

**MINUTES OF THE**  
**SANTA FE COUNTY**  
**HOUSING AUTHORITY BOARD**

**June 26, 2012**

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 10:23 a.m. by County Commission Chair Liz Stefanics.

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

**Members Present:**

- Liz Stefanics, Commissioner
- Kathy Holian, Commissioner
- Robert Anaya, Commissioner
- Danny Mayfield, Commissioner [telephonic participation]
- Virginia Vigil, Commissioner
- Frances Ong, Resident Member

**Member(s) Excused:**

- Tim Vigil, Community Member

**Staff Present:**

- Rachel Brown, Deputy County Attorney
- Victor Gonzales, Housing Staff
- Deanna Lopez, Department Administrator
- Rosemary Bailey, Affordable Housing
- Tracey Young, Senior Accountant
- Chris Barela, Constituent Liaison
- Ron Pacheco, Manager Senior Centers
- Sandy Lucero, Accountant
- Donna Dean, Housing Staff
- Valerie Romero, Housing Staff
- Valerie Huerta, Housing Staff
- Steve Brugger, Affordable Housing Director

**III. Introductions**

Those present introduced themselves.

**IV. Approval of Agenda**

Ms. Salazar indicated that if the non-smoking policy/resolution fails to pass, then items IX, X, XI, and XII will be moot.

Commissioner Anaya moved to approve that agenda, Commissioner Holian seconded, and the agenda was unanimously [6-0] approved.

**V. Approval of Minutes: May 29, 2012**

Commissioner Anaya moved to approve the minutes from the above-cited date as presented. His motion was seconded by Commissioner Holian and passed by unanimous voice vote [6-0].

**VI. Approval of Resolution No. 2012-19HB: A Resolution Approving the Santa Fe County Housing Authority's Utility Allowance Schedule for the Public Housing Program**

Ms. Salazar said the Housing Authority is required to establish utility allowances for tenant paid utilities. The allowance is adjusted whenever there is a 10 percent change.

There was no public input on this item.

Commissioner Anaya moved to approve resolution 2012-19HB. Commissioner Holian seconded and the motion passed by unanimous [6-0] voice vote.

**VII. Approval of Resolution No. 2012-11HB: A Resolution Approving the Santa Fe County Housing Authority's Utility Allowance Schedule for the Section 8 Housing Choice Voucher Program**

Ms. Salazar said this resolution establishes the utility allowance for those residents in the Section 8 Housing Choice Voucher Program.

There was no public input on this item..

Commissioner Holian moved to approve resolution 2012-11HB. Commissioner Vigil seconded and the motion passed by unanimous [6-0] voice vote.

**VIII. Approval of Resolution No. 2012-10HB: A Resolution Adoption a Non-Smoking Policy for Residents Living in Santa Fe County Public Housing Units**

Ms. Salazar said the Authority expressed a desire to make Santa Fe County Public Housing units non-smoking. To that end Ms. Salazar said staff began working with the Smoke-free Coalition and conducted a survey with the public housing residents. The survey indicated that 50+ percent of the residents favored a smoke-free community. The policy establishes that all units will be smoke-free at the time of the annual recertification application. This allows smoking residents time to adjust for the change. Areas in the housing neighborhoods will be designated for smoking.

Cathy Gonzales, a seven-year resident of Camino de Jacobo, identified herself as a single woman who smokes. She said the neighborhood was “not the best” and she was uncomfortable having to leave her unit to have a smoke. She said it was dark where she lives and there were weird activities in the area as well as a lot of homeless people.

Ms. Gonzales said she moved into her unit knowing she would be safe and could smoke in her home. She has asked for outside lighting in the past but nothing has happened. She questioned the fairness of the timing of the non-smoking policy stating recertification was staggered and some people would be required to stop before others.

Ms. Gonzales repeated that she feels unsafe outside of her unit at night.

Shelley Cohen, Santa Fe Tobacco Free Coalition, said she has been working with Authority staff and attending a few resident meetings. Over 300 public housing authorities around the country have adopted similar non-smoking policies. The concern is second-hand smoke exposure to the non-smokers who may be in adjoining units. Evidence has shown that most smokers do smoke outside.

Ms. Cohen encouraged the Board to move forward with the policy.

There were no other public comments.

Valerie Huerta, Housing Authority staff, said survey results indicated that the majority of those that do smoke do so outside because they had small children.

Ms. Salazar said HUD published a 2010 position in support of non-smoking public housing. She understood that in the state, out of the 27 housing authorities, seven were smoke-free.

Commissioner Vigil recalled attending a HUD conference years ago, where the smoke-free policy was referred to as an administrative nightmare to enforce.

Ms. Salazar said some of the authorities have retained a small number of smoking units.

Commissioner Anaya said he understood the health-related issues as well as personal choice and wants to see smoke-free housing units; however, he could not support forcing the residents to do it immediately. Supporting 100 smoke-free units, he advocated for a reasonable transition period and interim designated smoking areas. Existing residents should have additional time to ease into the policy whereas for new housing authority tenants it should be immediate.

