



**MINUTES OF THE MARCH 17, 2021
REGULAR MEETING OF THE
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

Skippy Mesirow opened the session and conducted a centering technique for the Board members who opted to participate.

CALL TO ORDER: Skippy Mesirow, Chairperson, called the Regular Meeting to order at 5:00 p.m. The March 17, 2021 Regular Meeting was held through Zoom Meetings.

ROLL CALL: Skippy Mesirow, Kelly McNicholas-Kury, Carson Schmitz, John Ward, Rick Head, alternatives Francie Jacober, Rachael Richards and David Laughren were present. McNicholas Curry joined the meeting at 5:15 p.m.

Staff Members in Attendance: Diane Foster, Assistant City Manager, and Interim Executive Director; Cindy Christensen, Deputy Director; Bethany Spitz, Compliance, Systems & Policy Manager; Maddie Feder, Administrative Assistant II; and Tom Smith, APCHA Board Attorney.

PUBLIC COMMENT: Chair Mesirow opened the regular meeting to Public Comment for items not on the agenda.

- Brittany Shami made a public comment in relation to her housing situation.
- Elizabeth Milias made a public comment asking the Board on what they have accomplished so far. Director Richards responded to a comment Milias made about an article where Richards was quoted. Richards stated that she talked to the paper for 30 minutes and what was printed did not represent the entire conversation which created some of the statements out of context.

EXECUTIVE DIRECTOR COMMENTS: Interim Executive Director Foster updated the Board on the following:

- Bethany Spitz's has been promoted to Compliance, Systems & Policy Manager. She now has a larger role in HomeTrek, policy development and strategic planning, although she still owns compliance. This title formalizes her shared leadership role. The Board congratulated Spitz on the promotion.
- An update on the search for a new Executive Director was provided. There are 27 applicants, the recruiters are currently screening the applicants. In April the recruiters hope that the community panel and interviews will begin. May is the target start date.
- The move to Truscott is moving along.

CONSENT CALENDAR: Director McNicholas-Kury made a motion to approve the Minutes of March 3, 2021 as submitted; Director Head seconded the motion. **ROLL CALL VOTE:** Schmitz, McNicholas-Kury, Mesirow, Ward and Head voted yes.

PUBLIC HEARING ON THE APPROVAL OF RESOLUTION NO. 02 (SERIES OF 2021), ADOPTING AMENDMENTS TO THE ASPEN/PITKIN COUNTY EMPLOYEE HOUSING REGULATIONS: Compliance Manager Spitz briefed the Board on the proposed changes:

- Grammatical and wording clean up; and
- Shifting Category 6 and 7 sales prices into Category 5; and
- Adding procedure on how APCHA calculates income; and
- How someone is placed and/or removed from the ineligibility list.
- The Board agreed to the changes.

Chair Mesirow opened the meeting for Public Comment on the changes being brought forward for adoption. There being none on the proposed changes, Mesirow closed public comment

Francie Jacober left the meeting at 5:55PM

Director McNicholas-Kury made a motion to approve Resolution No. 02 (Series of 2021), Adopting Amendments to the Aspen/Pitkin Employee Housing Regulations with recommended amendments by Staff; Director Head seconded the motion. ROLL CALL VOTE: Head, Ward, McNicholas-Kury, Mesirow, and Schmitz voted yes. Motion passed.

STANDARDS FOR SELLERS TO OBTAIN MAXIMUM SALES PRICE:

- Tom Smith introduced the topic of standards for sellers. Smith stated that this is a general discussion on standards. If the board wants APCHA to bring back a discussion directly about Ms. Shami's case, then they can do that. Smith stated that it is his belief that APCHA does not have the legal bounds to enforce sellers to fix items before the units are listed. However, the Regulations as they are now are not adequate, so they do need to be updated.

Francie returned to the meeting at 6:05 p.m.

