



**EATON HOUSING AUTHORITY MEETING
FOLLOWING REGULAR BOARD MEETING
224 First Street, Eaton, CO
Thursday, July 20, 2023, 8:33 P.M.**

MINUTES

CALL TO ORDER

Mayor Moser called the meeting to order at 8:33 p.m.

ROLL CALL

BOARD PRESENT Mayor/Chair Scott Moser Trustee Nina Lewis Trustee Coby Gentry
Trustee Glenn Ledall Trustee Lee Griffith

BOARD ABSENT Mayor Pro Tem Liz Heid Trustee Karla Winter

STAFF PRESENT: Town Administrator/Executive Director - Wesley LaVanchy, Town Attorney - Avi Rocklin, Assistant Town Administrator - Greg Brinck, Financial Director - Faith Smith

AGENDA APPROVAL / AMENDMENT(S)

Trustee Lewis moved to approve the agenda as is.

Trustee Griffith seconded, and the motion passed unanimously, 4-0.

PUBLIC COMMENT

Mayor Moser opened and closed the floor for public comment at 8:34 p.m., there was no public comment.

NEW BUSINESS

1. EHA Resolution No. 2023-06 – Approving the Purchase and Sale Agreement Between the Housing Authority of the Town of Eaton and B Square Apartments Owner, LLC, for the Sale of Real Property Known as Benjamin Square I & II, Located at 55 Juniper Avenue, Eaton, CO 80615

Wesley LaVanchy, Executive Director spoke about the Purchase and Sale Agreement with B Square Apartments Owner, LLC which is affiliated with Brik\w/ell Acquisitions, LLC. The goal is to potentially generate additional revenue for Benjamin Square that will protect and preserve this asset and provide better services to the residents and additional services to the residents. The property would remain as affordable housing for a period of at least sixty (60) years and the funds from the purchase would be available to the Housing Authority to provide additional affordable housing options to citizens and residents of the Town.

Avi Rocklin, Town Attorney spoke about the key points listed on the agenda memo. B Square agrees to pay \$5,600,000 for the property. Upon the sale of the Property, a "Use Covenant," would be recorded against the Property providing that, for a period of 60 years, 100% of the units would be leased to tenants who earn 80% of the area median income with a "housing for older persons" preference, meaning a preference for persons 62 years of age or older.

Jim Martell, Attorney #8390 spoke about his 30 years of experience with Fort Collins Housing Authority. With respect to maintaining affordability, the Use Covenant runs for 60 years, if they were going to get a loan through CHFA, the Use Covenant would run for only 30 years. This Use Covenant will be recorded with the County, along with Defaults and Remedies. Remedies such as, 1) no affordability, there will be a right to buy back the property, 2) no longer wanting to continue running the property, there will be a first offer right for the Town to purchase the property back.

Max Bresner, Brik\w/ell Acquisitions, LLC introduced himself and his partner Tyler Elick. Max then presented their background, values, and mission. The Brik\w/ell name; A brick is solid, stable, and placed individually with intention and care. You can make many structures of brick, including wells, which serve people and provide resources for the future. This asset fits in line with others that they have purchased recently. As the property appears to be well maintained, Brik\w/ell will conduct a thorough physical inspection of the property. There will also be energy and water conservation upgrades and in-unit upgrades. There are at least four units that need new cabinets and fixtures. The amenities will also be upgraded, such as modernizing the clubhouse or adding outdoor amenities like a community garden, dog park or exercise circuit. Residents will be gathered to give feedback to fully understand the wants of the community before upgrading and/or altering the property's

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NEW BUSINESS CONTINUED

amenities. First impressions matter and will look to enhance curb appeal and landscaping where appropriate. Will use a third-party management company. Property manager selection criteria is based on their values, experience, willingness to work in this area, region and buy in of the business plan. The two contenders for the management opportunity are Ross and Hudson Real Estate.

Avi Rocklin interjected another structure to the deal; the Housing Authority will create an LLC and the LLC will become a member of Brik\w/ell, LLC at .01% membership interest. This will allow them to maintain the property tax exemption and in exchange, they will pay the Housing Authority \$10,000/year. This is a corporate structure change, and the Town will need to maintain the LLC for the next 60 years.

Trustee Griffith moved to approve EHA Resolution No.2023-06, Resolution Approving the Purchase and Sale Agreement Between the Housing Authority of the Town of Eaton and B Square Apartments Owner, LLC, for the Sale of Real Property Known as Benjamin Square I & II, Located at 55 Juniper Avenue, Eaton, CO 80615 and with non-substantive modifications, if any, made to the Purchase and Sale Agreement by the Town Attorney, authorize the Mayor to sign the Purchase and Sale Agreement.

Trustee Gentry seconded, and the motion passed unanimously, 4-0.

ADJOURN

Mayor Moser adjourned the July 20, 2023, EHA Meeting at 9:06 p.m.

Margaret Jane Winter Town Clerk