

Legislation Text

File #: Ordinance 19-2016, **Version:** 2

Agenda Date: 12/06/2016

Subject:

An ordinance on second reading repealing the city's Santa Fe Urban Renewal Plan

Presented By: Mike Braaten, Deputy City Manager

POLICY QUESTION:

Does city council support repealing the Santa Fe Urban Renewal Plan?

BACKGROUND:

The Santa Fe Urban Renewal Plan was adopted by council in November, 2014 and is provided as an attachment to this staff report.

This plan was the subject of a lawsuit brought by the city against the county assessor, and in June, 2016, the court issued its order in *Littleton v. Sakdol*, which resulted in the removal of land classified as agricultural from the Santa Fe Urban Renewal Plan Area, including the property commonly known as the "Ensor Property." The attached plan has not been updated to reflect the removal of that land.

At the March 15, 2016 meeting, Council Member Valdes moved, with Council Member Cole seconding and the city council voting 5-2 (Brinkman and Hopping voting "no") to "direct the city manager to provide to council at the next scheduled regular council meeting on April 5, 2016 an ordinance or ordinances and resolutions for council's consideration and vote to dismantle Littleton's urban renewal and the LIFT Board including the handling of the outstanding loan to LIFT, and addressing any tax collection concerns, if any, and consider the status of any pending litigation concerning urban renewal."

On April 5, 2016, Mayor Pro Tem Brinkman moved and Council Member Hopping seconded that Ordinance 03-2016 abolishing the Littleton Urban Renewal Authority pursuant to CRS 31-25-115 (2) and repealing the city's urban renewal plans be tabled until June 7, during which time council will conduct meetings with the appointed Urban Renewal Authority, the Planning Board, and other pertinent entities as appropriate in order to learn and explore all sides of the issues and determine in open meetings whether or not the dissolution of LIFT and the city's urban renewal plans is in the best interests of citizens. The vote was 5-2 with Mayor Beckman and Council Member Clark voting no.

On May 3, 2016 Council Member Hopping moved and Council Member Brinkman seconded to reschedule the joint study session with Planning Board and LIFT from May 24, 2016 to June 14, 2016, moving first reading of ordinance 03-2016 in reference to the abolishment of Littleton Invests for Tomorrow and repealing the city's urban renewal ordinances to July 5, 2016 with the second reading and public hearing on July 19, 2016. The vote was 5-2, the motion carried with Council Members Clark and Valdes voting no.

On July 5th, Council Member Hopping moved and Council Member Cernanec seconded to postpone indefinitely an ordinance abolishing the Littleton Invests for Tomorrow Urban Renewal Authority pursuant to C.R.S. § 31-25-115(2) and repealing the city's urban renewal plans until further study by council.

Council Member Cole moved and Council Member Valdes seconded to amend the motion to postpone [the ordinance] to date certain on October 4, with study sessions to be scheduled to discuss LIFT and Urban Renewal. That motion carried 6-1 with Council Member Hopping voting no.

Following that motion, council had two additional study sessions to further discuss urban renewal. Those study sessions occurred August 9 and August 23, 2016.

STAFF ANALYSIS:

As addressed in the August 9, 2016 study session staff memo, council has the authority to repeal any or all of the adopted urban renewal plans.

Council has provided direction to the Planning Board and the Community Development staff that corridor plans for Santa Fe and Belleview should be a high priority with plans for Littleton Boulevard and Broadway to follow. The Santa Fe corridor plan will include the general areas addressed in this urban renewal plan.

If council decides to keep this, or any of the plans, urban renewal could assist in addressing public infrastructure needs within those corridors/plan areas or assist in the development/redevelopment in the plan area. Conversely, the community has voiced concerns with the use of urban renewal and public improvements could be addressed through other mechanisms available to the city.

Should council approve the repeal of the Santa Fe Urban Renewal Plan, it will take effect seven days after publication following council adoption. Should repeal of the plan be approved, no additional tax increment will be collected. According to state statute, all property tax increment previously collected will be repaid to each taxing body based on a pro rata share of each entity's mill levy.

Repeal of the plans does not trigger a requirement for ratification by the voters under section 64.5 of the city charter.

Should council choose to not repeal the plan, then LIFT must be kept as the organization to administer the plan.

REVISED FISCAL IMPACTS:

There are no undertakings or activities occurring in the plan area. There has been \$3,045 in property tax increment collected from the Santa Fe Urban Renewal Plan area and no sales tax increment. Staff expects minor administrative and legal costs associated with returning property tax increment funds on a pro-rata share to the city's taxing partners.

STAFF RECOMMENDATION:

Staff recommends support of the ordinance.

PROPOSED MOTION:

I move to approve the ordinance repealing the city's Santa Fe Urban Renewal Plan.