



Meeting Minutes - Final

In attendance were:

- Commissioners:
- Merv Bennett
 - Tiffany Colvert
 - Valerie Hunter
 - Wynne Palermo
 - Jim Raughton
 - Nolan Schriner
 - Peter Scoville
 - Robert Shonkwiler

Absent:

- Also in Attendance:
- David Neville CSURA Legal Counsel
 - Jim Rees CSURA Executive Director
 - Dean Beukema CSURA Staff
 - Carrie Bartow CliftonLarsonAllen, CPA
 - Peter Wysocki City Planning Director
 - Bob Cope City Economic Development
 - Anne Ricker Ricker/Cunningham
 - Bob Willard Gold Hill Mesa
 - Gary Erickson Northgate Properties
 - Bill Cunningham Ricker/Cunningham

Chair Wynne Palermo called the meeting to order. There were no introductions. Chair Wynne Palermo stated the new board member Zachary McComsey, would start with the April 22, 2015 meeting.

Item 1 –Approval of the January 27, 2015 CSURA Meeting Minutes

A motion was made by Commissioner Merv Bennett, seconded by Commissioner Tiffany Colvert to approve the meeting minutes of January 27, 2015. Commissioner Robert Shonkwiler stated he would not be voting on the motion as he was not in attendance for the meeting. The motion carried 6-0.

Item 2 –Approval of the Financial Report as of January 31, 2015

Ms. Carrie Bartow, CliftonLarsonAllen CPA, reviewed the monthly revenue and expenditures report as of January 31, 2015 including the property tax received from each Urban Renewal Area as provided in the packet. The check register was not in the packet and was reviewed separately as presented.

Ms. Carrie Bartow stated the one capital projects fund that was not anticipated when the budget was prepared was the Southwest Downtown Area. A letter was received from the County Treasurers Office that CSURA will receive \$4,349 in TIF during 2015. The value of the property went up over the base in order to create the increment.

A motion was made by Commissioner Valerie Hunter, seconded by Commissioner Nolan Schriener to approve the Financial Report as of January 31, 2015. The motion carried 7-0.

Item 3– Fourth Quarter 2014 Continuing Disclosure Report

Ms. Carrie Bartow, CliftonLarsonAllen CPA, stated at the January 27, 2015 board meeting they did not have the information from the developer to complete the Continuing Disclosure Report. It has since been sent in by the due date of February 15, 2015.

Ms. Carrie Bartow stated they were continuing to work with the Pikes Peak Regional Building Department to get the legal boundaries entered into their system in order to provide more accurate reporting on building activities outside of the University Village Areas.

A motion to ratify the report was made by Commissioner Valerie Hunter, seconded by Commissioner Tiffany Colvert. The motion carried 7-0.

Item 4 – 2014 Budget Amendment

Ms. Carrie Bartow stated there were two funds to amend, the Gold Hill Mesa project area as well as the City Auditorium project area. The reason for the amendment is they received more revenue than was anticipated, therefore more was paid out. The audit report is due to be filed with the City of Colorado Springs on March 1, 2015.

A motion was made by Commissioner Merv Bennett, seconded by Commissioner Nolan Schriener to approve the 2014 budget amendment. The motion carried 7-0.

Item 5 – Citizens Comment Period

No citizen comments.

Item 6 – Copper Ridge Redevelopment Agreement Amendment

Mr. Jim Rees introduced Ms. Anne Ricker from Ricker/Cunningham and Mr. Bob Cope from the City.

Mr. Jim Rees explained when the original redevelopment agreement for Copper Ridge was approved by the board; there was a section that outlined all of the improvements called Exhibit C. It basically listed all the improvements that could be determined at that time. Unfortunately, a critical piece of information was missing regarding the lowering of the gas lines underneath the road where it is dropping in elevation.

That cost was not included in the original Exhibit C. It is approximately a \$250,000 line item that adds to the total. However, the agreement basically states we would only pay one the tax increments that are generated from the area towards the development of Powers Blvd. Mr. David Neville has written a resolution and amendment to change Exhibit C.

Mr. Jim Rees introduced Mr. Gary Erickson, from Northgate Properties who stated he was there to answer any questions the board might have.

