

LEADVILLE URBAN RENEWAL AUTHORITY 2023 ANNUAL MEETING

Hybrid In-Person and Virtual Zoom Meeting

City Hall

800 Harrison Ave, Leadville

January 5, 2023, 6:00 P.M.

Join Zoom Meeting

<https://leadville-co-gov.zoom.us/j/89943096365?pwd=aWNNWFdXRklqcVo5WnlLTHRCSWs4dz09>

1. Roll Call
2. Approval of Minutes from December 22, 2022 Meeting
3. Approval of Minutes from October 11, 2022 Meeting
4. Treasurer Report
5. Financial Report (Clifton Larson Allen)
6. Action Items:
 - a. LURA Resolution No. 23-01 Appointing Officers to the Board of Directors (Election of Officers per Article II Section 12 and Article III Section 1 of the Bylaws of the Leadville Urban Renewal Authority)
 - A. Chairperson
 - B. Vice Chairperson
 - C. Recording Secretary
 - D. Treasurer
7. Administrative Matters –
 - a. Confirming Appointments and Terms of Commissioners to Serve as the Urban Renewal Authority
8. Date of Next Meeting: **February 2, 2023 at 6 p.m.**
9. Adjournment

APPEARANCE

Please call 719-486-0349 at least 24 hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in the meeting, or for any additional information. Times on the agenda are a guideline and not an exact timeline of when agenda items will be presented.

Leadville Urban Renewal Authority December 22, 2022 Regular Meeting Minutes

Present: Mayor Greg Labbe, Christian Luna-Leal, Shannon Grant, Board Chair Tracey Lauritzen, Dana Greene, Max Forgensi, Commissioner Kayla Marcella, Tim Hill, and Rod Weston.

Also in attendance: Linda Michow, Carmen Jackson-Brown, Amelia Schubert-Zhang (all with MCM), and Carrie Bartow (with CLA).

Call to order at 6:00 pm.

Roll call.

Approval of Minutes from Oct 11, 2022, Meeting: Delayed until later meeting

Treasurer Financial Report: \$10,500 check received from Treasurer's office. All other invoices (except for one) was paid through the City. Now LURA should have about \$58,000.

Public Hearing on Budget – Resolution No. 22-05

Chair Lauritzen opens the public hearing at 6:03 pm. As LURA is a separate legal entity, it must approve a separate budget. Published in Leadville paper on Dec. 8. Mayor Labbe heard no comments. Linda notes that the City's budget director prepared the budget, based on prior years, and the key note is that with CLA now involved, we will likely be revisiting this budget. Current budget has not been vetted by CLA or our consultant, but it is our best estimate right now. Chair Lauritzen asks for public comment – no comments. Public comment portion is closed. The Board requests comments or discussion. Dana Greene asks about how the numbers got selected. Mayor Labbe gave some background on that. Chair Lauritzen asks for a motion to approve. Christian Luna-Leal puts forth the motion. Dana Greene seconds it. Chair Lauritzen asks for all in favor to say aye. All say aye, no nays, no abstentions. Passes unanimously. Public hearing is closed at 6:09 pm.

Statement of Work for CliftonLarsonAllen (CLA) for Forensic Financial Analysis.

Mayor Labbe asks if this agreement with CLA includes forensic analysis of the finances between the assessor's office and the LURA Board. Linda notes that LURA retained CLA to complete the forensic financial analysis of what has been

