STUDY SESSION AGENDA
TUESDAY
January 28, 2020

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

10:00 A.M.  ATTENDEE(S): Adam Burg / Eliza Schultz / Elisabeth Rosen
            ITEM: Legislative Update

10:45 A.M.  ATTENDEE(S): Jill Jennings Golich
            ITEM: Down Payment Assistance Program

11:15 A.M.  ATTENDEE(S): Jill Jennings Golich / Jen Rutter / Greg Barnes / Christy Fitch
            ITEM: 2020 Regulation Amendments

12:15 P.M.  ATTENDEE(S): Raymond Gonzales
            ITEM: Administrative Item Review / Commissioners Communication

12:45 P.M.  ATTENDEE(S): Alisha Reis / Joseph Espinosa, Executive Director
            ITEM: Brighton Housing Authority Proposal

1:30 P.M.  ATTENDEE(S): Joe Barela, Executive Director
            ITEM: Colorado Department of Labor and Employment (CDLE) Update

2:30 P.M.  ATTENDEE(S): Rick Garcia, Executive Director
            ITEM: Colorado Department of Local Affairs (DOLA) Update

(and such other matters of public business which may arise)

***AGENDA IS SUBJECT TO CHANGE***
## STUDY SESSION AGENDA ITEM

<table>
<thead>
<tr>
<th>DATE:</th>
<th>January 28, 2020</th>
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</thead>
<tbody>
<tr>
<td>SUBJECT:</td>
<td>Presentation on Down Payment Assistance Program</td>
</tr>
<tr>
<td>FROM:</td>
<td>Jill Jennings Golich, Director</td>
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<tr>
<td>AGENCY/DEPARTMENT:</td>
<td>Community &amp; Economic Development</td>
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<tr>
<td>ATTENDEES:</td>
<td>Jill Jennings Golich, Ric Reed and Ben Dalman; Michael Kerrigan and Andrew Johnston (City &amp; County of Denver)</td>
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<tr>
<td>PURPOSE OF ITEM:</td>
<td>Informational and determination on whether the County wants to participate in the program</td>
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<tr>
<td>STAFF RECOMMENDATION:</td>
<td>That the Board of County Commissioners consider whether participation in this program would be a benefit to residents of unincorporated Adams County.</td>
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### BACKGROUND:

The City of Denver manages a down payment assistance program for the metro area cities and counties and has done so since 2013. A total of 28 metro area cities and counties have participated. The program was relaunched in 2019, and Denver is seeking to present to the Board of County Commissioners information about this program and answer questions to help determine if this is a program for which the Board would like to participate.

The County previously had a down payment assistance program through the use of federal funds through the Community Development Division of Community and Economic Development. That program was discontinued due to the increased housing prices in the market as the amount of assistance that was able to be provided was not enough to help.

Below is information Denver has provided. They will have two staff present to discuss the program and answer questions. Adams County has not participated in this program in the past.

### Program Information

- Since inception to 1/31/19 we provided a grant of up to 4% for the down payment assistance. Due to secondary mortgage market pricing the loans coupled with a grant no longer generate sufficient value to provide the down payment assistance at a competitive rate for the borrowers.
- We now have moved to provide the down payment assistance via a no interest 2nd loan that is forgivable after 36 months. Assistance levels are up to 6% now.
- The City of Denver does not use any bond capacity to fund the assistance for the program. The down payment assistance is provided by the value generated by the loans in the secondary mortgage market.
  - In exchange for obtaining the down payment assistance the borrowers accept a slightly higher interest rate than they would in absence of the assistance.
• There is no cost to your County for participation in the program.
  • Denver pays the startup costs and the ongoing operational costs for the program.
• We have changed the marketing name of the program to “metroDPA”, all of the legal documents still reference MMA+.
• There is an option for participating jurisdictions to add their own money into the program, this is a feature we anticipate adding in the near future. We are still building the infrastructure to facilitate this functionality, but it is not ready yet. The plan would be for the jurisdiction’s additional money to be only spent within the contributing jurisdiction’s boundaries, there is no requirement for a jurisdiction to participate in this part of the program.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Finance and the County Attorney’s Office

ATTACHED DOCUMENTS:

A PowerPoint presentation
FISCAL IMPACT:

Please check if there is no fiscal impact □. If there is fiscal impact, please fully complete the section below.

