

CITY of ALBUQUERQUE

TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. R-26-51 ENACTMENT NO. _____

SPONSORED BY: Renée Grout, Nichole Rogers

1 RESOLUTION

2 DIRECTING THE CITY ADMINISTRATION TO UTILIZE STATE CAPITAL
3 OUTLAY FUNDING ASSOCIATED WITH PROJECT NO. 24-I2735 AND PROJECT
4 NO. 24-I2699 FOR THE COTTAGES AT 161 CHAMA AFFORDABLE HOUSING
5 DEVELOPMENT AND TO FACILITATE THE DETERMINATION THAT
6 STREETVISION HOUSING STRATEGIES IS A QUALIFYING GRANTEE.

7 WHEREAS, during the 2024 Legislative Session, the State of New Mexico
8 appropriated Two Hundred Seventy-Five Thousand Dollars (\$275,000) to
9 acquire land for and to plan, design and construct affordable housing for
10 underserved communities in Albuquerque in Bernalillo county through State
11 Capital Outlay Project No. 24-I2735, entitled "ALB EQUITABLE HSING
12 CONSTRUCT," and Seven Hundred and Eighty Thousand dollars (\$780,000) to
13 acquire land for and to plan, design, construct and renovate affordable
14 housing pursuant to the ABQ Workforce Housing Opportunity Act in
15 Albuquerque in Bernalillo county through State Capital Outlay Project No. 24-
16 I2699, entitled, "ALB AFFORDABLE HSING CONSTRUCT" administered
17 through the Local Government Division of the Department of Finance and
18 Administration; and

19 WHEREAS, the City of Albuquerque accepted the appropriations and
20 entered into agreements with the New Mexico Department of Finance and
21 Administration for the administration of Project No. 24-I2735 and Project No.
22 24-I2699; and

23 WHEREAS, the City Council finds that the appropriations remain available
24 and may be utilized for eligible affordable housing purposes consistent with
25 the intent of the State Legislature and the executed grant agreements; and

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 WHEREAS, StreetVision Housing Strategies (formally known as East
2 Central Ministries) is developing the Cottages at 161 Chama, an affordable
3 housing development intended to provide safe, stable, and attainable housing
4 opportunities for Albuquerque residents; and

5 WHEREAS, the Cottages at 161 Chama project is consistent with the
6 purpose of the State appropriations because it provides for the development
7 and construction of affordable housing units within the City of Albuquerque;
8 and

9 WHEREAS, the City Council finds that utilizing Project No. 24-I2735 and
10 Project No. 24-I2699 for the Cottages at 161 Chama advances the original
11 legislative purpose of increasing the supply of affordable housing within
12 Albuquerque; and

13 WHEREAS, the “affordable housing exemption” to the Anti-Donation
14 Clause of the New Mexico Constitution, Article IX, Section 14, in conjunction
15 with the Affordable Housing Act, NMSA 1978, Sections 6-27-1 et seq., and the
16 Mortgage Finance Authority Act, NMSA 1978, Sections 58-18-1 et seq., outline
17 detailed requirements to ensure governmental entities donate affordable
18 housing resources only to ‘Qualifying Grantees’; and

19 WHEREAS, the City's Affordable Housing Implementing Ordinance, ROA
20 1994, Sections 14-21-1 et seq., allows the City to donate affordable housing
21 resources by City Council Resolution, and outlines additional procedures to
22 ensure such resources are provided to “Qualifying Grantees”; and

23 WHEREAS, the Ordinance provides that “The City, in its discretion, shall
24 procure services according to its Rules and Regulations, or shall otherwise
25 identify a qualifying grantee for the use of any affordable housing funds”; and

26 WHEREAS, “Qualifying Grantees” are subject to final approval by the
27 Housing New Mexico/Mortgage Finance Authority (MFA).

28 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
29 ALBUQUERQUE:

30 SECTION 1. \$275,000 (Two Hundred and Seventy-Five Thousand dollars)
31 identified in 2024 State Capital Outlay grant 24-I2735 and \$75,000 (Seventy-
32 Five Thousand dollars) identified in 2024 State Capital Outlay grant 24-I2699 is
33 hereby re-appropriated to the following affordable housing project located

1 within the International District in City Council District 6. This funding is
2 contingent upon the City’s determination that StreetVision Housing Strategies
3 is a Qualifying Grantee and final review and approval by the MFA and the New
4 Mexico Department of Finance/Local Government Division process for capital
5 outlay projects.

<u>GOAL</u>	<u>AMOUNT</u>	<u>TERM</u>	<u>CONTRACTOR</u>
Cottages at 161 Chama	\$350,000	2YRS	StreetVision Housing Strategies (formally East Central Ministries)

9 SECTION 2. Pursuant to MFA Rules and following the process identified in
10 the Affordable Housing Implementing Ordinance to “otherwise identify a
11 qualifying grantee” the Administration shall accept the application for the
12 project identified in this Resolution. The Administration shall immediately
13 initiate a review of the project to determine whether the applicant is a
14 Qualifying Grantee, pursuant to MFA Rules. The Administration shall conduct
15 its review in a fair and impartial manner with a goal toward approving this
16 project if possible. The Administration shall complete its review and submit
17 the Qualifying Grantee to MFA for final review within 60 calendar days of the
18 effective date of this Resolution. If the Administration identifies any basis to
19 determine that the applicant does not meet the MFA standards for a Qualifying
20 Grantee, the Administration shall immediately notify the applicant and offer it
21 an opportunity to provide supplemental information or otherwise rectify the
22 issue. The Administration shall also comply with all requirements of the New
23 Mexico Department of Finance/Local Government Division process for capital
24 outlay projects.

25 SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause,
26 word or phrase of this Resolution is for any reason held to be invalid or
27 unenforceable by any court of competent jurisdiction, such decision shall not
28 affect the validity of the remaining provisions of this Resolution. The Council
29 hereby declares that it would have passed this Resolution and each section,
30 paragraph, sentence, clause, word or phrase thereof irrespective of any
31 provision being declared unconstitutional or otherwise invalid.