



**WHEAT RIDGE HOUSING AUTHORITY  
A G E N D A  
April 28, 2009**

**CITY COUNCIL CHAMBERS  
4:00 P.M.**

*Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Heather Geyer, Public Information Officer at 303-235-2826 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.*

- A. Call Meeting to Order**
- B. Roll Call**
- C. Approval of the Minutes: March 24, 2009**
- D. Officers Reports**
- E. Public Forum**
- F. New Business**
  - 1. 41st Avenue Rehab Proposal**
  - 2. Carbon Monoxide Legislation**
- G. Unfinished Business**
- I. Other**
- J. Adjournment**

# WRHA

## WHEAT RIDGE HOUSING AUTHORITY

### MINUTES

March 24, 2009

#### 1. CALL MEETING TO ORDER

The meeting was called to order by Chair Brungardt at 4:00 p.m. in the City Council Chambers of the Wheat Ridge Municipal Building, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

#### 2. ROLL CALL

Katie Vanderveen was introduced as a new member of the Housing Authority.

Authority members present:

- Cheryl Brungardt
- Kathy Nuanes
- Lena Rotola
- Janice Thompson (arrived at 4:13 p.m.)
- Katie Vanderveen

Others present:

- Sally Payne, Deputy Director
- Larry Nelson, Cornerstone Realty
- Betty Maybin, Cornerstone Realty
- Dick Matthews, Accountant
- Wendy Swanhorst, Swanhorst & Company
- Christa Jones, Deputy City Clerk

#### 3. APPROVAL OF MINUTES: January 27, 2009

It was moved by Kathy Nuanes and seconded by Lena Rotola to approve the minutes of February 24, 2009 as presented. The motion passed 3-0 with Katie Vanderveen abstaining.

#### 4. OFFICER REPORTS

There were no officer reports.

#### 5. PUBLIC FORUM

There was no one present to address the Authority.

#### 6. NEW BUSINESS

##### A. Presentation and Acceptance of Audit

Wendy Swanhorst reviewed results of the audit of Housing Authority financial statements.

Kathy Nuanes suggested a clarification in the first paragraph on page 7 of the Notes to Financial Statements: when the Authority originally purchased the unit on Allison Court, it was a triplex, but is now being sold as a duplex. Ms. Swanhorst stated that she would make that change in the document.

Dick Matthews thanked Larry Nelson for his prompt attention to market values which was very helpful in preparing the audit.

Larry Nelson reported that after the price reduction, the three remaining units are now under contract.

**It was moved by Kathy Nuanes and seconded by Lena Rotola to accept the audit with the following changes: Corrections be made on page 7, first paragraph of the Notes to Financial Statements changing "triplex" to "duplex"; and a note added that the three remaining units are under contract. The motion passed 5-0.**

Wendy Swanhorst stated that the values of the three properties would be revised when the exact price is known.

#### **B. Status of Current Properties**

- Larry Nelson reported that there is one unresolved issue on the Allison property that relates to the original contract between the Housing Authority and Jefferson County. An award of \$56,250 was granted for the duplex unit. One of the grant conditions was that there had to be an affordability period for purchase at or below 80% of the median income and the property had to remain affordable to another comparable buyer for a ten-year period. He learned in the last day or two that the County is now requiring an affordability period of 15 years. These units were marketed and sold with the 10-year affordability period, so Cornerstone Realty has appealed to leave the 10-year period contained in the original contract. He expected to have an answer from the County in the next day or so.
- Sally Payne reported that she met with Brothers Redevelopment and is working on a Memorandum of Agreement for the Authority's review next month.

#### **7. UNFINISHED BUSINESS**

There was discussion about possible methods of providing maintenance on the West 41<sup>st</sup> Avenue property during the summer months.

**8. OTHER**

There was no other business to come before the Authority.

**9. ADJOURNMENT**

The meeting was adjourned at 4:40 p.m. The next meeting is scheduled for April 28, 2009.

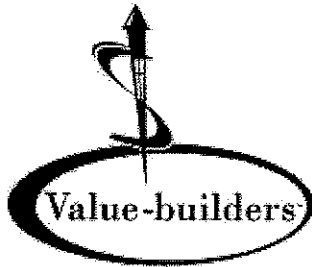
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Cheryl Brungardt, Chair

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Ann Lazzeri, Secretary

DRAFT



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**Proposal for 9690-9710 West 41<sup>st</sup> Avenue, Wheat Ridge, CO 80033**

**Work description is for both units unless otherwise specified**

**Exterior Landscape**

Remove evergreen at NE corner of 9690  
Remove evergreen at front door of 9710  
Remove trees along center of back yard and grind stumps  
Clean out and add new gravel to driveways  
Clean and add new mulch to decorative bed along front of building  
Aerate, fertilize and over seed front and back lawns  
Add 6' cedar privacy fence along exterior, and down the center of back yard with separate gates for both units