Commissioner Jim Raughton entered the meeting.

Mr. Jim Rees stated the redevelopment agreement does allow for certain things to be paid for ahead of time. Engineering studies and utility relocates can be done before the major construction part of the project happens.

Mr. David Neville gave a summary on the background of the resolution and amendment. The redevelopment agreement lists the distinction between local infrastructure and the eligible improvements. Local infrastructure would be those improvements that are outside of the Powers Blvd. right of way. All of the utilities that go into the project itself would be paid for and completed by the district. The Powers Blvd. improvements would be paid for out of the TIF revenue. Mr. Gary Erickson confirmed that this is within the Powers Blvd. right of way and is a relocation of the gas lines.

Mr. David Neville stated that Exhibit C has an attachment to it with the eligible costs. The board would be approving this amendment and replacing the attachment to Exhibit C. Mr. David Neville also pointed out the cooperation agreement with the city that describes the sales tax sharing. One of the provisions in the cooperation agreement explains the use of funds in the escrow account during the escrow period which they are in. The uses of those funds have to be approved by the city.

Mr. Bob Cope stated there was also the appointment of a Technical Advisory Committee that has members from CDOT and others that look at it to advise them and the City whether to approve those expenses.

Mr. David Neville stated that the Technical Advisory Committee had their first meeting last week.

Commissioner Robert Shonkwiler asked if the right of way through the property had been dedicated. If it has not been dedicated, are we going to spend money for a right of way we don't have yet? Mr. Gary Erickson stated that it had been done officially about two years ago to CDOT.

Commissioner Merv Bennett asked if it was still called Copper Ridge or now Polaris Point. Mr. Gary Erickson stated with the request from the Air Force Academy, the name had been changed to Polaris Point.

Commissioner Merv Bennett stated it would be confusing to the public if we continue to list it in the papers as Polaris Point but refer to it as Copper Ridge. Mr. Jim Rees stated they could reference it as aka Copper Ridge. Commissioner Merv Bennett felt we should clarify it in the future for the public.

Chair Wynne Palermo asked if it should now be called Polaris Point. Mr. David Neville stated the project name is now Polaris Point but all the agreements refer to it as Copper Ridge and Copper Ridge Metro District. Mr. Gary Erickson stated we are changing the plats as we go forward. Mr. Gary Erickson also stated that it was General Gould who came to them and really wanted to tie the Air Force Academy together.

Commissioner Robert Shonkwiler asked what the connection of Polaris Point was to Colorado Springs or El Paso County. Mr. Gary Erickson stated that the Air Force Academy is building a new character center for education. On top of the building is a 125 foot illuminated structure that faces the north to the North Star. The illumination will be on the Air Force Academy Chapel which we have always had the best view of and now this tower, that points north, will be very visible from our project. The connection of Polaris Point is the North Star and that is where the name came from.

A motion was made by Commissioner Peter Scoville, seconded by Commissioner Robert Shonkwiler to approve the amendment of the resolution. The motion carried 8-0.

Mr. Gary Erickson left the meeting.

Item 7 – Gold Hill Mesa Urban Renewal Area Plan Amendment

Mr. Jim Rees recapped the last board meeting where the amendment to the Gold Hill Mesa Urban Renewal Area had been presented. Since the board had not been presented with the amendment prior to the January 27th meeting, the board members felt they needed time to review it and that it should be brought back to the February 27th board meeting with a question and answer period.

Commissioner Robert Shonkwiler asked if the sales tax portion being converted is 1% or 2%. Mr. Jim Rees stated the developers would like to have the opportunity to approve up to 2%. Mr. Jim Rees stated he had requested the developers to prepare an impact report for the city that shows the fiscal impact to the city services, what kinds of costs are involved and how much of the existing sales tax needs to be used for the improvements at the commercial area. We need to make sure we cover the costs incurred by the city. Mr. Jim Rees stated it is still negotiable and will be part of the board's decision when the redevelopment agreement is considered.

