

GUNNISON VALLEY REGIONAL HOUSING AUTHORITY
BOARD OF DIRECTORS MEETING
Crested Butte Town Hall/Zoom
March 9, 2023
2:30pm

Agenda

- 1. Call to Order, Roll Call, Introductions** **2:30pm**
- 2. Public Comments (Max 5 minutes per person)**
- 3. Review and Approval of Minutes: 2.9.23 Regularly Scheduled Meeting**
- 4. Staff Reports:**
 - a. Homeownership Presentation – Lauren Woodyard
 - b. GV Heat February 2023 Report
- 5. Old Business**
 - a. PM Hire Update
 - b. Frontierlands Status
- 6. New Business**
 - a. Board Retreat 2/22 Follow up
 - b. Deed Monitoring Software
 - c. GVRHA Subpoena – Country Meadows
 - d. Gunnison County Raise Grant Letter of Support
 - e. Other New Business

7. Adjourn

Next meeting scheduled for April 13, 2023 in Gunnison.

Accommodations for handicapped persons can be made upon request.

Join Zoom Meeting

<https://zoom.us/j/94162271245?pwd=MmdVSS9RclBnbGZ3VVI0a0xuaVFRZz09>

Meeting ID: 941 6227 1245 Passcode: 554114 Call: 1 312 626 6799 US (Chicago)



GUNNISON VALLEY REGIONAL HOUSING AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
Gunnison Blackstock Building/Zoom
February 9, 2023
2:30pm

Agenda

1. **Call to Order, Roll Call, Introductions** *Meeting called to order at 2:34pm*

*Alec Lindeman, Sharan Tamarcaz, Chris Haver, Josh Lambert, Laura Puckett-Daniels
Andy Kadlec, Gesa Michel, David Reed, Erin Ganser*

2. **Public Comments (Max 5 minutes per person)**

No public comments

3. **Review and Approval of Minutes:** 1.12.23 Regularly Scheduled Meeting

4. **Staff Reports:**

- a. GV-HEAT Presentation

GV-Heat Program Manager Gesa Michel gave a presentation on the Gunnison Valley Home Energy Advancement Team program, its recent success and plans for the 2023 calendar year.

5. **Old Business**

- a. PM Hire Update

AK gave an update on the Vacant Property Manager Position vacancy and hiring process. The candidate that was given a job offer in late-December has since rescinded their interest, and the HA posted the position shortly after. The HA currently has a good list of interested applicants and intend to begin interviewing the week of 2/13.

- b. Board Retreat 2/22

Board retreat has been expanded to include staff as well and will take place on 2/22 from 1-5pm in Gunnison, with a formal agenda to follow soon. Town of Crested Butte Housing Director Erin Ganser will support AK with facilitation.

- c. Frontierlands Application Update

AK gave a brief overview of GVRHA's interest in Frontierlands to date. A Letter of Interest for the Transformational Affordable Housing (TAH) program was submitted to Colorado Division of Local Affairs on January 9th, and the HA had a pre-application meeting with DOLA staff Tim Dolan, Andrew Paredes, and Olivia Cook, along with Anton Sinkewich from the City of Gunnison on January 20th. During that meeting, concerns around residency of the Frontierlands came up, and the HA decided not to move forward with the TAH application. The state recommended applying for a different state program for Housing Development Grant (HDG) funding, which do not have explicit residency reporting requirements. At the same time, the park was unlisted from the market, and AK reached out directly to the park owner and discussed the situation. The Frontierlands owner was open to working with the HA to entertain an offer that was flexible to apply for the funding, as he also wants to preserve this park.



HA board discussed some of the pros and cons of this acquisition, including liabilities of the aged homes and infrastructure issues, as well as the importance of preservation with little financial risk to the HA under the presented proforma. The City of Gunnison is committed to being a partner on this development and assisting the HA in the diligence process. Discussions on community matches to bring additional funding to the table ensued, and the importance of a contract that gives protection to the HA as we move through the discovery process.

LPD made a motion to authorize the ED to enter into negotiations with the owner of Frontierlands park for a contract to purchase, which will be brought back to the board for review - ST seconded the motion – Motion carried unanimously.

6. New Business

a. Board Positions

CH nominated LPD for the vacant position of Board Chair. GP Seconded. Motion carried unanimously.

b. Sawtooth Letter of Support

AK presented a letter of support for the Gunnison County's Sawtooth Housing Development that was submitted on behalf of GVRHA. It was a general letter of support, no board action needed.

c. Staffing Assessment

As program staffing needs align, the HA may consider hiring a part time bookkeeper this spring to open up capacity. 10-15 hours/week or less. Lauren Woodyard is managing bookkeeping work and the entire deed monitoring process now and should focus solely on homeownership in the valley. LPD recommends shopping around posting a RFP for local accounting firms. General agreement to consider this in the future.

d. Other New Business

No new business.

