

MINUTES OF THE
SANTA FE COUNTY
HOUSING AUTHORITY BOARD

August 29, 2023

Santa Fe, New Mexico

1. A. This regular meeting of the Santa Fe County Housing Authority was called to order by Chair Anna Hansen at approximately 1:00 p.m. on the above-cited date at the Santa Fe County Commission Chambers, 102 Grant Street, Santa Fe, New Mexico.

B. A quorum was present with the following members in attendance:

Members Present:

Commissioner Anna Hansen, Chair
Commissioner Hank Hughes, Vice Chair [remote]
Commissioner Camilla Bustamante
Commissioner Justin Greene
Commissioner Anna Hamilton
Resident Member Cathy Hurtado

Member(s) Absent:

None

County Staff Present:

Greg Shaffer, County Manager
Jordan Barela, Housing Authority Director
Adrianna Velasquez, Deputy Housing Authority Director
Denise Benavidez, Affordable Housing Administrator
Jeff Young, County Attorney
Paul Olafson, Community Development Director
Leandro Cordova, Deputy County Manager
Estrella Martinez, Administrative Manager

C. Approval of Agenda

Commissioner Greene moved to approve the agenda and Commissioner Bustamante seconded. The motion passed by unanimous [6-0] voice vote.

D. Approval of Minutes: July 25, 2023

Commissioner Hamilton moved approval and Commissioner Bustamante seconded. The motion passed [5-0] with Commissioner Greene abstaining.

SFC CLERK RECORDED 10/03/2023

2. **Consent Agenda**

- A. **Resolution No. 2023-07-HB, a Resolution Repealing Resolution No. 2022-10-HB and Approving the Santa Fe County Housing Authority's Amended 2023 Voucher Payment Standard Schedule at One Hundred Twenty Percent of Fair Market Rents for the Remainder of Calendar Year 2023.**
- B. **Resolution No. 2023-08-HR, a Resolution Approving the Santa Fe County Housing Authority's Administrative Plan for the Housing Choice Voucher Program**

Commissioner Hamilton moved to approve the Consent Agenda. Commissioner Bustamante seconded and the motion passed by unanimous [6-0] voice vote.

3. **Discussion/Information/Presentations**

- A. **Executive Director's Monthly Report – August 2023**

Director Barela said staff will be presenting a number of policies throughout the remaining part of the year and request Board action in November for an effective date for January 2024,

He highlighted the following items:

- Estrella Martinez has been hired as the Administrative Manager
- The Authority has two vacancies; a Maintenance Technician Senior and a full-time FSS Coordinator
- In July, staff was notified that the U.S. House Appropriations Committee approved \$500,000 in funding for our electrical meter upgrade project. The funds will be used to upgrade electrical panels and meter bases in the Santa Cruz development
- On July 31, 2023, staff met with the NM MFA regarding the environmental review for the re-stucco project. MFA advised that this project would be categorically excluded from environmental review, which should expedite the process
- On August 8, 2023, an appeal hearing for a tenant regarding eviction was held and the First Judicial District Court judge found for the Authority and the eviction occurred on August 21st
- Staff is evaluating assistance in terms of climate change. Public housing units are not equipped to support centralized air conditioning. Staff is working on a survey to determine the demand, estimate funding and to identify vulnerable populations. Staff has met with representatives from the County CONNECT program to identify potential funding sources for such a program
- Administrative, Technical Issues & Reporting: Update of the ACOP/Admission and Continued Occupancy and associated policies are being developed by staff to include, grievance procedures, termination and eviction, transfer and waiting list, housekeeping standards policies, as well as an update of the public housing lease. Aside from Board action, HUD mandates a 30-day resident comment period
- This was the first year that the Section 8t Management Assessment Program/SEMAP was required since the pandemic. There were no findings related to client files. However, points will be deducted due to voucher utilization.