Commissioner Mayfield agreed with Commissioner Anaya’s comments and suggested establishing a community smoke-free date rather than using the recertification date.

Commissioner Vigil said it was important to provide smoking cessation programs and suggested HPPC and Christus/St. Vincent could work with the Authority. The transition should be the tenant smoker’s process to perhaps become a non-smoker.

Member Ong said the smoking does come through the vents because some people are getting sick from the second-hand smoke. She supported designated outdoor areas.

Chair Stefanics moved to amend the resolution adding within the last paragraph:

“...hereby, adopt a ~~the~~ policy for residents living in Public Housing by January 1, 2013 and providing smoking cessation services. Commissioner Vigil seconded.

Commissioner Anaya said he supported the gist of the amendment but wanted all new residents to be smoke-free and stating that six months was not an adequate window for current residents; he asked to extend the January 2, 2013 date out to two years.

Ms. Salazar said two years was too long. She suggested starting the program with annual recertification on January 1, 2013. All new tenants will be in non-smoking units.

Ms. Cohen agreed with Ms. Salazar that waiting two years is too long. She said there is clearly a distinction between the smoker and the behavior of smoking. This isn't about attacking smokers and she mentioned the difficulty in overcoming this addiction. She said the smokers will have adequate time to prepare to quit smoking or to go outside to a designated smoking area.

In response to Commissioner Holian's question of whether there was an indoor place residents could smoke, Ms. Salazar said no.

Member Ong asked whether staff could talk to the smokers and ask them to go outside. Ms. Salazar said staff could talk to them but without an enacted policy there was no mandate.

Commissioner Anaya asked to amend the amendment to July 1, 2013 rather than January 1. The movant and seconder accepted the amendment.

If this resolution is enacted, Ms. Salazar said the leases will have to be changed and if smoking occurs within a unit the tenant will be in non-compliance of their lease. In the event someone violates the lease, Commissioner Vigil asked whether they could be given an opportunity to go to smoking cessation classes.

Ms. Salazar asked whether it was the Board's intent to have all units smoke-free as of July 1, 2013 or to start the annual recertification process. Commissioner Anaya said by July 1, 2013 all units would be smoke-free. Commissioner Stefanics said that would give all existing tenants a year.

**By unanimous [6-0] voice vote the amendment passed as follows: “...hereby adopts a non-smoking policy for residents living in public housing, immediately for new residents and by July 1, 2013 for existing residents and providing smoking cessation services or referrals for residents.”**

Commissioner Anaya encouraged staff to work with HPPC, Department of Health and non-profits to develop programs for the tenants. He asked that staff keep the Authority in the loop.

**Commissioner Anaya moved to approve the resolution as amended. His motion was seconded by Commissioner Vigil and passed by unanimous [6-0] voice vote.**

Commissioner Vigil remarked that the County was not responsible for providing the

cessation classes.

- IX. **Approval of Resolution No. 2012-13HB: A Resolution Approving Form HUD 50077, The PHA Certification of Compliance with the PHA Plans and Related Regulations**
- X. **Approval of Resolution No. 2012-14HB: A Resolution Approving Form HUD 50077, The Certification for a Drug-Free Workplace**
- XI. **Approval of Resolution No. 2012-15HB: A Resolution Approving Form HUD 50071, The Certification of Payments to Influence Federal Transactions**
- XII. **Approval of Resolution No. 2012-16HB: A Resolution Approving Standard Form COMMISSIONER STEFANICS – The Disclosure of Lobbying Activities**

Ms. Salazar indicated that the amendment to the five-year plan to include the non-smoking policy requires that the certification with compliance of the PHA Plans and Related Regulations require amendment. She indicated that items X, XI, XII and XIII are also related to the non-smoking policy and as resolutions, public comments are welcomed.

There was no public input on these items.

Commissioner Anaya moved to approve the Resolution No. 2012-13HB approving PHA Certification of Compliance with PHA Plans and related regulations. Commissioner Holian seconded. The motion passed by unanimous [6-0] voice vote.

Commissioner Anaya moved to approve Resolution No. 2012-14HB. Commissioner Holian seconded and the motion carried by unanimous [6-0] voice vote.

Commissioner Anaya moved to approve Resolution No. 2012-15HB. Commissioner Holian seconded and the motion passed by unanimous [6-0] voice vote.

Commissioner Anaya moved to approve Resolution No. 2012-16HB. Commissioner Vigil seconded and the motion passed by unanimous [6-0] voice vote.

- XIII. **Approval of Resolution No. 2012-17HB: A Resolution Approving Form HUD 500077-CR – Civil Rights Certification**

Ms. Salazar said this resolution was necessary to address the amendment to the five-year plan.

There was no public input.

Commissioner Vigil moved to approve and Commissioner Holian seconded. The motion passed by unanimous [6-0] voice vote.

- XIV. **Approval of Resolution No. 2012-18HB: A Resolution Approving the Santa Fe County Housing Authority’s Administrative Plan for the Section 8 Housing Choice**

**Voucher Program**

Ms. Salazar said the Code of Federal Regulations requires that PHA adopt a written administrative plan that establishes local policies for the administration of the Housing Choice Voucher Program in accordance with the Department of HUD's regulations and requirements.

