

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

April 3, 2023



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

Monday, April 3, 2023 - 6:00 p.m.

Sam D. Cobb, Mayor

R. Finn Smith
Commissioner – District 1

Joseph D. Calderón
Commissioner – District 4

Christopher R. Mills
Commissioner – District 2

Dwayne Penick
Commissioner – District 5

Larron B. Fields
Commissioner – District 3

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 March 20, 2023, Commission Work Session (*Jan Fletcher, City Clerk*)
2. Minutes of the March 20, 2023, Regular Commission Meeting (*Jan Fletcher, City Clerk*)

PROCLAMATIONS AND AWARDS OF MERIT

3. Proclamation Proclaiming April 3, 2023, as "*Hobbs Lady Eagles - 2023 State Basketball Champs*" (*Mayor Sam Cobb*)
4. Proclamation Proclaiming April 3, 2023, as "*Gabriel Palomino - State Champion at the 2023 Swimming and Diving State Competition*" (*Mayor Sam Cobb*)

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.)*

5. Resolution No. 7318 – Approving the Issuance of a Junkyard License to Nickson Co., 103 North Mobile *(Jan Fletcher, City Clerk)*
6. Resolution No. 7319 - Authorizing Donation of a Used 2002 GMC Sewer Jet Rodding Truck to City of Jal, New Mexico *(Tim Woomeer, Utilities Director)*
7. Resolution No. 7320 - Adopting the Required Community Development Block Grant (CDBG) Annual Certificates and Commitments *(Todd Randall, City Engineer)*
8. Resolution No. 7321 - Authorizing a Grant Amendment with the Department of Finance and Administration Local Government Division for Community Development Block Grant (CDBG) Project No. 21-C-NR-I-03-G-12 in the Amount of \$750,000.00 *(Todd Randall, City Engineer)*
9. Resolution No. 7322 – Authorizing a Grant Application with the New Mexico Department of Transportation Project Fund (TPF) for Roadway Design Along SR132 Dal Paso Street. *(Todd Randall, City Engineer)*
10. Resolution No. 7323 – Authorizing a Grant Application with the New Mexico Department of Transportation Project Fund (TPF) for Roadway Maintenance on South Grimes Street *(Todd Randall, City Engineer)*
11. Resolution No. 7324 – Authorizing a Grant Application with the New Mexico Department of Transportation Project Fund (TPF) for Roadway Maintenance Along Millen Drive (Lovington Hwy., to Grimes Street) *(Todd Randall, City Engineer)*

DISCUSSION

12. Opt In - Regular Local Election Act *(Jan Fletcher, City Clerk and Mollie Maldonado, Deputy City Clerk)*

ACTION ITEMS (Ordinances, Resolutions, Public Hearings)

13. Consideration of Approval of a CES Contract with Ramirez & Sons, Inc., for the 2023 West Bender Blvd., Improvement Project in the Amount of \$490,583.66 (Todd Randall, City Engineer)
14. Consideration of Approval of an Amendment to CES Contract with Smith Engineering for the Professional Engineering Design Services of Trunk F Sewer Replacement Project (Joe Harvey and Grimes) in the Amount of \$81,900.00 Including NMGRT (Todd Randall, City Engineer)
15. Resolution No. 7325 – Approving an Infrastructure Extension Development Agreement with Joe Meridyth Concerning the Development of Public Infrastructures (Kevin Robinson, Development Director)
16. Resolution No. 7326 – Approving an Infrastructure Extension Development Agreement with Arturo Ramirez Concerning the Development of Public Infrastructures (Kevin Robinson, Development Director)
17. Resolution No. 7327 – Approving the Vacation/Replat of a Portion of Houston Adjacent to Lots 11 and 12, Block 45 of the Original Hobbs Addition (Kevin Robinson, Development Director)
18. Resolution No. 7328 – Approving the Dedication of a Portion of the Projection of Jefferson North of Glorietta (Kevin Robinson, Development Director)

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

19. Next Meeting Date:
 - City Commission Regular Meeting:
 - **Monday, April 17, 2023, 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: April 3, 2023

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: March 30, 2023
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- City Commission Work Session held on March 20, 2023
- Regular City Commission meeting held on March 20, 2023

Fiscal Impact:

Reviewed By: _____
Finance Department

N/A

Attachments:

Minutes as referenced under "Summary".

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Motion to approve the minutes as presented.

Approved For Submittal By:


Department Director

City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

Minutes of the joint work session of the Hobbs City Commission and Lodgers' Tax Board held on Monday, March 20, 2023, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico. This meeting was also available to the public via Livestream on the City's website at www.hobbsnm.org.

Mayor Cobb called the work session to order at 4:30 p.m. and welcomed everyone to the meeting. The City Clerk called the roll and the following answered present:

City Commission

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

Lodgers' Tax Board

Jack Robertson
Oscar Gonzalez
Terry Sowell
Lahcen Tigui (*absent*)
Haily Hunter (*absent*)

Also present were:

Manny Gomez, City Manager
Toby Spears, Finance Director
Efren Cortez, City Attorney
Jan Fletcher, City Clerk
Mollie Maldonado, Deputy City Clerk

Mr. Toby Spears, Finance Director, provided some brief history on the City's Lodgers' Tax ordinance. He presented a PowerPoint presentation outlining the procedures to request Lodgers' Tax funding for an event and also the collections of lodgers' taxes for the City.

A discussion was held on temporary lodging and usage of local facilities by local residents.

Mr. Spears stated the Department of Finance and Administration is adding a reporting procedure to require information to break out lodgers' tax collections for rents exceeding 31 days.

Mr. Spears reviewed the eligible uses of Lodgers' Tax regarding operational and promotional items. He stated language needs to be included in the ordinance regarding the purchase of bulk promotional inventory.

Mr. Spears reviewed the allocation of proceeds as follows:

- 20% Non-Profit and For-Profit
- 40% City and County Government
- 25% Airline Subsidy Level
- 15% Security and Sanitation
(swept back into the General Fund for clean up after an event –
police/fire/EMS)

Mr. Spears stated allocation amounts of \$25,000.00 per event are allowed to profit and non-profit entities. He suggested an amendment to exclude this cap from public entity events such as the Hobbs Municipal Schools and the New Mexico Junior College.

A brief discussion was held on whether the City of Hobbs and County of Lea are considered public entities for purposes of the ordinance. Mr. Spears explained the City and County are already included in the allocation portion of the ordinance as governmental agencies but there is no provision for public entities.

Mr. Spears stated a provision is included in the City's ordinance which should be removed requiring second and subsequent years events on for-profit entities to become self-sufficient within two years.

Mr. Spears explained other items for consideration are amending the ordinance to include the City Manager's suggestion of using \$25.00 per overnight visitor when calculating funding awards or a minimum funding amount of \$1,000.00.

Mayor Cobb stated the purpose of Lodgers' Tax is to put heads in beds.

Mr. Spears discussed the use of an annual funding cycle or a quarterly process. He expressed the Finance Department's preference of using an annual funding cycle which would enable event providers to better schedule and prepare for their events.

Mayor Cobb stated the City needs to be flexible and have the ability to address a funding request for an unplanned event should one arise.

Mr. Jack Robertson, Chair of the Lodgers' Tax Board, stated he also prefers the annual process.

Ms. Spears addressed several concerns which have arisen during the reimbursement of expenses for approved lodgers' tax events. He stressed the importance of having authentic documents from a third-party source which verify the amount of funds spent by the agency for an approved event.

A discussion was held on hotels providing information to the event organizers regarding the number of overnight hotel guests for specific events.

Commissioner Smith questioned the role of a promoter in bringing a good economic event to the community who may be penalized if they show a profit in their budget.

Mayor Cobb stated the City should have some latitude to look at the overall impact and benefit of bringing a good event to the community.

Mr. Oscar Gonzalez questioned if there is a specific definition in the Lodgers' Tax law of what constitutes "heads in beds". He commented the Southwest Symphony was denied funding for their event but the USSSA organization is approved to buy rings for their local baseball tournaments.

Mr. Spears distributed a packet of forms to the Commission and Lodgers' Tax Board members reflecting some proposed changes he would like to see implemented.

A lengthy discussion was held regarding the allowance of airfare for travel costs that are not inclusive of performance contracts. This discussion included other eligible vs. non-eligible costs.

Commissioner Smith stated there should be some methodology to quantify the number of spectators that are here attending an event.

In response to Commissioner Fields' question related to promotional and operational expenses, Mr. Spears stated paying referees for a tournament is not a promotional expense.

Mr. Spears again emphasized the need for third party documentation to verify expenses. He stated handwritten cash receipts are not acceptable forms of documentation. Mr. Spears also stated an organization would have to document whether they are a for-profit organization or a non-profit organization. Mr. Spears discussed a new proposed Form "C" in the packet which could help with documentation going forward. The form would be required to submit to the City before final cost reimbursement is made to the organization.

Mayor Cobb requested any comments from the audience on Lodgers' Tax.

Ms. Patty Collins, Executive Directive of the Hobbs Chamber of Commerce, stated it is difficult to get information from hotels when an event code is used. She commented she has been with the Chamber for eight years and only one motel has kept track of event attendees using an event code.

A lengthy discussion was held on the use of hotels and event codes.

Ms. Collins also commented the Chamber was considering bringing back the Hobbs August Nites event and if annual requests are required for Lodgers' Tax funding, please let her know as soon as possible.

There being no further discussion, Mayor Cobb adjourned the meeting at 5:35 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Minutes of the regular meeting of the Hobbs City Commission held on Monday, March 20, 2023, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico. This meeting was also available 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 (*via telephone*)
Commissioner Don Gerth

Also present:

Manny Gomez, City Manager
Efren Cortez, City Attorney
August Fons, Police Chief
Shane Blevins, Deputy Police Chief
Marina Barrientes, Police Captain
Danny Garrett, Police Captain
Chad Wright, Police Captain
Ricky Guerrero, Police Captain
Jessica Silva, Code Enforcement Supt.
Barry Young, Fire Chief
Mark Doporto, Deputy Fire Chief
Kevin Shearer, Fire Battalion Chief
Shawn Williams, Fire Marshal
Adam Marinovich, Fire Captain
Tony Alarcon, Fire Inspector
Nicholas Goulet, Human Resources Director
Tracy South, Assistant Human Resources Director
Toby Spears, Finance Director
Deb Corral, Assistant Finance Director
Bob Hamilton, Acting Library Director
Todd Randall, City Engineer
Shelia Baker, General Services Director
Tim Woomer, Utilities Director
Julie Nymeyer, Executive Assistant
Bryan Wagner, Parks and Open Spaces Director
Matt Hughes, Rockwind Golf Course Superintendent
Doug McDaniel, Recreation Director
Lyndsey Henderson, CORE Facility Director
Christa Belyeu, I.T. Director
Meghan Mooney, Communications Director

Alicia Jacobs, Clerk Record Specialist
Mollie Maldonado, Deputy City Clerk
Jan Fletcher, City Clerk
6 citizens

Invocation and Pledge of Allegiance

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

Approval of Minutes

Commissioner Calderón moved the minutes of the regular meeting of March 6, 2023, be approved as written. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried.

Proclamations and Awards of Merit

Mr. Manny Gomez, City Manager, recognized the following employees for their Milestone Service Awards for the Month of March, 2023:

- 5 years – Beatriz Hernandez, Parks & Open Spaces Department
- 5 years – Barry Muniz, CORE
- 15 years – Shane Cox, Wastewater Treatment Plant
- 30 years – Roberto Gonzalez, Senior Center
- 35 years – Tommy Trevino, Building Maintenance

Mr. Gomez reviewed highlights about the work of each employee. He expressed gratitude to each employee for their hard work and also thanked the employees' families for their contributions to the organization.

Public Comments

Mr. Nick Maxwell addressed several positive comments to the Commission regarding operation of the City's radio tower, the presentation by Mr. Toby Spears, Finance Director, the Prairie Haven Cemetery, Representative Larry Scott and Mr. Manny Gomez. He also commented he is still not an advocate of ELEA but does hope there are other opportunities for Southeast New Mexico.

Mr. Marcus Sparenberg and Ms. K'Lee Kent of the United Way of Lea County announced their Project Jail and Bail for the Feeding Family Initiative. He stated it will kick off at the end of the Commission meeting with the arrest of Commissioner Chris Mills, at the request of his girlfriend, and his bail will be set at \$1,500.00 which proceeds will go toward the Feeding Family Initiative.

Consent Agenda

None.

Discussion

Presentation of 2022 Annual Report for the Hobbs Fire Department

Mr. Barry Young, Fire Chief, and Mr. Mark Doporto, Assistant Fire Chief, presented the Annual Report of the Hobbs Fire Department for 2022. Assistant Chief Doporto reviewed a PowerPoint presentation and outlined the mission and vision statements of the Hobbs Fire Department (HFD). He stated the response jurisdiction of the department ranges from 170 square miles for fire response, and up to 1,200 square miles for EMS response, serving a population estimated at approximately 50,000. Assistant Chief Doporto reviewed the staffing and three shifts for HFD. He reviewed the fleet and specialty skills for the department. Assistant Chief Doporto displayed photographs of the fleet equipment and locations of all four Fire Stations. Statistical data was provided showing an increase in fire runs, fire prevention programs, structure fires, false alarm calls and EMS calls for service. Assistant Chief Doporto stated Fire Chief Young has been very active and successful in securing Grants for HFD. Assistant Chief Doporto outlined the goals for the department in 2023 and stated the first and foremost goal of Chief Young for the department is to be positive and professional in every response. Assistant Chief Doporto thanked the City Manager and Commission for their support of the HFD. A copy of the presentation is attached to these minutes.

Mayor Cobb thanked Chief Young and Assistant Chief Doporto for the information provided.

Action Items

Resolution No. 7316 – Accepting and Approving the FY 2022 Audit

Mr. Toby Spears, Finance Director, stated the City is seeking approval and acceptance of the FY 22 Audit. He stated the City received an unmodified opinion from its auditors with no audit findings which is exceptional. He stated the City has received approval from the State Auditor authorizing release of the audit. Mr. Spears thanked Ms. Deb Corral, Assistant Finance Director, for her diligent work on the audit. He then introduced Mr. Farley Vener of Hinkle + Landers, PC, who will telephonically review the City's FY 22 Audit.

Mr. Vener explained the scope of the audit procedures to review the City's Financial Statement. He stated the City received an unmodified clean opinion which is a very good rating and shows the City is in compliance with all of its audit procedures. Mr. Vener stated the City's audit is available for the public to view on the website of the

Office of the State Auditor. He explained the City's one prior audit finding which is identified on the City's Financial Statement related to receivables and doubtful accounts which is not a finding this year. Mr. Vener reviewed the City's financial position through the use of a PowerPoint presentation. He stated there are no material weaknesses or deficiencies noted in the Federal Awards and the City qualified as a low-risk auditee. He thanked the City for its good audit and cooperation during the process.

Commissioner Smith asked several questions related to the pension information and OPEB deferral contained in the audit and on the PowerPoint presentation. A lengthy discussion was held on this topic. Mr. Vener and Mr. Spears stated the report is very technical containing many assumptions and reliance is made upon the professionals who create the actuarial report. Mr. Spears stated the actuarial report is done every two years with a 30-year look forward in projections.

Commissioner Smith stated it is a 200% increase with a direct hit to the City's net assets. He stated it is very concerning to him and requested clarification on what assumptions might have changed since last year.

Commissioner Smith stated the footnotes on page 54 address the pension plan adjustments of the General Member Plan, Police Plan and Fire Plan. A lengthy discussion was held on the measurement date of the report being June 30, 2021, and not June 30, 2022. Mr. Vener stated it is not unusual for the valuation to be behind one year. Commissioner Smith stated he can see the report online and noted the value of the fund has gone down. Some additional discussion was held on the pension assets and performance being worse than expected.

There being no further discussion, Commissioner Mills moved that Resolution No. 7316 be adopted as presented approving the audit. Commissioner Calderón seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached. A copy of the audit is available online.

Consideration of Approval of a Sole Source Purchase from ZeroEyes, Inc., for Weapon Detection Service in the Amount of \$117,500.00

Ms. Christa Belyeu, I.T. Director, stated the I.T. Department is requesting the purchase of a weapon detection service that will integrate with the City's existing camera systems. The service would be purchased from ZeroEyes, Inc., and would be a 60-month contract. The system uses AI technology to detect and identify weapons (guns, rifles, shotguns) similar to the programs used by the Hobbs Municipal Schools and the New Mexico Junior College. She stated the total project cost is \$117,500.00 and displayed a short video about the program.

Following a brief discussion, Commissioner Fields moved to approve the sole source purchase from ZeroEyes, Inc., for weapon detection service in the amount of \$117,500.00. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached.

Resolution No. 7317 – Determining that Certain Structures are Ruined, Damaged and Dilapidated, are a Menace to Public Comfort, Health and Safety and Requires Removal from the Municipality (2604 West Texas and 712 South Selman)

Ms. Jessica Silva, Code Enforcement Superintendent, stated two properties have been identified which present health, life and safety hazards and warrant remediation. The first property is located at 2604 West Texas. Recreational vehicles parked in the area are not part of the property description. Ms. Silva then displayed photographs of the property. She stated to her knowledge, she believes the property is being used as storage only.

Ms. Silva continued her presentation and described the second property located at 712 South Selman and displayed photographs of the area.

In response to Commissioner Mills' question, Ms. Silva stated the City mailed notification to the property owners and received no response within the timeline provided. Once the resolution is acted upon by the Commission, additional notification will be mailed to the property owner and a notice will be posted upon the premises notifying the property owners that action is necessary.

There being no further discussion, Commissioner Calderón moved that Resolution No. 7317 be adopted as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached.

PUBLICATION: Proposed Ordinance Amending Chapter 1 of the Hobbs Municipal Code Establishing Non-Traffic Penalty Assessments

Mr. Efren Cortez, City Attorney, explained the ordinance amending Chapter 1 of the Hobbs Municipal Code to establish a non-traffic penalty assessment. Currently, a violation of the Hobbs Municipal Code is generally punishable by a fine of more than \$500 or imprisonment for not more than 90 days or both. Staff has identified various sections of the Hobbs Municipal Code that, if violated, should not warrant incarceration for any amount of time, and should not constitute a criminal conviction. Pursuant to that authority, the proposed ordinance would make it a penalty assessment to violate the specific sections of the Hobbs Municipal Code so designated as non-traffic penalty assessments by the City Commission. Mr. Cortez stated this would mean only a fine would apply and no jail time could be imposed if

the person is found to have committed the violation and the proposed ordinance sets out the necessary citation procedures.

A brief discussion was held on the notice procedures contained in the ordinance. Mr. Cortez stated it mirrors the Motor Vehicle Code and allows the Court to sua sponte dismiss a charge. Additionally, Mr. Cortez explained that tonight's proposed ordinance simply allows the City to establish a non-traffic penalty assessment; however, it does not yet create the penalty amount. An ordinance would be created to establish the penalty amounts which would be brought to the Commission for action at a later date.

There being no further discussion, Commissioner Fields moved that the Commission publish notice of its intent to adopt the ordinance at a later date. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried.

PUBLICATION: Proposed Ordinance Amending Chapter 10 of the Hobbs Municipal Code Prohibiting Parking of Heavy Trucks and Trailers on Streets

Mr. Cortez stated under New Mexico State Statutes, a municipality is authorized to regulate the operation of commercial motor vehicles with respect to streets under their jurisdiction. He explained the details of a proposed ordinance which would make parking any heavy truck (GVWR greater than 26,000 pounds) or any trailer longer than 20 feet (exclusive of the trailer tongue) a penalty assessment misdemeanor. Mr. Cortez stated the goal of the proposed ordinance is to decrease the potential for motor vehicle accidents by limiting sight obstructions and diminished travel space on roadways which are often caused by heavy trucks. Mr. Cortez stated this would include Class 7, 8 and 9 as heavy truck. In 2019, a proposed ordinance created by the City was tabled because the definition of truck was too broad. Mr. Cortez explained the Uniform Traffic Ordinance adopted by the Commission in 2016 extends extra latitude to governing bodies to regulate issues of this nature.

In response to Commissioner Penick's comment, Mr. Cortez stated the proposed ordinance would be first published in the Hobbs News Sun. He stated public education measures through the Communications Department would be a vital component in the effectiveness of this ordinance.

Following some discussion, Commissioner Gerth suggested that Ms. Meghan Mooney, Communications Director, create a video showing what is allowed and not allowed under the proposed ordinance.

There being no further discussion, Commissioner Gerth moved that the Commission publish notice of its intent to adopt the ordinance at a later date. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried.

Consideration of Approval of a Contract with Stantec Consulting Services, Inc., Pursuant to RFP No. 538-23 for College Lane Widening and Realignment Project in the Amount of \$235,729.74

Mr. Todd Randall, City Engineer, stated the Commission awarded RFP 538-23 to Stantec Consulting Services on December 19, 2022, for professional surveying and engineering design services for the College Lane Widening and Realignment Project. City Staff, in collaboration with Lea County Staff, have negotiated a preliminary engineering contract scope, schedule, and price in accordance with City of Hobbs Procurement Policy. He explained the scope of work for the preliminary engineering services and other factors which may affect the final design of the project. Mr. Randall stated the final deliverable will be a Technical Memorandum issued by Stantec Consulting Services, Inc., identifying project recommendations to proceed with final design. He explained City Staff will evaluate the preliminary engineering recommendations and negotiate a scope and fee for final design of the College Lane Widening and Realignment. The proposed project final design scope and fee will be submitted to the Commission for consideration at a later date.

Mayor Cobb stated he appreciates the County's participation in the funding for this important project.

Following a brief discussion, Commissioner Smith moved that the contract with Stantec Consulting Services, Inc., be approved for the College Lane Widening and Realignment Project in the amount of \$235,729.74 as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried. Copies of the contract and supporting documentation are attached.

Consideration of Approval of a CES Contract with Guadalupe Mountain Fencing in the Amount of \$253,666.80 for the Installation of New Decorative Ornamental Fencing on the East and South Side of Prairie Haven Cemetery

Mr. Bryan Wagner, Parks and Open Spaces Director, requested approval of a CES Contract with Guadalupe Mountain Fencing for installation of 1,950' of decorative/ornamental fence on the east and south side of Prairie Haven Cemetery. He stated the fence will be a 6' Ameristar Montage Plus three rail panels with exposed pickets on top and the project will also include one new 8' double gate. Mr. Wagner stated this is the same type of fence that was installed at Prairie Haven Memorial Park Cemetery and Everglade Cemetery. He stated the fence project has been requested and approved by the Cemetery Advisory Board.

There being no discussion, Commissioner Fields moved that the CES Contract with Guadalupe Mountain Fencing be approved in the amount of \$253,666.80 for installation of decorative ornamental fencing on the east and south side of Prairie Haven Cemetery. Commissioner Gerth seconded the motion and the vote was

recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried. Copies of the contract and supporting documentation are attached.