7. Adjourn

Meeting adjourned at 4:15 pm

Next meeting scheduled for March 9, 2023 in Crested Butte.

Accommodations for handicapped persons can be made upon request.

Join Zoom Meeting

<https://zoom.us/j/94162271245?pwd=MmdVSS9RclBnbGZ3VVI0a0xuaVFRZz09>

Meeting ID: 941 6227 1245

Passcode: 554114

Call: 1 312 626 6799 US (Chicago)





February 2023 Report

Prepared by Gesa Michel

CARE – Colorado Affordable Residential Energy

A state-run program assisting income-eligible households with free home energy assessments and eligible upgrades to improve a home's comfort, safety, and efficiency. Households are eligible when they are at 80% Area Median Income (AMI) income or less. We have a goal of servicing 37 homes in 2023.

Work through February

- CARE Applications Approved: 16
- CARE Assessments Completed: 8
- CARE homes retrofitted: 0

GreenDeed program

A Town of Crested Butte – GV-HEAT partnership offering energy assessment, report, and upgrades to deed-restricted homes within town limits up to a total of \$5,000/per home. Participants contribute \$50 towards the assessment. This is Year 3 of the program and we aim to service 15 homes in 2023.

- GreenDeed Applications Approved: 15
- GreenDeed Assessments Completed: 2
- GreenDeed Retrofits Completed: 0

Outreach and Funding in January / February

- Received \$39,725 Energy Outreach Colorado (EOC) grant to promote outreach to underserved communities.
- Negotiated increased funding by \$21,940 to \$59,940 of an EOC grant to serve 37 CARE homes in 2023. This includes a new Admin fee of \$120/home served going to GV-HEAT.
- Presented GV-HEAT project on 1/31/23 to WCU/CU engineering students. Students will conduct feasibility study on electrification opportunities in Gunnison Valley income-qualified homes.
- Presented GV-HEAT progress report to GVRHA board on 2/9/23.
- Presented GV-HEAT update to City of Gunnison council on 2/28/23.
- Launched another round of GreenDeed in the Town of CB with direct mailings, newspaper ads, and public service announcements, presented in CB News on 2/17/23.
- Launched a GreenDeed Phase II with up to \$2,500 annual rebate opportunities to previous GreenDeed participants to invest in further weatherization, electrification, or renewable energy investments.
- Published case-study of a past CARE participant through social media, website, and print media.



Ownership Program

A brief overview of goals, program plans for 2023, and how to better implement sustainable growth strategy

