

**Golden Urban Renewal Authority
City of Golden, Colorado
Business Meeting
October 22, 2003**

The Golden Urban Renewal Authority of the City of Golden, County of Jefferson, State of Colorado, met in the Golden City Council Chambers 911 10th Street, Golden, Colorado, at the hour of 6:30 p.m.

Commissioners present were:

Suzie Benz	Preston Driggers	Janet Green	Dave Ketchum	Jan Schenck
Roya Stanley				

Behm, Bickart, and Tiberi were absent.

Also present were: Vicki Wagner, Gary McDaniel, Len McBroom, Kari Arvisais, Tim Pasquarelli, Diane Pasquarelli, Karen Oxman, Greg Floyd, Kristi Floyd.

Approval of Minutes

Stanley asked for approval of the October 8, 2003, minutes. It was **MOVED** by Benz and **SECONDED** by Driggers to approve the October 8, 2003, minutes. All Commissioners agreed.

Public Comment

Tim Pasquarelli commented that he heard from the proponents of the initiative to abolish GURA that GURA was studying the construction of a seven story parking facility and he has not heard anyone from the GURA Board counter those comments. Pasquarelli asked the Board if this was something GURA was, in fact, studying and, if not, is the GURA Board doing anything to counter the proponents of the initiative who are passing along this information to the community. Benz commented that she did not hear anything about this. Ketchum informed the public and the Board that this information is being put on the goldenco site as a seven-layer parking facility. Ketchum further explained the parking facility proposals and the parking needs in downtown.

Vicki Wagner informed the Board that it is this type of misconceptions, half-truths, and misinformation that got the previous Board in trouble. Wagner suggested the Board provide a written statement countering the proponents. Ketchum stated the Board could issue a press release in the next issue of the Transcript. Driggers suggested putting something on the GURA website. Discussion ensued regarding the studies submitted regarding parking in downtown Golden. Ketchum stated he will draft a press release to Sabrina at the Transcript relative to the fact that GURA is not planning any parking facility construction. Stanley and Driggers will review the press release draft before it is sent to the Transcript.

Kari Arvisais, one of the Board Members of the Astor House/Clear Creek History Park, asked the GURA Board if GURA could give assistance for some upcoming maintenance at the museums. Ketchum asked Arvisais if the museum has an OPA with GURA at the present time. Arvisais did not think an OPA was on file. Discussion ensued regarding the possibility of GURA assisting non-profits. Ketchum commented that an OPA could be considered. Discussion ensued regarding assistance that may be given and what form of assistance would be available. Driggers suggested Arvisais come back with a list of small projects for the Board to review.

Pasquarelli stated that the GURA Board has budgeted in the past to help the Cultural Alliance rather than individual entities.

Communications

Stanley distributed copies of the West Corridor Project – Final Environmental Impact Statement information for Board members to review.

Reports of Committees/Matters for the Authority

CLEAR CREEK SQUARE PARKING CONDO ASSOCIATION –

Benz reported that the Clear Creek Square Parking Condo Association members which consist of Benz, Tiberi from the Golden Urban Renewal Authority and EmmaLou from the management company, met and discussed insurance on the parking facility. EmmaLou was going to review the insurance and see if Lincoln Property could obtain insurance at a lower rate, with a lower deductible. If this was possible, Lincoln Property would then bill GURA for their portion. Another meeting of the Parking Condo Association is scheduled within the next couple of weeks. Benz informed the Board that the percentages for shared costs associated with the parking facility have been worked out. The Parking Condo Association is still getting the paperwork together forming the Parking Condo Association. Ketchum asked for the percentage of costs. Benz stated that Unit A is 33.12%, Unit D is 8.36%, and Unit C, which is leased to GURA, is 17.04%. Benz is still reviewing the status of the Unit C lease. Benz stated that these percentages have been worked out and agree with the documentation on file. Benz informed the Board that Lincoln Property still needs to appoint one more person to represent them.

Benz expressed concern with being able to hire a snow removal contractor at the present time with Lincoln Property still needing to appoint a Condo Association Board Member and finalizing the documents for the Condo Association. Discussion ensued. Ketchum commented that there would be no problem with GURA signing a contract for snow removal until such time the Condo Association is complete. Discussion ensued regarding insurance coverages and deductibles. Benz will follow-up with getting a copy of the insurance certificate to Lincoln Property.