Fund:

Cost Center:

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New FTEs requested: □ YES □ NO
Future Amendment Needed: □ YES □ NO

Additional Note:

APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager
Deputy County Manager

APPROVAL OF FISCAL IMPACT:
Down Payment Assistance Program
Homeownership & Wealth Building

Department of Finance
Capital Planning and Programming Division
Adams County Requested Action

Approve and execute the Delegation and Participation Agreement for the Metro Mortgage Assistance Plus Program*

- No cost to the County
- Denver pays set-up and on going operational costs for program
- Agreement terminates when Program is discontinued

Previous MMA+ Program Review

• Started Spring 2013
• Metro area cities and counties participate in program
• Down payment assistance was offered as a grant (“DPA”) available to people seeking to purchase a home
• Buyers must meet standard loan qualifications (max. debt to income ratio, min FICO scores, etc.) and participate in a homebuyer education course
• In total (through December 2019), the program has
  • 1,597 Households helped
  • $377 Million in mortgages originated
  • $14.6 Million in down payment assistance provided
Program Updates – metroDPA

• City issued an RFQ to identify qualified program partners to refresh the down payment assistance program

• The City sought responses exhibiting:
  • Innovations
  • Efficiencies
  • Enhancements to the current MMA+ program
  • Strong borrower focus

• George K. Baum & Company, now Stifel, was selected based on:
  • Focus on providing lowest mortgage rate to borrower
  • Desire and plan to expand existing program
  • Knowledge of local market
**Program Updates – metroDPA**

2 Phase Approach To Updating Program

- **Initial Updates— Implement Changes & Efficiencies (Completed)**
  - Update program documentation including agreements between partners
  - Rebranded and reenergized program
  - Expanded down payment assistance (DPA) options
  - Change from grant to a forgivable 2\(^{nd}\) mortgage resulting in lower interest rate to borrowers
  - Benefit provided by Freddie Mac for borrowers under 80% AMI
  - Active lender and realtor outreach and training with local boots on the ground
  - Expand jurisdiction using City and Stifel relationships
  - Provide daily program updates to lenders
  - Offer program support in person and online
Multi-Servicer Phase – Additional Program Changes (Ongoing)

• Increase servicer participation and program options
• Increase lender base (national banks and credit unions) by conducting lender outreach
• Create Pilot Program for additional support from the City and other partners
• Continue to expand program jurisdiction by actively engaging with target areas
• Dynamic stage allows program to react to the needs of the public and market conditions
Updated metroDPA Details

• 3%, 4%, 5% & 6% down payment assistance options
• 3-year forgivable 2\textsuperscript{nd} loan
• Home purchases only (no refinancing)
• No maximum purchase price

Homebuyer Requirements:

• No first-time homebuyer requirement
• \textit{Maximum} qualifying income: $139,200
  • 150\% of Denver AMI
• Minimum 640 FICO credit score
• Homebuyer education required from HUD approved agencies
  • Free option available
Current metroDPA Jurisdiction