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

Mr. Gomez stated Hobbs is definitely a “City of Champs” as the Lady T-Birds, HHS Lady Eagles, HHS Co-Ed Cheer Team, and the NMJC Women’s and Men’s Teams won the NJCAA National Championships. He stated the City would be issuing proclamations in the near future on these victories.

Mr. Gomez stated Coffee with Cops will be held on March 22, 2023, at the J. F Maddox Foundation located at 220 East Broadway. He expressed appreciation to the Hobbs Police Department for this valuable outreach program.

Mr. Gomez provided a brief construction project update on various projects in the community.

Commissioner Gerth stated he is hopeful the proposed large truck ordinance will pass as he has many constituents who have had truck parking issues and favor this ordinance.

Commissioner Mills commented on some of the new laws adopted by the State Legislature and, if signed by the Governor, will require an update of the Hobbs Municipal Code.

Commissioner Smith thanked Mr. Toby Spears, Finance Director, for the audit information and stated he appreciates the clean opinion.

Mayor Cobb thanked local legislators for the capital outlay funding received by the City during the Legislative Session, specifically Representative Larry Scott and Senator Gay Kernan. He stated SB 157 is a one-time \$25 million appropriation to the City to help with reimbursement of lost revenue as it relates to HB 6. He stated the City has done a phenomenal job in making the State aware of the City’s losses and testified at numerous hearings on the issue. Mayor Cobb specifically thanked Mr. Toby Spears, Finance Director, for all of the financial data provided. He stated SB 157 passed both the House and Senate unanimously and currently awaits signature on the Governor’s desk. Mayor Cobb also thanked the following individuals with regard to SB 157: Senator George Munoz of the Senate Finance Committee; Senator Peter Wirth, Senate Majority Leader; and Representative Javier Martinez, Speaker of the House.

Mayor Cobb also thanked the City’s lobbyists, including Strategies 360, Ms. Missi Currier, Mr. T. J. Trujillo, and also Mr. Luke Otero for their expertise and knowledge during the Legislative Session.

Adjournment

There being no further business or comments, Commissioner Calderón moved that the meeting adjourn. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Penick yes, Calderón yes, Fields yes, Mills yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 8:15 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



PROCLAMATIONS

AND

**AWARDS OF
MERIT**

Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, the Hobbs Lady Eagles Basketball Team have completed another outstanding and successful year representing our City in basketball competition; and

WHEREAS, Coaches Joe Carpenter, Frankie Saiz, Selena Ornelas, Kina Gill and Jennifer Williams continue to lead the Lady Eagles to a reputation of excellence and prestige throughout the State of New Mexico and the surrounding area; and

WHEREAS, Coach Carpenter was named coach of the year in 2018 and has taken the Lady Eagles to their third State title under his leadership in six years. and

WHEREAS, the Lady Eagles have again proven their ability by winning their Fourth State Championship with a season record of 28-3 and

NOW, THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim April 3rd, 2023, as

“HOBBS LADY EAGLES DAY”

in recognition of the outstanding accomplishments of the 2022-2023 Hobbs Eagles Girls Basketball Team with congratulations for a job well done!

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of April, 2023 and cause the seal of the City of Hobbs to be affixed hereto.

SAM D. COBB, Mayor

ATTEST:


JAN FLETCHER, City Clerk



Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, Gabriel Palomino is on the Hobbs High School Diving team. He began diving when he was nine years old with the local club Caprock/Tsunami Diving Team and continued diving until he reached High School; and

WHEREAS, Gabriel's Hobbs High School Diving Coach, Cynthia Calderon has 22 years of coaching experience and has coached two state champions. She said that in order to stay in shape and become skilled and competitive you have to practice all year long, which Gabriel has done to reach his goal as State Champion; and

WHEREAS, Gabriel is a four-time District Diving Champion and has held this title for four years in a row; and

WHEREAS, In Gabriel's tenth grade year he medaled and placed 2nd with a score of 473.05, this year in eleventh grade he placed in 1st winning him the 5A State Championship with a score of 536.30. Gabriel's scores continue to soar year after year and

WHEREAS, Gabriel stated that "Winning the State Championship is definitely a highlight of his diving career and it is one of the best feelings out there".

NOW, THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim April 3rd, 2023 as,

"GABRIEL PALOMINO DAY"

in the City of Hobbs in honor of his dedication to the Hobbs High School Diving Team and to our community and wish him and the diving team continued success.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of April, 2023, and cause the seal of the City of Hobbs to be affixed hereto.

SAM D. COBB, Mayor

ATTEST:



JAN FLETCHER, City Clerk





CONSENT AGENDA



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: Resolution Approving Issuance of Junkyard License to Nickson Co., 103 North Mobile, Hobbs, New Mexico

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: March 24, 2023
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

An application for a junkyard license was received by the City Clerk's Office on March 16, 2023, located at 103 North Mobile. Pursuant to Section 5.24.020 of the Hobbs Municipal Code, formal consent of the City Commission is required for operation of a junkyard within the City limits.

Fiscal Impact:

Reviewed By: Finance Department

Applicant will pay the required license fee of \$50.00, if approved.

Attachments:

Copy of license application
Copy of Hobbs Municipal Code Section 5.24

Legal Review:

Approved As To Form: City Attorney

Recommendation:

Motion to approve the resolution

Approved For Submittal By: Department Director, City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN
Resolution No., Ordinance No., Approved, Other, Continued To, Referred To, Denied, File No.

CITY OF HOBBS

RESOLUTION NO. 7318

A RESOLUTION AUTHORIZING APPROVAL FOR
OPERATION OF A JUNK YARD KNOWN AS
NICKSON CO.
LOCATED AT 103 NORTH MOBILE, HOBBS, NEW MEXICO

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS,
NEW MEXICO, that the application of Andrew Nickson d/b/a Nickson Co. be and is
hereby approved to maintain and operate a junk yard at 103 North Mobile, Hobbs, New
Mexico.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

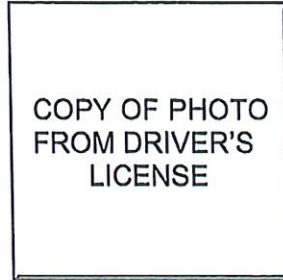


CITY OF HOBBS

JUNK YARD LICENSE
CHAPTER 5.24, HOBBS MUNICIPAL CODE

FEE: \$50.00
EXPIRATION DATE: 06/23/2026
NM TAXPAYER NO. [REDACTED]

Photo



PERSONAL INFORMATION

Name Andrew Nickson
Address 400 E Clinton
Telephone No. 575-691-6138
Birth Date [REDACTED] Driver's Lic. No. & State of issue [REDACTED] NM

Is Business a Partnership? Yes No [checked] If yes, complete following:

Partner's Name
Address
Telephone No. S.S. No.
Birth Date Driver's Lic. No. & State of issue

BUSINESS INFORMATION

Name of Business Nickson Co
Mailing Address 400 E Clinton
Street Address 103 W mobile
Telephone No. 575-691-6138

Type of materials at location recyclables and auto cores

Is the junk yard enclosed by a fence of solid construction of boards, brick or other similar materials not less than seven (7) feet in height above the level of the ground?

Yes [checked] No If so, with what type of materials? metal fence

Have you ever been convicted of a felony? Yes [checked] No

If yes, please Explain A little over 10 years ago aggravated burglary

(OVER)

Personal information of each employee:

Name N/A
Address _____
Telephone No. _____ S.S. No. _____
Birth Date _____ Driver's Lic. No. & State of issue _____

Personal information of each employee:

Name N/A
Address _____
Telephone No. _____ S.S. No. _____
Birth Date _____ Driver's Lic. No. & State of issue _____

NOTICE

It is unlawful for any person to operate or maintain a junk yard within the City limits, unless and until such person has secured the consent of the City Commission expressed by a formal resolution duly adopted. Section 5.24.020, Hobbs Municipal Code.

THIS APPLICATION MUST BE SIGNED BEFORE A NOTARY PUBLIC.

Andrew Nickson
APPLICANT'S SIGNATURE

Subscribed and sworn to before me this 14th day of March, 2023.

STATE OF NEW MEXICO
NOTARY PUBLIC
JANIE YVONNE LARA
COMMISSION # 1138657
COMMISSION EXPIRES 08/29/2026

Janie Yvonne Lara
NOTARY PUBLIC



My Commission Expires:
08/29/2026

OFFICE USE ONLY


Approved by the Hobbs City Commission Yes _____ No _____


Resolution # _____ Date _____

Approved by the Hobbs Fire Marshal Yes _____ No _____ Date _____

 **NEW MEXICO** 

DRIVER'S LICENSE

 License # [REDACTED] ISSUED 06/24/2022
Date of Bi [REDACTED] EXPIRES 06/23/2026
NICKSON
ANDREW LAWRENCE

400 E CLINTON ST
HOBBS, NM 88240 

WEIGHT 140 SEX M CLASS D
HEIGHT 5'11" EYES HAZ ENDORSEMENTS NONE
RESTRICTIONS B

Regulation and Licensing Department
RECYCLED METALS PROGRAM

5500 San Antonio Dr. NE • Albuquerque, NM 87109 • Ph.: (505) 490-29



This is to certify that

Nickson Co.

103 N. Mobile Hobbs NM 88240

*has registered with the State of New Mexico Regulation and Licensing Department as
a Secondhand Metal Dealer, as defined in the Sale of Recycled Metals Act.*

Issue Date: 03/10/2023

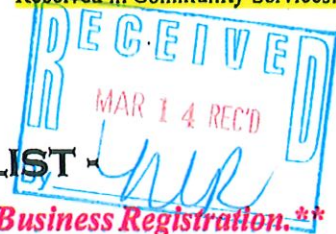
Expiration Date: 03/10/2026

Linda M. Trujillo

Superintendent Linda M. Trujillo

Registration Number: RMD000146

THIS CERTIFICATE MUST BE CONSPICUOUSLY POSTED IN THE PLACE OF BUSINESS.



City of Hobbs

BUSINESS INSPECTION CHECKLIST

****Complete this form first. It must be approved prior to issuance of Business Registration.****

COMMUNITY SERVICES

Office: (575) 391-8158 Fax: (575) 391-3061

Email: hobbs.permits@hobbsnm.org

Name of Applicant: Andrew Nickson Phone: 575-691-6138

Business Name: Nickson, Co Email: Andrewnickson@yahoo.com

Proposed Business Location: 103n mobile

Property Owner/Landlord: Andrew Nickson

Property Owner/Landlord Address: 406.e. clinton

Property Owner/Landlord Phone: 575-691-6138

New Building: Yes ___ No Utilities On: Yes ___ No Restrooms: Yes ___ No

Building Permit Issued: Yes ___ No ___ Permit # _____ Certificate of Occupancy: Yes ___ No ___

Type of Business: Office ___ Retail ___ Restaurant ___ Day Care ___ Auto Repair ___ Barber Shop ___
Hair Salon ___ Tattoo ___ Construction ___ Oilfield ___ Tobacco ___ Cannabis ___
Home-Based Business ___ Online ___ Other: Scrap yard

NM Contractor License # _____

Will any customers be going to the business location?: Yes ___ No

Will there be any business equipment, big trucks or chemicals stored at this address?: Yes ___ No

If yes, please describe: _____

What is the service of the business?: Recycling scrap metals

APPROVAL OF APPLICATION FOR OFFICIAL USE ONLY:			
Building Official Approval	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	By: <u>[Signature]</u> Date: <u>3/16/2023</u>
Site Inspection Performed	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	By: <u>[Signature]</u> Date: <u>3/16/2023</u>
Fire Dept. Approval	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	By: <u>[Signature]</u> Date: <u>3/16/2023</u>
Site Inspection Performed	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	By: <u>[Signature]</u> Date: <u>3/16/2023</u>
If Denied, Reason _____			
Called Customer for Pickup	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>	By: _____ Date: _____



Nickson Co.
103 N Mobile
575.691.6138
Mon- Fri 8am-5pm







Chapter 5.24 - JUNK YARDS AND JUNK DEALERS

5.24.010 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Junk dealers" means all persons engaged in the business of purchasing or selling secondhand or cast off material of any kind, commonly known as "junk," such as old iron, copper, lead, zinc, tin, steel and other metals, metallic cables, wires, ropes, cords, babbing, rags, rubber, paper and other materials.

"Junk yard" in addition to its generally accepted meaning, shall be defined as any lot, block or area within the City limits wherein worn-out or discarded material, in general, is kept, stored or maintained for the purpose of storage, salvage or resale.

(Prior code § 13-1)

5.24.020 - Junk yards—Formal consent of City Commission required for operation.

It is unlawful for any person to operate or maintain a junk yard within the City limits, unless and until such person has secured the consent of the City Commission expressed by a formal resolution duly adopted.

(Prior code § 13-2)

5.24.030 - Junkyards—Enclosure—Maintenance.

After a person has secured the consent of the City Commission to operate a junk yard, such junk yard shall be enclosed by a fence of solid construction of boards, brick or other similar materials, not less than seven (7) feet in height above the level of the ground and maintained in a sightly, safe and secure condition, and the contents therein shall be maintained in such a manner as to prohibit the spread of disease and in accordance with the health standards of the State.

(Prior code § 13-3)

5.24.040 - Junk dealers—Compliance with chapter.

It is unlawful to engage in the business commonly known as that of a "junk dealer" or in the purchase and sale of secondhand goods of any kind or character within the City, except in accordance with the provisions of this chapter.

(Prior code § 13-4)

5.24.050 - Junk dealers—Records—Generally.

Every junk dealer shall maintain at all times a full and complete record, written in ink, containing a full and accurate description of each article purchased, together with a full name, residence and general description of the person selling the same and the license number and make of the vehicle in which such article was delivered to the purchaser. No entry made in such record book shall be erased, mutilated or changed, and no purchases shall be made by a junk dealer, without listing in such book the objects purchased by him or her at the time of the purchase.

(Prior code § 13-5)

5.24.060 - Junk dealers—Records—Filing with Chief of Police and county sheriff's office—Maintenance and retention on business premises.

Within thirty-six (36) hours after the purchase of any article, every junk dealer shall file with the Chief of Police and the county sheriff's office a true and correct copy of the record made by him or her at the time of the purchase of such article. No junk dealer shall remove any article so purchased from the corporate limits until thirty-six (36) hours after the receipt of such notice by the sheriff's office and the Chief of Police. Such records shall be maintained in a bound book prepared for that purpose by each junk dealer and shall be retained on the premises of the business for a period of eighteen (18) months after the purchase of any article.

(Prior code § 13-6)

5.24.070 - Purchases from persons under eighteen.

It is unlawful for any junk dealer to purchase any article from any person under the age of eighteen (18) years, unless such person, at the time of the delivery of such article, is accompanied by his or her parent or duly appointed guardian, and in such event, the parent shall file with the dealer a written statement showing where the minor obtained the article sold.

(Prior code § 13-7)

5.24.080 - Signed statements from sellers.

Every junk dealer, before making any purchase, shall procure from the seller a signed statement showing when and where the object sought to be sold was obtained, together with a detailed description of the article.

(Prior code § 13-8)

5.24.090 - Hazardous accumulations.

It is unlawful for any junk yard or junk dealer to permit in or about his or her premises weed, briars, brush, unhealthful or harmful material of any kind, or any solid waste, that may become unsightly, hazardous or injurious to public health, or which obstructs pedestrian or vehicular traffic.

(Ord. 880, 2001: prior code § 13-10)

5.24.100 - Violations—Penalties.

Any junk dealer found guilty of violating this chapter, in addition to being punished for a misdemeanor, shall be notified of a hearing by the City Commission to determine whether his or her license should be cancelled as a result of such violation. Upon a determination at such hearing that his or her license should be cancelled, such junk dealer shall suffer the immediate cancellation thereof.

(Prior code § 13-9)

Google Maps 101 N Mobile St

Hobbs, New Mexico
Google Street View
Sep 2022



Image capture: Sep 2022 © 2023 Google



103 N Mobile St

All

Street View & 360°





CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: Donation of a 2002 GMC Sewer Jet Rodding Truck to the City of Jal, New Mexico
DEPT. OF ORIGIN: Utilities Department
DATE SUBMITTED: March 27, 2023
SUBMITTED BY: Tim Woomer, Utilities Director

Summary:

The City of Hobbs Utilities Department has contacted the City of Jal, New Mexico in reference to the donation a 2002 GMC Sewer Jet Rodding truck which the City of Hobbs no longer is utilizing. This unit was recently sent to auction, but did not meet minimum bid requirements set by the commission. This sewer jet rodding truck is a 2002 GMC C7500 unit was used to remove obstructions within the City of Hobbs sewer collection system. This unit (Unit 771) has been in service for 21 years. The truck currently has 35,210 miles with unknown hours of operation. The City of Jal, New Mexico has expressed a need for a secondary sewer truck and has requested the donation/transfer of this equipment.

Fiscal Impact:

Reviewed By: 
Finance Department

There is no fiscal impact associated with this donation. Jal, New Mexico will pick up the equipment at its cost.

Attachments:

- Resolution
- Request Letter from Jal, New Mexico
- Asset Deletion Form


Legal Review:

Approved as To Form: 
City Attorney

Recommendation:

Approve the donation of a 2002 GMC C7500 Sewer Jet Rodding Truck, Unit 771, (VIN Number 1GDM7H1C52J506341) in its present condition, to the City of Jal, New Mexico.

Approved For Submittal By:

Department Director

City Manager

CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN
Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied: _____
Other _____ File No. _____

CITY OF HOBBS

RESOLUTION NO. 7319

A RESOLUTION AUTHORIZING THE DONATION OF USED UTILITIES EQUIPMENT
TO THE CITY OF JAL, NEW MEXICO

WHEREAS, the City of Hobbs owns and wishes to donate to the City of Jal, New Mexico, a 2002 GMC Sewer Jet Rodding Truck. Unit #771, which property is no longer in use by the City of Hobbs and the City of Jal has a need for such equipment and has agreed to accept the same; and

WHEREAS, pursuant to Section 3-54-2(d) NMSA 1978, a municipality may sell, exchange, or donate real or personal property to the state, to any of its political subdivisions, or to the federal government if such sale, exchange, or gift is in the best interests of the public; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that the City Manager be, and is hereby authorized and directed, to take all steps necessary to effectuate this resolution and specifically to donate surplus property consisting of one 2002 GMC Sewer Jet Rodding Truck, Unit #771, to the City of Jal, New Mexico

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



City of Jal
P.O. Drawer 340
Jal, New Mexico 88252

3/21/2023

Request for Surplus Equipment

Subject: 2002 Sewer Cleaner truck

Reference VIN: 1GDM7H1C52J506341

MR. Woomer,

The City of Jal has learned from your organization that the 2002 sewer cleaning truck has been classified as surplus inventory. Upon inspection of this until, the City of Jal would ask the City of Hobbs for a donation of said equipment surplus.

In the receiving of equipment as a donation to the City of Jal, The City would assume full responsibility of the sewer truck.

The consideration from the City of Hobbs would be greatly appreciated.

Van Myrick
Public Works Director
City of Jal

Matt White
City Manager
City of Jal

03/21/2023

CITY OF HOBBS
INVENTORY TRANSFER/DELETION FORM

Section 1

TODAYS' DATE: 7/19/21 DATE OF TRANSACTION: 12/16/2002
SERIAL/VIN #: 1GDM7H1C52J506341 ASSET CONTROL #: 3715
(Inventory Tag #)
MAKE/MODEL: GMC C7500
ITEM DESCRIPTION: 2002 GMC Unit # 771

Section 2

TRANSFER

FROM:

DEPT. NAME: _____
DEPT. ACCOUNT #: _____
CURRENT LOCATION: _____
TRANSFER AMOUNT: \$ _____
(Original Purchase Price)
* _____ DEPARTMENT APPROVAL _____ DATE

TO:

DEPT. NAME: _____
DEPT. ACCOUNT #: _____
CURRENT LOCATION: _____
TRANSFER AMOUNT: \$ _____
(Original Purchase Price)
* _____ DEPARTMENT APPROVAL _____ DATE

Section 3

DELETION

DELETION AMOUNT: \$ 105,495.⁰⁰
(Original Purchase Price)
REASON FOR DELETION: Auction 2021

DEPARTMENT APPROVAL _____ DATE 7/19/21

PLEASE COMPLETE SECTION 1 AND SECTION 2 FOR TRANSFERS
PLEASE COMPLETE SECTION 1 AND SECTION 3 FOR DELETIONS

*PLEASE NOTE THAT A SIGNATURE IS NEEDED FROM BOTH DEPARTMENTS IN A TRANSFER

~PLEASE COMPLETE THIS FORM CAREFULLY AND IN ITS ENTIRETY WITH THE INFORMATION REQUESTED~

FXS1004D

Enter/Update Fixed Asset Data

13:06:19

Asset Control # : 000902540 Asset Status ...: AC

8/04/16

Class : VEHICLE VEHICLE *

Category/Sub : EQ 000 EQUIPMENT *

Description : #0771 '02 GMC TRUCK W/MOUNTED SRECO

SEWER CLE GMC TC7H042 1GDM7H1C52J50634

34

Check # 65088

Model : GMC

Serial/Vin# : 0771

Manufacture :

Model Year : 2002 Acquire Date : 12/16/2002

Purchase Amount : 105495.00 Purchase Order No.: 00000000

Purchase Vendor : *

Assigned to : UTIL SEWER MAINT

Location Name : SWRMTC

Current Assigned : Fund 60 Dept 4660

Last Transfer From: Fund 00 Dept 0000 Date 01/01/0001

Purchase Account : Fund 60 Dept 4660 Object 43801 Sub 000000

F5=Show Depreciation

F6=Show Shared Purchase

Press "Enter" to Return



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: ADOPTION OF REQUIRED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL CERTIFICATIONS AND COMMITMENTS

DEPT. OF ORIGIN: Engineering Department

DATE SUBMITTED: March 24, 2023

SUBMITTED BY: Todd Randall, City Engineer

Summary:

Citizen Participation Plan:

The City certifies its commitment to citizen participation by preparing and adopting a Citizen Participation Plan that includes ways to encourage public input using various methods to reach the public and assures that citizens are provided reasonable notice and timely access to local meetings, per the Open Meetings Act (NMSA 1978, Chapter 10, Article 15)

Fair Housing:

The City certifies its commitment to the Fair Housing Act of 1968 to affirmatively further fair housing, which prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing on the basis of race, color, religion, sex, disability, familial status, or national origin.

Residential Anti-Displacement and Relocation Assistance Plan:

The City certifies its compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, whose purpose is to provide uniform, fair, and equitable treatment for persons whose real property is acquired or for persons displaced as a result of a CDBG-funded project or activity.

Section 3:

The City certifies its commitment to Section 3, a provision of the Housing and Urban Development (HUD) Act of 1968, which requires recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low and very low income residents in connection with projects and activities in their community.

Procurement:

The City certifies its compliance with federal procurement code (24 CFR Part 85.36), New Mexico Procurement Code (§13-1-120 NMSA 1978) and the City's Procurement Code by adopting a procurement policy for CDBG projects.

Fiscal Impact:

Reviewed By: Finance Department

Community Development Block Grant projects are an important source of revenues to upgrade low and moderate income areas in the City.

