

**MINUTES
RENEWAL WHEAT RIDGE
February 21, 2012**

1. GENERAL

1.1 Call the Meeting to Order

The meeting of Renewal Wheat Ridge was called to order by Chair Adams at 6:05 p.m. in the council chambers of the Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado, on February 21, 2012.

1.2 Roll Call of Members

Board Members Present: Rick Adams
Jim Bahrenburg
Kristi Davis
Jesse Hill
Janet Leo
Walt Pettit
Tom Radigan

Also Attending: Steve Art, Economic Development/
Urban Renewal Manager
Patrick Goff, City Attorney
Corey Hoffmann, RWR Attorney
Allen Lampert, DHL (David, Hicks & Lampert)
John Reinsma, Weston Solutions
Chris Downs, Wazee Partners
Rob Osborn, Xcel Energy
Ann Lazzeri, Recording Secretary

1.3 Approval of Minutes – November 15, 2011

It was moved by Walt Pettit and seconded by Jim Bahrenburg to approve the minutes of January 24, 2012. Motion carried 5-0 with Tom Radigan and Kristi Davis abstaining.

1.4 Public Forum

No one wished to speak at this time.

2. ACTION ITEMS

None

3. INFORMATION/OTHER MATTERS

3.1 Town Center North Project Update and Site Marketing

Allen Lampert presented an update on marketing efforts for the 44th and Wadsworth site. So far, there has been no solid interest from retail businesses. Interest in Pad One has been expressed by a short-term medical care facility that would have 35 beds and 70-75 employees. When building construction becomes visible, interest from retail businesses should increase.

John Reinsma reported that the infrastructure construction is going well. Construction is under budget, ahead of schedule and accident free.

Chris Downs reported that there has been strong interest in the apartment complex with 74% of the units spoken for. Not one of the applicants has been over-income. He expressed interest in construction of a second phase of senior housing on the site and would like to get the process started as soon as possible. In order to apply for tax credit, Wazee needs to show site control. Therefore, they would like to have a letter of intent some time in March in order to submit to CHFA for the first round in July. Although he didn't expect the application to be approved on the first round, approval would probably come on the second round because of the interest in the first project. The second round submittal would be March 2013 with CHFA decision made by May 30.

3.2 Xcel Easement Update

At the last meeting, the RWR Board voted to reject Xcel's request for an additional easement (three feet along Upham and five feet along 44th Avenue) due to an error in placing the utilities. A motion was also made to direct Xcel Energy to relocate the installation to its original and correct location 30 days from January 25. Xcel maintains that they encroached outside the easement because of some misunderstanding and that they either had permission from someone at Weston or at the City to do so. Xcel is now asking the Board to concede the easement.

Corey Hoffmann commented that, if permission was obtained, neither of those contacts would have had permission to authorize going outside the easement. He stated that he would like to see documentation confirming these contacts. He did not believe it was fair for RWR to bear the cost by having it applied to its one percent fund. There is also some diminution of value to RWR because the encroachment results in less unencumbered property.

Rob Osborn stated that the City is the customer of record in the matter. He stated that he has not been able to verify who made the mistake. Xcel does not want to bear the considerable expense of relocating the utilities. He stated that Xcel would like to work with the City and property owners to expand the easement and is not

asking the City to pay for anything. He also stated that it is Xcel's policy to restore property to its original or better condition than before ground was disturbed.

Following lengthy discussion of both sides, there was a recommendation to give Mr. Osborn and Mr. Hoffmann some time to negotiate a resolution to the matter and bring it back to RWR. Chair Adams requested that emphasis be placed on resolution of the problem rather placement of blame on certain parties. Mr. Hoffmann explained that he could e-mail results of the negotiations to each member individually. However, any resolution would need to be ratified by the Board at a meeting of RWR.

It was moved by Walt Pettit and seconded by Janet Leo to rescind the motions made at the meeting of January 24, 2012, and direct Corey Hoffmann to bring a potential resolution with Xcel back to the Board. The motion carried 7-0.

3.3 Legislative Update

Corey Hoffmann presented a legislative update on Bill No. 1280. The bill would change the way urban renewal is defined. It would no longer apply only to elimination of blight but would require economic development as a result.

3.4 Other Matters

Steve Art thanked Jim Bahrenburg for representing RWR at the Wazee ground breaking ceremony.

4. ADJOURNMENT

It was moved by Jesse Hill and seconded by Jim Bahrenburg to adjourn the meeting at 8:30 p.m. Motion carried unanimously.


Rick Adams, Chair


Ann Lazzeri, Secretary