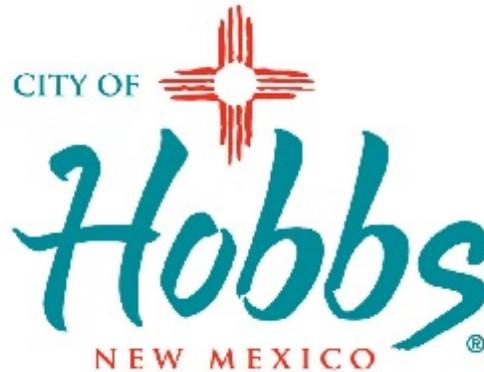


Commission Meeting Agenda



Mayor

Samuel D. Cobb

City Commission

Vacant - District 1

Christopher R. Mills - District 2

Larron B. Fields - District 3

Joseph D. Calderón - District 4

Dwayne Penick - District 5

Don R. Gerth - District 6

City Manager

Manny Gomez

May 3, 2021



Hobbs City Commission

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

Monday, May 3, 2021 – 6:00 p.m.

Sam D. Cobb, Mayor

Vacant
Commissioner – District 1

Joseph D. Calderon
Commissioner – District 4

Christopher R. Mills
Commissioner – District 2

Dwayne Penick
Commissioner – District 5

Larron B. Fields
Commissioner – District 3

Don R. Gerth
Commissioner – District 6

Regular in-person meetings have now resumed in the Hobbs City Commission Chamber. Members of the public are asked to wear a face mask and follow social distancing guidelines. The public is invited to address public comments to the Commission in person at the meeting or submit written comments prior to the meeting. Written comments should be submitted no later than 4:30 p.m. on May 3, 2021, addressed via email to the City Clerk at jfletcher@hobbsnm.org or faxed to (575) 397-9334.

A G E N D A

City Commission Meetings are
Broadcast Live on KHBX FM 99.3 Radio and
Available via Livestream at www.hobbsnm.org

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes of the April 19, 2021, Regular Commission Meeting

PROCLAMATIONS AND AWARDS OF MERIT

2. Proclamation Proclaiming May 15, 2021, as “Kids to Parks Day”
3. Proclamation Proclaiming the Month of May, 2021, as “Motorcycle Awareness Month”

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

Due to COVID-19, public comment may be submitted in person or in writing. Written comments should be submitted to the City Clerk at jfletcher@hobbsnm.org or faxed to (575) 397-9334 no later than 4:30 p.m. on the day of the meeting, May 3, 2021.

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. 7044 – Ratifying the Real Estate Purchase Agreement Regarding the Sale of Real Property Located at 818 East Roxana, Hobbs, New Mexico, to Aurora P. Alvarado for the Purchase Price of \$6,500.00 *(Valerie Chacon, Deputy City Attorney)*
5. Resolution No. 7045 – Ratifying the Real Estate Purchase Agreement Regarding the Sale of Real Property Located at 1618-1622 East Texas, Hobbs, New Mexico, to Pilar M. Carreon and Norma I. Carreon for the Purchase Price of \$6,825.00 *(Valerie Chacon, Deputy City Attorney)*

DISCUSSION

6. Hobbs Covenant Hospital - Champions for Children Campaign and a Brief Update on the Covenant Hospital Construction *(Dan Springer, CEO, Hobbs Covenant Hospital)*
7. Rent Help - State of New Mexico’s Emergency Rental Assistance Program (www.renthelpnm.org) *(Meghan Mooney, Communications Director)*

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

8. **PUBLIC HEARING:** Resolution No. 7046 – Regarding the Restaurant Liquor License Application of Habaneros Restaurant and Grill, 3414 North Lovington Hwy., Hobbs, New Mexico, for the Sale of Beer and Wine Only *(Efren Cortez, City Attorney)*

9. Resolution No. 7047 – Authorizing an Allocation of Lodgers' Tax Funds to Fund the EDC-Airline Subsidy/Marketing, CORE Marketing/Promotion and Rockwind Golf Marketing/Promotion for FY 2022 (*Toby Spears, Finance Director*)
10. Resolution No. 7048 - Approving the Final Plan for Meadows Subdivision, Unit IV, as Recommended by the Planning Board (*Kevin Robinson, Development Director*)
11. Resolution No. 7049 – Supporting an Affordable Housing Program (AHP) Application to the Federal Home Loan Bank of Dallas by Chelsea Investment Corporation to Acquire an Rehabilitate Woodleaf Apartments and Declaring that the Project Supports the City's Community Revitalization Efforts (*Kevin Robinson, Development Director*)

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

12. Next Meeting Date:

- City Commission
Special Meeting – ***Monday, May 10, 2021, at 6:00 p.m.***
Regular Meeting - ***Monday, May 17, 2021, at 6:00 p.m.***

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) 397-9200 at least 72 hours prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3, 2021

SUBJECT: City Commission Meeting Minutes

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: April 27, 2021
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

The following minutes are submitted for approval:

- Regular Commission Meeting of April 19, 2021

Fiscal Impact:

Reviewed By: _____
Finance Department

N/A

Attachments:

Minutes as referenced under "Summary".

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Motion to approve the minutes as presented.

Approved For Submittal By:



Department Director


City Manager

**CITY CLERK'S USE ONLY
COMMISSION ACTION TAKEN**

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

Minutes of the regular meeting of the Hobbs City Commission held on Monday, April 19, 2021, in the City Commission Chamber, 200 East Broadway, 1st Floor Annex, Hobbs, New Mexico. This meeting was also viewable to the public via Livestream on the City's website at www.hobbsnm.org.

Call to Order and Roll Call

Mayor Cobb called the meeting to order at 6:00 p.m. and welcomed everyone in attendance to the "In Person" meeting and everyone viewing through Livestream. The City Clerk called the roll and the following answered present:

Mayor Sam D. Cobb
Commissioner Marshall R. Newman (*attended telephonically*)
Commissioner Christopher Mills
Commissioner Larron B. Fields
Commissioner Joseph D. Calderón
Commissioner Dwayne Penick
Commissioner Don Gerth

Also present: Manny Gomez, Acting City Manager/Fire Chief
Efren Cortez, City Attorney
Barry Young, Deputy Fire Chief
Kevin Shearer, Battalion Chief
Doug McDaniel, Recreation Director
Angela Courter, Senior Affairs Coordinator
Bryan Wagner, Parks and Open Spaces Director
Matt Hughes, Rockwind Community Links Superintendent
Nicholas Goulet, Human Resources Director
Toby Spears, Finance Director
Todd Randall, City Engineer
Ron Roberts, Information Technology Director
Bobby Arther, Municipal Judge
Shelia Baker, General Services Director
Sandy Farrell, Library Director
Sandra Boltshauser, Clerk Record Specialist
Jan Fletcher, City Clerk
14 citizens

Invocation and Pledge of Allegiance

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

Closed Session

Mayor Cobb stated the Commission convened in closed session on Monday, April 19, 2021, at 5:30 p.m., for the discussion of limited personnel matters, specifically the hiring of a City Manager. The matters discussed in the closed meeting were limited only to that specified above. No action was taken during the meeting.

Mayor Cobb stated Commissioner Newman wished to address the Commission.

Commissioner Newman stated he has served as City Commissioner for District 1 since 2012 and it has been his pleasure to work with the citizens and staff of the City of Hobbs. He stated he and his wife are working on some changes in their life and these changes would no longer allow him to serve as a Commissioner for District 1. Commissioner Newman stated he is notifying every one of his resignation as City Commissioner for District 1.

Mayor Cobb stated it has been a pleasure serving with Commissioner Newman for the last nine years and he wished Commissioner Newman the best.

In response to Mayor Cobb's question, Commissioner Newman confirmed it is his intent for this verbal resignation to serve in place of a written notice.

Commissioner Calderón stated Commissioner Newman has served as an employee and a Commissioner and is leaving the City of Hobbs a better place. He stated he has enjoyed the friendship he shares with Commissioner Newman and he thanked him for being supportive throughout the years.

Commissioner Gerth stated he has been friends with Commissioner Newman for a long time and wished him the best.

Commissioner Mills expressed his appreciation to Commissioner Newman and stated he has learned so much working with him. He stated he will miss Commissioner Newman.

Commissioner Penick thanked Commissioner Newman for his service to the City and wished him well in the future.

Commissioner Fields thanked Commissioner Newman for his leadership and wished him the best.

On behalf of the City staff and citizens, Acting City Manager/Fire Chief Manny Gomez thanked Commissioner Newman for his service. He stated Commissioner Newman has served nine years as a City Commissioner and 20 years with the Hobbs Police Department, retiring as the Hobbs Police Chief. He further stated Commissioner Newman is a great example of a community servant.

In response to Mayor Cobb's inquiry, Mr. Efren Cortez, City Attorney, first echoed the sentiments of the Commission and wished Commissioner Newman the best. He then answered Mayor Cobb's question and explained the process for appointing a Commissioner. He stated Section 4-5 of the City Charter states a vacancy in the office of Commissioner, Mayor, or Municipal Judge occurs upon the officer's death, disability, resignation or termination of residency in the City or the district represented. He further explained if the office is vacated, the remaining members of the Commission shall appoint

a registered qualified elector to fill the vacancy within thirty (30) days of the vacancy. He added the Commission will have until Wednesday, May 19, 2021, to fill the vacancy. Mr. Cortez stated the qualified elector, defined as a registered voter who has met the 180 day residency requirement, appointed to fill a vacancy will serve until the next regular City election which will be in March, 2022, at which time a registered qualified elector shall be elected to fill the remaining unexpired term. He stated Commissioner Newman's term does not expire until March, 2024. Mr. Cortez stated the City Clerk will publish a notice of vacancy and accept letters of application. He explained that once received, the Commission will interview the candidates in an open meeting and a majority vote of the Commission will appoint a candidate.

Commissioner Newman disconnected from the meeting at 6:15 p.m.

Approval of Minutes

Commissioner Calderón moved that the minutes of the regular meeting held on Monday, April 5, 2021, be approved as written. Commissioner Fields seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Calderón yes, Gerth yes, Penick yes, Cobb yes. The motion carried.

Proclamations and Awards of Merit

Recognition of City Employees - Milestone Service Awards for the Month of February, 2021

Acting City Manager/Fire Chief Manny Gomez recognized the employees who have reached milestone service awards with the City of Hobbs for the month of April, 2021, which total 20 years of service worked. Acting City Manager/Fire Chief Gomez read their names, job titles and gave a brief summary of the job duties performed by each of the following employees:

- 5 years – Scott Russell Hobbs Police Department
- 15 years – Brittny Huffman Recreation/ Pools

Acting City Manager/Fire Chief Gomez thanked the Commission for recognizing the employees and their service to the City. Acting City Manager/Fire Chief Gomez stated the City's employees are the most important resource and asset within the organization. He expressed thanks and appreciation to the employees and their families.

Public Comments

Due to COVID-19, public comments may be submitted in person or in writing. Written comments should be submitted to the City Clerk at jfletcher@hobbsnm.org or faxed to (575) 397-9334 no later than 4:30 p.m. on the day of the meeting, April 19, 2021.

Mr. Nick Maxwell addressed several comments to the Commission. He thanked Acting City Manager/Fire Chief Gomez and expressed his support of Resolution No. 7043, authoring the selection of a City Manager. Mr. Maxwell expressed concern for the language of the resolution regarding contract negotiations. He stated he feels the contract should not be negotiated by a City employee who is a subordinate of the City Manager.

Mayor Cobb thanked Mr. Maxwell for his comments and stated the contract negotiation for Resolution No. 7043 will be explained in more detail when that item comes up on the agenda for consideration.

Consent Agenda

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

Resolution No. 7038 - Authorizing the Transfer of Ownership of the Hobbs Police Department's BAE Caiman MRAP to the Burke County Sheriff's Department in Waynesboro, Georgia.

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

Discussion

FY 21-22 Funding Requests by Economic Development and Marketing Entities (Exempt Entities, HMC 3.25.030)

Economic Development Corporation of Lea County

Mr. Tres Hicks, Chairman of the Economic Development Corporation of Lea County (EDC) Board, and Ms. Jennifer Grassham, Interim CEO of the EDC, presented the 2021-2022 funding request for the EDC.

Mr. Hicks stated EDC has been in Lea County since the early 1960s and in recent years has put out the most complete responses to potential businesses considering Hobbs and Lea County. He stated the public/private partnership between the EDC and the entities of Lea County has led to a great collaboration that benefits all of the municipalities as well as the schools in Lea County.

Mr. Hicks stated the EDC is in the process of completing a new five-year strategic plan. He further stated the previous five-year plan was launched in 2016 and of the seven target goals, EDC has met three goals. He added EDC has hired a consultant to assist in creating the new strategic plan.

Mr. Hicks briefly discussed FlyHobbs and stated there are currently four flights weekly out of the Lea County Regional Airport. He further stated there will be increases to six flights weekly in May, 2021, and seven weekly flights in June, 2021. He added EDC is working towards resuming all flights daily to both Houston, Texas, and Denver, Colorado.

Mr. Hicks expressed his appreciation to the City and stated Hobbs has assisted in the efforts to expand the economic development by creating new housing opportunities.

Ms. Jennifer Grassham stated the EDC has been very focused on the retail development of Lea County. She further stated during this downturn in local economy, the retail gross receipt taxes (GRT) have been very important to the community.

Mayor Cobb stated he requested that EDC add an additional request in the amount of \$25,000 to use for retail recruitment. He stated recent changes to the Local Economic Development Act (LEDA) will allow municipalities to assist in retail recruitment which could lead to big box retailers.

In response to Mayor Cobb's question, Mr. Cortez explained Senate Bill 49 and stated the biggest change to affect Hobbs is the clarification made to allow funding to be used for rehabilitation or remodeling as well as construction of a building for use by a qualifying entity. Mr. Cortez stated Hobbs is now a qualifying entity and can expend funds to assist in retail recruitment.

Mayor Cobb stated during the economic downturn of 2020, the retail businesses generated more GRT than the local oil and gas industry.

Hobbs Chamber of Commerce

Ms. Patty Collins, President and CEO of the Hobbs Chamber of Commerce (HCC), stated the FY 2021-2022 funding request from HCC is the same as the request from FY 2020-2021. She presented the newest video produced by HCC to promote Hobbs. Ms. Collins expressed her appreciation to everyone that helped with the video.

Commissioner Penick stated it was a good video and it shows everything that Hobbs has to offer.

Hobbs Hispano Chamber of Commerce

Ms. Susanna Arvizu, Hobbs Hispano Chamber of Commerce (HHCC) Board President, Ms. Jessica Olivas, HHCC Executive Director, and Ms. Rachael Moon, HHCC Board Vice President, presented a Power Point to the Commission.

Ms. Arvizu reviewed the Mission of the HHCC and stated the Vision of HHCC is to promote business resources while engaging the community and honoring the cultural

heritage. She briefly reviewed the Annual HHCC Events including Fiesta de Salud, Dia de Los Niños, Fiestas de Septiembre and Mariachi Christmas.

Ms. Olivas presented a review of the activities and assistance provided by HHCC to the community during the COVID-19 pandemic including assistance with the 2020 Census, assisting the hospitals with administration of the COVID-19 vaccine. She stated HHCC assisted United Way during the "Project Feeding Families", served as translators for the Vaccine Clinic hosted by NAACP and Covenant Hospital and provided office space for Women's Economic Self-Sufficiency Team (WESST). She stated WESST has collaborated with HHCC and provided small loans, business consulting and training to anyone wanting to start or grow a business.

Ms. Moon reviewed HHCC's social media presence, stating the total Facebook likes increased from 6,561 in January, 2020, to 7,150 in April, 2021. She stated the followers for the HHCC Facebook page increased from 6,606 in January, 2020, to 7,487 in April, 2021. Likewise, HHCC has also seen an increase in followers on Instagram.

Ms. Arvizu stated HHCC plans to continue providing service to Lea County by improving the visibility of local businesses, establishing networking relationships, connecting businesses with the community and bringing light and awareness to the Hispanic culture. She further stated HHCC plans to host upcoming events such as Food Truck Fridays and Seminars, offering improved membership tools and partnering with New Mexico Junior College and the other Lea County Chambers in "Lea County Chamber Chatter" through radio station KNMJ.

Action Items

Resolution No. 7039 - Accepting and Approving the FY 2020 Audit

Mr. Farley Vener, of Hinkle + Landers, telephonically reviewed the 2020 Audit. He explained the scope of the audit procedures to review the City's Financial Statement. He stated the City received an unmodified clean opinion which is a very good rating and the City is in compliance with its audit procedures. Mr. Vener explained the City's two audit findings, one of which is related to payroll and classified as not significant, and the other deficiency was identified on the City's Financial Statement related to receivables and doubtful accounts. There were no material weaknesses or noncompliance materials noted. Mr. Vener stated there were no material weaknesses or deficiencies noted in the Federal Awards and the City qualified as a low-risk auditee.

There being no further comment or discussion, Commissioner Calderón moved that Resolution No. 7040 be adopted as presented. Commissioner Fields seconded the motion and roll call vote was recorded as follows: Newman yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7040 - Approving the FY 2021 DFA 3rd Quarter Financial Report

Mr. Toby Spears, Finance Director, presented a PowerPoint presentation to the Commission and explained the FY 2021 3rd Quarter DFA Financial Report which will be submitted to the Department of Finance and Administration (DFA) for approval. Mr. Spears stated the actual ending cash balance as of March 31, 2021, is \$145,791,989.45 for all funds (restricted and unrestricted). He further stated the year-to-date actual revenues and expenditures for the period are \$77,135,167.41 and \$79,143,827.90 respectively.

There being no further comment or discussion, Commissioner Calderón moved that Resolution No. 7040 be adopted as presented. Commissioner Fields seconded the motion and roll call vote was recorded as follows: Newman yes, Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7041 - Approving the FY 2021 DFA 3rd Quarter Financial Report for Lodgers' Tax

Mr. Spears continued his PowerPoint presentation and stated the March 31, 2021, cash balance for the Lodgers' Tax Fund was \$1,154,600.23. He stated the total lodgers' tax revenue for the 3rd quarter FY 2021 was \$160,882.92 and total expenditures were \$446,765.69.

Mr. Spears explained the breakdown of the cash balances by category are as follows:

Profit, Non-profit, Public Entities (20%)	\$372,861.51
Local Government (40%)	\$781,738.72
Fire, EMS, Sanitation (15%)	\$ 0.00
Airline Subsidy (25%)	\$ 0.00

Mr. Spears stated the Lodgers' Tax Board met on Wednesday April 14, 2021, and the funds requested will be presented to the City Commission for approval at the next meeting.

There being no further comment or discussion, Commissioner Fields moved that Resolution No. 7041 be adopted as presented. Commissioner Calderón seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Resolution No. 7042 -Adopting Budgetary Adjustment #5 for FY 2020-2021

Mr. Spears stated the fiscal budget of the City of Hobbs is adopted by resolution, reviewed and approved by DFA. He further stated because the budget is prepared prior to the beginning of the fiscal year, from time to time it becomes necessary to adjust the budget for items not contemplated at the time of its preparation or for issues that arise during the fiscal year. Mr. Spears stated the total revenue for the FY 21 budget has increased by \$537,237.61 and the total expenses decreased by \$3,910,658.45 providing a budgeted ending cash balance of \$89,227,027.16 for all funds. He further stated the general fund reserve has increased from 45% to 54%. He explained that this budget adjustment also includes inter-fund cash transfers.

In response to Mayor Cobb's question, Mr. Spears stated DFA requires a minimum of 8% in cash reserves. In further reply to Mayor Cobb, Mr. Spears stated there may be no other entity with a cash reserve as high as Hobbs.

Mayor Cobb commended Mr. Spears and the Finance Department. He stated the good decisions made by the Commission, the Finance Department and management are paying off for the City.

There being no further comment or discussion, Commissioner Penick moved that Resolution No. 7040 be adopted as presented. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. Copies of the resolution and supporting documentation are attached and made a part of these minutes.

Consideration and Approval of the Hobbs Senior Center's Operating Protocols, COVID-19 Safe Policies and Procedures, and Contact Tracing Plan as Required for Reopening

Mr. Doug McDaniel, Recreation Director, stated the Hobbs Senior Center closed its doors on March 16, 2020, due to the COVID-19 pandemic. On March 17, 2020, the Hobbs Senior Center began its "Grab and Go" lunch program allowing the Hobbs Senior Center to continue serving the needs of Hobbs senior citizens by providing a drive-through meal option. The New Mexico Aging and Long Term Services Department (NMAL TSD) and the Non-Metro Area Agency on Aging (NMAAA) have published guidance documents related to the reopening of Senior Centers in New Mexico. Mr. McDaniel stated Hobbs Senior Center staff used these documents to draft a reopening plan for the Hobbs Senior Center. He then explained the reopening plan and stated the NMAL TSD and NMAAA require the Hobbs Senior Center's reopening plan to be approved by the City Commission and submitted. If approved by the Commission, the Senior Center will reopen slowly, safely, and gradually for recreation activities. Mr. McDaniel assured the Commission that compliance with the City's CSPs and Employees Returning to Work policy will continue.

Ms. Angela Courter, Senior Affairs Coordinator, stated the City followed the State guidelines for drafting the Hobbs Senior Center's Operating Protocols, COVID-19 Safe Policies and Procedures, and Contact Tracing Plan as Required for Reopening. She further stated staff at the Hobbs Senior Center are eager to return to work assisting Hobbs' senior citizens.

Mayor Cobb commended Ms. Courter and the Hobbs Senior Center staff and stated the Hobbs Reopening Plan is so well-written that the State is using the Hobbs Reopening Plan as a guideline for other municipalities.

There being no further comment or discussion, Commissioner Gerth moved to approve the Hobbs Senior Center's Operating Protocols, COVID-19 Safe Policies and Procedures, and Contact Tracing Plan as Required for Reopening as presented. Commissioner Fields seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Consideration of Approval of Bid No. 1585-21 for Lea County Airport Water and Sewer Extension Project and Recommendation to Accept the Bid of Ferguson Construction in the Amount of \$1,440,982.00

Mr. Todd Randall, City Engineer, stated the City received three bids on March 4, 2021, for Bid No. 1585-21 for the Lea County Airport Water and Sewer Extension project. He stated Ferguson Construction was the low Bid on Lots 1, 2 & 3, which are described as follows:

- Bid Lot 1: 12" Water and Sewer along US 62/180 to the Airport Entrance Roadway
- Bid Lot 2: Includes all work in Bid Lot 1, plus water only connection on Airport Property
- Bid Lot 3: Includes all work in Bid Lot 1 & 2, plus a new City Lift Station and sewer connection on Airport Property.

Mr. Randall stated the project is within budget and staff recommends the award of Bid Lot 2 to Ferguson Construction. He further stated Lea County recently expanded the Terminal on-site, which included a new septic system. Mr. Randall stated City staff is in conversation with Lea County for participation in the extension of the water and sewer, which would enhance the revenue side of this project. He added a Utility Service Agreement would be required prior connecting to the City's infrastructure.

In response to a question from Mayor Cobb, Mr. Randall stated the portion of the project that runs under the highway will be paid by Lea County at a future date.

There being no further comment or discussion, Commissioner Calderón moved to approve Bid No. 1585-21 for Lea County Airport Water and Sewer Extension Project and Recommendation to Accept the Bid of Ferguson Construction in the Amount of \$1,440,982.00 as presented. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Consideration of Approval of a CES Contract with Lee Engineering for Professional Engineering of Hobbs Fiber Design in the Amount of \$126,590.50

Mr. Randall stated Lee Engineering has provided the City of Hobbs a Feasibility Study for the Citywide Fiber Network project. He further stated the City has requested a proposal to create final design plans to install a fiber optic communications system. He added the scope of the project with Lee Engineering will include the design of fiber optic communications in two phases using a combination of new conduit installations and existing conduit installations through the existing traffic signals. Mr. Randall stated this cost proposal includes utilities investigation, (via as-builts, ortho-imagery and one call utility location data, preliminary design plans, final design plans and permits/project coordination) and construction support (RFI's and submittal reviews). He further stated the State has granted Legislative Capital Outlay for this project which will be reflected in the budget for fiscal year 2022. (\$828,000).

Mayor Cobb stated there is substantial funding through State and Federal programs to enhance fiber optics in rural areas.

In answer to a question from Commissioner Mills, Mr. Randall stated the fiber optics could be used for private use; however, it would need to be included in the budget process and the City would need to manage the use of right-of-ways.

In response to Mayor Cobb's inquiry, Mr. Randall stated the City could partner with the private sector to for use of the fiber optics.

Mayor Cobb and Commissioner Mills both stated internet and bandwidth are important to the businesses and people in Hobbs.

There being no further comment or discussion, Commissioner Penick moved to approve a CES Contract with Lee Engineering for Professional Engineering of Hobbs Fiber Design in the Amount of \$126,590.50 as presented. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the supporting documentation is attached and made a part of these minutes.