Attachments:

Resolution, Citizen Participation Plan, Fair Housing Self-Assessment, Residential Anti-Displacement and Relocation Assistance Plan, Section 3 Plan

Legal Review:

Approved As To Form: Efren A. Cortez City Attorney

Recommendation:

To make a motion to approve the Resolution for the Mayor to adopt the CDBG Annual Certifications and Commitments

Approved For Submittal By:

TODD RANDALL
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. 7320

A RESOLUTION AUTHORIZING ADOPTION OF THE REQUIRED
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL
CERTIFICATIONS AND COMMITMENTS (2023)
CDBG 21-C-NR-I-03-G-12

WHEREAS, municipalities, counties or other entities that accept Community Development Block Grant (CDBG) funds must adopt certain required federal regulations; and

WHEREAS, the City of Hobbs (hereinafter referred to as the Grantee) wishes to ensure compliance with federal regulations by adopting the following required certifications and commitments:

- Citizen Participation** certifies its commitment to citizen participation by preparing and adopting a Citizen Participation Plan that includes ways to encourage public input using various methods to reach the public and assures that citizens are provided reasonable notice and timely access to local meetings, per the Open Meetings Act (NMSA 1978, Chapter 10, Article 15)
- Fair Housing** certifies its commitment to the Fair Housing Act of 1968 to affirmatively further fair housing, which prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing on the basis of race, color, religion, sex, disability, familial status, or national origin
- Residential Anti-Displacement & Relocation Assistance** certifies its compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, whose purpose is to provide uniform, fair, and equitable treatment for persons whose real property is acquired or for persons displaced as a result of a CDBG-funded project or activity
- Section 3** certifies its commitment to Section 3, a provision of the Housing and Urban Development (HUD) Act of 1968, which requires recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low and very low income residents in connection with projects and activities in their community.

Procurement certifies its compliance with federal procurement code (24 CFR Part 85.36), New Mexico Procurement Code (§13-1-120 NMSA 1978) and the City of Hobbs Procurement Code by adopting a procurement policy for CDBG projects.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be, and hereby is, authorized to adopt the above CDBG certifications and commitments that must be adopted annually.

PASSED, ADOPTED AND APPROVED at a duly called and convened regular meeting of the governing body of the City of Hobbs this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

EXHIBIT 1-Z

CDBG FEDERAL REQUIREMENTS

CITIZEN PARTICIPATION REQUIRED ELEMENTS

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, CITY OF HOBBS has prepared and adopted this Citizen Participation Plan.

Objective A

CITY OF HOBBS will provide for and encourage citizen participation within its area of jurisdiction, with particular emphasis on participation by persons of low and moderate income. *Action items:*

1. *Adopt and circulate an Open Meetings Resolution which provides citizens with reasonable notice of county/municipality upcoming meetings, actions and functions.*
2. *Develop press releases on county/municipality meetings, actions and hearings, and circulate to newspapers, radio and television media.*
3. *Develop and maintain listing of groups and representative of low and moderate income persons, and include on mailing lists of announcements, notices, press releases, etc.*

Objective B

CITY OF HOBBS will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds. *Action items:*

1. *Public notices, press releases, etc., should allow for a maximum length of notice to citizens.*
2. *Appropriate information and records relating to the proposed and actual use of CDBG funds must be available upon request to all citizens. Personnel and income records may be exempted from these requirements.*
3. *Meetings, hearing, etc., should be conducted at times and locations conducive to public attendance, e.g., evenings, Saturdays.*

Objective C

CITY OF HOBBS will provide technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals. *Note: the level and type of assistance is to be determined by the county/municipality. Action items:*

1. *Low and moderate income groups should be advised that technical assistance, particularly in the area of community development, is available from the county/municipality upon request.*
2. *Document technical assistance provided to such groups and has documentation available for review.*

Objective D

CITY OF HOBBS will provide a minimum of two public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program. *Action items:*

1. *Advise citizens of the CDBG program objectives, range of activities that can be applied for and other pertinent information.*
2. *Conduct a minimum of two public hearings:*
 - a. *One public hearing will be held to advise citizens of the program objectives and range of activities that can be applied for, and to obtain the citizen's views on community development and housing needs, to include the needs of low and moderate income people. This hearing will take place prior to the selection of the project to be submitted to the state for CDBG funding assistance.*
 - b. *A second public hearing will be held to review program performances, past use of funds and make available to the public its community development and housing needs, including the needs of low and moderate income families, and the activities to be undertaken to meet such needs.*
3. *Publish public hearing notices in the non-legal section of newspapers or in other local media. Evidence of compliance with these regulations will be provided with each CDBG application, i.e., hearing notice minutes of public meetings, list of needs and activities to be undertaken, etc. Amendments to goals, objectives and applications are also subject to public participation.*

Objective E

CITY OF HOBBS will provide timely written answers to written complaints and grievances within 15 working days where practical. *Action items:*

1. *Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.*
2. *Allow for appeal of a decision to a neutral authority.*
3. *File a detailed record of all complaints or grievances and responses in one central location with easy public access.*

Objective F

CITY OF HOBBS will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate. *Action items:*

1. *Identify areas where large majorities of non-English speaking persons reside and make appropriate provisions when issues affecting these areas are to be discussed at public meetings, hearings, etc. Appropriate provisions will include having interpreters available at the meeting and having briefing material available in the appropriate language.*
2. *Maintain records/rosters of public hearing attendees and proceedings to verify compliance with this objective.*

FAIR HOUSING REQUIRED ELEMENTS

A resolution of the CITY OF COMMISSION of the CITY of HOBBS, adopting a fair housing policy, making known its commitment to the principle of fair housing, and describing actions it shall undertake to affirmatively further fair housing.

WHEREAS; the Housing and Community Development act of 1974 as amended requires that all applicant for Community Development Block Grants funds certify that they shall affirmatively further fair housing; and

WHEREAS; the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS; fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS; discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE RESOLVED THAT the CITY OF COMMISSION of the CITY of HOBBS hereby wish all persons living, working, doing business in or traveling through this CITY to know that: discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of the CITY of HOBBS to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources the CITY of HOBBS will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equality under existing federal and state laws to file a complaint with the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development; and that the CITY of HOBBS shall publicize this Resolution and thereby encouraging owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that the CITY of HOBBS shall undertake the following actions to affirmatively further fair housing:

(List all such actions to include: mailing copies of this resolution to the real estate community, banks, developers, community organizations and local media; posting copies of this resolution at identified locations; distributing flyers; sponsoring schools)

1. FAIR HOUSING PROCLAMATION - CITY COMMISSION APRIL 2023
2. Poster and Proclamation displayed at City Hall
3. Water Bill to Resident - Fair Housing Statement and web-page reference
4. City of Hobbs Web-Page - Fair Housing w/ Links
 - * Office of Fair Housing Website
 - * Fair Housing Equal Opportunity for All
 - * Equal Housing Poster (English / Spanish)
5. Fair Housing Coloring Books in City Hall Lobby Area (Engineering Dept.)

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE REQUIRED ELEMENTS

I. Background/Introduction

Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5304(d)(4)), Section 105(b)(16) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705(b)(16)), and implementing regulations at 24 CFR Part 42, specify that a grantee under the Community Development Block Grant (CDBG) must certify that it has in effect and is following a "residential Anti-displacement and relocation assistance plan" (Plan). As a CDBG grantee, CITY OF HOBBS must certify to State of New Mexico Department of Finance and Administration Local Government Division that it has and is following such a Plan.

The Plan must include three components: 1) one-for-one replacement requirements for lower-income housing units, 2) relocation assistance, and 3) a description of the steps CITY OF HOBBS will take to minimize displacement.

II. Activities Covered by the Plan

All activities involving the use of CDBG funds that cause displacement as a direct result of demolition or conversion of a lower-income dwelling are subject to the requirements specified in the Plan. Activities for which funds are first obligated on or after September 30, 1988 are subject to the requirements specified in the Plan, without regard to the source year of the funds.

III. Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) govern displacement that directly results from acquisition, rehabilitation, or demolition of real property when federal funds are used. CITY OF HOBBS's Residential Anti-displacement and Relocation Assistance Plan is in no way intended to supersede the URA. CDBG assisted activities may still be subject to the requirements of the URA.

IV. One-for-One Replacement Units

All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with an assisted activity must be replaced with comparable lower-income units. Replacement lower-income dwelling units may be provided by any governmental agency or private developer and must meet the following requirements:

- A. The units must be located within CITY OF HOBBS to the extent feasible, the units shall be located within the same neighborhood as the units replaced

- B. The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in the units shall be in accordance with applicable local housing occupancy codes. The units may not be replaced with smaller units (e.g., a 2-bedroom unit with two 1-bedroom units), unless CITY OF HOBBS has provided information demonstrating that such a proposed replacement is consistent with the needs assessment contained State of New Mexico Department of Finance and Administration Local Government Division HUD-approved Consolidated Plan.
- C. The units must be in standard condition and must at a minimum meet Section 8 Program Housing Quality Standards. Replacement lower-income units may include units brought from a substandard condition to standard condition if: 1) no person was displaced from the unit; and 2) the unit was vacant for at least 3 months before execution of the agreement between CITY OF HOBBS and the property owner.
- D. The units must initially be made available for occupancy at any time during the period beginning 1 year before the recipient makes public the information required under Section F below and ending 3 years after the commencement of the demolition or rehabilitation related to the conversion.
- E. The units must be designed to remain lower-income dwelling units for at least 10 years from the date of initial occupancy. Replacement lower-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance
- F. Before CITY OF HOBBS enters into a contract committing it to provide CDBG funds for any activity that will directly result in the demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, CITY OF HOBBS must make public and submit in writing to State of New Mexico Department of Finance and Administration Local Government Division the following information:
- 1 A description of the proposed assisted activity;
 - 2 The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for lower-income dwelling units as a direct result of the assisted activity;
 - 3 A time schedule for the commencement and completion of the demolition or conversion;
 - 4 The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data is not available at the time of the submission to State of New Mexico Department of Finance and Administration Local Government Division, the submission shall identify the general location on an area map and the approximate number of dwelling units by size, and information identifying the specific location and number of dwellings units by size shall be submitted and disclosed to the public as soon as it is available;
 - 5 The source of funding and time schedule for the provision of replacement dwelling units;
 - 6 The basis for concluding that each replacement unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
 - 7 Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the needs assessment contained in

the State of New Mexico Department of Finance and Administration Local Government Division Consolidated Plan.

- G. The one-for-one replacement requirements may not apply if HUD determines, based on objective data, that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within _____ CITY OF HOBBS _____. In making such a determination, State of New Mexico Department of Finance and Administration Local Government Division will consider such factors as vacancy rates, numbers of lower-income units in _____ CITY OF HOBBS _____ and the number of eligible families on the Section 8 waiting list.

V. Relocation Assistance

Each lower-income person who is displaced as a direct result of CDBG assisted demolition or conversion of a lower-income dwelling shall be provided with relocation assistance.

Relocation assistance includes advisory services and reimbursement for moving expenses, security deposits, credit checks, other moving expenses, including certain interim living costs, and certain replacement housing assistance.

Displaced persons have the right to elect, as an alternative to the benefits described in this Plan, to receive benefits under the URA, if they determine that it is in their best interest to do so. The following relocation assistance shall be available to lower-income displacement persons:

- A. Displaced lower-income persons will receive the relocation assistance required under 49 CFR 24, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses) whether the person elects to receive assistance under the URA or the assistance required by CDBG regulations. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA;
- B. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit and for credit checks required to rent or purchase the replacement dwelling unit;
- C. Actual reasonable out-of-pocket costs incurred in connection with temporary relocation, including moving expenses and increased housing costs, if:
 - 1. The person must relocate temporarily because continued occupancy of the dwelling unit constitutes a substantial danger to the health or safety of the person or the public; or
 - 2. The person is displaced from a lower-income dwelling unit, none of the comparable replacement units to which the person has been referred qualifies as a lower-income dwelling unit, and a suitable lower-income dwelling unit is scheduled to become available through one-for-one replacement requirements
- D. Replacement Housing Assistance. Displaced persons are eligible to receive one of the following two forms of replacement housing assistance:
 - 1. Each person shall be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of

utilities for a replacement dwelling to the "Total Tenant Payment", as determined under 24 CFR 813.107. All or a portion of this assistance may be offered through a certificate or housing voucher for rental assistance under the Section 8 program.

Where Section 8 assistance is provided to the displaced person,

CITY OF HOBBS must provide the person with referrals to comparable units whose owners are willing to participate in Section 8 program to the extent that cash assistance is provided, it will be provided in installments.

2. In lieu of the housing voucher, certificate or cash assistance described above, the person may elect to receive a lump sum payment allowing them to secure participation in a housing cooperative or mutual housing association. This lump sum payment shall be equal to the capitalized value of 60 monthly installments of the amount that is obtained by subtracting the

"Total Tenant Payment", as determined under 24 CFR 813.107, from the monthly cost of rent and average monthly cost of utilities at a comparable replacement dwelling unit. To compute the capitalized value, the installments shall be discounted at the rate of interest paid on passbook savings in a federally insured financial institution conducting business within CITY OF HOBBS.

Displaced lower-income tenants shall be advised of their right to elect relocation assistance pursuant to the URA and the regulations at 49 CFR 24 as an alternative to the relocation assistance available under CDBG regulations.

VI. Eligibility for Relocation Assistance

A lower-income person is eligible for relocation assistance if they are considered to be a "displaced person" as defined in 24 CFR 42.305. A displaced person means a lower-income person who, in connection with an activity assisted under the CDBG program, permanently moves from real property or permanently moves personal property from real property as a direct result of demolition or conversion of a lower-income dwelling.

For purposes of this definition, a permanent move includes a move made permanently and:

- A. After notice by the owner to move from the property, if the move occurs on or after the date of the submission of a request to CITY OF HOBBS for CDBG assistance that is later approved for the requested activity; or
- B. After notice by the owner to move from the property, if the move occurs on or after the date of the initial official submission to HUD of the consolidated plan under 24 CFR Part 91 describing the assisted activity; or
- C. Before the dates described in A & B above, if CITY OF HOBBS or State of New Mexico Department of Finance and Administration Local Government Division determines that the displacement was a direct result of conversion or demolition in connection with a CDBG assisted activity; or
- D. By a tenant-occupant of a dwelling unit, if any one of the following three situations occurs:
 1. The tenant moves after execution of the CDBG agreement covering the acquisition, rehabilitation or demolition and the move occurs before the tenant is

provided written notice offering the tenant the opportunity to lease and occupy a suitable, decent, safe and sanitary dwelling in the same building/complex upon completion of the project under reasonable terms and conditions, including a monthly rent and estimated average monthly utility costs that do not exceed the greater of the tenant's monthly rent before such agreement, or the total tenant payment as determined under 24 CFR 813.107 if the tenant is lower-income, or 30 percent of gross household income if the tenant is not lower-income.

2. The tenant is required to relocate temporarily, does not return to the building/complex, and either is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, or other conditions of the temporary relocation are not reasonable.
3. The tenant is required to move to another dwelling unit in the same building/complex but is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move, or other conditions of the move are not reasonable.

If the displacement occurs on or after the appropriate date described in A & B above, the lower-income person is not eligible for relocation assistance if:

- A. The person is evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable federal, State or local law, or other good cause, and the CITY OF HOBBS determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;
- B. The person moved into the property on or after the date described in A & B above after receiving written notice of the expected displacement; or
- C. CITY OF HOBBS determines that the displacement was not a direct result of the CDBG assisted activity and the State of New Mexico Department of Finance and Administration Local Government Division concurs with this determination.

VII. Minimizing Displacement

The CDBG regulations regarding the demolition or conversion of lower-income dwelling units are designed to ensure that lower-income persons are provided with adequate, affordable replacement housing. Naturally, involuntary displacement should be discouraged whenever a reasonable alternative exists. Involuntary displacement is extremely disruptive and disturbing, especially to lower-income persons who do not have the means to locate alternative housing.

There are various ways that displacement can be minimized. The following are steps that will be taken to minimize the involuntary displacement of lower-income persons when CDBG funds are involved:

- A. Screening of Applications All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- B. Acquisition of Property Applicants who apply for CDBG funds to acquire property for the

development of lower-income housing will be encouraged to purchase vacant land. In the case of in-fill and other projects where this is not feasible and the project involves potential displacement, the applicant shall agree to allow the displaced lower-income person(s) to occupy the new housing at an affordable rent.

Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing consistent with paragraph IV, as well as relocation assistance.

- C. Cost of Relocation Assistance The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant and may be paid for out of CDBG funds awarded to the project.

VIII. Definitions

- A. "Comparable replacement dwelling unit" means a dwelling unit that:
 - 1 Meets the criteria of 49 CFR 24.2(d)(1) through (6); and
 - 2 Is available at a monthly cost for rent plus estimated average monthly utility costs that does not exceed the "Total Tenant Payment" determined under 24 CFR 813.107 after taking into account any rental assistance the household would receive.
- B. "Lower-income dwelling unit" means a dwelling unit with a market rental (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation established under 24 CFR Part 888.
- C. "Standard condition" means units that at a minimum meet the Existing Housing Quality Standards of the Section 8 rental subsidy program.
- D. "Substandard condition suitable for rehabilitation" means units with code violations that can be brought to Section 8 Housing Quality Standards within reasonable monetary amounts.
- E. "Vacant occupiable dwelling unit" means a dwelling unit that is in a standard condition; a vacant dwelling unit that is in substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by CITY OF HOBBS covering the rehabilitation or demolition.

IX. Grievances

The CITY OF HOBBS will provide timely written answers to written complaints and grievances within 15 working days where practical. Action items:

- A. Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.
- B. Allow for appeal of a decision to a neutral authority.
- C. File a detailed record of all complaints or grievances and responses in one central location with easy public access.

SECTION 3 PLAN REQUIRED ELEMENTS

The CITY OF HOBBS is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community.

The CITY OF HOBBS has appointed Nicholas Goulet ^{April 3, 2023} as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as focal point for Section 3 complaints, and as the on-site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of their Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the CITY OF HOBBS. Documentation of efforts will be retained on file for monitoring by the state.

Therefore, the CITY OF HOBBS shall:

1. Hiring
 - a. Advertise for all CITY OF HOBBS positions in local newspapers
 - b. List all CITY OF HOBBS job opportunities with the State Employment Service
 - c. Give preference in hiring to lower income persons residing in the CITY OF HOBBS. This means that if two equally qualified persons apply and one is a resident of the CITY OF HOBBS and one is not, the resident will be hired
 - d. Maintain records of CITY OF HOBBS hiring as specified in the CDBG Resolution to Adopt CDBG Requirements (Exhibit 1-Y). Note: Chart for Section 3 Plan MUST be filled out in its entirety and updated with a CDBG grant agreement.

2. Contracting
 - a. The CITY OF HOBBS will compile a list of businesses, suppliers and contractors located in the CITY OF HOBBS.
 - b. These vendors will be contacted for bid or quotes whenever the CITY OF HOBBS requires supplies, services or construction.
 - c. Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the CITY OF HOBBS and one from outside the CITY OF HOBBS, the contract will be awarded to the business located within the community.

3. Training

The CITY OF HOBBS shall maintain a list of all training programs operated by the CITY OF HOBBS and its agencies and will direct them to give preference to CITY OF HOBBS residents. The CITY OF HOBBS will also direct all CDBG sponsored training to provide preference to CITY OF HOBBS residents.

4. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that the greatest extent feasible, opportunities for training and employment be given lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there-under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135, and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The CITY OF HOBBS shall require each contractor to prepare a written Section 3 plan as a part of their bids on all jobs exceeding \$100,000. All Section 3 plans shall be reviewed and approved by the City's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the state.

The CITY OF HOBBS will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

LOWER INCOME CLARIFICATION

A family who resides in CITY OF HOBBS and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for CITY OF HOBBS. Information contained in our Section 3 Plan reflects the status of the CITY OF HOBBS employees regarding lower income considerations based on their salary paid by the CITY OF HOBBS.

Certification

This Federal Requirements Plan hereby incorporates all of the State of New Mexico CDBG requirements to include Citizen Participation, Fair Housing, Residential Anti-Displacement & Relocation as well as Section 3. The CITY OF HOBBS herewith certifies to follow the CDBG Federal Requirements Plan described above and adopt the plan by resolution once throughout the term of the CDBG grant agreement.

PASSED AND ADOPTED BY THE CITY OF COMMISSION of the CITY
of HOBBS on this 3rd day of April, 2023.

ATTEST:

APPROVED AS TO FOR:

CITY Clerk

CITY Attorney

Plan Adoption Date: April 3, 2023

Adoption Instrument: RESOLUTION

Certified By: SAM D. COBB Date _____
MAYOR

Copy to Local Government Division with attachments



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: CDBG GRANT AGREEMENT AMENDMENT NO. 1 Project No. CDBG 21-C-NR-I-03-G-12
DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: March 23, 2023
SUBMITTED BY: Todd Randall, City Engineer

Summary:

The CDBG Grant Agreement between the City of Hobbs and the Department of Finance and Administration Local Government Division is for the 2023 Hobbs CDBG Infrastructure Improvements Project that consists of complete pavement reconstruction as well as curb and gutter, sidewalk and ADA improvements in a residential area.

The project description and Project Cost/Financing Summary submitted with the grant application and original agreement need to be modified to show project activity and engineering design expenses. The revised Grant Amendment (Exhibit 1-C) reflects moving \$6,000 in CDBG funding towards Design services.

Fiscal Impact:

Reviewed By: Finance Department

37-4037-44901-00326
CDBG funding for Design: \$6,000
CDBG funding for Construction: \$744,000 (reduced by \$6,000 from \$750,000)
Project Amount: \$850,000
Grant Amount: \$750,000.00

Attachments:

Resolution and grant amendment

Legal Review:

Approved As To Form: Efren A. Cortez City Attorney

Recommendation:

Consider the approval of the Resolution and grant amendment

Approved For Submittal 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. 7321

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT
AMENDMENT WITH THE DEPARTMENT OF FINANCE AND
ADMINISTRATION LOCAL GOVERNMENT DIVISION
FOR
CDBG PROJECT NO. 21-C-NR-I-03-G-12

WHEREAS, the City of Hobbs received an executed grant agreement for CDBG 21-C-NR-I-03-G-12 effective April 7, 2022 in the amount of \$750,000;

WHEREAS, the City of Hobbs requesting a modification to the project budget to reflect expenditures of CDBG funding for the design of the project in the amount of \$6,000;

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 CDBG grant amendment with the Department of Finance Administration Local Government Division for Project No. 21-C-NR-I-03-G-12

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

Entity Name: <u>CITY OF HOBBS</u>		<input checked="" type="checkbox"/> Grant Agreement		CDBG Amount: \$ 750,000.00		
CDBG Project Number: <u>21-C-NR-I-01-G-12</u>		<input type="checkbox"/> Grant Amendment		Other Amount: \$ 100,000.00		
Project Cost Activities	Project Funding Sources					Total Project Cost
	CDBG Funds	Other Sources (identify other local, state, federal, or private)				
		Cash Match (Local)	Leverage (Local)			
Administration (Contractual)						\$ -
Architect/Engineer	\$6,000					\$ 6,000.00
Other Professional						\$ -
Inspection (Testing)						\$ -
Property Acquisition						\$ -
Property Rehabilitation						\$ -
Construction	\$ 744,000.00	\$ 75,000.00	\$ 25,000.00			\$ 844,000.00
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Totals	\$ 750,000.00	\$ 75,000.00	\$ 25,000.00	\$ -	\$ -	\$ 850,000.00



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3rd, 2023

SUBJECT: APPLICATION FOR TRANSPORTATION PROJECT FUND (TPF) FOR ROADWAY DESIGN ALONG SR132 DAL PASO ST

DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 3-24-2023
SUBMITTED BY: Todd Randall, City Engineer

Summary:

The Project Oversight Division of the New Mexico Department of Transportation is soliciting application for the Department's Transportation Project Fund (TPF), which requires a 5% match.

