

# 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

*January 17, 2023*



## **Hobbs City Commission**

Regular Meeting

City Hall, City Commission Chamber

200 E. Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico

**Tuesday, January 17, 2023 - 6:00 p.m.**

Sam D. Cobb, Mayor

R. Finn Smith  
Commissioner – District 1

Christopher R. Mills  
Commissioner – District 2

Larron B. Fields  
Commissioner – District 3

Joseph D. Calderón  
Commissioner – District 4

Dwayne Penick  
Commissioner – District 5

Don R. Gerth  
Commissioner – District 6

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## **A G E N D A**

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

### **CALL TO ORDER AND ROLL CALL**

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MINUTES**

1. Minutes of the January 3, 2023, Regular Commission Meeting (*Jan Fletcher, City Clerk*)

### **PROCLAMATIONS AND AWARDS OF MERIT**

2. Recognition of City Employees - Milestone Service Awards for the Month of January, 2023 (*Manny Gomez, City Manager*)
  - 10 years – Matthew Burleson, Hobbs Police Department
  - 10 years – Efren Cortez, City Attorney's Office
  - 15 years – Shelia Baker, General Services Department

**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.)*

3. Resolution No. 7297 – Relating to the Disposition of Obsolete, Worn-Out and Unusable Personal Property *(Toby Spears, Finance Director)*

**DISCUSSION**

4. 2022 Summary of Activities for the Recreation Department *(Doug McDaniel, Recreation Director)*

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

5. Resolution No. 7298 – Authorizing an Allocation of Lodgers’ Tax Funds to Fund Various Events for FY 2023 *(After November 15, 2022)* *(Toby Spears, Finance Director)*
6. Resolution No. 7299 – Authorizing an Allocation of Lodgers’ Tax Funds to Fund Various Events for FY 2023 from the January 11, 2023, Lodgers’ Tax Board Meeting *(Toby Spears, Finance Director)*
7. Resolution No. 7300 – Adopting Budgetary Adjustment #3 for FY 2022-2023 *(Deb Corral, Assistant Finance Director)*
8. Resolution No. 7301 – Ratifying a Letter to President Biden Expressing Support of the Eddy-Lea Energy Alliance and Holtec International’s Consolidated Interim Storage Facility *(Mayor Sam Cobb)*
9. Resolution No. 7302 – Authorizing a Memorandum of Agreement with the New Mexico Department of Transportation for Public Transportation for Federal FY 22-23 *(Jan Fletcher, City Clerk)*

**COMMENTS BY CITY COMMISSIONERS, CITY MANAGER**

10. Next Meeting Date:
  - City Commission Regular Meeting:
    - **Monday, February 6, 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: January 17, 2023

**SUBJECT: City Commission Meeting Minutes**

DEPT. OF ORIGIN: City Clerk's Office  
DATE SUBMITTED: January 10, 2023  
SUBMITTED BY: Jan Fletcher, City Clerk

**Summary:**

The following minutes are submitted for approval:

- Regular Commission Meeting of January 3, 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. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

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

Minutes of the regular meeting of the Hobbs City Commission held on Tuesday, January 3, 2023, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico. This meeting was also viewable to the public via Livestream on the City's website at [www.hobbsnm.org](http://www.hobbsnm.org).

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

Mayor 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 (*via phone*)  
Commissioner Larron B. Fields  
Commissioner Joseph D. Calderón  
Commissioner Dwayne Penick  
Commissioner Don Gerth (*via phone*)

Also present:

Manny Gomez, City Manager  
Efren Cortez, City Attorney  
Valerie Chacon, Deputy City Attorney  
August Fons, Police Chief  
Shane Blevins, Deputy Police Chief  
Danny Garrett, Police Captain  
Marina Barrientes, Police Captain  
Barry Young, Fire Chief  
Mark Doporto, Deputy Fire Chief  
Kevin Shearer, Fire Battalion Chief  
Toby Spears, Finance Director  
Nicholas Goulet, Human Resources Director  
Bob Hamilton, Acting Library Director  
Bobby Arther, Municipal Judge  
Tim Woomer, Utilities Director  
Shelia Baker, General Services Director  
Todd Randall, City Engineer  
Julie Nymeyer, Executive Assistant  
Selena Estrada, Risk Manager  
Bryan Wagner, Parks and Open Spaces Director  
Matt Hughes, Rockwind Golf Course Superintendent  
Doug McDaniel, Recreation Director  
Matt Blandin, Assistant I.T. Director  
Kristen Salas, Clerk Record Specialist  
Mollie Maldonado, Deputy City Clerk  
Jan Fletcher, City Clerk  
14 citizens

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

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

### **Approval of Minutes**

Commissioner Calderón moved the minutes of the regular meeting of December 19, 2022, be approved as written. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb abstain. The motion carried.

### **Public Comments**

Mr. Marcus Sparenberg of the United Way of Lea County announced the “MLK Day of Giving” will be held on January 14, 2023. He stated 500 hot meals will be served and 250 foot boxes would be provided to area residents at 1124 East Humble.

Mr. Joe Cotton of the NAACP of Hobbs stated the NAACP and United Way are partnering together to have “MLK Day of Giving” on Saturday, January 14, 2023; and the “MLK Day of Service” on Sunday, January 15, 2023; and the MLK Walk on Monday, January 16, 2023, at noon from the MLK Soccerplex to the BTW School.

### **Consent Agenda**

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

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

*Resolution No. 7288 – Authorizing the Submission of the FY 24 New Mexico Department of Health Trauma System Development Grant for the Hobbs Fire Department*

*Resolution No. 7289 – Authorizing an Application with the New Mexico Department of Health EMS Fund Act Local Funding Program for FY 24 for the Hobbs Fire Department*

*Resolution No. 7290 - Stating the Reasonable Notice Procedures for the City of Hobbs Pursuant to the New Mexico Open Meetings Act*

*Resolution No. 7291 – Approving the Final Plan for Bonafide Ventures, LLC, Subdivision*

*Resolution No. 7292 – Approving the Final Plan for College Subdivision, Unit Five*

Consideration of Approval of the Paid Time Off (PTO) Payout for Calendar Year 2022

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

**Proclamations and Awards of Merit**

None.

**Discussion**

None.

**Action Items**

Resolution No. 7293 – Authorizing a Legislative Capital Appropriation Project Agreement with the New Mexico Department of Finance and Administration in the Amount of \$500,000.00 for Public Safety and Security Equipment in the Police Facility in Hobbs

Ms. Shelia Baker, General Services Director, stated the City of Hobbs has received a Capital Appropriation Project Agreement from the New Mexico Department of Finance and Administration (DFA) for \$500,000.00. She stated the project is to plan, design, construct, equip, purchase, and install improvements, including public safety and security equipment, in the police facility in Hobbs. Ms. Baker explained the intent of the funding for the security improvements at the Police Department. She also expressed appreciation to the State Legislators for their assistance with this funding grant.

Commissioner Penick moved that Resolution No. 7293 be adopted as presented. Commissioner Fields seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7294 – Approving a Related Party Contract with Watson Truck & Supply for Service Repair Work

Ms. Baker stated the City of Hobbs has a need to procure services from a certified dealership for International, Navistar, Cummins and Allison engines in order to maintain and repair City fleet. She stated the City Garage received three written quotes from qualified companies for an estimated 250 hours of service repair labor. The quoted amounts are as follows:



Watson Truck & Supply	\$35,000.00
Roberts Truck Center	\$39,750.00
R J Border International	\$48,780.00

Ms. Baker stated it is staff's recommendation to award a contract to Watson Truck & Supply in Hobbs who is the lowest bidder. She explained the procedure which must be followed to comply with the City of Hobbs Procurement Policy and Governmental Conduct Act. Ms. Baker stated if a conflict of interest arises with an employee/elected official, any future goods or services provided by the related party shall be subject to a competitive process and must be disclosed at a future City Commission meeting.

Commissioner Calderón moved that Resolution No. 7294 be adopted as presented awarding the contract to Watson Truck & Supply. Commissioner Penick seconded the motion.

Mr. Efren Cortez, City Attorney, stated if any elected official has any conflicts of interest, they must be stated and disclosed during the meeting.

Commissioner Smith stated he will abstain from voting due to this financial interest in Watson Truck & Supply.

There being no further discussion, the vote was recorded as follows: Smith abstain, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Consideration of Approval of RFP No. 541-23 for City Hall Janitorial Services and Recommendation to Accept the Proposal from Community Maintenance

Ms. Baker explained RFP No. 541-23 for City Hall Janitorial Services. She stated four proposals were submitted, one of which was withdrawn. An evaluation committee met and scored the proposals. Ms. Baker explained the evaluation criteria used in ranking the proposals and stated Community Maintenance received the highest score. Ms. Baker stated negotiations were conducted as to scope of service and overall price. It is the recommendation of the General Services Department to award RFP 541-23 to Community Maintenance. She stated the last janitorial contract for the buildings was procured in 2020 and was awarded to ARC Janitorial who declined to sign the option to renew the contract for the 3rd year. Ms. Baker stated the proposal cost is over budget and will require a budget adjustment in the amount of \$20,195.63 before a contract can be executed.

Commissioner Fields moved that RFP No. 541-23 for City Hall Janitorial Services be awarded to Community Maintenance. Commissioner Smith seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the supporting documentation are attached and made a part of these minutes.

Resolution No. 7295 – Approving a One-Year Extension of the Professional Services Agreement with Luke Otero for Lobbying Services

Mr. Efren Cortez, City Attorney, stated the Commission approved a professional services agreement on January 18, 2022, with Lobbyist Luke Otero for the 2022 New Mexico Legislative Session. The agreement provides a renewal option for three additional one-year terms upon written approval of both the City and Contractor prior to the expiration of any one-year term. Mr. Cortez stated the proposed one-year extension would cover the 2023 Legislative Session, any pre-session meetings/services, and follow up meetings/services following the 2023 session and any interim session meetings/services at a cost of \$25,635.00 including New Mexico Gross Receipts Taxes.

Mr. Cortez reviewed the dates of the New Mexico Legislative Session which begins on January 17, 2023, and he stated many important topics will be discussed during this 60-day session.

Commissioner Penick stated decisions about contracts of this nature are not made lightly. He stated the need for the services and cost are re-evaluated each year.

Mayor Cobb stated he has known Mr. Luke Otero for 40 years and he is very connected to all of the Legislators and the entire Legislative process. He commented that he and Mr. Toby Spears, Finance Director, met with Representative Larry Scott and Senator Gay Kernan and other members of the Joint Revenue and Stabilization Committee regarding the impacts of HB6. Mayor Cobb stated Mr. Luke Otero was also at this meeting and the City is very fortunate to be represented by someone with such experience and professionalism. Mayor Cobb stated the City is hoping for some relief on the State's tax policy.

Commissioner Calderón moved that Resolution No. 7295 be adopted as presented. Commissioner Penick seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7296 – Approving a One-Year Extension of the Professional Services Agreement with Trujillo Law Group, LLC, for Lobbying Services

Ms. Valerie Chacon, Deputy City Attorney, explained the proposed resolution and stated the Commission approved a professional services agreement on January 18, 2022, with the Trujillo Law Group, LLC, for lobbying services for the 2022 New Mexico Legislative Session. The agreement provides a renewal option for three additional one-year terms upon written approval of both the City and Contractor prior to the expiration of any one-year term. The proposed one-year renewal extension would cover the 2023 Legislative Session, any pre-session meetings/services, and follow up meetings/services following the

2023 session and any interim session meetings/services. This one-year extension is for \$59,000.00 including New Mexico Gross Receipts Taxes.

Mayor Cobb stated there is a difference in value between the two lobbyist contracts. He stated the lead lobbyist at Strategies 360 is Ms. Missi Currier, formerly of the Economic Development Corporation of Lea County, and a resident of Carlsbad, New Mexico. Mayor Cobb stated the firm provides lobbying support at the State and Federal level and delivers a larger scope of services.

Commissioner Smith moved that Resolution No. 7296 be adopted as presented. Commissioner Calderón seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

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

Mr. Manny Gomez, City Manager, wished everyone the best for 2023 and stated the City had a great year in 2022 which was made possible by everyone pulling and working together as a team. He stated the City will continue working to retain and recruit employees while being cognizant of costs and spending. Mr. Gomez stated Department Heads will be making presentations to the Commission on the accomplishments of 2022 and goals for 2023.

Mr. Gomez stated the City provided 200 passes to the CORE to the Hobbs Municipal Schools Athletic Director for the basketball teams participating in the recent Hobbs Holiday Tournament. He stated many positive comments were received about the CORE facility which is a great quality of life amenity in the community.

Mr. Gomez stated the Safe Haven Baby Box should arrive for installation within a month and the City will schedule a blessing event after it arrives.

Mr. Gomez warned of the dangers of shooting firearms into the air. He stated there have been several reports of shots fired in Hobbs and the City will do a public service announcement to warn citizens of the dangers. Mr. Gomez encouraged everyone to comply with the laws and be a good neighbor in 2023.

Commissioner Penick wished everyone a safe and happy new year. He encouraged everyone to stay positive. Commissioner Penick commented while the Hobbs Animal Adoption Center is a no-kill facility, the overpopulation of animals at the facility does result in euthanization. He suggested citizens should consider adopting a pet from the Animal Adoption Center to reduce the population of animals.

**Adjournment**

There being no further business or comments, Commissioner Smith moved that the meeting adjourn. Commissioner Gerth seconded the motion and the vote was recorded as follows: Smith yes, Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 6:40 p.m.

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

ATTEST:

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



**PROCLAMATIONS**

**AND**

**AWARDS OF  
MERIT**

# January Milestones 2023

## 10 years

Matthew Burleson	HPD	01/07/2013
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Efren Cortez	City Attorney's Office	01/30/2013
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## 15 years

Shelia Baker	General Services	01/07/2008
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# **CONSENT AGENDA**



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 17, 2023

**SUBJECT:** Removal Obsolete, Worn-Out, and Unusable Personal Property.  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** January 9, 2023  
**SUBMITTED BY:** Toby Spears, Finance Director

**Summary:**

The City desires to delete from its public inventory and dispose of the items of personal property set forth upon Exhibit A, attached hereto and incorporated herein by reference, and the governing body hereby makes the official, specific finding that each item of property on the attached list: (1) is obsolete and of no value; and (2) is worn-out, unusable, or obsolete to the extent that the item is no longer economical or safe for continued use by the City of Hobbs; and (3) that all such items should be deleted from the City's public inventory and sold at a public auction in Hobbs, New Mexico; Public auction is set for February 18, 2023.

**Fiscal Impact:**


Reviewed By:   
Finance Department

The proceeds from the Auction will be receipted into the General Fund, with the exception that any assets associated with grant funds will be applied to the special revenue funds where the purchase originated.

**Attachments:**

- Resolution
- List of Auction Items
- Deletion Items

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

Motion to approve Resolution.

Approved For Submittal By:

  
Department Director  
  
City Manager

CITY CLERK-S USE ONLY  
COMMISSION ACTION TAKEN

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



CITY OF HOBBS

RESOLUTION NO. 7297

A RESOLUTION RELATING TO DISPOSITION OF OBSOLETE,  
WORN-OUT AND UNUSABLE PERSONAL PROPERTY

BE IT RESOLVED by the governing body of the City of Hobbs, New Mexico, that:

A. The City desires to delete from its public inventory and dispose of the items of personal property set forth upon Exhibit A, attached hereto and incorporated herein by reference, and the governing body here by makes the official, specific finding that each item of property on the attached list:

- (1) Is obsolete and of no value; and
- (2) Is worn-out, unusable, or obsolete to the extent that the item is no longer economical or safe for continued use by the City of Hobbs; and
- (3) That all such times should be deleted from the City's public inventory and sold at public auction in Hobbs, New Mexico; and

B. Pursuant to the provisions of N.M.S.A § 13-6-1 of the governing body of the City of Hobbs, as a prerequisite to its action making such deletion and disposition of the items of personal property, hereby designates a committee of three officials from this governing body, namely DWAYNE PENICK, DON GERTH, and LARRON FIELDS, to approve and oversee the disposition of the property this finding is duly sworn and subscribed under oath by the Mayor and each member of the City Commission.

C. A copy of this official finding and proposed disposition of the property sought to be disposed of shall be made a permanent part of the official minutes of the governing body.

PASSED, ADOPTED AND APPROVED THIS 17<sup>th</sup> day of January, 2023.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk

Copy of AUCTION

UNIT #	ASSET #	DESCRIPTION	SERIAL #	DEPT	ACQ DATE	AMOUNT	MODEL #	FY
<b>ITEMS BEING AUCTIONED OVER \$5000</b>								
	1055	5000 GALLON SEMI TRAILER	2014	4375	12/16/1982	\$39,077.29		1983
248	1244	89 KUT-KWICK GREEN MOWER SSM34-72 #0248	51083	320	8/16/1989	\$16,000.00		1990
245	1269	#0245 TORO SAND PRO W/TOR	257	315	5/16/1990	\$6,664.82	TO8880	1990
	2008	IBM AS400 9406-270 I	10-AAC1B	140	8/16/2002	\$25,709.02	IBM AS400	2003
	2014	5000 GALLON TANKER		4375	12/16/1982	\$39,077.29		1983
	2065	AS400 SYSTEM HARDWARE	F265B	160	2/5/2003	\$27,581.65	IBM AS400	2003
	2107	HP DESIGNJET 815 PLOTTER/SCANNER	SDK37852005	4600	10/23/2003	\$16,816.00	DESIGNJET 7780C	2004
	2420	HP DESIGNJET 800 PC	SG66QD200N	410	8/8/2006	\$7,484.00	DESIGNJET 800	2007
	2457	COPIER	6590010X	145	3/1/2007	\$8,970.00	MD551	2007
0518	2880	1997 J D 410 4 X 4 B	T0410DB825262	204	2/16/1997	\$72,890.77		410 1997
604	3116	JOHN DEERE GATOR UT VEHICLE UNIT #0604	W004X2X035738	321	2/16/1999	\$6,326.10	JOHN DEERE	1999
	3425	CENTRIFUGE		4062	6/16/2000	\$669,824.14	5020338	2000
	3569	JOHN DEERE 4600 TRACTOR LOADER BACKHOE	LV4600P362398	326	11/16/2001	\$29,326.00	4600	2001
	3577	REPLACEMENT TORO TEE MOWER 3100 D	03201-210000994	315	12/16/2001	\$22,199.20	TORO	2001
771	3715	2002 GMC TRUCK W/ MOUNTED SRECO #0771	1GDM7H1C52J506341	4360	12/16/2002	\$105,495.00	GMC	2003
775	3740	LARGE AREA TURF MOWER UNIT 0775	220000703	320	1/27/2003	\$40,949.60	GM400	2003
	3789	GENERATOR TESTING EQ	18980	221	8/30/2002	\$15,631.00	DYNAMITE 300KW	2003
	3857	CONVEYOR SCROLL DS 4		4062	1/26/2004	\$85,410.00	ALFA LAVAL/DS-401	2004
	3916	TRENCHER 1330		320	11/5/2004	\$10,330.07		2005
877	3966	2005 CIMLINE CRACKSEAL TRAILER #0877	5230230	423	5/17/2005	\$34,638.44	230DH	2005
862	3981	2005 DODGE RAM 1500 UNIT 862	1D7HU18D45S296209	422	4/26/2005	\$25,843.31	RAM SLT DR6H41	2005
824	3982	2005 TORO REEL GREEN MOWER #0824	240000311	315	10/21/2004	\$46,469.07	6700d	2005
821	4001	#0821 2004 TORO CONCRETE SAW REELMASTER	03200-240000323	321	10/28/2004	\$20,003.03	3100D REELMAST	2004
908	4165	#0908 2006 CHEVROLET 3/4 TON	1GCHC24U06E242589	220	4/28/2006	\$19,647.00	2500	2006
920	4184	2006 FORD 1 TON F350 FLA #0920	1FDWF36P86EC86220	423	5/10/2006	\$29,895.00	F350	2006
890	4212	#0890 2006 INTERNATIONAL MA025	1HTMMAAN86H322940	220	12/10/2005	\$60,975.00		2006
898	4215	#0898 2006 DODGE RAM 1/2 TON PICKUP	1D7HU18236J177198	320	4/13/2006	\$33,667.46	RAM	2006
	4884	DUPLEX PUMP CONTROL		4360	4/6/2006	\$5,539.00		2006
954	4908	#0954 DODGE RAM SLT QUAD CAB 4X4 PICKUP	1D7HU18257J572713	420	2/16/2017	\$36,792.00	RAM SLT QUAD	2007
981	4942	#0981 2007 FORD CROWN VICTORIA	2FAPP71W87X132393	202	4/6/2007	\$23,925.05	FORD	2007
998	4988	#0998 TORO GREENS MOWER	04357-260001301	315	11/8/2006	\$27,752.23		2007
952	5011	#0952 2006 TORO GROUND MASTER 5 DECKS	260000806	320	12/28/2006	\$45,347.68	30856 4500-D W	2007
1138	5192	2008 FORD ECO CARGO VAN UNIT 1138	1FTNE14W58DB06587	4017	4/28/2008	\$15,695.00	E150	2008
1150	5194	#1150 2008 FORD F150	1FTRF12W38KD60716	4610	5/1/2008	\$15,509.00	F150	2008
1147	5197	#1147 2008 FORD F150	1FTRF12W88KD60713	4640	5/1/2008	\$15,509.00	F150	2008
1146	5198	#1146 2008 FORD F150	1FTRF12W58KD60717	4640	5/1/2008	\$15,509.00	F150	2008

## Copy of AUCTION

	5772	JWC CHANNEL MONSTER GRINDER		4062	6/30/2010	\$33,876.89		2010
1236	5831	SODABLASTER SYSTEM #1236	1MBU18238H774214	320	1/15/2009	\$33,850.00	SB200 MOBIL	2009
	5860	#1225 ARTICULATOR LASTEC GREEN MOWER	32340808	315	11/7/2008	\$18,000.00	LSW-721XR	2009
	5861	#1224 GAS GREEN MOWER W/ACCESSORIES	TC50BG020433	315	11/7/2008	\$25,649.62	JDW-2500BG	2009
1223	5862	#1223 GAS GREENS MOWER W/ ACCESSORIES	TC250BG020435	315	11/7/2008	\$25,649.62	JDW-2500BG	2009
1235	5873	TRUCK MOUNTED HYDRO EXCAVATOR UNIT 1235	1HTWDAAR59J115205	4061	12/19/2008	\$233,917.44		2009
1246	5926	BACKHOE LOADER #1246	LV0110T810298	315	10/16/2009	\$45,456.77		2010
1282	5942	#1282 LAWN EQUIPMENT MOWER	TC250BG030155	315	12/16/2009	\$25,762.76		2010
1280	5947	TRACTOR UNITS-JOHN DEERE UNIT 1280	M06X4DD050187	4370	12/8/2009	\$9,602.83		2010
1287	5952	#1287 2010 FORD F250 S-DTY SRW	1FTSX2A58AEA95793	4360	12/30/2009	\$28,896.20	F250	2010
1316	6042	FORD F250 #1316	1FT7W2A6XBEB58234	423	12/8/2010	\$23,640.00	F250	2011
1317	6043	FORD F250 #1317	1FT7W2A68BEB58233	423	12/8/2010	\$23,640.00	F250	2011
	6054	COPIER-CLERK MAIN AREA	65900050	130	2/25/2011	\$7,750.00		2011
1353	6118	2012 CHEVROLET TAHOE UNIT #1353	1GNLC2E01CR195803	202	2/22/2012	\$44,785.32	TAHOE	2012
1352	6119	2012 CHEVROLET TAHOE UNIT #1352	1GNLC2E09CR193832	202	2/22/2012	\$44,785.32	TAHOE	2012
1357	6122	2012 CHEVROLET TAHOE UNIT #1357	1GNLC2E04CR191860	202	2/24/2012	\$44,910.32	TAHOE	2012
1355	6124	2012 CHEVROLET TAHOE UNIT #1355	1GNLC2E09CR195760	202	2/24/2012	\$44,910.32	TAHOE	2012
1359	6128	2012 CHEVROLET TAHOE UNIT #1359	1GNLC2E01CR194229	202	3/12/2012	\$45,210.32	TAHOE	2012
1366	6132	2012 CHEVROLET TAHOE UNIT #1366	1GNLC2E08CR192316	202	3/12/2012	\$45,210.32	TAHOE	2012
1373	6133	2012 FORD F150 4X2 UNIT #1373	1FTFW1CF9CKD38732	208	3/12/2012	\$25,836.00	F150	2012
1372	6140	2012 FORD F150 4X2 UNIT #1372	1FTFW1CF0CKD38733	208	3/12/2012	\$25,836.00	F150	2012
	6192	FLOW METER		4685	6/12/2012	\$5,140.11		2012
1337	6243	#1337 2011 JACOBSEN GREEN MOWER	679811705	315	9/12/2011	\$37,965.00	LF570FWY	2012
1338	6244	#1338 2011 JACOBSEN GREEN MOWER	679811709	315	9/12/2011	\$37,965.00	LF570FWY	2012
1341	6247	#1341 JACOBSEN GREEN MOWER	6706901974	315	9/7/2011	\$24,338.00	TRI KING	2012
1388	6421	2013 JOHN DEERE HPX W/ENCLOSURE UNIT 1388	1MDHPXDSCCM100855	4650	8/9/2012	\$11,231.58		2013
1426	6443	2013 FORD GLAVAL UNIVERSAL #1426	1FDXE4FS7DDA28890	4027	4/1/2013	\$65,391.00	UNIVERSAL	2013
1448	6464	#1448 SUPER 104 GREEN MOWER	12121807	315	6/27/2013	\$19,880.00		2013
1255	6516	CRANE/HOIST UNIT 1255		4061	4/25/2013	\$13,965.00		2013
1420	6564	#1420 2013 FORD F250	1FT7X2B67DEA69221	4360	4/16/2013	\$25,119.00	F250	2013
	6571	RICHO MP-50025P COPIER-CLERK	W534L500441	145	6/19/2014	\$9,850.00	MP5002	2014
1472	6572	2014 CHEVROLET POLICE RATED TAHOE #1472	1GNLC2E0XER150653	202	10/3/2013	\$26,725.00	TAHOE	2014
1481	6579	2014 CHEVROLET POLICE RATED TAHOE #1481	1GNLC2E08ER151896	202	10/3/2013	\$26,725.00	TAHOE	2014
1470	6582	2014 CHEVROLET POLICE RATED TAHOE #1470	1GNLC2E01ER150542	202	10/3/2013	\$26,725.00	TAHOE	2014
1477	6585	2014 CHEVROLET POLICE RATED TAHOE #1477	1GNLC2E05ER151760	202	10/3/2013	\$26,725.00	TAHOE	2014
1455	6602	2013 CHEVROLET POLICE RATED TAHOE #1455	1GNLC2E04DR323629	202	8/1/2013	\$45,855.57	TAHOE	2014
1453	6604	2013 CHEVROLET POLICE RATED TAHOE #1453	1GNLC2E09DR323593	202	8/1/2013	\$45,855.57	TAHOE	2014
	6627	JOHN DEERE XUV GATOR	1M0550FBCEM030233	315	5/22/2014	\$9,794.44	XUV550S4	2014

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1546	6649	2014 CHEVROLET SILVARADO #1546	1GCRPEC5E272380	320	6/26/2014	\$25,532.95	SILVERADO	2014
1446	6662	#1446 SUPER 104 FX1000	13061388	326	7/18/2013	\$19,880.00		2014
1447	6663	#1447 SUPER 104 FX1000	13061389	326	7/18/2013	\$19,880.00		2014
	6684	CATERPILLER CB22 DOUBLE DRUM ROLLER 1483	22001316	423	10/10/2013	\$39,973.36		2013
	6731	RICOH AFICIO MP-3353 COPIER-SR CENTER	E764L950207	4017	10/9/2014	\$7,450.00		2015
	6958	RICOH MP-6002 SP COPIER-WATER OFFICE	W65L400512	145	10/17/2015	\$15,845.00	MP6002SP	2016
1644	7043	2016 FORD F150 UNIT 1644	1FTEW1C81GKE78275	335	6/30/2016	\$21,172.00	F150	2016
1690	7348	2018 DODGE CHARGER POLICE #1690	2C3CDXKTJH144237	202	12/21/2017	\$50,343.10	CHARGER	2018
1691	7350	2018 DODGE CHARGER POLICE #1691	2C3CDXKT1JH144238	202	12/21/2017	\$50,343.10	CHARGER	2018
1558	7400	2014 AEV G4500 AMBULANCE #1558	1GB6G5CL3E1141000	220	3/24/2014	\$165,752.30	G4500	2014
1557	7401	2014 AEV G4500 AMBULANCE #1557	1GB6G5CL6E1141122	220	3/24/2014	\$165,732.30	G4500	2014
1729	7433	2019 CHEVROLET TAHOE UNIT #1729	1GNLCDEC7KR152622	202	11/26/2018	\$67,791.42	TAHOE	2019

