Woodland Park Downtown Development Authority Board of Directors

Tuesday, January 10, 2023, 7:30 a.m. City Hall-Council Chambers

220 South Avenue, Woodland Park, CO

Special Meeting

1. **Call to Order**

   The Special Meeting of the Woodland Park Downtown Development Authority Board of Directors was held on January 10, 2023, on Zoom Videoconference. Chairperson Perry declared a quorum present and called the meeting to order at 7:35 am. The following Board Members attended:

PRESENT:	Chair Tony Perry Vice-Chair Jon Gemelke Secretary Rusty Neal, Council Liaison Treasurer Rebecca Anderson Jerry Good Al Born David Mijares Arden Weatherford Matt McCracken
ABSENT:	None
STAFF:	None.
GUESTS:	Mark Weaver, Tava Development Ryan Lloyd, Architect

2. Pledge of Allegiance

All attendees participated.

3. Approval of Minutes

a. December 2022

Chair Perry asked for a motion to approve the December 2022 regular meeting minutes of the DDA Board of Directors.

MOTION:

Treasurer Anderson made a motion to approve the December 2022 regular meeting minutes of the Woodland Park DDA Board of Directors.

2ND:

Al Born seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

9-0, Unanimous.

4. Treasurer's Report

a. Ratification of Expenses

Chair Perry stated that, as per the recorded vote on ratification of expenses at the December 2022 meeting, payment to Ms. Allen, the DDA Administrative Assistant in the amount of $200, and payment to the DDA Attorney in the amount of $362.50 had been approved using dual controls. Treasurer Anderson did request that Ms. Allen, the DDA Administrative Assistant provide her name on all future invoices.

Chair Perry asked for a motion for the ratification of paid expenses.

MOTION:

Al Born made a motion to approve the ratification of paid expenses.

2ND:

Secretary Neal, Council Liaison, seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

9-0, Unanimous.

b. Financial Reports

Treasurer Anderson delivered the financial reports to DDA Board members. Treasurer Anderson stated that the DDA Board was currently under budget for the year but was awaiting the end-of-year reports from the City of Woodland Park.

5. Legal

a. Woodland Station Sale Contract Update

Chair Perry stated that the DDA Attorney provided feedback on the contract and addendum received from Tava Group. Chair Perry stated that once a sale contract is voted on by the DDA it still needed final approval from the City of Woodland Park. Chair Perry asked DDA Board Members for feedback on signing the contract.

Jerry Good stated it would be in the best interest of the DDA and City to ensure that all phases of development were approved by the City of Woodland Park before a contract was signed.

Al Born stated that the DDA Board's goal was to develop the Woodland Station property in a manner that benefited the City, citizens, and the developer.

Vice-Chair Gemelke stated that Tava Group had already committed to purchasing and developing the property, so he agreed with the remedies provided on page 14 of the packet.

Matt McCracken stated that he was in agreement with the remedies provided in the packet as well stating that there were stiff penalties in place for not finishing the development of the purchased property.

David Mijares recused himself from the discussion.

Secretary Neal, Council Liaison, stated that the possibility of incompletion of Phase 4 of development meaning the potential return of money and property to the DDA seemed like a good agreement.

Treasurer Anderson stated that she was in agreement with the conditions set forth in the contract and addendum.

Arden Weatherford recused himself from the discussion.

Chair Perry stated that the Tava Group had made a firm commitment to the DDA Board to purchase and develop the property and stated that there should be an urgency within the DDA Board to get the contract signed in an expedited manner. Chair Perry asked for a consensus among Board members to get information processed through the DDA attorney before the February regular DDA Meeting.

Board Members were in consensus to proceed with Chair Perry's suggestion.

b. Taylor Enterprises

Chair Perry stated the details behind the TIF agreement between the DDA Board and Taylor Enterprises concerning real property. Chair Perry further stated that Mr. Taylor signed off on the contract that only states real property and that the DDA Attorney had reviewed the contract as well and validated the DDA's opinion.

Treasurer Anderson stated that the TIF agreements should be in the same format for all applicants.

Jerry Good stated that he recalled the agreement included personal property.

Chair Perry stated the DDA attorney had reviewed the contract and found the DDA to be correct in their findings. Chair Perry further stated that all further contracts should be clarified for all applicants.

Secretary Neal, Council Liaison, stated that the contract appeared to be limited to real property according to reviews from the DDA Board and the DDA Attorney.

