

**Leadville Urban Renewal Authority  
Leadville City Hall, 800 Harrison Avenue, Leadville, CO  
Tuesday December 3rd, 2019, 5:30 p.m.**

**REGULAR MEETING AGENDA**

1. Call to Order
2. Roll Call
3. Approval of Minutes from 10.9.19, 11.20.19 meeting
4. Action Items:
  - a. Incentive Policy
  - b. Resolution R-19-01 Series 2019 LURA Supplemental Budget
  - c. Resolution R-19-02 Series 2019 Adoption of 2020 Budget
5. Other Matters
6. Adjourn

*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

## October 9, 2019 Regular Meeting Minutes

### Leadville City Hall

Present: Greg Labbe, Gary Campbell, Stephanie McBride, Andrew Purdy, Dana Greene, Jason Hagen, Beverly Lauchner, Kevin Linebarger, Jane Gowing (phone).

Also in attendance: Anne Ricker, Sarah Dallas ASM, Linda Michow (phone).

Absent: 1 district vacancy, Stephanie McBride, Shoshanah Beck

Call to Order at 4:30 PM by Greg Labbe

#### Roll Call

1. Board member seats discussion.

Gary Campbell at large, Andrew Purdy other taxing districts, Stephanie McBride School District (her last meeting)

2. Discussion regarding the Railyard Development Team Draft Agreement.

Linda discussed w/ High Country Developers, agreement starting point for further discussion and clarifying expectations.

Phase 1 = 7.7 million in infrastructure costs.

Proforma must be submitted and subject to a third party review at developer's cost.

3. Incentive Policy review and discussion.

Anne says form for application has been distributed to the LURA Board, please review, mark up, and respond to Anne.

Next meeting October 30<sup>th</sup> @ 4:30.

Adjourn @ 5:53 PM

# Leadville Urban Renewal Authority

## November 20, 2019 Regular Meeting Minutes

### Leadville City Hall

Present: Greg Labbe, Gary Campbell, Andrew Purdy, Kevin Linebarger, Jane Gowing.

Also in attendance: Sarah Dallas ASM, Linda Michow (phone).

Absent: School District Representative, Shoshanah Beck, Dana Greene, Jason Hagen, Beverly Lauchner, Sarah Mudge.

Call to Order at 4:37 PM by Jane Gowing

#### Roll Call

- a. Creation of a special district. Strong suggestion to High Country Developers to create a Metro District. Andrew Purdy to draft a let to the developer.
  - b. In lieu of a quorum, the 2020 LURA budget will be adopted at the next board meeting to be held at 5:00 on December 3<sup>rd</sup> just before the City Council meeting begins.
  - c. A discussion regarding eminent domain and how it might be used, either in the Urban Renewal Plan Area, or outside of the URA and take place under City of Leadville code. The property being discussed was the Union Pacific land East of Monroe St. The consideration is prompted by the need for a site for a new justice center and UP intransigence in the negotiations. No action is currently in process.
5. Incentive Policy review and discussion.  
The incentive policy seems to be ready and will be discussed and possibly adopted at the Dec 3<sup>rd</sup> meeting.

Next meeting December 3<sup>rd</sup> @ 5:00.

Adjourn @ 5:33 PM

# Leadville Urban Renewal Authority

## Incentive Policy and Project Participation Guidelines

As of 10.9.2019 (amended 11.20.19)

### Policy Purpose

The purpose of this policy is to encourage redevelopment, development and physical improvement of vacant, underutilized, and deteriorating properties within targeted locations (see Section III. Below) of the city. The level and type of participation by the Leadville Urban Renewal Authority (the "Authority" or "LURA") and City of Leadville (the "City") in meritorious projects will be based on need and public benefit.

### I. Organizational Objectives

The Leadville Urban Renewal Authority believes that certain types of investment within the city boundaries will foster beneficial development and redevelopment, while eliminating and preventing the spread of blighting conditions. The Authority also acknowledges that the presence of these conditions present certain obstacles that make investment and reinvestment infeasible. For this reason, LURA has prepared, and the Leadville City Council ("City Council") has adopted, this Incentive Policy (the "Policy"), which intends to provide greater assistance to projects deemed meritorious and where market activity either has, or has the potential to, lag behind community needs and goals. Through this approach, the Authority and City hope to "level the financial playing field" and effectively "ready the environment for desired investment."

