



**MINUTES OF THE APRIL 21, 2021
REGULAR MEETING OF THE
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

CALL TO ORDER: Vice-Chair Carson Schmitz called the Regular Meeting to order at 5:00 p.m. The April 7, 2021 Regular Meeting was held through Zoom Meetings.

ROLL CALL: Kelly McNicholas-Kury, Carson Schmitz, John Ward, Rick Head, alternates Francie Jacober, David Laughren, and Rachael Richards were present. Skippy Mesirow was absent.

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: Vice-Chair Schmitz opened the regular meeting to Public Comment for items not on the agenda. There being none, Schmitz closed public comment.

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

- Executive Director Recruitment – Still working on this. Had some good interviews. GovHR is going out a second time to look for more candidates.
- Seller’s Standards – Five Board members completed the survey as of this morning. The point of this survey is because there was feedback from the Board at prior meetings, so should make it easier to move forward.
- Deputy Director Christensen gave an update on the 2021 Income limits. We received the 2021 income limits and it went down overall. Staff recommends keep the income maximums for each category the same as in 2020. The Board agreed.

CONSENT CALENDAR: Director Richards made a motion to approve the Minutes of April 7, 2021 as submitted; Director McNicholas-Kury seconded the motion. Head requested a correction changing the word “google” to “good” in his comments. Director McNicholas-Kury requested a change in one of her comments that the number \$9 million should be \$90 million. Both Richards and McNicholas-Kury approved the two corrections in their motion. **ROLL CALL VOTE:** Directors Schmitz, McNicholas-Kury, Ward, Richards and Head voted yes. Motion passed.

Discussion with Community Development Department on potential Amendments to GMQS Regulations/ City Land Use Code: Ben Anderson, Senior Planner from the Community Development Department (ComDev), presented the potential amendments and changes to the GMQS Regulations and Fee-in-Lieu. Anderson stated that ComDev and City Council have been talking about this for some time. Anderson went through his presentation on potential Fee-in Lieu updates, improvements to the Affordable Housing Credit program, elimination of lodge incentives and credits, and a clean-up to the Multi-Family Replacement regulations. The Board asked some clarifying questions in relation to the aspects that will affect employee housing.

STANDARDS FOR SELLERS TO OBTAIN MAXIMUM SALES PRICE: Interim Executive Director Foster started a presentation about Sellers Standards. A summary of the pilot inspection program being proposed was presented. The goal of the program is to begin understanding capital improvement needs in the inventory, and to target ownership, single-family home properties. Staff had asked the Board the following five questions:

1. Should the target number of units to be inspected in 2021 be 100 or a different number?
2. Is the Board supportive of the recommendation to start the Pilot Program with a focus on freestanding single-family properties as described in the Target Properties section?
3. Should staff select a group of 4-6 licensed Home Inspectors to conduct the inspections that has been suggested?
4. Should the BOCC and City Council APCA Board Members ask their respective counterparts if they are interested in providing funds in 2021 or late years to support either?
5. Is the APCA Board supportive of moving forward with this program?

The discussion started with question 1. Director Richards stated she was supportive of the program but doesn't believe 100 households would be willing to open their doors for an inspection. She suggested a 50-unit goal with an incentive.

Director Ward asked what this data will be used for as his concern is that this information won't be used effectively. What will the program generate and promote? Attorney Smith stated that sometimes items come up that surprise both the seller and buyer that this program could eliminate. Ward stated that instead of spending \$40,000 on numbers that aren't going to be useful and use the \$40,000 on the next 100 homes that come for sell for their inspections.

Director Jacober stated that she believes we need to know the condition of the units. Director Head stated that he pays HOA dues that go into his HOA for reserved capital improvements. Why doesn't the homebuyer not already put money away for those issues. McNicholas-Kury stated that we don't know how many people are willing to do this. She agreed that Ward's idea has some merit -- 50 properties that are single-family homes and the other 50 units coming in for sale.

The Board suggested that an inspection should be required to list and then items that come up in the inspection should be the seller's items to repair. Foster stated that this would probably warrant a change in the Regulations.

Further discussion will be brought back to the next meeting on May 5, 2021.

BOARD COMMENTS:

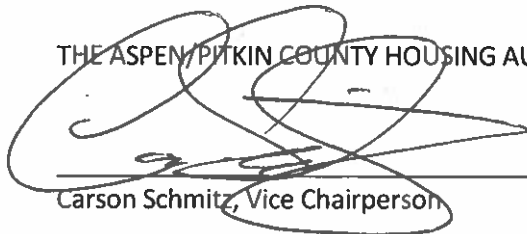
- Director McNicholas-Kury stated that she agreed with what Richards suggestion in extending the Board meetings and starting at 4: p.m. to give the Board more time to discuss these issues. The rest of the Board agreed.

Executive Session: Director Ward made a motion to go into Executive Session to obtain legal advice from APCA's Attorney In accordance with CRS 24-6-402(4)(b), for a conference with the Authority's attorney for the purpose of receiving legal advice on specific legal questions for the legal case *APCHA v. Mulcahy*, 2015CV30150; *APCHA v. Mulcahy*, 2021CV3000; *Mulcahy v. APCA*, 18-cv-01918, Head seconded the motion. Attorney Smith reiterated that the Executive Session is in accordance with the Colorado Open Meetings law, therefore, this Executive Session does not need to be recorded because it is solely for the purpose of privileged attorney-client communications. **ROLL CALL VOTE: Schmitz, Head, Ward, McNicholas-Kury, and Richards voted yes. Motion passed. The Board went into an Executive Session at**

6:55 p.m. Head made a motion to come out of Executive Session at 7:14 p.m. McNicholas-Kury seconded the motion. ROLL CALL VOTE: Schmitz, Head, Ward, McNicholas-Kury, and Richards voted yes. Motion passed.

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

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY



Carson Schmitz, Vice Chairperson



Diane Foster, Secretary