**Roof**

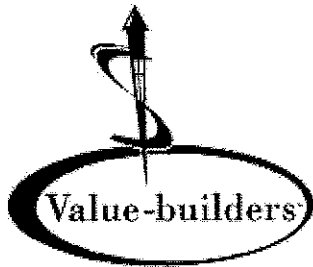
Tear off both layers of existing roof  
Install new felt and repair any damaged decking  
Install new 30 year Tamko asphalt shingles  
Install new drip edge and pipejacks

**Exterior Paint**

Repair or replace all damaged siding, trim, soffet or gutters  
Prep and caulk all areas to be painted  
Paint siding, trim, soffet and gutters excluding brick

**Exterior Miscellaneous**

Replace all single pane aluminum windows with double pane vinyl windows to meet or exceed current government standards for energy efficiency stimulus funding  
Replace all four front and back doors with new doors and storm doors  
Build new cover for crawl space access  
Update electrical service and panels to code



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### **Interior Kitchens**

- Replace all cabinets with new, including hardware
- Replace all countertops with new
- Replace vinyl flooring with tile
- Replace vinyl baseboard with new to match existing in units
- Replace sink, disposal and faucet with new
- Plumb new lines for icemakers
- Demo plumbing for existing clothes washers
- Plumb 9690 for dishwasher
- Wire appliance outlets to code including designated circuits for microwave
- Add GFCI outlets to backsplash
- Replace light fixtures with new
- Provide and install new stainless steel ranges, dishwashers, microwaves and refrigerators

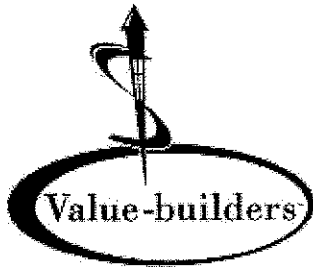
### **Interior Bathrooms**

- Replace vinyl flooring with tile
- Replace shower and sink fixtures with new
- Replace or update vanities and tops
- Install new medicine cabinets and bath hardware
- Tile shower enclosure of 9690
- Replace all light fixtures with new
- Install GFCI outlets by sinks

### **Interior Miscellaneous**

- Prep and caulk for paint
- Paint all walls, ceilings, doors and trim
- Remove all old carpet and pad
- Refinish all wood floors
- Remove tile entry for 9710
- Replace all doors and hardware for 9690
- Replace door hardware with new for 9710
- Configure hall closets for stackable clothes washer and dryer
- Install water supply, waste and vents for laundry facilities in hall closets
- Install electric for laundry facilities in hall closets
- Replace all outlets and switches with new to code
- Wire and install new smoke detectors in bedrooms, hall and kitchen
- Replace all light fixtures with new
- Stage units with furniture and artwork

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### **HVAC**

Relocate water heaters to crawlspace and replace with tankless "Rinnai" model on demand systems

Install air conditioning, central air, to both units

Replace furnace for 9710 with 80% efficient, 80,000 BTU "Heiar" model forced air furnace

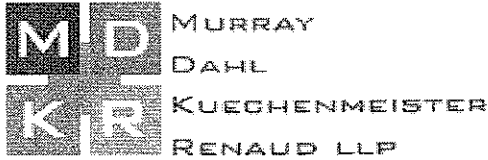
Clean and certify furnace for 9690

Clean all ducts and returns

Blow in additional cellulose insulation to the attic space

**All work and pricing includes permits, demolition, removal and disposal of debris and refuse associated with landscaping and remodel.**

**Total for proposal:      \$85,670**



ATTORNEYS AT LAW

■ 2401 15th Street Suite 200 Denver, Colorado 80202 Phone 303.493.6670 Fax 303.477.0965

## MEMORANDUM

TO: Ken Johnstone

FROM: Gerald Dahl  
Brittany Scantland

DATE: April 1, 2009

RE: Carbon Monoxide Legislation

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Governor Ritter recently signed HB 09-1091 concerning a requirement that carbon monoxide alarms be installed in residential properties. HB 09-1091 is also referred to as the "Lofgren and Johnson Families Carbon Monoxide Safety Act." A summary of the provisions of HB 09-1091 follows:

1. Application. HB 09-1091 applies to the sale or alteration of single-family dwellings, multi-family dwellings and single-family or multi-family dwellings used as rental properties.
2. Sales of single-family and multi-family dwellings. *Sellers* of single-family or multi-family are responsible for assuring operational carbon monoxide alarms are installed within fifteen feet (15') of the entrance to each room lawfully used for sleeping purposes or in a location as specified in any building code adopted by the state or any local government entity. (C.R.S. §§ 38-45-102(1)(a), 103(1)(a)). The City is implicated in this requirement only if:
  - a. It is the seller of a single-family or multi-family dwelling. The statute *will* apply to the activities of the Wheat Ridge Housing Authority which sells single-family dwellings; or
  - b. It decides to impose a more stringent requirement for the location of the carbon monoxide alarm in its adopted building/residential codes. (In conjunction with the sections set forth above, and per C.R.S. § 38-45-105 the City is authorized to promulgate different requirements; however, such requirements must be *more* stringent than those set forth by HB 09-1091).