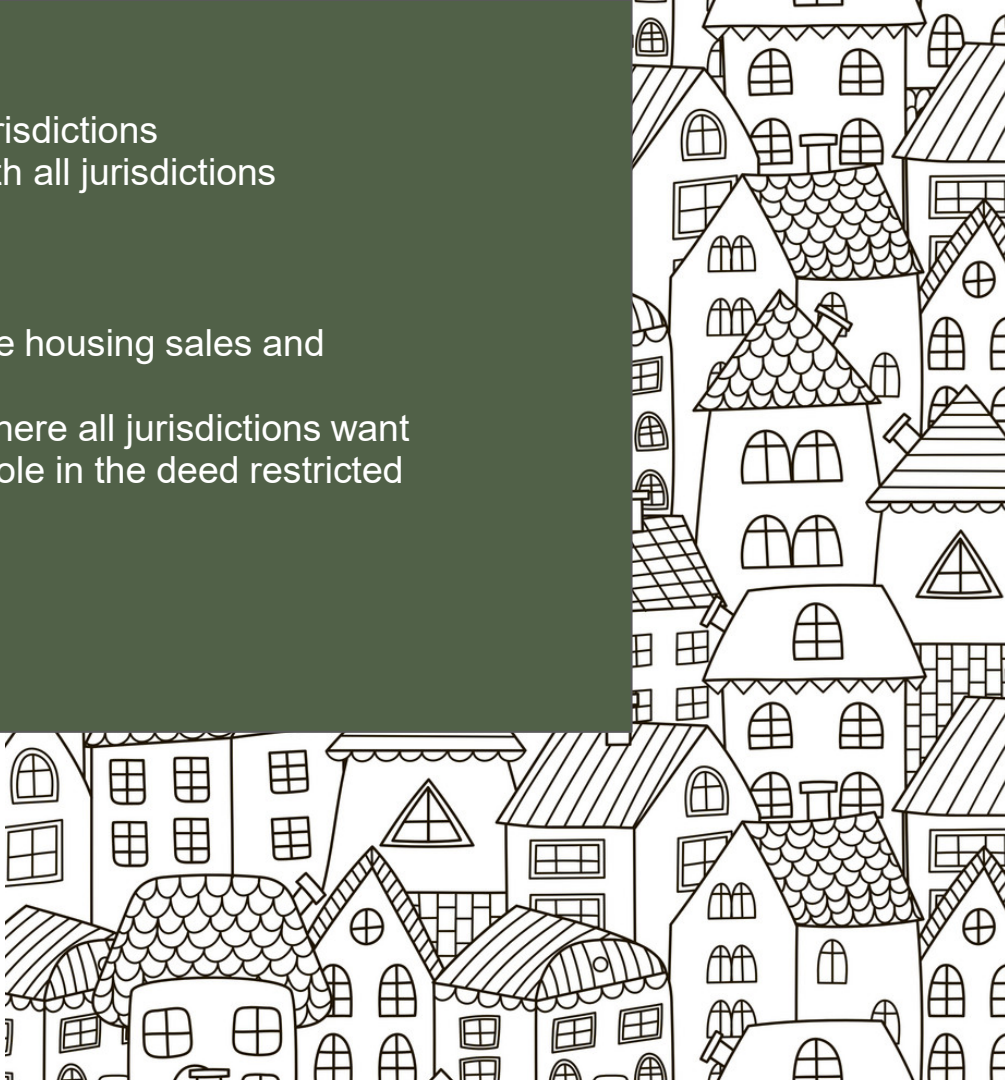
Goals

- Have licensed realtor be an option to the GVRHA staff and GCB existing realtors
 - Act as a broker for affordable homes as well as resource for realtors who are selling in the affordable housing inventory
- Have 100% grasp on deed restricted inventory in the Gunnison Valley
 - This means working with ALL jurisdictions on creating a better inventory set up
 - Collab with Assessor's office
- Have deed monitoring process set in place
- Have detailed sales and purchase process mapped out



2023 Goals

- Licensed realtor
- Deed restricted inventory for all jurisdictions
- Violations process mapped out with all jurisdictions
- Plot maps
- Deed monitoring process
- Software support
- Provide local support for affordable housing sales and purchases
- Have more clear understanding where all jurisdictions want this program to go, and what our role in the deed restricted inventory should look like





March 3, 2023

Courtney Scales
courtneyscales@gmail.com
970-275-2713

RE: Letter of Intent
Frontierlands Mobile Home Park
912 West Gunnison Avenue
Gunnison, Colorado 81230

Mr. Scales,

Subject to the execution of a Purchase and Sales Agreement (PSA), upon terms to be negotiated between Seller and Buyer, after execution of this non-binding Letter of Intent ("LOI"), the undersigned offers to purchase the subject property upon the following terms and conditions:

Seller: CCNB Properties, LLC.

Buyer: Gunnison Valley Regional Housing Authority (GVRHA), and any of its assignees

Subject Property: The real property of 912 West Gunnison Avenue, including all of seller's rights, title and interest in all of the individual manufactured homes, improvements, leases, maps, reports, plans, contracts, conveyance of any and all water rights (if applicable), and additional material items to be additionally defined in the PSA.

Terms

Contract Price: \$800,000

Earnest Money Funds: \$20,000, due to a mutually agreed upon title company 10 days after contract execution.

Due Diligence Objection Deadline: 60 days after mutual execution of contract ("MEC")

Financing Objection Deadline: 100 days from MEC, or upon notification of grant funding the seller intends to apply for through Colorado's Division of Local Affairs

Closing Date: By mutual agreement, pending availability of grant funding.

Acceptance: Thursday, March 9th, 2023

This is a non-binding letter of intent. The provisions of this LOI do not constitute and will not give rise to any legally binding obligation on the part of GVRHA until GVRHA is satisfied with its due diligence and executes the PSA as approved by the Board of Directors of GVRHA.

Buyer: [Signature] Date: 3/3/23
Name: Andy Kadlec, Executive Director

Seller: [Signature] Date: 3/6/23
Name: Courtney Scales





Board Self-Evaluation Questionnaire

A Tool for Improving Governance Practice
For Voluntary and Community Organizations

Name _____ For period from _____ to _____
(optional)

Non-Profit Sector Leadership Program
College of Continuing Education

VERSION II





Board Self-Evaluation Questionnaire

Questions should be answered by all board members. When completed individually the results of Sections A, B and C should be compiled, shared and discussed by the whole board to determine an average group answer to each question and an overall section rating. Section D should be answered by board members alone but not shared with the group. Sections A, B and C should also be completed by the **Executive Director or CEO**. This version also includes Section E, which provides feedback to the Chair of the Board.