Authority objectives include:

- Increase economic self-sufficiency;
- Foster a diverse and sustainable economy;
- Encourage a healthy balance between businesses and residents (or jobs and housing);
- Further economic growth;
- Improve aging and underutilized properties;

- Maintain existing, and plan for new, infrastructure; and
- Partner with private, public and other entities to finance capital projects.

### Organizational Mission

The mission of the LURA is to assist investment and reinvestment within targeted areas of the community in an effort to eliminate and prevent the spread of blighting conditions, and to do so through multiple initiatives including:

- completing and maintaining certain public improvements and infrastructure;
- affording private enterprise, the maximum opportunity to provide quality revitalization, redevelopment and infill development in furtherance of expressed community needs;
- promoting private investment and job creation; and
- safeguarding and prudently expending the resources of the Authority.

## II. Evaluation Criteria and Project Goals

The Authority will consider each application for project assistance on its own merits. To be awarded financial resources, to be awarded financial assistance, an applicant must demonstrate the project's ability to meet or exceed a majority of the following evaluation criteria (which are not necessarily presented in order of importance).

1. Applicant is competent and qualified as evidenced by experience with developing projects of a similar scale and character;
2. Project has obtained primary financing but project economics demonstrate a quantifiable financial gap (resulting in whole or in part from expenditures associated with eliminating or mitigating blighting conditions and deemed eligible under the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended);
3. Project eliminates or mitigates blighting conditions;
4. Project advances goals of the community as specified in the Central Leadville Urban Renewal Plan (adopted in 2019), City of Leadville Comprehensive Plan (adopted in 2015), along with any other relevant plans;
5. Project completes or enhances a priority public initiative (including revitalization of the downtown core and development of workforce and affordable housing units);

6. Project includes land uses and product types that are market supportable (collectively and individually) and which address an untapped void or niche;
7. Project has a strong likelihood of succeeding;
8. Project maintains aesthetic qualities consistent with, or exceeding, standards established by the City;
9. Project results in a significant, positive and noticeable change in the vicinity of the project site and throughout the community;
10. Project possesses the potential to catalyze additional investment;
11. Project supports the Authority's desire for long-term ownership in publicly-supported projects;
12. Project is or will be compliant with all established codes, regulations and standards of the City, including satisfaction of all conditions of approval and payment of all fees and costs, and any other public entity for which improvements are required; and
13. Project development concept is likely to receive approval through the City's development review process, if funding assistance is requested prior to submitting and receiving all required public approvals. \*

\* Any funding through the Authority will be subject to approval of the project through the City's development review process. Approval of funding by the Authority does not constitute or imply approval through the City's development review process, which is conducted separate and apart from the process described herein.

### III. Targeted Investment Areas

Available resources, as described in Section IV below, will only be available for projects either located within the boundaries of established urban renewal areas, or outside those boundaries, but with a direct impact on properties and uses within its boundaries. As of the date of this Policy, City Council has only established one urban renewal area, referred to as the Central Leadville Urban Renewal Area. If City Council establishes additional urban renewal areas, or modifies the boundaries of the existing urban renewal area, or determines it beneficial to allow for certain resources to be made available for projects not associated with, and located outside of, an urban renewal area; they may amend this Policy to allow for the use of certain resources identified herein.

#### A. Central Leadville Urban Renewal Plan

The boundaries of the Central Leadville Urban Renewal Area are reflected in the attached illustration, Attachment 1.

#### IV. Resources/Assistance

Resources of the Authority and City should be used to offset extraordinary costs associated with prevailing conditions that may be unfavorable for investment, particularly those associated with rehabilitating dilapidated and historic structures, reconfiguring property to accommodate new or current real estate concepts, and improving sites with limited capacity to support development due to adverse factors including the absence of physical infrastructure. Resources of the Authority should never be used as the primary source of financing for a project. As of the date of this Policy, resources available to assist meritorious projects include those listed below:

- Tax Increment Financing (TIF)
- Infrastructure Cost Participation
- Relocation Assistance
- Special District Partnership
- Sales Tax Rebate, when feasible
- Fee and Lien Waivers
- Miscellaneous Tools and Strategic Initiatives

Assistance provided by the Authority is not intended to replace project financing from other sources, private or public. Rather, it is intended to bridge funding gaps resulting from the difficult and sometimes costly nature of development and redevelopment, particularly in locations impacted by adverse conditions. The financial tools and strategies identified above, were deemed to be appropriate for local circumstances and capable of positively offsetting extraordinary development expenses (either used individually or in various combinations). The total amount of project awards, however, will not exceed the incremental dollars resulting from the investment as defined by the Authority and City, and determined after review of financial information provided by the project development team (see Section V below). In extraordinary instances, projects considered to provide a significant benefit to the community, and which advance priority strategic objectives, may be eligible for supplemental resources that exceed the amount of direct revenue generated.

