

**MINUTES
RENEWAL WHEAT RIDGE
June 16, 2015**

1. GENERAL

1.1 Call the Meeting to Order

The meeting of Renewal Wheat Ridge was called to order by Chair Davis at 6: p.m. in the Council Chambers of the Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado.

1.2 Roll Call of Members

Board Members Present: James Bahrenburg
 Tim Rogers
 Kristi Davis
 Walt Pettit
 Jesse Hill
 Shane Nicolson
 Janet Leo

Board Members Absent:

Also Attending: Steve Art, Urban Renewal Manager
 Corey Hoffmann – Legal Counsel
 Patrick Goff – Executive Director
 Bob Turner – QDP
 Bob Dietrich – QDP Legal Counsel
 Sally Tasker – Butler/Snow
 Alex Brown – Financial Consultant – RWR
 Linda Sweetman – QDP
 Mike Reding – QDP
 Don Saavedra
 Zach Urban

Revised Agenda: Motion to approve the revised agenda – Motion by Pettit and seconded by Bahrenberg.
Unanimous

1. Approval of Minutes

It was moved by Pettit seconded by Bahrenberg to approve the minutes of May 19, 2015 as presented. The motion carried 5-0.

2. Public Forum:

Vivian Vos – two public meetings held with over 100 people. That group agreed we should wait until such a time as another project arrives. She is against the project.

3. Action Items:

3.1

The board was presented information on the Wheat Ridge Corners project at 38th and Wadsworth. Steve Art presented background on the shopping center and the proposed development. He then handed it over to Sally Tasker who outlined the Redevelopment Agreement terms and conditions. Alex Brown, the financial consultant for the City provided input on the data used to calculate the TIF and the ability to repay the debt.

Tasker – Developer to pay for 100% of public improvements. Upon completion of the improvements, developer will be repaid through the revenues produced by the development. Two phases to the reimbursement. Phase I is for \$4.125 and a note will be provided upon completion of Phase I. Only revenues from project will be used to repay debt. Phase II is for remainder of funds. This is a cash flow note. A bond by the Authority or the developer will take out the note.

Hill – how did we arrive at 5.8% interest? Brown – it's the rate from the developer and Brown agrees it's a fair rate. Hill asked if it could be lowered. Brown responded that it could be lower, but 5.8% is a good rate.

Davis – Risk. She asked about the Littleton project that failed. What is the risk? Tasker responded that it's only the TIF and PIF that is obligated to the project. Once bonds are sold, then various aspects come into play that affect the bond sales.

Hill asked when the interest rate starts. Tasker – developer pays for all the upfront costs. Then section 3.1 of the redevelopment agreement take effect.

Rogers – language was added about “If the developer...” are we at any risk? Goff and Hoffmann agreed there is no risk. How was the three houses started arrived at? Why three. Turner – once you start development, which shows the commitment. What type of project: similar to Perrin's Row. Rogers asked about section 9 - Insurance. He is concerned about the coverage level. Goff and Tasker said the level came from previous agreements. Hoffmann says he looks at the number and says they are in line with immunity limits. Rogers asked if the agreement must be approved by the City Council. Hoffmann said it has to be ratified, not approved by the Council.

Hill had questions for the developer. Hill asked about the gap in the project; the need for the TIF for the residential piece. Turner said the numbers are based on information provided by the housing developer. Turner spoke to the cost on cost associated with the development. Hill asked about alternative PIF, if a user does not want to pay the PIF, what can be done? Turner spoke about the anchor tenant and their agreement to not pay the PIF and the other tenants who pay the lion-share of the rent. Turner spoke to the gap required by the architectural merits of the project. The TIF could be less is they could build a project of less stature. Hill wanted to assure the improvements were legal costs. Turner said they are all eligible costs.

Rogers asked if the developer is building all the shop buildings and Walmart will build their own building. Turner confirmed.

Davis asked about potential tenants. Turner could not divulge specific names, but could give categories and types. There will be quick/casual type dining. A coffee use in the pad. Another pad may be fast-food. Qdoba, Pizzeria Locale, Illegal Pete's, breakfast/lunch restaurants, Egg and I, Smash Burger, Larkburger, Five Brothers, Luke's Deli are just some of the tenants.

It was motioned by Bahrenberg and seconded by Leo to adopt Resolution No. 01-2015 – A resolution approving the redevelopment agreement concerning the proposed urban renewal project at the southwest corner of West 38th Avenue and Wadsworth Boulevard between the Wheat Ridge Urban Renewal Authority dba Renewal Wheat Ridge, and TKG Wheat Ridge, LLC. 5 – 2 with Hill and Nicolson voting Nay.

Tasker spoke about the need for the Cooperation Agreement. It speaks to the City collecting the sales tax and passing it onto the Special Revenue Account of the URA.

It was motioned by Pettit and seconded by Bahrenberg to adopt Resolution No. 02-2015 – A resolution approving the cooperation agreement between the City of Wheat Ridge and the Wheat Ridge Urban Renewal Authority dba Renewal Wheat Ridge to assist in the urban renewal project for property located at the southwest corner of West 38th Avenue and Wadsworth Boulevard. 6-1 with Hill voting nay

3.2

The board was provided background on Resolution 05-2015 from Corey Hoffmann regarding a five-foot strip of property in the Applewood Shopping Center. The board has taken previous action on the strip of land to condemn the land and use eminent domain to acquire the property and release it to U.S. Retailers, the owners of the center. The resolution will convey the property to U.S. Retailers.

Rogers asked about need for the property. Art explained its for the King Sooper Fueling station.

It was motioned by Bahrenberg and seconded by Nicolson to adopt Resolution 05-2015. Unanimous

3.3

The board was provided information by staff on the progress of the placement of the signal at 44th Avenue and Vance Street to serve Town Center North. At a previous meeting, RWR board provided staff with the authorization to proceed forward with the placement of the stop light. Staff has begun meeting with the parties involved and is now ready to begin the engineering, purchase the fixtures and place the permanent light. Staff is asking that RWR authorize the Executive Director to enter into all needed contracts to ensure the placement of the light in coordination with the opening of the Town Center Apartments Phase II.

Rogers asked if there should be a cap on the amount. The board will cap the amount not to exceed \$300,000.

It was motioned by Rogers and seconded by Hill to adopt Resolution 06-2105 authorizing the Executive Director to enter into any and all contracts pertaining to a traffic control signal at the corner of 44th Avenue and Vance Street. Costs not to exceed \$300,000 - Unanimous.

1. Other Matters

Project Updates – Art provided updates on Town Center North, Kipling Ridge, and Perrins Row. Davis asked about the Denning property.

The board spoke about a new date for the Board Study Session. First or Third Tuesday in August would be contemplated.

HB1348- Hoffmann asked the board if he could postpone his update to the board because of uncertainty of the bill.

Staff provided the board with the text and information regarding the Wheat Ridge Local Initiative to limit TIF. Hill wanted to know the implications of the bill. Staff was hesitant to provide an opinion. Hoffmann said the URA is his client and would provide comment in a non-public forum. Bahrenberg asked if the URA, as a body, can advocate on the item. Hoffmann said the entity can, via resolution can support or deny the initiative.

2. Adjournment

The meeting was adjourned by Chair Davis at 7:55 p.m.



Kristi Davis, Chair



Steve Art, URA Manager