*Circle the response that **best** reflects your opinion. The rating scale for each statement is: Strongly Disagree (1); Disagree (2); Maybe or Not Sure (3); Agree (4); Strongly Agree (5).*

A. How Well Has the Board Done Its Job?

- | | | | | | |
|--|---|---|---|---|---|
| 1. Our organization has a three to five-year strategic plan or a set of clear long range goals and priorities. | 1 | 2 | 3 | 4 | 5 |
| 2. The board's meeting agenda clearly reflects our strategic plan or priorities. | 1 | 2 | 3 | 4 | 5 |
| 3. The board has insured that the organization also has a one-year operational or business plan. | 1 | 2 | 3 | 4 | 5 |
| 4. The board gives direction to staff on how to achieve the goals primarily by setting or referring to policies. | 1 | 2 | 3 | 4 | 5 |
| 5. The board ensures that the organization's accomplishments and challenges are communicated to members and stakeholders. | 1 | 2 | 3 | 4 | 5 |
| 6. The board has ensured that members and stakeholders have received reports on how our organization has used its financial and human resources. | 1 | 2 | 3 | 4 | 5 |
| 7. _____ | 1 | 2 | 3 | 4 | 5 |

My overall rating (add together the total of the numbers circled):

☐ Excellent (28+)
 ☐ Very Good (20-27)
 ☐ Good (15-19)
☐ Satisfactory (12-18)
☐ Poor (7-11)

B. How Well Has the Board Conducted Itself?

*Circle the response that **best** reflects your opinion. The rating scale for each statement is: Strongly Disagree (1); Disagree (2); Maybe or Not Sure (3); Agree (4); Strongly Agree (5).*

- | | | | | | |
|--|---|---|---|---|---|
| 1. Board members are aware of what is expected of them. | 1 | 2 | 3 | 4 | 5 |
| 2. The agenda of board meetings is well planned so that we are able to get through all necessary board business. | 1 | 2 | 3 | 4 | 5 |
| 3. It seems like most board members come to meetings prepared. | 1 | 2 | 3 | 4 | 5 |
| 4. We receive written reports to the board in advance of our meetings. | 1 | 2 | 3 | 4 | 5 |
| 5. All board members participate in important board discussions. | 1 | 2 | 3 | 4 | 5 |
| 6. We do a good job encouraging and dealing with different points of view. | 1 | 2 | 3 | 4 | 5 |
| 7. We all support the decisions we make. | 1 | 2 | 3 | 4 | 5 |
| 8. The board has taken responsibility for recruiting new board members. | 1 | 2 | 3 | 4 | 5 |
| 9. The board has planned and led the orientation process for new board members. | 1 | 2 | 3 | 4 | 5 |
| 10. The board has a plan for director education and further board development. | 1 | 2 | 3 | 4 | 5 |
| 11. Our board meetings are always interesting. | 1 | 2 | 3 | 4 | 5 |
| 12. Our board meetings are frequently fun. | 1 | 2 | 3 | 4 | 5 |

My overall rating:

D Excellent (50+) **D**Very Good (40-49) **D**Good (30-49)
D Satisfactory (20-29) **D** Poor (10-19)

C. Board's Relationship with Executive Director

*Circle the response that **best** reflects your opinion. The rating scale for each statement is: Strongly Disagree (1); Disagree (2); Maybe or Not Sure (3); Agree (4); Strongly Agree (5).*

- | | | | | | |
|---|---|---|---|---|---|
| 1. There is a clear understanding of where the board's role ends and the Executive Director's begins. | 1 | 2 | 3 | 4 | 5 |
| 2. There is good two-way communication between the board and the Executive Director. | 1 | 2 | 3 | 4 | 5 |
| 3. The board trusts the judgment of the Executive Director | 2 | 3 | 4 | 5 | |
| 4. The Board provides direction to the Executive Director by setting new policies or clarifying existing ones. | 1 | 2 | 3 | 4 | 5 |
| 5. The board has discussed as communicated the kinds of information and level of detail it requires from the Executive Director on what is happening in the organization. | 1 | 2 | 3 | 4 | 5 |
| 6. The board has developed formal criteria and a process for evaluating the Executive Director | 1 | 2 | 3 | 4 | 5 |
| 7. The board, or a committee of the board, has formally evaluated the Executive Director within the past 12 months. | 1 | 2 | 3 | 4 | 5 |
| 8. The board evaluates the Executive Director primarily on the accomplishment of the organization's strategic goals and priorities and adherence to policy. | 1 | 2 | 3 | 4 | 5 |
| 9. The board provides feedback and shows its appreciation to the Executive Director on a regular basis. | 1 | 2 | 3 | 4 | 5 |
| 10. The board ensures that the Executive Director is able to take advantage of professional development opportunities. | 1 | 2 | 3 | 4 | 5 |
| 11. _____ | 1 | 2 | 3 | 4 | 5 |

