

AGENDA
LYONS URBAN RENEWAL AUTHORITY MEETING
TOWN OF LYONS
THURSDAY, SEPTEMBER 26, 2019

6:00 pm - 7:00 pm

SHIRLEY F. JOHNSON COUNCIL CHAMBER

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

I. Call To Order

II. Roll Call

III. Consideration Of Minutes

III.1. July 26 2019 LURA Meeting Minutes

Documents:

[JULY 29 2019 LURA MINUTES.PDF](#)

III.2. August 29 2019 LURA Meeting Minutes

Documents:

[AUGUST 2019 LURA MINUTES FINAL.PDF](#)

IV. General Business

IV.1. Resolution 2019-2, A Resolution Of The Town Of Lyons Urban Renewal Authority Providing For Unanticipated 2019 Revenues And Expenditures Required Of The Lyons Urban Renewal Authority

Documents:

[STAFF REPORT LURA 2019 SUPPLEMENTAL.PDF](#)
[URA RESOLUTION 2019 SUPPLEMENTAL RESOLUTION.PDF](#)

IV.2. Acceptance Of The 2020 LURA Budget (Public Hearing Will Be Held At The October 24 2019 LURA Meeting)

Documents:

[2020 TOL BUDGET - LURA.PDF](#)

IV.3. Update/Discussion Taxing Entity IGA Negotiations

IV.4. Discussion Regarding Next Regular Meeting Date And Time

V. Executive Session - Consideration Of A Motion 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

VI. Adjournment

“The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Persons needing accommodations or special assistance should contact the Town at hr@townoflyons.com as soon as possible, but no later than 72 hours before the scheduled event.”

MINUTES
LYONS URBAN RENEWAL AUTHORITY MEETING

TOWN OF LYONS

MONDAY, JULY 29, 2019

6:00 pm - 7:00 pm

SHIRLEY F. JOHNSON COUNCIL CHAMBER
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

1. Call to Order
2. Roll Call
Present: Chair Sullivan, Commissioners Browning, Dreistadt, Farrell, Roberts, Siegrist, Krezek, Beck. Absent Commissioners Greenberg, Karavas and Miller
3. Approval of the Agenda
Motion: Commissioner Dreistadt moved to approve the agenda.
Second: Commissioner Farrell seconded the motion
Motion passed unanimously
4. Consideration of Minutes from last meeting
 - a) April 25, 2019 LURA Meeting Minutes
Motion: Commissioner Siegrist moved to approve the April 25, 2019 LURA Meeting Minutes
Second: Commissioner Beck seconded the motion.
Chair Sullivan and Commissioner Roberts abstained from voting as they were not present at this meeting.
Motion passed unanimously.
5. General Business
 - a) IGA with St Vrain School District
URA Attorney Caitlyn Quander reported the IGA with the St Vrain School District was presented to SSVS on June 12, 2019. The overview of the plan and goals, terms of agreement, approved SSVS June 26, 2019 and not before the URA, SVVS budget general fund versus the mill levy override and debt services. The School District shall be entitled to receive all of the TIF Revenue generated by the imposition of its mill levies if and when received by LURA as a result of the imposition of the URP and the collection of the TIF Revenue from the TIF area as set forth in the agreement, except for that TIF Revenue that is generated by the mill levy established by the Colorado Public School Finance Act, as of the date of the Agreement, the School Districts total program mill levy within the TIF Area is 24.995 mills - the School district's Total Program Mill Levy Increment. Town Attorney Quander stated it would just be the increment generated by that development. Mayor Pro Tem Dreistadt stated it is difficult to express the math in words, to develop table for each IGA and list out the property tax and provisions that relate to the amounts for each IGA as we move forward and to help us better understand. URA Attorney Quander stated she has done this in the past and it is a great idea and stated she would work with Executive Director Simonsen on this.
Chair/Commissioners discussion included the amount of mill levy override, how does this compare to the old statute in the Downtown area, base plus increment, increment generated by specific development, 100% on all taxing authorities in the existing plan.
Commissioner Siegrist asked if she shouldn't vote, URA Attorney Quander stated you can vote you are wearing your authority hat now.
Chair Sullivan thanked the SVVSD and stated she appreciates their support. Commissioner Siegrist stated the board was supportive and optimistic.

