

Middle Rio Grande Housing Collaborative (MRGHC)

Thursday August 28, 2025

3:00pm

Mid Region Council of Governments (MRCOG) Board Room

809 Copper Ave NW Albuquerque, NM 87102

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes from Previous Meeting – July 24, 2025
5. Approval of Minutes from Special Meeting – July 28, 2025
6. Public Comment – 2 minutes limit per person
7. Introduction of the new Planning and Operations Director
8. Operations Update
9. Presentation – City of Albuquerque
10. Vote – Approval of Chair to extend fiscal agreement with MRCOG
11. Vote – Open Meetings Act update
12. Discussion – Bylaws
13. Announcement of next meeting
14. Adjourn

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Middle Rio Grande Housing Collaborative

Thursday, July 24, 2025

3:00 p.m.

Mid Region Council of Governments (MRCOG) Board Room

809 Copper Ave NW

ALBUQUERQUE, NEW MEXICO 87102

A P P E A R A N C E S

TALIA FREEDMAN, Chair

DAN MAJEWSKI, Vice Chair

IAN ROBERTSON, Secretary

LAWRENCE RAEL, Member

STEVEN ANAYA, Member

BEFORE: PAUL BACA PROFESSIONAL COURT REPORTERS

500 4th Street, Northwest, Suite 105

Albuquerque, New Mexico 87102

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TRANSCRIPT OF PROCEEDINGS

CHAIR FREEDMAN: Okay. Well, we're going to call the meeting to order. We'll have a very quick roll call. I'm Talia Freedman, the Chair.

VICE CHAIR MAJEWSKI: Dan Majewski, Vice Chair.

COMMISSIONER ANAYA: Steven Anaya, Commissioner.

CHAIR FREEDMAN: Do we have a motion to approve the current agenda?

COMMISSIONER ANAYA: So moved.

CHAIR FREEDMAN: Second.

VICE CHAIR MAJEWSKI: Second.

CHAIR FREEDMAN: All those in favor.

ALL: Aye.

CHAIR FREEDMAN: Okay. Approval of the minutes from the June 26th meeting. Do we have a motion to approve those minutes?

COMMISSIONER ANAYA: Motion to approve.

VICE CHAIR MAJEWSKI: Second.

CHAIR FREEDMAN: All those in favor?

ALL: Aye.

1 CHAIR FREEDMAN: And then we have a moment
2 for public comment. If anyone has any comments, we have a
3 2-minute limit per person for a smaller group today.

4 Okay. The presentation, so we are going to
5 jump around a little bit. Oh, I guess we did not print
6 the [inaudible 0:01:54]. Did I bring mine with me? I
7 brought [inaudible 0:02:02].

8 MS. MARA: [inaudible 0:02:03] is running a
9 couple minutes late, but she also has the markup for you
10 guys.

11 VICE CHAIR MAJEWSKI: Yeah, I saw her
12 [inaudible 0:02:08] on the door there.

13 CHAIR FREEDMAN: Oh, good. Okay, so she
14 should be here in a minute. So we'll jump around a little
15 bit. We'll go to discussion of the hiring process. Our
16 hired candidate Yasine Armstrong begins on Monday. And
17 we'll be doing her onboarding here, MRCOG. And we're all
18 very excited about that. I don't know that there's much
19 more of an update other than that. And -- thank you.

20 So I think we will go ahead and start the
21 discussion of the bylaws. We're not going to have any
22 votes on that today. But just to talk about it and maybe
23 pick Mara's brain a little bit about on some about any
24 questions we have.

1 And then we can hopefully have a vote on it
2 in the next meeting. So did you guys have a chance to
3 read it? And do you have any thoughts on the bylaws? I
4 read through and have some notes.

5 COMMISSIONER ANAYA: Why don't you give us
6 some of your thoughts here.

7 CHAIR FREEDMAN: My main thoughts were --
8 let's see that one. I wrote [inaudible 0:047:08] so they
9 had already addressed it. Oh, my question was, we have
10 open meetings, Section 5, on the second page, Open
11 Meetings Act compliance.

12 And that paragraph is "The Commission, on an
13 annual basis, shall adopt a policy on compliance with the
14 reasonable notice provisions of the Open Meetings Act."
15 Do we feel like we need to do that annually? Or can we
16 set a policy? Is that like --

17 VICE CHAIR MAJEWSKI: Yeah, that's [inaudible
18 0:04:39].

19 CHAIR FREEDMAN: It is. I kind of agree with
20 that. Okay.

21 VICE CHAIR MAJEWSKI: So just a simple, that
22 we agree? Like, we did it before.

23 CHAIR FREEDMAN: Just do we agree to
24 continue?

25 VICE CHAIR MAJEWSKI: Yeah.

1 CHAIR FREEDMAN: Okay.

2 VICE CHAIR MAJEWSKI: So it shouldn't take
3 too much time.

4 CHAIR FREEDMAN: Okay, so that's a yes. My
5 other thought -- and this piece is not so much content
6 related, but we're using what I think at this point is
7 now the archaic he/she in descriptions in a number of
8 places, mostly I found it in just one paragraph.

9 And I think the easiest thing to do might be
10 to change that to "The Commissioner," because it's a
11 paragraph that's strictly about individual Commissioners.
12 So that we don't get into like the grammatical argument
13 of the use of the [inaudible 0:05:32]. So that was my
14 thought there.

15 And I only found it in four places in
16 Section 8 under Indemnification, Paragraph A, I didn't
17 see it any place else in the document, I don't think. Oh,
18 I did. Under officers, Article 2. Officers, the
19 Secretary, there is one place where it has he/she and
20 it's the beginning of a sentence. I figured we would just
21 change that to "The Secretary."

22 Okay. Then -- oh, and it's also in Paragraph
23 C of Section 8 under Indemnification in two places. And
24 same thing, I think "The Commissioner" would solve that.
25 Okay. Then we start to get into some content.

1 Let me think. I put a note. I don't think I
2 see anything here that actually discusses term limits.

3 VICE CHAIR MAJEWSKI: Yeah, I thought we had
4 something asked for.

5 CHAIR FREEDMAN: It's in the JPA.

6 VICE CHAIR MAJEWSKI: Okay. But not here.

7 CHAIR FREEDMAN: And the JPA, I took notes on
8 it. So I don't have that with me. But you probably have
9 it in your notebook. So the JPA has terms of -- I don't
10 mean to laugh, but a five years.

11 MS. MARA: Maximum, maximum.

12 CHAIR FREEDMAN: Oh a maximum? Could we read
13 that? Because I didn't read it as maximum. If it is, then
14 that's not a non-issue. If it's terms of five years -- it
15 seemed to me that it was terms of five years that were
16 renewable for five years. And I believe it referenced
17 staggered.

18 It did reference staggered. But I think we
19 need to sort out what all of that means, because we all
20 started at the same time. So my big question was, does
21 our policy on term limits have to not be in any way in
22 conflict with the term limits noted in the JPA?

23 I think it's okay, if the answer is that it
24 can't be in conflict, we would just need to build around

1 having that as our basis and then refining what ours
2 looks like. And that is a little loose.

3 MS. MARA: With what I found on it is page
4 three, towards the top Paragraph B, "The Commissioners
5 who are first appointed will be designated to serve
6 staggered terms of one to five years from the date of
7 their appointment." And I'm not sure everyone just
8 travels everywhere with their appointment letters,
9 indicating whether or not the appointment was first, a
10 definite term, and we might want to consult those.

11 CHAIR FREEDMAN: Okay. So we'll look up our
12 appointment letters to see if they're in there. And we
13 just weren't thinking about this yet. I don't remember it
14 being in there. But it's been a minute. So who knows?
15 Okay, so we'll look up our appointment letters for terms.

16 MS. MARA: And then Madam Chair, you're
17 correct in your reference to the five years, because the
18 next sentence goes on to say "Appointed for a term of
19 office of five years."

20 CHAIR FREEDMAN: Yeah. Although it's a really
21 long term.

22 MS. MARA: It is. But I can say, if I can
23 speak for the Commission, in a sense, the benefit of
24 staggered terms, regardless of the length is that it
25 creates institutional knowledge. And the Board isn't left

1 with starting over frequently with people who don't have
2 the benefit of having served previously.

3 CHAIR FREEDMAN: Relieves at once. So the
4 staggered I think, has a lot of sense. We just need to
5 decide how we're staggered. And then therefore, new
6 people are going to come on in a staggered manner also. I
7 guess the question is, if we just leave the five year
8 term, there's other things in here that have to do with
9 "In the event any commissioner resigns prior to the
10 expiration." So people can leave sooner.

11 MS. MARA: Oh, yeah, it is. And again, not to
12 speak for a Commissioner or any other body, I think the
13 two governments are grateful for your service. At the
14 same time, it's not indentured servitude. People have
15 other obligations and we and we did lose a wonderful
16 Commission member early on due to some personal health
17 concerns.

18 So perhaps five years is -- it is a long
19 time. It's one year longer than a presidential or a
20 county commissioner term of office. We have -- actually
21 because of that one departure, we do have one staggered
22 term at this point, because I can't remember -- was it
23 Ian? Ian, who stepped in now will be the first person on
24 a staggered term.

1 And I can't recall the date of his -- when
2 he began serving. So we have one position staggered and
3 now four not staggered. And I believe was in the fifth
4 Commissioner mutually selected or --

5 CHAIR FREEDMAN: Are we sure?

6 VICE CHAIR MAJEWSKI: Yeah, well, no.

7 CHAIR FREEDMAN: I don't think so. I think
8 he's city. I don't -- we'd have to look.

9 FEMALE SPEAKER 1: Madam Chair, I think you
10 and Commissioner Rael are city.

11 CHAIR FREEDMAN: Yes, you're right. We are
12 city.

13 VICE CHAIR MAJEWSKI: And you're county,
14 right? Yeah, we're county.

15 CHAIR FREEDMAN: You're both county. So he
16 was our selection. Okay. I don't I actually don't thing
17 [inaudible 0:11:53].

18 FEMALE SPEAKER 1: [inaudible 0:11:52]
19 Commissioner Anaya was. That's it. Was the one that
20 [inaudible 0:11:57]

21 CHAIR FREEDMAN: I think so too. You're not
22 county. I think we selected you. Yeah, we can double
23 check that.

24 VICE CHAIR MAJEWSKI: Yeah, these are good
25 things to know.

1 CHAIR FREEDMAN: Yeah, because I think I know
2 question is, yeah. And yeah, I think you're right. I
3 think actually, you were the Commission selection.

4 I guess some of the big question that we
5 need to think about is, do we feel like what's in the JPA
6 works for us? And do we want to just copy that? Or do we
7 want more refinement and more detail in it?

8 COMMISSIONER ANAYA: I think part of the
9 question, Mara, Madam Chair, would be the how much detail
10 you want in the bylaws and how much of the JPA goes in
11 here and doesn't. For example, your officers right now it
12 says we basically will have a Chair and Secretary.

13 CHAIR FREEDMAN: Right.

14 COMMISSIONER ANAYA: So this is probably the
15 place to put, we're going to have a Chair, a Vice Chair,
16 and a Secretary. Is this the place to put it?

17 CHAIR FREEDMAN: Yeah.

18 COMMISSIONER ANAYA: And I guess how detailed
19 do we do we want to get that? Sometimes the bigger
20 picture gives you more latitude, but also, more specific,
21 lays out exactly what's to happen.

22 CHAIR FREEDMAN: So right, like, I guess we
23 have to decide that's not in the JPA is, are we going to
24 rotate the chair every year or two years? I think I've
25 been here to on this -- has it been two years? I think

1 about. So we have to decide how often we're rotating this
2 position. It also seems like to me we're missing a
3 treasurer.

