

# Commission Meeting Agenda



## *Mayor*

Samuel D. Cobb

## *City Commission*

Marshall R. Newman

Jonathan Sena

Patricia A. Taylor

Joseph D. Calderón

Garry A. Buie

Don R. Gerth

## *City Manager*

J. J. Murphy

***June 20, 2016***



**Hobbs City Commission**  
**Regular Meeting**  
**City Hall, City Commission Chamber**  
**200 E. Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico**

**Monday, June 20, 2016 - 6:00 p.m.**

Sam D. Cobb, Mayor

Marshall R. Newman  
Commissioner - District 1

Jonathan Sena  
Commissioner - District 2

Patricia A. Taylor  
Commissioner - District 3

Joseph D. Calderón  
Commissioner - District 4

Garry A. Buie  
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*

**CALL TO ORDER AND ROLL CALL**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

1. Minutes of the June 6, 2016, Regular Commission Meeting
2. Minutes of the June 6, 2016, Commission Work Session

**PROCLAMATIONS AND AWARDS OF MERIT**

3. Hobbs Police Department - Recognition of Officers  
(*Police Chief Chris McCall*)
  - ▶ Officer Doug Evans - Hobbs Police Department Medal of Valor
  - ▶ Sergeant Ahmaad White - Hobbs Police Department Medal of Valor
  - ▶ Officer Brendan Ast - Police Meritorious Award
  - ▶ Sergeant Shawn Hardison - Police Meritorious Award

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

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

4. Resolution No. 6450 - Authorizing the Closure of the Inmate Trust Account and Reopening of a New Inmate Trust Account at Lea County State Bank (Toby Spears)
5. Resolution No. 6451- Authorizing a Memorandum of Understanding with Lea County Regarding the 2016 Edward Byrne Memorial Justice Assistance Grant Program (JAG) (Police Chief Chris McCall)
6. Resolution No. 6452 - Authorizing the Removal of Uncollectible Accounts Receivable from Water, Sewer and Garbage Service Accounts Determined to be Uncollectible in the Amount of \$13,189.16 (Tim Woomer)
7. Consideration of RFP #481-16 to Furnish Janitorial Services for Various Buildings and Recommendation to Accept Proposal from Community Maintenance (Ronny Choate)
8. Consideration of Approval of Bid No. 1547-16 to Furnish Medications for Hobbs Animal Adoption Center and Recommendation to Accept Bid from Lambert Vet Supply (Britt Lusk)
9. Resolution No. 6453 - Approving an Encroachment Agreement to Permit Existing Structures in the City Right-of-Way at Property Located Southwest of the Intersection of Llano Drive and Brazos Avenue (Kevin Robinson)

**DISCUSSION**

10. Presentation of the City of Hobbs' Financial Transparency Website (Toby Spears, Deb Corral)

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

11. Resolution No. 6454 - Approving Amendment No. 2 - Surface Nondisturbance Land Use Restriction or Condition ("LURC") with the Commissioner of Public Lands, New Mexico State Land Office (Mike Stone)

12. Consideration of Approval of an Annual Pavement Agreement Work Order to Ramirez & Sons for Goings Lane Roadway Extension *(Todd Randall)*
13. Consideration of Approval of an Annual Pavement Agreement Work Order to Ramirez & Sons for Grimes and College Lane Intersection Improvements *(Todd Randall)*
14. Consideration of Approval of a Final Adjusting Change Order on the Dal Paso Street Rehabilitation Project Bid No. 1513-14 *(Todd Randall)*
15. Consideration of Approval of Task Order #1 with Molzen Corbin Engineering to Provide Engineering Services for the Underground Storage/Recovery Demonstration Project *(Tim Woomer)*
16. Consideration of Approval of a Professional Services Agreement with the Boys and Girls Club of Hobbs in the Amount of \$69,000.00 for Summer Recreation Program Activities *(Doug McDaniel)*

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

17. Next Meeting Date:

- ▶ Regular Meeting - **Tuesday, July 5, 2016**, at 6:00 p.m.  
*(Moved to Tuesday because of the July 4<sup>th</sup> Holiday)*

#### **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the above meeting, please contact the City Clerk's Office at (575) 397-9207 at least 72 hours prior to the meeting or as soon as possible.



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

**SUBJECT: City Commission Meeting Minutes**

DEPT. OF ORIGIN: City Clerk's Office  
DATE SUBMITTED: May 27, 2016  
SUBMITTED BY: Jan Fletcher, City Clerk

**Summary:**

The following minutes are submitted for approval:

- ▶ Regular Commission Meeting of June 6, 2016
- ▶ Commission Work Session of June 6, 2016

**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 Monday, June 6, 2016, in the City Commission Chamber, 200 East Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico.

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

Mayor Cobb called the meeting to order at 6:05 p.m. and welcomed everyone in attendance to the meeting. The City Clerk called the roll and the following answered present:

Mayor Sam D. Cobb  
Commissioner Marshall R. Newman  
Commissioner Jonathan Sena  
Commissioner Patricia A. Taylor  
Commissioner Joseph D. Calderón  
Commissioner Garry A. Buie  
Commissioner Don Gerth

Also present: J. J. Murphy, City Manager  
Mike Stone, City Attorney  
Efren Cortez, Assistance City Attorney  
Chris McCall, Police Chief  
Manny Gomez, Fire Chief  
Shawn Williams, Fire Marshal  
Ron Roberts, Information Technology Director  
Todd Randall, City Engineer  
Kevin Robinson, Development Coordinator  
Tim Woomeer, Utilities Director  
Manny Marquez, Building Official  
Toby Spears, Finance Director  
Doug McDaniel, Parks and Recreation Director  
Matt Hughes, Golf Superintendent  
Britt Lusk, Teen Center Supervisor  
Mollie Maldonado, Deputy Clerk  
Jan Fletcher, City Clerk  
14 citizens

Mayor Cobb stated a work session was held today regarding the Traffic Ordinance which ended at 6:00 p.m., and he apologized for the delayed start to the Commission Meeting.

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

Commissioner Sena delivered the invocation and Commissioner Calderón led the Pledge of Allegiance.

### **Approval of Minutes**

Commissioner Calderón moved that the minutes of the regular meeting held on May 16, 2016, be approved as presented. Commissioner Buie seconded the motion and

the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried.

### **Proclamations and Awards of Merit**

There were no proclamations or awards of merit presented.

### **Public Comments**

There were no public comments.

### **Consent Agenda**

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

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

Resolution No. 6442 - Approving an Amendment to the Development Agreement with Gold Creek Homes Dated September 8, 2015, Extending the Term to July 22, 2017.

Resolution No. 6443 - Approving a Letter of Understanding with Habitat for Humanity of Hobbs Regarding the Conveyance of Properties Dated October 17, 2011.

Resolution No. 6444 - Approving the Final Plan for Lynch Subdivision No. 2, as Recommended by the Planning Board, Located Southwest of the Intersection of College Lane and Ja-Rob within the Extra-territorial Jurisdiction of the City of Hobbs, Submitted by Elizabeth Lynch.

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

### **Discussion**

There were no items presented for discussion.

**Action Items**

Resolution No. 6445 - Approving the Final Plan for Homestead Estates Subdivision, as Recommended by the Planning Board, Located Southeast of the Intersection of East Bender Boulevard and North Steven Drive within the Municipal Boundaries of the City of Hobbs, Submitted by CRV Investments, LLC. Mr. Kevin Robinson, Development Coordinator, explained the resolution and stated CRV Investments, LLC., has submitted the Final Plan for Homestead Estates Subdivision. He stated the proposed subdivision is located southeast of the intersection of East Bender Boulevard and North Steven Drive which encompasses +/- 37.67 acres. Mr. Robinson stated one parcel will contain a 240 unit multi-family development and 102 single family residential lots. He stated the Planning Board approved the final plan for Homestead on February 16, 2016.

Mr. Mike Stone, City Attorney, stated Mr. Ryan Voorhees with CRV Investments is present tonight. He stated Mr. Voorhees has developed several great investments in Hobbs.

Commissioner Sena thanked Mr. Voorhees for hiring local laborers for his housing developments. He stated the development will be located in District 2 and these great homes are a big asset to the community.

Mr. Voorhees stated the development will install a drainage feature on City property which will reduce the flooding issue in the area. He thanked the City for being a great partner for his developments in Hobbs.

In response to Commissioner Sena's question, Mr. Voorhees stated that he will inquire about the cameras to insure that they are connected with the Eagle IC. Mr. Voorhees also stated that they have hired a local property manager.

Commissioner Sena moved that Resolution No. 6445 be adopted as presented. Commissioner Calderón seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Mayor Cobb thanked Mr. Voorhees, Mr. Robinson and Mr. Todd Randall, City Engineer, for all their hard work on the Homestead Estates Subdivision project.

Resolution No. 6446 - Authorizing FY 16-17 Funding Appropriations to Economic Development and Marketing Entities and Authorizing the Mayor to Execute Professional Service Agreements with Each Agency. Mr. J. J. Murphy, City Manager, explained the resolution and stated the Economic Development Corporation (EDC), Hobbs Chamber



of Commerce, Hobbs Hispano Chamber of Commerce and the Hobbs African American Chamber of Commerce are great agencies who provide services to the community that the City is unable to undertake.

In response to Mayor Cobb's inquiry, Mr. Murphy stated the funding levels for the economic development and marketing entities are the same as FY 2016 with the exception of funding an additional \$225,502.38 to the EDC for the Airline Subsidy.

Commissioner Buie moved that Resolution No. 6446 be adopted as presented. Commissioner Taylor seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Resolution No. 6447 - Authorizing FY 16-17 Funding Appropriations to Various Social Service Agencies and Authorizing the Mayor to Execute Professional Services Agreements with Each Agency. Mr. Murphy explained the resolution and stated there are various social services agencies who provide services to the community that the City is not able to undertake. He stated the attached resolution lists the various agencies and the amount of funding recommended for each. He stated funding levels for the various social services agencies are the same as FY 2016 with the exception of funding for the Community Drug Coalition in the amount of \$100,000.00.

Commissioner Sena disclosed that his sister, Ms. Elaine Sena, is the Executive Director of My Power, Inc., which is a great non-profit agency.

Commissioner Calderón moved that Resolution No. 6447 be adopted as presented. Commissioner Sena seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Consideration of Bid No. 1548-16 for Main Street Sidewalk and ADA Improvements and Recommendation to Accept Proposal from Abraham's Construction, Inc., in the Amount of \$639,298.00 not Including GRT. Mr. Randall explained the bid and stated the New Mexico Department of Transportation (NMDOT) caught an error in the bid process. The bid from Abraham's Construction, Inc., omitted the Affidavit of Bidder, which is a required bid document. Pursuant to the NMDOT, he stated the bid from Abraham's Construction, Inc., is not in compliance with the bid process and the City either needs to award to the second bidder or reject the bid and re-bid the project. Mr. Randall stated the decision before the Commission is whether to award the bid to Entrench, Inc., the second lowest

bidder, or to reject all bids and re-bid the project. He added that this bid has been rejected once in the past.

In response to Mayor Cobb's question, there was no motion to reject the bid.

Commissioner Taylor moved to approve the bid for the Main Street Sidewalk and ADA Improvements and proposal from Entrench, Inc., in the amount of \$679,992.50. Commissioner Sena seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation are attached and made a part of these minutes.

Resolution No. 6448 - Approving a 15% Matching Requirement and Verification of Loan Repayment for Water Trust Board Project 3555-WTB; Water Conservation; Phase II Effluent Reuse Project. Mr. Tim Woomer, Utilities Director, stated the Water Trust Board awarded the 2016 Water Trust Fund loan/grant in the amount of \$586,400.00 to the City of Hobbs for the Effluent Reuse Project. He stated the City's funding request is to proceed with the design of approximately 8.5 miles of reclaimed water pipeline, termed the Northeast Distribution System, including an engineer report on the feasibility of relocating and utilizing the Hardin elevated water tower for reclaimed water storage at H.I.A.P. He stated New Mexico Finance Authority (NMFA) has approved this award and set funding terms at a 40% loan in the amount of \$234,560.00 and a 60% grant in the amount of \$351,840.00. Mr. Woomer stated a local match of 15% which is \$87,960.00 of the awarded amount is a requirement of this fund. He stated the execution of the actual loan/grant agreement will be presented for consideration by the Commission in the form of an ordinance adoption at a later date.

In response to Mayor Cobb's question, Mr. Woomer stated the City will be able to use potable water from the effluent pipeline to care for City parks.

In further reply to Mayor Cobb's question, Mr. Woomer added the loan is for 20 years at .25% interest, which can be paid early if needed.

In response to Mayor Cobb's question, Mr. Matt Hughes, Golf Superintendent, stated the City will save approximately 500 gallons per day at the golf course by using effluent water.

In reply to Mayor Cobb's inquiry, Mr. Woomer stated approximate 100 gallons is used by each residential customer.

Commissioner Calderón moved that Resolution No. 6448 be adopted as presented. Commissioner Buie seconded the motion and the vote was recorded as follows:

Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documents are attached and made a part of these minutes.

Consideration of Bid No. 1546-16 for the Effluent Pipeline Phase I Modifications and Recommendation to Accept Proposal from DuCross Construction, LLC in the Amount of \$286,514.84 not including GRT. Mr. Woomer stated that in preparing the bid tabulation, the Engineer of Record, Souder Miller & Associates, noted a significant difference in MMX's bid amount and the engineer's estimated cost for materials and installation of fire hydrant assemblies. He stated MMX's has noted an inaccuracy in preparing their bid and is requesting that their bid be withdrawn. Mr. Woomer stated the next lowest bid submitted is from DuCross Construction, of Las Cruces, New Mexico, at \$286,514.84. He explained the bid and stated the scope of work consists of upgrades to the existing 20" reclaimed pipeline extending South to the City's Nadine Facility, including an extension of the existing Memorial Cemetery reclaimed pipeline to Prairie Haven Cemetery. He stated the modification on the pipeline includes the installation of a pressure sustaining/flow regulating control station on the S&H Farm lateral and 12 fire hydrant assemblies along Highway 18, where there is currently no source of water for fire protection.

In reply to Commissioner Buie's inquiry, Mr. Woomer stated the 12 new fire hydrants on Highway 18 may reduce the premium for home insurance to the property owners in the area. He stated the homeowners have been contacted accordingly.

Commissioner Buie moved to approve the bid for the Effluent Pipeline Phase I Modifications and proposal from DuCross Construction in the amount of \$286,514.84 as presented. Commissioner Newman seconded the motion and the vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Calderón yes, Buie yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation are attached and made a part of these minutes.

Resolution No. 6449 - Authorizing City Staff to Purchase Video Equipment for Recording City Commission Meetings. Mr. Ron Roberts, Information Technology Director, stated the City is proposing two options for the purchase of streaming and/or archived, on-demand video and camera equipment to record City Commission meetings. He stated both options will provide high definition quality video. Mr. Roberts stated Option 1 is with Livestream and would allow live streaming and on-demand archival of meetings and would take 30 days to implement. He stated Option 2 is with Granicus and would additionally allow indexing, or bookmarking, to the archived videos, which would allow for skipping to specific agenda items and would take 60 days to implement. Mr. Roberts stated the breakdown of costs for Options 1 and 2 are itemized as follows:

**Option 1**

Non-indexed

Livestream

Startup Equipment

Streaming software \$ 799

Cameras \$4,095

Video switcher \$ 1,500

Live/archival streaming \$ 2,388 annual

\$ 8,782 first year

\$ 2,388 recurring annual

**Option 2**

Indexed archives

Granicus

Startup Equipment

Encoder \$ 3,200

Cameras \$ 4,095

Video switcher \$ 1,500

Live/archival streaming \$ 7,200 annual

\$15,995 first year

\$ 7,200 recurring annual

After a lengthy discussion, Mr. Roberts stated neither Option 1 or 2 will have any commercials as viewers frequently see when using YouTube. He stated both options are for a one-year commitment. Mr. Roberts stated Option 1, with Livestream, is as-is and will only stream and archive the videos with no option to add additional features in the future. Mr. Roberts stated Option 2 with Granicus allows features to be added at a later time for additional fees. He stated the cost presented is for one year and may increase year-to-year so entering into a contract for multiple years would lock the price as presented.

Commissioner Buie stated he has doubts regarding Option 1 due to the possibility of the system not working for the City and \$10,000.00 would be wasted. He stated on the other hand, he did not agree with the recurring cost of \$7,200.00 in Option 2.

Mayor Cobb recommended a motion for Option 1 and if it does not pass, a motion for Option 2 could be made for consideration.

Commissioner Calderón moved that Resolution No. 6449 be adopted accepting Option 1 with Livestream as presented. Commissioner Gerth seconded the motion and the vote was recorded as follows: Newman no, Sena yes, Taylor yes, Calderón yes, Buie no, Gerth yes, Cobb no. The motion carried 4 - 3. A copy of the resolution is attached and made a part of these minutes.

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**Comments by City Commissioners, City Manager**

Mr. Murphy welcomed back Mr. Manny Gomez as the new Fire Chief for the City of Hobbs.

Chief Gomez thanked Mr. Murphy and the Commission for the opportunity to again serve as Hobbs Fire Chief and for the confidence they have in him.

Mr. Murphy thanked Mr. Doug McDaniel, Parks and Recreation Director, and Ms. Linda Howell, Golf Course General Manager, and Mr. Matt Hughes, Golf Course Superintendent, for a great Pro-Am Tournament at Rockwind Community Links Golf Course held over the weekend. He also thanked Mr. Roberts and the I.T. staff for the many hours of work spent on the live streaming proposal. Mr. Murphy state he is ready to move forward for more transparency of City business.

Commissioner Gerth congratulated Chief Gomez on his new position. He also thanked Mr. Roberts and his staff for the live streaming proposal.

Commissioner Gerth stated the Pro-Am Tournament was great, and he also thanked the Rockwind Community Links staff for an outstanding job.

Commissioner Sena also thanked Mr. Roberts and his staff for the live streaming proposal for Commission meetings.

Commissioner Sena thanked the non-profit agencies for their partnership with the City and for the services provided to the community.

Commissioner Taylor stated she attended "Fun Day Sunday" this past weekend at Booker T. Washington which was enjoyed by all attendees.

Commissioner Calderón stated he recently attended a Leadership Conference for the schools and that Hobbs was the limelight and topic of conversation by many of the conference attendees.

Commissioner Buie thanked everyone who attended tonight's meeting.

Commissioner Buie gave a remembrance of the D-Day invasion that took place on this date in June of 1944 at 6:30 a.m., and recognized his father who was involved in the military operation.

Commissioner Newman thanked Mr. Roberts and his staff for the live streaming proposal. He also thanked the social service agencies for assisting the community with their services.

Mayor Cobb stated social service agencies are an important part of the community.

Mayor Cobb stated the New Mexico Association of Counties (NMAC) will host the NMAC Conference in Hobbs on June 20 - 24, 2016. He stated this is a time for the citizens of Hobbs to sell and market Hobbs as a friendly community.

Reverend Benny Choice reminded everyone that tomorrow, June 7, 2016, is the Primary Election Day.

**Adjournment**

There being no further discussion or business, Commissioner Calderón moved that the meeting adjourn. Commissioner Buie seconded the motion. The vote was recorded as follows: Newman yes, Sena yes, Taylor yes, Buie yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 7:00 p.m.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk

Minutes of the work session of the Hobbs City Commission held on Monday, June 6, 2016, at 5:00 p.m. in the City Commission Chamber at City Hall, 200 East Broadway, Hobbs, New Mexico.

Mayor Cobb called the work session to order and welcomed everyone in attendance. The following were present:

Mayor Sam D. Cobb  
Commissioner Marshall Newman  
Commissioner Jonathan Sena  
Commissioner Pat Taylor  
Commissioner Joseph D. Calderón  
Commissioner Garry A. Buie  
Commissioner Don Gerth (arrived at 5:15 p.m.)

Also present were Mr. J. J. Murphy, City Manager, Mr. Mike Stone, City Attorney, Ms. Jan Fletcher, City Clerk and Ms. Mollie Maldonado, Deputy Clerk. Other staff members and public were also present.

Mr. J. J. Murphy, City Manager, stated the Commission has requested staff to present a discussion of the pros/cons regarding the proposed Traffic Ordinance.

*Proposed Amended Traffic Fines in the Hobbs Municipal Code Traffic Ordinance.* Mr. Efen Cortez, Assistant City Attorney, presented a PowerPoint presentation to the Commission regarding proposed amended traffic fines in the Hobbs Municipal Code Traffic Ordinance. Mr. Cortez explained the ordinance terminology and stated that a "fine" is defined as a monetary criminal penalty paid to the public treasury while a "fee" is defined as a charge for administrative services. He explained the City adopted the New Mexico State Motor Vehicle Code, which means that the New Mexico Legislature sets all of the laws, processes and penalties for violations of traffic laws in Hobbs.

In response to Mayor Cobb's inquiry, Mr. Cortez stated the City is currently enforcing the State Motor Vehicle Code.

In further reply to Mayor Cobb's inquiry, Mr. Cortez stated the City may implement a texting traffic fine by adopting an ordinance once the Uniform Traffic Ordinance (UTO) has been adopted.

Mr. Cortez stated by adopting the UTO, the City would have a measure of flexibility when it comes to handling the caseload at Municipal Court and also addresses issues such as parking and penalty assessments, which the City is currently unable to change. He stated if the City adopts the UTO, it would require repealing our current ordinance and adopting the Uniform Traffic Ordinance 2010 Compilation (current through 2015). Mr. Cortez stated the City would also be required to adopt the Penalty Assessment Program which sets the fines for Penalty Assessment

Misdemeanors. He further stated the UTO provides additional laws that are designed to better address traffic on a local level.

In response to Commissioner Sena's question, Mr. Cortez stated the UTO will allow the municipality to raise or lower penalties.

Mr. Cortez explained the "Do's" and "Don'ts" and stated the UTO allows the City Commission to periodically reassess the fines for Penalty Assessment Misdemeanors and either raise them or lower them as needed. He also explained the UTO does not allow any penalties for Traffic Misdemeanors to exceed the "Maximum Penalty" allowed by the Hobbs Municipal Code Section 1.16.010(A).

