



City of Las Cruces[®]

Housing Policy Review Committee Agenda

The following is the agenda for the City of Las Cruces Housing Policy Review Committee for September 21, 2022 at 2:00 p.m., at City Hall, 700 N. Main, Las Cruces, New Mexico Conference Room 2007-A

1. Call To Order
2. Conflict Of Interest
3. Acceptance Of Agenda
4. Approval Of Minutes
 - a. August 17, 2022

Documents:

[08-17-22 HOUSING PRC MINUTES.PDF](#)

5. Agency Spotlights - MVPHA Paseos Verdes Masterplan
6. Action Items - None
7. General Discussion
 - a. Landlord Incentive and Risk Mitigation Program
 - b. CDBG Rental Rehab Program
 - c. Single Family Affordable Housing Development Program Expansion
8. Future Items For Review
 - a. MFA Housing Strategic Plan
 - b. Annual Housing and NS Project review
9. Adjournment

If an accommodation for a person with a disability is required to enable them to fully participate in this event, please contact us 72 hours before the event at 575-528-3043/v or 1-800-659-8331/tty.

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Date posted: September 15, 2022



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3 The following are summary minutes for the meeting of the **City of Las Cruces –**
4 **Housing Policy Review Committee** on August 17, 2022. The meeting was held via
5 Zoom and in Room 2007A at City Hall, 700 N. Main Street, Las Cruces, New Mexico.
6

7 **Members Present:**

- 8 Kasandra Gandara, City Council
- 9 Johana Bencomo, City Council
- 10 Yvonne Flores, City Council
- 11 Benjamin Beard, Las Cruces Home Builders Association
- 12 Juan Olvera, Mesilla Valley Public Housing Authority

13
14 **Members Absent:**

- 15 Sonja Unrau, NM Mortgage Finance Authority

16
17 **Others Present:**

- 18 Natalie Green, Housing Neighborhood Service Manager
- 19 Jan Lauterbach, Housing Development Coordinator
- 20 Kevin Wilson, Housing Development Coordinator
- 21 Nicole Martinez, Director, Mesilla Valley Community of Hope
- 22 Christine Rivera, City Clerk
- 23 Greg Shervanick:
- 24 Becky Baum, RC Creations, Transcription

- 25
- 26 **1. Call to Order:** Councilor Bencomo called the meeting to order at 2:04.
- 27
- 28 **2. Conflict of Interest:** No conflict of interest was proclaimed.
- 29
- 30 **3. Acceptance of the Agenda:** Motion to accept the agenda by Councilor Flores,
- 31 seconded by Councilor Gandara. Motion passes.
- 32
- 33 **4. Minutes for Approval:**
- 34 **a. Housing PRC Meeting of June 15, 2022:** Motion to accept the Minutes
- 35 by Councilor Gandara, seconded by Councilor Flores. Motion passes.
- 36
- 37 **5. General Discussion:**
- 38 **a. Crescendo Consulting Group HOME-ARP Stakeholder Guided**
- 39 **Discussion:**

40
41 Natalie Green did a guided discussion with the Board with Crescendo
42 Consulting on the HOME-ARP process; the City was awarded \$1.7 million
43 specifically for addressing homelessness and those at risk. There are four
44 distinct qualifying populations. It can only be used in very specific
45 categories; acquiring, rehabbing, or constructing housing; tenant based

1 rental assistance; supportive services; non-congregational program
2 administration. Therefore this requires an allocation plan which needs a
3 consultation process with many entities and then will eventually go out for
4 actual projects. This Board is identified as one of the needed
5 stakeholders to consult with; a separate consultation can be set up as well
6 if needed. They intend to have all the consultations done by the end of
7 August, early September and then will begin the community survey then
8 identifying the projects.
9

10 Kaitlyn Michaud continued the discussion. They began with discussing
11 what their top three housing related needs right now; affordable housing
12 which include both government and private sector affordable housing, the
13 missing middle, attainable housing as they've been priced out, homeless
14 prevention, in-between housing, dangerous narrative building in the
15 community on who is deserving of being housed and who is not, senior
16 living with mobility, disabled population with ADA access, one bedroom
17 units for people in general who don't want a roommate. Councilor
18 Bencomo stated that there's been a narrative at City Council where they
19 just voted to have a GO Bond question for affordable housing and there
20 are a number of people who are speaking against it; many thoughts on
21 who deserves it and who doesn't as well as proposed solutions are
22 extreme and increasing over the last couple months. The opposition is to
23 transitional housing and affordable housing. There is also a narrative
24 around unhoused folks and increasing violence that has been happening.
25 There is a misconception on what homelessness means. Councilor Flores
26 believes they need to focus on finding attainable housing. She believes
27 they can work with developers and reach a happy medium.
28