**ITEMS BEING AUCTIONED UNDER \$5000/NOT ON FIXED ASSETS**

	3772	SCADA CONTROL PANEL		4685	4/23/2003	\$4,896.11		2003
1132	3333	1999 20' FLATBED TRAILER W/RAMP #1132		4019	11/16/1999	\$2,000.00		2000
	2768	95 TRACTOR PULLED FERTILIZER SPREADER	1001-0603	326	8/16/1994	\$3,045.00		1995
	2463	COPIER-CODE ENFORCEMENT	65000900	145	3/1/2007	\$4,075.00	AR-M237	2007
	2303	COPIER - COURT	KCC73406	145	12/22/2005	\$4,207.42	CANON	2006
	2563	E STUDIO COPIER-WWTP	CUB840185	145	5/15/2008	\$4,425.00	ESTUDIO	2008
11	11	2014 EZGO RXV GOLF CART #11	5323513	315	2/5/2015	\$4,585.99	EZGO RXV	2015
43	43	2014 EZGO RXV GOLF CART #43	5360568	315	2/5/2015	\$4,585.99	EZGO RXV	2015
44	44	2014 EZGO RXV GOLF CART #44	5360576	315	2/5/2015	\$4,585.99	EZGO RXV	2015
45	45	2014 EZGO RXV GOLF CART #45	5306584	315	2/5/2015	\$4,585.99	EZGO RXV	2015
46	46	2014 EZGO RXV GOLF CART #46	5360592	315	2/5/2015	\$4,585.99	EZGO RXV	2015
58	58	2014 EZGO RXV GOLF CART #58	5360601	315	2/5/2015	\$4,585.99	EZGO RXV	2015
	1413	IBM SHUTTLE DOT MATR	01A3900	140				
		LIBRARY HOLDINGS 549 BOXES(13816 BOOKS, 120 DVDS, 41 CDS, 101 CD BOOK)						
1275		HONDA SLAB SAW 20 BLADE						
		100FT PLUMBING LATERAL CAMERA SYSTEM						
		UTILITY TRUCK SEWER LINE CAMERA SYSTEM WITH CRANE						
		SCBA-MSA AIR MASK (2)						
		WACKER NEUSON BS60-4S TAMPER						
		HUSQVARNA K970 DEMOLITION SAW (3)						
		ALUMINUM TRUCK MOUNTED TOOL BOXES VARIOUS SIZE (4)						
		GORMAN RUPP T-SERIES SELF PRIMING CENTRIFUGAL PUMP						
		1 1/4 X 1 BUSHING GLV (62)						

Copy of AUCTION

	1 1/4 CAP GLV (17)						
	3/4 X 1/4 GALV HEX BUSH (20)						
	1/2 CPLG GLV (31)						
	1/2 45 GLV ELBOW (17)						
	1/2 90 GLV ELBOW (23)						
	1/2 90 GLV ST ELBOW (59)						
	1/2 X 4 NIPPLE GLV (20)						
	1/2 X 5 NIPPLE GLV (21)						
	1/2 X 6 NIPPLE GLV (10)						
	1/2 CAP GLV (2)						
	1/2 PLUG GLV (1)						
	3/4 X 1/2 BELL REDUCER GLV (1)						
	1/2 X 3 NIPPLE GLV (16)						
	1/2 X CLOSE NIPPLE GLV (91)						
	1/2 X 10 NIPPLE GLV (20)						
	1/2 X 3 1/2 NIPPLE GLV (3)						
	1/2 X 4 1/2 NIPPLE GLV (4)						
	1/2 X 8 NIPPLE GLV (19)						
	3/4 CAP GLV (4)						
	3/4 CPL GLV (2)						
	3/4 UNION GLV (5)						
	3/4 45 GLV ELBOW (4)						
	1/2 X 12 NIPPLE GLV (56)						
	3/4 X 1/2 TEE GLV (3)						
	3/4 CROSS GLV (13)						
	3/4 PLUG GLV (73)						
	3/4 TEE GLV (26)						
	3/4 X 2 NIPPLE GLV (12)						
	3/4 X CLOSE NIPPLE GLV (2)						
	3/4 90 GLV ST ELBOW (7)						
	3/4 X 2 1/2 NIPPLE GLV (1)						
	3/4 X 3 NIPPLE GLV (10)						
	3/4 X 3 1/2 NIPPLE GLV (6)						
	3/4 X 4 1/2 NIPPLE GLV (37)						
	3/4 X 1/4 GALV REDUCE CPL (21)						
	3/4 X 4 NIPPLE GLV (24)						
	3/4 X 5 NIPPLE GLV (75)						
	3/4 X 5 1/2 NIPPLE GLV (23)						

Copy of AUCTION

	3/4 X 6 NIPPLE GLV (25)							
	3/4 X 8 NIPPLE GLV (59)							
	1/4 GALV TEE (24)							
	1/4X CL GALV NIPPLE (23)							
	1/4 X 6 GAL NIP (25)							
	1/2 X 1/4 GALV REDUCE CPL (21)							
	1 X 3/4 BELL REDUCER GLV (21)							
	1 CAP GLV (5)							
	1 COLLAR CPL GLV (12)							
	1 PLUG GLV (10)							
	2 X 1/2 BUSHING GLV (9)							
	1 90 GLV ST ELBOW (14)							
	3/4 X 10 NIPPLE GLV (11)							
	3/4 X 12 NIPPLE GLV (4)							
	1 45 GLV ELBOW (26)							
	1 90 GLV ELBOW (19)							
	1 X 4 1/2 NIPPLE GLV (28)							
	1 X 6 NIPPLE GLV (5)							
	1 X 8 NIPPLE GLV (17)							
	1 X 1/2 HEX BUSH GLV (47)							
	1 X 1/2 TEE GLV (6)							
	1 1/2 UNION GLV (9)							
	1 X 5 NIPPLE GLV (15)							
	1 X 5 1/2 NIPPLE GLV (26)							
	1 X CLOSE NIPPLE GLV (4)							
	1 X 3/4 TEE GLV (20)							
	1 CROSS GLV (4)							
	1 X 10 NIPPLE GLV (46)							
	1 X 2 1/2 NIPPLE GLV (1)							
	1 X 3 NIPPLE GLV (12)							
	1 X 3 1/2 NIPPLE GLV (3)							
	1 1/4 PLUG GLV (70)							
	1 1/4 X 10 NIPPLE GLV (17)							
	1 1/4 X 2 NIPPLE GLV (22)							
	1 1/4 X CLOSE NIPPLE GLV (12)							
	1 1/2 90 GLV ST ELBOW (39)							
	1 1/4 X 12 NIPPLE GLV (13)							
	1 1/4 X 8 NIPPLE GLV (16)							

Copy of AUCTION

	1 1/2 X 1 BUSHING GLV (8)						
	1 1/2 X 1 1/4 BUSHING GLV (13)						
	1 1/4 X 4 NIPPLE GLV (15)						
	1 1/4 X 6 GLV NIPPLE (3)						
	1 1/2 X 12 NIPPLE GLV (1)						
	1 1/2 X 3 1/2 NIPPLE GLV (24)						
	1 1/2 X 4 NIPPLE GLV (25)						
	1/4 GALV 90 ELL (26)						
	1/4 GALV CPL (24)						
	1/4 GALV 90 ST ELL (23)						
	1/4 X 2 GAL NIP (25)						
	1/4 X 4 GAL NIP (23)						
	1/2 X 1/4 GALV HEX BUSH (24)						
	1 X 3/4 HEX BUSH GLV (109)						
	1 1/4 CPL GLV (6)						
	1 1/4 TEE GLV (5)						
	1 1/4 45 GLV ELBOW (9)						
	1 X 12 NIPPLE GLV (4)						
	1 1/4 90 GLV ST ELBOW (14)						
	1 1/ X 5 1/2 NIPPLE GLV (13)						
	1 1/2 X 6 NIPPLE GLV (4)						
	1 UNION GLV (1)						
	1 1/2 X 1 BELL REDUCER GLV (1)						
	1 1/2 X 1 TEE GLV (25)						
	2 X 1 1/2 BUSHING GLV (4)						
	1 1/2 X CLOSE NIPPLE GLV (19)						
	1 1/2 X 3/4 TEE GLV (19)						
	1 1/2 X TEE GLV (18)						
	1 1/2 X 2 1/2 NIPPLE GLV (7)						
	1 1/2 CAP GLV (13)						
	1 1/2 CROSS GLV (6)						
	1 1/2 PLUG GLV (35)						
	1 1/2 X 3 NIPPLE GLV (7)						
	1 1/2 X 4 1/2 NIPPLE GLV (34)						
	1 1/2 X 3/4 BELL REDUCER GL (10)						
	1 1/2 CPL GLV (13)						
	1 1/2 45 GLV ELBOW (6)						
	1 1/2 90 GLV ELBOW (1)						



Copy of AUCTION

	1 1/2 X 5 NIPPLE GLV (21)						
	2 X 1 1/2 BELL REDUCER (7)						
	1 1/2 X 10 NIPPLE GLV (15)						
	1 1/2 X 8 NIPPLE GLV (20)						
	1 1/2 X 3/4 BUSHING GLV (16)						
	2 X 1 1/2 TEE GLV (7)						
	2 90 GLV ST ELBOW (7)						
	2 X 4 1/2 NIPPLE GLV (7)						
	2 X 1 TEE GLV (13)						
	2 X 3/4 TEE GLV (2)						
	2 TEE GLV (6)						
	2 X 5 NIPPLE GLV (4)						
	2 X 1 BUSHING GLV (13)						
	2 X 1 1/4 BUSHING GLV (12)						
	2 X 3/4 BUSHING GLV (29)						
	2 CPL GLV (3)						
	2 CROSS GLV (6)						
	2 45 GLV ELBOW (3)						
	2 X 1 1/4 TEE GLV (10)						
	2 X 3/4 BELL REDUCER GLV (3)						
	2 X 8 NIPPLE GLV (11)						
	2 X 3 NIPPLE GLV (2)						
	2 X 3 1/2 NIPPLE GLV (6)						
	2 X 4 NIPPLE GLV (3)						
	2 X 5 1/2 NIPPLE GLV (22)						
	2 X 6 NIPPLE GLV (19)						
	2 X 1 1/4 BELL REDUCER (23)						
	2 X12 NIPPLE GLV (7)						
	2 1/2 90 GLV ELBOW (1)						
	2 X 10 NIPPLE GLV (14)						
	2 X 2 1/2 NIPPLE GLV (17)						
	2 X CLOSE NIPPLE GLV (8)						
	Over 3000 used meters various sizes						
	Window Air Conditioner (2)						
	Full Size Truck Tool Box (1)						
	2017 Ram Truck Steps Set (1)						
	75 HP Electric Motor (3)						
	50 HP Electric Motor (1)						

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	16" Check Valves (3)						
	Gas Powered Pressure Washer (2)						
	Gas Powered 2" Trash Pump (1)						
	Gas Powered Walk Behind Trimmer (1)						
	Gas Powered String Timmer (2)						
	Gas Powered Blower (2)						
	Pack Rat Truck Bed Tool Box (1)						
10	EZGO GOLF CART #10 WHITE		2381901				
	DRONE						
	CANON IPF765 PLOTTER		AAGW5668				
	HP LASERJET 8150 PRINTER		JPBLR21211				
328	#0328 1991 TANKER TRAILER						
	White dump truck bed						
	black solar powered box with battery						
	black solar powered box with battery						
	Power washer tank with hose and motor		1618463				
	tank 50 gal with hose and pump		2088-343-435				
	tank 40 gal						
	2014dodge med white truck bed		20140108640				
	2014 dodge med white truck bed		20140108641				
	ford super duty white tailgate						
	ford super duty white tailgate						
	ford super duty white tailgate						
	ford super duty white tailgate						
1132	WHITE TRAILER #1132		G98741				
1222	CLUB CAR 4 SEATER #1222						
	LINE PAINTER TORO 20G5		250060367				
	ORANGE BUCKET						
	TECUMSEH TILLER						
	WHITE 2 AXLE TRAILER		G42822				
	WHITE 2 AXLE TRAILER WITH WOOD FLOOR						
	WHITE 2 AXLE TRAILER WITH METAL FLOOR		G98742				
	FORD SUPER DUTY TRUCK BED						
	FORD SUPER DUTY TRUCK BED						
	FORD SUPER DUTY TRUCK BED						
1293	TORO GROUNDS MASTER #1293						
	JACOBSEN VERTICUTTING REELS						

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ITEMS BEING DISPOSED OF								
6726	COMPUTER-INITIAL TESTING		145	1/13/2015	\$0.00			
6727	RADIOS-INITIAL TESTING		145	1/13/2015	\$0.00			
4967	1700 WATT PORTABLE G	6007742	4028	5/30/2007	\$1,100.00	1700I		2007
4968	1700 WATT PORTABLE G	6007752	4028	5/30/2007	\$1,100.00	1700I		2007
4969	1700 WATT PORTABLE G	6007753	4028	5/30/2007	\$1,100.00	1700I		2007
6270	TASERS WITH 4 YEAR WARRANTY	ZZ290D0C	202	4/28/2012	\$1,138.45		22002	2012
6271	TASERS WITH 4 YEAR WARRANTY	ZZX2903YY	202	4/28/2012	\$1,138.45		22002	2012
6278	TASERS WITH 4 YEAR WARRANTY	ZZX2903VT	202	4/28/2012	\$1,138.45		22002	2012
6280	TASERS WITH 4 YEAR WARRANTY	ZZX2903TX	202	4/28/2012	\$1,138.45		22002	2012
6281	TASERS WITH 4 YEAR WARRANTY	ZZX2903DH	202	4/28/2012	\$1,138.45		22002	2012
6289	TASERS WITH 4 YEAR WARRANTY	ZZX290D1F	202	4/28/2012	\$1,138.45		22002	2012
6291	TASERS WITH 4 YEAR WARRANTY	ZZX290CW0	202	4/28/2012	\$1,138.45		22002	2012
6294	TASERS WITH 4 YEAR WARRANTY	ZZX290D7D	202	4/28/2012	\$1,138.45		22002	2012
6302	TASERS WITH 4 YEAR WARRANTY	ZZX290DDN	202	4/28/2012	\$1,138.45		22002	2012
6307	TASERS WITH 4 YEAR WARRANTY	ZZX290D9T	202	4/28/2012	\$1,138.45		22002	2012
6321	TASERS WITH 4 YEAR WARRANTY	X2900009D	202	4/13/2012	\$1,138.45		22002	2012
6324	TASERS WITH 4 YEAR WARRANTY	X290000A6	202	4/13/2012	\$1,138.45		22002	2012
6325	TASERS WITH 4 YEAR WARRANTY	X290000AN	202	4/13/2012	\$1,138.45		22002	2012
6327	TASERS WITH 4 YEAR WARRANTY	X290000C2	202	4/13/2012	\$1,138.45		22002	2012
6328	TASERS WITH 4 YEAR WARRANTY	X290000E1	202	4/13/2012	\$1,138.45		22002	2012
6332	TASERS WITH 4 YEAR WARRANTY	X290000FC	202	4/28/2012	\$1,138.45		22002	2012
2755	WABASH VALLEY PICNIC TABLES @ CITY PARK		320	6/16/1994	\$1,262.50			1994
1112	BOX SCRAPER H220 W/ FOLDING RIPPER TEETH	4139	320	1/16/1985	\$1,495.00	GNNON H220		1985
2149	ICE MACHINE MUNICIPAL COURT	4101280011638	160	11/23/2004	\$1,500.00	IOM		2004
3008	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTY	145	11/16/1997	\$1,627.50	GTE		1997
3009	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTX	145	11/16/1997	\$1,627.50	GTE		1997
3010	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTW	145	11/16/1997	\$1,627.50	GTE		1997
3011	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0008Z3Q	145	11/16/1997	\$1,627.50	GTE		1997
3012	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTU	145	11/16/1997	\$1,627.50	GTE		1997
3013	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTS	145	11/16/1997	\$1,627.50	GTE		1997
3014	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTR	145	11/16/1997	\$1,627.50	GTE		1997
3015	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTG	145	11/16/1997	\$1,627.50	GTE		1997
3016	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTE	145	11/16/1997	\$1,627.50	GTE		1997
3017	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTC	145	11/16/1997	\$1,627.50	GTE		1997
3018	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTB	145	11/16/1997	\$1,627.50	GTE		1997
3019	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KTA	145	11/16/1997	\$1,627.50	GTE		1997
3020	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KT9	145	11/16/1997	\$1,627.50	GTE		1997

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3021	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KT6	145	11/16/1997	\$1,627.50	GTE	1997
3022	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0008Y23	145	11/16/1997	\$1,627.50	GTE	1997
3023	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KT4	145	11/16/1997	\$1,627.50	GTE	1997
3024	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KT2	145	11/16/1997	\$1,627.50	GTE	1997
3025	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KT1	145	11/16/1997	\$1,627.50	GTE	1997
3026	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KT0	145	11/16/1997	\$1,627.50	GTE	1997
3027	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KSY	145	11/16/1997	\$1,627.50	GTE	1997
3028	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KSW	145	11/16/1997	\$1,627.50	GTE	1997
3029	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KSV	145	11/16/1997	\$1,627.50	GTE	1997
3030	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KSU	145	11/16/1997	\$1,627.50	GTE	1997
3032	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KSS	145	11/16/1997	\$1,627.50	GTE	1997
3033	GTE PORTABLE RADIO GTE/H9H9TE00X8300HW	0000KSB	145	11/16/1997	\$1,627.50	GTE	1997
3408	ERICSSON ORION MOBILE RADIO IN 1441	1725187	4027	6/16/2000	\$2,023.30	D28LTX	2000
3409	ERICSSON ORION MOBILE RADIO IN 1265	1725186	4027	6/16/2000	\$2,023.30	D28LTX	2000
3410	ERICSSON ORION MOBILE RADIO IN 1269	1725185	4027	6/16/2000	\$2,023.30	D28LTX	2000
1268	SPRAY RIG & TRAILOR AT GOLF COURSE		326	6/16/1990	\$2,320.35		1990
2309	PORTABLE RADIO	9023795	640	12/9/2005	\$2,484.00	P7100	2006
2310	PORTABLE RADIO	902518	640	12/9/2005	\$2,484.00	P7100	2006
2311	PORTABLE RADIO	9023522	640	12/9/2005	\$2,484.00	P7100	2006
2312	PORTABLE RADIO	902667	640	12/9/2005	\$2,484.00	P7100	2006
2313	PORTABLE RADIO	9023519	640	12/9/2005	\$2,484.00	P7100	2006
2314	PORTABLE RADIO	9023609	640	12/9/2005	\$2,484.00	P7100	2006
3609	UT. VEH. HEAVY TURF TORO WORKMAN MCADAMS	07200-40290 MCADAMS	315	4/16/2002	\$2,500.00	TORO 07200	2002
4147	ERICSSON ORION EDACS RADIO IN 1426	5372	4027	12/12/2005	\$2,603.25	MAHG-S8MXX	2006
5066	MOBILE RADIO	9107014	640	9/11/2006	\$2,724.00	P7150EDACS	2007
5067	MOBILE RADIO	9107015	640	9/11/2006	\$2,724.00	P7150EDACS	2007
5068	MOBILE RADIO	9107016	640	9/11/2006	\$2,724.00	P7150EDACS	2007
5069	MOBILE RADIO	9107017	640	9/11/2006	\$2,724.00	P7150EDACS	2007
5074	MOBILE RADIO WITH AN	9148131	145	9/11/2006	\$2,724.00	P7150 EDACS	2007
5075	MOBILE RADIO	9148132	145	9/11/2006	\$2,724.00	P7150 EDACS	2007
5078	MOBILE RADIO WITH AN	9148104	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5081	MOBILE RADIO WITH AN	9148117	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5082	MOBILE RADIO WITH AN	9148118	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5083	MOBILE RADIO WITH AN	9148119	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5087	MOBILE RADIO WITH AN	8148123	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5088	MOBILE RADIO WITH AN	9148124	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5092	MOBILE RADIO WITH AN	9148148	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
5094	MOBILE RADIO WITH AN	9148150	145	9/11/2006	\$2,724.00	P7150 EDACS	2006

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	5098	MOBILE RADIO WITH AN	8148154	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5102	MOBILE RADIO WITH AN	8148158	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5105	MOBILE RADIO WITH AN	9148161	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5106	MOBILE RADIO WITH AN	9148162	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5108	MOBILE RADIO WITH AN	9148164	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5110	MOBILE RADIO WITH AN	9148176	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5113	MOBILE RADIO WITH AN	9148179	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5116	MOBILE RADIO WITH AN	9148182	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5117	MOBILE RADIO WITH AN	9148183	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5120	MOBILE RADIO WITH AN	9148227	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5121	MOBILE RADIO WITH AN	9148228	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5122	MOBILE RADIO WITH AN	9148229	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5129	MOBILE RADIO WITH AN	9148166	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5130	MOBILE RADIO WITH AN	9148167	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5132	MOBILE RADIO WITH AN	9148169	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5134	MOBILE RADIO WITH AN	9148171	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5136	MOBILE RADIO WITH AN	9148173	145	9/11/2006	\$2,724.00	P7150 EDACS	2006
	5145	GRACO PAINT MACHINE	157637A	321	3/5/2008	\$3,000.00	LINE LAZOR 3100	2008
	1229	MICRO-GEN ULV (MOSQUITO UNIT) @ GOLF	379	326	6/16/1989	\$3,039.00	G-4M	1989
	2180	CROSS TRAINER 90XFI	AWD100629	4028	6/2/2005	\$3,233.20	LIFE FITNESS	2005
	2181	CROSS TRAINER 90XFI	AWD100627	4028	6/2/2005	\$3,233.20	LIFE FITNESS	2005
	2182	CROSS TRAINER 90XFI	AWD100630	4028	6/2/2005	\$3,233.20	LIFE FITNESS	2005
	2183	CROSS TRAINER 90XFI	AWD100628	4028	6/2/2005	\$3,233.20	LIFE FITNESS	2005
	3708	EX MARK MOWER TT3615KAL	352929	320	8/16/2002	\$3,609.00	EXMARK	2003
	3709	EX MARK MOWER TT3615KAL	352926	320	8/16/2002	\$3,609.00	EXMARK	2003
	3798	TITAN POWERLINER 3100 PAINT SPRAYER	20930117	321	9/10/2002	\$3,696.23	POWERLINE 3100	2002
	6660	INFIELD CONDITIONER		321	4/24/2014	\$5,000.00		2014
	2767	MIDLAND MOBILE RADIO	217173, 213315	220	1/16/1983	\$5,124.00	70-665B	1983
	1425	AERATOR/GREENS EXPRESS TRANS FROM GOLF	AWG 060HIF36D	321	04/16/1197	\$5,200.00	AERWAY	1997
1020	1367	#1020 DITCH WITCH TRENCHER	1K1677	315	12/16/1993	\$5,495.00	DW1020	1993
	6696	SPARE MAG-METER FLOW TUBE MTR-RSV-03	11LS5AAA	4620	5/22/2014	\$5,510.00	MGG 18F-250 PA	2014
569	2939	UT VEH JOHN DEERE JDG1991W UNIT #0569	W00TURF003348	320	3/16/1998	\$5,595.00	JOHN DEERE	1998
	1363	ELECTRIC POWER GENER	8943118255	4028	3/16/1994	\$5,800.00	7.5 DKDFJ	1994
	3442	TORO THATCHER/SEEDER 3 PT HTCH TRCTR CON	200000148/200000125	321	10/16/2000	\$5,990.00	TORO	2000
	1289	1990 CHRISTMAS BANNERS, CHRISTMAS		320	11/16/1990	\$6,300.00		1990
	2176	TREADMILL LIF-D 95TI	ATT105444	4028	6/2/2005	\$6,417.39	LIFE FITNESS	2005
	2177	TREADMILL LIF-D 95TI	ATT105445	4028	6/2/2005	\$6,417.39	LIFE FITNESS	2005
	2178	TREADMILL LIF-D 95TI	ATT105438	4028	6/2/2005	\$6,417.39	LIFE FITNESS	2005

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	2179	TREADMILL LIF-D 95TI	ATT105441	4028	6/2/2005	\$6,417.39	LIFE FITNESS	2005
	4950	10 TON HVAC LENNOX	5606H05674	4062	9/13/2006	\$6,578.56	LENNOX-TGA12052B	2006
	5907	LINE LASRE IV 5900 GUN	50210S	412	7/14/2009	\$6,582.00		2010
	6264	DIGESTER MIXER		4375	2/16/2012	\$6,662.28		2012
	6265	DIGESTER MIXER		4375	2/16/2012	\$6,662.28		2012
	3657	INFIELD CONDITIONER MVP @ ZIA PLEX		321	6/16/2002	\$6,675.60		2002
	5333	2008 WWTP IMPROVEMENT		4062	7/26/2007	\$6,750.00		2007
	3407	ROCK PICKER ROCK HOUND 60B3 @ PARKS SHOP	B30005451	320	8/16/2000	\$7,011.09	ROCKHOUND	2000
696	3573	JOHN DEERE TURF GATOR UNIT 0696	VGOTURF016443	321	12/16/2001	\$7,168.51	JOHN DEERE	2001
	3493	PHONE SYSTEM FOR 800		145	3/16/2001	\$7,324.30	NORSTAR	2001
	5173	10 TON HVAC LENNOX	5607G10403	4062	9/13/2006	\$7,419.56	TGA120S2BM	2006
	6164	AGRIMETAL AERATOR	31275	321	5/1/2012	\$7,594.18	JD 3PT FAIRWAY	2012
	6266	DIGESTER MIXER		4375	2/16/2012	\$7,813.73		2012
	6267	DIGESTER MIXER		4375	2/16/2012	\$7,813.73		2012
	3664	EVERGLADE FENCE		4019	6/16/2002	\$7,913.88		2002
	3276	ROTARY GRASS MOWER GRASSHOPPER 725K	531885	320	3/16/1999	\$7,971.67	GRASSHOPPE	1999
	3997	CONTROL ROOM HVAC	5604E08182	4062	2/7/2005	\$8,147.68	GCS20-060-120-76	2005
	6221	WINDSCREEN		335	4/25/2012	\$8,871.21		2012
	2955	IRRIGATION CONTROLLER OSMAC/TORO	J1GD040-1	326	5/16/1998	\$8,975.36	OSMAC	1998
	7032	LED LIGHTS FOR UTILITY TRUCK SHOP		4061	7/13/2015	\$9,079.06		2016
	1328	AERIFIER GREENS AERA	91503831	315	9/16/1991	\$9,325.00	GA-30GREENAIRE	1991
	6609	POLICE K-9 RICO-RETIRE	K9 RICO	202	1/16/2014	\$10,000.00	BELGIAN MALINOIS	2014
266	1255	RIDING MOWER TORO 322D W/ 72" DECK #0266	803	321	3/16/1990	\$11,856.24		539 1990
267	1241	#0267 GROUNDMASTER MOWER	198	4019	10/16/1989	\$11,922.41	TORO/322D	1990
	6791	FLIGHTSCOPE LAUNCH MONITOR	X2E00052	316	2/19/2015	\$12,115.00		2015
	2550	THERMAL CAMERA PACKA SAF-THERM-04	25202586	4620	2/21/2008	\$12,555.00	EX320	2008
	3731	EQUALIZATION MIXERS	290776	4370	9/19/2002	\$13,268.00	TR60-2.41-4/12	2002
	3732	EQUALIZATION MIXER W	290777	4370	9/19/2002	\$13,268.00	TR60-2.41-4/12	2003
	3733	EQUALIZATION MIXER W	290778	4370	9/19/2002	\$13,268.00	TR60-2.41-4/12	2002
	3734	EQUALIZATION MIXER W	290779	4370	9/19/2002	\$13,268.00	TR60-2.41-4/12	2002
	5882	TWENTY HP PUMP & MOTOR WITH CONTROLS		4370	1/20/2009	\$13,681.53		2009
	6835	5HP VOGELSANG ROTARY LOBE PUMP	11-06941	4375	6/11/2015	\$14,183.00	IQ 112-114	2015
	6754	ECO MASTER DISC REPAIR SYSTEM	EDR-EM-03580 D	310	2/5/2015	\$14,205.00		2015
	6704	4 OPTISENS OD D.O. ANALYZERS	0000000457542 THRU 544	4370	2/27/2014	\$14,335.64	OPTISENS/ODO2000	2014
	6978	POLICE K-9 KING-RETIRE	K9 KING	4013	10/9/2015	\$14,855.00		2015
	5165	SVX 9000 SERIES DRIV	SAQ33769-02	4380	1/30/2008	\$15,302.18		2008
	5166	SVX 9000 SERIES DRIV	SAQ33769-03	4380	1/30/2008	\$15,302.18	EATON/SVX9000	2008
	6268	NEMA 1 VFD	412-21	4380	12/9/2011	\$15,423.15	EATON/SVX9000	2011