Mr. Cortez stated adopting the UTO is constitutional and allowable by statute. He stated the traffic misdemeanor fines will be determined by the Hobbs Municipal Judge but cannot exceed "maximum penalty" and penalty assessment misdemeanor fines will be determined by the Hobbs City Commission. Mr. Cortez stated NMSA 1978 requires the City to assess certain fees deemed "court costs" for every case that is adjudicated in the Hobbs Municipal Court as follows:

- \$ 20.00 Correction fee - Municipal Treasury; and
- \$ 3.00 Judicial Education fee - State Treasurer; and
- \$ 6.00 Court Automation fee - State Treasurer.

Mr. Cortez stated for traffic cases under the UTO only, then NMSA 1978 requires the Court to also assess a \$10.00 penalty assessment fee which goes to the Municipal Treasury.

In reply to Mayor Cobb's question, Mr. Cortez stated fees collected on penalties do have restrictions on how the municipality may spend those funds.

Ms. Shannon Carter, Municipal Court Administrator, presented a PowerPoint presentation to the Commission regarding the duties of the Municipal Court. She stated Municipal Court is a Court of limited jurisdiction that hears criminal petty misdemeanors, traffic violations and code offenses. Ms. Carter stated she previously worked for the District Court for ten years and stated it was very structured when hearing cases. She stated implementing a Traffic Violations Bureau (TVB) can bring the same type of structure needed for the Hobbs Municipal Court. She stated "Live Court" is held at Municipal Court every day, except Thursday, at 1:00 p.m. Ms. Carter stated when the doors open at 1:00 p.m., there are people lined up from the Clerk's counter all the way outside the building. She further stated once the Court receives the maximum capacity, individuals are told to come back the next day with the same process in mind, which creates frustration.



Ms. Carter stated Article XI of the UTO establishes a TVB "to assist the Municipal Court in its administrative work." She stated the TVB allows the Municipal Judge to:

- Determine which Traffic Misdemeanors are payable as fines;
- Determine the amount of the fines for Traffic Misdemeanors (not to exceed \$329);
- Determine a suitable schedule for increased fines for first, second, and third offenses of the same Traffic Misdemeanor; and
- Determine at which numbered offense a court appearance will be mandatory. For example:

No Insurance 1<sup>st</sup> Offense - \$129;

No Insurance 2<sup>nd</sup> Offense - \$179;

No Insurance 3<sup>rd</sup> Offense - \$229;

No Insurance 4<sup>th</sup> Offense—Mandatory Court Appearance

Ms. Carter stated the TVB is a Court Order by the Municipal Judge setting out these provisions and enforced by the Clerks of the Hobbs Municipal Court that handle traffic cases. She stated by implementing the TVB, it would allow new hours for the acceptance of all payments, pleas, and waivers that are normally done by the Judge. Ms. Carter stated it will be more efficient and cost effective and there will be no need for additional staff or building expansions.

In response to Mayor Cobb and Commissioner Sena's inquiry, Ms. Carter stated the TVB is made up of the Court Clerks who will have the authority vested by the Judge. She stated additional staff and building expansion will not be needed to convert to a TVB. Ms. Carter further stated that the TVB essentially provides a clerical process to handle some of the caseload.

In reply to Commissioner Taylor's inquiry, Ms. Carter stated a person may plea guilty to the TVB but would then be placed on the docket to visit with the Judge.

In response to Commissioner Newman's question, Ms. Carter stated the TVB would also decrease the amount of time spent in court by police officers.

Mr. Michael Walker, Police Captain, presented a final segment of the PowerPoint presentation to the Commission regarding the Hobbs Police Department Traffic Patrol. He stated HPD currently enforces traffic violations by setting speed trailers at different locations and with motor units. Captain Walker stated HPD also implemented public education with the "Slow Your Roll" campaign that was established in March, 2014. He also stated that 130 Traffic Calming Packets have

been distributed in the community. Captain Walker displayed a map which designates where all the pledges have been made for the "Slow Your Roll" campaign. He stated 20,578 citations were issued in 2014-2015 of which 6,023 were speeding citations. Captain Walker reviewed the current fees and stated the City could increase the charge by \$10.00 if the UTO is adopted. He also reviewed the current and proposed fines as follows:

| <u>Violation</u>         | <u>Current</u> | <u>Proposed</u> |
|--------------------------|----------------|-----------------|
| Speeding                 | \$15 to \$150  | \$45 to \$180   |
| No Driver's License      | \$25           | \$80            |
| Expired Registration     | \$10 or \$45   | \$70            |
| Stop Sign/Red Light      | \$10           | \$45            |
| Child Restraint/Seatbelt | \$25           | \$45            |
| Following Too Close      | \$10           | \$45            |

Captain Walker stated the dollar amounts do not include the "Fees" previously discussed. He stated the Total Penalty Assessments are as follows:

| <u>Violation</u>         | <u>Current</u> | <u>Proposed</u> |
|--------------------------|----------------|-----------------|
| Speeding                 | \$44 to \$179  | \$84 to \$219   |
| No Driver's License      | \$54           | \$109           |
| Expired Registration     | \$39 or \$74   | \$99            |
| Stop Sign/Red Light      | \$39           | \$84            |
| Child Restraint/Seatbelt | \$54           | \$84            |
| Following Too Close      | \$39           | \$84            |

Captain Walker also reviewed the comparisons with proposed fines of what other New Mexico municipalities charge with Hobbs being the lowest in fines and fee collections.

In reply to Mayor Cobb's inquiry, Mr. Cortez stated the State Motor Vehicle Code would have to be repealed entirely and the UTO adopted by ordinance.

Captain Walker stated increasing fines can be a deterrent to people for violating traffic laws. He stated the UTO will be a trial and error process to determine how effective it is in the community.

Commissioner Buie thanked Mr. Cortez, Ms. Carter and Captain Walker for their extensive time and efforts on the proposed traffic fines and fees. He agreed that the TVB would help the Court assist people in a timely manner.

Mayor Cobb thanked everyone for attending the work session and for the presentations. There being no further discussion by the Commission, the meeting adjourned at 6:00 p.m.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk



# **CONSENT AGENDA**



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

**SUBJECT:** Opening and Closing a bank account for the Inmate Trust Account  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** June 02, 2016  
**SUBMITTED BY:** Deborah Corral, Assistant Finance Director

**Summary:**

Fraudulent check activity was noted during the bank reconciliation process for April 2016 in the Inmate Trust Account housed at Lea County State Bank. As a result of the fraudulent activity, a new account was opened at Lea County State Bank. A small balance remains in the original Inmate Trust Account to cover any remaining outstanding checks.

The City would like to close the current Inmate Trust Account at Lea County State Bank and transfer the remaining funds into the New Inmate Trust Account at Lea County State Bank.

**Fiscal Impact:**

No fiscal impact

Reviewed By: \_\_\_\_\_

Finance Department

**Attachments:**

Resolution

**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: \_\_\_\_\_  
File No. \_\_\_\_\_  
Denied

CITY OF HOBBS

RESOLUTION NO. 6450

A RESOLUTION AUTHORIZING THE CLOSING AND OPENING  
OF A BANK ACCOUNT USED FOR THE INMATE TRUST ACCOUNT

WHEREAS, the City of Hobbs has a Lea County State Bank account used to house funds for the Inmate Trust Account, and

WHEREAS, the City of Hobbs has opened a replacement Inmate Trust Account at Lea County State Bank due to fraudulent check activity,

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that the City Commission hereby approves the closing and reopening of the Inmate Trust Account at Lea County State Bank.

PASSED, ADOPTED AND APPROVED THIS 20<sup>th</sup> day of June, 2016.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

SUBJECT: Edward Byrne Memorial Justice Assistance Grant (JAG – US DOJ)

DEPT. OF ORIGIN: Police Department  
DATE SUBMITTED: June 6, 2016  
SUBMITTED BY: Captain Charles Cunningham *cbc*

Summary:

The Edward Byrne Justice Assistance Grant is federal funding allotted by the United States Department of Justice to law enforcement agencies in the United States. The grant funding can be used to purchase law enforcement equipment. The Hobbs Police Department and the Lea County Sheriff's Department have historically applied for this grant jointly through a memorandum of understanding (MOU). The award for the City of Hobbs and Lea County, NM is \$24,035 for FY 2016-17. The funding will be divided 60/40 with the Hobbs Police Department receiving \$14,421 and the Lea County Sheriff's Department receiving \$9,614.

Fiscal Impact:

No fiscal impact. Grant funding source

Reviewed By: \_\_\_\_\_

*[Signature]*  
Finance Department

Attachments:

Memorandum of understanding between the Municipal government of the City of Hobbs and the County government of Lea County, New Mexico respectively.

Legal Review:

Approved As To Form: \_\_\_\_\_

*[Signature]*  
City Attorney

Recommendation:

A resolution authorizing the entering into the memorandum of understanding between the parties.

Approved For Submittal By:

*[Signature]*  
Department Director

*[Signature]*  
City Manager

CITY CLERK'S USE ONLY  
COMMISSION ACTION TAKEN

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

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

CITY OF HOBBS

RESOLUTION NO. 6451

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A MEMORANDUM OF UNDERSTANDING WITH  
LEA COUNTY, NEW MEXICO REGARDING A 2016 JAG PROGRAM

WHEREAS, the 2016 Edward Byrne Memorial Justice Assistance Grant Program ("JAG Program") has awarded \$24,000.00 to the City of Hobbs and Lea County, New Mexico;

WHEREAS, the funding shall be divided between the City and County. The City shall receive \$14,421.00 (60%) and the County shall receive \$9,614.00 (40%);

WHEREAS, the City shall serve as the fiscal agent for the grant funding;

WHEREAS, the grant money may be utilized to purchase law enforcement equipment; and

WHEREAS, the City and the County shall enter into a Memorandum of Understanding detailing the terms of the JAG Program.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is, authorized and directed to execute the attached Memorandum of Understanding regarding the 2016 JAG Program.

PASSED, ADOPTED AND APPROVED this 20<sup>th</sup> day of June, 2016.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF HOBBS AND  
LEA COUNTY, NEW MEXICO**

This Memorandum of Understanding is made this \_\_\_\_\_ day of June 2016, by and between the City of Hobbs and Lea County.

WHEREAS, the 2016 Edward Byrne Memorial Justice Assistance Grant Program has awarded \$24,035.00 to the City of Hobbs and Lea County, New Mexico

And;

WHEREAS, the funding will be distributed as follows:

The Grant Total \$24,035.00 will be divided 60/40 with the City of Hobbs Police Department receiving \$14,421.00 and the Lea County Sheriff's Department receiving \$9,614.00.

NOW, THEREFORE it is hereby agreed by the parties that the City of Hobbs will act as the fiscal agent.

**AGREED:**

**CITY OF HOBBS, NEW MEXICO**

**LEA COUNTY, NEW MEXICO**

By: \_\_\_\_\_  
Sam Cobb, Mayor

By: \_\_\_\_\_  
Ron Black  
Commission Chairman

**CITY OF HOBBS POLICE DEPT.**

**LEA COUNTY SHERIFF'S DEPT.**

By: \_\_\_\_\_  
Chris D. McCall, Chief of Police

By: \_\_\_\_\_  
Steve Ackerman, Sheriff

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Michael Stone  
City of Hobbs Attorney

By: \_\_\_\_\_  
John Caldwell  
Lea County Attorney



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

**SUBJECT:** Removal of accounts receivable determined to be uncollectable.  
**DEPT. OF ORIGIN:** Finance Department  
**DATE SUBMITTED:** June 7, 2016  
**SUBMITTED BY:** Kaylyn Lewis, Utilities Office Manager

**Summary:**

Accounts receivable for the period of January 1, 2012 through June 30, 2012 resulting from water, garbage and sewer services totaling \$13,189.16 are deemed uncollectable based on efforts made to collect on the account and locate the debtor. In accordance with 3-37-7, NMSA 1978 accounts with balances resulting from activity four years or older are to be removed from the list of accounts receivable to the City of Hobbs.


**Fiscal Impact:**

Reviewed By:   
Finance Department

*There would be no fiscal impact on a cash basis of accounting.*

**Attachments:** Resolution

**Legal Review:**

Approved As To Form:   
City Attorney

**Recommendation:**

Approve the resolution to remove the uncollectable accounts from the list of accounts receivable.

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. 6452

A RESOLUTION AUTHORIZING THE REMOVAL OF  
ACCOUNTS RECEIVABLE DETERMINED TO BE UNCOLLECTABLE

WHEREAS, accounts receivable, as attached herein, for the period of January 1, 2012 through June 30, 2012 from water, sewer and garbage services totaling \$13,189.16 are deemed uncollectable;

WHEREAS, City staff has made reasonable efforts to collect the accounts and/or locate the debtors; and

WHEREAS, in accordance with 3-37-7, NMSA 1978, accounts with balances resulting from activity four years or older are to be removed from the list of accounts receivable to the City of Hobbs.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be and hereby is, authorized and directed to execute this Resolution authorizing the removal of accounts receivable determined to be uncollectable.

PASSED, ADOPTED AND APPROVED this 20<sup>th</sup> day of June, 2016.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk

# Utility Billing

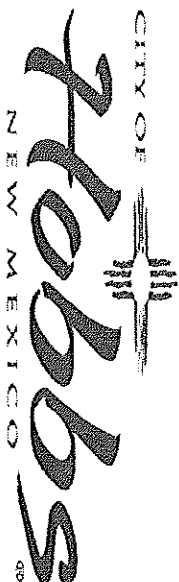
## Collections Proof List

User: Kewis

Printed: 06/06/2016 - 11:03AM

Sort By: Last Name

Batch: 00001.06.2016



| Account No               | Reference No  | Tax Lot | WTR<br>DEP | SWR    | GBC     | MIS  | PEN     |
|--------------------------|---------------|---------|------------|--------|---------|------|---------|
| 028989-000               | 10-06-3852    |         | 0.00       | 0.00   | 0.00    | 0.00 | -30.00  |
| CHRISTINA ACOSTA         |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 011741-000               | 07-05-5375    |         | -10.93     | -18.76 | -59.99  | 0.00 | 0.00    |
| ALAN ALLMAN              |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 031814-000               | 10-01-0050    |         | -12.19     | -14.30 | -16.06  | 0.00 | 0.00    |
| EDUARDO ANAYA            |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 025367-000               | 01-02-1345-21 |         | 0.00       | 0.00   | 0.00    | 0.00 | -30.00  |
| CAROLINE ANAYA           |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 029756-002               | 10-04-1860    |         | -12.20     | -35.90 | -38.48  | 0.00 | 0.00    |
| LETICIA ANTILLON         |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 033816-000               | 17-04-3252    |         | 0.00       | 0.00   | -348.21 | 0.00 | -30.00  |
| ASTOCO OIL FIELD SERVICE |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 015935-000               | 12-03-2565-03 |         | 0.00       | 0.00   | 0.00    | 0.00 | -30.00  |
| NOE AVILA                |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 025244-002               | 16-05-5304    |         | -19.98     | -48.82 | -78.01  | 0.00 | 0.00    |
| RICHARD BANDA            |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 025913-002               | 03-06-3635    |         | -16.80     | -64.55 | -27.22  | 0.00 | 0.00    |
| LINDA BARKDOLL           |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 026900-000               | 17-07-5079    |         | 0.00       | 0.00   | 0.00    | 0.00 | -120.00 |
| BEAR CREEK CONSTRUCTION  |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 033902-000               | 14-05-4250    |         | -20.93     | -40.54 | -38.72  | 0.00 | 0.00    |
| MICHAEL BENAVIDEZ        |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 013247-000               | 09-04-2215    |         | -37.15     | -92.46 | -15.47  | 0.00 | 0.00    |
| JERALDO BENAVIDEZ        |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 013293-000               | 09-04-2445-03 |         | 0.00       | 0.00   | 0.00    | 0.00 | -25.00  |
| MARY BREWER              |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 028128-000               | 09-03-1780    |         | 0.00       | 0.00   | 0.00    | 0.00 | -30.00  |
| BRENDA BREWER            |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 026225-001               | 09-02-0485    |         | -31.37     | -62.65 | -79.52  | 0.00 | -80.00  |
| CHARLES BROWN            |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |
| 024350-000               | 06-04-2270    |         | -16.17     | -31.47 | -71.32  | 0.00 | 0.00    |
| DIANA BUCHANAN           |               |         | 0.00       | 0.00   | 0.00    | 0.00 | 0.00    |

| Account No<br>Customer Name | Reference No  | Tax Lot | WTR<br>DEP | SWR    | GBG    | MIS  | PEN    |
|-----------------------------|---------------|---------|------------|--------|--------|------|--------|
| 013917-001                  | 08-01-0275    |         | -34.05     | -36.54 | -47.41 | 0.00 | 0.00   |
| NOEMI BUENDIA               |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 032201-000                  | 12-04-4050    |         | -3.33      | -13.08 | -25.99 | 0.00 | 0.00   |
| HEATHER BYRD                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 016067-001                  | 12-05-5225    |         | -21.28     | -31.08 | -40.07 | 0.00 | 0.00   |
| GILBERT CALDERON            |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 028266-001                  | 07-02-2530    |         | -141.52    | 0.00   | 0.00   | 0.00 | 0.00   |
| JUAN CALDERON               |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 009921-000                  | 06-03-1405    |         | -6.83      | -12.67 | -24.07 | 0.00 | -20.00 |
| BETTY CAMPBELL              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 005194-002                  | 16-01-1661    |         | 0.00       | 0.00   | -11.62 | 0.00 | 0.00   |
| ENRIQUE CARMONA             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 028586-000                  | 09-03-1810    |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| DAVID CARRERA               |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034722-000                  | 10-01-0670    |         | -14.69     | 0.00   | -34.35 | 0.00 | 0.00   |
| OSCAR CASTILLO              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034528-000                  | 14-03-3195    |         | -10.65     | -17.90 | -35.61 | 0.00 | 0.00   |
| MATHEW CASTILLO             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034632-000                  | 03-04-2045    |         | -4.55      | -8.17  | -38.31 | 0.00 | 0.00   |
| MINDY CASTILLO              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 032787-001                  | 03-06-3505    |         | -9.84      | -63.77 | -39.76 | 0.00 | 0.00   |
| LIDIA CASTRO                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 012618-004                  | 09-01-0345    |         | -28.78     | -68.52 | -75.70 | 0.00 | 0.00   |
| WILLIE CHAPPLE              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034729-000                  | 14-02-1030    |         | 0.00       | 0.00   | -11.45 | 0.00 | 0.00   |
| ROSENDO CHAVEZ              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 010431-000                  | 07-01-0490-04 |         | 0.00       | 0.00   | 0.00   | 0.00 | -25.00 |
| DONALD O JR CHISM           |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 011500-000                  | 07-04-4422    |         | -2.27      | -26.12 | -29.83 | 0.00 | 0.00   |
| ANNA JEAN CLOUD             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 035073-000                  | 11-01-0620    |         | -5.23      | -5.66  | -28.82 | 0.00 | 0.00   |
| GREGORY COFFEY              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 029322-003                  | 15-01-1175    |         | -8.21      | -15.43 | 0.00   | 0.00 | 0.00   |
| ASHLEE CONDE                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 024480-000                  | 05-03-1710    |         | 0.00       | -51.63 | -93.51 | 0.00 | 0.00   |
| MARTHA CONTRERAS            |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 032158-001                  | 13-04-2730    |         | -13.26     | -25.56 | -41.32 | 0.00 | 0.00   |
| ANA CORTES                  |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034647-000                  | 19-01-0490    |         | -12.79     | -17.09 | -25.94 | 0.00 | 0.00   |
| SUZANNE CREED               |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |

| Account No                     | Reference No  | Tax Lot | WTR    | SWR     | GBG    | MIS    | PEN    |
|--------------------------------|---------------|---------|--------|---------|--------|--------|--------|
| Customer Name                  |               |         | DEP    |         |        |        |        |
| 028675-001                     | 10-01-0305    |         | -76.44 | -98.48  | -75.70 | 0.00   | 0.00   |
| JESSIE CUELLAR                 |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 016419-001                     | 13-04-2350    |         | 0.00   | 0.00    | 0.00   | 0.00   | -30.00 |
| MYEISHA CURRY                  |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 029296-002                     | 11-02-0815    |         | -29.76 | -83.99  | -61.36 | 0.00   | 0.00   |
| STACY DANIEL                   |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034715-000                     | 01-02-1360    |         | -10.83 | 0.00    | -28.47 | 0.00   | 0.00   |
| NORA DAVIS                     |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 027213-000                     | 04-05-4387    |         | 0.00   | 0.00    | 0.00   | 0.00   | -30.00 |
| ALISA DELGADO                  |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034713-000                     | 01-03-1475    |         | -1.37  | -1.81   | -4.72  | 0.00   | 0.00   |
| ESTELA DIAZ                    |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034205-000                     | 15-02-1005    |         | -24.16 | -68.83  | -58.45 | 0.00   | 0.00   |
| MARK EASTER JR                 |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034326-000                     | 08-03-2710    |         | -18.60 | -56.10  | -72.09 | 0.00   | 0.00   |
| ALMA ELGUEA                    |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 029493-000                     | 16-02-2824    |         | -8.48  | -59.48  | -38.24 | 0.00   | 0.00   |
| TAWNYYA ESTRADA                |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034958-000                     | 02-05-4445    |         | -13.23 | -39.90  | -14.71 | 0.00   | 0.00   |
| JUANITA FLORES                 |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 024439-002                     | 14-02-1790    |         | -22.43 | -50.65  | -17.77 | 0.00   | 0.00   |
| ROSILIE FLORES                 |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 023109-017                     | 14-05-4550    |         | -5.08  | -2.96   | -8.51  | -20.00 | 0.00   |
| FORD PROPERTIES LLC & FORD EST |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 027680-002                     | 10-05-3110    |         | -26.68 | -104.68 | -68.05 | 0.00   | 0.00   |
| BRENDA GALVAN                  |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 019427-000                     | 15-04-2415    |         | -41.61 | -33.84  | -84.45 | 0.00   | -5.00  |
| CHRISTY GARCIA                 |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 017243-000                     | 13-04-2435-15 |         | 0.00   | 0.00    | 0.00   | 0.00   | -25.00 |
| YVONNE GARZA                   |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 027590-003                     | 11-04-2490    |         | -7.84  | -18.85  | -34.41 | 0.00   | 0.00   |
| SAMUEL GIOVANNI                |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 033980-000                     | 04-05-4185    |         | -14.47 | -32.60  | -46.44 | 0.00   | 0.00   |
| ANTONIO GONZALES               |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034612-000                     | 03-05-2850    |         | -17.81 | -27.35  | -41.04 | 0.00   | 0.00   |
| JOSE GONZALES                  |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 033601-000                     | 14-03-2935    |         | 0.00   | 0.00    | -11.37 | 0.00   | 0.00   |
| STEPHEN GONZALES               |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |
| 034183-000                     | 14-05-4550    |         | -26.42 | -33.72  | -47.90 | 0.00   | 0.00   |
| MARIA GONZALEZ                 |               |         | 0.00   | 0.00    | 0.00   | 0.00   | 0.00   |

