

TOWN OF ERIE
URBAN RENEWAL AUTHORITY ¹
Tuesday, July 14, 2015
Following Regular Meeting of the Town of Erie Board of Trustees
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE AGENDA

IV. CONSENT AGENDA (The consent agenda is intended to contain items that are prepared to be decided without discussion. Any Board member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under IX. General Business, a. in the order they appear on the Agenda.) (This should be done prior to the motion to approve.)

- a. Approval of the June 9, 2015 Meeting Minutes

V. RESOLUTIONS

PUBLIC HEARING

OPEN PUBLIC HEARING

- a. Resolution 15-06; A Resolution Providing For The Supplemental Appropriation Of Money In The Amounts And For The Purposes Set Forth Below, For The Town Of Erie Urban Renewal Authority For The 2015 Budget Year

CLOSE PUBLIC HEARING

- b. Resolution 15-07; A Resolution Approving a Consulting Services Payment for Professional Services from Ricker I Cunningham

VI. ADJOURNMENT

¹ FOR MORE INFORMATION ON THE AGENDA ITEMS LISTED OR FOR INDIVIDUALS WITH DISABILITIES NEEDING AUXILIARY AIDS OR TO REQUEST ASSISTANCE, PLEASE CONTACT THE TOWN CLERK'S OFFICE AT 645 HOLBROOK STREET, P.O. Box 750, 303 926-2731.

**TOWN OF ERIE
URBAN RENEWAL AUTHORITY MEETING 1
Tuesday, June 9, 2015
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516**

I. CALL MEETING TO ORDER

Chairman Gruber called the June 9, 2015 Town of Erie Urban Renewal Authority Meeting to order at 7:57 p.m.

II. ROLL CALL

Roll Call:

Commissioner Carroll – present
Commissioner Charles – present
Commissioner Moore – present
Commissioner Woog – present
Commissioner Schutt – absent/excused
Chairman Harris – absent/excused
Chairman Gruber – present

III. APPROVAL OF THE AGENDA

Action: Commissioner Moore moved to approve the June 9, 2015 agenda. The motion, seconded by Commissioner Charles, carried with all voting unanimous in favor.

IV. CONSENT AGENDA

a. Approval of the January 13, 2015 Meeting Minutes

Action: Commissioner Charles moved to approve the June 9, 2015 Consent Agenda. The motion, seconded by Commissioner Woog, carried with all voting unanimous in favor.

V. RESOLUTIONS

- a. Resolution 15-04; A Resolution Memorializing that the Urban Renewal Authority Assume Repayment and State that it is Responsible for Debt Incurred By the Purchase of Fill Dirt From Funds Used for the Purchase from the Town of Erie General Fund.**

A.J. Krieger, Town Administrator gave a brief presentation to the Commissioners regarding this resolution. At the request of the Board of Trustees, when the dirt contract was approved by the Town, a resolution that would memorialize this as an obligation would be reimbursed by the Urban Renewal Authority from the revenues to the project.

Action: Commissioner Charles moved to approve Resolution 15-04. The motion, seconded by Commissioner Moore, carried with all voting unanimous in favor.

- b. Resolution 15-05; A Resolution Authorizing the Town of Erie Urban Renewal Authority to Approve an Agreement with the Midwest Testing for Geotechnical Quality Control Testing and Observation for the Prince Lake Fill Project.**

Russell Pennington, Deputy Director of Public Works presented Resolution 15-05 to the Commissioners. As part of the fill project that was just voted on and discussed, Mr. Pennington brought forth an agreement to hire a geotechnical testing company that will provide quality control testing and observation during the construction to verify that the placement of the soil is in compliance with the requirements for future development at this site. Staff recommends approval of Resolution 15-05.

Action: Commissioner Charles moved to approve Resolution 15-05. The motion, seconded by Chairman Gruber, carried with all voting unanimous in favor.

c. ADJOURNMENT

Action: Commissioner Charles moved to adjourn the June 9, 2015 Town of Erie Urban Renewal Authority Meeting. The motion, seconded by Commissioner Carroll, carried with all voting unanimous in favor.

Action: Chairman Gruber adjourned the June 9, 2015 Town of Erie Urban Renewal Authority Meeting at 8:02 p.m.