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	5723	HIGH SCHOOL POOL DECK PROJ 77		421	3/26/2009	\$17,583.05		2009
	6977	POLICE K-9 SAM-RETIRE	K9 SAM	4013	7/9/2015	\$19,500.00		2015
	6700	BID 1472-11 OCOTILLO WELL #1 N WL-RW1-02		4620	4/24/2014	\$20,525.84	7 STAGE SP9M	2014
	3710	2002 TORO MULTI PRO SPRAY RIG	220000337	320	10/16/2002	\$22,012.39	TORO	2002
	3531	PLAYGROUND EQ @ DEL NORTE	SAND/SWING/GEODOME	320	6/16/2001	\$22,095.42		2001
	4888	CENTRIFUGAL BLOWER		4062	9/28/2005	\$23,539.00		2005
	3786	ELECTRONIC SECURITY SYSTEM		4062	5/28/2003	\$24,843.28		2003
	3500	POLECAT TOWABLE SLFPROPELLED AERIAL LIFT	3029114421	320	2/16/2001	\$27,149.00	PC266 PA54516	2001
	3670	PUMP REPAIR/REFURBIS		4370	6/16/2002	\$27,995.63		2002
	7328	JWC MUFFIN MONSTER INFLUENT GRINDER	S029541-2-1	4370	6/29/2018	\$29,910.00	CDD5010-XDS2.0	2018
	1246	1990 CITY PARK IRRIGATION		320	1/16/1990	\$32,197.80		1990
	1291	1991 CITY PARK IRRIGATION PHASE II		320	1/16/1991	\$34,618.61		1991
	1115	1984 CHRISTMAS DECORATIONS/BANNERS		320	9/16/1984	\$35,020.21		1985
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310280-1	4062	7/26/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310280-2	4062	7/26/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310279-3	4062	7/6/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310279-4	4062	7/6/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310279-5	4062	7/6/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310279-6	4062	7/6/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310278-1	4062	7/6/2007	\$38,000.00		2008
	5333	2008 WWTP IMPROVEMENT (COMPONENT)	310278-2	4062	7/6/2007	\$38,000.00		2008
	3769	HOFFMAN BLOWERS W/ I	POO3617	4370	7/26/2002	\$41,607.50	HOFFMAN7410701	2002
	3770	HOFFMAN BLOWER W/ IN	POO3618	4370	7/26/2002	\$41,607.50	HOFFMAN7410701	2002
	5978	CAMERAS		203	2/25/2010	\$47,595.00		2010
	2949	EFFLUENT PUMPS		4062	2/16/1998	\$53,709.00		1998
	3299	COURT MANAGEMENT SYSTEM		160	2/16/1999	\$60,675.03	THE	1999
	2921	AERIAL PHOTOGRAPHY AND SURVEYING		415	1/16/1997	\$73,986.19	MERRICK PHOTOGR	1997
	5044	FULL COURT CMS		160	5/3/2007	\$86,791.88		2007
	3278	GIS SYSTEM ORTHOPHOTOGRAPHY		415	1/16/1999	\$147,204.37	MERRICK PHOTOGR	1999
1151	5187	#1151 2008 FORD F150	1FTRF12WX8KD60714	340	5/1/2008	\$15,224.00	F150	2008

**ITEMS UNDER \$5000 BEING REMOVED FROM MUNIS**

	7567	SOS GE 1.6 cu ft C		4016	06/30/18	\$136.80		2018
	7592	SOS GE 1.6 cu ft C		4016	06/30/18	\$136.80		2018
	7596	SOS GE 1.6 cu ft C		4016	06/30/18	\$136.80		2018
	7748	SOS GE 1.6 cu ft C		4016	06/30/18	\$136.80		2018
	7581	Dell 22 Monitor - P2217H		4016	06/30/18	\$149.49		2018

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7585	Aruba - SFP Transceiver		4016	06/30/18	\$821.40		2018
1817	BUFFER 2 SPED 1.5 HP 4XK49	T1903011682	4011	6/16/2000	\$1,040.99	M20120-02	2000
7637	Mini Split 2 - 4TYK1624A10N0AA		4016	06/30/18	\$1,200.00		2018
7638	Mini Split 3 - 4TYK1624A10N0AA		4016	06/30/18	\$1,200.00		2018
7639	Mini Split 4 - 4TXK8518A10N0CA		4016	06/30/18	\$1,200.00		2018
7640	Mini Split 5 - 4TYK1624A10N0AA		4016	06/30/18	\$1,200.00		2018
7577	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7591	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7594	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7595	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7597	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7598	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7599	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7747	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7794	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7795	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$1,267.40		2018
7584	Aruba 2530 Switch		4016	06/30/18	\$1,293.42		2018
7750	Washer and dryer		4016	06/30/18	\$1,323.36		2018
2030	HANDHELD RADIO ERICS	9790654	421	11/16/2002	\$1,368.75		2002
2110	CERTIFIED AIR CONDITIONING ICE MACHINE		320	6/17/2004	\$1,450.00		2004
7636	Mini Split 1 - 4TYK1624A10N0AA		4016	06/30/18	\$1,500.00		2018
7588	Hoshizaki AM50BAEAD 15'		4016	06/30/18	\$1,824.00		2018
7651	Carbon Dioxide Ind 300 VGA 321		4016	06/30/18	\$1,941.20		2018
2282	GATEWAY CONTROL SERVER	36664268	4685	5/24/2006	\$1,972.00	E9220T	2006
7631	Fan Coil Unit 1		4016	06/30/18	\$2,000.00		2018
7632	Fan Coil Unit 2		4016	06/30/18	\$2,000.00		2018
7633	Fan Coil Unit 3		4016	06/30/18	\$2,000.00		2018
7634	Fan Coil Unit 4		4016	06/30/18	\$2,000.00		2018
7635	Fan Coil Unit 5		4016	06/30/18	\$2,000.00		2018
2429	LCD PROJECTOR	SB6360190R	4685	10/19/2006	\$2,079.98	PT-LB60U	2007
7583	Meraki 1000Bas LX10		4016	06/30/18	\$2,108.04		2018
3963	FLOW ANALYZER	CM80492	4685	9/27/2004	\$2,206.40	CM800	2004
7823	1st floor RR		4016	06/30/18	\$2,213.73		2018
7579	lpad 32GB		4016	06/30/18	\$2,294.74		2018
7650	MNFLD BRS High Pressure 6 Cyl		4016	06/30/18	\$2,418.00		2018
7626	P-11 Grundfos Magna3 65-120 FN		4016	06/30/18	\$2,500.00		2018
7627	P-12 Grundfos Magna3 65-120 FN		4016	06/30/18	\$2,500.00		2018
7628	P-13 Grundfos Magna3 65-120 FN		4016	06/30/18	\$2,500.00		2018



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	7629	P-14 Grundfos Magna3 65-120 FN		4016	06/30/18	\$2,500.00		2018
	7630	P-7 Grundfos Magna3 65-120 FN		4016	06/30/18	\$2,500.00		2018
	7576	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,534.80		2018
	7568	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7569	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7570	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7571	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7572	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7573	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7574	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7575	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,642.35		2018
	7580	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$2,684.29		2018
	3776	ZETRON SENTRY ALARM		4685	9/5/2002	\$2,875.72	M1570	2002
	7698	Husky Air Compressor/Wellness pool	1315102U0430102	4016	06/30/18	\$3,000.00	C602H	2018
	7703	Plastec Ventilation Fan/Splash_Spa	2017113561	4016	06/30/18	\$3,000.00	PLA20SS4P	2018
	7704	Plastec Ventilation Fan/Comp. pool	2017113560	4016	06/30/18	\$3,000.00	PLA20SS4P	2018
	7705	Plastec Ventilation Fan/Wellness pool	2017113562	4016	06/30/18	\$3,000.00	PLA20SS4P	2018
	7587	Appliances_138		4016	06/30/18	\$3,042.85		2018
	7649	MNFLD BRS High Pressure 4 Cyl		4016	06/30/18	\$3,262.00		2018
	7565	Misc games equipment		4016	06/30/18	\$3,599.98		2018
	7566	OptiPlex 7050 Mini Tower XCTO, Monitor,		4016	06/30/18	\$3,744.82		2018
	7582	Meraki MS120-24P - 370W PoE Switch		4016	06/30/18	\$3,996.30		2018
	2870	PLAYGROUND EQ @ COPPER & CENTRAL PARK		320	1/16/1996	\$4,330.05		1996
	7821	Turf RR		4016	06/30/18	\$4,427.45		2018
	7578	Printers scanners webcams		4016	06/30/18	\$4,443.81		2018
19	19	2014 EZGO RXV GOLF CART #19	5323516	4370	6/30/2019	\$4,585.99	EZGO RXV	2019
65	65	2014 EZGO RXV GOLF CART #65	5360594	4370	6/30/2019	\$4,585.99	EZGO RXV	2019
	3772	SCADA CONTROL PANEL		4685	4/23/2003	\$4,896.11		2003



# **ACTION ITEMS**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 17th, 2023

SUBJECT: Authorizing an allocation of Lodgers' Tax to fund various events for fiscal year 2023 (after November 15<sup>th</sup>, 2022)

DEPT. OF ORIGIN: Finance  
DATE SUBMITTED: January 9th, 2023  
SUBMITTED BY: Toby Spears, Finance Director


**Summary:**

On October 12<sup>th</sup>, 2022, the Lodgers' Tax Board met and recommended awarding to the Commission, various events for Fiscal Year 2023. On October 17<sup>th</sup>, the Commission tabled the item to be heard at a future meeting. The entities requesting lodgers' tax are as follows: **(EVENTS AFTER NOVEMBER 15<sup>TH</sup>, 2022.**

Hobbs Chamber of Commerce – feBREWary - \$12,784.51 – Event cancelled  
Impacto JAG Promotions, LLC – 1 event - \$25,000.00  
West Texas Warbird Football – 1 event - \$25,000.00\*

**Note: Event request of \$10,700.00 related to “FeBREWary” event has been cancelled.**

**Fiscal Impact:**

Reviewed By: 

Finance Department

December 31, 2022 Estimated Encumbered Cash Balance (per Lodgers' Tax ordinance) for the Lodgers' Tax Fund is as follows:


Security and Sanitation (15%)	\$	0.00
Non-Profit/For Profit/Public Entity (20%)	\$	229,561.77
City and County (40%)	\$	213,218.96
Airline (25%)	\$	282,788.98

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

**Attachments:**

Estimated Financial Report for December 31, 2022  
Resolution  
Requests

**Legal Review:**

Approved As To Form: 

City Attorney

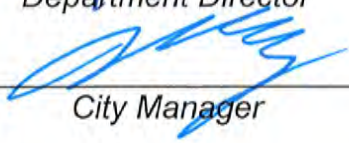
**Recommendation:**

City staff recommends the following allocations: Impacto Jag Promotions, LLC - \$10,000.00, West Texas Warbird Football \$5,000.00.

Approved For Submittal By:



Department Director



City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

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

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

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

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Other \_\_\_\_\_

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

CITY OF HOBBS

RESOLUTION NO. 7298

A RESOLUTION AUTHORIZING AN ALLOCATION OF  
LODGERS' TAX FUNDS

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

	Amount Requested	Lodger's Tax Board Recommendation	City Commission Recommendation
Impacto JAG Promotions, LLC 1 event	\$30,000.00	\$25,000.00	_____
West Texas Warbird Football 1 event	\$28,750.00	\$25,000.00	_____

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

PASSED, ADOPTED AND APPROVED this 17th day of January, 2023.

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

ATTEST:

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

City of Hobbs

Summary of awarded and submitted requests from 5-1-2022  
as of 12-31-2022

			Awarded Amounts 5/12/2022	Awarded Amounts 7/13/2022	Awarded Amounts 10-17-2022	Awarded Amounts 11-21-22	2023 FISCAL TOTAL	2022 PRIOR YEAR AWARD	2022 ACTUAL SPENT
23-01	Hobbs USSSA	5-12-22	11,500.00	10,000.00			21,500.00	-	
23-03	Hobbs Airfield Speedway, LLC	5-12-22	20,971.00	16,730.00			37,701.00	10,200.00	1,709.00
23-06	Western Heritage Museum	7-13-22		8,511.50			8,511.50	26,181.00	26,181.00
23-08	Southwest Symphony	7-13-22		12,127.38	2,909.88	4,500.00	15,037.26	34,717.00	29,963.30
23-10	Permian Basin USSSA	7-13-22		18,000.00	10,000.00		28,000.00	-	-
23-11	NAACP - State Conference	7-13-22		15,498.75			15,498.75	-	-
							-		
	Hobbs Chamber of Commerce					22,144.87	-	49,178.95	24,651.77
	Tuff Hedeman					20,000.00	-	20,000.00	20,000.00
	Cycle City Promotions					45,000.00	-	50,000.00	50,000.00
	Impacto JAG Promotions, LLC			12,500.00			12,500.00	-	-
	United Way of Lea County						-	88,500.00	79,513.37
	West Texas Warbird Football						-	-	-
<b>TOTAL NON-PROFIT/FOR PROFIT (20%)</b>			<b>32,471.00</b>	<b>80,867.63</b>	<b>25,409.88</b>	<b>91,644.87</b>	<b>138,748.51</b>	<b>278,776.95</b>	<b>232,018.44</b>
	City of Hobbs - Hobbs Downtown Slam/Jam						-	24,610.00	14,956.25
	City of Hobbs - Tree Lighting						-	18,713.81	11,467.18
<b>GOVERNMENT/PUBLIC ENTITY (40%)</b>					-		-	<b>43,323.81</b>	<b>26,423.43</b>

# Impacto JAG Promotions

*"Concert  
November 12, 2022"*

*"Concert  
February 2 - 4, 2023"*



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

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

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

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

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

2. The organization requesting Lodgers' Tax funding shall designate a representative to serve in the capacity of spokesperson for that organization. The representative or designee must make all attempts to attend the Lodgers' Tax meeting or City Commission meeting as appropriate when requesting funding to answer questions.
3. All Requests for Proposal's (RFP's) for Lodgers' Tax annual funding must be received by **March 18th, 2022**. (This is to include all events to occur during the period indicated above for which your organization is requesting funding.)
4. A proposed budget must be submitted with the RFP for annual Lodgers' Tax funding explaining how fees and other revenues are to be used and include a detailed list of estimated expenses for any and all events on an annual basis.
5. Event Summaries from prior year funding will be required during the annual presentation process. Event summaries should include the number in attendance, the number of overnight stays and the actual revenue and expenditures. **Any unspent funding at the end of the funding cycle (05/01/2022-06/30/2023) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2023.**
6. In addition to the above listed criteria, organizations requesting funding may be asked to provide the following information:

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

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

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

JORGE A. GUERRA  
Representative

IMPACTO JAG PROMOTIONS LLC  
Name of Organization

9/26/2022  
date



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

Organization	IMPACTO JAG PROMOTIONS LLC
Name of Contact	JORGE A. GUERRA
Address	PO BOX 3661
City, State Zip	HOBBS, NM 88241
Phone/Fax/Email	PH/Is : 575-391-0186 / 575-441-0864 / FAX/Is : 575-291-7833
	Impacto_jagpromotionsllc@aol.com

**Event Budget**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
<b>Income</b>						
Sponsorships	5,000.00	5,000.00				10,000.00
Sales	10,000.00	10,000.00				20,000.00
Donations						-
Prior Year Carryover						-
Other (please explain)						-
<b>Total Income</b>	<b>15,000.00</b>	<b>15,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>30,000.00</b>

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

NON-LODGERS' TAX

**Lodgers' Tax Budget Summary**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	2,000.00	2,000.00	-	-	-	4,000.00
Print Media	1,000.00	1,000.00	-	-	-	2,000.00
Electronic Media	4,000.00	4,000.00	-	-	-	8,000.00
Other PERFORMANCE FEES	23,000.00	23,000.00	-	-	-	46,000.00
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	<b>30,000.00</b>	<b>30,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>60,000.00</b>

LODGERS' TAX

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

## Lodgers' Tax Budget - Event Number 2 Event Information

Name of Event	CONCERT						
Date	February 2-4, 2023						
Location	TYDINGS AUDITORIUM						
Description	FAMILY FRIENDLY - SPANISH MARRIAGE CONFERENCE & CONCERTS - MUSIC & WORKSHOPS (Various Guest Speakers & Artists)						
Expected Attendance	1500	# of Overnigheters	300-500				
Is this an annual event?	NO	Is this a new event?	YES				
<b>PRINTING</b>							
Posters (save-the-date) Programs	Cost	Quantity	Total	Flyers Tickets	Cost	Quantity	Total
	4.00	100	400.00		3.00	200	600.00
			-		0.50	2,000	1,000.00
	SUBTOTAL				SUBTOTAL		
			400.00				1,600.00
Mallings	Cost	Quantity	Total		TOTAL PRINTING COSTS		
			-				2,000.00
<b>PRINT MEDIA</b>							
Newspaper	Name	# of ads	Cost	Total			
	HOBBS NEWS SUN / NOTICIAS	2	250.00	500.00			
	MIDLAND / ODESSA	2	250.00	500.00			
	SUBTOTAL			1,000.00			
Magazine/Other	Name	# of ads	Cost	Total			
				-			
				-			
	SUBTOTAL			-			
<b>TOTAL PRINT MEDIA</b>				<b>1,000.00</b>			
<b>ELECTRONIC MEDIA</b>							
Radio	Name	# of spots	Cost	Total			
	KLMA / KPZA	20	50.00	1,000.00			
Television	LUBBOCK / ODESSA / MIDLAND	20	50.00	1,000.00			
				-			
Social Media	FACEBOOK / INSTAGRAM / TIK-TOK	100	10.00	1,000.00			
	YOUTUBE	100	10.00	1,000.00			
<b>TOTAL ELECTR. MEDIA</b>				<b>4,000.00</b>			
<b>OTHER EXPENSE</b>							
	Name	# of item	Cost	Total			
Professional Performance Fees	SPYKER/HUGO&TATI/MAJOD&DAN	3	5,000.00	15,000.00			
Sound and Lighting Costs	SG AUDIO	1	5,000.00	5,000.00			
Sanction Fees				-			
Promotional Items (eg: tshirts, rings, etc.)	TSHIRTS	300	10.00	3,000.00			
Other: (please list)				-			
				-			
				-			
				-			
				-			
				-			
<b>TOTAL OTHER EXPENSE</b>				<b>23,000.00</b>			
<b>TOTAL REQUEST FOR EVENT 2</b>				<b>30,000.00</b>			

Instructions: Please complete all areas of PINK that apply.

# West Texas Warbird Football

*"feBREWary Fest Attendance*

*February 18, 2023"*

*"Training Camp-Warbirds*

*6 Nights In March, 2023"*



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

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6. In addition to the above listed criteria, organizations requesting funding may be asked to provide the following information:
  - Proof of non-profit status and copy of last years IRS form 990
  - Proof of agency good standing with the NM Corporation Commission
  - Proof of Workers-Comp or Liability Insurance Coverage

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

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

Lelf J. Kertis  
Representative

West Texas Warbird Football  
Name of Organization

9/27/2022  
date

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

Organization	West Texas Warblrd Football
Name of Contact	Lelf Kertis or Sandra Jordan
Address	5030 E University Blvd Ste C101
City, State Zip	Odessa, TX 79762
Phone//Fax//	214-868-1376
email	lelf.kertis@warblrdfootball.com or sandra.jordan@warblrdfootball.com

**Event Budget**

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
Income	Sponsorships	-	10,000.00				10,000.00
	Sales	1,200.00	2,500.00				3,700.00
	Donations	-	-				-
	Prior Year Carryover	-	-				-
	Other (please explain)	-	-				-
	<b>Total Income</b>	<b>1,200.00</b>	<b>12,500.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>13,700.00</b>
		Event 1	Event 2	Event 3	Event 4	Event 5	Total
EXPENSE (NON- LODGERS' TAX	Cost of Sales Items	2,400.00	6,000.00				8,400.00
	Cost of Awards	-	-				-
	Building/Booth Rent						-
	Advertising	2,250.00	4,750.00				7,000.00
	Printing & Mailing	3,500.00	10,000.00				13,500.00
	Print Media		1,500.00				1,500.00
	Electronic Media	2,550.00	4,000.00				6,550.00
	Misc. <small>Sound</small> (Please explain)		2,500.00				2,500.00
							-
							-
<b>Total NON- LODGERS' Exp.</b>	<b>10,700.00</b>	<b>28,750.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>39,450.00</b>	

NON -  
LODGERS'  
TAX

**Lodgers' Tax Budget Summary**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	3,500.00	10,000.00	-	-	-	13,500.00
Print Media	-	1,500.00	-	-	-	1,500.00
Electronic Media	2,550.00	4,000.00	-	-	-	6,550.00
Other	4,650.00	13,250.00	-	-	-	17,900.00
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	<b>10,700.00</b>	<b>28,750.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>39,450.00</b>

LODGERS'  
TAX

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

## Lodgers' Tax Budget - Event Number 2 Event Information

Name of Event	Training Camp-Warbirds		
Date	6 Nights In March		
Location	TBD		
Description	We will host training camp for 6 nights and also have an Intrasquad scrimmage for the community		
Expected Attendance	2500	# of Overnights	1200
Is this an annual event?	Y	Is this a new event?	Y
<b>PRINTING</b>			
Posters (save-the-date) Programs	Cost	Quantity	Total
	10.00	200	2,000.00
Mallings	Cost	Quantity	Total
	1,000.00	3	2,500.00
Flyers	Cost	Quantity	Total
Tickets	3.00	1,000	3,000.00
	1.00	2,500	2,500.00
SUBTOTAL			2,000.00
SUBTOTAL			5,500.00
SUBTOTAL			2,000.00
SUBTOTAL			5,500.00
<b>TOTAL PRINTING COSTS</b>			<b>10,000.00</b>
<b>PRINT MEDIA</b>			
Newspaper	Name	# of ads	Cost
	Hobbs-News Sun	5	300.00
SUBTOTAL			1,500.00
Magazine/Other	Name	# of ads	Cost
			-
SUBTOTAL			-
SUBTOTAL			-
<b>TOTAL PRINT MEDIA</b>			<b>1,500.00</b>
<b>ELECTRONIC MEDIA</b>			
Radio	Name	# of spots	Cost
	1 Radio Square	100	10.00
Television	Name	# of spots	Cost
	ABC 2	10	50.00
Social Media	Name	# of spots	Cost
	FOX 24	10	50.00
	Name	# of spots	Cost
	Facebook	10	200.00
SUBTOTAL			-
SUBTOTAL			-
<b>TOTAL ELECTR. MEDIA</b>			<b>4,000.00</b>
<b>OTHER EXPENSE</b>			
Professional Performance Fees	Name	# of Item	Cost
	Sound and Lighting Costs		-
Sanction Fees	Sound	1	2,500.00
Promotional Items (eg: tshirts, rings, etc.)	Name	# of Item	Cost
	Merchandise	500	12.00
Other: (please list)	Name	# of Item	Cost
	GeoFencing Ads	6	750.00
	HubSpot Advertising	1	250.00
SUBTOTAL			-
SUBTOTAL			-
<b>TOTAL OTHER EXPENSE</b>			<b>13,250.00</b>
<b>TOTAL REQUEST FOR EVENT 2</b>			<b>28,750.00</b>

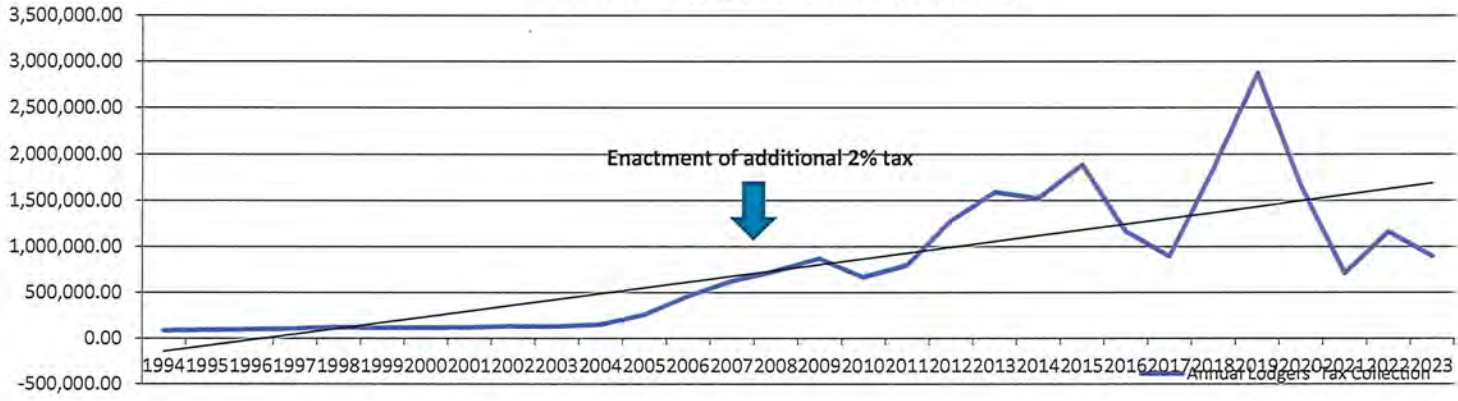
Instructions: Please complete all areas of PINK that apply.