Motion: Commissioner Dreistadt moved to approve the IGA with the St Vrain Valley School District

Seconded by Commissioner Farrell.

Chair Sullivan thanked the SVVSD for their support.

Commissioner Beck stated he was going to abstain from voting due to being on the Lyons Fire Protection District Board.

Motion passes unanimously

b) Update on discussions with other taxing bodies

LURA Attorney Quander reported she has reached out to the various taxing bodies and have met Lyons Fire Protection District, Lyons Regional Library District and Boulder County and have given them an overview of the plan area, Impact Report, IGA Agreement for their council, discussion concerning sharing of the tax increments, follow up letter, set the initial meeting, 120 day negotiation period, we have followed up and have heard from all three and discussed the process forward. LURA Attorney Quander stated she has heard from Lyons Fire Protection District's attorney; they have requested meeting dates and times. The Lyons Regional Library District has sent a markup of the agreement and sharing of increments. The Eastern Corridor is a little different as there is only one project on the radar the rest is hopeful plans.

Chair Sullivan asked how this normally goes. Executive Director Simonsen stated it normally is a project. Chair Sullivan stated we have a project but don't know the numbers. Executive Director Simonsen stated we have 6 acres of 30 acres in the Eastern Corridor URA, 2 buildings that will need to be demolished, significant dollars for water and sewer to the trailer court. Chair Sullivan stated if there is no urban renewal, it is doubtful this would come to any of the districts, projection and portions of something is better than nothing, that is the way I would approach it, its more than you would have gotten if no development occurred. LURA Attorney Quander stated you are not ready for that stage of the discussion, they will take the information back to their boards, we are early in the stage, the next meeting will be the district saying if it happens what would the impact be, with out the LURA none of this occurs and then there would be no increment to share, if you have your wish list, what does it look like. Chair Sullivan stated there needs to be a different approach for each district. Commissioner Dreistadt stated we need good representation, each of the districts has their own set of ideas, what are the benefits that might be for each of the districts, on one hand a district reacting to something that is not likely but not a way to guarantee, need some commitment from them.

Commissioner Browning asked how much of the Eastern Corridor is within Lyons.

Commissioner Browning asked why we wouldn't ask Hygiene Fire Protection District. LURA Attorney Quander stated once the properties annex, they become part of the Lyons Fire Protection District. On a whole you see more project specific plans driven by private development, there will be a mix of that in the 6 acre area, then goals for a larger corridor as well, seeing much less of the existing, the need to have specifics in your negotiations, they are forecasts for the increment amounts, the more specific you can be with a project the better for all, there will also some visionary work on the Eastern Corridor. At the August meeting we will hold an Executive Session, it might be that we have a few meetings to go before we mediate, the 120 days is mid-October, parties can mutually agree to extend the 120 days unless they are at an impasse. Chair Sullivan asked if LURA Attorney Quander had seen a future agreement that would say it if is commercial and if it is residential scenarios. LURA Attorney Quander stated she has not seen that scenario, I have done when X amount of students then dollars to towards a modular for students, can be perspective to the impact changes, if we get nitty gritty, the library would have a significant impact, I caution you the more unpredictable the increments seem the less likely you would be to get a loan. Chair Sullivan stated she would be open as long as we don't get to granular, commercial/industrial versus dense residential units, are there ways to build incentives for certain types of development. Commissioner Farrell asked what the date for closing is for the Greens.