##### A. Tax Increment Financing (TIF)

Tax Increment Financing (TIF) is a tool that leverages future increased sales and/or property taxes to help finance improvements and reinvest in the community. When an urban renewal plan is adopted, a tax base for the area is established and the existing taxing agencies continue to receive taxes from the tax base. With redevelopment of the urban renewal area, increases in property taxes above the base are collected for a period not to exceed 25 years for reinvestment in infrastructure, environmental remediation and other public improvements. Sales Tax Increment is derived from revenue growth in retail sales during the same timeframe.

Incremental tax revenues of the Authority may be provided in two forms – as a reimbursement for specified project costs and disseminated periodically; or, in a lump sum after the sale of urban renewal bonds, issued by the Authority, and purchased by third party investment partners. The selected form will be determined by multiple factors including the development team’s ability to obtain sufficient financing to commence construction, and project value in terms of its capacity to warrant the expense associated with a bond issuance. A portion of all incremental revenues will be retained by the Authority to finance operating expenses and plan for additional redevelopment projects.

#### B. Infrastructure Cost Participation

Costs associated with development projects are generally classified as on- and off-site. Whereas onsite costs are generally the responsibility of the property owner and developer, off-site costs are those that are necessary for the development to succeed, but which may benefit multiple properties and projects. While municipalities often maintain a list of priority capital projects, so too should urban renewal entities, so that essential improvements are continually being made, whether by private interests, the Authority or some combination of the two. When off-site improvements will provide a far-reaching public benefit, the Authority and I or City may elect to contribute additional funds, including those secured to address capital deficiencies in support of certain types of projects or eligible projects in a specific location or geography. Existing examples include:

- Federal Highway Administration (FHWA) Funds (offered in accordance with the Colorado Department of Transportation (CDOT) Stewardship Agreement earmarked to finance intersection improvements at SH 24 and Mountain View Drive (authorized through a resolution of the Leadville City Council on 16 May 2017); and \*



- Funds resulting from a Public Service Company of Colorado Franchise Agreement with the City of Leadville to offset the cost of undergrounding existing overhead electric distribution facilities (authorized through a resolution of the Leadville City Council on 2 January 2018). \*

\* These resources may only be used in a certain geographic location, specifically, in the vicinity of US Highway 24 and Mountain View Extension Project I Railyard Project.

#### C. Relocation Assistance

According to the Urban Renewal Law of the State of Colorado, urban renewal authorities are required to provide relocation assistance to individuals, families and business concerns displaced by an urban renewal project. The amount of relocation assistance will be determined on a case-by-case basis, consistent with the requirements set forth in the Act, and financed with resources of the Authority.

#### D. Special District Partnership

Special districts are separate legal entities operating within designated areas created to finance, manage and maintain capital improvements and infrastructure either absent or deficient beyond those provided for by the municipality. In addition, they allow property and business interests to share in the cost of infrastructure and services which serve to stabilize and distinguish certain geographies, and thereby improve their market position and investment climate. Whereas incremental resources are limited, when used in combination with special districts, they may be sufficient to close an economic gap, while also preserving resources for use by other projects.

#### E. Sales Tax Rebate

The City's revenue from sales tax is based on a Countywide sales tax approved by Lake County voters and is collected by the Colorado Department of Revenue and remitted to Lake County for distribution to the City. Given this arrangement and as explained in the Central Leadville Urban Renewal Plan, incremental sales tax revenues will only be available if: (1) property tax increments are not adequate to address the economic gap; (2) the proposed project includes a commercial sales tax generating use; (3) a cooperative arrangement among the City, Lake County and I or Department of Revenue has been secured; and (4) City Council approves

the use of these resources after receipt and review of financial information demonstrating No. 1 here.

F. Fee Discounts and Waivers

The City of Leadville, like most communities, charges fees to process land use and building permit applications. The City may waive or cap these charges to provide project cost savings to developers.