Commissioner Robert Shonkwiler stated he was concerned with designating another urban renewal district or sub district, until everything is in place including the projects. He further stated he had been voicing strong disapproval of that for the three years he has been on the board. Commissioner Robert Shonkwiler stated he feels we have enough vacant empty unused urban renewal districts that are not active and in place. Commissioner Robert Shonkwiler's second concern is the need to fix pot holes in the city and he is opposed to diverting any more than 1% of the 2% sales tax. Commissioner Robert Shonkwiler reemphasized the need to have some revenue that goes to the city since the impact on 21st Street and Cimarron is going to be huge if this project is successful and that any sales tax that would come out of this area would be money that would be diverted from other areas of Colorado Springs.

Mr. Jim Rees clarified there is no sales tax associated with the current Gold Hill Mesa Urban Renewal District nor are we changing the TIF period. Mr. Jim Rees stated the amendment carves out just the commercial area and what is left remains the same as far as the original property tax increment period.

Commissioner Robert Shonkwiler stated that when we talk about the gap that is necessary to be funded, we need to make certain that we include the metropolitan district reimbursements that ultimately go back to whoever owns those bonds, whether it is the developer or private entity.

Commissioner Peter Scoville wanted to clarify how this was affecting their discussions with potential developers. Mr. Jim Rees stated he had been working with Peter Wysocki about changing the process so it could be on the March Planning Commission and therefore go before City Council the first meeting in April.

Commissioner Robert Shonkwiler clarified that they were not deciding on the sales tax percentage today.

A motion was made by Commissioner Valeria Hunter, seconded by Commissioner Peter Scoville to approve the amendment. The motion carried 6-0 with Commissioner Nolan Schriener and Commissioner Jim Raughton abstaining.

Item 8 – Gold Hill Mesa Commercial Area Urban Renewal Plan

Mr. Jim Rees stated this item is to approve the Gold Hill Mesa Commercial Urban Renewal Area and the Urban Renewal Area plan. Mr. Jim Rees reminded the board that City Council approves the plans and the function of the URA is to recommend approval. The resolution written by Mr. David Neville states that the URA Board recommends to the City Council the adoption of the plan.

Commissioner Robert Shonkwiler requested clarification that it does not include the sales tax and asked when that would be decided. Mr. Jim Rees stated the redevelopment agreement draft would be re-negotiated and brought back to the board. Commission Robert Shonkwiler requested a very professional detailed Performa when it is brought back to the board.

Mr. Bob Willard, Gold Hill Mesa Metro District entered the meeting.

Commissioner Merv Bennett asked if there was any information in the commercial urban renewal plan that includes an expectation of the use of eminent domain. Mr. Jim Rees stated there was not. Commissioner Merv Bennett reemphasized that City Council is open to the use of eminent domain for public use, example SDS, but is closed if it is for private use.

With no further discussion, a motion was made by Commissioner Peter Scoville, seconded by Commissioner Valerie Hunter to approve the resolution. Motion carried 6-0 with Commissioner Nolan Schriener and Commissioner Jim Raughton abstaining.

Item 9 – Other Matters

Mr. Jim Rees stated Colorado Municipal League (CML) has introduced a bill that addresses some of the concerns presented by the Colorado Counties last year which the Governor vetoed. The bill does not

provide for the requirement that the Counties wanted which stipulated that a municipality had to commit the same % of the sales tax increment into a project as was being required of the County property tax increment. It was not acceptable to any URA or municipalities. Commissioner Robert Shonkwiler asked if the County contributes any sales tax to any of the URA projects. Mr. Jim Rees clarified that the County, School Districts, City, all contribute property tax increment only.

Commissioner Robert Shonkwiler inquired about the Littleton Urban Renewal Authority ballot issue. Mr. Jim Rees stated the ballot issue comes before their voters on March 3rd. If passed any URA plan that is passed or amended that would change the way tax increments are allocated or the use of eminent domain would require a public vote. It would also eliminate the approval of their City Council. Arapaho County has an objection regarding URA plans that Littleton has already submitted and prepared that objects to the impact reports. They are in arbitration at this time. After the vote Mr. Jim Rees will provide a summary to the board. Commissioner Robert Shonkwiler stated the issue of eminent domain would be of importance to the board because of the blighted areas of Colorado Springs.

