

## AGENDA

### TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Wednesday, January 23, 2013 @ 6:00pm  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town council will hold a meeting open to the public on Wednesday, January 23, 2013 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting Town manager (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

#### TOWN COUNCIL REGULAR MEETING AGENDA

##### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

##### 2. ROLL CALL

MAYOR GREG BRYAN  
VICE MAYOR AL MONTOYA

COUNCILMEMBER BILL FITZGERALD  
COUNCILMEMBER JOHN RUETER  
COUNCILMEMBER CRAIG SANDERSON

❖ *One or two Council Members may attend by telephone*

##### 3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

*Members of the public may address the Council on items not on the printed agenda. The Council may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.*

*Members of the audience who wish to speak to the Council on an item listed as Public Hearing should complete a Request to Speak Card and turn it into the Town Clerk. Speakers will be limited to three minutes each.*

##### 4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

None

##### 5. CONSENT AGENDA

ITEMS ON THE CONSENT AGENDA ARE ROUTINE IN NATURE AND WILL BE ACTED ON WITH ONE MOTION AND ONE VOTE. PUBLIC HEARING ITEMS ARE

DESIGNATED WITH AN ASTERISK (\*). MEMBERS OF THE COUNCIL OR STAFF MAY ASK THE MAYOR TO REMOVE ANY ITEM FROM THE CONSENT AGENDA TO BE DISCUSSED AND ACTED UPON SEPARATELY.

- A. Minutes of Town Council Workshop of 1/8/13 and the Regular Meeting of 1/9/13
- B. Accounts Payable Billings
- 6. COMMITTEE REPORTS
- 7. ACTION ITEMS
  - A. Consideration, discussion, and possible approval of 5 Year Capital Improvement Program
  - B. Consideration, discussion, and possible approval of Public Participation Plan for the General Plan Process
- 8. DISCUSSION ITEMS
  - A. Overview and discussion of report from International Housing Solutions (Phase II, Task 3)
- 9. TOWN MANAGER'S REPORT
  - A. Overview of Community Development Block Grant funding applications received and timeline
  - B. Other miscellaneous updates
- 10. FUTURE AGENDA ITEMS
- 11. COUNCIL MEMBERS' REPORTS
- 12. MAYOR'S REPORT
- 13. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 17<sup>TH</sup> day of January, 2013, at \_\_\_\_\_pm in accordance with the statement filed by the Tusayan Town Council.

DATED this 17<sup>TH</sup> day of January, 2013.

  
\_\_\_\_\_  
Signature of person posting the agenda

ITEM NO. 5A

**TUSAYAN TOWN COUNCIL MEETING**  
PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Tuesday, January 8, 2013 at 5:00 P.M.  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

**TOWN COUNCIL SUMMARIZED MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 5:18pm and the Pledge of Allegiance was recited.

**2. ROLL CALL**

Upon roll call, the following were present:

**MAYOR GREG BRYAN**  
**VICE MAYOR AL MONTOYA** – excused  
**COUNCILMEMBER BILL FITZGERALD**  
**COUNCILMEMBER CRAIG SANDERSON**  
**COUNCILMEMBER JOHN RUETER**

Also present were: Tami Ryall, Interim Town Manager  
Melissa Malone, Town Clerk

**3. DISCUSSION OF DRAFT LANGUAGE FOR THE TUSAYAN MUNICIPAL CODE**

**A. Chapter 13 – Parks & Recreation**

Manager Ryall reviewed the Chapter and noted that most issues had been covered in a previous meeting. She also noted that trails are excluded from this section.

The only change the Council requested was in Section 13-1-4, B. – add "in writing" before "to the Town Manager"

**B. Chapter 11 – Offenses**

The Council made changes as follows:

- Section 11-1-3, change the time from 10pm to 11pm
- Section 11-1-5, need to list who will determine the offense (ex. Town Manager or designee) and get information on how Coconino County deals with it
- Section 11-1-6 Parks – Alcohol Use – Research Open Container Law, Intent on Park Use is to be a placeholder only at this point
- Section 11-1-8, change to "Buildings or structures shall be maintained to a level to be safe for use. It is unlawful for any property owner, tenant, or occupant to allow any building or structure to reach a state of disrepair as to become dangerous, unsafe, unsanitary, or otherwise unfit for human use, as determined by the town building official."

- Section 11-1-9, delete content and reserve for future use
- Section 11-1-10, delete the word "Town" from 911 system
- Section 11-1-11, delete content and reserve for future use

The remainder of the section will be covered in the next workshop.

**4. MOTION TO ADJOURN**

Councilmember Fitzgerald moved to adjourn the meeting at 6:43pm.  
 Councilmember Sanderson seconded the motion and it passed on unanimous vote.

\_\_\_\_\_  
 Greg Bryan, Mayor Date

**ATTEST:**

\_\_\_\_\_  
 Melissa A. Malone, Town Clerk

**CERTIFICATION**

State of Arizona        )  
                                   ) ss.  
 Coconino County        )

I, Melissa A. Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on January 8, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 17<sup>th</sup> day of January, 2013.

\_\_\_\_\_  
 TOWN CLERK

**TUSAYAN TOWN COUNCIL REGULAR MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Wednesday, January 9, 2013 @ 6:00pm  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

**TOWN COUNCIL SUMMARIZED MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 6:02pm and the Pledge of Allegiance was recited.

**2. ROLL CALL**

**MAYOR GREG BRYAN**  
**VICE MAYOR AL MONTOYA** – arrived at 8:55pm via phone  
**COUNCILMEMBER BILL FITZGERALD**  
**COUNCILMEMBER JOHN RUETER**  
**COUNCILMEMBER CRAIG SANDERSON** – arrived at 6:25pm

Also present were: Tami Ryall, Interim Town Manager  
Melissa Malone, Town Clerk

**3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

None

**4. CEREMONIAL AND/OR INFORMATIONAL MATTERS**

**A. Presentation by Todd Chaudhry, Ph.D., Watershed Stewardship Program Manager, Division of Science and Resource Management with Grand Canyon National Park**

Dr. Chaudhry presented information on the Greater Grand Canyon Landscape Assessment Project.

**B. Presentation on Northern Arizona Council of Governments (NACOG) Weatherization Program**

Bob Baca from NACOG discussed the Weatherization Program for home owners and renters and requires income qualification. The program includes testing and remediation for heating/cooling leaks, ducting problems, carbon monoxide leaks, gas leaks, etc.

The Council moved to:

**8. DISCUSSION ITEMS:**

**A. Discussion of Tusayan Fire Department's Budgetary Needs**

Tusayan Fire District (TFD) Board Member John Vail presented information to the Council regarding funding needs of the Fire Department. He discussed options they've explored to increase their funds. Annexation of Ten X and Kotzin Ranches adds less than \$3,000 of revenue to the Fire Department.

Board Member Andrew Aldez discussed additional funding possibilities they are exploring along with the Grand Canyon School District.

Board Member Vail also discussed investigation of annexing Valle into the District. They have determined that providing services there would cost more than could be gained by taxing the property. He also stated that TFD responded to 500 calls last year with only 3 personnel. For comparison, Highland Fire Department responded to a similar number of calls last year with a staff of 21.

Councilmember Rueter requested the issue come back to the Council on February 6, 2013 to make a decision on possibly providing funding.

Mayor Bryan directed Manager Ryall to investigate ramifications of purchasing a piece of equipment vs. providing funding for the TFD and to develop a recommendation so Council will have that information prior to making a decision.

Councilmember Fitzgerald voiced his support of providing funding, at least temporarily, to the TFD.

Board Member Vail stated that the current need is \$148,000 per year and TFD estimates the need will be reduced when current developments in progress are completed.

10 Minute Beak (7:53-8:03pm)

**The Council moved to:**

**7. ACTION ITEMS:**

**A. Consideration, discussion, and possible approval of a contract for a Town of Tusayan Drainage Study**

Manager Ryall introduced Jeff Holzmeister, an Engineer from J2 Engineering, who would be one of the personnel to perform the work described in the contract.

Mr. Holzmeister has reviewed previous studies in the area and discussed an approach of developing a plan to deal with flood control, working on a time and materials basis. His approach would also incorporate a multi-use solution where a drainage area also functions as a park or other such usable space.

The Council discussed the need and scope of the contract with Mr. Holzmeister and Bob Petzholdt from the South Grand Canyon Sanitary District.

Councilmember Sanderson made a motion to approve the contract. Councilmember Rueter seconded the motion. Councilmember Sanderson clarified that the rates in the contract are hourly rates. Mr. Holzmeister confirmed. Councilmember Sanderson also asked how long it may take to reach the cap of \$40,000. Mr. Holzmeister estimates several months. Councilmember Sanderson noted that there is no mention in the contract of travel costs. Council

directed Ms. Ryall to add a line on the Fee Schedule to reimburse J2 Engineering at actual cost. The motion passed unanimously.

**B. Consideration, discussion, and possible approval of a contract for a Broadband Network Strategic Plan**

Manager Ryall gave an overview of the contract to the Council. Mayor Bryan made a motion to approve the contract with NI Solutions. Councilmember Rueter seconded the motion and it passed on unanimous vote.

**5. CONSENT AGENDA**

Councilmember Fitzgerald requested the Accounts Payable to be pulled from the Consent Agenda.

**A. Minutes of Town Council Meetings of 12/19/12**

Mayor Bryan made a correction: remove School Board Member Bess Foster's name from the minutes as she was not in attendance at the meeting.

Councilmember Fitzgerald made a motion to approve the minutes with the one correction. Councilmember Sanderson seconded the motion and it passed unanimously.

**B. Accounts Payable Billings**

Councilmember Fitzgerald asked for an explanation of mileage reimbursement to the Town Clerk. Manager Ryall explained that a partial reimbursement was being paid to the Clerk until employee housing is available in Tusayan since she is currently driving daily from Flagstaff.