G. Miscellaneous Other Incentives

In order to accomplish stated objectives for the community and within targeted investment areas, the Authority may pursue resources to supplement those identified herein, as well as make them available for certain priority purposes. Examples of these might include:

1. Grants

Urban renewal authorities in Colorado are given the latitude to acquire and leverage resources through a variety of means for the purpose of eliminating and mitigating blight, and advancing stated objectives. One such method is to make funding available at no, or a low cost, to encourage private investment in specific improvements such as, but not limited to, exterior renovations, landscaping, fire protection and accessibility improvements. Grants may be awarded as resources are available, with consideration of the criteria defined herein, on a case-by-case basis.

2. Low Interest Loans and Revolving Loan Pools

As explained under the header "Grant" above, the Authority may provide funds to property owners at a lower rate of interest compared to conventional loans for certain improvements including those identified above. The Authority may also "pool" their resources with the resources of other organizations, to spread any risk across multiple funding entities and increase the amount of available dollars. Low interest loans may be provided as resources are available, with consideration of the criteria defined herein, on a case-by-case basis.

3. Predevelopment Due Diligence

The Authority may provide property owners and developers with market, financial, design, engineering and other related information in an effort to both educate them about opportunities for investment, as well as minimize pre-development expenses. Pre-development due diligence assistance may be provided as resources are available, with consideration of the criteria defined herein, on a case-by-case basis.

#### 4. Land Transactions (Swap, Write-Down or Contribution)

As explained in the Central Leadville Urban Renewal Plan, the Authority is authorized to acquire, position and dispose of property in furtherance of stated objectives within the area. These transactions may include making publicly-owned lands available within and outside of urban renewal areas for development, trade or equity. Additionally, the Authority may initiate development of publicly-held land through a joint venture with private, public institutional or other entities. Finally, the Authority may facilitate consolidation of properties and I or clear title inconsistencies.

### V. Request for Participation Submittal Requirements

Once projects are deemed eligible based on the qualification review described below, staff of the Authority will request information necessary to determine the extent and nature of their participation in the project and advance this recommendation to City Council. The amount of final awards will be negotiated on a case-by-case basis, and the terms for the provision of that assistance will be incorporated into an agreement between the property owner and I or development team, and the Authority. Approval of the financial assistance agreement (“Development Agreement” or “Redevelopment Agreement”) will be subject to action by the Board of the Authority and City Council.

Procedures by which applicants should prepare and submit their requests and the Authority will review and consider participation, are described below. While all projects receiving financial assistance must address blighting conditions, the extent and nature of the Authority’s participation will vary by project and location.

The application process for soliciting participation by the Authority is intended to run concurrently with the City of Leadville Development Review Process, but may occur prior to submitting an official development request, if adequate documentation can be provided to the Authority to allow for a full understanding of the project attributes and the request. Anyone requesting financial assistance will be allowed to make either two (2)

submittals or one, for review by the Authority, as long as all of the identified information is provided.

Step 1 Information - Qualification Review: Does the project meet the criteria and goals of the Authority, subject to demonstrating financial need in Step 2?

1. Explanation of how the project will advance the goals of relevant adopted and accepted community plans;
2. Description or illustration of the development concept that reflects the use of high-quality materials and context sensitive design; and
3. Characterization of how certain public and shared capital improvements will facilitate community connections – physical, social, and economic.

Step 2 Information - Financial Need Review: Does the project have a quantifiable financial need, and if so, what is that need and what are the extraordinary costs?

4. Documentation demonstrating financial need and fiscal impact (see those items identified in the attached **Funding Request Form**);

The Authority will maintain the confidentiality of proprietary financial information provided by any applicant subject to the requirements of the Colorado Open Meetings Law. Projects with a lower “incentive-to-net new revenue” ratio will receive stronger consideration.

## VI. Development or Redevelopment Agreement

As a condition of any award of public financial participation, the Authority shall require a Development Agreement or Redevelopment Agreement that memorializes key provisions associated with the type of funding, method by which, and timeframe within which, resources will be dispersed to the property owner / development team. All agreements will be subject to certain defined performance benchmarks and the provision of specific project information.

## VII. Conclusion

Finally, it is this Policy’s intention to improve Leadville’s entire portfolio of diverse community assets. Further, it is the City’s and Authority’s objective to manage implementation of this

Policy so that resources are fairly distributed across certain geographies and encourage a broad range of market sectors within Leadville.

Attachment 1

Central Leadville Urban Renewal Area



## Colorado Districts and Other Funding Entities and Mechanisms

### Funding Matrix Key

Following are a series of questions to assist in determining which funding mechanisms are most applicable in different circumstances. Note, however, the answers provided are general in nature, and certain tools can be used in more creative ways than is typically applied.