4 COMMISSIONER ANAYA: Yeah, those are the
5 normal and whether the Secretary or the
6 Secretary/Treasurer. So I guess that's -- I guess the
7 particular officers there. So how much more detail do we
8 want to get involved in the bylaws?

9 FEMALE SPEAKER 1: Madam Chair, Commissioner
10 Ian Robertson was the one that was selected.

11 CHAIR FREEDMAN: Oh, really? Okay.

12 FEMALE SPEAKER 1: And then [inaudible
13 0:14:39] Commissioner Anaya --

14 COMMISSIONER ANAYA: By the county.

15 CHAIR FREEDMAN: Oh, that's right. So then
16 you're actually on the staggered term. Maybe they're both
17 on the staggered term. Because if Commissioner Anaya
18 replaced the person that left. We only started out with
19 four, because we had to select the fifth.

20 VICE CHAIR MAJEWSKI: Ian replaced the person
21 who left. There were four of us including the person who
22 left started. We voted to bring Commissioner Anaya on
23 Commissioner Anaya joined, that person left, and then we
24 voted to replace that person.

1 CHAIR FREEDMAN: Oh, I'm sorry. Is that what
2 you said? No, that's not what you guys just said.

3 FEMALE SPEAKER 1: So, Commissioner Robertson
4 was voted, he was voted as your fifth member. And then
5 when the other Commissioner Serge left, then Bernalillo
6 County Commission appointed Stephen Anaya as the
7 replacement for --.

8 CHAIR FREEDMAN: So we do in effect then have
9 two people [inaudible 0:15:46] staggered, because Ian
10 started later, anyway. And Commissioner Anaya came on as
11 Serge's replacement.

12 VICE CHAIR MAJEWSKI: That means you need to
13 stick around a little bit longer than me and Talia, and
14 Lawrence.

15 CHAIR FREEDMAN: But it's months, not years
16 or anything.

17 VICE CHAIR MAJEWSKI: Yeah, I think with the
18 terms --

19 FEMALE SPEAKER 1: So Commissioner Robertson
20 was appointed, or he was selected on the May 9th meeting.
21 And I'll have to go back --

22 CHAIR FREEDMAN: 20?

23 FEMALE SPEAKER 1: 2024. And then I'll go
24 back and see when you were appointed, which was probably
25 like in July or August, I think.

1 CHAIR FREEDMAN: Okay. Well, do we want to --
2 let me just peek if there's anything else major. The
3 terms was the really the biggest --

4 VICE CHAIR MAJEWSKI: I think we should have
5 something in there about the terms of maybe we can word
6 it in a way that it's not overly strict. That's like more
7 advisory to give us flexibility as an entity, but also to
8 set like, expectations, like, I think about new
9 Commissioners joining and making sure that those
10 expectations are laid out for them. So that they know how
11 long they're expected to serve. But also like give us
12 some flexibility.

13 It's like, you can't -- yeah, it may be like
14 a three to five recommended, something like that
15 suggested. I don't know what your thoughts are, Mara. I
16 assume you recommend or kind of defined language in
17 something like bylaws.

18 FEMALE SPEAKER 1: I think to effectuate the
19 staggering representation from both the contributing
20 governments, perhaps you might want to decide among
21 yourselves, for example, among the two city appointees,
22 one will serve a term of x, the other A term of y, and
23 it'll be similar with the county. So it's a more
24 continuous representation.

1 CHAIR FREEDMAN: And it seems like we only
2 maybe need to do that with this initial [inaudible
3 0:18:22], because then by definition, they'll all be
4 staggered after that. So I think that might start to
5 crystallize here over time anyway.

6 Okay. And then, so we'll pull a term
7 language in here, maybe based on the JPA, but maybe
8 adding some things to it. We're going to add clarity on
9 positions, because right now the only thing we have is
10 Chair and Secretary.

11 FEMALE SPEAKER 2: Madam Chair, I have a
12 question. It just is very helpful. What Dan was saying,
13 it's helpful when we're recruiting somebody to a point
14 that they know, I'm committing to four years.

15 CHAIR FREEDMAN: So it helps to have a term.

16 FEMALE SPEAKER 2: So actually, I do think
17 that it's helpful once you guys figure out your
18 staggering of your existing inaugural service, then and
19 writing it in here that says it will be staggered four
20 year terms or something like that. It'll be very helpful
21 to the [inaudible 0:19:34] to us in terms of recruiting.

22 CHAIR FREEDMAN: Do we know why five years
23 and do we think there's a benefit to our terms being
24 longer than County Commission or anything like -- it's

1 just kind of random from what we think people would be
2 able to give?

3 MS. MARA: I can actually say it's from the
4 legislative history that -- I can't remember the name of
5 the act, the predecessor, what kind of grew into the
6 Affordable Housing Act, provided for five year terms. So
7 it's just kind of a historic relic in a sense. Yeah.

8 COMMISSIONER ANAYA: Oh, a lot of -- Madam
9 Chair, a lot of the committees that -- there are
10 different terms. Border regions, for example, is a six
11 year term. Some of the Commissions are four year terms,
12 may have some five year, you've got three years. So I
13 think it's a matter of, again, trying to keep the
14 continuity, but the initial one, I agree with
15 Commissioner that yeah, there may be one that goes four
16 or five year. But I would think my thought would be
17 probably a three or four year term would be -- and then
18 the question would be, can you serve two terms? Are we
19 term limited?

20 CHAIR FREEDMAN: We're not term limited
21 according to the GPA. So, I think that's --

22 CHAIR FREEDMAN: So I guess, yeah.

23 FEMALE SPEAKER 1: Madam Chair, looking at
24 the GPA, I'm seeing that the Commissioners who are first
25 appointed will be designated to serve staggered terms of

1 one to five years from the date of their appointment,
2 which one to five years, I don't know, Mara, I'm not
3 sure. Does that mean that like every year, one of the
4 Commissioners should be replaced so that it's staggered
5 one year, two year, three year, four year, five year?

6 MS. MARA: That was probably the thought,
7 YES. I guess. I think it was to allow discretion by the
8 appointing officials.

9 COMMISSIONER ANAYA: I would thank you, Madam
10 Chair, that you'd probably want maybe two people going on
11 term and then and then two others and then the third one
12 may be on the off year. And so at least you have --
13 something like that. But again, I think you probably need
14 to just get into the details about, put it on paper and
15 see how it all works.

16 Then, okay, over the next, here's what's
17 going to happen, especially over the next few years. But
18 you're right, that initial term may be -- okay, somebody
19 may be on a one year term. And then I think -- so, when
20 we have the full Commission, probably take a look at what
21 a term --

22 CHAIR FREEDMAN: What our terms are going to
23 be.

24 COMMISSIONER ANAYA: What term, and then try
25 to figure out it takes what terms and then, but the

1 initial one will be a little bit different. So you can
2 add the staggered times.

3 CHAIR FREEDMAN: Yeah, so the JPA says, "A
4 Commissioner may serve two or more successive terms of
5 office." So that there's no limits. I guess the question
6 is, if we go with a shorter term, is it okay that we're
7 in conflict with GPA that says five years?

8 MS. MARA: Well, you are the initial board,
9 so you're not in conflict because the term is one to five
10 years.

11 COMMISSIONER ANAYA: It says up to five
12 years.

13 MS. MARA: You're not exceeding.

14 CHAIR FREEDMAN: Oh, I see, I see, I see.

15 VICE CHAIR MAJEWSKI: It's within that range.
16 So it gives us flexibility to [inaudible 0:23:50].

17 CHAIR FREEDMAN: Well, the second sentence
18 is, "Thereafter, Commissioners will be appointed for a
19 term of office of five years."

20 MS. MARA: Yes, but it would require the
21 replacement of the initial board.

22 CHAIR FREEDMAN: Right. But I guess if we say
23 we only want a four year term for going after us going
24 forward, is it an issue if we are in conflict? If we
25 decide as a Commission, okay, we think people are not

1 going to say yes to five years, even though we know they
2 can go off, but they will say yes to four. Is it
3 problematic that our bylaws are in conflict with the JPA?

4 MS. MARA: I wouldn't say it's problematic.
5 It would require amending the JPA, but that means getting
6 permission from the Cabinet Secretary.

7 CHAIR FREEDMAN: Pending an official vote of
8 us blah, blah, blah. Okay. I think let me look back at my
9 notes. But I think the term limits was my big question.
10 Oh, I have one other thing highlighted. And then I think
11 those are my comments. What did I say?

12 This is limitations of powers of committees.
13 And the paragraph I highlighted, I'll read it and then
14 maybe I'll remember what my question was. "The presence
15 of a majority of the members, then in office of any such
16 committee formed by the Commission, as provided in this
17 Article 3, shall be necessary and sufficient to
18 constitute a quorum. The active majority of the members
19 of any such committee present at a meeting at which there
20 is a quorum shall be the --"

21 Oh, does this just mean that in order to
22 vote as a committee, even though it's not as the
23 Commission voting, there has to be a quorum of that
24 committee? I just didn't quite understand that.

25

1 It made it sound to me like the committee
2 could act on behalf of the Commission, but the committee
3 can just vote on behalf of the committee and then bring
4 it to the Commission to actually make the decision on
5 whatever that committee is doing?

6 MS. MARA: Unless there's an express
7 delegation of authority, all committees are merely
8 advisory.

9 CHAIR FREEDMAN: Okay, that's what I kind of
10 thought.

11 MS. MARA: And if there is a set delegation,
12 then the Open Meetings Act applies and the whole
13 formalities [inaudible 0:26:37].

14 CHAIR FREEDMAN: Right. So when we're talking
15 about a quorum, they're just talking about a quorum of
16 that committee. Okay, so non-issue. I just -- that is
17 what I had. The big things were terms and positions on
18 the Commission.

19 COMMISSIONER ANAYA: So Madam Chair, Mara, on
20 the committees, you can only have two members of the
21 Commission on a committee.

22 VICE CHAIR MAJEWSKI: But you can have other
23 people too.

24 CHAIR FREEDMAN: Right. Yeah.

1 VICE CHAIR MAJEWSKI: But only two
2 Commissioners.

3 CHAIR FREEDMAN: Yeah.

4 VICE CHAIR MAJEWSKI: But as far as I
5 understand, you can have any number of other people
6 outside of the committee.

7 MS. MARA: Absolutely. And the search
8 committee, for example, was Madam Chair and I believe
9 yourself.

10 VICE CHAIR MAJEWSKI: Yes.

11 CHAIR FREEDMAN: And it specifically says
12 "None of the committees ... shall have the power of
13 authority to --" and it's basically all the things that -
14 -

15 COMMISSIONER ANAYA: Do we have to identify
16 the committees, or is that something we can do later on?

17 MS. MARA: Oh, no, it really benefits a board
18 to, in most cases, to have the flexibility to have the
19 Chair be able to appoint ad hoc, to be able to appoint as
20 business arises and need arises. You know, in more large,
21 robust, for example, the County Commission, there could
22 be permanent standing committees or subcommittees, but
23 with a smaller, more nimble group, I think we don't want
24 to tie the Chair's hands necessarily. I prefer to give
25 her the latitude to appoint committees as need arises.

1 COMMISSIONER ANAYA: Well, I was just
2 thinking one of the standing committees, obviously, would
3 be like a finance committee, audit committee, finance
4 committee. That's always just making sure that we're in
5 compliance, we get our audits done, those kind of things.