Respectfully Submitted,

Melinda Helmer, CMC, Secretary

Mark Gruber, Chairman

**TOWN OF ERIE URBAN RENEWAL AUTHORITY
BOARD OF COMMISSIONERS AGENDA ITEM**

Board Meeting Date: July 14, 2015

SUBJECT: **PUBLIC HEARING – RESOLUTION**
Consideration of Resolution 15-06: A Resolution Providing For The Supplemental Appropriation Of Money In The Amounts And For The Purposes Set Forth Below, For The Town Of Erie Urban Renewal Authority For The 2015 Budget Year

DEPARTMENT: Finance

PRESENTER: **Steve Felten**
Finance Director

FISCAL Cost as
INFORMATION: Recommended:
Balance Available:
Budget Line Item
Number: 000 . 00 . 000 . 000000 . 000000
New Appropriation Yes No
Required:

STAFF Staff recommends the Board of Commissioners approve the resolution
RECOMMENDATION: that provides for a supplemental appropriation for the 2015 budget year.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Town of Erie Urban Renewal Authority adopted the 2015 Budget on December 9, 2014. At least twice yearly, staff reviews the adopted budget and year-to-date actual revenues and expenditures. Based on these reviews, staff requests supplemental appropriations to update the budget to reflect actual revenues and expenditures of the prior and current year, year-to-date Board of Commissioner actions, and projected revenues and expenditures for the remainder of the fiscal year.

Fund Balance: Pending commencement of tax increment financing related to future urban renewal projects, expenditures of the Authority are being funded through advances from the Town of Erie's General Fund. Total advances from the General Fund resulting from this supplemental appropriation will be approximately \$5.2 million as of December 31, 2015.

Revenues: The URA will begin receiving property tax revenue in 2015. The amount expected to be received is still being determined.

Expenditures: The Supplemental Appropriation includes expenditures amounting to \$787 thousand, an increase of \$671 thousand from the 2015 Original Budget. This increase is primarily due to an increase of \$449 thousand for dirt fill-related contracts already approved by the Board. In addition, \$118 thousand is requested for the remaining nine months of allocated salaries as budgeted in prior years; \$53 thousand for legal fees and \$27 thousand for consulting fees. An additional \$25 thousand is also being requested for the fill project. Schedule B provides additional information regarding these requests.

Staff Review:

_____ Town Attorney
_____ Town Clerk
_____ Community Development Director
57 _____ Finance Director
_____ Police Chief
_____ Public Works Director

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 15-06
- b. Schedule A – Summary of changes
- c. Schedule B - Original and amended budgets, with detail of change requests

RESOLUTION NO. 15-06

A RESOLUTION PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF MONEY IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW, FOR THE TOWN OF ERIE URBAN RENEWAL AUTHORITY FOR THE 2015 BUDGET YEAR.

WHEREAS, the Town of Erie Urban Renewal Authority adopted the 2015 Budget on December 9, 2014, and

WHEREAS, the Town of Erie Urban Renewal Authority had made provisions therein for advances from the Town of Erie's General Fund equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, amounts expended, as outlined on "Schedule A" attached hereto and incorporated herein, have exceeded the annual budget projections; and

WHEREAS; it is required by law and necessary to provide for the supplemental appropriation of expenditures in excess of the adopted budget, so as not to impair the operations of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ERIE URBAN RENEWAL AUTHORITY:

Section 1. The amendments outlined in Schedule A are hereby made to the budgeted appropriations and corresponding adjustments are hereby made to the budgeted expenses, for the purposes stated above.

Any amount shown in the "Jul-15 Supplemental Appropriation" column of this resolution are hereby ratified retroactive to the adoption of the original 2015 budget.

Section 2. Pursuant to CRS 31-16-105, this resolution is deemed necessary so as not to impair the operations of the Authority.

ADOPTED AND APPROVED THIS 14th DAY OF JULY, 2015, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ERIE URBAN RENEWAL AUTHORITY.

TOWN OF ERIE
URBAN RENEWAL AUTHORITY
a Colorado urban renewal authority

Tina Harris, Commissioner

ATTEST:

Nancy Parker, Town Clerk

SCHEDULE A

	<u>2015 Original Budget</u>	<u>Jul-15 Supplemental Appropriation</u>	<u>2015 Revised Budget</u>
<u>Revenues:</u>			
From unappropriated surpluses	\$ (4,530,693)	\$ 122,105	\$ (4,408,588)
From sources other than property taxes	-	-	-
From general property tax	-	-	-
Total	<u>(4,530,693)</u>	<u>122,105</u>	<u>(4,408,588)</u>

<u>Expenditures</u>	<u>\$ 116,600</u>	<u>\$ 670,700</u>	<u>\$ 787,300</u>
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	<u>Beginning Fund Balance</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Ending Fund Balance</u>
Fund balance activity	<u>\$ (4,408,588)</u>	<u>\$ -</u>	<u>\$ 787,300</u>	<u>\$ (5,195,888)</u>