My overall rating:

D Excellent (45+) D Very Good (39-44) D Good (29-38)
D Satisfactory (20-28) D Poor (11-19)

D. Performance of Individual Board Members (Not to be shared)

Circle the response that **best** reflects your opinion. The rating scale for each statement is: Strongly Disagree (1); Disagree (2); Maybe or Not Sure (3); Agree (4); Strongly Agree (5).

- | | | | | | |
|---|---|---|---|---|---|
| 1. I am aware of what is expected of me as a board member. | 1 | 2 | 3 | 4 | 5 |
| 2. I have a good record of meeting attendance. | 1 | 2 | 3 | 4 | 5 |
| 3. I read the minutes, reports and other materials in advance of our board meetings. | 1 | 2 | 3 | 4 | 5 |
| 4. I am familiar with what is in the organization's by-laws and governing policies | 1 | 2 | 3 | 4 | 5 |
| 5. I frequently encourage other board members to express their opinions at board meetings. | 1 | 2 | 3 | 4 | 5 |
| 6. I am encouraged by other board members to express my opinions at board meetings. | 1 | 2 | 3 | 4 | 5 |
| 7. I am a good listener at board meetings. | 1 | 2 | 3 | 4 | 5 |
| 8. I follow through on things I have said I would do. | 1 | 2 | 3 | 4 | 5 |
| 9. I maintain the confidentiality of all board decisions. | 1 | 2 | 3 | 4 | 5 |
| 10. When I have a different opinion than the majority, I raise it. | 1 | 2 | 3 | 4 | 5 |
| 11. I support board decisions once they are made even if I do not agree with them. | 1 | 2 | 3 | 4 | 5 |
| 12. I promote the work of our organization in the community whenever I had a chance to do so. | 1 | 2 | 3 | 4 | 5 |
| 13. I stay informed about issues relevant to our mission and bring information to the attention of the board. | 1 | 2 | 3 | 4 | 5 |

My overall rating:

☐ Excellent (55+)
 ☐ Very Good (45-54)
 ☐ Good (32-44)
☐ Satisfactory (20-31)
 ☐ Poor (13-19)

E. Feedback to the Chair of the Board (Optional)

Circle the response that **best** reflects your opinion. The rating scale for each statement is: Strongly Disagree (1); Disagree (2); Maybe or Not Sure (3); Agree (4); Strongly Agree (5).

- | | | | | | |
|---|---|---|---|---|---|
| 1. The board has discussed the role and responsibilities of the Chair. | 1 | 2 | 3 | 4 | 5 |
| 2. The Chair is well prepared for board meetings. | 1 | 2 | 3 | 4 | 5 |
| 3. The Chair helps the board to stick to the agenda. | 1 | 2 | 3 | 4 | 5 |
| 4. The Chair ensures that every board member has an opportunity to be heard. | 1 | 2 | 3 | 4 | 5 |
| 5. The Chair is skilled at managing different points of view. | 1 | 2 | 3 | 4 | 5 |
| 6. The Chair can be tough on us as a group when we get out-of-line. | 1 | 2 | 3 | 4 | 5 |
| 7. The Chair knows how to be direct with an individual board member when their behaviour needs to change. | 1 | 2 | 3 | 4 | 5 |
| 8. The Chair helps the board work well together. | 1 | 2 | 3 | 4 | 5 |
| 9. The Chair demonstrates good listening skills. | 1 | 2 | 3 | 4 | 5 |
| 10. The board supports the Chair. | 1 | 2 | 3 | 4 | 5 |
| 11. The Chair is effective in delegating responsibility amongst board members. | 1 | 2 | 3 | 4 | 5 |
| 12. _____ | 1 | 2 | 3 | 4 | 5 |

My overall rating:

☐ Excellent (45+)
 ☐ Very Good (35-44)
 ☐ Good (25-34)
☐ Satisfactory (20-33)
☐ Poor (11-19)

HOMEKEEPER ESTIMATE

Date: February 16, 2023

Organization: Gunnison Valley Regional Housing Authority

Based on: 501-750 units in portfolio at time of signing

Enrollment Fees – Homeownership ONLY *(paid at signing)*

| <i>Description</i> | <i>Amount</i> |
|-----------------------------------|--------------------|
| Onboarding Fee (one-time) | \$4,500.00 |
| Annual Participation Fee (yearly) | \$7,350.00 |
| Total First Year Fees | \$11,850.00 |

Annual Fees – Homeownership ONLY *(paid annually starting Year 2)*

| <i>Description</i> | <i>Amount</i> |
|--------------------------|-------------------|
| Annual Fee (yearly) | \$7,350.00 |
| Total Annual Fees | \$7,350.00 |

Onboarding Fee Includes: A pre-meeting & setup interview, initial setup and configuration, orientation and further customization training. Please note that this fee does not include: HUD Connect, extensive migration of data, advanced customization, multi-program setup, and multi-layout setup.

