

TOWN OF LYONS URBAN RENEWAL AUTHORITY

SHIRLEY F. JOHNSON COUNCIL CHAMBERS

LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

DRAFT AGENDA

THURSDAY, FEBRUARY 27, 2020 @ 5:45 PM

I. Roll Call And Pledge Of Allegiance

II. Consent Agenda

II.1. January 16, 2020 LURA Meeting Minutes

Documents:

[JAN 16 MINUTES.PDF](#)

III. General Business

III.1. Presentation By Steve Art - Wheatridge URA

III.2. Update To Tax Forecast And County Impact Report For Eastern Corridor Urban Renewal Area

III.3. Update On IGA Negotiations With Lyons Fire District And Boulder County Commissioners

III.4. Acceptance/Rejection Of Commission Browning Resignation

Documents:

[M BROWNING URA RESIGNATION.PDF](#)

III.5. Potential To Adjourn Into Executive Session For A Conference With The Urban Renewal Authority's Attorney For The Purpose Of Receiving Legal Advice On Specific Legal Questions Under C.R.S. Section 24-6-402(4)(B)

III.6. Potential To Adjourn Into Executive Session Pursuant To C.R.S. 24-6-402(4)(E) To Determine Positions Relative To Matters That Are Subject To Negotiation, Develop Strategy For Negotiations And Instruct Negotiators Regarding Intergovernmental Agreements

IV. Adjournment

TOWN OF LYONS URBAN RENEWAL AUTHORITY
SHIRLEY F. JOHNSON COUNCIL CHAMBERS
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

THURSDAY, JANUARY 16, 2020 @ 6:00 PM

MINUTES

Roll Call and Pledge of Allegiance

Present:

Chair Connie Sullivan
Commissioner Dreistadt
Commissioner Farrell
Commissioner Roberts
Commissioner Karavas
Commissioner Browning
Commissioner Siegrist
Commissioner Greenberg
Commissioner Beck

Not Present:

Commissioner Miller
Commissioner Krezek

Consent Agenda Read into the Record:

October 24, 2019 LURA Meeting Minutes
Moved to Approve Comm Karavas
Seconded by Comm Siegrist
Vote 9-0 Approved

General Business

Resolution 2020-1 a Resolution of the Town of Lyons Urban Renewal Authority
Approving a Tax Increment Revenue Agreement with the Town of Lyons Regarding
Property Tax Increment Under the Eastern Corridor Urban Renewal Plan

Attorney Quander explained that the town board authorized staff to develop an IGA
with the LURA to allow 100% of property tax increment over the next 25 years and a
to be determined on sales tax

Comm Dreistadt had a question regarding use tax and if it is included in the sales
tax or property tax category? Attorney Quander explained that use tax would not be
included in the increment unless agreed upon by both parties that it would be
beneficial.

Use tax is front-loaded in development and that is when the LURA will need it most. Most URAs tend to group them together in a plan ahead of time.

Comm Farrell inquired why we wouldn't be very specific of putting the base number in the IGA? Attorney Quander responded that the agreement states that the agreement is usually the baseline of what it is at the time of signature. Additional mill levies would not be included in the agreement.

Moved to Approve Resolution 2020-1 by Comm Dreistadt
Seconded by Comm Roberts

Amended by Farrell to add a section that we approve the resolution with the current mill levy stated within the IGA
Seconded by Comm Roberts
Vote 9-0 on amendment

Vote on Resolution 9-0 Motion carried

Resolution 2020-2 a Resolution of the Town of Lyons Urban Renewal Authority Approving a Tax Increment Revenue Agreement with the Lyons Regional Library District Regarding Property Tax Increment Under the Eastern Corridor Urban Renewal Plan

The Lyons Regional Library District is proposing a 50/50 split of increment with a cap of \$250K. It also includes that if there is a future increase in the library mill levy that it would not be included in the increment. Their Board is planning to adopt if approved by LURA Board on January 21, 2020.

Comm Browning inquired about where to find the cap in the IGA. Attorney Quander clarified Recital I defines cap and 3.a. has the description of the outside date of the increment or cap.

Moved to Approve by Comm Greenberg
Seconded by Comm Dreistadt
Vote 9-0 Motion Carried

Update on Negotiations with Other Taxing Bodies and Update to Impact Report and Tax Forecast

Attorney Quander explained that our plan is to finalize with the county in February. In conversations with the Fire District they do not want us to make the assumption that the Phase II of Eastern Corridor will be included in the Lyons Fire Protection District. Instead, the impact report has to be updated to reflect the portion of increment that would affect Hygiene. It is difficult to discuss the shared increment until we know the development potential in the Phase II.

Response from the LFPD was sent to the Board today. If the Board would like to prepare a written response, then we should go into executive session.

We have a developer who is interested in the eastern corridor and there is a funding gap. He is interested in accessing the URA

Negotiations with LFPD are currently extended to February 11th. There would be a goal to extend it an additional 60 days. If not agreed upon by the extended date, we would go to mediation.

Mediation process involves both sides selecting a mediator (30 days) and then one mutual mediator (30 days). Another 30 days for scheduling and holding mediation and then 90 days for decision. Basically, it could be a six-month process.

Comm Farrell inquired if it is appropriate to start discussions with the developer about the potential increment and paths prior to adoption knowing that there is a risk. You cannot enter (sign) into an agreement with the developer until the agreement is in place.

Staff is asking for permission to request an extension with the LFPD. Both sides are frustrated finding a creative solution. Chair Sullivan was concerned

Last offer was 35/65% split and left open for creative options. It was also discussed in generalities the transfer of the pie shaped lot across from the fire department. While we wait for the impact report, we don't anticipate that the numbers will change from what is currently in the report as development in the 2nd phase was very limited.

Comm Dreistadt moved to go into Executive Session. Seconded by Comm Roberts. Approved 9-0 Pursuant to C.R.S. 24-6-402(4)(e) to Determine Positions Relative to Matters that are Subject to Negotiation, Develop Strategy for Negotiations and Instruct Negotiators Regarding Intergovernmental Agreements

6:40 pm went into executive session and adjourned executive session at 6:59 pm

Comm Farrell requested a copy of the current communications back and forth moving forward.

Comm Browning requested a similar community to present their experience

Next meeting will be on February 27, 2020.

Adjourn Meeting at 7:02 pm

Move to Adjourn Comm Dreistadt
Seconded by Comm Farrell
Vote 9-0

February 4, 2020

Victoria Simonsen, URA Executive Director
Connie Sullivan, URA Commission Chair
432 5th Ave.
Lyons CO 80540


Dear Victoria and Connie:

I hereby submit my resignation as Lyons URA commissioner.

I have concluded, after much research and thought, that continuing the URA's efforts in the Eastern Corridor is not in the best interest of the Town of Lyons or its citizens/taxpayers. I therefore perceive a conflict of interest in my elected position as a Town trustee and the role of URA commissioner. For that reason, I am resigning as URA commissioner.

I would hasten to add that others may, in good conscience, reach a different conclusion and believe continued URA efforts in the Eastern Corridor are likely to result in greater benefits than costs for the Town. I respect their beliefs and do not suggest anyone else should not continue to hold dual positions as Town trustee and URA commissioner. It's a personal decision, on which people may reasonably disagree.

I, however, choose to resign, effective immediately.

Sincerely,

Mark Browning