Schedule B - 2015 1st Supplemental - Change Detail:

Account #	Name/Description	Original Budget	New Revenues/ Requests	Board Approved	Total Proposed Changes	Amended Budget	Comments
800-90-110-500000-000000	Salaries from the General Fund	31,400	94,100		94,100	125,500	Budget remaining 9 months of year
800-90-110-507000-000000	Benefit Transfer	8,000	24,100		24,100	32,100	Budget remaining 9 months of year
800-90-110-560000-000000	Legal Services	12,500	52,500		52,500	65,000	Brownstein Hyatt Farber Schreck monthly fee
800-90-110-560100-000000	Consultation Services	55,700	26,500		26,500	82,200	Ricker Cunningham - \$60k; Pinnacle Consulting Group - \$22.2k (already approved by Board)
800-90-110-572100-000000	Liability Insurance Allocation	9,000	-		-	9,000	
800-90-110-604000-100165	Land - 287 & Arapahoe - Site Development	-	25,000	448,500	473,500	473,500	Dirt contract and engineering fee already approved by the Board; \$24k additional request for civil engineering services and \$1k for a pipe plug
		116,600	222,200	448,500	670,700	787,300	



17 April 2015

Mr. A.J. Krieger
Town Manager
Town of Erie, Colorado
645 Holbrook Street
Erie, Colorado 80516

RE: Proposal for Professional Services Associated with an Urban Renewal Plan

Dear Mr. Krieger:

On behalf of Ricker|Cunningham (RC), Real Estate Economists and Community Strategists, we are pleased to present this proposal to assist the Town of Erie (the Town) and Erie Urban Renewal Authority (the Authority) with preparation of documents associated with a proposed urban renewal area in the vicinity of Highway 287 and Arapahoe Road and within the Town boundaries (the Study Area or Area). The Colorado State Urban Renewal Statute (the Statute or Act) requires that a conditions survey (the Survey), urban renewal plan (the Plan) and impact report (the Impact Report) be prepared for any urban renewal area being considered by the governing body of the municipality where it will be located.

What follows is a scope of work describing the tasks necessary to meet the statutory requirements associated with preparation of these documents. The timeframe for completion of this work will largely depend on the schedule for presentation of our findings to various boards and commissions as required by the Act. Of course we welcome any questions you might have about our approach, timing or fees.

Conditions Survey

Task 1: Data Gathering and Base Mapping

RC will collect information including electronic GIS base map files / aerial photography (if available) that shows the location of features such as streets, parcel boundaries, etc., as well as other relevant physical, regulatory, and political data. From these resources, RC will prepare a base and supporting maps, as well as other exhibits documenting conditions within the Area.

Task 2: Property Owner Notification

As per the the Statute, all property owners in a survey area must be notified within 30 days of commencement of the Survey that a study is being conducted. Whereas the existing property owners are voluntarily requesting creation of the urban renewal area, they may waive their statutory right to receive notice; however, if they would like to receive notice, RC assumes the Town will prepare and distribute said notification. Attorneys for the Town and / or Authority will need to determine if notification to the owners is statutorily required or advisable.

Task 3: Field Work

RC will physically visit each real property parcel and public right-of-way (s) within the Area and document conditions of blight that are visually observable. Observations of private real property will be made from public rights-of-way or other areas on parcels that are commonly accessible to the general public. RC does not inspect the interiors of structures, public or private, unless specifically requested to do so and only after access has been arranged for by the Town or Authority.

Whereas some conditions, such as building code violations, traffic accident data, or street capacity and design deficiencies, are not visually observable, RC will contact appropriate individuals within various departments of the Town and other public agencies that may have this information. Regarding the “defective or unusual conditions of title rendering (a property) the title non-marketable” Statutory blight factor, whereas RC does not conduct a review of titles in the context of this type of assignment, a finding of this factor will depend on the provision of information to this effect by either the Town, Authority or agent of the property where it is thought to exist.

Task 4: Survey Findings and Report

RC will prepare a draft report for the Area that documents the various conditions of blight present along with an explanation of how those conditions relate to requirements set out in the Statute. The report will include maps and other exhibits that illustrate the location of “blighting conditions” (if any) within its boundaries. RC will transmit the draft survey report to the Town and its advisors in electronic (PDF) format for review.



Upon receipt of comments, if any, RC will revise the draft and prepare a final Conditions Survey report. The final report will be formatted in a manner suitable as either a stand-alone document or as an attachment to the Urban Renewal Plan.