#### 1. What resources are available to a municipality as opposed to a county for capital improvements?

Among the entities and mechanisms presented in the funding matrix (herein), all but a Local Improvement District (LID) and Public Improvement District (PID) may be organized by a municipality, regardless of whether or not its formation was requested by a private property owner. Note that a LID, while organized and administered by a county government, may be located within municipal boundaries.

Whereas Leadville is a municipality, for the purpose of this work, answers to the remaining questions largely focus on those mechanisms other than LIDs and PIDs, that appear in the attached matrix.

#### 2. What if a commercial property owner is reluctant to reinvest in their property?

Before identifying a mechanism or strategy, it is first important to understand why an owner is reluctant to reinvest. For example, they may be concerned about whether or not there is a "market" or "demand" for an alternative development concept on their property or they may not have the financial resources to pursue a more aggressive development program. However, if their asset is paid for, and they are uninterested in spending money and exposing themselves to risk (whether real or perceived), regardless of the property's investment potential, they will not likely be a willing partner. This is where the public sector can work in concert with other property owners to facilitate reinvestment. Tools that could be used for these scenarios include partnering in a "demonstration" project to prove up new product types or contributing a revenue source to a project. Funding mechanisms could include various special districts (e.g., SID, GID, BID) or redevelopment initiatives (e.g., URA or DDA).

#### 3. What if the community's vision (development or redevelopment in a certain location) is thought to be infeasible by area developers?

There are multiple conditions that may render a project infeasible. Therefore, it is important to first understand what is posing the barrier or obstacle to development. Possible causes include:

- limited experience of developer / builder community,
- non-supportive regulations (zoning),
- economics (inequity between project costs and revenues),



- market perceptions (untested product), and
- political support that can't be sustained for an extended period of time.

Each of these obstacles warrants the use of different mechanisms and strategies. Examples of approaches to each include:

- **limited experience of developer | builder community** – identify a market-supportable development program for a specific site or general area, ensure regulations either support the concept or will be amended to do so, and solicit interest from individuals or groups with relevant experience; note – this approach can work regardless of whether or not the municipality owns property or if they have a willing (to sell or participate) private property owner partner;
- **non-supportive regulations (zoning)** – either impose a mandatory rezoning of properties within a targeted area (this is easier if it results in an up-zoning, or new zoning that will yield a higher value); or replace traditional zoning classifications with form-based classifications in the targeted area; or establish an overlay zone for the targeted area that ensures essential elements of the development program will be supported;
- **economics (inequity between project costs and revenues)** – while a Title 32 District (Metro District), Special District (SID), and General Improvement District (GID) are used to finance capital improvements from which private investment can benefit, Tax Increment Financing (TIF) used by either an Urban Renewal Authority (URA) or Downtown Development Authority (DDA) can be used for a greater variety of eligible project-specific expenses;
- **market perceptions (untested product)** – retain the services of an analyst consultant experienced in real estate development, public finance, interpreting demographic and psychographic trends and translating them into support for specific real estate product types; share their insights with property owners, builders, developers, brokers and lenders so that it can be used to both educate and serve as market due diligence; and
- **political support that can't be sustained for an extended period of time** – establish a community-supported vision that is grounded in market reality, identify and mitigate any obstacles to feasibility, continually educate the community at-large and key stakeholders about the vision and its benefits, and make sure all municipal resources (regulatory, policy and monetary) are aligned with the vision, so that it is as “politics – proof” as possible, whereas endeavors such as these can easily take several years to conceive of, prepare for and advance.

#### 4. What if revenue is needed to finance capital improvements (infrastructure and utilities)?

Generally, when revenue is needed for capital improvements, it is due to either a lack of available infrastructure and utilities (off-site) to serve new development, or existing infrastructure and utilities are deteriorating or are suboptimal. Whereas many developments have a difficult time balancing the cost of on-site improvements with project revenues,

particularly during their early phases before reaching stabilization, the prospect of also having to finance off-site improvements can be daunting and oftentimes renders a project infeasible. Further, it is often difficult, if not impossible, to obtain private financing for these types of additional project expenses. For this reason, and because off-site improvements will frequently benefit more than just a single development project, including the host community that is spared the difficult process of soliciting taxpayer support for capital projects, governmental entities are often amenable to using special districts and similar mechanisms that can issue bonds to finance these improvements.