Executive Director Simonsen stated October 5, 2019, is it possible to negotiate a change in the increment in the years, to give more in the later years. LURA Attorney Quander stated yes that can be done, back ended for the anticipated development. Commissioner Dreistadt stated in the discussion with Boulder County, we seem to have the same objectives, developing clear crisp objectives will be helpful for both sides for mutual understanding.

Commissioner Krezek stated the way the county collects for all wide county services, there may not be a nexus of number is students, we don't compete with commercial, use goals to approach the commissioners, the Boulder County Commissioners want to support Lyons, looking for the community benefit will be a good way to approach that. Commissioner Dreistadt stated the meetings initiated the clock, the only documents are the letter sent out by LURA Attorney Quander. LURA Attorney Quander stated the meeting we specifics of walking through the plan, one of the components was affordable housing with Boulder County. Chair Sullivan asked if the policy planning could be sent to the entire board. Commissioner Roberts stated we need to be persistent that residents hook up to the municipal sewer.

- c) Discussion regarding next regular meeting date and time
Discussion concerning dates for the next LURA meeting, Town Clerk will send out a survey to the Chair and Commissioners for September 26th to see if have a quorum.
6. Adjournment
Motion: Commissioner Dreistadt moved to adjourn.
Seconded by: Commissioner Beck
Motion passes unanimously.
Meeting adjourned at 6:52 pm

Respectfully Submitted by:

Deb Anthony, Authority Clerk

Chair Connie Sullivan

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MINUTES
LYONS URBAN RENEWAL AUTHORITY MEETING
TOWN OF LYONS

Thursday, AUGUST 26, 2019

6:00 pm - 7:00 pm

SHIRLEY F. JOHNSON COUNCIL CHAMBER
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

1. Call to Order
Roll Call: Present - Chair Connie Sullivan, Commissioner Dreistadt, Commissioner Mark Browning, Commissioner Mike Karavas, Commissioner Jocelyn Farrell, Commissioner Caleb Roberts, Commissioner Dan Greenberg, Commissioner Stephen Beck
Absent: Commissioners Michele Krezek and Joie Siegrist.

2. General Business
LURA Attorney Caitlin Quander reported the goal of this meeting is to give the Lyons Urban Renewal Authority an update on the discussions with the Lyons Fire Protection District, Boulder County Commissioners, and St Vrain Valley School District. Requested that all Commissioners put on their LURA hat and act in the interests of the Authority. May be hard because may be privy to conversations for the different districts. To be clear, in particular, Commissioner Beck is not here to defend the Lyons Fire Protection District, he is here on behalf of the Authority. Statement directed to Commissioner Beck - you do not need to speak on behalf of or defend the Lyons Fire Protection District, but if there is information that is valuable that I did not communicate, please say so. LURA Attorney Quander stated she would also have this conversation with Commissioners Krezek and Siegrist. LURA Attorney Quander stated the IGA with the SVVSD has been finalized, we have chosen to forgo negotiations with St Vrain Left Hand Water Conservancy District and Northern Colorado Water Conservancy District. Commissioner Dreistadt, Executive Director Simonsen and LURA Attorney Quander met with Boulder County Commissioners, Lyons Fire Protection District and Lyons Regional Library District on June 14, 2019. At that meeting, gave an overview of the plan, impact report, services and answered general questions, discussed specific impacts to each district to better understand their perspective. Boulder County Commissioners are supportive of sharing the increment but specifically focused on affordable housing. LURA Attorney Quander stated Affordable Housing itself may not generate property tax. Boulder County is the only entity that would get sales tax even if they were not receiving new incremental property tax. Handouts were given out concerning Special Districts and mills associated with each. There will be a follow up meeting September 17¹, 2019 with the Lyons Regional Library District and Lyons Fire Protection District.

a) Update/ Discussion - IGA with Lyons Fire Protection District
LURA Attorney Quander stated the Lyons Fire Protection District submitted a letter to LURA with their perspective, outlining anticipated impacts and stating they want to keep 100%. (see attached letter from Lyons Fires Protection District).
LURA Attorney Quander stated they would speak with the Lyons Fire Protection District again on September 17², 2019.
LURA Attorney Quander indicated that the Fire District has requested an extension of the 120 day negotiation time frame. Recommended that the LURA Board entertain this request at a future meeting. If negotiations are occurring and there is movement between the parties,

¹ Date was misstated at meeting – was actually September 12, 2019.