Urban Renewal Plan

Task 5: Market Assumptions

RC will conduct an analysis of existing and projected commercial market conditions within a representative influence area of the Study Area. Information on land (and improvement) values and projected rates of absorption will provide the basis for assumptions used in the Impact Report (Task 8) and presented to you in a separate technical memorandum. Knowledge gained will be used to establish an understanding of market support and potential timing of investment within the Plan area over the life of the Tax Increment Financing (TIF) district.

Task 6: Urban Renewal Plan Components

RC will review all policy and regulating documents which could influence future development in the Area. With this information and an understanding of conditions and other influences, RC will define near- and long-term objectives for public and private investment in the Area, as well as necessary priority initiatives and commitments, if any.

Task 7: Urban Renewal Plan(s) Documents

RC will prepare a draft report for the Area including the objectives referenced above in Task 6, along with a description of either potential private investments or a known development concept, if one has been presented. In addition, this document will identify potential public investments and priority initiatives necessary to advance the stated vision and objectives; and confirm that these are consistent with the current plan for the community. RC will transmit the draft plan report to the Town and its advisors in electronic (PDF) format for review. Upon receipt of comments, RC will revise the draft and prepare a final Plan.

Impact Report

Task 8: Tax Increment Analysis and Impact Reports

RC will either prepare a development program and absorption schedule reflective of the



findings from the market investigation referenced in Task 5 above, or use an actual program if one has been proposed as the basis for the County Impact Report. The Impact Report, which is required by the Statute, will include estimates of net new taxable revenue (incremental real property and sales taxes) to the County resulting from investment within the Area boundaries. Although the Act does not require preparation of an impact report for other impacted taxing entities, RC will prepare these additional reports for the following organizations which have a presence in the Area: Boulder County, Town of Erie, Boulder Valley School District RE2, Mountain View Fire District, High Plains Library District, Urban Drainage and Flood Control, Northern Colorado Water.

RC will transmit all draft documents to the Town in electronic format. Fifteen (15) color-bound hard copies, as well as electronic files, of all final documents (including the Survey, Plan and Impact Reports) will be provided to the Town upon completion of the assignment.

Additional Documentation

Task 9: Property Owner and Business Interest Notification

Similar to the statutory notification requirements described under Task 2 above, all property and business owner interests within a proposed urban renewal area must be notified 30 days prior to the public hearing when the plan will be considered for adoption by the governing body. Whereas the existing property owners are voluntarily requesting creation of the proposed Urban Renewal Area, they may waive their statutory right to receive notice; however, if they would like to receive a notice, RC assumes the Town will prepare and distribute said notification. Attorneys for the Town and / or Authority will need to determine if notification to the owners is statutorily required or advisable. Regardless of the owners' desire to receive notice, all other notice requirements described in the Statute must be complied with including publication in the newspaper of general circulation for the Town.

Task 10: Legal Description(s)

A legal description describing the boundaries of the Area and TIF District within it (if different than the Area's), must be prepared and certified by a licensed surveyor and included in the Plan and public notice. RC is prepared to sub-contract for these services, but will only do so at the expressed written consent of the Town. Note: Costs associated with the preparation of the legal description or descriptions is not included in the fee estimate presented herein.

Task 11: Public Hearing

Once all final documents are complete, RC will be available to present the findings at necessary Authority and Town Board meetings as per the Statute. Presentation of the Survey findings to the Authority Board may occur prior to or in concert with presentation of the Plan. Note: Fees associated with presentation of the Survey at a second public hearing are not additive, but rather included in the quote presented here.

Work Products

Work products to be delivered to the Town include:

- Base Maps
- Base and Supporting Maps
- Documentation of Select Conditions in the Area
- Draft and Final Conditions Survey Reports
- **Synthesis of Key Market Conditions**
- Draft and Final Urban Renewal Plan
- Draft and Final County Impact Report
- Draft and Final Impact Reports for all impacted taxing entities
- Legal Description or Descriptions (to be contracted for)
- Authority and Town Board Meeting and Hearing Materials

Proposed Schedule

Ricker | Cunningham (RC) will complete preparation of all work products described herein by 30 June 2015. This schedule assumes:

- the prompt transfer at the commencement of the project of all requested information by RC from the Town; and
- prompt review and transmittal of comments by the Town and its advisors of all draft and final documents to RC.

www.rickercunningham.com

8200 South Quebec Street
Suite A3-104
Centennial, CO 80112
ph 303. 458. 5800
fx 303. 458. 5420

Time for presentations to the Authority and Town Boards and Planning Commission, as per the Statute, will depend on their availability, and therefore dictate the final project schedule.

