

AGENDA

APCHA Board Meeting – Regular Meeting
Zoom or In-Person at BOCC Meeting Room – 530 E Main St
Wednesday, February 1, 2023

4:00 PM, Zoom Meeting (see instructions below)



For Public Comment, please see below to schedule

Rules of Decorum - APCHA Board meetings shall be conducted in a fair and impartial manner that allows the business of APCHA to be effectively undertaken. Citizens, APCHA staff and APCHA Board members alike must be allowed to state their positions in a courteous atmosphere that is free of intimidation, profanity, personal affronts, threats of violence, or the use of APCHA as a forum for politics. All remarks shall be directed to the APCHA Board as a whole, not to APCHA staff or to the public in attendance. Members of the public shall not approach the dais without first seeking and obtaining the permission of the Chairperson or presiding officer. Warnings may be given by the Chair at any time that a speaker does not conduct himself or herself in a professional and respectful manner, and anyone whose language or behavior impedes the orderly conduct of an APCHA Board meeting shall, at the discretion of the presiding officer, be barred from speaking further and may be ejected from the meeting.

Online through Zoom Meeting below:

[Join Meeting](#) or call: (US) +1 (669) 900 6833. Meeting ID: 883 9722 2301. Meeting password APCHA0201 (If calling in, the password is: 923309121)

4:00 PM **Call to Order, Chairperson Carson Schmitz**

ROLL CALL

4:02 – 4:10 **Public Comment (3-minute limit) – Public must request to make public comment at least 15 minutes prior to this meeting by calling 970-920-5455 or e-mail cindy.christensen@aspen.gov**

4:10 – 4:20 **APCHA Board of Director’s Comments (Optional)**

4:20 – 4:30 **Executive Director’s Comments/Staff Update**

- Executive Director Updates – Gillen
- Signing up for notifications/Available Rental and Sale Units - Christensen

4:30 – 4:35 **Consent Calendar (may be adopted together by a single motion)**

- Minutes of the January 18, 2023, Regular Meeting

4:35 – 5:35 **Continued Discussion on Capital Maintenance Grant Program - Axberg**

5:35 – 6:30 **Continued Discussion on Rightsizing - Spitz**

Adjourn

NEXT REGULAR MEETING: FEBRUARY 15, 2023, In-Person and/or via Zoom

NOTE: Times are approximate. Agenda items may be heard prior or after the estimated times shown.



Strengthening Community Through Workforce Housing

FUTURE LONG-TERM AGENDA ITEMS

As of February 1, 2023

Below are tentative dates for discussion on the specific items. This is subject to change.

February 15, 2023 – 4 p.m. – In-person or Zoom

- 1st Reading on Regulation Changes on CPI (tentative)

March 1, 2023 – 4 p.m. – In-person or Zoom

- Public Hearing (tentative)
- Tentative compliance hearing

March 15, 2023 – 4 p.m. – In-person or Zoom

April 5, 2023 – 4 p.m. – In-person or Zoom

April 19, 2023 – 4 p.m. – In-person or Zoom

- 1st Quarter HomeTrek update – A Miller

May 3, 2023 – 4 p.m. – In-person or Zoom

May 17, 2023 – 4 p.m. – In-person or Zoom

June 8, 2023 – RETREAT 9-3 p.m. – In-person or Zoom

- Potential Retreat Date – Location TBD

July 19, 2023 – 4 p.m. – In-person or Zoom

- 2nd Quarter HomeTrek update – A Miller

August 2, 2023 – 4 p.m. – In-person or Zoom

August 16, 2023 – 4 p.m. – In-person or Zoom

September 6, 2023 – 4 p.m. – In-person or Zoom

September 20, 2023 – 4 p.m. – In-person or Zoom

October 4, 2023 – 4 p.m. – In-person or Zoom

October 18, 2023 – 4 p.m. – In-person or Zoom

- 3rd Quarter HomeTrek update – A Miller

November 8, 2023 – 4 p.m. – In-person or Zoom (tentative date)

December 13, 2023 – 4 p.m. – In-person or Zoom



**MINUTES OF THE JANUARY 18, 2023
REGULAR MEETING OF THE
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

CALL TO ORDER: Chairperson Carson Schmitz called the APCHA Board Meeting of January 18, 2023, to order at 4:08 p.m. The APCHA Board Meeting was held in person and through Zoom Meetings.

ROLL CALL: Carson Schmitz, Rachael Richards, Skippy Mesirow, Alycin Bektesh, Kelly McNicholas-Kury, and John Ward were present. Francie Jacober was absent.