Among those entities that can finance capital projects and issue bonds, are Metro Districts, SIDs, and GIDs. URAs and DDAs can also finance projects, as long as the project is located within the boundaries of an established planning area in the case of the former, or in the case of the latter, located within the central business district and issued by the municipality (assuming they are willing and have the bonding capacity to do so). Note that URAs are able to issue bonds and pledge their resources, separate and apart from those of the municipality. A Business Improvement District (BID) can be used to issue bonds, but the debt service is generally paid for with resources other than the BID's, such as incremental tax revenue or a Public Improvement Fee (PIF).

**5. What if revenue is needed to finance capital improvements in order for a specific private development to move forward, but these resources need to be secured or guaranteed in an abbreviated timeframe?**

Because URA bond issuances do not require a TABOR election, they can generally be organized in a comparatively short timeframe.

**6. What if revenue is needed for ongoing operations?**

While Metro Districts and GIDs provide services, in addition to financing capital improvements, these are generally associated with the provision of utilities or maintenance of improvements within their boundaries. Conversely, BIDs are not only able to maintain improvements within their service area, but also use their resources to manage and market (or promote businesses within) the district. DDAs not only capture incremental tax revenues, but also impose an additional assessment on properties within their boundaries (up to 5 mills), and may use revenue from this latter source to manage and market the district and businesses within its boundaries. URAs, while able to manage and maintain improvements within their plan areas, generally do not use their resources to market and promote either businesses or the district as a whole. However, they do, and are expected to as per the state statute, expend revenue conducting the business of the Authority, which potentially could include practices similar to those of a BID or DDA.

**7. Are URAs, BIDs and DDAs fairly similar, or interchangeable?**

URAs and DDAs are the most similar, as their primary source of revenue is derived from incremental taxes, property and / or sales. However, they differ in four important ways. First, an urban renewal area may be established anywhere within the municipality's boundaries,

as long as the requisite number of blighting conditions are present. Conversely, DDAs may only be established in the central business district of the municipality. Second, URAs have the power of eminent domain (albeit extremely limited), while DDAs do not. Third, the life of a TIF district within an urban renewal plan area is 25 years, while it is 30 years within a DDA. Finally, fourth, URAs may not levy taxes and therefore may be approved by a resolution of the governing body. A DDA, on the other hand, may levy up to 5 mills and does require a TABOR election for formation. For these reasons, some communities established a DDA first, thinking it was all they needed, but eventually established a URA as well, when they realized they needed to use similar resources in other locations of their community. BIDs, on the other hand, are principally used to maintain, market and promote a district for economic development purposes. Further, given the parameters of their powers contained in Section 31-25-1201 of the statute, the amount of revenue generated within the service area of a BID is significantly less than that generated within an urban renewal planning area.

**8. What if our citizens insist that elected officials be involved in administering financial resources?**

While SIDs are administered through existing municipal agencies, the governing body of the municipality serves as the ex-officio board of a GID. In addition, the governing body may serve as the board of a BID and a URA, but does not have to.

**9. What if there is a concern over the use of eminent domain?**

Among the entities and mechanisms presented in the funding matrix which may be organized by a municipality, the only ones possessing the power of eminent domain are Metro Districts, GIDs and URAs. Because most people understand that municipalities themselves maintain the power to exercise eminent domain for public purposes, their concerns are primarily with the use of eminent domain for "economic development purposes." In other words, there is sometimes a fear that entities such as URAs are able to condemn or acquire private property for redevelopment by another private entity. While URAs do maintain the power of eminent domain, it is limited by the state urban renewal statute to a degree that it is highly impractical and virtually infeasible to exercise. Further, this power only exists if expressly authorized by the plan for the area.

**10. What if beautification improvements are needed such as landscaping and streetscaping, rather than capital improvements such as infrastructure and utilities? Are these expenses that are eligible for district resources?**

Beautification improvements are an eligible expense of all of the districts and mechanisms presented in the matrix.

**11. Our commercial area is comprised of primarily small local businesses that can't afford to pay more in either taxes or special assessments. Can improvements be installed that benefit them without it costing them directly?**

Funding mechanisms primarily used in urbanized locations to finance improvements include BIDs, URAs and DDAs. URAs are the only tool, however, that do not levy either additional taxes or assessments on properties within their boundaries. BIDs impose a special assessment on commercial property, as do DDAs authorized to do so. For this reason, BIDs are discouraged during the early phases of a redevelopment effort, as are DDAs that intend to levy taxes.