- Community Strategists, www.rickercunningham.com



Proposed Fees

Fee estimates for the major phases of work proposed herein are as follows:

Conditions Survey (Tasks 1, 3 and 4)	\$8,100
Urban Renewal Plan (Tasks 5 through 7)	\$10,200
County Impact Report (Tasks 8 and 9)	\$7,500
Taxing Entity Impact Reports (7 @ \$750 per)	\$5,250
Legal Description(s) (Task 10)	TBD
Notifications (Task 11)	n.a.
Sub-Total	<u>\$31,050</u>

Fees associated with preparation of the above work products are based on the hourly rate (see below) of the professionals involved and includes out-of-pocket expenses such as local travel, meals, data purchases, telephone, postage, etc. and the delivery of 15 copies of all final documents to the Town. If the either entity requests additional copies, they will be billed at cost. These fees do not include costs associated with the preparation or reproduction of materials including maps, power point slides or other information that may be produced for presentation to various groups and audiences. Expenses associated with reproduction of these items will be billed at cost.

Hourly Rates:

Anne B. Ricker, Principal	\$175
Bill J. Cunningham, Principal	\$175
GIS Mapping	\$100

Progress invoices will be issued bi-monthly. A final invoice for any outstanding balance associated with incurred professional fees and expenses will be issued upon completion of all final documentation, and due and payable upon delivery of the same.

Summary

In summary, we are excited about this project and the opportunity to work with you and your advisory team again, and welcome the opportunity to serve you through completion of



this assignment. In order to initiate our services according to this proposal, please sign below and return a signed copy of this proposal to RC at the address on the first page.

If you have any questions regarding this submittal, please contact either Anne Ricker or Bill Cunningham at 303.458.5800. Both of these individuals are authorized to execute an agreement on behalf of Ricker|Cunningham.

Sincerely,

Ricker|Cunningham

Anne B. Ricker
Principal
anne@rickercunningham.com

Bill J. Cunningham
Principal
bill@rickercunningham.com

Accepted By:

Mr. A.J. Krieger
Town Manager
Town of Erie, Colorado

Date



Invoice
Progress Billing

To: Mr. A.J. Krieger
Town Administrator
Town of Erie
645 Holbrook Street, P.O. Box 750
Erie, Colorado 80516

Invoice Number: J3717-1
Invoice Date: 10 June 2015
Project: **Arapahoe Road/US Hwy 287 Urban Renewal Plan**
Billing Period: 17 April to 10 June 2015

TOTAL PROFESSIONAL FEES AND EXPENSES: \$ 29,100.00 (See Attached)

AMOUNT DUE THIS INVOICE: \$ 29,100.00

Thank you for your business.

Sincerely,

Ricker|Cunningham

Anne B. Ricker
Principal
anne@rickercunningham

Bill J. Cunningham
Principal
bill@rickercunningham

www.rickercunningham.com

8200 South Quebec Street
Suite A3-104
Centennial, CO 80112
ph 303.458.5800
fx 303.458.5420



Community Strategists

TOWN OF ERIE
 ARAPAHOE ROAD AND US HWY 287 URBAN RENEWAL PLAN
 RICKER | CUNNINGHAM
 INVOICE SUMMARY

Invoice #: J3717-1
 Invoice Date: 10 June 2015

Work Task Description	Contract Amount	Budgeted Hours	Average Hourly Rate	Hours Previously Billed	Amount Previously Billed	Current Hours	Amount Due This Invoice	Total Amount Billed	% of Task Complete
Conditions Survey	\$8,100	54	\$150	0.0	\$0.00	54.0	\$8,100.00	\$8,100.00	100.0%
Urban Renewal Plan	\$10,200	68	\$150	0.0	\$0.00	68.0	\$10,200.00	\$10,200.00	100.0%
Impact Report	\$12,750	85	\$150	0.0	\$0.00	72.0	\$10,800.00	\$10,800.00	84.7%
Total Professional Fees	\$31,050	207	\$150	0.0	\$0.00	194.0	\$29,100.00	\$29,100.00	93.7%

	Amount Previously Billed	Amount Due This Invoice	Total Amount Billed
Project Expenses			
Data Purchase	\$0.00	\$0.00	\$0.00
Copies/Reproduction	\$0.00	\$0.00	\$0.00
Milage/Parking/Gas	\$0.00	\$0.00	\$0.00
Other Expenses	\$0.00	\$0.00	\$0.00
Total Project Expenses	\$0.00	\$0.00	\$0.00