ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, DECEMBER 7, 2015

ITEM 19

REQUEST FOR APPROVAL OF A RESOLUTION CONTRIBUTING PROPERTY AND RESOURCES TO SANTA FE COMMUNITY HOUSING TRUST FOR THE DEVELOPMENT OF THE SOLERAS STATION LOW INCOME HOUSING TAX CREDIT PROJECT PURSUANT TO THE AFFORDABLE HOUSING ACT **(COUNCILORS DIMAS, IVES, LINDELL AND BUSHEE) (ALEXANDRA LADD)**

PUBLIC WORKS COMMITTEE ACTION: Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	Excused		
COUNCILOR DOMINGUEZ	Excused		
COUNCILOR IVES	X		

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2015-___

Housing Trust Soleras Station

SPONSOR(S): Councilors Dimas, Ives, Lindell and Bushee

SUMMARY: The proposed resolution would contribute property and resources to Santa Fe Community Housing Trust for the development of the Soleras Station Low Income Housing Tax Credit Project pursuant to the Affordable Housing Act.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: December 14, 2015

ATTACHMENTS: Amendment (staff)
Resolution
FIR

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2016-___
Housing Trust Soleras Station

Mayor and Members of the City Council:

We propose the following amendment(s) to Resolution No. 2016-____:

1. On page 1, line 19 ***insert :***

   "**WHEREAS,** the City of Santa Fe certifies to the MFA that the Housing Trust is a qualified grantee in accordance with the requirements of the Affordable Housing Ace and Rules, Section 5.4; and"

2. On page 3, line 19, ***insert:***

   "BE IT FURTHER RESOLVED that the Governing Body on behalf of the City has now or intends to accept and give a deed to the Housing Trust. The proper instrument will be conveyed and filed with Santa Fe County to convey the subject premises."

Respectfully submitted,

_____
Staff

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO

RESOLUTION 2015-___

INTRODUCED BY:

Councilor Bill Dimas

Councilor Peter Ives

Councilor Signe Lindell

Councilor Patti Bushee

A RESOLUTION

CONTRIBUTING PROPERTY AND RESOURCES TO SANTA FE COMMUNITY HOUSING TRUST FOR THE DEVELOPMENT OF THE SOLERAS STATION LOW INCOME HOUSING TAX CREDIT PROJECT PURSUANT TO THE AFFORDABLE HOUSING ACT.

WHEREAS, it is the intent of the parties that the contribution from the City of Santa Fe to the Soleras Station Low Income Housing Tax Credit ("The Project") meet the requirements of the Affordable Housing Act and Rules Section 5.4;

WHEREAS, the proposed donation conforms to the City of Santa Fe Five-Year Strategic Housing Plan "Affordable Housing Element" adopted in conformance to the Affordable Housing Act which identified a housing shortage of 805 units particularly acute for households earning below 50% of the annual median income (AMI) because Soleras Station will serve households earning from 30% to 80% of median income; and

WHEREAS, this Project is consistent with the Five Year Strategic Housing Plan lawfully adopted by Ordinance No. 2007-23 pursuant to the express statutory authority conferred upon

municipalities to enact a housing code pursuant to Section 3-1 7-6A(8) NMSA 1978; to enact ordinances pursuant to its police power, Section 3-17-1 B NMSA 1978; to provide for affordable housing pursuant to subsections E and F of Art. 9, §14, of the N.M. Constitution and the Affordable Housing Act (§§ 10 6-27-1 through 6-27-8 NMSA 1978) and in particular to provide a portion of the cost of financing and/or authorizing housing assistance grants for the purpose of affordable housing pursuant to Section 6-27-5 NMSA 1978 (2007), and pursuant to any and all such other authority as may be applicable including but not limited to the city's recognized authority to protect the general welfare of its citizens; and

WHEREAS, it is the policy of the City of Santa Fe to provide incentives and encourage proposals that support the production, acquisition and redevelopment of rental housing in mixed income developments; and

WHEREAS, the City has agreed to accept the donation of at least $1.4 million from Pulte Homes consisting of a 4.5 acre parcel of land along with additional cash, goods and services, proffered in compliance with that certain Santa Fe Home Program Agreement dated _____, 2015 and attached hereto as well as the City's inclusionary zoning implementation of the Pulte Homes subdivision in Las Soleras Master Planned Community; and

WHEREAS, the City will also provide additional donation of City development fee/water waivers and other valuable incentives to the Project; and

WHEREAS, the above referenced donations will be contributed to the Santa Fe Community Housing Trust for the Project without debt or interest pursuant to the terms of a land use regulatory agreement; and

WHEREAS, the Project will meet the City goals for creating housing that avoids common illness triggers, uses less energy, and saves on utility and maintenance costs-all while using eco-friendly materials and strategies pursuant design of the Soleras Station as a Pilot Multifamily Project by the WELL Build Institute for creation of a national healthy multifamily residential building

certification process by the United State Green Building Coalition (USGBC) and in the project's LEED building certification; and