- 12. It has been determined that, in order for our efforts to revitalize the commercial district to succeed, we will need strong physical connections to other areas of the community, many of which are located outside of the downtown district. Can we still use the resources of the downtown district to pay for these connections?**

The resources of all of the entities and mechanisms presented in the funding matrix, with the exception of urban renewal plan areas, must be spent within and for the benefit of properties within their boundaries. Revenues generated within an urban renewal plan area may be used on eligible expenses beyond their boundaries, if financing that improvement will have a direct impact on the ability to implement objectives expressed in the supporting urban renewal plan.

- 13. We are concerned that different developments in the community will become their own submarkets and ultimately compete with each other. Is there a way to prevent this from happening?**

While there is no specific tool or strategy to prevent this from happening as long as they are held by different ownership interests, there are ways to minimize this threat. Potential strategies include: establishing revenue-sharing districts that encompass more than one subarea or project area in an effort to ensure similar levels of revenue are available for the design and development of public improvements in each one, adopting design standards to ensure the consistent use of materials and quality of development, and public participation in all projects so that they can leverage their positions to achieve certain objectives.

One final note, many challenging endeavors such as those described above require the resources and powers of multiple entities. Most of the entities and mechanisms presented in the matrix may be used in various combinations to achieve the desired end results.

**LEADVILLE URBAN RENEWAL AUTHORITY**  
**LURA RESOLUTION NO. R-19-01**  
**Series of 2019**

**A RESOLUTION FOR THE LEADVILLE URBAN RENEWAL AUTHORITY TO ADOPT A SUPPLEMENTAL BUDGET FOR APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY UNANTICIPATED EXPENDITURES IN EXCESS OF AMOUNTS BUDGETED FOR THE LEADVILLE URBAN RENEWAL AUTHORITY IN 2019.**

**WHEREAS**, by City of Leadville Resolution No. 08, Series 2017, the City Council of the City of Leadville created the Leadville Urban Renewal Authority ("Authority");

**WHEREAS**, the annual budget for the Leadville Urban Renewal Authority for the fiscal year beginning January 1, 2019 and ending December 31, 2019 has been approved by the LURA Board; and

**WHEREAS**, the said Board held a public hearing on said budget and approved said budget and made appropriations in accordance therewith; and

**WHEREAS**, it has become apparent that certain adjustments are necessary to reflect unanticipated expenditures which have occurred during the 2019 budget year; and

**WHEREAS**, due primarily to unanticipated expenditures for the legal and consultant fees associated with the adoption of the urban renewal plan area, considerations for policy, and potential negotiations.

**NOW, THEREFORE, BE IT RESOLVED by the Leadville Urban Renewal Authority in Leadville, Colorado, as follows:**

**Section 1.** The Leadville Urban Renewal Authority hereby approves the following supplemental appropriations from a promissory note between the City of Leadville and the authority for Fiscal Year 2019 for the purposes stated:

|                                      |          |
|--------------------------------------|----------|
| Urban Renewal Authority Expenditures | \$55,000 |
|--------------------------------------|----------|

That the accumulated appropriations for the Leadville Urban Renewal Authority loan from years 2017-2019 is hereby increased to \$185,418.17.

**Section 2.** The supplementary budget is hereby approved and adopted and shall be signed by the Chair and made a part of the public records of the Leadville Urban Renewal Authority.

**Section 3.** The Authority hereby authorizes and directs the Treasurer of the City of Leadville to submit the budget to the State of Colorado Division of Local Government, pursuant to C.R.S. § 29-1-113.

**Section 4.** This Resolution shall be effective upon approval of the Authority.

Adopted this 3rd day of December, 2019.

LEADVILLE URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_  
Shoshanah Beck, Chair

ATTEST: \_\_\_\_\_  
Greg Labbe, Recording Secretary

**NOTICE OF PROPOSED 2019 SUPPLEMENTAL BUDGET, LEADVILLE URBAN  
RENEWAL AUTHORITY, LAKE COUNTY, COLORADO**

NOTICE IS HEREBY GIVEN, pursuant to Section 29-1-106, C.R.S., as amended, that a proposed supplemental budget for calendar year 2019 has been submitted to the Leadville Urban Renewal Authority ("Authority"). A copy of the proposed 2019 supplemental budget is on file with the Authority and available at the following address: 800 Harrison Avenue, Leadville, Colorado, during normal business hours.

NOTICE IS FURTHER GIVEN, that the Authority will consider the adoption of the proposed 2019 supplemental budget at a public hearing to be conducted at a meeting of the Authority to be held at the Leadville City Hall, City Council Chambers, on Tuesday, December 3, 2019 at 5:30 p.m.