6 So that would probably be the one I would
7 recommend at this point to take a look at whether we want
8 to formally make it a standing committee or not, while
9 we're doing these bylaws. That would probably be for this
10 type of organization, that would probably be --

11 CHAIR FREEDMAN: That would be it.

12 COMMISSIONER ANAYA: -- comes to mind.

13 CHAIR FREEDMAN: And I think maybe what we do
14 is the next time we talk about this, presumably the next
15 meeting, is we kind of dovetail the position conversation
16 with the committee conversation, because maybe the role
17 of the Treasurer is to then just report to the
18 Commission. And we don't need a committee, or maybe it
19 feels like, no, this is going to be ongoing, and we need
20 more than one person reporting back.

21 So I agree, though, if there was a committee
22 that would be standing, finance would make sense. But
23 maybe that's the Treasurer.

24 COMMISSIONER ANAYA: Would be the Chair of
25 that committee.

1 CHAIR FREEDMAN: Yeah, or it could be that
2 it's just the role of the Secretary and Treasurer to be
3 the finance committee, and then other members, other
4 people, if we need them. Okay. Well, that sounds like a
5 good plan.

6 So I think -- Oh, I want to -- Does the City
7 Attorney, I know that they're on the Zoom, have any
8 comments, or feel like we haven't considered anything
9 that we should take into our next conversations about
10 this?

11 MS. PADRINO: Hi, this is Patricia Padrino.
12 Not so far. I did have some other comments on the
13 indemnity provision.

14 CHAIR FREEDMAN: Okay.

15 MS. PADRINO: Did you want to go into those
16 now?

17 CHAIR FREEDMAN: Yes, I think we'd love to
18 hear them.

19 MS. PADRINO: Okay. So with respect to the
20 indemnity, I do not believe that any governmental entity
21 can indemnify. So I think we should consider either
22 removing that section or modifying it to simply,
23 basically just to identify the Tort Claims Act as the
24 protection for governmental employees.

1 MS. MARA: Do you mind if I jump in,
2 Patricia? This is Mara.

3 MS. PADRINO: Sure.

4 MS. MARA: I think you had gotten my red line
5 of it, noting, and I'm not sure. I think I've told this
6 to the Board before. These bylaws came from the MDC, the
7 Metro Detention Center JPA, which is a little bit
8 different that it delivers medical care.

9 So indemnification and medical malpractice,
10 wrongful death claims, that sort of thing, something not
11 applicable, thankfully, to this entity in any form. This
12 language about indemnification, I had suggested, like Ms.
13 Padrino, be taken out, basically. It's applicable in a
14 very different medical context.

15 And I think Talia will be briefing you about
16 some of our discussions on the position which relates to
17 insurance issues. And I'll let her share the good news.
18 There is insurance that's been obtained on behalf of this
19 entity. So I do absolutely agree.

20 The indemnification is largely inappropriate
21 in this particular agreement, and we're making
22 arrangements. I actually have the insurance certificate
23 somewhere in my binder.

24 We've made other arrangements to insure this
25 body. So it's something that is on our radar.

1 CHAIR FREEDMAN: So that brings up, do we
2 replace some or all of the language in here with the
3 requirement that the Commission will always carry DNO
4 insurance, which is what that replacement would be? Is
5 that right, Mara? Is that what you're talking about?

6 Well, I know we have insurance in terms of
7 the employee through the COG, but that we also need
8 directors and officers insurance. Is that in lieu of
9 this. That in addition to the Tort Claims Act
10 information? Is that what might go in this section?

11 MS. MARA: I think, you know, Ms. Padrino's
12 comments to me noted that the last part of this, which is
13 section 8C. That I think is broad.

14 CHAIR FREEDMAN: Oh, yeah.

15 MS. MARA: And we do have that. It's the
16 first -- from where I sit, it's kind of the first two
17 paragraphs, A and B, are the ones we probably want to
18 simply delete.

19 CHAIR FREEDMAN: Okay. And then I think the
20 question for us is, do we want to change "is the Housing
21 Collaborative may purchase and maintain insurance" to
22 "will purchase and maintain insurance?"

23 MS. MARA: Sure.

24 CHAIR FREEDMAN: For me, I didn't really know
25 how -- and we've been mostly in preparatory phase, but

1 | this is the first board I've ever sat on where there
2 | wasn't insurance before I even went to a meeting. So I
3 | think that also might be a point of entry for a lot of
4 | people that might want to participate. What do you guys
5 | think?

6 | COMMISSIONER ANAYA: I think, obviously,
7 | Madam Chair, we do need that coverage. So I don't have
8 | any problem with that.

9 | CHAIR FREEDMAN: Awesome. Well, thank you so
10 | much for bringing it up, Patricia. That's an important
11 | change. I think I printed the original ones. I don't
12 | think I printed your red line.

13 | MS. MARA: Not everyone enjoys reading
14 | attorney's notes.

15 | COMMISSIONER ANAYA: I find those helpful
16 | because you know exactly what they're recommending and
17 | what changes.

18 | CHAIR FREEDMAN: Yeah. It's what keeps you
19 | out of trouble hopefully. Yes, I think Cindy will
20 | probably be back in a minute. Oh, we have the red line.

21 | VICE CHAIR MAJEWSKI: So many packets today.

22 | MS. MARA: And Ms. Padrino, if I may have
23 | also pointed out some very awkward wording on the first
24 | page. It's in that first paragraph about regular
25 | meetings. The second line from the bottom of that

1 paragraph, there's this ambiguous language without
2 special notice of such business. I think we just strike
3 it. It's a bit confusing.

4 CHAIR FREEDMAN: Oh, I see. So it implies
5 that you could just say "We're having a meeting, but
6 we're not going to tell you in advance what it's about."
7 And we actually have to say what it's about.

8 MS. MARA: I think they awkwardly were trying
9 to say that regular meetings will be noticed under the
10 regular meetings [inaudible 0:37:11].

11 CHAIR FREEDMAN: Oh, I see.

12 MS. MARA: [inaudible 0:37:12] in the Open
13 Meetings Act, but that was.

14 CHAIR FREEDMAN: Oh, without special notice.
15 I see. Okay.

16 MS. MARA: But just taking it out might be
17 simpler.

18 CHAIR FREEDMAN: Yep.

19 COMMISSIONER ANAYA: Madam Chair, so normally
20 on the Open Meetings Act, so when you pass the resolution
21 on open meetings, then you put the dates of the meetings
22 there. And then any other -- and so you've identified,
23 okay, the fourth Tuesday, third Wednesday, whatever, and
24 actually put the dates in there.

1 And then any other meeting that you need to
2 call beforehand is the 72 hour special meeting within 72
3 hours. But by doing the open meeting stuff, and you've
4 already identified the dates of the meetings.

5 CHAIR FREEDMAN: I think we're going to be
6 coming back to this at our next meeting. And probably
7 what we'll do is merge our discussions from this and the
8 red line version. And then that will be the new version
9 we discuss at the next meeting.

10 COMMISSIONER ANAYA: So we'll have one
11 document to work from.

12 CHAIR FREEDMAN: Yeah, with everything in it.
13 And then I think that next meeting, we can really spend
14 time talking about term limits, positions. And I mean,
15 what our initial Commission term limits will be, any
16 positions we want to add, if we want to add a finance
17 committee. And I think that was really it.

18 And we'll confirm everybody's start date so
19 that we have a sense of -- I think we've missed the one
20 year term opportunity. We're two years in. So I think
21 we've missed that opportunity. But good.

22 Well, I think this was productive now. So
23 next, we're going to have a presentation by Cindy Chavez,
24 who's the County Manager. Both on the destination home

1 meeting that we had. That organization. I will turn it
2 over to you.

3 COUNTY MANAGER CHAVEZ: Excellent. May I
4 stand? Is that okay?

5 CHAIR FREEDMAN: Yes, of course. Stand, walk
6 around.

7 COUNTY MANAGER CHAVEZ: Yeah. Maybe sing a
8 little. So first of all, I'm really delighted to be with
9 you. And I do want to thank our incredible economic
10 development staff for getting me prepared for today.

11 So what I thought I would do is maybe two
12 things. One, I wanted to thank the Chair and the
13 committee for sending a couple of willing volunteers to
14 learn more. But what I thought I would do is break this
15 down into two separate discussions.

16 One, just to talk about the model that
17 Destination: Home is. And then to talk about an
18 opportunity that got created because we were able to
19 bring them out and meet with them as a group. And they
20 got very excited about what they heard from their visit
21 with the county and the city and you.

22 And they met with all of our Commissioners.
23 Our Commissioners are so excited about housing that I
24 think it got them excited about engaging us in an
25 opportunity. So let me start big picture.

1 So Destination: Home is a very interesting
2 nonprofit. And to be candid with you, I can't remember
3 how old it is. But initially what it was, it was a
4 nonprofit that was created with the intent of allowing
5 for a shared space for all of our organizations to come
6 together and talk about solutions for housing in Santa
7 Clara County.

8 In about 2010, they ended up with a brand
9 new leader that had run a number of -- and had a leader
10 in a couple of nonprofits that really focused on housing
11 homeless teenagers. And what came out of that was a very
12 high knowledge base around how to do organizing around an
13 impact model where you bring everybody together, you say,
14 "Hey, is there a shared problem? And then how do we have
15 a shared solution?"

16 What came out of that was these pillars of
17 addressing homelessness. And really it was focused on
18 homelessness, not quite so much on housing initially. And
19 this was to fund strategies that we knew worked,
20 incubating new programs. And this is actually where I
21 think they really are the most fruitful is around public
22 policy and advocacy, and research.

23 They do community engagement as well. These
24 achievements that they have listed, what's really
25 interesting to me is that what Destination: Home did is

1 | it created an opportunity really for the city of San
2 | Jose, which is probably the 13th largest city in the
3 | country right now, the County of Santa Clara, which is a
4 | relatively large county in California. It's probably the
5 | third or fourth.

6 | And it's about the size of New Mexico in
7 | terms of population. But what it allowed us to do was
8 | create unusual partnerships that allowed us to do really
9 | bold things. So as an example, one of the first things
10 | they did relative to research is that we had a member of
11 | our board who was saying -- on the board of supervisors,
12 | who said, "What does it cost for us to support people who
13 | are homeless?"

14 | Like, what are we spending on this right
15 | now? Not as a county, but what was the investment that
16 | was being made broadly in how we address homelessness?
17 | What we found from that study was pretty powerful.

18 | I'm just going to give you two a-has from
19 | it. One was that we recognize that on average, and this
20 | would have been in 2012, we were spending about \$60,000 a
21 | year to keep someone healthy, as healthy as we could on
22 | the street without housing. If they had a serious mental
23 | illness, that could go up to 120 million.

24 | I mean, 120,000 per person. When we looked
25 | at what we were spending to house somebody, we were

1 | housing them out of -- once we -- taking out housing for
2 | a moment, we were spending closer to 40,000. And when we
3 | were investing in housing, and people were able to move
4 | in over and over again, we saw that we were just really
5 | handling this problem from the wrong space.

6 | The other thing is at that time, cities in
7 | the state of California primarily address housing,
8 | counties do not. So it was a big deal for the county to
9 | decide, are we going to get into the homelessness
10 | business or not? What we did is we went out to the
11 | public.

12 | We had been doing polls for 20 years, and
13 | all of a sudden the whole country, and including the Bay
14 | Area said, housing's a problem. And we won a ballot
15 | initiative at 67% for \$950 million housing fund. In
16 | addition to that, as we were moving in this direction,
17 | Destination: Home became so good at fundraising.

18 | They went out to two corporate leaders and
19 | said, "Will you give us money to put into a fund that we
20 | then used for the construction of affordable housing?"
21 | And it allowed for us to match that money with bond money
22 | and other resources to get housing built. That housing
23 | bond was intended to build and or rehab 4,800 units.