Resolution No. 7043 -Authorizing the Selection of a City Manager

Mr. Nicholas Goulet, Human Resources Director, stated the City of Hobbs opened the recruitment process for the vacant position of City Manager on February 24, 2021, which subsequently closed on March 2, 2021. He further stated a total of five applications were received by the recruitment deadline. Of those five received, only one met minimum requirements as set forth in the job posting. He further stated, of the candidates that did not meet minimum requirements, most lacked the requisite tenure of governmental experience. Mr. Goulet stated Acting City Manager/Fire Chief Manny Gomez was the only applicant that met all minimum qualifications and thereby proceeded in the process. He explained due to continued COVID-19 restrictions and limitations on gatherings, Mr. Gomez was interviewed for the City Manager position through an electronic video system named "Spark Hire." This video system was utilized to record Acting City Manager/Fire Chief Gomez's responses to interview questions. After completion, a link to the completed video interview was then sent to the Mayor and Commissioners separately. Mr. Goulet stated the Commissioners separately, were given instructions to watch all recorded questions and then rate Acting City Manager/Fire Chief Gomez upon completion. A five point rating system was used with five points being the highest possible score and one point being the lowest possible score. He stated prior to and during the scoring process, the Commissioners were not privy to the scores of any other Commissioner. Mr. Goulet stated based on all combined scores, Acting City Manager/Fire Chief Gomez received an average of 4.8 points out of an overall possible of 5 points. Acting City Manager/Fire Chief Gomez's overall aggregate score through this process warrants the Commission's consideration of selecting him to fill the vacant City Manager position.

Mr. Cortez explained the position of the City Attorney's Office in the hiring of the City Manager and stated an attorney is charged with doing the business of his or her client. He further stated his legal role is to act on behalf of the Commission. Mr. Cortez stated he will represent the City Commission in the matter of the City Manager contract negotiations and he recommended Acting City Manager/Fire Chief Gomez have his own legal representation.

In response to Mayor Cobb's question, Mr. Cortez affirmed the City has met the State requirements. He stated the Hobbs City Charter Section 4-7 mirrors New Mexico State Statute 3-14-12(B) which provides that the Commission shall appoint a City Manager and hold him responsible for the proper and efficient administration of City government. He further stated once drafted, the City Commission will vote on the final contract in a public meeting.

Mayor Cobb stated he will be involved in the contract negotiation for the City Manager and invited two other Commissioners to volunteer to assist in negotiating a contract for the position of City Manager. He further stated it was never the intent for City staff to negotiate the contract with Acting City Manager/Fire Chief Gomez.

Commissioner Calderón stated he has worked with Acting City Manager/Fire Chief Gomez for approximately 27 years. He further stated he has been on the Commission through the hiring of four City Managers. Commissioner Calderón expressed his appreciation to Acting City Manager/Fire Chief Gomez for his work in cleaning up Hobbs, his work with the Hobbs Fire Department and his willingness to work with the students in Hobbs. Commissioner Calderón announced his desire to run for re-election as Commissioner for District 4 in the March, 2022, Municipal Election. He added he will begin going door to door to visit with constituents in June, 2021.

Commissioner Mills stated Acting City Manager/Fire Chief Gomez has been interviewing for the position of City Manager since he, Commissioner Mills, started on the Commission. He further stated he has been thrilled with the performance of Acting City Manager/Fire Chief Gomez during the last three years and Acting City Manager/Fire Chief Gomez is the right man for the position of City Manager.

Mayor Cobb expressed his appreciation to Mrs. Yvonne Gomez and Acting City Manager/Fire Chief Gomez's family and stated a vote for Acting City Manager/Fire Chief Gomez is also a vote for them.

Commissioner Fields expressed his appreciation to Acting City Manager/Fire Chief Gomez and stated has assisted in getting lots of work done in District 3.

Commissioner Penick stated he has known Acting City Manager/Fire Chief Gomez for many years. He further stated Acting City Manager/Fire Chief Gomez is a trustworthy and word working person. He added Acting City Manager/Fire Chief Gomez is a blessing and an asset to the City.

There being no further comment or discussion, Commissioner Calderón moved that Resolution No. 7043 be adopted as presented. Commissioner Penick seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Penick yes, Calderón yes, Gerth yes, Cobb yes. The motion carried. A copy of the resolution is attached and made a part of these minutes.

Acting City Manager/Fire Chief Gomez thanked the Commission for the vote of confidence. He stated the opportunity to become the City Manager is important to him and his family. He further stated the last three and a half years have gone by quickly and he has learned many lessons. He added he is grateful for the leadership and support of the Department Heads and community.

Acting City Manager/Fire Chief Gomez also thanked Ms. Ann Betzen, Risk Manager/Executive Assistant, and Deputy Fire Chief Barry Young for all of their assistance. He stated he wouldn't have been able to do his job without them.

Acting City Manager/Fire Chief Gomez stated he began his public service as a firefighter in 1985 because he wanted to make a difference. He stated he never dreamed of becoming a City Manager. Acting City Manager/Fire Chief Gomez stated he will continue to make improvements and provide the highest quality service possible. He again expressed his appreciation to the Commission for the vote of confidence in appointing him as City Manager.

COMMENTS BY CITY COMMISSIONERS, CITY MANAGER

Mayor Cobb stated the Commission will meet for a Budget Work Session on Monday, May 3, 2021, at 4:00 p.m. and the regular Commission Meeting will follow thereafter at 6:00 p.m.

Acting City Manager/Fire Chief Gomez stated the Hobbs Police Department hosted "Operation Cops Care" community clean-up event in conjunction with the American Heritage Girls, the New Mexico Zias Basketball Teams and local citizens. He stated approximately 3,920 pounds of trash was picked up. He thanked Police Chief John Ortolano and Deputy Police Chief August Fons for hosting this event.

Acting City Manager/Fire Chief Gomez stated the next Community Clean Up will be held on May 15, 2021, in District 4. More information will be provided closer to the event.

Acting City Manager/Fire Chief Gomez stated the local hospital cleanup will be held this weekend on the Lovington Hwy.

Acting City Manager/Fire Chief Gomez stated Hobbs is fortunate to have Mr. Toby Spears and the Finance Department staff. He stated there will be a hearing on April 29, 2021, to discuss the changes to New Mexico's gross receipts tax regulations to a destination source taxing. Acting City Manager/Fire Chief Gomez thanked Mayor Cobb, Senator Gay Kernan and Representative Larry Scott for their guidance through this piece of legislation.

Mayor Cobb stated the destination tax, which was originally thought to be for internet sales, includes changes for all types of businesses. He stated this could have a devastating effect on the gross receipts taxes paid to Hobbs.

Commissioner Mills thanked the EDC, HCC and HHCC for their presentations. He expressed his appreciation at having successful minds bettering the community. He stated Hobbs is a great community and with the proper tone, the citizens can help promote Hobbs. He challenged everyone to consider how they can project greatness.

Commissioner Penick stated he is seeing a big movement with the City leaders in regards to cleaning up all of the litter in Hobbs. He stated cleaning up the litter in Hobbs helps to project a positive attitude for growth and development. Commissioner Penick stated citizens should not be timid in protecting the place we all live.

Commissioner Penick also thanked the EDC, HCC and HHCC for their presentations.

Commissioner Penick welcomed Acting City Manager/Fire Chief Gomez to the position of City Manager.

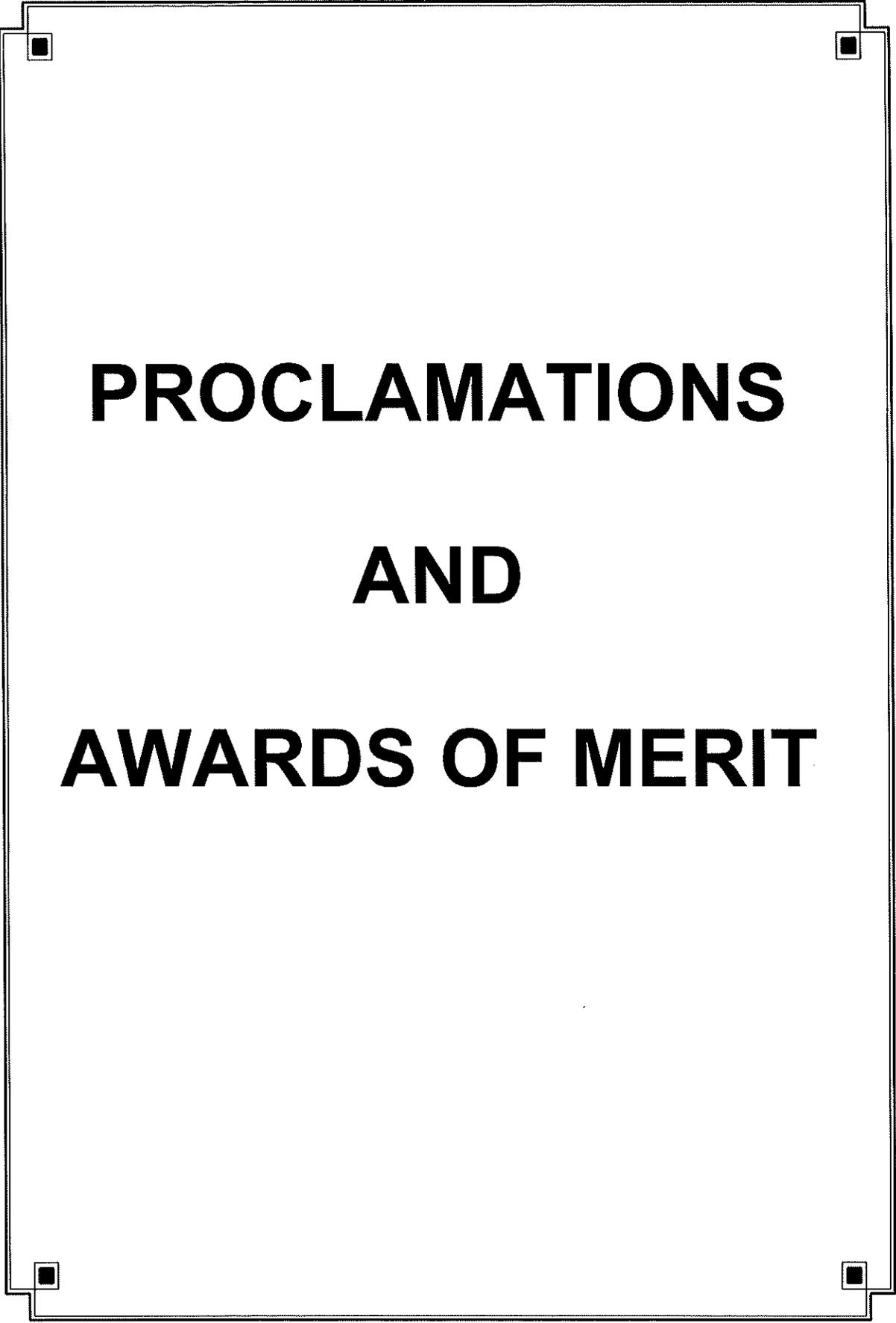
Adjournment

There being no further business or comments, Commissioner Calderón moved that the meeting adjourn. Commissioner Gerth seconded the motion and roll call vote was recorded as follows: Mills yes, Fields yes, Calderón yes, Penick yes, Gerth yes, Cobb yes. The motion carried. The meeting adjourned at 8:10 p.m.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



PROCLAMATIONS

AND

AWARDS OF MERIT

Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, May 15th, 2021 is the eleventh Kids to Parks Day organized and launched by the National Park Trust, held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit local parks, public lands, and waters; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes, hypertension and high cholesterol; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

WHEREAS, Kids to Parks Day will recognize the importance of recreating responsibly while enjoying the benefits of the outdoors.

NOW, THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, New Mexico, do hereby proclaim May 15th, as

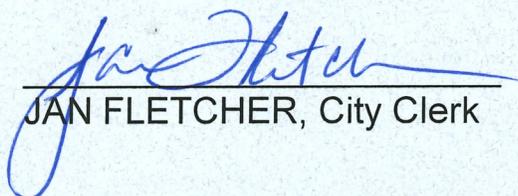
"KIDS TO PARKS DAY"

in the City of Hobbs and urge residents to make time to take the children in their lives to a neighborhood, state or national park.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of May, 2021, and cause the seal of the City of Hobbs to be affixed hereto.

SAM D. COBB, Mayor

ATTEST:



JAN FLETCHER, City Clerk



Office of the Mayor
Hobbs, New Mexico

PROCLAMATION

WHEREAS, motorcycles are used as a regular means of transportation for commuting, touring and recreation in and around Hobbs, New Mexico; and

WHEREAS, the Hobbs roadways make motorcycling a very popular area for riders from around the country; and

WHEREAS, the safe operation of a motorcycle requires the use of acquired skills developed through a combination of training and experience, the use of good judgement, and thorough knowledge of traffic laws and licensing requirements; and

WHEREAS, it is imperative that the residents of Hobbs be aware, show consideration and share the road with motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

WHEREAS, the National Highway Traffic Safety Administration has declared May as "Motorcycle Awareness Month"; it is the desire of this City Commission to join NHTSA in raising awareness of the growing number of motorcyclists on Hobbs' roadways in order to help prevent accidents and most importantly, save lives.

NOW THEREFORE, I, Sam D. Cobb, Mayor of the City of Hobbs, do hereby proclaim the month of May, 2021 to be

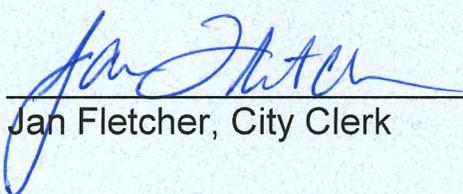
"MOTORCYCLE AWARENESS MONTH"

and urge our citizens to be observant, courteous and knowledgeable about motorcycle usage in our community.

IN WITNESS, WHEREOF, I have hereunto set my hand this 3rd day of May, 2021, and cause the seal of the City of Hobbs to be affixed hereto.

Sam D. Cobb, Mayor

ATTEST:



Jan Fletcher, City Clerk





CONSENT AGENDA



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3, 2021

SUBJECT: RESOLUTION TO RATIFY THE REAL ESTATE PURCHASE AGREEMENT REGARDING THE REAL PROPERTY LOCATED AT 818 E. ROXANA IN HOBBS, NEW MEXICO.

DEPT. OF ORIGIN: Legal Department
DATE SUBMITTED: April 26, 2021
SUBMITTED BY: Valerie S. Chacon

Summary:

The City of Hobbs is requesting approval from the City Commission to ratify a Real Estate Purchase Agreement on real property owner by the City of Hobbs, Lot 22 Block 8 Original New Hobbs Addition, Lea County, commonly known as 818 E. Roxana, Hobbs New Mexico, 88240. This property was acquired via Special Masters sale. A Special Master's deed was issued to the City of Hobbs. On October 28, 2011, the Special Master accomplished the sale of the premises, the purchaser being the City of Hobbs. The Order approving the Special Master's report and confirming foreclosure sale was filed on December 1, 2011. According to NMSA 1978, § 3-54-1 a municipality may lease or sell and exchange any municipal real property having a value of twenty-five thousand dollars (\$25,000) or less by public or private sale or lease any municipal facility or real property of any value normally leased in the regular operations of such facility or real property, and such sale or lease shall not be subject to referendum. The sale price on the property is \$6,500 including the 10% earnest money, which is to be paid 24 hours after the purchase agreement is signed. The parcel is determined to have a market value of less than \$25,000, and the sale can therefore be approved by this Resolution.

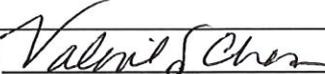
Fiscal Impact:

Reviewed By: 
Finance Department

This process should generate revenues to be deposited into the Land Acquisition Fund. The sale price is \$6,500 including the 10% earnest money, which is to be paid 24 hours after the purchase agreement is signed.

Attachments: Real Estate Purchase Agreement on 818 E. Roxana, Hobbs, NM 88240. The sale price on the property is \$6,500 including the 10% earnest money, which is to be paid 24 hours after the purchase agreement is signed.

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Motion to approve.

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. 7044

RESOLUTION TO RATIFY THE REAL ESTATE PURCHASE
AGREEMENT REGARDING THE REAL PROPERTY LOCATED
AT 818 E. ROXANA IN HOBBS, NEW MEXICO

WHEREAS, pursuant to NMSA 1978, § 3-54-1, the Municipality may lease or sell and exchange any municipal real property having a value of twenty-five thousand dollars (\$25,000) or less by public or private sale or lease any municipal facility or real property of any value normally leased in the regular operations of such facility or real property, and such sale or lease shall not be subject to referendum; and

WHEREAS, the parcel is determined to have a market value of less than \$25,000; and

WHEREAS, this City Commission desires to ratify the Real Estate Purchase Agreement; and

WHEREAS, the real property's legal description is, Lot 22 Block 8 Original New Hobbs Addition, Lea County; and

WHEREAS, the sale price is \$6,500 including the 10% earnest money, which is to be paid 24 hours after the purchase agreement is signed; and

WHEREAS, attached hereto is the Real Estate Purchase Agreement on 818 E. Roxana, Hobbs, NM 88240.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Hobbs that the Purchase Agreement regarding 818 E. Roxana, Hobbs New Mexico, 88240, is hereby ratified.

PASSED, ADOPTED AND APPROVED this 3rd day of May 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

REAL ESTATE PURCHASE AGREEMENT

THIS REAL ESTATE PURCHASE AGREEMENT (hereinafter "Agreement"), entered into this 6th day of April, 2021, between Aurora P. Alvarado, 1107 North Thorp, Hobbs NM 88240 (hereinafter "Purchaser"); and the City of Hobbs, New Mexico, a New Mexico Municipal Corporation (hereinafter "City").

RECITALS:

A. The City, in consideration of the mutual covenants herein contained, agrees to sell and convey property located northeast of the intersection of Roxana & First in Hobbs New Mexico, and Purchaser agrees to purchase the real estate described below, together with all buildings and improvements and all rights, hereditaments, easements and appurtenances thereunto belonging, more particularly described as follows, and referred to hereinafter as "Property, " on the terms and conditions set forth herein.

Legal Description:

Lot 22, Block 8, Original New Hobbs Addition to the City of Hobbs, Lea County, New Mexico

NOW THEREFORE THE FOLLOWING IS AGREED BY THE PARTIES:

1. Earnest Money Deposit.

Purchaser will make an earnest money deposit with the Closing Agent in the sum of 10% of purchase price, within 24 hours of City Manager Approval of this agreement.

2. Purchase Price.

The purchase price for the Property shall be \$ 6,500 of which the amount paid as earnest money shall be a part.

3. Closing Date.

Closing for the sale of the Property shall occur on a mutually agreeable date, at least forty-five (45) days, but not more than one hundred eighty (180) days after the adoption of the ordinance authorizing the sale by the City, unless a referendum election is held pursuant to 3-54-1, NMSA, 1978, as amended. The parties may extend the Closing Date by mutual agreement, not to exceed 365 days following the date of the ordinance.

4. Title.

At closing, the City shall execute and deliver a Special Warranty Deed conveying the Property to the Purchaser and/or his assigns, in fee simple, subject to all patent reservations and to all other existing liens, encumbrances and other exceptions of record.

5. Risk of Loss.

All risk of loss or damage to the Property will pass from the City to Purchaser at closing. In the event that material loss or damage occurs prior to closing, Purchaser may, without liability, refuse to accept the conveyance of title, in which event the earnest money deposit, if any, shall be refunded. Possession of the Property by Purchaser shall occur at closing. Before closing, Purchaser shall be solely responsible to insure Purchaser's interest in the Property if Purchaser so chooses.

6. Default and Remedy.

A. Default by City. If City defaults in the performance of this Agreement, Purchaser may terminate this Agreement and receive a refund of the earnest money deposit, if any, or may waive default, enforce performance of this contract, and seek whatever legal remedy may be provided by law.

B. Default by Purchaser. If Purchaser defaults in the performance of this Agreement prior to closing, City may terminate this Agreement and retain the earnest money deposit.

C. Notice and Demand for Performance. In the event that either party fails to perform such party's obligations hereunder (except as excused by the other's default), the party claiming default will give written notice of demand for performance. If the party to whom such notice and demand is given fails to comply with such written demand within ten (10) days after receipt thereof, the non-defaulting party may pursue the remedies provided in this paragraph.

7. Costs and Fees.

The closing costs shall be paid as follows:

A. All closing costs shall be paid by the Purchaser, including title insurance premium costs up to or in excess of the purchase price.

B. The Purchaser and City shall each pay for their respective legal fees.

8. Notice.

All notices given pursuant to or in connection with this Agreement shall be made in writing and posted by certified mail, postage prepaid, to the City, at City of Hobbs, ATTN: Development Director, 200 East Broadway, Hobbs, NM 88241; and to Purchaser, at Aurora P. Alvarado, 1107 North Thorp, Hobbs NM 88240, or to such other address as requested by either party. Notice shall be deemed to be received on the fifth day following posting.

9. Attorney's Fees and Costs.

Both parties agree that if either is found by a court to have breached this agreement, the other party may recover reasonable attorney's fees and cost of litigation, including the costs of a City Attorney as a staff person.

10. Counterparts.

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

11. Successors and Assigns.

This Section refers to assignability of this Purchase Agreement and not to assignability of the Property after the land purchase has been completed. This Agreement may not be assigned by Purchaser without the prior written consent of the City. Subject to the foregoing provision, this Agreement shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and assigns; provided that upon any assignment of this Agreement by either party, the other party shall not be released from any obligation under, or liability accruing pursuant to this Agreement. Except that Purchaser is permitted, upon City approval, to assign its interest to a limited liability company under common ownership, management, and/or control. Consent shall not unreasonably be withheld by either party.

12. Compliance with New Mexico State Statutes.

The City states that it has complied with the requirements of Section 3-54-1, NMSA, 1978, as amended, and that it has authorization to sell property pursuant to the Hobbs Municipal Code, as amended.

13. Governing Laws.

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

14. Termination.

This agreement shall be terminated on the closing date for sale of property, unless either party ends the agreement prior to that date pursuant to Section 6 of this Agreement. All of the City's warranties, representations, certifications, and agreements contained herein shall be and remain true at the time of closing.

15. Conditions For Completing The Purchase.

The following actions must occur and be performed prior to Purchaser satisfactorily closing on the Property:

- A. There shall be no material adverse change in the condition of the Property as of closing.
- B. The representations and warranties contained in this Agreement are true and correct as of the date of closing.

16. Representations and Certifications Made By The City As A Part Of This Agreement.

The City represents and warrants to the Purchaser that the following shall be true and correct, as of the date hereof and as of the date of closing:

- A. The City owns title to the Property subject only to easements, restrictions and reservations of record as disclosed in the title commitment.
- B. There are no public improvements which have been commenced or completed for which special real property tax assessments may be or have been levied against the Property.
- C. There are no known existing violations of applicable law with respect to the Property.
- D. There is no litigation pending or threatened against the Property which might result in a lien on the Property, or might interfere with the City's ability to sell or convey the Property, or which might have a material adverse change upon the Property.
- E. The execution and delivery of the Purchase Agreement and closing of the sale by the City will not result in the breach of any agreement, decree or order to which the City is a party or by which the Property is bound.
- F. There are no condemnation proceedings pending or threatened with respect to all or any portion of the Property.
- G. The City is not a party to any contracts relating to the Property, except for this Agreement.

17. Time of Essence.

Time is declared to be of the essence of this Agreement.

18. Additional Documents.

The parties agree to execute further documents as may be reasonably required to effectuate the purchase and sale of the Property as provided by this Agreement.

19. Entire Document.

This instrument constitutes the entire agreement between the City and the Purchaser, and there are no agreements, understandings, warranties, or representations between the Purchaser and the City except as set forth herein. This Agreement cannot be amended except in writing executed by the Purchaser and the City.

Done and approved on the date first written above.

THE CITY OF HOBBS

PURCHASER

Manny Gomez, City Manager

Liliana Sanchez
[Name]

ATTEST:

APPROVED AS TO FORM:

Jan Fletcher, City Clerk

Efren Cortez, City Attorney

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

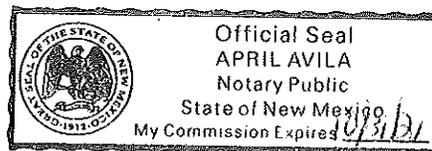
The foregoing instrument was acknowledged before me on this 12 day of April, 2011 by Liliana Sanchez to me personally known, and She acknowledged said instrument, and acknowledged that he\she executed the same as his\her free act and deed.

