

**Roll Call:** Meeting was called to order at 6:30. Members Kevin Seiler, Carol Brzeczek, Joseph Orrino, Jack Rychecky, Cindy Christensen, Nicholas Millar, and Jason Henderson were present. Pat Driscoll, council liaison, was absent. Tiffany Hooten and Steve Kemp were also present.

### **Agenda Approval**

ID# 18-130 - Certification of the March 8, 2018 LIFT Regular Meeting Minutes - Motion was made by Henderson and seconded by Christensen to approve the minutes. Motion passed on a 7/0 vote.

### **Public Comment**

Jeanie Erickson from District 1 was excited about the demolition of Columbine Square Shopping Center and the fact that the homeless were no longer occupying the abandoned center. She attended all three meetings on the Belleview Corridor and spoke with her neighbors about Columbine Square and they are concerned about what will be developed in the old Columbine Square area – they would prefer retail or offices - what it is already zoned for. They believe they have enough apartments in the area already. Her neighbors, even though not in attendance, watch LIFT meetings from home and they do care about the future of Columbine Square.

### **Financial Report**

ID# 18-132 – LIFT Financials as of 2/28/2018

Hooten provided a financial update. A deposit of \$73,896.00 was made in March to the LIFT account. The remaining property tax amount to be refunded is \$152,338.

Orrino moved and Henderson seconded to approve the finance report as submitted. Motion passed 7/0.

### **Committee Reports**

#### Website Subcommittee Report

Seiler reported that the website subcommittee was unable to meet. Those interested in working on the website will try to meet prior to the next LIFT meeting. (Millar, Christensen, Seiler and Brzeczek make up the subcommittee.)

#### Legal Subcommittee Report

Orrino and Henderson reported on their work for a process to be used for an attorney search. They recommend that LIFT proceed with the search for an attorney to use on an as needed basis. Their report is attached. (Attachment A) It was decided the sooner the search begins the better. The subcommittee will continue with the RFP process and consult with Kemp before submitting a report to

the full board. Rychecky thought it would be wise to concentrate on firms with eminent domain experience. He believes that whatever is done in the urban renewal area will require an election. He has looked into various urban renewal authorities and they go to district court to ensure financial confidentiality. He asked if the city attorney would be the attorney that would help LIFT through that process or not. He asked how we would make the decision to have the attorney present at our meetings.

Kemp said we should look for someone with experience in local government. He also said there may never be a project – a developer does not have to use urban renewal to redevelop. LIFT may need specialized counsel if a project did come about. Seiler said Kemp was committed to LIFT up to the point there's a conflict of interest.

Henderson thought the decision should rest with the chair about whether or not the attorney would attend our meetings. Henderson moved to adopt the legal subcommittee's report and direct the legal subcommittee to draft an RFP with an eye towards hiring an outside attorney. Henderson seconded the motion. Brzeczek moved to amend the motion to have the RFP draft available at the May meeting. Jack Rychecky seconded. The amendment passed 7/0 and the main motion passed 7/0.

#### **Unfinished Business**

ID# 18-131 Property Tax Refund Discussion – Tiffany Hooten reported on the property tax abatement that requires a refund to the property owner. She recommended that LIFT refund all but \$25,000 of the \$152,388 of the North Broadway increment in case future abatements are required. This would require the 2018 budget to be amended. Brzeczek moved to authorize \$25,000 of the North Broadway increment to be set aside for future abatements and for Hooten to bring back an amended budget for the May LIFT meeting. Rychecky seconded. Motion passed 7/0.

#### **New Business – None**

#### **Public Comment**

Linda Knufinke reminded LIFT that the voters voted to prohibit the use of eminent domain except with the consent of the property owner on March 3, 2015.

#### **Adjourn**

Brzeczek moved to adjourn the meeting. Henderson seconded and motion passed 7/0.

Attachment 1

## MEMO

To: LIFT Board of Directors

From: Ad Hoc Committee on Obtaining Counsel for LIFT

Date: April 10, 2018

Re: Recommendation to hire an attorney

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### Recommendation

The committee recommends that the LIFT Board hire an attorney to provide services and counsel on an as-needed basis.

### Authority

Article II §7 of the Bylaws of Littleton Invests for Tomorrow Urban Renewal Authority states that the Authority may appoint an attorney.

### Scope of Services

The committee recommends that an attorney be hired for a limited scope of services that can grow if and when the need arises, such as when a project is presented to the LIFT Board. In the immediate future, an attorney would not be required to attend the LIFT Board meetings, but only to be accessible should questions or controversies arise.

### Fees

Because of the limited scope of services, the committee recommends avoiding a relationship requiring a substantial retainer fee until the scope of services expands. Procuring services on an hourly fee basis would allow the LIFT Board to have full control over fees incurred and would prevent the LIFT Board from paying for services that it did not need or desire.

### Timing

The committee recommends beginning the process of hiring an attorney for the LIFT Board as soon as practicable. The LIFT Board cannot necessarily predict when the need for counsel will arise, and the RFP/selection process will take time. If a need for counsel arises in the future and the hiring process is yet to begin, the LIFT Board could be delayed in its work or without sufficient counsel when it needs it.

### Meeting Attendance

At this time, the committee does not make a recommendation regarding whether an attorney should attend all LIFT Board meetings. This question could be evaluated after an attorney is hired based on what the needs and meeting subject matter are at that time.

DRAFT