Councilmember Sanderson made a motion to approve the Accounts Payable Billings. Councilmember Fitzgerald seconded the motion and it passed unanimously.

**6. COMMITTEE REPORTS**

None

8:52pm Councilmember Rueter moved to go into Executive Session to discuss:  
**13. CONSIDERATION, DISCUSSION, AND POSSIBLE APPROVAL OF AN OFFER OF EMPLOYMENT TO A FINALIST FOR THE TOWN MANAGER POSITION.**  
Councilmember Fitzgerald seconded the motion and it passed unanimously.

**Vice Mayor Motoya joined the meeting at 8:55 by phone.**

Councilmember Rueter made a motion to adjourn the Executive Session at 9:57pm. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

At 10pm the Regular Council Meeting resumed.

## 9. TOWN MANAGER'S REPORT

- We will contract for printing the new Planning and Zone Code and creating an electronic, searchable, version.
- The new Town website is up and running. Ms. Ryall reviewed the new site.

## 10. FUTURE AGENDA ITEMS

For the meeting scheduled on 1/23/13:

- Remove Item 1 regarding Worker's Comprehensive Insurance since the information was covered in a brochure received by the Council.
- Move Item 2 regarding the Chamber of Commerce to 2/6/13 since they will not have a meeting prior to 1/23/13.

For the meeting scheduled on 2/6/13

- Add another discussion of the Tusayan Fire Department funding needs
- Add appointment of liaison to Community Park Steering Committee

## 11. COUNCIL MEMBERS' REPORTS

Councilmember Rueter announced that Art Babbott, new Coconino County Supervisor, will be in town 1/18/13 and wants to meet with the Council Members

## 12. MAYOR'S REPORT

- The Mayor spoke Mike Halpin & the head of the Arizona Lodging & Tourism Association. The Association is honoring some of the airports in Arizona and the Grand Canyon National Park Airport wasn't part of the recognition so we're trying to get it included.
- He spoke with Nic Larson at the National Forest Service today. The Stilo Group sent him (Mr. Larson) an application and he will be discussing the issues soon.

## 14. MOTION TO ADJOURN

Councilmember Sanderson moved to adjourn the meeting at 10:36pm.  
Councilmember Rueter seconded the motion and it passed on unanimous vote.

ATTEST:

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Melissa A. Matone, Town Clerk

CERTIFICATION

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on January 9, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 17<sup>th</sup> day of January, 2013.

\_\_\_\_\_  
Town Clerk

ITEM NO. 7A

**CIP0001****Tusayan Partners Park Development****Description:**

Partnering with the Grand Canyon School District, build a community park in multiple phases that will include ball fields, play equipment (tot lot), restrooms, a group ramada, and other amenities. A masterplan for the park has been prepared and prioritization of phases is on-going.

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
\$18,522	\$250,000	\$150,000	\$150,000	\$150,000	\$150,000	

**Phases:**

FY 13/14 Complete Phase I - tot lot fencing, and ramada  
FY 14/15 TBD - multi-use ball fields and ramada  
FY 15/16 TBD  
FY 16/17

**Sources:**

General Fund

**CIP0002**

**Fiber Optic Expansion**

**Description:**

Develop a comprehensive strategy to improve internet service within Tusayan

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$275,000	\$150,000	\$150,000	\$150,000		

**Phases:**

FY 12/13      Research and pre-design, evaluation of possible providers  
FY 13/14      Design & implementation  
FY 14/15      Construction

**Sources:**

General Fund

**CIP0003****Town Hall Parking Improvements/Sidewalks****Description:**

Construct improvements to the parking lot around Town Hall facilities.

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$50,000					

**Phases:**

FY 12/13      Landscaping, sidewalks, monument sign, lighting and reconfigure parking lot to provide better circulation

**Sources:**

General Fund

**CIP0004**

**Tusayan Employee Housing Project**

**Description:**

Design and install housing units and associated utilities for Town employees

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
\$2,850	\$250,000	\$150,000	\$150,000	\$200,000		

FY11-12 Professional services

FY12-13 Professional services, site preparation, utility installation, & purchase of 2 units

FY 13/14 Purchase of an additional unit, professional services, site preparation, utility installation

FY 14/15 Placeholder for additional employee housing

FY 15/16 Placeholder for additional employee housing

**Sources:**

General Fund

**CIP0005****Future Water System Investment****Description:**

Future water system evaluation

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
		\$1,200,000	\$1,200,000	\$1,200,000		

**Phases:**

FY 13/14 Placeholder to potentially determine possible phases, purpose & timing,  
preliminary engineering

FY 14/15 Placeholder

**Sources:**

Possible funding with WIFA & GADA  
Possible repayment of General Fund through future rate-based Enterprise Fund

**CIP0006****Tusayan Affordable Housing Project (40 acre dedication)****Description:**

Develop 40 acres of land to be dedicated to the Town for provision of affordable housing for Tusaya

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
		\$50,000	\$200,000	\$250,000	\$250,000	\$500,000

**Phases:**

FY 13/14 Consulting services to assist future Housing Authority with financing  
FY 14/15 Planning for infrastructure design  
FY 15/16 Placeholder for construction  
FY 16/17 Placeholder for construction  
Beyond 5 years Placeholder of \$250,000 per year FY 17/18 and 18/19

**Sources:**

General Fund

**CIP0007****Natural Gas Extension****Description:**

In partnership with Grand Canyon National Park, design and construct a natural gas line extension to service Tusayan residents.

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
			\$100,000			

**Phases:**

FY 14/15      Engineering support

**Sources:**

General Fund

**CIP0008**

**Drainage Study/ Model Update**

**Description:**

Conduct a drainage analysis of the Town of Tusayan to supplement previous flood analysis prepared by the National Forest Service

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$50,000	\$50,000				

**Phases:**

FY 12/13      Engineering services to do preliminary analysis  
FY 13/14      Construction of initial mitigation

**Sources:**

General Fund

**CIP0009**

**Bus Stop Art Program/ Public Art "Set-Aside"**

**Description:**

Develop and implement a public art program at bus stops operated by Grand Canyon National Park

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$40,000	\$15,000	\$15,000	\$15,000	\$15,000	

**Phases:**

FY 12/13      Conceptual masterplan & landscape \$30,000, \$10,000 concrete pad extension & conduit at 4 locations

FY 13/14      Program support / acquisition

FY 14/15      Program support / acquisition

FY 15/16      Program support / acquisition

FY 16/17      Program support / acquisition

**Sources:**

General Fund

**CIP0010****Trail System & Improvements****Description:**

Develop and improve access and connections to existing trails around Town of Tusayan

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$15,000	\$30,000				

**Phases:**

FY 12/13 Identify and construct small connections to existing local trails, with section from the 302 to the sidewalk as priority

FY 13/14 Placeholder for additional connections identified in General Plan process

**Sources:**

General Fund

**CIP0011****Utility Undergrounding Study****Description:**

Identify potential areas for undergrounding of overhead utilities to improve community aesthetics

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
						\$40,000

**Phases:****Sources:**

General Fund

**CIP0012**

**Snow Park**

**Description:**

Development of a winter park to provide areas for sledding and snow activities

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years

**Phases:**

**Sources:**

ITEM NO. 7B

# **TUSAYAN GENERAL PLAN**

## **PUBLIC PARTICIPATION PLAN**

## ***Introduction***

The first step in the General Plan process is the adoption of a Public Participation Plan (PPP). This plan describes the processes and mechanisms the Town will use to obtain public input on the draft of the General Plan from beginning to end (adoption). The PPP must be adopted by the Town Council. This requirement is found in ARS 9-461. This is the statute that regulates the preparation of a community's General Plan. It states that the governing body shall adopt written procedures to provide effective, early and continuous public participation in the development of the General Plan from all geographic, ethnic and economic areas of the community.

According to State Law, the PPP should provide for the broad dissemination of proposals and alternatives. It should provide an opportunity for the submittal of written comments. It shall also mention the required public hearings and public notice that is proposed. The PPP must allow for open discussion, communication programs and information services. Finally, the statute requires that the PPP provide for consideration of public comments by the Town. The proposed PPP for the Tusayan General Plan addresses these statutory requirements. A description of the various elements of the proposed PPP follows:

## ***Webpage***

The Town is creating a place on the Town's web site for the General Plan. This will be a convenient way for the public to stay abreast of the progress of the General Plan. The General Plan web page will contain information on upcoming meetings and events. It will also include minutes of public meetings as well as draft Plan documents. The General Plan web page will include an area for submission of public comment. Written comments provided outside of the internet environment will also be encouraged.

## ***Stakeholder Interviews***

One of the best ways to determine the issues that may impact the Town is through interviews with those individuals active in the community. This would include those persons directing local governmental and public service organizations. Staff is interviewing these organizations early in the General Plan process.

Interviews will be used to identify issues affecting the Town now and in the future. In addition to issue identification, interviews will be used to determine how stakeholders view the community and how they would like to see it develop in the coming years.

## **General Plan Technical Review Committee**

The General Plan Technical Review Committee (GPTRC) will consist of 7 individuals appointed by the Town Council. Appointment of GPTRC members should occur very early in the planning process. One member of the GPTRC should come from the Planning and Zoning Commission and one member from the Town Council. Input provided by the GPTRC will give technical credibility to the Plan and help to ensure a broad perspective in terms of the issues that will be addressed. All meetings of the GPTRC will be open to the public.

