

**TOWN OF LYONS, COLORADO**

**RESOLUTION 2022-15**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO APPROVING  
THE LYONS URBAN RENEWAL AUTHORITY GUARDRAILS**

**WHEREAS**, pursuant to Resolution No. 2015-46, on May 18, 2015, the Town of Lyons Board of Trustees (the "Board"), established the Town of Lyons Urban Renewal Authority (the "Authority"); and

**WHEREAS**, the Authority is authorized by C.R.S. § 31-25-105(1)(a) to make and adopt bylaws, orders, rules, and regulations to effectuate the purposes of Part 1 of Article 25 of Title 31, Colorado Revised Statutes (the "Urban Renewal Law"); and

**WHEREAS**, to facilitate communication with the general public and private development community about the parameters and factors considered by the Authority in reviewing urban renewal plans and applications for urban renewal projects, the Commissioners of the Authority have considered approval of the Guardrails for LURA Project Implementation attached hereto and incorporated herein as **Exhibit A** (the "LURA Guardrails"); and

**WHEREAS**, the LURA Guardrails is an advisory document that identifies parameters and factors that are of particular relevance to the Authority and the Town to facilitate discussions and guide choices about development and investment; and

**WHEREAS**, the Commissioners of the Authority have determined that it is in the best interests of the Authority that the LURA Guardrails be approved; and

**WHEREAS**, the Board of Trustees have determined that it is in the best interests of the Town that the LURA Guardrails be approved; and

**WHEREAS**, the Board desires to approve the LURA Guardrails.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS:**

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The LURA Guardrails attached hereto as **Exhibit A** is hereby approved.

Section 3. This Resolution shall be effective upon approval of the Trustees.

**Adopted this 7th day of February 2022.**

TOWN OF LYONS

By: \_\_\_\_\_  
Mayor Nicholas Angelo

ATTEST:

\_\_\_\_\_  
Dolores M. Vasquez, CMC – Authority Clerk

## EXHIBIT A

### Policy: Guardrails for LURA Project Implementation

- I. Any use of funds must be bound by realistic forecasts of property tax revenue. (property and use tax.) Adjust as forecasts change due to changing conditions.
- II. Do not put LURA at risk by incurring debt. While the start-up costs are now sunk costs, the LURA should not expect that the projects will require the Town or any other taxing entity within LURA to guarantee payment of debts or repayment of the loans.
  - a. Work with developers that can accomplish their goals by arranging the financing themselves and/or only use available LURA funds that have already been collected (earned TIF) as indicated above. (In other words, they would only receive LURA funds after they are collected. That puts the risk on them).
  - b. Generally, expect developers to bear risks.
  - c. Limit loan commitments to defined, limited amounts.
  - d. Any agreements with developers that require loans to or through LURA, must require a two-thirds majority vote of the LURA Board.
- III. Minimize expenses moving forward. Efficiently manage our legal expenses and limit the administrative burdens for town staff. Burdens on the Town's budget or staff must be considered carefully.
  - a. The exception might be expenses for resources to recruit developers and tenants for identified projects that have a high probability of eventuating.
- IV. Set up a repayment schedule to the Town for their investments in LURA development and review the IGA between the Town and LURA for potential amendment.
- V. Develop criteria and priorities for expenses that the LURA will cover (e.g., public improvements, sprinkler systems, infrastructure, public parking, grease traps, side streaming, renewable energy, increased water line sizes, etc.).
- VI. Avoid projects that may create situational obligations for other taxing entities, such as unfinished projects that are dependencies for completions of infrastructure that go beyond the resources of the LURA)

Adopted January 27, 2022 by LURA  
Adopted February 7, 2022 by BOT