

NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the 7th day of March, 2022, at its meeting at 6:00 p.m., in the City Commission Chamber at City Hall, 1st Floor Annex, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance granting a franchise privilege to Southwestern Public Service Company d/b/a Xcel Energy to enter upon and use the streets, highways and public grounds of the City for the transmission and distribution of electricity within the City of Hobbs. The title of the ordinance is:

AN ORDINANCE OF THE CITY OF HOBBS, NEW MEXICO, GRANTING TO SOUTHWESTERN PUBLIC SERVICE COMPANY, DBA XCEL ENERGY, A NEW MEXICO CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE LICENSE, WITHIN THE CITY LIMITS OF THE CITY AS THEY NOW EXIST OR AS THEY MAY BE CHANGED FROM TIME TO TIME, FOR A PERIOD OF TEN (10) YEARS TO ERECT, CONSTRUCT, EQUIP, EXTEND, ALTER, MAINTAIN, REPAIR, REPLACE, REMOVE AND OPERATE, ALL WORKS, SYSTEMS, PLANTS, POLES, POLE LINES, DISTRIBUTION LINES, TRANSMISSION LINES, WIRES, GUYS, CABLES, CONDUITS, TRANSFORMERS AND OTHER DISTRIBUTION AND TRANSMISSION INSTRUMENTALITIES, FACILITIES AND APPURTENANCES NECESSARY OR PROPER FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY INTO, IN, WITHIN, FROM, ACROSS, AND THROUGH THE CITY AND (ii) SUPPLY AND FURNISH TO THE CITY AND ITS INHABITANTS AND TO ANY OTHER PERSON OR PERSONS, FIRMS OR CORPORATIONS, WHETHER LOCATED WITHIN OR WITHOUT THE CITY, ELECTRIC ENERGY FOR LIGHT, POWER, COOLING, HEATING OR FOR EITHER OR ALL OF THESE PURPOSES OR FOR ANY OTHER PURPOSE OR PURPOSES FOR WHICH ELECTRICITY MAY BE USED.

A summary of the ordinance is contained in its title and is further described as follows:

SECTION I.	DEFINITIONS.
SECTION II.	GRANT OF FRANCHISE.
SECTION III.	POWERS AND CONDITIONS
SECTION IV.	GRANT NON-EXCLUSIVE.
SECTION V.	LIMITATIONS ON GRANT OF FRANCHISE.
SECTION VI.	CONSIDERATION FOR GRANTING FRANCHISE.
SECTION VII.	RIGHT-OF-WAY ORDINANCE INCORPORATED.
SECTION VIII.	ANNEXATIONS.
SECTION IX.	STANDARDS OF SERVICE.
SECTION X.	INTERRUPTION OF SERVICE
SECTION XI.	TERMINATION.
SECTION XII.	ASSIGNMENT.
SECTION XIII.	INTENTIONALLY OMITTED.
SECTION XIV.	TERM.
SECTION XV.	CONFLICTS BETWEEN MUNICIPAL CODE AND AGREEMENT.
SECTION XVI.	PUBLICATION COSTS.

SECTION XVII. INDEMNIFICATION.
SECTION XVIII. SEVERABILITY.
SECTION XIX. NO THIRD PARTY BENEFICIARY.
SECTION XX. CONSTRUCTION OF AGREEMENT.
SECTION XXI. GOVERNING LAW.
SECTION XXII. REPEALER.
SECTION XXIII. ACCEPTANCE AND EFFECTIVE DATE.

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

Due to COVID-19, the meeting is subject to change to a virtual remote meeting if an in-person meeting cannot be held. If any persons desire to submit public comment related to this proposed ordinance, please submit written comments by email to jfletcher@hobbsnm.org by 4:30 p.m. on March 7, 2022.

/s/Jan Fletcher
Jan Fletcher, City Clerk