- The FY23 Unaudited Financial Data Schedule will be submitted to HUD by the end of this week
- Nueva Acequia: Staff continues to work with Project Moxie and an RFP for a private market developer to conduct the development component of the project has been developed. The RFP is under review by Procurement. Project Moxie will provide training to the RFP Evaluation Committee regarding tax credit development and critical areas of competency for any potential offerors
- La Vista del Rio Apartments: The City of Española has decided not to purchase the property. There have been no official requests to Santa Fe County, although, staff is discussing the issue with Project Moxie. The project contains major risks. Currently, the property does not qualify for vouchers. There may be state or federal funding options, and oversight in the management of vacant units are considerations. A long-term subsidy would be necessary to keep this project affordable

Commissioner Hansen requested that the Housing Authority develop a recognition letter, for the Board's signature, to Representative Leger Fernandez for her assistance to public housing.

Commissioner Greene advised staff that the electrical upgrades should anticipate the inclusion of mini-splits or A/Cs. Director Barela said the previous ICast project addressed energy retrofits for furnaces and the electrical meter upgrades will support any new capacity.

B. Admissions and Continued Occupancy Policy "ACOP" Presentation

Director Barela said that the ACOP is the primary policy document for the public housing program. The majority of the components of the ACOP are dictated by federal laws, regulations and requirements. HUD effects changes that require ACOPs to be updated. The last time Santa Fe County Housing Authority updated its ACOP was 2014. If HUD were to evaluate the Authority, the first thing they would review would be the ACOP to ensure alignment with federal regulations and that administratively the policy is followed.

To ensure compliance the following amendments are being developed:

- A Housekeeping Policy would be implemented in the ACOP and Public Housing Lease to ensure that residents are maintaining their units. Tenants found in violation of the Housekeeping Policy would have 5 days to attain compliance
- The Public Housing waitlist preferences would be updated to add a preference for Santa Fe County residents
- Tenants making a hardship claim for loss of income would have 5 business days to claim that hardship from the date the hardship takes effect. Current policy allows for 10 days
- The Authority will be adding a vehicle permitting requirement for Public Housing residents
- The Authority will be required to create an Interim Adjustment Request Form, to standardize the request process for interim adjustments
- For tenants who are claiming zero-income, the Authority would be required to complete income verifications every 30 days
- For elderly and disabled residents, the maximum allowable security deposit would be reduced to \$50 from \$150

- For tenants on a repayment agreement for unreported income, if a second occurrence of unreported income occurs prior to the repayment agreement being fulfilled, the tenants would not be allowed to enter into a second repayment agreement. The amount owed for the second occurrence would need to be paid in full within 30 days of the Authority being notified of the unreported income, or the tenant would lose their housing subsidy
- For criminal background checks, the legal standard would change from a conviction to a preponderance of evidence, to deny admission

In March of 2023, the Authority entered into a contract with Nelrod, Inc. a for-profit corporation that specializes in Public Housing Authority training, programming and policy updates. They have evaluated and revised the ACOP to include:

- Non-discrimination and equal housing opportunities processes
- Policies related to the Violence Against Women Act
- Policies on community outreach
- Eligibility requirements for Public Housing residents
- Applicant screening and selection
- Denial of admissions
- Income verification requirements
- Tenant notifications
- Occupancy policies for the Authority
- Use and occupancy requirement of tenants
- Choice of rent for tenants
- The establishment of rent and other related charges
- Security Deposits
- The establishment of Utility Allowance Schedules,
- HUD lease requirements
- Annual reexaminations
- Policies related to zero-income and over-income families
- Inspections
- Program integrity
- Debts owed to the Authority
- Records managements
- Various related polices

The ACOP will be ready for Board presentation and approval in November. The document is 365 pages and reflects the necessary federal requirements. If approved, a standard effective date of January 1, 2024 would follow.

C. Housekeeping Standards Policy Presentation

Deputy Director Adrianna Velasquez said the Authority does not have an adopted standardized housekeeping policy; however, staff has determined it is needed. Staff spends a great deal of time conducting janitorial services on vacated unites. The Housekeeping Standards Policy does not supersede the Habitability Quality Standards Inspections, rather supplements it, by clearly

identifying what acceptable levels of housekeeping are and establishing a housekeeping training program for tenants who have difficulty complying with the policy standards.