24 | It's closer to 5,200, and we're up ahead of
25 | schedule, even with COVID being in the middle of all of

1 | this. And I just want to say that part of the reason for
2 | that, I think is because we got so much buy-in from the
3 | community and Destination Home wasn't a government
4 | entity. It really did play that role as a convener and an
5 | advocate.

6 | It got a lot of the corporate America
7 | engaged in discussing these issues. It then created
8 | grants for nonprofits and zero acquisition loans. And I
9 | can talk more about that.

10 | Now, what's really, to me, important here is
11 | you'll see that number that says since 2015, that
12 | institution's leadership helped the county, the city and
13 | the other counties. I mean, I'm sorry, the other cities
14 | in the county and our for-profit and our nonprofit
15 | partners house 28,000 people.

16 | Now, San Jose, Santa Clara County still has
17 | one of the largest homeless populations that are living
18 | on the street, but I imagine all the time what it would
19 | look like had we not been able to take 28,000 people off
20 | the street. Next slide. So maybe not next slide. Maybe
21 | I'll just keep going here.

22 | So what you have in front of you is one area
23 | that I just wanted to highlight. So the way I describe
24 | how we deal with homelessness and housing is this. We
25 | have the continuum of need on the spectrum.

1 And one thing is we absolutely need more
2 housing. And two, we know that any place where you have
3 the average income, not keeping up with basic rent, you
4 end up with homelessness. And there are lots of
5 contributing factors, which I'm sure you all have thought
6 a lot about.

7 So what we did was we took this 950 million
8 and really focused it on getting people off the street
9 and building out the continuum of housing. So everything
10 from permanent supportive housing, transitional housing,
11 all the way to apartments with a small number of these
12 being invested in more self-product.

13 But one of the things that we learned almost
14 right away, and it was actually heartbreaking, I will
15 tell you is that we were doing all of this work, spending
16 all of this money. We had all this momentum. And for
17 every person in the beginning that we were housing, two
18 more were becoming homeless.

19 Actually, in the beginning, it was actually
20 more than that, it was like 2.5 people our first year.
21 And I really was sort of thunderstruck because I thought
22 what they were going to come in and tell me is we're
23 moving in the right direction.

24 So what we then decided was we were going to
25 do a very rigorous deep dive into how we prevent people

1 from becoming homeless in the first place and investing
2 in much more rapid rehousing and other strategies. But
3 again, the umbrella, the Destination: Home role they
4 played that was so critical is they were able to,
5 frankly, not be in the middle of all of the fighting over
6 who's resource and who's in charge of what.

7 But really to take a look at investing in
8 research. So as we were implementing these new processes,
9 they were researching them to determine where were we
10 having the most success? Where are we having the most
11 failures? And frankly, giving us feedback about how we
12 could do a better job of using our finite resources in a
13 targeted way, which resulted in a really aggressive
14 targeted homeless prevention model.

15 And one thing I will make sure I do is that
16 there's a really good study done of this that I'll make
17 sure we send the link to you on. You want to go to the
18 next one? And you can see they had all kinds of
19 strategies.

20 So now when they came to visit, they had a
21 lot of fun with us and they talked to everybody and got a
22 chance to just share what they did because I wanted very
23 much for them to show that frankly, for being a small
24 agency, how much momentum they helped create in our
25 community to get people housed.

1 And in many respects, when I first got here
2 and I had a chance to learn a little bit more about what
3 you were doing, this was my kind of vision too of like,
4 oh, like this third party group could be really helpful
5 because these folks, they don't build anything. They do
6 make investments, but what they are rigorous at is
7 creating the political space and will for new public
8 policies in part because they have such a unique board as
9 well.

10 Their board is made up of decision makers
11 from the county, the city, the private sector and
12 developers and people with lived experience. So you've
13 got the whole group, they have big fights and debates,
14 I'm sure.

15 So they have successfully implemented this
16 prevention model. And what I would say is that that
17 prevention model, that they again are doing the research
18 on it, but the implementation, the public policy and all
19 of that are going through government entities. So again,
20 they really play the role of -- I mean, they would be
21 offended if I said this.

22 So hopefully they're not listening, but they
23 are kind of the tail that wags the dog because they're
24 not the biggest part, but they're just like out there,
25 really doing what they need to do. They have developed a

1 program called Right at Home. And let me just share what
2 their vision is.

3 And this was really the thing that I wanted
4 to -- there were two pieces. I wanted you all to
5 understand the model they're using, which I think is
6 amazing, but what they're doing next that I think is
7 fantastic. They've really been focused on Silicon Valley
8 and what they're trying to understand is how do we make
9 changes at a national level in terms of how we fund our
10 investments in housing?

11 And one thing the federal government and the
12 states don't do a lot of is investing in prevention. So
13 we could keep spending money on this side. This is the
14 way we think about it.

15 This is what I think about it. I think about
16 it like this is a big accordion. And my goal is to get
17 the accordion squished as far as we can into the middle,
18 which is to do all the prevention, get people who are in
19 high need off the streets.

20 And frankly, I'd love a day when I was only
21 dealing with people who were recalcitrant, who didn't
22 want services. We have so many people on both sides of
23 this that -- and we're using a lot of resources in the
24 center instead of trying to get that number down.

1 So what they did is they are raising, I
2 think they told us \$100 million to get 10 pilot projects
3 across the country to work on all different mechanisms
4 for preventing people from becoming homeless. Because
5 what their objective is, is over a three-year period of
6 time to get enough data to make the case to the federal
7 government, specifically HUD, to restructure the way
8 they're making investments now so that we can do more on
9 the prevention end.

10 Not that we would want to stop helping other
11 folks, but really recognizing that if we don't deal with
12 prevention, we're never, ever, ever going to be in a good
13 space. So they have partnered with Notre Dame University.
14 They have raised to date 60 million of their 100 million,
15 and we're trying to get into their second round. And by
16 we, I mean us in partnership with the city of Albuquerque
17 to make sure that we can be on their radar.

18 CHAIR FREEDMAN: One of the 10?

19 COUNTY MANAGER CHAVEZ: Yes. And so they are
20 going to be doing research. They're reaching out to the
21 city. They're reaching out to us. I'm trying to get them
22 to just reach out to us together so that we don't spend a
23 lot of time like not connected. And our Commission has
24 been very, very, as you know, under the leadership of

1 Commissioner Baca, really focused on how much can we do
2 together.

3 It's better to work together than it is to
4 miss opportunities really to help people. So what we'll
5 be doing is they are hiring Notre Dame -- they have
6 brought on Notre Dame to do all the research on every
7 project they choose.

8 They're looking for regions of the country
9 who have the ability to collaborate and demonstrate big
10 impact. They don't necessarily need to agree with our
11 theory of change, but they want it to be clean and clear
12 enough that they can research it, determine whether or
13 not it's effective and whether or not at a local level,
14 we have the ability to be agile as we're learning, as we
15 go through the process.

16 Those meetings will be occurring, I think in
17 the next couple of weeks, the city -- I know Gilbert
18 Ramirez has been the lead for the city, or I don't know,
19 maybe I think that is who is really interfacing with
20 them.

21 I will be doing that in the interim. We have
22 amazing, amazing staff, our economic development
23 department. And like you can tell them all the great work
24 y'all are doing has been just really amazing in getting
25 into the housing business.

1 We're engaging our housing department and
2 we're also restructuring both hiring staff, because we've
3 created a housing department as I'm sure Commissioner
4 Baca shared with you and restructuring some of our
5 internal staff really to focus on making sure that we're
6 competitive to be one of these projects. Because what it
7 means is that we would be able to invest approximately 3
8 million a year, or more over three years.

9 So I know I just gave you a lot. I'm very
10 happy to stand for questions, feedback or [inaudible
11 0:54:30].

12 CHAIR FREEDMAN: I mean, my comments are
13 really exciting. Ian and I were the Commissioners that
14 went and met. It was just a really impressive way they're
15 doing it. They had some really great insights about only
16 decision makers at the table on the Board, because you
17 want to be able to actually make decisions as a group,
18 not have someone who then has to go back and convince
19 five people to say, yes, you want a decision maker.

20 And just this idea of having people with
21 lived experience on the board, and it was really
22 exciting. I had a question, but I don't remember what it
23 was.

24 Oh, one of the things I know that they
25 talked about that you mentioned was going to meet

1 corporations in their area. Obviously the corporate
2 financial situation in San Jose, California, it's very
3 different to here. I started writing down ideas and I
4 wrote down Intel ...

5 And everything else I think of is actually
6 somehow connected to government. So Sandia National Lab,
7 like who are our biggest employers and they tend to be
8 healthcare and government and Intel, not in our county,
9 though they may care about the greater environment. So I
10 think that's one of the things that what works there will
11 be really hard for us to implement here. So I don't know,
12 I'd just be curious about your thoughts around that.

13 COUNTY MANAGER CHAVEZ: Yeah, I think you
14 raised such a good point. And let me add that part of the
15 reason they're choosing 10 sites is they recognize that
16 the conditions of the country are different. What works
17 in Silicon Valley won't work here.

18 And I understand that, but I also think the
19 question there becomes for me is the significance of the
20 engagement of the employment community versus the
21 largesse. Because part of -- one of the things that I
22 think has been really effective there is when we went for
23 that housing bond, we had a lot of folks who did not want
24 to be taxed. And so that meant that we were reaching out
25 to businesses large and small to say to them, here's the

1 vision. Here's why we'd want to do this. We are
2 guaranteeing you. And this is something that Commissioner
3 Baca, I think will attest to.

4 That I have been, as a leader of the county,
5 very focused on saying, we need your engagement. We need
6 your permission. And this is as we've received money from
7 the state, hopefully soon.

8 And here are the goals that we're setting.
9 And here's what we're going to accomplish. Because I
10 think part of what we need to do is build confidence in
11 the community that in fact, we can say unequivocally, our
12 programs have accomplished this, this, and this.

13 This is the financial implications. This is
14 the human implications of it. So I think what they've
15 done a phenomenal job of is engaging us not only with the
16 Ciscos and the Apples of the world, but frankly, a whole
17 bunch of other small businesses.

18 And in here, that would be the Chamber of
19 Commerce. We would work with the Hispanic Chamber, the
20 Black Chamber. There's a lot of places to go. It doesn't
21 mean people have to give us \$50 million. But some
22 investment would be great.

23 CHAIR FREEDMAN: Well, that made me think of
24 two things. One is just like any fundraising, sometimes
25 the small dollars from more people end up equaling the

1 big dollars from huge people. That might also be true
2 from the business standpoint.

3 But then also I think the tax piece and just
4 that education engagement piece is to point out that not
5 solving this problem, even if it meant an increase in
6 taxes, is to demonstrate what the actual lived tax on the
7 businesses are.

8 COUNTY MANAGER CHAVEZ: So that's a great
9 point.

10 CHAIR FREEDMAN: I mean, I know I own a
11 building in Albuquerque and what's vaguely in the back of
12 my mind is I know there's an unhoused person who has all
13 their stuff on the side of my building right now that may
14 or may not be gone tomorrow.

15 And I spend a decent amount of time
16 vacillating between concern for my tenants, concern for
17 the building, concern for the person who's unhoused. I
18 won't call the police because that person's just going to
19 be targeted and not assisted. So there's a very real
20 business tax to me that's not a property tax, but it's a
21 real tax of this person not having the resources that
22 they should.

23 So I think there's also a financial argument
24 to be made to be like, not solving this problem is
25 costing you X dollars as a business person.

