



City of Woodland Park Downtown Development Authority

February 6, 2024 at 7:30 AM

AGENDA

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
4. **CONSENT AGENDA**
 - a. Minutes for January ready in March
5. **PUBLIC COMMENT ON ITEMS NOT ON AGENDA**
6. **UNFINISHED BUSINESS** (Public Comment may be heard) **None**
7. **NEW BUSINESS**
 - a. TAVA update (**Weaver**)
 - b. NETCO Grant Discussion (**Perry/McAskin**)
 - c. COG Report (**Perry**)
 - d. Admin Resignation (**Perry**)
8. **PUBLIC COMMENT REGARDING NEW BUSINESS** **None**
9. **REPORTS**
 - a. Board Chair Report
 - b. Treasurer Report
 - c. Board Member Reports
 - d. DDA Attorney's Report
10. **ADJOURNMENT**

NORTHEAST TELLER COUNTY



FIRE PROTECTION DISTRICT

OFFICE OF THE CHIEF
Tyler Lambert

Amounts per year of
Tiff funds from Fire
Department to DDA

2010	34,501.36
2011	32,456.69
2012	32,621.53
2013	49,764.91
2014	39,983.18
2015	61,467.77
2016	79,528.57
2017	102,229.90
2018	110,982.06
2019	100,811.88
2020	117,212.53
2021	125,570.62
2022	126,823.41
2023	141,956.73

Total: 1,155,911.14

Projected for 2024: 167,354.90

Today's cost of ladder
truck: 1,500,000.00

Tyler Lambert, Fire Chief



To: Tony Perry, Woodland Park Downtown Development Authority Chair
From: Marcus McAskin
Re: Proposed Grant to Northeast Teller County Fire Protection District
Date: February 2, 2024

You asked me to confirm the legal authority of the Woodland Park Downtown Development Authority (“WPDDA” or “DDA”) to make a grant to the Northeast Teller County Fire Protection District (“NETCO”) to assist NETCO with obtaining a ladder truck in order to provide improved fire protection services within the DDA boundaries.

Grant of Funds Directly to NETCO

The DDA is clearly authorized to make a grant of funds to NETCO for this purpose. Specifically, C.R.S. § 31-25-807 (“Powers”) provides:

- (1) **The board [of the DDA], subject to the provisions of this part 8 and subject to other applicable provisions of law, shall have all powers customarily vested in the board of directors of a corporation.**

(emphasis supplied). Corporations in Colorado are governed by the provisions of the Colorado Business Corporation Act, Articles 101 through 117 of Title 7, C.R.S.

C.R.S. § 7-103-102(1)(m) and (1)(n) authorizes corporations to “. . . make donations for the public welfare” and “to make . . . donations . . . that furthers the business and affairs of the corporation.”

Therefore, the WPDDA Board is authorized to make a grant directly to NETCO. If this option is selected by the Board, I recommend the preparation of a short letter agreement or memorandum of understanding (MOU) between the DDA and NETCO in order to memorialize: (1) the amount of the grant, and (2) the terms and conditions under which the grant of funds will be made to NETCO.

It is also worth mentioning that C.R.S. § 31-25-808(1)(f) authorizes the DDA to “. . . **cooperate with the municipality in which the authority is located and any other governmental agency or other public body and to enter into contracts with any such agency or body.**” Therefore, there is clear statutory authority for the DDA to enter into the letter agreement or MOU with NETCO for this purpose (and establishing the terms and conditions under which the grant of funds will be made to NETCO).

Alternative – Grant of Funds to City

Alternatively, C.R.S. § 31-25-808(1)(g) authorizes the DDA to “. . . **make to or receive from the municipality or the county in which the authority is located conveyances, leasehold interests, grants, contributions, loans, and any other rights and privileges.**”

Therefore, the Board may also consider making a grant to the City of Woodland Park (“City”), with the understanding that the City will, in turn, make the grant available to NETCO for the stated purpose of assisting NETCO with the ladder truck acquisition. This alternative is not necessary, but it may be worth further discussion if the City also has interest in making a grant to NETCO for the stated purpose.



