

**Golden Urban Renewal Authority
City of Golden, Colorado
Business Meeting
November 12, 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:

Joe Behm	Ted Bickart	Preston Driggers	Janet Green	Dave Ketchum
Jan Schenck				

Benz, Stanley, and Tiberi were out of town.

Also present were John Spice, Diane Pasquarelli, Vicki Wagner, Carol Harwood, and Diane Bergeron.

Approval of Minutes

Driggers asked for approval of the October 22, 2003, minutes. It was **MOVED** by Bickart and **SECONDED** by Ketchum to approve the October 22, 2003, minutes. All Commissioners agreed.

Public Comment

The Commissioners were given copies of public comments sent by e-mail regarding the proposed By-Laws changes – Teleconferencing / Electronic Polling, an agenda item for this meeting. The e-mails were sent by Tim Pasquarelli, Ed Dorsey, John & Cyndi Spice, and Diane Pasquarelli.

Diane Pasquarelli addressed the Board with regards to the proposed By-Laws change agenda item and encouraged the Board to not move forward with teleconferencing and/or electronic polling. Pasquarelli stated that being present at the meeting and conducting business with the public present is the commitment each volunteer made when agreeing to serve on the Golden Urban Renewal Authority's Board. Pasquarelli made additional comments regarding the Washington Ave. Bridge and GURA's commitment to fund up to \$300,000.00 for aesthetics. Pasquarelli stated that it was mentioned that the bridge came in under budget and, if there were extra funds available from GURA's \$300,000.00 commitment, those extra funds could be used for additional beautification of the bridge area. Pasquarelli suggested that the Board obtain a list of items paid for with GURA funding.

John Spice addressed the Board objecting to the proposed amendments to the GURA By-Laws. Spice submitted signed copies of e-mails he sent earlier. Spice also asked the Board if there were any standards for missing meetings. Spice also noted that at some of the meetings he attended, Board Members have come in late or left early and asked if there were any standards for this as well. Spice reiterated that he is against electronic polling as stated in his e-mail. Spice stated he felt it would be difficult to achieve public awareness using electronic polling. Spice also stated he did not understand the Board's purpose in proposing to schedule one meeting per month and then possibly have a Study Session in lieu of a second meeting during the month. Spice stated he did not understand what this would accomplish.

Carol Harwood asked the Board if they intended to have a Public Hearing on the proposed By-Laws change regarding Telecommunications / Electronic Polling. Driggers informed Harwood that the meeting being held tonight is considered a Public Hearing.

Harwood also commented on the expenses associated with GURA's funding of the Washington Avenue Bridge. Harwood encouraged the Board to get an itemized list of what was paid for with GURA's funds and to check that they were items that GURA agreed to participate in paying for.

Harwood commented on the Clear Creek Parking Garage and how hard the previous Board worked to reach an agreement which states GURA has 50% control of the parking structure. Harwood encouraged the Board to aggressively manage the parking structure and go out for bids regarding any expenses associated with the parking garage. Harwood also stated that the Board needs to ensure that the public spaces in the parking garage remain public and are available for public use.

Regarding the proposed By-Laws change allowing electronic polling and teleconferencing Harwood strongly encouraged the Board not to go that way. Harwood stated that each Board Member has the honor of serving on the GURA Board. Harwood stated that looking people in the eye is important and that form of communication is not available electronically or by teleconferencing. Harwood requested access to the site that the GURA Board uses to e-mail one another.

Communications

Driggers asked the Board if they had any comments on the newspaper articles that were included in their packets. These were articles found in the Denver Post and Rocky Mountain News relating to condemnation, eminent domain, and Charrettes. Driggers informed the Board that information about the Charrette in Castle Rock will be available on December 13, 2003, at which time he will get a copy of same. Discussion ensued on the other two articles and the difficulty dealing with condemnation and eminent domain.

