Town Council
Monday, August 12, 2024
4:00 PM
130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615
You can watch the meeting live online on our website at tosv.com.

Agenda

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **EXECUTIVE SESSION**

   3.A. Executive Session
   4 Agenda Item Summary Exec Session

4. **PUBLIC COMMENT**
   This section is set aside for the Town Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the Town Council will not discuss the issue and will not take an official action under this section of the agenda. (Five Minute Time Limit)

5. **ADMINISTRATIVE REPORTS**

   5.A. Review of Regional Housing Opportunities
   5A Agenda Item Summary West Mountain Regional Housing Coalition Buy-Down Program and Habitat Priority Program
   5A Attachment A - WMRHC Good Deeds Program
   5A Attachment B - Habitat Priority Program Executive Summary
   5A Attachment B2- Habitat Priority Program Summary

   5.B. Discussion regarding Boards & Commission
   5B Agenda Item Summary - Boards & Commissions

6. **TOWN COUNCIL REPORTS AND ACTIONS**
   Reports and Updates

7. **ADJOURNMENT**

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

August 12, 2024

AGENDA ITEM:

Executive Session

PRESENTED BY:

Clint Kinney, Town Manager

BACKGROUND:

The Town Council has reason to convene in Executive Session. To convene in executive session, the Colorado Open Meetings Law requires that the Town announce the topics for discussion with specific statutory citation and to the identify the particular matter(s) to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. A motion to enter executive session for the announced purposes must be passed by 2/3 of the quorum voting in the affirmative for said motion.

FINANCIAL IMPACT:

N/A

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

N/A

COUNCIL OPTIONS:

Convene in Executive Session
Choose not to convene in Executive Session

STAFF RECOMMENDATION:

Town Council will now meet in Executive Session pursuant to C.R.S. 24-6-402(4) and Snowmass Village Municipal Code Section 2-45(c) for the following purpose:

a) For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) and Snowmass Village Municipal Code Section 2-45(c)(2), more specifically related to: Potential property purchase.

Provided, there is an affirmative vote of two-thirds of the quorum present at this meeting to hold an Executive Session and for the purposes of considering items (a) and (b) above. Provided further, that no adoption of any proposed policy, position, resolution, regulation, or formal action shall occur at this Executive Session.

ATTACHMENTS:

N/A

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

November 20, 2023

AGENDA ITEM:

Review of Regional Housing Opportunities

PRESENTED BY:

Betsy Crum, Housing Director

BACKGROUND:

In response to the Council's housing goals and the ongoing need to think creatively about creating more workforce housing, staff have been exploring and participating in multiple opportunities, both within the Town of Snowmass Village and in partnership with others in the Valley who are engaged in similar efforts. Two of the latter efforts are updated below.

West Mountain Regional Housing Coalition Buy-Down Program:

Councilmembers will recall that the 2024 budget approved an allocation of $250,000 to the West Mountain Regional Housing Coalition's (WMRHC's) Buy-Down Program. By way of background, the Town of Snowmass Village has been members of this Coalition since its inception, then called the Roaring Fork Regional Housing Coalition. In 2023, Snowmass Village and other WMRHC members contributed to create and develop this 501c3 not-for-profit corporation to work on affordable and workforce housing issues in the greater Roaring Fork and Colorado River Valley. The mission is "increasing the availability and accessibility of affordable community housing in the region, including but not limited to, senior housing, affordable and supportive housing, workforce housing (up to 150% of Area Median Income) and meet other housing needs that may arise." Specific objectives of the nonprofit range from securing funding for housing development, identifying sites for development, educating, and promoting housing policies and activities, and generally advocating for the Region's unique housing needs.

Current members include Pitkin and Eagle Counties, Aspen, Snowmass Village, Basalt, Carbondale, Glenwood Springs, Colorado Mountain College and RFTA. The Coalition has a governance structure that includes one representative from each participating entity; Betsy Crum shares the chairmanship with Councilman Colin Laird from Carbondale. While the mission and objectives of the Coalition are broad, the initial focus is narrow in that the Coalition is seeking to expand on several concurrent, “development-neutral” initiatives that are having good results in other mountain regions. The Buy-down Program, named “Good Deeds”, is the first such program to launch and will assist homebuyers in purchasing free market homes in exchange for a permanent deed restriction.