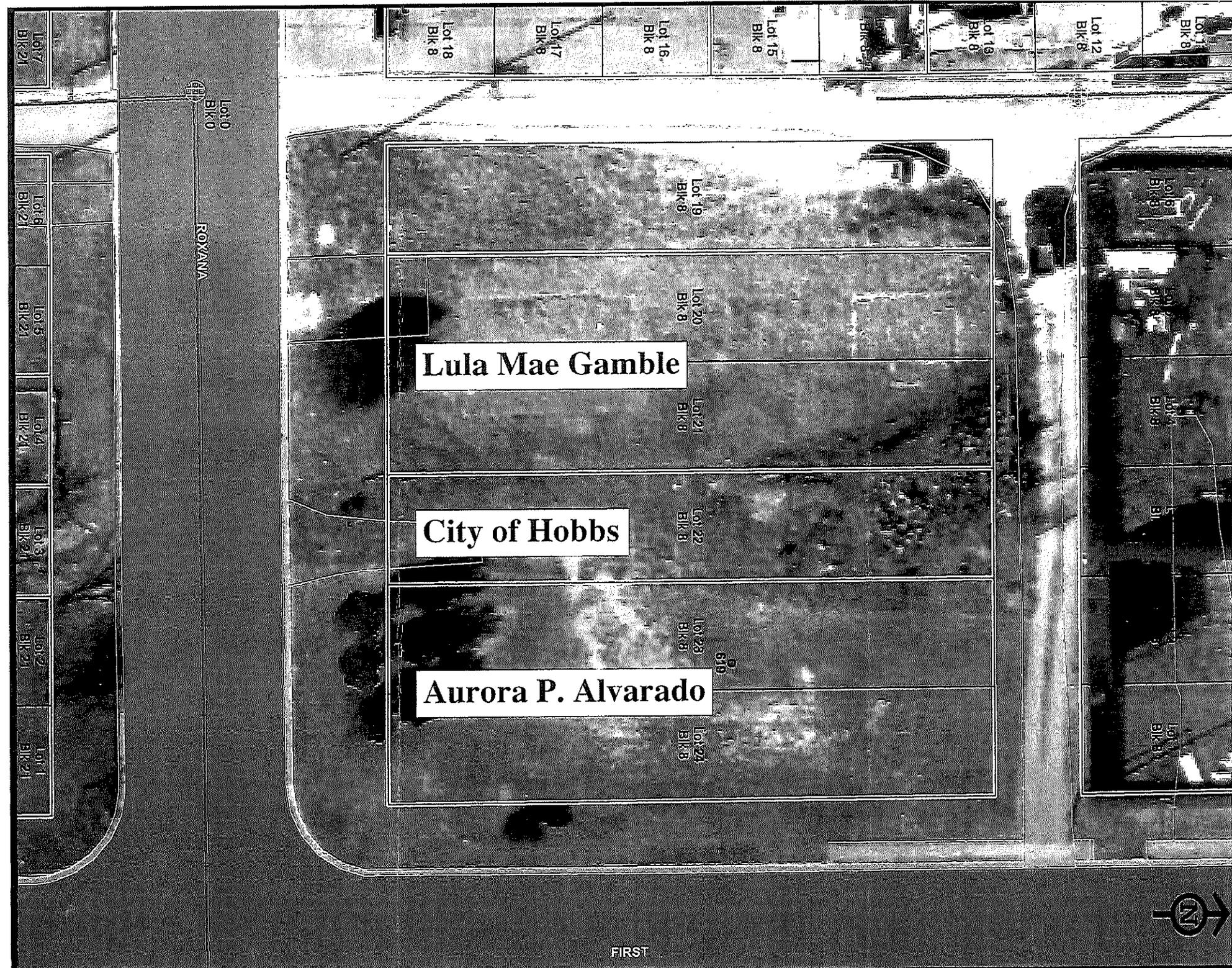
In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid and year first written above.

April Avila

Notary

Public _____
My Commission Expires: 10/31/2011





Lula Mae Gamble

City of Hobbs

Aurora P. Alvarado

Lot 10
Blk 8

ROXANA

FIRST



Lot 17
Blk 21

Lot 16
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CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3, 2021

SUBJECT: RESOLUTION TO RATIFY THE REAL ESTATE PURCHASE AGREEMENT REGARDING REAL PROPERTY LOCATED AT 1618-1622 E. TEXAS ST. IN HOBBS, NEW MEXICO.

DEPT. OF ORIGIN: Legal Department
DATE SUBMITTED: April 26, 2021
SUBMITTED BY: Valerie S. Chacon

Summary:

The City of Hobbs is requesting approval from the City Commission to ratify a Real Estate Purchase Agreement on real property owner by the City of Hobbs, Lots 6, 7 and 8 Block 1 Key Subdivision, Lea County, commonly known as 1618-1622 E. Texas St., Hobbs New Mexico, 88240. This property was acquired via Special Masters sale. A Special Master's deed was issued to the City of Hobbs. On October 28, 2011, the Special Master accomplished the sale of the premises, the purchaser being the City of Hobbs. The Order approving the Special Master's report and confirming foreclosure sale was filed on December 1, 2011. According to NMSA 1978, § 3-54-1 a municipality may lease or sell and exchange any municipal real property having a value of twenty-five thousand dollars (\$25,000) or less by public or private sale or lease any municipal facility or real property of any value normally leased in the regular operations of such facility or real property, and such sale or lease shall not be subject to referendum. The sale price was \$6,825.00 plus closing costs (\$439.89), total \$7,264.89. The parcel is determined to have a market value of less than \$25,000, and the sale can therefore be approved by this Resolution.

Fiscal Impact:

Reviewed By: 

Finance Department

This process should generate revenues to be deposited into the Land Acquisition Fund.

Attachments: Attachments: Real Estate Purchase Agreement on 1618-1622 E. Texas St., Hobbs, NM 88240. The sale price was \$6,825.00 plus closing costs (\$439.89), total of \$7,264.89.

Legal Review:

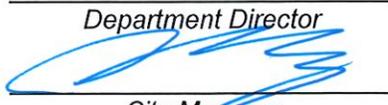
Approved As To Form: 

City Attorney

Recommendation:

Motion to approve.

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. 7045

RESOLUTION TO RATIFY THE REAL ESTATE PURCHASE
AGREEMENT REGARDING THE REAL PROPERTY LOCATED AT
1618-1622 E. TEXAS ST. IN HOBBS, NEW MEXICO

WHEREAS, pursuant to NMSA 1978, § 3-54-1, the Municipality may lease or sell and exchange any municipal real property having a value of twenty-five thousand dollars (\$25,000) or less by public or private sale or lease any municipal facility or real property of any value normally leased in the regular operations of such facility or real property, and such sale or lease shall not be subject to referendum; and

WHEREAS, the parcel is determined to have a market value of less than \$25,000; and

WHEREAS, this City Commission desires to ratify the Real Estate Purchase Agreement; and

WHEREAS, the real property's legal description is Lots 6, 7 and 8 Block 1 Key Subdivision, Lea County; and

WHEREAS, the sale price was \$6,825.00 plus closing costs (\$439.89), total amount \$7,264.89; and

WHEREAS, attached hereto is the Real Estate Purchase Agreement on 1618-1622 E. Texas St., Hobbs, NM 88240;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Hobbs that the Purchase Agreement regarding 1618-1622 E. Texas St., Hobbs New Mexico, 88240, is hereby ratified.

PASSED, ADOPTED AND APPROVED this 3rd day of May 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk

REAL ESTATE PURCHASE AGREEMENT

Hand THIS REAL ESTATE PURCHASE AGREEMENT (hereinafter "Agreement"), entered into this *Hand* day of *February*, 2021, between Pilar M. Carreon and Norma I. Carreon, 1616 E. Texas, Hobbs, NM 88240, (hereinafter "Purchaser"); and the City of Hobbs, New Mexico, a New Mexico Municipal Corporation, as the Seller, (hereinafter "City").

RECITALS:

WHEREAS, N. M. S. A. 1978, § 3-54-1 provides that a Municipality may sell real estate property having value of twenty-five thousand dollars (\$25,000) or less by public or private sale any municipal real property and such sale shall not be subject to referendum.

WHEREAS, the parties hereto entered into a Real Estate Purchase Agreement dated June 7, 2013 (see attached) for the property described below and the same terms as herein contained, and the purchaser did in fact deposit with the City earnest monies in the amount of \$682.00; and

WHEREAS, upon receipt of the Commitment for Title Insurance No. F13-895W5 dated 5/19/2013 (see attached) certain requirements were made by the Insurance Company in order to issue a Title Policy; and

WHEREAS, at the time purchaser desired to not close on the property without said requirements being fulfilled by the City; and

WHEREAS, the previous Real Estate Purchase Agreement entered into by the parties did not require the City to deliver an insurable Title to the property and there are requirements noted in the Commitment for Title Insurance File # F13-895W5 dated 5/19/2013 (see attached) and said requirements will not be fulfilled by the City.

The City, in consideration of the mutual covenants herein contained, agrees to sell and convey as is, and Purchaser agrees to purchase the real estate described below, together with all buildings and improvements and all rights, hereditaments, easements and appurtenances thereunto belonging, located in Section 2, T19S, R38E, NMPM in Lea County, New Mexico, more particularly described as follows, and referred to hereinafter as "Property:"

LEGAL DESCRIPTION: A Tract of Land within the City of Hobbs in Lea County, New Mexico more particularly described as follows:

Lot 6, 7 and 8 in Block 1, of the Key Subdivision to the City of Hobbs in Lea County, New Mexico.

Commonly known as: 1618-1622 E. Texas St., Hobbs, New Mexico, 88240
Lot 6, 7 and 8 Property Code: 4000018700001

The Property referenced above shows no improvements and is a landlocked parcel immediately adjacent to 1616 E. Texas St., the Purchaser's property.

NOW THEREFORE THE FOLLOWING IS AGREED BY THE PARTIES:

1. Purchase Price & Earnest Money Deposit.

The purchase price for the Property shall be Six Thousand Eight Hundred Twenty Five Dollars (\$6,825.00). The purchase price shall be paid in cash or equivalent at closing. Purchaser has made an earnest money deposit with the City of Hobbs in the sum of Six Hundred Eighty Two Dollars (\$682.00), which has been received by the City. The balance of payment due at closing is therefore Six Thousand One Hundred Forty Three Dollars (\$6,143.00), plus closing costs.

2. Closing Date.

Closing shall occur on a mutually agreeable date after the parties hereto have approved this Agreement. The parties may extend the Closing Date by mutual agreement, not to exceed 45 days following the date of execution of this Agreement. Closing shall occur at Elliott & Waldron Title & Abstract Co. Inc. located at 1819 N. Turner, Ste. B, Hobbs, NM 88240.

3. Title.

At closing, the City shall execute and deliver a Special Warranty Deed conveying the Property to the Purchaser and/or his or her assigns, in fee simple, subject to all patent reservations and to all other existing liens, encumbrances and other exceptions of record. The City is conveying said property as is, it is the responsibility of the purchaser to cure items that may possibly affect title.

4. Legal Survey.

If Purchaser desires to have a licensed surveyor prepare a legal survey of the lot or parcel, the Purchaser must seek out a professional surveyor to prepare the survey. The City has not conducted a survey and the City will not pay for a legal survey and does not warrant any specific boundaries.

5. Risk of Loss.

All risk of loss or damage to the Property will pass from the City to Purchaser at closing. In the event that material loss or damage occurs prior to closing, Purchaser may, without liability, refuse to accept the conveyance of title, in which event the earnest money deposit, if any, shall be refunded. Possession of the Property by Purchaser shall occur at closing.

6. Default and Remedy.

A. Default by City. If City defaults in the performance of this Agreement, Purchaser may terminate this Agreement and receive a refund of the earnest money deposit, if any, or may waive default and seek whatever legal remedy may be provided by law.

B. Default by Purchaser. If Purchaser defaults in the performance of this Agreement prior to closing, City may terminate this Agreement and retain the earnest money deposit, if any, or may waive default, enforce performance of this contract, and seek such other relief as may be provided by law.

REPA – Lots 6-8, Blk. 1, Key Sub Page 3.

7. Costs and Fees.

The closing costs shall be paid as follows:

- A. The Purchaser shall pay for Title Insurance and a Survey if required, all other closing costs shall be paid on a 50/50 pro rata, equal share basis.
- B. The City and Seller shall each pay for their respective legal fees.

8. Notice.

All notices given pursuant to or in connection with this Agreement shall be made in writing and posted by certified mail, postage prepaid, to the City, at City of Hobbs, ATTN: Kevin Robinson, 200 E. Broadway, Hobbs, NM 88240; and to Purchaser, at 1217 E. Humble, Hobbs, NM 88240, or to such other address as requested by either party. Notice shall be deemed to be received on the fifth day following posting.

9. Attorney's Fees and Costs.

Both parties agree that if either is found by a court to have breached this agreement, the other party may recover reasonable attorney's fees and cost of litigation, including costs of in house counsel.

10. Counterparts.

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

11. Successors and Assigns.

This Agreement may not be assigned by Purchaser without the prior written consent of the City. City's consent however shall not unreasonably be withheld. Subject to the foregoing provision, this Agreement shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and assigns. Purchaser shall not be released from any obligation under, or liability accruing pursuant to this Agreement. Except that Purchaser is permitted without City approval, to assign his interest to a Partnership or Corporation in which he is the principal party.

12. Governing Laws.

This agreement shall be subject to the laws of the State of New Mexico, with venue in the District Court in Lovington, New Mexico.

13. Termination.

This agreement shall be terminated at the closing date, unless either party ends the agreement prior to that date.

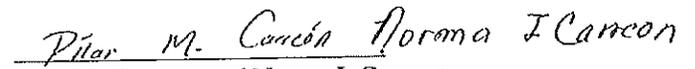
REPA – Lots 6-8, Blk. 1, Key Sub Page 4.

Done and approved on the date first written above.

THE CITY OF HOBBS


Manny Gomez, City Manager

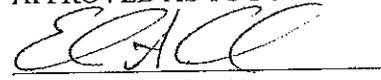
PURCHASER


Pilar M. Carreon and Norma I. Carreon

ATTEST:


Jan Fletcher, City Clerk

APPROVED AS TO FORM:


Efren Cortez, City Attorney

REPA – Lots 6-8, Blk. 1, Key Sub Page 5.

Purchaser Contact Info

Pilar M. Carreon and Norma I. Carreon
1616 E. Texas
Hobbs, NM 88240
1-575-391-0034

City of Hobbs
City Clerk
200 E Broadway St
Hobbs, NM 88240
(575) 397-9200
Welcome

001416-0022 finance f 06/07/2013 03:38PM

MISCELLANEOUS
MISCELLANEOUS REVENUE 682.00

682.00

Subtotal 682.00
Total 682.00

CASH 682.00

Change due 0.00

Paid by: PILAR M. CARREON AA

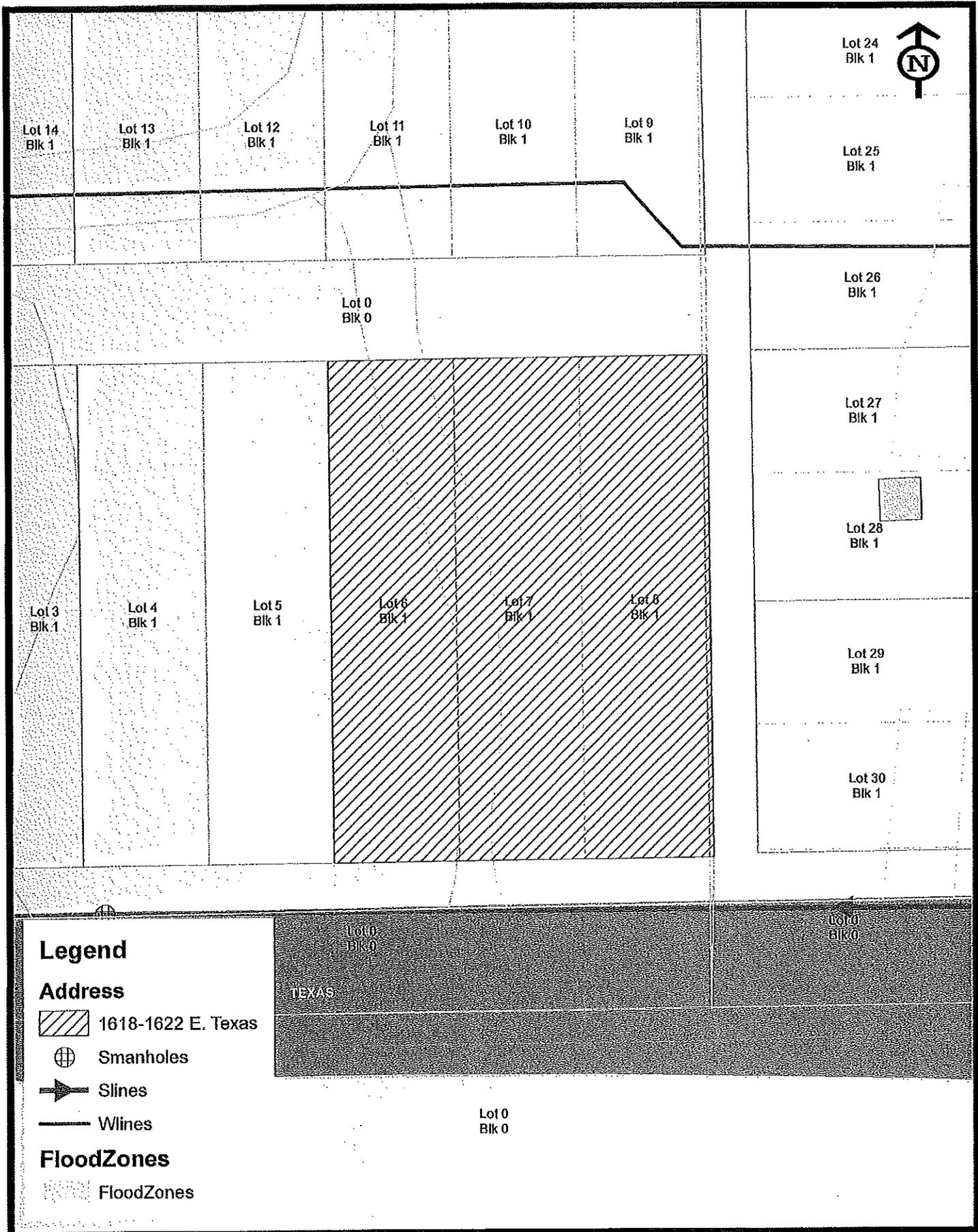
Thank you for your payment!

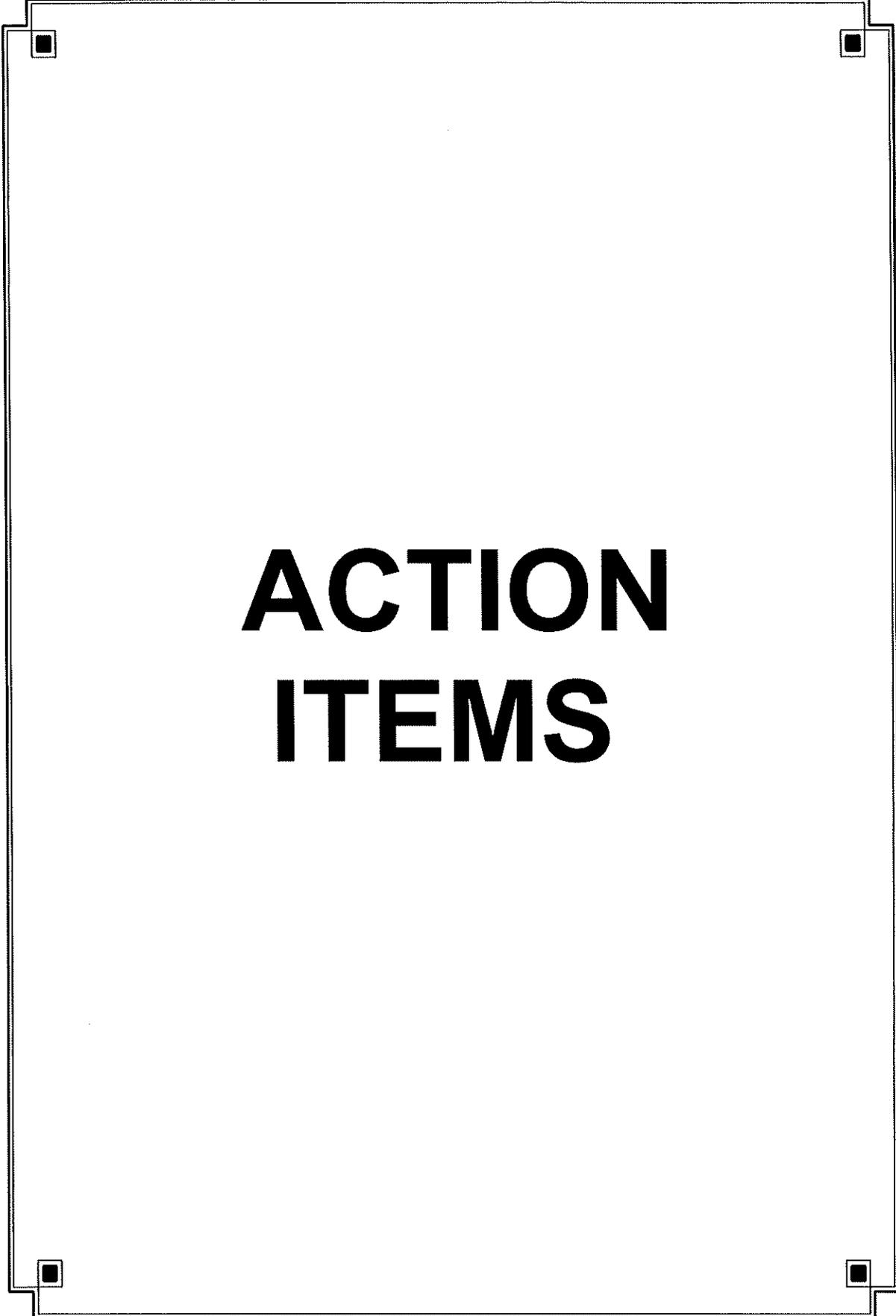
CUSTOMER COPY
DUPLICATE RECEIPT

REPA - 1618-1622 E. Texas, Page 4.

Purchaser Contact Info

Pilar M. Carreon & Norma I. Carreon
1616 E. Texas
Hobbs, NM 88240
1-575-391-0034





ACTION ITEMS



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3, 2021

SUBJECT: Resolution Regarding the Restaurant Liquor License Application of Habaneros Restaurant and Grill, LLC, 3414 North Lovington Hwy., Hobbs, New Mexico, for the Sale of Beer and Wine Only

DEPT. OF ORIGIN: City Clerk's Office
DATE SUBMITTED: April 26, 2021
SUBMITTED BY: Jan Fletcher, City Clerk

Summary:

Habaneros Restaurant and Grill, LLC, d/b/a Habaneros Restaurant has applied to the State of New Mexico, Alcoholic Beverage Control, and received preliminary approval for the issuance of a restaurant liquor license at 3414 North Lovington Hwy. for the sale of beer and wine only.

This application was received by the City Clerk's Office on March 18, 2021, and a public hearing must be held by the City within forty-five (45) days from receipt of such notice. The City has duly published notice of the hearing in the *Hobbs News-Sun* and properly notified the applicant of such hearing by certified mail/hand delivery.

Fiscal Impact:

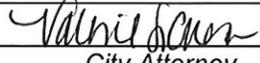
Reviewed By: 
Finance Department

The applicant has paid the required \$250.00 administrative fee to the City for processing this application.

Attachments:

1. Application packet from State of New Mexico, Alcohol and Gaming Division
2. Affidavit of Publication - Notice of Public Hearing
3. Map
4. Resolution

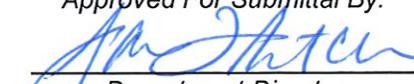
Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

Motion to approve issuance of the restaurant license; second; vote.

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. 7046

A RESOLUTION CONCERNING THE ISSUANCE OF A
RESTAURANT LIQUOR LICENSE TO
JABANEROS RESTAURANT, LLC, D/B/A HABANEROS RESTAURANT,
3414 NORTH LOVINGTON HWY., HOBBS, NEW MEXICO

WHEREAS, the City of Hobbs has received the application of Jabaneros Restaurant, LLC, for the issuance of a restaurant liquor license for the sale of beer and wine at Habaneros Restaurant located at 3414 North Lovington Hwy., Hobbs, New Mexico, and said application has received preliminary approval from the State of New Mexico, Alcoholic Beverage Control; and

WHEREAS, a public hearing is being held by the governing body of the City of Hobbs on May 3, 2021, on the question of whether or not the proposed restaurant liquor license should be granted for the sale of beer and wine.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the restaurant liquor license application of Jabaneros Restaurant and Grill, LLC, d/b/a Jabaneros Restaurant, 3414 North Lovington Hwy., Hobbs, New Mexico, be and is hereby _____
(approved or disapproved) for the sale of beer and wine.