The Housekeeping Standards Policy will cover general housekeeping requirements and the exterior of the homes including yards and exterior storage. A housekeeping training program will be made available to tenants who wish to take the course and as a requirement for those who fail an annual inspection.

Commissioner Greene said exterior maintenance is important to the community. He suggested adding a component to address smokers. Chair Hansen said cigarette filters are plastic and cause environmental damage.

D. Affordable Housing Monthly Report

Affordable Housing Administrator Denise Benavidez updated the Board on current programs. The Down Payment Assistance Program will be forwarded to CDC staff and then to Legal; the Home and Rental Rehabilitation Program requires additional work, and the Affordable Housing Loan and Developer Assistance programs are under development.

Staff is working on SLDC changes specifically to Chapter 13. Additionally, a team has been developed with Growth Management and Affordable Housing to work on an expedited application process and to engage developers up front to educate them on the affordable housing process. TDRs are also being reviewed. Affordable Housing staff continues to work with partners to ensure there are qualified buyers in each of the income ranges.

Staff is in process of creating a Workforce Housing Program that will consist of rental townhomes in the Rancho Viejo Subdivision and an agreement has been signed by Rancho Viejo/Warren Thompson. There is also work going on with the Treasurer's Office to create an affordable housing program.

Staff is working with Lincoln Capital/TT2 to move an all-affordable housing project forward with 210 units. This development is on the south side. DR Horton has brought forward a mixed development to include affordable units. Staff is tracking developments better and will be providing periodic updates on the status of each development.

Chair Hansen remarked on the beauty of Oshara Village and its diversity of housing types.

Ms. Benavidez discussed the current housing market and the potential MFA change to qualify additional buyers.

4. Matters from the County Attorney

A. Statement for Inclusion in Meeting Minutes Concerning July 25, 2023, Executive Session

County Attorney Young reminded the Board that at the July 25th meeting, the Board adjourned and moved into executive session. Consequently, the Board was unable to include the statement

required by the Open Meetings Act which is that matters discussed during the closed meeting were limited only to those specified in the motion for closure. Staff is requesting a motion to that effect.

Commissioner Hamilton moved to approve the statement that the only matters discussed during the July 25, 2023 executive session were those listed in the motion to meet in closed session. Commissioner Greene seconded and the motion passed by unanimous [6-0] voice vote.

B. Statement for Inclusion in Meeting Minutes Concerning August 29, 2023 Executive Session

County Attorney Young said the Housing Authority Board convened in closed executive session today at 12 p.m. as stated in the notice of closed meeting to discuss limited personnel matters pursuant to the Open Meetings Act, Section 10-15-1 (H)(3) NMSA 1978, specifically the performance evaluation of the Housing Authority Executive Director. He requested a motion to reflect that the matters discussed in closed session were limited only to those specified in the notice of the closed meeting.

Commissioner Hamilton moved to include the above statement within the minutes. Commissioner Greene seconded and the motion passed by unanimous [6-0] voice vote.

5. Matters from the Board

A. Discussion on Potential Next Steps for Assisting with the Vista del Rio Apartment Housing Complex in District 1

Commissioner Greene noted that the Vista del Rio apartment complex is located in Española within Santa Fe County and over the past six months a coalition has been working to avoid the displacement of the tenant families. A purchase agreement with the property owner and the City of Española was entered into; however, the city has determined that they are unable to purchase the property. The agreement is transferrable until it expires in September.

According to Commissioner Greene, there are 49 units and 17 are occupied. The project area looks greatly improved from March 2023 and appears relatively safe. It is important that these 49 affordable rentals do not become un-affordable. The 17 occupied units have multi-generational families living in them and abandoning them would be terrible.

Those participating in the coalition include representatives from congressional and senatorial delegations, the governor's office, Rio Arriba, City of Española and assorted non-profits. Santa Fe County can contribute with financing or assist in pass-through money and may be the only hope to save the apartments and tenants. These 49 units would increase the portfolio of affordable living quarters in the Española valley area.