CLEAR CREEK COMMONS –

Benz submitted invoices for the improvements at Clear Creek Commons. Ketchum stated he reviewed the invoice packets and had some concerns. Ketchum contacted Bob Walker's office for clarification on the work performed relative to the landscaping. Ketchum also questioned the loan from the Civic Foundation for the art work along the creek which totaled \$12,000.00. There was only a \$6,000.00 invoice relative to the art work. Ketchum suggested that, once clarification is made regarding the invoices, they will be submitted to Paul Benedetti for legal approval. Ketchum informed the Board that Clear Creek Commons, per the OPA, has a \$159,000.00 limit, and the invoices submitted are less than that amount by \$6,000.00. Ketchum is waiting for a phone call to finalize the invoices submitted. Ketchum informed the Board that no TIF has been generated and the only sales tax would be from the restaurant, which has not been filled. As a result, there is no money that can be paid out at this time giving the Board time to review the invoices for payment. Ketchum will follow-up with Bob Walker regarding the invoices still needed.

BENT GATE –

Ketchum informed the Board that he and Tiberi have been negotiating the Bent Gate proposal since being given direction at the last GURA Board meeting. Ketchum informed the Board that an agreement has been reached. Ketchum informed the Board that GURA's attorney, Paul Benedetti, will be arriving at the meeting with the final agreement and schedule. Ketchum explained the terms of the OPA to the Board. Kristi Floyd presented a sketch of the façade proposed by Bent Gate. Driggers asked Floyd about the time frame to complete the Bent Gate

store. Kristi Floyd informed the Board that completion will be February 2004 for the outside with a move-in date by November 15, 2003. Ketchum asked the Board to either approve the agreement that Benedetti presents later in the meeting, approve the agreement conditionally if corrections need to be made, or if further discussion is needed, arrange a special meeting for the following week to approve the OPA. Ketchum noted that the next regular meeting is after the election and the approval of the project needs to be done before the election. Ketchum asked if the Board had questions at this time. There being none, the Board will wait until later in the evening when Benedetti arrives and presents the OPA for the Bent Gate project.

Parking – None

Transportation / Circulation - None

Business District Management

Wheatley reported on the Downtown Merchants meeting which was held on Tuesday, October 14, 2003. Wheatley informed the Board that Gary Wink was at jury duty so the members of the downtown merchants reviewed their input regarding vendors on the Washington Avenue Bridge, holiday store hours, the possibility of advertising for the holiday season on cable TV, and Halloween trick-or-treat on the avenue.

Livability – None.

Information and Constituencies –

Communications Committee – Stanley asked Green to give an update of the Communications Committee. Green stated the Communications Committee met and identified groups in Golden that the Committee should contact and let them know what the Golden Urban Renewal Authority is about and what the Board is looking to accomplish. Green has been contacting various organizations and has attended the Golden Business and Professional Women's meeting where she talked about GURA and distributed the Idea Coupons. Stanley informed the Board that she attended a meeting of the Garden Club. The Garden Club seemed very interested with regards to what is going on and they asked a lot of questions. Driggers is scheduled to attend the Rotary Club's meeting on October 28, 2003, however, there is a conflict with his schedule at this time. Green stated she will attend the morning meeting in lieu of Driggers.

Operations Committee – Driggers asked Stanley for an update about the Task Force possibility. Driggers met with the Executive Director of the Arvada Urban Renewal Authority, Tim Steinhaus. Driggers informed the Board that Arvada has two new locations designated for urban renewal and will be hiring additional project people to assist with this area. Driggers also spoke with the former Director in Greeley, Frank Paquette, who is retired from Greeley. Driggers and Mr. Paquette discussed how the Greeley urban renewal worked with the City cooperatively. Driggers informed the Board that both individuals would be happy to make a presentation to the GURA Board. Driggers suggested that they be invited to the upcoming GURA Retreat. Driggers stated that there had not been another Operations Meeting since the last one.

Stanley reported that there has been some delays with the Task Force due to everyone's schedule. Stanley asked the Operations Committee to continue to move forward and submit a list of all of the things that need tending. Stanley asked that this be done so that the Board can feed into the committee and add to what is submitted.

Retreat Update –

Wheatley confirmed that Saturday, December 13, 2003, was the date where everyone from the GURA Board could be in attendance at an all-day Retreat. Wheatley asked Stanley if this date was confirmed with Carl Neu. Ketchum informed the Board that he will ask City Council to attend the Retreat and Stanley suggested mid-day for them to be scheduled. Wheatley will follow-up and confirm a location for the Retreat. Discussion ensued regarding the time. Stanley will confirm with Carl Neu. Stanley asked that the Board work on an agenda for the Retreat. Stanley will submit a tentative agenda by e-mail to the Board.

