



**MINUTES OF THE JANUARY 19, 2022  
MEETING OF THE  
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

**CALL TO ORDER:** Chairperson Carson Schmitz called the APCHA Board Meeting of January 19, 2022, to order at 4:00 p.m. The APCHA Board Meeting was held through Zoom Meetings.

**ROLL CALL:** Rachael Richards, Carson Schmitz, Skippy Mesirow, Alycin Bektesh, and Francie Jacober was present. Kelly McNicholas-Kury entered the meeting at 5:05. John Ward entered the meeting at 5:30. David Laughren was absent.

Staff Members in Attendance: Matthew Gillen, Executive Director; Diane Foster, Assistant City Manager; Cindy Christensen, Deputy Director; Bethany Spitz, Compliance, Policy and Systems Manager; Madelene Feder, Administrative Assistant II; and Tom Smith, legal counsel for the APCHA Board.

**PUBLIC COMMENT:** Chairman Schmitz opened the regular meeting to Public Comment for items not on the agenda.

- Peg O'Brien made a public comment.

Chairman Schmitz closed the public comment section of the meeting.

**EXECUTIVE DIRECTOR COMMENTS:** Executive Director Gillen updated the Board on the following:

- At the next APCHA Board meeting staff will update the Board with the upcoming communications plan and strategy for APCHA.
- Staff will be scheduling a meeting with Woody Creek residents, APCHA staff and Director Mesirow and Jacober from the Board.
- APCHA is now hiring for a Maintenance Tech II position.
- Assistant City Manager Foster stated that the City has hired a new Assistant to the new City Manager, Angie Sprang, who is working on the recruitment for the Housing Policy Analyst.
- Deputy Director Christensen updated the Board on current rental and sales listings

**CONSENT CALENDAR:** Director Richards made a motion to approve the Minutes of the Regular Meeting held December 8, 2022. Director Jacober seconded the motion. **ROLL CALL VOTE:** Directors Jacober, Richards, Schmitz, Bektesh, and Ward voted yes. Motion passed.

Director Bektesh had requested the Resolution be pulled for further explanation. Christensen stated that the Resolution is to approve an additional amount above what was approved for last year for a unit owned by APCHA. Bektesh stated that she wanted to be sure that the public understood that this is a property owned directly by APCHA and the Board.

**Director Jacober made a motion to approve Resolution 01 (Series of 2022), Approving an additional \$965 for a Special Assessment for Completion of Repair of a Sanitary Line Improvement Project Associate with the Property Known as 107 Aspen Mountain Road, #6, Ajax Condominium Association.**

**Director Richards seconded. ROLL CALL VOTE: Directors Jacober, Richards, Schmitz, Bektesh, and Ward voted yes. Motion passed.**

**DISCUSSION ON ENTERING INTO AN UPDATED DEED RESTRICTION:** Christensen stated that there are quite a few owners who are under older deed restrictions and have maxed out their capital improvements. These units have been owned between 15 to 30 years and have asked if they could enter into a more updated deed restriction allowing them to take advantage of additional capital improvements, along with the improvements outside the 10% cap (energy efficiency items, safety items, etc.). Christensen stated that the owner would need to meet certain criteria in order to take advantage of this opportunity:

- Home currently meets minimum standards;
- Owner in good standing with their HOA;
- Owner has owned said property for at least 10 years;
- The current language in their deed restriction does not take into consideration the additional capital improvements;
- Anyone who has a deed restriction with a different appreciation cap other than the 3% or CPI, whichever is less;
- Any owner who is currently under a deed restriction prior to 2000.

Richards stated it needs to be a whole package and starting that new 10% at the current value is a good place to start. Richards brought up the concern that over the life of the unit, for example, the first owner does capital improvements and they sell before those improvements fully depreciate out, over time that improvement cost will be added to the cost of the house.

Schmitz states that while he agrees with the concern, he does not see a clear answer on how to fix it.

Bektesh stated that the Board has recently voted out some of those greening elements of capital improvements that allowed you to go above your 10% of capital improvements. An example is someone wins, does something to their house and caps out their capital improvements limit. Now they have lived there for so long and wants to do that again, they can, but it won't be added to their sales price. Schmitz provided an example from his HOA about windows. Bektesh stated that from her perspective a lot of the units are priced below their category, therefore, not pricing people out, which is her biggest fear because of the appreciation.

Schmitz stated that he agrees with Bektesh as well and that specific problem should be added to the affordability discussion when it happens.

**LOTTERY CHANCES: Compliance, Policy and Systems Manager** – Spitz stated that something to keep in mind when staff goes through the tables is that every time APCHA has a lottery, the chances would be different. Spitz went through each of the tables.

Jacober stated that what is being reviewed does not seem to solve the problem of people moving here to take jobs. The biggest issue right now is providing housing to potential employees, as the local labor market seems to be thinning out and employers are having a hard time filling positions. Spitz stated that people come into out office and wait for that four-year mark and are so excited to finally be able to start bidding. Spitz stated that it is a question that needs to be asked to the Board as the rental units managed by APCHA are awarded to individuals with the longest work history in Pitkin County. The program is set up for those folks that have been here a while and have showed some commitment.

McNicholas-Kury stated that she and Gillen attended the Senior Council meeting held today at their invitation and that they are interested in the right sizing conversation and want to be part of that conversation. They

are nervous that APCA is going to come up rules rather than incentives. McNicholas-Kury stated that she assured them that one of the values of the APCA Board is compassion and we are looking to improve our communications as a Board, also committed to them that once the Board starts a discussion on this, APCA will invite them to have a joint meeting. APCA does not want to penalize them for trying to downsize.

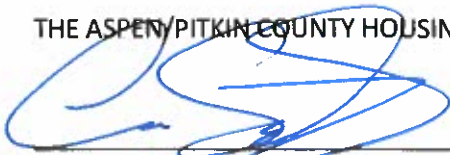
The Board decided not to change the lottery chances at this time and to leave the process as is.

**APCHA BOARD OF DIRECTOR'S COMMENTS:**

- Richards thanked McNicholas-Kury on all the great State-wide stuff she is doing and meeting with the Senior Council.
- McNicholas-Kury stated that she will share the recommendations from the interim committee on affordable housing about how to spend the \$400 million American rescue plan funds that come to the State if anyone wants it.
- Bektesh stated that she agrees with Richards on some surveying with our senior population and wondered if the Senior Council would be the ones to steward that survey and take a little bit of staff work off APCA. Also, she is willing to assist staff with going to Woody Creek residents about the Capital Repairs program. Bektesh suggested that maybe if someone is placing their 15<sup>th</sup> bid without winning, they get a "free" bid. Bektesh stated that she does not think that people should be awarded for having bad luck.
- Ward stated that he was having a discussion with his developer and that they have brought 42 units online in the last three months. They are fully leased and located in front of City Market in Carbondale. There is also a 64-unit complex in Basalt. Housing is critical and he was amazed the demand he had on the 42-unit project because he had never rented out units as fast before. Jacober asked Ward about an article she read that those units and short-term rentals were renting for up to \$3,000 a month. Ward stated that it was true for the bigger ones. Ward stated that they all leased up very quickly and that was the average. Each complex did, however, have a few affordable housing units.
- Mesirov updated the Board on the moratorium for residential development that the City Council just instituted.

**Director Richards made a motion to adjourn the meeting at 5:34 p.m. Director Bektesh seconded the motion. ROLL CALL VOTE: Ward, Schmitz, Richards, Bektesh and McNicholas-Kury voted yes. Motion passed.**

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY



Carson Schmitz, Chairperson



Matthew Gillen, Secretary