- Schmitz asked Smith to clarify if APCHA has legal bounds to force sellers to upkeep their units before they sell their units. Smith stated that APCHA does not, only after they put the unit up for sale. Richards asked how changing the rules in the Regulations would affect deed restrictions. In newer deed restrictions there is a clause that states that the household that owns the unit must follow the Regulations in every way. Smith stated that units with the deed restrictions with that clause, there will not be an issue but with the ones that don't there might be an issue.
- Spitz started the presentation about standards for sellers. She went through the history, the problem, what happens now, what is APCHA's legal authority, and some staff ideas and suggestions. Some suggestions/questions by the Board:
 - Richards stated that if any increase in the sales price there will need to be verification on what that money is being used for.
 - Mesirow asked if the sales price could be affected. A possible solution would be where APCHA steps in. The seller would get a reduced price, the buyer gets the max sales price and then APCHA would deal with the delta if a unit needed major work.
 - McNicholas-Kury stated that we need to understand what the consequence are if the sales price is reduced and on the flip side if the price is increased to cover the cost of repairs. McNicholas-Kury requested a framework and break down on how either increasing or decreasing the price affects sellers/buyers and APCHA.
 - Schmitz stated that when he was thinking about this issue, he asked why it hasn't been solved. This is a very controversial topic and a lot of people are going to be happy with the change and a lot of people are not. Schmitz asked if it's a conflict of interest because he lives in deed-restricted housing and as an elected, they will have unhappy constituents.

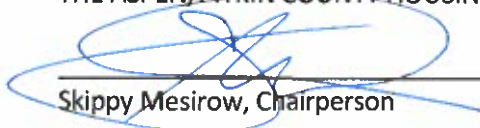
- Director Ward stated that he has no interest in a deal where a seller was irresponsible with their property and got the benefit to live in subsidized housing for how many years, letting it deteriorate and they believe they can sell it for full sales price and full appreciation to another family who wants to secure their life in Aspen. The Board has talked about subsidizing HOA assessments. Ward brought up an example about when he was visiting a unit and he wanted to get his HOA on Board to get their roofs replaced that were over 20 years old. A comment from another owner was that why would they spend the money to replace the roof to benefit the next person. Ward believes that everyone should have the same mindset that we are all stewards of these properties.
- Mesirow stated that this will be brought back to the Board for further discussion, but he would like to identify the problem and then staff comes back with suggestions. Through conversations we can come up with categories with what are the issues. Mesirow stated that at the next meeting he wants the Board to come to an understanding on what the issue is.
- Jacober stated that the other issues have been brought up by others, so she is satisfied.
- Smith requested that the Board define the problem and protentional solutions and for staff to come back with a draft of those changes.

BOARD COMMENTS:

- Director Richards wanted to address the article that was is the Aspen Daily News. Richards stated that she spent a good amount of time talking about the multifaceted problem the Board is facing. In She talked about sellers’ standards and with the older units that haven’t sold for a very long time there is a dramatic price delta than the new units coming online. In talking about that challenge, when people are buying older units, they are getting a deal but also a lot of deferred maintenance. That comment was not in relationship to any of the two cases that were being made. It was being made as one example as a challenge dealing with maintenance issues. Richards stated that she felt misrepresented in the article because of this issue.
- Director Head stated that he wanted to address Ward’s concerns about replacing roofs and other items. A lot of these things should be captured in capital reserves set up by the HOA to address these issues.
- Director McNicholas-Kury asked that a conversation be brought up in relation to when people requalify this year and how last year is being looked at. Considering loss of work due to the pandemic. In addition, there is a Bill in the Legislature that is being promoted by the Department of Local Affairs of Housing that has the support of Pitkin County and the Administration. This Bill is related to allowing and not requiring lawful presence documentation for people to be able to access housing and this is a change in the community for people who are unable to prove lawful presence but maybe have children who were born here. McNicholas-Kury wanted to update the Board as it might affect who can apply for APCA housing.
- Chairman Mesirow stated that the discussion on seller’s standards will take a few meetings.

Director McNicholas-Kury made a motion to adjourn at 7:14 p.m. Director Ward seconded the motion. ROLL CALL VOTE: Ward, Head, Schmitz, McNicholas-Kury, and Mesirow were in favor. Meeting adjourned at 7:15 p.m.

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY


 Skippy Mesirow, Chairperson


 Diane Foster, Secretary