CITY OF HOBBS LODGERS' TAX PROGRAM					
12/31/2022	AWARD				ACTUAL
	PROJECT	DATE	AMOUNT	EXPENSE	OUTSTANDING GRANT
12/31/2022	CASH BALANCE				997,522.87
<b>Proof of Cash:</b>					
Beginning Cash Available for Profit, Non-Profit, and Public Entities (20%)					267,636.22
22-15	Cinco De Mayo Committee	4-13-22	18,800.00	5,675.86	13,124.14
23-01	Hobbs USSSA	5-12-22	11,500.00	0.00	11,500.00
23-03	Hobbs Airfield Speedway, LLC	5-12-22	20,971.00	9,518.47	11,452.53
23-06	Western Heritage Museum	7-13-22	8,511.50	0.00	8,511.50
23-07	Hobbs USSSA	7-13-22	10,000.00	0.00	10,000.00
23-08	Southwest Symphony	7-13-22	12,127.38	10,645.54	1,481.84
23-09	Hobbs Airfield Speedway, LLC	7-13-22	16,730.00	11,549.57	5,180.43
23-10	Permian Basin USSSA	7-13-22	18,000.00	18,000.00	0.00
23-11	NAACP - State Conference	7-13-22	15,498.75	11,201.44	4,297.31
23-16	Southwest Symphony - Super Heroes	10-17-22	2,909.88	2,773.25	136.63
23-17	Impacto JAG Promotions - October 2022 Event	10-17-22	12,500.00	0.00	12,500.00
23-18	Permian Basin USSSA - November 7th, 8th Event	10-17-22	10,000.00	2,974.24	7,025.76
23-19	Hobbs Chamber of Commerce - 2022 Holiday Tournament	11-21-22	22,144.87	0.00	22,144.87
23-20	Tuff Hedeman Bull Riding	11-21-22	20,000.00	0.00	20,000.00
23-21	United Way of Lea County, MLK Day of Service	11-21-22	7,297.50	0.00	7,297.50
23-22	Cycle City Promotions - 2 Events	11-21-22	45,000.00	0.00	45,000.00
23-23	Southwest Symphony (3 events)	11-21-22	4,500.00	0.00	4,500.00
	TOTAL REMAINING ALLOCATION FOR PROFIT, NON-PROFIT AND PUBLIC ENTITIE		179,693.38	0.00	184,152.51
Add:	20% Monthly Tax Revenue (starting April 1st, 2013)				146,078.06
	<b>Cash Available for Allocation</b>				<b>229,561.77</b>
<b>Beginning Cash Available for Local Government (City and County) (40%)</b>					<b>519,107.87</b>
20-27	CITY OF HOBBS - MARKETING/BRANDING CAMPAIGN	3/2/2020	250,000.00	42,507.15	207,492.85
23-12	City of Hobbs - Rockwind Golf Marketing	7-13-2022	64,650.00	0.00	64,650.00
23-13	City of Hobbs - NM Recreation and Parks Association State Conf.	7-13-2022	49,995.00	41,700.12	8,294.88
23-14	City of Hobbs - CORE Marketing	7-13-2022	99,650.00	32,042.69	67,607.31
23-15	City of Hobbs - CORE Operating	7/13/2022	500,000.00	250,000.00	250,000.00
	TOTAL REMAINING ALLOCATION FOR LOCAL GOVERNMENT		964,295.00	366,249.96	598,045.04
Add:	40% Monthly Tax Revenue (starting April 1st, 2013)				292,156.13
	<b>Cash Available for Allocation</b>				<b>213,218.96</b>
<b>Beginning Cash Available for Fire, EMS, Sanitation (15%)</b>					
	TOTAL REMAINING ALLOCATION FOR CITY OF HOBBS POLICE AND FIRE		109,558.55	109,558.55	0.00
Add:	15% Monthly Tax Revenue (starting April 1st, 2013)				109,558.55
	<b>Cash Available for Allocation</b>				<b>-</b>
<b>Beginning Cash Available for Airline subsidy (25%)</b>					<b>300,191.48</b>
23-02	EDC - MARKETING/AIRLINE SUBSIDY (91,191.40)	5-12-22	491,191.48	291,191.40	200,000.08
Add:	25% Monthly Tax Revenue (starting April 1st, 2013)				182,597.58
	TOTAL REMAINING ALLOCATION FOR AIRLINE SUBSIDY				
	<b>Cash Available for Allocation</b>				<b>282,788.98</b>



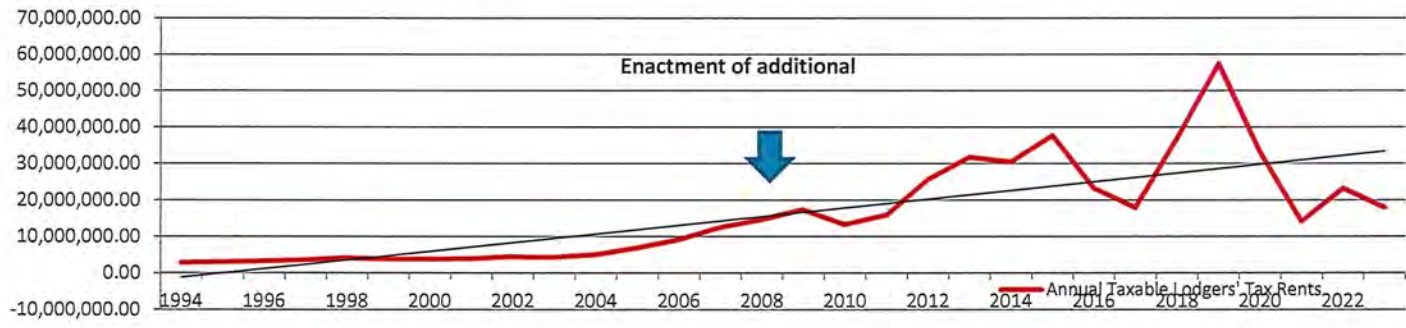
### Annual Lodgers' Tax Collection



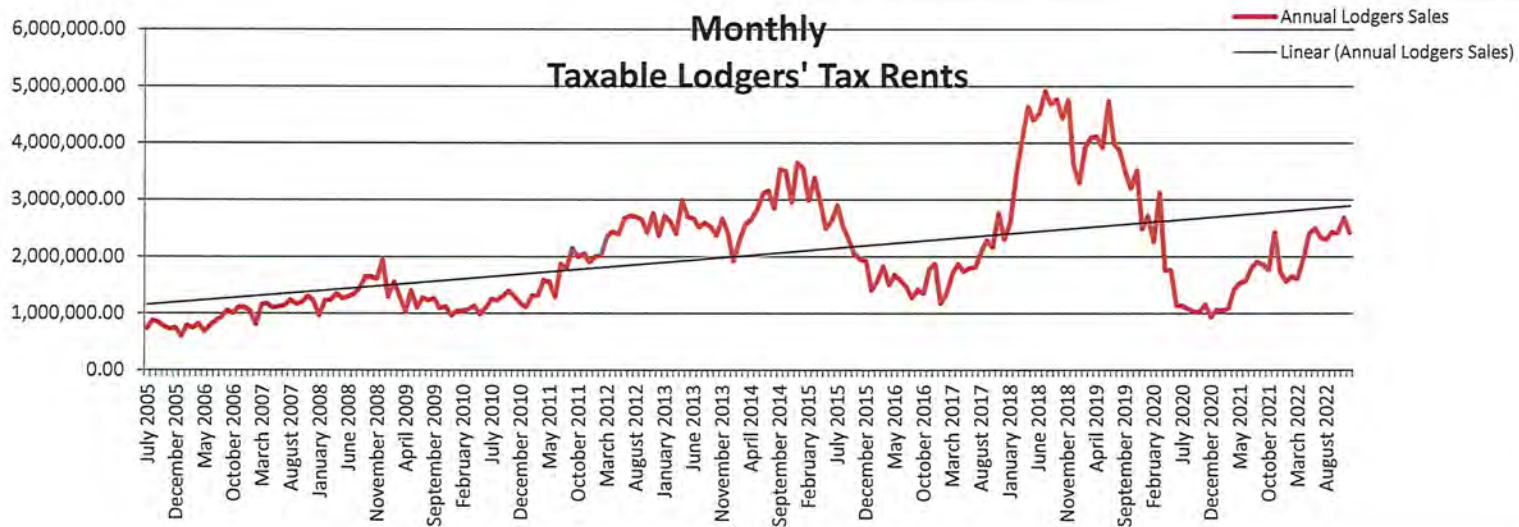
### Monthly Lodgers' Tax Collection



### Annual Taxable Lodgers' Tax Rents



# Monthly Taxable Lodgers' Tax Rents





**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 17th, 2023

SUBJECT: Authorizing an allocation of Lodgers' Tax to fund various events for fiscal year 2023. (2<sup>nd</sup> quarter)

DEPT. OF ORIGIN: Finance  
DATE SUBMITTED: January 9th, 2023  
SUBMITTED BY: Toby Spears, Finance Director


**Summary:**

On January 11<sup>th</sup>, 2023, the Lodgers' Tax Board met and recommended awarding to the Commission, various events for Fiscal Year 2023. The entities requesting lodgers' tax are as follows:

<b>City of Hobbs</b> – Downtown Slam & Jam	\$ 0.00*
<b>Hobbs USSSA</b> – Blind as a Bat Umpires Tourn. (\$2,500.00), Hobbs SuperSlam NIT (\$9,000.00)	\$11,500.00
<b>Permian Basin USSSA</b> – See What You Got (\$25,000.00), King of the Turf (\$25,000.00)	\$50,000.00
<b>Southwest Symphony, Inc.</b> – Cultural Arts Series Texas Guitar Quartet	\$ 0.00*
<b>Hobbs Airfield Speedway</b> – Flashlight Cash Day's No Prep Race	\$ 3,800.00
<b>New Mexico Junior College</b> – NJCAA 2023 Men's & Women's Outdoor National Championship	\$25,000.00

**\*Note: City of Hobbs – Slam & Jam requested \$24,700.00 and Southwest Symphony, Inc. requested \$2,717.04. Both motions failed on a 2 (yes) to 1 (no) vote on lodgers' tax board recommendations.**

**Fiscal Impact:**

Reviewed By: 

Finance Department

December 31, 2022 Estimated Encumbered Cash Balance (per Lodgers' Tax ordinance) for the Lodgers' Tax Fund is as follows:


Security and Sanitation (15%)	\$ 0.00
Non-Profit/For Profit/Public Entity (20%)	\$ 229,561.77
City and County (40%)	\$ 213,218.96
Airline (25%)	\$ 282,788.98

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

**Attachments:**

Estimated Financial Report for December 31, 2022  
Resolution  
Requests

**Legal Review:**

Approved As To Form: 

City Attorney

**Recommendation:**

City staff recommends the following allocations: City of Hobbs \$13,000.00, Hobbs USSSA \$11,500.00, Permian Basin USSSA \$50,000.00, Southwest Symphony \$1,000.00, Hobbs Airfield Speedway \$3,800.00, New Mexico Junior College \$49,775.00.

*Approved For Submittal By:*

  
\_\_\_\_\_  
*Department Director*

  
\_\_\_\_\_  
*City Manager*

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

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

CITY OF HOBBS

RESOLUTION NO. 7299

A RESOLUTION AUTHORIZING AN ALLOCATION OF  
LODGERS' TAX FUNDS

WHEREAS, the Lodgers' Tax Advisory Board met on January 11th, 2023 and recommends awarding the following events for fiscal year 2023;

	Amount Requested	Lodgers' Tax Board Recommendation	City Commission Recommendation
<b>City of Hobbs –</b> Downtown Slam & Jam 2023	\$24,700.00	\$ 0.00	\$ _____
<b>Hobbs USSSA –</b> Blind as a Bat (\$2,500.00) Hobbs Superslam (\$9,000.00)	\$11,500.00	\$11,500.00	\$ _____
<b>Permian Basin USSSA –</b> See What You Got (\$25,000.00) King of the Turf (\$25,000.00)	\$65,000.00	\$50,000.00	\$ _____
<b>Southwest Symphony, Inc.</b> Texas Guitar Quartet	\$2,717.04	\$ 0.00	\$ _____
<b>Hobbs Airfield Speedway</b> Flashlight Cash Day's No Prep	\$3,800.00	\$3,800.00	\$ _____
<b>New Mexico Junior College</b> NJCAA 2023 Men's & Women's Outdoor National Championship	\$65,750.00	\$25,000.00	\$ _____

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

PASSED, ADOPTED AND APPROVED this 17th day of January, 2023.

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

ATTEST:

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

City of Hobbs

Summary of awarded and submitted requests from 5-1-2022  
as of 12-31-2022

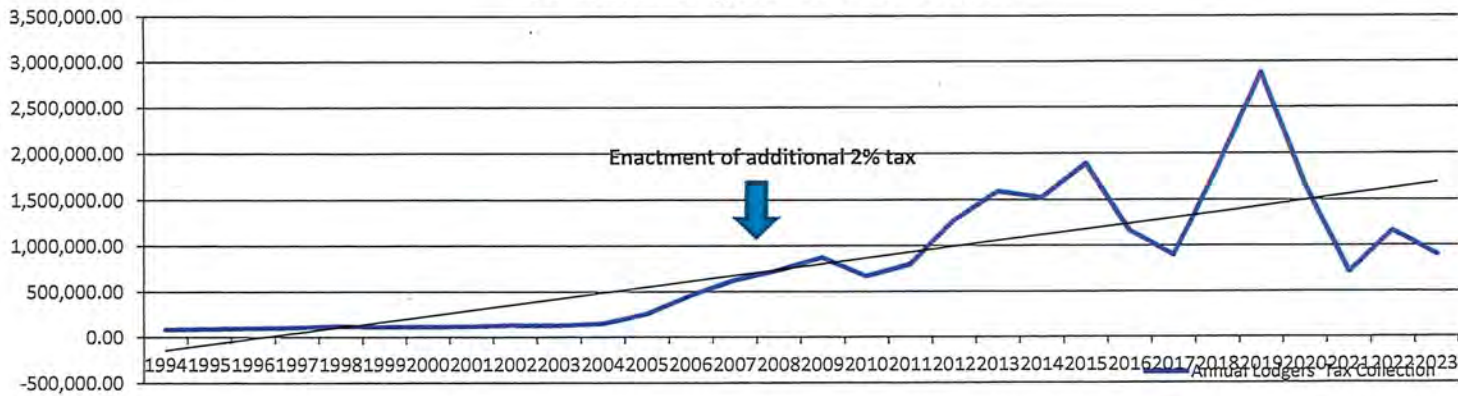
			Awarded Amounts 5/12/2022	Awarded Amounts 7/13/2022	Awarded Amounts 10-17-2022	Awarded Amounts 11-21-22	2023 FISCAL TOTAL	2022 PRIOR YEAR AWARD	2022 ACTUAL SPENT
23-01	Hobbs USSSA	5-12-22	11,500.00	10,000.00			21,500.00	-	
23-03	Hobbs Airfield Speedway, LLC	5-12-22	20,971.00	16,730.00			37,701.00	10,200.00	1,709.00
23-06	Western Heritage Museum	7-13-22		8,511.50			8,511.50	26,181.00	26,181.00
23-08	Southwest Symphony	7-13-22		12,127.38	2,909.88	4,500.00	15,037.26	34,717.00	29,963.30
23-10	Permian Basin USSSA	7-13-22		18,000.00	10,000.00		28,000.00	-	-
23-11	NAACP - State Conference	7-13-22		15,498.75			15,498.75	-	-
	Hobbs Chamber of Commerce					22,144.87	-	49,178.95	24,651.77
	Tuff Hedeman					20,000.00	-	20,000.00	20,000.00
	Cycle City Promotions					45,000.00	-	50,000.00	50,000.00
	Impacto JAG Promotions, LLC				12,500.00		12,500.00	-	-
	United Way of Lea County						-	88,500.00	79,513.37
	West Texas Warbird Football						-	-	-
<b>TOTAL NON-PROFIT/FOR PROFIT (20%)</b>			<b>32,471.00</b>	<b>80,867.63</b>	<b>25,409.88</b>	<b>91,644.87</b>	<b>138,748.51</b>	<b>278,776.95</b>	<b>232,018.44</b>
	City of Hobbs - Hobbs Downtown Slam/Jam						-	24,610.00	14,956.25
	City of Hobbs - Tree Lighting						-	18,713.81	11,467.18
<b>GOVERNMENT/PUBLIC ENTITY (40%)</b>					-		-	<b>43,323.81</b>	<b>26,423.43</b>



CITY OF HOBBS LODGERS' TAX PROGRAM					
12/31/2022					
AWARD					
	PROJECT	DATE	AMOUNT	ACTUAL EXPENSE	ACTUAL OUTSTANDING GRANT
12/31/2022	CASH BALANCE				997,522.87
<b>Proof of Cash:</b>					
Beginning Cash Available for Profit, Non-Profit, and Public Entities (20%)					
					267,636.22
22-15	Cinco De Mayo Committee	4-13-22	18,800.00	5,675.86	13,124.14
23-01	Hobbs USSSA	5-12-22	11,500.00	0.00	11,500.00
23-03	Hobbs Airfield Speedway, LLC	5-12-22	20,971.00	9,518.47	11,452.53
23-06	Western Heritage Museum	7-13-22	8,511.50	0.00	8,511.50
23-07	Hobbs USSSA	7-13-22	10,000.00	0.00	10,000.00
23-08	Southwest Symphony	7-13-22	12,127.38	10,645.54	1,481.84
23-09	Hobbs Airfield Speedway, LLC	7-13-22	16,730.00	11,549.57	5,180.43
23-10	Permian Basin USSSA	7-13-22	18,000.00	18,000.00	0.00
23-11	NAACP - State Conference	7-13-22	15,498.75	11,201.44	4,297.31
23-16	Southwest Symphony - Super Heroes	10-17-22	2,909.88	2,773.25	136.63
23-17	Impacto JAG Promotions - October 2022 Event	10-17-22	12,500.00	0.00	12,500.00
23-18	Permian Basin USSSA - November 7th, 8th Event	10-17-22	10,000.00	2,974.24	7,025.76
23-19	Hobbs Chamber of Commerce - 2022 Holiday Tournament	11-21-22	22,144.87	0.00	22,144.87
23-20	Tuff Hedeman Bull Riding	11-21-22	20,000.00	0.00	20,000.00
23-21	United Way of Lea County, MLK Day of Service	11-21-22	7,297.50	0.00	7,297.50
23-22	Cycle City Promotions - 2 Events	11-21-22	45,000.00	0.00	45,000.00
23-23	Southwest Symphony (3 events)	11-21-22	4,500.00	0.00	4,500.00
TOTAL REMAINING ALLOCATION FOR PROFIT, NON-PROFIT AND PUBLIC ENTITIE			179,693.38	0.00	184,152.51
Add:	20% Monthly Tax Revenue (starting April 1st, 2013)				146,078.06
<b>Cash Available for Allocation</b>					<b>229,561.77</b>
<b>Beginning Cash Available for Local Government (City and County) (40%)</b>					
					519,107.87
20-27	CITY OF HOBBS - MARKETING/BRANDING CAMPAIGN	3/2/2020	250,000.00	42,507.15	207,492.85
23-12	City of Hobbs - Rockwind Golf Marketing	7-13-2022	64,650.00	0.00	64,650.00
23-13	City of Hobbs - NM Recreation and Parks Association State Conf.	7-13-2022	49,995.00	41,700.12	8,294.88
23-14	City of Hobbs - CORE Marketing	7-13-2022	99,650.00	32,042.69	67,607.31
23-15	City of Hobbs - CORE Operating	7/13/2022	500,000.00	250,000.00	250,000.00
TOTAL REMAINING ALLOCATION FOR LOCAL GOVERNMENT			964,295.00	366,249.96	598,045.04
Add:	40% Monthly Tax Revenue (starting April 1st, 2013)				292,156.13
<b>Cash Available for Allocation</b>					<b>213,218.96</b>
<b>Beginning Cash Available for Fire, EMS, Sanitation (15%)</b>					
TOTAL REMAINING ALLOCATION FOR CITY OF HOBBS POLICE AND FIRE			109,558.55	109,558.55	0.00
Add:	15% Monthly Tax Revenue (starting April 1st, 2013)				109,558.55
<b>Cash Available for Allocation</b>					<b>-</b>
<b>Beginning Cash Available for Airline subsidy (25%)</b>					
					300,191.48
23-02	EDC - MARKETING/AIRLINE SUBSIDY (91,191.40)	5-12-22	491,191.48	291,191.40	200,000.08
Add:	25% Monthly Tax Revenue (starting April 1st, 2013)				182,597.58
<b>Cash Available for Allocation</b>					<b>282,788.98</b>



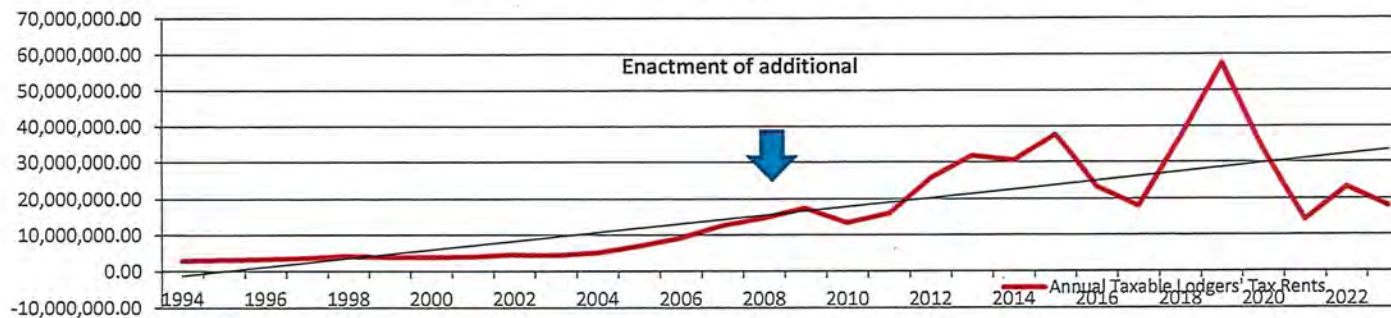
### Annual Lodgers' Tax Collection



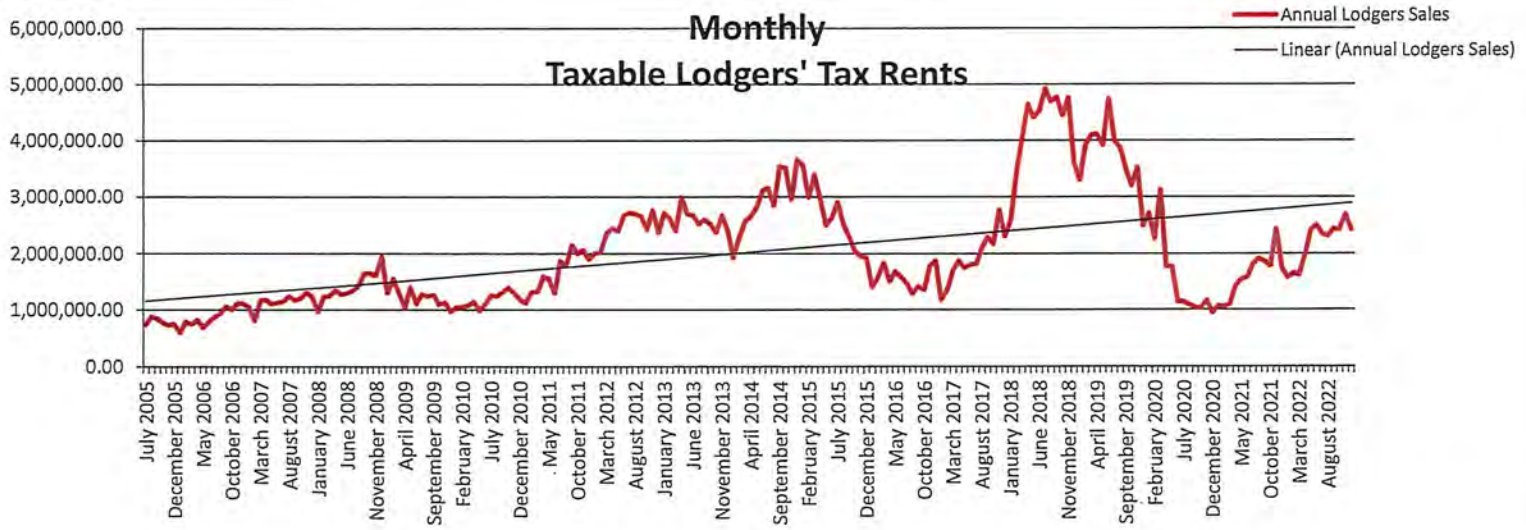
### Monthly Lodgers' Tax Collection



### Annual Taxable Lodgers' Tax Rents



# Monthly Taxable Lodgers' Tax Rents



City  
of  
Hobbs



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

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

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

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

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

2. The organization requesting Lodgers' Tax funding shall designate a representative to serve in the capacity of spokesperson for that organization. The representative or designee must make all attempts to attend the Lodgers' Tax meeting or City Commission meeting as appropriate when requesting funding to answer questions.
3. All Requests for Proposal's (RFP's) for Lodgers' Tax **annual** funding must be received by **March 18th, 2022**. (This is to include all events to occur during the period indicated above for which your organization is requesting funding.)
4. A proposed budget must be submitted with the RFP for annual Lodgers' Tax funding explaining how fees and other revenues are to be used and include a detailed list of estimated expenses for any and all events on an annual basis.
5. Event Summaries from prior year funding will be required during the annual presentation process. Event summaries should include the number in attendance, the number of overnight stays and the actual revenue and expenditures. **Any unspent funding at the end of the funding cycle (05/01/2022-06/30/2023) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2023.**
6. In addition to the above listed criteria, organizations requesting funding may be asked to provide the following information:

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

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

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

Michal Hughes  
 Representative

City of Hobbs  
 Name of Organization

9/30/2022  
 date

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

Organization	CITY OF HOBBS
Name of Contact	Michal Hughes
Address	200 E. Broadway
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	575-397-9292
email	mmhughes@hobbsnm.oreg

**Event Budget**

Income		Event 1	Event 2	Event 3	Event 4	Event 5	Total
	Sponsorships	13,640.00					
Team Fees	16,433.00						16,433.00
Donations							-
Prior Year Carryover							-
Other (please explain)							-
<b>Total Income</b>	<b>30,073.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>30,073.00</b>

EXPENSE (NON- LODGERS' TAX		Event 1	Event 2	Event 3	Event 4	Event 5	Total
	Referees/Scorekeepers	8,525.00					
Cost of Awards	6,824.00						6,824.00
Gus Macker Contract	10,000.00						10,000.00
T-Shirts	4,222.00						4,222.00
Volunteer Food	843.00						843.00
Print Media							-
Electronic Media							-
Misc. (Please explain)							-
<b>Total NON- LODGERS' Exp.</b>	<b>30,414.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>30,414.00</b>

NON -  
LODGERS'  
TAX

**Lodgers' Tax Budget Summary**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	780.00	-	-	-	-	780.00
Print Media	5,000.00	-	-	-	-	5,000.00
Electronic Media	15,200.00	-	-	-	-	15,200.00
Other	3,720.00	-	-	-	-	3,720.00
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	<b>24,700.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24,700.00</b>

LODGERS'  
TAX

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

## Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event	Hobbs Downtown Slam & Jam Gus Macker Basketball Tournament		
Date	April 20th & 21st, 2023		
Location	Hobbs, NM City Hall		
Description	The Hobbs Downtown Slam & Jam is returning for 15th year to Hobbs. In 2022 the tournament was held in the fall and welcomed to Hobbs 443 register participants along with coaches and families. Historically 29% of those participant coming from out-of-town. The basketball tournament is open to males and females ages 6-99. We continue to partner with local		
Expected Attendance	6000	# of Overnights	200
Is this an annual event?	Yes	Is this a new event?	No
<b>PRINTING</b>			
Posters (save-the-date) Programs	Cost	Quantity	Total
	5.50	80	440.00
Mailings			-
	SUBTOTAL		440.00
Flyers Tickets	Cost	Quantity	Total
	1.00	340	340.00
		-	
SUBTOTAL		340.00	
<b>TOTAL PRINTING COSTS</b>			<b>780.00</b>
<b>PRINT MEDIA</b>			
Newspaper	Name	# of ads	Cost
	Roswell, Las Cruces, Lubbock, Hobbs	5	1,000.00
	Midland/Odessa		-
SUBTOTAL			5,000.00
Magazine/Other	Name	# of ads	Cost
			-
			-
SUBTOTAL			-
<b>TOTAL PRINT MEDIA</b>			<b>5,000.00</b>
<b>ELECTRONIC MEDIA</b>			
Radio	Name	# of spots	Cost
	Majestic Communication, Zia Broadcast	4	3,800.00
Television	KLMA, KTZA, Others		-
			-
Social Media			-
			-
<b>TOTAL ELECTR. MEDIA</b>			<b>15,200.00</b>
<b>OTHER EXPENSE</b>			
	Name	# of item	Cost
Professional Performance Fees			-
Sound and Lighting Costs			-
Sanction Fees			-
Promotional Items (eg: tshirts, rings, etc.)			-
Other: (please list)			-
	Port-o-lets	24	130.00
	Waste Management	1	600.00
			-
			-
			-
<b>TOTAL OTHER EXPENSE</b>			<b>3,720.00</b>
<b>TOTAL REQUEST FOR EVENT 1</b>			<b>24,700.00</b>

Instructions: Please complete all areas of PINK that apply.

