



**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 grant 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 APCA 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 APCA, 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 APCA’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, Mesirov, 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