Reports of Committees/Matters for the Authority

CLEAR CREEK SQUARE PARKING CONDO ASSOCIATION –

Driggers stated that Benz provided him with a brief update of the last Parking Condo Association meeting. Driggers reported that the Parking Condo Association's By-Laws and Articles of Incorporation have not been filed to date. Discussion ensued and Wheatley will follow-up to verify if these have or have not been filed. Driggers stated that Benedetti is reviewing those documents at this time. Benz is requesting the addition of another Board Member representing GURA as Tiberi has been unable to attend the Parking Condo Association meetings due to out of town commitments. Discussion ensued and Behm stated he could possibly commit to a daytime meeting, depending on the day held. Driggers will have Benz contact Behm with the details.

Driggers informed the Board that Lincoln Property is pursuing insurance quotes for the Parking Structure as well as maintenance for snow removal.

CLEAR CREEK COMMONS –

Copies of invoices for improvements at Clear Creek Commons have been sent to Benedetti for review.

BENT GATE –

Bent Gate and GURA signed the OPA Agreement and both parties have copies on file. Ketchum informed the Board that construction has started on the project.

Parking – None

Transportation / Circulation - None

Business District Management

Driggers asked the Board if they had any comments on the Monthly Meeting Attendance Summary that Wheatley mailed with the packets. There were no comments. Wheatley informed the Board that a summary of the meetings she attends will keep the Board updated on a monthly basis.

Livability – None.

Information and Constituencies – None

Communications Committee – None.

Operations Committee – Driggers, Green, and Behm are preparing packets for the December 13, 2003, GURA Board Member Retreat.

Retreat Update - Driggers distributed a Retreat Agenda sent to Roya from Carl Neu. Discussion ensued regarding the topics of discussion and the time limit for each subject. Driggers stated that the meeting room is contracted from 7:00 a.m. – 4:00 p.m. The Retreat Agenda has the Retreat ending at 4:30 p.m. Wheatley informed the Board that the meeting room needs to be available at 4:00 p.m. for the next function. Wheatley stated she signed the contract and made arrangements for seating and meals. The Golden Hotel will need at least one week's notice if there are any requirements for audio or video.

Discussion ensued regarding the agenda distributed. Ketchum stated that City Council is not listed anywhere on the agenda. Driggers will make note of this and schedule City Council some time in the morning. Ketchum suggested that City Council be scheduled later in the morning and then be invited to lunch. Driggers asked if the Board had any interest in inviting directors from other urban renewal authorities. The Board stated that, while this would be informative, the Retreat will not allow enough time to cover all of the issues and have a presentation by outside speakers. The Board decided that these individuals could attend a Study Session as opposed to the Retreat. Schenck agreed that there would not be enough time at the Retreat, however, it would be beneficial to have these gentlemen speak at a later date.

Driggers asked the Board to review the agenda and email any changes or suggestions to Driggers by the end of the week.

Culture and History – None.

Partnering – Schenck reported that EDCOM is modifying their Capital Grants Program as well as their Grant application particularly on the event side. EDCOM is looking at sponsoring four events in the coming year, one being an EDCOM event.

EDCOM is working on the 2004 budget and has a proposed budget ready.

EDCOM is going to give feedback to Cohn Marketing, who has a three year contract with EDCOM and is presently in their 2nd year. One of the contract agreements was that Cohn Marketing would actively seek major sponsors for a marketing/ad campaign and events in Golden. EDCOM will be emphasizing this part of the agreement with Cohn.

Part of the incentive grant program, Schenck recommended that GURA confer with EDCOM on the small grants to better coordinate the approval of the grants. Schenck reported that EDCOM can do a better job of serving the businesses in Golden. Schenck stated that EDCOM may limit grants to a three-year cycle or up to a maximum dollar amount.

EDCOM is laying out their work program for 2004. Driggers asked what the criteria is for determining whether a business goes to EDCOM or GURA for assistance. Discussion ensued regarding the criteria for façades vs. public improvements. Driggers suggested a single application form could be filled out when assistance is requested and then EDCOM or GURA would be able to determine who would be able to provide that assistance.

Schenck stated that EDCOM is looking to fund standardized signage for the downtown, thus eliminating the many A-frame signs that are now on the sidewalks. Discussion ensued.