29 The Board discussed the sub-populations in the community that may be
30 more vulnerable or underserved with housing; can be groups or areas
31 such as neighborhoods. Youth transitioning out of foster care or having
32 found their forever home and are basically homeless, treatment foster
33 care, people who are living with mental health conditions and substance
34 abuse disorders, single moms, teen moms. The Board discussed what
35 they would do if they had all the money they needed to build housing in
36 Las Cruces. Councilor Bencomo stated she would start in the infill areas
37 with apartments, complexes, duplexes, the missing middle, and revitalize
38 the more blighted areas in the community like El Paseo, South Solano,
39 and West Picacho; build them close to amenities. Councilor Gandara
40 stated she would create spaces for art for those who work, live, and play
41 in the same area. She added she receives a lot of inquiries on pregnant
42 moms, especially teen moms who are displaced from their home with
43 nowhere to go. Councilor Bencomo brought up Siler Yard in Santa Fe,
44 which is a live, work complex that offers affordable housing for artists;
45 there's one in Albuquerque too. Councilor Gandara added she would
46 build supportive housing. Another area that needs to be worked on is
47 removing the stigma on particular types of housing in particular types of
48 areas such as low income; housing needs to be put in all districts. There

1 was discussion on doing private/public partnerships with the City and
2 private owned land. Member Beard was asking about lots to develop;
3 they will talk with him after to work together. Member Beard stated that
4 he's been building duplexes right now but it's been difficult with the City;
5 the City seems to get in its own way sometimes.
6

7 The Board discussed the currently unhoused people and those at risk of
8 becoming unhoused, what resources are available and if there are any
9 service gaps. Councilor Bencomo stated the biggest resource is
10 Community of Hope, the City staff, Gospel Rescue Mission, FYI, and the
11 biggest gap is mental health facilities, rehab facilities, harm reduction
12 strategies for substance abuse. The Board discussed how each person
13 would allocate the \$1.7 million that was allocated without any restrictions.
14 Rental assistance and then use the leftovers to build new units, TBRA,
15 new housing, shore up continuing services, doing tiny homes, supportive
16 housing with multi-family dwellings, homeless prevention, address the
17 needs of homeless people, use motels as short or long term living for
18 people, fixing up older neighborhoods, take currently owned lots and build
19 single or multi-family affordable housing, landlord maintenance program to
20 guarantee affordability for a certain amount of time, emergency fund for
21 residents who meet qualifications, units up to codes, update existing
22 affordable housing, use for assistance with projects in the pipeline that
23 need a smaller amount of funding, and land acquisition. There was
24 discussion on how \$1.7 million isn't that much; would only be the
25 foundation to begin but nothing can truly be finished.
26

27 Councilor Flores asked if the City has any habitability laws or ordinances
28 in terms of landlord/tenant; they don't. A property standards codes have
29 been worked on for years now; it's in legal and has been for four years. It
30 would be helpful to have provision for landlords to help keep their
31 properties up to standards. Mr. Wilson added that it would get better
32 compliance from investors and landlords in the community. He believes
33 incentives will work better than consequences; not all homeowners are
34 rich slumlords and need help to afford repairs at times. Landlords that
35 provide Section 8 housing are already under strict guidelines and have
36 frequent inspections required; misinterpretation or over-interpretation of
37 what Section 8 housing is happens quite often. All landlords should be
38 treated equally.
39

40 **6. Action Items:**

41 **a. Source of Income Discrimination Ordinance:**

42

43 Natalie Green gave the presentation. She adjusted the violation and
44 penalty section. She asked the Board if they would like to bring in people
45 from the last Council meeting given the participation or just go to work
46 session; the Board agreed to work session. Ms. Green researched other
47 ordinances and business registration to make sure this ordinance is
48 uniform with them; under section 1-10. The City Attorney is still reviewing

1 this. There was discussion on whether they can move this forward to
2 Council work session when it's in review; section 1-10 is already adopted
3 language. The replacement for 13.7 is on the last page.
4

5 Member Beard asked for clarification on Article 1, Fair Housing, Section
6 13 is already a part of the City Municipal Code; just making amendments
7 and adding source of income. Albuquerque enacted theirs which goes
8 into effect 90 days after approval by their city council. As part of their
9 ordinance they allocated \$250,000 to education and \$150,000 was
10 matching funds for outreach and incentives. They put some provisions in
11 their processes for inspection delays; if someone has a voucher and an
12 inspector can't get out there within a 5 day window then the landlord is not
13 required to hold the unit. Some things for the Board to consider is
14 criticism around additional paperwork and buy in with the landlords early
15 prior to adoption; there is a plan to do that between the work session and
16 the actual Council meeting. Santa Fe's ordinance is still under
17 consideration and it's still a topic at the state level.
18