Staff Members in Attendance: Matthew Gillen, Executive Director; Cindy Christensen, Deputy Director Housing Operations and Property Management; Bethany Spitz, Deputy Director Housing and Compliance via Zoom; Andrew Miller, Business Analyst II; Liz Axberg, Housing Policy Analyst; Karen Bromka, Administrative Specialist. Tom Smith, APCHA attorney and Diane Foster, Assistant City Manager were present via zoom.

PUBLIC COMMENT: Schmitz opened the regular meeting to Public Comment for items not on the agenda. There being none, Schmitz closed the public comment section of the meeting.

APCHA BOARD OF DIRECTOR'S COMMENTS:

- Ward and Schmitz had no public comment.
- Bektesh requested that a history of how and why the APCHA Compliance Officer got their contract, specifically the Request for Proposal and how there were several applicants.
- Mesirow noted there were a few articles in the local newspapers recently about APCHA housing that were the best summation of the complexities of the system that he has seen and suggested that the public go into the archives and read the articles if you are wondering why one size does not fit all or what the history of compliance is or how we arrived at now.
- Richards wanted to give credit to Aspen Journalism for generating the articles and placing them in the local papers.
- McNicholas-Kury stated that the maintenance gran program was brought up with the Pitkin County Board of County Commissioners (BOCC). The BOCC would be interested in hearing from APCHA staff and would like a quick presentation at a future BOCC meeting. McNicholas-Kury also mentioned that there is still an opening on the APCHA Board for a community member. More applicants are welcome to apply, and the City and the County will interview and appoint that person. Go to pitkincounty.com and click on I Want To. Mesirow asked if previous applicants could be reached out to. Richards suggested that the City and County Board members reach out to their staff to contact previous applicants.

EXECUTIVE DIRECTOR'S COMMENTS:

Gillen updated the Board on the following:

- **Chúc mừng năm mới** which is the standard way of saying "Happy New Year" in Vietnamese for Sunday, January 22.
- There are still open positions at APCHA: applications are being taken for the Compliance Analyst and the Administrative Specialist.
- Thursday, June 15 was a suggested date for a Board retreat. The Food & Wine Classic starts that day so another date will be chosen.

- McNicholas-Kury stated that she and Francie Jacober were reappointed last week to the APCHA Board as BOCC representatives.
- Christensen stated there will be 3 sales units upcoming. There are also some rentals available. The public can sign up for Notifications of rental and ownership units on the apcha.org website. Richards asked when the collection of interested rental applicants ends. The Phase I rental units at Truscott listings were posted for 5 days. There is another rental unit at Aspen Country Inn and one at Truscott Phase II still being advertised.

CONSENT CALENDAR:

Schmitz made a change to the second page, 3rd paragraph with his clarification: Schmitz summarized the discussion by requesting that statistics and **case status** be given monthly, and a random identifier should be issued to cases for tracking purposes. **Richards made a motion to approve the Minutes of the January 4, 2023, Regular Meeting as amended. McNicholas-Kury seconded the motion. ROLL CALL VOTE: Schmitz, Richards, Bektesh, McNicholas-Kury approved. Ward abstained. Motion passed.**

2022 END OF YEAR HOMETREK PRESENTATION: Miller made his presentation on the 4th Quarter of 2022 and summarized the whole year.

DISCUSSION ON REGULATION THAT SETS CPI FOR MODIFYING THE FOLLOWING YEAR’S ASSETS, RENTAL RATES AND SALES PRICES: Christensen stated that Staff would like to request a change in the Regulations that control the annual changes for rental rates, maximum sales price and maximum net assets. Currently they are modified by the Consumer Price Index (CPI) from a November of the previous year to the November of the current year, or 3%, whichever is less. The CPI for the November of the current year is not received until around the 10th of December, not allowing for taking into considerations revenues for budgeting purposes – not only for APCHA, the City and the County, but for other landlords/owners as well of deed restricted housing. Staff is recommending changing to a July of one year to July of the following year. If the Board approves this change staff will be brought back for First Reading and Public Hearing at a later date.

After a short discussion, the Board agreed to the recommended change. This item will be put on as a future agenda item for formal approval.

CONTINUED REVIEW AND DISCUSSION ON BIENNIAL AFFIDAVIT FOR OWNERS: Spitz presented to the Board. This year, 2023, is the year that the biennial affidavit will be sent to owners. The questionnaire asks for the following:

- updated contact information
- still employed in Pitkin County
- reside full time in the unit
- only property they own in the OEZ
- do they have any roommates or tenants
- are they the sole owner of the property and if not, the second owner has to attest to the same thing the first owner attested to

Spitz asked if the Board wanted updated information on employers, possibly asking for W2s, 1099s, or self-employment verification, which would take time in the process. Spitz stated that APCHA’s plan is to conduct more random audits asking for that information once the new Compliance Manager position is filled. After a discussion, the majority of the Board were okay with not asking for employment verification and/or information in this year’s affidavit.