## **Public Town Hall Workshops**

At least two public meetings will be held to garner feedback and support from the community. The format of these meetings will be interactive "Tusayan Town Hall" workshops, similar to Arizona Town Halls. Those attending the workshops will break into groups and asked to study and report on some community related questions. Results will be reported out to the larger group and results will be recorded for use in preparing the General Plan. Questions at the first workshop will be of a more general nature and help establish the visioning process. Questions at the second workshop will be more focused and specific. The date, time and location of each meeting will be posted on the Town's web site, distributed to the Town's email list and information will be provided to the local newspaper.

## **Public Hearings**

Statutorily required public hearings on the final draft of the General Plan will be held by both the Planning and Zoning Commission and the Town Council. These hearings will occur toward the end of the planning process. The Planning and Zoning Commission hearing will be held first. Following the conclusion of the Commission hearing, they will make a recommendation to the Town Council. Notice of each public hearing will be provided by legal ad, an article in the local newspaper, an announcement on the Town's web page, and distributed to the Town's email list. Citizen feedback both in writing and in the form of oral testimony at the public hearings will be encouraged.

## **Schedule**

<b>Step</b>	<b>Timing</b>
Adoption of Public Participation Plan by Council	Month 1
Appointment of GPTRC members	Month 1
Web Page	Month 1
Stakeholder Interviews	Months 1 and 2
First Public Workshop	Month 2
Second Public Workshop	Month 3 or 4
P&Z Public Hearing	Month 5
Council Public Hearing	Month 6

ITEM NO. 8A

# International Housing Solutions

## Phase Two – Task Two



THE LOTTERY

# International Housing Solutions

## Phase Two – Task Two

*"Present a detailed, step-by-step outline of a recommended lottery process to be used for the allocation of housing units, including guidelines for eligibility for units, and rules for participation in the program."*

*"Create proposed written rules associated with the management of the program (ie, sale and resale agreements), in a format that can be used as a starting point for the Tusayan Housing program."*

### Recommended Lottery Process

**Goal** – Any lottery process must start with the objective of creating an environment where all applicants, winners and losers, leave with a feeling that the process was fair, transparent, well organized, and on the up-and-up. There are stories within the industry where specific lotteries were unfair, and even possibly illegal, by favoring a particular individual or class of individuals. In Aspen, a source of frustration is that by using a computer to select the order within the lottery, it is difficult for the average applicant to "feel" how they were selected. While we believe the officials involved are honest, the overall impression is that the system needs to be modified to make certain of it. Their approach was generated out of the sheer volume of applications that could be submitted for any one lottery. In the boom period it was not uncommon for the Housing Authority to have over 100 applicants for each unit available. If you add in how they separate all employees into eight different categories of housing, you begin to get what they were facing. At the beginning, it will serve Tusayan best if you keep everything simple in how you govern this important function of a housing authority.

### The Basics

**Deed Restrictions or "guidelines for eligibility"** – Before any unit is sold, it will be necessary for the Housing Authority to establish a deed restriction for the units being sold. This will allow a prospective applicant the ability to understand what it is that they are buying. Often times this is determined in advance of the construction of the units in order for everyone involved to "hone" it to your particular needs. The lenders need to have their say, along with the lawyers, potential buyers, policy makers, employers, and anyone else who might have an interest. A major portion of this discussion will center on not only who will be eligible to buy the unit, but how will subsequent sales be handled. Hence the need for a sale and resale agreement that will stand up on its' own, primarily with potential lenders. It does no good to come up with a "perfect" deed restriction if no lender will accept it. During the good times, lenders were more tolerant of restrictive language with the understanding that the supply was greatly exceeded by the demand. Now lenders are operating under stricter federal guidelines that can make

a deed restricted unit, "non-conforming" and therefore unable to be financed. The typical areas to be discussed in a deed restriction which will define who is eligible are;

1. Length of employment necessary
2. What constitutes "full time", (in a resort community it is often 1,500 hours minimum per year).
3. Maximum amount of net worth allowed
4. How many people per bedroom are allowed, (generally this addresses the need to have more than one person buying a two or three bedroom unit in order to maximize the usage. In Tusayan you may want to limit the maximum number of people allowed in order to not overload the units).
5. A priority system is usually established, Tusayan employees get first priority, and then the Park, then the County at-large, would be an example.
6. Income guidelines, an applicant cannot make more than \_\_\_\_ in order to keep it being sold to those in need.
7. It must be owner occupied for \_\_\_\_\_ months a year in order to prevent absentee ownership.
8. The ability to rent out a bedroom(s) must be addressed, allowed or not?
9. Can the employee own other property in the area? Do you want to allow someone from Valle to buy in town and rent their home out as an income property? This is a policy question for the board.
10. Last, but certainly not least, is the concept of controlling the re-sale values that can be achieved from a current owner. Some use a set percentage they can escalate, others the CPI for their area, and still others feel that by reselling it to another employee, the market will decide what it's worth and there is no need to cap the price. Often times limits are put on how much can be put into the units as a capital upgrade. The theory being that you do not want to see unrealistic improvements being put in with the expectations that the current owner will see them all returned upon a sale of the unit.

Deciding these issues will be an early task for the Housing Authority to determine how the program will operate. It will shape the program for years to come. An early question being asked may be can we live with a few violators of Tusayans' intent in order to keep the program incredibly simple. For example, it would be very easy to have as a deed restriction, in order to qualify to buy a unit, you must work a minimum of 1,500 hours in the Town boundaries. The next tier could be those who work in the park, and the third tier would be anyone who works within the county. This will invariably put a few people into a unit that might raise eyebrows, but maybe that would be an acceptable level of "unfairness" to justify the more basic approach. Given the small nature of the community, it is not likely many trust funders will find their way into these units.

**Application Process-** We have included a copy of the Town of Snowmass Villages' application form as a beginning point for Tusayan. We consider them to be one of the more concise and yet complete packages we have found, (see attached). It includes;

1. A non refundable application fee
2. Complete instructions
3. General information sheet

4. Employment history form
5. Employment verification form
6. The need for a pre-qualification letter from an accredited lender
7. Copies of three years tax returns
8. Ownership of other property and persons per bedroom form
9. An affidavit confirming an understanding of the rules and verification of the accuracy of the information presented
10. Business license (if appropriate)
11. A financial statement
12. A deadline and statement regarding the completeness of the information needed
13. A basic description of how the lottery works

It is an important and time consuming task to sort through all of the information requested and it must be handled by someone who is detail oriented and completely trustworthy. The information requested must be handled confidentially and kept in a secure manner.

**Qualifications** – Once an applicant has been deemed "qualified" by the Housing Authority, they will be notified by certified mail that they can enter the lottery. The date, place and time will be noticed and all involved will be invited to attend. The letter of notice should delineate at what level they have been categorized and what does that mean in terms of their chances of success. For example, it may state that there are 20 qualified applicants that will be competing for five two bedroom units. There should be a brief period of time allowed for those who feel that they have been unfairly categorized to appeal their case to the Housing Authority. You do not want to hold a lottery only to find out someone fell through the cracks and was actually entitled to a higher classification. It should also be communicated that if they are chosen outside of the number of units available, there is still a chance for them to "get" a unit due to the failure of one of the winners to qualify for the necessary loan. Sometimes a winner will change their mind or move out of the area.

**Rules** – The rules of the lottery are fairly simple. A method of chance to be used will be determined by the Housing Authority and all results are final. The purpose of the lottery is to determine a selection process for assigning the units available. The first name drawn gets their choice of the units and is guaranteed a spot, as long as they qualify for a loan. So using our example from above, all names would be drawn and assigned a spot on the list from 1 to 20. This becomes the official selection order and if someone from 1-5 does not proceed with a purchase than number 6 moves up, and so on. Some communities use a weighted system, similar to the NBA draft. In Snowmass Village, you receive one chance for 1-3 years, two for 3-7 years, four for 7-11 years, six for 11-15 years and eight chances for over 15 years. This gives the folks who have been there the longest the best shot at winning without excluded a relative newcomer from the process. You typically need not be present to win, however almost always everyone shows up. It is a very emotionally charged event and you can expect tears of happiness and of sadness.

**The Lottery** - We have found that keeping the lottery as simple as possible is the best approach. With that in mind, we urge the Town of Tusayan to start with a good old fashion method. Use a spinning raffle drum to mix up the applicants names and have someone who is beyond approach pick out the order of the applicants, (we have included an illustration of types of drums available and they can be easily located on the internet, [displaystogo.com](http://displaystogo.com), is one site of many). A kid, grandmother, clergyman, local dignitary, or anyone who qualifies as a good person, should handle the selection. They usually hand it to someone who reads the selection out loud. Snowmass Village uses film canisters to hold the names so two can't be accidentally pulled out at the same time. Often times lottery tickets that put the name on one ticket with a tear off stub on the other, are used to give the applicant something to hold on to during the lottery. Someone needs to record the results, a large sheet of paper on an easel is used with a Scribner, and a felt marker, put to duty. The results should be released to the public and often times the press is present to do a story on the lucky winners.

**After the Selection** - Generally the winners have one week to complete a sales contract for the unit. If the units are under construction, a site visit is often held in order to give the winners a better feel for the units. The lucky few need to make a selection in order to move the process along. The number two can't pick until number one has and so on. A deadline for selection is needed to keep it moving. In the case of new construction the Authority will likely have the closing procedures determined. In the case of a resale, the buyer and the seller can agree on a title company and closing schedule. Some communities have a small commission charged to help fund the program. First time home buyers often need a lot of help in getting across the finish line, so some communities hire realtors to help with the lead up to the closings.

**Rules associated with the management of the program** -- Again using Snowmass Village as the model program, we have attached a complete package of their application, resale process, Chapter 17 of the municipal code, condo declarations of a typical complex, bylaws of a homeowners association, and rules and regulations for the same complex. These are an excellent starting point for Tusayans' Housing Authority, and if followed closely, will save your authority tens of thousands of dollars in legal fees. The highlights are as follows.