New / Unfinished Business

NOVEMBER / DECEMBER SCHEDULED MEETINGS – Driggers informed the Board that the November 26th meeting is the day before Thanksgiving and the December 24th meeting is on Christmas Eve. Ketchum proposed to the Board that in lieu of the November 26th meeting, a Study Session be scheduled for November 19, 2003, to discuss the GURA website. Discussion ensued regarding an adequate location to enable internet connection and to provide for any public attendance. Ketchum also informed the Board that GURA is scheduled to give a thirty minute presentation to City Council on Thursday, November 20, 2003. Ketchum stated that the Study Session would also be time to finalize this presentation. Discussion ensued to clarify the upcoming meeting dates. Ketchum explained the purpose of a Study Session and how a Study Session is conducted. **Behm** made a motion to hold a GURA Board Study Session on November 19, 2003, at 6:30 p.m. to discuss the GURA website and finalize the presentation to City Council; the GURA Board will attend the November 20, 2003, City Council meeting and make a presentation; the GURA Board will hold their regular Business Meeting on December 10, 2003 at 6:30 p.m.; the GURA Board will hold their annual Retreat on Saturday, December 13, 2003, from 7:00 a.m. – 4:00 p.m. at the Golden Hotel; the GURA Board will not hold their regular Business Meeting on Wednesday, November 26, 2003, and Wednesday, December 24, 2003, due to the Thanksgiving and Christmas holidays. **Ketchum** seconded the motion. All Commissioners agreed.

2003 DOWNTOWN VITALITY FORUM – Ketchum asked if the Board received an invitation to participate in this Forum. Wheatley informed the Board that Stanley received the invitation and asked that it be put on tonight's agenda. Driggers reported that the previous Executive Director, Steve Becker, represented GURA last year. Ketchum asked if Stanley indicated she would represent the Board at this Forum. Driggers informed the Board that Stanley will be unable to make this event. Ketchum informed the Board that he will represent GURA at the 2003 Downtown Vitality Forum. Driggers asked if this Forum would be videotaped. Discussion ensued regarding the cost of videotaping. Ketchum stated that there is no business meeting between now and the scheduled Forum so a decision needs to be made as to whether or not GURA wants to participate financially. **Ketchum** made a motion to support the videotaping of the 2003 Downtown Vitality Forum. **Schenck** seconded the motion. Discussion ensued as Bickart thought Vicki Wagner stated this may be funded already. Ketchum asked that a bill be submitted for GURA's portion not to exceed \$400.00. The vote was taken. All Commissioners agreed.

PROPOSED BY-LAWS CHANGE – TELECONFERENCING / ELECTRONIC POLLING - Driggers asked Bickart to chair this portion of the meeting as Driggers is heavily involved in this proposal. Bickart presented a proposed change to **Article III, Section 4. Quorum. with additions of Section 5. Teleconferencing and Section 6. Electronic Polling of the Golden Urban Renewal Authority's By-Laws and a numbering change in the present Section 5. and Section 6.**

Bickart asked if there was a requirement to read the proposed changes. Ketchum proposed that, due to the concerns received by some persons in the community, the Board address the shortcomings the Board perceives based on public comment received. Ketchum proposed that the Board wordsmith the proposed changes before finalizing the draft-laws changes. Bickart suggested dividing the proposed Section changes. **Ketchum** made a **motion** to adopt the By-Laws changes. **Driggers seconded** the motion. Additionally, **Ketchum** made a **motion** to divide the proposed Section changes. **Driggers seconded** the motion. **All Commissioners agreed.**

Discussion ensued regarding the proposed change to Article III, Section 4. Quorum and Section 5. Teleconferencing. Bickart stated that the Board, per the motion to divide the proposed Section changes start with Section 4. Quorum. Discussion ensued. **Bickart moved** that the proposed change to the By-Laws Article III, Section 4. Quorum read as follows:

Section 4. Quorum

Quorum. A majority of the Commissioners holding office and attending in person shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action can be taken by the Authority upon an affirmative vote of a majority of the entire Commission.