Hobbs  
USSSA

RECEIVED

DEC 20 2022

OFFICE OF THE CITY CLERK  
HOBBS, NEW MEXICO



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

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- 6. In addition to the above listed criteria, organizations requesting funding may be asked to provide the following information:
  - Proof of non-profit status and copy of last years IRS form 990
  - Proof of agency good standing with the NM Corporation Commission
  - Proof of Workers-Comp or Liability Insurance Coverage

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

Representative

Name of Organization

12-16-2022  
date



# CITY OF HOBBS LODGERS TAX REQUEST

## HOBBS USSSA

### 2023 SUMMARY OF EVENT REQUEST

SLOWPITCH	AMOUNT	
Event 1	\$2500.00	Blind as a Bat Umpires Tournament
Event 2	\$9000.00	Hobbs SuperSlam NIT

TOTAL REQUEST                      \$11500.00

Request for Lodgers' Tax Assistance

Contact Information

Organization Hobbs USSSA  
 Name of Contact Julie Rodriguez  
 Address PO Box 5425  
 City, State Zip Hobbs, NM 88241  
 Phone#/Fax# 575-602-1717/fax 575-433-1626  
 email [julie.rodriquez@usssa.com](mailto:julie.rodriquez@usssa.com)

Event Budget Hobbs USSSA

Income	Slow Pitch	Event 1	Event 2
Entry Fees		12,500	\$27,500

Donations	Total Income	12,500	\$27,500
-----------	--------------	--------	----------

Expense	(non-lodgers tax)	Event 1	Event 2
Cost of Umpires		\$3,920	\$8,000
Cost of Site Directors		\$1,000	\$2,000
Awards			
Scorekeepers		\$1,470	\$3,000
Umpire Lodging		\$1,000	\$3,000
Umpire Food		\$300	\$500
Softballs			
Insurance			
Golf Cart Rental			
Fees to City		\$1,875	\$1,500
Sanction Fees		\$500	\$13,000
Trash & Field work		\$300	\$800
Total Expense		10,365	\$31,800

Lodgers Tax Budget Summary

	Event 1	Event 6
Promotional gifts to players	\$500	
Total Cost of Event		
Asking for sanction fees & promotional gifts	\$2,500	\$9,000
Total Requested	\$11,500.00	

### Lodgers Tax Budget - Event Number 1

#### Event Information

Name of Event Blind as a Bat Umpire Tournament

Date March 25-26

Location Ziaplex

USSSA State Tournament Qualifier

Expected Attendance	<u>1500</u>	# of Overnights	<u>500</u>
Is this an annual event?	<u>yes</u>	Is this a new event?	<u>no</u>
		Total Request for Event	<u>\$ 2500.00</u>

### Lodgers Tax Budget - Event Number 2

#### Event Information

Name of Event Hobbs SuperSlam NIT

Date April 21-23

Location Ziaplex

Description USSSA National Invitational Tournament

Expected Attendance	<u>2500</u>	# of Overnights	<u>750</u>
Is this an annual event?	<u>yes</u>	Is this a new event?	<u>no</u>
		Total Request for Event	<u>\$ 9000.00</u>

### Lodgers Tax Budget - Event Number 3

#### Event Information

Name of Event \_\_\_\_\_

Date \_\_\_\_\_

Location \_\_\_\_\_

Description \_\_\_\_\_

Expected Attendance	_____	# of Overnights	_____
Is this an annual event?	_____	Is this a new event?	_____
		Total Request for Event	_____

# Permian Basin USSSA



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

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

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

Tommy E. Hawkins  
 Representative

PERMIAN BASIN CASSA  
 Name of Organization

12-28-2022  
 date

Received at City Hall: \_\_\_\_\_  
 (date and time)

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

Organization	Permian Basin USSSA
Name of Contact	Tommy E Hawkins
Address	4487 Hackberry Ct.
City, State Zip	Midland, TX 79707
Phone#/Fax#	Cell: 432-557-3229/ Office: 432-520-9100
email	tommy.hawkins@wtusssa.com

**Event Budget**

Income		Event 1	Event 2	Event 3	Event 4	Event 5	Total
	Sponsorships						
Sales							-
Donations							-
Prior Year Carryover							-
Other (please explain)							-
<b>Total Income</b>		-	-	-	-	-	-

EXPENSE (NON- LODGERS' TAX		Event 1	Event 2	Event 3	Event 4	Event 5	Total
	Cost of Sales Items						
Cost of Awards							-
Building/Booth Rent							-
Advertising							-
Printing & Mailing							-
Print Media							-
Electronic Media							-
Misc. (Please explain)	<i>SEE BUDGET</i>						-
<b>Total NON- LODGERS' Exp.</b>		-	-	-	-	-	-

NON -  
LODGERS'  
TAX

**Lodgers' Tax Budget Summary**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	-	-	-	-	-	-
Print Media	-	-	-	-	-	-
Electronic Media	<i>1250.</i>	<i>1250.</i>	-	-	-	<i>2500.</i>
Other	<i>31250</i>	<i>31250</i>	-	-	-	<i>62500.</i>
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	-	-	-	-	-	<i>65000.</i>

LODGERS'  
TAX

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

### **Hobbs Baseball Preliminary Budget 2023**

Income based on 90 teams

Donations

Sponsors

Entry Fees \$45,000.00

Gate Fees \$11,250.00

Grant Money

**Total Income \$56,250.00**

Expenses

**Promotional Gifts to Players & Teams**

Hobbs Logo Baseballs 12 per team \$3,900.00

Hobbs logo Championship NIT Rings \$10,200.00

Hobbs logo Championship Belts \$2,800.00

Social Media \$1,250.00

Hobbs logo players & coaches gifts \$6 each \$6,850.00

State/ National Tournament Fees \$7,500.00

**Total of Hobbs Promotional Items \$32,500.00**

Baseball Staff (team check-in; scores; pitching) \$4,000.00

Field & Trash Maintenance/ Trailer set up \$1,100.00

Insurance Team and Player \$1,050.00

Umpires Game \$33,750.00

Umpires Food \$700.00

Umpires Rooms \$6,500.00

Umpire in Charge/ Site Directors \$8,500.00

**Total Expenses \$88,100.00**

**Net Profit/Loss (\$31,850.00)**

## Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event: SEE WHAT YOU GOT  
 Date: Feb. 4/5, 2023  
 Location: Zlaplex/ East Sanger Sports Fields/ Jefferson Park  
 Description: USSSA Select Teams Baseball Tournament for ages 7U thru 14U

Expected Attendance		# of Overnighters		
Is this an annual event?	Yes	Is this a new event?	No	

### PRINTING

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

### PRINT MEDIA

	Name	# of ads	Cost	Total
	Newspaper			
				-
SUBTOTAL				-
Magazine/Other				-
				-
	SUBTOTAL			
TOTAL PRINT MEDIA				-

### ELECTRONIC MEDIA

	Name	# of spots	Cost	Total
Radio				-
Television				-
Social Media	Ultimate Team Products		\$1,250.00	-
TOTAL ELECTR. MEDIA				-

### OTHER EXPENSE

	Name	# of item	Cost	Total
Professional Performance Fees				-
Sound and Lighting Costs				-
Sanction Fees	USSSA National, State, and Area fees		\$7,500.00	-
Promotional Items (eg: tshirts, rings, etc.)	Hobbs Logo Championship Rings		\$10,200.00	-
	Hobbs Logo Championship Belts		\$2,800.00	-
Other: (please list)	Hobbs Logo Baseballs		\$3,900.00	-
	Hobbs Logo Players/Coaches Gifts		\$6,850.00	-
TOTAL OTHER EXPENSE				-

<b>TOTAL REQUEST FOR EVENT 1</b>	<b>\$ 32,500</b>
----------------------------------	------------------

Instructions: Please complete all areas of PINK that apply.



## Lodgers' Tax Budget - Event Number 2

### Event Information

Name of Event: **KING OF THE TURF**  
 Date: **March 11/12, 2023**  
 Location: **Zlaplex/East Sanger Sports Fields/ Jefferson Park**  
 Description: **USSSA Select Teams Baseball Tournaments for ages 7U thru 14U**

Expected Attendance	<b>4200</b>	# of Overnighters	<b>1500 Rooms</b>	
Is this an annual event?	<b>Yes</b>	Is this a new event?	<b>No</b>	

#### PRINTING

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

#### PRINT MEDIA

	Name	# of ads	Cost	Total
	Newspaper			
				-
SUBTOTAL				-
Magazine/Other				-
				-
				-
	SUBTOTAL			-
TOTAL PRINT MEDIA				-

#### ELECTRONIC MEDIA

	Name	# of spots	Cost	Total
Radio				-
Television				-
Social Media	Ultimate Team Products		1,250.00	-
TOTAL ELECTR. MEDIA				-

#### OTHER EXPENSE

	Name	# of item	Cost	Total
Professional Performance Fees				-
Sound and Lighting Costs				-
Sanction Fees	USSSA National, State, and Area fees		7,500.00	-
Promotional Items (eg: tshirts, rings, etc.)	Hobbs Logo Championship Rings		10,200.00	-
	Hobbs Logo Championship Belts		2,800.00	-
Other: (please list)	Hobbs Logo Baseballs		3,900.00	-
	Hobbs Logo Players/Coaches Gifts		6,850.00	-
TOTAL OTHER EXPENSE				-

**TOTAL REQUEST FOR EVENT 2**

TOTAL OTHER EXPENSE

\$ 32,500

Instructions: Please complete all areas of PINK that apply.

Southwest  
Symphony  
Inc.



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

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Advertising/Promotion Items	Real Property
Sanitation	Tangible Property
Sanction Fees	

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Leanne Salgado  
 Representative

Southwest Symphony Inc.  
 Name of Organization

12/28/2022  
 date

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

Organization	Southwest Symphony Orchestra Cultural Arts Series - Texas Guitar Quartet
Name of Contact	Leanne Salgado
Address	PO Box 101
City, State Zip	Hobbs, NM 88241
Phone#/Fax#	575-738-1041/575-390-8069
email	director@swsymphony.org

**Event Budget**

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

NON -  
LODGERS'  
TAX

**Lodgers' Tax Budget Summary**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	450.00	-	-	-	-	450.00
Print Media	957.00	-	-	-	-	957.00
Electronic Media	1,112.04	-	-	-	-	1,112.04
Other	198.00	-	-	-	-	198.00
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	2,717.04	-	-	-	-	2,717.04

LODGERS'  
TAX

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

## Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event	Southwest Symphony Cultural Arts Series - Texas Guitar Quartet
Date	April 14, 2023
Location	Hobbs First Asseby
Description	We are requesting funding for the SWS Cultural Arts Series performance of Texas Guitar Quartet on April 14, 2023. This is the sixth public concert in Hobbs, NM for the 2022-2023 Season presented between Sept. - June.

Expected Attendance	250	# of Overnights	4
Is this an annual event?	yes	Is this a new event?	no

### PRINTING

	Cost	Quantity	Total		Cost	Quantity	Total
	Posters (save-the-date)				-	Flyers	
Programs	1.80	250	450.00	Tickets			-
SUBTOTAL			450.00	SUBTOTAL			-
	Cost	Quantity	Total				
Mailings			-	<b>TOTAL PRINTING COSTS</b>			
							<b>450.00</b>

### PRINT MEDIA

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

### ELECTRONIC MEDIA

	Name	# of spots	Cost	Total
	Radio	Noalmark	1	640.12
MTD		1	471.92	471.92
Television				-
Social Media				-
<b>TOTAL ELECTR. MEDIA</b>				<b>1,112.04</b>

### OTHER EXPENSE

	Name	# of Item	Cost	Total
Professional Performance Fees				-
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)	Bender Billboard	1	198.00	198.00
				-
				-
				-
				-
<b>TOTAL OTHER EXPENSE</b>				<b>198.00</b>

**TOTAL REQUEST FOR EVENT 1**

**2,717.04**

Instructions: Please complete all areas of PINK that apply.

Hobbs  
Airfield  
Speedway

RECEIVED

DEC 29 2022

OFFICE OF THE CITY CLERK  
HOBBS, NEW MEXICO



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

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Sanction Fees	

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Jamuel Arson  
Representative

Hobbs Airfield Speedway  
Name of Organization

12-29-22  
date

## Request for Lodgers' Tax Assistance

### Contact Information

Organization	Hobbs Airfield Speedway
Name of Contact	Jamal Awwad
Address	529 W. Gold
City, State Zip	Hobbs NM 88240
Phone#/Fax#	(575) 631-5099
email	Saturdays312@yahoo.com

### Event Budget

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
Income	Sponsorships						-
	Sales	11,000					-
	Donations						-
	Prior Year Carryover						-
	Other (please explain)						-
	Total Income		11,000 -	-	-	-	-

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
EXPENSE (NON- LODGERS' TAX	Cost of Sales Items	3,000					3,000 -
	Cost of Awards	8,000					8,000 -
	Building/Booth Rent						-
	Advertising						-
	Printing & Mailing						-
	Print Media						-
	Electronic Media						-
	Misc. (Please explain)						-
							-
	Total NON- LODGERS' Exp.		11,000 -	-	-	-	-

NON -  
LODGERS'  
TAX

### Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	-	-	-	-	-	-
Print Media	-	-	-	-	-	-
Electronic Media	1300 -	-	-	-	-	1300 -
Other (Promoter Limpy)	2500 -	-	-	-	-	2500 -
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	<b>3800 -</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3800 -</b>

LODGERS'  
TAX

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



## Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event	Flashlight Cash day's No prep Race		
Date	March 11 <sup>th</sup> , 2023		
Location	Hobbs Airfield Speedway		
Description	No prep Flashlight Race (Limpy) on the Flashlight Daily, Tire Street, Small Tire, RWYB and Tail Gate Class		

Expected Attendance	700	# of Overnigheters	300	
Is this an annual event?	Yes	Is this a new event?	NO	

### PRINTING

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

### PRINT MEDIA

	Newspaper		Cost	Total
	Name	# of ads		
				-
				-
	SUBTOTAL			-
	Magazine/Other		Cost	Total
	Name	# of ads		
				-
				-
	SUBTOTAL			-
<b>TOTAL PRINT MEDIA</b>				<b>-</b>

### ELECTRONIC MEDIA

	Radio		Cost	Total
	Name	# of spots		
	w 105	2	650	1300 -
				-
				-
				-
				-
				-
				-
<b>TOTAL ELECTR. MEDIA</b>				<b>1300 -</b>

### OTHER EXPENSE

	Name	# of Item	Cost	Total
Professional Performance Fees	Chris Collins	1	2500.00	2500 -
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)				-
Other: (please list)				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
<b>TOTAL OTHER EXPENSE</b>				<b>2500 -</b>

**TOTAL REQUEST FOR EVENT 1**

**3800 -**

Instructions: Please complete all areas of PINK that apply.

New Mexico  
Junior  
College



**City of Hobbs**  
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Sanction Fees	

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DERON CLARK  
 Representative

*D.W. Clark*

NEW MEXICO JC  
 Name of Organization

1/4/23  
 date

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

Organization	New Mexico Junior College
Name of Contact	Deron Clark - Director of Athletics
Address	1 Thunderbird Circle
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	575.492.2741
email	dclark@nmjc.edu

**Event Budget**

		Event 1	Event 2	Event 3	Event 4	Event 5	Total	
		Income	Sponsorships	-				
	Sales	3,500.00					3,500.00	
	Donations	50,000.00					50,000.00	
	Prior Year Carryover	-					-	
	Other (please explain)	16500 entry fee						-
	<b>Total Income</b>	<b>53,500.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>53,500.00</b>	

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
		EXPENSE (NON-LODGERS' TAX)	Cost of Sales Items				
	Cost of Awards	5,000.00					5,000.00
	Building/Booth Rent						-
	Advertising	2,000.00					2,000.00
	Printing & Mailing						-
	Print Media	4,000.00					4,000.00
	Electronic Media						-
	Misc. apparel	15,000.00					15,000.00
	Misc. officials (Please explain)	27,000.00					27,000.00
	NCAA Guarantee	4,000.00					4,000.00
	<b>Total NON- LODGERS' Exp.</b>	<b>57,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>57,000.00</b>

NON -  
LODGERS'  
TAX

**Lodgers' Tax Budget Summary**

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	4,750.00	-	-	-	-	4,750.00
Print Media	-	-	-	-	-	-
Electronic Media	-	-	-	-	-	-
Other	61,000.00	-	-	-	-	61,000.00
<b>TOTAL LODGERS' TAX REQ. SUMMARY</b>	<b>65,750.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>65,750.00</b>

LODGERS'  
TAX

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

## Lodgers' Tax Budget - Event Number 1 Event Information

Name of Event	NJCAA 2023 Men's and Women's Outdoor National Championship		
Date	5/18-20/2023		
Location	Ross Black Track - New Mexico Junior College Campus		
Description	NMJC will be hosting a three day event that will determine the 2023 National Champions in the sports of men's and women's track and field. The event will bring 700-800 athlete and another 100 team staff members and 30 officials. Fan attendance is expected be in the 150 to 200 range.		

Expected Attendance	1000	# of Overnights	1000	
Is this an annual event?	yes	Is this a new event?	no	

### PRINTING

				Flyers Tickets			
	Cost	Quantity	Total		Cost	Quantity	Total
Posters (save-the-date)			-			0.00	
Programs	8.00	500	4,000.00		1,500	750.00	
	SUBTOTAL			SUBTOTAL			
			4,000.00			750.00	
Mailings			-	<b>TOTAL PRINTING COSTS 4,750.00</b>			
			-				

### PRINT MEDIA

			Cost	Total
	Name	# of ads		
Newspaper				-
				-
	SUBTOTAL			-
Magazine/Other				-
				-
	SUBTOTAL			-
<b>TOTAL PRINT MEDIA</b>				<b>-</b>

### ELECTRONIC MEDIA

			Cost	Total
	Name	# of spots		
Radio				-
Television				-
Social Media				-
				-
				-
<b>TOTAL ELECTR. MEDIA</b>				<b>-</b>

### OTHER EXPENSE

			Cost	Total
	Name	# of item		
Professional Performance Fees	Officials	30	200.00	6,000.00
Sound and Lighting Costs				-
Sanction Fees				-
Promotional Items (eg: tshirts, rings, etc.)	Volunteer apparel, officials apparel, ath	1000	35.00	35,000.00
Other: (please list)	Official timing company, track PA indivi	1	10,000.00	10,000.00
	Livestream Production	1	10,000.00	10,000.00
				-
				-
				-
				-
<b>TOTAL OTHER EXPENSE</b>				<b>61,000.00</b>

<b>TOTAL REQUEST FOR EVENT 1</b>	<b>65,750.00</b>
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Instructions: Please complete all areas of PINK that apply.



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 17, 2023

**SUBJECT:** Resolution Adopting Budgetary Adjustment #3 for the Fiscal Year 2022-2023  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** January 9, 2023  
**SUBMITTED BY:** Deborah Corral, Assistant Finance Director

**Summary:**

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

Enclosed is a budgetary adjustment #3 for the current year. A summary of the funds adjusted is attached to this resolution. After this adjustment is approved by the Commission, it must be forwarded to the Department of Finance & Administration for their approval.

**Fiscal Impact:**

Reviewed By:   
Finance Department

Total revenue is increased by \$3,373,727.90 and total expense increased by \$3,850,106.25 providing a budgeted ending cash balance of \$79,096,006.08 for all funds.

General fund reserve moves from 45% to 46%.

**Attachments:**

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

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

Motion to approve the resolution.

Approved For Submittal By:

  
Department Director

  
City Manager

**CITY CLERKS USE ONLY  
COMMISSION ACTION TAKEN**

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

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

CITY OF HOBBS

RESOLUTION NO. 7300

BUDGETARY ADJUSTMENT #3

FISCAL YEAR 2022-2023

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

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

WHEREAS, included in this budgetary adjustment total revenue is increased by \$3,373,727.90 total expense is increased by \$3,850,106.25

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

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

PASSED, ADOPTED AND APPROVED this 17th day of January, 2023.

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

ATTEST:

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

**City of Hobbs BAR #3  
FY23 Fund Summary**

	Beginning Cash 6/30/2022	Total Revenue	Interfund Transfer	Total Expenditures	Ending Cash	
001 GENERAL	69,874,044.71	60,540,688.16	(8,318,944.70)	83,629,895.53	38,465,892.64	46%
002 LAND ACQUISITION	381,763.30	100,000.00	-	100,000.00	381,763.30	
<b>General Fund Subtotal</b>	<b>70,255,808.01</b>	<b>60,640,688.16</b>	<b>(8,318,944.70)</b>	<b>83,729,895.53</b>	<b>38,847,655.94</b>	
110 LOCAL GOV CORR	1,074,296.19	145,750.00	-	487,615.69	732,430.50	
120 POLICE PROTECTION	15,820.35	123,000.00	-	138,820.35	-	
130 P D N (parif, drug, narcotics)	1,918.75	-	-	-	1,918.75	
150 COPS GRANT	26,251.09	-	-	-	26,251.09	
160 RECREATION (CORE)	1,000.00	1,753,230.00	3,608,173.46	5,361,403.46	1,000.00	
170 OLDER AMERICAN	1,000.00	204,762.00	971,124.20	1,175,886.20	1,000.00	
180 GOLF	1,000.00	957,000.00	3,986,816.88	4,943,816.88	1,000.00	
190 CEMETERY	1,000.00	227,850.00	806,613.75	1,034,463.75	1,000.00	
200 AIRPORT	477,531.99	174,724.00	-	20,500.00	631,755.99	
210 Legislative Appropriations	1,000.00	2,409,773.50	-	2,330,729.81	80,043.69	
220 Intergovernmental Grants	4,835,515.50	4,835,515.50	-	9,671,031.00	-	
230 LODGERS' TAX	1,086,935.57	1,402,000.00	(923,045.00)	998,248.06	567,642.51	
240 LG Abatement Fund (Opioid)	-	489,000.00	-	489,000.00	-	
250 Cannabis Excise Tax Fund	-	600,000.00	(582,000.00)	18,000.00	-	
270 PUBLIC TRANSPORTATION	46,432.79	1,784,884.28	-	1,425,296.70	406,020.37	
280 FIRE PROTECTION	1,069,786.59	637,109.25	-	1,078,962.52	627,933.32	
290 EMER MEDICAL SERV	792.28	20,000.00	-	20,000.00	792.28	
300 Law Enforcement Retention Fund	-	2,850,000.00	-	2,850,000.00	-	
<b>Special Revenue Subtotals</b>	<b>8,640,281.10</b>	<b>18,614,598.53</b>	<b>7,867,683.29</b>	<b>32,043,774.42</b>	<b>3,078,788.50</b>	
370 COMM DEVE CONST	110,420.82	750,000.00	464,806.80	1,324,227.62	1,000.00	
460 BEAUTIFICATION IMPROVEMENT	1,538,849.89	-	-	-	1,538,849.89	
480 STREET IMPROVEMENTS	4,817,036.89	2,463,245.52	(464,806.80)	6,703,940.04	111,535.57	
490 CITY COMM. IMPROVEMENTS	7,720,652.90	2,200,000.00	(2,259,515.58)	63,000.00	7,598,137.32	
<b>Capital Project Subtotals</b>	<b>14,186,960.50</b>	<b>5,413,245.52</b>	<b>(2,259,515.58)</b>	<b>8,091,167.66</b>	<b>9,249,522.78</b>	
510 UTILITY BOND	-	-	307,004.14	307,004.14	-	
530 WASTEWATER BOND	1,989,842.96	-	2,442,795.60	2,442,795.60	1,989,842.96	
<b>Debt Service Subtotals</b>	<b>1,989,842.96</b>	<b>-</b>	<b>2,749,799.74</b>	<b>2,749,799.74</b>	<b>1,989,842.96</b>	
100 SOLID WASTE	2,683,078.04	7,750,000.00	-	8,290,336.90	2,142,741.14	
440 JOINT UTILITY EXTENSIONS CAPITAL	1,000.00	850,000.00	2,259,515.58	3,109,515.58	1,000.00	
600 JOINT UTILITY	1,000.00	-	6,980,342.10	6,980,342.10	1,000.00	
610 JOINT UTILITY CONST	1,000.00	-	3,809,606.09	3,809,606.09	1,000.00	
620 WASTE WATER PLANT CONST	7,325,364.88	1,413,107.66	10,392,587.97	19,130,060.51	1,000.00	
630 JOINT UTILITY - WASTEWATER	1,030.00	-	5,927,242.87	5,927,272.87	1,000.00	
650 JOINT UTILITY INCOME - WASTEWATER	9,536,173.55	8,166,300.00	(17,227,454.75)	31,500.00	443,518.80	
660 JOINT UTILITY INCOME	7,436,818.88	8,569,000.00	(12,632,124.02)	-	3,373,694.86	
680 METER DEPOSIT RES	1,220,767.82	375,000.00	-	375,000.00	1,220,767.82	
690 INTERNAL SUPPLY	67,797.49	225,000.00	-	225,000.00	67,797.49	
<b>Utility Subtotals</b>	<b>28,274,030.66</b>	<b>27,348,407.66</b>	<b>(490,284.16)</b>	<b>47,878,634.05</b>	<b>7,253,520.11</b>	
640 MEDICAL INSURANCE	3,201,377.27	7,830,000.00	(334,876.13)	7,839,200.00	2,857,301.14	
670 WORKERS COMP TRUST	1,160,937.04	725,000.00	-	725,000.00	1,160,937.04	
740 INSURANCE - RISK	5,284,206.75	1,400,000.00	451,261.41	1,935,468.16	5,200,000.00	
<b>Internal Service Subtotal</b>	<b>9,646,521.06</b>	<b>9,955,000.00</b>	<b>116,385.28</b>	<b>10,499,668.16</b>	<b>9,218,238.18</b>	
700 MOTOR VEHICLE	23,966.39	4,000,000.00	-	4,000,000.00	23,966.39	
710 MUNI JUDGE BOND FUND	107,575.34	-	-	-	107,575.34	
720 RETIREE HEALTH INSURANCE TRUST	8,915,123.87	1,370,000.00	334,876.13	1,620,000.00	9,000,000.00	
730 CRIME LAB FUND	75,261.05	52,000.00	-	52,000.00	75,261.05	
750 FORECLOSURE TRUST FUND	71.88	-	-	-	71.88	
770 LIBRARY TRUST	6,220.10	1,500.00	-	1,500.00	6,220.10	
780 SENIOR CITIZEN TRUST	4,699.94	3,000.00	-	3,000.00	4,699.94	
790 PRAIRIE HAVEN MEM	5,839.42	-	-	-	5,839.42	
800 COMMUNITY PARK TRUST	1,562.02	-	-	-	1,562.02	
820 EVIDENCE TRUST FUND	210,724.33	5,000.00	-	-	215,724.33	
830 HOBBS BEAUTIFUL	8,042.66	20,965.28	-	13,660.65	15,347.29	
860 CITY AGENCY TRUST	2,169.85	1,500.00	-	1,500.00	2,169.85	
<b>Trust &amp; Agency Subtotals</b>	<b>9,361,256.85</b>	<b>5,453,965.28</b>	<b>334,876.13</b>	<b>5,691,660.65</b>	<b>9,458,437.61</b>	
<b>Grand Total All Funds</b>	<b>142,354,701.14</b>	<b>127,425,905.15</b>	<b>(0.00)</b>	<b>190,684,600.21</b>	<b>79,096,006.08</b>	
		3,373,727.90		3,850,106.25		



Bar #3 Detail

Expense									
Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
001	010100	42315		CITY COMMISSION	FOOD AND LINEN	500.00	400.00	900.00	line item 80% depleted. Need additional funding for operation through June
001	010100	42251		CITY COMMISSION	GRT Admin Fees	630,000.00	30,000.00	660,000.00	increase to grt admin fee budget based on increase in revenue budget
001	010100	42601		CITY COMMISSION	PROFESSIONAL SERVICES	1,709,957.00	20,000.00	1,729,957.00	additional expense budget to encumber lobbying contracts per reso on January 3rd meeting
001	010110	42315		CITY MANAGERS C	FOOD AND LINEN	1,350.00	1,200.00	2,550.00	budget 75% utilized, increased budget for upcoming events planned
001	010125	41102		PLANNING	OVERTIME	800.00	500.00	1,300.00	Minor overtime adjustment
001	010140	42302		FINANCE/PURCHA	TRAVEL MEALS AND SCHOOLS	10,350.00	10,000.00	20,350.00	increase for staff to travel to Tyler Connect
001	010201	42501		POLICE ADMINIST	BUILDING AND GROUNDS	15,000.00	3,800.00	18,800.00	Additional budget to complete roof repair at HPD Classroom
001	010201	42643		POLICE ADMINIST	CREDIT CARD FEE EXPENDITURE	600.00	600.00	1,200.00	current budget exceeded due to increased credit card use at Hobbs Police Department
001	010203	42706	00312	POLICE CRIMINAL	OXY DONATION - EQUIP UNDER 5K	-	15,000.00	15,000.00	Expense budget to utilize Oxy donation - proceeds will be used for Safes and SRO needs
001	010204	43006		POLICE SUPPORT	EQUIPMENT OVER 5000	15,000.00	17,255.00	32,255.00	Additional budget due to police donations - proceeds will be used for an indoor firing range program
001	010208	42601		PD ANIMAL ADOPT	PROFESSIONAL SERVICES	277,157.51	35,000.00	312,157.51	increase for daily cleaning at Hobbs Animal Adoption Center
001	010220	42638	00253	FIRE/AMBULANCE	RESTRICTED EXP - DEVON	2,798.35	500.00	3,298.35	to increase expense to match fy23 donation from Devon for \$3000 plus the carryover from prior year
001	010220	42638	00362	FIRE/AMBULANCE	RESTRICTED EXP - PAA	-	6,500.00	6,500.00	Budget for Donation from Plains All American Pipeline for Gas Detectors - offsetting revenue
001	010310	42643		LIBRARY	CREDIT CARD FEE EXPENDITURE	600.00	600.00	1,200.00	current budget exceeded due to increased credit card use at Hobbs Public Library
001	010320	42303		PARKS	SUPPLIES-JANITOR	13,000.00	10,000.00	23,000.00	cost of supplies has increased & we are replacing supplies more frequently due to vandalism & theft in public restrooms
001	010320	42403		PARKS	MACHINE REPAIR AND MAINTENANCE	36,000.00	12,000.00	48,000.00	cost of parts has increased and we have had to make some major repairs to equipment since the start of this fiscal year.
001	010320	42501		PARKS	BUILDING AND GROUNDS	60,000.00	7,500.00	67,500.00	due to the increase of vandalism and property damage at public restrooms, fences and equipment within facilities.
001	010320	42535		PARKS	SPRINKLER STOCK / REPAIR	28,000.00	10,000.00	38,000.00	higher cost in parts, supplies and materials; also we are making improvements to certain areas to enhance operations and productivity
001	010320	42541		PARKS	SPECIAL PROJECTS	328.69	21,000.00	21,328.69	Additional budget is to replace amount transferred for christmas tree lighting grant

Bar #3 Detail

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
001	010321	42514		SPORTS FIELDS	FENCE REPAIR AND MAINTENANCE	15,000.00	42,946.00	57,946.00	Fencing repairs were completed at the end of last fiscal year where funds was left available but not carried over which has now put us in the negative for this year and expended all of FY 23 funds;
001	010326	42201		HARRY MCADAMS	UTILITIES	75,000.00	25,000.00	100,000.00	cost of utilities have gone up the last couple of years for this area
001	010342	42357		PUBLIC INFORMAT	ADVERTISING	65,000.00	5,000.00	70,000.00	additional funds for advertising for independence day
001	010410	41102		ENGINEERING	OVERTIME	3,000.00	1,000.00	4,000.00	Engineering has been down 1 person, which has required additional overtime to maintain services. Suffient unused Wages to cover increased line item
001	010411	42201		STREET LIGHTING	UTILITIES	600,000.00	100,000.00	700,000.00	Xcel Rate Adjustment
001	010412	41102		TRAFFIC	OVERTIME	7,000.00	5,000.00	12,000.00	Traffic Dept has been down 1 person for 5 months, which has required additional overtime to maintain services. Suffient unused Wages to cover increased line item
001	010412	42404		TRAFFIC	SIGNALS AND SIGNS	147,461.24	100,000.00	247,461.24	Major Damage to Turner / Snyder Signal and replacement costs estimated at \$60,000; Damage to Grimes/Broadway traffic controller & detection systems \$40,000
001	010421	42232		BUILDING MAINT	SERVICE-JANITOR	123,500.00	20,196.00	143,696.00	Additional expense to encumber Janitorial Contract for City Hall
001	010421	42384		BUILDING MAINT	DA OFFICE - EXPENDITURES	-	10,000.00	10,000.00	to cover janitorial expense for foyer, hallway and 1st floor restrooms in old DA office area
001	010421	42719		BUILDING MAINT	SERVICE ALARMS	12,000.00	20,000.00	32,000.00	Additional expnse for install of alarm as well as change to existing vendor for monitoring service.
001	010422	42601		CODE ENFORCEM	PROFESSIONAL SERVICES	30,000.00	15,000.00	45,000.00	Increased Professional Services Contract to cover 4 additional until Building Inspector position filled and approved by State of New Mexico
<b>001 Total</b>							<b>545,997.00</b>		
160	164016	42210		HEALTH WELLNES	SERVICE/MAINT. CONTRACT	100,495.00	20,000.00	120,495.00	current budget expended - need additional funds for upcoming preventive maintenance charges
160	164016	42501		HEALTH WELLNES	BUILDING AND GROUNDS	103,465.11	50,000.00	153,465.11	current budget depleted - need additional funds for any other maintenance and damage thru June \$25,000; 2nd request for Deck repairs to therapy pool
160	164016	42706	00363	HEALTH WELLNES	MADDOX GRANT - WHEELCHAIRS	-	12,500.00	12,500.00	expense budget for wheelchair purchase for CORE per Maddox Grant Agreement - offsetting revenue
160	164016	43006		HEALTH WELLNES	EQUIP OVER 5000.00	165,510.14	65,000.00	230,510.14	additional budget for new swim timing system at CORE
<b>160 Total</b>							<b>147,500.00</b>		