**Application package**- as previously discussed contains the complete package an applicant needs to fill out prior to acquiring a deed restricted unit.

**Resale process for deed restricted property** -- Outlines what a current owner needs to do before they put up their unit for sale.

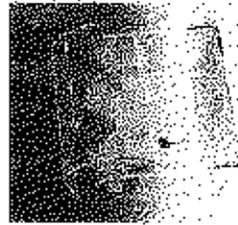
**Permanent Moderate Housing Regulations** -- Would be adopted by the Town Council as a part of your municipal code addressing deed restricted housing. It codifies the exact criteria governing the program and is reference throughout all new housing developments.

**Condominium declarations for the "Daly Townhome project" - an existing PMH project that would be a good model for Tusayans' first project**

**Bylaws of the Daly Townhome project** – Snowmass Village feels it is appropriate to have each complex they create become self governing. The bylaws do just that by setting up the homeowners association relating to that project.

**The Daly Townhomes Rules and Regulations-** Are enacted by the HOA to keep the complex a "nice place to live"

Raffle Drum, Raffle Ticket Drums for Contests, Sweepstakes, Charity Events



**\$77.86**  
12-1/8"W x 12-1/2"H  
Clear Acrylic  
Tabletop



**\$115.75**  
15"W x 13"H  
Clear Acrylic  
Tabletop



**\$125.17**  
13-1/2"W x 15"H  
Clear Acrylic  
Countertop



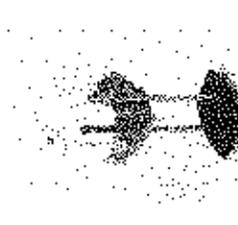
**\$255.53**  
21-5/8"W x 18-3/4"H  
Clear Acrylic  
Countertop



**\$390.28**  
30"W x 23"H  
Clear Acrylic  
Countertop



**1,987.5**



**\$337.85**  
9"W x 53"H  
Clear Acrylic  
Floor Standing



**\$62.79**  
11-1/2"W x 11"H  
Brass  
Countertop



**\$135.77**  
21"W x 18"H  
Brass  
Countertop



**\$12.58**  
6-3/4"H  
Ticket Dispenser  
Brass Plated



**\$9.28**  
Double Roll Raffle  
Tickets



## Town of Snowmass Village Employee Housing Sales Application

### Information and Instructions

Welcome to the Town of Snowmass Village For Sale Employee Housing program. Enclosed is the application with instructions and information for this program. If you have any additional questions after you have read this packet, please contact the Housing Department at 923 2360 or at [housing@tosv.com](mailto:housing@tosv.com) or at 555 Deerfield Drive (within the Mountain View Apartment complex) Monday through Friday 8:00am to 5:00pm.

#### General Program Information

- 1) This is an honesty based program. All applications are expected to be completed honestly and thoroughly.
- 2) A \$20.00 (twenty dollars) per unit application fee payable to the Town of Snowmass Village Housing Department. Cash and checks accepted.
- 3) An application is active for 12 (twelve) consecutive months from the date it is submitted to the Housing Department.
- 4) It is up to the applicant to provide all the information and submit a completed application to the Housing Department to an acceptable level before the application deadline. Incomplete applications will not be accepted.
- 5) You are welcome to wipe out all account numbers from your statements. Please do not wipe out the names.
- 6) Joint ownership is permitted as long as an applicant, as defined, is working in Snowmass Village. Both applicants must submit a completed application at the same time. All financial information will be combined to determine eligibility.

#### Application Instructions

- 1) Complete the Housing Department Information Sheet.
- 2) List all Snowmass Village full time employment on the Employment History Form. Applicants must be an employee of a Snowmass Village based business that has a current business license, whose principle place of business is conducted in Snowmass Village, and be employed a minimum of one thousand four hundred (1,400) hours

within eight (8) to twelve (12) months at the time of application and being awarded a unit. Conversion: 40 hours per week for 35 weeks per calendar year OR 35 hours per week for 40 weeks per calendar year OR 32.56 hours per week for 43 weeks per calendar year. Employment time will not be double counted.

3) An Employment Verification form must be completed and signed by each employer for the time listed on the Employment History sheet. Social Security printouts will be accepted as a substitute if the employment verification form can not be filled out by an employer.

4) A loan pre-qualification letter is required from a financial institution on letterhead, dated and signed by an officer stating the maximum amount the applicant is qualified to obtain. The amount stated by the financial institution is part of the approval process for a unit.

5) **Copies of the last three years of filed and signed (if applicable) complete personal Federal Income Tax forms and W-2's. Non-taxable income is to be included and verifiable documentation will need to be submitted. 80% (eighty percent) of the applicant's income must be earned within Snowmass Village and verified by a W-2.**

**Calculating income level: The last three (3) years of filed and signed (if applicable) Federal Income Tax Adjusted Gross Income (line 33 on form 1040 or line 4 on form 1040 EZ) added together then divided by three (3). Tax free income must be reported and will be included in the Maximum Income average.**

6) Complete and sign the Ownership of Other Property and Persons per Bedroom form.

7) Complete and sign the Acknowledgments and Verification of True and Accurate Information form.

8) Complete and sign the Authorization to Obtain a Copy of Loan Application form.

9) If you own your own business, you must submit a copy of your current Snowmass Village business license, your last three (3) years of filed business Federal Income Tax and a current Profit and Loss Statement. 80% (eighty percent) of the business must be conducted within the Town of Snowmass Village to be a qualified Snowmass Village business.

10) The Financial Statement is to be completed with real numbers (i.e. - if your checking account statement says your balance is \$1,856.32, please write in \$1,856. DO NOT round up or down the numbers - just drop off the cents!) For each item listed on the Financial Statement, copies of back up documentation must be submitted.

For Example: Cash in the bank - bank statements

Automobiles/Planes/Boats/Motorcycles - blue book value, and title, and registration.

Free Market Stocks/Bonds - copies of the certificates AND a recent statement or financial value.

Property- most current County property tax forms

Net Worth of Business - current Profit and Loss Statement

Loans/Mortgage - pay off amounts from the lending institution

Credit Cards- most current statements showing pay off amounts.

### Calculating Net Worth level:

Assets - (cash [checking, savings, money market], automobiles, planes, boats, motorcycles, free market stocks, bonds, insurance and real estate, retirement accounts and net worth in a personal business)

MINUS

Liabilities - (bank loans, mortgage, credit card debt, college loans and car, boat or plane loans)

MINUS

Retirement Funds - (IRA, KOEGH, 401K, FPPA - Tax Deferred Retirement Account)

EQUALS

Net Worth

NOTE - Contingent liabilities and personal effects are not included in this calculation.

11) The entire completed application and application fee must be submitted by the designated date and time specified by the Housing Department located at 555 Deerfield Drive in the Mountain View Apartment complex. **All applications submitted after the specified date and time will not be accepted. All incomplete applications will not be accepted.**

### General Information

- Each applicant will be given a number of chances per their employment time.
- All chances will be drawn from the bin.
- The order that the names are drawn is the order that the applicants will be permitted to accept the unit they are applying for.
- All applicants will be confirmed for the unit they have applied for by persons per bedroom and financial qualifications before being placed in the lottery.
- Only the first time that an applicant's name is drawn will they be permitted to accept a unit.
- Should a selected applicant change their mind about their chosen unit, the next applicant on the drawn list will be allowed to accept that unit.
- The Seller and Buyer will have 7 (seven) calendar days by 5:00 pm to bring a completed contract to the Housing Department.
- The Seller and Buyer can choose the title company.

### Lottery Procedures

The following lottery procedures were approved by the Town of Snowmass Village Town Council on July 27, 2009. After applicants are qualified they will be entered into a lottery tier using the priorities listed below.

Lottery Tiers	Lottery Priorities
1st	In-Complex (meets employment, income, assets and occupancy requirements)
2nd	Snowmass Village full-time employment with 3 or more years (meets occupancy requirements)
3rd	Snowmass Village full-time employment with 1 - 3 years (meets occupancy requirements)
4th	Snowmass Village full-time employment with 3 or more years; 2 people may apply for a 3-bedroom unit
5th	Snowmass Village full-time employment with 1 - 3 years; 2 people may apply for a 3-bedroom unit
6th	Pitkin County full-time employment with 3 or more years (meets occupancy requirements)

**Unit Size 17.3.3.** To maximize the occupancy of housing units an applicant can only apply to purchase a housing unit to accommodate the number of persons that will be residing with the applicant. The number of persons will include a dependant as defined in the Internal Revenue Code, or a minor child who resides on a part time basis of not less than one hundred twenty one (121) days per calendar year as a result of an order of a court. A first priority applicant can only apply to purchase a housing unit with the number of bedrooms as follows:

**First Priority Occupancy Table #1**

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
1*	X	X		
2	X	X		
3		X	X	
4		X	X	X
4+			X	X

\* One person is not eligible to purchase a single family home. After the first priority qualified applicants have been selected the Second Priority Occupancy Table will be used. This table will only be used for qualified Snowmass Village employee applicants in the 4<sup>th</sup> and 5<sup>th</sup> lottery tier from the 17.3.1 lottery procedures table.  
 Note: All Pitkin County employees in the 6<sup>th</sup> lottery tier must meet the requirements listed in the First Priority Occupancy Table #1.

**Second Priority Occupancy Table #2**

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
2	X	X	X	



## Housing Application Check List

Please use this check list to complete your Housing Application. The Housing office will use this check list to verify that you have submitted all the information required. Please make sure each box is checked that pertains to your application. The following items must be included with the application. If this is a joint application both applicants information must be included.

### Check List

- \$20.00 (twenty dollars) per unit application fee payable to the Town of Snowmass Village Housing Department.
- 80% (eighty percent) of the applicant's income must be earned within Snowmass Village and verified by a W-2.