Annual Fee Includes: Access to Knowledge Base and forums, ability to suggest ideas and vote on new functionality, access to HomeKeeper and new versions as released (approx. annually), online webinars and office hours (approx. monthly), setup for up to 5 programs on our National Data Hub and email support. Please note that this fee does not include: HUD Connect or advanced customizations (ex. online applications, credit score reporting etc.)..

More information on HomeKeeper features, user stores, pricing and user support schedule can be found at www.MyHomeKeeper.org. This estimate is valid for 60-days from the date of estimate. For questions on this estimate, please contact Haley Wotzka, HomeKeeper Marketing & Outreach Specialist at hwotzka@GroundedSolutions.org.



| | |
|--|---|
| DISTRICT COURT, COUNTY OF GUNNISON, STATE OF COLORADO Court address: 200 E. Virginia Ave., Gunnison, Colorado 81230 | <p style="text-align: center;">▲ Court Use Only ▲</p> Case Number: 2022CV30027 Division: 2 |
| ORGANIZACION DE NUEVAS ESPERANZAS, a Colorado nonprofit corporation Plaintiff, v. SKI TOWN VILLAGE, LLC, a Colorado limited liability company Defendant. | |
| <i>Attorney for Defendant</i> Brian T. Ray Hatch Ray Olsen Conant LLC 730 17th Street, Ste. 200 Denver, Colorado 80202 Phone Number: (303) 298-1800 Email Address: bray@hatchlawyers.com Atty. Reg.#: 34914 | |
| SUBPOENA TO PRODUCE | |

**TO: Gunnison Valley Regional Housing Authority
Andy Kadlec, Executive Director
202 E. Georgia Ave.
Gunnison, CO 81230**

This Subpoena is being served pursuant to C.R.C.P. 45. You are ordered to:

☒ **PRODUCE** the following books, papers and documents, whether in physical or electronic form, or tangible things now in your possession, custody or control:

See **Exhibit A**, attached

Date and time of production: Unless otherwise agreed to in writing by all parties and privilege holder or holders and the person subpoenaed, production must be made no sooner than 14 days from the date of service of this subpoena and no later than **March 15, 2023, at 8:30 a.m.** Documents produced may be emailed to bray@hatchlawyers.com or delivered to Defendant's counsel's office at the address listed herein. In the case of an expedited hearing pursuant to C.R.C.P. 45 or any statute, in the absence of such agreement, production shall be made only at the place, date and time for compliance set forth in the subpoena.

Notice form:

If this subpoena is served for production of records or a tangible thing, see the attached important notice **Exhibit B** which sets out portions of Colorado Rule of Civil Procedure 45 concerning protections for subpoenaed persons and the requirements for production of records and tangible things.

Identity of parties:

The following are the names of the parties in this action and the names, addresses, phone numbers and e-mail addresses of the attorneys for the parties and of any parties who have entered appearances without an attorney:

| Names: | Addresses: | Phone numbers: | Email Addresses: |
|---|--|-----------------------|--|
| Brian T. Ray, Hatch Ray Olsen Conant LLC, for Defendant | 730 - 17 th Street, Suite 200, Denver, CO 80202 | (303) 298-1800 | bray@hatchlawyers.com |
| Benjamin B. Strawn and Daniel A. Richard, Davis Graham & Stubbs LLP | 1550 – 17 th Street, Suite 500, Denver, CO 80202 | 303-892-9400 | ben.strawn@dgsllaw.com; daniel.richards@dglaw.com |
| William P. Edwards, William P. Edwards, PC | 125 West Virginia Avenue, Suite 237, Gunnison, CO 81230 | 970-648-0808 | will@edwardsllawcolorado.com |
| David Valleau, Colorado Poverty Law Project | 1801 California, Suite 3000, Denver, CO 80202 | 720-829-7730 | david@copovertyllawproject.org |

The party and the party's attorney who are serving this subpoena:

Defendant Ski Town Village, LLC, through Brian T. Ray, its attorney of record

Dated this 21st day of February, 2023.

