

April 24, 2025

URBAN RENEWAL AUTHORITY BOARD

Regular Meeting – 5:00 PM

A) CALL MEETING TO ORDER

Vice Chair Kristin Stephens called the regular meeting to order at 5:00 p.m. in the C I C room at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

B) ROLL CALL

PRESENT

Vice Chair Kristin Stephens
Commissioner Susan Gutowsky
Commissioner Julie Pignataro
Commissioner Matt Schild
Commissioner Emily Francis
Commissioner Kristin Draper (remote)
Commissioner Dan Sapienza
Commissioner Tricia Canonico
Commissioner Melanie Potyondy
Commissioner Kelly Ohlson

ABSENT

Chair Jeni Arndt

STAFF

Acting Executive Director Josh Birks
Redevelopment Manager Andy Smith
Secretary Amani Chamberlin

C) EXECUTIVE DIRECTORS' AGENDA REVIEW

Acting Executive Director Josh Birks provided an overview of the agenda, including:

- No changes to the published agenda.
- Items 1-2 on the Consent Calendar are recommended for adoption.
- Potential Executive Session.

D) PUBLIC PARTICIPATION

None.

E) PUBLIC PARTICIPATION FOLLOW-UP

None.

CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the January 23, 2025 and March 27, 2025 Meetings.

The purpose of this item is to approve the minutes of the January 23, 2025 and March 27, 2025 meetings.

2. Resolution No. 142 Approving an Agreement to Administer a Single Loan with Impact Development Fund.

The purpose of this item is to discuss an agreement for IDF to underwrite and administer a single loan on behalf of the Authority. IDF would administer the proposed loan between the Authority and the developer of the proposed middle-income housing project to be constructed at 302 Conifer Street.

END OF CONSENT CALENDAR

F) ADOPTION OF CONSENT CALENDAR

Commissioner Pignataro moved, seconded by Commissioner Canonico, to approve the Consent Calendar.

The motion carried 9-0.

G) COMMISSIONER REPORTS

None.

H) DISCUSSION ITEMS

The method of debate for discussion items is as follows:

- Chair introduces the item number and subject; asks if formal presentation will be made by staff
- Staff and/or Applicant presentation (optional)
- Chair requests public comment on the item (three minute limit for each person)
- Board questions of staff on the item
- Board motion on the item
- Board discussion
- Final Board comments
- Board vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Chair, to ensure all have an opportunity to speak. **If attending in person, please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

3. Public Hearing and Resolution No. 143 Adopting A Supplemental 2025 Budget Resolution for Technical Consulting Services and Prospect South Bike/Ped Improvements.

The purpose of this item is to request reappropriation of unspent funds. In April 2024, the URA Board approved \$275,000 to fund an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area. This project did not commence due to the limited staff capacity spent on higher priorities, specifically North College real estate projects.

Additionally, in April 2024, the URA Board approved \$180,000 for technical consulting services, of which only \$5,000 was spent in 2024. Staff are requesting reappropriation of the unspent funds to begin or continue the noted work in 2025.

Vice Chair Stephens opened the public hearing for Resolution No. 143.

STAFF PRESENTATION

Andy Smith, Redevelopment Manager, stated this item is a reappropriation of funds that were already approved by the Board in 2024 though they were unspent. He stated \$275,000 is being requested to fund an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area, and \$180,000 is being requested for technical consulting services related to due diligence on real estate, some planning services, and a website update.

PUBLIC COMMENT

None.

BOARD DISCUSSION

Vice Chair Stephens asked if the funds remaining will cover the bike and pedestrian improvements. Smith replied this appropriation would take the design to the 30% mark, which is the normal threshold required to be able to leverage other dollars. Following this appropriation, the Prospect South Plan Area would have a fund balance of approximately \$1.6 million. He also noted the new developer of an apartment complex behind the Dairy Queen on South College has committed \$250,000 toward whatever improvements are made that result from this design effort.

Vice Chair Stephens asked about the life span of the Prospect South Plan Area. Smith replied it expires in 2036.

Commissioner Francis moved, seconded by Commissioner Ohlson, to adopt Resolution No. 143 Adopting A Supplemental 2025 Budget Resolution for Technical Consulting Services and Prospect South Bike/Ped Improvements.