**UTE PASS HISTORICAL SOCIETY
& Pikes Peak Museum**

P. O. Box 6875 • 231 East Henrietta Avenue,
Woodland Park, Colorado 80866
719-686-7512 • uphs@utepasshistoricalsociety.org
www.utepasshistoricalsociety.org

Transfer Of Ownership Agreement

Of the Cog Rail Car and a Metal Horses and Buggy Sculpture

This Agreement is between the Downtown Development Authority and the Ute Pass Historical Society for the transfer of ownership of the Myrna Cog Rail Car with rails and ties and the Metal Sculpture of the Horses and Carriage to the Historical Society. The Ute Pass Historical Society will manage and maintain the integrity of both the Cog Rail Car and the Metal Sculpture of the Horses and Carriage, wherever they are located. If the Cog Rail Car and the Metal Sculpture of the Horses and Wagon are moved the Ute Pass Historical Society will not be responsible for the cost of the move and not responsible for any damage caused by that move.

Both the the Metal Sculpture of the Horses and Carriage and the Cog Rail Car, with its rails and ties will be become part of the Ute Pass Historical Society's collection of artifacts, historic buildings, and a race car, all of which are insured by the City of Woodland Park.

Agreed to on: 4/19/22

By: Donna H. Finicle Representing the Ute Pass Historical Society

Print Name DONNA H. FINICLE

And: Melissa Jo Larsen Representing the Downtown Development Authority

Print Name MELISSA JO LARSEN

And: Hilary LaBare Representing the City of Woodland Park

Print Name Hilary LaBare

1/19/2024

Dear Chair Perry and fellow DDA Board members,

I am writing to first thank the Woodland Park Downtown Development Authority Board of Directors for allowing me to serve as their administrative assistant since October of 2021. Over the past two years and three months, I have gained valuable experience that has helped me to advance my career. I have also been able to consider key Board of Directors members as dear personal friends as well as my supervisors.

I am unfortunately writing this letter to serve as my official letter of resignation from the Administrative Assistant position. I thoroughly enjoy working for the DDA Board. However, I am now employed full time and have reunited my family, which includes my two teenage children, a wonderful husband, and a darling pet cat. Due to my drastic change in life circumstances, I no longer can make monthly meetings, nor do I have the capacity to perform the necessary job duties of the administrative position. I am terribly saddened to leave this position as it led to my personal and professional growth. I appreciate the Board's understanding in this matter and, again, thank you for allowing me to serve the citizens of Woodland Park and beyond during my time as the acting Administrative Assistant for the DDA Board of Directors.

I am also stating that I have been fully paid for all services performed during my tenure as the administrative assistant and expect no further payment for invoices sent to the DDA Board of Directors for any work performed. Thank you all again and feel free to stay connected or to look me up on social media since I have appreciated getting to know every one of you in different capacities.

Respectfully submitted,

Anna Rebecca Allen, MA

CITY OF WOODLAND PARK
 220 W. South Avenue
 P.O. Box 9007
 Woodland Park, CO 80866
 719-687-9246
 719-686-1010/Fax
 Federal Tax ID # 84-6002740
 CO Tax Exempt # 98-00978



Please Select

MAIL		DEPT	

Vendor Information

Name	Michow Cox & McAskin LLP
Address	6530 S. Yosemite Street
Address	Suite 200
City/State/Zip Code	Greenwood Village, CO 80111
Federal Tax ID #	81-1299804

Vendor #	
Contact	Markus McAskin
Phone #	(303) 459-2725
Fax #	

Invoice #	Date	Description	Amount	G/L Acct. #
	01/04/24	WPDDA.Dec2023.001	250.00	
			250.00	TOTAL

Special Instructions:

30 Character Expenditure Description

Legal Expense

Ted B 02-02-2024

 Date Signature

Department Manager
 City Manager

*Department Manager approval required for all purchases.
 City Manager approval required for all purchases over \$1,000.00.*



Matter No: 17.GC
RE: General Counsel

**Confidential Attorney – Client
Privileged Communication**

Woodland Park Downtown Development
Authority
Attn: Mr. Rusty Neal
220 W. South Avenue
Woodland Park, CO 80866 US

Invoice Date: 01/04/2024
Invoice Number: WPDDA.Dec2023.001
Federal Tax ID No: 81-1299804

Date	Attorney	Description	Hours	Rate	Amount
12/19/2023	M. McAskin - WPDDA	Review and respond to emails re TIF reimbursement agreement.	0:30	250.00	125.00
12/27/2023	M. McAskin - WPDDA	Review and respond to T. Perry email re Fortenberry CORA request (received 12.26.2023).	0:30	250.00	125.00

Message:

Subtotal: _____

Discount: _____

Sales Tax: _____

Deposits: _____

Payments/Credits: _____

Balance Due: \$250.00