PASSED, ADOPTED AND APPROVED this 3rd day of May, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



NMRLD
 NEW MEXICO
 REGULATION &
 LICENSING DEPARTMENT

RECEIVED

MAR 18 2021

**OFFICE OF THE CITY CLERK
 HOBBS, NEW MEXICO**

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
 Linda M. Trujillo, Superintendent
 Andrew Vallejos, Director

March 11, 2021

Certified Mail No.: 9171 9690 0935 0078 6735 61

9171 9690 0935 0078 6735 61

City of Hobbs
Attn: Jan Fletcher
 200 East Broadway
 Hobbs, NM 88240

Lic. No. /Appl. No.: **Application No. 1184372**
Name of Applicant: Habaneros Restaurant and Grill, LLC
Doing Business As: Habaneros Restaurant and Grill
Proposed Location: 3414 N. Lovington Hwy, Hobbs, New Mexico 88240

The Director of the Alcoholic Beverage Control Division (ABC) has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, the Notice shall also be published on the website.

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement.

With that in mind, when a local governing body receives a liquor license application from ABC, that governing body has a couple of options:

- 1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing;
- 2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and



regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing;

ABC has no preference in the option you choose.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made** of the hearing.

THE APPLICANT IS SEEKING A RESTAURANT BEER AND WINE LIQUOR LICENSE.

Within thirty (30) days after the Public Hearing, the governing body shall notify ABC of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Tammy M. Sandoval

Admin Law Judge | Hearing Officer
NM Regulation & Licensing Department
Alcoholic Beverage Control Division
Phone: (505) 476-4548 Fax: (505) 476-4595
Email: Tammy.Sandoval@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/ Approval Letter and notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of the Zoning Statement



AGD USE ONLY: Payment | Application Fee \$ 200 Received on: 11-5-2019 Receipt No. 02388163
License Fee \$ 787.50 Received on: 2-13-2020 Receipt No. 0246491
Application # 1184372 Local Option District: _____

RESTAURANT LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for: New Restaurant Liquor License

Applicant is: Individual Limited Liability Company Corporation Partnership (General/Limited)

NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER

Habaneros Restaurant and Gril, LLC

3414 N. Turner st Hobbs New Mexico 88240

575-602-5318

D/B/A Name to be used: **Habaneros Restaurant and Grill** Business Phone #: **575-392-4137**

Email Address (required): **habanerosrestaurant2020@gmail.com**

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)

3414 North Lovington Highway Hobbs New Mexico 88240

Mailing Address: **219 North Turner st Hobbs NM 88240**

Agent/Contact Person: **Laura Ordaz** Phone#: **575-9424649** Email: **dallascarpent2009@aol.com**

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License # / Type: _____

I, (print name) **Jesus Gamez**, as (title) **owner**

being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form before a Notary Public.

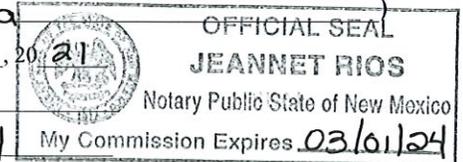
Signature of Applicant: _____ Date: **1-22-21**

NOTARY PUBLIC USE ONLY: (State of **New Mexico**, County of **Lea**

SUBSCRIBED AND SWORN TO before me this **22nd** day of **January**, 20**21**

By: **Jesus Gamez** Notary Public: **Jeannet Rios**

My Commission Expires: **03/01/2024**



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: _____ City, County, Village

Public Hearing held on _____, 20____. Check one: Approved Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: Approved Disapproved

Signed by Director: _____ Date: _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION DEC 29 2020
NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one) **ALCOHOLIC BEVERAGE CONTROL**
 Owned by Applicant, copy of deed/document attached Leased by Applicant, copy of lease/document attached
 Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): **Jesus Gamez**

B. Date and Term of Lease: **December 16, 2020; 5 years**

3. Premises location is Zoned (example C-1, see Zoning Statement): _____
 Zoning Statement attached, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: **Hobbs First Assembly of God** Miles/feet: **1.3 miles**

Address/location of Church: **800 W. Bender Blvd, Hobbs NM 88240**

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: **Broadmore Elementary School** Miles/feet: **3.1 miles**

Address/location of School: **1500 North Houston st Hobbs, NM 88240**

6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, ^{circle one:} Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
Miles: **X 115** Holloman Air Force Base (Alamogordo), **Cannon Air Force Base (Clovis)**

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and **must be labeled** with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: Hotel Lounge Package Grocery Restaurant Racetrack

Small Brewer Craft Distiller Winery Wholesaler

Other (specify): _____

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.



PLANNING DEPARTMENT

200 E. Broadway Street, Hobbs, NM 88240
Ph. 1-505-397-9232 Fax 1-505-397-9227

December 14, 2020

RE: Zoning Certification for a Restaurant to be located at 3414 N. Lovington Highway in Hobbs, New Mexico.

To Whom It May Concern:

Pursuant to your request for a current zoning certification for a Restaurant to be located at 3414 N. Lovington Highway, in Hobbs, New Mexico, please be advised that the City of Hobbs has not adopted a zoning ordinance to regulate land uses and location of different types of development or specific business uses throughout the City at this time. Consequently, the City of Hobbs has no current regulations which govern zoning districts and/or land uses, or use of vacant land. Therefore, the proposed land use as referred to herein, including a proposed Restaurant, on the above referenced property in Hobbs is considered a use by right as of this date of December 14, 2020. Therefore, the proposed use is in conformance with applicable zoning law as of this date.

Please note that the City does have a Major Thoroughfare Plan, Subdivision Regulations, Flood Zone, Fire Zone, Landscaping Regulations, Building Code, Liquor License and other development regulations that must be followed for improvements and changes in building occupancy types, including yard setback requirements. This letter is in regards to that portion of the above referenced real property that exists within the corporate limits of the City of Hobbs, NM on December 14, 2020. If you have any questions or need further information, please contact me at (575) 397-9232.

Sincerely,

CITY OF HOBBS, NEW MEXICO

A handwritten signature in cursive script, appearing to read "Kevin Robinson", written over a horizontal line.

Kevin Robinson - Planning Department

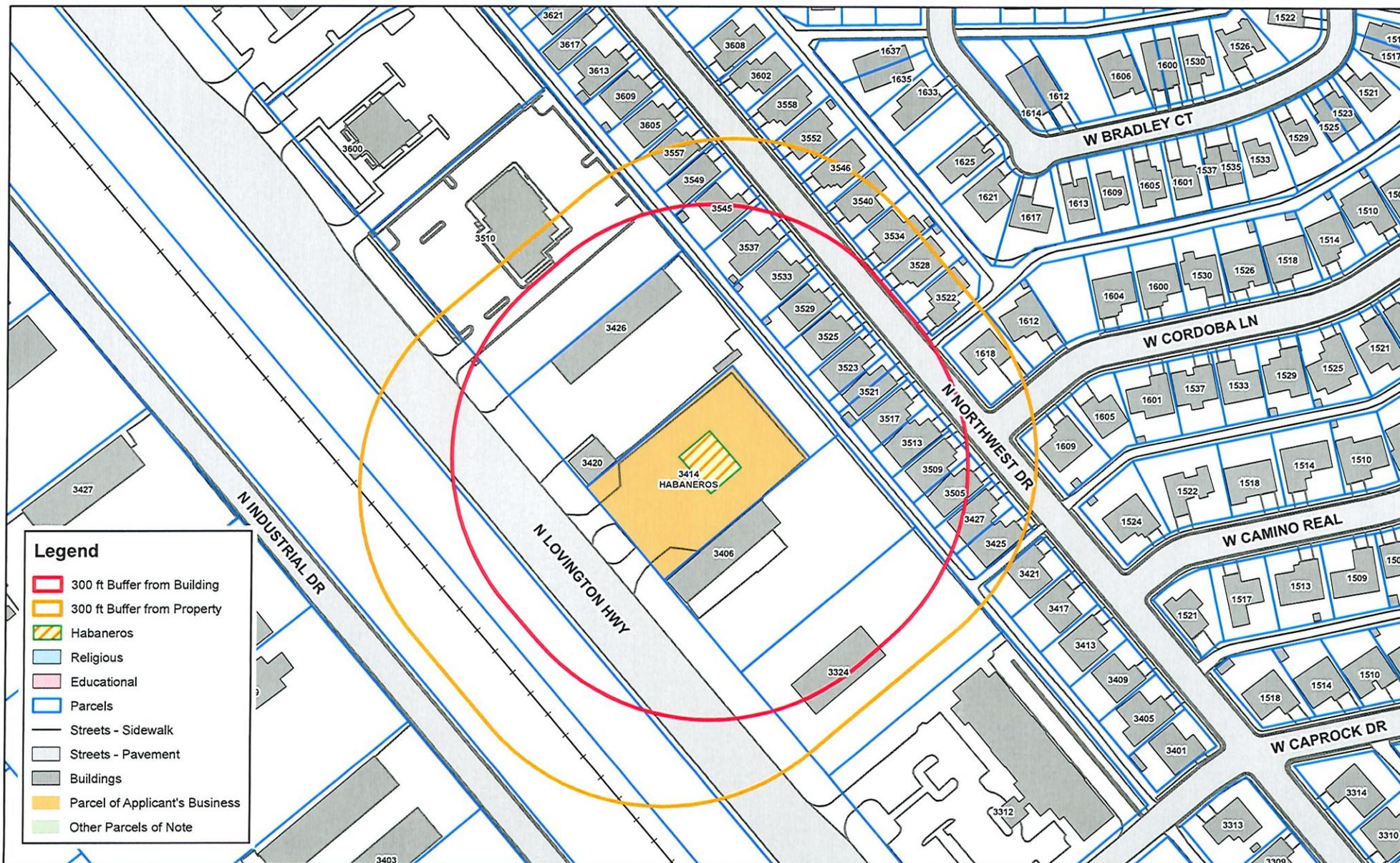
RECEIVED

DEC 29 2020

ALCOHOLIC BEVERAGE
CONTROL

Habaneros Restaurant

300 ft Buffer Zone Map for Liquor License



Legend

- ▭ 300 ft Buffer from Building
- ▭ 300 ft Buffer from Property
- ▭ Habaneros
- ▭ Religious
- ▭ Educational
- ▭ Parcels
- Streets - Sidewalk
- Streets - Pavement
- ▭ Buildings
- ▭ Parcel of Applicant's Business
- ▭ Other Parcels of Note



City of Hobbs GIS Division

SY

Date: 3/29/2021 1 inch = 175 feet Time: 4:27:35 PM

DISCLAIMER: THE CITY OF HOBBS MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE OF ANY KIND REGARDING ANY GIS DATA PROVIDED HEREIN OR THE SOURCES OF SUCH DATA. THE CITY OF HOBBS SPECIFICALLY DISCLAIMS ALL REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. DATA CONTAINED WITHIN THIS PRODUCT IS PROVIDED BY THE CITY OF HOBBS FOR INFORMATIONAL PURPOSES ONLY AND NOT IN COMPLIANCE WITH ANY LEGAL REQUIRED SURVEYING STANDARD.

Affidavit of Publication

STATE OF NEW MEXICO
COUNTY OF LEA

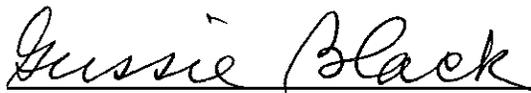
I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 2 issue(s).

Beginning with the issue dated
March 24, 2021
and ending with the issue dated
April 18, 2021.

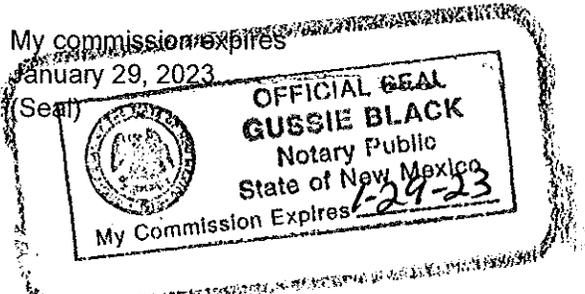


Publisher

Sworn and subscribed to before me this
18th day of April 2021.



Business Manager

My commission expires
January 29, 2023
(Seal)


This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

LEGAL **LEGAL**

LEGAL NOTICE
March 24 and April 18, 2021

NOTICE OF PUBLIC LIQUOR HEARING

NOTICE IS HEREBY GIVEN that the City Commission of the City of Hobbs, New Mexico, will hold a public hearing on **Monday, May 3, 2021, at 6:00 p.m.**, in the City Commission Chamber at City Hall, First Floor Annex, 200 East Broadway, Hobbs, New Mexico. The purpose of the hearing will be to consider whether the State of New Mexico Regulation and Licensing Department, Alcoholic Beverage Control, should approve or disapprove the liquor license set forth herein. Protests and objections may be made by any interested persons at the time, date and place of hearing.

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in the hearing, please contact Jan Fletcher at least three days before the hearing date at (575) 397-9200.

NOTICE REGARDING COVID-19: Everyone attending the hearing must adhere to City and State policy regarding social distancing and wearing masks.

HEARING FORMAT: The hearing format is subject to change to a virtual remote meeting if an in-person meeting cannot be held. If any persons desire to testify or otherwise participate in the hearing, please contact Jan Fletcher, City Clerk, at (575) 397-9200 or submit written comments by email to jfletcher@hobbsnm.org by 4:30 p.m. on the date of the hearing.

If you are in need of an interpreter to participate in the hearing, please contact Jan Fletcher at (575) 397-9200 at least three days before the hearing date.

APPLICATION FOR RESTAURANT LIQUOR LICENSE FOR THE SALE OF BEER AND WINE

Application #: 1184372
Applicant: Habaneros Restaurant and Grill, LLC
D/B/A Name: Habaneros Restaurant
Proposed Address: 3414 North Lovington Hwy.
Hobbs, NM 88240

DATED this 18th day of March, 2021.

/s/ Sam D. Cobb
SAM D. COBB, Mayor
#36323

67108146

00252354

CITY OF HOBBS FINANCE DEPT
200 E. BROADWAY ST
HOBBS, NM 88240



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3rd, 2021

SUBJECT: Authorizing an allocation of Lodgers' Tax funds to fund EDC-Airline Subsidy/Marketing, CORE marketing/promotion, and Rockwind Golf marketing/promotion for Fiscal Year 2022

DEPT. OF ORIGIN: Finance
DATE SUBMITTED: April 26th, 2021
SUBMITTED BY: Toby Spears, Finance Director

Summary:

On April 14th, 2021, the Lodgers' Tax Board had a quarterly meeting and recommended awarding to the Commission, the following allocations for lodgers' tax. EDC – Airline Marketing - \$150,000.00, CORE Marketing – \$98,400.00, and Rockwind Golf Marketing - \$ 67,400.00 The allocations are only from the 25% of lodgers' tax for airline subsidy and 40% of lodgers' tax for Cities/Counties as detailed in the lodgers' tax ordinance. Events for non-profit and for-profit entities will eventually be addressed via quarterly meetings or special meeting, pending future guidelines of mass gatherings policy.

Fiscal Impact:

Reviewed By: 
Finance Department

March 31, 2021 Cash Balance (per Lodgers' Tax ordinance) for the Lodgers' Tax Fund is as follows:

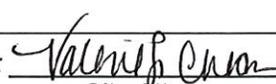
Security and Sanitation (15%)	\$ 0.00
Non-Profit/For Profit/Public Entity (20%)	\$ 372,861.51
City and County (40%)	\$ 781,738.72
Airline (25%)	\$ 0.00
TOTAL CASH AVAILABLE	<u>\$1,154,600.23</u>

The 2022 budgeted lodgers' tax revenues are projected to be \$ 600,000.00

Attachments:

Exhibit A
Financial Report for March 31, 2021
Resolution

Legal Review:

Approved As To Form: 
City Attorney

Recommendation:

To be determined by City Commission.

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. 7047

A RESOLUTION AUTHORIZING ALLOCATION OF
LODGERS' TAX FUNDS FOR FISCAL YEAR 2022

WHEREAS, the Lodgers' Tax Advisory Board met on April 14, 2021, and recommends awarding fund to various annual events for Fiscal Year 2022.

	Amount Requested	Lodgers' Tax Board Recommendation	City Commission Recommendation
EDC – Airline Subsidy	\$200,000.00	\$150,000.00	\$ _____
City of Hobbs – Rockwind Golf Course Marketing	\$67,400.00	\$67,400.00	\$ _____
City of Hobbs – CORE Marketing	\$98,400.00	\$98,400.00	\$ _____

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

PASSED, ADOPTED AND APPROVED this 3rd day of May, 2021.

SAM D. COBB, Mayor

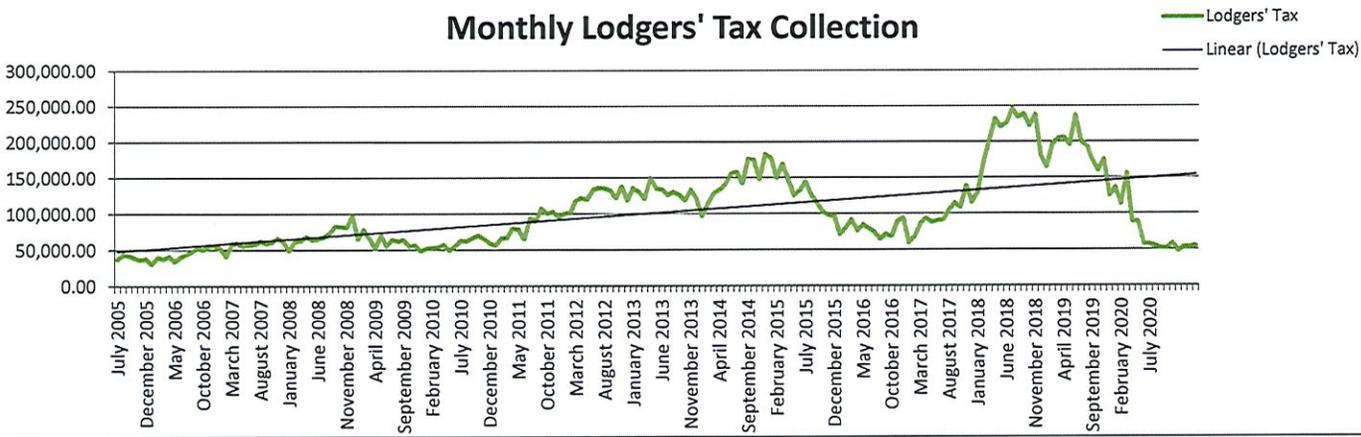
ATTEST:

JAN FLETCHER, City Clerk

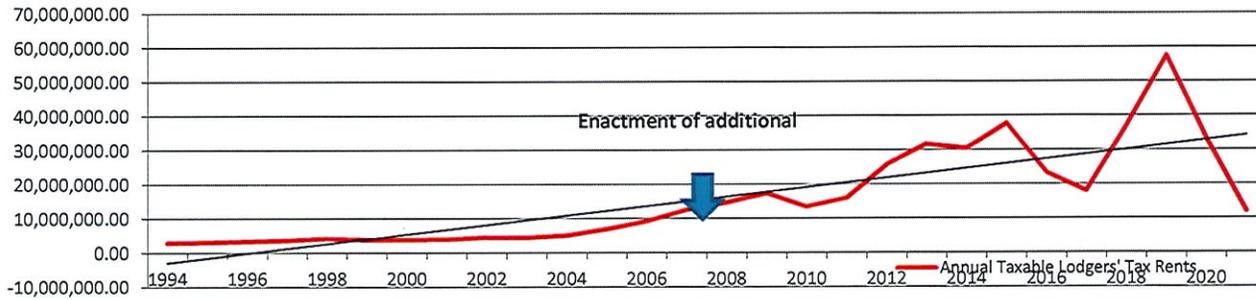
Non Profit/For Profit Entities 2022 Funding Quarterly Request:		FY 2022 Requested Funding	FY 2021 Approved Funding	Category
EDC - Airline Subsidy		-	393,000.00	airline - all general fund
1 EDC - Promotion of Airline		200,000.00	206,160.00	airline
TOTAL ALLOCATION FOR EDC	-	200,000.00	599,160.00	
City of Hobbs- Hobbs Firefighter Combat Challenge				local govt
2 City of Hobbs-Rockwind Golf Course Marketing	-	67,400.00	159,075.00	local govt
3 CORE (Marketing)		98,400.00	103,862.50	local govt
CORE (Operating)		500,000.00	500,000.00	local govt
City of Hobbs - NMML				
TOTAL ALLOCATION FOR LEA COUNTY/CITY OF HOBBS	-	665,800.00	762,937.50	
4 Hobbs Chamber of Commerce				
Breakdown per Event:				
Hobbs August Nites Event		19,833.07	-	NP
Hobbs Holiday Tournament		17,164.50	-	NP
FeBREWary Festival		12,181.38	-	NP
5 Southwest Symphony		36,217.00	-	NP
6 Western Heritage Museum Complex		26,129.00	-	public entity
TOTAL ALLOCATION FOR NON-PROFITS		111,524.95	-	
City of Hobbs - Fire and Police (15% allocation)		90,000.00	90,000.00	security
TOTAL REQUESTED ALLOCATION		1,067,324.95	1,452,097.50	

Ordinance Caps:	3-31-2021	2022	Requested	Anticipated	Requested	
	Beginning Cash	Cap Amount	2022 Amount	Carryover 2021	(Under)/Over Cap/Cash	
Security and Sanitation (15%)	-	90,000.00	90,000.00		-	
Non-Profit/For Profit/Public Entity (20%)	372,861.51	120,000.00	111,524.95		381,336.56	
City and County (40%)	781,738.72	240,000.00	665,800.00	279,501.00	76,437.72	Carryover 244,156 plus 35,345 NM true
Airline (25%)	-	150,000.00	200,000.00		(50,000.00)	request over
TOTAL	1,154,600.23	600,000.00	1,067,324.95		407,774.28	

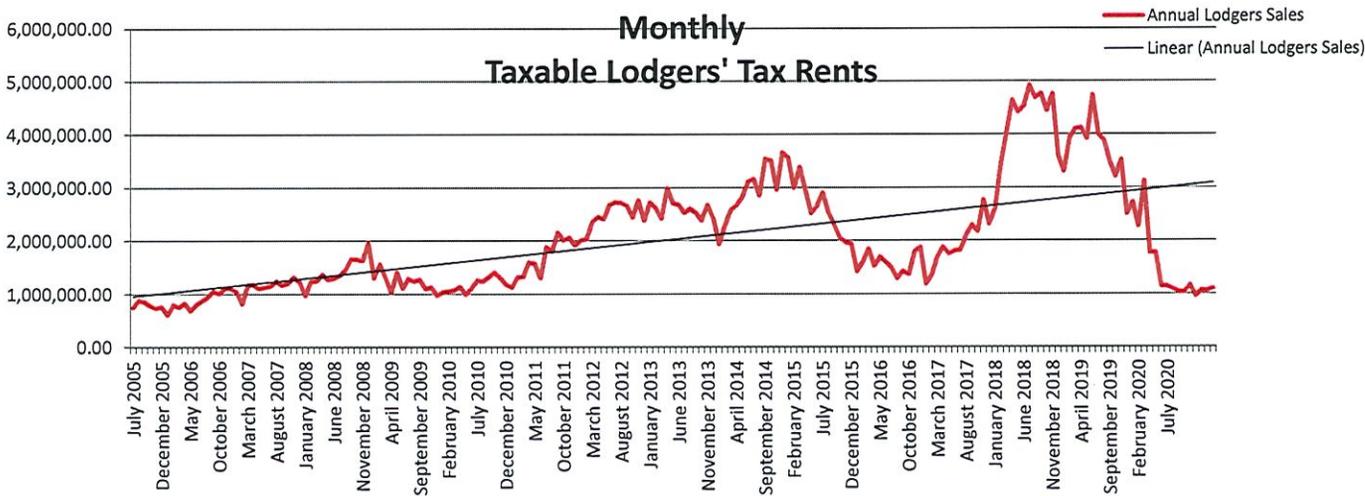
Monthly Lodgers' Tax Collection



Annual Taxable Lodgers' Tax Rents



Monthly Taxable Lodgers' Tax Rents



EDC
Of
Lea County/FlyHobbs

"FlyHobbs Marketing Campaign "



City of Hobbs
Annual Funding Guidelines
Lodgers' Tax Requests for Proposal (RFP)
from 05/01/2021 - 06/30/2022

RECEIVED

MAR 17 2021

OFFICE OF THE CITY CLERK
HOBBS, NEW MEXICO

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

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

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

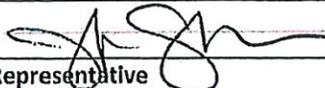
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2. The organization requesting Lodgers' Tax funding shall designate a representative to serve in the capacity of spokesperson for that organization. The representative or designee must make all attempts to attend the Lodgers' Tax meeting or City Commission meeting as appropriate when requesting funding to answer questions.
3. All Requests for Proposal's (RFP's) for Lodgers' Tax **annual** funding must be received by **March 19th, 2021**. (This is to include all events to occur during the period indicated above for which your organization is requesting funding.)
4. A proposed budget must be submitted with the RFP for annual Lodgers' Tax funding explaining how fees and other revenues are to be used and include a detailed list of estimated expenses for any and all events on an annual basis.
5. Event Summaries from prior year funding will be required during the annual presentation process. Event summaries should include the number in attendance, the number of overnight stays and the actual revenue and expenditures. **Any unspent funding at the end of the funding cycle (05/01/2021-06/30/2022) will revert back to the City of Hobbs Lodgers' Tax Fund. Expenses will NOT be reimbursed after August 31, 2022.**
6. In addition to the above listed criteria, organizations requesting funding may be asked to provide the following information:

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

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

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


 Representative

EDC of Lea County /FlyHobbs
 Name of Organization

3-17-2021
 date

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

Organization	Economic Development Corporation of Lea County
Name of Contact	Jennifer Grassham, Interim President & CEO/ Geni Cavanaugh, Dir. of Marketing & Comm. Outreach
Address	200 E. Broadway, Suite A-201
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	(575) 397-2039
email	jennifer@edclc.org/ geni@edclc.org

Event Budget

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

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

NON -
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	-	-	-	-	-	-
Print Media	35,249.16	-	-	-	-	35,249.16
Electronic Media	139,045.80	-	-	-	-	139,045.80
Other	25,705.04	-	-	-	-	25,705.04
TOTAL LODGERS' TAX REQ. SUMMARY	200,000.00	-	-	-	-	200,000.00

LODGERS'
TAX

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

EDCLC Request for Lodgers Tax Marketing Funding for FlyHobbs

Scheduled United Airlines service to Lea County Regional Airport is critical to the growth and viability of Hobbs' hospitality industry and our overall economy. A large percentage of guests in local hotels use the air service to travel to Hobbs. Marketing of the FlyHobbs service helps sustain flights and can significantly elevate ridership, which directly manifests into increased demand for lodging and other locally-provided goods and services. The Economic Development Corporation of Lea County (EDCLC) is requesting \$200,000, at an average of \$16,667.00/month, in Lodgers Tax funding to support both the daily Houston United Airlines flights and the Denver flight, once it is reinstated. These funds will be leveraged with a New Mexico Department of Transportation Aviation Division matching grant to help increase awareness and ridership, while reinforcing the convenience for both business and leisure travel to support quality of life/quality of place initiatives within Lea County.