The motion carried 9-0.

4. Items Relating to the North College Urban Renewal Bonds Series 2025.

A. Resolution No. 144 Authorizing, Approving and Directing the Issuance, Sale and Delivery by the Authority of Tax Increment Revenue & Refunding Bonds (North College) Series 2025, in the Maximum Aggregate Principal Amount of \$18,000,000; Approving Documents in Connection Therewith; and Ratifying Prior Actions.

B. Resolution No. 145 Authorizing the Fort Collins Urban Renewal Authority's Financing of Certain Capital Projects Using Funds to be Reimbursed from Bonds or Other Indebtedness.

The purpose of this item is to discuss the issuance of new debt and refinancing existing debt for the North College Urban Renewal Plan Area (the "Plan Area"). The Fort Collins Urban Renewal Authority (the "Authority") has entered into Purchase and Sale Agreements to acquire and redevelop a closed grocery store at 1636 N. College Avenue and motel located at 1513 N. College Avenue. In addition, the Authority may consider the acquisition of additional properties within the Plan Area requiring funds more than the current forecasted cash balances without the use of debt financing.

STAFF PRESENTATION

Acting Executive Director Birks stated Resolution No. 144 would authorize and approve the issuance and sale of North College bonds and Resolution No. 145 would allow for reimbursement if funds are expended out of the bonds in advance. He noted the Board is contemplating a number of potential property acquisitions and other activities, and those combined activities add up to a cash outlay that exceeds the cash on hand and what is expected to be on hand in the next couple of years. As a result, the proposal is to issue a series of bonds that would bring forward the needed shortfall in funds in the amount of approximately \$12.4 million, which combined with the current cash balance of approximately \$8 million, would fund what is needed in order to make the acquisitions that are being contemplated.

Acting Executive Director Birks noted, if this action is approved, City Council will have an opportunity to consider whether it wants to agree to a replenishment resolution, or moral obligation, which would provide a lower borrowing cost of the bonds. He stated the bonds would likely be closed at the end of May, well in advance of the need for the cash.

Acting Executive Director Birks stated current market conditions indicate the smartest thing to do is to refund the existing bonds that were issued in 2013 and replace them with a new bond in 2025 that includes the outstanding balance of the 2013 bonds plus the new target of \$12.4 million; however, staff is remaining flexible. He noted this bond issuance would enable the URA to move forward with critical projects and acquisitions without delay to help create some opportunities for community revitalization. Additionally, he stated this is a good way to leverage the tax increment dollars that are anticipated to be collected and is a fiscally sound approach.

PUBLIC COMMENT

None.

BOARD DISCUSSION

Commissioner Ohlson stated he would support the resolutions.

Commissioner Francis stated she believes this is a financially sound way to move forward with plans on North College to remedy blight.

Vice Chair Stephens asked if any of the federal legislation that is happening around bonding for municipalities affect any of this. Melissa Buck, Municipal Advisor, replied that is currently unclear, though it currently appears preserving the tax exemption appears to be safe right now.

Caitlin Quander, legal counsel, noted the Resolution contains bond parameters and bond issuance would not proceed if those parameters are exceeded.

Acting Executive Director Birks noted staff will communicate with the Board on exactly how the bond is shaping up as it goes to market.

Commissioner Francis moved, seconded by Commissioner Potyondy, to adopt Resolution No. 144 Authorizing, Approving and Directing the Issuance, Sale and Delivery by the Authority of Tax Increment Revenue & Refunding Bonds (North College) Series 2025, in the Maximum Aggregate Principal Amount of \$18,000,000; Approving Documents in Connection Therewith; and Ratifying Prior Actions.

The motion carried 9-0.

Commissioner Pignataro moved, seconded by Commissioner Francis, to adopt Resolution No. 145 Authorizing the Fort Collins Urban Renewal Authority's Financing of Certain Capital Projects Using Funds to be Reimbursed from Bonds or Other Indebtedness.

The motion carried 9-0.

5. Public Hearing and Resolution No. 146 Adopting a Supplemental 2025 Budget Resolution for the Payment of Tax Increment to Larimer County.