Discussion ensued. **Preston moved** that the above be approved with the changes made and word crafting done as noted here; “and attending in person,” spelling correction of conducting, and the word “smaller” in lieu of small. **Bickart seconded.** Ketchum stated that the attorney is mainly concerned about whether this should constitute forming a quorum for having a meeting. This was the attorney’s main concern for adding this Section 4. Quorum to the By-Laws. Discussion ensued. The vote was taken. **All Commissioners agreed.**

Bickart presented Section 5. Teleconferencing as submitted for approval. Discussion ensued. **Bickart moved** to accept Section 5. Teleconferencing. **Driggers seconded.** Discussion ensued. Driggers presented five issues, three of which have been concerns of the public. These concerns were public access, public accountability, and the assumption of Board Members’ commitment. Driggers stated that City Council and the Mayor have knowingly appointed people to the GURA Board who travel. Those that travel were appointed because of their specific knowledge, experience, or expertise that the Mayor felt is now needed on the GURA Board. Driggers stated that, by having this motion to accept Teleconferencing, the GURA Board is allowing the traveling members to participate and demonstrate that the GURA Board is inclusive. Driggers continued discussing the need for teleconferencing on the GURA Board and the legal requirements to do so. Driggers also stated that the newest technology would allow public access to the meetings. Schenck asked who would be responsible for purchasing the needed equipment. Ketchum informed the Board that the City has equipment that would allow 2 – 3 individuals to telecommunicate. Discussion ensued regarding the cost of this technology and if it could be utilized in the present meeting room. Bickart stated the purpose of this By-Laws change is to enable the action and then proceed with finding the equipment that is needed. Further discussion ensued. Ketchum stated that the Board needs to address, specifically, in the Teleconferencing Section that this includes voting and a clause needs to be added. Behm inquired as to how teleconferencing would be handled during an Executive Session. Discussion ensued. After discussion of the wording of Section 5. Teleconferencing, **Ketchum made a motion to amend Section 5. Teleconferencing to, after “similar communications equipment” add the phrase “serving similar purpose,” to add a sentence at the end stating, “participation includes voting;” add a sentence that states “Board will adopt further telecommunication policies by resolution.”** **Preston seconded. Bickart suggested changing “similar communications equipment” to “other communications equipment.”** **Ketchum accepted that change. Preston seconded. All Commissioners agreed.**

Section 5. Teleconferencing.

Commissioners may participate in a meeting through the use of conference telephone or other communications equipment serving similar purpose, so long as all members participating in such meeting can converse with one another. Participation includes voting. Board will adopt further telecommunication policies by resolution.

Bickart presented Section 6. Electronic Polling. Ketchum stated that what he thinks the Board is trying to accomplish with this proposed change to the By-Laws is that the Board will be able to take care of small matters that require immediate attention, however, does not warrant a special meeting being held. Ketchum asked Driggers if this is correct. Driggers explained that the By-Laws require a yes or no vote and/or show of hands. Also, there are times when a vote is taken at a meeting with contingencies, legal requirements, etc. between regular meetings. These would be two instances of utilizing electronic polling. Discussion ensued. Ketchum ask for clarification of conditions that would require electronic polling once a vote was taken at a regular meeting. Driggers explained electronic polling would follow a vote taken at a regular meeting, agreed upon, but having some follow-up. Schenck expressed concern with the proposed electronic polling by-laws change. Schenck stated the Board is handling public funds and Golden is a small town. This has been brought up by the public. There are people in the community who want to be a participant and give input. Schenck felt that in all fairness on these issues, the Board would be negating some of that by going to electronic polling. Discussion ensued. Schenck stated he did not see the benefit of electronic polling when doing business with the public. Driggers stated this Board is very different from any other GURA Board and that most of the Board is actively employed, some of whom travel and that electronic polling would allow those away to vote. Schenck stated he is opposed to electronic polling. Discussion ensued. **Bickart called the question on Section 6. Electronic Polling. A vote by show of hands was taken. Driggers was in favor of Section 6. Electronic Polling. Behm, Green, Ketchum, and Schenck were opposed. Bickart abstained from voting. Section 6. Electronic Polling Failed.**

Ketchum stated that as a result of Section 6. Electronic Polling not approved, Existing Section 5. Order of Business becomes Section 6. Existing Section 6. Manner of Voting becomes Section 7. So moved by Bickart.