Background Information:

The current United Airlines service began in July of 2011 as the result of a collaborative initiative that began in early 2008 between the EDCLC, City of Hobbs (COH), Lea County and other community organizations to bring air service to Lea County Regional Airport.

Because of the strong linkage of air service to the visitor industry, lodgers tax funding has been used for marketing the air service and to assist with the airline subsidy and to continue to bring business travelers for the energy and other industries in the region. FlyHobbs marketing and ridership are critical to the growth and vitality of Hobbs' hospitality industry and local GRT that is generated from this service. Lodger's Tax support is required in order to effectively carry out that marketing. In 2014, the New Mexico Department of Transportation Aviation Division partnered with the University of Arizona conducted a study to analyze FlyHobbs' economic impact to the region. At that time with 17,000 enplanements, FlyHobbs was bringing \$19 million to the region. With the extraordinary growth of enplanements over the last five years until the pandemic hit on March 2020, the estimated impact in 2019 was at \$25 million with over 54,000 enplanements. We believe that the investment in advertising the convenience of having the service for business and leisure travel in the region has had a great impact on the branding of FlyHobbs in our target markets.

Marketing and Promotion Plan

The EDCLC will aggressively market United Airlines flights' ridership through a multi-faceted marketing campaign directed at the Greater Denver and Houston hub markets, Southeast New Mexico (SENM) counties, as well as the adjacent West Texas (WTX) counties that use these service hubs to come to Hobbs and SENM for work and as a gateway to NM tourism.

The FY2021-2022 marketing plan includes:

- Expanded focus on alerting travelers of the restoration of the Denver service
- Information on the current and expanding Houston schedule
- For the business traveler, convenience of FlyHobbs air service to get to the region faster
- For the leisure traveler, quality of place benefits for our residents provided by expanded travel
- Outreach to various energy corporate travel and HR contacts on the convenience of the FlyHobbs flights to the Permian/Delaware Basin for business as compared to other regional carriers.

EDCLC's staff has strong experience in marketing, graphics design, social media, research and other subject areas important to planning and implementation of an effective campaign to expand ridership of the current Houston service and the restoration of the Denver service. A professional advertising agency, Wilson-Binkley was retained in December 2016 to 1) help us develop and sharpen traditional, social media, and streaming advertising, 2) identify the most productive initial target sectors, and 3) to help us measure results. Utilizing the EDCLC and Wilson-Binkley's research, as well as passenger origination data provided by Airplanners LLC, in 2019-20 we identified key initial target sectors for marketing travel between Both Houston and Denver and the SENM/WTX market; energy, renewable energy, and medical travel. Social media and potential streaming services channels were recommended as strategies that will give the campaign room to pivot based on where data is proving strongest.

The social media marketing component has been significantly expanded from pre-pandemic levels, with geofencing target areas from origination and destination flights in the region on Facebook and Instagram, coupled with proposed advertising on select streaming services in radio and TV in the SENM/WTX, Denver and Houston markets. Measurement tools such as Google Analytics and AdWords are employed to gauge results and direct any needed changes in marketing focus to travel trends. This ongoing campaign also involves traditional media such as radio, print and electronic billboards.

In addition, the EDCLC staff carries out a comprehensive campaign of educating the public about FlyHobbs service through regional community outreach. Staff will conduct many face-to-face visits with government agencies, site selectors for prospective new business opportunities, energy sector corporate executives, travel agencies, and corporate travel centers within the scope of our work as an organization to further the Fly Hobbs brand. The staff meets regularly with regional Chambers of Commerce and is in close contact with COH/CVB and the hoteliers in the region to get feedback within the hospitality industry in Hobbs and Lea County to ensure that the FlyHobbs brand is able to support and respond to trends and opportunities within the industry.

CITY
OF
HOBBS

"Marketing of Rockwind Community Links "



City of Hobbs
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from 05/01/2021 - 06/30/2022

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- Proof of agency good standing with the NM Corporation Commission
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I have read and fully understand the above guidelines for the Lodgers' Tax Funding.

Ben Kirkes
 Representative

Rockwind Community Links
 Name of Organization

3/17/2021
 date

Request for Lodgers' Tax Assistance
Contact Information

Organization	City of Hobbs - Rockwind Community Links
Name of Contact	Ben Kirkes - Golf Professional & General Manager
Address	5001 Jack Gomez Blvd.
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	575-397-9297
email	bkirkes@hobbsnm.org

Event Budget

		Event 1	Event 2	Event 3	Event 4	Event 5	Total	
		Income	Sponsorships					
	Sales						-	
	Donations						-	
	Prior Year Carryover						-	
	Other (please explain)						-	
	Total Income	-	-	-	-	-	-	
EXPENSE (NON- LODGERS' TAX		Event 1	Event 2	Event 3	Event 4	Event 5	Total	NON - LODGERS' TAX
	Cost of Sales Items						-	
	Cost of Awards	-					-	
	Building/Booth Rent						-	
	Advertising	10,600.00					10,600.00	
	Printing & Mailing	5,800.00					5,800.00	
	Print Media						-	
	Electronic Media						-	
	Misc. (Please explain)						-	
	Tournament Exp.	22,600.00					22,600.00	
Pro Am Contracts	20,250.00					20,250.00		
Total NON- LODGERS' Exp.	59,250.00	-	-	-	-	-	59,250.00	

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total	
Printing	-	-	-	-	-	-	LODGERS' TAX
Print Media	-	-	-	-	-	-	
Electronic Media	-	-	-	-	-	-	
Other	67,400.00	-	-	-	-	67,400.00	
TOTAL LODGERS' TAX REQ. SUMMARY	67,400.00	-	-	-	-	67,400.00	

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

Lodgers' Tax Budget - Event Number 1

Event Information

Name of Event	Rockwind Community Links Advertising and Promotions
Date	Year Round (May, 2021 - June 2022)
Location	Regional and local
Description	Marketing and promotion expenses related to the advertising, marketing and promotion of Rockwind Community Links, currently ranked #2 on Golfweek's List of Best Courses You Can Play in New Mexico. Marketing efforts will focus on SE New Mexico/west Texas.

Expected Attendance	30,000/mo	# of Overnights	200/mo	
Is this an annual event?	On-going	Is this a new event?	No	

PRINTING

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

PRINT MEDIA

	Name	# of ads	Cost	Total
	Newspaper	Funded by Rockwind Adv. Budget		
				-
SUBTOTAL			-	
Magazine/Other	Name	# of ads	Cost	Total
	Funded by Rockwind Adv. Budget			-
				-
SUBTOTAL			-	
TOTAL PRINT MEDIA				-

ELECTRONIC MEDIA

	Name	# of spots	Cost	Total
	Radio	Funded by Rockwind Adv. Budget		
Television				-
Social Media				-
				-
				-
TOTAL ELECTR. MEDIA				-

OTHER EXPENSE

	Name	# of item	Cost	Total
	Professional Performance Fees			
Sound and Lighting Costs				-
Sanction Fees	Media events travel writer visits	3	1,500.00	4,500.00
Promotional Items (eg: tshirts, rings, etc.)	On Course Strategies PR/Marketing	1	54,000.00	54,000.00
Other: (please list)	Anniv. Golf Tourn. Gift Bag Items	108	50.00	5,400.00
	Dallas Golf Expo (August 2021)	1	3,500.00	3,500.00
				-
				-
				-
				-
				-
TOTAL OTHER EXPENSE				67,400.00

TOTAL REQUEST FOR EVENT 1	67,400.00
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Instructions: Please complete all areas of BLUE that apply.

CITY
Of
Hobbs

"Marketing and Operations for the CORE "



City of Hobbs
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Lindsay Chism McCarter
 Representative

Center of Recreational Excellence - CORE
 Name of Organization

3/15/2021
 date

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

Organization	Center of Recreational Excellence - CORE
Name of Contact	Lindsay Chism McCarter
Address	4827 N. Lovington Hwy.
City, State Zip	Hobbs, NM 88240
Phone#/Fax#	575-393-2673
email	lchism@hobbsnm.org

Event Budget

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

		Event 1	Event 2	Event 3	Event 4	Event 5	Total
		EXPENSE (NON- LODGERS' TAX	Cost of Sales Items				
Cost of Awards							-
Building/Booth Rent							-
Advertising							-
Printing & Mailing	62,400.00						62,400.00
Print Media							-
Electronic Media	36,000.00						36,000.00
Misc. _____ (Please explain) _____							-
Total NON- LODGERS' Exp.	98,400.00		-	-	-	-	-

NON -
LODGERS'
TAX

Lodgers' Tax Budget Summary

	Event 1	Event 2	Event 3	Event 4	Event 5	Total
Printing	-	-	-	-	-	-
Print Media	62,400.00	-	-	-	-	62,400.00
Electronic Media	36,000.00	-	-	-	-	36,000.00
Other	-	-	-	-	-	-
TOTAL LODGERS' TAX REQ. SUMMARY	98,400.00	-	-	-	-	98,400.00

LODGERS'
TAX

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

Lodgers' Tax Budget - Event Number 1

Event Information

Name of Event	CORE Marketing and Advertising
Date	Year Round (May, 2021 - June 2022)
Location	Regional and local
Description	Promotion of the 158,000 sq. ft recreation facility that has so much to offer for individuals, families, of all ages and interests. The wide-reach of the promotion will ensure the local Lea County residents & guests are aware, as well as those in the region.

Expected Attendance	30,000/mo	# of Overnights	200/mo	
Is this an annual event?	On-going	Is this a new event?	No	

PRINTING

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

PRINT MEDIA

			Cost	Total
	Name	# of ads		
Newspaper				-
				-
	SUBTOTAL			-
Magazine/Other				
	The GUIDE publication (3 issues)	3	20,800.00	62,400.00
				-
	SUBTOTAL			62,400.00
TOTAL PRINT MEDIA				62,400.00

ELECTRONIC MEDIA

			Cost	Total
	Name	# of spots		
Radio	Local (90 mile radius) stations	500	10.00	5,000.00
	Regional (90+ miles) stations	2000	13.00	26,000.00
Television				-
				-
Social Media	Facebook /Twitter/Instagram	100	50.00	5,000.00
				-
TOTAL ELECTR. MEDIA				36,000.00

OTHER EXPENSE

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

TOTAL REQUEST FOR EVENT 1

98,400.00

Instructions: Please complete all areas of BLUE that apply.



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3, 2021

SUBJECT: RESOLUTION TO APPROVE THE FINAL PLAN FOR THE MEADOWS SUBDIVISION, UNIT IV, AS RECOMMENDED BY THE PLANNING BOARD.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: April 27, 2021
SUBMITTED BY: Kevin Robinson - Planning Department

Summary: The Final Plan for The Meadows Subdivision, Unit IV is submitted by Lemke Development, Inc. The subdivision is located northeast of the intersection of College and Ja-Rob within the municipal boundaries. The subdivision encompasses +/- 4.5- acres and will contain 22 single family residential lots. A Cash Bond is being presented to the City of Hobbs to ensure completion of public infrastructures. The dollar amount of uninstalled public infrastructure is estimated to be \$10,000.00 including GRT. The City Engineer has approved the Engineer of Records completion estimate. The Bond has been approved by the Finance Director, City Attorney and the Development Director. The Planning Board consider this item at the October 15, 2019 regular meeting and voted 4-0 to recommend approval contingent upon an EOR certification of all infrastructures emplaced or submittal of a cash bond sufficient to assure completion of all public infrastructures.

Fiscal Impact:

Reviewed By: [Signature] Finance Department

The positive impact of the new development and new housing from GRT collections and monthly utility bills of the residents should offset any expenses that the City will incur from the maintenance responsibility of streets, water and sewer lines.

Attachments: Resolution, Final Plan, DRAFT Planning Board Minutes.

Legal Review:

Approved As To Form: [Signature] City Attorney

Recommendation:

Approval of the Resolution to approve The Meadows Subdivision, Unit IV, as recommended by the Planning Board.

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. _____

CITY OF HOBBS

RESOLUTION NO. 7048.

A RESOLUTION TO APPROVE THE FINAL PLAN FOR MEADOWS SUBDIVISION, UNIT IV, AS RECOMMENDED BY THE PLANNING BOARD.

WHEREAS, Lemke Development, Inc. has submitted a Final Plan for Meadows Subdivision, Unit IV, for review by the City Planning Board; and

WHEREAS, the subdivision Final Plan was reviewed and approved by the Hobbs Planning Board at the April 20, 2021 meeting.

WHEREAS, a Cash Bond has been submitted in an amount to secure the placement of all public infrastructures not in place as of this date.

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

1. The City of Hobbs hereby grants Final Plan Approval to Meadows Subdivision, Unit IV, as recommended by the Planning Board; and

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

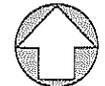
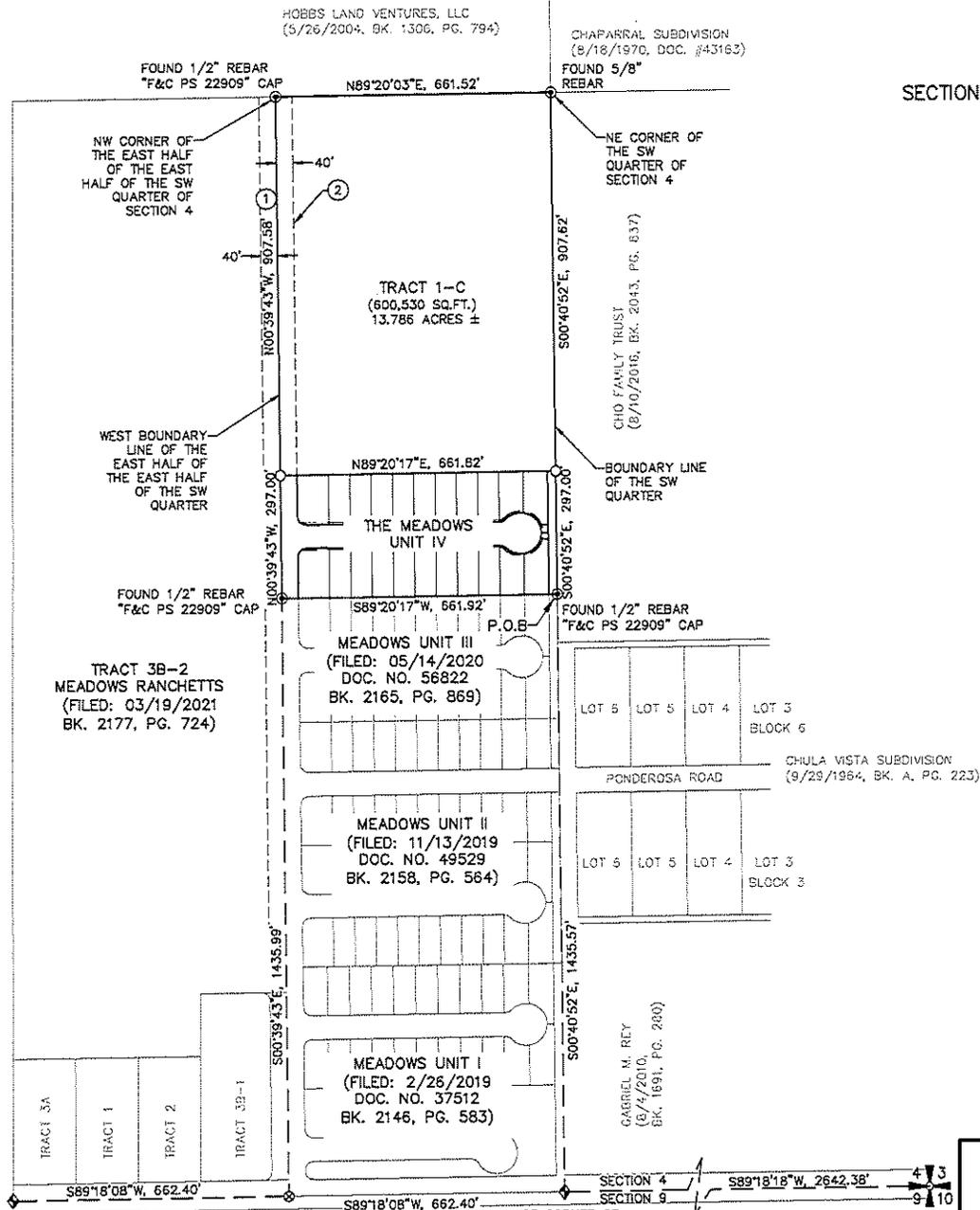
PASSED, ADOPTED AND APPROVED this 3rd day of May, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, CITY CLERK

PLAT OF
THE MEADOWS SUBDIVISION
UNIT IV
 SECTION 4, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
 CITY OF HOBBS,
 LEA COUNTY, NEW MEXICO
 APRIL 2021



0 200' 400'
 SCALE: 1" = 200'

F&C
Fierro & Company
 ENGINEERING | SURVEYING
 6300 MONTANO RD. NW, SUITE C
 ALBUQUERQUE, NM 87120
 PH 505.352.6930
 www.fierrocompany.com

STATE OF NEW MEXICO
 COUNTY OF LEA
 FILED

_____, 2021,
 AT _____ O'CLOCK ____ M AND RECORDED IN
 CABINET _____
 SLIDE _____
 _____ LEA COUNTY CLERK
 BY _____ DEPUTY

PLAT OF
 THE MEADOWS SUBDIVISION
 UNIT IV
 SECTION 4, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
 CITY OF HOBBS,
 LEA COUNTY, NEW MEXICO
 APRIL 2021

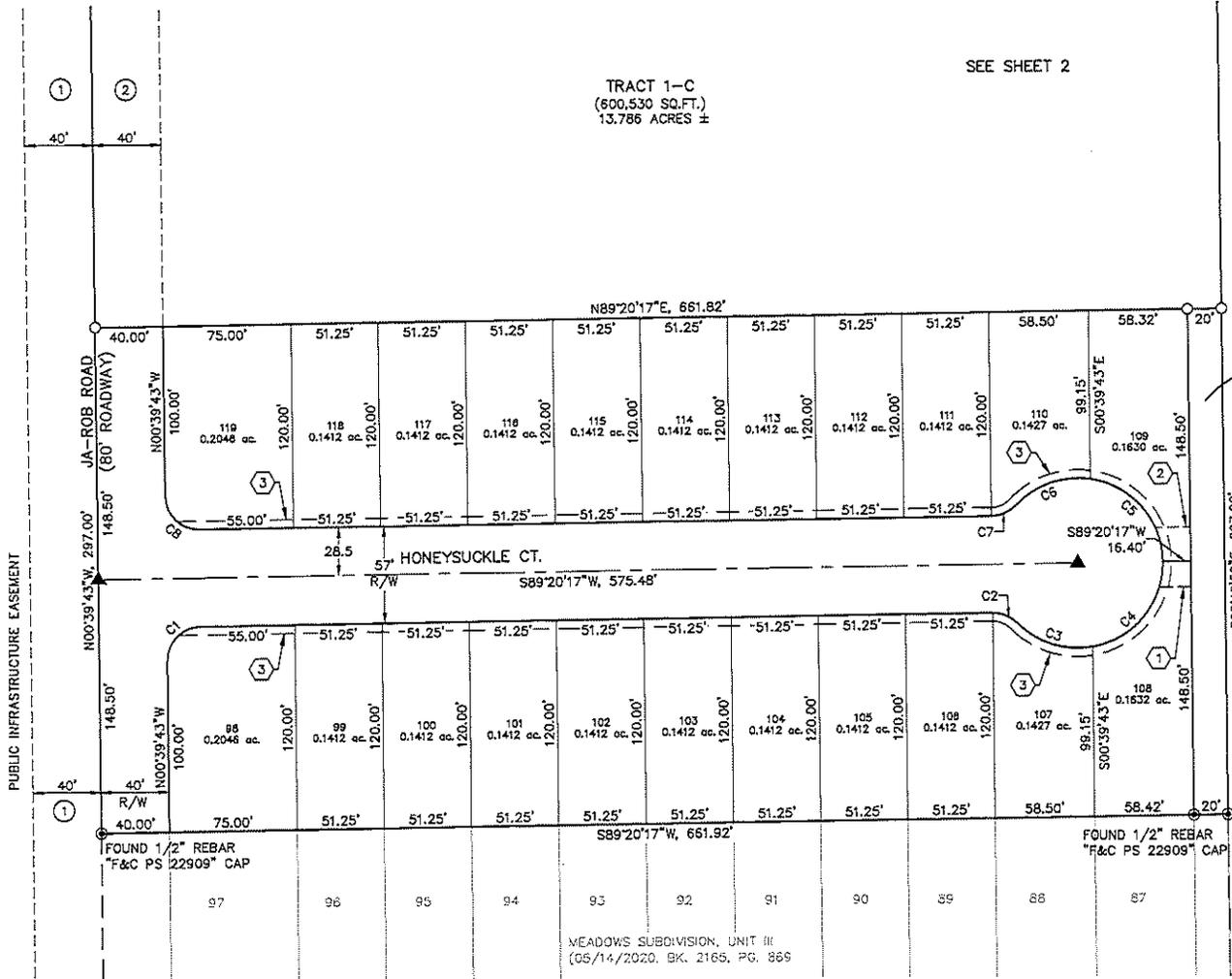
SEE SHEET 2

TRACT 1-C
 (600,530 SQ.FT.)
 13.786 ACRES ±

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	31.42	20.00	90°00'00"	S44°20'17"W	28.28
C2	16.11	20.00	46°08'36"	N67°35'25"W	15.68
C3	48.33	50.00	55°22'44"	S72°12'29"E	46.47
C4	70.48	50.00	80°45'52"	N39°43'13"E	64.79
C5	70.48	50.00	80°45'52"	N41°02'39"W	64.79
C6	48.33	50.00	55°22'44"	S70°53'03"W	46.47
C7	16.11	20.00	46°08'36"	N66°15'59"E	15.68
C8	31.42	20.00	90°00'00"	S45°39'43"E	28.28

20' DRAINAGE AND PUBLIC
 INFRASTRUCTURE CORRIDOR
 DEDICATED TO THE PUBLIC
 0.1364 ACRES

CHO FAMILY TRUST
 (8/10/2016, BK. 2043, PG. 837)



0 50' 100'
 SCALE: 1" = 50'

TRACT 33-1, MEADOWS RANCHETS
 (3/19/2021, BK. 2177, PG. 724)

TRACT 33-1, MEADOWS RANCHETS
 (3/19/2021, BK. 2177, PG. 724)



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STATE OF NEW MEXICO
 COUNTY OF LEA
 FILED

_____, 2021,
 AT _____ O'CLOCK _____ M AND RECORDED IN
 CABINET _____
 SLIDE _____
 _____, LEA COUNTY CLERK
 BY _____ DEPUTY

**PLANNING BOARD MEETING
MINUTES
April 20, 2021**

The Hobbs Planning Board met on April 20, 2021 at 10:00 a.m. at City of Hobbs Annex Building, First Floor Commission Chambers, located at 200 E. Broadway, Hobbs, NM 88240 with Mr. W.M. “Tres” Hicks Chairman presiding.

