



Request for Board Action

Meeting Date: 10/28/2024

Presenter: Kudron	Department: Administration
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ITEM:

CONSIDERATION TO APPROVE A CONTRACT WITH ANTERO GROUP FOR AN AFFORDABLE HOUSING PRIORITIES WORKSHOP

BACKGROUND:

This past spring, the Board approved a request to match funds for a grant funding a Western Gateway Master plan with Antero Group for a match up to \$25,000.00. A very competitive grant, we were not awarded the funds. Further discussions with Antero Group regarding our affordable housing needs led to an opportunity to retain Antero Group for a workshop prioritizing our housing needs and desired outcomes in a construction advancing manner. While we are making strides to break ground on the Art Space project, planning for the successful implementation of Space to Create and others it warranted.

I have included a copy of the proposed contract from Antero Group

Notes from Attorney D. Krob:

"I have reviewed the attached and for the most part it seems acceptable. I do have a couple issues we should point out to ensure you are aware of them to see if we want to push back (they expressly reject additional terms unless agreed to in writing) we should present them prior to signing.

Please note the following:

- In the event of defect or error, our sole remedy is to have them correct, reperform or substitute services. I'm not sure there is a large risk based on their scope of work, but please be aware of this.*
- Documentation they create remains their property. I'd suggest if we pay for it, it becomes property of the Town.*
- Governing Law and Venue is St. Joseph County, Indiana. We should change this to Grand County, Colorado as we are not licensed in Indiana and the contract is being performed in Colorado.*

- CORA - I suggest we add a clause stating "The Antero Group acknowledges and accepts The Town of Grand Lake is a Colorado municipal corporation subject to certain disclosures set forth in the Colorado Open Records Act, C.R.S. §§ 24-72-201, et. seq. ("CORA"), and no required disclosure shall be a violation of this Agreement."

All in all, this contract isn't too concerning."

FISCAL NOTE: Cost of Service is \$12,500 from the general fund

STAFF RECOMMENDATION

Staff recommends the Board APPROVE the Contract with Antero Group

SUGGESTED MOTIONS

*I make a motion to approve/(deny) **A CONTRACT WITH ANTERO GROUP FOR AN AFFORDABLE HOUSING PRIORITIES WORKSHOP***

*I make a motion to approve with conditions **A CONTRACT WITH ANTERO GROUP FOR AN AFFORDABLE HOUSING PRIORITIES WORKSHOP***