

SANTA FE COUNTY

Housing Authority Board Resolution No. 2013-13HB

A RESOLUTION APPROVING THE CONTINUED OCCUPANCY BY POLICE OFFICERS FOR THE VALLE VISTA AND SANTA CRUZ PUBLIC HOUSING NEIGHBORHOODS TO PROVIDE SECURITY FOR PUBLIC HOUSING RESIDENTS

WHEREAS, the Code of Federal Regulations, Section 960.505 (Attachment A) provides for the occupancy by police officers who would not otherwise be eligible for occupancy in public housing, to reside in public housing dwelling units;

WHEREAS, the occupancy must be for the purpose of increasing security for public housing residents;

WHEREAS, on November 27, 2007, the Santa Fe County Housing Authority Board of Commissioners approved a Resolution approving the occupancy by a police officer for the Santa Cruz Public Housing Neighborhood;

WHEREAS, on September 30, 2008, the Santa Fe County Housing Authority Board of Commissioners approved a Resolution approving the occupancy by police officers for the Valle Vista and Jacob D. Martinez Public Housing Neighborhoods;

WHEREAS, the Housing Authority has determined that placing police officers in its housing neighborhoods has decreased the incidents of illegal criminal activity in the neighborhoods;

WHEREAS, the Housing Authority has developed an Implementation Plan (Attachment B) and a Law Enforcement Officer Dwelling Lease Agreement (Attachment C) as required by the United States Housing and Urban Development;

WHEREAS, the Implementation Plan and the Law Enforcement Officer Dwelling Lease clarify the selection process, procedures and the terms of occupancy for police officers to reside in public housing.

NOW THEREFORE BE IT RESOLVED, that the Santa Fe County Housing Authority Board of Commissioners hereby approves and adopts this Resolution approving the continued occupancy by police officers for the Valle Vista and Santa Cruz Public Housing Neighborhoods to provide security for public housing residents.

SEC DEPT RECORDED 12/18/2013 10:22:22 AM

APPROVED, ADOPTED AND PASSED this 26th day of November 2013.

ATTEST: Santa Fe County Housing Authority Board of Commissioners

Kathy Holian

Kathy Holian, Chairperson

Geraldine Salazar

Geraldine Salazar, County Clerk

12-2-2013

APPROVED AS TO FORM:

Steve Ross

Steve Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

HOUSING RESOLUTION
PAGES: 8

I Hereby Certify That This Instrument Was Filed for
Record On The 2ND Day Of December, 2013 at 10:33:57 AM
And Was Duly Recorded as Instrument # 1724359
Of The Records Of Santa Fe County

Deputy *Marcus Salazar* Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

REC CLERK RECORDED 12/02/2013

ATTACHMENT A

Asst. Secy., for Public and Indian Housing, HUD

§ 960.601

thirty days before offering the unit to an over-income family;

(c) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA's cost to operate the unit;

(d) The lease to the over-income family provides that the family agrees to vacate the unit when needed for rental to an eligible family; and

(e) The PHA gives the over-income family at least thirty days notice to vacate the unit when the unit is needed for rental to an eligible family.

§ 960.505 Occupancy by police officers to provide security for public housing residents.

(a) *Police officer.* For purpose of this subpart E, "police officer" means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency may qualify.

(b) *Occupancy in public housing.* For the purpose of increasing security for residents of a public housing development, the PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include in the PHA annual plan or supporting documents the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents.

Subpart F—When Resident Must Perform Community Service Activities or Self-Sufficiency Work Activities

SOURCE: 65 FR 16729, Mar. 29, 2000, unless otherwise noted.

§ 960.600 Implementation.

PHAs and residents must comply with the requirements of this subpart beginning with PHA fiscal years that commence on or after October 1, 2000. Unless otherwise provided by § 903.11 of

this chapter, Annual Plans submitted for those fiscal years are required to contain information regarding the PHA's compliance with the community service requirement, as described in § 903.7 of this chapter.

§ 960.601 Definitions.

(a) *Definitions found elsewhere—(1) General definitions.* The following terms are defined in part 5, subpart A of this title: *public housing, public housing agency (PHA).*

(2) *Definitions concerning income and rent.* The following terms are defined in part 5, subpart F of this title: *economic self-sufficiency program, work activities.*

(b) *Other definitions.* In addition to the definitions in paragraph (a) of this section, the following definitions apply:

Community service. The performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.

Exempt individual. An adult who:

(1) Is 62 years or older;

(2)(i) Is a blind or disabled individual, as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416(i)(1); 1382c), and who certifies that because of this disability she or he is unable to comply with the service provisions of this subpart, or

(ii) Is a primary caretaker of such individual;

(3) Is engaged in work activities;

(4) Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program; or

(5) Is a member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program,

2025 RELEASE UNDER E.O. 14176

Attachment B

Santa Fe County Housing Authority

Occupancy by Police Officers to Provide Security for Public Housing Residents

Implementation Plan

Composition of Public Housing Neighborhoods

The Santa Fe County Housing Authority currently manages 200 Public Housing units located at three different housing neighborhoods.

The Valle Vista Housing Neighborhood, located off State Rd. 14, initially consisted of 100 public housing units. As a result of renovation and sale, 29 public housing units have been sold leaving 71 units available for rent in the neighborhood. The neighborhood has an on-site office and manager as well as a satellite Boys & Girls Club located in the community center. The neighborhood also has an active Resident Council. The Housing Authority's Maintenance Office, as well as a site office, are located in this neighborhood.

The Valle de Esperanza Housing Neighborhood, located in Santa Cruz, has a total of 59 units available for rent. As well as being surrounded by breathtaking views of the mountains, this housing neighborhood includes the Abedon Lopez Senior Center and a satellite Boy's & Girls Club. The neighborhood has a Resident Council that meets monthly.