WMRHC’s Good Deeds Program provides financing to bridge the gap between what is available on the open market and what is affordable to our workforce by providing funding toward converting a free-market home to deed restricted. The Program assistance is a payment at the time of the purchase of a free-market home to reduce the cost of the home to an eligible household. In exchange for that payment, WMRHC will record a permanent deed restriction on the home to reflect the lower price, and the home will become part of the Valley’s inventory of deed-restricted workforce housing. The amount paid for the deed restriction will be limited to 30% of the purchase price, which will vary throughout the Valley depending on the market conditions. Eligibility is limited to people working full-time for businesses serving the Roaring Fork Valley, and they must live in the home.

For example, if an eligible household was interested in purchasing a condominium at the Willows for $750,000, the Good Deeds Program could provide $250,000 at closing toward this purchase. The amount the buyer would pay would then be $500,000, and the home would be permanently restricted with the base price starting at $500,000. The price increase would be limited to 3% annually, and it could only be sold to another eligible household.

Attachment A provides additional information on the Program, which is due to be launched this month! The Good Deeds Program has the dual benefit of creating new permanently restricted workforce housing without building new units and costs approximately one-third the price of new construction. The program is based on a similar, very successful program administered by the Eagle County Housing Authority. Because the funding to capitalize the Program initially is limited, we are approaching this as a “Pilot” and hope to learn a lot more about the demand, supply and administration of it going forward.

Habitat for Humanity Priority Program:

Gail Schwartz, Executive Director of Habitat for Humanity of the Roaring Fork Valley, updated the Council at its August 5, 2024, meeting on various programs and initiatives of her organization. Among them is their “Priority Program,” which offers local employers the opportunity to “purchase” priority for one or more of their employees to buy a studio or one-bedroom apartment in a building that Habitat is hoping to purchase in Glenwood Springs.

Habitat is currently under contract to acquire an apartment building in West Glenwood known as the L3 building, which has 88 studio and one-bedroom apartments. They intend to condominiumize the property and sell all the units as affordable, deed-restricted homes. They have secured financing for most of the cost but are still looking to raise approximately $4,000,000 through “Employer Priorities.” In exchange for $150,000 per priority purchase, the employer would have the ability to have their employees move to the front of the line to purchase a unit. The units will be priced to be affordable to the purchaser, who can live in the condominium as long as they wish and who may have access to additional financing or downpayment assistance from Habitat for Humanity. When they leave, another employee would have the first right to purchase it. If the priority is no longer needed or wanted, it can be sold to another area employer.

The proposed purchase price of these condominiums would range from $320,000 to $388,000, depending on size and appreciation will be capped at 3% annually. This is another creative example of a cost-effective, development neutral way to increase homeownership opportunities for our workforce.

ATTACHMENTS:

Attachment A: WMRHC Good Deeds Program Fact Sheet
Attachment B - Habitat Priority Program Summary

WEST MOUNTAIN REGIONAL
HOUSING
COALITION

Good Deeds

Regional Deed Restriction Purchase Program
Program Requirements

The West Mountain Regional Housing Coalition's (WMRHC) deed restriction purchase program, Good Deeds, provides a mechanism to convert free-market housing into deed-restricted housing, safeguarding affordable housing for working locals in perpetuity. The program essentially bridges the gap for a qualified buyer between what is available on the market and what is affordable by contributing funds at closing towards the purchase of a deed restriction on the property.

The primary goal of the program is to increase the inventory of affordable housing for home ownership without building new units. By working within the open-market, the Program will make existing housing attainable by subsidizing the sale, adding and deed restriction, thus removing it from the free-market and creating a sub-market for local workforce to afford home ownership. This will increase home ownership opportunities, community and workforce stability, long-term housing stability, and decrease pressure on rentals currently occupied by those that could afford and desire home ownership. Because eligibility for this program does not specify type of work, employer, or employment location (other than within the boundaries of the WMRHC region) it will increase mobility and resiliency of local workforce and offers opportunity for those that have worked in the area for many years to maintain home ownership through retirement.

The Good Deeds Program will be administered by the West Mountain Regional Housing Coalition pursuant to the requirements set forth below.

