



**MINUTES OF THE MARCH 1, 2023  
REGULAR MEETING OF THE  
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

**CALL TO ORDER:** Chairperson Carson Schmitz called the APCHA Board Meeting of March 1, 2023, to order at 4:02 p.m. The APCHA Board Meeting was held in person and through Zoom Meetings.

**ROLL CALL:** Kelly McNicholas-Kury, Alycin Bektesh, Carson Schmitz, and Rachel Richards were in person. John Ward arrived right before Public Comment. Francie Jacober and Skippy Mesirow were absent.

Staff Members in Attendance: Matthew Gillen, Executive Director; Cindy Christensen, Deputy Director Housing Operations and Property Management; Karen Bromka, Administrative Specialist; and Liz Axberg, Housing Policy Analyst were in person. Bethany Spitz, Deputy Director Housing and Compliance; 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.

- Tom Brinkmeyer made a public comment.

There being no more Public Comment, Schmitz closed the meeting to Public Comment.

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

- McNicholas-Kury mentioned the following:
  - Habitat for Humanity Housing Summit (Solving the Housing Crisis: A Regional Summit on Equitable Solutions) date has been moved to March 22 which Pitkin County is going to sponsor some of it.
  - The outcome from the Pitkin County BOCC Board Retreat a few weeks ago is consensus around pursuing a housing fund this Fall on the ballot, related to homelessness through the senior housing, with a real focus on partnering with our municipal partners and would also support ongoing maintenance challenges.
  - The Grant Program will be talked about by the BOCC in a future agenda, and they would request APCHA attend and present so the BOCC can entertain a matching funding request so properties in the county would be eligible for it.
  - A lot going on at the State Legislature on housing right now. A rent control bill that has been moving through the Legislature. There are other bills happening to prevent displacement, rights to tenants in eviction proceedings, first right of refusal for local governments when multi-family properties come to sale that governments would be able to match an offer.
- Bektesh mentioned that due to the Regional Housing Summit there will be no Board meeting on Wednesday, March 15. One of the Board's initiatives has continued to be transparency and communication, Bektesh and McNicholas-Kury have both suggested that they make themselves available to HOAs or public outings, and staff stated it is being worked on right now and will provide updates.

- Richards commented she was down in Denver for Colorado Municipal League. The primary focus that CO Municipal had was that local control is a predominant theme and not to see the State overriding that consistently.
- Ward had no comments.
- Schmitz had no comments.

**EXECUTIVE DIRECTOR'S COMMENTS:** Gillen updated the Board on the following:

- Reiterated the Solving the Housing Crisis: A Regional Summit on Equitable Solutions is on March 22 at the Aspen Meadows, so this is a date change and venue change.
- Staff hired for the new Compliance Manager position and that person starts April 3. Focus will include random audits which will be tracked. Staff would like to set a goal of at least 10 audits a month. A new Administrative Specialist has joined the staff, Michael Healey, so we are close to being fully staffed.
- A date of April 11 has been scheduled for a Tenant Meet and Greet for Truscott and Aspen Country Inn and there will be donuts and coffee. A smaller HOA Meet and Greet will probably be done the week after.
- Christensen stated we are going to be having ownership units come up. If the public is interested in rentals for the properties APCA manages or ownership units, go to the [apcha.org](http://apcha.org) website and sign up for notifications.
- McNicholas-Kury stated the City and the County have not been able to decide on an alternate Citizen Board candidate, so the County suggested revisiting the large number of applicants received when Ward and Schmitz were initially appointed. Richards agreed and they will coordinate with staff to look at the list.

**CONSENT CALENDAR:** Ward made a motion to approve the Minutes of the February 15, 2023, Regular Meeting, McNicholas-Kury seconded the motion. **ROLL CALL VOTE:** Ward, Schmitz, McNicholas-Kury voted yes. Richards and Bektesh abstained. Motion passed.

Richards made a motion to read Resolution No. 02 (Series of 2023), Approving an Amendment to the Aspen/Pitkin County Housing Regulations at 1<sup>st</sup> Reading on the proposed rightsizing pilot Program. Roll call vote: Ward, Richards, Bektesh, Schmitz, and McNicholas-Kury all voted in favor of reading. Christensen read Resolution No. 02 (Series of 2023) Resolution of the Aspen Pitkin County Board of Directors Rightsizing Pilot Program as an Amendment to the APCA Regulations.

Spitz stated that Tom Smith advised staff to add the language for the rightsizing pilot program in the Regulations. Christensen stated after the public hearing, it can immediately go into effect, but there will be a specific date that the program is launched.

Spitz stated the list of potential matches will not be public facing, but the interested parties will be provided contact information for those looking to do the switch. Spitz stated it will be up to the owners to reach out to APCA to provide their information and they will be notified of updates, i.e., additional interested matches.

Smith suggested that APCA maintain a list of persons who have inquired about participation in the program provided that those people want their names to be disclosed. People can voluntarily ask to be on a list that will be made available to the public of persons who are interested in finding a co-applicant. After the first five come in in an equitable manner, staff will come back to the board if more units are necessary for this pilot program.

The Board request staff also require that each household be required to sign a notarized affidavit that no additional funds were exchanged outside the sales transaction. McNicholas-Kury suggested a change in the language in 2e instead of swaps, it should state exchanges.

Gillen stated that APCA will put out a press release about the program and on 2<sup>nd</sup> Reading, a date that the program will start will be actioned and rolled out.