| Account No<br>Customer Name | Reference No  | Tax Lot | WTR<br>DEP    | SWR           | GBG            | MIS          | PEN          |
|-----------------------------|---------------|---------|---------------|---------------|----------------|--------------|--------------|
| 034706-000<br>JOSE GONZALEZ | 02-03-1795    |         | -8.81<br>0.00 | -7.82<br>0.00 | -17.33<br>0.00 | 0.00<br>0.00 | 0.00<br>0.00 |
| 034769-000                  | 07-02-1620    |         | -18.41        | -22.63        | -78.62         | 0.00         | 0.00         |
| CLARENCE GOREE              |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 015622-000                  | 12-01-1000    |         | -17.50        | -62.54        | -46.46         | 0.00         | 0.00         |
| APOLONIA GRANADO            |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 026061-000                  | 09-02-1037-00 |         | 0.00          | 0.00          | 0.00           | 0.00         | -30.00       |
| JOSE GURROLA                |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 034337-000                  | 04-05-4387    |         | -21.22        | -33.04        | -77.12         | 0.00         | 0.00         |
| VICTORIA GUTIERREZ          |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 034261-000                  | 07-02-2926    |         | -26.19        | -70.18        | -65.12         | 0.00         | 0.00         |
| ZACHARY HALES               |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 028157-000                  | 04-05-3890    |         | 0.00          | 0.00          | 0.00           | 0.00         | -30.00       |
| BLAKE HAMEL                 |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 033174-000                  | 06-03-1830    |         | -0.90         | -8.09         | -23.23         | 0.00         | 0.00         |
| KIMBERLY HANSETT            |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 030248-000                  | 07-02-1725    |         | -4.20         | -14.03        | -35.94         | 0.00         | 0.00         |
| ADAM HARGROVE               |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 006188-000                  | 02-02-1350    |         | -5.01         | -11.86        | -34.07         | 0.00         | 0.00         |
| NATHANIEL HARLIE            |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 027550-001                  | 14-03-2105    |         | 0.00          | -11.75        | -19.88         | 0.00         | 0.00         |
| OLENE HARRIS                |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 028730-000                  | 12-03-2670    |         | 0.00          | 0.00          | 0.00           | 0.00         | -30.00       |
| TIMMY HART                  |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 005735-001                  | 07-02-2008    |         | -13.66        | -52.08        | -68.82         | 0.00         | 0.00         |
| RENEE HENRY                 |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 034782-000                  | 14-02-1977    |         | -9.03         | -7.27         | -27.51         | 0.00         | 0.00         |
| JOSE HERNANDEZ              |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 023303-001                  | 10-01-0645    |         | 0.00          | 0.00          | 0.00           | 0.00         | -30.00       |
| DEAVAN HODNETT              |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 005652-000                  | 01-04-3100    |         | -10.27        | -10.34        | -25.61         | 0.00         | 0.00         |
| PATSY HOLBORN               |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 035076-000                  | 04-08-6980    |         | 0.00          | 0.00          | -2.80          | 0.00         | 0.00         |
| ALICIA HOLCOMB              |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 016387-002                  | 15-06-4860    |         | -16.68        | -24.33        | -32.50         | 0.00         | 0.00         |
| JOSEPH HOWELL               |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 032775-000                  | 14-03-3170    |         | 0.00          | -3.07         | -14.61         | 0.00         | 0.00         |
| GARY HUTCHENS               |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |
| 007534-001                  | 03-05-2635    |         | -20.49        | -72.64        | -92.80         | 0.00         | 0.00         |
| JOHNNY JACOBS               |               |         | 0.00          | 0.00          | 0.00           | 0.00         | 0.00         |

| Account No<br>Customer Name | Reference No | Tax Lot | WTR<br>DEP | SWR    | GBG    | MIS  | PEN    |
|-----------------------------|--------------|---------|------------|--------|--------|------|--------|
| 026966-001                  | 02-05-3800   |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| OSCAR JUAREZ                |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034473-000                  | 07-01-0355   |         | -49.97     | 0.00   | -70.85 | 0.00 | 0.00   |
| REEGAN KEITH                |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 031526-000                  | 10-06-4225   |         | -26.77     | -28.02 | -46.28 | 0.00 | 0.00   |
| KENDRA KELLEY               |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 013194-000                  | 09-03-1945   |         | -3.18      | -42.63 | -34.07 | 0.00 | 0.00   |
| WILLIE KING                 |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 026968-000                  | 02-04-2895   |         | -18.57     | -6.10  | -10.40 | 0.00 | 0.00   |
| DEBORAH LASATER             |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 028772-000                  | 04-05-4415   |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| SCOTT LEAVITT               |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 031233-000                  | 19-01-0133   |         | -2.66      | -6.23  | -16.06 | 0.00 | 0.00   |
| BERTA LEI                   |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 027704-001                  | 01-04-2920   |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| DAVID LIKES                 |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034270-000                  | 17-06-4655   |         | 0.00       | -0.79  | -6.12  | 0.00 | 0.00   |
| RUBEN LLAMAS                |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 013792-001                  | 05-05-3585   |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| FREDDIE JR LONGORIA         |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 027889-001                  | 16-01-1235   |         | -16.30     | -26.57 | 0.00   | 0.00 | 0.00   |
| ANGELICA LOPEZ              |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 027657-000                  | 06-01-0250   |         | 0.00       | 0.00   | -11.10 | 0.00 | 0.00   |
| MELISSA LOWERY              |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 027700-001                  | 16-04-4600   |         | 0.00       | 0.00   | -2.98  | 0.00 | 0.00   |
| DENNIS LOYED                |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 016328-001                  | 14-03-3055   |         | 0.00       | -11.19 | -22.45 | 0.00 | 0.00   |
| RITA LUJAN                  |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034554-000                  | 05-04-2905   |         | -7.40      | -23.34 | -46.46 | 0.00 | 0.00   |
| VICTOR MAESTAS              |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 025394-001                  | 12-05-5015   |         | 0.00       | 0.00   | 0.00   | 0.00 | -50.00 |
| VICTORIA MARQUEZ            |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 035122-000                  | 15-04-2250   |         | -11.84     | -13.28 | -15.90 | 0.00 | 0.00   |
| TOMAS MARRUFO               |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 033634-001                  | 15-05-3215   |         | -21.35     | -34.88 | -45.41 | 0.00 | 0.00   |
| DANIELLE MARSHALL           |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 032948-001                  | 14-02-1105   |         | -47.04     | -87.92 | -84.29 | 0.00 | 0.00   |
| JESUS MARTINEZ              |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034705-000                  | 15-04-2115   |         | -29.37     | -57.06 | -61.06 | 0.00 | 0.00   |
| LUPE MARTINEZ               |              |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |



| Account No<br>Customer Name | Reference No  | Tax Lot | WTR<br>DEP | SWR     | GBG     | MIS  | PEN    |
|-----------------------------|---------------|---------|------------|---------|---------|------|--------|
| 034602-000                  | 03-06-3595    |         | -20.25     | -23.99  | -89.70  | 0.00 | 0.00   |
| GUSTAVO MARTINEZ            |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 008794-000                  | 04-08-6955    |         | -127.73    | -34.21  | -52.08  | 0.00 | 0.00   |
| KATHEY MATHEWS              |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 033665-000                  | 04-01-0275    |         | -30.66     | -74.69  | -62.70  | 0.00 | 0.00   |
| CHARLES MCCURTER            |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 035343-000                  | 07-02-2053    |         | -1.45      | -15.48  | -17.04  | 0.00 | 0.00   |
| CHRISTINE MEDEI ROS         |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 006329-001                  | 07-02-2666    |         | -17.84     | -73.95  | -73.41  | 0.00 | 0.00   |
| YESENIA MEDRANO             |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 034746-000                  | 02-03-2365    |         | -6.67      | -4.50   | -19.76  | 0.00 | 0.00   |
| CESAR MELCHOR               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 026202-001                  | 14-02-2018    |         | -39.96     | -102.53 | -36.82  | 0.00 | -95.00 |
| LEIGH MILLER                |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 005487-001                  | 07-02-2624    |         | -9.80      | -14.83  | 0.00    | 0.00 | 0.00   |
| TERESA MONK                 |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 012750-003                  | 14-05-4320    |         | -13.85     | -36.77  | -46.95  | 0.00 | 0.00   |
| CRYSTAL MONTEZ              |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 033748-000                  | 13-03-1470    |         | -15.46     | -5.28   | -16.12  | 0.00 | 0.00   |
| DESIREE MOORE               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 033153-003                  | 11-03-1843    |         | -6.83      | -8.09   | -23.23  | 0.00 | 0.00   |
| BERNICE MORENO              |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 032522-000                  | 14-03-3400    |         | -2.72      | -23.58  | -29.82  | 0.00 | 0.00   |
| ADOLFO MORFIN               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 030507-000                  | 02-04-3165    |         | -22.60     | -75.98  | -117.17 | 0.00 | 0.00   |
| MARIA MUNIZ - CASTANEDA     |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 025798-000                  | 04-01-0340-32 |         | 0.00       | 0.00    | 0.00    | 0.00 | -30.00 |
| AMANDA MYRICK               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 033736-000                  | 17-06-4671    |         | -11.45     | -19.45  | -40.94  | 0.00 | 0.00   |
| RACHEL OCHOA                |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 027284-000                  | 09-02-0595    |         | 0.00       | 0.00    | 0.00    | 0.00 | -30.00 |
| DEBBIE OLGUIN               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 014278-000                  | 10-05-3225    |         | -11.52     | -25.04  | -39.50  | 0.00 | 0.00   |
| MARVIN OWENS                |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 034694-000                  | 15-07-0125    |         | -8.86      | -12.11  | -30.75  | 0.00 | 0.00   |
| NICOLE PARKER               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 029933-000                  | 05-04-2865    |         | 0.00       | 0.00    | -3.02   | 0.00 | 0.00   |
| RONALD PAXTON               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |
| 033521-000                  | 16-07-0371    |         | -16.04     | -29.89  | 0.00    | 0.00 | 0.00   |
| PHILIP PHIPPS               |               |         | 0.00       | 0.00    | 0.00    | 0.00 | 0.00   |

| Account No<br>Customer Name | Reference No  | Tax Lot | WTR<br>DEP | SWR    | GBG    | MIS  | PEN    |
|-----------------------------|---------------|---------|------------|--------|--------|------|--------|
| 028906-000                  | 10-05-2885    |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| JORGE PORRAS                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034536-000                  | 03-01-0015    |         | -16.62     | -21.98 | -76.96 | 0.00 | 0.00   |
| POUR UP NEWTRISION LOUNGE   |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 006264-002                  | 15-06-4605    |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| RACHEL RADCLIFF             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 033735-000                  | 01-04-2815    |         | -3.75      | -3.51  | -10.06 | 0.00 | 0.00   |
| JUSTIN RAMOS III            |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 027064-001                  | 10-01-0155    |         | 0.00       | 0.00   | 0.00   | 0.00 | -55.00 |
| VANESSA REYNOLDS            |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 024450-002                  | 17-08-0451    |         | -6.28      | -12.41 | 0.00   | 0.00 | 0.00   |
| JON C RIDGE                 |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 035083-000                  | 19-01-0230    |         | -1.37      | -8.27  | -27.88 | 0.00 | 0.00   |
| LAIURA RIVERA               |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 033238-000                  | 07-02-1762    |         | -0.90      | 0.00   | -6.59  | 0.00 | 0.00   |
| CONCEPCION RIVERA           |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034251-000                  | 07-03-3685    |         | -18.35     | -28.48 | -40.89 | 0.00 | 0.00   |
| JAIIME RIVERA               |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 032258-001                  | 11-04-2850    |         | -27.24     | -83.45 | -89.97 | 0.00 | 0.00   |
| HEATHER ROBERTS             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 033994-000                  | 16-03-3565    |         | -11.38     | -13.48 | -56.87 | 0.00 | 0.00   |
| MARIO ROBLES                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 007682-002                  | 14-04-3715-10 |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| ERIKA RODRIGUEZ             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 025972-000                  | 06-02-0925-01 |         | 0.00       | 0.00   | 0.00   | 0.00 | -30.00 |
| JASON RODRIGUEZ             |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 026852-002                  | 11-01-0505    |         | -56.11     | -96.00 | -65.76 | 0.00 | 0.00   |
| BENJAMIN RODRIGUEZ          |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034893-000                  | 05-02-1045    |         | -43.49     | -82.48 | -36.76 | 0.00 | 0.00   |
| FLORA ROMERO                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 034051-001                  | 15-01-0960    |         | -12.03     | -15.16 | 0.00   | 0.00 | 0.00   |
| STEVEN ROSS                 |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 035063-000                  | 10-06-4200    |         | -20.00     | -26.94 | -64.55 | 0.00 | 0.00   |
| HEATHER ROSS                |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 026763-001                  | 01-03-1705    |         | -19.00     | -25.77 | -83.17 | 0.00 | 0.00   |
| JUAN SAENZ                  |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 032398-000                  | 02-04-3235    |         | -6.31      | -14.23 | -29.43 | 0.00 | 0.00   |
| BONNIE SALAZAR              |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |
| 024426-001                  | 14-02-1970    |         | -14.18     | -19.16 | -48.81 | 0.00 | 0.00   |
| BRITTANY SALAZAR            |               |         | 0.00       | 0.00   | 0.00   | 0.00 | 0.00   |

| Account No<br>Customer Name | Reference No | Tax Lot | WTR<br>DEP | SWR     | GBG    | MIS  | PEN    |
|-----------------------------|--------------|---------|------------|---------|--------|------|--------|
| 007893-001                  | 04-05-3970   |         | -14.03     | -27.14  | -27.72 | 0.00 | 0.00   |
| URSULA SALAZAR              |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 029820-000                  | 17-08-0263   |         | -7.34      | -15.09  | 0.00   | 0.00 | 0.00   |
| MICHAEL SALINAS             |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 028868-000                  | 04-01-0135   |         | 0.00       | 0.00    | 0.00   | 0.00 | -30.00 |
| JESS SALTZMAN               |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 031701-001                  | 02-03-2230   |         | -7.79      | -5.19   | -16.36 | 0.00 | 0.00   |
| JOSE SANCHEZ                |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 011058-001                  | 04-02-0924   |         | -7.80      | -6.08   | -13.09 | 0.00 | 0.00   |
| AMANDA SHERLIN              |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 005345-001                  | 14-01-0290   |         | -49.62     | -69.04  | -75.20 | 0.00 | -5.00  |
| PEGGY SHIFFLETT             |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 028959-000                  | 12-06-5772   |         | 0.00       | 0.00    | 0.00   | 0.00 | -30.00 |
| ELSA SILVA                  |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 030626-001                  | 17-03-0861   |         | -9.36      | -19.16  | -32.13 | 0.00 | 0.00   |
| ERIC SMITH                  |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 032936-000                  | 14-02-1445   |         | -10.76     | -19.13  | -33.96 | 0.00 | 0.00   |
| BRIAN SMITH                 |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 030468-001                  | 05-05-3790   |         | -27.78     | -108.04 | -18.45 | 0.00 | 0.00   |
| CARRIE STEVENS              |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 035012-000                  | 14-04-3958   |         | -92.56     | -183.33 | -52.55 | 0.00 | 0.00   |
| BRITTANYE STORM             |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 034180-000                  | 14-03-2705   |         | -26.58     | -37.57  | -58.01 | 0.00 | 0.00   |
| EARL SWAIN                  |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 034472-000                  | 10-05-2555   |         | -75.99     | -73.51  | -62.61 | 0.00 | 0.00   |
| LINDA TABER                 |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 034526-000                  | 15-01-1020   |         | -5.16      | -12.13  | 0.00   | 0.00 | 0.00   |
| HEATHER TAYLOR              |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 028969-000                  | 08-02-1815   |         | 0.00       | 0.00    | 0.00   | 0.00 | -30.00 |
| MARKUS TERRELL              |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 032117-000                  | 01-04-3265   |         | 0.00       | -12.96  | -17.04 | 0.00 | 0.00   |
| CHARLES THOMPSON            |              |         | -42.03     | 0.00    | 0.00   | 0.00 | 0.00   |
| 034170-000                  | 04-01-0197   |         | 0.00       | -124.36 | -59.63 | 0.00 | 0.00   |
| APRIL TORREZ                |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 033914-000                  | 13-03-1830   |         | -18.83     | -38.87  | -72.64 | 0.00 | 0.00   |
| LORENZO TREVIZO             |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 034160-000                  | 17-06-4637   |         | 0.00       | -0.77   | -20.03 | 0.00 | 0.00   |
| AMBER VEGA                  |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |
| 007468-002                  | 14-03-2200   |         | -18.41     | -67.84  | -78.01 | 0.00 | 0.00   |
| CHRISTINA VILLEGAS          |              |         | 0.00       | 0.00    | 0.00   | 0.00 | 0.00   |

| Account No<br>Customer Name | Reference No | Tax Lot      | WTR<br>DEP | SWR       | GBG       | MIS    | PEN        |
|-----------------------------|--------------|--------------|------------|-----------|-----------|--------|------------|
| 033892-000                  | 17-02-0146   |              | 0.00       | -4.28     | -22.05    | 0.00   | 0.00       |
| WHATS UP? WIRELESS LLC      |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
| 033892-001                  | 17-02-0147   |              | 0.00       | -4.28     | -22.05    | 0.00   | 0.00       |
| WHATS UP? WIRELESS LLC      |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
| 027753-000                  | 07-02-2355   |              | 0.00       | 0.00      | 0.00      | 0.00   | -30.00     |
| SCOTTIE WHITEHEAD           |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
| 035045-000                  | 08-03-2960   |              | -15.50     | -18.32    | -19.59    | 0.00   | 0.00       |
| JASMINE WILLIAMS            |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
| 029431-002                  | 07-01-0351   |              | -39.56     | 0.00      | -70.54    | 0.00   | 0.00       |
| JANE WILLIAMS               |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
| 027365-000                  | 12-05-4655   |              | 0.00       | 0.00      | 0.00      | 0.00   | -30.00     |
| ANITA ZAPATA                |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
|                             |              |              | -2,336.83  | -4,182.67 | -5,334.66 | -20.00 | -1,315.00  |
|                             |              |              | 0.00       | 0.00      | 0.00      | 0.00   | 0.00       |
|                             |              | Batch Total: |            |           |           |        | -13,189.16 |



# CITY OF HOBBS

## COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

SUBJECT: RFP # 481-16 Janitorial Services for Various Buildings  
DEPT. OF ORIGIN: General Services  
DATE SUBMITTED: June 9, 2016  
SUBMITTED BY: Ronny Choate, Director of General Services

**Summary:**

RFP's were received and opened at 2:00 PM on April 28, 2016. Two firms responded to the request for Proposals. The two firms were:

Community Maintenance, Hobbs, NM.

Kleen-Tech Services Corporation., Clovis NM. (Headquarters in Denver, Colorado)

A selection committee reviewed the proposals from both firms and made a determination as to which firm was best suited for the Janitorial Services.

The highest rated firm was Community Maintenance..

The Selection Committee was comprised of the following City Staff.

- Toby Spears, Finance Director
- Britt Lusk, Teen Center Manager
- Shannon Carter, Court Clerk
- Ronny Choate, Director of General Services

The RFP requested proposals for services on six different buildings. They were City Garage, Motor Vehicle, Teen Center, Municipal Court, Streets/ Traffic and Building Maintenance. The City reserved the right to award individually or award in a single contract. It was determined that it was in the best interest of the City to award all in one contract.

**Fiscal Impact:**

Reviewed By: 

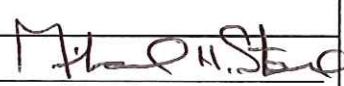
Finance Department

There are ample funds budgeted to cover all the services. They are all within budget.

**Attachments:**

Evaluation Form

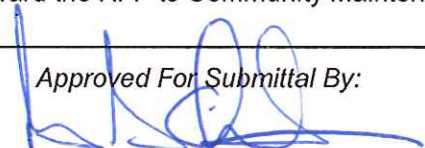
**Legal Review:**

Approved As To Form: 

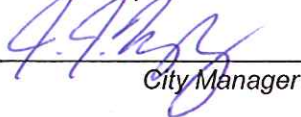
City Attorney

**Recommendation:**

Award the RFP to Community Maintenance of Hobbs, NM

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. \_\_\_\_\_

Janitorial Services for Various Buildings 2016

Evaluation Form:

|                    | Community Maintenance | Kleen - Tech | value |
|--------------------|-----------------------|--------------|-------|
| Yearly Cost        | 35                    | 29           | 35%   |
| Reference check    | 30                    | 30           | 30%   |
| Minimum Experience | 20                    | 20           | 20%   |
| Proposed Staffing  | 15                    | 15           | 15%   |
|                    | 100                   | 94           |       |

\* = Proposals Did NOT Acknowledge Bid PRETENDERS.