The purpose of this item is to consider a Resolution authorizing funding a payment to Larimer County (the "County") per the terms of the Redevelopment and Reimbursement Agreement (the "Redevelopment Agreement") between the Fort Collins Urban Renewal Authority (the "Authority"), Walton Foothills Holdings VI, L.L.C., the City of Fort Collins (the "City") and the Foothills Metropolitan District (the "District"). This payment will fund payment of an annual payment of \$60,000 from the Pledged Property Tax Increment Revenue since 2015 – the first year of substantial Pledged Property Tax Increment Revenue – which has not been paid. The total payment will be \$600,000.

Vice Chair Stephens opened the public hearing for Resolution No. 143.

STAFF PRESENTATION

Acting Executive Director Birks stated a recent examination of documents related to the Foothills Mall transaction, an oversight was discovered regarding a payment that was due to the County in the amount of \$60,000 per year which was meant to be made as soon as tax increment started to be collected, which occurred in 2015. He noted no payment has yet been made to the County, though a system has now been put in place to assure no future payments are missed. He stated ten payments have been missed; therefore, the request is for a \$600,000 appropriation, which was retained out of the increment that was sent to the metro district.

PUBLIC COMMENT

None.

BOARD DISCUSSION

Commissioner Draper asked if there has been any request from the County for interest payments related to the last ten years. Acting Executive Director Birks replied the County did not request interest payments and expressed gratitude the payment could be made in one lump sum and the annual payment will be made going forward.

Commissioner Canonico moved, seconded by Commissioner Potyondy, to adopt Resolution No. 146 Adopting a Supplemental 2025 Budget Resolution for the Payment of Tax Increment to Larimer County.

The motion carried 9-0.

6. Potential executive session pursuant to C.R.S § 24-6-402(4)(a), (b) and (e) to discuss the potential purchase or acquisition of real property interests, to receive legal advice on specific legal questions, and to determine positions relative to matters that may be subject to negotiations related to property in the North College Urban Renewal Plan area.

PUBLIC COMMENT

None.

Commissioner Potyondy moved, seconded by Commissioner Gutowsky, that the Fort Collins Urban Renewal Authority go into executive session pursuant to: C.R.S. § 24-6-402(4)(a), (b) and (e) for the purpose of discussing with the Authority's attorneys and appropriate management staff the following items, all related to property in the North College Urban Renewal Plan Area:

- **Potential Purchase or Acquisition of Real Property Interests,**
- **Specific Legal Advice on Specific Legal Questions, and**
- **Determine Positions Relative to Matters that may be Subject to Negotiations, Develop Strategy for Negotiations and Instruct Negotiators.**

The motion carried 9-0.

7. Resolution No. 147 Authorizing an Amendment to the Purchase Agreement for the Acquisition of Property at 1513 N. College Ave.

The purpose of this item is to consider a resolution authorizing the Acting Executive Director to negotiate and execute an amendment to the Purchase and Sale Agreement for acquisition of property at 1513 N. College Avenue. Based on current inspections and due diligence, Fort Collins Urban Renewal Authority (the "Authority") staff believe that an amendment will be necessary to affect the most advantageous acquisition of the property for the purpose of remediating blight.

*(**Secretary's Note: Vice Chair Stephens called the meeting back to order at 6:42 p.m. and noted Commissioner Gutowsky has left the meeting.)*

STAFF PRESENTATION

Acting Executive Director Birks stated this resolution would authorize him to make amendments to the current purchase agreement for the property at 1513 North College Avenue.

PUBLIC COMMENT

None.

BOARD DISCUSSION

None.

Commissioner Potyondy moved, seconded by Commissioner Pignataro, to adopt Resolution No. 147 Authorizing an Amendment to the Purchase Agreement for the Acquisition of Property at 1513 N. College Ave.

The motion carried 7-1.

Ayes: Commissioners Francis, Sapienza, Schild, Stephens, Pignataro, Canonico, and Potyondy.

Nays: Commissioner Ohlson.

I) OTHER BUSINESS

None.

J) ADJOURNMENT

There being no further business before the board, the meeting was adjourned at 6:44 p.m.

ATTEST:

Secretary

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A petición, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.