**Richards made a motion to recommend approval of Resolution No. 02 (Series of 2023), Adopting an Amendment to the Aspen/Pitkin County Housing Regulations at 1<sup>st</sup> Reading on the proposed rightsizing pilot program and schedule Public Hearing for April 5, 2023. Ward seconded the motion. ROLL CALL VOTE: Ward, Richards, Schmitz, Bektesh, and McNicholas-Kury voted yes. Motion passed.**

**Review Capital Maintenance Grant Program:** Axberg revisited the Home Repairs Pilot Grant Program again. The main additions made since the previous discussion in February is we clearly outlined the program goals and limited the eligibility requirements by category. Three main goals are 1) test internal processes of a home improvement program; 2) measure the need, 3) support aging properties in the APCA inventory. The program is limited to Categories 1 through 3. The percent matches that owners are required to have on the repair was changed slightly. Owners will not need to fully requalify, only income would be looked at with W-2s or 1099s (or P&L Reports) and a recent paystub would be submitted so assets would not be considered.

Axberg stated window repairs were added to the Eligible Repair List. As people submit a request, APCA will be able to decide if they are eligible for the program based off the Eligible Repair List plus the definition of Essential Repair is necessary to improve the health and safety of residents. Funding will be requested from both City of Aspen and Pitkin County, so it can serve all APCA ownership properties. Data will be collected throughout, and at the end an impact evaluation will be supplied to the board. McNicholas-Kury suggested adding ceiling repair to Roof Hazards because one goes with the other a lot of the time.

Axberg confirmed the match is not based on the category of the owner unit, the match is based on whatever category the owner does the partial requalification at, so it is right now, not when the owner bought the unit.

Gillen stated staff actually needs to ask for the money so an actual application being created is a while down the road. Gillen stated for a pilot program, staff wanted to keep the work streamlined and not verify assets. Staff did not want a barrier to entry, and if it grows and expands, that can change.

To summarize the discussion:

- The Board agreed that grants should not be given to applications on a first come first-serve basis.
- Applications would be taken for a set time period – an open window with a deadline.
- Review the applications for completeness, determine which ones are eligible and judge by the criteria, prioritize by how critical or how timely.
- Let the applicants know in advance how the applications are being prioritized based on what criteria.
- If 25 applications come in that are complete and meet the criteria and there is only money for 20, 20 applications will be randomly selected.
- The Board agreed to keep the work for staff streamlined for this pilot program, to not do a full requalification, just look at income and not verify assets.
- It was suggested to report the outcome of the program on the website.
- A memo will be circulated to the Board for review with the ability to send comments back and forth to Axberg.

**Public Hearing on Resolution No. 01 (Series of 2023), Approving Changes to the Aspen/Pitkin County Housing Regulations**

**APCHA is requesting the following changes:**

- **Table VI MAXIMUM ANNUAL APCA ADJUSTMENT:** The increase is based on the lesser of the percentage change in the Consumer Price Index (Urban Wage Earners) from ~~November~~ July of one year to ~~November~~ July of the following year, or 3%, whichever less. The index increased at the rate of 7.1% from November 2021 to November 2022; therefore, the annual increase in 2023 is 3%. Please contact the APCA for the actual maximum rental rates available and/or the maximum rental rates for a specific deed-restricted property.
- **APPENDIX A: APCA FEE SCHEDULE**

Ownership Application Fee ( <del>non-refundable</del> )	\$50
Payable upon submission of application and/or Ownership Application and Bid Packet	
<del>No Bid Fee for first submitted with Ownership Application</del>	
Ownership Bid Submission Fee	\$5
Per-bid amount payable upon submission of bids <del>after initial ownership application</del>	

Schmitz open the meeting to the Public Hearing. There being none, the Public Hearing portion of the meetings was closed.

Bektesh made a motion to approve Resolution No. 1 (Series of 2023), requesting amendments to specific sections of the Aspen/Pitkin County Housing Authority Regulations as stated above with recommended changes by Richards after the Public Hearing that was held on March 1, 2023. Ward seconded the motion. ROLL CALL VOTE: Ward, Richards, Schmitz, Bektesh, and McNicholas-Kury voted yes. Motion passed.

EXECUTIVE SESSION: Richards made a motion at 5:32 p.m. to move into 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 CIVIL ACTION NO. 92-B-2570 with the inclusion of Diane Foster, Assistant City Manager. Kelly seconded the motion. ROLL CALL VOTE: McNicholas-Kury, Bektesh, Schmitz, Richards, and Ward voted to approve. Motion passed.


Because this Executive session is for the purpose of attorney-client privilege, it will not be recorded.

Ward made a motion to come out of the Executive Session at 6:06 p.m., McNicholas-Kury seconded the motion. ROLL CALL VOTE: McNicholas-Kury, Bektesh, Schmitz, Richards, and Ward voted yes. Motion passed. The Board came out of Executive Session at 6:07 p.m.

MOTION TO ADJOURN: Ward made a motion to adjourn the meeting; McNicholas-Kury seconded the motion. ROLL CALL VOTE: McNicholas-Kury, Bektesh, Schmitz, Richards, and Ward voted yes. Motion passed. Board meeting adjourned at 6:08 p.m.

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY

  
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Carson Schmitz, Chairperson

  
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Matthew Gillen, Secretary