

Woodland Park Downtown Development Authority Board of Directors

Historic Ute Inn

204 W. Midland Avenue, Woodland Park, CO

SPECIAL MEETING – WORKSHOP MINUTES

October 31, 2017 – 7:30AM

CALL TO ORDER AND ROLL CALL: Merry Jo Larsen, Chair, called the meeting to order at 7:35AM.

IN ATTENDANCE – Board of Directors: Merry Jo Larsen (Chair), Noel Sawyer (Vice Chair), Tanner Coy (Treasurer), Al Born (Secretary), Jon DeVaux, Ellen Carrick, Jan Wilson, Jerry Good, Elijah Murphy
Others Present: Lynn Jones, Bob Volpe, Ken Temaz, Kerri Kilgore, Todd De Remus, Tony Perry

ADDITIONS, DELETIONS, OR CORRECTIONS TO THE AGENDA

None.

Motion: To approve agenda. Wilson/Born Passed 9 - 0

WOODLAND PARK ASSOCIATES (TRAIL RIDGE) AMENDMENT – DISCUSSION

Tanner Coy provided an update—the base value in the agreement is not the correct amount; the number inserted into the agreement was the *actual* value not the *assessed* value. The correct figure is the 2013 assessed value, not the 2012 actual value, which results in a larger reimbursement that is more in line with what had been speculated. The payment is not \$28,000, it's \$58,000. Woodland Park Associates (WPA) has agreed to splitting the difference between the reimbursement calculated under the agreement as written and the correct amount, a \$30,000 difference. The DDA will pay \$15,000 more than anticipated and WPA will carry \$15,000 until 2019 at no interest. WPA asked Attorney Paul Benedetti to revise their Draft Second Amendment to eliminate the interest charge, correct the base value and carry \$15,000 at no interest until January 2019. Coy stated that the DDA could pay the \$58,000 all at once; it's in the budget, but it would put the Fund balance at barely above zero. Noel Sawyer stated that the focus should be to maintain some cash and waiting until January 2019 makes the most sense. In addition, Sawyer suggested that all DDA contracts should be reviewed to see if there are any other issues.

NEW APPROACH TO TIF AGREEMENTS

Larsen acknowledged Elijah Murphy and Lynn Jones for their TIF research in preparation for the workshop, and Tony Perry in the audience for his previous comments about the DDA. Elijah Murphy deferred his TIF research findings to Ken Tamez, a Ute Inn employee who currently resides with Murphy. Murphy stated that he asked Tamez to review the DDA's Foundation Plan, providing a fresh perspective. Tamez shared his TIF research and review of the Plan along with recommendations for evaluating the issuance of a TIF. He indicated that what is lacking from the Foundation Plan is identifying what could be considered a conflict of interest situation, mainly a company having political ties in Woodland Park and

wanting to conduct business here. Murphy added that there are implied tasks relating to the Foundation Plan goals and objectives that should be identified. Larsen stated that the DDA does not have a TIF application in addition to the Foundation Plan. Jan Wilson stated that the DDA needs to pull out a set of guidelines from the Foundation Plan so that every business requesting a TIF goes through the same process. Coy referred to and read the section of the Foundation Plan regarding "Priorities," stating that the Priorities are criteria for TIF agreements. Coy suggested this would be a good place to start in defining the process, criteria and requirements (i.e., what an interested party must do). Ellen Carrick stated that she likes the metrics included in some of the TIF criteria research. Noel Sawyer stated that he likes the use of a point system in evaluating TIF requests, that it takes personal interests out of the equation. Coy suggested posting the DDA's TIF agreements on the website. Sawyer added that due to privacy issues, some things may need to be blacked out; Attorney Benedetti could review the agreements prior to posting.