Staff recommends a roadway design grant for SR132 Dal Paso St. to include studies for the reconstruction and drainage improvements. Project design would be 12 months and future application for construction could be made to the NMDOT Transportation Project Fund.

Fiscal Impact:

Reviewed By: _____
Finance Department

Estimated Cost: \$300,000
Local Match: \$15,000
State Match: \$285,000

* Project will be budgeted upon grant being awarded in Fund 48

Attachments:

Resolution / Cover Letter / PFF / Location Map

Legal Review:

Approved As To Form: Efren A. Cortez
City Attorney

Recommendation:

To make a motion to approve the Resolution for the Mayor to submit an application for the 2023 TPF grant to the NMDOT

Approved For Submittal By:

TODD RANDALL
City Engineer
Engineering Dept, CN-1000
303-441-1041

Department Director

City Manager

CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7322

**A RESOLUTION TO THE NEW MEXICO DEPARTMENT
OF TRANSPORTATION FOR ROADWAY PROJECT**

WHEREAS, The City of Hobbs is in support of seeking funding assistance, in the design and studies for the roadway reconstruction and drainage improvements along SR 132 (Dal Paso St.); and

WHEREAS, The City of Hobbs will provide a 5% match requirement for the project; and

WHEREAS, The Project Oversight Division of the New Mexico Department of Transportation is soliciting application for the Department's Transportation Project Fund (TPF) for fiscal year 2024, which includes arterial and major local streets; and

WHEREAS, SR132 (Dal Paso St) is considered a major arterial roadway; and

WHEREAS, the New Mexico Department of Transportation requests as part of the application procedures, passage and submittal of a local government resolution of support for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, the City of Hobbs supports the preparation and submittal of an application in accordance with the procedures established by the New Mexico Department of Transportation.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



ENGINEERING DEPARTMENT

200 E. Broadway
Hobbs, NM 88240

575-397-9232 bus
575-397-9227 fax

March 27th, 2023

NMDOT

Francisco Sanchez District II Engineer
4505 West Second St.
Roswell, NM 88202

SERPTO

Attn: Mary Ann Burr
mbsnmedd@plateautel.net

**RE: HOBBS, NM - Transportation Project Fund (TPF) Application
ROADWAY DESIGN: SR 132 (Dal Paso St.)**

The City of Hobbs is submitting two projects with regard to the FY24 TPF Call for Projects. This project is for roadway design along SR 132 (Dal Paso St.) see attached *Location Map*.

1. **Scope of Work:** Design and studies for the reconstruction of SR 132 Dal Paso to include drainage structure, inlets, sidewalk, intersection widening to accommodate dual left turns at Navajo & Dal Paso and ADA improvements
2. **Hardship Match Waiver:** Not requested
3. **Project Readiness:** This will be for design only and the draft RFP is completed and will be advertised within 30 days of notice of award. The City has already collected mobile LiDAR along the corridor and will immediately contract separately the geotechnical work. The project is listed in the City's ICIP 2023-5.
4. **Funding:** The requested funding is sufficient to cover all costs and City has already invested in the mobile LiDAR along the corridor
5. **Right of Way:** The project is within NMDOT right of way and no acquisition will be necessary for this project. No Federal Funds will be used for this phase of design, although the design will be based on possible future Federal Funding
6. **Category:** Environmental and other studies, planning and design

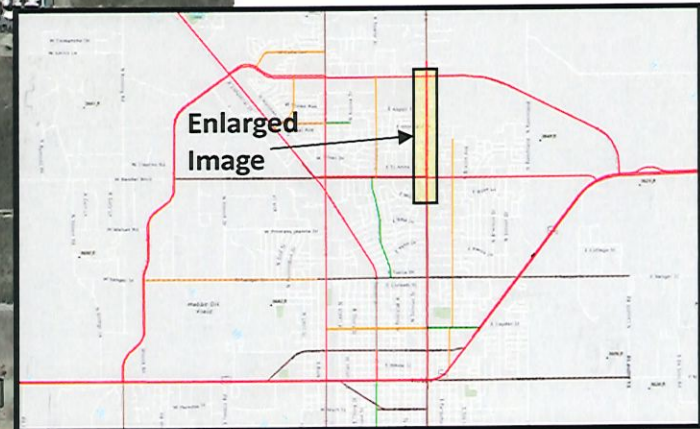
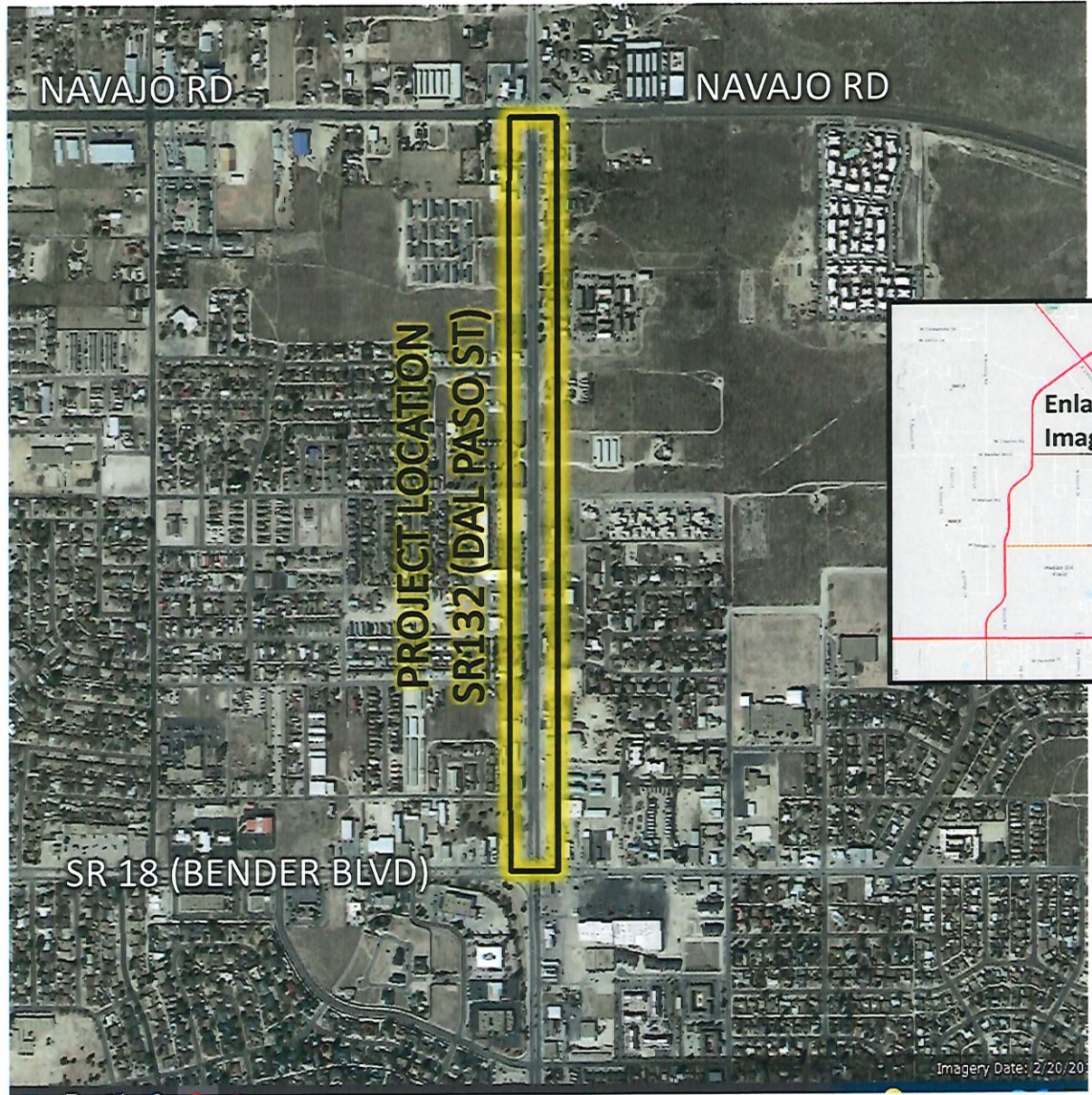
Attached are the 1.) Signed PFF 2.) City of Hobbs Draft Resolution, and 3.) Location Map.

If you have any questions do not hesitate to contact me at 575-397-9237

Sincerely,
THE CITY OF HOBBS

Todd Randall, PE – City Engineer
trandall@hobbsnm.org
575-397-9237

xc: Project File




FY 23 – TRANSPORTATION PROJECT FUND (TPF) APPLICATION
HOBBS, NM – VICINITY MAP

**HOBBS - APPLICATION No. 3 -
DESIGN - DAL PASO (SR132)**

**TRANSPORTATION PROJECT FUND
PROJECT FEASIBILITY FORM (PFF)
MPO/RTPO: _____**

GENERAL INFORMATION

Preparation Date: 3-13-2023 **Project Title:** SR132 - DAL PASO
Requesting T/LPA: City of Hobbs **Is there an approved Governing Body resolution for**
(Applicant) **this application**
 YES NO PENDING **If pending, date**
expected APRIL 3, 2023
Responsible Charge
Name: Todd Randall  **Phone:** 575-397-9232
Title: City Engineer **Email:** trandall@hobbsnm.org

PROJECT DESCRIPTION

Project Type (Check all that apply):
 ROADWAY BRIDGE SAFETY PLANNING/DESIGN OTHER

If you chose "OTHER" please clarify here: _____

Project Scope: Design of the reconstruction of SR 132 (Dal Paso from SR18 Bender to Navajo)

Is the request to address a bridge on the NMDOT's Local Bridge Priority List for Replacement/Rehabilitation?
 NO YES If yes, please indicate bridge #: _____

Is the request to continue or advance a phase of a previous project?
 NO YES If yes, please indicate funding sources and scope of previous phase below.

Funding Source: _____

Previous Phase Project Scope: _____

Completion Date of Previous Phase: _____

Current Phase being requested: _____

Project Location
Route Number and/or Street Name: SR132 (Dal Paso St)

Project Termini:
Beginning Mile point and/or intersection: Bender (SR18) and Dal Paso (SR 132)

Ending Mile point and/or intersection: Dal Paso (SR 132) and Navajo

Total length of proposed project: 1 mile

NOTE: A local government project that is located in full or in part within a department right-of-way or NHS route must be administered in accordance with the "Tribal/Local Public Agency Handbook".

A local government project that ties into, connects or crosses a department right-of-way or an NHS route, or when the project may have an effect on existing improvements within department rights-of-way, requires the approval of the department.

Is the project located in full or in part within a department right-of-way or NHS route?

NO YES If yes, the project must be administered in accordance with the Tribal/Local Public Agency Handbook and follow all requirements and procedures.

Does the project tie into, connect or cross a department right-of-way or an NHS route, or will the project have an effect on existing improvements within a NMDOT right-of-way? "Letter of Approval" from the NMDOT District Engineer?

NO YES If yes, a "Letter of Approval" is required from the NMDOT District Engineer.

Will the project impact known environmental and/or cultural resources?

NO YES If yes, please clarify _____

Is this project tied to any past or future federal funding?

NO YES If yes, please identify _____

NO YES Does the Local Entity intend to apply for Match Waiver Funding?

Project Phases to be included in request (Check all that apply):

PLANNING

PRELIMINARY ENGINEERING/DESIGN

CONSTRUCTION

CONSTRUCTION MANAGEMENT & TESTING

*RIGHT OF WAY ACQUISITION**

* Projects that are for ROW acquisition will need to follow NMDOT ROW acquisition requirements if the entity intends to utilize federal funding in any subsequent project phase.

PROJECT COSTS:

Column A (Not Phased)			Column B (Phased)		
If project is <u>not</u> phased, complete column A only.			Total Phases No. (1, 2, 3, I, II, III, etc.):		
If project is phased, list the amount of funding being currently requested in Column A and complete Column B.			The amount below represents the cost of the entire project and will be greater than Column A.		
Design Only			Total Project Cost: \$		
Percentage Estimates:			Phased projects are usually large and divided into parts or phases. Please clarify how the requested project funding relates to the total overall project. Identify future phases and estimated costs.		
Total Local Match	5%	\$ 15,000			
Total State Share	95%	\$ 285,000			
Total cost	100%	\$ 300,000			

T/LPA REVIEW:				
By: <i>TODD FANDAU</i>	Date: <i>3-13-23</i>	Recommended:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NMDOT DISTRICT REVIEW:				
By:	Date:	Recommended:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<u>NMDOT District comments.</u>
<u>NMDOT Environmental Bureau comments.</u>



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3rd, 2023

SUBJECT: APPLICATION FOR TRANSPORTATION PROJECT FUND (TPF) FOR ROADWAY MAINTENANCE ON S. GRIMES STREET

DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 3-24-2023
SUBMITTED BY: Todd Randall, City Engineer

Summary

The Project Oversight Division of the New Mexico Department of Transportation is soliciting application for the Department's Transportation Project Fund (TPF), which requires a 5% match.

Staff recommends a maintenance grant application for S. Grimes St. from South Bypass to US62/180. The scope of work will be a mill and overlay and ADA improvement will not be required, since there is no curb and gutter along portion of this corridor and no sidewalks in other locations.

Fiscal Impact:

Reviewed By: Finance Department

Estimated Cost: \$2,000,000.00
Local Match: \$100,00.00
State Match: \$1,900,00.00

* Project will be budgeted upon grant being awarded in Fund 48

Attachments:

Resolution / Cover Letter / PFF / Location Map

Legal Review:

Approved As To Form: Efren A. Cortez, City Attorney

Recommendation:

To make a motion to approve the Resolution for the Mayor to submit an application for the 2024 TPF grant to the NMDOT

Approved For Submittal By:

Digital signature of Todd Randall, City Engineer, including contact information and date.

Handwritten signature of Todd Randall, City Engineer.

CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7323

**A RESOLUTION TO THE NEW MEXICO DEPARTMENT
OF TRANSPORTATION FOR ROADWAY PROJECT**

WHEREAS, The City of Hobbs is in support of seeking funding assistance, in part for roadway improvement of Grimes St from the South Bypass to US62/180 (Marland Blvd); and

WHEREAS, The City of Hobbs will provide a 5% match requirement for the project; and

WHEREAS, The Project Oversight Division of the New Mexico Department of Transportation is soliciting application for the Department's Transportation Project Fund (TPF) for fiscal year 2024, which includes arterial and major local streets; and

WHEREAS, S. Grimes St. is considered an arterial roadway; and

WHEREAS, the New Mexico Department of Transportation requests as part of the application procedures, passage and submittal of a local government resolution of support for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, the City of Hobbs supports the preparation and submittal of an application in accordance with the procedures established by the New Mexico Department of Transportation.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



ENGINEERING DEPARTMENT

200 E. Broadway
Hobbs, NM 88240

575-397-9232 bus
575-397-9227 fax

April 27th, 2023

NMDOT
Francisco Sanchez District II Engineer
4505 West Second St.
Roswell, NM 88202

SERPTO
Attn: Mary Ann Burr
mbsnmedd@plateautel.net

RE: HOBBS, NM - Transportation Project Fund (TPF) Application
ROADWAY MAINTENANCE: S. Grimes from South Bypass to US62/180

The City of Hobbs is submitting two projects with regard to the FY24 TPF Call for Projects. This project is for roadway maintenance along South Grimes from the South Bypass to US62/180 (Marland Blvd), see attached *Location Map*.

1. **Scope of Work:** Mill and overlay, minor pavement patching and striping
2. **Hardship Match Waiver:** Not requested
3. **Project Readiness:** Depending on the release of funds and weather conditions, the project can move forward immediately using State or CES contracts with a construction timeline of 6 months. This project was included in the City's Top 5 ICIP Rankings FY24.
4. **Funding:** The requested funding is sufficient to cover all costs and scope can be reduced to meet funding levels provided.
5. **Right of Way:** The project is within City right of way and no right of way of acquisition will be necessary for this project. No Federal Funds will be used for this project.
6. **Category:** Construction only

Attached are the 1.) Signed PFF 2.) City of Hobbs Draft Resolution, and 3.) Location Map.

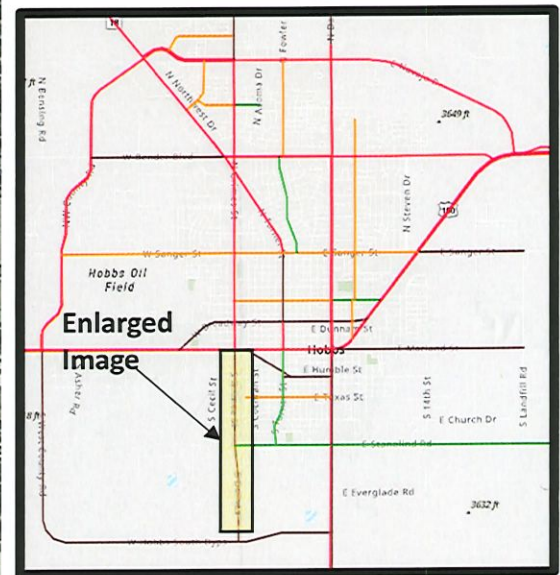
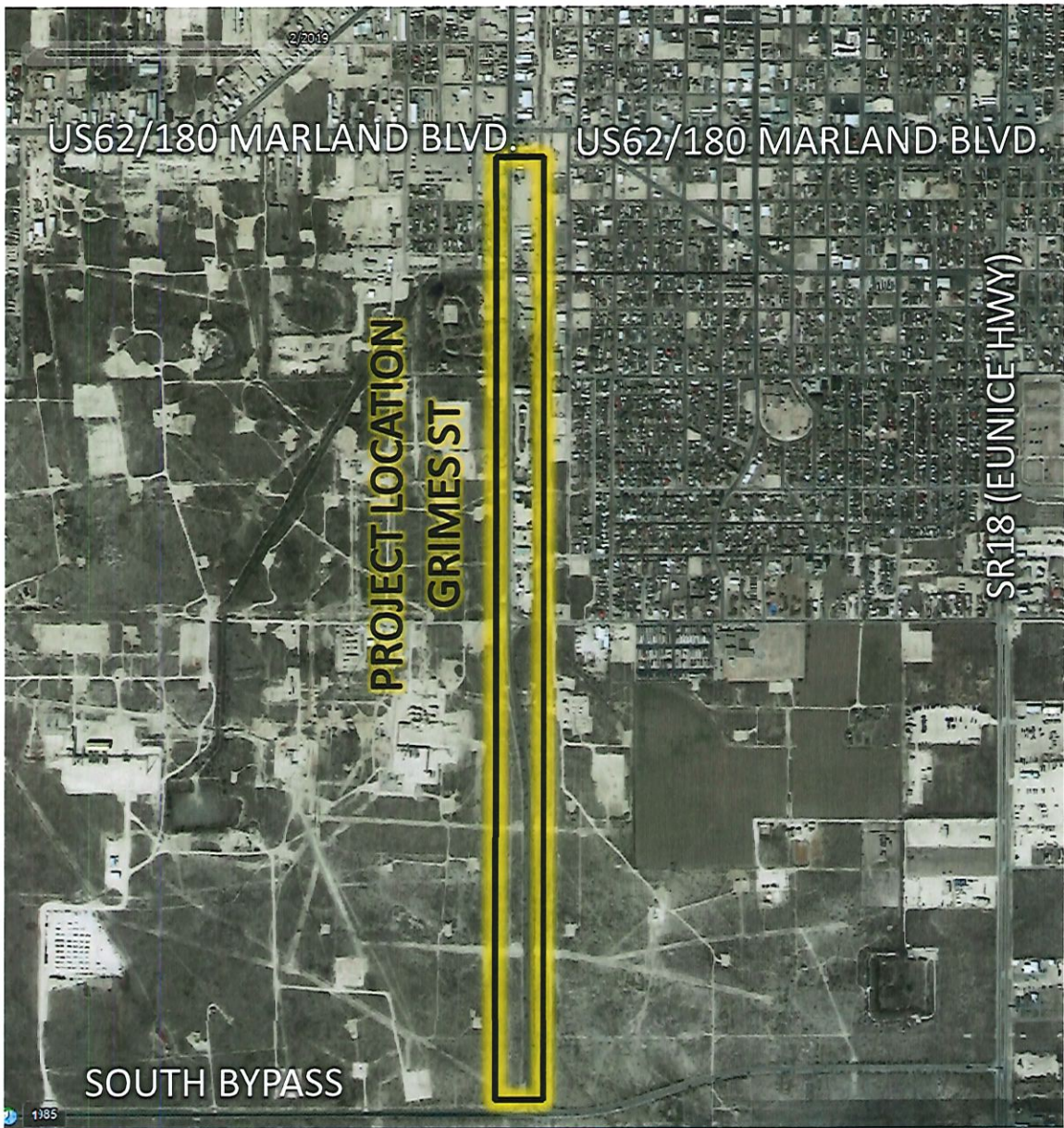
If you have any questions do not hesitate to contact me at 575-397-9237

Sincerely,
THE CITY OF HOBBS

A handwritten signature in blue ink that reads "Todd Randall".

Todd Randall, PE – City Engineer
trandall@hobbsnm.org
575-397-9237

xc: Project File



FY 24 – TRANSPORTATION PROJECT FUND (TPF) APPLICATION
HOBBS, NM – VICINITY MAP

**HOBBS - APPLICATION No. 1 -
MAINTENANCE - GRIMES ST**

**TRANSPORTATION PROJECT FUND
PROJECT FEASIBILITY FORM (PFF)
MPO/RTPO: _____**

GENERAL INFORMATION

Preparation Date: 3-13-2023 **Project Title:** S GRIMES ST

Requesting T/LPA: City of Hobbs **Is there an approved Governing Body resolution for this application**
(Applicant) YES NO PENDING If pending, date expected APRIL 3, 2023

Responsible Charge
Name: Todd Randall  **Phone:** 575-397-9232
Title: City Engineer **Email:** trandall@hobbsnm.org

PROJECT DESCRIPTION

Project Type (Check all that apply):
 ROADWAY BRIDGE SAFETY PLANNING/DESIGN OTHER

If you chose "OTHER" please clarify here: _____

Project Scope: Mill and overlay Grimes St from South Bypass to US62/180

Is the request to address a bridge on the NMDOT's Local Bridge Priority List for Replacement/Rehabilitation?
 NO YES If yes, please indicate bridge #: _____

Is the request to continue or advance a phase of a previous project?
 NO YES If yes, please indicate funding sources and scope of previous phase below.