² Date was misstated at meeting – was actually scheduled for September 12, 2019.

would recommend extending this timeframe. If the Fire District is set on 100% there is no need to extend the negotiation time period.

b) Update/Discussion - IGA with Lyons Regional District Library

LURA Attorney Quander stated the discussion with the Library included their usage and demands, typical standards, meeting locations, impacts that are residential driven on general library services. The Lyons Regional District Library wants to begin negotiations at keeping 100%. Meeting with the Lyons Regional District Library again on September 17³, 2019

c) Update/Discussion – IGA with Boulder County

LURA Attorney Quander stated the Boulder County Commissioners are supportive of sharing the increment but want to see the dollars targeted towards affordable housing. Totality of \$1.5 million over 25 years would go to the creation of affordable housing. LURA Attorney Quander stated affordable housing may not generate property tax, the county is the only entity that would get sales tax even if they were not getting property tax.

LURA discussion concerning increment amounts, correlating with the annual budget, affordable housing, identifying the Library Regional Districts %, possibly a flat amount based on a not to exceed amount for budgeting, amounts for a 25-year period with LURA.

d) Discussion regarding next regular meeting date and time - Authority Clerk Anthony will put out a survey for September 26, 2019 to make sure we have a quorum.

3. Commissioner Dreistadt move for 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 at 6:46 pm. Executive Session over at 7:43 pm.
Seconded by Commissioner Karavas
Motion approved unanimously.

Chair Sullivan stated the LURA agreed to move forward with negotiations.

Commissioner Dreistadt asked to have Commissioner Browning also be present at the negotiations with him, LURA Attorney Quander, and Executive Director Simonsen. The LURA all agreed and moved to continue with negotiations.

4. Adjournment - Commissioner Dreistadt moved to adjourn. Commissioner Browning seconded, with all voting in favor of. Meeting adjourned at 7:43 pm.

Respectfully submitted by:

Deb Anthony, Authority Clerk

Chair Connie Sullivan

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³ Date was misstated at meeting – was actually September 12, 2019.

**Lyons Urban Renewal Authority
LURA Agenda Cover Sheet
Agenda Item No: 4. a)
Meeting Date: September 26, 2019**

TO: Chairman Sullivan and Members of the LURA Commission

FROM: Jill Johnson, Finance Director, Town of Lyons

DATE: September 19, 2019

ITEM: Resolution 2019-2, a Resolution of the Town of Lyons Urban Renewal Authority Providing for Unanticipated 2019 Revenues and Expenditures Required of the Lyons Urban Renewal Authority

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Actual expenditures for 2019 have exceeded budget and per Colorado Budget Law, a request to the Authority must be approved to amend the budget.
- II. **RECOMMENDED ACTION / NEXT STEPS:** Review and approval of Resolution 2019-2.
- III. **FISCAL IMPACTS:** Yes
- IV. **BACKGROUND INFORMATION:** During a fiscal year, local governments are often faced with challenges and/or opportunities that require an appropriation to various Funds within the current year's budget. Thus, most local governments amend a budget at least once a year towards the end of the year when most of the years' activities have materialized. The Lyons Urban Renewal Authority is no exception. Attached please find the end-of-year proposed adjustments/amendments to the 2019 Budget, along with comments/explanations.

Exhibit A is the attachment to the Budget resolution that explains the proposed changes to the 2019 Budget. For reference, Exhibit A lists the projected revenues, expenses and fund balances for the LURA fund. Bear in mind that the original 2019 Budget was created in September/October, over a year ago, and the revenue and expenditure changes are a normal course of events over that amount of time.