WHEREAS, major partners in the development of the Project now include the City of Santa Fe, The Housing Trust; the New Mexico Coalition to End Homelessness and Pulte Homes, only the Housing Trust will have any ownership interest in the Project after the development is completed; and

WHEREAS, the City will provide 10% of the development costs for a competitive LIHTC application for the Project by the Housing Trust as a direct grant to the Project subject to the terms of a land use regulatory agreement requiring and affordability period of 45 years running concurrently with requirements imposed by the New Mexico Mortgage Finance Authority; and

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that a substantial contribution to the Project with cash and measures to lower development costs of the property by waiving building permit fees, providing water rights to the Project, reducing the cost of extending the utility lines and meter charges for a total of approximately $2 million. The donation shall be made in the form of a grant subject to the terms of a land use regulatory agreement specifying the requirement for consistency with the Low Income Housing Tax Credit program requirements serving targeted low income clientele.

BE IT FURTHER RESOLVED that the Governing Body of the City of Santa Fe supports The Housing Trust's LIHTC application for the Project.

BE IT FURTHER RESOLVED that the Governing Body of the City of Santa Fe hereby directs the City Clerk to provide an executed copy of this resolution to Santa Fe County.

PASSED, APPROVED and ADOPTED, this _____ day of _____, 2015.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Kelley A. Brennan

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/Housing Trust Soleras Station

FIR No. 2750

City of Santa Fe
Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. **General Information**

(Check) Bill: _____ Resolution: ___X___
(A single FIR may be used for related bills and/or resolutions)
Short Title(s): **A RESOLUTION CONTRIBUTING PROPERTY AND RESOURCES TO SANTA FE COMMUNITY HOUSING TRUST (THE "HOUSING TRUST") FOR THE DEVELOPMENT OF THE SOLERAS STATION LOW INCOME HOUSING TAX CREDIT PROJECT (THE "PROJECT") PURSUANT TO THE AFFORDABLE HOUSING ACT.**

Sponsor(s): Councilors Dimas, Ives, Lindell and Bushee

Reviewing Department(s): Housing and Community Development

Persons Completing FIR: Alexandra Ladd Date: 11/18/15 Phone: 955-6346

Reviewed by City Attorney: Kathryn A. Brennan (Signature) Date: 11/24/15

Reviewed by Finance Director: (Signature) Date: 11-24-2015

Section B. **Summary**
Briefly explain the purpose and major provisions of the bill/resolution:
The resolution is required by the NM Mortgage Finance Authority as part of the Housing Trust's application for Low Income Housing Tax Credits (LIHTC). It states the intention of the City to support the application by providing a land donation and other resources such as fee waivers to support the project. The land will be deeded to the City by Pulte Corporation as a means of alternate compliance to meet its affordable housing requirement in Las Soleras and in turn, the City will donate the parcel to the Housing Trust. The proposed project will be an 87-unit apartment complex for renters earning less than 30% of the area median income (AMI) up to 60% AMI.

Section C. **Fiscal Impact**
Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:
a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required

Finance Director: _____

c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

____X_____ Check here if no fiscal impact

Column #: 1	2	3	4	5	6	7	8
Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
Personnel*	$_____	_____	_____	$_____	_____	_____	_____
Fringe**	$_____	_____	_____	$_____	_____	_____	_____
Capital Outlay	$_____	_____	_____	$_____	_____	_____	_____
Land/ Building	$_____	_____	_____	$_____	_____	_____	_____
Professional Services	$_____	_____	_____	$_____	_____	_____	_____
All Other Operating Costs	$_____	_____	_____	$_____	_____	_____	_____
Total:	$_____			$_____			

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:
a. To indicate new revenues and/or
b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #: 1	2	3	4	5	6
Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
_____	$_____	_____	$_____	_____	_____
_____	$_____	_____	$_____	_____	_____
_____	$_____	_____	$_____	_____	_____
Total:	$_____		$_____		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Not applicable.

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Section D. **General Narrative**

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

This proposed resolution does not conflict with any City code, approved ordinance or other legislation. Supporting the construction of affordable rental units that are energy-efficient, comfortable and appropriate to meet the needs of very low-income renters is consistent with the City's policies and funding priorities.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

Without this resolution, the Housing Trust's application for LIHTC funding will be deemed incomplete and funding will not be provided. Additionally, the opportunity to leverage several million dollars of support for very-low income rental units in our community will be lost.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No, the resolution is accurate as written, to the best of staff's knowledge.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The resolution supports the construction of 87-units of affordable rental housing. The need for this housing is well-documented. Recent studies show that Santa Fe's renters are highly cost-burdened, many paying more than 50% of their incomes to cover housing costs. It is likely that there is a deficit of at least 2,000 rental units to serve these renters. This project will address this gap as well as providing a high-quality, energy-efficient and healthy living environment for renters who are currently either precariously housed or living in substandard housing situations. The proposed project will also provide support services on site, including counseling, case management and other enrichment programs. In addition to these benefits, construction-related jobs will be supported as well as related economic benefits during the construction process.