Members Present:

Tres Hicks, Chairman
Guy Kesner, Vice Chairman
Larry Sanderson
Philip Ingram
Ben Donahue

Members Absent

Brett Drennan
Bill Ramirez

Also present were members of the public and City staff as follows:

Kevin Robinson, Development Director
Julie Nymeyer, Staff Secretary
Dominic Mendoza

Todd Randall, City Engineer
Valerie Chacon, Asst. City Attorney
Jay Collins

1) Call To Order.

Chairman Hicks called the meeting to order at 10:01 am.

2) Review and Consider Approval of Agenda.

The first item of business was to review and approve the Agenda for the April 20, 2021 meeting. Mr. Hicks asked if there were any changes to the agenda? Mr. Robinson said item number 5 needed to be removed from the agenda. Mr. Hicks said item 5 will be taken off the agenda and the Board will start with item 6. Mr. Ingram made a motion, seconded by Mr. Kesner to approve the agenda as amended. The vote on the motion was 5-0 and the motion carried.

3) Review and Consider Approval of Minutes.

March 16, 2021 – Regular Meeting

Mr. Hicks asked if everyone has had a chance to read the Regular Meeting Minutes from March 16, 2021. Julie Nymeyer said she noticed a mistake on item 3 and corrected it. Mr. Hicks said on item 7 there was a misspelling. Mr. Kesner made a motion, seconded by Mr. Ingram to approve the Regular Meeting Minutes as amended. The vote on the motion was 5-0 and the motion carried as amended.

4) **Communications from Citizens.**

Due to the current COVID-19 State of Emergency and the orders of the New Mexico Department of Health, public comment should be submitted in writing via email to the City of Hobbs Planning Department at krobinson@hobbsnm.org or via fax at (575)-397-9227 no later than 9:30 a.m. on February 16, 2021.

Mr. Robinson said he received an email from Ms. Barbara Flowers and she is concerned about the projection of Gold Street. He said the email stated she had a question about the extension of Gold at Jefferson. He said that she owned lots 8, 9, 10 they would like to pursue a dead end with a cul de sac. She said creating a cul de sac on Adventure Lane would be beneficial during school release. She said many people in the area have concerns about high speed traffic in this area created by these street openings.

Mr. Robinson said one of the comments was making Adventure Lane located on the east side of Jefferson either line up with Gold or become a cul de sac. He said in order to be compliant there would have to be additional dedication of additional property. He said they would have to have a turnaround for Emergency responders.

5) **Review and Consider Proposed Annexation of +/- .95 acres of property located southwest of the intersection of Scenic and Maple.**

This item was removed from the agenda.

6) **Review and Consider Side Yard Setback Variance as submitted by property owner for property located at 4210 Backstretch.**

Mr. Robinson said this is the last lot on Backstretch to be developed. Mr. Hicks said they have addressed this issue on several addresses in this area and he said he does not see an issue with it. Mr. Ingram made a motion, seconded by Mr. Sanderson to approve the variance. The vote on the motion was 5-0 and the motion carried.

7) **Review and Consider Proposed Infrastructure Development Agreement concerning the projection of Jefferson, Glorietta and Off-Site Roadways, located south & southeast of the eastern terminus of Glorietta.**

Mr. Robinson said that staff met with the Developer this morning and there will probably be changes to this agreement. He said there are some concepts that this Board and Commission approve of such as Fair Share development agreement. He said only half of the roadway and

half of the infrastructure is beneficial to the developer. He said the developer is required to put in 100% of the infrastructure. He said the Development Agreement they are looking at today is allowing Glorietta to be developed as a hybrid which would eliminate some of the funds today and then as the properties are developed either side then develop the other half or reimburse. He said it is the Developers responsibility because he owns both north and south. Mr. Robinson said the developer and the public would be better served with Ranchland extended to Navajo.

Mr. Kesner ask if Ranchland had anything to do with this item today? Mr. Robinson said the developer would like to include Ranchland with this Developer's Agreement. He said this a developer agreement for these major collectors. He said staff told the developer they could do a hybrid section which would eliminate some of the funds you spend today and then as the properties are developed on either side then develop the other half. He said or the municipality can participate with burying the infrastructure and then as you make connections on either side you will pay the assessment fees.

Mr. Kesner said if the municipality participates then in the future when there is a future connectivity to that infrastructure then the city will receive their assessment of today's investment back. Mr. Hicks asked if Ranchland gets added to the Developer's Agreement will the Board have to see this again? Mr. Robinson said no.

Mr. Kesner asked what the agreement was for Ranchland? Mr. Robinson said staff would like to develop Ranchland like a major collector and put in public funds and have it done today and as it is developed get the assessment. He said you are doing the work now it is easier to get it all done at once. He said that does require an expenditure of public funds. Mr. Hicks asked if Ranchland could be a hybrid collector similar to Glorietta or it could be fully developed? Mr. Robinson said yes.

Mr. Hicks said he understands the desire to develop fully Ranchland as a major collector but he is not sure he thinks it needs to be a major collector yet. He said it could take another four or five years to develop it out. Mr. Robinson said there is a point that you have to have a major collector. Mr. Sanderson said he is uncomfortable with Ranchland because it is not reflected anywhere in the documents on the agenda. He said if they approve this now then what are then approving? He said he thinks that is a conversation for another day. Mr. Kesner said he feels the same way. Mr. Hicks said he thinks the Board would like to have some more input on that. He said he is personally in favor on saving on the infrastructure right now.

Mr. Kesner said he liked the idea of doing a half roadway on Glorietta. Mr. Sanderson made a motion, seconded by Mr. Ingram to recommend approval to the City Commission without adding Ranchland in the Developer's Agreement at this time. The vote on the motion was 5-0 and the motion carried.

- 8) Review and Consider Possible Infrastructure Development Agreement(s) concerning the projection of Ja-Rob, projected south of Millen, and the projection of Campbell, projected west of Grimes.

Mr. Robinson said this is a Development Agreement for the projection of JaRob. He said staff is always going to be adamant about is the entire projection. He said he would suggest

a hybrid development. Mr. Kesner asked how wide JaRob is to the north of Millen? Mr. Randall said it is a 60 foot right of way but it is only a county line section so 26 foot paved. Mr. Kesner said he thinks we want major collectors in areas that we think are going to develop out more in a commercial aspect versus a residential. Mr. Robinson the problem is we don't know how these roadways are going to develop out. Mr. Hicks said JaRob is going to be a drainage issue at some point. He said the 80 foot right of way is a valuable item which creates a larger setback but he struggles with extra wide roads because they hurt us on speed and maintenance. He likes maintaining the right of way and going with the hybrid development because it gets the best of both worlds.

Mr. Hicks said do they want to do a Development Agreement yes we do, do we want to do a hybrid or not, yes we do, do want to keep the right of way is yes. Mr. Collins said they have the 80 feet on both sides of the roadway. He said it is all going to be commercial property. Mr. Robinson said what the municipality wants is the entirety of the dedication rather it is a hybrid or full street. Mr. Hicks said so everyone agrees in a full right of way and hybrid is acceptable in the development agreement. Mr. Robinson said the developers are not getting charged an assessment because the water is on the Millen side because they are putting in the water line in JaRob. He said they are putting in the sewer line in Millen Street and the municipality has approved a development agreement for the infrastructure being extended there. He said they will not pay an assessment for that because they are paying for the installation for the sewer line. Mr. Robinson asked if there was anything that would preclude them from doing a roadway only and an infrastructure extension agreement down JaRob. He said if anyone attaches to the line there will be an assessment. Mr. Collins said they eventually want to put a shopping center on their property and they may eventually want water and sewer.

Mr. Ingram made a motion, seconded by Mr. Donahue to approve the Development Agreement and table Campbell Street until a later date. The vote on the motion was 3 to 1 with Mr. Kesner abstaining.

9) **Review and Consider Final Plat Approval for The Meadows Subdivision Unit IV, as submitted by property owner, Lemke Development, Inc.**

Mr. Robinson said this is a Final Plat approval for the Meadows Subdivision Unit IV. He said all infrastructure and the Engineer of Record is not in place. He said the Engineer has issued a cost requirement of a cash bond. He said it is not in the packet because the number is going down every day and will be solidified prior to going to Commission for their final approval.

Mr. Robinson said in the past the Board has approved a final plat with a cash bond. He said there are a few minor concrete replacements and an asphalt patch to be done. Mr. Randall said the Engineer of Record estimated the cost of the bond at about \$4000. Mr. Donahue made a motion, seconded by Mr. Kesner to approve the Final Plat with the cash bond. The vote on the motion was 5-0 and the motion carried.

10) **Adjournment.**

With nothing further to discuss the meeting adjourned at 11:28 am.

Tres Hicks, Chairman

APR 20 2021



CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 3, 2021

SUBJECT: RESOLUTION OF SUPPORT, AND WAIVER OF PERMITTING FEES, TO CHELSEA INVESTMENTS CORPORATION FOR A PROPOSED APPLICATION TO NMMFA FOR 4% TAX CREDITS TO REHABILITATE WOODLEAF APARTMENTS.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: April 30, 2021
SUBMITTED BY: Kevin Robinson - Planning Department

Summary: Chelsea Investments Corporation has proposed to apply for 4% Tax Credits for the rehabilitation of the Woodleaf Apartments located at 3320 N. Dal Paso. Woodleaf Apartments is currently a 152 unit market rate apartment complex with 6 units being uninhabitable due to disrepair. If tax credits are awarded for the project all units will be rehabilitated to assure safe occupancy. Additionally, 122 of the units will be affordable, with income and rent restrictions applicable.

The Resolution authorizes the Letter of Support for the project and additionally waives the permitting fees that this project would normally incur, providing that 4% Tax Credits are issued by NMMFA thereby assuring affordable housing status for the project.

Fiscal Impact:

Reviewed By: [Signature]
Finance Department

This resolution will waive the permitting fees that this project would normally incur, providing that 4% Tax Credits are issued by NMMFA for the project.

Attachments: Resolution, Developer Request & Narrative.

Legal Review:

Approved As To Form: [Signature]
City Attorney

Recommendation:

Staff recommends consideration of the Resolution of Support to Chelsea Investments Corporation and waiver of permitting fees providing 4% Tax Credits are issued for the project.

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. _____

CITY OF HOBBS
RESOLUTION NO. 7049

A RESOLUTION OF THE CITY OF HOBBS TO SUPPORT AN AFFORDABLE HOUSING PROGRAM (AHP) APPLICATION TO THE FEDERAL HOME LOAN BANK OF DALLAS (FHLB) BY CHELSEA INVESTMENT CORPORATION TO ACQUIRE AND REHABILITATE WOODLEAF APARTMENTS AND DECLARING THAT THE PROJECT SUPPORTS THE CITY'S COMMUNITY REVITALIZATION EFFORTS.

WHEREAS, the City Commission has previously approved Chelsea Investment Corporation as a qualified housing developer of affordable multi-family housing and certified the company as a "Pre-Qualifying Grantee"; and

WHEREAS, Chelsea intends to apply to the Federal HOME Loan Bank of Dallas for Affordable Housing Program (AHP) funds to provide gap funding needed for the acquisition/rehabilitation of the Woodleaf Apartments located at 3320 N. Dal Paso Street; and

WHEREAS, this AHP gap funding, if awarded, will supplement the 4% Tax Credit application to be submitted to NMMFA.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the City of Hobbs supports Chelsea Investment's Woodleaf Apartment's rehabilitation Project and declares the Project is in keeping with the City's community revitalization efforts.

PASSED, ADOPTED AND APPROVED this 3rd day of May, 2021.

SAM D. COBB, Mayor

ATTEST:

JAN FLETCHER, City Clerk



Finance
Development
Management

6339 Paseo del Lago
Carlsbad, CA 92011
Tel (760) 456-6000
www.chelseainvestco.com

April 10, 2021

Mayor Sam D. Cobb
Office of Mayor
City of Hobbs
200 E. Broadway St.
Hobbs, NM 88240

Re: City of Hobbs Resolution of Support for the AHP Application for Woodleaf Apartments, Hobbs, NM

Dear Mayor Cobb:

Pursuant to our telephone conversation, I am requesting your assistance to place Woodleaf Apartments on the City Council Agenda for the next meeting to be held on April 19, 2021. As we discussed, Chelsea Investment Corporation ("CIC") is in the process of trying to acquire Woodleaf Apartments in Hobbs, to renovate, and convert 124 current market rate units to affordable housing units at or below 60% AMI and 24 units at or below 80% AMI. CIC anticipates applying to New Mexico Mortgage Finance Authority ("MFA") for 4% tax credits in 2021. Based on the final approval by MFA, we anticipate closing the Project in November 2021 and beginning the renovation mobilization in December 2021.

While the tax credits are the primary funding source for the Project, they are inadequate to fund the full acquisition and renovation expenses. The total cost for the development and renovations is estimated to be \$24.5 million+. CIC has received commitments from various sources for a small mortgage, deferred developer fees, Seller Note, etc. In addition to the tax credit application, we will also apply to MFA for HOME and NHTF funds. To make the Project more successful, we are applying to the Federal Home Loan Bank of Dallas for AHP funds (Affordable Housing Program). We are applying for \$750,000. Just as the tax credits are competitive based on a point scoring system, so are the AHP funds. The goal of CIC is to maximize the points to be competitive to have awarded them. The application due date is May 13, 2021 at 5:00 pm (Texas Time).

To earn additional points for the AHP application, the Project must meet one of the two requirements listed below in the excerpt from the AHP application requirements:

"100% of all project units are either: 1) located within the geographic boundaries defined by a community revitalization plan adopted by the municipality, county or parish in which the project is located; or 2) part of an **approved resolution** from the Governing Body of the municipality, county or parish expressly setting forth that the Governing Body **supports the AHP application and that the project supports their community revitalization efforts**. Provide documentation to support the project's location within the geographic boundaries and/or the approved resolution."

Number 1 may not apply but you may be able to assist in obtaining an approved resolution. At this time, I am requesting your assistance to place the request for an approved resolution on the Council meeting agenda as described in number 2. To assist you with the presentation, I forwarded you various documents from the tax credit application to describe the acquisition, renovation scope of work, resumes of CIC and our NM Housing Authority partner, Eastern Regional Housing Authority. The Project will target the Housing for Children Priority and will have a preference for active and/or retired military/veterans.

In addition to increasing affordable housing, the residents will enjoy new amenities such as a reconfigured rental/management building to include a community room with a computer center, television lounge area, kitchen, and ADA accessible laundry facility and mailboxes. Two age-appropriate playgrounds will be installed as well as BBQ grills, picnic tables, benches, and bicycle racks. Supportive services such as after school tutoring programs, assistance with filling out applications for SNAP and other programs, health, and other educational seminars, etc. will be provided complimentary to all residents. There will be a Service Coordinator.

Due to obsolescence, the conditions of the building exteriors, HVAC equipment, roofs, stairs and landings and interior units need substantial renovation. Fourteen of the units cannot be rented due to poor stair and landing conditions and roof leaks. With the acquisition and renovations as proposed, these deficiencies will be corrected and, the rehabilitation of Woodleaf Apartments will be the same positive transformation as resulted with Casa Hermosa Apartments (aka Park Place), with the residents and the community at large benefiting greatly.

Your assistance with this request is greatly appreciated! If you have any questions pertaining to the documents, I sent you or you need additional information, do not hesitate to contact me at (818) 408-9147.

Sincerely,

Robin A. Pelton

Robin A. Pelton,

Development Executive/Asset Manager

2021 MFA UNIVERSAL RENTAL APPLICATION-NARRATIVE DISCRIPTION OF PROJECT

Project Name: Woodleaf Apartments

Project Address: 3320 N. Dal Paso Street, Hobbs, NM 88240

Project Background & Site Suitability:

The Project includes the acquisition/rehabilitation of Woodleaf Apartments (152 units) in the City of Hobbs, NM. Woodleaf Apartments includes the acquisition/rehabilitation of a 152-unit market-rate project originally built in 1983. The Project was acquired by a non-profit affiliate of the Eastern Regional Housing Authority in 1989.

The proposed development represents a unique opportunity to add 124 additional affordable housing units while still maintaining a portion of the market rate units at 80% AMI (24 units) or below. Fifteen units will be at or below 40% AMI and 103 at or below 60% AMI. Four units will be unrestricted non-revenue units for on-site management. This will increase the number of affordable units to better serve the residents and community. The Project will target Households with Children. Six of the units will target residents at or below 30% AMI for deep income targeting. The Project is currently approximately 70% occupied with twelve unrentable units (due to deteriorating stairs and landings to the units, roof leaks, deteriorated kitchen cabinets and damaged tub surrounds). The Project's Resident Selection Criteria will contain a preference for active duty or retired US military Veterans.

The Project is located on 7.516 acres, with a total combined square footage of 152,672. It consists of 18 two-story walkup dwelling buildings and 1 rental/management office building with a laundry center. Buildings 1, 2, 9 and 18 consist of 8 one-bedroom units each. Buildings 3 and 4 consist of 12 two-bedroom units each. Buildings 5 through 8, and 10 through 17 consist of 8 two-bedroom units each. It has large floorplans, with one-bedroom units containing approximately 670 net square feet and two-bedroom units containing approximately 900 net square feet. The current amenities include a laundry facility, onsite parking, and a swimming pool. In the proposed renovation, 2 playgrounds will be added since the project serves a target population with children. The rental/management office will be reconfigured and designed to create a community room area, two rental offices and a smaller computer center. Picnic tables, BBQ grills, and benches will be provided, and bike racks will be installed throughout the Project. The larger room within the Community Building will be provided for group training, after-school, food resources programs, financial literacy training, youth character building, CPR training, health, and nutrition education as well as other education classes. There will be a Service Coordinator to organize, implement and oversee these. The central laundry room will be updated to comply with the ADA guidelines to make it more accessible as well as access to the existing mailboxes.

Since the Project is occupied, a written Relocation Plan, consistent with the Uniform Relocation Act, will be prepared and implemented. It will be resident-friendly minimizing any inconvenience to the residents. Temporary onsite housing will be provided (as needed) during the interior unit repairs. Residents should not be out of their apartments more than 60 days during the interior unit repairs/replacements. Most of the residents will move from their current apartment to a newly renovated permanent apartment onsite. The residents will be permanently relocated to an apartment different from the one they currently occupy. The new apartment will be the same size as their current apartment. There may be some permanent off-site displacements are anticipated. An analysis will be performed using third-party income/asset verifications. The Developer will set aside funds for the temporary and permanent relocations.

Evidence of Need:

Woodleaf Apartments was built in 1983 and has never been renovated. Due to its age, it suffers from obsolescence. The HVAC, water-heater equipment, and roof systems are in poor condition and require replacement. The

windows and sliding-glass patio doors, interior unit kitchen cabinets and countertops, and bath vanities are original and have exceeded their useful life. Most importantly, the concrete landings to the entries of the units are crumbling and the stairs and risers are deteriorating. If these are not replaced, there will be no access to the units which will cause units to remain un-rentable. This will negatively impact the revenue stream to properly maintain and support the project and resident needs in the future. The condition of the asphalt/parking/curb/sidewalks is extremely poor. The sidewalks are crumbling and/or cracking. The parking lots are cracking and need restriping. Most major components are original. An updated Capital Needs Assessment will be performed prior to finalizing the rehabilitation scope of work.

The Project will provide additional affordable rents and safe, decent housing for the City of Hobbs and Lea County for 35+ years. Some of the existing units will be converted to ADA accessible units to better serve individuals with special needs. Access to the laundry, mailbox center, and other common areas on site will be made more ADA compliant. Without the rehabilitation scope of work, the Project will continue to deteriorate. Conditions for the residents will worsen, and the entire Project will become blight on the community. The rehabilitation of Woodleaf Apartments will be the same positive transformation as resulted with Casa Hermosa Apartments (aka Park Place), with the residents and the community at large benefiting greatly.

Amenities and Services Provided:

Woodleaf will be smoke-free. The Project is situated on a main street, Dal Paso Street, that provides easy access to all areas of Hobbs. Directly across the street is a strip center providing easy access to hair care, restaurants, TDS Cable, a clothing store, and other services. Within a mile there is a convenience store with access to fuel and groceries, schools, worship center, Hobbs Express bus transportation, civic center, pharmacy, banks, churches, and hardware store. The Hobbs Express also provides on-demand services and the Hobbs Senior Center assists seniors (60 years and older) with transportation needs.

The Project has an existing rental/management office. This will be reconfigured and designed to create a community room area, two rental offices and a smaller computer center. The central laundry room will be updated to comply with the ADA guidelines to make it more accessible as well as access to the existing mailboxes. The rehabilitation will convert the poorly utilized building at Woodleaf into a functioning, multipurpose community building. Two age-appropriate play areas will be created. Picnic tables, BBQ grills, and benches will be provided, and bike racks will be installed throughout the Project. There is an operational existing swimming pool. The larger room within the Community Building will be provided for group training, after-school, food resources programs, financial literacy training, youth character building, CPR training, health, and nutrition education as well as other education classes. There will be a Service Coordinator to organize, implement and oversee these.

The outdoor picnic tables and the indoor community room will support lunch programs, food resource programs, and afterschool snack programs. The community space will be used as a space for tutoring classes during the school year. The room, with its tables, natural lighting, and available computers will be ideal locations for homework sessions. The site, all recreation areas, the community building, and all the spaces and features within the community building will be made accessible to further support all family members and all members of the community. All resident service programs will be offered for free.

Market Conditions:

The City of Hobbs has expressed strong support for the rehabilitation of the Project which will improve a deteriorating asset and add high quality affordable housing for families and individuals with children. Approximately 30.8% of Hobbs' population is under 18 years of age with 49% of female head of households with children. These are traditionally lower income than two parent households. The population in 2021 is estimated to be 41,083 (World Population Review). The median age is 30.6. The average family size is 3.65 persons. Since there are a larger number of two-bedroom units (120 out of 152 units), they will serve the needed household size for families with children. The Project was originally designed for families. In addition, there are approximately

1,180 veterans living in the City with a poverty rate of 3.6% and disability rate of 26.84%. This further supports the preference for retired and/or active military households. The percentage of owner-occupied housing in Hobbs is approximately 59.5% which in part contributes to the need for additional housing. The median gross rent is \$1,006. The median home value in the City is \$185,500. Most of the low incomes of those currently residing at the Project and City could not afford the mortgages for the purchase of a home at this price. In the City of Hobbs, approximately 18.2% of the population lives in poverty.

Woodleaf Apartments will serve households with incomes restricted at 30%, 40%, 60% and 80% of the Lea County Area Median Income (“AMI”). This will reach families earning from \$15,450 to \$20,850 (30%), from \$18,040 to \$27,800 (40%), \$27,060 to \$41,700 (60%) and from \$36,080 to \$55,600 (80%), depending on the household size. Almost 40% of the Hobbs population earns less than \$34,999; 32% less than \$24,999 and 25% earn less than \$15,000. The Project rents, based on April 1, 2020 rent schedules, will be \$338 to \$1,119 (up to 60% AMI) and \$902 to \$1,492 (80% AMI), depending on AMI level and unit size. The utility allowance will be deducted from these rents. The median household income in Hobbs is approximately \$59,020 less than the Lea County median income of \$64,300. According to the demographics for Hobbs, 39.1% of Hobbs renters are rent burdened, paying more than 35% to 50% of their gross income for rent.

Hobbs, as the largest City in Lea County, is positioned to grow with its location at the southeast end of the State. According to the demographics for Hobbs, major economy factors include education, retail, health and wellness services and the energy industry (i.e., mining, oil extraction and transportation). The \$60 million+ CORE (Center for Recreational Wellness) facility opened in 2018 and the new 105,000+ square foot Covenant Medical Center with a Birthing Center, Community Center for health education and services, ICU, operating rooms and numerous inpatient and surgical beds brings much needed quality medical services to Hobbs and Lea County. These larger facilities are testaments to the continued growth in Hobbs. Several new retail strip centers have just been constructed and are in the lease-up stage. Texas Roadhouse Restaurant recently built a restaurant in Hobbs that is open for business. Hobbs is also the home to the Lea County Regional Airport. It also has larger chains such as Walmart, Walgreens, McDonald’s, Rosa’s, Starbucks, Applebee’s, Chili’s, and much more. The existing rental housing supply is in demand from those employed in these higher paying jobs, creating an increasing gap in affordable rental units. The City of Hobbs’s Comprehensive Plan (2010) identified multi-family affordable housing as housing priority. As the influx of labor and the thriving economy continue to grow, the market rents continue to rise. According to the demographics, the unemployment rate in Hobbs topped 16.6% in July 2020 due to COVID19 but as of February 28, 2021, it decreased to 11.8%. A year ago, in February 2020, the unemployment rate was only 4.10%. Based on the new construction and increasing activity in the oil field and other related industries, the rate is supposed to continue to decrease from the most recent 2021 rate. Restaurants and retail businesses as well as medical businesses are now open for business. Based on a preliminary market study, recently updated, the market rents for a one-bedroom apartment ranged from \$820 to \$950 and two-bedroom rents range from \$920 to \$1,565. These rents exceed the affordability for most lower-income households. The occupancies in all apartment projects due to COVID19 are lower. The 2019 vacancy was 2.6%.