Culture and History –

Wheatley informed the Board that she left a voice message on Mary Jane Vinette's answering machine inviting her to come and meet the new GURA Board members.

Partnering – Schenck informed the Board that he was unable to attend the EDCOM meeting but that he did follow-up with Steve Glueck for a report. No decisions were made at the EDCOM meeting. EDCOM is reviewing a capital grant request from the 12th Street Art Gallery in the amount of \$11,300.00 for gallery exterior improvements as well as enhancements to the gallery. The other issue for EDCOM is the 2004 Work Plan which was presented but no discussion was held at this meeting. Schenck had some concerns with the Work Plan and discussed some of the details of the EDCOM Work Plan. Schenck asked the Board for direction as a representative of GURA. Schenck had concerns with EDCOM doing a publication in addition to articles in the Transcript. Schenck felt this is unnecessary. Schenck also had concerns with EDCOM sponsoring events, which he was not aware of. Schenck feels there needs to be better direction with regards to event participation rather than sponsorships. Discussion ensued and Schenck asked for further direction from the Board with regards to comments for EDCOM's 2004 Work Plan. Discussion ensued regarding the monies given by EDCOM and who benefits from receiving that money.

New / Unfinished Business

TREASURER'S REPORT – Benz asked the Board if anyone had questions regarding the Financial Statements that were mailed with the packets. Benz stated her concern was to get the 2004 budget ready for approval at the next meeting. Discussion ensued. Driggers asked for explanation of the jump in property taxes. Benz stated that the County provided that number and that she was given the base with the mill levy percentage. Ketchum further explained the possible reasons for the jump in numbers. Driggers asked where the charges for the accounting firm and the webmaster might be found. Benz stated those charges were not in the budget yet. Ketchum suggested setting up a new category "Professional Services" which would include the bookkeeper and the webmaster. Benz stated there will be numbers for these services when the budget is submitted for approval. Driggers stated that a number needs to be added for the Communications Consultant and that he will provide that number. Further discussion ensued. Ketchum informed the Board that there is approximately \$67,000 - \$68,000 due for the final payment on the Golden Hotel. This payment has not been made because the Golden Hotel has not paid their property taxes and they are in Receivership. Ketchum asked the Board if GURA should make the final payment in this fiscal year or wait until the money is in hand from the County. In the meantime, GURA is paying interest delaying the payment. Discussion ensued. The Board asked for Benedetti's input on this matter. Schenck stated that GURA might want to inform the Golden Hotel of the delay in payment and the reasons for such delay. Benz will send a letter to the Golden Hotel and confirm this in writing. The Board decided that the final payment for the Golden Hotel will be made in 2004.

Stanley asked for any other comments on the Treasurer's Report. Ketchum asked if the numbers include the employment of an Executive Director rather than contracting to the City. Benz stated that is correct.

Benz stated that she will submit the budget for approval at the next meeting. Ketchum informed the Board that it then goes to City Council and they have a month to comment on the budget. The GURA Board then adopts the budget in December.

Commissioners Concerns

Driggers informed the Board that he and Bickart have been working on proposed changes to the By-Laws regarding Teleconferencing and Electronic Polling. Driggers would like Board approval to publish a Legal Notice, as required, to discuss the proposed changes at the next meeting. Ketchum asked if Benedetti read the proposed changes. Driggers stated he would provide Benedetti with a copy of the proposed By-Laws changes. Schenck suggested that the Board review the proposed changes before Benedetti obtains a copy. Wheatley will publish the Legal Notice for the next meeting.

Benz asked for approval of the Bobby's Banners invoices which total \$6,500. These invoices are for the Holiday lighting in downtown. So **MOVED** by Ketchum. **SECONDED** by Driggers. All Commissioners agreed.

Stanley spoke on behalf of Tiberi who was not at the meeting. Tiberi questioned whether or not the GURA Board needs two meetings per month. Stanley stated this could be something on the Operations Committee's list of items needing tending. The day of the meeting was also discussed and Stanley stated that Ketchum suggested Mondays.