<table>
<thead>
<tr>
<th>Cities</th>
<th>Counties</th>
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<tr>
<td>Arvada</td>
<td>Arapahoe County</td>
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<td>Commerce City</td>
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<td>Frederick</td>
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<td>Northglenn</td>
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<td>Aurora</td>
<td>Boulder County</td>
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<td>Dacono</td>
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<td>Golden</td>
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<td>Parker</td>
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<td>Bennett</td>
<td>Broomfield County</td>
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<td>Denver</td>
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<td>Greeley</td>
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<td>Sheridan</td>
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<td>Boulder</td>
<td>Denver County</td>
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<td>Edgewater</td>
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<td>Lakewood</td>
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<td>Superior</td>
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<td>Brighton</td>
<td>Jefferson County</td>
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<td>Englewood</td>
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<td>Littleton</td>
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<td>Thornton</td>
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<td>Broomfield</td>
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<td>Erie</td>
<td>Westminster</td>
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<td>Lochbuie</td>
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<td>Castle Rock</td>
<td>Wheat Ridge</td>
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<td>Federal Heights</td>
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<td>Lone Tree</td>
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<td>Firestone</td>
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<td>Longmont</td>
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Continually adding more jurisdictions!
Program Changes for Borrower

Comparison of 1st Year Housing Costs Utilizing the metroDPA Program:
- $335,700 Purchase Price
- 3.5% Down Payment Requirement
- 30 Year Mortgage

<table>
<thead>
<tr>
<th>Housing Cost Type</th>
<th>Using City Programs</th>
<th>Not Using City Programs</th>
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<tbody>
<tr>
<td></td>
<td>Applicable %</td>
<td>$ Amount Equivalent</td>
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<tr>
<td>Down Payment</td>
<td>3.5%</td>
<td>$11,750</td>
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<tr>
<td>Estimated Closing Costs</td>
<td>1%</td>
<td>$3,240</td>
</tr>
<tr>
<td>MMA+ Down Payment Assistance</td>
<td>4%</td>
<td>($12,958)</td>
</tr>
<tr>
<td>1st Year of Mortgage Payments (Principal and Interest)</td>
<td>@ 4.50% Interest Rate</td>
<td>$19,697</td>
</tr>
<tr>
<td><strong>Total 1st Year of Housing Costs</strong></td>
<td></td>
<td><strong>$21,728</strong></td>
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*All else equal

1st Year of Housing Cost Savings from Utilizing the MMA+ Program: $11,619
Program Partners

- Sponsor – City and County of Denver
- Program Manager – Stifel Financial Corp.
- Bond Counsel – Kutak Rock, LLP
- City Housing Financial Advisor – CaineMitter
- Servicers – US Bank | Lakeview
- Program Administrator – eHousingPlus
- Local Lenders – 90+ approved
- Participating Municipalities – 36 approved
**TBA TUTORIAL:**

1. metroDPA sets the rate daily based on prevailing TBA pricing and the market. Rates & guidelines posted online.

2. Loan origination through participating lenders. Borrowers use approved lenders.

3. Stifel* hedges against a change in interest rates using the TBA market

4. Servicer purchases loans

5. Servicer pools loans & creates MBS

6. Stifel* purchases MBS at agreed upon price

7. Stifel* sells MBS in cash market

8. Must generate sufficient proceeds to pay costs

---

**Program Flow:**

1. **Rate Set:**
   - City sets the rate daily based on prevailing TBA pricing

2. **Loan Origination:**
   - Loan origination through participating lenders

3. **Generate Proceeds:**
   - Must generate sufficient proceeds to pay costs

4. **Purchase Loans:**
   - Servicer purchases loans

5. **Create MBS:**
   - Servicer pools loans & creates MBS

6. **Sell MBS:**
   - Stifel* sells MBS in cash market

7. **Purchase MBS:**
   - Stifel* purchases MBS at agreed upon price

8. **Hedges:**
   - Stifel* hedges against change in interest rates using the TBA market

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*Role may vary depending on Servicer*
DATE: January 28, 2020

SUBJECT: 2020 Regulation Amendments

FROM: Jill Jennings Golich, Director

AGENCY/DEPARTMENT: Community & Economic Development

ATTENDEES: Jen Rutter, Greg Barnes, Christy Fitch

PURPOSE OF ITEM: Receive direction on several proposed text amendments

STAFF RECOMMENDATION: That the Board of County Commissioners allow staff to move forward with the proposed regulation amendments.

