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

ITEM 20

REQUEST FOR APPROVAL OF A RESOLUTION DONATING A LEASEHOLD INTEREST AND FEE WAIVERS TO THE SANTA FE CIVIC HOUSING PURSUANT TO THE AFFORDABLE HOUSING ACT, FOR THE REHABILITATION OF THE PASA TIEMPO HOUSING SITE TO MAXIMIZE POINTS AWARDED UNDER TH LIHTC APPLICATION **(COUNCILORS IVES, MAESTAS 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-___
LIHTC Pasa Tiempo

SPONSOR(S): Councilors Ives, Maestas and Bushee

SUMMARY: The proposed resolution would donate a leasehold interest and fee waivers to the Santa Fe Civic Housing pursuant to the Affordable Housing Act, and for the rehabilitation of the Pasa Tiempo housing site to maximize points awarded under the LIHTC application.

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-__
LIHTC Pasa Tiempo

Mayor and Members of the City Council:

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

1. On page 1, ***delete*** lines 24-25.
2. On page 2, ***delete*** lines 3-5 and ***insert*** in lieu thereof:

   "**WHEREAS**, the City of Santa Fe certifies to New Mexico Mortgage Finance Authority (MFA) that the Pasa Tiempo project and contribution meets the requirements of the Affordable Housing Act and rules Section 5.4, and that the Santa Fe Civic Housing Authority is a qualified grantee as per the requirements of the Affordable Housing Act and Rules Section 5.4."

Respectfully submitted,

_____
City Staff

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-__

INTRODUCED BY:

Councilor Peter N. Ives

Councilor Joseph M. Maestas

Councilor Patti Bushee

A RESOLUTION

DONATING A LEASEHOLD INTEREST AND FEE WAIVERS TO THE SANTA FE CIVIC HOUSING AUTHORITY PURSUANT TO THE AFFORDABLE HOUSING ACT, FOR THE REHABILITATION OF THE PASA TIEMPO HOUSING SITE TO MAXIMIZE POINTS AWARDED UNDER THE LIHTC APPLICATION.

WHEREAS, The City of Santa Fe is committed to providing decent safe and sanitary affordable housing for the residents of the City of Santa Fe; and

WHEREAS, the City of Santa Fe supports the Santa Fe Civic housing Authority in its application for a tax credit award for the Pasa Tiempo project and understanding that additional points for local contributions to the project could be achieved through permanent donation of the leasehold interest in the land and cash related to the Pasa Tiempo development by the City of Santa Fe; and

WHEREAS, the City of Santa Fe owns the land at 650-670 Alta Vista, Santa Fe, New Mexico and intends to donate a leasehold interest in the land to the Pasa Tiempo development; and

WHEREAS, the City of Santa Fe agrees to permanently contribute cash to the Pasa Tiempo development to pay for predevelopment costs; and

WHEREAS, the City of Santa Fe agrees to waive eligible construction permit and construction permit review fees in accordance with Chapter 14.8.11(G)(2); and

WHEREAS, the City of Santa Fe certifies to New Mexico Mortgage Finance Authority (MFA) that the Pasa Tiempo project and contribution has been analyzed by the City of Santa Fe and the contribution meets the requirements of the Affordable Housing Act and Rules Section 5.4; and

WHEREAS, the City of Santa Fe will require review and approval of a housing grant project budget by the City of Santa Fe and/or the MFA before any expenditure of grant funds or transfer of granted property; and project budget will be provided at application (1/31/2016) and can be approved prior to May 2016; and

WHEREAS, the City of Santa Fe will require that a condition of grant or loan approval be proof of compliance with all applicable State and local laws, rules, and ordinances; and

WHEREAS, the definitions for "low income and moderate income" and setting out requirements for verification of income levels are defined within the MFA 2016 Qualified Allocation Plan (QAP) guidelines; and

WHEREAS, the City of Santa Fe has entered into a contract (land lease) with the Qualifying Grantee which includes remedies and default provisions in the event of the unsatisfactory performance by the Qualifying Grantee and which contract shall be subject to the review by the MFA in its discretion.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby authorizes the donation of the leasehold interest transfer, cash and fee waivers for predevelopment costs for a sum total donation value of up to $1,350,000 to the Pasa Tiempo development to make it possible to achieve points to be awarded under the LIHTC application, contingent upon the successful award of 2016 tax credits. All contributions of leasehold interest and cash shall be permanent, as defined in the 2016 Qualified Allocation Plan.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/LIHTC Pasa Tiempo

FIR No. 2749

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 DONATING A LEASEHOLD INTEREST AND FEE WAIVERS TO THE SANTA FE CIVIC HOUSING AUTHORITY ("SFCHA"), PURSUANT TO THE AFFORDABLE HOUSING ACT, FOR THE REHABILITATION OF THE PASA TIEMPO HOUSING SITE TO MAXIMIZE POINTS AWARDED UNDER THE LIHTC APPLICATION.**

Sponsor(s): Councilor Peter Ives

Reviewing Department(s): Housing and Community Development

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

Reviewed by City Attorney: Kelly 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 Authority's application for Low Income Housing Tax Credits (LIHTC). It states the intention of the City to support the application by providing below market leasehold interest to the Housing Authority for the facilities that are sited on City-owned land but owned by the Housing Authority. The purpose of the application is to secure financing to make much-needed repairs and updates to the housing units.

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
c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs

Finance Director:_____

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. Making affordable rental units more energy-efficient, comfortable and appropriate to meet the needs of very low-income renters is consistent with the City's policies of providing and supporting rental housing for very low income renters.

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 Authority'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 units located at the Pasa Tiempo site (Alta Vista St) are reserved for the elderly, many of whom are very low income and/or frail. The residents also receive limited support services at the site, such as meals and some basic case management. The units are well over 40 years old and are not equipped with many modern amenities, including accessibility features and energy efficiency measures making them uncomfortable and somewhat inadequate, especially for those with mobility impairments. The LIHTC funding allows the Housing Authority to refinance the buildings and to undergo a full renovation to bring them up to modern building code and accessibility standards. Additionally, the Housing Authority is committed to achieving LEED Standard energy-efficiency performance levels, both to bring down the cost of operating the units, but also to enhance the physical comfort of its residents. Refinancing the units also helps to stabilize ongoing operating costs, rather than being subject to annual HUD budget cuts. The project also has the potential to leverage other private construction funds and will generate jobs and other construction-related economic benefits.