Significant events that occurred during 2019 resulting in proposed 2019 Budget changes:

- 1) Expenditures from the creation of the URA were originally put into the Town of Lyons General Fund. Upon the creation of the LURA fund, the expenses should have moved to the newly created URA and a receivable/payable set up to track how much was owed back to the Town of Lyons General Fund. This did not happen.
 - a) There were legal expenses from 2015 through 2017 from Brownstein Hyatt Farber

- Schreck LLP for the legal work for URA in the amount of \$24,758.
- b) There were legal expenses from 2015 from Ricker Cunningham for legal work for URA in the amount of \$22,200.
 - c) These expenses need to move from the Town of Lyons General Fund to LURA which creates additional expense in 2019 of \$46,958
- 2) Legal work from Brownstein Hyatt Farber Schreck LLP to establish the Eastern Corridor URA (a new URA), has exceeded the 2019 budget due to additional work needed in negotiating agreements around the Tax Increment Financing (TIF). Legal counsel estimates the expenses will exceed budget by approximately \$30,000.
 - 3) Estimated advance from the Town of Lyons General Fund will be \$87,513 for 2019; total advanced to LURA to date \$110,013 including the estimate for 2019.

V. LEGAL ISSUES: None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

VII. SUMMARY AND ALTERNATIVES: Alternative would be to discontinue progress on the Eastern Corridor URA. The costs already expended would be sunk costs and LURA may never have the funds to repay the amount due the Town.

VIII. PROPOSED MOTION: I respectfully request approval of this supplemental budget appropriation.

Attachments:

1. Resolution 2019-2 Supplemental Budget Appropriation
2. Budget Worksheet 2019 Estimates

TOWN OF LYONS URBAN RENEWAL AUTHORITY

RESOLUTION NO. 2019-2

**A RESOLUTION OF THE TOWN OF LYONS URBAN RENEWAL AUTHORITY
PROVIDING FOR UNANTICIPATED 2019 REVENUES AND EXPENDITURES
REQUIRED OF THE LYONS URBAN RENEWAL AUTHORITY**

WHEREAS, the Town Finance Director has determined that certain anticipated revenues and/or expenditures for fiscal year 2019 will exceed the anticipated revenues and/or expenditures as reflected in the Budget Appropriation Resolution 2018-6, and

WHEREAS, the additional revenue transferred from the Town of Lyons General Fund, consists of unencumbered appropriation balances in various Lyons Urban Renewal Authority accounts, and

WHEREAS, the Lyons Urban Renewal Authority may, by resolution, increase or transfer unencumbered appropriation balances from one account, department, fund or agency, to another or reduce appropriations as may be necessary to achieve a balanced budget, and

WHEREAS, Exhibit "A" attached hereto is a statement of proposed 2019 budget re-appropriations, and

WHEREAS, the Lyons Urban Renewal Authority deems it in the best interest of the Authority to transfer the unencumbered appropriations to accounts, departments, funds or agencies, as fully set forth in Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOWN OF LYONS URBAN RENEWAL AUTHORITY THAT:

The transfers of unencumbered appropriation balances set forth in Exhibit "A" are hereby approved and the Finance Director is ordered to affect the necessary transfers to comply with this resolution and update the beginning budget balances to actual for a more accurate statement of budget status.

Adopted this 26th day of September, 2019.