BACKGROUND:
Staff is proposing a number of text amendments to the County’s Development Standards and Regulations. These proposed amendments include updates to a variety of uses, specifically their definitions, where they are permitted, conditionally permitted, or prohibited, as well as associated performance standards. In addition, Staff is proposing updates to the sign code, processes for special districts and public land dedication fees, as well as many other miscellaneous updates.

In this Study Session, Staff is looking for direction from the Board of County Commissions on whether to proceed with some or all of the proposed text amendments and whether some should be prioritized over others.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:
County Attorney’s Office
Public Works

ATTACHED DOCUMENTS:
PowerPoint Presentation
FISCAL IMPACT:

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| Add'l Capital Expenditure not included in Current Budget: |
| Total Expenditures:          |

| New FTEs requested:         | YES | NO |
| Future Amendment Needed:    | YES | NO |

| Additional Note:            |

APPROVAL SIGNATURES:

[Signature]
Raymond H. Gonzales, County Manager

[Signature]
Deputy County Manager

APPROVAL OF FISCAL IMPACT:
Summary of 2020 Text Amendments

- Uses
  - Definitions (Services, Heavy Retail Heavy Services)
  - Use Chart (Auto/Fuel uses, Light Industry)
  - Performance Standards (i.e. Setbacks)
- Sign Code
- Special Districts
- Public Land Dedication (PLD) Fees
- Updates to Chapters 7, 8, and 9 (Engineering)
- Other Updates
Uses - Definitions

- Services
- Heavy Retail Heavy Services
- Group living facilities
- Fuel and ice dealers
<table>
<thead>
<tr>
<th>Use Chart</th>
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<tbody>
<tr>
<td>- Wildlife sanctuaries</td>
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<tr>
<td>- Change to conditional in the A-1 district</td>
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<tr>
<td>- Animal hospitals</td>
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<tr>
<td>- Change to permitted in A-3</td>
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<tr>
<td>- Food Stores, Restaurants, Event Centers, Indoor Sports Arenas (Ag Tourism)</td>
</tr>
<tr>
<td>- Change to conditional in A-1, A-2 &amp; A-3 with performance standards to limit lot coverage and focus on it being related to farming</td>
</tr>
<tr>
<td>- Greenhouses (retail)</td>
</tr>
<tr>
<td>- Change to conditional in A-1, permitted in A-2/A-3</td>
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</tbody>
</table>
Use Chart

- Heavy Retail Heavy Services
  - What districts uses are allowed in (likely some conditional in C-2/C-3)

- Convention Center
  - Change to conditional in C-0, C-1, C-2 & C-3

- Day care centers
  - Allow In all districts

- Animal feeding operation and concentrated animal feeding operation
  - Consider a change to conditional in the I-1/I-2
<table>
<thead>
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<tr>
<td>- Explore whether any business park uses should be permitted in the C-3 district</td>
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<tr>
<td>- Review whether any heavy industry uses conditionally allowed in A-3 should be removed</td>
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<tr>
<td>- Consider additional heavy industry/heavy manufacturing &amp; processing use changes in I-1/I-2 for consistency with zone district intent</td>
</tr>
</tbody>
</table>
Use Chart

- Fuel, oil, gasoline & petroleum products (bulk storage and/or sale)
  - Remove as conditionally allowed use in C-0, C-1, C-2 & C-3 districts

- Sugar and beet refining
  - Consider as a conditional use in the A-3 district

- Fertilizer manufacturing and processing
  - Review whether this use should be allowed in A-1, A-2, A-3, C-4, C-5 & I-1 districts
Uses – Performance Standards

- Add size limitation for day cares in less intense zone districts
- Setbacks for auto service stations with fuel from residential property
Sign Code