19 The discussion on the landlord mitigation fund will be discussed at the
20 next meeting as the City has the potential to fund that; can also
21 supplement with other funding sources. Ms. Green would like to see how
22 Albuquerque rolls theirs out as well. The funding can be a resolution
23 rather than part of the ordinance. The work session will work to dispel
24 concerns; this doesn't mean that a landlord can't set their rents or can't
25 have tenancy requirements. This means they can't have a standing of no
26 vouchers ever. Councilor Gandara asked if Ms. Green has stories of
27 people being turned away with vouchers; many people don't believe it.
28 Councilor Bencomo stated there's an apartment complex on Valley with a
29 sign stating they don't accept them. Ms. Green suggested doing a survey
30 similar to Albuquerque's with landlords and craigslist postings. There are
31 also testimonies from staff and other voucher programs. The Board
32 believes it should be a part of the presentation. They could potentially
33 evaluate the number of extensions provided to tenants as a result of being
34 unable to find a place to accept the voucher. Councilor Gandara added
35 that there's been a lot of research conducted nationally in different areas
36 and states that can show this issue as well; she can provide some studies.
37

38 Member Beard requested a meeting between the Las Cruces
39 Homeowners Association and the Las Cruces Association of Realtors to
40 involve them in the updating of this language. He asked for clarification on
41 the change; adding the words "source of income" which is intended to
42 protecting people with vouchers and the like. If a landlord has a property
43 to rent for \$1,500 they cannot deny someone simply because they have a
44 voucher. However, the landlord can set the amount they wish to accept; if
45 the person has \$1,200 voucher but the landlord is asking \$1,500 they
46 don't have to rent to them. The landlord can rent to verifiable people; the
47 only change is they cannot deny leasing because of the tenant having a
48 voucher. Councilor Flores stated that everyone who rents should have a

1 lease to protect both sides. Education is needed for this ordinance. Ms.
2 Green asked Member Beard to share with the groups the information on
3 the incentive program; sign on bonuses for taking someone with a
4 voucher, repair funds, and etcetera. The work session should be fine for
5 people to come. Another thing to consider is many times landlords ask
6 the tenant to have three months' rent at the ready but many with vouchers
7 don't pay the entire amount and may only have a portion of it; they ask
8 that landlords accept that.
9

10 Ms. Lauterbach stated that she hears a lot of people say their landlord
11 doesn't want to go through all of the paperwork. Juan Olvera commented
12 that it's only an agreement with the Housing Authority; there shouldn't be
13 additional paperwork. There needs to be education on that side as well;
14 there isn't a mountain of paperwork. There also needs a clear path on
15 how to sign up to accept vouchers as many people don't know. There are
16 flyers available. Councilor Bencomo asked if Mr. Olvera could be at the
17 work session as well; he will check his schedule. Many landlords have a
18 reluctance to have their places inspected. Inspections are done to meet
19 the housing quality standards from HUD. There are also annual
20 inspections to make sure the unit still meets standards.
21

22 Motion to accept the Minutes by Councilor Flores, seconded by Councilor
23 Gandara. Motion passes.
24

25 **7. Agency Spotlights: None.**
26

27 **8. Future Items for Review:**

28 **a. CDBG Rental Rehab Program:**

29 **b. Landlord Incentive and Risk Mitigation Program:**
30

31 Councilor Bencomo would like to discuss the Rodeway Inn on Avenida de
32 Mesilla. It was recently vacated and was housing a lot of asylums there. Since
33 it's been vacated there's been a lot of vandalism which has caused issues for
34 neighbors. It's slated to be torn down soon to build a new business but the
35 timeline is unknown. She would like to discuss the issue of vacancy notification
36 which poses a huge public health risk to the community. Ms. Green stated that
37 it's within the nuisance code. She can ask Jennifer for an update on that.
38

39 Other potential items for October is NMFA releasing their statewide housing
40 strategy, there was a request about revolving construction loan fund to build
41 capacity, and single family land acquisition opportunity. This would give the City
42 the ability to hold lots with a land bank and slowly allow those lots go to partners.
43 Juan Olvera stated that he would like to schedule a presentation with this Board
44 for the next meeting, agency spotlight. Beth Bardwell would like to receive an
45 update on Realize Las Cruces and what types of changes are being considered
46 for the land development and design standards. Realize Las Cruces is having a
47 work session on Monday. Ms. Bardwell believes it would be good to drill into
48 specific code within this Board for affordable housing. Ms. Green is working with

1 the infill housing and will bring that forth when it's ready.

2
3 **9. Adjournment:** Motion to adjourn the meeting by Board Member Flores,
4 seconded by Board Member Gandara. The meeting adjourned at approximately
5 3:17 p.m.
6

7
8
9
10 _____
11 Chairperson

12
13
14 Approved: _____
15

DRAFT