TOWN OF LYONS URBAN RENEWAL
AUTHORITY

By: _____
Connie Sullivan, Chairman

ATTEST:

Deb Anthony, Authority Clerk

SUPPLEMENTAL BUDGET APPROPRIATIONS FOR 2019
Resolution 2019-2 Exhibit A

	Resolution 2018-6	2019 EOY Modifications	Resolution 2019-2		
REVENUES					
Lyons Urban Renewal Authority	\$ 28,631	\$ 76,958	\$ 105,589		
	<u>\$ 28,631</u>	<u>\$ 76,958</u>	<u>\$ 105,589</u>		
EXPENDITURES					
Lyons Urban Renewal Authority	\$ 28,631	\$ 76,958	\$ 105,589		
	<u>\$ 28,631</u>	<u>\$ 76,958</u>	<u>\$ 105,589</u>		
FUND BALANCE					
	2018 Financial Statement	Revenues Revised Totals	Expenditures Revised Totals	2019 +/-	Projected Ending Fund Balance
Lyons Urban Renewal Authority	<u>\$ 1,650</u>	<u>\$ 105,589</u>	<u>\$ 105,589</u>	<u>\$ -</u>	<u>\$ 1,650</u>

Account Number	Account Title	2017-17 2017 ACTUAL	2018-18 2018 ACTUAL	2019-19 2019 ACTUAL THROUGH 8/31/19	2019-19 2019 BUDGET	2019-19 2019 YEAR END PROJECTION	2020-20 2020 BUDGET
LYONS URBAN RENEWAL AUTHORITY							
TAXES							
23-10-3062	PROPERTY TAXES - LURA	10,043.74	13,729.72	17,177.08	18,076.00	18,076.00	22,629.00
Budget notes: ~2020 Per Boulder County Assessor, Increment valuation of \$197,064 producing \$22,629 in property taxes - assessors valuation dated 8.23.19							
Total TAXES:		10,043.74	13,729.72	17,177.08	18,076.00	18,076.00	22,629.00
MISCELLANEOUS INCOME							
23-14-3064	TRANSFERS IN FROM GF	2,500.00	20,000.00	10,555.00	10,555.00	87,513.00	.00
Total MISCELLANEOUS INCOME:		2,500.00	20,000.00	10,555.00	10,555.00	87,513.00	.00
DOWNTOWN URA							
23-62-4006	OUTSIDE PROFESSIONAL SVC FEES	163.81	1,439.80	.00	10,000.00	.00	.00
23-62-4030	COUNTY TREASURER FEE	150.70	205.84	257.59	.00	271.00	340.00
Budget notes: Treasurers fees calculated on property tax received							
23-62-4032	ATTORNEY FEES	11,623.01	23,831.62	42,879.51	18,631.00	98,318.00	12,000.00
23-62-4104	PLANNER'S SERVICE FEES	.00	7,208.54	5,620.60	.00	7,000.00	.00
23-62-4107	ADMINISTRATIVE FEE (2%)	.00	.00	.00	.00	.00	300.00
Budget notes: ~2020 Administrative fee of 2%							
23-62-4500	TRANSFER OUT TO GEN FUND	.00	.00	.00	.00	.00	5,000.00
Total DOWNTOWN URA:		11,937.52	32,685.80	48,757.70	28,631.00	105,589.00	17,640.00
LYONS URBAN RENEWAL AUTHORITY Revenue Total:		12,543.74	33,729.72	27,732.08	28,631.00	105,589.00	22,629.00
LYONS URBAN RENEWAL AUTHORITY Expenditure Total:		11,937.52	32,685.80	48,757.70	28,631.00	105,589.00	17,640.00
Net Total LYONS URBAN RENEWAL AUTHORITY:		606.22	1,043.92	21,025.62-	.00	.00	4,989.00
Total Asset:		.00	.00	.00	.00	.00	.00
Total Liability:		.00	.00	.00	.00	.00	.00
Total Equity:		.00	.00	.00	.00	.00	.00
Total Revenue:		12,543.74	33,729.72	27,732.08	28,631.00	105,589.00	22,629.00
Total Expenditure:		11,937.52	32,685.80	48,757.70	28,631.00	105,589.00	17,640.00
Net Grand Totals:		606.22	1,043.92	21,025.62-	.00	.00	4,989.00