### Financial Information:

- 2008 Tax Returns
- 2008 W-2's
- 2008 Business Tax Returns
- 2009 Tax Returns
- 2009 W-2's
- 2009 Business Tax Returns
- 2010 Tax Returns
- 2010 W-2's
- 2010 Business Tax Returns
- A copy of your current Snowmass Village business license.
- Copy of a current Profit and Loss Statement
- An Employment Verification form must be completed and signed by each employer for the time listed on the Employment History sheet.
- A loan pre-qualification letter from a institution on letterhead, dated and signed by an officer stating the maximum amount the applicant is qualified to obtain.

### Net worth back up information:

- Copies of all bank account statements: Checking, Savings, Certificate of Deposits and Money Markets.
- Copies of Stocks/Bonds Certificates and statement of the current values.
- Copy of the current annual county property tax bill showing assessed value of real estate owned.
- Automobiles/Planes/Boats/Motorcycles copy the title or registration.
- Copy of the blue book value for all vehicles.
- Copy of your Life Insurance policy and statement of the cash value.
- Copy of Retirement accounts.
- Copy of bank loans.
- Copy of mortgage payoff.
- Copy of Auto loan payoffs.
- Copy of all recent credit card statements.

Applicant/s: \_\_\_\_\_

Date: \_\_\_\_\_

Town of Snowmass Village  
Employee Housing Sales Application

**HOUSING DEPARTMENT INFORMATION SHEET**

Applicants Name: \_\_\_\_\_

Social Security No.: \_\_\_\_\_ Driver's License: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Co-Applicants Name:  
\_\_\_\_\_

Social Security No.: \_\_\_\_\_ Driver's License: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address:  
\_\_\_\_\_

E-mail Address: \_\_\_\_\_

Home No.: \_\_\_\_\_ Work No.: \_\_\_\_\_ Other No.: \_\_\_\_\_

What name(s) will be on the deed? \_\_\_\_\_

**DO NOT WRITE BELOW - OFFICE USE ONLY**

Employment time: \_\_\_\_\_ Total number of chances: \_\_\_\_\_

Net Worth: \_\_\_\_\_ Average Annual Income: \_\_\_\_\_

No. of Adults \_\_\_\_\_ No. of Dependents: \_\_\_\_\_ Housing Unit Size: \_\_\_\_\_

Bank approved amount: \_\_\_\_\_

Date application(s) submitted: \_\_\_\_\_

Date fee(s) paid: \_\_\_\_\_

Unit(s) applied for: \_\_\_\_\_





Town of Snowmass Village  
Employee Housing Sales Application

**EMPLOYMENT VERIFICATION**

I am verifying that \_\_\_\_\_ is/has been employed  
Name of applicant

By \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
Business name Month/year Month/year

and that this business is located and licensed within the Town of Snowmass Village. I am also verifying that this employee work(s/ed) over 1,400 hours within eight (8) to 12 (twelve) months per calendar year.

\_\_\_\_\_  
Employer signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contact phone no.

You will need to make additional copies of this form if you have more than one employer listed on the Employment History page.



Town of Snowmass Village  
Employee Housing Sales Application

**EMPLOYMENT VERIFICATION**

I am verifying that \_\_\_\_\_ is/has been employed  
Name of applicant

By \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
Business name Month/year Month/year

and that this business is located and licensed within the Town of Snowmass Village. I am also verifying that this employee work(s/ed) over 1,400 hours within eight (8) to 12 (twelve) months per calendar year.

\_\_\_\_\_  
Employer signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contact phone no.

You will need to make additional copies of this form if you have more than one employer listed on the Employment History page.

Town of Snowmass Village  
Employee Housing Sales Application

Applicant's name: \_\_\_\_\_

Co-Applicant's name: \_\_\_\_\_

**OWNERSHIP OF OTHER PROPERTY**

\_\_\_\_\_ I/We do not own any residential property within the Roaring Fork Drainage to include the area between No Name to Rifle, Colorado.

\_\_\_\_\_ I/We do own residential property within the Roaring Fork Drainage included in the area between No Name to Rifle, Colorado.  
The address is \_\_\_\_\_

The ownership is in the name of \_\_\_\_\_

**I/We agree to sell the above specified residential property within 6 (six) months from the time of closing on the awarded housing unit.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Co-Applicant's Signature

**NUMBER OF PERSONS REQUIRED PER BEDROOM**

\_\_\_\_\_ One person for a one (1) or a two (2) bedroom Condominium, Duplex or Townhome unit. (One person is not eligible for a single family home)

\_\_\_\_\_ Two persons for a one (1), two (2) bedroom or a three (3) bedroom unit.

\_\_\_\_\_ Three persons for a two (2) or a three (3) bedroom unit.

\_\_\_\_\_ Four persons for a two (2), three (3) or four (4) bedroom unit.

\_\_\_\_\_ Five persons for a three (3), four (4) or five (5) bedroom unit.

The parent(s) or legal guardian(s) of a dependent(s) must submit a copy of legal documentation confirming that the applicant(s) have legal custody of the dependent(s) for 121 days or more within a calendar year.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Co-Applicant's signature

# Town of Snowmass Village Employee Housing Sales Application

Applicant's name: \_\_\_\_\_

Co-Applicant's name: \_\_\_\_\_

## Acknowledgements

_____ Initials	_____ Initials	Retirement - I/We confirm that we must work until I am/we are eligible to receive social security benefits.
_____ Initials	_____ Initials	Retirement - I/We acknowledge that I/we will work for at least ten (10) years before retiring regardless of the amount of time I/we have been working in Snowmass Village or at the age I/we purchase my/our housing unit.
_____ Initials	_____ Initials	Requalification - I/we acknowledge that I/we will requalify biennially under the topics of employment, residency, income, net worth, ownership of other property and that I/we will complete and submit all required documentation.
_____ Initials	_____ Initials	Ownership of Other Property - I/we agree that I/we will not own any residential dwelling unit within the area named the Roaring Fork Drainage as defined in the Town of Snowmass Village Municipal Code Chapter 17.
_____ Initials	_____ Initials	Residency - I/We acknowledge that I/we must live in this housing unit as our primary residence eight (8) months per calendar year or I/we will be required to sell the housing unit.

## Verification of True and Accurate Information

I/We hereby verify that all information provided in this application is accurate and true. **I/We understand that I/we will be disqualified from this and all future lotteries with the Town of Snowmass Village For Sale Employee Housing Program if it is determined that any information is inaccurate or non-verifiable.** I/We shall be notified by the Town of Snowmass Village Housing Department in writing as to the subsequent disqualification and the reason(s) for the rejection.

\_\_\_\_\_  
Applicant's Signature Date

\_\_\_\_\_  
Co-Applicant's Signature Date



Town of Snowmass Village  
Employee Housing Sales Application

**Authorization to Obtain a Copy of Loan Application**

I/We give the authorization to the Town of Snowmass Village Housing Department to obtain a copy of my/our actual loan documents from my/our lender.

My/Our signature(s) below do(es) hereby authorize my/our lending institution \_\_\_\_\_ to furnish a copy of my/our completed loan application to the Town of Snowmass Village Housing Department.

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature and date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature and date

# Town of Snowmass Village Employee Housing Sales Application

## NET WORTH APPLICATION

Applicant's Name: \_\_\_\_\_

Co-Applicant's Name: \_\_\_\_\_

ASSETS		LIABILITIES	
AMOUNT/VALUE	INSTITUTION	PAY OFF AMMOUNT	INSTITUTION
Cash in the Bank 1) _____	_____	Bank Loans 18) _____	_____
2) _____	_____	19) _____	_____
3) _____	_____	20) _____	_____
Stocks and Bonds 4) _____	_____		
5) _____	_____		
LOCATION			
Real Estate 6) _____	_____	Mortgage 21) _____	_____
7) _____	_____		
YEAR/MAKE			
Automobiles 8) _____	_____	Auto Loan 22) _____	_____
9) _____	_____	23) _____	_____
10) _____	_____	24) _____	_____
INSTITUTION			
Life Insurance 11) _____	_____	Credit Cards 25) _____	_____
Retirement Accts 12) _____	_____	26) _____	_____
(IRA, 401K) 13) _____	_____	27) _____	_____
College Funds 14) _____	_____	28) _____	_____
(529 Plan) 15) _____	_____	Other	
Other Assets 16) _____	_____	Obligations 29) _____	_____
Child Support/ Alimony 16) _____	_____		
Net Worth Of Business 17) _____	NAME OF BUSINESS _____	Child Support/ Alimony 30) _____	_____
TOTAL ASSETS _____		TOTAL LIABILITIES _____	

**FOR OFFICE USE ONLY**

Assets \_\_\_\_\_ minus Liabilities \_\_\_\_\_ minus Retirement/College Funds \_\_\_\_\_ equals Net Worth \_\_\_\_\_

Form **4506-T**

**Request for Transcript of Tax Return**

(Rev. January 2011)

OMB No. 1545-0072

Department of the Treasury  
Internal Revenue Service

▶ Request may be rejected if the form is incomplete or illegible.

**Tip.** Use Form 4506-T to order a transcript of other return information free of charge. See the product list below. You can quickly request transcripts by using our automated self-help service tools. Please visit us at [irs.gov](http://irs.gov) and click on "Order a Transcript" or call 1-800-838-9946. If you need a copy of your return, use Form 4506, Request for Copy of Tax Return. There is a fee to get a copy of your return.

1a Name shown on tax return. If a joint return, enter the name shown first.	1b First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)
2a If a joint return, enter spouse's name shown on tax return.	2b Second social security number or individual taxpayer identification number if joint tax return
3 Current name, address (including apt., room, or suite no.), city, state, and ZIP code (See instructions)	
4 Previous address shown on the last return filed if different from line 3 (See instructions)	

5 If the transcript or tax information is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number. The IRS has no control over what the third party does with the tax information.

