

RECORD OF PROCEEDINGS

Town of Estes Park, Larimer County, Colorado, June 24, 2009

Minutes of a Special meeting of the **ESTES PARK URBAN RENEWAL AUTHORITY** of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 24th day of June, 2009.

Commissioners: Chairman Newsom, Commissioners Blume, Halburnt, Little, Martinsen, White and Wilcocks

Attending: Chairman Newsom, Commissioners Blume, Halburnt, Little, Martinsen, White and Wilcocks

Also Attending: EPURA Dir. Smith, EPURA Atty. Benedetti, and Deputy Town Clerk Deats

Absent: None

Chairman Newsom called the meeting to order at 8:00 a.m.

COMMUNITY COMMENTS.

None

COMMISSIONER COMMENTS.

Commissioner Blume commented that over the past months external anti-EPURA attitudes have developed that have negatively impacted the past, present, and future positive contributions of EPURA, raising a concern about the finalization of the grandstands project. He stated that financial and constructional barriers may delay the project and suggested the consideration of remodeling and updating the grandstands within EPURA's monetary limit of \$1 million without the need to incur unpaid bills and future financial obligations. He suggested additional updates could occur in the future when affordable, and without external influence.

MINUTES.

The minutes of the regular meeting held May 20, 2009, were approved.

EXECUTIVE DIRECTOR'S REPORT.

1. Medical Leave – Dir. Smith thanked Deputy Town Administrator Richardson for filling in while he was on medical leave.
2. Informational Program – Development and definition of an informational program is necessary, especially in light of a possible upcoming election related to the future of EPURA. Dir. Smith said the formation of a committee and the possible involvement of PIO Rusch in developing a strategy to distribute information, and allay misinformation, about EPURA may be options. Chairman Newsom said he would consider appointing a committee and that it may be beneficial for Finance Dir. McFarland to serve on the committee to address financial questions.
3. Projects and Finances – Dir. Smith suggested putting all previously approved projects on hold until a cost for the grandstands project can be determined.

UPDATE ON GRANDSTANDS PROJECT.

Roger Thorp, Thorp Associates, presented design options for the grandstands project. He stated that by utilizing the Request For Proposal (RFP) and program information provided by staff, an initial design concept was created for a 29,000 sq. ft. facility that would seat 3000 people; house restrooms, a concession area, first aid area, office space, a ticket booth and storage; and meet the design criteria adopted by the Town for improvements at Stanley Park. The initial design came in over budget at approximately \$1.8 million, due in part to restroom requirements and the plumbing fixtures and utility work necessary to satisfy the code. Subsequently, adjustments were made to the initial

design resulting in a 23,000 sq. ft. facility with 2700 seats, and modifications to the windows, entry elements, and overhangs. This design, with reduced restroom facility requirements, also came in over budget at approximately \$1.5 million. Mr. Thorp provided a list of alternatives to reduce the cost of the structure such as: reducing site work; further reducing seating capacity; moving all services under the grandstand; eliminating exterior design features; reducing roof cantilever; removing overhangs and metal roofing. These alternatives would cut the cost to approximately \$1.2 million, and result in a bare-bones design.

Discussion followed and is summarized: Estes needs a facility that can compete with venues in the valley; the Trustees have given no indication that the Town has money to contribute to the grandstands project and with design concept over budget it is unfair to ask the Town Board for money; the project would be difficult to phase other than expanding east to west; current grandstands create safety issue; try to maintain 2700 seats but simplify design to within \$1 million budget; obtain a cost breakdown to illustrate what can be done for the first \$1 million and continue improvements in the future as monies become available; option to ask architect for \$1 million grandstands design with add on options, or ask Town Board for help with building the grandstands; cannot support construction of low-end facility; and other projects within the community could be undertaken with EPURA's \$1 million.

Following discussion it was **moved and seconded** (Wilcocks/White) **that, as the low-end design option is not acceptable to the EPURA board, any additional work on the part of Thorp Associates on a low-end design option be halted**, and it passed. Those voting "Yes" Little, Martinsen, White, and Wilcocks. Those voting "No" Blume and Halburnt.

AGREEMENT BETWEEN EPURA AND TOWN OF ESTES PARK RELATED TO THE GRANDSTANDS PROJECT – DISCUSSION.

EPURA Atty. Paul Benedetti reviewed an agreement prepared by Town Atty. Greg White between the Town of Estes Park and EPURA related to the construction of grandstands at Stanley Park Fairgrounds. He stated it was a standard, straightforward agreement that outlines how the two bodies will cooperate on the project, placing the responsibility for designing, constructing and paying for the grandstands with EPURA, and designating a timetable for the commencement of construction. Dir. Smith noted that in the past, separate agreements for specific projects had not been prepared but were addressed in the general intergovernmental agreement (IGA) between EPURA and the Town of Estes Park.

COOPERATION AGREEMENT BETWEEN EPURA AND TOWN OF ESTES PARK – DISCUSSION.

Atty. Benedetti reviewed the proposed Cooperation Agreement between the Town of Estes Park and EPURA. He said the agreement states that a decision to advance monies to EPURA would be considered by the Town Board on an annual basis and advances would be considered loans from the Town. He said the agreement contains a separate provision related to sales tax tax increment financing (TIF) which states any commitment of sales tax TIF in the future would be considered on a case by case basis and in conjunction with a specific project. The agreement also states that EPURA will obtain prior approval from the Town Board for all projects requiring an expenditure of \$100,000 or more and will require a separate written agreement if the project requires Town financial support, pledge of sales tax TIF, or use of Town-owned property. Atty. Benedetti suggested consulting with Atty. White and the Town Board to discuss a revision to Section 4 of the agreement to provide funding assurance to EPURA and to eliminate the burden of annual negotiations between the Town and the Authority. Discussion on the following topics ensued: sales tax TIF was invaluable to EPURA over past 25 years; sales tax is flat all over state, and property tax TIF is affected by loss of assessed property valuations; EPURA may not have means to pay back a loan from the Town, as property tax TIF may or may not increase; EPURA has obligation to pay back

10% of property tax TIF to Larimer County; consider devising a plan to present to the Town Board indicating how much money is being requested and why; and in light of the grandstands project the cooperation agreement needs to be finalized as soon as possible. It was **moved and seconded** (Martinsen/Little) **to arrange a meeting between the EPURA Commissioners, Exec. Dir. Smith, Atty. Benedetti, the Town Board, and Atty. White to discuss the Cooperation Agreement, concentrating the discussion on how EPURA will be funded since the proposed major project depends on funding**, and it passed unanimously. Dir. Smith will schedule this meeting as soon as possible.

ELECTION OF OFFICERS.

EPURA by-laws call for an election of officers each June. Commissioner White nominated Commissioner Newsom for Chairman and Commissioner Wilcocks as Vice-Chair. Commissioner Blume seconded the motion. As there were no other nominations, the motion passed with Chairman Newsom and Commissioner Wilcocks abstaining from the vote.

Whereupon, Chairman Newsom adjourned the regular meeting at 9:50 a.m.

Cynthia Deats, Deputy Town Clerk