

URBAN RENEWAL AUTHORITY BOARD

February 27, 2019

3:00 PM

- **CALL MEETING TO ORDER**
- **SWEARING-IN OF NEW BOARDMEMBER**

New Urban Renewal Authority Commissioner, Susan Gutowsky, was sworn in by Secretary Coldiron.

- **ROLL CALL**

PRESENT: Smith, Troxell, Cunniff, Horak, Wise, Febvre, Gutowsky
ABSENT: Martinez, Stephens, Summers, Johnson
Staff Present: Atteberry, Coldiron
Legal Counsel: Carolynne White and Caitlin Quander, Brownstein Hyatt Farber Shreck

- **AGENDA REVIEW**

Executive Director Atteberry stated the two changes to the published agenda were to add the swearing in of Commissioner Gutowsky and possible consideration of a motion to adjourn into Executive Session.

- **CONSENT AGENDA**

Vice Chair Horak made a motion, seconded by Commissioner Cunniff, to adopt and approve all items on the Consent Agenda.

RESULT:	CONSENT AGENDA ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Smith, Troxell, Cunniff, Horak, Wise, Febvre, Gutowsky
ABSENT:	Martinez, Stephens, Summers, Johnson

1. **Consideration and Approval of the Minutes of the December 20, 2018 Urban Renewal Authority Meeting. (Adopted)**

The purpose of this item is to approve the minutes from the December 20, 2018 Urban Renewal Authority Board meeting.

2. **Resolution No. 094 of the Board of Commissioners of the Fort Collins Urban Renewal Authority Approving an Intergovernmental Agreement with the City of Fort Collins for the Authority's Contribution of Funds to the City's North College Drainage Improvement District Project. (Adopted)**

The purpose of this item is to present an Intergovernmental Agreement (IGA) between the City of Fort Collins and the Fort Collins Urban Renewal Authority which memorializes the terms of acceptance of \$300,000 in Authority support for the City's continued design of the North College Drainage Improvement District (NCDID), including transportation designs for North Mason Street (Alpine Street to Hickory Street), along with Alpine Street, Pinon Street and Hemlock Street (Mason Street to North College Avenue) (the Project). The 2019 Authority Budget accounted for and appropriated funds for

this obligation. In addition, the 2019 City Budget includes additional funding for the Project from two sources in City: Engineering and Stormwater.

- **DISCUSSION ITEMS**

3. **Motion to Adjourn to Executive Session**

Vice Chair Horak made a motion, seconded by Commissioner Cuniff, that the Urban Renewal Authority go into Executive Session for the purpose of meeting with the Authority's attorneys and Authority staff to discuss the following matters as permitted under Colorado Revised Statute Sections 24-6-402(4)(b) and 24-6-402(4)(e): (1) to receive legal advice on specific legal questions and (2) to determine positions relative to matters that are subject to negotiations, develop a strategy for negotiations, and instruct negotiators regarding intergovernmental agreements.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cuniff, District 5
AYES:	Smith, Troxell, Cuniff, Horak, Wise, Febvre, Gutowsky
ABSENT:	Martinez, Stephens, Summers, Johnson

5. **An Update on the Proposed College and Drake Urban Renewal Plan-Anticipated Public Improvements to be Funded from Increment Tax Revenue. (No Action Taken)**

The purpose of this item is to update the Fort Collins Urban Renewal Authority Board on the proposed College and Drake Urban Renewal Plan. The update will focus primarily on the proposed uses of incremental property and sales tax revenues within the Plan. The Board will discuss the proposed list of public improvements and review the prioritization prepared by the Finance Committee and Plan Area Review Committee.

Josh Birks, Economic Health Director, stated this item includes a list of specific public improvements to be funded through any increment received through the negotiations with the other taxing entities. He requested Commissioners provide input as to the list and prioritization thereof. Birks discussed the identified intersection, bicycle and multi-use, and safety improvements for which tax increment spending is recommended. Additional categories for which tax increment spending is recommended include parking management, pedestrian and sidewalk improvements, landscaping and streetscape, and transit access and improvements, the largest of those being a proposed parking structure to support the Drake MAX station. Birks further discussed the recommendations of the plan area review committee (PRC) which is made of members of the affected taxing entities.

Vice Chair Horak asked how the possible passage of the 0.6% sales tax would affect the plan. Birks replied the Authority would ask that the revenue be associated with the 2.25% rate and, if the general fund rate of the City would change, the 2.25% would continue to be referenced.

Commissioner Wise commended staff and PRC work on the item.

Commissioner Cuniff asked about the funding difference between the north and south sides of Drake Road. Birks replied the development-related financial gap relates solely to the south side as there has been no formal request from the north side development activity for direct assistance.

Commissioner Cunniff asked if staff or the PRC has done analysis of the hotel not working financially and therefore becoming a blight in and of itself. He asked if the building could be easily repurposed. Birks replied that is not within the scope of the PRC and staff has not analyzed that particular question. Attorney White stated none of the funding goes into the vertical construction of the hotel.

Birks noted any agreement with the developer would be conditioned upon successful completion of the project and providing proof of costs prior to receiving reimbursement. Use-neutral items will be funded initially.

Birks requested input as to whether there is consensus that limiting the improvements to a series is something that should be included and whether the matrix is appropriate to be used in negotiations moving forward. Vice Chair Horak and Commissioner Wise replied in the affirmative.

Commissioner Smith stated he prefers using TIF for larger, more catalytic projects.

Commissioner Cunniff stated only a portion of the need for the pedestrian/bicycle grade-separated crossing is attributable to the blight remediation part of the project. He suggested a future capital tax might complete the project knowing there is a potential TIF match.

Executive Director Atteberry agreed with Commissioner Cunniff that there could be other opportunities to use other resources to build capital enhancements.

Commissioner Febvre agreed with Commissioner Cunniff.

5. Update: Tax Allocation Negotiations and Schedule. (No Action Taken)

The purpose of this item is to provide the Fort Collins Urban Renewal Authority Board an update on the incremental property tax allocation discussions taking place with the impacted tax entities. Authority staff has been engaging with the entities through the Plan Area Review Committee (PRC) and individually for the past several months. These discussions are beginning to come to a head and staff would like to report on the current status.

Josh Birks, Economic Health Director, stated there are general provisions emerging that are consistent across all the intergovernmental agreements. Those provisions include imposing limitations on how much increment can be collected and how it can be used, which creates greater certainty over what the increment will provide for the community. Birks noted all IGAs will contain a statement that indicate they are not a precedent for future IGAs.

Birks stated staff is anticipating presenting IGAs between the URA and the other entities at the next URA meeting in March.

Chair Troxell requested Birks discuss the framework timeline. Birks replied the statute allows 120 days in which to try to reach a negotiated outcome prior to moving to remediation.

● **OTHER BUSINESS**

Commissioner Cunniff stated he would like the Authority to consider adding clauses to its legal agreement that clarify what limitations the Authority would like to place on the legal counsel based

on advocacy in front of the member organizations. He suggested the small committee that negotiated the agreement could examine potential contract modifications along those lines.

Vice Chair Horak suggested having an agenda item that would empower some subset of members to examine the topic and make a recommendation to the Authority.

- **ADJOURNMENT**

The meeting adjourned at 5:27 PM.



Chair

ATTEST:


Secretary