Ms. Salazar said Deputy Attorney Brown read the policy and staff has made the necessary changes.

There was no public input.

Commissioner Vigil moved to approve Resolution No. 2012-18HB. Her motion was seconded by Commissioner Holian and passed by unanimous [6-0] voice vote.

Chair Stefanics requested a copy of the entire plan.

**XV. Approval of Resolution 2012-09HB: A Resolution Establishing Rules of Order for Meetings of the Santa Fe County Board of Housing Commissioners**

Ms. Salazar said this was tabled at the previous meeting and additional language added to address the Board's concern regarding election of officers.

There was no public input.

Commissioner Vigil moved to approve Resolution No. 2012-19HB. Her motion was seconded by Commissioner Holian and passed by unanimous [6-0] voice vote.

**XVI. Approval of Resolution No. 2012-12HB: A Resolution Approving Form HUD 52574 – PHA Board Resolution Approving the Operating Budget for Fiscal Year Beginning July 1, 2012**

Ms. Salazar noted that HUD requires that the Housing Authority reviews the operating budget and this resolution affirms that occurred.

There was no public input.

Commissioner Holian moved to approve Resolution No. 2012-12HB. Her motion was seconded by Commissioner Vigil and passed by unanimous [6-0] voice vote.

**XVII. Approval of Resolution No. 2012-20HB: A Resolution Granting the Executive Director Signature Authority to Execute Amendment No. 8 to the Performance Agreement Between the Santa Fe County Housing Authority and the New Mexico Mortgage Finance Authority for the Linkages Permanent Supportive Housing Rental Assistance Program**

Ms. Young said MFA gives the Housing Authority permission to administer a voucher program for individuals with mental illness. This is the eighth amendment to the contract and

reduces the amount of funding available for FY12 because all of our allocations have not been used. The state ran out of money to cover their contribution and this reallocates money not going to be used.

Ms. Young said the Housing Authority receives referrals from the LifeLink program and this fiscal year there were not enough referrals to use all the funding.

Commissioner Vigil asked if there were entities other than LifeLink that served as a referral agency. Ms. Young indicated currently it is only LifeLink serves in that capacity. She understood that entities bid on an MFA RFP.

Valerie Huerta, project manager, said the Linkages Program is a transitional state-funded program. The individuals are placed on the HA waitlist and Section 8 housing is found. She said the HA has done really well managing their funds for this program. Individuals in this program are housed in different housing sites throughout the county and city but most are housed within the city because of the proximity to health services.

Commissioner Vigil asked whether veterans use this program. Ms. Salazar said those individuals are covered under a Section 8 voucher program and at this time there are 35 vouchers allocated.

There was no public input.

Commissioner Vigil moved to approve Resolution No. 2012-20HB. Commissioner Holian seconded and the motion passed by unanimous [6-0] voice vote.

**XVIII. Housing Authority Updates**

This item was deferred.

**XIX. Public Comments**

None were presented.

**XX. Matters from the Board**

Commissioner Anaya commented on the work of Ms. Salazar as the executive director of the Housing Authority. He said she has served the County for over 25 years and has been here during very difficult times when the agency was designated as troubled and endured a great deal of public scrutiny. He commended Ms. Salazar for her leadership and isolated a number of individuals for their services in making the Public Housing Authority a successful agency.

**XXI. Executive Session – Personnel Matters**

Commissioner Holian moved to go into executive session to discuss limited personnel issues. Commissioner Vigil seconded.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2) passed upon unanimous roll call vote with Commissioners Anaya, Holian, Vigil, Stefanics and Member Ong all voting in the affirmative.

[The Authority met in closed session from 11:15 to 11:25.]

Commissioner Holian moved to come out of executive session having only discussed limited personnel issues. Commissioner Vigil seconded and the motion carried 5-0.

Commissioner Anaya moved to ratify the appointment of Ron Pacheco as interim director and other personnel adjustments made by the County Manager on an interim basis for six months. Commissioner Holian seconded and the motion carried by unanimous voice.

Chair Stefanics said the Board also commented that there needed to be oversight of the situation for the next several months while a determination is made regarding the appointment.

Mr. Pacheco thanked the County Manager for her confidence in him and said he looked forward to the opportunity.

**XV. Adjournment**

Having completed the agenda and with no further business to come before the Authority, this meeting adjourned at approximately 11:28 a.m.

Approved by:

*Liz Stefanics*  
Liz Stefanics, Commission Chair  
Housing Authority Board

ATTEST TO:  
*Valerie Espinoza* VT  
VALERIE ESPINOZA  
COUNTY CLERK



Karen Farrell, Wordswork



COUNTY OF SANTA FE ) HOUSING MINUTES  
STATE OF NEW MEXICO ) ss PAGES: 8

I Hereby Certify That This Instrument Was Filed for Record On The 2ND Day Of August, 2012 at 10:07:36 AM And Was Duly Recorded as Instrument # 1677016 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
*Karen Farrell*  
Deputy County Clerk, Santa Fe, NM