EXECUTIVE DIRECTOR POSITION POSTING – Driggers stated that there was a suggestion by Stanley to have an Interim Director. Tiberi submitted a resume from Mark Heller. Driggers visited with Mr. Heller and was impressed. Stanley's discussion with Driggers about hiring an Executive Director resulted in the probability of hiring a full-time Executive Director before March 2004 was slim. Discussion ensued regarding an interim position and the time commitment that will be needed as well as Mr. Heller's availability. Green questioned the timing of the hiring and whether there is enough work for the Interim Director. Behm questioned the time allotted on the agenda to discuss this position. Discussion ensued regarding the posting of the position and Ketchum stated he will post it on the GURA website as well. Driggers stated the Interim Executive Director position will be posted and those interested invited to attend the December 10, 2003.

2004 GURA BUDGET – Driggers presented the 2004 GURA Budget as drafted by Benz. Board Members received this in their mailed packets. Discussion ensued. Ketchum informed the Board that the presented 2004 GURA Budget will be given to City Council on Friday, November 14, 2003, along with a revised Budget comment sheet. Ketchum stated that, under the IGA, the Board needs to submit the Budget to City Council at this time for review and comments. Ketchum informed the Board that the GURA Board will adopt the 2004 Budget at the next regular meeting on December 10, 2003, or call a Special Meeting if the budget is not adopted at the December 10, 2003, meeting.

Driggers informed the Board that Benz is requesting that Wheatley be approved to obtain sales tax information from the City. As Tiberi is out of town frequently, this would enable Benz to have the figures when needed. Driggers asked Wheatley if she would be comfortable with this request. Wheatley informed the Board that she is aware of the confidentiality of the position and has

already spoken with Jeff Hansen, the City Finance Director. Jeff Hansen stated that, with the GURA Board's approval, Wheatley can be named to receive the sales tax information. **Ketchum** made the **motion** to allow Wheatley to receive the sales tax numbers and sign the confidentiality statement with the City of Golden. **Bickart seconded. All Commissioners agreed.**

Commissioners Concerns

Ketchum informed the Board that he has signed up for a Yahoo Group for GURA. This Yahoo Group will be utilized by the Board when sending email to the entire Board. There is to be no confidential information sent to this group. Any confidential e-mails need to be sent directly to the Board Members. The public will have access to view the group postings only. Driggers asked what is the advantage of having a Yahoo Groups. Ketchum stated that any discussions between meetings with the Board need to be public and made available. The Yahoo Groups is the most convenient and less labor intensive. Discussion ensued. Bickart stated that there were more than 158 items posted during the past five weeks on e-mail. Wheatley stated that the reason for the many emails is that this is the Staff's direct contact with the Board and most likely the number of e-mails will decrease when an Executive Director is hired. Discussion ensued regarding public access to the site. Ketchum stated the public will be directed to info@gura.com and Wheatley will decide how to handle the correspondence. Ketchum also informed those present that the GURA website is now up and operational. The website will have the monthly meeting minutes and agendas posted. Wheatley will email the minutes to the Board prior to posting for review and corrections, if needed. The minutes will not be approved until the following meeting.

Driggers distributed a picture of the Washington Avenue Bridge dedication and our chair, Roya Stanley, addressing the public.

Staff Report

Wheatley asked what the purpose of hiring an Interim Executive Director is rather than hiring a full-time Executive Director. Ketchum stated this is because the Board Members need assistance and hiring a full-time Executive Director is taking more time than anticipated. Discussion ensued.

Adjourn

There being no further business, Wheatley adjourned the meeting.

Sharon Wheatley
Communications Coordinator

Preston Driggers
Vice-Chair