1 COUNTY MANAGER CHAVEZ: That's a really good,
2 and we can do an analysis on that. Thank you.

3 CHAIR FREEDMAN: Oh, yeah, absolutely, yeah.

4 MS. MARA: Madam Chair, I wonder if the
5 [inaudible 0:59:41] can also just give you a snapshot of
6 where, I think that was also on our presentation, a
7 snapshot of where we are in our ask to the current status
8 of the money that's come down hopefully soon from the
9 state.

10 COMMISSIONER ANAYA: That'd be great.

11 CHAIR FREEDMAN: Yeah, if you have a
12 snapshot.

13 VICE CHAIR MAJEWSKI: We'd really like to
14 know.

15 COUNTY MANAGER CHAVEZ: So we had a chance
16 yesterday, the secretary, [inaudible 1:00:07], did her
17 presentation to the LFC and it was really very, very
18 informative. And I thought she did a phenomenal job.

19 CHAIR FREEDMAN: She's wonderful.

20 COUNTY MANAGER CHAVEZ: Oh my gosh. But in a
21 really short amount of time, she identified what she was
22 trying to accomplish, what were the challenges to us
23 getting there. She had an ask for the legislature and
24 gave a framework of how they're approaching the dollars.

1 So we've had a really good relationship with
2 her. I know she's been working both with the city and the
3 county. The Commission under the leadership of
4 Commissioner Baca adopted a list of properties that we
5 then conveyed to the state saying, if you invest in any
6 of these, we'll work on programs to get them moving
7 forward.

8 The buckets that we looked at were gap
9 financing for projects that could break ground in the
10 next couple of months if they just had a little bit of
11 money, was the first one. These were for affordable
12 housing for between 30% and 120% of area median income.
13 The second category was for us to look at buildings that
14 were market rate or affordable buildings that were at
15 risk of becoming market rate and asking if they would
16 give us money to purchase them. So we could put them into
17 the market for people between 30% and 120% of AMI and
18 mixing those incomes in one building so that we're able
19 to financially sustain those buildings in and of
20 themselves, meaning that we wouldn't have to go back to
21 the legislature or anybody else for affordability
22 covenants or for building maintenance because we would be
23 managing that cost within that building.

24 But also important is that there's a ton of
25 research that demonstrates that when you have, especially

1 | children in mixed income environments, they do much, much
2 | better. And so we don't want to segregate people. We can
3 | keep from doing that.

4 | The third was allowing us to buy
5 | transitional housing so we could -- because we had a goal
6 | of getting a thousand people off the streets by next
7 | June. If in fact, we could get enough transitional
8 | housing and be able to get people in those housing units
9 | relatively quickly. That meant that we were looking at
10 | apartment complexes that were in very good shape, either
11 | new or more recently renovated so that we would not be
12 | putting additional money in, but we really would have a
13 | capacity to put people in relatively quickly.

14 | In all of those environments, and
15 | specifically the last one, we would be looking at
16 | increasing our internal staff capacity to manage them
17 | because we have about 636 units that we already are
18 | responsible for. We've had great success in managing them
19 | in both long-term and interim housing, including for
20 | folks who are recovering from drug and alcohol addiction
21 | and or families that are currently homeless that we've
22 | been putting into transitional housing and then moving
23 | them into permanent housing.

24 | And then lastly, was a category where the
25 | governor's office was particularly interested in where

1 | there was an impediment to an affordable housing project
2 | even being able to be built.

3 | And as an example, you might have property
4 | that could be zoned for housing, but you can't access it
5 | because you need a bridge. And so they were really
6 | looking at where could they make investments that would
7 | have an impact that would allow housing to flow.

8 | So what we're waiting on right now is a
9 | letter from the Governor's office letting us know which
10 | of our properties they're interested in investing.
11 | They're not our properties, but which properties are
12 | interested in investing so we can effectuate those final
13 | agreements.

14 | In addition to that, they spoke to us about
15 | being engaged in two other areas. One is in housing
16 | rehab. The housing authority is embedded in the county
17 | that director of our housing department also manages the
18 | housing authority, which means that we also already
19 | manage a rehabilitation program.

20 | And in addition to that, we're looking at a
21 | rapid rehousing program, which would mean essentially
22 | that we would get people as quickly as we could who have
23 | become homeless and get them rehoused using a voucher
24 | system. Now we do that now with hotel vouchers, which
25 | isn't really rapid rehousing.

1 It's something in between. And we do that
2 with vouchers that are made available through the
3 behavioral health dollars that the county generates. We
4 spend about \$5 million a year on housing vouchers to
5 expand the vouchers we currently get from Section 8.

6 So anyway, that is what they're considering
7 right now. And like I said, I've been holding my phone to
8 see, well, did we get a letter? So that we can get to
9 work on that.

10 CHAIR FREEDMAN: That's exciting.

11 COMMISSIONER ANAYA: What does the timetable,
12 do you have any idea from the state of any kind of
13 [inaudible 1:05:02]?

14 COUNTY MANAGER CHAVEZ: No, I feel like a
15 genie with them. I'm like, no, I don't. I really don't. I
16 will say this, that the secretary made it very clear that
17 she would like to move quickly. I think there, as is
18 often the case when you're doing something new, we have a
19 lot of strictures in place that you have to figure out
20 how to massage and work around or impact or change.

21 And one thing that we have asked them is if
22 they give us permission to spend money, we've got
23 permission from our Commission to start spending money
24 even before it comes in the door.

1 So we want to move as quickly as possible.
2 And we really want to show the legislature that if we're
3 trusted with these resources, we're going to make an
4 impact and we're going to move, and we're going to manage
5 it well. And so that's on the top of my list is proof
6 that we could do it and then go ask for more. That's our
7 secret plan to fight inflation there.

8 COMMISSIONER ANAYA: That's always one thing
9 when you're always asking for money and then you never
10 get to that point of actually spending the money. And
11 that's real frustrating, I know, for legislators or
12 elected officials.

13 COUNTY MANAGER CHAVEZ: We're primed. We
14 don't like to make mistakes, but we know we're going to
15 make a few because we're trying something new. And we've
16 been working very closely with the leadership of the
17 organization. And I just have to say I'm so pleased.

18 We've really enjoyed our partnership with
19 the city of Albuquerque, even on occasion when it's been
20 against everybody's will, because it really has made a
21 big difference. And then the leadership of our
22 Commission, they've just been very, very direct, very
23 focused on creating a housing department, lobbying for
24 this money in partnership with the city, and then really
25 giving us the tools we need to effectuate this, if we can

1 do this. One of the items they gave us was really the
2 ability to take any of these properties.

3 And then I'll just add one thing, because
4 Commissioner Baca's here, and that is this idea that if
5 we are investing in a property, we're using public
6 dollars to do that. I had suggested, hey, let's do a good
7 neighbor policy. And as usual, Commissioner Baca said, we
8 can do better than that.

9 We're going to do neighborhood
10 revitalization. And so what that means is for every
11 property that we own, operate, or we're investing in at
12 all, it will be a very high standard for how that
13 property is integrated into the neighborhood, that we are
14 not having loitering, that we are really, really focused
15 on being exceptional neighbors. And that way, we can
16 build trust and confidence.

17 And when we tell somebody that we're going
18 to be investing in affordable housing in their community,
19 that the first thing they think about isn't worried about
20 their property values, but they actually see this as an
21 opportunity to bring resources to their community and
22 welcome new neighbors. That's a big transition. That's
23 not going to happen overnight.

24 But I'm really, really excited about that.
25 And we are beginning community outreach on the

1 revitalization. We have to rename it to the, you know,
2 "woo" policy.

3 And we have Dr. Hill who's helping us do
4 community outreach. And he's been doing that in
5 partnership with our economic development team, which we
6 also think is good because these are so mixed, economic
7 development and housing, that we think being able to hear
8 -- go down these two pathways together is going to just
9 create opportunities that maybe we wouldn't have seen had
10 we just done them.

11 COMMISSIONER ANAYA: And I applaud the
12 efforts of Commissioner Baca in kind of keeping everybody
13 focused on how important it is. And I think what you will
14 see, what you were talking about earlier, the business
15 community is also looking for answers because they're
16 having a hard time. For years, the city of Albuquerque
17 and city of Santa Fe, their affordable housing project
18 was Rio Rancho.

19 And for a lot of years, that's what it was.
20 And now everybody's looking, but employers are looking
21 for employees. And one of the biggest problems is trying
22 to find a place to live.

23 And the housing. So I think once you get the
24 synergy going, I think employers will join in wherever
25 they can. But it's kind of getting there and people --

1 and like I say, once you get some of those projects going
2 and you get the, I really like what you presented here,
3 but the --

4 COUNTY MANAGER CHAVEZ: It's a proof of
5 concept, right? Yeah. I think that's exactly right. And
6 we'll do some homework on that. Thank you.

7 CHAIR FREEDMAN: Yeah. That's exciting. Thank
8 you so much.

9 VICE CHAIR MAJEWSKI: Yeah. Chair. Yes. Thank
10 you. It's so great to see such a focus on housing. I'm
11 curious, you know, all these buckets you listed, are you
12 making decisions based on cost per unit? I guess I'm
13 hoping that that's being taken into account. I assume
14 y'all are doing some kind of analysis.

15 COUNTY MANAGER CHAVEZ: Yes. And let me just
16 make a few observations. So one thing we could have done
17 when this money became available was to say, we're going
18 to do a whole bunch of RFPs or RFQs and see who's out
19 there that can build affordable housing and see how they
20 come in.

21 We recognize that speed is really important
22 because this is a proof of concept. It's something
23 relatively new for the state to invest this amount of
24 money. So we looked at gap financing. Like, who can we

1 get across the finish line so the prices of that building
2 aren't going up every month exponentially at 3%.

3 For every one of our projects, I'm like,
4 just put the money in. So focus on it. So that's why we
5 use gap financing as our first clearance.

6 The second is that instead of -- when we're
7 buying buildings, the cost for buying a building is much
8 less than building a brand new building. And it will
9 allow us to start, again, with proof of concept to say,
10 building acts, we're going to focus, for example, on
11 families. And one of the opportunities we have is to come
12 down a functional zero for homeless families in our
13 county.

14 The state has put a bunch of money into APS
15 and their McKinney-Vento program. And so one of the
16 questions for us is how do we leverage public dollars in
17 a way that we're not working against each other, but we
18 can say, we can get this property for a reasonable price.
19 We can take the state's money that they're already using
20 to do navigation and start moving these families in as
21 quickly as we can.

22 And then the reason on the transitional
23 housing, we were looking at buildings that had been
24 recently renovated is what we would pay per room for
25 something recently renovated versus buying something

1 older, building it out, taking the time to do that. This
2 is all about kind of in a weird way speed.

3 Now, the second phase of this will be that
4 the county, we hope with more money from the state, but
5 certainly looking at our own properties is going to be
6 trying to figure out a way to leverage some cash
7 resources with land, looking for private sector partners
8 to help us start to build on a number of these
9 properties.

10 Now, one is if the county maintains
11 ownership, the private sector entity won't be paying
12 property taxes for that property. Second is it will allow
13 us to target the populations that we're interested in.
14 And third, I think it'll allow us because this is what we
15 don't have a big enough pipeline of private sector
16 developers that see there's an opportunity to make these
17 kinds of investments, make a reasonable rate of return.

18 So there's a lot of moving parts to this and
19 we're really taking it in phases. I'm going to dive into
20 the pool deep end. These guys are even deeper end, but
21 the truth of the matter is we've got to get in where we
22 could just touch the ground a little bit, see how fast we
23 can start to move, but then we'll be coming back.