*[Handwritten Signature]*  
*[Handwritten Signature]*  
 Shannon Castle  
*[Handwritten Signature]*

PROPOSAL NO. 481-16

JANITORIAL SERVICES FOR THE NEW VARIOUS BUILDINGS

EACH OFFEROR MUST COMPLETE THE FOLLOWING STATEMENT:

Proposal of \_\_\_\_\_ proposes to furnish the following.

| ITEM NO. | DESCRIPTION              | TOTAL PRICE |
|----------|--------------------------|-------------|
| 1        | GARAGE                   | \$ 5640.00  |
| 2        | MOTOR VEHICLE DEPARTMENT | \$ 13140.00 |
| 3        | TEEN CENTER              | \$ 9020.00  |
| 4        | MUNICIPAL COURT          | \$ 13493.04 |
| 5        | STREET & TRAFFIC         | \$ 5979.96  |
| 6        | MAINTENANCE BUILDING     | \$ 3900.00  |

A. Special services Per hour rate of \$ 20<sup>00</sup> estimated 20 hours \$ 400.00

TOTAL \$ 51573.00

\*\*\*\*\*6 TOTAL ITEMS(S)\*\*\*\*\*

PROPOSAL NO. 481-16

JANITORIAL SERVICES FOR THE NEW VARIOUS BUILDINGS

EACH OFFEROR MUST COMPLETE THE FOLLOWING STATEMENT:

Proposal of Kleen-Tech Services Corp. proposes to furnish the following.

| ITEM NO. | DESCRIPTION              | TOTAL PRICE       |
|----------|--------------------------|-------------------|
| 1        | GARAGE                   | \$ 273.00/month   |
| 2        | MOTOR VEHICLE DEPARTMENT | \$ 1,285.00/month |
| 3        | TEEN CENTER              | \$ 2,131.00/month |
| 4        | MUNICIPAL COURT          | \$ 1,181.00/month |
| 5        | STREET & TRAFFIC         | \$ 231.00/month   |
| 6        | MAINTENANCE BUILDING     | \$ 211.00/Month   |

A. Special services Per hour rate of \$ 315.00 for 20 hours  
 \$ 15.75 estimated 20 hours

TOTAL \$ 5,627.00/month  
 67524.00

\*\*\*\*\*6 TOTAL ITEMS(S)\*\*\*\*\*





CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

SUBJECT: Award Bid No 1547-16 TO FURNISH MEDICATIONS FOR HOBBS ANIMAL ADOPTION CENTER

DEPT. OF ORIGIN: Community Services
DATE SUBMITTED: June 14, 2016
SUBMITTED BY: Britt Lusk, HAAC/TRC Supervisor

Summary:

Bids were opened at 9:00 AM on Tuesday, June 14, 2016 to furnish medications for the Hobbs Animal Adoption Center. The bid consists of medications and supplies used by the Hobbs Animal Adoption Center during spay/neuter surgeries, as well as vaccinations used during intake of all animals brought to the adoption center.

An advertisement was placed in the local newspaper. One bid was submitted by Lambert Vet Supply

The medication indefinite quantity bid process was used since the City of Hobbs budget amounts are exceeding \$60,000 as per procurement ordinance.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

Budget amount = \$150,000
Indefinite quantity amount is approximately \$80,000
Acct# 010340 42311

Attachments:

List of items included in bid

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

Staff recommends Lambert Vet Supply for furnishing medications.

Approved For Submittal By:

[Signature] Department Director
[Signature] City Manager

CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN

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



REQUEST FOR BIDS

FURNISH MEDICATIONS FOR HOBBS ANIMAL ADOPTION CENTER

BID NO 1547-16

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**DUE DATE/TIME: 2:00P.M. JUNE 7, 2016**

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Advertisement

MAY 22, 2016

Time and Date of Pre-Submittal Conference

N/A – WILL NOT BE HELD

Time and Date Set for Submittal

2:00 P.M., JUNE 7, 2016

INVITATION TO BID

FURNISH MEDICATIONS FOR HOBBS ANIMAL ADOPTION CENTER

Bid of 1547-16 Bidders to furnish the following.

Company Lambert Vet Supply  
 Name Shannon Snider  
 Shannon@lambertvetSupply.com  
 1-402-729-8010

| ITEM NO. | DESCRIPTION                            | UNIT PRICE                   |
|----------|--|------------------------------|
| 1        | #40 CLIPPER BLADES                     | \$19.00                      |
| 2        | 0.9% SODIUM CHLORIDE FLUIDS            | \$9.99 Script required       |
| 3        | 12cc LEURLOCK SYRINGE Box of 80        | \$27.00                      |
| 4        | 14 Qt SHARPS CONTAINERS                | N/A                          |
| 5        | 18G X 1" NEEDLES                       | \$11.99                      |
| 6        | 19G X 1" NEEDLES                       | N/A                          |
| 6        | 20G X 1 1/2" NEEDLES                   | N/A                          |
| 7        | 20G X 1" NEEDLES                       | \$11.99                      |
| 8        | 22G X 3/4" NEEDLES                     | \$11.99                      |
| 9        | 23G X 3/4" NEEDLES                     | N/A                          |
| 10       | 25G X 5/8" NEEDLES                     | \$11.99                      |
| 11       | 3cc LEURLOCK SYRINGE                   | \$14.99                      |
| 12       | 3X3 GAUZE                              | N/A                          |
| 13       | 6 cc LEURLOCK SYRRINGE                 | \$14.99                      |
| 14       | ACCELL CLEANER                         | N/A                          |
| 15       | ACEPROMAZINE injectable 50ml           | \$21.99 Script required      |
| 16       | ALBON ORAL AND TABLETS                 | Call Sorpman Script required |
| 17       | ALOETOUCH GLOVES (S,M,L)               | N/A                          |
| 18       | AMOXICILLIN SUSPENSION 250mg X 150ml   | \$7.99 Script required       |
| 19       | ANTIVENIN                              | N/A                          |
| 20       | ATROPINE                               | N/A                          |
| 21       | BIOMOX SUSPENSION 50mg X 15ml          | \$16.99 Script required      |
| 22       | BLOOD COLLECTION TUBES Red 3ml X 100ct | \$24.99                      |
| 23       | BRONCHISHIELD III                      | \$99.99                      |
| 24       | BRONCHI-SHIELD ORAL                    | \$229.99                     |
| 25       | CATGUT O CASSETTE                      | N/A                          |

| ITEM NO. | DESCRIPTION                      | UNIT PRICE                  |
|----------|----------------------------------|-----------------------------|
| 26       | CHLORHEXIDINE SCRUB              | N/A                         |
| 27       | CURAMUNE Cv-K Duramune CVK       | N/A                         |
| 28       | DURAMUNE ADULT 3                 | N/A                         |
| 29       | DURAMUNE LYME                    | N/A                         |
| 30       | DURAMUNE LYME +LEPTOVAX 4        | N/A                         |
| 31       | DURAMUNE LYME+MAX 5-CvK/4L       | N/A                         |
| 32       | DURAMUNE MAX 5                   | \$ 89.75                    |
| 33       | DURAMUNE MAX 5-CvK               | \$ 149.75                   |
| 34       | DURAMUNE MAX 5-CvK/4L            | \$ 170.00                   |
| 35       | ELASTIC ADHESIVE BANDAGES        | N/A                         |
| 36       | ELIZABETHIAN COLLARS #18 inch    | \$ 7.99                     |
| 37       | ENDOTRACHAEL TUBES VARIOUS SIZES | N/A                         |
| 38       | ENROFLOXACIN 22.7mg X100 Tabs    | \$ 59.99                    |
| 39       | ENTERDERM OINTMENT               | N/A                         |
| 40       | EZ SCRUB BRUSH                   | N/A                         |
| 41       | FECAL LOOPS                      | \$ 4.99                     |
| 42       | FEL-O-FIV                        | N/A                         |
| 43       | FEL-O-GUARD PLUS 3               | \$ 69.99                    |
| 44       | FEL-O-GUARD PLUS 3 +LVK          | \$ 229.99                   |
| 45       | FEL-O-GUARD PLUS 4               | \$ 79.99                    |
| 46       | FEL-O-GUARD PLUS 4 + LVK         | \$ 423.60                   |
| 47       | FEL-O-VAX IV + CALICIVAX         | N/A                         |
| 48       | FEL-O-VAX Lv-K                   | \$ 189.99                   |
| 49       | FEL-O-VAX Lv-K /FIV              | N/A                         |
| 50       | FEL-O-VAX Lv-K III + CALICIVAX   | N/A                         |
| 51       | FEL-O-VAX Lv-K IV + CALICIVAX    | N/A                         |
| 52       | FEL-O-VAX PCT + CALICIVAX        | \$ 74.99                    |
| 53       | GRANULEX AEROSOL SPRAY           | N/A                         |
| 54       | IV FLUID ADMIN KITS              | \$ 4.99                     |
| 55       | JORGENSON SURGICAL DRAPE         | N/A                         |
| 56       | KENNEL PADS                      | N/A                         |
| 57       | KETAMINE                         | N/A                         |
| 58       | LAPTOVAX 4/C                     | N/A                         |
| 59       | LEPTOVAX 4                       | \$ 129.99                   |
| 60       | METACAM INJECTABLE SOLUTION      | N/A                         |
| 61       | MILTEX EZ ENZYME                 | N/A                         |
| 62       | NARAMUNE-2                       | N/A                         |
| 63       | OK STERILIZATION INDICATOR       | N/A                         |
| 64       | OVITROL FLEA AND TICK FOR DOGS   | \$ 16.00                    |
| 65       | PANACUR 1000 ml                  | \$ 139.99 requires a Script |

| ITEM NO. | DESCRIPTION                          | UNIT PRICE                     |
|----------|--------------------------------------|--------------------------------|
| 66       | POWDERED SURGICAL GLOVES SIZE 6.5    | N/A                            |
| 67       | PREVAIL                              | N/A                            |
| 68       | RABIES TAGS                          | N/A                            |
| 69       | RABVAC 1 <i>10 dose</i>              | \$19.99                        |
| 70       | RABVAC 3 <i>10 dose</i>              | \$19.99                        |
| 71       | RAPID PARVO TESTS                    | \$108.00                       |
| 72       | SCALPEL BLADES #10 <i>100 blades</i> | \$29.99                        |
| 73       | STERILE INDICATOR TAPE               | N/A                            |
| 74       | STONGID T <i>32oz</i>                | \$94.99 <i>Script required</i> |
| 75       | SUGICAL SKIN ADHESIVE                | N/A                            |
| 76       | SURE CHECK STERILE PACKS             | N/A                            |
| 77       | SUTURE 2/0 AND 0                     | N/A                            |
| 78       | TELAZOL                              | N/A                            |
| 79       | ULTRA DURAMUNE 4L                    | N/A                            |
| 80       | ULTRA DURAMUNE DAP                   | N/A                            |
| 81       | ULTRA DURAMUNE DAP +4L               | N/A                            |
| 82       | ULTRA DURAMUNE DAP +C/4L             | N/A                            |
| 83       | ULTRA DUURAMUNE DAP +C               | N/A                            |
| 84       | ULTRA FEL-O-VAX DUAL FCV             | N/A                            |
| 85       | ULTRA FEL-O-VAX FELV                 | N/A                            |
| 86       | ULTRA FEL-O-VAX FVRCP                | N/A                            |
| 87       | ULTRA FEL-O-VAX FVRCP + FELV         | N/A                            |
| 88       | UMBILICAL TAPE                       | N/A                            |
| 89       | VITAMIN K1 INJECTABLE                | N/A                            |
| 90       | XYLAZINE                             | N/A                            |
| 91       | ZYDACLIN ORAL                        | N/A                            |

\*\*\*\*\*91 TOTAL ITEMS\*\*\*\*\*

\*PLEASE NOTE ANY QUANTITIES TO  
SCALE



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

SUBJECT: RESOLUTION TO APPROVE AN ENCROACHMENT AGREEMENT TO PERMIT EXISTING STRUCTURES IN THE CITY RIGHT-OF-WAY AT PROPERTY LOCATED SOUTHWEST OF THE INTERSECTION OF E. LLANO DRIVE AND BRAZOS AVENUE.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: June 13, 2016
SUBMITTED BY: Kevin Robinson - Planning Department

Summary: The City has been requested to issue an Encroachment Easement in order to facilitate a pending conveyance of property located at 1315 E. Llano. The Encroachment Easement will be granted to Troy Lee Kinkead for existing non-habitable structures occupying public property located southwest of the intersection of E. Llano Drive and Brazos Avenue, Lot 5, Block 2, Unit Seven, Bel Aire Addition.

Fiscal Impact: Reviewed By: [Signature] Finance Department

The Encroachment Agreement and Encroachment Easement does not impact the City budget.

Attachments: Resolution; Encroachment Agreement; Encroachment Easement.

Legal Review: Approved As To Form: [Signature] City Attorney

Recommendation: Consideration of approval of the Resolution to approve the Encroachment Agreement and the Encroachment Easement.

Approved For Submittal By: [Signatures]
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. 6453.

**A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT AND AN ENCROACHMENT EASEMENT IN THE CITY RIGHT-OF-WAY AT LOT 5, BLOCK 2, UNIT SEVEN, OF THE BEL AIRE ADDITION.**

WHEREAS, the City has been requested to approve an Encroachment Easement to permit existing non-habitable structures located in the City right-of-way at Lot 5, Block 2, Unit Seven, Bel Aire Addition to the City of Hobbs, Lea County, New Mexico; and

WHEREAS, the City has therefore determined that the Encroachment Agreement and the Encroachment Easement should be approved.

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

1. The City of Hobbs hereby approves the Encroachment Agreement and the Encroachment Easement as attached hereto and made a part of this Resolution and the Mayor is hereby authorized to execute the same; and

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

PASSED, ADOPTED AND APPROVED this 20<sup>th</sup> day of June, 2016.

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

ATTEST:

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

## ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT (hereinafter "Agreement"), entered into this 20<sup>th</sup> day of June, 2016, between Troy Lee Kinkead, 1315 E. Llano Drive, Hobbs, NM 88240, (hereinafter "Citizen") and the City of Hobbs, New Mexico, a New Mexico Municipal Corporation (hereinafter "City").

### RECITALS:

WHEREAS, Citizen is the owner of certain real property located southeast of the intersection of N. Oriole Drive and E. Llano Drive in Hobbs, comprising Lot 5, Block 2, Unit Seven, Bel Aire Addition;

WHEREAS, the parties recognize that certain non-habitable improvements have been constructed upon the above described property, which may encroach into the dedicated right- of-way,

NOW, THEREFORE, in consideration of the following covenants, premises, and other considerations, the parties agree as follows;

1. The City agrees to allow the encroachment of the aforementioned improvements at the location further described in Exhibit A attached hereto on the dedicated right-of-way property, and approve the Encroachment Easement, Exhibit B attached hereto, provided the Citizen complies with the terms of this Agreement.
2. City Use of City's Property and City Liability: The City has the right to enter upon the City's Property at any time and perform whatever maintenance, inspection, repair, modification or reconstruction it deems appropriate without liability to the Citizen.
3. Citizen's Responsibility for Improvement: The Citizen will be solely responsible for maintenance of the improvement as deemed necessary either by the Citizen or the City. The Citizen will be responsible for paying all related costs of said maintenance. The Citizen agrees to not permit the improvement to become or constitute a hazard to the public health or safety, and to keep the improvement properly maintained. Citizen further agrees not to interfere with the City's use of the City's Property, and to comply with all applicable laws, ordinances and regulations. Citizen agrees that no addition or extension to the improvement will be constructed, without the written consent of the City.
4. Removal or Relocation of Improvement: At some time in the future, the City may require the improvement to be removed or relocated from City's Property. Such relocation would occur at such time that the municipal infrastructure within the right – of - way is required to be reconstructed or widened, as deemed necessary by the City to insure proper and efficient maintenance thereof; or for utility improvements deemed necessary by the City.



5. Financial Responsibility for Removal and Relocation: If and when the improvement is required to be relocated in the future, financial responsibility for removal and relocation of the improvement will be the sole responsibility of the Citizen to relocate the improvement from the City's right-of-way property.

6. Condemnation of Improvement: If Citizen allows or permits the improvement to become deteriorated or to become a threat to the public health, safety and welfare, the City may institute condemnation proceedings to remove Citizen's improvement from City's Property. If any part of the Citizen's improvement is ever condemned by the City, the Citizen will forego all claims to compensation for any portion of Citizen's improvement which encroaches on City Property.

7. Notice: For purposes of giving formal written notice to the Citizen, Citizen's address shall be the address of record for ownership of property, as listed in the official records of the County Clerk's Office for Lea County, New Mexico. Notice may be given to the Citizen either in person or by mailing the notice by certified, return receipt U.S. mail, postage paid. Notice will be considered to have been received by the Citizen, when the return receipt mail card is received by the City.

8. Indemnification: The Citizen covenant and agree that they will indemnify and save the City harmless from any and all liability, damage, expense, cause of action, suits, claims or judgments arising from injury to person or death or damage to property on or off the premises, arising or resulting from Citizen's actions, usage and property located on the City right-of-way property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

9. Term: This Agreement may be terminated by removal of the improvement from the City right-of-way by either party. Termination by either party shall be effective ninety (90) days after mailing by a party of written notice of termination to the other party.

10. Binding on Citizen's Property: The obligations of the Citizen set forth herein shall be binding upon the Citizen, his/her heirs, assigns, purchasers and successors and on Citizen's Property, and constitute covenants running with Citizen's Property until released by the City.

11. Entire Agreement: This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

12. Changes to Agreement: Changes to this Agreement are not binding unless made in writing and signed by both parties.

13. Construction and Severability: If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

14. Extent of Agreement: Citizen understands and agrees that the Citizen is solely responsible for ascertaining whether Citizen's Improvement encroaches upon the property or facilities of any other entity and that by entering into this Agreement, the City makes no representations or warranties that the City's property is the only property affected by the encroachment.

15. Attorney's Fees and Costs: In the event this matter is litigated the Court shall award reasonable attorney fees to the prevailing party, notwithstanding in-house counsel represent a party.

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

Done and approved on the date first written above.

THE CITY OF HOBBS

CITIZEN

\_\_\_\_\_  
Mayor Sam D. Cobb

\_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jan Fletcher, City Clerk

Michael H. Stone  
Michael Stone, City Attorney

STATE OF NEW MEXICO )  
  ) (SS.  
COUNTY OF LEA                )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_, as owner of \_\_\_\_\_, to me personally known, who being by me duly sworn did say that he/she is the recorded owner of the property, and \_\_\_\_\_ acknowledged said instrument, and acknowledged that he executed the same as his free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid and year first written above.

\_\_\_\_\_  
Notary Public

My Commission Expires:

ENCROACHMENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the City of Hobbs, acting for good and valuable consideration, grants to Troy Lee Kinkead, 1315 E. Llano Drive, Hobbs, NM 88240, an encroachment easement over the following described lands located in Hobbs, Lea County, New Mexico, to-wit:

A strip of land approximately 6.7 feet wide and 128 feet long situated in the right-of-way adjacent to the south property line of Lot 5, Block 2, Unit Seven, Bel Aire Addition to the City of Hobbs, Lea County, New Mexico.

TO HAVE AND HOLD the encroachment easement unto Troy Lee Kinkead and it's successors and assigns forever **provided, however,** that only existing improvements shall be allowed within the encroachment easement and in the event that the non-habitable encroaching portion of the improvement within said easement as described herein is willfully removed or destroyed by grantee, or if at any future time said easement is needed for any type of municipal use, then said improvement shall be removed at the expense of the grantee and the easement canceled automatically.

Witness its hand this \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF HOBBS

by \_\_\_\_\_  
Sam D. Cobb, Mayor

\_\_\_\_\_  
Jan Fletcher, City Clerk

STATE OF NEW MEXICO )  
  )  
COUNTY OF LEA )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Sam D. Cobb, Mayor of the City of Hobbs, a municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

BUYER: ERIC D. SNEAD

GARY EIDSON, PS

P.O. BOX 2344

HOBBS, NEW MEXICO 88241

(575) 318-1157

W.O. #16140

DSS DATE: 5/25/16

**IMPROVEMENT LOCATION REPORT:**

THIS REPORT:

TO TITLE COMPANY: ELLIOTT & WALDRON TITLE AND ABSTRACT COMPANY COMMITMENT NUMBER: 16-840

TO UNDERWRITER: FIRST AMERICAN TITLE INSURANCE COMPANY

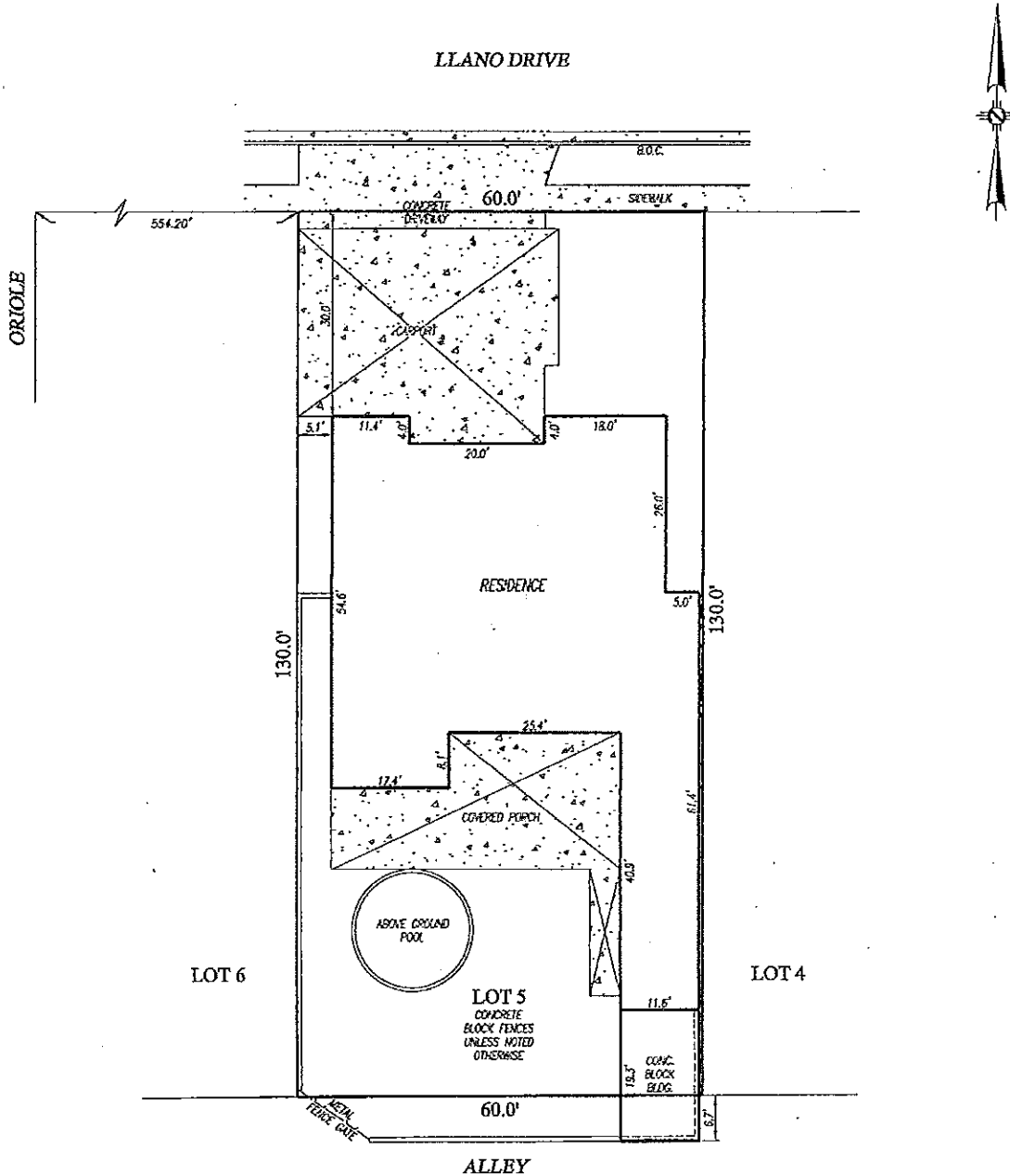
TO LENDER: ALLIANCE FINANCIAL RESOURCES, LLC

that on MAY 25, 2016, an accurate inspection was made by Gary Eidson, PS, of the premises situated in LOT 5, BLOCK 7, SECOND UNIT, BEL AIRE ADDITION TO THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO

1315 EAST LLANO

(street address if applicable)

PLAT REFERENCE: Bearings, distances and curve data are taken from the following plot (include filing information if available). SECOND UNIT, BEL AIRE ADDITION TO THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, FILED SEPTEMBER 16, 1952, IN BOOK 71, ON PAGE 417, IN THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO



THIS REPORT IS NOT FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE. THIS IS NOT A BOUNDARY SURVEY AND MAY NOT BE SUFFICIENT FOR REMOVAL OF THE SURVEY EXCEPTION FROM AN OWNER'S TITLE POLICY. IT MAY OR MAY NOT REVEAL ENCROACHMENTS, OVERLAPS, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE BOUNDARY SURVEY.