Funding Source: _____

Previous Phase Project Scope: _____

Completion Date of Previous Phase: _____

Current Phase being requested: _____

Project Location
Route Number and/or Street Name: Grimes St

Project Termini:
Beginning Mile point and/or intersection: US62/180 (Marland Blvd) & Grimes St

Ending Mile point and/or intersection: South Bypass & Grimes St

Total length of proposed project: 2 miles

NOTE: A local government project that is located in full or in part within a department right-of-way or NHS route must be administered in accordance with the "Tribal/Local Public Agency Handbook".

A local government project that ties into, connects or crosses a department right-of-way or an NHS route, or when the project may have an effect on existing improvements within department rights-of-way, requires the approval of the department.

Is the project located in full or in part within a department right-of-way or NHS route?

NO YES If yes, the project must be administered in accordance with the Tribal/Local Public Agency Handbook and follow all requirements and procedures.

Does the project tie into, connect or cross a department right-of-way or an NHS route, or will the project have an effect on existing improvements within a NMDOT right-of-way? "Letter of Approval" from the NMDOT District Engineer?

NO YES If yes, a "Letter of Approval" is required from the NMDOT District Engineer.

Will the project impact known environmental and/or cultural resources?

NO YES If yes, please clarify _____

Is this project tied to any past or future federal funding?

NO YES If yes, please identify _____

NO YES Does the Local Entity intend to apply for Match Waiver Funding?

Project Phases to be included in request (Check all that apply):

PLANNING

PRELIMINARY ENGINEERING/DESIGN

CONSTRUCTION

CONSTRUCTION MANAGEMENT & TESTING

RIGHT OF WAY ACQUISITION*

* Projects that are for ROW acquisition will need to follow NMDOT ROW acquisition requirements if the entity intends to utilize federal funding in any subsequent project phase.

PROJECT COSTS:

Column A (Not Phased)			Column B (Phased)
If project is not phased, complete column A only.			Total Phases No. (1, 2, 3, I, II, III, etc.):
If project is phased, list the amount of funding being currently requested in Column A and complete Column B.			The amount below represents the cost of the entire project and will be greater than Column A.
			Total Project Cost: \$
Percentage Estimates:			Phased projects are usually large and divided into parts or phases. Please clarify how the requested project funding relates to the total overall project. Identify future phases and estimated costs.
Total Local Match	5%	\$ 100,000	
Total State Share	95%	\$ 1,900,000	
Total cost	100%	\$ 2,000,000	

T/LPA REVIEW:			
By: <i>Tom Ransau</i>	Date: <i>3-13-23</i>	Recommended:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NMDOT DISTRICT REVIEW:			
By:	Date:	Recommended:	<input type="checkbox"/> Yes <input type="checkbox"/> No

<p><u>NMDOT District comments.</u></p>
<p><u>NMDOT Environmental Bureau comments.</u></p>



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: APRIL 3RD, 2022

SUBJECT: APPLICATION FOR TRANSPORTATION PROJECT FUND (TPF) FOR ROADWAY MAINTENANCE ALONG MILLEN DR (Lovington Hwy to Grimes St)

DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 3-24-2023
SUBMITTED BY: Todd Randall, City Engineer

Summary:

The Project Oversight Division of the New Mexico Department of Transportation is soliciting application for the Departments Transportation Project Fund (TPF), which requires a 5% match.

Staff recommends roadway improvements to Millen Dr., which would include pavement mill and overlay. ADA improvements will not be required since there is no curb and gutter along a majority of the roadway.

Fiscal Impact:

Reviewed By: _____
Finance Department

Estimated Cost: \$1,500,000
Local Match: \$75,000
State Match: \$1,425,000
* Project will be budgeted upon grant being awarded in Fund 48

Attachments:

Resolution / Cover Letter / PFF / Location Map

Legal Review:

Approved As To Form: Efren A. Cortez
City Attorney

Recommendation:

To make a motion to approve the Resolution for the Mayor to submit an application for the 2023 TPF grant to the NMDOT

Approved For Submittal By:

TODD RANDALL

Department Director

City Manager

**CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN**

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

CITY OF HOBBS

RESOLUTION NO. 7324

**A RESOLUTION TO THE NEW MEXICO DEPARTMENT
OF TRANSPORTATION FOR ROADWAY PROJECT**

WHEREAS, The City of Hobbs is in support of seeking funding assistance, for the roadway maintenance improvement along Millen Dr. from SR 18 (Lovington Hwy) to Grimes St.; and

WHEREAS, The City of Hobbs will provide a 5% match requirement for the project; and

WHEREAS, The Project Oversight Division of the New Mexico Department of Transportation is soliciting application for the Departments Transportation Project Fund (TPF) for fiscal year 2024, which includes arterial and major local streets; and

WHEREAS, Millen St is considered an arterial roadway; and

WHEREAS, the New Mexico Department of Transportation requests as part of the application procedures, passage and submittal of a local government resolution of support for the project;

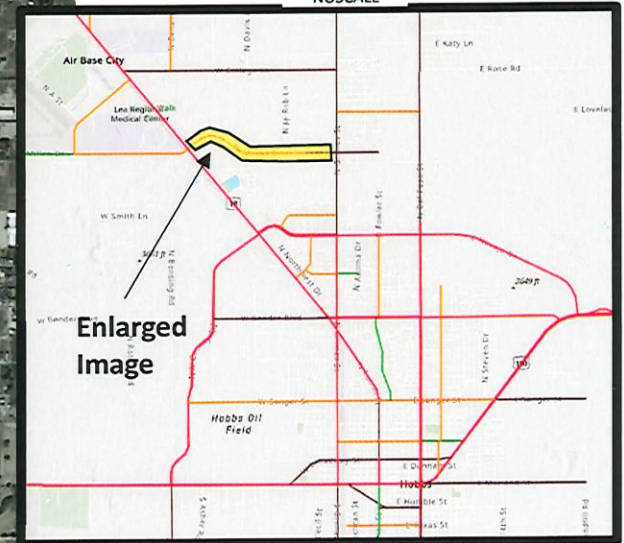
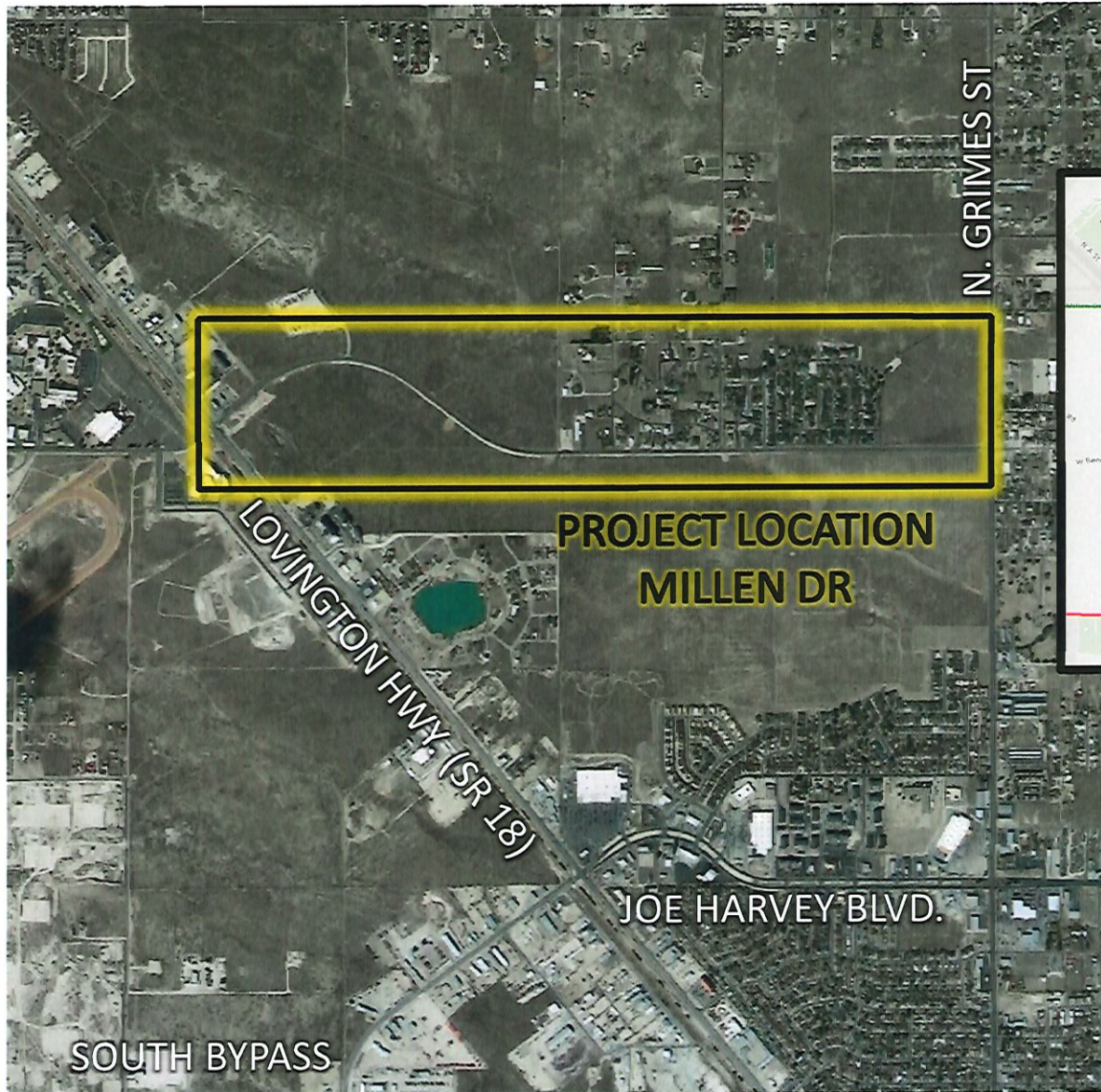
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, the City of Hobbs supports the preparation and submittal of an application in accordance with the procedures established by the New Mexico Department of Transportation.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



FY 24 – TRANSPORTATION PROJECT FUND (TPF) APPLICATION
HOBBS, NM – VICINITY MAP



ENGINEERING DEPARTMENT

200 E. Broadway
Hobbs, NM 88240

575-397-9232 bus
575-397-9227 fax

April 27, 2023

NMDOT
Francisco Sanchez District II Engineer
4505 West Second St.
Roswell, NM 88202

SERPTO
Attn: Mary Ann Burr
mbsnmedd@plateautel.net

RE: HOBBS, NM - Transportation Project Fund (TPF) Application
ROADWAY MAINTENANCE: Millen Dr from Lovington Hwy (SR 18) to Grimes St.

The City of Hobbs is submitting three projects with regard to the FY24 TPF Call for Projects. This project is for roadway maintenance along Millen Dr. from SR 18 (Lovington Hwy) to Grimes St. see attached *Location Map*.

1. **Scope of Work:** Pavement mill and overlay along Millen Dr. from SR 18 (Lovington Hwy) to Grimes St.
2. **Hardship Match Waiver:** Not requested
3. **Project Readiness:** Depending on the release of funds and weather conditions, the project can move forward immediately using State or CES contracts with a construction timeline of 6 months. This project was included in the City's Top 5 ICIP Rankings FY24.
4. **Funding:** The requested funding is sufficient to cover all costs and scope can be reduced to meet funding levels provided.
5. **Right of Way:** The project is within City right of way and no right of way of acquisition will be necessary for this project. No Federal Funds will be used.
6. **Category:** Construction maintenance only

Attached are the 1.) Signed PFF 2.) City of Hobbs Draft Resolution, and 3.) Location Map.

If you have any questions do not hesitate to contact me at 575-397-9237

Sincerely,
THE CITY OF HOBBS

A handwritten signature in blue ink that reads "Todd Randall".

Todd Randall, PE – City Engineer
trandall@hobbsnm.org
575-397-9237

xc: Project File


**HOBBS - APPLICATION No. 2 -
MAINTENANCE - MILLEN ST**

**TRANSPORTATION PROJECT FUND
PROJECT FEASIBILITY FORM (PFF)
MPO/RTPO: _____**

GENERAL INFORMATION

Preparation Date: 3-13-2023 **Project Title:** W MILLEN DR

Requesting T/LPA: City of Hobbs **Is there an approved Governing Body resolution for this application**
(Applicant) YES NO PENDING If pending, date expected APRIL 3, 2023

Responsible Charge
Name: Todd Randall  **Phone:** 575-397-9232
Title: City Engineer **Email:** trandall@hobbsnm.org

PROJECT DESCRIPTION

Project Type (Check all that apply):
 ROADWAY BRIDGE SAFETY PLANNING/DESIGN OTHER

If you chose "OTHER" please clarify here: _____

Project Scope: Mill and overlay Millen Drive from SR 18 (Lovington Hwy) & Grimes St.

Is the request to address a bridge on the NMDOT's Local Bridge Priority List for Replacement/Rehabilitation?
 NO YES If yes, please indicate bridge #: _____

Is the request to continue or advance a phase of a previous project?
 NO YES If yes, please indicate funding sources and scope of previous phase below.

Funding Source: _____

Previous Phase Project Scope: _____

Completion Date of Previous Phase: _____

Current Phase being requested: _____

Project Location
Route Number and/or Street Name: Millen Dr.

Project Termini:
Beginning Mile point and/or intersection: SR 18 (Lovington Hwy) & Millen

Ending Mile point and/or intersection: Grimes St & Millen

Total length of proposed project: 2 miles

NOTE: A local government project that is located in full or in part within a department right-of-way or NHS route must be administered in accordance with the "Tribal/Local Public Agency Handbook".

A local government project that ties into, connects or crosses a department right-of-way or an NHS route, or when the project may have an effect on existing improvements within department rights-of-way, requires the approval of the department.

Is the project located in full or in part within a department right-of-way or NHS route?

NO YES If yes, the project must be administered in accordance with the Tribal/Local Public Agency Handbook and follow all requirements and procedures.

Does the project tie into, connect or cross a department right-of-way or an NHS route, or will the project have an effect on existing improvements within a NMDOT right-of-way? "Letter of Approval" from the NMDOT District Engineer?

NO YES If yes, a "Letter of Approval" is required from the NMDOT District Engineer.

Will the project impact known environmental and/or cultural resources?

NO YES If yes, please clarify _____

Is this project tied to any past or future federal funding?

NO YES If yes, please identify _____

NO YES Does the Local Entity intend to apply for Match Waiver Funding?

Project Phases to be included in request (Check all that apply):

PLANNING

PRELIMINARY ENGINEERING/DESIGN

CONSTRUCTION

CONSTRUCTION MANAGEMENT & TESTING

*RIGHT OF WAY ACQUISITION**

* Projects that are for ROW acquisition will need to follow NMDOT ROW acquisition requirements if the entity intends to utilize federal funding in any subsequent project phase.

PROJECT COSTS:

Column A (Not Phased)			Column B (Phased)
If project is <u>not</u> phased, complete column A only.			Total Phases No. (1, 2, 3, I, II, III, etc.):
If project is phased, list the amount of funding being currently requested in Column A and complete Column B.			The amount below represents the cost of the entire project and will be greater than Column A.
			Total Project Cost: \$
Percentage Estimates:			Phased projects are usually large and divided into parts or phases. Please clarify how the requested project funding relates to the total overall project. Identify future phases and estimated costs.
Total Local Match	5%	\$ 75,000	
Total State Share	95%	\$ 1,425,000	
Total cost	100%	\$ 1,500,000	

T/LPA REVIEW:				
By: <i>Tom Rando</i>	Date: <i>3-13-22</i>	Recommended:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NMDOT DISTRICT REVIEW:				
By:	Date:	Recommended:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<p><u>NMDOT District comments.</u></p>
<p><u>NMDOT Environmental Bureau comments.</u></p>



ACTION ITEMS



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3rd, 2023

SUBJECT: 2023 W. BENDER BLVD. IMPROVEMENTS PROJECT
DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 3-27-2023
SUBMITTED BY: Todd Randall, City Engineer

Summary:

The City of Hobbs (COH) entered into a grant agreement with the New Mexico Department of Transportation (NMDOT) through the State of New Mexico Capital Appropriation program in May of 2019 for the W. Bender Blvd. Improvements Project for a total of \$500,000 dollars designated as NMDOT Control Number C2193354. The project scope includes to acquire rights of way and to plan, design and construct improvements, including widening and drainage, on W. Bender Blvd. in Hobbs, Lea County.

The City of Hobbs has utilized a portion of the grant funding to engage Souder, Miller & Associates to perform some preliminary engineering on W. Bender Blvd. City of Hobbs Staff proposes to utilize the remainder of the grant funding to process, place, and compact approximately 4,000 linear feet of existing W. Bender Blvd Roadway beginning at West Count Road and proceeding east. Then to install a layer of 3" Hot-Mix-Asphalt (HMA) as a finished course to repair a portion of the deteriorated roadway. The City of Hobbs did solicit CES quotes with three respondents, Ramirez & Sons, Inc. (\$490,583.66), J&H Services Inc. (\$575,925.26), & Constructors Inc. (\$699,188.27). Ramirez & Sons, Inc. is the lowest responsive bidder.

Fiscal Impact:

Reviewed By: _____
Finance

Digitally signed by Todd Randall, CE, CPA
DN: cn=Hobbs, ou=City of Hobbs,
ou=Finance Director,
email=t.randall@hobbsnm.org, c=US
Date: 2023.03.27 08:56:15 -0600

Budget:

Budget Line: 48-4048-44901-00178
Budgeted: \$2,269,473.52

Construction:

Estimated Construction Cost (CES): \$459,832.37
NMGRT @ 6.6875%: \$30,751.29
Total Cost: \$490,583.66

Attachments:

Project Area Map & Construction Cost estimates provided by Ramirez & Sons, Inc., J&H Services Inc., & Constructors Inc.

Legal Review:

Approved As To Form: _____
City Attorney

Digitally signed by Efrén A. Cortez
DN: cn=Efrén A. Cortez, ou=City of
Hobbs, ou=City Attorney's Office,
email=ecortez@hobbsnm.org, c=US
Date: 2023.03.27 08:53:20 -0600

Recommendation:

Consideration and Approval of Contract Award for the 2023 W. Bender Blvd Improvements Project to Ramirez & Sons, Inc. utilizing CES, Contract Number: 2023-08-G1113-56.

Approved For Submittal By:

TODD RANDALL
DN: cn=US, email=t.randall@hobbsnm.org,
ou=CITY OF HOBBS, ou=Engineering,
Dept. CH-1000 RANDALL
Reason: I am approving this document
Contact Info: 575-397-9237
Date: 2023.03.27 08:56:15 -0600

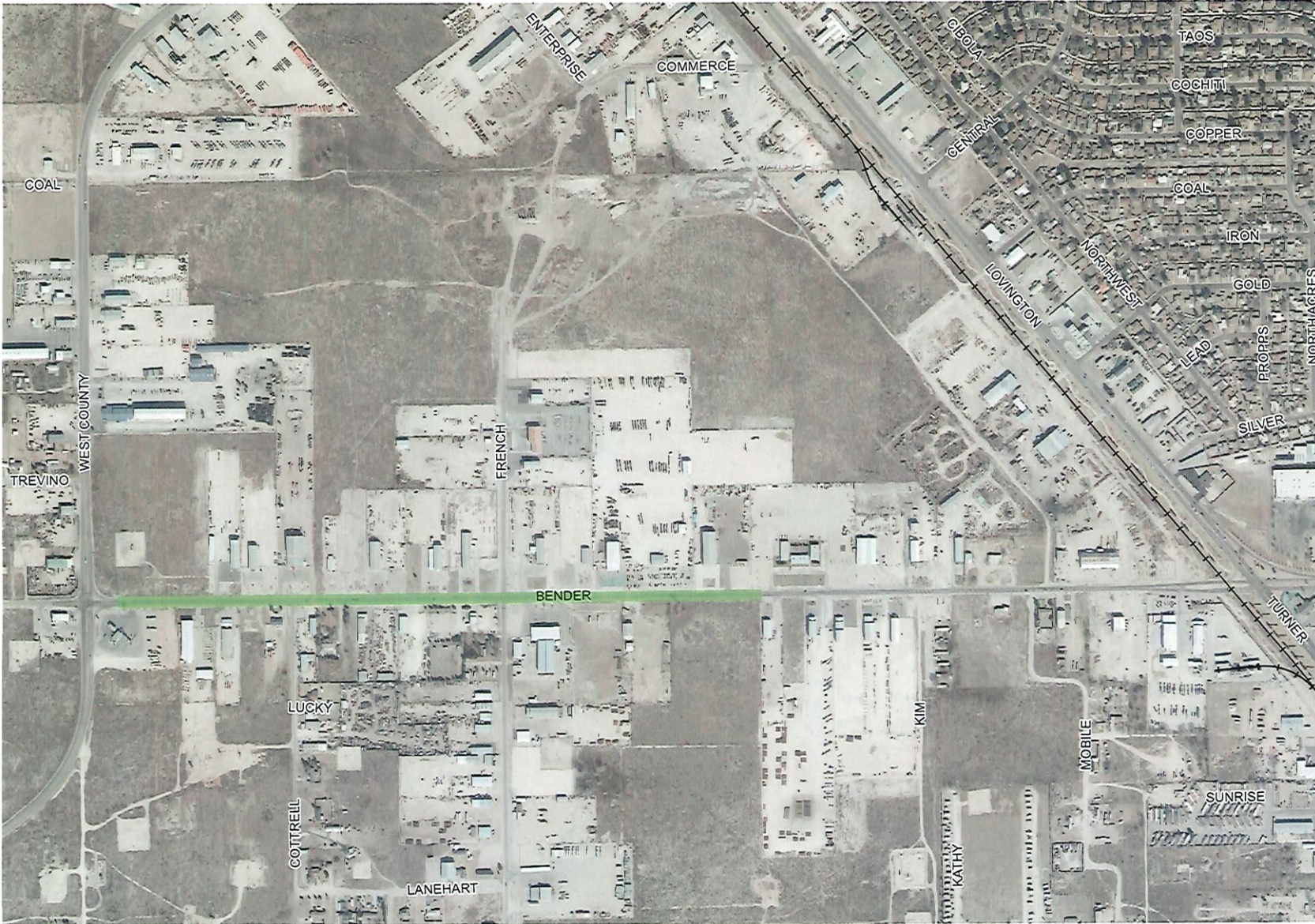
Department Director

City Manager

CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN

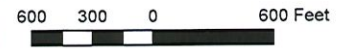
Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied
Other _____ File No. _____

2023 W. Bender Blvd Improvements Project Project Area Map



Legend

 Project Area





Job Order Contract

Price Proposal Summary - Category

Date: March 20, 2023
Contract Number: 2023-08-G1113-56
Job Order Number: 230316-1.00
Job Order Title: City of Hobbs-2023 Bender Blvd Improvements Project
Contractor: Ramirez & Sons
Proposal Value: \$490,583.66
Proposal Name: City of Hobbs-2023 Bender Blvd Improvements Project
Detailed Scope:

Category - 203000:	\$17,053.05
Category - 207000:	\$6,156.03
Category - 209000:	\$1,482.38
Category - 302000:	\$62,871.65
Category - 407000:	\$131.76
Category - 408100:	\$20,496.92
Category - 416004:	\$45,274.38
Category - 423283:	\$239,704.38
Category - 601110:	\$15,866.27
Category - 702800:	\$21,500.00
Category - 801000:	\$22,500.00
Category - No Category Input:	\$37,546.84
Proposal Total	\$490,583.66

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

The Percent of NPP on this Proposal: 0.00%

Job Order Contract

Price Proposal Detail - Category

Date: March 20, 2023
Contract Number: 2023-08-G1113-56
Job Order Number: 230316-1.00
Job Order Title: City of Hobbs-2023 Bender Blvd Improvements Project
Contractor: Ramirez & Sons
Proposal Value: \$490,583.66
Proposal Name: City of Hobbs-2023 Bender Blvd Improvements Project
Adjustment Factor(s) Used: 1.0000-No Adjustment, 1.3725-3. OTNWH in Excess of \$60k (state)

Rec#	CSI Number	Mod.	UOM	Description	Line Total				
Category - 203000									
1	31 24 13 00 0013		CY	>1,000', Relocating On Site Excavated Material For Roadways, Parking Areas, Landscaping And Embankments By Machine	\$14,013.75				
				Quantity	Unit Price	Factor	Total		
			Installation	1,002.00	x	\$10.19	x	1.3725 =	\$14,013.75
			User Note: 203000						
2	31 24 13 00 0013	Mod	CY	For >1,000, Deduct	-\$2,104.12				
				Quantity	Unit Price	Factor	Total		
			Installation	1,002.00	x	-\$1.53	x	1.3725 =	-\$2,104.12
			User Note:						
3	31 24 13 00 0024		CY	Load Excess Material For Removal For Roadways, Parking Areas, Landscaping and Embankments by Machine	\$6,051.08				
				Quantity	Unit Price	Factor	Total		
			Installation	1,002.00	x	\$4.40	x	1.3725 =	\$6,051.08
			User Note: 203000						
4	31 24 13 00 0024	Mod	CY	For >1,000, Deduct	-\$907.66				
				Quantity	Unit Price	Factor	Total		
			Installation	1,002.00	x	-\$0.66	x	1.3725 =	-\$907.66
			User Note:						

Subtotal for Category - 203000: \$17,053.05

Category - 207000									
5	31 24 13 00 0010		CSF	Scarify Soil For Roadways, Parking Areas, Landscaping And Embankments By Machine	\$965.51				
				Quantity	Unit Price	Factor	Total		
			Installation	179.00	x	\$3.93	x	1.3725 =	\$965.51
			User Note: 207000						
6	31 24 13 00 0017		SY	Rough Grade Roadway, Parking Areas, Landscaping And Embankments By Machine	\$1,277.25				
				Quantity	Unit Price	Factor	Total		
			Installation	1,980.00	x	\$0.47	x	1.3725 =	\$1,277.25
			User Note: 207000						
7	31 24 13 00 0018		SY	Finish Grade Roadway, Parking Areas, Landscaping And Embankments By Machine	\$1,684.88				
				Quantity	Unit Price	Factor	Total		
			Installation	1,980.00	x	\$0.62	x	1.3725 =	\$1,684.88
			User Note: 207000						
8	31 24 13 00 0022		SY	Compaction Of Fill Or Subbase For Roadways, Parking Areas, Landscaping And Embankments By Machine Per Lift	\$2,228.39				
				Quantity	Unit Price	Factor	Total		
			Installation	3,960.00	x	\$0.41	x	1.3725 =	\$2,228.39
			User Note: 207000 2 LIFTS						

Subtotal for Category - 207000: \$6,156.03

Price Proposal Detail - Category Continues..

Job Order Number: 230316-1.00
 Job Order Title: City of Hobbs-2023 Bender Blvd Improvements Project

Rec#	CSI Number	Mod.	UOM	Description	Line Total		
Category - 209000							
9	31 24 13 00 0017		SY	Rough Grade Roadway, Parking Areas, Landscaping And Embankments By Machine	\$1,482.38		
				Quantity	Unit Price	Factor	Total
			Installation	2,298.00 x	\$0.47 x	1.3725 =	\$1,482.38
User Note: 209000 BLADING AND RESHAPING 0.78 MILE							
Subtotal for Category - 209000:					\$1,482.38		
Category - 302000							
10	31 24 13 00 0018		SY	Finish Grade Roadway, Parking Areas, Landscaping And Embankments By Machine	\$9,700.83		
				Quantity	Unit Price	Factor	Total
			Installation	11,400.00 x	\$0.62 x	1.3725 =	\$9,700.83
User Note: 302000							
11	32 01 16 74 0015		SY	>3" To 4" Thick Pavement, >5,000 To 15,000 SY, Reclamation, Pulverizing And Blending With Existing Base; Aggregate Base	\$51,476.99		
				Quantity	Unit Price	Factor	Total
			Installation	11,400.00 x	\$3.29 x	1.3725 =	\$51,476.99
User Note: 302000							
12	32 01 16 74 0021		EA	Mobilization And Demobilization For Reclamation, Pulverizing And Blending Crew	\$1,693.83		
				Quantity	Unit Price	Factor	Total
			Installation	1.00 x	\$1,234.12 x	1.3725 =	\$1,693.83
User Note: 302000							
Subtotal for Category - 302000:					\$62,871.65		
Category - 407000							
13	32 12 13 13 0001		SY	Tack Coat, 0.04 Gallon/SY	\$120.78		
				Quantity	Unit Price	Factor	Total
			Installation	200.00 x	\$0.44 x	1.3725 =	\$120.78
User Note: 407000							
14	32 12 13 13 0001	Mod	SY	For >150 To 300, Add	\$10.98		
				Quantity	Unit Price	Factor	Total
			Installation	200.00 x	\$0.04 x	1.3725 =	\$10.98
User Note:							
Subtotal for Category - 407000:					\$131.76		
Category - 408100							
15	32 12 13 19 0001		SY	Surface Prime Coat, 0.26 Gallon/SY	\$22,061.57		
				Quantity	Unit Price	Factor	Total
			Installation	11,400.00 x	\$1.41 x	1.3725 =	\$22,061.57
User Note: 408100							
16	32 12 13 19 0001	Mod	SY	For >5,000, Deduct	-\$1,564.65		
				Quantity	Unit Price	Factor	Total
			Installation	11,400.00 x	-\$0.10 x	1.3725 =	-\$1,564.65
User Note:							
Subtotal for Category - 408100:					\$20,496.92		
Category - 416004							

Price Proposal Detail - Category Continues..

Job Order Number: 230316-1.00
 Job Order Title: City of Hobbs-2023 Bender Blvd Improvements Project

Rec#	CSI Number	Mod.	UOM	Description	Line Total		
Category - 416004							
17	32 12 16 13 0007		SY	3" Thick Bituminous Hot Mix Binder CourseIncludes placement, rolling, finishing and sweeping.	\$45,274.38		
				Quantity	Unit Price	Factor	Total
			Installation	1,980.00	\$16.66	1.3725	\$45,274.38
				x	x	=	
			User Note: 416004				
Subtotal for Category - 416004:					\$45,274.38		
Category - 423283							
18	32 12 16 13 0007		SY	3" Thick Bituminous Hot Mix Binder CourseIncludes placement, rolling, finishing and sweeping.	\$260,670.69		
				Quantity	Unit Price	Factor	Total
			Installation	11,400.00	\$16.66	1.3725	\$260,670.69
				x	x	=	
			User Note: 423283				
19	32 12 16 13 0007	Mod	SY	For >6,800 To 17,000, Deduct	-\$20,966.31		
				Quantity	Unit Price	Factor	Total
			Installation	11,400.00	-\$1.34	1.3725	-\$20,966.31
				x	x	=	
			User Note:				
Subtotal for Category - 423283:					\$239,704.38		
Category - 601110							
20	31 24 13 00 0024		CY	Load Excess Material For Removal For Roadways, Parking Areas, Landscaping and Embankments by Machine	\$676.37		
				Quantity	Unit Price	Factor	Total
			Installation	112.00	\$4.40	1.3725	\$676.37
				x	x	=	
			User Note: 601110				
21	31 24 13 00 0024	Mod	CY	For >50 To 250, Add	\$270.55		
				Quantity	Unit Price	Factor	Total
			Installation	112.00	\$1.76	1.3725	\$270.55
				x	x	=	
			User Note:				
22	32 01 16 74 0006		SY	Up To 2" Thick Pavement, >1,000 To 5,000 SY, Reclamation, Pulverizing And Blending With Existing Base; Aggregate Base	\$14,919.35		
				Quantity	Unit Price	Factor	Total
			Installation	1,980.00	\$5.49	1.3725	\$14,919.35
				x	x	=	
			User Note: 601110				
Subtotal for Category - 601110:					\$15,866.27		
Category - 702800							
23	01 22 16 00 0002		EA	Reimbursable FeesReimbursable Fees will be paid to the contractor for eligible costs as directed by Owner. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee. If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warranty, expedited shipping costs, etc.). A copy of each receipt, invoice, or proof of payment shall be submitted with the Price Proposal.	\$21,500.00		
				Quantity	Unit Price	Factor	Total
			Installation	21,500.00	\$1.00	1.0000	\$21,500.00
				x	x	=	
			User Note: 702800 - TRAFFIC CONTROL PLAN, IMPLEMENTATION & MANAGEMENT BY CONTRACTOR (UNIT LS)				
Subtotal for Category - 702800:					\$21,500.00		
Category - 801000							

Price Proposal Detail - Category Continues..

Job Order Number: 230316-1.00
 Job Order Title: City of Hobbs-2023 Bender Blvd Improvements Project

Rec#	CSI Number	Mod.	UOM	Description	Line Total								
Category - 801000													
24	01 22 16 00 0002		EA	Reimbursable Fees Reimbursable Fees will be paid to the contractor for eligible costs as directed by Owner. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee. If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warranty, expedited shipping costs, etc.). A copy of each receipt, invoice, or proof of payment shall be submitted with the Price Proposal.	\$22,500.00								
				<table border="1"> <thead> <tr> <th>Quantity</th> <th>Unit Price</th> <th>Factor</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>22,500.00</td> <td>\$1.00</td> <td>1.0000 =</td> <td>\$22,500.00</td> </tr> </tbody> </table>	Quantity	Unit Price	Factor	Total	22,500.00	\$1.00	1.0000 =	\$22,500.00	
Quantity	Unit Price	Factor	Total										
22,500.00	\$1.00	1.0000 =	\$22,500.00										
			Installation										
				User Note: 801000 - CONSTRUCTION STAKING BY CONTRACTOR, CONTROL POINTS PROVIDED BY CITY OF HOBBS GEODETIC CONTROL SURVEY PREPARED BY BOHANNAN HUSTON, INC. REVISED REPORT DATED NOV. / 02/ 2018 UNIT LUMP SUM									

Subtotal for Category - 801000: \$22,500.00

Category - No Category Input													
25	01 22 16 00 0004		EA	New Mexico Gross Receipts Tax – Varies by County	\$30,751.29								
				<table border="1"> <thead> <tr> <th>Quantity</th> <th>Unit Price</th> <th>Factor</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>30,751.29</td> <td>\$1.00</td> <td>1.0000 =</td> <td>\$30,751.29</td> </tr> </tbody> </table>	Quantity	Unit Price	Factor	Total	30,751.29	\$1.00	1.0000 =	\$30,751.29	
Quantity	Unit Price	Factor	Total										
30,751.29	\$1.00	1.0000 =	\$30,751.29										
			Installation										
				User Note: Hobbs NMGRT @ 6.6875%									

26	01 22 16 00 0007		EA	Payment And Performance Bond Bonding will be paid to the contractor for eligible costs as directed by Owner. Insert the appropriate quantity to adjust the base cost to the actual Bonding cost. A copy of the receipt, invoice, or proof of payment shall be submitted with the Price Proposal.	\$6,795.55								
				<table border="1"> <thead> <tr> <th>Quantity</th> <th>Unit Price</th> <th>Factor</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>6,795.55</td> <td>\$1.00</td> <td>1.0000 =</td> <td>\$6,795.55</td> </tr> </tbody> </table>	Quantity	Unit Price	Factor	Total	6,795.55	\$1.00	1.0000 =	\$6,795.55	
Quantity	Unit Price	Factor	Total										
6,795.55	\$1.00	1.0000 =	\$6,795.55										
			Installation										

Subtotal for Category - No Category Input: \$37,546.84

Proposal Total \$490,583.66

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

The Percent of NPP on this Proposal: 0.00%

J & H Services, Inc.
 6616 Gulton Ct NE, STE 90
 Albuquerque, NM 87109

Estimate	
Date	Estimate #
3/24/2023	2358

Name / Address
City of Hobbs 200 E. Broadway St Hobbs, NM 88240

Expires	Project
4/23/2023	W. Bender Blvd Improvements

Item	Description	Qty	Price	Total
500 Earthwork	CES Contract Number: 2023-08-C3118-ALL Unclassified Excavation; 1002 cy	1,002	20.00	20,040.00T
506 Subgrade Prep	Subgrade Preparation; 1980 sy	1,980	6.00	11,880.00T
500 Earthwork	Blading and Reshaping; 0.78 mile	0.78	28,000.00	21,840.00T
1000 Construction...	Process, Place, and compact existing (8" depth); 11400 sy	11,400	6.00	68,400.00T
100 Asphalt	Asphalt Tack Coat; 0.11 tn	0.11	950.00	104.50T
100 Asphalt	Prime Coat Material; 11400 sy	11,400	1.60	18,240.00T
103 Asphalt 3"	3" Minor Pavement HMA SP-IV; 1980 sy	1,980	38.00	75,240.00T
103 Asphalt 3"	3" HMA SP-IV Complete; 11400 sy	11,400	23.00	262,200.00T
14 Demo/ Removal	Removal of Surfacing; 1980 sy	1,980	6.00	11,880.00T
13 Traffic Control	Traffic Control Plan, Implementation, & Management by Contractor; 1 ls	1	20,000.00	20,000.00T
1000 Construction...	Construction Staking by Contractor; 1 ls	1	22,000.00	22,000.00T
1000 Construction...	Bond Fee; 1 ls	1	8,000.00	8,000.00T

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner.			Subtotal	\$539,824.50
			Sales Tax (6.6875%)	\$36,100.76
Phone #	Fax #	E-mail	Total	\$575,925.26
5058969428	505-896-9429	holly@jhservicesinc.com		



CONSTRUCTORS, INC

Dirt, Asphalt, Concrete, and Utilities Construction
Aggregate and Asphalt Products

NM Contractors License #1585 - Work Force Solutions # 03049620140725.

Proposal Submitted To:	CITY OF HOBBS	Job Name:	W. BENDER BLVD IMPROVEMENTS
Attn:	ANTHONY HENRY	Place of Job:	HOBBS NM
Billing Address:		PROJECT NO. 41-1708	CITY OF HOBBS
City, State, Zip:	HOBBS, NM	Wage Scale:	STATE A
Phone:	(575) 397-9232	Date of Proposal:	March 24, 2023
Email:	ahenry@hobbsnm.org	Notes:	NO ADDENDUM

We hereby propose to furnish labor, equipment and or materials to perform the following scope of work:

Item Description		
Per the attached breakdown of unit prices	LS	\$655,361.00

Notes: We added line item 621000 Mobilization, Prices include bond cost and CES Fee 1.25%

SUBTOTAL	Lump Sum	\$655,361.00
New Mexico Gross Receipts Tax per Hobbs NM	6.6875%	\$43,827.27
GRAND TOTAL	Lump Sum	\$699,188.27

Exclusions:	Testing, Permits, Fees, SWPPP, Utility or Underground Adjustments, Striping, Signs, concrete replacement, Warranty past one year, Over excavation or repair of unsuitable or overly saturated materials or anything not specifically included above.
--------------------	--

All material is guaranteed to be as specified. All work is to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by worker's compensation insurance.

Authorized Signature: *B Tackett*

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal--The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____
Date Accepted: _____

2023 W. Bender Blvd Improvements Project

Quantity Estimate

ITEM NUMBER	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL PRICE
203000	UNCLASSIFIED EXCAVATION	1002	C.Y.	\$18.00	\$18,036.00
207000	SUBGRADE PREPARATION	1980	S.Y.	\$9.00	\$17,820.00
209000	BLADING AND RESHAPING	0.78	MILE	\$18,000.00	\$14,040.00
302000	PROC PLACING & COMPCT EXT PVMT - (8" DEPTH)	11400	S.Y.	\$9.00	\$102,600.00
407000	ASPHALT MATL FOR TACK COAT	0.11	TON	\$1,500.00	\$165.00
408100	PRIME COAT MATERIAL	11400	S.Y.	\$1.60	\$18,240.00
416004	3" MINOR PAVEMENT HMA SP-IV	1980	S.Y.	\$37.00	\$73,260.00
423283	3" HMA SP-IV COMPLETE	11400	S.Y.	\$26.00	\$296,400.00
601110	REMOVAL OF SURFACING	1980	S.Y.	\$10.00	\$19,800.00
702800	TRAFFIC CONTROL PLAN, IMPLEMENTATION, & MANAGEMENT BY CONTRACTOR	1	L.S.	\$25,000.00	\$25,000.00
801000	CONSTRUCTION STAKING BY CONTRACTOR, CONTROL POINTS PROVIDED BY CITY OF HOBBS GEODETIC CONTROL SURVEY PREPARED BY BOHANNAN HUSTON, INC. REVISED REPORT DATED NOV. 2, 2018	1	L.S.	\$10,000.00	\$10,000.00
621000	MOBILIZATION	1	LS	\$60,000.00	\$60,000.00

SUBTOTAL \$655,361.00

NMGRT @ 6.6875% \$43,827.27

TOTAL \$699,188.27



CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3rd, 2023

SUBJECT: AMENDMENT TO CES CONTRACT WITH SMITH ENGINEERING FOR PROFESSIONAL ENGINEERING DESIGN SERVICES OF TRUNK F SEWER REPLACEMENT (JOE HARVEY & GRIMES)
DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 3-27-2023
SUBMITTED BY: Todd Randall, City Engineer

Summary:

Smith Engineering is currently under contract for the final design phase of the Trunk Line F Sewer Line Replacement Project along Joe Harvey & Grimes. The current design is approximately 90% complete pending additional design considerations. This design contract amendment will include additional storm drain, storm drain junction boxes, median backfill, medial intersection modifications, extension of a 12" storm drain line from the Dickies Parking Lot to the median in Joe Harvey, additional sewer design at the intersection of Millen & Grimes, traffic control modifications, and additional surveying needed to complete the additional work. If approved, the existing Cooperative Education Services (CES) purchase order will be amended to include the additional fee and scope.

Fiscal Impact:

Reviewed By: _____
Finance

Digitally signed by Toby Sporn, CFE, CFA
DN: cn=Toby Sporn, CFE, CFA, o=City of Hobbs,
ou=Finance Director,
email=sporn@hobbsnm.org, c=US
Date: 2023.03.27 09:52:13 -0600

Budget:

Budget Line: 62-4062-44901-00097
Budgeted: \$10,216,219.66

Design:

Current CES Purchase Order Amount: \$155,375.00 (not including NMGRT)
Contract Amendment: \$81,900.00 (additional design services)
Total Amended Contract: \$237,275.00 (not including NMGRT)
NMGRT: \$19,426.89 (Las Cruces @ 8.1875%)
Total Amended Purchase Order Amount: \$256,701.89 (including NMGRT)

Attachments:

Fee proposal provided by Smith Engineering.

Legal Review:

Approved As To Form. _____
Efren A. Cortez
City Attorney

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: 2023.03.27 14:41:52 -0600

Recommendation:

Consideration and Approval of Contract Amendment for the Trunk Line F Sewer Line Replacement Project for Smith Engineering, utilizing CES, Contract Number: 2023-01-C2121-ALL.

Approved For Submittal By:

TODD RANDALL
Digitally signed by TODD RANDALL
DN: cn=Todd Randall@hobbsnm.org,
o=CITY OF HOBBS, ou=Engineering
Dept, cn=TODD RANDALL
Reason: I am approving this document
Contact info: 915.207.5233
Date: 2023.03.27 09:31:03 -0600

Department Director

[Signature]
City Manager

**CITY CLERKS USE ONLY
COMMISSION ACTION TAKEN**

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



An Agreement for the Provision of Professional Services

Smith Engineering Company (Smith)
201 N. Church St. Suite 200A
Las Cruces, New Mexico 88001
575-523-2395

City of Hobbs
200 E. Broadway Street
Hobbs, New Mexico 88240
575-397-9232

Date: March 24, 2023

Project Name/Location: Trunkline F-Phase 9 Sanitary Sewer Replacement Hobbs, NM

Scope/Intent and Extent of Services: See Attachment 1 "Scope of Services"

Fee Arrangement:

Lump Sum Fee: Using the procedures set forth under the Terms and Conditions, Client shall pay Smith the Lump Sum amount of **\$81,900.00** (plus applicable gross receipts tax).

Offered by:

Smith Engineering Company



Rusty Payne
Vice President

3/24/2023

Date

Accepted by:

City of Hobbs

Manny Gomez
City Manager

Date

The Terms and Conditions on pages 2 thru 4 of this form are a part of this Agreement.



Terms and Conditions:

Smith Engineering Company (Smith) shall perform the services outlined in this agreement for the stated fee arrangement.

Access to Site:

Unless otherwise stated, Smith will have access to the site for activities necessary for the performance of the services. Smith will take precautions to minimize damage due to these activities but has not included in the fee the cost of restoration of any resulting damage.

Dispute Resolution:

Any claims or disputes made during design, construction, or post-construction between the Client and Smith shall go to non-binding mediation. Client and Smith agree to include a similar mediation agreement with all contractors, subcontractors, sub consultants, suppliers, and fabricators, thereby making mediation the primary method for dispute resolution between all parties.

Billings/Payments:

Smith shall submit invoices for Smith's services at Smith's choice, either upon completion of such services or monthly. Invoices shall be payable within 30 days after the invoice date. If the Client has not paid the invoice within 30 days, Smith may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of the service.

Late Payments:

Accounts unpaid 60 days after the invoice date may be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance. In the event any part or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.

Certifications:

Client shall not require Smith to execute any document that would result in its certifying, guaranteeing, or warranting the existence of conditions whose existence Smith cannot ascertain.

General Considerations:

The standard of care for all professional engineering and related services performed or furnished by Smith under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Smith makes no warranties, express or implied, under this Agreement or otherwise, in connection with Smith's services. Smith and its consultants may use or rely upon



the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.

Construction Contract:

Smith shall not at any time supervise, direct, or have control over any contractor's work, nor shall Smith have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.

Smith neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

Smith shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Smith's own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Smith.