1 And as a matter of fact, one of the
2 properties that we're looking at is a property that we
3 own at Union -- thank you. I almost said Union Station.

4 Union Square, which I think is really
5 interesting because we have a building that would allow
6 us retrofit. The footprint there is big enough to put
7 something beautiful and magical there. And I think,
8 again, if we're using the strategy of 30% to 120% of AMI
9 versus what HUD is looking at, which is below 50% of AMI,
10 we're going to be building in a sustainable set of
11 programs, which allows us, again, to serve that really
12 high need population with that less high need population.

13 And again, allowing us to then go out and do
14 more instead of trying to figure out how we sustain what
15 we have. So we're doing a lot of our homework and like I
16 said, we're going to bump around a little bit, but I am
17 excited that I think we're going to get there. But I do
18 want to do some new development as well.

19 Because I know, and I'll tell you about
20 that, that the unit count I told you about, that 5200, I
21 actually think it's more than that. I just don't want to
22 -- I don't want to over -- make an error there. But we
23 made a commitment to the business community.

24 We would spend down that \$950 million and
25 people would see stick out of the ground within 10 years.

1 And we are like -- we're right on that cusp. And the only
2 reason I think we're not done, I mean, you could blame
3 COVID, but is that these public-private partnerships have
4 been so helpful that we were able to stretch those
5 dollars much more rigorously than we thought we could in
6 the beginning.

7 And I think part of that is that the private
8 sector was able to look and say, oh, the pipeline, you've
9 got \$800 million plus LA at the same time. Theirs was
10 even, oh my God, LA, it was massive. We had more for poor
11 people.

12 So I like to rub that in. But anyway, they
13 went at the same time, which meant that we had these
14 statewide developers that were able to look, oh, I could
15 do programming in Northern California. And then a number
16 of other cities did the same thing.

17 So that statewide pipeline went back to what
18 it probably looked like when the state had a pre-
19 development program. So let's say we were 950. So that
20 meant that there was probably about maybe \$5 billion over
21 a relatively short period of time that was able to soak
22 up that market, be ready for tax credits.

23 It just created a pipeline. So, I mean,
24 we'll get there. We're going to start where we are.

1 CHAIR FREEDMAN: And you're starting with the
2 things that are going to have the biggest impact most
3 quickly. I mean, that's --

4 COUNTY MANAGER CHAVEZ: Proof of concept,
5 right? Proof of concept. And, you know, we want people to
6 --

7 CHAIR FREEDMAN: And the biggest, yeah, and
8 impact.

9 COUNTY MANAGER CHAVEZ: That's right. That's
10 right. That's what we're trying. And speed was the first
11 phase. Second phase will be [inaudible 1:16:12]. I want
12 to start with simple, then we go to complex.

13 VICE CHAIR MAJEWSKI: Probably buying
14 something that already exists. Or you're not, are you,
15 are you not sure?

16 COUNTY MANAGER CHAVEZ: We put that on our
17 list too. So what we didn't put was -- what the state
18 asked us to do was invest in things that we could spend
19 before the end of this fiscal year in June 2026. And I
20 think that -- and it will depend on what the Governor
21 sees and I think what the legislature sees.

22 But I'm ready to go back because I think
23 that if we get permission to start spending this money
24 now, all of our projects with the -- most of our projects

1 on the list with the exception of maybe one will not be
2 able to be effectuated by that date.

3 So I think we're going to be able to go back
4 and say, here's how many people we've housed. And by the
5 way, again, because of the leadership of the Commission,
6 we have another program, another project called Tiny
7 Homes where we're going to be able to expand another 18
8 homes on that site, on that same site we just bought it.

9 So we're trying to be really opportunistic
10 using our behavioral health dollars really wisely
11 leveraging them with the state dollars and then making
12 sure that we're preserving enough to operate these
13 efficiently and effectively.

14 So, we'll come back and I love the
15 opportunity to come back and give you updates on what
16 we're doing and where we are in our process, what we're
17 learning. Because I have to say this out loud that we're
18 not going to get it all right. We just won't, nobody
19 does, but it shouldn't stop you from trying and it
20 shouldn't stop you from learning quickly.

21 VICE CHAIR MAJEWSKI: Let us know how we can
22 support y'all.

23 CHAIR FREEDMAN: Yeah.

24 COUNTY MANAGER CHAVEZ: Well, one thing I
25 would love, I will just give, because I do have my one

1 ask, that is that I believe that in order to be
2 competitive for the Right at Home grant that we were
3 talking about, that we will be bringing the researchers
4 back out. And so it would be really wonderful if we could
5 -- because I think, let me just say this, they were very
6 enthusiastic after meeting, meeting the Chair and the
7 Commission and Chair Baca, Commissioner Baca. They were
8 very enthusiastic.

9 And then they met you guys and you guys were
10 so enthusiastic. So I think we're kind of right away come
11 to you and say, can we get a little -- would you like to
12 meet with them? And just as we've pitched on our area.
13 And then the second I would say is that as these
14 announcements get made by the Governor, we will come back
15 and ask you to help us with what we think is going to be
16 Phase 2.

17 And one thing that I'm really focused on is
18 I'd like to see how many transitional developments we can
19 get moving. Because I think it's really important that we
20 can start taking people off the street, talk about how
21 we're doing that, demonstrate that we're doing that. And
22 one of the challenges with this issue, as you know, is
23 it's hard to see your successes. It's really easy to see
24 what we haven't completed yet, right?

1 So we're going to need your ideas about how
2 do we do that communication? Who do we get in? What
3 partners should we be presenting to? Because a big part
4 of this is going to be banging the drum that we're moving
5 in a good direction. And when we make a mistake, saying
6 we're making a mistake, let's stay back on track. So
7 we'll be back to you for your help, but also to
8 participate when they come and do their site visit.

9 CHAIR FREEDMAN: Absolutely.

10 COUNTY MANAGER CHAVEZ: Great. Well, thank
11 you.

12 CHAIR FREEDMAN: And I just took the note for
13 when we're starting to get the executive director up and
14 running is your plan.

15 COUNTY MANAGER CHAVEZ: One other thing is
16 that --

17 CHAIR FREEDMAN: Communications.

18 COUNTY MANAGER CHAVEZ: Yeah, we'll be going
19 to do a visit there. I'm taking a couple of staff there
20 in the fall, back to Santa Clara County, because I want
21 them to actually have experience of seeing some of the
22 developments that went really well and the ones that
23 didn't.

24 And honestly, I contributed to both, which
25 is why I know the mistakes of which I speak. But one

1 | thing that we might want to think about is at least doing
2 | some sort of continued conversation with them about their
3 | structure. So just so you can see that.

4 | And if somebody wants to come out, we'll let
5 | you know when we're doing that trip. We're still trying
6 | to work that out because we want to see a few things.

7 | CHAIR FREEDMAN: Yeah, our ED probably.

8 | COUNTY MANAGER CHAVEZ: Oh, that's great.

9 | CHAIR FREEDMAN: Yeah, I mean, I'm really --

10 | COUNTY MANAGER CHAVEZ: When does she start?

11 | CHAIR FREEDMAN: Monday.

12 | COUNTY MANAGER CHAVEZ: Oh, excellent. Good.
13 | Oh, good. Well, yeah, then I'll get on her dance card.

14 | CHAIR FREEDMAN: Yeah.

15 | COUNTY MANAGER CHAVEZ: All right. Well,
16 | wonderful. Thank you. Thanks for letting me use so much
17 | time.

18 | CHAIR FREEDMAN: Yeah. This was wonderful.

19 | VICE CHAIR MAJEWSKI: Thanks for your time.

20 | CHAIR FREEDMAN: No, I think that's it.

21 | VICE CHAIR MAJEWSKI: Next meeting.

22 | CHAIR FREEDMAN: Next meeting. So we have a
23 | special meeting announced for Monday at 8:00 a.m. It is
24 | by Zoom only. And I'm thinking we'll be quite brief. And
25 | then our meeting after that is August.

1 I think it may be the 28th. And I will
2 actually be out of town that day. So I think assuming a
3 quorum, you would be leading that one. So I think with
4 that, we are going to adjourn the meeting.

5 FEMALE SPEAKER: Madam Chair, I just wanted
6 to make the point that I did put out the meeting for
7 Monday. Thank you very much for your responses. You were
8 the three that responded.

9 CHAIR FREEDMAN: Yes. So we will be able to -
10 -

11 VICE CHAIR MAJEWSKI: That makes sense.

12 CHAIR FREEDMAN: No one can get sick between
13 now and Monday. And if you do, you crawl to your
14 computer.

MIDDLE RIO GRANDE HOUSING COLLABORATIVE

Monday, July 28, 2025

3:00 p.m.

MID REGION COUNCIL OF GOVERNMENTS (MRCOG) BOARD ROOM

809 COPPER AVE NW

ALBUQUERQUE, NEW MEXICO 87102

A P P E A R A N C E S

TALIA FREEDMAN, Chair

DAN MAJEWSKI, Vice Chair

IAN ROBERTSON, Secretary

LAWRENCE RAEL, Commissioner

STEVEN ANAYA, Commissioner

BEFORE: PAUL BACA PROFESSIONAL COURT REPORTERS

500 4th Street, Northwest, Suite 105

Albuquerque, New Mexico 87102

1 || TRANSCRIPT OF PROCEEDINGS

2 CHAIR FREEDMAN: Pardon me. We're going to go
3 ahead and call the meeting to order for the Middle Rio
4 Grande Housing Collaborative. This is a special meeting
5 just on Zoom. We will do a quick roll call. I'm Talia
6 Freedman, Chair.

7 VICE CHAIR MAJEWSKI: Good morning, everyone.

8 Dan Majewski, Vice Chair.

9 COMMISSIONER RAE: Good morning, everyone.

10 Lawrence Rael, Member.

11 COMMISSIONER ANAYA: Steve Anaya,
12 Commissioner.

13 SECRETARY ROBERTSON: Ian Robertson,
14 Secretary.

15 CHAIR FREEDMAN: Great. Do we have a motion
16 to approve the current agenda?

17 COMMISSIONER ANAYA: So move. Steve.

18 COMMISSIONER RAEL: Second. Lawrence.

19 CHAIR FREEDMAN: Great. All those in favor.

20	ALL: Aye.
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21 CHAIR FREEDMAN: Okay. Our only action item
22 for this morning is approval of the employment agreement
23 you all received last week for Yasmine Armstrong. Do I
24 have a motion to approve the employment agreement?

1 COMMISSIONER RAE: I make a motion to
2 approve the employment agreement.

3 COMMISSIONER ANAYA: I second.

4 CHAIR FREEDMAN: Great. All those in favor.
5 Aye.

6 ALL: Aye.

7 VICE CHAIR MAJEWSKI: Madam Chair, I just
8 wanted to note that I just caught a couple minor
9 grammatical errors that I sent over to Kendra, and Kendra
10 and I wanted to make sure you caught those and fix those.

11 CHAIR FREEDMAN: Those that those were all
12 fixed.

13 VICE CHAIR MAJEWSKI: Okay.

14 CHAIR FREEDMAN: Yeah.

15 VICE CHAIR MAJEWSKI: Thanks.

16 COMMISSIONER ANAYA: Okay.

17 CHAIR FREEDMAN: Okay. I think just to be
18 clear, I think we should vote again because I did not
19 give room for come for discussion which that was, which
20 is appropriate. So, all those in favor of passing the
21 approval of the employment agreement for Yasmine
22 Armstrong. Aye.

23 ALL: Aye.

1 COMMISSIONER ANAYA: You may you may want to
2 do just a roll call on that so there's no question
3 meeting on a Zoom meeting.