EXECUTIVE SESSION: Ward made a motion at 6:15 p.m. to move into an Executive Session for a conference with the APCA attorney for the purpose of receiving legal advice under C.R.S. Section 24-6-402(4)(b) regarding the 1994 Settlement Agreement in Centennial-Aspen II Limited Partnership, United States District Court Action No. 92-B-2570. Rachel amended the motion to include Diane Foster in the Executive Session. McNicholas-Kury seconded the motion. ROLL CALL VOTE: Richards, Schmitz, McNicholas-Kury, Bektesh, Mesirow, and Ward approved. Motion passed.

MOTION TO COME OUT OF EXECUTIVE SESSION: Ward made a motion to come out of the Executive Session at 6:57 p.m., Richards seconded the motion. ROLL CALL VOTE: Ward, Bektesh, McNicholas-Kury, Richards and Schmitz approved. Motion passed.

MOTION TO ADJOURN: Ward made a motion to adjourn the meeting; Richards seconded the motion. ROLL CALL VOTE: Ward, Bektesh, McNicholas-Kury, Richards and Schmitz approved. Motion passed. Board meeting was adjourned at 6:58 p.m.

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY

Carson Schmitz, Chairperson

Matthew Gillen, Secretary

MEMORANDUM

TO: APCHA Board of Directors

FROM: Liz Axberg, Housing Policy Analyst

DATE OF MEETING: February 1, 2023

SUBJECT: Homeowner Essential Repairs Pilot Grant Program Discussion Continued

REQUEST OF BOARD:

Discussion on piloting a Home Repairs Grant Program for APCHA owners and the additions made from the previous proposal.

BACKGROUND:

On December 14th, 2022, Staff presented an outline for a pilot grant program that would assist APCHA homeowners in making emergency, essential repairs to their home. During the meeting, the APCHA board provided feedback and asked that the program include:

- Expansion to non-emergency, essential repairs
- Possible addition of Means Testing and Owner Match

This memo is a draft outline of the program that includes the revisions and suggestions that the Board made on the December 14th, 2022, Board Meeting. **Key edits are in red.**

DISCUSSION:

APCHA Housing Repairs Grant Program

Program Description:

This program is designed to help qualified APCHA homeowners with emergency housing problems that pose an immediate threat to the household's health and safety. A maximum of \$5,000 may be granted to assist in correcting emergency conditions. Assistance amount offered and match required is determined by the re-qualification category at the time of application. Assistance is in the form of a grant and is not required to be repaid.

Depending on uptake of the emergency grant program, funding will become available to APCHA homeowners to fix other non-emergency, essential problems in their homes (such as roofing, plumbing, heating, electrical, etc.). Grants are limited to one per household.

Minimum qualifications for the Housing Repairs Grant Program include:

- Applicants must be an APCHA deed-restricted homeowner
- Homeowner must be current on their HOA dues and taxes and in good standing with APCHA (no outstanding Notice of Violations, bi-annual affidavit must be completed)
- The property owner cannot have received another Emergency Repair grant from APCHA in the preceding two years.
- If the Owner property's Deed Restriction is not the current APCHA deed restriction, the owner must sign a new deed restriction.

Assistance Eligibility:

When owners apply for a home repair grant, they will be required to re-qualify at a category. Assistance-level is determined on the requalification. Percentage indicated is the percentage of the total repair cost that the owner is required to contribute to the total cost of their repair. This requalification would tier assistance, ensure that grant applicants are still qualified, and ensure an owner match. Listed are the category and subsequent assistance levels:

Category 1	0% or 5%
Category 2	10%
Category 3	15%
Category 4	25%
Category 5	50%
RO	N/A

Examples:

1. Owner Requalifies at Category 4: total repair cost is \$7,000, then the owner must pay at least 25% of the final repair cost (\$1,750) but would be eligible for the full \$5,000 of grant assistance.
2. Owner Requalifies at Category 3: total repair cost is \$3,000, then the owner must pay at least 15% of the final repair cost (\$450) but would be eligible for an additional \$2,550 of grant assistance.
3. Owner Requalifies at Category 3: total repair cost is \$25,000, then the owner must pay at least 15% of the final repair cost (\$3,750) but would be eligible for the full \$5000 of grant assistance.

Eligible Repairs:

Essential Repairs that are accepted would include:

- This includes repairs that are necessary to improve the health and safety of residents
- Depending on the amount of grant applications APCHA receives, a prioritization process may be necessary.