Unless the City already has adopted more stringent standards, there is likely no reason for the City to adopt standards different than those set forth in HB 09-1091.



3. Building permits and the addition of bedrooms. C.R.S. §§ 38-45-102(2), 103(2), 104(1) also require installation of a carbon monoxide alarms within fifteen feet (15') of the entrance to each room lawfully used for sleeping purposes (or in a location as specified in any building code adopted by the state or any local government entity) when:
  - a. The dwelling includes either fuel-fired appliances or an attached garage where, on or after July 1, 2009, interior alterations, repairs, fuel-fired appliance replacements or additions are made, any of which require a building permit; or
  - b. One or more rooms lawfully used for sleeping purposes are added to a single-family or multi-family dwelling.

If the City is the agency that issues building permits and inspects additions to homes (such as additional bedrooms), the City would likely bear the responsibility of inspection for the appropriate alarm in the instances above.

4. Rental properties. There are a few items of note related to rental properties and HB 09-1091.
  - a. Building permits and the addition of bedrooms. As noted above, C.R.S. § 38-45-104(1) may require inspection by the City when building permits are issued and/or additional bedrooms are added. (See item 3 above).
  - b. Change in tenancy. As of July 1, 2009, any change in tenant occupancy in a rental home or unit is subject to the requirements of C.R.S. §§ 38-45-102, 103 discussed above. (See items 2 and 3 above). However, so long as there is a centralized alarm system in a *multi-family dwelling* the carbon monoxide alarm may be installed within twenty-five feet (25') of any fuel-fired heater or appliance, fireplace, or garage or in a location as specified in any building code adopted by the state or any local government entity. Once again, unless the City already has adopted more stringent standards, there is likely no reason for the City to adopt standards different than those set forth in HB 09-1091.
  - c. Landlord duties. *Unless the City is a landlord of single-family or multi-family housing, these provisions will not require City action.* Prior to occupancy by a new tenant, a landlord must replace any carbon monoxide alarm that was removed, missing or not operational. A landlord must ensure that any batteries needed to operate a carbon monoxide alarm are provided to the tenant at the time of occupancy. If a tenant reports a carbon monoxide alarm missing or stolen during his occupancy, the landlord must replace such alarm. Finally, the landlord must repair a carbon monoxide alarm if notified by the tenant that the alarm is deficient.
  - d. Tenant duties. *Unless the City is a tenant of single-family or multi-family housing, these provisions will not implicate require City action.* Tenants must keep, test and maintain all carbon monoxide alarms in good repair. Tenants must notify the landlord, in writing, the need to replace batteries. Tenants must notify the landlord, in writing, if the carbon monoxide alarm is missing or not operational. Finally, the tenant must notify the landlord, in writing, of any deficiency in the alarm that the tenant cannot correct.
5. Prohibitions on tampering with carbon monoxide alarms. C.R.S. §§ 38-45-102, 103 and 104 all contain prohibitions on removing batteries from or in any way rendering inoperable, a carbon monoxide alarm, except as a part of a process to inspect, maintain, repair or replace the alarm or place the batteries in the alarm. This is not likely an

activity that the City needs to monitor, as it would be a violation of state statute (not municipal code) to tamper with a carbon monoxide alarm.

6. City ordinances. HB 09-1091 provides that municipalities may adopt or enforce any requirements for the installation and maintenance of carbon monoxide that are more stringent than those set forth in HB 09-1091. If the City decides to adopt more stringent regulations than those set forth in HB 09-1091, the City will have an increased duty to monitor activities related to carbon monoxide alarms.
7. Limitation on liability. Finally, HB 09-1091 provides that a person shall not have a cause of action against a property owner if the carbon monoxide alarm is installed in accordance with the manufacturer's published instructions and in accordance with HB 09-1091. In addition, the purchaser of any property shall not have a cause of action against the realtor or seller so long as the listing contract contains the requirements specified in C.R.S. §§ 38-45-102(1)(b) and 103(1)(b). This provision on limitation of liability likely does not affect the City.

### **Conclusion**

There is relatively little in HB 09-1091 with which the City needs to be concerned. First, per HB 09-1091, the City can adopt *more* stringent regulations than those contained in the bill. If the City decides to adopt more stringent regulations, it will have an increased duty to monitor activities related to carbon monoxide alarms. The suggestion would be for the City to default to the regulations set forth in HB 09-1091 unless and until it finds a need to adopt different regulations. Second, the City may have inspection duties in certain circumstances described above.

Please let us know if this communication raises any additional questions or concerns regarding HB 09-1091.