HATCH RAY OLSEN CONANT LLC

By: s/Brian T. Ray
Brian T. Ray
Attorney for Defendant

In accordance with C.R.C.P. 121 §1-26(7), a printed copy of this document with original signature(s) is maintained by Hatch Ray Olsen Conant LLC, and will be made available for inspection by other parties or the Court upon request.

EXHIBIT A TO SUBPOENA DUCES TECUM
TO: Gunnison Valley Regional Housing Authority

DEFINITIONS:

“**DOCUMENT**” is employed in its broadest sense and includes, but is not limited to, the original and any non-identical copies of any written or graphic material, and every form of communication or representation, of any kind or description whatsoever, whether draft or final, typed, handwritten, printed or otherwise, as well as any recording, photography, photostat, microfilm or any other reproduction or recording upon any tangible thing, including, without limitation, the following items: correspondence; communications; memoranda; electronic mail transmissions in whatever form available; summaries or other records of personal conversations or interviews; diaries; desk calendars; minutes or records of meetings; lists of persons attending meetings; opinions of counsel; options or reports of consultants; analytical data; field notes; drilling logs; records or summaries of investigations; offers; records or summaries of negotiations; contracts; agreements; telegrams; telefaxes; cables; telexes; teletype messages; forecasts; statistical statements; computer printouts; bills; receipts; checks; checkbooks; invoices; electromagnetic tape recordings, video recordings, or other electronic recordings and transcriptions thereof; films; articles of incorporation; bylaws; resolutions; directives; tax returns; financial statements; prospectuses; accounting worksheets; ledgers; journal pages; books and records of account; loan documents; appraisal reports; charts; graphs; data summaries; figures; press releases; newspapers; magazines; advertisements; periodicals; bulletins; circulars; pamphlets; manuals; drafts and alterations of any document; original or preliminary notes; and marginal comments appearing on any document. Any document bearing on any sheet or side thereof any marks, including, without limitation, initials, stamped indicia, comments or notations of any character, which are not part of the original text, is to be considered a separate document for the purpose of this Subpoena.

“**YOU**” or “**YOUR**” refers to the Gunnison County Regional Housing Authority a multijurisdictional housing authority, including but not limited to its managers, agents, employees, attorneys, accountants, investigators, and representatives.

“**PLAINTIFF**” means Organizacion de Nuevas Esperanzas, a Colorado nonprofit corporation, its agents, members, participants, associates, employees, insurance companies, attorneys, accountants, investigators, and representatives.

“**GOVERNMENT**” means any representative, agent, employee, contractor or affiliated person with any governmental body or agency, including without limitation, Gunnison County, the Department of Local Affairs, the Division of Housing and similar agencies.

“**PARK**” means the Ski Town Village Mobile Home Park generally located at 2388 State Highway 135, Gunnison, Colorado 81230.

“**DEFENDANT**” refers to Defendant Ski Town Village, LLC; and its respective managers, agents, employees, attorneys, accountants, investigators, and representatives.

“**LITIGATION**” means that certain litigation styled *Organizacion de Nuevas Esperanzas v. Ski Town Village, LLC*, Gunnison County District Court Case No. 2022CV30027.

PLEASE PRODUCE:

1. All DOCUMENTS related to rental rates being charged at any mobile home park located in the State of Colorado, including Gunnison County.
2. All DOCUMENTS related to any lease agreements in your possession related to any mobile home park located in the State of Colorado, including Gunnison County.
3. All DOCUMENTS and non-privileged communications exchanged with YOU and any third party regarding PLAINTIFF, DEFENDANT, the LITIGATION and the PARK.
4. All DOCUMENTS and non-privileged communications exchanged with YOU and any third party regarding any rent increase notices related to any mobile home park in Gunnison County, Colorado since January 1, 2020.
5. All DOCUMENTS and non-privileged communications exchanged with YOU and anyone affiliated with the GOVERNMENT, including without limitation, Christina Postolowski with the Department of Local Affairs and the Division of Housing regarding PLAINTIFF, DEFENDANT, the LITIGATION and the PARK.
6. All DOCUMENTS and non-privileged communications exchanged with YOU and River Walk Village LLC and its representatives related to the PARK since January 1, 2020.
7. All DOCUMENTS and non-privileged communications exchanged with YOU and the PLAINTIFF regarding the DEFENDANT, the LITIGATION and the PARK.
8. All reports, data, information, compilations and other records related to rental rates for mobile home parks, apartments, townhomes and similar related housing located anywhere in the State of Colorado since January 1, 2020.