calculated by the assessor's office, and what has been collected and remitted by the treasurer's office. Commissioner Kayla Marcella, the treasurer's office, and the county attorney also met with CLA this morning and provided some timely information. What's critical moving forward is identifying what increment of the TIF LURA should be receiving, and truing that up with the TIF share back agreements, because we have not yet been reimbursing, as we are contractually bound to do. We have been relying on the City staff and financial accounting services to handle LURA's business here, which isn't fair to them. Moving forward, Carrie can attest that CLA does this for many other URAs around Colorado, and if LURA wants to hire internal staff then they can do that, but something needs to happen so that we know what money we are getting, what are we keeping, and what are we remitting. We shouldn't rely on the City auditors to provide that information. CLA can do that. Kayla's role as treasurer of the LURA Board could take a backseat to this, since CLA can streamline this process and make it really structured. We're also hoping that the city can electronically deposit the increment funds going forward. Carrie notes that CLA does this for Colorado Springs, Fountain, Dacono, handle remittances and collections for several other URAs. Currently CLA lacks a lot of information from LURA – the accounting here is not up to speed with governmental accounting standards. CLA can “catch us up” to where we are comfortable with the clean up that needs to happen, and the process for moving forward. Once we get caught up, we can then provide actual financial statements and projections for 2023 going forward.

After this discussion on whether to approve the scope of work for CLA, Chair Lauritzen asks for a motion to approve. Commissioner Marcella makes the motion to approve. Christian Luna-Leal seconds it. Chair Lauritzen asks for more discussion. Asks for all in favor to say aye. Unanimously approved, no abstentions, no opposed. Closed at 6:18.

No further administrative matters to discuss.

Date of Next Meeting: **Thursday, January 5, 2023, 6:00 pm**

Linda introduces Carmen and Amelia, clarifies that Carmen will provide legal support and Amelia will provide administrative support to the LURA Board.

Meeting adjourned at 6:35 pm.

**BYLAWS
OF THE
LEADVILLE URBAN RENEWAL AUTHORITY**

ARTICLE I – THE AUTHORITY

Section 1. Name of Authority. The name of this urban renewal authority shall be the “Leadville Urban Renewal Authority” as established by Resolution No. 08, Series 2017, of the City of Leadville City Council. The Leadville Urban Renewal Authority shall be referred to in these Bylaws as the “Authority” or “LURA.”

Section 2. Office of the Authority. The office of the Authority shall be located at 800 Harrison Avenue, Leadville, Colorado 80461, or at such other place in the City of Leadville, Colorado as the board of commissioners of the Authority may direct.

Section 3. Authority to Enact Bylaws. The Authority is authorized pursuant to C.R.S. § 31-25-105(1)(a) to make and adopt bylaws, orders, rules and regulations in furtherance of its powers and authority under the Colorado Urban Renewal Law (C.R.S. § 31-25-101, et seq.).

ARTICLE II – OFFICERS AND STAFF

Section 1. Board of Commissioners. In accordance with C.R.S. Section 31-25-115, and pursuant to Resolution No. 12, Series 2017, a total of eleven (11) members shall serve as the Leadville Urban Renewal Authority, consisting of the seven (7) members of the Leadville City Council, one appointed representative each from the Lake County Board of County Commissioners, the Lake County School District, and the special districts levying a mill levy within the City, and an additional appointee designated by the Mayor. The Mayor and members of City Council and the four additional appointees shall constitute the Board of Commissioners of the Authority.

Section 2. Officers. The officers of the Commission shall be a Chairperson, a Vice Chairperson, a Recording Secretary and a Treasurer.

Section 3. Chairperson. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairperson shall sign all contracts, deeds, and other instruments made by the Authority.

Section 4. Vice Chairperson. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson.

Section 5. Temporary Chairperson. In the absence of both the Chairperson and Vice Chairperson, the members of the Authority may appoint a temporary chairperson to preside at any meeting of the Authority.

Section 6. Recording Secretary. The Recording Secretary shall keep the records of the Authority, shall act as secretary of the meetings of the Authority and record all votes,

shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose and shall perform all duties incident to this office.

Section 7. Treasurer. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or financial institution as the Authority may designate. The Treasurer shall sign all orders and checks for the payment of money and shall disburse such money under direction of the Authority. The Authority shall authorize all expenditures of funds in excess of Two Thousand Dollars (\$2,000.00). Except as otherwise authorized by resolution of the Authority, all checks which exceed \$2,000.00 shall be countersigned by the Chairperson. The Treasurer shall keep records of accounts and other financial matters of the Authority and shall provide to the Authority as often as requested by the Authority, a report of all expenditures. The Treasurer shall prepare and submit to the Authority an annual budget for the operation of the Authority and shall cause the financial records, documents and accounts of the Authority to be independently audited on an annual basis.