Chair Perry stated that the DDA Board will report their finding back to Mr. Taylor and further consult with the DDA Attorney on future TIF agreements.

Secretary Neal, Council Liaison, stated that the DDA Board had asked Mr. Taylor for legal documentation to prove that personal property was covered in the TIF agreement, but no such documentation had been provided by Mr. Taylor.

Al Born stated his understanding of the contract.

David Mijares stated that the DDA Board needed to focus its efforts on defining the line between personal improvements and improvements that benefit the general public.

c. TIF Agreement Template

Chair Perry stated that the DDA Attorney was asked to review the TIF agreement template provided by previous DDA Board members and to determine if the template was relevant in 2023. Chair Perry further discussed the TIF application from A.J.'s Pizzeria and if the public improvements were eligible for TIF reimbursement retroactively. Chair Perry asked Mr. Mijares to get the exact numbers on the public improvements made by the owners of A.J.'s Pizzeria.

Chair Perry further stated that the TIF agreement template needed to be reviewed and clarified before future applicants start the application process.

David Mijares stated it would be helpful to have a basic guideline for the template.

Chair Perry stated that Board Members should get their information and guidelines for the template forwarded to the DDA assistant to facilitate the process of creating a standard TIF agreement template.

Treasurer Anderson inquired if there was a list of qualifications for receiving TIF funding on the TIF application.

Chair Perry stated that there was a list of qualifications on the TIF application.

Vice-Chair Gemelke inquired about the application is submitted after the business is open,

Chair Perry stated that the Board would need to decide this.

Secretary Neal, Council Liaison, stated that the application needed to be completed before the business is open.

David Mijares gave his input on the application from A.J.'s Pizzeria.

DDA Board Members further discussed the application from A, J.'s Pizzeria.

6. Chair Report

Chair Perry stated that the DDA Board has submitted a text amendment change to the City of Woodland Park to remove the requirement that residential could not be placed on the first floor of the Woodland Station development. Chair Perry asked all DDA Board Members to come to the Thursday City Council meeting to help with a presentation regarding the request.

Chair Perry stated that the City of Woodland Park had given the Board access to the system to submit the agenda and minutes packet and that Ms. Allen, the DDA Assistant would be trained on how to post the proper materials.

7. Woodland Station – Update from the TAVA Group

Chair Perry invited Tava representatives to speak before the Woodland Park DDA Board of Directors.

Ryan Lloyd, project architect, stated he was present on Zoom.

Mark Weaver stated that Tava group had attended several meetings with the City of Woodland Park staff to obtain a timeless and process for development. Mr. Weaver stated that his group were still waiting on Matrix for an updated Phase II design. Mark Weaver stated that the group would like to sign the contract and obtain a closing date.

Ryan Lloyd stated that Karen Schminke had given the group a better idea of how to navigate the approval process through the City of Woodland Park. Mr. Lloyd further stated that they were hoping to start construction and potentially open the development by the Spring of 2024.

Chair Perry inquired of Mark Weaver if the Tava group was open to obtaining approvals for all four stages of development before signing a contract.

Mark Weaver stated that the Tava Group felt it would be better to sign the contract prior to obtaining all approvals.

Chair Perry stated that the contract could possibly be divided into four components for each stage of the development process.

Secretary Neal, Council Liaison, stated that he would rather go with the one contract with the addendum.

Board Members were in agreement with Secretary Neal.

8. Board discussion of items not on the agenda

Chair Perry opened the floor up for Board discussion of items not on the agenda.

Vice-Chair Gemelke stated that he attended another meeting with the fire department and that the department was looking for funding to obtain more staff and to obtain a ladder truck. Vice-Chair Gemelke stated possible options for revenue increase for the Fire Department and ways in which the DDA Board could be helpful in the process.

Chair Perry stated that the DDA Bord was trying to work out ways in which to assist the Fire Department if there is access to extra funding after DDA obligations are met regarding the TIF agreement.

9. Audience participation (3 minutes per participant discretion of chair)

Chair Perry opened the floor up for audience participation.

Hearing none, Chair Perry moved to adjournment.

10. Adjournment

Chair Perry asked for a motion to adjourn.

MOTION:

Al Born made a motion to adjourn.

2ND:

Matt McCracken seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

9-0, Unanimous.

Hearing no further business before the Board, Chair Perry adjourned the meeting at 8:35 am.

Minutes prepared by Rebecca Allen