

MINUTES OF THE
SANTA FE COUNTY
HOUSING AUTHORITY BOARD

August 27, 2013

This meeting of the Santa Fe County Housing Authority was called to order on the above-cited date in the Santa Fe County Legal Conference Room, at the County Courthouse at approximately 10:35 a.m. by County Commission Chair Kathy Holian.

Roll call indicated the presence of a quorum with the following Board members present:

Members Present:

Kathy Holian, Commissioner
Danny Mayfield, Commissioner
Robert Anaya, Commissioner
Miguel Chavez, Commissioner
Liz Stefanics, Commissioner
Frances Ong, Resident Member
Joseph Loewy, Community Member

Member(s) Excused:

None

Staff Present:

Katherine Miller, County Manager
Rachel Brown, Deputy County Attorney
Ron Pacheco, Housing Authority Director
Robert Griego, Planning Division
Steve Brugger, Affordable Housing Administrator
Victor Gonzales, Housing Authority Staff
Tim Vigil, Assistant County Attorney
Rosemary Bailey, Affordable Housing
Chris Barela, Constituent Liaison
Lisa Roybal, Manager's Office
David Griscom, Economic Development
Rudy Garcia, Public Works
Erick Aune, Senior Transportation Planner
Molly Saiz, Finance



Others Present:

Louie Gonzales
Joe Ortiz

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for
Record On The 25TH Day Of September, 2013 at 11:43:28 AM
And Was Duly Recorded as Instrument # 1718945
Of The Records Of Santa Fe County

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

Geraldine Salazar

III. Introductions

Those present introduced themselves.

IV. Approval of Agenda

Staff clarified that the proposed RFP requires approval from this Board as well as the BCC.

Stating he'd prefer to discuss and vote on RFPs in the afternoon BCC meetings where there is a larger audience, Commissioner Anaya requested a full summary of today's discussion and action taken regarding this RFP at this afternoon's BCC meeting. Ms. Miller offered to do so during her manager's report.

Commissioner Stefanics moved to approve the agenda. Commissioner Chavez seconded and the motion passed by unanimous [7-0] voice vote.

V. Approval of Minutes: July 30, 2013

Staff noted a number of typographical errors and an issue with the vote in the motion to approve the agenda. Those changes were made to the minutes.

Mr. Loewy moved approval as corrected. Commissioner Chavez seconded and the motion carried [7-0] unanimously.

VII. Approval of Resolution 2013-07HB: A Resolution of the Santa Fe County Housing Authority Board Adopting a Rent-to-Own Program and Policy and Delegating Signature Authority for Transactions Valued at \$250,000 and Below to the County Manager for the Negotiation, Purchase, Sale, and Lease of Homes Under the Rent-to-Own Program

Mr. Pacheco advised the Board that this item was presented at a previous Board meeting and recommendations made at that time have been incorporated in the resolution. Staff met with the HUD representatives in Albuquerque and they were receptive to the program and concept.

Mr. Brugger addressed the concerns raised by this Board, the County Legal Department and HUD. He referred to the resolution, description of the program, option to purchase agreement, fiscal impact report, and tracked changes within the resolution. He reviewed the changes made to the resolution. Buyer responsibilities were further delineated and incorporated with an explicit recital that Santa Fe County was working with a non-profit organization for the required homebuyer counseling program. Three executed documents (lease agreement, option to purchase agreement and written notice of intent) are necessary to participate in the program and have it coincide with the down payment assistance program. The total term of the agreement is 24 months. He reviewed the seller's (County) rights to terminate the agreement, conduct inspections and an options consideration. The buyer is required to have renter's insurance, is responsible for any destruction to the property and is prohibited if this contract is terminated from receiving any other County housing subsidies.

The Board complimented staff on their thoroughness in drafting the documents.

Commissioner Mayfield asked whether his request regarding local residency preference was investigated. According the fair housing law, Mr. Brugger stated it was not permissible but he offered to check with HUD and Santa Fe legal counsel again.

Commissioner Mayfield expressed concern that an individual with a trust fund could participate in the program. Mr. Brugger said it is always possible someone could not tell the truth. The agreements/applications contain certification statements; staff does follow up on the application and if fraud is discovered the agreements are terminated and the County retains the down payment. Mr. Pacheco said the HUD control system provide access to income tax statements.

Commissioner Mayfield asked that the application include disclosure of “other income.” Mr. Brugger said that could be added to the certification form.

Board member Ong asked how the Buyer and/or Seller were protected if one of the income-earning Buyers died. Mr. Brugger said if the Buyer is a Housing Choice Voucher holder when income is decreased the voucher is increased. Otherwise, the Buyer could participate in the foreclosure prevention program or possibly sell the home. Mr. Pacheco said the County would work to help the individual keep their home.

Mr. Brugger said the County is not the bank in this program.

Commissioner Stefanics opened that the County should use local money and some local banks will work with the Buyer to repackage financing.

Observing that the option to purchase and rent-to-own agreements are lengthy and complex, Chair Holian asked that staff help the applicant through the process. Mr. Brugger said staff currently does that on notes, mortgages and purchase agreements and will continue that practice.

Stating this for the public record, Commissioner Anaya said this program is an opportunity that will be utilized sparsely.

Commissioner Anaya moved to approve Resolution 2013-07HB. Commissioner Stefanics seconded and the motion carried by unanimous [7-0] voice vote.

VII. Discussion of Staff Request to Create and Release a Request for Proposals to Solicit Residential Development Proposals on the County-Owned Galisteo Road site

Mr. Pacheco said staff from different departments have met and discussed this idea with a goal to develop housing, preferably affordable housing on the site.