Town of Snowmass Village Housing Department, P.O. Box 6156 Snowmass Village, CO 81616 Telephone # 970-923-2380

**Caution.** If the transcript is being mailed to a third party, ensure that you have filled in line 6 and line 9 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy.

6 Transcript requested. Enter the tax form number here (1040, 1065, 1120, etc.) and check the appropriate box below. Enter only one tax form number per request. ▶

**a Return Transcript**, which includes most of the line items of a tax return as filed with the IRS. A tax return transcript does not reflect changes made to the account after the return is processed. Transcripts are only available for the following returns: Form 1040 series, Form 1065, Form 1120, Form 1120A, Form 1120H, Form 1120L, and Form 1120S. Return transcripts are available for the current year and returns processed during the prior 3 processing years. Most requests will be processed within 10 business days.

**b Account Transcript**, which contains information on the financial status of the account, such as payments made on the account, penalty assessments, and adjustments made by you or the IRS after the return was filed. Return information is limited to items such as tax liability and estimated tax payments. Account transcripts are available for most returns. Most requests will be processed within 30 calendar days.

**c Record of Account**, which is a combination of line item information and later adjustments to the account. Available for current year and 3 prior tax years. Most requests will be processed within 30 calendar days.

**7 Verification of Nonfiling**, which is proof from the IRS that you did not file a return for the year. Current year requests are only available after June 15th. There are no availability restrictions on prior year requests. Most requests will be processed within 10 business days.

**8 Form W-2, Form 1099 series, Form 1098 series, or Form 5498 series transcript.** The IRS can provide a transcript that includes data from these information returns. State or local information is not included with the Form W-2 information. The IRS may be able to provide this transcript information for up to 10 years. Information for the current year is generally not available until the year after it is filed with the IRS. For example, W-2 information for 2007, filed in 2008, will not be available from the IRS until 2009. If you need W-2 information for retirement purposes, you should contact the Social Security Administration at 1-800-772-1213. Most requests will be processed within 45 days.

**Caution.** If you need a copy of Form W-2 or Form 1099, you should first contact the payer. To get a copy of the Form W-2 or Form 1099 filed with your return, you must use Form 4506 and request a copy of your return, which includes all attachments.

9 Year or period requested. Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than four years or periods, you must attach another Form 4506-T. For requests relating to quarterly tax returns, such as Form 941, you must enter each quarter or tax period separately.

Signature of taxpayer(s). I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax information requested. If the request applies to a joint return, either husband or wife must sign. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506-T on behalf of the taxpayer. Note: For transcripts being sent to a third party, this form must be received within 120 days of signature date.

Telephone number of taxpayer on line 1a or 2a

Sign Here ▶ Signature (see instructions) \_\_\_\_\_ Date \_\_\_\_\_

▶ Title of line 1a above is a corporation, partnership, estate, or trust

▶ Spouse's signature \_\_\_\_\_ Date \_\_\_\_\_

## General Instructions

**Purpose of form.** Use Form 4506-T to request tax return information. You can also designate a third party to receive the information. See Pub. 5.

**Tip.** Use Form 4500, Request for Copy of Tax Return, to request copies of tax returns.

**Where to file.** Mail or fax Form 4506-T to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts: one for individual transcripts (Form 1040 series and Form W-2) and one for all other transcripts.

If you are requesting more than one transcript or other product and the chart below shows two different RAIVS teams, send your request to the team based on the address of your most recent return.

**Automated transcript request.** You can quickly request transcripts by using our automated self-help-service tools. Please visit us at [irs.gov](http://irs.gov) and click on "Order a Transcript" or call 1-800-908-8946.

## Chart for individual transcripts (Form 1040 series and Form W-2)

If you filed an individual return and lived in:	Mail or fax to the "Internal Revenue Service" at:
Florida, Georgia (file June 30, 2011), send your transcript requests to Kansas City, MO)	RAIVS Team P.O. Box 47-421 Stop 91 Doraville, GA 30092 770-455-2335
Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address	RAIVS Team Stop 5716 ALSSC Austin, TX 73301  817-460-2272
Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming	RAIVS Team Stop 37105 Fresno, CA 93688  559-456-5878
Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia	RAIVS Team Stop 6705 P-6 Kansas City, MO 64598  816-232-8102

## Chart for all other transcripts

If you lived in or your business was in:	Mail or fax to the "Internal Revenue Service" at:
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, or A.P.O. or F.P.O. address	RAIVS Team P.O. Box 9941 Mail Stop 8734 Ogden, UT 84409  801-820-8922

If you filed an individual return and lived in:	Mail or fax to the "Internal Revenue Service" at:
Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin	RAIVS Team P.O. Box 145500 Stop 2800 F Cincinnati, OH 45250  559-660-3592

**Line 2b.** Enter your employer identification number (EIN) if your request relates to a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (TIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.

**Line 3.** Enter your current address, if you use a P. O. box, include it on this line.

**Line 4.** Enter the address shown on the last return filed if different from the address entered on line 3.

**Note.** If the address on lines 3 and 4 are different and you have not changed your address with the IRS, file Form 3822, Change of Address.

**Line 5.** Enter only one tax form number per request.

**Signatures and date.** Form 4506-T must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the information be sent to a third party, the IRS must receive Form 4506-T within 120 days of the date signed by the taxpayer or it will be rejected.

**Individuals.** Transcripts of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506-T exactly as your name appeared on the original return. If you changed your name, also sign your current name.

**Corporations.** Generally, Form 4506-T can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer.

**Partnerships.** Generally, Form 4506-T can be signed by any person who was a member of the partnership during any part of the tax period requested on line 5.

**All others.** See Internal Revenue Code section 6103(c) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

**Deauthentication.** For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the Letters Testamentary authorizing an individual to act for an estate.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to establish your right to gain access to the requested tax information under the Internal Revenue Code. We need this information to properly identify the tax information and respond to your request. You are not required to request any transcript; if you do request a transcript, sections 6103 and 6105 and their regulations require you to provide this information, including your SSN or EIN. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include: giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506-T will vary depending on individual circumstances. The estimated average time is: Learning about the law or the form, 10 min.; Preparing the form, 32 min.; and Copying, assembling, and sending the form to the IRS, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506-T simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CA/MP/T/SP, 1111 Constitution Ave. NW, IR-8824, Washington, DC 20224. Do not send the form to this address; instead, see Where to file on this page.



### Resale Process for Deed Restricted Property

1. **Notify the housing department with a signed letter stating that you authorize the resale process to begin. Please include the following information in the intent to sell letter.**
  - A. Date
  - B. Property complex or subdivision and address.
  - C. Brief description of the property i.e. # of bedrooms/# of Baths/ S.F.
  - D. Owners name/s
  - E. Contact phone # to use in the advertisement in the newspapers.
  - F. Signature of owners.
2. **Fee due at the time of the letter of intent to sell:** a resale fee equal to one percent (1%) of the maximum resale price of a condominium housing unit to a maximum of One Thousand Dollars (\$1,000.00), and one-half of one percent (.5%) of the maximum resale price of a house to a maximum of One Thousand Five Hundred Dollars (\$1,500.00). **The first half of the resale fee is due with the letter of intent to sell and the second half will be due at closing. Please make check payable to TOSV – Housing Department.**
3. **Housing Unit Inspection.** As a condition precedent to filing a notice to sell a housing unit, the owner shall obtain an approved pre-sale inspection from an inspector approved by the Housing Manager. This is usually scheduled within one week after the letter of intent is given. The Housing Manager and the Chief Building Official are currently performing the resale inspections. Please note: All units must pass the resale inspection before the unit is advertised for sale. The resale inspection is necessary to verify that the unit is ready for occupancy for the new homeowner. Example: A new owner should not have to repaint or make repairs to a unit due to the resale condition.
4. **Publication.** After the unit passes the resale inspection the Housing Manager will advertise the unit in the Snowmass Village Sun once a week for the four (4) consecutive weeks.
5. **Lottery Procedure.** At the end of the thirty (30) day Snowmass village employee priority period, lottery chances will be assigned by the Housing Manager to qualified applicants. The lottery date and time will be set shortly after the application deadline.
6. **Contract and sale procedure.** The first priority qualified purchaser shall have seven (7) days to enter into a contract with the owner for the purchase of the housing unit. A blank contract is available at the Housing Department Office or you may print a copy off the Colorado Division of Regulatory Agencies web site: [www.dora.state.co.us/real-estate](http://www.dora.state.co.us/real-estate) click on contracts and forms.

**If you have any questions regarding this process do not hesitate to contact us at 970-923-2360.**



## Permanent Moderate Housing Regulations

- 17.1 Purpose.
- 17.2 Application Procedure.
- 17.3 Qualified Applicants.
- 17.4 Resale Procedure.
- 17.5 Lottery Procedure.
- 17.6 Contract and Sale Procedure.
- 17.7 Housing Unit Rental.
- 17.8 Biennial Requalification.
- 17.9 Appeal.

**17.1 Purpose.** These rules and regulations effectuate the provisions of Chapter 17, Article I of the Municipal Code and shall be enforceable as if enacted as a part thereof.

### **17.2 Application Procedure.**

**17.2.1 Application.** On forms specified by the Housing Manager, an applicant shall provide information concerning employment, income, net worth, unit size, dependants and such other information deemed reasonably necessary to determine whether the applicant can be deemed a qualified applicant. All information provided by an applicant shall be considered confidential for use by the Housing Manager.

**17.2.2 Procedures.** Applications are available at the Housing Department office. Completed applications must be submitted with an application fee of Twenty Dollars (\$20.00). An application is active for twelve (12) consecutive months. To apply for another housing unit, only a Confirmation Affidavit should be completed, with updated information, and a reapplication fee Twenty Dollars (\$20.00). Incomplete applications will not be accepted.