Purpose of Program	This program is intended to provide a mechanism for the WMRHC to make a payment towards the purchase price of a residential property in exchange for the recording of a price-capped deed restriction on the property in perpetuity. The payment will be applied at closing to reduce the principal on the first mortgage loan.
Service Area	Available for use on properties located anywhere in Pitkin and Garfield Counties that are within approximately 10 travel/road miles of Highway 82 or Interstate 70 in an effort to secure homes

	that are within a reasonable distance to work centers (homes in Redstone are included). Those located in West Eagle County can participate in a similar program offered by Eagle County Housing Authority called Good Deeds.
Eligible Households	Applicants must show proof of employment within the WMRHC service area for an average of 1400 hours per year. Applicants must show at least 75% of these hours are worked for a business that has a physical location and principal place of business in Pitkin, West Eagle, or Garfield Counties. Those working more than 25% of time remotely for out-of-region employers are not eligible. After purchase, a household can remain eligible through retirement for those individuals that show proof of employment, as described above, for at least 10 years immediately prior to federal retirement age. After purchase, a household can remain eligible following a disability for those individuals that show proof of employment, as described above, for at least 4 years immediately prior to disability.
Eligible Properties	Single family homes, condominiums, townhomes, duplexes, modular homes, or manufactured homes on a permanent foundation taxed as real property within the jurisdictional boundaries of Pitkin County, Garfield County and western Eagle County that are not currently encumbered by a deed restriction, right of first refusal, occupancy requirement, Land Use Regulatory Agreement, or similar program.
Maximum Purchase Price of Property	$1,500,00 in Pitkin County, including or up valley of Basalt (e.g. not in Redstone) $1,200,000 in Garfield County, including and up valley of Glenwood Springs $800,000 in remainder of Garfield County
Maximum Contribution Amount	The WMRHC will contribute 30% of the contracted purchase price to the purchase of a price-capped deed restriction on that property. The payment will be applied at closing to reduce the principal on the first mortgage loan.
Buyer Down Payment	A minimum down payment of 3% contributed by the Buyer towards the purchase price of the property is required. Buyers are permitted to access down payment assistance programs from other entities or sources.

Deed Restriction	In exchange for the payment set forth above, a price-capped deed restriction will be recorded against the property at the time of closing with the County Clerk and Recorder's office. The deed restriction shall govern the future occupancy, use and transfer of the property to an Eligible Household in perpetuity.
Price Capped	Appreciation is 3% simple interest annually (not compounding).
Term	The deed restriction is perpetual and runs with the property and any/all future resale transactions. The property must remain the primary residence of any Buyer and Buyer agrees to recertify their eligibility as an Eligible Household no less than every other year. Those deemed ineligible will be required to sell.
Primary Residence	Buyer is required to use the property as a primary residence, as defined by overnight occupancy no less than 8 months out of the year. Short-term rentals are not allowed.
Other Real Estate	Buyer may not own any other residential property at the time of purchase or for the period the Buyer owns the deed restricted property, regardless of the location of the other property.
Recertification	Buyers must certify their eligibility as an Eligible Household annually.
Pre-qualification	Potential buyers must receive a pre-qualification letter from WMRHC prior to securing deed restriction purchase funds. Pre-qualification requires proof as an eligible household. The pre-qualification letter will be considered valid until April of the following year. Pre-qualification letters can be used by buyers as indicators of WMRHC interest in purchasing a deed restriction at 30% of the contract price on an eligible home.
Application	Buyer shall find and locate an eligible property available for purchase, enter into contract on proposed property, and submit an application. Applications require a fully executed Contract to Buy and Sell Real Estate and are received on a first come, first served basis to be time and date stamped in order of completed applications. Applications will be approved at the discretion of the Program Administrator, subject to program requirements and available funds. A complete application must include: a fully executed Contract to Buy and Sell Real Estate, proof of eligible household (see pre-qualification), proof of current

	employment at a business located in Pitkin, Garfield or Western Eagle County, photo ID, tax return, pre-qualification letter from a lender, and/or other financial documents as listed on the application at time of applying.
Applicability	All aspects of the Program eligibility and approval are at the sole exclusive discretion of the WMRHC Program Director and/or Board of Directors and subject to the Program Requirements and availability of funds. These Program Requirements may be amended from time to time to effectuate the intent and goals of the Program, and, except for the provisions of prior recorded Deed Restrictions or other documents, shall be binding upon Program participants. Applications may be denied based on the physical condition or location of the proposed property, concerns with the purchase agreement, or a determination that the deed restriction purchase is not in the best interest of the WMRHC.
Future Resale	Neither the Program Director or WMRHC shall facilitate the resale of any price-capped deed restricted units, but shall approve all future buyers for lottery consideration. No transactional brokerage sales fee will be due to WMRHC. Customary closing costs will be borne by each party. WMRHC reserves right of first refusal to purchase the property.
Program Administrator	The WMRHC or other as assigned by WMRHC.
More information	A more detailed document will be developed to support these guidelines. www.wmrhousing.org

EQUAL HOUSING OPPORTUNITY

These Requirements are subject to change based on availability of funds, conditions of property and market conditions. WMRHC does not discriminate based on race, color, sex, religion, handicap, familial status, sexual orientation, gender identity, or national origin.

