concert

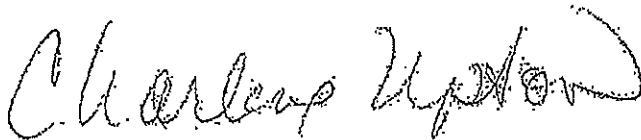
4 ads at \$120.00 per 3 x 6 black & white (3 column wide x 6 inches tall) ad per concert for virtual concert

Ad rates are as quoted for a minimum of 7 ads per in-person concert and as many ads as requested for virtual concerts with a minimum of 4 ads per virtual events.

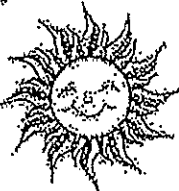
We here at the Hobbs News-Sun are anxiously anticipating the return of the wonderful Southwest Symphony events to our community!

We look forward to serving you!!

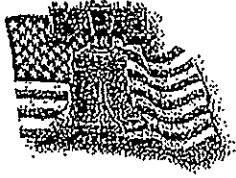
Thanks again!



Charlene Upton
Advertising Executive
Hobbs News-Sun
Ter2@hobbsnews.com
santafesundown@aol.com
575-391-5411
575-631-3112



LAND of the FREE... Home of the BRAVE



Lexington
LEADER

1/24/02

Advertising quote for a 3 column by 6-inch ad for the 2022-2023 season.

Estimated number of insertions for the season— 7 —black and white.

Cost per ad (3X6): \$117 per insertion

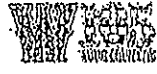
Thank you,

A handwritten signature in black ink, appearing to be 'John Graham', with a long horizontal flourish extending to the right.

John Graham



KTUM



KWMW



KIDX



KNMB



KRUI

2022-2023
MTD RADIO PROPOSAL



KTUM-FM B107 The Blaze -- Top 40 music format
KWMW-FM Your Country W105 -- Country Music Format
KNMB Mix 96.7 -- Hot AC/Pop Music
KIDX-FM 101.5 The Kid -- Classic Rock

*Rates based on :30-second commercials, 6am-7pm

LIGHT COVERAGE:

3-commercials per day 7-days prior to each show
½ Paid, ½ Nonprofit Matching from Stations
22-Ads per show, per station - Cost per station \$110 + tax
Total Cost per show: \$440 + tax
Annual Cost: \$1760 + tax

MEDIUM COVERAGE:

6-commercials per day 7-days prior to each show
½ Paid, ½ Nonprofit Matching from Stations
42-Ads per show, per station, Cost \$210 + tax
Total Cost per show: \$840 + tax
Annual Cost: \$3360 + tax

HEAVY COVERAGE:

9-commercials per day 7-days prior to each show
½ Paid, ½ Nonprofit Matching from Stations
62-Ads per show, per station, Cost \$310 + tax
Total Cost per show: \$1240 + tax
Annual Cost: \$4960 + tax

ADDED VALUE TO INCLUDE:

- FREE DJ Live Reads
- Social Media Promotions
- On Air Interviews and Giveaways (if applicable)

lori@mtdradio.com

916 W. Ave D, Lovington NM 88260

c 575-390-3569

MTDradio
Making The Difference



619 N Turner St. Hobbs, NM 88240 575-397-4969

Proposed Advertising Schedule

Southwest Symphony

This proposal is for advertising on the four English language radio stations in Hobbs.

KIXN-FM (Country)

KZOR-FM (Adult Contemporary)

KLEA-FM (Kool 95.7 – Classic Hits)

KEJL AM-FM (Classic Rock)

Proposed Schedule: For each of seven concerts, 2022-2023 season.

30 30-second ads on each of four radio stations prior to each of the seven concerts. \$150.00 per concert, per station.

4-station total: \$600 per concert plus \$40.88 tax.

Total: Four Station, seven concert season: \$4,486.16

If you have any questions, please let me know.

Al Lobeck

Certified Radio Marketing Consultant

575-390-0648

1/11/22

BENDER BILLBOARD

BENDER BILLBOARD
PO BOX 1115
HOBBS, NM 88411
575-390-3951

1/14/2022

To whom It may concern:

This letter serves as an advertising proposal for Southwest Symphony's 2022-2023 concert season.

Again, we are offering our three digital billboards; located at the intersections of Grimes and Turner(one face); Millen Dr and Lovington Hwy(two faces); all three are in Hobbs, NM.

During this advertising period, ads will be rotated between seven concerts, informational/ticket ad and an annual Christmas ad. These ads will be utilizing our Silver Package, each one costing \$99, for a total monthly invoice of \$297.

Sincerely,

Judy Pennell
Benderbillboard@live.net
575.390.3951

Hotel information

Rooms we have paid for each season.

This season all rooms were 2-night stays: total of each concert

SWSO concert: 56 rooms (62 people)

Farewell Angelina : 10 rooms (10 people)

SWSO Tour: 68 rooms (76 people)

SWSO: 80 rooms (92 people)

A total of 214 rooms

2022-2023 Season projection - 2-night stays except for Playing by Air-3 nights

One Hit Wonders: 20 rooms (10 people)

SWSO Tour : 68 rooms (76 people)

SWSO w/ guest: 96 rooms (108 people) (extra 8 rooms for the band included)

Playing by Air: 9 rooms (9 people)

TX Guitar quartet: 8 rooms (8 people)

SWSO: 80 rooms (92 people)

A total of 281 rooms

Just the symphony # rooms this year are 204 and next year 228 rooms