**17.2.3 Verification of Application Information.** The Housing Manager will verify all information contained in an application. If the Housing Manager determines that any information or statement in an application is not true and accurate, then the applicant may be permanently precluded from applying for the purchase of any housing unit or for the applying to rent any Town apartment.

**17.3 Qualified Applicant.**

**17.3.1 Employee Qualifications.** To apply for a housing unit an adult employee must have been actively employed by an employer licensed pursuant to Section 4.2 of the Snowmass Village Municipal Code with a principal place of business in the Snowmass Village for the minimum of three (3) years. A minimum of one thousand four hundred (1400) hours during a minimum period of eight (8) months per calendar year constitutes a year of active employment.

The following lottery procedures were approved by the Town of Snowmass Village Town Council on July 27, 2009. After applicants are qualified they will be entered into a lottery tier using the priorities listed below.

Lottery Tiers	Lottery Priorities
1st	In-Complex (meets employment, income, assets and occupancy requirements)
2nd	Snowmass Village full-time employment with 3 or more years (meets occupancy requirements)
3rd	Snowmass Village full-time employment with 1 - 3 years (meets occupancy requirements)
4th	Snowmass Village full-time employment with 1 or more years; 2 people may apply for a 3-bedroom unit
5th	Snowmass Village full-time employment with 1 - 3 years; 2 people may apply for a 3-bedroom unit
6th	Pitkin County full-time employment with 3 or more years (meets occupancy requirements)

17.3.2 **Maximum Income and Net Worth.** The purchase price of a housing unit limits the income and net worth of an applicant to a maximum income and net worth. The maximum income and net worth applicable to a specific purchase price is as follows:

**2011 Maximum Income and Maximum Net Worth**

Home Price	2012 CPI or 3.207%	2012 CPI or 3.207%	Home Price	2012 CPI or 3.207%	2012 CPI or 3.207%
	Adj. to 3%	Adj. to 3%		Adj. to 3%	Adj. to 3%
	Max. Income	Max. Networth		Max. Income	Max. Networth
\$ 70,000.00	\$77,282.95	\$54,481.25	\$ 400,000.00	\$197,006.79	\$311,321.42
\$ 80,000.00	\$80,911.14	\$62,264.28	\$ 410,000.00	\$200,634.98	\$319,104.45
\$ 90,000.00	\$84,539.33	\$70,047.32	\$ 420,000.00	\$204,263.17	\$326,887.49
\$ 100,000.00	\$88,167.52	\$77,830.35	\$ 430,000.00	\$207,891.36	\$334,670.52
\$ 110,000.00	\$91,794.42	\$85,613.39	\$ 440,000.00	\$211,519.55	\$342,453.56
\$ 120,000.00	\$95,422.61	\$93,396.42	\$ 450,000.00	\$215,147.74	\$350,236.59
\$ 130,000.00	\$99,050.80	\$101,179.46	\$ 460,000.00	\$218,774.64	\$358,019.63
\$ 140,000.00	\$102,678.99	\$108,962.50	\$ 470,000.00	\$220,519.34	\$365,802.66
\$ 150,000.00	\$106,307.18	\$116,745.53	\$ 480,000.00	\$220,519.34	\$373,585.70
\$ 160,000.00	\$109,935.37	\$124,528.57	\$ 490,000.00	\$220,519.34	\$381,368.73
\$ 170,000.00	\$113,563.57	\$132,311.60	\$ 500,000.00	\$220,519.34	\$389,151.77
\$ 180,000.00	\$117,190.46	\$140,094.64	\$ 510,000.00	\$220,519.34	\$396,934.80
\$ 190,000.00	\$120,818.65	\$147,877.67	\$ 520,000.00	\$220,519.34	\$404,717.84
\$ 200,000.00	\$124,446.84	\$155,660.71	\$ 530,000.00	\$220,519.34	\$412,500.88
\$ 210,000.00	\$128,075.04	\$163,443.74	\$ 540,000.00	\$220,519.34	\$420,283.91
\$ 220,000.00	\$131,703.23	\$171,226.78	\$ 550,000.00	\$220,519.34	\$428,066.95
\$ 230,000.00	\$135,331.42	\$179,009.81	\$ 560,000.00	\$220,519.34	\$435,849.98
\$ 240,000.00	\$138,959.61	\$186,792.85	\$ 570,000.00	\$220,519.34	\$443,633.02
\$ 250,000.00	\$142,586.51	\$194,575.88	\$ 580,000.00	\$220,519.34	\$451,416.05
\$ 260,000.00	\$146,214.70	\$202,358.92	\$ 590,000.00	\$220,519.34	\$459,199.09
\$ 270,000.00	\$149,842.89	\$210,141.96	\$ 600,000.00	\$220,519.34	\$466,982.12
\$ 280,000.00	\$153,471.08	\$217,924.99	\$ 610,000.00	\$220,519.34	\$474,765.16
\$ 290,000.00	\$157,099.27	\$225,708.03	\$ 620,000.00	\$220,519.34	\$482,548.19
\$ 300,000.00	\$160,727.46	\$233,491.06	\$ 630,000.00	\$220,519.34	\$490,331.23
\$ 310,000.00	\$164,355.66	\$241,274.10	\$ 640,000.00	\$220,519.34	\$498,114.26
\$ 320,000.00	\$167,982.55	\$249,057.13	\$ 650,000.00	\$220,519.34	\$505,897.30
\$ 330,000.00	\$171,610.74	\$256,840.17	\$ 660,000.00	\$220,519.34	\$513,680.34
\$ 340,000.00	\$175,238.93	\$264,623.20	\$ 670,000.00	\$220,519.34	\$521,463.37
\$ 350,000.00	\$178,867.12	\$272,406.24	\$ 680,000.00	\$220,519.34	\$529,246.41
\$ 360,000.00	\$182,495.32	\$280,189.27	\$ 690,000.00	\$220,519.34	\$537,029.44
\$ 370,000.00	\$186,123.51	\$287,972.31	\$ 700,000.00	\$220,519.34	\$544,812.48
\$ 380,000.00	\$189,751.70	\$295,755.34			
\$ 390,000.00	\$193,379.79	\$303,538.38			

Assets and liabilities are those defined as generally accepted accounting standards for individuals, including all business equity for self-employed persons and business owners. Tax deferred retirement funds and contingent liabilities are not included. Income is calculated by averaging the adjusted gross income shown on the last three (3) filed Federal Income Tax returns. Eighty percent (80%) of the applicant's income must be income earned within Snowmass Village and verifiable by tax return or W-2 form. Income and Net Worth levels for joint applicants will be combined.

<sup>1</sup>Maximum net worth is sixty percent (60%) of the purchase price.

<sup>2</sup>Maximum income is limited to an amount not greater \$40,000.00 plus an amount that is calculated as the annual amount necessary to amortize eighty percent (80%) of the purchase price over thirty (30) years at seven and one-half percent (7.5%) divided by 24% to a maximum of \$170,000.00.

**17.3.3 Unit Size.** To maximize the occupancy of housing units an applicant can only apply to purchase a housing unit to accommodate the number of persons that will be residing with the applicant. The number of persons will include a dependant as defined in the Internal Revenue Code, or a minor child who resides on a part time basis of not less than one hundred twenty one (121) days per calendar year as a result of an order of a court. A first priority applicant can only apply to purchase a housing unit with the number of bedrooms as follows:

**First Priority Occupancy Table #1**

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
1*	X	X		
2	X	X		
3		X	X	
4		X	X	X
4+			X	X

\*One person is not eligible to purchase a single family home.

After the first priority qualified applicants have been selected the Second Priority Occupancy Table will be used. This table will only be used for qualified Snowmass Village employee applicants in the 4<sup>th</sup> and 5<sup>th</sup> lottery tier from the 17.3.1 lottery procedures table.

Note: All Pitkin County employees in the 6<sup>th</sup> lottery tier must meet the requirements listed in the First Priority Occupancy Table #1.

**Second Priority Occupancy Table #2**

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
2	X	X	X	

**17.3.4 Applicant Priorities.** Upon qualifying to purchase a housing unit, an applicant may qualify for a further priority.

**17.3.4.1 Disabled Employee Prioritization.** A qualified applicant who personally or who resides with a dependant who has a physical impairment that substantially limits the major life activity of walking and substantially limits the ability of the person to climb stairs as documented in writing by a medical doctor licensed in the State of Colorado shall be deemed the first priority qualified purchaser for the purchase of a disabled housing unit, Daly Permanent Moderate Housing Townhomes Units 5, 8 and 10, without regard to prioritization criteria. In the event that two or more qualified applicants desire to purchase the housing unit, then employment prioritization shall be utilized to determine the first priority qualified purchaser.

**17.3.4.2 In Complex Priority.** A qualified applicant (meets employment, income, assets and occupancy requirements) who is an employee owner of greater than one (1) year of a housing unit in the project where a housing unit is offered for sale shall be deemed the first priority qualified purchaser for the purchase of the housing unit without regard to prioritization criteria. In the event that two or more such qualified applicant employee owners desire to purchase the housing unit, then employment prioritization shall be utilized to determine the first priority qualified purchaser. If more than one applicant is in the same employment tier then a lottery will be held to select the qualified in complex purchaser.

*(Council approved this revised regulation on August 1, 2011)*

#### **17.4 Resale Procedure.**

**17.4.1 Housing Unit Inspection.** As a condition precedent to filing a notice to sell a housing unit, the owner shall obtain an approved pre-sale inspection from an inspector approved by the Housing Manager. Upon successful completion of the inspection, an approved inspection report shall be issued and all cost of such report will be paid by the owner.