Section 8. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority.

Section 9. Executive Director. The Executive Director of the Authority shall oversee the day-to-day operations of the Authority. The Executive Director shall serve as an advisor to the Authority and may serve on committees or in other capacities consistent with the Colorado Urban Renewal Law as the Commissioners may determine; provided, however, that the Executive Director shall not be considered a Commissioner of the Authority within the meaning of the Colorado Urban Renewal Law, any other applicable law, or these Bylaws, and shall not be permitted or required to act in the capacity of a Commissioner at any time.

Section 10. Additional Personnel. The Authority may from time to time employ or appoint such staff or personnel (including acceptance of volunteer services) as it deems necessary to exercise its powers, duties and functions prescribed by the Urban Renewal Law of Colorado, and all other laws of the State of Colorado and the City of Leadville. Said personnel may be City of Leadville employees who shall keep separate records of the time devoted to Authority matters.

Section 11. Legal Counsel for the Authority. The Authority may employ an attorney or attorneys licensed to practice in the state of Colorado to provide legal counsel to the Authority and the Executive Director on issues relating to Colorado Urban Renewal Law and other general and special legal matters of interest to the Board including representation on condemnation proceedings as may be deemed necessary by the Authority. Until such time as an attorney is retained and pursuant to C.R.S. § 31-25-112, the Authority hereby appoints the City Attorney of the City of Leadville or a member of the City Attorney's staff to serve as legal counsel.

Section 12. Term of Officers. The term of officers for the positions of Chair, Vice Chair, Recording Secretary and Treasurer is one year. Officers shall be elected at the annual meeting of the Authority or at such other time as deemed appropriate by the Authority.

ARTICLE III – MEETINGS

Section 1. Annual Meetings. The annual meeting of the Authority shall be held at the beginning of the first regular meeting of the Authority in each calendar year or as soon thereafter as may be practicable given the scheduling of matters before the Authority. The primary purpose of the annual meeting is to appoint officers and to conduct other business of an organizational nature.

Section 2. Regular Meetings. Regular meetings may be held at such time and place as may from time to time be determined by the Authority and will generally fall on regular meeting dates of the City Council. Regular meetings shall be noticed in accordance with the Colorado Open Meetings Law, C.R.S. § 24-6-401 et seq.

Section 3. Special Meetings. Special meetings of the Authority shall be called by the Recording Secretary on the request of the Chairperson, or by any three members of the Commission on at least forty-eight (48) hours' notice to each member of the Commission, effectuated by personal contact via telephone, or written notice served personally, left at the commissioners' usual place of residence, or sent by electronic mail. Provided that reasonable efforts are made to contact a member by telephone or otherwise provide notice, failure of a commissioner to receive notice shall not invalidate any special meeting.

Section 4. Executive Sessions. Executive sessions of the Authority may be called during any regular or special meeting of the Authority whether or not such executive session is identified or listed on an agenda as may be permitted by the Colorado Open Meetings Law, C.R.S. § 24-6-401 et seq.

Section 5. Quorum. A majority of the Commissioners holding office shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action can be taken by the Authority upon an affirmative vote of a majority of the quorum present unless a different requirement for voting is specified by applicable law.

Section 6. Order of Business. Regular meetings of the Authority shall not be required to follow any specific agenda order or process although the following order shall typically be used as a guide for the Authority's order of business:

1. Call to Order
2. Roll Call
3. Consideration of minutes of the previous meeting
4. Consideration of Resolutions
 - a. Public Hearings
 - b. General Business
5. Other Business
6. Adjournment

An opportunity for general public comment on matters not listed on the agenda may, at the discretion of the Chairperson, be provided to persons in attendance at any meeting of the Authority.