4 CHAIR FREEDMAN: Yeah, thta sounds good. I
5 guess each person state your name, and then, aye or your
6 decision on the action item. Talia Freedman Chair, Aye.

7 VICE CHAIR MAJEWSKI: Dan Majewski, Vice
8 Chair. Aye.

9 COMMISSIONER RAE: Lawrence Rael, aye.

10 COMMISSIONER ANAYA: Steve Anaya. Aye.

11 SECRETARY ROBERTSON: Ian Robertson,
12 Secretary. Aye.

13 CHAIR FREEDMAN: Great. So the motion passes
14 unanimously.

15 COMMISSIONER RAE: So, Talia if I recall
16 correctly then she starts today. Is that correct?

17 CHAIR FREEDMAN: She does. Yes, she's meeting
18 with Eric at MRCOG at 10:00 to do all of her onboarding.
19 And then, I was going to reach back out. I met with her
20 on Friday, just for kind of informal discussion, get to
21 know each other a little bit more. I'll reach out to her
22 again probably tomorrow just to give her today to settle
23 in in MRCOG, and I know that she's going to be reaching
24 out to each of you individually. She wants to meet with
25 each of the Commissioners, start to get to know each

1 other, and start putting together an action plan for
2 herself. So, you should be expecting phone calls from
3 her.

4 COMMISSIONER RAE: Okay. I think one of the
5 things that may be good for all of us as a commission,
6 just as a by way of just getting her focused on what we
7 think are the more important issues might be at some
8 point, maybe having a conversation at our next meeting,
9 just about laying a little bit of a blueprint in terms
10 of, not for an action or approval, but just more of a
11 guide. I'm really concerned about how quickly or how
12 slowly the state's moving on allocating the funds that
13 were appropriated by the legislature to get some of these
14 projects done, and then working with the county in the
15 city to make sure that they are coordinating their
16 efforts to get those funds.

17 Also, just the practical the practicality of
18 visiting with both the county manager and the CAO for the
19 city to get their perspectives. So, I don't know, Madam
20 Chair, what you think about, or if you want to jot some
21 of those, or if you'd like all of us just to bring some
22 ideas to the table. Again, not for a decision as it
23 relates to a formal vote, but more like a sense of.

24 I had a conversation with her very
25 informally last weekend, and she's eager to start. I just

1 need to see if we make sure we give her a good blueprint
2 in terms of what we think are more important, given that
3 the legislature is just right around the corner again.
4 And they're going to be asking for these funds and how
5 we're spending them, so.

6 CHAIR FREEDMAN: Yeah, it comes up quickly.
7 Absolutely. I think that should be the primary focus of
8 our next meeting. And we'll certainly each be meeting
9 with her individually before then, and I'm going to be in
10 very close contact with her and working on trying to help
11 her move the process forward for herself so she can get
12 up to speed and figure out what's next.

13 COMMISSIONER RAE: Right.

14 CHAIR FREEDMAN: But I know that her plan is
15 to also sit down with the county manager and CAO of the
16 city. Sooner than later as well, just to start to get to
17 know the main players and wrap her head around the
18 situation.

19 COMMISSIONER RAE: Okay. Well, thank you
20 very much everybody.

21 CHAIR FREEDMAN: Yes, thank you. With that
22 we're going to adjourn the meeting.

23 COMMISSIONER ANAYA: Thank you.

24 COMMISSIONER RAE: Thank you.

25 SECRETARY ROBERTSON: Thank you.

1 CHAIR FREEDMAN: Thanks, everybody. We made
2 it. We made it to our first big milestone.

FISCAL AGENCY AGREEMENT

This Fiscal Agency Agreement (the "Agreement") is entered into as of the date of the last signature below, by and between the Middle Rio Grande Housing Collaborative, a joint powers entity established pursuant to the New Mexico Joint Powers Act, NMSA 1978, § 11-1-1 *et seq.* (the "MRGHC"), and the Mid-Region Council of Governments ("MRCOG"), an association of local governments within New Mexico State Planning and Development District Three (the "Fiscal Agent").

WHEREAS, the Fiscal Agent possesses the necessary expertise and resources to provide fiscal and administrative services to the MRGHC in connection with certain projects or programs;

WHEREAS, the MRGHC desires to engage the Fiscal Agent as its fiscal agent to manage, disburse, and account for funds related to the projects or programs;

NOW, THEREFORE, the parties agree as follows:

1. Engagement of Mid-Region Council of Governments as Fiscal Agent. The MRGHC hereby engages and retains the Fiscal Agent, and the Fiscal Agent hereby agrees to be so engaged and retained, as the fiscal agent for the MRGHC on the terms and subject to the conditions of this Agreement.
2. Scope of Services: The Fiscal Agent shall act as the fiscal agent for the MRGHC and shall provide the following services:
 - a. Receiving, holding, and disbursing funds in accordance with the Joint Powers Agreement (the "JPA") establishing the MRGHC and in accordance with the terms and provisions of any agreements, including services agreements, between the MRGHC and service providers. In this connection, the Fiscal Agent will timely process all purchase orders and payment vouchers in respect of the MRGHC.
 - b. Establishing and maintaining a bank account in the name of the MRGHC and establishing and maintaining separate project accounts to ensure proper tracking and accountability of funds in accordance with generally accepted accounting principles consistently applied. More specifically, the Fiscal Agent will create an agency account within the Fiscal Agent's financial (accounting) system for the MRGHC.
 - c. Preparing financial reports and statements related to the operations and financial transactions of the MRGHC programs.
 - d. Assisting in the preparation and submission of required financial documentation to relevant authorities including, without limitation, submission of such documents and instruments as may be necessary for the MRGHC to file as a governmental entity under the Internal Revenue Code and state and local law.

- e. Ensuring compliance with applicable laws, regulations, and contractual obligations related to financial management.
 - f. Advertise and facilitate the selection process of an Executive Director for the MRGHC. The Executive Director shall enter into an employment agreement with the MRGHC's governing board. The Executive Director shall be administratively attached as a MRCOG employee for the purposes of payroll, benefits and other administrative functions until such time as the MRGHC is established as separate entity. Upon establishment of the MRGHC as a separate entity, the Executive Director or the MRGHC shall no longer be administratively attached as an employee of the MRCOG and shall become an employee of the MRGHC.
3. MRGHC Duties: The MRGHC shall provide all necessary funding to support the operations of the MRGHC to include the salary and benefits of the MRGHC Executive Director to the MRCOG for the duration of this Agreement. Funding shall include an agreed upon administrative fee to the MRCOG for services provided.
4. Term: This Agreement shall commence upon the date of the last signature below, and shall continue for one ("1") year unless terminated earlier as provided in this Agreement. Either party may terminate this Agreement by providing 180 days written notice to the other party.
5. Records and Reports:
- a. The Fiscal Agent shall maintain accurate and complete records of all funds received, disbursed, and managed under this Agreement. These records shall be subject to audit by the MRGHC or its designated representatives.
 - b. The Fiscal Agent shall provide regular financial reports to the MRGHC's governing board and Executive Director, including but not limited to, statements of account, expenditure reports, and other financial documentation as requested by the MRGHC and Executive Director.
6. Public Records Act; Disclosures: The parties acknowledge that political subdivisions of New Mexico and their instrumentalities are subject to disclosure requirements as set forth in the New Mexico Inspection of Public Records Act ("IPRA"), NMSA 1978, § 14-2-1 *et seq.* Nothing in this Agreement is intended to restrict the ability of such parties to comply with IPRA and other applicable laws and reporting obligations.
7. Liability: Each party acknowledges that it will be solely responsible for claims or damages arising from personal injury or damage to persons or property to the extent they result from negligence or willful misconduct of its employees or agents, pursuant to this Agreement. Liabilities of all New Mexico political subdivisions and instrumentalities shall be subject in all cases to the immunities and limitations of the Tort Claims act, NMSA 1978, 41-4-1 *et seq.*, as amended.
8. Governing Law and Jurisdiction: This Agreement shall be governed by and construed in accordance with the laws of State of New Mexico. Any dispute arising under or in

connection with this Agreement shall be subject to the exclusive jurisdiction of the courts of New Mexico.

9. Entire Agreement: This Agreement constitutes the entire agreement between the parties regarding the subject matter herein and supersedes all prior discussions, negotiations, and agreements, whether oral or written.

IN WITNESS WHEREOF, the parties hereto have executed this Fiscal Agency Agreement as of the last date below written.

MIDDLE RIO GRANDE HOUSING COLLABORATIVE, a Joint Powers entity

By: Talia Freedman Date: 9/26/2024
Talia Freedman
Chair, Board of Commissioners

MID-REGION COUNCIL OF GOVERNMENTS

By: Dewey V. Cave Date: 9-30-24
Dewey V. Cave
Executive Director

MIDDLE RIO GRANDE HOUSING COLLABORATIVE

2025 Open Meetings Act Resolution

WHEREAS, the New Mexico Open Meetings Act, NMSA 1978, § 10-15-1, *et seq.* requires affected bodies to determine at least annually in a public meeting what reasonable public notice of its meetings and written minutes of meetings shall be required.

NOW, THEREFORE, be it resolved by the be it resolved by the Board of Commissioners of the Middle Rio Grande Housing Collaborative, the governing body of the Housing Collaborative, pursuant to the Open Meetings Act Resolution that:

1. Authority

This Resolution is adopted pursuant to the New Mexico Open Meetings Act, NMSA 1978, § 10-15-1, *et seq.*

2. Regular Meetings

Regular meetings of the Commission of the Middle Rio Grande Housing Collaborative (the Housing Collaborative), a joint powers entity established under and pursuant to the New Mexico Joint Powers Act, NMSA 1978, § 11-1-1 *et seq.*, and the Joint Powers Agreement (the JPA) entered into between the City of Albuquerque (the City), and the Commissioners of Bernalillo County (the County) will be held at regular pre-announced intervals, unless otherwise announced pursuant to this policy.

Notice of Regular Meetings

Notice to the public of the regular meetings of the Middle Rio Grande Housing Collaborative Commission (the Commission) will specify the date, time, and place thereof and will state that a copy of the agenda will be made available on the public website at, <https://www.mrcog-nm.gov/662/About>, at least seventy-two (72) hours prior to the meeting. Notice will be given to those newspapers and broadcast stations that have filed a written request with the Housing Collaborative for such notices of meetings. Notice will be by email at least ten (10) days prior to the meeting and the written Notice will be placed on the public website at <https://www.mrcog-nm.gov/662/About>

3. Special Meetings

Special meetings of the Commission may be called by the Chair of the Commission and/or as provided in the JPA.

Notice of Special Meetings

Notice to the public of special meetings of the Commission will specify the date, time, and place thereof and will state that a copy of the agenda will be made available on the public website at <https://www.mrcog-nm.gov/662/About>, at least seventy-two (72) hours prior to the meeting. Notice will be given to those newspapers and broadcast stations that have filed a written request with the Housing Collaborative for such notices of meetings. Notice will be by email at least seventy-two (72) hours prior to the meeting and the written notice will be placed on the public regents.unm.edu website.

4. Emergency Meetings

Emergency meetings of the Commission may be called by the Chair of the Commission only in the event of unforeseen circumstances that, if not addressed immediately by the Commission, will likely result in injury or damage to persons or property or substantial financial loss to the Housing Collaborative. The Commission will avoid emergency meetings whenever possible.

Notice of Emergency Meetings

Notice to the public of emergency meetings of the Commission will specify the date, time, place, and subject matter thereof and will be given to those newspapers and broadcast stations that have filed a written request with the Housing Collaborative for such notices of meetings. Notice will be by email, at least twenty-four (24) hours prior to the meeting or by such other notice as soon as possible and as may be practicable under the circumstances.