Priority Program Executive Summary

Empowering Employers with Housing Solutions

Program Benefits

1. **Stabilize Workforce and Community**: Enhance employee retention and job satisfaction by providing stable, affordable housing.
2. **Tax Benefits**: Significant tax incentives, including up to 63% in Federal and State tax credits.
3. **Community Impact**: Contribute to significant local projects without new development, fostering community growth.

Tax Incentives

- **Enterprise Zone Tax Credits**: Eligible contributors can receive substantial tax credits and deductions. For example, a $150,000 contribution can result in $95,062.50 in tax credits, reducing the after-tax cost to $54,937.50.
    - **Based on the 35% tax bracket; 37% would result in even greater tax benefits. This information should not be construed as tax advice. Consult your tax advisor as situations may vary. Federal and Colorado state income tax savings are dependent on you itemizing and not taking the standard deduction.

How the Program Works

- **Unit Allocation**: 88 units are available, with 35 designated as priority units for employers through Habitat for Humanity (HFH).
- **Existing Tenants**: Current tenants are not displaced and can purchase units if they meet deed restriction qualifications. Assistance is available for those who do not buy.

Financial Contributions

- **Impact of $150,000**: Fast-tracks an employee to purchase a unit, bypassing market competition.
- **Proposed Unit Prices For 80%-100% AMI**
    - Studio (454 SqFt): $320,000
    - Jr 1 Bedroom (535 SqFt): $360,000
    - 1 Bedroom (722 SqFt): $388,000

Deed Restrictions

- **Appreciation Cap**: Annual appreciation is capped at 3%, ensuring long-term affordability.
- **Qualification Criteria**: Buyers must meet specific qualifications.

Habitat for Humanity Mission

- **Financial Stability and Wealth Building**: Opportunities for intergenerational wealth.
- **Financial Literacy and Education**: Preparing buyers for financial challenges.
- **Improved Health and Stability**: Better living conditions.
- **Enhanced Educational Outcomes**: Stability leads to better academic performance.

Additional Information

- **Contribution Usage**: Directed towards mortgage pools, down payment assistance, and other stability programs.
- **Unit Transfer**: Habitat manages the sale/transfer if an employer no longer needs their priorities.
- **Employee Sales**: Managed through Habitat, with priority given to other team members.
- **Employee Qualification**: Employers refer employees to HFH for mortgage and home-buying guidance.

Long-term Benefits

- **Employee Financial Improvement**: Employees can build equity and move to market-rate housing over time.
- **Employment Independence**: Housing is not tied to continued employment, ensuring community stability.

Conclusion

Participating in the Priority Program not only provides affordable housing for employees but also strengthens the community. Join Habitat for Humanity in creating a stable, prosperous, and vibrant environment for all.

Understanding the Priority Program…

An Opportunity for Employers to Make a Difference

Why Should I Participate in This Program?

1. **Stabilize Your Workforce and Community**: Ensure that key employees have access to stable, affordable housing, which can significantly improve retention and job satisfaction.
2. **Tax Benefits**: Take advantage of significant tax incentives.
3. **Community Impact**: Be part of a groundbreaking local project. Imagine headlines like “Local Employers and Business Owners Partner to Provide 88 Affordable Units in Our Community!” and know that you're making a difference without any new development.

What Are the Tax Benefits?

- **Enterprise Zone Tax Credits**: Eligible contributors can receive up to 63% in Federal and State tax credits and deductions. For example, a $150,000 priority contribution could result in $95,062.50 in tax credits, bringing the after-tax cost down to $54,937.50.
    - **Based on the 35% tax bracket; 37% would result in even greater tax benefits. This information should not be construed as tax advice. Consult your tax advisor as situations may vary. Federal and Colorado state income tax savings are dependent on you itemizing and not taking the standard deduction.

How Does It Work?

- There are 88 units in the building, with 35 designated as priority units for employers by Habitat for Humanity (HFH).

Are Current Tenants Being Displaced?

- **Absolutely not.** We fully respect and honor existing leases until their current term ends. Additionally, 53 units will be available for current tenants to purchase if they meet the deed restriction qualifications. Should tenants choose not to buy, we have partners ready to assist with alternative housing options.

What Does My $150,000 Contribution Do?

