

AGENDA
LAKEWOOD CITY COUNCIL / LAKEWOOD REINVESTMENT AUTHORITY
JOINT STUDY SESSION
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
AUGUST 2, 2021
7:00 P.M.

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City of Lakewood Website: <https://www.Lakewood.org/CouncilVideos>

or

Lakewood Speaks: <https://lakewoodspeaks.org/>

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Phone Number for Public Input: **1-669-900-9128**

Webinar ID: **998 6958 5479, #, #**

Press *9 to Request to Speak, you will be prompted when to speak.

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ITEM 1 - CALL TO ORDER

ITEM 2 - ROLL CALL

ITEM 3 - PRESENTATION – JOINT STUDY SESSION - INTRODUCTION OF SPECIAL COUNSEL

PUBLIC INPUT

ITEM 4 - PRESENTATION – JOINT STUDY SESSION – URBAN RENEWAL AUTHORITY – OVERVIEW, BOARD COMPOSITION & POSSIBLE EXPANSION

PUBLIC INPUT

ITEM 5 - REPORTS

ITEM 6 - ADJOURNMENT

STAFF MEMO

DATE OF COUNCIL MEETING: AUGUST 2, 2021 / AGENDA ITEM NO. 3

To: Mayor & City Council Members
LRA Board Chair & Commissioners

From: Robert Smith, Economic Development Director & LRA Executive Director, 303-987-7732

Subject: **JOINT STUDY SESSION – INTRODUCTION OF SPECIAL COUNSEL**

SUMMARY STATEMENT: The City and the Lakewood Reinvestment Authority (LRA) have retained Special Counsel: Hoffmann, Parker, Wilson & Carberry, P.C. (“HPWC”) Special Counsel, Corey Hoffmann will be introduced publicly and formally at this Joint Study Session. City Council and the LRA Board are not being asked to take any specific action at the meeting, as this item is intended to be an opportunity for City Council and the LRA Board to meet Mr. Hoffmann.

BACKGROUND INFORMATION:

- The LRA Board discussed the Request for Proposals (RFP) for LRA Special Council at its meeting held 2/10/2020.
- From the Staff Memo for the 2/10/2020 LRA Meeting: “In light of the changes brought about by the 2016 legislation, for the LRA to effectively consider the potential for establishing one or more new urban renewal areas or adding property to existing urban renewal areas, the LRA will require specialized legal advice and legal services that the LRA General Counsel is not in a position to provide. While the new special counsel will ultimately be chosen by the LRA General Counsel, the search will be managed by the City’s Purchasing division, which will soon issue a Request for Proposals/ Qualifications (“RFP/Q”) for highly qualified candidates.”
- Following an extensive RFP process, HPWC was retained in June of 2020.
- HPWC is a Colorado law firm consisting of 13 attorneys who practice primarily in the areas of municipal law, local government law, eminent domain, land development law and litigation.
- HPWC was established in 1985.
- HPWC’s government law practice is responsible for advising elected officials and staff, drafting ordinances and resolutions, negotiating contracts, litigating eminent domain and land use cases, as well as municipal court prosecution.

BUDGETARY IMPACTS: This item does not have an associated budget impact.

STAFF RECOMMENDATIONS: There are no staff recommendations at this time.

ALTERNATIVES: There are no alternatives being suggested.

PUBLIC OUTREACH: This meeting was properly noticed and there has been no additional public outreach on this agenda item.

NEXT STEPS: There are no next steps known at this time

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney
Corey Hoffmann, Special Counsel for the LRA

STAFF MEMO

DATE OF COUNCIL MEETING: AUGUST 2, 2021 / AGENDA ITEM NO. 4

To: Mayor & City Council Members
LRA Board Chair & Commissioners

From: Robert Smith, Economic Development Director & LRA Executive Director, 303-987-7732

Subject: **JOINT STUDY SESSION – URBAN RENEWAL AUTHORITY – OVERVIEW, BOARD COMPOSITION & POSSIBLE EXPANSION**

SUMMARY STATEMENT:

- Urban Renewal Authorities (URA) are a tool, successfully used in Colorado since the late 1950s to focus local resources and improve communities.
- Lakewood's Reinvestment Authority (LRA) currently manages four URA areas along Colfax and Alameda Avenues.
- If the community has a desire to form additional URA areas, the approval of such areas would be a decision of the Lakewood City Council.
- The management of any new Lakewood URA area would be through the LRA Board and the LRA Board would need to expand by several seats in order for Lakewood to continue its compliance with Colorado's Urban Redevelopment Fairness Act (often referred to as House Bill 15-1348).
- This presentation provides an overview of the elements related to current board composition and potential seat expansions as required by HB-15-1348.
- City Council and the LRA Board are being asked to provide general direction to staff regarding the preparation of a resolution to be considered at a future public meeting which would authorize the expansion of the LRA Board from the current eleven seats.

BACKGROUND INFORMATION:

- Municipalities are primarily responsible for creating urban renewal authorities and approving urban renewal plans. An urban renewal plan can allow the incremental amount of property taxes resulting from the urban renewal project to be retained for a period of up to 25 years.
- Property taxes in the amounts collected in the year before the urban renewal plan is approved continue to be paid over to the various applicable taxing authorities as they had prior to URA approval. That includes the county, and districts such as school districts and metropolitan districts. These amounts are called the base.
- However, tax revenues (called the increment) over the base amount are paid into a special fund of the urban renewal authority to pay expenses and debt associated with the urban renewal project.
- In 2015, in order to give counties and other local taxing authorities meaningful input in how the incremental amount of property tax is used in urban renewal plans, Colorado's Urban Redevelopment Fairness Act made changes to both the composition of urban renewal authority boards and to the process for approving urban renewal plans.

- A new reinvestment area can only be established after a conditions survey/blight study has been conducted showing that the proposed area has sufficient factors of blight, according to Colorado State Statute 31-25-103 (2).
- A new reinvestment area also can only be established after the Lakewood City Council has accepted & approved, through public hearing, the conditions survey for the proposed area and the LRA Board has approved a redevelopment plan for the new area.
- In order to stay in compliance, a minimum of 3 new members need to be added to the LRA Board as we move forward with any blight studies or condition surveys to create new urban renewal areas.
- New members to the LRA Board must consist of a member appointed by the county, one member of a special district and one member from our Board of Education.

BUDGETARY IMPACTS: This item does not have an associated budget impact.

STAFF RECOMMENDATIONS: Staff recommends that City Council and the LRA Board provide clear direction regarding the preparation of a resolution to be considered in a public meeting which would authorize the expansion of the LRA Board from the current eleven seats.

ALTERNATIVES: City Council may delay or postpone a decision on this item.

PUBLIC OUTREACH: This meeting was properly noticed and there has been no additional public outreach on this agenda item.

NEXT STEPS: Should City Council provide direction regarding an expansion of the LRA Board, staff would prepare a resolution for consideration at a future public meeting.

ATTACHMENTS: None.

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney
Corey Hoffmann, Special Counsel for the LRA