

# SANTA FE COUNTY HOUSING AUTHORITY BOARD

## RESOLUTION 2011 - 15

**A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM**

Whereas, the Board of County Commissioners meeting in regular session on September 27, 2011, did request the following budget adjustment:

Department / Division: Community Services / Housing Division

Fund Name: Housing Capital Fund Program

Budget Adjustment Type: Budget Increase

Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
301	1981	372	30-01	HUD / CFP	262,158	
<b>TOTAL (if SUBTOTAL, check here <input checked="" type="checkbox"/> )</b>					262,158	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
301	1981	471	10-26	Salaries	37,180	
301	1981	471	20-01	FICA – Regular	2,305	
301	1981	471	20-02	FICA – Medicare	539	
301	1981	471	20-03	Retirement Contributions	7,068	
301	1981	471	20-05	Health Care	7,227	
301	1981	471	20-06	Retirement Health Care	681	
301	1981	471	40-01	Maintenance/Building/Structure	127,158	
301	1981	471	80-99	Inventory Exempt	20,000	
301	1981	471	40-03	Maintenance/Grounds/Roadways	50,000	
301	1981	471	70-33	Seminars & Workshops	10,000	
<b>TOTAL (if SUBTOTAL, check here <input checked="" type="checkbox"/> )</b>					262,158	

Requesting Department Approval: [Signature] Title: Executive Director Date: 9/13/11

Finance Department Approval: [Signature] Date: 9/14/11 Entered by: \_\_\_\_\_ Date: \_\_\_\_\_

County Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_ Updated by: \_\_\_\_\_ Date: \_\_\_\_\_

SFC CLERK RECORDED 09/28/2011

# SANTA FE COUNTY HOUSING AUTHORITY BOARD

## RESOLUTION 2011 - 15

*ATTACH ADDITIONAL SHEETS IF NECESSARY.*

DEPARTMENT CONTACT:    Name: Dodi Salazar                      Dept/Div: Community Svcs / Housing                      Phone No.: (505) 992-3060

**DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):**

- 1) Please summarize the request and its purpose.  
       This request will increase the funds available for projected expenditures for the 2011 Capital Fund Program with the HUD balance available for that program.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense \_\_\_\_\_ or for NON-RECURRING (one-time only) expense   X

SFC CLERK RECORDED 09/28/2011

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*ATTACH ADDITIONAL SHEETS IF NECESSARY.*

**DEPARTMENT CONTACT:**

Name: Dodi Salazar Dept/Div: Community Services / Housing Phone No.: (505) 992-3060

**DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):**

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
  - a) If this is a state special appropriation, YES \_\_\_\_\_ NO X  
If YES, cite statute and attach a copy.
  
  - b) Does this include state or federal funds? YES X NO \_\_\_\_\_  
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of an award letter and proposed budget.  
  
HUD Funding Increment Number: NM02P050501-11 awarded on July 13, 2011 for the Capital Fund Program in the amount of \$262,158.
  
  - c) Is this request is a result of Commission action? YES \_\_\_\_\_ NO X  
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
  
  - d) Please identify other funding sources used to match this request.  
There are no other funding sources to match this request.

SFC CLERK RECORDED 09/28/2011

SANTA FE COUNTY HOUSING AUTHORITY BOARD

RESOLUTION 2011 - 15

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 27 Day of September, 2011.

Santa Fe County Housing Authority Board

Virginia Vigil, Chairperson



ATTEST:

Valerie Espinoza, County Clerk



COUNTY OF SANTA FE ) HOUSING RESOLUTION
STATE OF NEW MEXICO ) ss PAGES: 7
I Hereby Certify That This Instrument Was Filed for
Record On The 28TH Day Of September, 2011 at 09:25:33 AM
And Was Duly Recorded as Instrument # 1646408
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 09/28/2011



U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
NEW MEXICO STATE OFFICE  
500 Gold Avenue, S. W., Suite 7301  
Albuquerque, New Mexico 87103-0906

OFFICE OF PUBLIC HOUSING

DIRECT DIAL 505-346-7303  
FACSIMILE 505-346-6604

SEP - 2 2011

Dodi Salazar, Executive Director  
Housing Authority of the County of Santa Fe  
52 Camino de Jacobo  
Santa Fe, NM 87507-3504

Dear Ms. Salazar:

SUBJECT: Capital Fund Program (CFP) Grant, Project Number NM02P050501-11 Grant Amount \$262,158.00

This office is pleased to inform you that the subject modernization grant has been approved in the amount identified above. A fully executed copy of the Capital Fund Program Amendment to the Consolidated Annual Contributions Contract (CACC) is enclosed.