IMPROVEMENT LOCATION REPORT

THIS REPORT FURTHER STATES

as to the existence of the following at the time of my last inspection:

1. Evidence of rights of way, old highways or abandoned roads, lanes, trails or driveways, sewer, drains, water, gas or oil pipelines on or crossing said premises (show location, if none visible, so indicate):

NONE

2. Springs, streams, rivers, ponds, or lakes located, bordering on or through said premises:

NONE

3. Evidence of cemeteries or family burial grounds located on said premises (show location):

NONE

4. Overhead utility poles, anchors, pedestals, wires or lines overhanging or crossing said premises and serving other properties (show location):

NONE

5. Joint driveways or walkways, joint garages, party walls or rights of support, steps or roofs in common or joint garages:

NONE

6. Apparent encroachments. If the building, projections or cornices thereof, or signs affixed thereto, fences or other indications of occupancy appear to encroach upon or overhang adjoining property, or the like appear to encroach upon or overhang inspected premises, specify all such (show location):

CONCRETE BLOCK FENCE AND BUILDING APPEAR TO OCCUPY A PORTION OF THE ALLEY.

7. Specify physical evidence of boundary lines on all sides:

FENCE ON WEST AND EAST SIDES, ALLEY ON SOUTH SIDE, STREET ON NORTH SIDE OF LOT.

8. Is the property improved? (If structure appears to encroach or appears to violate set back lines, show approximate distances):

YES, SEE SKETCH

9. Indications of recent building construction, alterations or repairs:

NONE

10. Approximate distance of structure from at least two lot lines must be shown.

SEE SKETCH

Gary G. Eidson SURVEYOR 5/26/16 DATE

THE ABOVE INFORMATION IS BASED ON BOUNDARY INFORMATION TAKEN FROM A PREVIOUS SURVEY AND MAY NOT REFLECT THAT WHICH MAY BE DISCLOSED BY A BOUNDARY SURVEY.





# **ACTION ITEMS**



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20<sup>th</sup>, 2016

**SUBJECT: APPROVE AMENDMENT No. 2 SURFACE NONDISTURBANCE LAND USE RESTRICTION OR CONDITION ("LURC")**

DEPT. OF ORIGIN: Legal Department / Office of the City Manager  
DATE SUBMITTED: June 14, 2016  
SUBMITTED BY: Mike Stone, City Attorney

**Summary:** The City of Hobbs entered into a Development Agreement with Suerte Land Group, LLC concerning the installation of public infrastructure upon the developer's property in exchange for the fee simple transfer of 13+ acres for the Health Wellness and Learning Center (HWLC) Site.

The property has been deeded to the City of Hobbs, NMJC and Hobbs Municipal Schools. The attached Amendment No. 2 modifies the allowable drilling area, which does not impact the HWLC property. Since the City of Hobbs, NMJC and HMS have fee simple interest in property that was part of the original LURC, the City of Hobbs, NMJC and HMS are included in Amendment No. 2.

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_

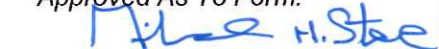
  
Finance Department

No Fiscal Impact

**Attachments:** Resolution, Amendment No. 2 ("LURC")

**Legal Review:**

Approved As To Form: \_\_\_\_\_

  
City Attorney

**Recommendation:**

Staff recommends that the Commission consider approving the Resolution authorizing the Mayor to execute Amendment No. 2 ("LURC")

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. 6454

**A RESOLUTION TO APPROVE  
COMMISSIONER OF PUBLIC LANDS  
NEW MEXICIO STATE LAND OFFICE  
AMENDMENT No. 2 - SURFACE NONDISTURBANCE  
LAND USE RESTRICTION OR CONDITION ("LURC")**

WHEREAS, the "City" entered into a Real Estate Purchase Agreement as approved by "City" Resolution No. 5261 and dated the 2<sup>nd</sup> day of March, 2008 and;

WHEREAS, Grantor "Suerte", granted to Grantee "City", surface title to that certain property described in Resolution No. 5261 by Warranty Deed, filed of record on the 12<sup>th</sup> day of March, 2009 in Book 1622, Page 270 of the Real Property records of Lea County, New Mexico, "Deed" and;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the Mayor be, and hereby is, authorized to execute Amendment No. 2 – Surface Nondisturbance Land Use Restriction or Condition ("LURC").

PASSED, ADOPTED AND APPROVED this 20<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
SAM D. COBB, MAYOR

ATTEST:

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

COMMISSIONER OF PUBLIC LANDS  
NEW MEXICO STATE LAND OFFICE  
**Amendment No. 2**  
SURFACE NONDISTURBANCE  
LAND USE RESTRICTION OR CONDITION  
("LURC")

LURC No. 09-07

This LURC is granted by the Commissioner of Public Lands for the State of New Mexico (the "Commissioner"), trustee for the State of New Mexico (the "State") under the Act of June 20, 1910, 36 stat. 557, ch. 310 (the "Enabling Act") (the "Trust") to The Suerte Land Group, LLC a New Mexico limited liability company ("Suerte") successor to Rayellen Resources, Inc. ("Rayellen"), and its successors and assigns and to the City of Hobbs, a local political subdivision of the State of New Mexico ("City") and to New Mexico Junior College, a New Mexico State educational institution ("NMJC"), and to the Board of Education of Hobbs Municipal School District, the governing board of a New Mexico local political subdivision ("District") as their ownership interests are depicted by the attached Exhibit "A" effective as of \_\_\_\_\_, 2016 and as previously filed of record in the State of New Mexico, County of Lea in Book 1533, Pg. 661 and as amended by Amendment No. 1 dated July 31, 2009, and filed of record in the State of New Mexico, County of Lea in Book 1642, Pg. 343.

1. Background and Purpose of LURC. On August 27, 2007 the Commissioner and Rayellen entered into an Agreement to Exchange Land (the "Exchange Agreement"), pursuant to which the Commissioner and Rayellen agreed to exchange land as set forth therein. Pursuant to the terms of that Exchange Agreement, Rayellen will acquire the surface estate of the Land described below in Paragraph 3 (the "Land"), reserving to the State of New Mexico all rights in and to geothermal resources, oil, gas, sand, gravel, caliche, and all other natural resources and valuable natural deposits located in, on, or under the Land as more particularly described below, together with the right to access, lease, prospect or explore for, develop, mine, extract, produce, process, remove, and sell, as more particularly described below (collectively, the "Mineral Rights"). To facilitate development of the Land, Rayellen has requested that the Commissioner, on behalf of the State as owner of the Mineral Rights, covenant not to disturb the surface of the Land other than in the manner set forth in Paragraph 6 below in connection with the exploration for, development, exploitation of, production, processing, transportation, and marketing of the oil and natural gas reserved by the State in Patent #4337. Suerte, City, NMJC and District agree to comply with and are bound by all terms and conditions of the Exchange Agreement.
2. Mineral Rights. The Commissioner, as manager of the Trust, and specifically of Mineral Rights, is executing this LURC on behalf of the State, which claims ownership of and in the Exchange Agreement has reserved the rights to, all geothermal resources and all minerals of whatsoever kind in, under or upon the Land, including but not limited to oil and natural gas, helium, carbon dioxide, coal and lignite, uranium, brine, copper, iron, lead, talc, barite, gold and silver, precious and semi-precious stones and jewels, caliche, building stones, shale, clay, sand, gravel and rock for crushing, whether or not now known to exist or to have value, of whatever form or type, at whatever

depth, in whatever nature of deposit, whether solid, semi-solid, liquid, or gaseous, whether similar or dissimilar to any of those minerals enumerated, and regardless of the method of extraction whether by wells (including input wells), mining by subterranean, open-pit, or strip mines, surface or subsurface leaching, or any other means now or hereafter known or employed, together with all rights of access and surface use necessary for or reasonably incident to exploration for and extraction and removal of the minerals or geothermal resources, the right to execute leases for mineral or geothermal development and operation, the right to sell or dispose of the minerals or geothermal resources, the right to grant rights-of-way and easements for mineral or geothermal purposes, the right to prospect for, mine, produce and remove minerals and geothermal resources and the right to perform any and all acts necessary in connection therewith, all of such together being the Mineral Rights.

3. Land. The Land covered by this LURC is:

Pt. of SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Pt. NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Pt. SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  in Section 17, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico, less and except 4.0 acres described as follows:

A certain tract of land lying and being situated within the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 17, Township 18 South, Range 38 East, N.M.P.M., being more particularly described as follows: Beginning at a point 75 feet to the right of and opposite center line Sta. 294+65.1 of FAP 197-A, Lea County, State of New Mexico; thence N 39° 42' W, along the right of way line of said project a distance of 834.8 feet; thence N 50° 18' E, a distance of 208.7 feet; thence S 39° 42' E, a distance of 834.8 feet; thence S 50° 18' W, a distance of 208.7 feet to the point and place of beginning, containing 4.0 acres, more or less.

Containing 301.52 acres, more or less (the "Land").

- 4 Fee. The fee for this LURC is: Twenty-five Thousand Dollars (\$25,000.00) (the "Fee").
5. Term. The term of this LURC shall be: For so long as the Land is developed and used for residential, commercial, and related purposes, including such public purposes as roadways, parks and open space, and schools (the "developed uses"), necessary for development of the Land in accordance with a subdivision plan approved by a local government having authority under New Mexico law to grant such approval (such plat or subdivision plan being the "Approved Plat").
6. Restriction on Use; Oil and Gas Operation; Right to Develop Mineral Rights from Other Land.
- a. Restriction on Use. Neither the State nor anyone claiming under it shall use the surface of the Land to access, explore, develop, mine, or extract geothermal

resources and minerals reserved pursuant to Patent #4337 except for conducting oil and gas operations as provided below.

- b. Oil and Gas Operations. The State, its lessees and their successors in title and interest may conduct oil and gas operations only from designated well sites on the Land as provided for herein. Such well sites shall be confined to the land area described as Allowable Drilling Area by Exhibit "A". The term "oil and gas operations" includes without limitation all activities using or affecting the use of the surface estate of the Land that are associated with exploration for, drilling, or production of, oil or gas, and accessing the well sites provided for herein, through final reclamation of any part of such Land affected by oil and gas operations.
- c. Well Sites; Location and Spacing Requirements. The location and spacing of all well sites shall be determined in accordance with 19.15.3.104 NMAC (Well Spacing and Location) (commonly referred to as "OCD Rule 104") and any orders, guidelines, or other directives adopted or issued by the New Mexico Oil Conservation Commission or the New Mexico Oil Conservation Division effecting oil and gas exploration or production on the Land. Any well site(s) developed within the Allowable Drilling Area shall be drilled consistent with the drilling technology prevalent at the time of development. SLO may approve directional or other drilling methods under areas not in the "Allowable Drilling Area" as long as no surface disturbance outside of the "Allowable Drilling Area" occurs. In addition, oil and gas well sites may not be (a) crossed by roads, easements, or other thoroughfares open to the public, (b) crossed by or be within the boundaries of any easement granted to a public utility or easement relating to the diversion, development, pumping, transportation, or use of water, (c) within a 100 year flood plan as determined for Lea County by the Federal Emergency Management Agency ("FEMA") or a successor agency designated by the federal government, and (d) within any area designated as a public park, public recreational facility or area, or public "open space" in any Approved Plat.
- d. Right to Develop Mineral Rights from Other Land. Subject to the limitation that neither the State nor its lessees and their successors in title and interest shall conduct any activity relating to the development of the Mineral Rights between the surface of the Land and a depth of five hundred feet (500') below the surface of the Land except as provided for in Paragraph 6, this LURC shall not be construed as a waiver of the right of the State to, explore for, develop, mine, or produce the Mineral Rights, including without limitation, oil and gas with wells drilled on the surface of land other than the Land, including, but not limited to, directional wells bottomed beneath or drilled through any part (other than the surface) of the Land, or by pooling its oil, gas and other mineral interests with lands adjoining the Land in accordance with the laws and regulations of the State.
- e. Application of New Mexico Surface Owners Protection Act. In return for the Commissioner agreeing to the provisions of this Agreement relating to oil and gas exploration and production on the Land, including without limitation Paragraph II

(D) (2) (Oil and Gas Exploration and Production) of the Exchange Agreement and Paragraph 6 hereof, Suerte, City, NMJC and District expressly agree that neither they nor their successors in interest will be entitled to compensation for the reasonable use of any of the wells, sites or the road or pipeline access to such sites pursuant to the Surface Owners Protection Act, Sections 70-12-1 to 70-10-10 NMSA 1978 by an operator as defined in such Act; provided, however that the foregoing limitation shall not limit or restrict the right of Suerte, City, NMJC and District or their successors in interest to be compensated by an operator for any damages sustained to the surface estate in excess of the reasonable use thereof by an operator conducting oil and gas operations thereon.

7. No Waiver, Release, or Relinquishment of Mineral Rights. Except as provided in Paragraphs 6 and 8, nothing herein shall be construed as waiving, releasing or relinquishing any right, title or interest of the State of New Mexico in and to the Mineral Rights in and under and that may be produced from the Land in accordance with the terms of the LURC.
  
8. Limitation on Reservation of Minerals, Geothermal Resources, and Certain Water Rights. The Commissioner acknowledges that Suerte, City, NMJC and District will grade, trench, move and remove materials, and otherwise alter the surface estate of the Land to construct roads, utilities, and building pads in order to develop it for residential, commercial, and related public purposes including such public purposes as roadways, parks and open space, and schools necessary for development of the Land as shown on an Approved Plat. The Commissioner agrees that the reservation to the State provided for in Patent #4337 shall not apply to any caliche, shale, clay, sand, gravel, and rock necessarily used on or removed from the Land in the course of such development and that neither Suerte, City, NMJC nor District shall be liable to the State for the value of said materials; provided, however, that the foregoing limitation of the reservation provided for in this Paragraph 8 shall only apply to those materials necessarily used or removed in the course of developing the Land in accordance with an Approved Plat and shall not entitle either Suerte, City, NMJC or District to sell, barter, or otherwise convey title to such materials to a third party. Should either Suerte, City, NMJC or District remove materials in excess of that amount necessary to develop the Land in accordance with an Approved Plat or sell, barter or otherwise convey title to any materials removed to any third party, Suerte, City, NMJC and District shall be jointly and severally liable to the State for the royalties, and any interest and penalties due thereon, normally charged by the Commissioner for such materials.

The Suerte Land Group, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY**

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before on \_\_\_\_\_ (date) by \_\_\_\_\_  
(name) as \_\_\_\_\_ (title) of The Suerte Land Group LLC.

(seal)

\_\_\_\_\_  
(Signature of notarial officer)

My commission expires: \_\_\_\_\_

The Suerte Land Group, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY**

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before on \_\_\_\_\_ (date) by \_\_\_\_\_  
(name) as \_\_\_\_\_ (title) of The Suerte Land Group LLC.

(seal)

\_\_\_\_\_  
(Signature of notarial officer)

My commission expires: \_\_\_\_\_

City of Hobbs

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY**

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before on \_\_\_\_\_ (date) by \_\_\_\_\_  
(name) as \_\_\_\_\_ (title) of City of Hobbs.

(seal)

\_\_\_\_\_  
(Signature of notarial officer)

My commission expires: \_\_\_\_\_

New Mexico Junior College

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY**

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before on \_\_\_\_\_ (date) by \_\_\_\_\_  
(name) as \_\_\_\_\_ (title) of New Mexico Junior College.

(seal)

\_\_\_\_\_  
(Signature of notarial officer)

My commission expires: \_\_\_\_\_

Board of Education of Hobbs Municipal School District

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY**

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before on \_\_\_\_\_ (date) by \_\_\_\_\_  
(name) as \_\_\_\_\_ (title) of Board of Education of Hobbs Municipal School District.

(seal)

\_\_\_\_\_  
(Signature of notarial officer)  
My commission expires: \_\_\_\_\_

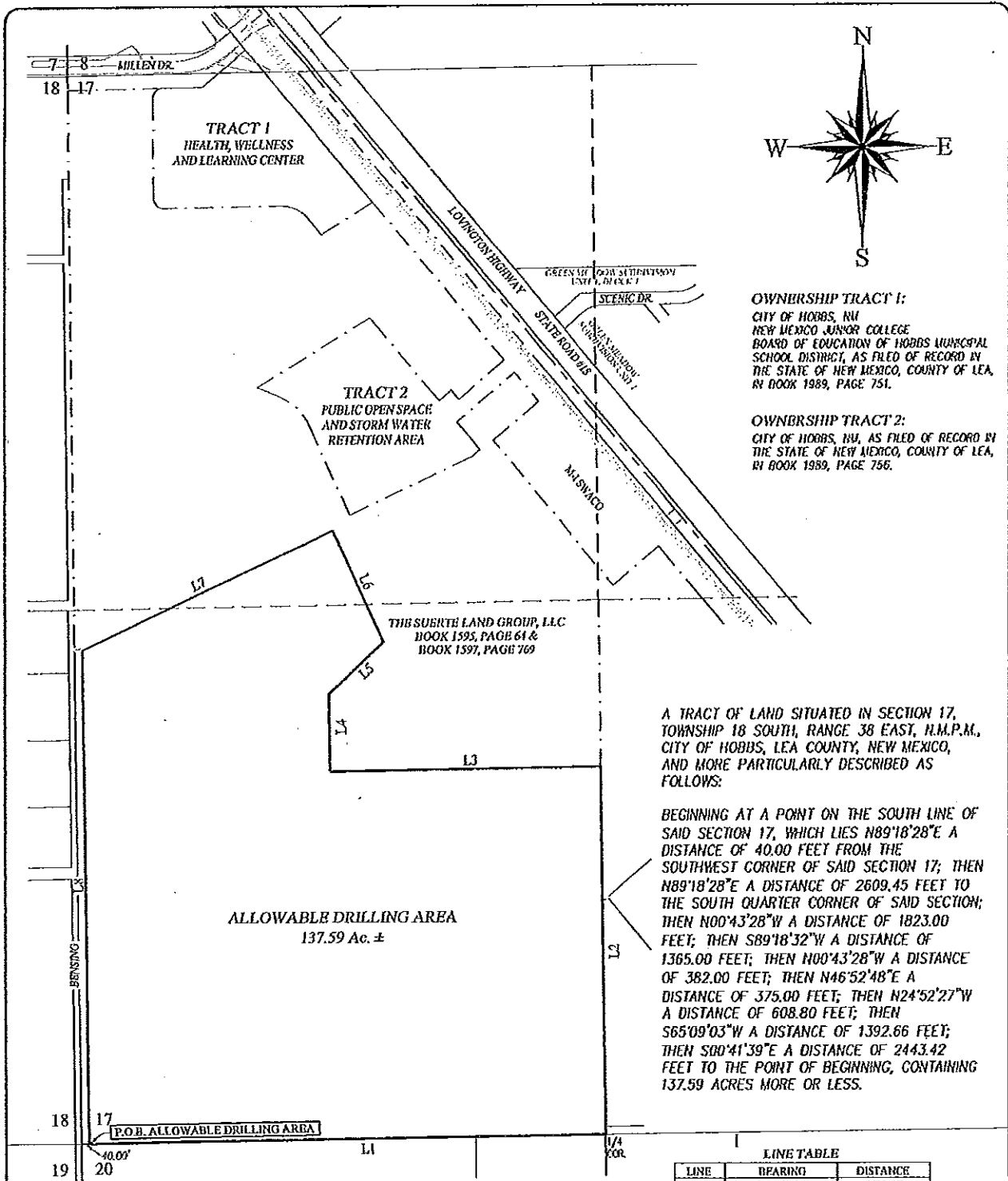
STATE OF NEW MEXICO COMMISSIONER OF  
PUBLIC LANDS

\_\_\_\_\_  
Name:

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



EXHIBIT "A"



**OWNERSHIP TRACT 1:**  
CITY OF HOBBS, NM  
NEW MEXICO JUNIOR COLLEGE  
BOARD OF EDUCATION OF HOBBS MUNICIPAL  
SCHOOL DISTRICT, AS FILED OF RECORD IN  
THE STATE OF NEW MEXICO, COUNTY OF LEA,  
IN BOOK 1989, PAGE 751.