Any interested elector of the District may inspect the proposed 2019 supplemental budget and file or register any objections thereto at any time prior to the final adoption of the 2019 supplemental budget.

Submitted by: Kimberly Jackson, Deputy City Clerk

Published in: Herald Democrat

Published on: November 21, 2019

**LEADVILLE URBAN RENEWAL AUTHORITY  
LURA RESOLUTION NO. R-19-02**

**A RESOLUTION OF THE LEADVILLE URBAN RENEWAL AUTHORITY ADOPTING A  
BUDGET FOR THE 2020 CALENDAR YEAR**

**WHEREAS**, by City of Leadville Resolution No. 08, Series 2017, the City Council of the City of Leadville created the Leadville Urban Renewal Authority ("Authority"); and

**WHEREAS**, in accordance with the Local Government Budget Law of Colorado, C.R.S. 29-1-101, *et. seq.*, the Authority is required to adopt an annual budget; and

**WHEREAS**, the Authority has caused to be prepared a 2020 budget, a copy of which was open for inspection by the public at the City offices at 800 Harrison Avenue, Leadville, Colorado; and

**WHEREAS**, upon due and proper notice, published in accordance with Colorado law, a public hearing was held on December 3, 2019 and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF  
LEADVILLE URBAN RENEWAL AUTHORITY:**

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The estimated revenues are \$25,000. The estimated expenditures are \$25,000.

Section 3. The budget, as submitted, is hereby approved and adopted as the budget of the Authority for 2019.

Section 4. The Authority hereby authorizes and directs the Treasurer of the City of Leadville to submit the budget to the State of Colorado Division of Local Government, pursuant to C.R.S. § 29-1-113.

Section 5. This Resolution shall be effective upon approval of the Authority.

**NOTICE OF PROPOSED 2020 BUDGET, LEADVILLE URBAN RENEWAL  
AUTHORITY, LAKE COUNTY, COLORADO**

NOTICE IS HEREBY GIVEN, pursuant to Section 29-1-106, C.R.S., as amended, that a proposed budget for calendar year 2020 has been submitted to the Leadville Urban Renewal Authority ("Authority"). A copy of the proposed 2020 budget is on file with the Authority and available at the following address: 800 Harrison Avenue, Leadville, Colorado, during normal business hours.

NOTICE IS FURTHER GIVEN, that the Authority will consider the adoption of the proposed 2020 budget at a public hearing to be conducted at a meeting of the Authority to be held at the Leadville City Hall, City Council Chambers, on Tuesday, December 3, 2019 at 6:30 p.m.

Any interested elector of the District may inspect the proposed 2019 budget and file or register any objections thereto at any time prior to the final adoption of the 2019 budget.

Submitted by: Kimberly Jackson, Deputy City Clerk

Published in: Herald Democrat  
Published on: November 21, 2019



Leadville Urban Renewal 2020  
Budget 1.0 Current Year to Date  
10.01.19

| Account Title             | 2017<br>Budget | 2017 Actual | 2018<br>Budget | 2018 Actual | 2019<br>Budget | Actual    | Remaining | %<br>Expended | Proposed 2020 Budget | Budget Notes  |
|---------------------------|----------------|-------------|----------------|-------------|----------------|-----------|-----------|---------------|----------------------|---|
| <b>LURA Revenues</b>      | \$30,000.00    | \$44,795.38 | \$20,000.00    | \$95,485.38 | \$ 25,000      | \$ 35,137 |           |               | \$ 25,000            | All revenues to date via loan by City Council to the LURA |
| <b>LURA Fund Expenses</b> |                |             |                |             |                |           |           |               |                      |   |
| Consultant & Legal        |                |             |                |             |                |           |           |               |                      |   |
| Fees                      | \$ -           | \$44,795.38 | \$20,000.00    | \$95,485.38 | \$ 25,000      | \$ 35,137 |           |               | \$ 25,000            | Paid out of the City of Leadville general fund.           |
| Other                     | \$ -           | \$ -        | \$ -           | \$ -        | \$ -           | -         |           |               | \$ -                 |   |
|                           | \$ -           | \$ -        |                | \$ -        | \$ -           | -         |           |               | \$ -                 |   |
| <b>LURA Fund Expenses</b> | \$ -           | \$44,795.38 | \$20,000.00    | \$95,485.38 | \$ 25,000      | \$ 35,137 |           |               | \$ 25,000            |   |