Readiness-to-Proceed:

The Project, being an acquisition/rehabilitation, will move through building approvals quickly. The 12-month construction process is planned to start with mobilization in December 2021 and the start of the unit rehabilitations in January 2022. Tofel Construction is ready to proceed. The market entry date is planned to be the 3rd quarter of 2022. The marketing process will begin six months prior to rehabilitation completion. Existing residents will be qualified no later than 120 days after closing. 100% occupancy will be achieved by February 2023 based on the high quality of the Project renovations and affordable housing shortage. Residents are anticipated to relocate to a

newly renovated unit which may or may not be their original unit. Reasonable accommodations will be made (to the extent possible) for residents who may need the newly renovated ADA units.

Overall Financial Feasibility & Viability:

The approximately \$24.5+ million Project will primarily be funded with 4% LIHTC equity, MFA HOME and National Housing Trust Funds, private bank financing, general partner contributions, Seller Note, and deferred developer fees. The syndicator will hold 99.99% interest in the Project. The tax credit equity pricing is projected to be \$.85. Chelsea and Eastern Regional Housing Authority have prepared the development and operating budget based on extensive experience in budgeting and financing similar LIHTC Projects in New Mexico and other states. In addition, Monarch Properties, Inc. will manage the Project and assisted in the preparation of the operating budget based on their current and historical information for other LIHTC projects. ERHA currently manages the Project. They also provided financial and other Project history that is extremely helpful when developing the budget, planning the rehabilitation scope of work, and accessing other Project information. The Richman Group, the proposed equity investor, has invested in Chelsea-developed Projects for over two decades. Chelsea and ERHA have worked with the architect and multiple contractors during the planning phase in preliminary value engineering measures for cost cutting opportunities, while ensuring that Project quality, design standards and market appeal are not compromised.

Experience and Track Record of Development and Management Team:

The Project will be developed and operated by a To-Be-Formed State of New Mexico Limited Liability Limited Partnership (“LLLP”). The LLLP will be composed of an affiliate of Chelsea Investment Corporation (“Chelsea”) and Eastern Regional Housing Authority (“ERHA”), a New Mexico Housing Authority. ERHA and Chelsea will act as Co-General Partners with ERHA maintaining a 51% controlling general partnership interest and receiving 30% of the development fees. There is no conflict of interest between the involved parties.

Chelsea is a full-service multi-family affordable housing provider established in 1984 and has developed and financed over 11,000 cost effective and high-quality affordable housing units at a cost of \$2.0 billion. These are comprised of inclusionary developments, rural developments, developments for households with children, and special needs housing. Chelsea maintains an outstanding record of completing Projects on time, on budget and in accordance with applicable regulations and state and local affordable housing and building requirements. Chelsea has successfully developed 424 units of LIHTC financed housing in New Mexico since 2012. Chelsea has staff based both in California and New Mexico. For New Mexico Projects, the Chelsea staff works closely with local design, construction, and property management firms.

ERHA, with a management of staff of five, oversees 1,850 Vouchers allocated under HUD’s Housing Choice Voucher program in 12 counties and has developed and currently operates over 250 units of multi-family housing according to federal and programmatic requirements. ERHA serves Chaves, De Baca, Eddy, Guadalupe, Harding, Lea, Lincoln, Otero, Quay, Roosevelt, Union, and Curry counties providing affordable housing with a broad range of educational, counseling, and other supportive services to residents throughout southeastern New Mexico.

Monarch Properties, Inc., the proposed management company, is a private Texas Corporation, chartered in 1982, and is involved in the ownership and management of multi-family apartment communities throughout New Mexico, Texas, and Oklahoma, both conventional and affordable. The combined total units under management has consistency averaged more than 8,500 units. Monarch currently successfully manages all five of the Chelsea affordable housing LIHTC apartment communities in New Mexico. Monarch has a working knowledge of the Section 42 tax credit program and working with households with children requirements to ensure compliance with both programs. They have also developed and implemented successful written Marketing Plans that leased the New Mexico Projects developed by Chelsea in a timely to maximize the tax credits for the owners. Once routine

operations begin, they have successfully maintained the Projects at 95%+. Monarch is very familiar with the needs of the proposed Project.

Cost Reasonableness and Cost Containment Measures:

Upfront actions were taken to determine the scope of rehabilitation needed to determine the cost estimates for the Project. The scope of work was based on a 100%-unit walkthrough by Dave Hickman of Jeebs & Zuzu, the Architect; Carl McElhane of Tofel Dent Construction, the proposed General Contractor; EHRA onsite and development staff, and Chelsea Investment Corporation personnel. An exterior site inspection was also performed at the time of the unit inspections. The structural integrity of the buildings was reviewed during this walkthrough. The Architect prepared the scope of work and the General Contractor, Tofel Construction, prepared the estimate for the rehabilitation costs. Value engineering has been incorporated in the costs estimates to provide the most reasonable costs based on the substantial rehabilitation required for the Project and ensuring that the MFA 2021 Design Standards and HERS requirements are met. The extensive affordable housing development/construction/rehabilitation experience of both Chelsea and Tofel provides insight into the cost reasonableness and cost containment measures. The architect is also very experienced in New Mexico affordable housing development and costs to create design features that make the Project costs more reasonable. The development, construction/rehabilitation and management team have weekly conference calls to discuss any issues that might impact the Project costs and the Projected budget. Monthly onsite meetings with site inspections and cost discussions are also held. This communication and oversight by the Developer enhances the monitoring of the costs. No changes to the scope of work and/or budget costs can be made without review and approval by the Developer.

Proximity to Existing LIHTC Developments:

Based on our research, there are ten LIHTC projects in operation in Hobbs. The projects and distances from Woodleaf are as follow: Park Place (1.1 miles); Playa Escondida (1.6 miles); New Leaf (3.4 miles); Washington Place (3.2 miles); La Pradera (.4 miles); Parkside Terrace (2.9 miles), Avalon Cove (3.8 miles), Willow Bend (2.6 miles), Four Seasons (2.9 miles) and Skyview (under construction) (3.0 miles). Based on the 2021 Areas of Statistical Demonstrated Need prepared by MFA, Lea County is in Tier 2 with a priority for additional affordable housing. The 2020 NM Affordable Housing Needs Assessment prepare by MFA, reported “all counties in Southeast NM have a deficit in rental apartments and can support new delivery”.

Site suitability:

The existing buildings and site are considered structurally sound and appropriate for continued use as affordable multi-family housing, particularly for Households with Children. No site remediation and/or major building demolition are anticipated. Some of the walls in the rental/management office will be removed to reconfigure the interior space and make some of the existing units ADA units. Kitchen cabinets, bath vanities will be removed and replaced. These materials will be disposed of offsite in an appropriate manner. The Seller meets the 10-year requirement. There is no identity of interest between the Seller and Buyer. The Project is eligible for points pertaining to the satisfaction of the 20-year requirement. To confirm site control, a copy of the executed Purchase Option Agreement between the Seller and Buyer is included in Tab 10.a.

Phase I, II and/or Phase I II Environmental Assessments Performed:

The current Applicant has not obtained a Phase I, II and/or Phase I and II Environmental Assessment(s). If awarded the MFA tax credit allocation, the Developer will perform environmental assessments and Phase I and/or II evaluations to determine the existence of radon, mold, asbestos, lead, and any other environmental issue prior to finalizing the scope of rehabilitation work. A Phase I Environmental Report was prepared by a third-party consultant in March 2016 at the request of ERHA. Woodleaf Apartments did not have any environmental issues. The Property Condition Reports were used to prepare the renovation scope of work as well as a walk-through by the Architect and a construction contractor. The Development budget does include an allowance for any abatement that may be required.

**2021 NM MFA RENTAL DEVELOPMENT APPLICATION
ADDITIONAL REHABILITATION NARRATIVE**

Project Name: Woodleaf Apartments

Project Address: 3320 Dal Paso Street, Hobbs, NM 88240

1. REHABILITATION PLANS

a. **Proposed Rehabilitation Plans**-It should be noted that the Development plan is to acquire and rehabilitate Woodleaf Apartments. The scope of work for the Project constitutes a substantial rehabilitation pursuant to the MFA definition of found in the 2021 QAP Glossary. The work area will exceed 50% of the aggregate area of the buildings. 100% of the units will be renovated. For the purpose of this narrative, any reference to the Project includes Woodleaf Apartments unless otherwise specified. The major building systems that will be replaced are as follows:

- removal and replacement of windows and sliding patio/balcony doors
- replacement of water heaters
- replacement of HVAC equipment
- replacement of roofs on eighteen (18) buildings
- removal and replacement of exterior stairs, fascia at landings and crumbling concrete landings.
- removal and replacement of bath and kitchen cabinetry/vanities and countertops
- removal and replacement of all bathtubs
- reconstruction of failing second floor balconies
- repair and recoating (as needed) of the stucco on the exterior the buildings
- repainting of all buildings

In addition to these major components, to provide more energy savings and to achieve green standards, new plumbing fixtures, interior and exterior lighting will be installed. There will be some tree removal and other landscape removals and additions. The Project will attain a post construction HERS rating of less than 65. Prior to the completion of the project construction drawings, a preliminary HERS rating of a demonstrative sample of the units will be completed to verify the construction scope and to assure that construction activities will achieve the maximum HERS target. Post construction, the units will be tested and rated. Final HERS reports will be made available to MFA for verification of project compliance.

The Project currently does not have a community room, bicycle racks or any playgrounds. The current leasing/management office will be reconfigured to be a community room with a computer area, accessible laundry center and two leasing/management offices. Two age-appropriate playgrounds will be installed as well as bicycle racks throughout the property.

Due to the age of the Project, there are currently no ADA accessible/hearing/vision impaired units. Five percent of the units will be converted to ADA accessible units and two percent will be converted for the hearing/vision impaired. Routes to the mailboxes and other areas of the site will be made accessible. The Project currently has a swimming pool. Minor repairs will be made to keep the pool compliant with local, state, and federal codes (as applicable) and operational.

All of the interiors of the units will be painted. Minor drywall repairs will be made, as necessary. Air sealing measures will be completed at the apartment entry doors and certain HVAC/water heater closets. Some floor finishes will be replaced as well as appliances based on the 100%-unit inspections.

Renovations and construction activities will be completed in accordance with MFA 2021 Mandatory Design Standards for Multifamily Housing. The work as outlined above is consistent with the architectural drawings and scope of work. The work area will exceed 50 percent of the aggregate area of the buildings. The scope of work for the Project constitutes a substantial rehabilitation. There was no Capital Needs Assessment (CNA) performed for the Project. The scope of work was based on a 100%-

unit walkthrough with the Developer's (CIC) representative, Eastern Regional Housing Authority representative, construction contractors and the proposed architect, Dave Hickman of Jeebs and Zuzu. An exterior site inspection was also performed at the time of the unit inspections. A CNA will be performed prior to finalizing the construction drawings and scope of work.

- b. **Any Capital Expenditures Made Over the Past Two (2) Years and the Nature of These Capital Expenditures**-Some capital expenditures were made in the past two years. In 2016, ten (10) stairs were replaced at the building exteriors. Unfortunately, the landings were not repaired/replaced at the time the stairs were replaced so it will be necessary to remove these as part of the rehabilitation scope of work, repair the landings and fascia wood and, hopefully, reuse the new stairs. The only other capital replacements made were some carpet and new appliance installations as part of the turnover process to re-rent the apartments (as feasible) and to provide maintenance service to the existing residents. Operating and/or replacement reserve funds were used to pay for these. Based on the 100%-unit inspections performed, if the carpets and appliances were recently replaced, they were not included in the rehabilitation scope of work.
- c. **Any Past Local, State or Federal Resources Invested in the Project**-There have been no past local, state, or federal resources invested in the Project. While the Project is owned by a development entity of Eastern Regional Housing Authority, it is a conventional apartment community. It has never participated in the tax credit program previously. There is no Land Use Restriction Agreement (LURA).
- d. **Any Obvious Design Flaws, Obsolescence Issues or Safety Issues**-The Project has obsolescence issues primarily due to its age. It was built in 1983 and has had no major renovations. It has a major safety issue with the building stairs and landings for ingress and egress to the apartment entries. The stairs are deteriorating, and the concrete landings are crumbling. There are six (6) units that cannot be rented due to the removal of the stairs for poor, unsafe conditions. Some sidewalks are cracked and deteriorating. These will be corrected with the proposed rehabilitation scope of work. There are no other major safety issues.
- e. **Any Significant Events Leading to Need for Rehabilitation**-There has been no significant events that have led to the current need for rehabilitation, e.g., fire, natural disaster, etc. The need for the rehabilitation is due to obsolescence and old age. Most of the major systems, kitchen cabinets and countertops, bath vanities, etc. have outlived their useful life. As mentioned previously, the Project was built in 1983 and has never been renovated.
- f. **Why the Project is Appropriate for Rehabilitation and Not Demolition**-. The Project is appropriate for renovation since its building walls and structure are sound as determined by the inspections performed by the Architect and General Contractor. It is also 70% occupied. If the buildings were demolished, approximately 107 residents would lose their housing.
- g. **The Physical Aspects of Existing Building**-The eighteen residential buildings are quite simple in design and basically structurally sound. The buildings are two-story walk-ups with stairs that are in extremely poor condition. The windows are original and, in many instances, do not permit much visibility to the outside. There are wood balconies at the back of the second-floor apartments that have deteriorated wood fascia boards and, in some instances, deteriorating decking with weak spots. The balconies and patios have exterior storage rooms at each unit. Most of the doors are delaminating and need replacement. This also applies to the HVAC and water heater closet doors. To summarize, the buildings are in dire need of rehabilitation. With the exception of the swimming pool, there are no amenities for the residents.
- h. **Any Relocation Issues**-There are no relocation issues anticipated. The relocation will be resident-friendly minimizing any inconvenience to the existing residents. In order to complete the unit rehabilitation, it will be necessary to temporarily relocate the existing residents onsite for approximately sixty days. Most of the residents will move from their current apartment to a newly renovated permanent apartment onsite which will be different from the one they currently occupy. The new apartment will be the same size as their current apartment. There is a possibility that some of the residents will be permanently relocated offsite due to preliminary income eligibility analysis performed. This will be determined once the formal certification of the resident for eligibility for the tax credit program is performed. Refer to the Preliminary Relocation Plan. The Developer has included relocation funds for the relocation activities in the development budget.

- i. **Work Performed Including the Inclusion of Any Third-Party Reports, to Determine Reasonableness of a Rehabilitation versus Demolition-** The scope of work was based on a 100%-unit walkthrough by Dave Hickman of Jeebs & Zuzu, the Architect; Jim Tofel and Carl McHenry of Tofel Dent Construction, the proposed General Contractor; ERHA personnel, the current managing agent, and Chelsea Investment Corporation personnel. An exterior site inspection was also performed at the time of the unit inspections. The structural integrity of the buildings was reviewed during this walkthrough. The Architect prepared the scope of work. Tofel prepared a cost estimate based on the scope and site visit. The scope of work recommended by the Architect and the General Contractor did not include demolition of the Project. When the scope of work as outlined in the rehabilitation plan is completed, the Project should be in exceptionally good condition to last for the next 35+ years providing affordable housing and a safe, decent place to live.
 - j. **Preservation of Affordability-**This Project is a conventional, market rate project with no federal assistance contracts. However, the Developer proposes to increase the number of affordable units for households with incomes at or below 60% AMI. There will also be some units set aside at the deeper income targeting of 30% AMI. Twenty-four units will be set aside for renters at or below 80% AMI. When the scope of work as outlined in the rehabilitation scope is completed, the Project should be in exceptionally good condition to last for the next 35+ years providing additional affordable housing and a safe, decent place to live.
- 2. Property Details:**
- a. **Anticipated Date of Site Control and Whether There is Identity of Interest Between or Among Any Principal of the Buyer and Seller-** Eastern Regional Housing Authority has entered into a Purchase and Sales Agreement (executed and dated April 2021). The Project is currently owned by RHA Housing Development Corporation, which is a New Mexico nonprofit corporation established by the Eastern Regional Housing Authority for the purpose of acquiring and operating Woodleaf Apartments. RHA Housing Development Corporation and the Eastern Regional Housing Authority have an identity of interest, in that they share some of the same board members.
 - b. **10 Year Rule-**The to-be-formed limited liability limited partnership will acquire the Project from the entity who has held the Project for at least ten years. RHA Housing Development Corporation acquired the property in October 1989 (refer to the Warranty Deed included in Tab __). As a qualified nonprofit organization, RHA's placement of the Project in service in 1989 is disregarded, and the acquisition of the Project by the to-be-formed limited liability company will be more than ten years since it was first placed in service by an unrelated person.
 - c. **Satisfaction of the 20-Year Requirement-**The final building inspection included in Tab ___ confirms that the Project was initially placed in service in January 1983. This demonstrates more than 20 years have elapsed since issuance of certificates of occupancy, or the units were Placed in Service. The Project has never received tax credits for a renovation. There have been no major renovations completed during this timeframe.
- 3. Demolition:**
- a. No major building or other demolition is proposed. The leasing/management office building will be reconfigured as mentioned previously and interior walls may be removed for a new configuration. The units that are designated to be ADA units will undergo removal of the walls and reconfiguration. There will be removal and replacements of cabinets, countertops, light fixtures, windows/balcony/patio sliders, equipment, sidewalks, and pavement. The roofs will be replaced at all buildings and stair landings and stairs will be removed and replaced. The balconies and fascia boards will be repaired/replaced. Some trees will be removed. Debris will be properly disposed off-site.

REHABILITATION SCOPE OF WORK NARRATIVE:

The rehabilitation and renovations planned for Woodleaf Apartments shall be categorized as follows:

1. Proposed changes to the site to remove barriers to accessibility:
 - a. The predominant focus of site work shall be to create accessibility. Sidewalks connecting accessible units to the main parking area and the sidewalks around the community building will also be reconstructed so as to provide an accessible route between the accessible units, the community building, the public way, and the site features.
 - b. Signage for the parking spaces will be installed.
 - c. The sidewalk around the mailboxes will be replaced to create a level landing and the boxes will be adjusted as needed. The existing retaining wall will be relocated to allow for proper clearances.
 - d. Access to the new garbage enclosure areas will be provided.
 - e. The swimming pool will be improved and upgraded to make it safer and accessible.
 - f. New accessible paly areas will be created. The accessible route will be extended to these areas and to the equipment provided in them.
2. Proposed changes to the buildings to provide 5% accessible units.
 - a. Eight units (representing 5% of the 152 units total) shall be remodeled to become compliant with ADA and ANSI A117.1 standards. The renovation of the units shall include the reconfiguration of the kitchens, bathrooms, interior doors, and shelving. Outlets and light switches will be located within the reach ranges required by the ADA.
 - b. Four additional units will be outfitted with visual alarms to satisfy the 2% requirements for hearing/visual impairment units.
3. Proposed strategy to achieve a maximum HERS certification of less than 65.
 - a. Preconstruction HERS testing will be completed to ensure that the proposed improvement measures will achieve the maximum score.
 - b. A number of energy efficiency upgrades have been just recently completed at the property, including the installation of new high-efficient furnaces. The Efficiency of the existing furnaces will contribute to the post construction HERS score.
 - c. New high-efficient water heaters will be installed.
 - d. New high-efficient air conditioners will be installed.
 - e. The light fixtures will be replaced with LED fixtures.
 - f. Air infiltration and sealing measures will be employed to reduce heat loss.
 - g. Post construction HERS testing will be completed to ensure that the targets are met.
4. Proposed changes to the site to meet the requirements of the Mandatory Design Standards: Rehabilitation Section B.
 - a. In conjunction with the site renovation work, the grades adjacent to the buildings will be revised to direct storm water away from the buildings.
 - b. Bicycle parking will be added to include 40 spaces. As this is a renovation project, the parking ratio needed to meet will be .25. The bike parking spaces will be located facing into the central areas of the site for greater visibility.
 - c. New garbage collection areas will be constructed on site. These will be screened with stucco walls and metal gates. The new locations will be situated on an accessible route.
 - d. Mailboxes are currently located to the south wall of the Community Building. The mailboxes will be replaced as needed. The sidewalk surrounding the boxes will be replaced

to provide a level landing, and the adjacent retaining wall will be relocated to allow for proper clearances.

- e. The existing laundry facility will be renovated to meet MFA's 2021 Mandatory Design Standards and the ratio required for equipment to units. Hook ups are provided within the units and as such, 8 each washers and dryers will be provided. Two accessible washers and accessible dryers will be provided. The room will be constructed to include an accessible height folding table, and the clear floor spaces and turning radii required by ADA.
 - f. Beyond the existing swimming pool, there are currently no other site amenities. With the site renovation, new benches and picnic tables will be installed. The benches will be located near to the new playground. A playground and tot lot will be constructed to cover ages 0-5 and 5-12. An activities field will be constructed for children over 12. In addition to these outdoor gathering and recreational spaces, the Community Building will be remodeled to provide even greater access and use to the residents. The renovated areas will include a community room. A new Social Services Coordinator's office will be provided as well.
 - g. The landscaping throughout the property is in poor condition. A new landscaping plan will be constructed which utilizes native, semi-native, and drought tolerant plants. A new irrigation system will be installed to support the plants. It will be low water use, will rely heavily on drip irrigation, and will be completed with rain delay controllers.
 - h. The community building will contain two offices. Together, the area of these rooms will exceed the 200 square foot requirement.
 - i. A maintenance room will be provided on the northeast section of the site. It will exceed the minimum 100 sf area requirement.
 - j. An existing restroom in the community building will be reconfigured to meet accessibility requirements.
5. Proposed changes to the buildings:
- a. The upper floor landings and walks have all deteriorated and are unsafe. These areas will be reconstructed and stabilized with repair to the existing structure below.
 - b. Some of the exterior stairs have been replaced, but a larger portion have not yet been replaced. The existing stairs are rusting, delaminating, and generally falling apart. The stairs are a safety hazard and will be replaced as a portion of this work.
 - c. The existing upper floor back patios are deteriorating. The wood structure has decayed, leaving the metal flitch beams exposed. These structural elements will be reconstructed as part of the renovation work.
 - d. The existing roofs leak in several locations. New roofing will be installed.
 - e. The stucco will be repaired and recoated.
 - f. Exterior windows and doors will be replaced.
6. Proposed changes to the units:
- a. The kitchen and bathroom cabinets will be replaced.
 - b. Interior finishes will be replaced.
 - c. New appliances will be installed as needed. (Some of the appliances are less than five years old. These would remain in the units if in good condition).
 - d. New light fixtures will be installed.
 - e. Laundry room doors will be replaced.
 - f. Tub/shower surrounds will be replaced.
 - g. Plumbing fixtures and trim will be replaced with water savings toilets and faucets.



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Professional Affiliations: Building Industry Association of San Diego and California Council for Affordable Housing.

Chelsea Investment Corporation ("Chelsea") is a real estate company focused on the financing and development of affordable housing. Incorporated in 1986 by James J. Schmid, who still serves as CEO, Chelsea is a vertically integrated company with asset management, construction, and community investment affiliates.

Having developed over 11,000 units throughout the western United States, at a total cost in excess of \$2 billion, Chelsea meets and exceeds the level of experience necessary to develop affordable housing in today's complex financing environment. Chelsea has developed infill, rural, inclusionary, senior, special needs, and mixed-use projects with a variety of non-profit partners, such as Father Joe's Villages, Serving Seniors, Housing Development Partners, Alpha Project, Weingart Center Associates, and Southern California Housing Collaborative.

Of the rental homes completed, approximately 2,500 are in urban infill sites, 4,000 are located in suburban locations, and 2,000 are in rural areas. Approximately 3,300 have satisfied inclusionary obligations, 2,000 units are senior housing and 1,100 units are supportive housing. Additionally, while Chelsea has primarily focused on new construction projects, the company has developed about 1,000 units through acquisition and rehabilitation. Virtually all projects have been developed with soft residual receipts loans through public-private partnerships with the federal, state or local government.

Chelsea has successfully integrated AHP, AHSC, MHP, CDBG, HOME, IIG, TOD, MHSA and redevelopment housing set-aside funds into many projects, in addition to the 4% and 9% low income housing tax credits and tax-exempt bond financing. In one project alone, Chelsea utilized loan and grant subsidies from 14 different funding sources.