- Brightness and luminance levels for electronic signage (electronic message centers)
- Back to back signage versus 45-degree angle counting as one sign (current regulation allows just back to back)
- On premise versus off premise signage
- Timeline for sign permits – billboards require a CUP
- Off site directional signage
Special Districts

- Process
  - Clarify and streamline
- Template Service Plan
  - Create a standard template for easy review
- Financial Review
  - Hire outside consultant to review the financials
  - Charge fee to developer for review
Public Land Dedication (PLD) Fees

- Process for determining the value of land
  - Look at the process Arapahoe County uses
- Population data (currently outdated)
- Open space/park criteria for dedication
Updates to Chapters 7, 8, and 9

- Chapter 7 – Roadway Standards & Technical Criteria
- Chapter 8 – Access Design and Traffic Requirements
- Chapter 9 – Storm Drainage Design and Stormwater Quality Regulations
Other Updates

- Short-Term Rental (Definition and Standards)
- Marijuana Hospitality
- Inert Fill Definition
- Fee Waiving
- No condo plats for ADUs
- Temporary Use Limitations
- R-2 Lot Size & width for Duplex
- Exemptions from Structure Height (Standards)
- Animal Use Chart (Clarification)
- Amendments to OGF (Minor)
Next Steps

- Public Outreach
  - Meetings
  - Website

- Stakeholder Outreach
  - Meetings

- Study Sessions
  - Planning Commission
  - Board of County Commissioners
Discussion

- Recommendation:
  - Proceed with public and stakeholder outreach for proposed text amendments

- Direction Needed:
  - Prioritization of proposed amendments
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<td>SUBJECT: Brighton Housing Authority Proposal</td>
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<tr>
<td>FROM: Alisha Reis, Deputy County Manager</td>
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<td>AGENCY/DEPARTMENT: County Manager’s Office</td>
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<td>ATTENDEES: Alisha Reis, Joseph Espinosa, Executive Director, Brighton Housing Authority</td>
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<tr>
<td>PURPOSE OF ITEM: Brighton Housing Authority will present a project proposal at 19th &amp; Bridge Street in Brighton, CO</td>
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**BACKGROUND:**

The Brighton Housing Authority will present to the Board of County Commissioners a project proposal located at 19th and Bridge Street in Brighton, CO.

**AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

**ATTACHED DOCUMENTS:**

Presentation
FISCAL IMPACT:

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New FTEs requested: [ ] YES [ ] NO

Future Amendment Needed: [ ] YES [ ] NO

Additional Note:

APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager  
Deputy County Manager

APPROVAL OF FISCAL IMPACT:

[Signature]

[Signature]  
Budget
Night shot at Entry
Existing at Entry
Site Summary:

Acreage total +/- 7.5 Ac

Residential (Parcel A)
Acreage +/- 2.4 Ac
Number of Units 60 Du
Density +/- 25 Du/Ac
Parking total 137 (2.3/Du)

Commercial (Parcel B)
Acreage +/- 5.1 Ac
Retail 1 115 retail parking
Retail 2 65 retail parking
Retail 3 68 retail parking

Adams Youth Service Center
Site Summary:

Acreage total +/- 7.5 Ac

Residential (Parcel A)
- Acreage +/- 4.1 Ac
- Number of Units 84 Du
- Density +/- 20.5 Du/Ac
- Parking total 199 (2.4/Du)

Commercial (Parcel B)
- Retail 1 120 retail parking
- Retail 2 65 retail parking

Adams Youth Service Center
Site Summary:

Acreage total +/· 7.5 Ac

Residential (Parcel A)
Acreage +/· 5.0 Ac
Number of Units 108 Du
Density +/· 21.6 Du/Ac
Parking total 210 (1.9/Du)

Commercial (Parcel B)
Acreage +/- 2.5 Ac
Retail 1 120 retail parking

Safeway setback

Adams Youth Service Center

Site Plan