Bar #3 Detail

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
170	174017	42321		OLDER AMERICAN	SPECIAL EVENTS AND PRIZES	11,800.00	5,000.00	16,800.00	Additional expense for senior center events
170	174017	42387	00360	OLDER AMERICAN	ALTSD NM GROW MINI GRANT	-	5,000.00	5,000.00	Expense for ALTSD NM Grow Mini Grant for fresh grown produce - offsetting revenue
<b>170 Total</b>							<b>10,000.00</b>		
180	184316	42501		GOLF CLUBHOUSE	BUILDING AND GROUNDS	5,500.00	5,000.00	10,500.00	for repair of patio furniture at Rockwind
<b>180 Total</b>							<b>5,000.00</b>		
210	214021	44901	00343	LEGISLATIVE APPR	LEG. APPROP - SHBB	-	10,000.00	10,000.00	expense for Legislative Appropriation for Surrender Safety Box - offsetting revenue
210	214021	44901	00361	LEGISLATIVE APPR	LEG APPROP - HPD SECURITY IMP	-	495,000.00	495,000.00	Budget for Legislative Appropriation fro HPD Security Improvements (offsetting revenue)
<b>210 Total</b>							<b>505,000.00</b>		
280	284028	43006	00327	FIRE PROTECTION	EQUIP OVER 5000.00 - SCBA Equ	-	136,609.25	136,609.25	SCBA Mobile Filler Station Grant thru PFP - offsetting revenue
<b>280 Total</b>							<b>136,609.25</b>		
440	444044	44901	00073	JOINT UTILITY EXT	JT UTIL EXTENSION	1,057,052.48	250,000.00	1,307,052.48	Possible Development Agreements for gap and oversized infrastructure
<b>440 Total</b>							<b>250,000.00</b>		
480	484048	44901	00178	STREET IMPROVEM	WEST BENDER IMPROVEMENTS	519,473.52	1,750,000.00	2,269,473.52	Pavement Improvements to include 3/8" Chip Seal and 1" overlay from West County to just east of French Dr. Note: There is sufficient funding in Fund 48 to cover the increase and no fiscal impact to the General Fund
<b>480 Total</b>							<b>1,750,000.00</b>		
620	624062	44901	00321	WASTE WATER PL	SCADA System Replacement Proj	6,500,000.00	500,000.00	7,000,000.00	Cost increase to SCADA project due to inflation
<b>620 Total</b>							<b>500,000.00</b>		
<b>Grand Total</b>							<b>3,850,106.25</b>		

**Expense Transfers**

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
001	010100	42251		CITY COMMISSION	GRT Admin Fees	630,000.00	(8,500.00)	621,500.00	transfer for Feasibility Study (Covenant Health)
001	010100	42601		CITY COMMISSION	PROFESSIONAL SERVICES	1,709,957.00	8,500.00	1,718,457.00	transfer for Feasibility Study (Covenant Health)
001	010110	42302		CITY MANAGERS C	TRAVEL MEALS AND SCHOOLS	3,500.00	(1,000.00)	2,500.00	transfer for food purchases
001	010110	42315		CITY MANAGERS C	FOOD AND LINEN	1,350.00	1,000.00	2,350.00	transfer to food and linen
001	010110	42601		CITY MANAGERS C	PROFESSIONAL SERVICES	40,000.00	10,000.00	50,000.00	transfer from Finance for Ibarra contrat
001	010140	42601		FINANCE/PURCHA	PROFESSIONAL SERVICES	252,430.92	(10,000.00)	242,430.92	transfer to CM budget for Ibarra contract
001	010145	42706		INFORMATION TE	EQUIPMENT UNDER 5000.00	190,136.77	100,000.00	290,136.77	transfer from comp/comp equ over \$5000 for card access readers
001	010145	43001		INFORMATION TE	COMPUTER/COMP EQUIPMENT OVER	583,710.68	(100,000.00)	483,710.68	transfer to equipment under for card access readers at City Hall & Annex (\$25k); Terralogic contract mngt solution (\$40k); Additional cameras west side city hall (\$35K)
001	010201	42336		POLICE ADMINISTI	POSTAGE AND FREIGHT	4,000.00	3,651.26	7,651.26	transfer for rifle shipping cost

Bar #3 Detail

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
001	010202	42316		POLICE PATROL	FIREARMS AMMUNITION TARGETS	40,000.00	(3,651.26)	36,348.74	transfer for rifle shipping cost
001	010320	42346		PARKS	SUPPLIES-BOTANICAL	50,000.00	(5,000.00)	45,000.00	Transfer to Vehicle Mtc for Samsara Contract encumbrance
001	010320	42402		PARKS	VEHICLE MAINTENANCE	15,300.00	5,000.00	20,300.00	Transfer to Vehicle Mtc for Samsara Contract encumbrance
001	010320	42541		PARKS	SPECIAL PROJECTS	39,000.00	(21,000.00)	18,000.00	Temp transfer to fund expense for tree lighting grant
001	010320	42541	00359	PARKS	MADDOX CHRISTMAS LIGHTS	-	21,000.00	21,000.00	Expense budget for Maddox tree lighting grant (offsetting revenue request)
001	010321	42303		SPORTS FIELDS	SUPPLIES-JANITOR	5,175.00	3,500.00	8,675.00	transfer from supplies - botanical due to increased cost for supplies and we had an increased use of facilities
001	010321	42346		SPORTS FIELDS	SUPPLIES-BOTANICAL	12,000.00	(3,500.00)	8,500.00	transfer to supplies - janitorial due to increased cost for supplies and we had an increased use of facilities
001	010330	42320	00282	RECREATION	LODGERS' TAX NMPCA EVENT	-	49,995.00	49,995.00	transfer from Gus Macker to agree with Lodgers' Tax award
001	010330	42642	00246	RECREATION	GUS MACKER - LODGERS TAX	50,323.69	(49,995.00)	328.69	transfer to NMPRA to agree with Lodgers' Tax award
001	010335	43006	00168	POOLS	HEIZER/HUMBLE ENHANCEMENTS	-	55,000.00	55,000.00	transfer form splash pads to cover resurfacing of Heizer and Del Norte Pool Slides
001	010335	44901	00176	POOLS	SPLASH PADS	248,107.68	(55,000.00)	193,107.68	transfer to outdoor pools account to cover resurfacing of Heizer and Del Norte Pool Slides.
001	010342	42321		PUBLIC INFORMATION	SPECIAL EVENTS AND PRIZES	17,000.00	(4,300.00)	12,700.00	transfer to equip under and advertising
001	010342	42357		PUBLIC INFORMATION	ADVERTISING	65,000.00	2,800.00	67,800.00	transfer from special events for additional advertising
001	010342	42706		PUBLIC INFORMATION	EQUIP UNDER 5000.00	-	1,500.00	1,500.00	transfer from special events for equipment purchase
001	010423	42246		STREETS/HIGHWAY	MODIFIED ASPHALT MATERIAL	18,500.00	(3,000.00)	15,500.00	transfer to travel for APWA Conference
001	010423	42302		STREETS/HIGHWAY	TRAVEL MEALS AND SCHOOLS	2,000.00	3,000.00	5,000.00	transfer to travel from modified asphalt materials
160	164016	42210		HEALTH WELLNESS	SERVICE/MAINT. CONTRACT	100,495.00	1,000.00	101,495.00	transfer from pool chem for repairs to main entrance
160	164016	42317		HEALTH WELLNESS	POOL CHEMICALS AND SUPPLIES	124,000.00	(1,000.00)	123,000.00	transfer to serv/mtc for repairs to main entrance
170	174017	41101		OLDER AMERICAN	SALARIES	179,669.46	(17,332.00)	162,337.46	reclass salary for transportation expense
170	174017	41101	00802	OLDER AMERICAN	SALARIES	-	17,332.00	17,332.00	reclass salary for transportation expense
170	174017	41106		OLDER AMERICAN	LONGEVITY PAY	3,144.34	(1,200.00)	1,944.34	reclass salary for transportation expense
170	174017	41106	00802	OLDER AMERICAN	LONGEVITY PAY	-	1,200.00	1,200.00	reclass salary for transportation expense
170	174017	41109		OLDER AMERICAN	PTO BUYOUT (ANNUAL)	1,332.45	(570.00)	762.45	reclass salary for transportation expense
170	174017	41109	00802	OLDER AMERICAN	PTO BUYOUT (ANNUAL)	-	570.00	570.00	reclass salary for transportation expense
170	174017	41111		OLDER AMERICAN	FICA	14,866.51	(1,500.00)	13,366.51	reclass salary for transportation expense
170	174017	41111	00802	OLDER AMERICAN	FICA	-	1,500.00	1,500.00	reclass salary for transportation expense
170	174017	41112		OLDER AMERICAN	PERA	27,524.33	(3,000.00)	24,524.33	reclass salary for transportation expense

Bar #3 Detail

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
170	174017	41112	00802	OLDER AMERICAN	PERA	-	3,000.00	3,000.00	reclass salary for transportation expense
170	174017	41113		OLDER AMERICAN	INSURANCE-MEDICAL/DENTAL	49,891.12	(5,400.00)	44,491.12	reclass salary for transportation expense
170	174017	41113	00802	OLDER AMERICAN	INSURANCE-MEDICAL/DENTAL	-	5,400.00	5,400.00	reclass salary for transportation expense
170	174017	41114		OLDER AMERICAN	LONG-TERM/SHORT-TERM DISABILIT	155.55	(18.00)	137.55	reclass salary for transportation expense
170	174017	41114	00802	OLDER AMERICAN	LONG-TERM/SHORT-TERM DISABILIT	-	18.00	18.00	reclass salary for transportation expense
170	174017	41115		OLDER AMERICAN	BILINGUAL PAY	3,315.00	(465.00)	2,850.00	reclass salary for transportation expense
170	174017	41115	00802	OLDER AMERICAN	BILINGUAL PAY	-	465.00	465.00	reclass salary for transportation expense
170	174017	41116		OLDER AMERICAN	CELL PHONE STIPEND	1,872.25	(186.00)	1,686.25	reclass salary for transportation expense
170	174017	41116	00802	OLDER AMERICAN	CELL PHONE STIPEND	-	186.00	186.00	reclass salary for transportation expense
630	634370	43003		WASTEWATER (W	VEHICLE REPLACEMENT	50,000.00	25,000.00	75,000.00	transfer to complete vehicle replacement purchase
630	634370	43015		WASTEWATER (W	UTILITY EQUIPMENT	672,680.47	(25,000.00)	647,680.47	transfer to complete vehicle replacement purchase
						-			

**Revenue**

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
001	019999	30109		GENERAL FUND RE	GROSS RECEIPTS 1.25%	(21,630,000.00)	(1,030,000.00)	(22,660,000.00)	increase to GRT based on 6 month trend
001	019999	30309		GENERAL FUND RE	GROSS RECEIPTS TAX-1.225%	(21,000,000.00)	(1,000,000.00)	(22,000,000.00)	increase to GRT based on 6 month trend
001	019999	30631	00253	GENERAL FUND RE	RESTRICTED DONATIONS - DEVON	(2,798.35)	(201.65)	(3,000.00)	To bring revenue budget to match actual donation received from Devon for FY23
001	019999	30631	00362	GENERAL FUND RE	RESTRICTED DONATIONS - PAA	-	(6,500.00)	(6,500.00)	Revenue budget for fire donation from Plains All American Pipeline for gas detectors - offsetting expense
001	019999	30636		GENERAL FUND RE	RESTRICTED POLICE DONATIONS	(10,000.00)	(32,255.00)	(42,255.00)	Revenue budget for police donations received; \$3000 Devon, \$14,255 Beuhalts, \$15,000 Oxy
001	019999	30708	00359	GENERAL FUND RE	MADDOX CHRISTMAS LIGHTS	-	(21,000.00)	(21,000.00)	Revenue budget for Maddox tree lighting grant (offsetting expense request)
<b>001 Total</b>							<b>(2,089,956.65)</b>		
160	169999	30708	00363	HEALTH WELLNES	MADDOX GRANT - WHEELCHAIRS FOR	-	(12,500.00)	(12,500.00)	Reenue budget for Maddox Wheelchair grant - offsetting expense
<b>160 Total</b>							<b>(12,500.00)</b>		
170	179999	30701	00360	OLDER AMERICAN	ALTSD NM GROW MINI GRANT	-	(5,000.00)	(5,000.00)	Revenue for ALTSD NM Grow Mini Grant for fresh grown produce - offsetting expense
170	179999	30702	00802	OLDER AMERICAN	SENIOR CENTER TRANSPORTATION	-	(23,944.00)	(23,944.00)	To bring revenue budget to match actual FY23 senior center grant agreement
170	179999	30709	00800	OLDER AMERICAN	HOUSE BILL 2 - CONGREGATE	(53,500.00)	28,275.00	(25,225.00)	To bring revenue budget to match actual FY23 senior center grant agreement
170	179999	30709	00801	OLDER AMERICAN	HOUSE BILL 2 - HOME DELIVERY	(57,000.00)	31,775.00	(25,225.00)	To bring revenue budget to match actual FY23 senior center grant agreement
170	179999	30726	00800	OLDER AMERICAN	FED C1 - CONGREGATE MEALS	(32,500.00)	(25,035.00)	(57,535.00)	To bring revenue budget to match actual FY23 senior center grant agreement
170	179999	30726	00801	OLDER AMERICAN	FED C2 - HOME DELIVERY	(39,000.00)	14,267.00	(24,733.00)	To bring revenue budget to match actual FY23 senior center grant agreement

Bar #3 Detail

Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #3 Request	Total Budget	Comment
<b>170 Total</b>							<b>20,338.00</b>		
210	219999	30718	00343	LEGISLATIVE APPR	LEG APPROP. - SHBB	-	(10,000.00)	(10,000.00)	Revenue budget for Legislative Approp for Surrender Safety Box - offsetting expense
210	219999	30718	00361	LEGISLATIVE APPR	LEG APPROP - HPD SECURITY IMPROV	-	(495,000.00)	(495,000.00)	Revenue budget for Legislative Approp for HPD Security Improvements - offsetting expense
<b>210 Total</b>							<b>(505,000.00)</b>		
230	239999	30110		LODGERS TAX REV	LODGERS TAX	(900,000.00)	(500,000.00)	(1,400,000.00)	increase to Lodgers' Tax revenue based on 6 months activity
<b>230 Total</b>							<b>(500,000.00)</b>		
280	289999	30707	00327	FIRE PROTECTION	FY22 FIRE PROT GRNT - SCBA EQU	-	(136,609.25)	(136,609.25)	SCBA Mobile Filler Station Grant thru FPF - offsetting expense
<b>280 Total</b>							<b>(136,609.25)</b>		
490	499999	30111		CITY COMMISSION	GROSS RECEIPTS .125%	(2,100,000.00)	(100,000.00)	(2,200,000.00)	increase to GRT based on 6 month trend
<b>490 Total</b>							<b>(100,000.00)</b>		
650	659999	30112		JOINT UTILITY WW	GROSS RECEIPTS .0625%	(1,050,000.00)	(50,000.00)	(1,100,000.00)	increase to GRT based on 6 month trend
<b>650 Total</b>							<b>(50,000.00)</b>		
<b>Grand Total</b>							<b>(3,373,727.90)</b>		
<b>Transfers</b>									
Fund	Org	Obj	Proj	Dept Description	Description	Current Budget	BAR #2 Request	Total Budget	Comment
230	239999	30815		LODGERS TAX REV	TRANSFER TO - 1	184,995.00	75,000.00	259,995.00	increase of transfer to the general fund for security and sanitation - based on 15% of 1.4 Million revenue budget
001	019999	30828		GENERAL FUND RE	TRANSFER FROM - 23	(184,995.00)	(75,000.00)	(259,995.00)	
160	169999	30851		HEALTH WELLNES	TRANSFER FROM 1	(362,989.56)	(135,000.00)	(497,989.56)	
001	019999	30890		GENERAL FUND RE	TRANSFER TO 16	362,989.56	135,000.00	497,989.56	
170	179999	30830		OLDER AMERICAN	TRANSFER FROM - 1	(10,116.15)	(30,338.00)	(40,454.15)	
001	019999	30803		GENERAL FUND RE	TRANSFER TO - 17	10,116.15	30,338.00	40,454.15	
180	189999	30802		GOLF FUND REVEN	TRANSFER FROM - 1	(1,407,118.08)	(5,000.00)	(1,412,118.08)	
001	019999	30804		GENERAL FUND RE	TRANSFER TO - 18	1,407,118.08	5,000.00	1,412,118.08	
440	449999	30843		JOINT UTILITY EXT	TRANSFER FROM - 49	(2,009,515.58)	(250,000.00)	(2,259,515.58)	
490	499999	30868		CITY COMMISSION	TRANSFER TO - 44	2,009,515.58	250,000.00	2,259,515.58	
650	659999	30821		JOINT UTILITY WW	TRANSFER TO - 62	4,669,270.97	500,000.00	5,169,270.97	
620	629999	30847		WWTP CONST REV	TRANSFER FROM - 65	(4,669,270.97)	(500,000.00)	(5,169,270.97)	
							-		



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 17, 2023

SUBJECT: A RESOLUTION RATIFYING A LETTER TO PRESIDENT BIDEN EXPRESSING SUPPORT OF THE EDDY-LEA ENERGY ALLIANCE AND HOLTEC INTERNATIONAL'S CONSOLIDATED INTERIM STORAGE FACILITY

DEPT. OF ORIGIN: Mayor's Office
DATE SUBMITTED: January 10, 2023
SUBMITTED BY: Sam D. Cobb, Mayor

Summary: The City of Hobbs seeks to support the efforts of Holtec International to build an interim storage facility for spent nuclear fuel in Southeastern, New Mexico. The project, as designed, would create many jobs and have a net positive economic impact to the City of Hobbs and the residents of Hobbs, New Mexico. The City of Hobbs City Commission seeks to sign a letter to President Joseph Biden in support of Holtec's Consolidated Interim Storage Facility (CISF) project for spent nuclear fuel in an effort to express local support for the project and request federal support. If approved, each Commissioner may sign the letter and the letter will be forwarded to the President.

Fiscal Impact:

Reviewed By:

Finance Department

There is no fiscal impact for this Resolution.

Attachments:

Proposed Letter to President Joseph Biden

Legal Review:

Approved As To Form:

City Attorney

Recommendation:

The Commission should consider approval of this 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. 7301

A RESOLUTION RATIFYING A LETTER TO PRESIDENT BIDEN EXPRESSING  
SUPPORT OF THE EDDY-LEA ENERGY ALLIANCE AND HOLTEC  
INTERNATIONAL'S CONSOLIDATED INTERIM STORAGE FACILITY

WHEREAS, the 2012 report for the President's Blue-Ribbon Commission on America's Nuclear Future strongly recommended that one or more consolidated interim storage facilities (CISF) be established to temporarily store the spent nuclear fuel generated by America's nuclear fleet, which generates approximately twenty percent of the electricity in the United States; and

WHEREAS, southeastern New Mexico is home to the URENCO USA facility and the WASTE ISOLATION PILOT PLANT (WIPP) and benefits from a positive relationship with the first enrichment facility to be built in the United States in 30 years, as well as the only licensed Nuclear Repository in the United States; and

WHEREAS, Holtec International filed its application for a license to construct and operate the HI-STORE Consolidated Interim Storage Facility in Lea County, New Mexico, on March 30, 2017, and to date has received a Final Environmental Impact Statement (FEIS) in July 2022, and looks to receive a favorable Safety Evaluation Report (SER) in February 2023; and

WHEREAS, the City of Hobbs City Commission seeks to express its local support for Holtec's CISF project by sending a letter of support to President Joseph Biden which underscores the positive aspects of the project and requests federal support for the project; and



NOW, THEREFORE, BE IT HEREBY RESOLVED by the governing body of the City of Hobbs, that each City of Hobbs City Commissioner may sign the proposed letter of support to President Biden, which will then be delivered to the President.

PASSED, ADOPTED AND APPROVED this 17<sup>th</sup> day of January, 2023.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk



Eddy Lea Energy Alliance (ELEA)

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101 N Halagueno Street  
Carlsbad, New Mexico 88220  
(575) 302-6358

December 20, 2022

The Honorable Joseph R. Biden  
The President of the United States  
The White House  
1600 Pennsylvania Ave, NW  
Washington, DC 20500

Dear President Biden,

We, the Eddy Lea Energy Alliance (ELEA), are writing to you in response to a letter you recently received from New Mexico Governor Michelle Lujan Grisham concerning a project important to the people of southeast New Mexico. We believe it is important for you to hear from those who initiated the project in 2012, who best understand the project, and know who will benefit from the jobs and economic stimulus.

The project of interest is our public-private partnership with Holtec International on a Consolidated Interim Storage Facility (CISF) for Spent Nuclear Fuel. This facility, recommended by the Blue-Ribbon Commission for America's Nuclear Future as a temporary solution for the lack of a deep repository – Yucca Mountain, would fulfill the lack of permanent solution for our nation's spent nuclear fuel that was required by the Nuclear Waste Policy Act of 1982.

In January 2012, when the Blue-Ribbon Commission recommended a CISF, ELEA, which is comprised of elected officials from the cities Carlsbad and Hobbs and the counties of Eddy and Lea in southeast New Mexico, reviewed the technical feasibility to build a CISF in the area. The area, with a rich history in supporting the nation's nuclear industry, has already benefited from the Department of Energy's Waste Isolation Pilot Plant and the commercial Urenco Uranium Enrichment Facility. Allowing for another nuclear industry into southeast New Mexico would suit the area and population well, and help to stabilize the economy from variations in the oil and gas industry. ELEA teamed with Holtec International, the world leader in dry storage technology and the largest owner of decommissioned nuclear power plants in the United States. When the project was first envisioned, Governor Suzana Martinez fully supported the endeavor and sent a letter to Dr. Moniz, then the Secretary of Energy under President Obama, affirming it.

Holtec International has worked through the highly regulated process set forth by the U.S. Nuclear Regulatory Commission (NRC) to license the facility. The process is detailed, transparent, and without reproach. The Final Environmental Impact Statement (FEIS) was issued in July with the State of New Mexico and the Bureau of Land Management as coordinating agencies. The Safety Evaluation Report (SER) is expected in February 2023. With

the FEIS and SER issued, a license for the construction and operation of the facility should follow shortly thereafter.

We ask you to allow the U.S. NRC to complete their function as the United States' nuclear regulatory body – to issue a license if warranted. Governor Lujan Grisham's technical and environmental concerns will be addressed in the licensing documents. Since 2012, there has been strong support for the facility in southeast New Mexico. The support has never wavered. Holtec International has educated our elected officials, emergency managers, first responders, and the general public. The only support that has wavered during the licensing process is that from Santa Fe. This is the crux of consent-based siting – how to move beyond the politics to do what is right for the community most invested in the project.

We ask that you not only allow the U.S. NRC to complete the licensing process but to support this facility at the federal level, through the Department of Energy. The proposed facility is wanted by the citizens of southeast New Mexico, will save the Nation tens of billions of dollars, and will help pave the way for more stable green power from our Nation's nuclear power industry. We stand ready to answer any questions and to brief you on our project.

With Great Respect,

The Eddy Lea Energy Alliance

SIGNED AS FOLLOWS:

**CARLSBAD CITY COUNCIL**

\_\_\_\_\_  
Mayor Dale Janway

\_\_\_\_\_  
Edward Rodriguez, Mayor Pro-Tem

\_\_\_\_\_  
Jeff Forrest

\_\_\_\_\_  
J. J. Chavez

\_\_\_\_\_  
Karla Hamel Niemeier

**HOBBS CITY COMMISSION**

\_\_\_\_\_  
Mayor Sam Cobb, ELEA Chairman

\_\_\_\_\_  
R. Finn Smith, ELEA Brd Member

\_\_\_\_\_  
Christopher Mills

\_\_\_\_\_  
Larron Fields

\_\_\_\_\_  
Joseph Calderon

**CARLSBAD CITY COUNCIL (cont)**

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Judith Waters

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Wesley Carter, ELEA Brd Member

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Mark Walterscheid

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John Heaton, ELEA Brd Appointee Vice Chair

**EDDY COUNTY COMMISSION**

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Steven McCutcheon, Chairman; ELEA Brd Member

---

Ernie Carlson

---

Jon Henry

---

Fred Beard

---

Sarah Cordova

---

Susan Crockett, ELEA Public Brd Appointee

**HOBBS CITY COMMISSION (cont)**

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Dwane Penick

---

Don R. Gerth

**LEA COUNTY COMMISSION**

---

Dean Jackson, Chairman

---

Gary Eidson, Vice Chairman

---

Rebecca Long

---

Jonathan Sena, ELEA Brd Member

---

Pat Sims

---

Mike Gallagher, ELEA Public Brd Appointee

cc: The Hon. Jennifer Granholm, U.S. Department of Energy Secretary

The Hon. New Mexico Governor Michelle Lujan Grisham

The Hon. Christopher Hanson, Nuclear Regulatory Commission Chair



# CITY OF HOBBS

COMMISSION STAFF SUMMARY FORM

MEETING DATE: January 17, 2023

**SUBJECT: Resolution Authorizing a Memorandum of Agreement with the New Mexico Department of Transportation for Public Transportation for Federal FY 22-23**

DEPT. OF ORIGIN: City Clerk's Office  
DATE SUBMITTED: January 3, 2023  
SUBMITTED BY: Jan Fletcher, City Clerk

**Summary:**

The attached Memorandum of Agreement is for continued operation of Public Transportation Services for Hobbs Express for the Federal FY 22-23 beginning October 1, 2022, through September 30, 2023.

This is a formulary grant whereby the costs of the program are shared as follows:

FY 23 Budget Award			
	Total	Federal	City
<b>Admin</b> (80/20) Section 5311	<b>\$92,280.72</b>	<b>\$73,824.58</b>	<b>\$18,456.14</b>
<b>Oper</b> (50/50) Section 5311	<b>\$954,922.32</b>	<b>\$477,461.16</b>	<b>\$477,461.16</b>
<b>Capital</b> (80/20) Section 5311	<b>\$261,537.92</b>	<b>\$209,230.34</b>	<b>\$52,307.58</b>
<b>TOTALS</b>	<b>\$1,308,740.96</b>	<b>\$760,516.07</b>	<b>\$548,224.89</b>

**Fiscal Impact:**


Reviewed By:   
Finance Department

The City's FY 22-23 Budget approved by DFA includes \$1,425,296.70 for personnel, operating and capital expenditures. The total grant revenue and fares for FY 22-23 are projected at \$1,784,884.28 which includes carryover revenue due to the fiscal year timing differences.

**Attachments:**

Resolution Authorizing the Mayor to Execute a Memorandum of Agreement with NMDOT

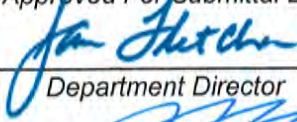
**Legal Review:**

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. 7302

**A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT  
WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)  
FOR FEDERAL FY 22-23 FOR PUBLIC TRANSPORTATION SERVICES**

WHEREAS, the State of New Mexico, under 49 U.S.C. Section 5311, authorizes Federal assistance to local communities for public transportation in rural and non-urbanized areas; and

WHEREAS, the City of Hobbs applied for financial assistance for administrative, operating and capital funding for public transportation services, which was approved by the NMDOT and the Federal Transit Administration (FTA).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be, and he hereby is, authorized and directed to take all necessary and appropriate action to effectuate this resolution and specifically to execute, on behalf of the City of Hobbs, a Memorandum of Agreement with the New Mexico Department of Transportation. A copy of the Memorandum of Agreement is attached hereto and incorporated herein by reference.

PASSED, ADOPTED AND APPROVED this 17<sup>th</sup> day of January, 2023.