Commissioner Tiffany Colvert asked if there was a proposal of a South Nevada redevelopment plan yet. Mr. Jim Rees stated there was no formal request yet. The City had a rapid response team look at a project being proposed by Danny Mientka where the McDonalds is located at Nevada and Cheyenne Blvd. One of the proposed improvements would be a grocery store. Asked if any other projects had been proposed, Mr. Bob Cope stated there had only been conceptual plans so far. Commissioner Tiffany Colvert suggested the board be more proactive in dealing with the South Nevada blighted area and asked if the board should explore putting out an RFP to more actively look at that corridor as a whole rather than waiting for individual developers to piece meal some things together. Mr. Jim Rees stated since the URA does not have the resources to actively fund a study they were trying to work with the city as well as the developers in that area to pool all of the resources together and match it.

Mr. Peter Wysocki, City Planning Director entered the meeting.

Mr. Bob Cope stated there is a lot of opportunity to build on a concept and the city has been dealing with the three redevelopment groups on their individual projects. The City did get together with Danny Mientka on a pre-rapid response meeting to address different issues. One very important issue is how to treat the stream bed or Cheyenne Creek because of the huge flood plain issues. There has been competition between the three developers bidding against each other on properties which have made it more complicated. The three developers are at a point now where they really want to sit down with the city to talk about how this would look comprehensively, traffic, access, and how you would treat the stream all the way through. Ultimately, they would like for it to morph into an Ivywild/S. Nevada Task Force. Kathleen Krager, City Transportation Manager has agreed to do a traffic study which the city will pay for. With eminent domain off the table it is very important to work together with one vision and one plan to make progress. Discussion continued with different ideas proposed.

Mr. Jim Rees will send out to the board the same scope of services that he and Ms. Anne Ricker put together last year on South Nevada for a starting point.

Commissioner Merv Bennett said he had two issues to bring up. The first issue is regarding a request made at City Council to see the URA board meetings video tapped so people could see who is speaking. They are unable to tell from the audio recording. URA staff was directed to check with the Communications Department to see if the city has the ability to video the meeting in the Pikes Peak Conference Room.

The second issue is regarding the term, No Man's Land. The people living along Colorado Avenue feel this reference has a negative connotation and prefer it being call The Avenue. Commissioner Merv Bennett gave an update and history on the progress and issues that are being worked on. This is an issue that has three jurisdictions, El Paso County, City of Colorado Springs and the City of Manitou Springs. The first settlement in 1858 in Colorado Springs took place in the area where the Taco Bell and 31st Street and Camp Creek meet Fountain Creek. It is very hard to know what jurisdiction you are in without looking at a map. PPRTA is funding a design and hopefully by 2016 will be able to start renewing The Avenue all the way from 31st to where Highway 24 goes over into Manitou. There are massive drainage issues and PPRTA has \$12,000,000 set aside for that project and the state has provided \$3,000,000 with a total of \$15,000,000 set aside to deal with the drainage issues. The plan now is to deal with the highway and Colorado Avenue which is right now in the County. The discussions with some of the property owners regarding annexation have not gone well because of the tax implications. This is a long process but they are moving forward.

Mr. Jim Rees asked if Commissioner Merv Bennett felt it would ever be an urban renewal area. Commissioner Merv Bennett state the City of Manitou has already made their end of The Avenue an urban renewal area. Because of the multiple jurisdictions, there are other issues to be dealt with. There are people camping along the creek bed, humane trafficking and very aggressive panhandlers who are having a negative impact on the businesses and residents. There have been a lot of discussion and cooperation with the County, City Police Department, Manitou Police Department, Manitou Urban Renewal, Organization of Westside Neighbors (OWN) board members, business owners and residents on how to deal with these issues.

Mr. Peter Wysocki stated a presentation had been given to the Mayor and City Council about waving the annexation fees in order to entice land owners to petition for annexation. The board discussed various options and thanked Commissioner Merv Bennett for his presentation and requested he keep them up to date.

There being no further business a motion to adjourn was made by Commissioner Robert Shonkwiler, seconded by Commissioner Peter Scoville. The motion carried unanimously and the meeting was adjourned.

The next regular Urban Renewal Authority Board Meeting is scheduled for March 25, 2015.

Copies of the Board agendas, minutes and audio recordings are posted on the Colorado Springs Urban Renewal Authority website.

www.csurbanrenewal.org