Allocation of Risk:

In recognition of the relative risks, rewards, and benefits of the project to both the Client and Smith, the risks have been allocated such that the Client agrees that to the fullest extent permitted by law, Smith's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, is limited to \$50,000 or the total amount of compensation received by Smith, whichever is greater. Such causes include, but are not limited to, Smith's negligence, errors, omissions, strict liability, breach of contract, or breach of warranty.

Termination of Services:

Either the Client or Smith may terminate this Agreement should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay Smith for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Ownership of Documents:

All documents produced by Smith under this agreement shall remain the property of Smith and the Client may use the documents provided they are to be used on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all services relating to preparation of the documents. Such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer.



Consequential Damages:

Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Client nor Smith, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect, or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Client and Smith shall require similar waivers of consequential damages protecting all the entities or persons named in all contracts and subcontracts with others involved in this project.

Third-Party Beneficiaries:

Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or Smith. Smith is performing the services under this Agreement solely for the Client's benefit and no other party or entity shall have any claim against Smith because of this Agreement or the performance or nonperformance of services hereunder. The Client and Smith agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors and other entities involved in this Project to carry out the intent of this provision.

-END OF TERMS AND CONDITIONS-

Attachment 1

Scope of Services:

Smith Engineering Company (Smith) is pleased to submit this proposal to provide additional professional design services related to the Trunkline 'F' – Phase 9 Sanitary Sewer Replacement Project. The additional design phase services are detailed below:

Engineering Services:

Median Island Modifications: The islands on either side of the Joe Harvey Boulevard/Central Drive intersection will be modified to remove the Texas Turnaround configurations presented previously. This reconfiguration will remove the U-turn movements and the lengthened left turn bays.

Existing Median Modifications: The depressed median island due east of the previously modified medians (median drainage facilities-see above) between Central Drive and Grimes Street will be modified by backfilling the median to existing back of curb elevation, storm drain pipe shall be installed to continue stormwater conveyance, and additional structural design will be completed for junction boxes to capture and convey both subsurface and surface water drainage capture. Storm drain pipe plan and profiles will be completed for these two medians. The storm drain pipe will be sized to match the existing culverts within each crossover between the depressed medians.

Trunkline 'F'-Phase 9 Additional Sanitary Sewer Design: Smith will extend the proposed sanitary sewer lines outside of the Millen Drive/Grimes Street intersection in the north, west, and east directions to lengths mid-segment between the upstream manholes and the new manholes to be constructed within the subject intersection. Smith will consider the new roadway and commercial development (strip mall) on the west side of Grimes Street across from Del Norte Parkway; considerations include driveway access for traffic control and sanitary sewer connection to the existing manhole (bypass pumping). Additional consideration to phase lengths along Grimes Street will be evaluated to minimize disruption of on street access by area residents and businesses during construction, traffic control, and bypass pumping.

Twelve-Inch (12") Storm Drain Connection: Smith will provide a plan and profile sheet for the connection of the existing twelve-inch (12") storm drain pipe, located in the Dickies Barbeque parking lot, to the newly designed storm drain within the median to be backfilled as presented above. The City will provide the physical location and invert of the existing line. Storm drain capacity and analysis will be completed under another contract and will not be analyzed on this project.

Traffic Control Modifications: Smith will add additional traffic control design sheets for the median modifications presented above. A minimum of one lane in each direction is expected to remain in place during the median modifications. Additional temporary traffic control will be designed for the dirt parking lot (temporary residential parking) near the Baymont Hotel along Central Drive.

Structural Engineering Services: Smith will modify the proposed drop inlet/junction box design for the medians on either side of the Joe Harvey Boulevard/Central Drive intersection as required

Attachment 1

by the median reconfigurations. An additional two (2) median boxes will be detailed for the median to be backfilled as part of the additional design services. No modifications to the remaining medians will be completed.

Control Surveying Coordination: Smith will provide additional information to tie the control down for the project survey(s). The Central Drive portion was completed completely by Smith Engineering in 2015. The Joe Harvey Boulevard and Grimes Street survey includes City Lidar information with supplemental on the ground utility survey.

SMITH ENGINEERING COMPANY

PROJECT FEE SCHEDULE

TRUNKLINE F-PHASE 9 ADDITIONAL DESIGN FEE

ADDITIONAL DESIGN SERVICES						Reimbursables					Copies and Repro	
TASK	Project Work Items	Senior Project Manager	CADD Administrator	Hours	Labor	Survey	Structural	Mileage	Meals	Room	Print	
				DESIGN SERVICES					1.00	1.00	0.58	20.00
	Hourly rate	\$200.00	\$130.00									
Survey	Control Surveying Coordination	0	0	0	\$0	\$ 2,500.00						
	Survey Control	0	0	0	\$0							
PM & Coord.	Project Management & Coordination	40	20	60	\$10,600							
	Project Management & Coordination	40	20	60	\$10,600							
Design Phase	Additional Design Phase Services											
	Median Island Modifications (Central Drive)	10	60	70	\$9,800							
	Existing Median Modifications (Backfill/Storm Drain P&P)	10	60	70	\$9,800							
	Trunkline F-Phase 9 Additional Design Services; Plan Modifications based on City Review and New Construction along Proposed Alignment	30	100	130	\$19,000							
	Twelve-Inch Storm Drain Extension (at Dickies BBQ)	5	20	25	\$3,600							
	Additional Traffic Control	30	100	130	\$19,000							
	Structural Engineering - Median Drop Inlet/Junction Box Structures	5	-	5	\$1,000		\$6,600					
		90	340	430	\$62,200							
Subtotal Hours / Units:		130	360	490	-	\$ 2,500.00	\$ 6,600.00	0	0	0	\$ -	
Subtotal Labor Amounts:		\$ 26,000	\$ 46,800	-	\$72,800	\$ 2,500.00	\$ 6,600.00	\$ -	\$ -	\$ -	\$ -	
Subtotal Direct Costs - Trunkline F-Phase 9 Additional Design Services:						\$ 81,900.00						



Schedule of Hourly Charges by Billing Classification

Effective January 1, 2023

Charges for engineering services are based on the following rates.

Engineering Services:

Principal Civil Engineer	\$220	Lab Manager	\$160
Principal Structural Engineer	\$220	Field Manager	\$160
Principal Environmental Engineer	\$220	Senior Lab Analyst	\$125
Senior Civil Engineer	\$180	Senior Field Analyst	\$125
Senior Structural Engineer.....	\$180	Lab Analyst.....	\$115
Senior Environmental Engineer.....	\$180	Field Analyst.....	\$115
Staff Civil Engineer.....	\$150	Lab Technician	\$90
Staff Structural Engineer	\$150	Field Technician	\$90
Staff Environmental Engineer.....	\$150	Lab Resident	\$80
Junior Civil Engineer	\$140	Field Resident	\$80
Junior Structural Engineer	\$140	Registered Surveyor.....	\$135
Junior Environmental Engineer	\$140	Survey Technician	\$125
Civil Engineer Associate.....	\$120	Survey Resident	\$100
Structural Engineer Associate.....	\$120	Survey Assistant.....	\$90
Environmental Engineer Associate.....	\$120	1-Person Survey Crew w/ GPS	\$160
Senior Project Manager.....	\$200	2-Person Survey Crew w/ GPS	\$250
Project Manager	\$160	Office Manager	\$115
Senior Designer	\$140	HR Manager	\$115
CADD Administrator	\$130	Business Manager.....	\$115
Designer.....	\$120	Administrative Associate	\$100
Junior Designer	\$110	Administrative Assistant.....	\$75
CADD Assistant	\$90	Receptionist.....	\$45

Legal

Time in connection with depositions and discovery will be charged at 2 times the above rates, and time in connection with court appearances will be charged at 3 times the above rates listed above, with a minimum 4-hour charge.

Expenses will be charged as follows:

1. Transportation by automobile.....IRS Standard or State Rates (as applicable)
2. In-house reproduction work.....at prevailing commercial rates
3. Travel and meals.....at direct cost
4. Other consultants

TERMS: Charges are due and payable within thirty (30) days after date of the invoice. Interest will be charged at the rate of 1.5% per month for late payments.

- NOTES:**
- STRUCTURAL ENGINEERING DESIGN OF JUNCTION BOXES WILL BE REQUIRED.
 - GRADING PLAN(S) WILL BE REQUIRED TO VERIFY MEDIAN CROSSOVER LOCATIONS DRAIN TOWARDS THE INLET/JUNCTION BOX STRUCTURES.
 - STORM DRAIN PLAN AND PROFILES TO MEET & MATCH EXISTING PIPE SIZES AT MEDIAN CROSSOVERS.



MATCH LINE - SEE LOWER LEFT FOR CONTINUATION



MATCH LINE - SEE UPPER RIGHT FOR CONTINUATION

JOE HARVEY BOULEVARD MEDIAN EXHIBIT



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: CONSIDERATION TO APPROVE AN INFRASTRUCTURE EXTENSION DEVELOPMENT AGREEMENT WITH JOE MERIDYTH CONCERNING THE DEVELOPMENT OF PUBLIC INFRASTRUCTURES.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: March 27, 2023
SUBMITTED BY: Kevin Robinson - Planning Department

Summary: Joe Meridyth has requested a Public Participation Infrastructure Development Agreement concerning the projection of 14th Street north of Marland (+/- 492 Lin. Ft.) from the existing terminus north to the Developers north property line.

Fiscal Impact: Reviewed By: Finance Department

The public will receive the fair share development costs in today's dollars to offset the developers required portion of the future installation of public infrastructure.

Attachments: Resolution and Development Agreement.

Legal Review: Approved As To Form Efren A. Cortez City Attorney

Recommendation: Commission considers approval / denial of the attached Development Agreement.

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. 7325

A RESOLUTION TO APPROVE AN INFRASTRUCTURE EXTENSION DEVELOPMENT AGREEMENT WITH JOE MERIDYTH CONCERNING THE DEVELOPMENT OF PUBLIC INFRASTRUCTURES.

WHEREAS, the City of Hobbs is proposing to enter into an Infrastructure Extension Development Agreement with Joe Meridyth, concerning the projection of 14th Street (+/- 492 Lin. Ft.) from the existing terminus north to the Developers north property line; and

WHEREAS, the aforementioned Development Agreement requires the Developer to pay the Fair Share Development Cost of the required Public Infrastructures; and

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

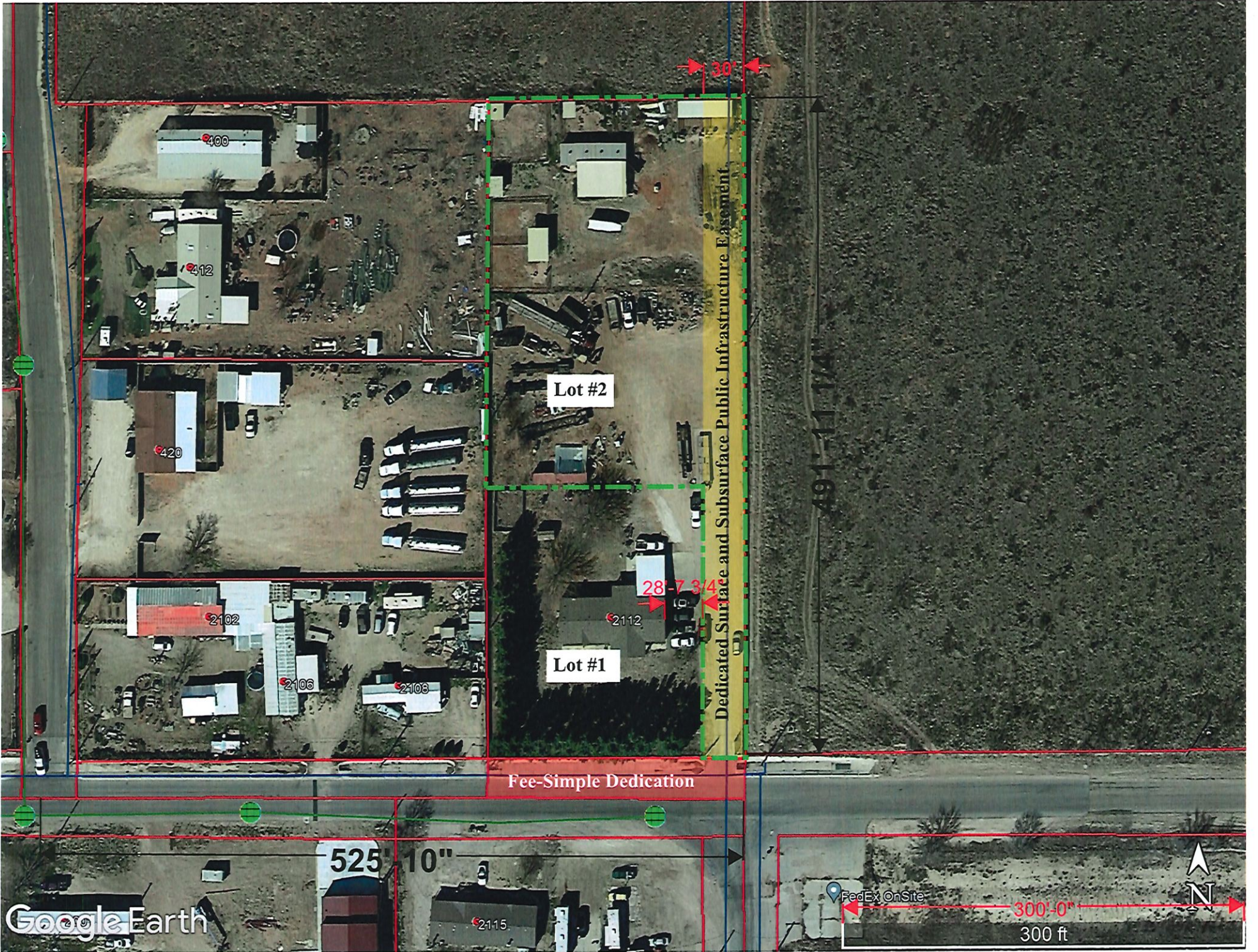
1. The City of Hobbs hereby approves the Infrastructure Extension Development Agreement, which is attached hereto and made a part of this Agreement as Exhibit #1 and the Mayor, and/or his designee, is hereby authorized to execute the Agreement.
2. That City staff and officials are authorized to do any and all deeds to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

Sam D. Cobb, Mayor

ATTEST:

Jan Fletcher, City Clerk



Lot #2

Lot #1

Dedicated Surface and Subsurface Public Infrastructure Easement

Fee-Simple Dedication

Google Earth

FedEx On Site

300'-0"
300 ft



525' 10"

30'

491'-11 1/4"

28'-7 3/4"

400

412

420

2102

2106

2108

2112

2115

INFRASTRUCTURE DEVELOPMENT AGREEMENT
Projection of 14th North of Marland

THIS AGREEMENT, made and entered into this ____ day of _____ 2023, between the City of Hobbs, New Mexico, a New Mexico Municipal Corporation, (hereafter called the "City"); and Joe Meridyth, 2112 E. Marland, Hobbs, New Mexico 88240 (hereafter called "Subdivider").

RECITALS:

WHEREAS, "Subdivider" has decided to subdivide an undivided parent parcel located north and northwest of the intersection of Marland and 14th, within the City limits of the City of Hobbs; and

WHEREAS, the subdivision of property, per MC Title 16, requires that all public infrastructure either be in place or surety given to the City that the cost for the same will be borne by the Subdivider or the Developer prior to acceptance of the subdivision; and

WHEREAS, infrastructure improvements would be required at the time of subdivision or development for the Tracts proposed to be created located adjacent to the projection of 14th north of Marland, therefore, it has been determined by City and agreed by Subdivider that in lieu of Subdivider installing the required infrastructure at the time of subdivision, Subdivider shall pay a fair share assessment for a portion of the required infrastructure at time of subdivision of the parent parcel.

NOW, THEREFORE, in consideration of the above premises, the parties hereby agree as follows, and said agreement to run with the land adjacent to as legally described below:

Legal Description:

New Description of Lots created from the Parent Parcel (Lot 1 containing the existing Primary Residence).

1. The Subdivider shall pay to the City, at time of subdivision the fair share pro rata amount of seventy dollars (\$70.00) per centerline lineal foot not to exceed thirty four thousand dollars (\$34,000.00), for the fair share assessment of public infrastructure required, along the Subdivider's eastern property line and within a dedicated surface and sub-surface public infrastructure easement which will contain the future projection of 14th north of Marland. Said public infrastructure to consist of the existing water line and future roadway improvements to be emplaced as development occurs north of and adjacent to the Subdivider's property.

2. The Subdivider shall submit to the City a fully compliant plan set for the development of the newly created Lot 2 concurrent with and containing a subdivision plat as herein described. The development plan set IFC Appendix D compliant access and a private sewer lateral contained within the dedicated surface and sub-surface public infrastructure easement. Said placements to be installed and maintained by the developer until such time as public infrastructures of the same utilization are emplaced within the easement area.

3. Responsibilities of the parties hereto are as follows:

A. The Subdivider shall:

- 1) Pay for all costs for development pursuant to City policies, including the payment of the fair share pro rata infrastructure improvements as per this agreement.
- 2) Comply with all City policies for building, landscaping, fire code, etc. for the remainder of the construction.

B. The City shall:

- 1) Review and approve subdivision upon receipt of fair share payment in lieu of installation of the public infrastructure

DA NW ½ projection of 14th at Marland, Page 2.

4. All notices given pursuant to or in connection with this Agreement shall be made in writing and posted by regular mail, postage prepaid, to the City, ATTN: Planning Department, 200 E. Broadway, Hobbs, NM 88240; to Subdivider – Joe Meridyth, 2112 E. Marland, Hobbs, New Mexico 88240, or to such other address as requested by either party. Notice shall be deemed to be received on the fifth day following posting.

5. This Agreement may be executed in one or more identical counterparts, and all counterparts so executed shall constitute one agreement which shall be binding on all of the parties.

6. This Agreement shall be subject to the laws of the State of New Mexico. Jurisdiction and venue relating to any litigation or dispute arising out of this Agreement shall be in the District Court of Lea County, New Mexico, only. If any part of this contract shall be deemed in violation of the laws or Constitution of New Mexico, only such part thereof shall be thereby invalidated, and all other parts hereof shall remain valid and enforceable.

7. Representations of City.

A. City is a duly organized and validly existing municipal corporation under the laws of the State of New Mexico with full municipal power to enter into this Agreement and to carry out the terms, conditions and provisions hereof.

B. City will continue review and processing of the development plans, and forthcoming building permit application in a forthright manner and with due diligence.

8. Representations of Subdivider.

To the best knowledge of Subdivider, there is no litigation, proceeding or governmental investigation either pending or threatened in any court, arbitration board or administrative agency against or relating to Subdivider to prevent or impede the consummation of this Agreement by Subdivider.

9. BREACH

A. The following events constitute a breach of this Agreement by Subdivider:

Subdivider's failure to perform or comply with any of the terms, conditions or provisions of this Agreement.

B. The following events constitute a breach of this Agreement by City:

City's failure to perform or comply with any of the terms, conditions or provisions of this Agreement.

10. REMEDIES UPON BREACH.

A. Any party may sue to collect any and all damages that may accrue by virtue of the breach of this Agreement.

B. If any party is found by a court to have breached this Agreement, the breaching party agrees to pay all reasonable costs, attorney's fees and expenses that shall be made or incurred by another party in enforcing any covenant or provision of this Agreement.

11. GOVERNING LAWS. This Agreement shall be governed by the laws of the State of New Mexico. Jurisdiction and venue relating to any litigation or dispute arising out of this Agreement shall be in the District Court of Lea County, New Mexico, only. If any part of this contract shall be deemed in violation of the laws or Constitution of New Mexico, only such part thereof shall be thereby invalidated, and all other parts hereof shall remain valid and enforceable.

12. TERMINATION. This Agreement shall be terminated upon the Subdivider's payment of the assessment or 180 days from the date of this agreement.

13. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among and between City and Subdivider and there are no other agreements or understandings, oral or otherwise, between the parties on the issues defined herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

CITY OF HOBBS

SUBDIVIDER – Joe Meridyth

Sam D. Cobb - Mayor

BY: _____

Its: _____

ATTEST:

Jan Fletcher, City Clerk

APPROVED AS TO FORM:

Efren Cortez, City Attorney



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: CONSIDERATION TO APPROVE AN INFRASTRUCTURE EXTENSION DEVELOPMENT AGREEMENT WITH ARTURO RAMIREZ CONCERNING THE DEVELOPMENT OF PUBLIC INFRASTRUCTURES.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: March 27, 2023
SUBMITTED BY: Kevin Robinson - Planning Department

Summary: Arturo Ramirez has requested a Public Participation Infrastructure Development Agreement concerning the projection of Lorene west of Cobb (+/- 428 Lin. Ft.) from the intersection west to the Developers west property line.

Fiscal Impact: Reviewed By: Finance Department

The public will receive the fair share development costs in today's dollars to offset the developers required portion of the future installation of public infrastructure.

Attachments: Resolution and Development Agreement.

Legal Review: Approved As To Form Cortez City Attorney

Recommendation: Commission considers approval / denial of the attached Development Agreement.

Approved For Submittal By: Kevin Robinson 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. 7326

A RESOLUTION TO APPROVE AN INFRASTRUCTURE EXTENSION DEVELOPMENT AGREEMENT WITH ARTURO RAMIREZ CONCERNING THE DEVELOPMENT OF PUBLIC INFRASTRUCTURES.

WHEREAS, the City of Hobbs is proposing to enter into an Infrastructure Extension Development Agreement with Arturo Ramirez, concerning the projection of Lorene Street (+/- 428 Lin. Ft.) from the existing intersection west to the Developers west property line; and

WHEREAS, the aforementioned Development Agreement requires the Developer to pay the Fair Share Development Cost of the required Public Infrastructures; and

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

1. The City of Hobbs hereby approves the Infrastructure Extension Development Agreement, which is attached hereto and made a part of this Agreement as Exhibit #1 and the Mayor, and/or his designee, is hereby authorized to execute the Agreement.
2. That City staff and officials are authorized to do any and all deeds to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

Sam D. Cobb, Mayor

ATTEST:

Jan Fletcher, City Clerk

Missing Infrastructure	Per foot	Total Cost	FS Amount
Sewer	\$ 70.00	\$ 29,960.00	\$ 14,980.00
Street (Rural Section)	\$ 90.00	\$ 38,520.00	\$ 19,260.00
Total Cost	\$ 160.00	\$ 68,480.00	\$ 34,240.00



Dedication
LORENE

Surface and Sub-Surface Public Infrastructure Easement

1712

1700



428'-4 3/4"

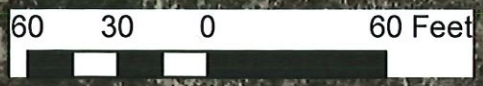
Lot #58
Blk #8

Lot #59
Blk #8

Lot #0
Blk #0

PRINCESS JEANNE
COBB

Blk #3A



INFRASTRUCTURE DEVELOPMENT AGREEMENT
Development of a portion of Lorene west of Cobb

THIS AGREEMENT, made and entered into this ___ day of _____ 2023, between the City of Hobbs, New Mexico, a New Mexico Municipal Corporation, (hereafter called the "City"); and Arturo Ramirez, 309 N. Cecil, Hobbs, New Mexico 88240 (hereafter called "Developer").