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

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, CITY CLERK

FISCAL YEAR 2023 (FY 23)

MEMORANDUM OF AGREEMENT

BETWEEN

THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

AND

CITY OF HOBBS

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**This Agreement** is between the **STATE OF NEW MEXICO**, acting through its **DEPARTMENT OF TRANSPORTATION**, Transit and Rail Division (Department), and the **CITY OF HOBBS** (Subrecipient). This Agreement is effective as of the date of the last party to sign it on the signature page below.

**RECITALS**

**Whereas**, 49 U.S.C. Section 5305(e) provides federal assistance for public transportation statewide planning that can be used to provide technical assistance to subrecipients for planning purposes;

**Whereas**, 49 U.S.C. Section 5307 provides federal assistance for public transportation in small urbanized areas by way of a formula grant program which may be administered by the state;

**Whereas**, 49 U.S.C. Section 5310 provides federal assistance for public transportation to meet the special needs of seniors and individuals with disabilities by way of a formula grant program administered by each state;

**Whereas**, 49 U.S.C. Section 5311 provides federal assistance for public transportation in rural areas by way of a formula grant program administered by each state;

**Whereas**, 49 U.S.C. Section 5339 provides federal assistance for buses and bus-related equipment and facilities by way of a formula and discretionary grant program administered by each state;

**Whereas**, the State of New Mexico participates in the 49 U.S.C. Section 5305(e), 49 U.S.C. 5307, 49 U.S.C. Section 5310, 49 U.S.C. Section 5311, and U.S.C. Section 5339 Programs, collectively referred to herein as the Program;

**Whereas**, the Governor of the State of New Mexico designated the Department to administer the Program funds; and

**Whereas**, the Subrecipient applied for financial assistance for public transportation services, which was approved by the Department and the Federal Transit Administration (FTA).

**Now, therefore**, pursuant to Section 67-3-69 NMSA 1978, the parties agree as follows:

**1. Scope of Program.**

- A. **Operations Profile.** The Subrecipient shall provide transportation services to the public within its service area as specified in the Application, which is incorporated by reference and is on file with the Department and the Subrecipient.
- B. **Use of Capital Equipment.** The Subrecipient agrees that any capital equipment, purchased under this Agreement, shall be used to provide public transportation service within the area described in the Operations Profile. If the equipment is not used in this manner or withdrawn from service, the Subrecipient shall notify the Department in writing, five (5) business days of such event, and shall return the Program equipment in accordance with *Section 15. Use of Program Equipment*.



- C. **Use of Program Funds.** The services described in the Operations Profile shall remain intact throughout the term of this Agreement. The Subrecipient must notify and seek approval from the Department if there will be an elimination or a reduction of services greater than twenty percent (20%). Notice must be in writing via email five (5) business days prior to the reduction or elimination services. Failure to provide notice shall give the Department cause for termination, as described in *Section 7. Termination for Cause*.
- D. **Fare Schedule.** The fare schedule, which must be approved by the Subrecipient’s governing body, shall be stated in the approved Operations Profile. The Department must also approve all fare schedules in writing.
- E. **Advertising.** The Subrecipient shall conduct an advertising program to increase ridership on all trips. Acceptable advertising includes but is not limited to: fliers and handbills, signs and posters, radio announcements, press releases and articles in local and organization newspapers, and bulletins, and newsletters. In addition, the name of the service together with the words “Public Transportation” shall be prominently displayed on all vehicle(s) and be readable at a distance of no less than thirty (30) feet. Painted or affixed signing with a decal is acceptable. Magnetic signs are not acceptable. The name shall indicate that the service is a transportation system open to the public. The Subrecipient must have a telephone number established and operative during hours of transportation services so that the public can access information. All methods of advertising and the signs on the vehicles shall include the telephone number.
- F. **Personnel.** The Subrecipient shall maintain and update organizational contacts in the Electronic Grants Management Performance System (BlackCat).

**2. Cost of Program.**

The Department shall provide partial funding to the Subrecipient to cover expenses of the Program as described in the approved Operations Profile in an amount described below:

**Subaward FY 23**

<b>City of Hobbs</b>	<b>Total</b>	<b>Federal</b>	<b>Local</b>
Administration (80/20) Section 5311	\$ 92,280.72	\$ 73,824.58	\$ 18,456.14
Operating (50/50) Section 5311	\$ 954,922.32	\$ 477,461.16	\$ 477,461.16
Capital to Sub-recipient (80/20) Section 5339	\$ 261,537.92	\$ 209,230.34	\$ 52,307.58
<b>Total Administration, Operating and Capital</b>	<b>\$ 1,308,740.96</b>	<b>\$ 760,516.07</b>	<b>\$ 548,224.89</b>

Vehicle purchase funds that are not obligated by contract by August 31, 2023, may revert to the Department. Capital equipment acquisition funds that are not obligated by contract by August 31, 2024, may revert to the Department. Capital rehab/renovation and construction project funds that are not obligated by contract by August 31, 2025, may revert to the Department.

This program is funded with grants provided by the FTA Section 5305 Statewide Transportation Planning Formula Program, Catalog of Federal Domestic Assistance number 20.505; FTA Section 5307 Urbanized Area Formula Program, Catalog of Federal Domestic Assistance number 20.507; FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program, Catalog of Federal Domestic Assistance number 20.513; FTA Section 5311 Formula Grants for Rural Areas, Catalog of Federal Domestic Assistance number 20.509; and FTA Section 5339 Bus and Bus Facilities Formula and Discretionary Program, Catalog of Federal Domestic Assistance number 20.526. (**Attachment A.**) The Department’s share of Program expenses shall be obtained from the federal government. State funds will not be earmarked or disbursed to fund the Program. The Department shall not be responsible for any other costs incurred by the Subrecipient. The Subrecipient shall take all actions necessary to fund its share of the Program.

**3. Method of Payment.**

The Department shall either reimburse the Subrecipient or pay the vendor on behalf of the Subrecipient for the Department's share of the Program costs upon receipt of invoices, with sufficient supporting documentation as determined and approved by the Department, indicating that expenses have been paid and/or money is owed.

Subrecipients that receive administration and/or operating assistance are to submit Budget Summary Reports on a monthly basis, to be received by the Department by the 25th day of the following month. These invoices shall be submitted electronically to the Department utilizing BlackCat. All expenses must be actual and listed on the invoice as charged. Accurate service data shall be submitted with each monthly invoice.

Invoices shall be submitted to the Department utilizing BlackCat. All expenses must be actual and listed on the invoice as charged. Rounding up or down, other than the total, is not permitted. Only those expenses or percentage thereof, properly documented and deemed eligible, shall be reimbursed. The Department may withhold payment of invoices that are incorrect and/or incomplete.

**4. Eligible Costs.**

- A. Eligible Costs are those costs attributable to and allowed under the Program and the provisions of 2 CFR 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards*.
- B. Costs incurred by the Subrecipient prior to the effective date of this Agreement or after termination are not eligible for reimbursement.
- C. Within sixty (60) days after completion of this Agreement, the Subrecipient shall submit a final invoice to the Department for Administration and Operating expenses and a financial statement showing the total expense of the Program.
- D. Match shall be provided from eligible matching sources.

**5. State General Appropriation Funds Not Obligated.**

Nothing in this Agreement shall be construed as obligating state general appropriation funds for payment of any debt or liability arising under this Agreement. The parties expressly acknowledge that all payments made under this Agreement are from federal funds appropriated for these purposes.

**6. Term.**

Upon the signature of all parties, this Agreement becomes effective with a starting date of October 1, 2022. Costs incurred under this agreement for Administration and Operating expenses from October 1, 2022 to September 30, 2023 are eligible for reimbursement. Vehicle purchase funds obligated by contract by August 31, 2023, are eligible for reimbursement. Capital equipment acquisition funds obligated by contract by August 31, 2024, are eligible for reimbursement. Capital rehab/renovation and construction project funds obligated by contract by August 31, 2025, are eligible for reimbursement.

**7. Termination for Cause.**

The Department has the option to terminate this Agreement if the Subrecipient fails to comply with any provision. A written notice of termination shall be given at least thirty (30) days prior to the intended date of termination and shall identify all of the Subrecipients breaches on which the termination is based.

The Department may provide the Subrecipient a reasonable opportunity to correct the breach. If within ten (10) days after receipt of a written notice of termination, the Subrecipient has not corrected the breach or, in the case of a breach which cannot be corrected in ten (10) days, the Subrecipient has not begun and proceeded in good faith to correct the breach, the Department may declare the Subrecipient in default and terminate the Agreement.

The Department shall retain any and all other remedies available to it under the law. Upon termination of this Agreement, the Subrecipient shall return the Program equipment as specified in *Section 1. Scope of the Program*.

**8. Appropriations.**

The terms of this Agreement are contingent upon sufficient appropriations and authorizations being made by the Congress of the United States. If sufficient appropriations and authorizations are not made, this Agreement shall terminate upon written notice from the Department to the Subrecipient. The Department's decision as to whether sufficient appropriations are available shall be accepted by the Subrecipient and shall be final.

**9. Termination Management, Allowable Costs.**

In the event of termination, neither party may nullify obligations already incurred for performance or failure to perform. The Subrecipient shall be paid for all the allowable costs incurred prior to the date of termination, subject to audit verification by the Department or its duly authorized representative. The Subrecipient shall not be paid for any costs incurred that are inconsistent with, or contrary to, the terms and conditions of this Agreement.

**10. Breach and Dispute Resolution.**

Disputes which cannot be resolved informally by the parties shall be decided in writing by a representative of the Department's Transit and Rail Division. The Subrecipient has ten (10) days from receipt of the decision to file a written appeal with the Transit and Rail Division. Upon appeal, the Subrecipient will be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the Transit and Rail Division on appeal shall be binding.

**11. Procurement Requirements.**

The Subrecipient shall purchase Program equipment pursuant to procedures established by the United States Department of Transportation (U.S. DOT), the FTA, applicable New Mexico State Law, and the standards set forth in: Third Party Contracting Guidance, FTA Circular 4230.1F; and the Americans with Disabilities Act of 1990, Pub. L. No. 101-336.

The Subrecipient agrees to comply with 49 U.S.C. Section 5323(j)(1) as amended by Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), Fixing America's Surface Transportation Act (FAST Act).

Prior to awarding a bid award or execution of a contract for services or capital equipment in excess of \$10,000, the Subrecipient shall seek concurrence in writing from the Department.

**12. Rolling Stock.**

In acquiring rolling stock, the Subrecipient agrees that the parties are bound by the following provisions:

- A. **Method of Acquisition.** In compliance with 49 U.S.C. Section 5325(f), the Recipient agrees that any third party contract award it makes for rolling stock will be based on initial capital costs, or on performance, standardization, life cycle costs, and other factors, or on a competitive procurement process.
- B. **Multi-year Options.** In accordance with 49 U.S.C. Section 5325(e)(1), a Recipient procuring rolling stock financed with Federal assistance under 49 U.S.C. Chapter 53 may not enter into a multiyear contract with options, exceeding five (5) years after the date of the original contract, to purchase additional rolling stock and replacement parts.
- C. **Buy America.** The Recipient agrees to comply with the requirements of 49 U.S.C. Section 5323(j) and FTA regulations, "Buy America Requirements," 49 C.F.R. Part 661, and any amendments to those regulations that may be promulgated.

- D. **Pre-Award and Post-Delivery Audits.** The Recipient agrees to comply with the requirements of 49 U.S.C. Section 5323(m) and FTA regulations, "Pre Award and Post Delivery Audits of Rolling Stock Purchases," 49 C.F.R. Part 663, and any amendments to those regulations that may be promulgated.
- E. **Bus Testing.** To the extent applicable, the Recipient agrees to comply with the requirements of 49 U.S.C. Section 5318(e) and FTA regulations, "Bus Testing," 49 C.F.R. Part 665, and any amendments to those regulations that may be promulgated.

**13. Insurance.**

The Subrecipient shall maintain liability, comprehensive, collision, and uninsured motorist insurance adequate to protect the Program equipment, and satisfactory to the Department. The Department shall be named as an additional insured and a loss payee on Subrecipient's policy for each vehicle on which the Department has a lien. A certificate of insurance must be provided to the Department and it shall state that coverage provided under the policy is primary over any other valid insurance. The Subrecipient shall provide the Department documentation of subsequent renewals and shall keep on file a copy of the insurance policy, which shall be accessible to the Department.

The Subrecipient shall require contractors and subcontractors hired to perform the services under this Agreement to have a commercial general liability insurance policy. The Department shall be named as an additional insured on the contractor's and subcontractor's policy and a certificate of insurance must be provided to the Department and it shall state that coverage provided under the policy is primary over any other valid insurance.

The Subrecipient shall require contractors and subcontractors hired to perform services under this Agreement to indemnify, defend and hold harmless the State of New Mexico, the Department, its officers, agents and employees from and against all suits, actions or claims of any character brought because of any injury, including death or damages arising out of contractors' or subcontractors' construction or maintenance activities pursuant to this Agreement, as memorialized herein and subject to any additional permit that may be required of the contractor or subcontractor to perform said activities.

**14. New Mexico Tort Claims Act.**

As between the Department and the Subrecipient, neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, *et seq.*, NMSA 1978. This paragraph is intended only to define the liabilities between the parties and it is not intended to modify, in any way, the parties' liabilities as governed by the common law of the New Mexico Tort Claims Act.

**15. Use of Program Equipment.**

- A. A Program Vehicle Inventory must be completed for each vehicle used in the program and entered into BlackCat within thirty (30) days of delivery. Post Delivery Inspection forms shall be completed before the vehicle is placed into service. The forms shall be uploaded to the corresponding vehicle inventory in BlackCat. Vehicle Inventory shall be reported and updated within BlackCat on a quarterly schedule, and as changes to the vehicle inventory occur.
- B. The Subrecipient shall maintain a current written fleet maintenance plan that includes procedures for preventive and defect maintenance, warranty tracking and claims recovery, and recall notification and follow-up. Major defect maintenance, warranty tracking and claims recovery, and recall notifications shall be reported in BlackCat as they are received and updated as repairs are completed.
- C. The Subrecipient shall follow the equipment manufacturer's minimum standards and recommended preventive maintenance schedules. The Subrecipient shall maintain the equipment in a clean, safe, and mechanically sound condition. The Department or its authorized representative has the right to conduct

periodic inspections during normal business hours for the purpose of confirming property maintenance pursuant to this clause.

- D. The Subrecipient shall keep Vehicle Inspection Records before and/or after the use of each transit vehicle.
- E. Each vehicle must contain a fire extinguisher, first aid kit (including a blood borne pathogens/biohazard kit), fluorescent triangles and/or safety flares, reflective vests for drivers, flashlights, and web cutters/seat belt cutters, while the vehicle is in operation.
- F. Program Facilities Inventory must be completed for each facility used in the Program. The Program Facility Inventory shall be reported and updated within BlackCat on an annual schedule, and, as changes to the facility inventory occur.
- G. The Subrecipient shall maintain a current written facility maintenance plan that includes procedures for preventive and defect maintenance, warranty tracking and claims recovery, and recall notification and follow-up.
- H. The Program equipment shall be used to provide public transportation service within the described service area and in the manner described in *Section 1. Scope of Program*.
- I. Failure to use the equipment as described in *Section 1. Scope of Program* shall be considered a material breach of contract subject to the provisions of *Section 7. Termination for Cause*.
- J. The Subrecipient shall notify the Department immediately of vehicular/facilities accidents, thefts, or vandalism involving Program equipment. All supporting documentation relating to the incident, including police reports, damage assessments, insurance claims, shall be reported and uploaded in BlackCat to the corresponding inventory record. Failure to notify the Department shall be considered a material breach of contract subject to the provisions of *Section 7. Termination for Cause*.
- K. All program equipment that is damaged in an accident, by vandalism, or weather is to be repaired or replaced depending on the physical and monetary extent of the damage and according to its scheduled final disposition.
- L. If the Subrecipient wants to remove any Program equipment from service or dispose of such equipment either as a result of planned withdrawal, casualty loss, or transfer, the Subrecipient shall submit a completed disposition or transfer request in BlackCat including all relevant and required supporting documentation. Subrecipient may also contact the Department to obtain specific disposition instructions.
- M. The Department may require that Program equipment purchased under FTA programs, on which liens are held, be returned to the Department. Such Program equipment shall be returned in good working condition within ten (10) business days or as stipulated by the Department. If the Subrecipient fails to return the equipment, the Department, as the recorded lien holder, shall have the right to immediately repossess the vehicle(s) by whatever means available to it under New Mexico law.
- N. Upon termination of the Agreement under *Section 7. Termination for Cause*, the Subrecipient shall not be eligible for reimbursement of any costs associated with the vehicle(s) purchase or be entitled to damages arising from Program operations, except that the Subrecipient shall be reimbursed for its pro-rata share of the Program equipment's depreciated value as determined by the Straight Line Depreciation method.
- O. The Subrecipient agrees that no modifications will be made to Program vehicle(s) with liens held by the Department without prior written approval of the Department. If unapproved modifications are made, the Subrecipient is responsible for the cost of restoring the vehicle(s) to its original condition.

**16. Charter Bus Requirements.**

The Subrecipient agrees to comply with 49 U.S.C. Section 5323(d) and 49 C.F.R. Part 604, which provides that recipients and subrecipients of FTA assistance are prohibited from providing charter service using federally funded equipment or facilities if there is at least one private charter operator willing and able to provide the service, except under one of the exceptions at 49 C.F.R. Part 604.9. Any charter service provided under one of the exceptions must be "incidental." For example, it must not interfere with or detract from the provision of mass transportation.

**17. School Bus Requirements.**

Pursuant to 49 U.S.C. Section 5323(f) and 49 C.F.R. Part 605, recipients and subrecipients of FTA assistance may not engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators unless qualified under specified exemptions. When operating exclusive school bus service under an allowable exemption, recipients and sub recipients may not use federally funded equipment, vehicles, or facilities.

**18. Certificate of Title for Vehicles.**

Any title to capital equipment the Subrecipient purchases will reflect in a lien in favor of the Department. The liens will remain in effect according to the following schedule:

Category	Typical Characteristics		Minimum Life (either years or miles)	
	Approx. GVW	Average Cost	Years	Miles
Heavy-Duty Large Bus	33,000 to 40,000lbs	\$325,000 to over \$600,000	15	625,000
Medium-Duty and Purpose-Built Bus	16,000 to 26,000lbs	\$75,000 to \$175,000	10	285,000
Light-Duty Mid-Sized Bus	10,000 to 16,000lbs	\$50,000 to \$65,000	8	240,000
Light-Duty Small Bus, Cutaway, and Modified Van	6,000 to 14,000	\$30,000 to \$40,000	7	175,000

The Subrecipient shall pay all costs associated with obtaining, securing, and maintaining titles and liens including the payment of all applicable taxes and fees.

**19. Duration of Lien.**

The Subrecipient shall not pledge or collateralize any vehicles purchased under this Agreement without written authorization from the Department. This restriction is in effect from the date a title certificate is issued to when the Department releases the lien pursuant to *Section 18. Certificate of Title for Vehicles*. For specifics on disposition of vehicles after title lien is released, please refer to the Vehicle Title Release and Disposition sections of the *New Mexico State Management Plan* for the Administration of Federal Transit Grants.

**20. Reporting Requirements.**

- A. **Monthly Budget Summary Reporting.** Section 5311 Subrecipients shall submit a monthly invoice/report using BlackCat to include financial expenditures and service data, as described in *Section 3. Method of Payment*. This monthly invoice shall be submitted to the Department by the 25<sup>th</sup> of the following month.
- B. **Vehicle/Facility Updates.** Section 5310 and Section 5311/5339 Subrecipients shall report *all* vehicle/facilities Inventories within the BlackCat system as well as updates to the vehicle/facilities inventories as they occur.

- C. **Quarterly Section 5310 Ridership and Vehicle Inventory Reporting.** Section 5310 Subrecipients shall report Section 5310 ridership statistics quarterly within BlackCat system. Quarterly Ridership Reports are due thirty (30) days after the quarter ends. Reports are due January 30, April 30, July 30, and October 30 respectively.
- D. **Drug and Alcohol Quarterly Testing Report.** Section 5311 Subrecipients will submit a quarterly Testing Report in BlackCat for each quarter of the calendar year. Subrecipients will also conduct one (1) Breath Alcohol test observation and Two (2) Urine Collection observations during the calendar year. Completed checklists shall be submitted with the corresponding quarterly testing report during the quarter in which the test(s) were observed. Reports are due January 10, April 10, July 10, and October 10 respectively.
- E. **Semi-annual Disadvantaged Business Enterprise (DBE) Reporting.** Section 5311 Subrecipients will submit to the Department a semi-annual DBE Report due May 15 (for the period October 1 to March 31) and due November 15 (for the period April 1 to September 30).
- F. **National Transit Database (NTD) Rural Report.** Section 5311 Subrecipients will submit to the Department an annual NTD report, as required by 49 U.S.C. Section 5335, due December 15. New and updated regulations require transit agencies reporting to the NTD to include condition information on assets reported to the database.
- G. **Drug and Alcohol Management Information System (MIS) Data.** Section 5311 Subrecipients will submit drug and alcohol testing data for the previous calendar year using the Management Information System (MIS) Data Collection Form to the Department before March 1 of each year.
- H. **Drug and Alcohol Compliance Review/Report.** Section 5311 Subrecipients will participate in an annual Drug and Alcohol Compliance Review by the Department. to be conducted onsite and using BlackCat. Once a final report has been issued, the Subrecipient will begin to implement corrective actions, providing supportive documentation for all deficiencies cited in the final report and respond to all recommendations in the final report within ninety (90) days of the report's issuance.
- I. **Technical Assistance and Compliance Review/Report.** Section 5310 and Section 5311/5339 Subrecipients will participate in a Technical Assistance and Compliance Review by the Department to be conducted onsite and using BlackCat. Once a final report has been issued, the Subrecipient will begin to implement corrective actions, providing supportive documentation for all deficiencies cited in the final report and respond to all recommendations in the final report within ninety (90) days of the report's issuance.
- J. **Transit Asset Management (TAM) Reporting.** Section 5310 and Section 5311 Public Transit Providers may participate in a group TAM Plan sponsored by The Department (49 U.S.C. 625). All TAM plan participants must sign a TAM Plan Approval Statement. The group plan is implemented over a four-year time horizon, beginning October 1, 2022. TAM reporting requires participants to maintain updated asset/facility inventories and condition assessments in BlackCat.

The Department may withhold payment of monthly invoices if reports are not submitted in a timely manner, are incorrect and/or incomplete. The Subrecipient's failure to submit reports in a timely manner on the dates specified shall be a material breach of this Agreement and shall be subject to termination as provided in *Section 7. Termination for Cause*.

## 21. Retention of Records.

The Subrecipient shall maintain all books, documents, papers, accounting records, reports and other evidence pertaining to costs incurred in the Program for three (3) years after the date of termination or expiration of this Agreement.

**22. Access to Records.**

The Subrecipient shall grant authorized representatives of the Department, the state and the federal government access to books, documents, papers, reports, and records of the Subrecipient or its contractors or subcontractors, which are directly pertinent to this Agreement, for the purpose of making audits, examination excerpts, and transcriptions. The Subrecipient agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed. The Subrecipient shall reimburse the Department for any expenditure for which it received payment or reimbursement, as applicable, which is disallowed by an audit exception by the Department, the state or federal government.

**23. Audit.**

Pursuant to New Mexico administrative code 2.2.2.8(D), all governmental agencies are required to have their financial affairs thoroughly examined and audited each year by the Office of the State Auditor or independent auditors approved by the Office of the State Auditor. The list of approved auditors can be found [here](#).

The Subrecipient shall ensure that an annual audit of the Program based on the Subrecipient's fiscal year shall be conducted pursuant to 2 CFR 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards*. The Subrecipient agrees to provide the Department with a copy of the audit report concerning any portion of the Agreement period within the earlier of 30 calendar days after receipt of the auditor's report or nine (9) months after the end of the audit period. Audit costs are an eligible administrative expense. Should the Subrecipient fail to produce the annual audit, the Department may, at its option, commission such an audit payable out of Program Funds.

**24. Audit Exceptions.**

If federal or state audit exceptions are made, the Subrecipient shall reimburse all costs incurred by the State and the Department associated with defending against the exceptions, which includes but is not limited to costs of performing a new audit or a follow-up audit, court costs, attorneys' fees, travel costs, penalty assessments.

Immediately upon notification from the Department, the Subrecipient shall reimburse the amount of the audit exception and any other related costs directly to the Department. In the notification, the Department may inform the Subrecipient of the Department's election to withhold an amount equal to the payment owed under this Section from any future distribution owed to Subrecipient under this Agreement.

**25. Third Party Beneficiaries.**

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

**26. Contracting and Assignment.**

The Subrecipient shall not contract or permit to have subcontracted any portion of this Agreement without prior written approval of the Department. No such contracting or subcontracting shall relieve the Subrecipient from its obligations and liabilities under this Agreement, nor shall any contracting or subcontracting obligate payment from the Department.

Except to a successor in kind, the Subrecipient shall not assign or transfer any interest in this Agreement or assign any claim for money due or to become due under this Agreement without the prior written approval of the Department.

Should contract(s), subcontract(s) or an assignment be authorized by the Department, the contractor(s), subcontractor(s) and assignor(s) shall be subject to all provisions of this Agreement. It shall be the Subrecipient's



responsibility to duly inform the contractor(s), subcontractor(s) and assignor(s) by means of a contract or other legally binding document stipulating responsibility to this Agreement.

**27. Training.**

The Subrecipient shall ensure that all drivers described in the Operations Profile are trained in the following programs: first aid, cardiopulmonary resuscitation (CPR), blood borne pathogens, START, defensive driving, crisis management, and passenger safety, sensitivity and wheelchair securement. All new drivers must be trained and certified in the above listed areas within six (6) months of their date of hire. For the first aid, blood borne pathogens, defensive driving, crisis management, and passenger safety, sensitivity and wheelchair securement training, the drivers must be recertified every three (3) years. For the cardiopulmonary resuscitation (CPR) training, the drivers must be recertified every two (2) years. All full time, part time, substitute/fill-in, or volunteer vehicle operators shall have in their possession valid certifications (driver's license) while operating a public transportation vehicle.

Should the Subrecipient fail to satisfy the terms and conditions as outlined, the Subrecipient may be found to be in breach of contract and subject to the provisions of *Section 7. Termination for Cause*.

**28. No Federal Government Obligation to Third Parties.**

- A. The Department and Subrecipient acknowledge and agree that, notwithstanding any concurrence by the federal government in or approval of the solicitation or award of the underlying Agreement, absent the express written consent by the federal government, the federal government is not a party to this Agreement and shall not be subject to any obligations or liabilities to the Department, Subrecipient, or any other party (whether or not a party to the Agreement or any contract or subcontract) pertaining to any matter resulting from the Agreement.
- B. The Subrecipient agrees to include the above clause in each contract or subcontract financed in whole or in part with federal assistance provided by FTA. It further agrees that the clause shall not be modified, except to identify the contractor or subcontractor who will be subject to its provisions.

**29. Drug and Alcohol Testing.**

- A. The Subrecipient will implement a drug and alcohol testing program that complies with 49 C.F.R. Parts 40 and 655, produce documentation necessary to establish its compliance, permit authorized representatives of the U.S. DOT or the Department to inspect the facilities and records associated with the drug and alcohol testing program, and review the testing process.
- B. The Subrecipient will submit for review and approval, a copy of its Policy Statement developed to implement its drug and alcohol testing program.
- C. The Subrecipient agrees to participate in the Department's consortium.
- D. The Subrecipient agrees to develop a drug and alcohol program standard operating procedures desk manual.
- E. The Subrecipient will participate in Department-provided training opportunities.
- F. The Subrecipient will submit drug and alcohol testing data for the previous calendar year using the Management Information System (MIS) Data Collection Form to the Department before March 1 of each year.
- G. The Subrecipient will participate in an annual Drug and Alcohol Compliance Review by the Department. Once a final report has been issued, the Subrecipient will implement corrective actions, including supportive documentation, for all deficiencies cited in the final report and respond to all recommendations within ninety (90) days of the report's issuance.

### 30. Labor Warranty.

The Subrecipient agrees that it will comply with the terms and conditions of the Special 49 U.S.C. Section 5333(B) Warranty for Application to the Small Urban and Rural Program. The Subrecipient will assume all legal and financial responsibility relative to compliance with the terms and conditions of the Warranty.

### 31. Transit Employee Protection Guidelines.

The Subrecipient agrees to protect transit employees pursuant to Section 5333(b) of Title 49 U.S. Code. The Subrecipient shall provide for the preservation of rights and benefits of employees under existing collective bargaining agreements, continuation of collective bargaining rights, and protection of individual employees against a worsening of their positions in relation to their employment, assurances of employment to employees of acquired transit systems, priority of reemployment, and paid training or retraining programs.

### 32. Civil Rights Laws and Regulations Compliance.

The Subrecipient shall comply with all federal, state and local laws and ordinances applicable to the work called for under this Agreement.

