

# CEMEX Lyons: An Alternative Proposal

07.07.2022

## Two Options: 15 Years or “Indefinite”



# Negotiation Technique: False Dilemma Fallacy

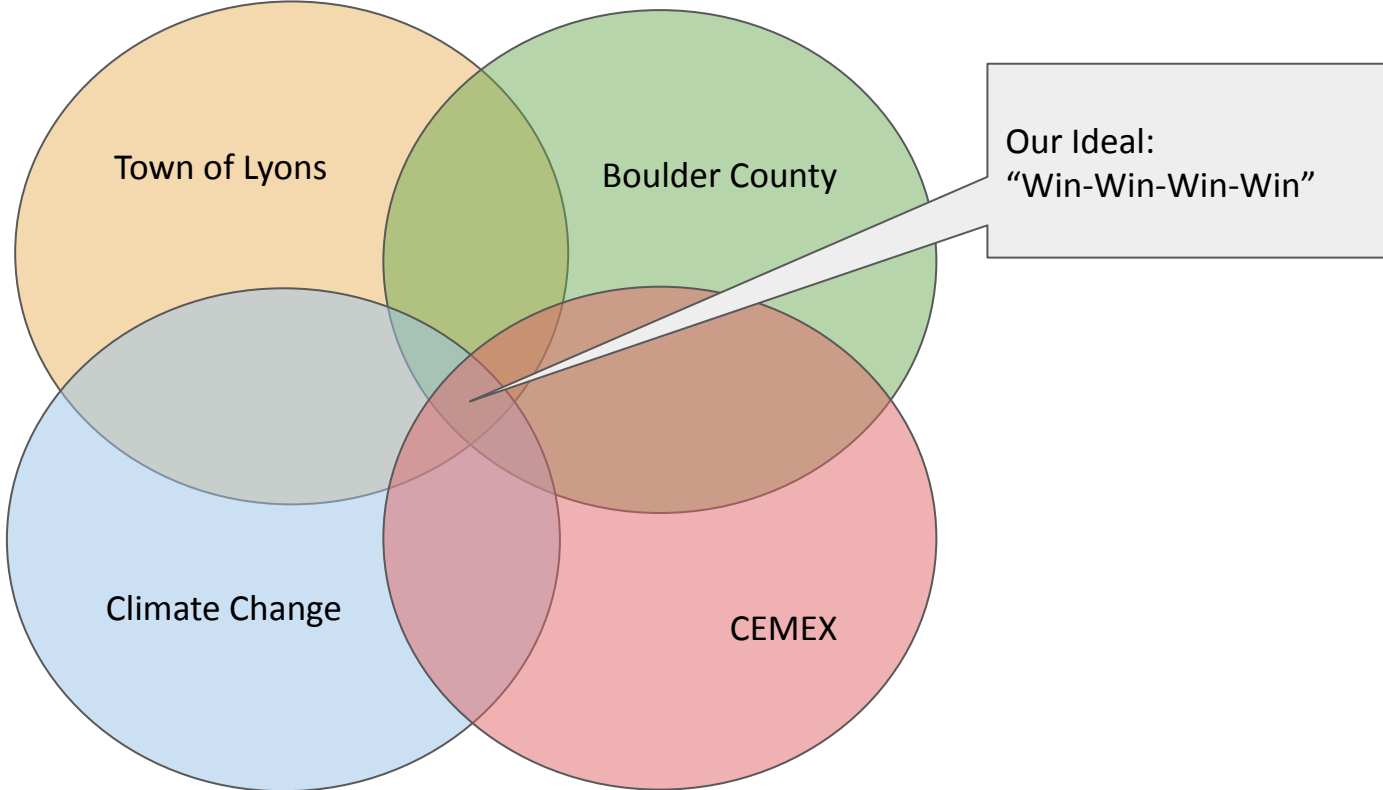
“A false dilemma presents a choice between two mutually exclusive options, **implying that there are no other options**. One option is clearly worse than the other, making the **choice seem obvious**. Also known as the either/or fallacy, false dilemmas are a type of informal logical fallacy in which a faulty argument is used to **persuade an audience to agree**. False dilemmas are everywhere. They can be deliberate or accidental, but their goal is to **make their argument convincing**.”



# What about a Third Option?



# Third Option Objective



# Imagine a Third Option that was...

## Faster

- 5 Years of Mining & Plant Operations Instead of 15 Years or Indefinite.
- Reduces CO2 Emissions *ahead* of 2030 Goals.
- 5 Years for Dowe Flats Open Space instead of 15 Years.
- Accelerant for Eastern Corridor Development.



## Better

- Plant Demolition and Industrial Operations Gone. Permanently.
- Land Conservation, Wildlife, and plentiful multimodal St Vrain Greenway Trails
- Renewable Energy, powering 100% of the Town of Lyons.
- Lyons Economic Development and much needed Tax Revenue Base.
- Sustainable Multi-Use that's Beautiful, Unique and inline with Boulder County and Lyons ethos.



## Cheaper

- \$3.8MM option for Boulder County instead of \$8.0MM net outlay.
- Increase Town of Lyons Revenue and Tax Base
- ~\$40MM more value for CEMEX shareholders than an "Indefinite" option
- Leverages the sustainable investment community for public/private partnership (capital/creativity)



# “The Town of Lyons Proposal” - Summary Terms

- 5 Years instead of 15 Years; Both Dowe Flats Mine & Plant
- CEMEX Performs demolition of plant and reclamation by 2030
- CEMEX Area (930 acres) is Protected/Conserved via Updated IGA & Land Use Agreements
  - Boulder County Open Space ~ 510 Acres
  - Town of Lyons ~ 420 Acres
    - 310 Acres for Low Density Mixed-Use under Covenant/Conservation Easement
      - Ithaca 10/90 model - <https://ecovillageithaca.org>
    - 70 Acres for Open Space / Wetlands
    - 40 Acres for Solar Agri Voltaics for 100% Lyons Renewable Energy
- CEMEX Area (930 Acres) - purchase options for entirety
  - \$17,000 per acre + 2% Annual Increase
  - For Boulder County 510 acres - 2022 onwards
  - For Lyons 420 acres - 5 year window (beginning in 2030) to annex & commence, otherwise assigned to Boulder
- Lyons has 5 years (beginning 2030) to annex & proceed with its portion
  - Multiple sustainable investment groups envisioned to participate, bid and present concepts
  - Boulder County can participate as well and present its own concepts
- Boulder County and Lyons receive right-of-first refusal for CEMEX Water Rights sales
- All of Dowe Flats still provided to Boulder County Open Space for \$0

# Next Steps

- Town to assert rights and/or leverage
  - Additional legal resources
- Town to engage in IGA Negotiation
  - Boundaries to allocate CEMEX Area
  - Density parameters - inline with Lyons Comprehensive Plan
- Upcoming meetings to put forth Town of Lyons proposal
  - Town of Lyons (Special Sessions and/or Workshops) ahead of July 22nd response
  - Boulder County Community Planning (August 17th)
  - Boulder County Commissioners (Sep/Oct)
- Good Neighbors of Lyons is here to help...
  - Help craft narrative and presentation so Lyons position/proposal is clear and compelling
  - Compile community feedback and gather community support/endorsements for proposal