Stanley suggested that the Board give serious thought to hiring an interim, part-time Director. Stanley stated that it has been over two months since GURA had an Executive Director and it could be another three months or longer before GURA is ready to hire someone full-time. Stanley stated the interim Director needs to be someone experienced and knowledgeable in an effort to take care of the things that need to be taken care of. Stanley stated this would be something for the next meeting's agenda. Stanley stated that Tiberi has suggested someone. Stanley asked for further suggestions from the Board between now and the next meeting.

Staff Report

Wheatley reported on the scheduling of the Washington Avenue sidewalk power washing which will take place on two nights, October 26th & October 27th. All of the downtown merchants will be notified on Thursday by a flyer distributed by Wheatley. GURA contracts for this cleaning twice per year.

Wheatley informed the Board that the Mayor was extremely pleased with the efforts of the GURA office and the City cleaning and repairing the "Taj Mastalls" for the CSM Homecoming weekend.

Ketchum informed the Board that there are two deferred items for discussion with Paul Benedetti, GURA's attorney. These items include Bent Gate and the Millstone assignment. Discussion ensued relative to the Bent Gate OPA. Benedetti informed the Board of the changes made to the OPA and discussed the project. Benedetti reviewed the OPA with the GURA Board. Schenck **MOVED** to approve the Bent Gate OPA with corrections noted. Benz **SECONDED** the motion. All Commissioners agreed. Benedetti will mail the OPA to the GURA office for signatures.

Ketchum informed the Board that GURA will present Bent Gate's façade to HPB for their input.

Ketchum informed the Board that they will be discussing Millstone in public, unless there is a reason an Executive Session is needed.

Benedetti distributed copies of the proposed Assignment and Assumption Agreement concerning the assignment of the Millstone at Clear Creek residential land to a new limited liability company, BaseCamp Clear Creek, LLC, composed of Len McBroom's entity and individuals associated with BaseCamp Capital. Benedetti further explained the need to expedite the approval of this agreement as the bank wants to close within the next couple of days. Benedetti stated he is prepared to recommend to the GURA Board to proceed and sign the document. Benedetti also stated that he realizes this is being presented rather quickly and the Board may feel uncomfortable approving this document with such short notice. Stanley asked if there was any downside to the deal. Benedetti stated the bank is anxious to get this completed and closed within the next couple of days. Benedetti did not see any downside for not approving the agreement. Discussion ensued. Ketchum asked McBroom to introduce his new partner, Gary McDaniel. McBroom introduced Gary McDaniel and Mr. McDaniel informed the Board of his interest in the Millstone project and a little about himself. Ketchum asked if the new partnership was going to own the land outright and not have a mortgage on it. Mr. McDaniel confirmed that is correct. Benz questioned the removal of the requirement for the Pro Forma Financial Statement. Benedetti stated that it is too early to present one that is very accurate. Benz questioned why one was required as one of the terms of the original deal. Benedetti stated that was a requirement of the previous Board. McDaniel stated he would be happy to provide a Pro Forma at a later date. Discussion ensued. Ketchum asked if anyone had questions for the attorney which would require going into Executive Session. There being none, Schenck **MOVED** to approve the Assignment and Assumption Agreement concerning the assignment of the Millstone at Clear Creek residential land to a new limited liability company, BaseCamp Clear Creek, LLC, composed of Len McBroom's entity and individuals associated with BaseCamp Capital. Benz **SECONDED**. All Commissioners agreed. Benedetti informed the Board that the developer will execute the documents and then submit them to the Golden Urban Renewal Authority.

Benedetti asked if any of the Board members had any general questions or general concerns. Benz stated she will be sending Benedetti copies of invoices for the Clear Creek Commons eligible items after the Board reviews the invoices. If Benedetti agrees with the invoices, the Board will approve the invoices as the eligible items. Discussion ensued regarding eligible items vs. ineligible items.

Ketchum further asked Benedetti for direction regarding assistance requests from the museums. Benedetti discussed options such as having EDCOM assist in these projects. Discussion ensued relative to what type of financial support GURA can give to non-profits, specifically the museums. Stanley suggested the Operations Committee put this on the list of items needing tending and perhaps discuss this at the Retreat as one of the topics. Stanley stated that this is another indication that the Board is moving in a new direction.

Ketchum asked the Board members if they had any additional questions for Benedetti. Discussion ensued relative to the direction the Board will be going, the selection of an Executive Director, and the relationship between GURA and City Council, and GURA's responsibility as an urban renewal authority.

Adjourn

There being no further business, Stanley adjourned the meeting.

Sharon Wheatley
Communications Coordinator

Roya Stanley
Chair