- **List of Essential Repairs Categories:**
 - Inoperable Furnace or Water Heaters
 - Hazardous Plumbing or Electrical Conditions
 - Roof Hazards
 - Heating Issues
 - Flooring Hazards
 - Accessibility modifications (ramps, grab bars, or shower replacements)
 - Septic System Issues

Other types of repairs will be accepted on a case-by-case basis, determined by APCHA staff.

Grant Application Process:

1. Submit grant application through the capital repairs portal in HomeTrek
 - a. Application includes description of issue and grant need.
2. APCHA reviews the application and determines if repair request is eligible for this program. Funding is provided on a first come first served basis.
3. If eligible, APCHA accepts the application and provides funding to the owner.
4. Upon completion of the repair, the owner has 60-days to upload receipts or invoices to their case.

Depending on uptake of the program, we may need to implement a prioritization process.

Program Timeline:

Upon approval of the home repair pilot program, the pilot will run for twelve-months with in-progress updates along the way. Updates and evaluation include:

1. APCHA board will be provided program utilization and uptake reports on a regular basis throughout the pilot run.
2. At the end of the pilot program year, Staff will provide final program statistics and an impact report. From there, the board and staff will evaluate continuing the program.

Funding and Operational Need:

Initial program need to fund the pilot program is **\$200,000**:

- Propose requesting financial backing from both the City of Aspen and Pitkin County.
 - **If the program receives funding from both entities, the program would serve all APCHA homes in the county.**
- \$200,000 provides 40 homes with \$5,000 grants to make necessary home repairs, supporting the longevity and livability of APCHA homes.

If the program is trending underbudget, we will return to the board to consider expanding to non-emergency repairs. If we receive more requests than the budget

allows, we will need to implement a prioritization process and consider continuing the program.

APCHA Staff will fully implement this program and communicate with grant recipients. Applications will be submitted and followed through HomeTrek, tracking applications, and collecting data for reports.



APCHA

Aspen | Pitkin | County | Housing | Authority

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Strengthening Community Through Workforce Housing

MEMORANDUM

TO: APCHA Board of Directors

FROM: Bethany Spitz & Cindy Christensen

DATE OF MEETING: February 1, 2023

SUBJECT: **Informational Memo on Rightsizing Pilot Program**

Discussion: On October 5, 2022, the City of Aspen Housing Policy Analyst presented the Rightsizing survey results. Below are program rules for a Pilot Rightsizing Program that Staff is proposing. If the Board does approve this the pilot can launch in 2023 with 5 swaps allowed (on a first come first serve basis that meet all requirements). APCHA will provide monthly updates on the success of the program to determine if more swaps should be allowed in the pilot program.

Google Form (will note on form that by completing this form there is no guarantee on a swap occurring)

- Express Interest
 - Name
 - Email
 - Phone Number
 - Current Unit Size
 - Desired Unit Size
 - Additional Information Open Text Box
 - Have you coordinated with another household?
 - Are you looking to up-size or down-size?

Basic Program Rules:

- The Sales Price is the Maximum Sales Price as of the date they go under contract (with the ability to negotiate down based upon the inspection, but at no time can the price be higher than the maximum sales price).
- New Deed Restriction Signed (normal APCHA DR – that would require the unit to be sold through lottery in the future)
- Inspection would be Required on both Units paid for by the Owners and provided to APCHA.
- 2% Sales Fee Charged
- Aspen Village and Lazy Glen Owners will be considered upon request

Program Rules:

1. Category
 - a. **Option 1 – Staff Preference:**
 - i. One category above or below (unit is category 3; the household could be category 2, 3, or 4).
 - b. Option 2:
 - i. At that category and below (unit is category 3; the household could be category 1, 2, or 3).
 - c. Option 3:
 - i. One category above and all categories below (unit is category 3; the household could be category 1, 2, 3 or 4).
 - d. Assets
 - i. Retirement Funds
 1. **Option 1 (Staff Preference – Regulations currently value at 60%):**
Value at 30%
 2. Option 2: Waived for downsizing
 - ii. Satisfied Mortgage
 1. **Option 1 (Staff Preference):** Net of current value of property minus the unit they are purchasing to determine asset.

2. Occupancy

- a. 1st Priority:
 - i. Occupancy met in both units' (based on children's age below)
- b. 2nd Priority:
 - i. Up-Sizing
 1. Occupancy must be met
 - ii. Down-Sizing
 1. We will not accept any occupancy less than occupancy met minus one
 2. *APCHA Staff would like the Board's opinion on:*
 - a. *Whether downsizing from a 5-bedroom to a 3-bedroom with a 1-person household would be allowed.*
 - b. *Downsize has to be to a 2-bedroom or smaller*
- c. Maximum Age of Children Used to Qualify for Bedrooms
 - i. Child must be enrolled in a Roaring Fork School
 - ii. Sale must occur prior to start of Sophomore Year of High School