RECITALS:

WHEREAS, "Developer" has decided to develop an undivided parent parcel located north and northwest of the intersection of Lorene and Cobb, within the City limits of the City of Hobbs; adjacent to and accessible from an undeveloped apparent right – of - way and

WHEREAS, the development\subdivision of property, per MC Title 16, requires that all public infrastructure either be in place or surety given to the City that the cost for the same will be borne by the Developer\Subdivider; and

WHEREAS, "City" has examined the proposed extension of Public Infrastructure, the larger area that could be served and the Life, Health and Safety benefits of the proposed extension, and has concluded that the City will accept a dedication of undeveloped property and fair share costs for future improvements within the area.

NOW, THEREFORE, in consideration of the above premises, the parties hereby agree as follows, and said agreement to run with the land adjacent to as legally described below:

Legal Description:

New Description of Lot created from the Parent Parcel (Less the partial dedication of Lorene).

1. The Developer shall create a Subdivision Plat dedicating that portion of Developers property laying 28'-6" north of the ½ Section Line to contain a portion of Lorene and encumber with a surface and sub-surface public infrastructure easement all of the Developers property located east of the projected west ROW Line of Cobb.
2. The Developer shall pay fair share assessments of \$34,250.00 for those infrastructures to be installed in the future by the City or third party.
3. The City shall allow for the dedication of Lorene without improvements and the development of the property.
4. Responsibilities of the parties hereto are as follows:
 - A. The Developer shall:
 - 1) The Developer shall create a Subdivision Plat dedicating that portion of Developers property laying 28'-6" north of the ½ Section Line to contain a portion of Lorene and encumber with a surface and sub-surface public infrastructure easement all of the Developers property located east of the projected west ROW Line of Cobb.
 - 2) The Developer shall pay fair share assessments of \$34,250.00 for those infrastructures to be installed in the future by the City or third party.

B. The City shall:

- 1) Review and approve dedication of Lorene and easement for the projection of Cobb St.
- 2) Upon receipt of the Fair Share assessment (\$34,250.00), the City shall allow development of the private property.
- 3) Maintain existing infrastructure allowing safe access to same, improve, construct or extend municipal infrastructure(s) within the aforesaid dedications

8. All notices given pursuant to or in connection with this Agreement shall be made in writing and posted by regular mail, postage prepaid, to the City, ATTN: Planning Department, 200 E. Broadway, Hobbs, NM 88240; to Developer – Arturo Ramirez, 309 N. Cecil, Hobbs, New Mexico 88240, or to such other address as requested by either party. Notice shall be deemed to be received on the fifth day following posting.

9. This Agreement may be executed in one or more identical counterparts, and all counterparts so executed shall constitute one agreement which shall be binding on all of the parties.

10. This Agreement shall be subject to the laws of the State of New Mexico. Jurisdiction and venue relating to any litigation or dispute arising out of this Agreement shall be in the District Court of Lea County, New Mexico, only. If any part of this contract shall be deemed in violation of the laws or Constitution of New Mexico, only such part thereof shall be thereby invalidated, and all other parts hereof shall remain valid and enforceable.

11. Representations of City.

A. City is a duly organized and validly existing municipal corporation under the laws of the State of New Mexico with full municipal power to enter into this Agreement and to carry out the terms, conditions and provisions hereof.

B. City will continue review and processing of the development plans, and forthcoming building permit application in a forthright manner and with due diligence.

12. Representations of Developer.

To the best knowledge of Developer, there is no litigation, proceeding or governmental investigation either pending or threatened in any court, arbitration board or administrative agency against or relating to Developer to prevent or impede the consummation of this Agreement by Developer.

13. BREACH

A. The following events constitute a breach of this Agreement by Developer:

Developer's failure to perform or comply with any of the terms, conditions or provisions of this Agreement.

B. The following events constitute a breach of this Agreement by City:

City's failure to perform or comply with any of the terms, conditions or provisions of this Agreement.

14. REMEDIES UPON BREACH.

A. Any party may sue to collect any and all damages that may accrue by virtue of the breach of this Agreement.

B. If any party is found by a court to have breached this Agreement, the breaching party agrees to pay all reasonable costs, attorney's fees and expenses that shall be made or incurred by another party in enforcing any covenant or provision of this Agreement.

15. GOVERNING LAWS. This Agreement shall be governed by the laws of the State of New Mexico. Jurisdiction and venue relating to any litigation or dispute arising out of this Agreement shall be in the District Court of Lea County, New Mexico, only. If any part of this contract shall be deemed in violation of the laws or Constitution of New Mexico, only such part thereof shall be thereby invalidated, and all other parts hereof shall remain valid and enforceable.

16. TERMINATION. This Agreement shall be terminated upon the completion of all requirements defined herein or 365 days from ratification.

17. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among and between City and Developer and there are no other agreements or understandings, oral or otherwise, between the parties on the issues defined herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

CITY OF HOBBS

DEVELOPER – Arturo Ramirez

Sam D. Cobb - Mayor

BY: _____

Its: _____

ATTEST:

APPROVED AS TO FORM:

Jan Fletcher, City Clerk

Efren Cortez, City Attorney



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: RESOLUTION APPROVING THE VACATION\REPLAT OF A PORTION OF HOUSTON ADJACENT TO LOTS 11 & 12, BLOCK 45 OF THE ORIGINAL HOBBS ADDITION.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: March 27, 2023
SUBMITTED BY: Kevin Robinson – Planning Department

Summary: The Property Owner is requesting the vacation\replat of a portion of Houston adjacent to Lots 11 & 12, Block 45, of the Original Hobbs Addition and comprising +/- 1,400 square feet. This vacation, if approved, will allow the transfer fee simple ownership to the vacated property to the adjacent property owner. The staff has placed a value on the vacated property of \$2,800.00 to be paid by the property owner prior to recordation. The Planning Board reviewed this issue on March 21, 2023 and voted 4 to 0 to recommend approval.

Fiscal Impact: _____ **Reviewed By:** _____
Finance Department

The municipality will be compensated \$2,800.00; the value of the vacated property, prior to recordation and conveyance of the Vacated Property.

Attachments: Resolution, Vacation Plat and Planning Board Minutes.

Legal Review: _____ **Efren Cortez** Approved As to Form
City Attorney

Recommendation:
Consideration of Approval of the Resolution to approve the Vacation Plat, as recommended by the Planning Board.

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

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7327

A RESOLUTION APPROVING THE VACATION\REPLAT OF A PORTION OF HOUSTON ADJACENT TO LOTS 11 & 12, BLOCK 45 OF THE ORIGINAL HOBBS ADDITION.

WHEREAS, The adjacent property owner is requesting the vacation\replat of a portion of Houston adjacent to Lots 11 & 12, Block 45, Original Hobbs Addition; and

WHEREAS, the Vacation\Replat was then reviewed and recommended for approval by the City of Hobbs Planning Board at the March 21, 2023 meeting; and

WHEREAS, the City Commission has determined that the vacation of a portion of the street right-of-way will not adversely affect the interests or rights of persons in contiguous territory or within the subdivision and the title of those lands in the vacated area may be transferred in fee simple to the owner of the adjacent lots thereto upon remuneration.

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

1. The City of Hobbs hereby approves the Vacation Plat as attached hereto and made a part of this Resolution.

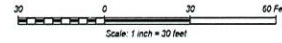
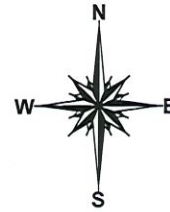
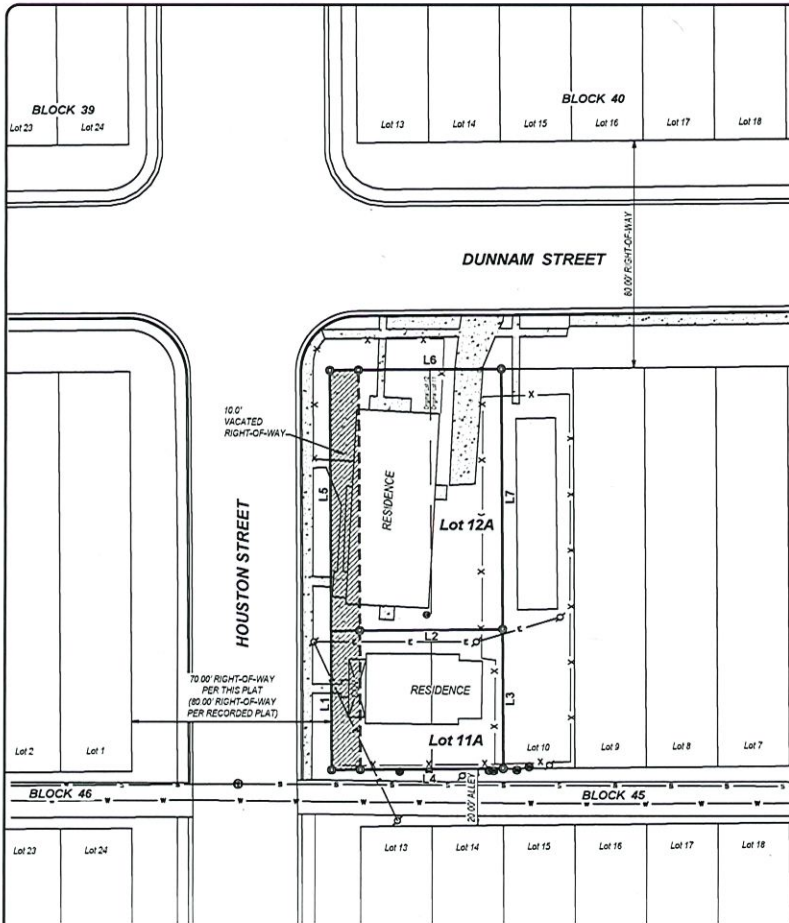
2. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



NOTE:
 1) BEARINGS SHOWN HEREON ARE MERCATOR GRID AND CONFORM TO THE NEW MEXICO COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM 1983. THE CONVERGENCE ANGLE TO TRUE NORTH IS 00°39'07.50" BASED ON A POINT OF ORIGIN LOCATED AT (NAD83) N. 622241.674 E. 912533.994 ESTABLISHED FROM GPS OBSERVATIONS AND SUBSEQUENT NGS OPUS PROCESSING. DISTANCES ARE SURFACE VALUES.

SUMMARY REPLAT OF LOT ELEVEN (11) AND LOT TWELVE (12), BLOCK FORTY-FIVE (45), AND VACATION OF THE EAST 10.00' OF HOUSTON STREET, ORIGINAL HOBBS ADDITION, CITY OF HOBBS, LEA COUNTY, NEW MEXICO

REPLAT OF LOT ELEVEN (11) AND LOT TWELVE (12), BLOCK FORTY-FIVE (45), AND THE VACATION OF THE EAST 10.00 FEET OF THE ADJACENT HOUSTON STREET, ORIGINAL HOBBS ADDITION, CITY OF HOBBS, LEA COUNTY, NEW MEXICO, INTO LOT 11A AND LOT 12A.

SAID PROPERTY IS BEING REPLATED AS THE SAME APPEARS HEREON WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS THEREOF.

SANDY SHIPP

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
 COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023 A.D.
 BY SANDY SHIPP.

NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY THE CITY COMMISSION:

STATE OF NEW MEXICO
 COUNTY OF LEA)

I, JAN FLETCHER, THE DULY APPOINTED AND ACTING CITY CLERK OF THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF "SUMMARY REPLAT OF LOT ELEVEN (11) AND LOT TWELVE (12), BLOCK FORTY-FIVE (45), AND VACATION OF THE EAST 10.00' OF HOUSTON STREET, ORIGINAL HOBBS ADDITION, CITY OF HOBBS, LEA COUNTY, NEW MEXICO," WAS APPROVED BY THE COMMISSION OF THE CITY OF HOBBS BY RESOLUTION No. _____ ON THE _____ DAY OF _____, 2023 A.D.

JAN FLETCHER, CITY CLERK

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
 COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023 A.D., BY JAN FLETCHER.

NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY THE CITY PLANNING BOARD:

THE REPLAT, RESTRICTIONS AND VACATION, REVIEWED AND APPROVED ON THE _____ DAY OF _____, 2023 A.D., BY THE CITY PLANNING BOARD OF HOBBS, NEW MEXICO.

CHAIRMAN: WILLIAM M. HICKS III

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
 COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023 A.D., BY WILLIAM M. HICKS III.

NOTARY PUBLIC

- LEGEND:**
- ⊕ - DENOTES SEWER LINE WITH MANHOLE
 - ⊖ - DENOTES SEWER LINE CLEANDOUT
 - W — DENOTES WATER LINE WITH METER
 - X — DENOTES FENCE LINE
 - E — DENOTES ELECTRIC LINE WITH POLE
 - ⊕ - DENOTES LIGHT POLE
 - ⊙ - DENOTES GAS LINE METER

LINE TABLE

LINE	BEARING	DISTANCE
L1	M00°2'32"W	49.00'
L2	N89°30'55"E	60.00'
L3	S00°2'32"E	49.00'
L4	S89°30'55"W	60.00'
L5	M00°2'32"W	91.62'
L6	N89°30'55"E	60.00'
L7	S00°2'32"E	91.62'

SURVEYOR'S CERTIFICATE:
 I, GARY G. EIDSON, NEW MEXICO PROFESSIONAL SURVEYOR No. 12641, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED, WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



PROVIDING SURVEYING SERVICES SINCE 1946
JOHN WEST SURVEYING COMPANY
 412 N. DAL PASO HOBBBS, N.M., 88240
 (575) 393-3117 www.jwsc.biz
 TDPL# 10021000

Scale: One Inch = Thirty Feet
 CAD Drafter & Date: DSS - 03/07/2023
 JWSC File No.: D-1458
 JWSC W.O. No.: 22110445
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STATE OF NEW MEXICO
 COUNTY OF LEA - FILED

9) Review and Consider a proposed Vacation\Replat for property located southeast of the intersection of Dunnam & Houston, as submitted by property owner.

Mr. Robinson stated this is the vacation/replat for the property located southeast of the intersection Dunnam and Houston. He stated Houston St. is an 80 ft. right of way. The previous development of the property extends into the public right of way that causes problems as far as the encroachments. The vacation will help solve the problem of the structures being within the public right of way because the vacation will make it private property. Mr. Robinson stated there is a replat changing the north-south line, making it east and west, and will still create two properties, but there will be one north and one south. Additionally, the vacation policies that the City has passed would require this particular property owner to purchase from the public those right of ways that are existing.

In response to Mr. Kesner's question, Mr. Randall stated the property is 1,400 square ft. Mr. Randall stated City staff has spoken to the property owner and they are willing to move forward with the vacation of the property.

Mr. Robinson discussed Lot 10 and explained it is a 25 ft. lot. He stated MC 18.04 prohibits manufactured homes to be placed on 25 ft. lots. The lot has to be 35 ft. or larger. Mr. Robinson stated that if the owner conveys the current structure on that lot, only a modular unit will be allowed to be placed there. He stated placing a development on a 25 ft. lot is more expensive. Mr. Randall stated the owner of Lots 11A, and 12A could give up some of the property to make Lot 10 a 35 ft. lot to place a manufactured home there. They would have to replat the lots.

In response to Mr. Ramirez's question regarding the utilities, Mr. Randall stated they are all in the alley and there will have to be an easement. Mr. Robinson stated there is going to be a subservient easement on Lot 12A. Mr. Kesner expressed his concern and stated there needs to be an easement for all utilities and for the utility companies.

Mr. Donahue made a motion to approve the vacation/replat providing there is an easement for all utilities, seconded by Mr. Ramirez. The vote on the motion was 4-0 and the motion carried.



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: April 3, 2023

SUBJECT: RESOLUTION APPROVING THE DEDICATION OF A PORTION OF THE PROJECTION OF JEFFERSON NORTH OF GLORIETTA.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: March 27, 2023
SUBMITTED BY: Kevin Robinson - Planning Department

Summary: The Dedication Plat for Right of Way of a portion of the projection of Jefferson north of Glorietta is submitted for your review and consideration. The dedication parcel will contain +/- 1.60 acres.

The Planning Board reviewed this issue on March 21, 2023 and voted 4-0 to recommend approval.

Fiscal Impact:

Reviewed By: Finance Department

Digitally signed by Kevin Robinson, DN: cn=Kevin Robinson, o=City of Hobbs, ou=Finance Department, email=kevin@hobbsnm.org, c=US

Attachments:

Resolution, Dedication plat, Planning Board Minutes.

Legal Review:

Approved As To Form: Efren A. Cortez City Attorney

Digitally signed by Efrén A. Cortez, cn=Efrén A. Cortez, o=City of Hobbs, ou=City Attorney's Office, email=efren@hobbsnm.org, c=US

Recommendation:

Consider to Approve the Resolution to dedicate a portion of the projection of Jefferson.

Approved For Submittal By:

Kevin Robinson
Department Director

[Signature]
City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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

CITY OF HOBBS

RESOLUTION NO. 7328

A RESOLUTION APPROVING THE DEDICATION OF A PORTION OF THE PROJECTION OF JEFFERSON NORTH OF GLORIETTA.

WHEREAS, the City of Hobbs has recently received the dedication plat from ALJO, LLC., property owner, dedicating a portion of the projection of Jefferson north of Glorietta to the City of Hobbs; and

WHEREAS, that portion of the dedication is located wholly within the municipal boundaries of the City of Hobbs.

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

1. The City of Hobbs hereby approves the dedication of a portion of the projection of Jefferson north of Glorietta, as shown on the plats attached hereto as Exhibit "A" and made a part of this resolution.

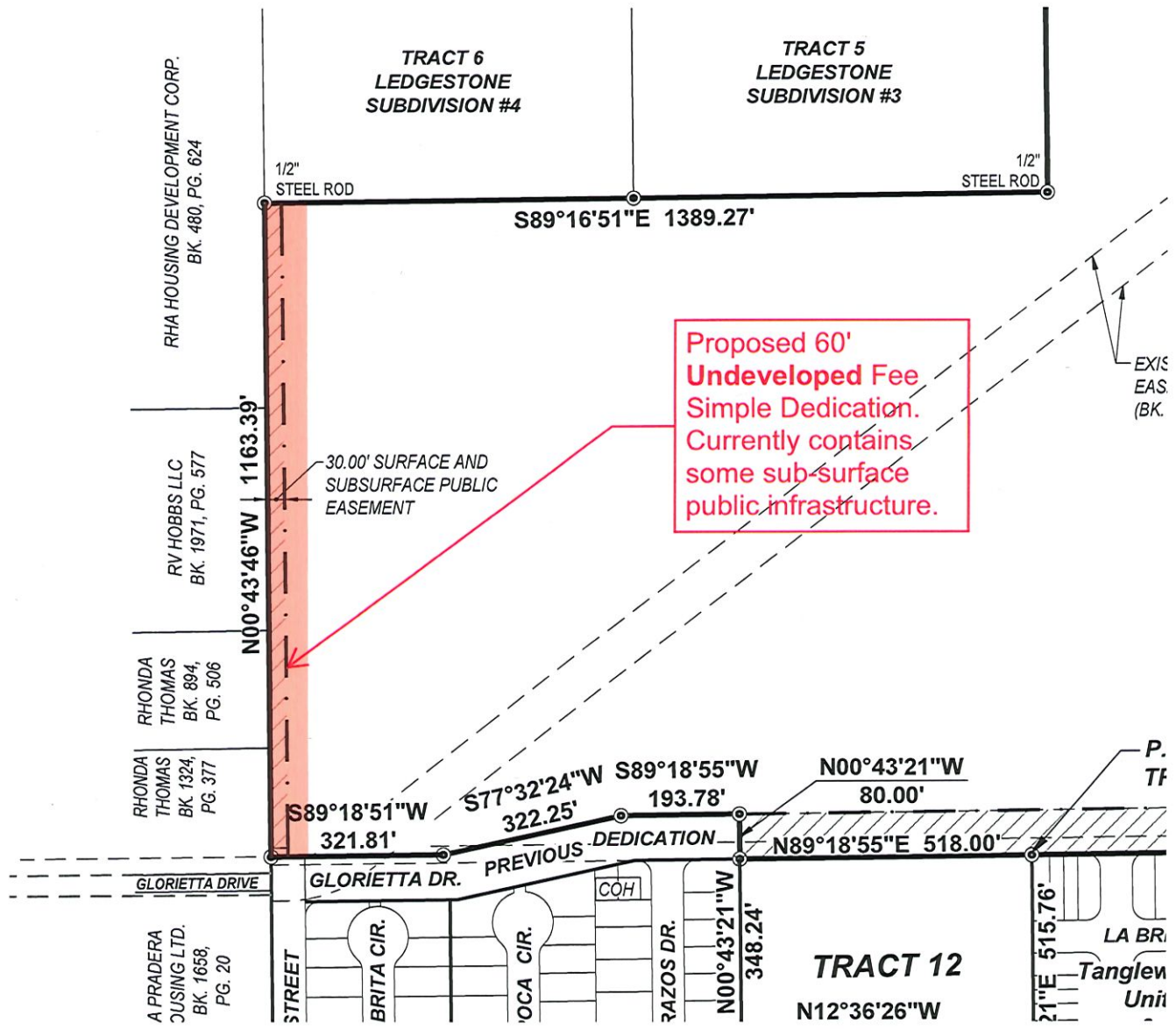
2. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 2023

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



8) Review and Consider an undeveloped Dedication Plat for the projection of Jefferson north of Glorietta.

Mr. Robinson stated this is an undeveloped dedication plat for the projection of Jefferson north of Glorietta. He stated this particular roadway was brought up in a previous meeting. Mr. Robinson explained that fair share agreements state that any development that is burdened with the roadway is going to have utilization of the roadway. He stated in this instance the developer has stated the roadway is not needed. If there was a connection between to Jefferson north of Glorietta then he would benefit from the roadway. Mr. Robinson stated the owner is proposing to dedicate a 60 ft. right of way that is undeveloped. This places the area outside the boundaries of the subdivision and the developer is no longer responsible to develop the roadway. Mr. Robinson stated the dedication is possible because the municipality has infrastructure within an existing easement at that location.

In response to Mr. Kesner's question, Mr. Randall stated this dedication will create an infrastructure gap. He explained if the roadway is necessary for the future then there could be City participation in the infrastructure. Mr. Randall stated with this subdivision and the way it is drawn out, the owner does not have any participation in the roadway. He further stated he doesn't participate in a fair share agreement and doesn't have a development cost.

Mr. Alberto Caballero, owner of the property, commented on the dedication of the property and stated he does not have access to the roadway so he doesn't have to develop and pay for it, and is willing to donate the property to the City for the future roadway.

Mr. Donuhue made a motion, seconded by Mr. Ramirez to recommend to the City Commission for approval of the undeveloped 60 ft. dedication. The vote on the motion was 4-0 and the motion carried.