Commissioner Chavez asked whether the County had to follow City guidelines in developing mixed-income housing. Ms. Brown said generally speaking the County is not subject to City regulation on land owned by the County; however, a private developer may alter that

standing. She offered to evaluate that situation.

Commissioner Chavez said he preferred to see mixed income on that site. He spoke in favor of live/work units.

Recognizing that 100 percent affordable development is perceived negatively, and speaking for the record, Commissioner Anaya said that Rio Rancho fits the definition of affordable. He said the Galisteo project could fit under the definition of affordable without negative stigma.

Commissioner Anaya said he received valuable housing development finance training over the years and he's uncomfortable that the RFP would be issued before the Board can review the final draft. The RFP needs to be crafted in such a way to encourage the developer to obtain grants, leveraging, matching money and creativity. He recommended rental units be included in the development in terms of mixed-income development.

Mr. Brugger mentioned tax credits and other subsidies that developers can look into.

Chair Holian commented that the Galisteo property is wonderful site for development and referred to the advantages of moving forward.

Joe Ortiz said sale versus for rent greatly affects the underpinning land value. The Zia area will be mixed use and he suggested viewing the County's 6-acre Galisteo site as one of the component of that area.

Mr. Vigil said any part the Housing Authority plays in the project will layer on HUD regulations and decisions regarding the County holding title to the parcel and layering other issues may make the Housing Authority's participation very complex.

Mr. Brugger strongly recommended that the RFP be site specific.

Per the Board's request on the status of the Zia Rail Runner station, Mr. Aune said DOT is awaiting additional responses to a recent study on whether the station should be opened. The next step is specific in terms of opening and closing the station and required improvements for either scenario.

A functioning station would be advantageous for the development, stated Mr. Pacheco.

Commissioner Mayfield moved to adjourn. His motion was seconded by Commissioner Chavez and by unanimous [7-0] voice vote the Housing Authority adjourned at 11:45 a.m.

**JOINT MEETING
OF THE
SANTA FE COUNTY
BOARD OF COUNTY COMMISSION
&
HOUSING AUTHORITY BOARD**

Chair Holian called this meeting to order at 11:45 and the following members were present:

BCC Members Present:

Commissioner Kathy Holian, Chair
Commissioner, Danny Mayfield Vice Chair
Commissioner Robert Anaya
Commissioner Miguel Chavez
Commissioner Liz Stefanics

Members Excused:

[None]

Housing Authority Members Present:

Kathy Holian, Commissioner
Danny Mayfield, Commissioner
Robert Anaya, Commissioner
Miguel Chavez, Commissioner
Liz Stefanics, Commissioner
Frances Ong, Resident Member
Joseph Loewy, Community Member

Member(s) Excused:

None

I. Authorization for Staff to Create and Release a Request for Proposals to Solicit Residential Development Proposals on the County-owned Galisteo Road Site

Commissioner Anaya moved that the BCC and Housing Authority approve the removal of the word “release” from the caption and staff memos. Commissioner Mayfield seconded.

The Board of County Commissioners voted unanimously [5-0] to remove the word “Release.”

The Housing Authority Board voted unanimously [7-0] to remove the word “Release.”

Commissioner Anaya moved that the BCC and Housing Authority grant authorization to staff to create a Request for Proposals to solicit residential development proposals on the County-owned Galisteo Road site. Commissioner Chavez seconded.

The Board of County Commissioners voted unanimously [5-0].

The Housing Authority Board voted unanimously [7-0] to authorize staff.

Commissioner Anaya said he was pleased to be moving forward with the experts sitting at the table: “We have the tools in the toolbox to do it right.”

Commissioner Anaya asked staff to develop a second RFP not specific to the Galisteo property that may serve to meet the same tax credits.

Having completed the business before this joint body, this meeting was adjourned by the Chair at approximately 11:55.

SANTA FE COUNTY

HOUSING AUTHORITY BOARD

Chair Holian called the Santa Fe County Housing Authority Board to order. Roll call indicated a quorum as follows:

Members Present:

Kathy Holian, Commissioner
Danny Mayfield, Commissioner
Robert Anaya, Commissioner
Miguel Chavez, Commissioner
Liz Stefanics, Commissioner
Frances Ong, Resident Member
Joseph Loewy, Community Member

Member(s) Excused:

None

Mentioning that staff reports were included within the packet, Commissioner Stefanics recommended the Board review the materials on their own.

Commissioner Anaya asked Mr. Pacheco about the Housing Authority’s scores. Mr. Pacheco said the scores were above standard. Turnaround time and accounting issues have been addressed. Ms. Miller said there were maintenance issues that have been addressed and the score was greatly improved. She said financial issues have been addressed and staff is working to improve the turnaround time.

Commissioner Anaya directed staff to write a letter to Mr. Duran from HUD highlighting the improvements and communicate that the Board is requesting an interim update from him as to the County’s status. He asked that that information come back to the Board.

VIII. Housing Authority Updates

These items were deferred until the next meeting.


IX. Matters from the Public

None were presented.

X. Adjournment

Having completed the agenda and with no further business to come before the Authority, Chair Holian adjourned the meeting at approximately 12:05 p.m.

Approved by:


Kathy Holian, Commissioner
Housing Authority Board
Daniel Mayfield

ATTEST TO:


GERALDINE SALAZAR
COUNTY CLERK
9/23/13

Submitted by:

Karen Farrell, Wordswork