**OWNERSHIP TRACT 2:**  
CITY OF HOBBS, NM, AS FILED OF RECORD IN  
THE STATE OF NEW MEXICO, COUNTY OF LEA,  
IN BOOK 1989, PAGE 756.

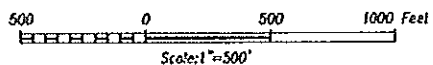
THE SUERTE LAND GROUP, LLC  
BOOK 1595, PAGE 64 &  
BOOK 1597, PAGE 769

ALLOWABLE DRILLING AREA  
137.59 Ac. ±

A TRACT OF LAND SITUATED IN SECTION 17,  
TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,  
CITY OF HOBBS, LEA COUNTY, NEW MEXICO,  
AND MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF  
SAID SECTION 17, WHICH LIES N89°18'28"E A  
DISTANCE OF 40.00 FEET FROM THE  
SOUTHWEST CORNER OF SAID SECTION 17; THEN  
N89°18'28"E A DISTANCE OF 2609.45 FEET TO  
THE SOUTH QUARTER CORNER OF SAID SECTION;  
THEN N00°43'28"W A DISTANCE OF 1823.00  
FEET; THEN S89°18'32"W A DISTANCE OF  
1365.00 FEET; THEN N00°43'28"W A DISTANCE  
OF 382.00 FEET; THEN N46°52'48"E A  
DISTANCE OF 375.00 FEET; THEN N24°52'27"W  
A DISTANCE OF 608.80 FEET; THEN  
S65°09'03"W A DISTANCE OF 1392.66 FEET;  
THEN S00°41'39"E A DISTANCE OF 2443.42  
FEET TO THE POINT OF BEGINNING, CONTAINING  
137.59 ACRES MORE OR LESS.

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N89°18'28"E | 2609.45  |
| L2   | N00°43'28"W | 1823.00  |
| L3   | S89°18'32"W | 1365.00  |
| L4   | N00°43'28"W | 382.00   |
| L5   | N46°52'48"E | 375.00   |
| L6   | N24°52'27"W | 608.80   |
| L7   | S65°09'03"W | 1392.66  |
| L8   | S00°41'39"E | 2443.42  |



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

GARY G. EDSON *Gary G. Edson*  
DATE: *4/21/16*

PROVISIONING SURVEYING SERVICES  
SINCE 1946  
**JOHN WEST SURVEYING COMPANY**  
412 N. DAL PASO | HOBBBS, NM 88240  
(505) 391-3117 | www.jwsurvey.com  
TFLS# 10021609



**THE SUERTE LAND GROUP, LLC**

LIMITS OF ALLOWABLE DRILLING AREA  
WITHIN SUBRTE LAND DIVISION No. 3  
LOCATED IN SECTION 17, TOWNSHIP 18 SOUTH,  
RANGE 38 EAST, N.M.P.M.  
CITY OF HOBBS, LEA COUNTY, NEW MEXICO

|                    |                  |                     |
|--------------------|------------------|---------------------|
| Survey Date: N/A   | CAD Date: 2/5/16 | Drawn By: BSS       |
| W.O. No.: 16110033 | Rev: 4/21/16     | Rel. W.O.: 08111872 |

Sheet 1 of 1



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20<sup>th</sup>, 2016

**SUBJECT: ANNUAL PAVEMENT AGREEMENT WORK ORDER TO RAMIREZ & SONS – GOING LANE ROADWAY EXTENSION**

DEPT. OF ORIGIN: Engineering Department

DATE SUBMITTED: 6-20-16

SUBMITTED BY: Todd Randall, City Engineer

**Summary:** The City of Hobbs has entered into Development Agreements with Pilot Retail Fuel Center, Dagger Draw, LLC and (undeveloped) property owner for the extension of water, sewer and roadway improvements for Goings Road. The City approved agreements and received full payment for fair share frontage assessment from Pilot and Dagger Draw.

The limits of the extension for improvements are the north property line of the proposed Truck Wash Facility (Dagger Draw, LLC) to be located on Goings Road. Utilities have been extended and are currently complete. The Work Order will complete the roadway extension and contractual commitment to Dagger Draw, LLC.

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_

Finance Department

Account Number: 44-4044-44901-00073

Budget: \$748,239.73

**Available: \$452,004.33**

Proposed Worker Order: \$97,248.79 includes GRT (Goings Roadway Improvements)

**Attachments:** Cost Estimate / Construction Plans

**Legal Review:**

Approved As To Form: \_\_\_\_\_

City Attorney

**Recommendation:**

Consideration of approval of Work Order to Ramirez & Sons for Goings Roadway Extension

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  
S. Goings Ln. Reconstruction

Annual Agreement Prices - Ramirez & Sons, Inc.

| ITEM                   | ITEM DESCRIPTION  | UNIT | UNIT PRICE | QUANTITY | TOTAL       |
|------------------------|---|------|------------|----------|-------------|
| New Structural Section |   |      |            |          |             |
| 1                      | Compact Subgrade (12")  | SY   | \$2.30     | 2631     | \$6,051.30  |
| 2                      | State Base Course, Delivered To Site and Installed (6")                 | TON  | \$16.00    | 746      | \$11,936.00 |
| 3                      | 3" Hot-Mix Asphalt SP IV, Complete In Place                             | SY   | \$15.14    | 2184     | \$33,065.76 |
| 4                      | Prime Coat Material, Complete In Place                                  | SY   | \$0.65     | 2184     | \$1,419.60  |
| Miscellaneous          |   |      |            |          |             |
| 5                      | Clearing and Grubbing (First 3-4" of Topsoil)                           | LS   | \$850.00   | 1.00     | \$850.00    |
| 6                      | Unclassified Excavation   | CY   | \$5.50     | 700      | \$3,850.00  |
| 7                      | Blading and Reshaping   | SY   | \$0.50     | 2,824    | \$1,412.00  |
| 8                      | Relocate Existing Cattle Guard  | EA   | \$750.00   | 1        | \$750.00    |
| 9                      | Concrete Valley Gutter 8"x24" Complete In Place (1.5' Wide Ribbon Curb) | LF   | \$18.00    | 1,102    | \$19,836.00 |
| Subtotal               |   |      |            |          | \$79,170.66 |
| Contingency (15%)      |   |      |            |          | \$11,875.60 |
| NMGRT                  |   |      |            |          | \$ 6,202.53 |
| ESTIMATED TOTAL        |   |      |            |          | \$97,248.79 |

















**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

**SUBJECT:** ANNUAL PAVING AGREEMENT WORK ORDER TO RAMIREZ & SONS – GRIMES & COLLEGE LANE INTERSECTION IMPROVEMENTS

**DEPT. OF ORIGIN:** Engineering

**DATE SUBMITTED:** 06-14-16

**SUBMITTED BY:** Todd Randall, City Engineer

**Summary:**

The City of Hobbs has received a MAP Grant from the NMDOT for N. Grimes Improvements. The project will consist of reconstruction of the Grimes/College Lane intersection including pavement reconstruction and geometric modifications to create a left turn bay on Grimes and College Lane intersection.

This work is for this project will be performed under the Annual Concrete/Paving Agreement with Ramirez and Son's. The Work Order will not be issued until NMDOT review and completion of the certification process.

**Fiscal Impact:**

Reviewed By: \_\_\_\_\_

Finance Department

Budget Available: \$500,000 (\$219,817.00 NMDOT funds)

Design/Testing/Etc.: \$ 40,000

Contract to others: \$ 5,000 (Thermoplastic Marking)

Ramirez WO estimate: \$400,000

**Attachments:** Estimated Cost / Location Map

**Legal Review:**

Approved As To Form: \_\_\_\_\_

City Attorney

**Recommendation:** Consideration and Approval of Ramirez Work Order for the Grimes & College Lane Intersection Improvements

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**  
**Grimes St. Improvements**  
**NMDOT Grant Project No.: MAP-7625(909)**

Annual Agreement Prices - Ramirez & Sons, Inc.

| ITEM  | ITEM DESCRIPTION  | UNIT | UNIT PRICE | QUANTITY | TOTAL               |
|---|---|------|------------|----------|---------------------|
| <b>Removal of Existing Structural Section</b> |   |      |            |          |                     |
| 1   | Removal of Asphalt Surfacing (3") 0 - 3" Pavement Thickness         | SY   | \$1.10     | 8535     | \$9,388.33          |
| 2   | Remove Existing Base Course (6") (Unclassified Excavaion)           | CY   | \$5.50     | 1423     | \$7,823.75          |
| 3   | Remove Existing Subgrade (1") (Unclassified Excavaion)              | CY   | \$5.50     | 711      | \$3,911.80          |
| <b>New Structural Section</b>                 |   |      |            |          |                     |
| 4   | Compact Subgrade (12")  | SY   | \$2.30     | 12749    | \$29,322.17         |
| 5   | State Base Course, Delivered To Site and Installed (6")             | TON  | \$17.00    | 402      | \$6,826.97          |
| 6   | 4" Hot-Mix Asphalt SP IV, Complete In Place. (Price Interpolated)   | SY   | \$19.00    | 12749    | \$242,226.61        |
| 7   | Asphalt Material For Tack Coat, Complete In Place                   | TON  | \$672.00   | 5.35     | \$3,598.21          |
| 8   | Prime Coat Material, Complete In Place                              | SY   | \$0.65     | 12749    | \$8,286.70          |
| <b>Striping</b>                               |   |      |            |          |                     |
| 9   | Solid Yellow Retroreflectorized Painted Markings (4" Wide) (704001) | LF   | \$0.45     | 4991     | \$2,245.98          |
| 10  | Solid White Retroreflectorized Painted Markings (4" Wide) (704001)  | LF   | \$0.45     | 5215     | \$2,346.89          |
| 11  | Broken White Retroreflectorized Painted Markings (4" Wide) (704001) | LF   | \$0.45     | 2097     | \$943.70            |
| <b>Miscellaneous</b>                          |   |      |            |          |                     |
| 12  | Clearing and Grubbing (First 3-4" of Topsoil)                       | ACRE | \$850.00   | 0.68     | \$575.68            |
| 13  | Gas Meter Protective Concrete Filled Bollards                       | EA   | \$750.00   | 3        | \$2,250.00          |
| 14  | Unclassified Excavation   | CY   | \$5.50     | 270      | \$1,483.76          |
| 15  | Concrete Valley Gutter 8"x60" Complete In Place                     | LF   | \$40.00    | 97       | \$3,895.76          |
| Subtotal                                      |   |      |            |          | \$325,126.32        |
| Contingency (15%)                             |   |      |            |          | \$48,768.95         |
| NMGRT   |   |      |            |          | \$ 25,471.62        |
| <b>ESTIMATED TOTAL</b>                        |   |      |            |          | <b>\$399,366.88</b> |









CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

SUBJECT: FINAL CHANGE ORDER DAL PASO STREET (NM 18) REHABILITATION PROJECT BID No 1513-14
DEPT. OF ORIGIN: Engineering Department
DATE SUBMITTED: 6-14-16
SUBMITTED BY: Todd Randall, City Engineer

Summary:

The Dal Paso Street Rehabilitation Project is substantially complete. A Final Change Order is necessary to modify the contract for the As-Built quantities. This project is based on unit prices and quantities for over 100 construction items. The major change in costs are attributed to additional reconstruction of residential side streets in order to meet ADA slopes at Dal Paso Street intersections.

The Closeout Meeting for this project was held on May 12, 2016. Representatives with the NMDOT, Constructors and the City of Hobbs were present. There was a final inspection of the project site and review of grant documentation. Deficiencies that were noted on the final inspection report are nearing completion. Final payment will be held until all deficiencies are corrected.

Fiscal Impact:

Reviewed By:

Finance Department

Current Contract Amount: \$3,827,962.49 (including NMGRT)
Final Change Order: \$ 109,436.23 (2.9% increase)
New Contract Amount: \$3,937,398.71
Available Budget: \$ 65,000.00

Budgeted Line Item: 48-4048-44901-181

A budget adjustment of \$45,000 will be necessary, which will be a budget transfer within Fund 48 (Gasoline Tax Revenue) and no General Fund impact. Transfer funds from Project 48-4048-44901-00189 (North Grimes)

Attachments: Final Change Order

Legal Review:

Approved As To Form:

City Attorney

Recommendation: Consideration and approval for Mayor to execute Final Adjusting Change Order

Approved For Submittal By:

Department Director
City Manager

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COMMISSION ACTION TAKEN

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

**NEW MEXICO DEPARTMENT of TRANSPORTATION**  
**LEAD AGENCY CHANGE ORDER**

District No. 2  
 Entity Name City of Hobbs

TO: 

NMDOT District 2  
 Roswell NM

S.A.  Participating  Change No. 5 & Final

F.S.  NON-Participating  Project No. 2100310  
 Control No. 2100310

Percent Change   
 Original Contract \$ 3,484,998.40  
 Revised Contract (CO1-4) \$ 98,816.68  
 Increase this C.O. \$ 102,456.39

**DESCRIPTION of CHANGE:**

Increase and decrease Pay Items to reflect actual amounts completed for the project.

**REASON for CHANGE:**

Final Adjusting Change Order

COST: \_\_\_\_\_ ADDITIONAL TIME: 0 Calendar Days \_\_\_\_\_ Work Days \_\_\_\_\_

**ATTACHMENTS:**

Item Summary and Factors

CONTRACTOR: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Title: \_\_\_\_\_ BY: \_\_\_\_\_

|                           |                 |            |  |
|---------------------------|-----------------|------------|--|
| <b>ACTING LEAD AGENCY</b> | Signature _____ | Date _____ | TITLE: _____                                 |
| Recommended:              | _____           | _____      | _____  |
| <b>N.M.D.O.T.</b>         | Signature _____ | Date _____ | TITLE: <u>District Construction Engineer</u> |
| Recommended:              | _____           | _____      | _____  |
| Approved:                 | _____           | _____      | TITLE: <u>NMDOT T/LPA Coordinator</u>        |
| Approved:                 | _____           | _____      | TITLE: <u>NMDOT</u>                          |



# ITEM SUMMARY OF COSTS AND QUANTITIES

ENTITY: City of Hobbs D0: 2 CN: 2100310  
Project No.: 2100310

TERMINI: Dal Paso from Sanger to Bender

SCOPE OF

WORK: Reconstruction of Dal Paso (NM 18) from the intersection of Sanger to Bender (NM 218)

| ITEM NO. | DESCRIPTION OF WORK   | UNIT | UNIT COST   | Estimated Quantity | Final Quantity | Difference in Quantity | Difference in Price |
|----------|---|------|-------------|--------------------|----------------|------------------------|---------------------|
| 203200   | SUBEXCAVATION, COMPLETE, AS SPECIFIED   | CY   | \$ 18.00    | 500                | 500.000        | 0.00                   | 0.00                |
| 207000   | SUBGRADE PREPARATION  | SY   | \$ 3.00     | 6,900              | 9371.370       | 2471.37                | 7414.11             |
| 303180   | BASE COURSE 8"  | SY   | \$ 7.50     | 500                | 500.000        | 0.00                   | 0.00                |
| 304481   | PLACEMENT & COMPACTION OF MILLINGS REMOVED - 8" DEPTH   | SY   | \$ 5.00     | 6,900              | 11582.000      | 4682.00                | 23410.00            |
| 407000   | ASPHALT MATERIAL FOR TACK COAT  | SY   | \$ 0.75     | 34,100             | 38658.000      | 4558.00                | 3418.50             |
| 408100   | PRIME COAT MATERIAL   | SY   | \$ 1.00     | 4,600              | 6582.920       | 1982.92                | 1982.92             |
| 414120   | COLD MILLING (ASPHALT) 2"   | SY   | \$ 3.00     | 35,400             | 44251.000      | 8851.00                | 26553.00            |
| 423270   | HMA SP IV COMPLETE-2"   | SY   | \$ 14.00    | 2,700              | 0.000          | -2700.00               | -37800.00           |
| 423271   | HMA SP IV COMPLETE-3"   | SY   | \$ 20.85    | 34,100             | 42683.000      | 8583.00                | 178955.55           |
| 450080   | CONCRETE PAVEMENT-8"  | SY   | \$ 140.00   | 2,300              | 2275.000       | -25.00                 | -3500.00            |
| 570437   | 24" STORM DRAIN REINFORCED CONCRETE PIPE (CLASS IV)   | LF   | \$ 300.00   | 70                 | 72.000         | 2.00                   | 600.00              |
| 570700   | TIE TO EXISTING STORM DRAIN   | EA   | \$ 3,000.00 | 5                  | 3.000          | -2.00                  | -6000.00            |
| 601001   | REMOVE & DISPOSE OF EXISTING CONCRETE CURB & GUTTER (STANDARD OR MEDIAN CURB & GUTTER)                      | LF   | \$ 4.00     | 9,450              | 10883.800      | 1433.80                | 5735.20             |
| 601002   | REMOVE & DISPOSE OF EXISTING CONCRETE SIDEWALK  | SY   | \$ 9.00     | 2,800              | 2800.000       | 0.00                   | 0.00                |
| 601003   | REMOVE & DISPOSE OF EXISTING CURB INLET AND CONCRETE BOX; RETURN GRATES TO CITY OF HOBBS UTILITY DEPARTMENT | EA   | \$ 2,200.00 | 4                  | 4.000          | 0.00                   | 0.00                |
| 601004   | REMOVE & DISPOSE OF CONCRETE VALLEY GUTTER  | SY   | \$ 20.00    | 30                 | 7.880          | -22.12                 | -442.40             |
| 601005   | REMOVE & DISPOSE OF EXISTING CONCRETE LIGHT POLE BASE AND CONDUIT WITHIN LIMITS OF MEDIAN TO BE REMOVED     | EA   | \$ 1,000.00 | 17                 | 17.000         | 0.00                   | 0.00                |
| 601006   | REMOVE & DISPOSE OF EXISTING MEDIAN PAVEMENT (RED STAMPED CONCRETE PAVING)                                  | SY   | \$ 9.00     | 1,000              | 1151.000       | 151.00                 | 1359.00             |
| 601007   | REMOVE & DISPOSE OF EXISTING CONCRETE PAVEMENT  | SY   | \$ 19.00    | 920                | 988.610        | 68.61                  | 1303.59             |
| 601008   | REMOVE & DISPOSE OF ASPHALT PAVEMENT BEHIND EXISTING DRIVEWAYS  | SY   | \$ 50.00    | 210                | 570.000        | 360.00                 | 18000.00            |

|        |   |    |              |       |          |         |           |
|--------|---|----|--------------|-------|----------|---------|-----------|
| 601009 | REMOVE & DISPOSE OF EXISTING CONCRETE FILLET, DRIVEPAD, AND/OR ALLEY PAD  | SY | \$ 9.00      | 2,020 | 1489.540 | -530.46 | -4774.14  |
| 601010 | REMOVE & DISPOSE OF EXISTING WATER LINE (ALL SIZES AND PIPE MATERIALS); REMOVAL & DISPOSAL OF WATER VALVES AND FITTINGS WITHIN WATERLINE REMOVAL SHALL BE INCIDENTAL TO THIS PAY ITEM | LF | \$ 50.00     | 970   | 970.000  | 0.00    | 0.00      |
| 601011 | REMOVE AND SALVAGE FIRE HYDRANT; RETURN TO CITY OF HOBBS UTILITY DEPARTMENT   | EA | \$ 1,500.00  | 2     | 2.000    | 0.00    | 0.00      |
| 601012 | REMOVE & SALVAGE EXISTING VALVE BOX AND COVER; RETURN TO CITY OF HOBBS UTILITY DEPARTMENT   | EA | \$ 100.00    | 6     | 6.000    | 0.00    | 0.00      |
| 601013 | REMOVE & RELOCATE EXISTING PEDESTRIAN CROSSING SIGNAL POLE  | EA | \$ 750.00    | 1     | 0.000    | -1.00   | -750.00   |
| 601014 | REMOVE, HAUL, & STOCKPILE EXISTING LANDSCAPING GRAVEL AS DIRECTED BY CITY OF HOBBS PARKS DEPARTMENT   | SY | \$ 4.00      | 2,450 | 2450.000 | 0.00    | 0.00      |
| 601015 | REMOVE, SALVAGE, & TRANSPORT EXISTING MASTARM, SIGNAL MATERIALS, AND EQUIPMENT; RETURN TO THE CITY OF HOBBS TRAFFIC DEPARTMENT YARD   | EA | \$ 500.00    | 7     | 7.000    | 0.00    | 0.00      |
| 601016 | REMOVE & DISPOSE OF EXISTING CONCRETE TRAFFIC SIGNAL MASTARM BASE/DRILLED SHAFT FOUNDATION  | EA | \$ 1,000.00  | 8     | 8.000    | 0.00    | 0.00      |
| 602070 | PLACE EXISTING (REMOVED) LANDSCAPING GRAVEL IN RECONSTRUCTED MEDIAN ISLANDS   | SY | \$ 6.00      | 920   | 920.000  | 0.00    | 0.00      |
| 603280 | SWPPP DESIGN, MANAGEMENT, & IMPLEMENTATION  | LS | \$ 40,000.00 | 1     | 1.000    | 0.00    | 0.00      |
| 608004 | CONCRETE SIDEWALK 4"  | SY | \$ 48.00     | 2,690 | 2615.390 | -74.61  | -3581.28  |
| 608106 | DRIVE PAD 6"  | SY | \$ 87.00     | 2,340 | 2630.890 | 290.89  | 25307.43  |
| 608500 | ADA COMPLIANT RAMP - HOBBS STANDARD RAMP COMPLETE IN PLACE PER DETAILS  | EA | \$ 2,300.00  | 30    | 22.000   | -8.00   | -18400.00 |
| 608501 | ADA COMPLIANT RAMP - TYPE "B" COMPLETE IN PLACE PER DETAILS   | EA | \$ 2,050.00  | 3     | 3.000    | 0.00    | 0.00      |
| 608502 | ADA COMPLIANT RAMP - TYPE "C" COMPLETE IN PLACE PER DETAILS   | EA | \$ 1,950.00  | 10    | 10.000   | 0.00    | 0.00      |
| 609200 | HEADER CURB   | LF | \$ 25.00     | 250   | 90.400   | -159.60 | -3990.00  |
| 609418 | CONCRETE BARRIER CURB AND GUTTER TYPE B 6" X 18"  | LF | \$ 20.00     | 1,750 | 1285.500 | -464.50 | -9290.00  |
| 609430 | CONCRETE BARRIER CURB AND GUTTER TYPE B 6" X 30"  | LF | \$ 60.00     | 40    | 0.000    | -40.00  | -2400.00  |
| 609500 | STANDARD CURB & GUTTER  | LF | \$ 22.00     | 7,700 | 8731.900 | 1031.90 | 22701.80  |
| 609697 | CONCRETE VALLEY GUTTER 8" x 60"   | LF | \$ 130.00    | 660   | 627.230  | -32.77  | -4260.10  |
| 618000 | TRAFFIC CONTROL COMPLETE  | LS | \$ 80,000    | 1     | 1.000    | 0.00    | 0.00      |
| 621000 | MOBILIZATION & DEMOBILIZATION, COMPLETE, AS SPECIFIED   | LS | \$ 300,000   | 1     | 1.000    | 0.00    | 0.00      |
| 623300 | CURB DROP INLET (10-FT GRATE)   | EA | \$ 15,500    | 4     | 4.000    | 0.00    | 0.00      |