A. **Nondiscrimination.** In accordance with Title VI of the Civil Rights Act, 42 U.S.C. § 2000d, Section 303 of the Age Discrimination Act of 1975, 42 U.S.C. § 6102, Section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the Subrecipient shall not discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, age, disability, or other protected class. The Subrecipient shall comply with applicable Federal implementing regulations and such other implementing requirements FTA may issue. The Nondiscrimination Assurance is attached as **Assurance 3**.

B. **Equal Employment Opportunity.** The following equal employment opportunity requirements apply to this Agreement:

1. **Race, Color, Religion, National Origin, Sex.** In accordance with Title VII of the Civil Rights Act, 42 U.S.C. Section 2000e, and Federal transit laws at 49 U.S.C. Section 5332, the Subrecipient agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Part 60 *et seq.*, (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. Section 2000e note), and with any applicable federal statutes, executive orders, regulations, and federal policies that may in the future affect construction activities undertaken in the course of the project. The Subrecipient agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, national origin, or sex (including gender identity and sexual orientation). Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the awarded contractor shall comply with any implementing requirements FTA may issue.
2. **Age.** In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, 29 U.S.C. Section 623 and Federal transit law at 49 U.S.C. Section 5332, the Subrecipient agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Subrecipient shall comply with any implementing requirements FTA may issue.
3. **Disabilities.** In accordance with Section 102 of the Americans with Disabilities Act, 42 U.S.C. Section 12112, the Subrecipient agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the

Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the awarded contractor shall comply with any implementing requirements FTA may issue.

- C. The Subrecipient shall include these requirements in each contract financed in whole or in part with federal assistance provided by FTA, modified only if necessary to identify the affected parties.
- D. The Subrecipient also agrees to ensure that these requirements are included in each subcontract financed in whole or in part with federal assistance provided by FTA, modified only if necessary to identify the affected parties.

### 33. DBE Policy.

- A. This Agreement is subject to the requirements of 49 CFR Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The Department's proposed overall goal for FTA participation for the 2023 fiscal year is 21.3%, through race-neutral means.
- B. The Subrecipient shall not discriminate on the basis of race, color, national origin, sex, or other protected class in the performance of the Agreement. The Subrecipient shall carry out applicable requirements of 49 CFR Part 26 in the administration of the Program. Failure by the Subrecipient to carry out these requirements is a material breach of the Agreement, which may result in the termination or other such remedy as the Department deems appropriate. Each contract the Subrecipient signs with a contractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).
- C. The Subrecipient agrees to ensure that DBEs as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of Contracts and subcontracts financed in whole or in part with Federal funds. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that DBEs have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, sex, or other protected class in the award and performance of U.S. DOT assisted contracts. The Subrecipient will be required to report its DBE participation obtained through race-neutral means throughout the period of performance.
- D. The Subrecipient is required to pay its contractors performing work related to this contract for satisfactory performance of that work no later than thirty (30) days after the awarded contractor's receipt of payment for that work from the Department.
- E. The Subrecipient must promptly notify the Department, whenever a DBE contractor is terminated or fails to complete its work and must make good faith efforts to engage another DBE contractor to perform at least the same amount of work. The Subrecipient may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the Department.

A subrecipient of FTA funds must meet applicable DBE requirements when funds are used in whole or in part to finance procurements of and contracts for applicable products and services. A subrecipient with contracting opportunities must sign and submit a *Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for Federal Transit Administration Subrecipients*, which is attached as **Certification 1**.

### 34. ADA Access.

The Subrecipient shall comply with 49 U.S.C. Section 5301(d), which states the Federal policy that elderly individuals and individuals with disabilities have the same right as other individuals to use public transportation services and facilities, and that special efforts shall be made in planning and designing those services and facilities to implement transportation accessibility rights for elderly individuals and individuals with disabilities. The Subrecipient also agrees to comply with all applicable provisions of section 504 of the Rehabilitation Act of 1973, with 29 U.S.C. Section 794, which prohibits discrimination on the basis of disability; with the Americans with

Disabilities Act of 1990 (ADA), 42 U.S.C. Sections 12101 *et seq.*, which requires that accessible facilities and services be made available to individuals with disabilities; and with the Architectural Barriers Act of 1968, 42 U.S.C. Sections 4151 *et seq.*, which requires that buildings and public accommodations be accessible to individuals with disabilities.

**35. Program Fraud and False or Fraudulent Statements or Related Acts.**

- A. The Subrecipient acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. Sections 3801 *et seq.* and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this program. The Subrecipient certifies or affirms the truthfulness and accuracy of any statement it makes pertaining to the resultant Agreement or the FTA assisted program for which this work is being performed. The Subrecipient further acknowledges that if it makes, or causes to be made, a false, fictitious or fraudulent claim, statement, submission or certification, the federal government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on Subrecipient to the extent the federal government deems appropriate.
- B. The Subrecipient also acknowledges that if it makes, or causes to be made, a false, fictitious or fraudulent claim, statement, submission or certification to the federal government under a contract connected with a program that is financed in whole or in part with federal assistance originally awarded by FTA under the authority of 49 U.S.C. Section 5307, the federal government reserves the right to impose the penalties of 18 U.S.C. Section 1001 and 49 U.S.C. Section 5307(n)(1) on the Subrecipient, to the extent the federal government deems appropriate.
- C. The Subrecipient certifies to abide by these clauses and include the clauses in each subcontract financed in whole or in part with Federal Transit Administration funds. The Subrecipient further agrees that these clauses shall not be modified, except to identify the contractor or subcontractor subject to its provisions.
- D. All claims for compensation reimbursement and payment of any amounts due pursuant to this Agreement are governed by the Fraud Against Taxpayers Act, NMSA 1978, Sections 44-9-1 through 44-9-14.

**36. Lobbying.**

A subrecipient receiving \$100,000 or more of 49 U.S.C. Section 5311 funds shall file the Lobbying Certification required by 49 C.F.R. Part 20, "New Restrictions on Lobbying." The Lobbying Certification is attached as **Certification 2**. The Subrecipient must certify that it has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. Section 1352.

If the Subrecipient hires a third-party contractor, the contractor must provide the Lobbying Certification to the Subrecipient. Each tier below the contractor shall also provide a Lobbying Certification. Such disclosures are forwarded from tier to tier up to the Subrecipient.

**37. Officials Not to Benefit.**

Neither any member of the New Mexico Legislature nor any member of or delegate to Congress shall be admitted to any share or part of this Agreement or to any benefit that may arise therefrom. The provisions of this clause shall be extended to all public employees, officers, or tribal council members.

**38. Clean Water and Air Requirements.**

- A. The Subrecipient agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, 33U.S.C. Sections 1251 *et seq.*, and the Clean Air Act, 42 U.S.C. Sections 7401 *et seq.* The Subrecipient agrees to report each violation to the Department and understands and agrees that the Department will, in turn, report each violation as required to assure notification to FTA and the appropriate United States Environmental Protection Agency Regional Office.

B. The Subrecipient agrees to include these requirements in each contract or subcontract exceeding \$100,000.00 and financed in whole or in part with federal assistance provided by the FTA.

**39. Energy Conservation**

The Subrecipient agrees to comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act, 42 U.S.C. §§ 6321 *et seq.*

**40. Debarment and Suspension.**

Executive Order No. 12549, "Debarment and Suspension of Participants in Federal Programs," February 18, 1986, 31 U.S.C. Section 6101 note, as amended by Executive Order No. 12689, "Debarment and Suspension," August 16, 1989 31 U.S.C. Section 6101 note, as implemented by 2 C.F.R. Part 180, subpart C, as adopted and supplemented by U.S. DOT regulations at 2 C.F.R. part 1200 prohibits FTA subrecipients from contracting for goods and services from organizations that have been suspended or debarred from receiving federally-assisted contracts. Subrecipients shall include the certification and instruction language contained at 2 C.F.R. Part 1200 in all Invitations for Bids and Requests for Proposals (for inclusion by contractors and subcontractors in their bids or proposals) for all contracts expected to equal or exceed \$25,000.00, regardless of the type of contract to be awarded.

The Subrecipient is required to verify that none of the Subrecipient's principals or affiliates are excluded or disqualified as defined, as defined by 2 C.F.R. Part 1200. By signing and submitting this Agreement, the Subrecipient certifies as follows:

The certification in this clause is a material representation of fact relied upon by the Department. If it is later determined that the bidder/Subrecipient or proposer/Subrecipient knowingly rendered an erroneous certification, in addition to remedies available to the Department, the federal government may pursue available remedies, including but not limited to suspension and/or debarment. The bidder/Subrecipient or proposer/Subrecipient agrees to comply with the requirements of 2 C.F.R. Part 1200 while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder/Subrecipient or proposer/Subrecipient further agrees to include a provision requiring such compliance in its lower tier covered transactions.

**41. Notification Related to Fraud, Waste, Abuse, or Other Legal Matters**

If a current or prospective legal matter that may affect the Federal Government emerges, the Subrecipient must promptly notify the Department so that it can notify the Federal Government. The Subrecipient must include a similar notification requirement in its third-party agreements and must require each third-party participant to include an equivalent provision in its subagreements at every tier, for any agreement that is a "covered transaction" according to 2 C.F.R. §§ 180.230 and 1200.230. The types of legal matters that require notification include, but are not limited to, a major dispute, breach, default, litigation, or naming the Federal Government as a party to litigation or a legal disagreement in any forum for any reason. Matters that may affect the Federal Government include, but are not limited to, the Federal Government's interests in the Award, the accompanying Underlying Agreement, and any Amendments thereto, or the Federal Government's administration or enforcement of federal laws, regulations, and requirements.

**42. Central Contractor Registration Requirements.**

Prior to payment of invoices and receipt of vehicles and equipment, the Subrecipient must register and maintain current registration in the Central Contractor Registration website, <http://www.sam.gov>. Registration requires having a Dun and Bradstreet Data Universal Number (DUNS), see <http://www.dnb.com>. The Department will not provide vehicles, or make payments, until the Subrecipient demonstrates that it is registered with the System for Award Management (SAM) website.

#### **43. Federal Grant Reporting Requirements.**

Under the Federal Funding Accountability and Transparency Act, the Department is required to report on projects or activities, which are awarded federal grants of \$25,000 or more. This information will be made available to the public on [www.USAspending.gov](http://www.USAspending.gov).

The type of information the Department is required to report includes:

- Name of Subrecipient receiving the award,
- Amount of Award,
- Funding Agency,
- NAICS code for contracts or the Catalog of Federal Domestic Assistance program number for grants,
- Program source,
- Award title descriptive of the purpose of the funding action,
- Location of the Subrecipient, which includes the Congressional District,
- Place of performance of the program or activity, which includes the Congressional District,
- Unique identifier—DUNS—of the Subrecipient and its parent organization, if one exists, and
- Total compensation and names of the top five executives of the Subrecipient. This information is required, if the Subrecipient in the preceding year received eighty (80) percent or more of its annual gross revenues in federal awards, which exceeds \$25 million annually, and the public has no access to this information under the Securities Exchange Act or the Internal Revenue Code.

The Department will extract as much information as possible from the Subrecipient's grant application and standard reports. However, the Subrecipient will be required to provide additional information, which includes the total compensation and names of the Subrecipient's top five executives, if applicable. As specified earlier in Section 42, "Central Contractor Registration Requirements," of this Agreement, the Subrecipient shall register with the SAM and DUNS websites and provide that information to the Department.

#### **44. Severability.**

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

#### **45. Scope of Agreement.**

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

#### **46. Applicable Law and Venue; Federal Changes.**

The Subrecipient shall comply with all federal, state and local laws, ordinances, rules, warranties, assurances, and regulations applicable to the performance of this Agreement. This includes all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the current year's Master Agreement between the Department and the FTA. The Subrecipient shall make as part of this Agreement between the Department and the Subrecipient the assurances and warranties which were signed as part of the grant award. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with NMSA 1978, Section 38-3-1(G).

#### **47. Incorporation of FTA Terms.**

Provisions of this Agreement include, in part, certain Standard Terms and Conditions required by the U.S. DOT. All contractual provisions required by the U.S. DOT, as set forth in FTA Circulars 4230.1F, and 9040.1F, are incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The Subrecipient

shall not perform any act, fail to perform any act, or refuse to comply with any Department request, which would cause the Department to be in violation of FTA terms and conditions, as referenced in the current Federal Transit Administration Master Agreement shall prevail and be the instrument governing the receipt of Federal assistance from the Federal Transit Administration. The Master Agreement can be viewed on the web at <https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-grant-agreements>.

**48. Amendment.**

The terms of this Agreement may be altered, modified or amended by an instrument in writing executed by the parties. Specifically excluded from this requirement are revisions to transportation services and fare schedules identified in the Operations Profile. *Section I. Scope of Program, Paragraphs C and E*, details how such changes are to be approved and documented.

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

In witness whereof, each party is signing this Agreement on the date stated below that party's signature. This Agreement becomes effective on the date the last party signed the Agreement.

**New Mexico Department of Transportation**

**CITY OF HOBBS**

\_\_\_\_\_  
NMDOT Cabinet Secretary or Designate

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name/Title (please print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to Form and Legal Sufficiency by the Department's Office of General Counsel.

DocuSigned by:  
  
Lisa Merrill  
Assistant General Counsel  
C750CEC1625D486

\_\_\_\_\_  
NMDOT Assistant General Counsel

12/30/2022

\_\_\_\_\_  
Date



# ATTACHMENT A

## §200.331 Requirements for pass-through entities.

### All pass-through entities must:

Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward.

## ATTACHMENT A-1

## §200.331 Requirements for pass-through entities.

**All pass-through entities must:**

Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

**Federal Award Identification.**

(i) Subrecipient name (which must match the name associated with its unique entity identifier);	Hobbs, City of
(ii) Subrecipient's unique entity ID;	T6JWFF1SWNW3
(iii) Federal Award Identification Number (FAIN);	NM-2021-013
(iv) Federal Award Date (see §200.39 Federal award date) of award to the recipient by the Federal agency;	6/3/202
(v) Subaward Period of Performance Start and End Date;	10-01-2022 thru 09-30-2023
(vi) Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;	Administrative \$73,824.58 Operating \$477,461.16
(vii) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current obligation;	Administrative \$73,824.58 Operating \$477,461.16
(viii) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;	Administrative \$73,824.58 Operating \$477,461.16
(ix) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);	FY20 5311 Rural Transit Appropriation for FY23 Program Funding Award
(x) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;	Federal Transit Administration, New Mexico Department of Transportation David Harris - 505 -699-4350, DavidC.Harris@state.nm.us P.O. Box 1149 Santa Fe, NM 87501-1149
(xi) CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;	20.509
(xii) Identification of whether the award is R&D; and	No R&D
(xiii) Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs).	N/A

## ATTACHMENT A-2

## §200.331 Requirements for pass-through entities.

**All pass-through entities must:**

Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

**Federal Award Identification.**

(i) Subrecipient name (which must match the name associated with its unique entity identifier);	Hobbs, City of
(ii) Subrecipient's unique entity ID;	T6JWFF1SWNW3
(iii) Federal Award Identification Number (FAIN);	NM-2022-XXX
(iv) Federal Award Date (see §200.39 Federal award date) of award to the recipient by the Federal agency;	7/22/2021
(v) Subaward Period of Performance Start and End Date;	10-01-2022 thru 09-30-2025
(vi) Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;	Capital \$209,230.34
(vii) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current obligation;	Capital \$209,230.34
(viii) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;	Capital \$209,230.34
(ix) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);	FY21 5339(a) Buses and Bus Facilities Formula Appropriation for FY23 Program Funding Award
(x) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;	Federal Transit Administration, New Mexico Department of Transportation David Harris - 505 -699-4350, DavidC.Harris@state.nm.us P.O. Box 1149 Santa Fe, NM 87501-1149
(xi) CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;	20.526
(xii) Identification of whether the award is R&D; and	No R&D
(xiii) Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs).	N/A

**NEW MEXICO DEPARTMENT OF TRANSPORTATION  
TRANSIT AND RAIL DIVISION**

**NONDISCRIMINATION ASSURANCE AGREEMENT  
FOR  
FEDERAL TRANSIT ADMINISTRATION SUBRECIPIENTS**

**INTRODUCTION AND INSTRUCTIONS:**

Please read the entire Agreement before completing, and do not change or add to the wording of the Agreement. The Agreement is incorporated into and becomes a material part of your contract with NMDOT, and Subrecipients are responsible for complying with the requirements contained therein.

On behalf of this Agreement, the **CITY OF HOBBS**; hereinafter referred to as “**Subrecipient**” assures that:

1. Subrecipient will comply with the following laws, regulations, and requirements so that no person in the United States will be denied the benefits of, or otherwise be subjected to discrimination in, any U.S. DOT or FTA assisted program or activity (particularly in the level and quality of transportation services and transportation-related benefits) based on race, color, national origin, religion, sex, disability, or age including:

- a. Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity),
- b. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d,
- c. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. (prohibiting discrimination based on race, color, religion, sex, (including gender identity and sexual orientation) or national origin,
- d. Executive Order No. 11246, “Equal Employment Opportunity” September 24, 1965, 42 U.S.C. § 2000e note, as amended by any later Executive Order that amends or supersedes it in part and is applicable to federal assistance programs,
- e. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq., f. U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25,
- g. The Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, et seq.,
- h. The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 et seq.,
- i. U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964,” 49 CFR part 21,
- j. U.S. DOT regulations, specifically 49 CFR parts 27, 37, 38, and 39, and
- k. Any other applicable federal statutes that may be signed into law, federal regulations that may be issued, or federal requirements that may be imposed.

2. Subrecipient will comply with federal guidance implementing federal nondiscrimination laws, regulations, or requirements, except as FTA determines otherwise in writing.

NONDISCRIMINATION ASSURANCE 3

3. As required by 49 CFR § 21.7:

a. Subrecipient will comply with 49 U.S.C. § 5332, 42 U.S.C. § 2000d, and 49 CFR part 21 in the manner that:

- (1) Subrecipient implements its Award,
- (2) Subrecipient undertakes property acquisitions, and
- (3) Subrecipient operates all parts of its facilities, as well as its facilities operated in connection with its Award.

b. This assurance applies to its Award and to all parts of its facilities, as well as its facilities used to implement its Award.

c. Subrecipient will promptly take the necessary actions to carry out this assurance, including the following:

- (1) Notifying the public that discrimination complaints about transportation-related services or benefits may be filed with U.S. DOT or FTA Headquarters Office of Civil Rights, and
- (2) Submitting information about its compliance with these provisions to U.S. DOT or FTA upon their request.

d. If Subrecipient transfers U.S. DOT or FTA assisted real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination:

- (1) While the property is used for the purpose that the federal assistance is extended, or
- (2) While the property is used for another purpose involving the provision of similar services or benefits.

e. The United States has a right to seek judicial enforcement of any matter arising under:

- (1) Title VI of the Civil Rights Act, 42 U.S.C. § 2000d,
- (2) U.S. DOT regulations, 49 CFR part 21, or
- (3) This assurance.

f. Subrecipient will make any changes in its Title VI implementing procedures, as U.S. DOT or FTA may request, to comply with:

- (1) Title VI of the Civil Rights Act, 42 U.S.C. § 2000d,
- (2) U.S. DOT regulations, 49 CFR part 21, and
- (3) Federal transit law, 49 U.S.C. § 5332.

g. Subrecipient will comply with applicable federal guidance issued to implement federal nondiscrimination requirements, except as FTA determines otherwise in writing.

h. Subrecipient will extend the requirements of 49 U.S.C. § 5332, 42 U.S.C. § 2000d, and 49 CFR part 21 to each Third Party Participant, including any:

- (1) Subrecipient,
- (2) Transferee,
- (3) Third Party Contractor or Subcontractor at any tier,
- (4) Successor in Interest,
- (5) Lessee, or
- (6) Other Participant in its Award, except FTA and the Applicant (and later, the Recipient).

i. Subrecipient will include adequate provisions to extend the requirements of 49 U.S.C. § 5332, 42 U.S.C. § 2000d, and 49 CFR part 21 to each third party agreement, including each:

- (1) Subagreement at any tier,
- (2) Property transfer agreement,
- (3) Third party contract or subcontract at any tier,

NONDISCRIMINATION ASSURANCE 3

- (4) Lease, or
- (5) Participation agreement.

j. The assurances you have made on your behalf remain in effect as long as FTA determines appropriate, including, for example, as long as:

- (1) Federal assistance is provided for its Award,
- (2) Subrecipient property acquired or improved with federal assistance is used for a purpose for which the federal assistance is extended, or for a purpose involving similar services or benefits,
- (3) Subrecipient retains ownership or possession of its property acquired or improved with federal assistance provided for its Award,
- (4) Subrecipient transfers property acquired or improved with federal assistance, for the period during which the real property is used for a purpose for which the financial assistance is extended or for another purpose involving the provision of similar services or benefits, or
- (5) FTA may otherwise determine in writing.

4. As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR part 27, specifically 49 CFR § 27.9, and consistent with 49 U.S.C. § 5332, you assure that:

a. Subrecipient will comply with the following prohibitions against discrimination based on disability listed below in subsection 4.b of this Category 01.D Assurance, of which compliance is a condition of approval or extension of any FTA assistance awarded to:

- (1) Construct any facility,
- (2) Obtain any rolling stock or other equipment,
- (3) Undertake studies,
- (4) Conduct research, or
- (5) Participate in any benefit or obtain any benefit from any FTA administered program.

b. In any program or activity receiving or benefiting from federal assistance that U.S. DOT administers, no qualified individual with a disability will, because of his or her disability be:

- (1) Excluded from participation,
- (2) Denied benefits, or
- (3) Otherwise subjected to discrimination.

AFFIRMATION OF APPLICANT

Name of Applicant: \_\_\_\_\_

Printed Name of Authorized Representative: \_\_\_\_\_

Relationship of Authorized Representative: \_\_\_\_\_

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

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

Printed Name of Signing Official: \_\_\_\_\_

DISADVANTAGE BUSINESS ENTERPRISE CERTIFICATION 1

**NEW MEXICO DEPARTMENT OF TRANSPORTATION  
TRANSIT AND RAIL DIVISION**

**DISADVANTAGED BUSINESS ENTERPRISE  
RACE-NEUTRAL IMPLEMENTATION AGREEMENT  
FOR  
FEDERAL TRANSIT ADMINISTRATION SUBRECIPIENTS**

**INTRODUCTION AND INSTRUCTIONS:**

The New Mexico Department of Transportation (NMDOT) Transit and Rail Division, through the NMDOT Office of Equal Opportunity Programs (OEOP), must ensure that Subrecipient of Federal Transit Administration (FTA) funds meet applicable DBE requirements when funds are used in whole or in part to finance procurement and contracts of products and service(s). To that end, Subrecipient with contracting opportunities must submit a *Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for Federal Transit Administration Subrecipients* (Agreement).

Please read the entire Agreement before completing, and do not change or add to the wording of the Agreement. The Agreement is incorporated into and becomes a material part of your contract with NMDOT, and Subrecipients are responsible for complying with the requirements contained therein.

## DISADVANTAGE BUSINESS ENTERPRISE CERTIFICATION 1

### **DISADVANTAGED BUSINESS ENTERPRISE RACE-NEUTRAL IMPLEMENTATION AGREEMENT for CITY OF HOBBS; hereinafter referred to as "Subrecipient."**

#### **I. Definition of Terms**

The terms used in this agreement have the meanings defined in 49 CFR Part 26.5.

#### **II. OBJECTIVE/POLICY STATEMENT (§26/1. 26/23)**

The Subrecipient intends to receive federal financial assistance from the U.S. Department of Transportation (USDOT) through the New Mexico Department of Transportation (NMDOT), and as a condition of receiving this assistance, the Subrecipient will sign the New Mexico Department of Transportation's Disadvantaged Business Enterprise Race Neutral Implementation Agreement (hereinafter referred to as Agreement).

The Subrecipient must implement a policy to ensure that DBEs, as defined in 49 CFR Part 26 (also referred to as the DBE Program), have an equal opportunity to receive and participate in DOT-assisted contracts. It is also their policy:

To ensure nondiscrimination in the award and administration of DOT-assisted procurement and contracts of products and services contracts.

To create a level playing field on which DBE's can compete fairly for DOT-assisted procurement and contracts of products and services contracts.

To ensure that their annual overall DBE participation percentage is narrowly tailored, in accordance with applicable law.

To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs.

To help remove barriers to the participation of DBEs in DOT-assisted procurement and contracts of products and services contracts.

To assist the development of firms that can compete successfully in the market place outside the DBE Program.

#### **III. Nondiscrimination (§26.7)**

Subrecipient will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin. Subrecipient will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program with respect to individuals of a particular race, color, sex, or national origin.

#### **IV. Race-Neutral Means of Meeting the Annual DBE Goal (§26.51)**

Subrecipient will assist NMDOT to achieve its Overall Statewide DBE Goal by race-neutral means of facilitating DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts).

Race-neutral means include, but are not limited to, the following:



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1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has been historically low;
8. Ensuring distribution of the New Mexico DBE directory, through print and electronic means, to the widest feasible universe of potential contractors; and
9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

Subrecipient will encourage utilization of DBE contractors whenever possible on its USDOT-assisted contracts. New Mexico Certified DBE firms and the fields of work in which they participate are listed in the electronic web-based DBE Directory located at <https://nmdot.dbesystem.com>

### **V. Quotas (§26.43)**

Subrecipient will not use quotas or set-asides in any way in the administration of the DBE Program.

### **VI. DBE Liaison Officer (§26.25)**

Subrecipient must designate a DBE Liaison Officer (DBELO). The DBELO is responsible for implementing the DBE Program as it pertains to the Subrecipient and ensures that the Subrecipient is fully and properly advised concerning DBE Program matters.

### **VII. Federal Financial Assistance Agreement Assurance (§26.13)**

## DISADVANTAGE BUSINESS ENTERPRISE CERTIFICATION I

The Subrecipient will sign the following assurance, applicable to and to be included in all USDOT-assisted procurements and contracts for products and services:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract, or in the administration of its DBE Program, or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR, Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. The recipient's DBE Program, as required by 49 CFR, Part 26 as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

### **VIII. Required Contract Clauses (§§26.13, 26.29)**

Subrecipient assures that the following clauses will be included in each USDOT-assisted prime contract:

#### A. Contract Assurance

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of DOT-assisted procurement and contracts of products and services contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as recipient deems appropriate.

#### B. Prompt Payment

##### Prompt Progress Payment to Subcontractors

A prime contractor or subcontractor shall pay to any subcontractor not later than 10 days of receipt of each progress payment. The 10-days is applicable unless a longer period is agreed to in writing. Any delay or postponement of payment over 30 days may take place only for good cause and with the NMDOT's prior written approval. Any violation of this Section shall subject the violating contractor or subcontractor to penalties, sanctions, and other remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

##### Prompt Payment of Retainage

Subrecipient shall include either (1), (2), or (3) of the following provisions in their USDOT-assisted contracts to ensure prompt and full payment of retainage (withheld funds) to subcontractors in compliance with 49 CFR 26.29.

1. No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or

## DISADVANTAGE BUSINESS ENTERPRISE CERTIFICATION 1

subcontractor to the penalties, sanctions, and other remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

2. No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

3. The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance; and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

### **IX. Bidders List (§26.11)**

The Subrecipient will create and maintain a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on its USDOT-assisted procurement and contracts for products and services. The bidders list will include the name, address and telephone number of each quoting firm and whether the quoter is a New Mexico certified DBE. Subrecipient will include language in its procurement documents that requires each bidding Contractor, at the time that bids are submitted, to list the quotes received for the project as detailed above.

### **X. Reporting**

Subrecipient will report bidders list and related DBE information to the NMDOT Transit and Rail Division or the NMDOT Office of Equal Opportunity Programs upon request.

Subrecipient will complete and submit annually to the NMDOT Office of Equal Opportunity Programs the NMDOT Annual Profile Registration Form. This Form will be mailed to Subrecipient.

Subrecipient will compile and provide such other information related to its procurements and the DBE Program as deemed necessary by the NMDOT Transit and Rail Division or the NMDOT Office of Equal Opportunity Programs.

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**XI. Incorporation of Agreement**

This Agreement is incorporated into Subrecipient's financial assistance agreement with NMDOT by reference and made a part of that agreement.

Date:
Signature of Subrecipient Official:
Printed Name of Subrecipient Official:
Relationship of Subrecipient Official:

LOBBYING CERTIFICATION 2

**LOBBYING CERTIFICATION**

*An Applicant that submits or intends to submit an application to FTA for Federal assistance exceeding \$100,000 is required to provide the following certification. FTA may not award Federal assistance exceeding \$100,000 until the Applicant provides this certification.*

- A. As required by 31 U.S.C. 1352 and U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application to FTA for Federal assistance exceeding \$100,000:
  - (1) No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement; and
  - (2) If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352; and
  - (3) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, and contracts under grants, loans, and cooperative agreements).
  
- B. The Applicant understands that this certification is a material representation of fact upon which reliance is placed by the Federal government and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

**AFFIRMATION OF APPLICANT**

Name of Applicant: \_\_\_\_\_

Printed Name of Authorized Representative: \_\_\_\_\_

Relationship of Authorized Representative: \_\_\_\_\_

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

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

Printed Name of Signing Official: \_\_\_\_\_