If there are changes to the existing bank account information, please complete a Direct Deposit form, SF 1199A. Please return a completed form to this office for processing, only if necessary.

The following information is provided as guidance.

- Detailed instructions can be found in Capital Fund Grants Processing Guidance for PHA's on the HUD PIH web site <http://www.hud.gov/offices/pih/programs/ph/capfund/>.
- Refer to 24 Code of Federal Regulations (CFR) Part 968 for regulations concerning modernization activities until the final CFP regulations are published.
- Per Section 9 (j) of the U.S. Housing Act of 1937 (the Act) you are required to obligate all funds within 24 months of approval and to expend all funds within four years of approval.
- Refer to 24 CFR Part 968.120, which states, "...a PHA may undertake the activities using force account labor, **only** where specifically approved by HUD in the...Annual Statement". You should also be aware of the contracting requirements of 24 CFR Part 968.135. The procurement requirements as detailed in 24 CFR Part 85.36 apply to your modernization activities. All Force Account work requested will require a detailed scope of work, a cost estimate for the labor and materials, and a description of how the work is to be inspected and approved.
- Refer to the restrictions on placing funds in Budget Line Item (BLI) 1406, Operations, per Paragraph D of Notice PIH 2000-43 (HA) dated September 18, 2000. This notice requires that any capital costs funded by the CFP grant that would be classified under line item 7540, "Property Betterments and Improvements" in the PHA's operating budget must be distributed among the appropriate capital-related BLIs in the CFP Annual Statement. Only non-capital operating costs can be allocated to BLI 1406.

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- The environmental requirements found at 24 CFR Part 58 apply to your modernization (CFP) activities. The regulations at 24 CFR Part 58.11 require the responsible entity (usually the unit of general local government) to assume the environmental responsibility for your modernization program, including the environmental review. Please assure compliance with these regulations. Additionally, CFP funds will only be released following receipt by this office of a statement that such funds are exempt from environmental review or form HUD-7015.15, Request for Release of Funds and Certification.
- Labor standards as described in 29 CFR Part 5, and related requirements, apply to CFP activities. Guidance concerning this matter may be found in Desk Guide LR-II, Labor Standards Administration and Enforcement Guidelines for HUD Program Participants, issued May 1996.

Please contact Flora D. Chavez, General Engineer, at (505) 346-6928 or by email [Flora.D.Chavez@hud.gov](mailto:Flora.D.Chavez@hud.gov) if you have any questions.

Sincerely,



*for* Floyd R. Durán  
Program Center Coordinator

Enclosure

cc: Board Chairperson

**Capital Fund Program  
(CFP) Amendment**  
To The Consolidated Annual Contributions  
Contract (form HUD-53012)

**U.S. Department of Housing  
and Urban Development**  
Office of Public and Indian Housing

Whereas, (Public Housing Authority) Housing Authority of the County of Santa Fe (NM050 ) (herein called the "PHA") and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into Consolidated Annual Contributions Contract(s) ACC(s) Numbers(s) FW-5474 dated 7/10/2002

Whereas, HUD has agreed to provide CFP assistance, upon execution of this Amendment, to the PHA in the amount to be specified below for the purpose of assisting the PHA in carrying out capital and management activities at existing public housing developments in order to ensure that such developments continue to be available to serve low-income families. HUD reserves the right to provide additional CFP assistance in this FY to the PHA. HUD will provide a revised ACC Amendment authorizing such additional amounts.

