

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NUMBER 2013-105

3 INTRODUCED BY:

4
5 Councilor Wurzbarger

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10 A RESOLUTION

11 ENDORSING THE RESIDENT ASSISTANCE DEMONSTRATION (RAD) PROGRAM
12 UNDER THE MANAGEMENT OF THE SANTA FE CIVIC HOUSING AUTHORITY FOR
13 RENOVATION AND IMPROVEMENT OF HUD SUBSIDIZED HOUSING; AND
14 APPROVING A LEASE ADDENDUM FOR EACH LEASE AUTHORIZED AND
15 APPROVED BY ORDINANCE NO. 2013-25 BASED ON THE PRESUMPTION THAT EACH
16 LEASE IS A "GROUND LEASE" AND ALL BUILDINGS, IMPROVEMENTS AND
17 FIXTURES NOW OR HEREAFTER ERECTED WILL BE OWNED IN FEE SIMPLE BY
18 THE SANTA FE CIVIC HOUSING AUTHORITY AND BE DEEMED REAL ESTATE
19 UNDER LOCAL LAW.

20
21 WHEREAS, on June 12, 2013, the governing body adopted Ordinance No. 2013-25
22 for the purpose of approving three separate leases between the City of Santa Fe and the Santa Fe
23 Civic Housing Authority (SFCHA) for the lease of certain real property to be used for public housing
24 family units located at 1222-1265 Cerro Gordo Road, 1227-1265 Gallegos Lane, 1237-1246 Senda
25 del Valle, 1209-1219 Senda Lane, 911 A-F Agua Fria Street, 1752-1788 Hopewell Street and 1750-

1 1765 Mann Street; and public housing senior units located at 664-670 Alta Vista Street and 1510-
2 1520 Luisa Street; and

3 **WHEREAS**, Paragraph 3.2 of each lease provides that the Tenant, SFCHA, may take actions
4 necessary to implement the state or federal requirements necessary to implement the RAD program;
5 and

6 **WHEREAS**, the attached Addendum is required by HUD to implement the RAD program;
7 and

8 **WHEREAS**, the SFCHA has successfully applied for approval of the RAD Program for the
9 City of Santa Fe housing sites and had completed a unit renovation and expansion plan, as well as a
10 financial methodology, and

11 **WHEREAS**, the City of Santa Fe through Resolution 2013-04 declared a City Endorsement
12 of the conversion of public housing units to long term Section 8 contracts under the RAD Program
13 which is part of the Obama Administration Comprehensive Strategy to preserve public and HUD-
14 Assisted Housing; and

15 **WHEREAS**, the Governing Body, through the adoption of Ordinance No. 2013-25 has
16 approved three ground leases between the Santa Fe Civic Housing Authority and the City of Santa Fe
17 for and in consideration of the mutual covenants contained therein; and

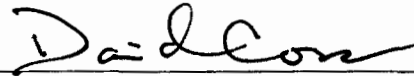
18 **WHEREAS**, the United States Department of Housing and Urban Development (HUD) will
19 require, for final approval of the RAD Application, an Addendum to the Ground Lease, (HUD -
20 92070M) which if and so long as the leasehold is subject to a security instrument insured, reinsured,
21 or held by HUD or given to HUD in connection with a resale, or the property is acquired and held by
22 HUD because of a default under the security instrument.

23 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
24 **CITY OF SANTA FE** that the Governing Body hereby endorses the RAD Program under the
25 management of the Santa Fe Civic Housing Authority for renovation and improvement of HUD

1 subsidized housing with such confirmation to include approval of a lease addendum based on the
2 presumption that each lease is a "ground lease" and all buildings, improvements and fixtures now or
3 hereafter erected will be owned in fee simple by the Santa Fe Civic Housing Authority and be deemed
4 real estate under local law.

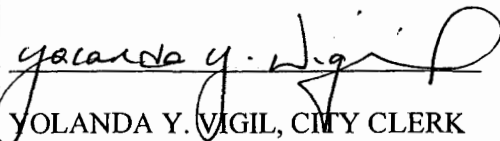
5 **BE IT FURTHER RESOLVED** that the lease addendum for each ground lease, attached
6 hereto, may be signed by the Mayor of Santa Fe, or delegate, once completed for submission as
7 required by HUD.

8 PASSED, APPROVED, and ADOPTED this 11th day of December, 2013.

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11 DAVID COSS, MAYOR

12 ATTEST:

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15 YOLANDA Y. VIGIL, CITY CLERK

16 APPROVED AS TO FORM:

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19 KELLEY A. BRENNAN, INTERIM CITY ATTORNEY