Commissioner Greene proposed authorizing staff to direct Project Moxie to identify funding for the acquisition – money from ARPA, the opioid settlement – and identify mechanisms to offer operators etc. Perhaps Santa Fe County could create a loan or some sort of repayable debt instrument that a non-profit could utilize. The current price of the project is \$500,000. He

understood the project may require up to \$4 million to be HUD eligible. He said that CSV's grant group Anchorum offered technical assistance and had paid Project Moxie to advise Española and is now available to work with other entities. Commissioner Greene urged the Board to step up and secure the property to prevent it from going into private ownership where affordability would be lost.

Recognizing the amount of time and staff capacity it takes to get federal grant money, Commissioner Hamilton said the urgency of this project makes it difficult to support. Commissioner Greene suggested that Santa Fe County may be able to secure the project through reserve funds or ARPA or opioid settlement money structuring it into a debt instrument to secure the property. Anchorum has offered to pay for an appraisal.

Commissioner Hamilton referred to the commitments that Santa Fe County has to its hundreds of tenants with over \$11 million in deferred maintenance. The September expiration date of the purchase agreement puts undue stress on obtaining written detailed numbers required for any grant as well as defining roles and responsibilities. Stating she was appreciative of the potential devastation to the 17 families, it was important to be responsive to the County's current housing responsibilities.

Commissioner Greene said Santa Fe County needs to be more effective in its lobbying for affordable housing which is a priority at the state-level.

Commissioner Hughes asked if there was a way to partner with a non-profit and Commissioner Greene said Pathways Shelters in Española and a private developer may be interested. Commissioner Hughes said while Pathway Shelters could have a role as a service provider, a developer partner would be necessary.

In response to Commissioner Hughes, Director Barela said the initial pro forma that Project Moxie evaluated included a baseline subsidy with USDA. The mix of market rates versus potential voucher utilization for the project has not been done.

Community Development Director Olafson stated that they have been in discussion with Project Moxie who indicated that the County may not be the correct vehicle for this project although the County could serve as a pass-through or funding source. Whoever purchases the project is the operator that day and the current purchase agreement requires housing be offered to the existing residents for six months. Project Moxie has indicated that alternative housing sites should be offered to those residents while the property is upgraded. At this point, County vouchers could not be used in that facility. The last number Moxie provided for renovation was \$7 million over a 20-year period.

Chair Hansen said no decision can be made today and she understood that staff was exploring different options and requested this item be placed on next month's agenda with support data.

Commissioner Greene asked that staff investigate loan concepts and locate potential partners for the project in an expedited manner.

Manager Shaffer said staff has been in close contact with Project Moxie and he assured the Board that once there is an “ask” from a would-be developer, staff will evaluate it with all due haste. At this point, there is no actual developer, no actual project plan and no actual identified sources of funding for the operational aspect. There are no operational subsidies coming into the project, USDA vouchers go away and Santa Fe County vouchers cannot be used. He reiterated that the County stands ready but there is no project on offer/ask for specific assistance.

6. **Matters from the Board** - None were presented.

7. **Matters from the Public**

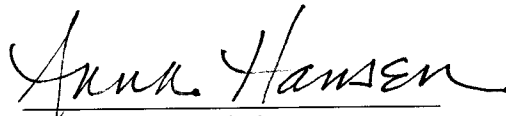
Mateo Peixinho, coordinator of the Rio Arriba Housing Task Force, said many of the residents of the Vista del Rio complex receive services from Rio Arriba County. He expressed his gratitude to the County’s Community Services and Commissioner Greene, adding that the Santa Fe’s participation is very important.

8. **Concluding Business**

- A. **Announcements**
- B. **Adjournment**

Upon motion by Commissioner Hamilton and second by Commissioner Hughes, Chair Hansen declared this Housing Authority meeting adjourned at 2:32 p.m.

Approved by:



Anna Hansen, Chair
Housing Authority

Respectfully submitted by:

Karen Farrell, Wordswork

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

HOUSING MINUTES
PAGES: 8

I Hereby Certify That This Instrument Was Filed for
Record On The 3RD Day Of October, 2023 at 09:25:59 AM
And Was Duly Recorded as Instrument # 2020792
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy Dorothy Romero County Clerk, Santa Fe, NM