\$ 262,158.00 for Fiscal Year 2011 to be referred to under Capital Fund Grant Number NM02P05050111

PHA Tax Identification Number (TIN): On File DUNS Number: On File

Whereas, HUD and the PHA are entering into the CFP Amendment Number 29

Notwithstanding, the ACC(s) is (are) amended as follows:

1. The ACC(s) is (are) amended to provide CFP assistance in the amount specified above for capital and management activities of PHA developments. This amendment is a part of the ACC(s).

2. The capital and management activities shall be carried out in accordance with all HUD regulations and other requirements applicable to the Capital Fund Program.

3. (Check one)

a. For Non-qualified PHAs:

(i) In accordance with the HUD regulations, the Annual PHA Plan has been adopted by the PHA and approved by HUD, and may be amended from time to time. The capital and management activities shall be carried out as described in the CFP Annual Statement/Performance and Evaluation Report (HUD-50075.1).

OR

(ii) If the Annual PHA Plan has not been adopted by the PHA and approved by HUD, the PHA may use its CFP assistance under this contract for work items contained in its CFP-Five-Year Action Plan (HUD-50075.2), before the Annual PHA Plan is approved.

b. For Qualified PHAs:

(i) The CFP Annual Statement/Performance and Evaluation Report (HUD-50075.1) has been adopted by the PHA and verified by HUD. The capital and management activities shall be carried out as described therein.

OR

(ii) If the CFP Annual Statement/Performance and Evaluation Report has not been adopted by the PHA and/or verified by HUD, the PHA may use its CFP assistance under this contract for work items contained in its approved CFP 5-Year Action Plan (HUD-50075.2), before the CFP Annual Statement/Performance and Evaluation Report is adopted by the PHA and verified by HUD.

For cases where HUD has approved a Capital Fund Financing Amendment to the ACC (CFP Amendment attached), HUD will deduct the payment for amortization scheduled payments from the grant immediately on the effective date of this CFP Amendment. The payment of CFP funds due per the amortization scheduled will be made directly to a designated trustee (Trustee Agreement attached) within 3 days of the due date.

Regardless of the selection above, the 24 month time period in which the PHA must obligate this CFP assistance pursuant to section 9(j)(1) of the United States Housing Act of 1937, as amended, (the "Act") and 48 month time period in which the PHA must expend this CFP assistance pursuant to section 9(j)(5) of the Act starts with the effective date of this CFP amendment (the date on which CFP assistance becomes available to the PHA for obligation). Any additional CFP assistance this FY will start with the same effective date.

4. Subject to the provisions of the ACC(s) and paragraph 3. and to assist in the capital and management activities, HUD agrees to disburse to the PHA or the designated trustee from time to time as needed up to the amount of the funding assistance specified herein.

5. The PHA shall continue to operate each development as low-income housing in compliance with the ACC(s), as amended, the Act and all HUD regulations for a period of twenty years after the last disbursement of CFP assistance for modernization activities for any public housing or portion thereof and for a period of forty years after the last distribution of CFP assistance for development activities for any public housing and for a period of ten years following the last payment of assistance from the Operating Fund to the PHA. However, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any development(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition of any development covered by this amendment shall occur unless approved by HUD.

6. The PHA will accept all CFP assistance provided for this FY. If the PHA does not comply with any of its obligations under this Amendment and does not have its Annual PHA Plan approved within the period specified by HUD, HUD shall impose such penalties or take such remedial action as provided by law. HUD may direct the PHA to terminate all work described in the Capital Fund Annual Statement of the Annual PHA Plan. In such case, the PHA shall only incur additional costs with HUD approval.

7. Implementation or use of funding assistance provided under this Amendment is subject to the attached corrective action order(s).

(mark one):  Yes  No

8. The PHA acknowledges its responsibility for adherence to this Amendment.

The parties have executed this Agreement, and it will be effective on 8/3/2011. This is the date on which CFP assistance becomes available to the PHA for obligation.

U.S. Department of Housing and Urban Development  
By Floyd R. Duran AUG 03 2011  
Title Program Center Coordinator

PHA Executive Director  
By Executive Director Date: 7/27/11  
Title Executive Director