- Your contribution allows one of your employees to be fast-tracked to purchase a unit. They go right to the front of the line for purchase, without having to compete in the free market.
  - For example, purchasing 2 priorities ($300,000 / $109,875 after tax benefits) offers stable, long-term housing for two of your employees.
- With the average price for a condo being $550,000 your team member would need $110,000 for a down payment and excellent credit to qualify for a traditional mortgage.
- Even if the bank pre-qualified them for a loan, they would have to compete in the open market against "CASH BUYERS"
- Last year only 6 units sold in Glenwood Springs under $500,000.

Where Do My Contributions Go?

Contributions are directed towards various Habitat initiatives, including:

- A mortgage pool with lower interest rates.
- Down payment assistance.
- Other programs aimed at providing stable housing for the workforce.

What are the unit prices?

- Proposed unit prices for any one at 80% - 120% Average Median Income (AMI)
  - $320,000 for Studio (454 SqFt)
  - $360,000 for Jr 1 Bedroom (535 SqFt)
  - $388,000 for 1 Bedroom (722 SqFt)
  - We will have deed restricted Resident Occupied pricing for people making over 120% AMI. These will most likely be our employer priority units.

Can My Contribution Reduce the Unit Price?

- The units are already priced affordably. The focus is on providing an affordable interest rate and as close to zero money down as possible, making it easier for your team members to enter the real estate market and providing an ongoing benefit to your team.
- Plus you do not want your money tied up until they decide to sell.

What If We No Longer Need the Priorities We Purchased?

- If an employer is not using their priorities, Habitat will manage the "sale/transfer" to another local employer for the same amount originally paid.

What If an Employee Wants to Sell Their Unit?

- Sales are managed through Habitat. If an employee intends to sell, Habitat will notify you, allowing you to offer another team member the opportunity to purchase.

What Is the Deed Restriction?

- Each unit has a deed restriction, a common practice in affordable housing. Habitat's restriction caps annual appreciation at 3%, allowing buyers to build equity while keeping the unit affordable for future buyers. Buyers must also meet specific qualifications to purchase.

How Do We Know If Our Team Member Is Qualified?

- Since they work for you, they meet the initial “boundary” criteria. You can refer them to HFH, who will guide them through mortgages, credit issues, and home-buying education. This support is a major benefit of the program, helping your employees gain financial literacy alongside homeownership.

What Is Habitat’s Mission?

Habitat aims to stabilize community members with affordable housing, leading to:

- **Financial Stability and Wealth Building**: Intergenerational wealth opportunities.
- **Financial Literacy and Education**: Preparing buyers for future financial challenges.
- **Improved Health and Stability**: Better living conditions for families.
- **Enhanced Educational Outcomes**: Stability leads to better academic performance.

How Does My Priority Assist These Missions?

- By offering an employee the chance to purchase a priority unit, you are investing in their future, potentially nurturing a future leader within your company and community. This stability fosters loyalty and growth, showing your commitment to their well-being.

What If My Employee's Financial Situation Improves?

- HFH encourages growth and financial improvement. Employees can build equity, save money, and eventually move to market-rate housing. This is a success story for both the community and your business.

Can I Tie the Unit to Continued Employment With Us?

- No, Habitat's policy allows residents to stay in their homes as long as they work within the deed-restricted area. We believe that linking housing to employment can lead to homelessness if someone loses their job. Instead, focus on why you chose this person for the opportunity—they are likely to be a valuable community member regardless of their employment status with you.

What Happens to My Priority If There Is a Separation?

- You will be at the top of the list for the next available unit, giving you another opportunity to support a team member in purchasing a home. The separated team member remains a valuable part of the community, and you can continue to offer housing benefits.

By participating in the Priority Units in the Building program, you are not only providing your employees with affordable housing but also making a significant impact on your community. Join hands with Habitat for Humanity to create a stable, prosperous, and vibrant community for all.

Town of Snowmass Village
Agenda Item Summary

DATE OF MEETING:
August 12, 2025

AGENDA ITEM:
A Discussion Regarding Boards and Commissions

PRESENTED BY:
Clint Kinney, Town Manager

BACKGROUND:
The Town Council requested an opportunity to discuss ways to improve communications with Town Boards and Commissions. This Council led discussion may explore opportunities to:

- Improve utilization of the Boards and Commissions
- Provide Boards and Commissions with more direction/feedback
- Determine methods for the Council to understand the dynamics of individual Boards and Commissions
- Ensuring that Boards and Commissions are investing their time well on topics important to the Council and community
- Ensuing the input from the Boards and Commissions are being listened to