|         |   |    |             |         |           |           |           |
|---------|---|----|-------------|---------|-----------|-----------|-----------|
| 623300A | CURB DROP INLET (30-FOOT GRATE)   | EA | \$ 33,000   | 1       | 1.000     | 0.00      | 0.00      |
| 623320  | MODIFICATION OF EXISTING MEDIAN DROP INLET (NORTHEAST CORNER OF BENDER/DAL PASO) PER DETAIL                               | EA | \$ 9,500.00 | 1       | 1.000     | 0.00      | 0.00      |
| 662400  | MANHOLE ADJUSTMENT (STORM DRAIN MANHOLE, SANITARY SEWER MANHOLE, OR COMMUNICATIONS MANHOLE); COMPLETE IN PLACE PER DETAIL | EA | \$ 500.00   | 28      | 29.000    | 1.00      | 500.00    |
| 662500  | MANHOLE FRAME AND COVER (STORM SEWER OR SANITARY SEWER); COMPLETE IN PLACE PER DETAIL                                     | EA | \$ 850.00   | 28      | 19.000    | -9.00     | -7650.00  |
| 663100  | FIRE HYDRANT  | EA | \$ 5,000.00 | 8       | 7.000     | -1.00     | -5000.00  |
| 663300  | REMOVAL AND REPLACEMENT OF IRRIGATION SADDLE TAPS   | EA | \$ 1,500.00 | 3       | 7.000     | 4.00      | 6000.00   |
| 663604  | 4" C-900 (DR-18) PVC WATERLINE  | LF | \$ 78.00    | 20      | 32.000    | 12.00     | 936.00    |
| 663606  | 6" C-900 (DR-18) PVC WATER LINE   | LF | \$ 83.00    | 580     | 527.000   | -53.00    | -4399.00  |
| 663608  | 8" C-900 (DR-18) PVC WATER LINE   | LF | \$ 88.00    | 400     | 290.000   | -110.00   | -9680.00  |
| 663610  | 10" C-900 (DR-18) PVC WATER LINE  | LF | \$ 92.00    | 140     | 76.000    | -64.00    | -5888.00  |
| 663616  | 16" C-905 (DR-18) PVC WATER LINE  | LF | \$ 120.00   | 50      | 46.000    | -4.00     | -480.00   |
| 663702  | 1" WATER SERVICE LINE   | LF | \$ 80.00    | 12      | 1.000     | -11.00    | -880.00   |
| 663704  | 2" WATER SERVICE LINE   | LF | \$ 80.00    | 74      | 72.000    | -2.00     | -160.00   |
| 663779  | CONNECTION TO EXISTING WATERLINE 8" & BELOW AS SPECIFIED  | EA | \$ 2,500.00 | 11      | 9.000     | -2.00     | -5000.00  |
| 663780  | CONNECTION TO EXISTING WATERLINE 10" & ABOVE AS SPECIFIED   | EA | \$ 4,500.00 | 6       | 6.000     | 0.00      | 0.00      |
| 663855  | ADJUST VALVE BOX TO GRADE (GAS VALVE OR WATER VALVE) COMPLETE IN PLACE PER DETAIL   | EA | \$ 500.00   | 30      | 24.000    | -6.00     | -3000.00  |
| 663865  | ADJUST WATER METER BOX TO GRADE   | EA | \$ 500.00   | 10      | 8.000     | -2.00     | -1000.00  |
| 663896  | 6" GATE VALVE w/ VALVE BOX; COMPLETE IN PLACE PER DETAIL  | EA | \$ 1,250.00 | 15      | 8.000     | -7.00     | -8750.00  |
| 663898  | 8" GATE VALVE w/ VALVE BOX; COMPLETE IN PLACE PER DETAIL  | EA | \$ 1,750.00 | 4       | 4.000     | 0.00      | 0.00      |
| 663899  | 10" GATE VALVE w/ VALVE BOX; COMPLETE IN PLACE PER DETAIL   | EA | \$ 2,500.00 | 2       | 1.000     | -1.00     | -2500.00  |
| 663899A | 16" GATE VALVE w/ VALVE BOX; COMPLETE IN PLACE PER DETAIL   | EA | \$ 8,900.00 | 1       | 1.000     | 0.00      | 0.00      |
| 667500  | BOLLARDS  | EA | \$ 1,250.00 | 4       | 4.000     | 0.00      | 0.00      |
| 703205  | TUBULAR FLEXIBLE TRAFFIC MARKER   | EA | \$ 100.00   | 18      | 18.000    | 0.00      | 0.00      |
| 704004  | RETROREFLECTORIZED PAINTED STRIPE 4"  | LF | \$ 0.17     | 107,000 | 68044.000 | -38956.00 | -6622.52  |
| 704024  | RETROREFLECTORIZED PAINTED STRIPE 24"   | LF | \$ 5.50     | 5,880   | 1633.000  | -4247.00  | -23358.50 |
| 704300  | RETROREFLECTORIZED PLASTIC COMBINATION (THRU AND RIGHT) ARROW   | EA | \$ 250.00   | 2       | 2.000     | 0.00      | 0.00      |
| 704320  | RETROREFLECTORIZED PLASTIC RIGHT ARROW  | EA | \$ 150.00   | 4       | 5.000     | 1.00      | 150.00    |
| 704330  | RETROREFLECTORIZED PLASTIC LEFT ARROW   | EA | \$ 150.00   | 37      | 33.000    | -4.00     | -600.00   |

|        |  |    |             |       |          |         |          |
|--------|--|----|-------------|-------|----------|---------|----------|
| 704340 | RETROREFLECTORIZED PLASTIC THRU ARROW  | EA | \$ 150.00   | 12    | 4.000    | -8.00   | -1200.00 |
| 706200 | INSTALL OWNER FURNISHED METER PEDESTAL, COMPLETE IN PLACE AS SPECIFIED   | EA | \$ 1,164.00 | 2     | 2.000    | 0.00    | 0.00     |
| 706350 | POWER SERVICE INSTALLATION   | EA | \$ 1,706.00 | 2     | 2.000    | 0.00    | 0.00     |
| 707013 | FURNISH AND INSTALL TYPE I STANDARD (13'), PER DETAILS   | EA | \$ 975.00   | 5     | 6.000    | 1.00    | 975.00   |
| 707246 | FURNISH AND INSTALL TYPE II-B STANDARD 45' ARM, PER DETAILS  | EA | \$ 20,000   | 1     | 1.000    | 0.00    | 0.00     |
| 707247 | FURNISH AND INSTALL TYPE II-C STANDARD 60' ARM, PER DETAILS  | EA | \$ 24,200   | 1     | 1.000    | 0.00    | 0.00     |
| 707248 | FURNISH AND INSTALL TYPE III-B STANDARD 40' ARM, PER DETAILS   | EA | \$ 22,000   | 1     | 1.000    | 0.00    | 0.00     |
| 707249 | FURNISH AND INSTALL TYPE III-C STANDARD 55' ARM, PER DETAILS   | EA | \$ 25,500   | 1     | 1.000    | 0.00    | 0.00     |
| 708030 | LIGHT POLE FOUNDATION 30" DIA, COMPLETE AS SPECIFIED   | EA | \$ 1,250.00 | 10    | 10.000   | 0.00    | 0.00     |
| 708042 | SIGNAL FOUNDATION 42" DIA, COMPLETE AS SPECIFIED   | EA | \$ 5,500.00 | 2     | 2.000    | 0.00    | 0.00     |
| 708048 | SIGNAL FOUNDATION 48" DIA, COMPLETE AS SPECIFIED   | EA | \$ 6,250.00 | 2     | 2.000    | 0.00    | 0.00     |
| 708100 | FURNISH AND INSTALL CONCRETE FOUNDATION, FOR OWNER FURNISHED METER PEDESTAL/CONTROLLER CABINET, COMPLETE IN PLACE AS SPECIFIED | CY | \$ 750.00   | 5     | 5.000    | 0.00    | 0.00     |
| 709015 | FURNISH AND INSTALL RIGID ELECTRICAL CONDUIT 1-1/2", COMPLETE IN PLACE   | LF | \$ 7.50     | 130   | 10.000   | -120.00 | -900.00  |
| 709020 | FURNISH AND INSTALL RIGID ELECTRICAL CONDUIT 2", COMPLETE IN PLACE   | LF | \$ 10.50    | 564   | 504.000  | -60.00  | -630.00  |
| 709030 | FURNISH AND INSTALL RIGID ELECTRICAL CONDUIT 3", COMPLETE IN PLACE   | LF | \$ 12.00    | 950   | 1002.000 | 52.00   | 624.00   |
| 710000 | FURNISH AND INSTALL ELECTRICAL PULL BOX (STANDARD), COMPLETE IN PLACE PER DETAILS  | EA | \$ 600.00   | 12    | 12.000   | 0.00    | 0.00     |
| 711003 | FURNISH AND INSTALL MULTI-CONDUCTOR CABLE 3  | LF | \$ 1.30     | 272   | 0.000    | -272.00 | -353.60  |
| 711005 | FURNISH AND INSTALL MULTI-CONDUCTOR CABLE 5  | LF | \$ 1.55     | 2,118 | 2295.000 | 177.00  | 274.35   |
| 711007 | FURNISH AND INSTALL MULTI-CONDUCTOR CABLE 7  | LF | \$ 2.00     | 400   | 384.000  | -16.00  | -32.00   |
| 711020 | FURNISH AND INSTALL MULTI-CONDUCTOR CABLE 20   | LF | \$ 4.00     | 750   | 749.000  | -1.00   | -4.00    |
| 711102 | FURNISH AND INSTALL SINGLE CONDUCTOR 2   | LF | \$ 1.80     | 708   | 590.000  | -118.00 | -212.40  |
| 711106 | FURNISH AND INSTALL SINGLE CONDUCTOR 6   | LF | \$ 1.00     | 54    | 120.000  | 66.00   | 66.00    |
| 711108 | FURNISH AND INSTALL SINGLE CONDUCTOR 8   | LF | \$ 0.80     | 1,505 | 749.000  | -756.00 | -604.80  |
| 711110 | FURNISH AND INSTALL SINGLE CONDUCTOR 10  | LF | \$ 0.50     | 1,841 | 1257.000 | -584.00 | -292.00  |
| 712031 | FURNISH AND INSTALL 3 SECTION TRAFFIC SIGNAL ASSEMBLY (LED), COMPLETE IN PLACE AS SPECIFIED                                    | EA | \$ 725.00   | 26    | 26.000   | 0.00    | 0.00     |

|        |  |    |              |       |         |          |            |
|--------|--|----|--------------|-------|---------|----------|------------|
| 712041 | FURNISH AND INSTALL 4 SECTION TRAFFIC SIGNAL ASSEMBLY (LED), COMPLETE IN PLACE AS SPECIFIED  | EA | \$ 885.00    | 12    | 12.000  | 0.00     | 0.00       |
| 712202 | FURNISH AND INSTALL PEDESTRIAN COUNTDOWN SIGNAL (LED), COMPLETE IN PLACE AS SPECIFIED  | EA | \$ 750.00    | 16    | 16.000  | 0.00     | 0.00       |
| 712330 | FURNISH AND INSTALL 3 SECTION BACKPLATE, COMPLETE IN PLACE   | EA | \$ 85.00     | 24    | 14.000  | -10.00   | -850.00    |
| 712340 | FURNISH AND INSTALL 4 SECTION BACKPLATE, COMPLETE IN PLACE   | EA | \$ 120.00    | 8     | 2.000   | -6.00    | -720.00    |
| 713020 | FURNISH AND INSTALL PUSH BUTTON STATION, COMPLETE IN PLACE AS SPECIFIED  | EA | \$ 450.00    | 16    | 8.000   | -8.00    | -3600.00   |
| 713808 | FURNISH AND INSTALL ALL WIRING FOR VIDEO VEHICLE DETECTION SYSTEM (CAMERAS), COMPLETE IN PLACE   | LF | \$ 3.10      | 2,150 | 0.000   | -2150.00 | -6665.00   |
| 713809 | FURNISH AND INSTALL ALL WIRING FOR ACOUSTIC PRE-EMPTION SYSTEM (SONEM), COMPLETE IN PLACE  | LF | \$ 1.80      | 1,140 | 589.000 | -551.00  | -991.80    |
| 713811 | INSTALL OWNER FURNISHED VIDEO VEHICLE DETECTION SYSTEM (CAMERAS), COMPLETE IN PLACE  | EA | \$ 865.00    | 8     | 8.000   | 0.00     | 0.00       |
| 713831 | INSTALL OWNER FURNISHED ACOUSTIC PRE-EMPTION SYSTEM (SONEM), COMPLETE IN PLACE   | EA | \$ 120.00    | 8     | 8.000   | 0.00     | 0.00       |
| 714001 | INSTALL OWNER FURNISHED TRAFFIC SIGNAL CONTROLLER CABINET AND CONTROLLER, COMPLETE IN PLACE AS SPECIFIED   | EA | \$ 1,350.00  | 1     | 0.000   | -1.00    | -1350.00   |
| 716004 | FURNISH AND INSTALL 400 WATT EQUIVALENT (LED) LUMINAIRE, COMPLETE IN PLACE PER DETAILS   | EA | \$ 1,500.00  | 2     | 0.000   | -2.00    | -3000.00   |
| 801000 | CONSTRUCTION STAKING BY THE CONTRACTOR   | LS | \$ 75,000    | 1     | 1.000   | 0.00     | 0.00       |
| CO #1  | Reomval of (2) additional medians and all associated appurtenances on Dal Paso Sreet, which will increase subgrade, base course and hot mix quantities for increased work. (Time extension: 26 days) | LS | \$ 47,223.45 | 1     | 1.000   | 0.00     | 0.00       |
| CO #2  | Modifications to street light enclosures and bulbs, modifications to electrical pull boxes. (Time extension: 5 days)   | LS | \$ 3,584.00  | 1     | 1.000   | 0.00     | 0.00       |
| CO #5  | Hot mix pavement density penalty   | LS | \$ (22,249)  | 0     | 1.000   | 1.00     | -22248.51  |
|        | TOTAL  |    |              |       |         | \$       | 102,456.39 |



**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

SUBJECT: Engineering Services; Underground Storage/Recovery Demonstration Project  
DEPT. OF ORIGIN: Utilities  
DATE SUBMITTED: June 13, 2016  
SUBMITTED BY: Tim Woormer, Utilities Director

**Summary:**

As a component of the City of Hobbs Effluent Reuse Project, the engineering firm of Molzen Corbin, Inc. (Engineer) has conducted soil boring, percolation testing, groundwater modeling, and water analysis to determine the suitability of using Class 1B reclaimed water for underground storage and recovery (USR) via surface infiltration basins on City owned property adjacent to the treatment facility. Thru USR, reclaimed water available during the cooler months would be allowed to percolate thru the soil into the immediate aquifer and then withdrawn out of the aquifer during the summer months when irrigation demand is at its highest. Results of this pilot study indicate: 1) area ground conditions do permit groundwater recharge; 2) reclaimed water from the Hobbs WWRF consistently meets and exceeds Class 1B criteria; and 3) proposed USR operation would not impact municipal or private water supply wells. On June 3<sup>rd</sup>, Engineer and City staff met with representatives of the NM Office of the State Engineer (OSE) and NMED Ground Water Quality Bureau (NMED) to present the results of the USR pilot study and review the requirements for obtaining a demonstration permit.

As a result of this meeting, Engineer has prepared a scope of work to prepare a Capability Report, including project design drawings for submission of a USR demonstration project application, and issuance of a ground water permit, for construction of a demonstration USR facility. The demo facility would receive between 100,000 to 250,000 gallons per day (gpd) for a 7- month period (Oct – Apr), with the stored water then being recovered during a 5- month period (May-Sept) using a recovery well. The recovered water would be pumped to the reclamation facility for distribution via the effluent reuse infrastructure.

Work includes the preparation of public notices, incorporation of comments received, and negotiating final conditions of the OSE demonstration permit and the NMED groundwater discharge permit. Included within the scope of work is a contingency for Engineer to provide design related services should additional treatment of the reclaimed water be required to meet NMED conditions of discharge.

**Fiscal Impact**

Reviewed By: \_\_\_\_\_

*Finance Department*

The Not-to -Exceed Amount totals \$305,128.03. This project is budgeted for FY15-16 within Fund 624062-44901-00037. The \$100,000 contingency for designing additional treatment processes, if needed, would be a reimbursable cost under a 2016 Legislative appropriations received for tertiary treatment design totaling \$100,000. Billing rates are per RFP 480-16.

**Attachments:**

Molzen-Corbin Scope Document – Underground Storage and Recovery Demonstration Project Applications  
Task Order #1 between the City of Hobbs and Molzen Corbin Engineering  
USR Facility Location and Layout

**Legal Review**

Approved As To Form: \_\_\_\_\_

*City Attorney*

**Recommendation:**

Staff recommends that Task Order #1 under RFP 480-16 be executed with Molzen-Corbin Engineering to provide Professional Engineering Services as identified within Scope Document – Underground Storage and Recovery Demonstration Project Applications date June 10, 2016.

Approved For Submittal By:

*Tim Woomey*

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. \_\_\_\_\_



UTILITIES DEPARTMENT

200 E. Broadway  
Hobbs, NM 88240

575-397-9315 tel  
575-397-9370 fax

ANNUAL ENGINEERING SERVICES

PROJECT NAME: Effluent Reuse Project, Phase II; Underground Storage and Recovery Demonstration Project Applications

CONTRACT NUMBER: RFP 480-16

BUDGET LINE ITEM: 624062-44901- 00037

ENGINEER OF RECORD: Molzen-Corbin; Clayton Ten Eyck, P.E.

Scope of Work: Provide professional engineering services to prepare a Capability Report, including project design drawings for submission to OSE for a USR demonstration project permit, and NMED for issuance of a ground water permit. Work includes the preparation of public notices and negotiating final conditions of the respective permits.

Included within the scope of work is a contingency for Engineer to provide design related services should additional treatment of the reclaimed water be required to meet NMED conditions of discharge. Engineer's scoping document, detailed summary of work, and fee proposal dated June 10, 2016, are attached and hereby incorporated.

Total Not to Exceed Cost: \$284,66.55 plus applicable GRT

City of Hobbs

Molzen-Corbin

Sam Cobb, Mayor Date

*Adelmo Archuleta*  
Adelmo Archuleta, Owner/CEO Date 06/14/2016

J.J. Murphy City Manager Date

Jan Fletcher, City Clerk Date

*Tim Woomer* 06-14-2016  
Tim Woomer, Utilities Director Date



# MOLZENCORBIN

## SCOPE DOCUMENT

City of Hobbs, NM

Underground Storage and Recovery Demonstration Project Applications

REVISED June 10, 2016

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### 1. INTRODUCTION

At the request of the City of Hobbs (City), Molzen Corbin is submitting the following scoping document to prepare applications to the NM Office of the State Engineer (NMOSE) and NM Environment Department (NMED) for an Underground Storage and Recovery (USR) Demonstration/Pilot Project. We understand that, on approval of the scope, the work will be authorized by a Task Order issued by the City under RFP 480-16; Effluent Reuse Project Phase II, and amended agreement between the City and Molzen Corbin. This effort will follow on the heels of the Design Feasibility Study, which is intended to conclude with a project proposal submittal and pre-application meeting with NMOSE and NMED in May 2016. Our efforts in this proposed scope will include: (1) preparing a Capability Report in accordance with the USR guidelines for submittal to NMOSE; (2) prepare demonstration project design drawings and specifications for submittal with the Capability Report, which may include design of additional treatment facilities to meet NMED discharge permit requirements; (3) preparing a USR application on the NMOSE-prescribed form; (4) prepare an application for a Groundwater Discharge Permit; (5) meet with representatives of NMOSE and NMED to present and submit the applications; (6) prepare public notices for the USR application and the Discharge Permit application, and; (7) negotiate the final conditions of the USR and Discharge Permits. The project follows the recommendations contained in the City's Effluent Reuse System Preliminary Engineering Report from January 2015. The scope presented herein also reflects discussions with the City including a conference call held on February 25<sup>th</sup>, 2016.

This scoping document provides a description of services, which are expected to involve the elements outlined below, a breakdown of labor costs, estimated reimbursables (expenses), and a man-hour estimate. Molzen Corbin will be contracting with subconsultant Daniel B. Stephens & Associates (DBS&A) to provide hydrologic services in preparing applications, designing recovery wells and instrumentation, report preparation, and public participation. DBS&A's proposal is attached to this scope document. A summary of estimated costs and an anticipated schedule is provided at the end of the document.

#### A: USR APPLICATION AND CAPABILITY REPORT

Molzen Corbin and DBS&A would begin the project with a kickoff meeting with the City to define the details of the demonstration project, including the size and duration of the project, recharge and recovery water tie-ins to existing system, level of instrumentation and control, and other details. Based on agreed objectives, the team would complete the USR Demonstration Project application on the OSE-prescribed form and prepare the Capability Report. For reference, Appendix A of the USR regulations detailing the requirements of the Capability Report is attached. The team would coordinate closely with the City on details of the report that require their input. Draft versions of the application and report would be provided to the City for review and comment. The final deliverable for this task would be the completed application and Capability Report suitable for submittal to OSE. We anticipate there will be a

# MOLZENCORBIN

period of a couple of months following submittal during which OSE will request additional information before accepting the application for filing.