- To date, Chelsea has developed over 100 affordable communities throughout California, New Mexico and Arizona.
- Total tax credit equity of over \$1 billion.
- Total permanent loan and tax-exempt bond proceeds of over \$329 million.
- Ranked as 11th in Affordable Housing Finance magazine's Top 50 Affordable Housing Developers in the country in 2018.
- 2015 and 2018 Builder of the Year - Building Industry Association of San Diego.
- Chelsea and its communities are consistently recognized in many categories, including awards for design excellence, preservation of affordable housing, housing for the developmentally disabled, and supportive housing.



EXECUTIVE TEAM

James J. Schmid

Founder/CEO

During his nearly 40-year career, Jim's responsibilities have included project acquisition, financing, design, construction, marketing and property management of commercial, industrial and residential projects throughout the country. For the last 25 years, he has focused on development of affordable housing. A respected authority in all aspects of real estate development and management, Jim is a former lecturer for the MSRE degree program at University of San Diego, Past Chairman of the San Diego Building Industry Association, and sought-after panelist and speaker. He is a passionate advocate for the creation and preservation of safe, accessible, and affordable housing; his service to the industry has recently been acknowledged by his induction into the Building Industry of San Diego Hall of Fame.

In addition to growing Chelsea to a company of over 60 employees and a development portfolio of \$1.7 billion, Jim is an attorney with an advanced degree in tax law. As CEO, he is responsible for strategic management of Chelsea and its affiliates.

Cheri Hoffman

President

Cheri has been part of the Chelsea development team since 1994 and has participated in the development of close to 100 affordable apartment communities, involving nearly \$1 billion in financing. She is an authority in financial modeling incorporating tax credits and tax-exempt bonds, and has extensive experience securing multiple forms of local, state, federal and private funding sources. She is involved throughout the development process, from early feasibility analysis to lease up and stabilization. Cheri received her degree in Accounting from California State University in Fullerton and continued her education with finance studies at California Polytechnic University in Pomona.

Charles A. Schmid

Chief Operating Officer

Charles has been with Chelsea since 1986, and also serves as President of Chelsea's affiliated general contractor, Emmerson Construction, Inc. He applies experience with real estate finance, development and management to facilitate the needs of both companies. Charles, a licensed general contractor, has supervised the construction of more than 6,000 units throughout California and Arizona. With a degree from UC San Diego, he has a thorough understanding of the life cycle of apartment development, from feasibility analysis through lease-up.

Shannon Vanderhei

Capital Transactions Manager

Shannon Vanderhei has over 15 years of experience working for real estate development, syndication, lending and property management companies. Her experience includes acquisitions, dispositions, financing, property management, asset management, construction, rehabilitation and due diligence. Her role at Chelsea Investment Corporation includes financing and financial modeling of projects along with managing the closing and conversion transactions. Shannon earned a B.B.A. in Real Estate and Marketing from the University of Wisconsin at Milwaukee.



Nkechi Odu
General Counsel

With a background of representing lenders and equity investors in the financing of affordable housing and developments throughout the country, Nkechi provides advice across the spectrum of Chelsea's operations and is closely involved with closing new transactions, conversions, and other transactional matters. She earned her Juris Doctor from NYU School of Law and received her BS degree from the University of Florida, where she graduated with honors.

Adam Gutteridge
Director of Asset Management

Adam manages the Asset Management portfolio, which includes some 6,000 units in over 60 properties. He has 14 years of experience in affordable housing development, most recently as Vice President of Asset Management with Vitus Group, where he managed the design and construction of over 30 acquisition-rehabilitation projects financed with a mix of tax-exempt bonds, low income housing tax credits, and HUD and USDA-RD loan proceeds. Adam earned a BS in Business with an emphasis in Finance from the University of Florida, where he graduated with honors.

Jodi Rothery
Director of Development

Jodi Rothery is an accomplished real estate professional with over 20 years' experience in all aspects of residential and commercial development in California. Her expertise includes the acquisition, entitlement, design, construction and management of over 5,000 new homes, as well as commercial and retail space, totaling more than \$1.5 billion. Jodi has extensive experience in managing large, complex real estate transactions as well as working with regulatory agencies on CEQA mitigation, NEPA compliance and historic tax-credit rehabilitation. In addition to being a licensed real estate broker and member of the San Diego Association of Realtors, Jodi is passionate about building better environments for living and started a non-profit organization in 2001 that builds homes for families that have been displaced due to natural disasters and other perils in Romania. Jodi graduated magna cum laude with degrees in Business and Chemistry from Willamette University, along with a BS in Chemical Engineering.



JIM ANDERSEN

Chief Financial Officer

Jim serves as the CFO of Chelsea Investment Corporation. He has over 30 years of experience in a variety of roles in the Real Estate industry. Proficient in both Financial Management and Development, Jim has served as a Development Partner and executive for Legacy Partners, Del Mar Development, Trammell Crow Company and NMS Properties. In his career, he has sourced, entitled, financed and/or completed several thousand units in California. In addition, Jim was Chief Financial Officer for Bay Apartment Communities (predecessor to Avalon Bay), and Trammell Crow Company.

Jim is very active in the industry as a member of ULI and NMHC. He earned his CPA while at Peat Marwick and Company and graduated from Loyola Marymount University with a BS in Accounting.

HEIDI W. MATHER

Director of Development

Heidi has been a real estate professional for over 30 years. Early in her career, Heidi's responsibilities included land use planning for the city of San Diego and private sector entitlement processing. For the last 22 years, she has focused on market-rate apartment development. Heidi has been responsible for the entire life cycle of a deal: due diligence, investment approvals, project design, consultant management, the entitlement and public approval process, permit processing, government and stakeholder interface, capitalization and loan management. She has also acted as the Owner's Representative during the construction and lease-up phases and assisted with project disposition. Heidi has developed nearly 9,000 homes in California and Arizona represented by a variety of product types with an aggregate capitalization value in excess of \$2.5 billion. With an Urban Studies and Planning degree from the University of California, San Diego, she has a deep understanding of the multi-family development process



MANAGEMENT TEAM

Tim Baker

Development Executive

Tim Baker has over 25 years of experience in developing and financing affordable housing and commercial real estate. His overall scope as Senior Project Manager at Chelsea is to manage the development of specific projects from pre-construction through completion. Tim holds a BA degree in History with a minor in Business from University of Notre Dame, an MBA from University of San Diego, and a Master of City Planning with a Concentration in Housing and Project Development from UC Berkeley.

Robin Pelton

Development Executive

Robin Pelton has a long history in property and asset management and the development business configurations. Her management expertise covers lease-up to sustained occupancy, capital needs assessments, corrective and preventive maintenance, due diligence, construction and property renovation and employee supervision and training. Additionally, Robin is responsible for regulatory compliance and reporting to regulatory agencies, lenders, investors and partners.

David Davis

Development Manager

Dave has over 30 years of land development experience. With creativity and cost in mind, he has specialized in the design of large master planned communities, multifamily sites, commercial centers and mixed-use developments. Dave started working for Hunsaker in Orange County and then became a partner at Hunsaker and Associates in San Diego as a professional Land Planner and Designer running the Planning Department. He has since worked for KB Homes, Gatlin Development and Environmental Development managing the acquisition, entitlement and construction process for thousands of homes in southern California. Dave is also involved with the BIA and volunteers for many community events. He works closely with governments and community groups to successfully achieve project goals and quality developments.

Colleen Edwards

Development Executive

Colleen brings over 20 years of experience in development and construction to Chelsea. Based on her considerable industry background, she is familiar with the requirements of the development process from site identification, through sale or conversion, to permanent financing. She has in-depth knowledge about affordable housing finance issues involving layering of soft financing sources and the requirements for low income housing tax credits.

Colleen began her career with Swinerton Builders, one of the top 25 general contracting firms in the United States, with job responsibilities that included estimating and project engineering, and continued her career with AMCAL Multi Housing and Palm Communities. Prior to joining the Chelsea team, she was working with WCH Communities to develop infill housing in the City of Los Angeles utilizing the new small lot subdivision ordinance.



Colleen graduated with a Bachelor of Science - Management degree, magna cum laude, from Pepperdine University. She holds a Master's Degree in Real Estate Development from the University of Southern California, and is a LEED Accredited Professional.

Christine Villegas

Development Executive

Christine brings 25 years of experience in real estate, economic and community development, politics, government and public relations to Chelsea. She has been the principal Project Manager responsible for the development of over 500 units of affordable housing in Los Angeles, San Diego and Ventura counties. She is passionate about working with local stakeholders to ensure our developments make the best financial and quality of life impact on our residents by working closely with our public and nonprofit partners. Based on her considerable industry background, she is familiar with the requirements of the development process from site identification, underwriting, competitive public financial applications, construction, perm loan conversion, lease up and operations. She has extensive knowledge about affordable housing finance issues involving layering of the many available soft financing sources and the requirements for low income housing tax credits and is a firm believer in starting with the end in mind.

Christine graduated with an Associate of Arts—Criminal Justice and Bachelor of Arts – Community Studies, from UC Santa Cruz. She attended USC's Master's in Urban Planning Program and is finishing a Masters in Business Administration from Pepperdine University. She is also a licensed realtor.

Ron Brockhoff

Director of Entitlements & Permitting

Ron Brockhoff has performed real estate development management, construction management and project management services on more than \$250 million of housing over his 30 years in the business. Prior to joining Chelsea Investment Corporation, Ron was director of Pardee Homes' Multi-Family Division in San Diego County. Ron Currently serves as Project Manager and is responsible for entitlements and project management of complex construction projects.

Ron received his bachelor's degree in Business Administration with an emphasis on Real Estate Development from San Diego State University.

Resume

Eastern Regional Housing Authority

106 East Reed Street, Roswell,

NM 88203 1(575) 622-0881

Primary Contact: Chris Herbert

Staff Positions

Chris Herbert, Executive Director

Irene Andazola, Deputy Director

Olivia Cruz, Finance Director

Cesar Marenco, Director of Real
Estate Development

Eastern Regional Housing Programs

Housing Choice Voucher Program HCVP

HUD Housing Choice Voucher Program

1850 Vouchers allocated to Eastern Region for all 12 counties

The Housing Choice Voucher Program, commonly referred to as Section 8, is the largest United States affordable housing program funded by the Department of Housing and Urban Development.

Eligibility for the voucher is based on a family's household income. Seventy-five percent of new vouchers issued must be made available to families earning less than 30 percent of the area median income (AMI). The voucher covers a portion of the rent and the tenant is expected to pay the balance. The tenant's share of rent is an affordable percentage of their income, which is generally between 30 to 40 percent of gross income.

This program included the Family Self Sufficiency Program and Section 8 Homeownership programs.

ERHA has operated the program since 1978

Recent Accomplishments:

2014 HUD high performer

2010 HUD high performer

2009 HUD high performer

2007 HUD high performer

2006 HUD high performer

Sandstone Manor Apartments
HUD Public Housing Development
84 Unit Multi-family Development in Roswell, Capitan, and Carrizozo, NM

Sandstone Manor Apartments, owned and managed by Eastern Region, there are 84 units of low rent public housing built on multiple sites in three communities within the region. All of the buildings are on individual lots. Family's pay 30% of their monthly adjusted income as rent, as a general rule. All families must income qualify to lease one of the units in this development. This program was the original government assisted housing program, which was developed in the 1930's as a response to the housing crisis brought on by the great depression.

ERHA has operated this program and complexes since 1978

In addition, ERHA recently took over the troubled Vaughn and Eunice Housing Authorities. We are working to improve occupancy and to bring the program into compliance.

Rio Felix Apartments
USDA Rural Development Property
20 Unit Multi-family Development in Hagerman, NM

Rio Felix is a Farmers Home Administration USDA housing development owned and operated by Eastern Regional Housing Authority. All families must income qualify to lease one of units in this development.

ERHA purchased and has operated Rio Felix Apartments for 20 years

Woodleaf Apartments
Bond Financed Development
152 Unit Multi-family Development in Hobbs, NM

Woodleaf apartments are owned and operated by the Eastern Regional Housing Authority, there are 152 units which are rent controlled and the rents are kept under the Fair Market Rents as set by the HUD for each of our counties.

ERHA purchased and has operated the complex since 1997

Professional Affiliations

National Association of Housing and Redevelopment Officials "NAHRO"

RESUME

Chris M. Herbert 403 Twin Diamond Road, Roswell, NM 88201
USA Home Phone: (575) 649-1482 Work Phone: (575) 420-6419
Email: herbert88203@aol.com

EXPERIENCE:

JUNE 2006 to present,
Executive Director

Eastern Regional Housing Authority of NM, 106 E. Reed St. Roswell, NM 88202
Supervised by the Eastern Regional Housing Authority Board of Commissioners .
Responsible for managing operations to insure compliance with federal, state, and administrative requirements. Developing and managing low income housing in the twelve county area. Managing staff culture changes to assure effectiveness. Managed and facilitated staff training. Compiled narrative and statistical reports on operations to determine trends, as well as to insure compliance with state and federal regulations. Tracks and evaluates performance of 42 staff persons. Responsible for program and property development, refinancing efforts, development of training program. Supervision of department managers and Deputy Director, budgetary development and oversight as well as strategic planning. Managed the merger of former Region VI Housing Authority with the former and troubled Region IV Housing Authority forming the Eastern Regional Housing Authority.
Software utilized Happy software, Great West, HUD Manager, Microsoft Excel, Word, PowerPoint, and Access.

NOV 2004 to May 2006,

Deputy Director, Section 8

Housing Authority of KCMO, 301 E. Armour Blvd. Kansas City, MO 64112

Supervisor: Charmainne Johnson-Davis,

Responsible for managing operations to insure compliance with federal, state, and administrative requirements. Developing and managing reorganization of department including implementation of staff performance measures, assessing force reductions and turnover process. Managed and facilitated staff training. Compiled narrative and statistical reports to insure compliance with state and federal regulations. Tracks and evaluates performance of 50 staff persons. Responsible for program development, departmental reorganization, development of training program. Supervision of department managers, budgetary oversight for a Section 8 Program with more than 7600 vouchers.

Software utilized AS400, Microsoft Excel, Word, PowerPoint, and Access.

MAY 2003 to OCT 2004,

Director of Field Operations,

Association of Child Dev., 4415 W. Harrison Street, suite 212, Hillside, IL

Supervisor: Alice Fingers,

Responsible for managing field operations statewide to insure compliance with federal, state, and administrative requirements. Managed and facilitated staff training. Compiled narrative and statistical reports on field operations to determine trends, as well as to insure compliance with state and federal regulations. Tracks and evaluates performance of 20 staff throughout Illinois. Responsible for diversity program

development, marketing, and program expansion. Researched and developed the Software change over for the entire organization, including staff training program.

FEB 2001 to APR 2003

President/General Manager

Oakleaf Real Estate Management Company,

General Manager responsible for managing Real Estate Management Company responsible for 750 plus Section 8 Project Based units in three states. Responsible for managing operations to insure compliance with federal, state, and administrative requirements. Liaison with Owners and General Partners Managed and facilitated staff training. Tracks and evaluates performance of 45 staff persons. Responsible for program development, departmental organization, development of training program. Supervision of managers and staff, budgetary oversight. Software utilized Yardi, Microsoft Excel, Word, PowerPoint, and Access.

FEB 1999 to FEB 2001,

Organizational Development Coordinator

Boys and Girls Home, 2101 Court St. Sioux City, IA 51102

Supervisor: Jeff Baldus,

Human resources manager responsible for organizational development efforts within the organization. Managed multiple organizational improvement projects, including the development of agency wide diversity program, developed the Impact teambuilding program. Created and implemented leadership mentoring program. Assisted the Vice President of Human Resource in recruitment and training improvement programs.

APR 1996 to .JAN 1999,

Iowa Regional Coordinator,

Boys and Girls Home, 2101 Court St. Sioux City IA 51102

Supervisor: Keith Sutherland,

Managed 12 residential facilities state wide, housing 300 plus youth referred by state agencies. Compiled budgets for all facilities, served as liaison to state and federal agencies. Managed a staff of 350+ employees.

AUG 1994 to MAR 1996,

Program Director,

Boys and Girls Home, State Mental Hospital, Cherokee, IA

Supervisor: Keith Sutherland,

Managed 150 bed residential program for the treatment of adolescent sex Offenders and Victims; Duties included the clinical supervision of program therapist. Managed sixteen unit supervisors and social work staff, and 100+ direct line staff. Liaison duties with local and state agencies. Created emergency response team system to manage crisis situations .

.JUL 1985 to .JUL 1994,

Site Director,

Boys and Girls Home, 2101 Court Street, Sioux City, IA 51102

Supervisor: Gladys Smith & Keith Sutherland,

Managed 50 bed residential program for the treatment of sexually abused and assaulted adolescents. Duties included the clinical supervision of program staff.

EDUCATION:

Master's degree, Social Work, University of Nebraska at Omaha, Omaha, Nebraska, USA,

Bachelor's degree, Sociology, Briar Cliff University, Sioux City, Iowa, USA,

CERTIFICATION:

SHM, PH and SPHM through NAHRO

Section 8 Occupancy through NAHRO

Certified Occupancy Specialist through NCHM

Certified Maintenance Manager through NCHM

COMMUNITY BOARD MEMBERSHIPS

Vice President of Professional Development, Board of Directors for New Mexico

Chapter of the National Association of Housing and Redevelopment Officials 2007-2009

Senior Vice President, Board of Directors New Mexico Chapter of the National Association of Housing and Redevelopment Officials 2009-present

Board Member for Eastern Area Workforce Development Board of Directors 2007-present

Member of the Advisory Board, New Mexico Housing Trust Fund, 2009-present

Irene G. Andazola
409 Ave B
Roswell, NM 88203
(575) 622-3777

Education:

Eastern New Mexico University- Roswell
Associate Degree in Applied Science,
Administrative Systems Specialist, 1992
Deans List 1989-1992

Qualifications:

Certified Occupancy Specialist- July 2000
Certified Housing Quality Standards Inspector- June 2002

Employment History:

Region VI Housing Authority/Eastern Regional Housing Authority
September 8, 1992 to Present

Employment Duties:

September 8, 1992- Secretary

- Routine clerical duties

February 21, 1993- Housing Clerk

- Maintained Waiting Lists to include data entry, eligibility verifications, briefing session. Routine occupancy duties

February 23, 1998- Section 8 Occupancy Specialist

- Client briefing, Contract calculation, interim calculations, data entry, HQS inspections.

June 9, 2001 - Section 8 Supervisor

- Supervise Section 8 staff. Established and monitored utilization, renewal schedules, travel schedules.

September 14, 2002 - Housing Programs Coordinator

- Oversight of Section 8 Housing Program including implementation of HUD rules, policy changes, SEMAP Quality Control.
- Increased SEMAP rating from Troubled to Standard Performer in 2002
- Increased SEMAP rating from Standard to High Performer beginning in 2003

November 15, 2004 - present Deputy Director

- Assist the Executive Director with development and implementation of administrative procedures. Responsible for preparation of required materials for Board Meetings. Public Records Custodian. Assist in oversight & compliance of all Housing Programs.

OLIVIA CRUZ
4400 LA JOYA LANE
ROSWELL, NEW MEXICO 88201
(575) 623-7637

EMPLOYMENT HISTORY

EASTERN REGIONAL HOUSING AUTHORITY 106 E. REED – ROSWELL, NEW MEXICO 88203

Phone: (505) 622-0881

Manager: Chris Herbert, Executive Director

Dates: October 01, 2003 through Present

Job Title: Accounting Manager

Job Description: Manage all aspects of the Accounting Department, Loss Prevention and Compliance, Department Audits, Complex Audits, Federal and State Reporting, OSHA, Accounts Receivable, General Accounting, Fixed Assets, Accounts Payable, Payroll, Design Forms and Spreadsheets as required. Comply and maintain successful Annual Audits. Communication and IT Management. Supervision of Direct Reports.

BANK OF THE SOUTHWEST - ROSWELL, NEW MEXICO 88203

Dates: 1992 through 2003

Job Title: Network Administrator

Job Description: Installation and remove all Software on Windows NT Network – Setup Security Permissions for all employees - Trouble shoot problems on Network and all PC's – Backup Network – Creation of Forms in Excel and Word - Balance specific GIL Accounts – Reporting and balancing of Credit Life and Disability Insurance – Reporting and balancing of payments to Small Business Administration.

Job Title: Loan Processor

Job Description: Processed all Consumer Loans and Mortgage Loans – Keyed Customer information on Computer -Set up Credit Tracking System for Tracking Documentation – Set up Excel Spreadsheets for Board Reports-Mail merging of letters in Word.

SUNWEST BANK - ROSWELL, NEW MEXICO 88203

Dates: 1989 through 1992

Job Title: Computer Operator

Job Description: Processing and Backups on the IBM System 36 – Processed check Statements. Keyed General Ledger and Payment Entries.

PEPSI-COLA - ROSWELL, NEW MEXICO 88203

Dates: 1976 through 1989

Job Title: System Computer Operator

Job Description: Processing and Backups on the IBM System 32 and 34 – Keyed on all product sales on IBM System Proof Processor - Keyed General Ledger, AIR, Accounts Payable and Payroll Entries.

EDUCATION HISTORY

Tax Credit Training - Governors Summit and MFA Seminar

State of New Mexico Loss Prevention and Compliance Seminar – General Services Division

State Administrative Training and State Benefits Training - Risk Management Division PERA Training

New Mexico Landlord Tenant Law Training (in House)

Great Plains Training: GIL, AIR, AIP, Year End, Fixed Assets, Payroll

Attended Network Administration, Excel, Word, and PC Repair Classes

ENMU - Roswell: Approximately 20 Credit Hours Computer Classes

Southwest Business College - Roswell: 1975-1976 Accounting Certificate

CEJAR MARENCO
675 Windmill Court
Las Cruces, NM 88011
(575) 520-5158
cmarenco1@aol.com

Professional Experience:

Housing Development Consultant – November 2010 to the Present
Marenco Development LLC
Self Employed

Services: Project Management from initial inception to completion including site identification & assessment, financial structuring & negotiation, grant & loan packaging, closing of financing, community outreach, entitlements, team coordination, construction oversight, draw payment preparation & submission, lease-up oversight, & project close-out
Current Clients: NewLife Homes, Tierra Del Sol Housing Corporation, Valle Del Sol Housing Corporation
Past Clients: Eastern Regional Housing Authority, Lea County, & Western Regional Housing Authority

Clients: Tierra Del Sol Corporation, Valle Del Sol Housing Corporation
Projects: Tierra Encantada, Valle Verde, Valle Del Sol



Responsibilities: Project Management
Type of Construction: Rehabilitation
Status: Complete
Funding: NMMFA HOME, RD/USDA
Locations: Anthony NM, Hatch NM, Portales NM
Number of Units: 78
Approximate Budget: \$1,800,000

Employer: East LA Community Corporation – December 2008 to October 2010
Position: Acquisitions Manager & Senior Project Manager
Projects: Cuatro Vientos & Las Margaritas



Responsibilities: Project Management
Type of Construction: Rehabilitation & New
Status: Complete
Funding: Low Income Housing Tax Credits, LA City, LA Redevelopment Agency, LA County, CA Infrastructure, Conventional, AHP
Location: Los Angeles CA
Number of Units: 66
Approximate Budget: \$28,000,000

CESAR MARENCO
675 Windmill Court
Las Cruces, NM 88011
(575) 520-5158
cmarenco1@aol.com

Professional Experience (continued):

Employer: YES Housing, Inc. – February 2005 to October 2010

Position: Vice President of Development

Projects: Alta Tierra, Bella Vista, New Mexico 6-10, Roswell Summit, Socorro Village



Responsibilities: Project Management

Type of Development: Rehabilitation & New

Funding: Low Income Housing Tax Credits, Conventional, HOME, Trust Fund, Energy Saver, Land Title Trust, AHP

Status: Complete

Location: Carlsbad NM, Clovis NM, Espanola NM, Las Cruces NM, Roswell NM, Socorro NM, T or C NM

Number of Units: 450

Approximate Budget: \$21,900,000

Employer: National Farm Workers Services Center, Inc. – September 1999 to January 2005

Position: Senior Project Manager

Projects: Casa De Amigos, Hacienda Manuel Ortega, Hollister, La Vida Nueva, New Mexico 1-5, Plaza Manuel Ortega



Responsibilities: Project Management

Type of Development: Rehabilitation & New

Funding: HUD, Low Income Housing Tax Credits, Private Activity Bonds, Conventional, AHP

Status: Complete

Location: Albuquerque NM, Deming NM, El Mirage AZ, Hollister CA, Lordsburg, Scottsdale AZ, Somerton AZ, T or C NM

Number of Units: 953

Approximate Budget: \$47,000,000

Education:

University of California, Los Angeles – 1976 to 1980

California State University, Los Angeles – 1982

Bachelor of Arts Geography

University of Southern California – June 2000

Ross Minority Program in Real Estate

Awards:

Recipient: National Farm Workers Service Center, Inc.

NMMFA Outstanding Innovations in Rental Housing Non-Profit – 2004

Recipient: Yes Housing, Inc.

NMMFA Multi-family Developer of the Year – 2008