Criminal Activity

Prior to placing police officers in our public housing neighborhoods, there were serious issues with illegal criminal activity including domestic violence, drug and gang activity, breaking and entering, damage to property and units and ongoing graffiti issues. The Housing Authority has witnessed a decrease in all criminal activity since the police officers have moved in.

Selection Process

The Housing Authority will inform the Santa Fe County Sheriff's Department that it will be accepting letters of interest from Sheriff Officers interested in residing at the Public Housing Neighborhoods. If there are no Sheriff Officers that show an interest, the Housing Authority will inform both the Santa Fe City Police and New Mexico State Police Officers of the opportunity. Letters of interest will be reviewed and approved by the Housing Director. The police officer will be subject to the same screening criteria as other applicants.

REC'D
CLERK
RECORDED
12/18/2013

Location

Currently, the units identified for occupancy by the police officer are:

- 144 Camino de Quintana, Santa Cruz, New Mexico (Santa Cruz)
- 15 A Tusa, Santa Fe, New Mexico (Valle Vista)

Rent and Security Deposit

The police officer will be charged \$100.00 per month for rent. A security deposit in the amount of \$100.00 will also be charged.

Lease Agreement

A copy of the Lease Agreement between the Housing Authority and Law Enforcement Officer(s) is attached to this "Implementation Plan." The officer's right of occupancy is dependent on continued employment with his/her respective Law Enforcement Organization. Should the officer terminate employment with the respective law enforcement organization, the lease shall state that the officer shall move out of the unit within 30 days of Notice of Termination of Employment.

Police Officer Obligations

The occupancy by police officers in the Valle de Esperanza (Santa Cruz) and Valle Vista Public Housing Neighborhoods is needed to increase security for public housing residents.

In an effort to provide increased security in the housing neighborhood, the police officer will provide the following:

- Be active and visible in the neighborhood
- Patrol the housing neighborhood on a daily basis (day or night). On weekends patrol the neighborhood at least once nightly
- Become acquainted with the residents in the neighborhood;
- Inform the Housing Authority promptly of any known illegal criminal activity taking place in the neighborhood;
- Provide the Housing Authority with police reports related to illegal criminal activity that takes place in the neighborhood;
- Attend the monthly resident council meetings (if schedule allows)
- Develop and implement a Neighborhood Watch Program in the neighborhood

The police officer will also be required to meet with Housing Authority Staff on a monthly basis to discuss problems, resolve issues and make recommendations for improvement.

2012/08/21 09:00:00 AM

Attachment C

**SANTA FE COUNTY HOUSING AUTHORITY
LAW ENFORMCENT OFFICER'S
DWELLING LEASE AGREEMENT**

This lease Agreement is made and entered into by and between the Santa Fe County Housing Authority and _____, a police officer employed with _____.

- 1) The police officer and his/her immediate family (as listed) hereby leases a unit located at: _____.

HOUSEHOLD MEMBER	RELATIONSHIP TO POLICE OFFICER

- 2) Effective date of this dwelling lease shall become effective _____, 20____. It is understood that this lease, until terminated or modified as provided for herein, shall be in effect.
- 3) The police officer shall pay the Housing Authority \$100.00 per month for rent. If rent is not received by the 5th day of each month, a late fee in the amount of \$10.00 will be assessed.
- 4) The police officer shall pay the Housing Authority a security deposit in the amount of \$100.00 upon occupancy. The security deposit will be held by the Housing Authority toward reimbursement of the cost of cleaning and repairing any damages beyond normal wear-and -tear to the unit and/or premises caused by the family or guests. Any refund of the security deposit due to the police officer will be refunded within (30) days after the keys to the unit are turned into the office.
- 5) The police officer will be given written notice of any other charges including charges for yard violations and/or work orders. Payment for such charges will be due with the rent the month following notifications of the change.

REC CLERK RECORDED 12/08/2013

- 6) The police officer will be responsible to pay for gas and electricity if housed in Santa Cruz. The police officer will be responsible to pay for gas, electricity, water and sewer if housed in Valle Vista. The Housing Authority will provide trash collection.
- 7) The Housing Authority will require the police officer, acting within their capacity as a law enforcement officer, to provide the following as a condition of occupancy:
- Be active and visible in the neighborhood;
 - Patrol the housing neighborhood on a daily basis (day or night). On weekends, patrol the neighborhood at least once nightly;
 - Become acquainted with the residents in the neighborhood;
 - Inform the Housing Authority promptly of any know illegal criminal activity taking place in the neighborhood;
 - Provide the Housing Authority with police reports related to illegal criminal activity that takes place in the neighborhood;
 - Attend the monthly Resident Council Meetings (if schedule allows);
 - Develop and implement a Neighborhood Watch Program in the neighborhood;
 - Meet with Housing Authority staff on a monthly basis to discuss problems, resolve issues and make recommendations for improvement.
- 8) The police officer's right of occupancy is dependent on continued employment with his/her Law Enforcement Organization. Should the police officer terminate employment with the Law Enforcement Organization, the lease shall terminate (within 30 days of Notice of Termination of Employment) and the housing authority shall provide the Police Officer with a 30 day termination of lease notice.
- 9) The Housing Authority will not be responsible for any loss, liability or expense (including attorney's fees) due to fire, theft or accident or any other events occurring on the rented premises or site. It is the police officer's responsibility to independently obtain renters insurance.
- 10) Either party may terminate this lease agreement by giving the other party a written 30 day notice of lease termination.

LAW ENFORCEMENT OFFICER

DATE

HOUSING AUTHORITY REPRESENTATIVE

DATE

REC'D OFFICE RECORDED 12/22/2013