## **B: USR DESIGN DOCUMENTS**

The OSE requires engineering design drawings and specifications for the USR facilities, infiltration basins and recovery wells to be included with the Capability Report. The water quality requirements for recharge water have not yet been defined by NMED, but will be prescribed in the discharge permit. If the requirements are more stringent than the existing reclamation facility provides, additional treatment facilities or processes may be required. A contingency allowance for time and materials services not to exceed \$100,000.00 is provided in the fee proposal for additional treatment design if required. The team would prepare a set of plans and specifications with adequate detail for administrative review, with the intention that the documents could be updated to soliciting bids once the application is approved. A design survey will be conducted to prepare topography for the grading plan and to identify and locate important features at the site. We assume that the information collected during the borehole drilling (completed as part of the Design Feasibility Study) will be suitable for providing subsurface geotechnical information. The plans would detail: conveyance and control of the recharge water; layout and grading of the infiltration basins; recovery well drilling and design; recovery water submersible pump, conveyance, control, and tie-in with the existing non-potable distribution system; electrical power and controls; and optionally additional treatment facilities or processes. We assume that there will be no structures involved in the project which will require architecture or structural engineering, but that could change if additional treatment facilities are to be constructed. The construction cost estimates from the 2015 PER would be updated to reflect the current design and layout of the demonstration project. We would review the plans and specifications with the City at the 60% preliminary and 90% final design steps to ensure the City has input on the design process. The final deliverables would be an administrative review level (90% completion) set of plans and specifications to be submitted to OSE with the Capability Report, and a construction cost estimate for City use.

## **C: NMED GROUNDWATER DISCHARGE PERMIT**

The requirement for a Groundwater Discharge Permit will be identified by the NMED in their response to the Notice of Intent, which will be submitted during the Design Feasibility Report phase. If such a permit is required, the team would prepare the application form and associated report. The report contains much of the same information as the Capability Report, including a project overview; description of the reclamation facility treatment process; a summary of effluent discharge characteristics and groundwater conditions; plans and specifications; operations plan focused on the treatment capability; operation and maintenance procedures focused on treatment; groundwater monitoring plan; and contingency plan. It also includes a public participation component. Where possible, the team will use the same information/text in both documents to minimize the effort and cost of preparing the applications. A draft version of the application will be provided to the City and NMED for comments, which will be included in the final document. The final deliverable will be a Discharge Permit application suitable for submitting to NMED. We anticipate there will be a period of a couple of months following submittal during which NMED will request additional information before accepting the application for filing.

## **D: PUBLIC NOTICES**

Both the USR Application and the Groundwater Discharge Permit Application require public notice following submittal and administrative acceptance. DBS&A would prepare draft notices for City and

# MOLZENCORBIN

administrative review, incorporate any comments, coordinate publication in the local paper, and provide affidavits of publication.

## E: NEGOTIATE FINAL PERMIT CONDITIONS

Once the applications have been submitted, the team will be available for responding to agency comments and questions as the review process moves forward. Past experience indicates that the duration and level of effort during this phase is difficult to anticipate. We have included adequate time in the budget to cover several meetings and teleconferences, and to prepare a number of written responses to agency questions in coordination with the City. However, if the agency review time or information requests are excessive, or if there is a requirement for major revisions to the applications, Capability Report or design documents, we may need to revisit the budget with the City.

## F: MONTHLY PROGRESS REPORTING

Molzen Corbin will provide a monthly progress report to the City for the duration of the project. The team also is available for updates by phone conference at the request of the City. Finally, we have included a presentation to the governing body at an appropriate time during the project to be coordinated with the City.

## 2. PROFESSIONAL SERVICES FEE PROPOSAL

| PROFESSIONAL ITEM                              | AMOUNT              |
|--|---------------------|
| Project Coordination and Application Support   | \$25,710.00         |
| Design Phase                                   | \$51,340.00         |
| Contingency for Design of Additional Treatment | \$100,000.00        |
| Subconsultant (DBS&A)                          | \$97,559.00         |
| <b>SUBTOTAL</b>                                | <b>\$274,609.00</b> |
| <b>Additional Services</b>                     |                     |
| Survey   | \$6,102.75          |
| <b>Reimbursable Expenses</b>                   | <b>\$3,955.80</b>   |
|  | <b>TOTAL</b>        |
| <b>Gross Receipts Taxes</b>                    | <b>\$20,460.48</b>  |
|  | <b>GRAND TOTAL</b>  |
|  | <b>\$305,128.03</b> |

*Gross receipts taxes are assessed at the time of billing, currently 7.1875%.*

## 3. SCHEDULE FOR SERVICES (assuming project starts July 1, 2016)

### USR Application and Capability Report

- Prepare draft permit application: July 1 – Sep 1, 2016 (60 days)
- Prepare draft Capability Report: Aug 1 – Sep 1, 2016 (30 days)
- Preliminary Design: Jul 1 – Sep 1, 2016 (60 days)
- City and NMED Review\*: Sep 1 – Sep 15, 2016 (15 days)

# MOLZENCORBIN

- Finalize application, report and design documents: Sep 15 – Oct 15, 2016 (30 days)
- Submit USR application to OSE: Oct 15, 2016
- Respond to OSE Information Requests\*: Oct 15 – Dec 15, 2016 (60 days)
- OSE Accepts USR Application for filing: Dec 15, 2016
- Public Notice Process: Dec 15 – Jan 15, 2017 (30 days)
- Negotiate final permit conditions\*: Spring 2017

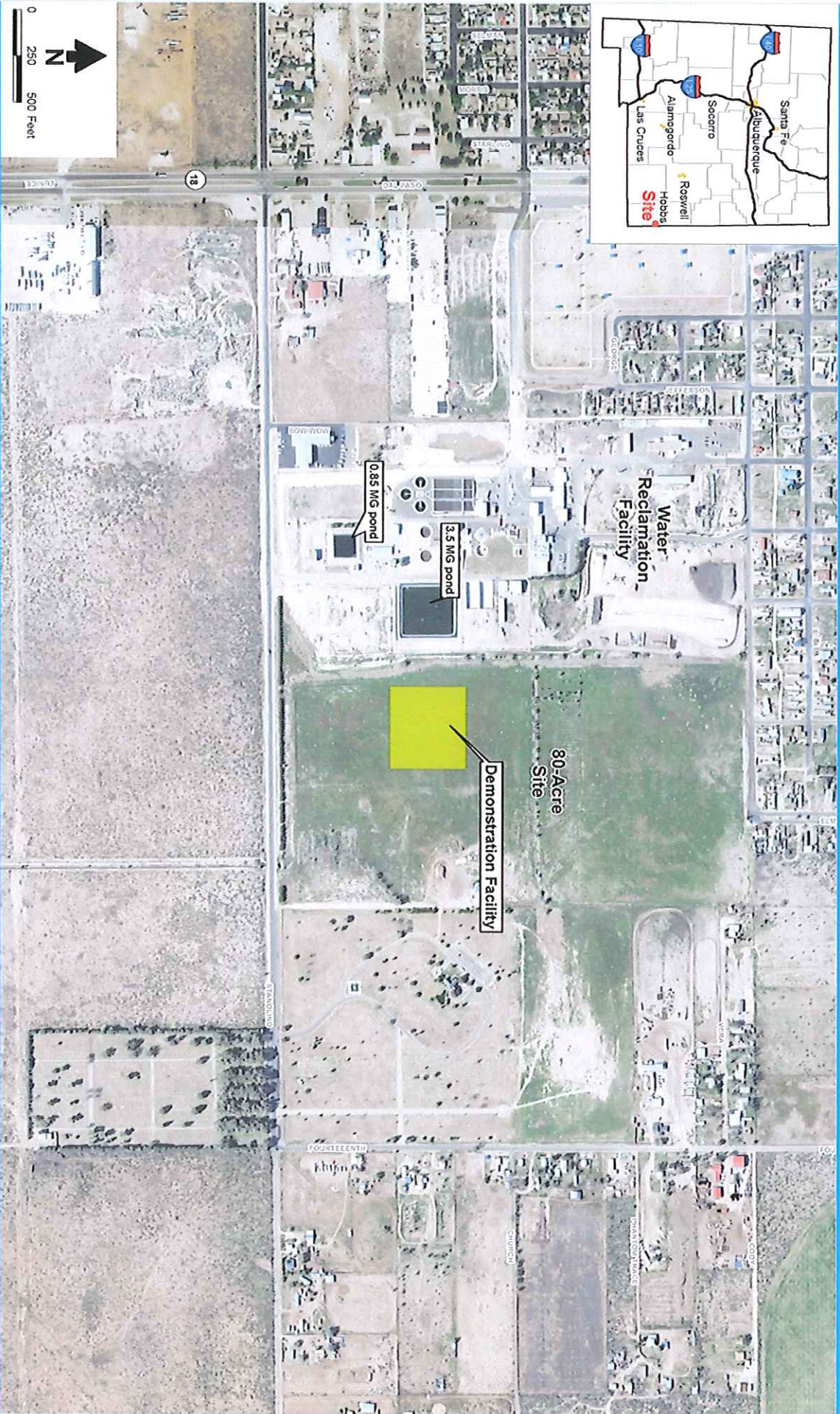
## NMED Discharge Permit

- Prepare draft permit application/report: Aug 1 – Sep 1, 2016 (30 days)
- City and NMED Review\*\*: Sep 1 – Sep 15, 2016 (15 days)
- Finalize application/report: Sep 15 – Oct 15, 2016 (30 days)
- Submit DP application to NMED: Oct 15, 2016
- Respond to NMED Information Requests\*\*: Oct 15 – Dec 15, 2016 (60 days)
- NMED Accepts DP Application for filing: Dec 15, 2016
- Public Notice Process: Dec 15 – Jan 15, 2017 (30 days)
- Negotiate final permit conditions\*: Spring 2017

\*Additional time will be needed if design for additional treatment is required. The amount of time will depend on the scope of the project and the level of effort needed.

\*\*Review and coordination times with the OSE and NMED are significant variables and could greatly impact the project schedule.

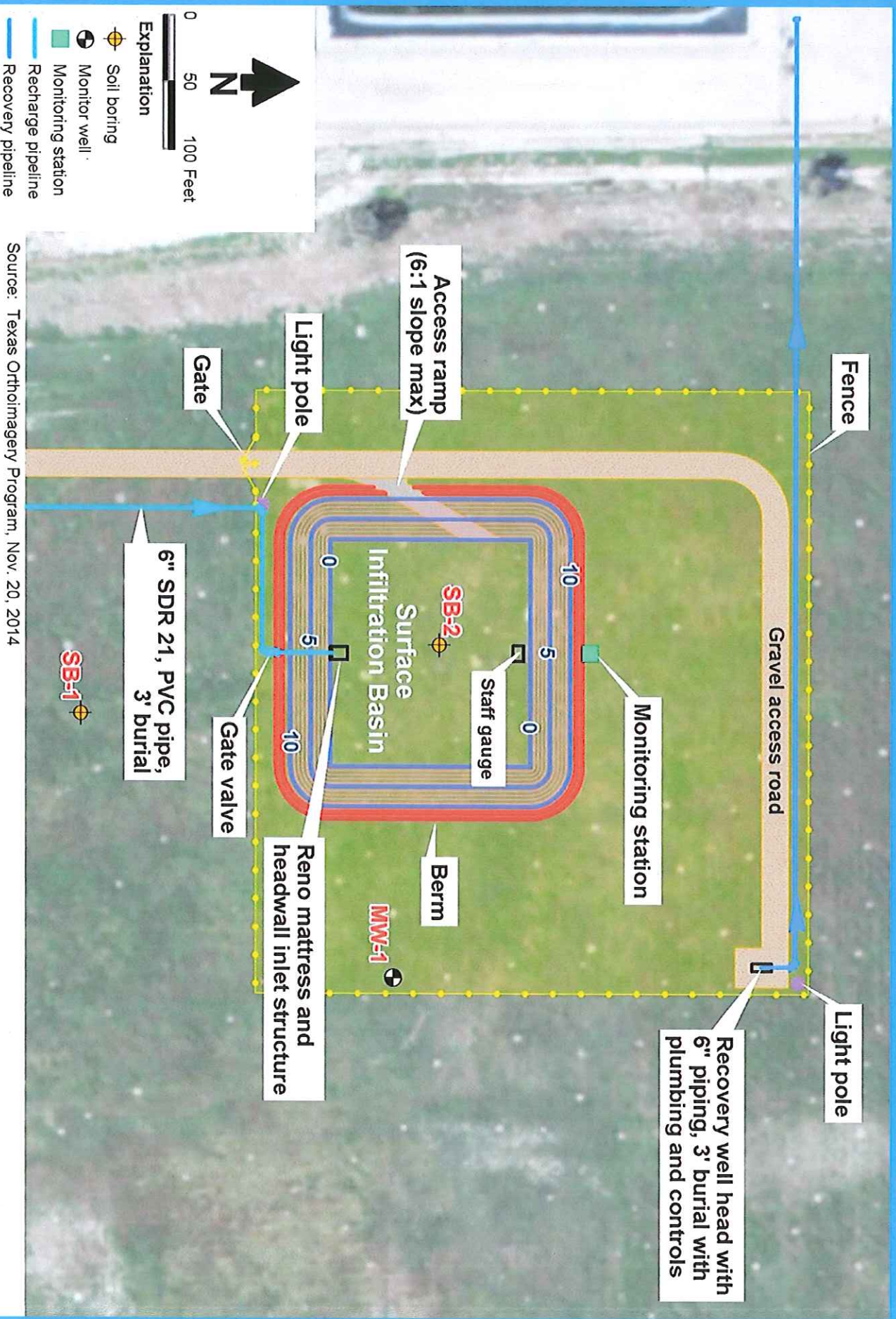
# Aerial Location Map



MG = million gallon

Texas Orthoinmagery Program, Nov. 20, 2014

# F. Proposed Method of Recharge





**CITY OF HOBBS**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 20, 2016

**SUBJECT: CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH THE BOYS AND GIRLS CLUB OF HOBBS**

DEPT. OF ORIGIN: Parks and Recreation  
DATE SUBMITTED: June 14, 2016  
SUBMITTED BY: Doug McDaniel, Parks and Recreation Director

**Summary:**

Previously, the City of Hobbs and The Boys and Girls Club of Hobbs have entered into a Professional Services Agreement since the Club has the technical and professional experience to operate a nine (9) week Summer Program. The Club will also operate, concurrently, a Special Needs program and provide transportation to and from the Summer Sports Program on the campus of Hobbs High School. Additionally, the Club will also enter into a contract with Gus Macker for the operation of the Gus Macker 3-on-3 Basketball Tournament.

**Fiscal Impact:**

Reviewed by: \_\_\_\_\_  
Finance Department

The term of this agreement is for one (1) year beginning on July 1, 2016 and ending on June 30, 2017 with an option to renew, upon approval by the City Commission, for one additional year. The agreement is to provide funds to operate a full-day summer program for youth of ages 6-12 years. There is currently \$69,000 in the Parks & Recreation Department's Professional Services budget (01-0330-42601) to fund this agreement. A payment of \$17,250 will be made on July 1, 2016 upon receipt of an invoice from The Boys and Girls Club of Hobbs. Two additional payments of \$25,875 will be made on August 1, 2016 and on May 1, 2017 upon receipt of an invoice from The Boys and Girls Club of Hobbs.

**Attachments:** Copy of Professional Services Agreement

**Legal Review:**

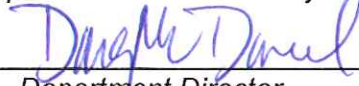

*Approved As To Form:*

  
\_\_\_\_\_  
City Attorney

**Recommendation:**

Staff recommends approval of a Professional Services Agreement with The Boys and Girls Club of Hobbs in the amount of \$69,000.

*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. \_\_\_\_\_

## PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the CITY OF HOBBS, NEW MEXICO, a municipal corporation, (hereinafter referred to as "CITY") and the BOYS & GIRLS CLUB OF HOBBS, INC., (hereinafter referred to as "CLUB").

WHEREAS, CLUB has the technical and professional expertise required for the operation of a Summer Recreation Program and has properly equipped recreational facilities in order to perform the services.

NOW, THEREFORE, THE PARTIES HERETO HEREBY DO COVENANT AND AGREE AS FOLLOWS:

### I.

CLUB will act on behalf of CITY to operate a 9-week summer recreation program for 6 to 12-year-olds, and shall perform the necessary services toward promoting these activities in the community, and such services shall include, but not be limited to, the following:

A. Provide a facility to operate a nine-hour summer recreation program to run Monday through Friday, with an agenda that includes recreational, educational, personal improvement and cultural activities.

B. The Boys & Girls Club summer program will serve in the capacity as being the designated site to accommodate special needs participants during the regular 9-week program hours kept by the facility.

C. Hire and maintain a minimum of at least eight (8) additional employees to serve as staff for the day program. For the special needs program, an additional employee shall have a background and working knowledge of special need participants and work in the capacity of the special needs participant supervisor during the hours of operation. Additional employees shall also be designated as employees to work with special needs participants as attendance warrants. Staff for all programs arising under this agreement shall be employees of CLUB and shall not be employees of CITY and are not entitled to any City of Hobbs benefits, including, but not limited to, insurance, leave, worker's compensation, and/or retirement.

D. Provide and obtain Licensing Agreement for the Gus Macker Basketball Tournament. Provide additional staff for the Gus Macker Basketball Tournament to consist of: one (1) Head Buster (referee); and scorekeepers as attendance warrants.



E. Design and placement of news releases and advertising in the appropriate media, naming CITY as co-sponsor. All advertising shall be reviewed and approved by CITY prior to submission to the media.

F. Provide reasonable assistance to CITY staff with special summer program activities such as July 4th, on which date at least four (4) of CLUB's summer staff will be required to assist. During the Gus Macker Basketball Tournament an adequate number of scorekeepers will be provided.

G. Maintain daily records of activities and the number of participants in the program and submit weekly reports to CITY by Monday of the week following the reporting period. In addition, a final report at the conclusion of the summer programs shall be submitted to CITY. Any incidents of serious nature, as determined by the Director of CLUB, shall be immediately reported to CITY.

H. Perform such other related services as mutually agreed upon by both parties and requiring no additional cost as anticipated by the scope of this Agreement including a final written evaluation of the total program.

## II.

It is expressly understood and agreed that CITY is prohibited by the Constitution of New Mexico from directly or indirectly lending or pledging its credit or making any donation to or in aid of any person, association or public or private corporation; this Agreement is intended to employ the services of CLUB, for value received, to carry out the objectives hereof, which are believed to be valid municipal purposes under the laws of the State of New Mexico.

It is expressly understood and agreed that none of these funds shall be used as "prize money" or "cash awards" for participation in activities.

## III.

CITY shall not be obligated to expend funds in excess of Sixty-nine Thousand Dollars (\$69,000.00) during the term of this Agreement. Said "not to exceed" amount shall be further restricted as follows: \$45,000.00 for the overall summer recreation program; an additional \$9,000.00 for the special needs program; an additional \$10,000.00 for the Gus Macker License fee; and an additional \$5,000.00 for the facilitation of the requirements of the Americans with Disability Act. The term of this Agreement is one (1) year, commencing July 1, 2016 and terminating June 30, 2017.

CITY agrees to pay CLUB for approved and accepted expenses, not to exceed Sixty-nine Thousand Dollars (\$69,000.00) for the term of this Agreement. Expenses not pre-approved by CITY are subject to non-payment by CITY.

A payment of Seventeen Thousand Two Hundred Fifty Dollars (\$17,250.00) shall be made from invoice on or about July 1, 2016, with the balance of funds to be paid in two (2) equal payments of Twenty-Five Thousand Eight Hundred Seventy Five Dollars (\$25,875.00) on August 1, 2016 and on May 1, 2017 in accordance with the preceding paragraph and by invoice from CLUB to CITY.

Payments hereunder are further conditioned upon CLUB submitting to CITY comprehensive reports, including a participation report with substantiating documents attached detailing the actual expenditures authorized for specific projects, programs and activities including the number of participants transported to and from the Summer Sports Program at Hobbs High School as required by the proposal submitted by CLUB and the terms of this Agreement.

CLUB agrees that any financial records or audit reports of all data relating to all matters covered by this Agreement shall be made available to CITY upon request.

It is agreed that proprietary records of CLUB, such as audit reports and financial records, are to remain private and as such can only be released to the CITY as outlined above and cannot be released to the public as a public document.

#### IV.

CLUB agrees to hold CITY free and harmless from any costs determined ineligible by proper audit and CLUB will not enter into any obligation which purports to be binding on CITY in any manner.

At such times and in such form as the City Manager may require, there shall be furnished to CITY such statements, records, reports, data and information as CITY may request pertaining to matters covered by this Agreement. Furthermore, at any time during normal business hours and as often as CITY may deem necessary, there shall be made available to CITY for examination, all records maintained by CLUB with respect to all matters covered by this Agreement; any requested excerpts of transcripts from such records and audits of all data relating to all matters covered by this Agreement subject to the limitations set out above.

#### V.

CLUB shall obtain, and provide proof thereof to CITY, the following insurance coverage including, but not limited to:

General Liability as follows: Premises, operations, products, completed operations and contractual liability. The limits of liability shall be no less than \$1,000,000.00 combined single limits for bodily injury and property damage.

Workers' Compensation is required along with State statutory employer's liability limits regardless of the number of employees.

The City of Hobbs must be named as an additional insured.

CLUB shall obtain and provide proof thereof to CITY of any other insurance coverage required by the statutes of the State of New Mexico or regulations of any agency of the State of New Mexico governing this type of project.

CLUB covenants and agrees that it will hold and save CITY harmless from any and all liability, damage, expense, cause of action, suits, claims or judgments arising from injury to person(s) or damage to property during the course of execution of this Agreement.

If any part or portion of this Agreement shall be in violation of the laws or Constitution of New Mexico, only such part or portion hereof shall be invalidated thereby, and any monies paid by CITY there under shall be repaid to CITY by CLUB, but all other portions hereof shall remain valid and enforceable.

This Agreement shall continue in force for one (1) year, with an option to renew for one (1) additional one (1) year term. This Agreement may be canceled by either party after giving sixty (60) days' notice to the other. Such notice shall be in writing and shall be considered given when delivered to the Chief Administrative Officer of the other party.