Tony Perry, President and CEO of Park State Bank, mentioned there are other DDA lawsuits around the country. He suggested that the Board step back and look at the reality of TIF; very rarely does it end well. Although in agreement with establishing criteria, Perry encouraged the Board to look at what's happening in the world with TIFs and consider how to back out. Wilson stated that this Board has made huge strides. Jon DeVaux stated that not one TIF agreement has failed and questioned Perry's comments about winding down something that has been a success. As the DDA does more TIFs, it's increased income. Sawyer explained that the main point of this conversation is to make sure the TIFs are solid and his suggestion is to hold off on new TIFs until the Board has developed the criteria. Jerry Good stated that he joined the DDA Board because he wanted to change it; he joined to represent the small business owner. Larsen said the Board is a good solid group and can now start fine tuning the process and start doing projects according to the Foundation Plan.

Larsen recommended another TIF workshop. Sawyer suggested that everyone do some TIF homework before the next workshop and bring suggestions. Wilson suggested making a draft application. Coy recommended that each Board member bring three to six criteria they think are most important. Perry suggested contacting DDA Executive Directors who would be willing to talk. Larsen invited Tamez to attend the next workshop and confirmed with the Board that the next meeting will be on Tuesday, November 14 (instead of Tuesday, November 7) at 7:30AM in Council Chambers. It will be a Regular Meeting - Workshop.

Todd De Remus, Co-Owner of Ute Pass Brewery, agrees that the Board is on the right track. Kerri Kilgore, Owner/Broker of Prestige Realty, recommends keeping everything public, that there's a perception that "it's who you know." She explained that as a property owner on Main Street, it's hard to get information and more transparency is needed. A lot of people choose not to do business here or live here because the schools, while they have promise, are lacking. Kilgore added that there is a need to focus on schools over the next 10 years. Murphy added that this town needs to create jobs and opportunities for young people.

GENERAL DISCUSSION

Larsen stated that she was very pleased with the TMJ article. Carrick described the article and said it was very well done. Wilson explained that there will be a different Board member highlighted in each issue.

Carrick welcomed input from the Board. Larsen requested that the next article focus on the workshop coming up on November 14. Murphy challenged everyone in the room to bring one person to a DDA meeting to get more community involvement.

AUDIENCE PARTICIPATION ON ITEMS NOT ON THE AGENDA

Larsen asked the Board if they would like her to reach out to Matt Miles of Leadership Circle, LLC regarding Natural Grocers. Following some discussion, Larsen said it will be readdressed later, after the TIF criteria is put together. Kilgore recommended putting the TIF criteria together and then approaching Natural Grocers and any other denied TIFs in the past six months to see if they would like to reapply.

ADJOURN TO EXECUTIVE SESSION: for the purpose of determining positions relative to matters involving development projects within the City of Woodland Park Downtown Development Authority District, regarding:

- a. Conferences with an attorney for the purposes of receiving legal advice on specific legal questions under C.R.S. 24-6-402 (4)(b)
- b. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402 (4)(e).

Chair Larsen read the purpose of the Executive Session into the record at 8:40AM.

MOTION: To adjourn to Executive Session. Coy/Wilson Passed 9 - 0

Meeting adjourned to Executive Session at 8:40AM.

The following people were present at the Executive Session: Merry Jo Larsen (Chair), Noel Sawyer (Vice Chair), Tanner Coy (Treasurer), Al Born (Secretary), Jan Wilson, Jerry Good, Elijah Murphy, Jon DeVaux, Lynn Jones (Ellen Carrick recused herself from the session.)

RECONVENE REGULAR MEETING: Following the Executive Session, Larsen reconvened the regular meeting at 9:30AM. The following people were present following the Executive Session: Merry Jo Larsen (Chair), Noel Sawyer (Vice Chair), Tanner Coy (Treasurer), Jan Wilson, Jerry Good, Elijah Murphy, Jon DeVaux, Lynn Jones (Al Born left the Executive Session at 9:15AM.)

MOTION: To adjourn meeting. DeVaux/Wilson. Passed 7 - 0

Meeting adjourned 9:31AM.

Recorded by: Lynn Jones, Assistant to the Board.

APPROVED THIS 14th DAY OF Nov., 2017



Al Born, Secretary