EXHIBIT B

IMPORTANT NOTICE CONCERNING COLORADO RULE OF CIVIL PROCEDURE 45

(c)Protecting a Person Subject to a Subpoena.

(1)Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction, which may include lost earnings and reasonable attorney's fees, on a party or attorney who fails to comply.

(2)Command to Produce Records or Tangible Things.

(A) Attendance Not Required. A person commanded to produce records or tangible things need not attend in person at the place of production unless also commanded to attend for a deposition, hearing, or trial.

(B) For Production of Privileged Records.

(i) If a subpoena commands production of records from a person who provides services subject to one of the privileges established by C.R.S. 13-90-107, or from the records custodian for that person, which records pertain to services performed by or at the direction of that person ("privileged records"), such a subpoena must be accompanied by an authorization signed by the privilege holder or holders or by a court order authorizing production of such records.

(ii) Prior to the entry of an order for a subpoena to obtain the privileged records, the court shall consider the rights of the privilege holder or holders in such privileged records, including an appropriate means of notice to the privilege holder or holders or whether any objection to production may be resolved by redaction.

(iii) If a subpoena for privileged records does not include a signed authorization or court order permitting the privileged records to be produced by means of subpoena, the subpoenaed person shall not appear to testify and shall not disclose any of the privileged records to the party who issued the subpoena.

(C) Objections. Any party or the person subpoenaed to produce records or tangible things may submit to the party issuing the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials. The objection must be submitted before the earlier of the time specified for compliance or 14 days after the subpoena is served. If objection is made, the party issuing the subpoena shall promptly serve a copy of the objection on all other parties. If an objection is made, the party issuing the subpoena is not entitled to inspect, copy, test or sample the materials except pursuant to an order of the court from which the subpoena was issued. If an objection is made, at any time on notice to the subpoenaed person and the other parties, the party issuing the subpoena may move the issuing court for an order compelling production.

(3)Quashing or Modifying a Subpoena.

(A) When Required. On motion made promptly and in any event at or before the time specified in the

subpoena for compliance, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to attend a deposition in any county other than where the person resides or is employed or transacts his business in person, or at such other convenient place as is fixed by an order of court;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion made promptly and in any event at or before the time specified in the subpoena for compliance, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific matters in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order attendance or production under specified conditions if the issuing party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to Subpoena.

(1) Producing Records or Tangible Things.

(A) Unless agreed in writing by all parties, the privilege holder or holders and the person subpoenaed, production shall not be made until at least 14 days after service of the subpoena, except that, in the case of an expedited hearing pursuant to these rules or any statute, in the absence of such agreement, production shall be made only at the place, date and time for compliance set forth in the subpoena; and

(B) If not objected to, a person responding to a subpoena to produce records or tangible things must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand and must permit inspection, copying, testing, or sampling of the materials.



February 23, 2023

The Honorable Pete Buttigieg
Secretary
US Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

SUBJECT: RAISE Grant – Access, Affordability and Safety for Workers in the Gunnison Valley

Dear Secretary Buttigieg:

I am pleased to offer my support for Gunnison County's FY23 RAISE Grant application to advance design of public infrastructure in Gunnison County, making access to jobs safer and more affordable for the nearly 1,800 people who work in our essential tourism industry. This project is a showcase opportunity for the Biden-Harris Administration to move forward its equity agenda by focusing on the nexus of infrastructure, mobility, and housing affordability.

Colorado's rural affordable housing crisis is nowhere more evident than in Crested Butte, where many lower-wage workers must commute 25 – 30 miles by bus. The Whetstone community development will provide housing security for essential members of the community who have been facing housing challenges such as overcrowding, low quality/high utility cost, rising rents, or being frequently forced to move (due to home sales and conversions to short term rentals).

However, the cost of public infrastructure is a huge barrier to many rural workforce housing projects, with the Whetstone project being no exception. Roadway improvements, transit access, and bicycle/ pedestrian facilities alone are anticipated to cost \$8 - \$10 million due to the difficult construction environment on the western slope. The Whetstone workforce housing project cannot move forward without the planned road improvements. The RAISE grant will be used for design development activities of the roadway infrastructure with construction funding to come from a variety of sources once plans are developed.

The proposed roundabout, pedestrian tunnel, and transit hub project meets all of the economic, quality of life, and equity goals of the RAISE program. A variety of partners are collaborating and invested in the success of the Whetstone workforce housing project that will be enabled through the RAISE grant and other local sources.

This is an important project to the community and economic sustainability of Gunnison County, and I strongly urge your support of Gunnison County's grant application.

Thank you,


Andy Kadlec
Executive Director
Gunnison Valley Regional Housing Authority

202 E Georgia Ave
Gunnison, CO 81230



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