**17.4.1.1 Standards.** The inspection will disclose the physical condition of the housing unit. The housing unit must meet a minimum standard of maintenance and cleanliness. The approved inspector will grade the housing unit on a standard approved by the Housing Manager.

**17.4.1.2 Repairs.** If the pre-sale inspection discloses deficiencies, then the owner shall correct all deficiencies. The housing unit shall be reinspected to confirm that all such deficiencies have been properly corrected.

**17.4.2 Notice to sell.** After receipt of the approved inspection report and the notice of intent to sell, the Housing Manager shall calculate the maximum resale price. The Housing Manager shall then collect a resale fee equal to one percent (1%) of the maximum resale price of a condominium housing unit to a maximum of One Thousand Dollars (\$1,000.00), and one-half of one percent (.5%) of the maximum resale price of a house to a maximum of One Thousand Five Hundred Dollars (\$1,500.00). Upon good cause shown, the Housing Manager may authorize alternate arrangements for the payment of the resale fee.

**17.4.3 Maximum resale price calculation.** The Housing Manager shall calculate the maximum resale price based upon the date the owner acquired the housing unit and upon the owner's purchase price.

**17.4.3.1 Condominium Housing Units Acquired after July 22, 1991.** The maximum resale price shall be computed as the lesser of:

- a. the original price plus a three-percent annual increase in the purchase price, prorated from the date of the original purchase, or
- b. the purchase price paid by the owner, plus an amount equal to:
  1. The purchase price of the current owner;
  2. Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
  3. Divided by the CPI-W last published prior to the time of purchase by owner;

plus, the actual cost of capital improvements performed by the condominium association of the project in which the housing unit is located, paid for by the owner and approved by the Town, not to exceed ten percent (10%) of the owner's purchase price.

17.4.3.2

1. **Crossings Housing Units.** The maximum resale price shall be computed as the lesser of:

- a. the base price as maintained in the records of the Housing Manager, plus the cost of the finishing of the basement from the date of completion in accordance with the description of the basement option not to exceed the cost of a standard basement option, plus a three-percent annual increase, or
- b. the purchase price paid by the owner, minus the cost of any house option which is installed after the issuance of the original certificate of occupancy plus the cost of the deck option, if it was subtracted from the calculation of the house base price, plus an amount equal to:
  1. The purchase price of the current owner;
  2. Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
  3. Divided by the CPI-W last published prior to the time of purchase by owner;

plus, the cost of any house option, as approved by the Town Council as an option to the basic house design (as set forth in Exhibit "A" to the Horse Ranch Employee Housing Development Agreement entered into by and between the Town and Foresite Capital Facilities Corporation on April 22, 1994, plus automatic sprinkler system, gutter and downspout, permanent landscaping and heat tapes) which was installed after the issuance of the original certificate of occupancy plus the cost of the deck option, if it was subtracted from the calculation of the house base price. From the issuance of the original certificate of occupancy for the housing unit, the maximum amount shall be limited to ten percent (10%) of the house base price which shall escalate as follows:

1. To five (5) years, five percent (5%) of the house base price;
2. To six (6) years, six percent (6%) of the house base price;
3. To seven (7) years, seven percent (7%) of the house base price;

4. To eight (8) years, eight percent (8%) of the house base price;
5. To nine (9) years, nine percent (9%) of the house base price; and
6. To ten (10) years, ten percent (10%) of the house base price.

To substantiate such amount, an owner shall provide the Housing Manager an affidavit of owner setting forth the amounts expended for improvements with receipts attached thereto, and the certificate of completion issued by the Building Official for the improvements, if required, or if no certificate of completion is required, then a statement from the Building Official that the improvements installed did not require a certificate of completion. If such amount has not previously been substantiated to the satisfaction of the Housing Manager, it shall be provided with the notice of intent to sell.

**II. Rodeo Place Single Family Housing Units.** The maximum resale price shall be computed as the lesser of:

- a. the base price as maintained in the records of the Housing Manager, plus the cost of finishing the basement with a maximum allowance of \$70.00 per square foot from the date of completion in accordance with the square feet allocated to each home basement, or
  1. The purchase price of the current owner;
  2. Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
  3. Divided by the CPI-W last published prior to the time of purchase by owner;

To substantiate the finished basement option amount, an owner shall provide the Housing Manager an affidavit of owner setting forth the amounts expended for improvements with receipts attached thereto, and the certificate of completion issued by the Building Official for the improvements, if required, or if no certificate of completion is required, then a statement from the Building Official that the improvements installed did not require a certificate

of completion. The finishing of the basement improvements will be a one time adjustment to the home base price from the certificate of completion date. If such amount has not previously been substantiated to the satisfaction of the Housing Manager, it shall be provided with the notice of intent to sell.

**17.4.3.3 Condominium Housing Units Acquired before July 22, 1991.** For housing units located in the Creekside Condominiums and Country Club Townhomes that have been continuously owned by the same owner on and after July 22, 1991, the maximum resale price is computed as follows:

- a. the purchase price paid by the owner, plus an amount equal to:
  1. The purchase price paid by the owner;
  2. Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of Intent to sell;
  3. Divided by the CPI-W last published prior to the time of purchase by owner;
- b. plus, the depreciated cost of improvements to the condominium unit which have been paid for by the owner and approved by the Town Council.
- c. plus, the actual cost of capital improvements performed by the condominium association of the project in which the housing unit is located, paid for by the owner and approved by the Town, not to exceed ten percent (10%) of the owner's purchase price.

**17.4.3.4 Publication.** The Housing Manager shall cause a notice of the availability of the housing unit purchase shall be published in the Snowmass village Sun once a week for the four (4) consecutive weeks.

**17.5 Lottery Procedure.** At the end of the thirty (30) day Snowmass village employee priority period, lottery chances will be assigned by the Housing Manager to qualified applicants as follows:

Years Employed	Lottery Chances
1 or greater but less than 3	1
3 or greater but less than 7	2
7 or greater but less than 11	4
11 or greater but less than 15	6
15 or greater	8

Following the assignment of lottery chances to qualified applicants, the Housing Manager shall schedule and conduct a lottery to determine the priority of qualified purchasers. The lottery will be scheduled by the Housing Manager. If a chance of a qualified applicant is chosen more than one (1) time, all subsequent chances will be disregarded.

**17.6 Contract and sale procedure.**

17.6.1 The first priority qualified purchaser shall have seven (7) days to enter into a contract with the owner for purchase of the housing unit. In the event that a contract is not timely entered into then the next priority qualified purchaser shall have seven (7) days to enter into a contract with the owner for purchase of the housing unit, and so on until a sale occurs. The owner may not reject an offer from a qualified purchaser that is for the maximum resale price or the current resale price, as the case may be, unless other terms and conditions of the offer are unreasonable. Thereafter, if the housing unit has not been sold, the owner may list it for sale with a real estate broker, or negotiate a contract for its sale provided that the owner shall notify all prospective purchasers that they must be confirmed to be a qualified purchaser by the Housing Manager.

17.6.2 **Advertise housing unit for sale.** The owner shall advertise the housing unit for sale by the placement of a "for sale" sign meeting the requirements of Chapter 16A of the Snowmass Village Municipal Code at a conspicuous location.

17.6.3 **Confirmation of qualification.** At the closing of the sale, the Housing Manager shall confirm:

17.6.3.1 The status of the qualified purchaser to purchase the housing unit;

17.6.3.2 That the purchase price does not exceed the maximum resale price; and

17.6.3.3 All monies owing to the Town have been fully paid.

### **17.7 Housing Unit Rental.**

17.7.1 For good cause shown and with the approval of the Housing Manager, an owner may rent the entire housing unit for a maximum of four months. The rental rate shall not exceed the rent for a comparable rental apartment owned by the Town as determined by the Housing Manager. No short-term rentals will be allowed.

17.7.2 With written notice to the Housing Manager, the owner of a housing unit of not less than two (2) bedrooms may rent one (1) bedroom to a maximum of two (2) people, at least one (1) of whom is an employee. Provided, however, the owner must maintain residency in the housing unit, must occupy a bedroom in the housing unit and must receive prior approval for any such rental from the association in which the housing unit exists.

17.7.3 Where there exists a conflict between any limitation or requirement in this Code and any limitation or requirement contained in any applicable protective covenant, deed restriction, condominium declaration, homeowners or condominium association bylaws or rules and regulations, as the same may be adopted or amended from time to time, the more restrictive limitation or requirement shall prevail.

**17.8 Biennial Requalification.** Commencing July 1, 2003 all owners must requalify biennially by completing and returning an affidavit within ninety (90) days and payment of a twenty dollar (\$20.00) requalification fee. The affidavit will confirm that the following:

17.8.1. the owner has been in physical residence in the housing unit for a minimum of eight (8) months each calendar year, is or is eligible to be a registered voter in the Town, possesses or is eligible to possess a valid Colorado drivers license; and files a Colorado income tax return; and

17.8.2 the owner has been actively employed by an employer whose principal place of business is in Pitkin County for minimum of one thousand four hundred (1400) hours during a minimum period of eight (8) months per calendar; or have attained the age of sixty two (62) after having been the owner of the housing unit for not less than ten (10) years.

17.8.3 The owner has not acquired a residential dwelling unit within the Roaring Fork River drainage situated in Eagle, Pitkin or Garfield Counties, or within the Colorado River Drainage from and including the unincorporated No Name area to and including the City of Rifle, after the closing of the acquisition of a housing unit.

**17.9 Appeals.** Any applicant or owner who feels that the Housing Manager has misinterpreted or improperly applied the provisions of the Chapter 17 of the Municipal Code or these Regulations may inform the Town Manager in writing and request a review. Any such request must be delivered to the Town Manager within fourteen (14) days of the date of such purported misinterpretation or improper application. The Town Manager shall investigate and take such actions as are necessary and proper to alleviate any actual noncompliance.