Report to the New Mexico Attorney General

Within ten (10) days of taking action on an emergency matter, the Commission shall report to the New Mexico Attorney General's Office the action taken and the circumstances creating the emergency.

5. Compliance with the Americans with Disabilities Act

In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in a meeting of the Commission, please contact the Commission Administrator at (505) 247-1753 with as much advance notice as possible to allow for arranged services. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Commission Administrator if an accessible format is needed.

6. Remote Participation in Meetings

A Commissioner may participate in a regular, special, or emergency meeting of the Commission by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person. Each Commissioner participating remotely must be identified when speaking, all participants must be able to hear each other at the same time, and members of the public attending the meeting must be able to hear any Commissioner who speaks during the meeting. The minutes of any meeting at which there is remote participation shall identify any Commissioner(s) who were not physically present but who participated remotely.

7. Closed Meetings (Executive Sessions)

Exceptions to Open Meetings Act

Meetings of the Commission may be closed, according to the procedures set out below, only if the matter to be considered falls within one of the enumerated exceptions defined in Section 10-15-1(H) of the Open Meetings Act or if closure can be implied from or required by other laws or constitutional principles which specifically or necessarily preserve the confidentiality of certain information.

Closing an Open Meeting

Closing of a meeting shall be by a majority vote of a quorum of the Commission during the open meeting, with a “roll call vote” of the Commissioners to show the vote of each Commissioner being recorded. The motion shall state: (1) the authority for the closure (the statutory provision); and (2) the subject to be discussed with reasonable specificity. The matter to be discussed must have been included on the agenda, except for emergency matters.

Calling a Closed Meeting Outside of an Open Meeting

Notice that a meeting will be closed, in whole or in part, will be given as specified above for a regular, special, or emergency meeting, as appropriate, by so specifying

either in the notice of the meeting or on the agenda. The notice shall state the specific provision of the law authorizing the closed meeting and shall state the subject to be discussed with reasonable specificity.

The minutes of the next open meeting shall contain information about the closed meeting, including the date, time, place, and subject matter of the closed meeting, the names of the Commissioners present at the closed meeting, the names of the absent Commissioners, and a statement that the matters discussed in the closed meeting were limited only to those specified in the notice of the closed meeting.

Action

Any final action taken as a result of discussions in a closed meeting shall be made by a vote of the Commission at an open public meeting.

8. Agendas

A copy of the agenda for each regular and special meeting of the Commission will be available at least seventy-two (72) hours prior to the meeting (and the notice of the meeting shall so state) and will be placed on the at <https://www.mrcog-nm.gov/662/About>. Except for emergency matters, the Commission shall take action only on items appearing on the agenda.

9. Public Input at Meetings

An opportunity for public input regarding agenda items shall be provided at each regular meeting during Commission consideration of the agenda item in question. The Chair of the Commission shall determine the length of time to be allowed for public input for each agenda item, the sequence in which individuals may address the Commission, and the length of time that will be allowed for each person to address the Commission. The Chair of the Commission may request that a group designate a spokesperson.

10. Minutes

The Commission shall approve and keep written minutes of all its meetings. The minutes shall include, at a minimum: (1) the date, time, and place of the meeting; (2) the names of in attendance and those absent; (3) a statement of what proposals were considered; and (4) a record of any decisions made by the Commission and how each Commissioner voted.

Draft minutes shall be approved, amended, or disapproved at the next regular meeting where a quorum is present. Minutes shall not become official until approved by the Commission. Official minutes are subject to public inspection.

No minutes need to be kept during closed sessions, but information about the closed session must be recorded as specified in the "Closed Meetings" section of this resolution.

DONE this 23rd day of January, 2025.

BOARD OF COMMISSIONERS

Talia Freedman, Chair

Dan Majewski, Vice-Chair

Ian Robertson, Member

Lawrence Rael, Member

Steven Anaya, Member

BYLAWS OF THE MIDDLE RIO GRANDE HOUSING COLLABORATIVE

Under and pursuant to the Joint Powers Agreement (the “JPA”) establishing the Middle Rio Grande Housing Collaborative (the Housing Collaborative) as a joint powers entity under the New Mexico Joint Powers Act, NMSA 1978, § 11-1-1 et seq., the following shall constitute the Bylaws of the Middle Rio Grande Housing Collaborative Commission (the “Commission”) established in Section 4 of the JPA.¹

ARTICLE I: MEETINGS OF THE COMMISSION

Section 1: **Regular Meetings**. Regular Meetings of the Commission shall be held at such places within Bernalillo County as shall be specified by the Commission, one of which shall be designated as the Annual Meeting. Such Regular Meetings shall be held not less frequently than one each fiscal quarter and shall be general meetings and open for the transaction of any business within the powers of the Commission, except in any case where special notice is required by law, or by these By-laws.

Section 2: **Special and Emergency Meetings**. Special Meetings and Emergency Meetings of the Commission may be called by the Chair of the Commission in compliance with the requirements of the Open Meetings Act, NMSA 1978, § 10-15-1 et seq.

Section 3: **Place of Meetings**. All meetings of the Commission shall be held at such places within Bernalillo County as shall be specified in the respective notices of such meetings or waivers thereof.

Section 4: **Notice of Meetings**. Notice of every Regular Meeting of the Commission shall be served personally, by mail, or electronically on each Commissioner not less than ten (10) days before the meeting and shall be published in accordance with the Annual Open Meeting Notice Policy adopted by the Commission as specified in Section 5 of this Article. Notice of every Special Meeting shall be served personally or by mail on each Commissioner not less than three (3) days before the meeting and shall be published in accordance with the Annual Open Meeting Notice Policy adopted by the Commission as specified in Section 5 of this Article. Additionally, notice is deemed given if made by electronic communication.

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Section 5: **Open Meetings Act Compliance.** The Commission, on an annual basis, shall adopt a Policy on compliance with the reasonable notice provisions of the Open Meetings Act, NMSA 1978, § 10-15-1 et seq.

Section 6: **Vacancy.** Any vacancies occurring among the Commissioners shall be filled by the same body that appointed the Commissioner whose position became vacant. A vacancy shall occur upon the death or incapacity of a Commissioner, or his or her resignation or removal as hereinafter provided. A vacancy shall be filled for the remainder of the unexpired term of the Commissioner whose death, incapacity, resignation, or removal gave rise to the vacancy.

A Commissioner may be removed by the body which appointed that Commissioner only after compliance with the provisions, including notice and hearing requirements, set out in Section 4(F) of the JPA.

Section 7: **Compensation and Expense Reimbursement.** The Commissioners shall not receive compensation for their services as Commissioners.

(c) The Housing Collaborative may purchase and maintain insurance on behalf of any person who is or was a Commissioner, officer, employee or agent of the Housing Collaborative, against any liability asserted against such Commissioner and incurred by that Commissioner in any such capacity, or arising out of the Commissioner's status as such.

ARTICLE II: OFFICERS

Section 1: **Officers.** The Commission at any meeting may by majority vote elect such Officers and such agents and employees as it may deem advisable. The Commission may delegate to any Officer or Committee the power to appoint such subordinate Officers or agents and to determine their terms of office.

Section 2: Term Limits Commissioners should serve staggered 1–5-year terms.

Section 3: **Removal of Officers.** Any Officer may be removed with cause and with notice per the JPA,

Section 4: **Secretary.** The Commission shall elect a Secretary who shall report to the Chair of the Commission and act as Secretary of, and keep the Minutes of all meetings of the Commission; and whenever required by the Chair, shall perform like duties for any Committee, provided that in the absence of the Secretary, the

Chair or a majority of the Commission members present at any meeting thereof may designate any person to act as Secretary for such meeting. The Secretary shall see that all notices are duly given in accordance with these Bylaws and as required by law. The Secretary shall have charge of the books, records and papers of the Housing Collaborative relating to its organization as a joint powers entity under the Joint Powers Act, NMSA 1978, § 11-1-1 et seq., and shall see that all reports, statements and other documents required by law are properly kept or filed.

ARTICLE III: COMMITTEES

Section 1: **Minutes of Committees.** Each Committee shall keep regular minutes of its meetings and report the same to the Commission when required. All Committees formed as provided in this Article III, are advisory to the Commission and their recommendations shall be reported to the Commission at its next meeting succeeding such action.

Section 2: **Limitations of Powers of Committees.** None of the Committees of the Commission created as provided in this Article III shall have the power or authority to (a) amend, alter or repeal these Bylaws, (b) elect, appoint or remove any member of any Committee or any Commissioner or Officer of the Housing Collaborative, (c) amend the JPA, restate the JPA, adopt a plan of merger, or adopt a plan of consolidation with another joint powers entity, (d) authorize the sale, lease, exchange or mortgage of all or substantially all of the property and assets of Housing Collaborative, (e) authorize the voluntary dissolution of the Housing Collaborative or revoke proceedings thereof, (f) adopt a plan for the distribution of the assets of the Housing Collaborative, (g) amend, alter or repeal any resolution of the Commission which by its terms provides that it shall not be amended, altered or repealed by a Committee, or (h) as otherwise provided by law, these Bylaws or by resolution of the Commission. The presence of a majority of the members then in office of any such Committee formed by the Commission as provided in this Article III shall be necessary and sufficient to constitute a quorum, and the act of a majority of the members of any such Committee present at a meeting at which there is a quorum shall be the act of such Committee.

ARTICLE IV: EXECUTIVE DIRECTOR

[Duties and responsibilities of the Executive Director.]

- **Personnel administration is the responsibility of the Executive Director.**

- **Annual fiscal report, including an accounting of all receipts and disbursements to the City and the County.**
- **Whether there is an annual performance evaluation performed by the Commission about the Executive Director's performance.**

ARTICLE V: AUDIT

An annual audit of unlimited scope of all of the operations of the Housing Collaborative shall be conducted by a Certified Public Accountant, and a copy of that audit report and any supporting documents requested shall be made available to the Commissioners of the Housing Collaborative.

ARTICLE VI: MISCELLANEOUS PROVISIONS

Section 1: **Offices**. The Commission may establish, from time to time, one or more offices of the Housing Collaborative at any place or places within Bernalillo County, and may maintain such office or offices for such period or periods of time as it may deem expedient.

Section 2: **Fiscal Year-End**. The Fiscal Year of the Housing Collaborative shall end on June 30 in each year.

Section 3: **Commercial Paper**. All checks, drafts and other orders for the payment of money out of the funds of the Housing Collaborative shall be executed on behalf of the Housing Collaborative by such Officer or Officers, employee or employees, or fiscal agent as the Commission may, by Resolution, from time to time determine.

Section 4: **Deposits**. All funds of the Housing Collaborative not otherwise employed shall be deposited from time to time to the credit of the Housing Collaborative in such banks, trust company or other depositories as the Commission may from time to time select or as may be selected by any Officer, employee or fiscal agent of the Housing Collaborative to whom such power may from time to time be delegated by the Commission; and for the purpose of such deposit, any Officer or any employee to whom such power may be delegated by the Commission, may endorse, assign and deliver checks, drafts and other orders for the payment of money which are payable to the order of the Housing Collaborative.

ARTICLE VII:
AMENDMENT OF BYLAWS

The Bylaws may be amended by the Commission at any Regular or Special Meeting. Commissioners shall be entitled to at least ten (10) days' notice in writing by mail, email, or in person of the meeting time and place at which the amendment is to be voted upon. The written notice must include a copy of the proposed amendment.

We certify that the original Bylaws of the Housing Collaborative were adopted by the Commission on []

Chair of the Commission

Secretary