

LIFT Meeting Minutes
8 February 2018

Roll Call: Jason Henderson, Jack Rychecky, Carol Brzeczek, Kevin Seiler, Joseph Orrino, Cindy Christensen, Nicholas Millar, Wendy Heffner (Littleton City Clerk), Steve Kemp (Littleton City Attorney) and Tiffany Hooten (Littleton Finance Director).

Election of the Chair - Wendy Heffner opened the meeting asking for nominations for Chair. Carol Brzeczek self nominated and Jack Rychecky nominated Kevin Seiler.

After statements made Brzeczek receive two votes (Joseph Orrino and Carol Brzeczek) and Kevin Seiler was voted in as Chair receiving votes from Jason Henderson, Jack Rychecky, Nicholas Millar, Cindy Christensen and Kevin Seiler.

Election of the Vice Chair - Seiler then asked for nominations for Vice Chair. Seiler nominated Rychecky and Henderson nominated Brzeczek. Brzeczek received four votes (Orrino, Brzeczek, Millar, Henderson) and Rychecky received three (Christensen, Rychecky and Seiler).

Seiler then asked for each member to introduce themselves to the group.

Minutes to be Approved - Henderson moved to approve the minutes of the October 12, 2017 meeting, Brzeczek seconded. Minutes were approved 7/0.

Public Comments

Linda Knufinke reminded the LIFT board that the purpose of urban renewal is to implement the Columbine Square UR Plan. LIFT is independent of the city council whose only authority is to approve a plan, appoint members and abolish the board. The city council has approved the plan and it is now the role of the LIFT board to create the policy and procedures to develop a funding mechanism. LIFT needs to get all their ducks in a row now before we are called upon to act. LIFT has relatively little input into the development of a property. She asked LIFT to understand the conditions survey for Columbine Square UR Plan. She also reminded LIFT that the UR law is not for economic development but to eliminate blight.

Jeanie Erickson said she has been following the UR saga since March of 2014 – longer than some LIFT members have lived in Littleton. There are three abolished plan – none of which ever had a project. Twice before UR even existed the developer's for Columbine Square had scheduled to be heard at the Planning Commission (September and December 2013). The property owner was going to rezone his property through a back door deal with the former city manager. The property owner kicked out all the tenants to self-blight to get UR money from the taxpayers of Littleton. There's no gap and they don't need money from the

taxpayers. Littleton is not lacking in apartments and apartments are an added cost to the city.

Pam Chadbourne said the Columbine Square UR Plan area is larger than Columbine Square Shopping Center and is owned by a real estate investment company. UR should be used as a last resort. There have been two market analyses and she asked LIFT to have staff present an analysis of their two studies, as we need to be informed independent of the developers.

Financial Report – A report dated 12/31/2017 was presented and Hooten stated that a current financial record was not available. The total of all funds at the end of 2017 was \$344,844.00. Two of the urban renewal areas that were repealed have a negative increment. Hooten thought that there would only be the single year for a negative increment. Rychecky moved to accept the report. Henderson seconded and motion passed 7/0.

New Business

Henderson moved to approved Resolution 01-2018 specifying the locations where notices of public meetings are to be posted and the newspaper where notices and other information will be published in 2018. Rychecky seconded. Brzeczek suggested LIFTs website be included as a posting location. Henderson moved to add a semi colon to line 38 along with “official LIFT website”. Brzeczek seconded. Amendment passed 7/0 and the main motion passed 7/0.

LIFT Attorney Discussion

Kemp said Corey Hoffman was the LIFT attorney but with no plans it was not necessary for LIFT to have an attorney. Kemp would serve but only to provide guidance on governance issues. If and when LIFT has a project he would not provide legal services to LIFT. He did not think there any issues in the immediate future other than governance issues.

Henderson said he did not disagree but what if we asked questions that were in conflict with the city. Kemp said he would refer us to seek advice from our own counsel.

Rychecky read from the By-Laws that say LIFT “shall” appoint an attorney. It was noted that the By-Laws provided were not current and the current By-Laws say LIFT “may” hire an attorney precisely because we do not have a project and it was deemed an unnecessary requirement.

Discussion about an RFP ensued. Kemp suggested that we could create the requirements for qualification then they would be ready if and when needed. Brzeczek wanted to move forward with forming a committee sooner than later. Orrino thought it was important to go ahead with the process of hiring an attorney so we would be prepared. He thought it was important to establish a relationship

with an attorney and was concerned that we could be in the thick of things and find ourselves having attorney problems at the same time if we don't move forward.

Rychecky moved to authorize the establishment of a committee to be appointed by the Chair to investigate procurement of legal services in support of the mission of LIFT. Christensen was concerned with the open ended time frame of the motion and moved to amend the motion to include the committee will come back with a report to the full board at the April meeting. Rychecky seconded and amendment passed 7/0.

Orrino then moved to amend the original motion to end after the words "procurement of legal services." He did not want it to be a fore gone conclusion that we would rely Kemp for legal services. There will be time to discuss the process, timeline and subject matter in April. Henderson seconded. Amendment passed 7/0.

Main motion passed 7/0.

For clarity – Here's what passed.

Motion to authorize the establishment of a committee to be appointed by the Chair to investigate procurement of legal services. The committee will come back with a report to the full board at the April meeting.

Seiler appointed Henderson and Orrino to the subcommittee.

Documents

A current set of By-Laws will be provided to Heffner for distribution to the members. Henderson and Seiler appreciated the documents.

Brzeczek provided the documents and suggested that they get reviewed by making them agenda items.

Public Comment

Linda Knufinke said there are 21 years left for LIFT to collect tax increment and that it is not only collected on property taxes but on use taxes as well.

Jeanie Erickson, in response to why there's a second comment period, said it was implemented because sometimes there are no meetings for months. She then picked up where she left off from the earlier Public Comment period. She believes the Columbine Square shopping center needs to be redeveloped in a way to provide retail sales taxes. UR does not go out and recruit projects – they come to LIFT when they need UR. It is not right to call a property owner and ask them if they want free money.

Pam Chadbourne said the city attorney is not "free" – taxpayers are paying him. She thought LIFT should pay its own way and she was glad that we voted to find our

own attorney and suggested that we look beyond the UR attorneys. She asked LIFT to put contact info, email addresses and phone numbers, on the website and to please post the documents on the website. If previous boards had done that we would have the current documents. She asked LIFT not to convert their regular meetings into study sessions as it impacts citizens' opportunity to participate.

Orrino moved to adjourn, Henderson seconded and motion carried 7/0.

Meeting adjourned 8:20 pm.

DRAFT