Section 7. Manner of Voting. The voting on all questions before the Authority shall be by voice vote or by show of hands unless a roll call vote is requested by any member of the Commission or required by law. The yes votes, no votes and abstentions shall be entered in the minutes of each meeting. Every member of the Authority, when present, must vote unless excused from voting on matters involving the consideration of his or her own official conduct or when his or her personal financial interest is involved.

ARTICLE IV – CONFLICT OF INTEREST

No commissioner, other officer, or employee nor any immediate member of the family of a commissioner, officer or employee shall acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he or she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any commissioner, officer or employee of the Authority owns or controls an interest, direct or indirect, in any property included or planned to be included in any project, he shall immediately disclose the same in writing to the Authority. Upon such disclosure, such commissioner, officer or employee shall not participate in any action by the Authority affecting the carrying out of the project planning or the undertaking of the project unless the Authority determines that, in the light of such personal interest, the participation of such member in any such act would not be contrary to the public interest. Acquisition or retention of any such interest without such determination by the Authority that it is not contrary to the public interest or willful failure to disclose any such interest constitutes misconduct in office.

ARTICLE V – POWERS

Section 1. General Powers. The Authority shall have all of the general powers of such an authority granted to it under the Colorado Urban Renewal Law.

Section 2. Expenditures of Monies. The Authority may expend monies for the acquisition of real estate, or interests therein, and utilize the laws of eminent domain for such acquisition purposes; provided however, such acquisition of real estate shall be for the purpose of effecting a redevelopment project or urban renewal project specifically approved by the Board of Commissioners.

ARTICLE VI – AMENDMENTS

These Bylaws may be amended from time to time by an affirmative vote of two-thirds of the membership of the board of commissioners at any regularly scheduled or special meeting of the Commission.

APPROVED AND ADOPTED:

By: _____
Chairperson

Date: _____, 2017

ATTEST:

APPROVED AS TO FORM:

By: _____
LURA Secretary

By: _____
LURA Attorney

**LEADVILLE URBAN RENEWAL AUTHORITY
LURA RESOLUTION NO. R-23-01**

**A RESOLUTION APPOINTING OFFICERS TO SERVE ON THE BOARD OF
COMMISSION OF THE LEADVILLE URBAN RENEWAL AUTHORITY**

WHEREAS, by City of Leadville Resolution No. 08, Series 2017, the City Council of the City of Leadville created the Leadville Urban Renewal Authority (“LURA” or the “Authority”); and

WHEREAS, by Resolution No. 12, Series 2017, the City Council designated an eleven (11) member Authority consisting of seven members of the City Council, three members representing the county and all taxing bodies levying a mill levy within the boundaries of the LURA, plus an additional at large commissioner; and

WHEREAS, the LURA, in accordance with C.R.S. § 31-25-105(1), has adopted bylaws of the Leadville Urban Renewal Authority (“Bylaws”) in furtherance of its powers and authority under the Colorado Urban Renewal Law (C.R.S. § 31-25-101, *et seq.*); and

WHEREAS, the Bylaws of the LURA provide for the appointment of officers, including a Chairperson, Vice Chairperson, Treasurer and Recording Secretary, to serve on the Board of the Authority; and

WHEREAS, the Authority desires to appoint individuals to serve as Chairperson, Vice Chairperson, Treasurer and Recording Secretary of the Authority in accordance with the Bylaws.

NOW, THEREFORE, BE IT RESOLVED by the Leadville Urban Renewal Authority, that:

Section 1. The following officers are appointed and/or reappointed to serve on the Authority Board:

_____ - Chairperson

_____ - Vice Chairperson

_____ - Treasurer

_____ - Recording Secretary

Section 2. The terms of office for the positions of Chair, Vice Chair, Recording Secretary and Treasurer shall run until the Authority’s annual meeting in January 2024 at which time the Board shall appoint or reappoint officers.

Section 3. This Resolution is effective immediately upon adoption.

ADOPTED by a vote of ____ in favor and ____ against, and ____ abstaining, this 5th day of January 2023.

By: _____
Chairperson

ATTEST:

Secretary to LURA