AGENDA
LAKEWOOD REINVESTMENT AUTHORITY (LRA)
VIRTUAL MEETING
December 19, 2022
7:00PM
OR IMMEDIATELY FOLLOWING THE 6:00PM SPECIAL COUNCIL MEETING

To watch the LRA meeting live, please use one of the following links:

☐ City of Lakewood Website: https://www.Lakewood.org/CouncilVideos
☐ Lakewood Speaks: Lakewoodspeaks.org

OR

How to Connect to Provide Public Comment:
By Computer: https://lakewood.zoom.us/j/83620828098
By iPad, iPhone, or Android device on the Zoom App, enter webinar ID: 836 2082 8098
By Telephone: 720-707-2699
Webinar ID: 836 2082 8098, #
Participant ID: #
Press *9 to Request to Speak, you will be prompted when to speak.
Press *6 to Unmute

The Lakewood Reinvestment Authority does not discriminate on the basis of race, age, national origin, color, creed, religion, sex, sexual orientation or disability in the provision of services. People with disabilities needing reasonable accommodation to attend or participate in a City service program, can call 303-987-7080 or TDD 303-987-7057. Please give notice as far in advance as possible so we can accommodate your request.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – CONSENT AGENDA

Minutes of the LRA Board Meeting October 17, 2022

END OF CONSENT AGENDA


Public Input

ITEM 5 – RESOLUTION LRA 2022-06 – APPROVAL OF THE TRANSFER AND DEDICATION OF OWNERSHIP OF THE EVERTREE SCULPTURE FROM THE LRA TO THE CITY OF LAKEWOOD

Public Input

ITEM 6 – ADJOURNMENT
ITEM 1 - CALL TO ORDER  
View video recording here

Chairman Adam Paul called the HYBRID MEETING to order at 8:30 p.m.

ITEM 2 - ROLL CALL  
View video recording here

Members in attendance: Chairman Adam Paul presiding

Commissioners: Charley Able; Rebekah Stewart; Wendi Strom.

Virtual: Cindy Baroway; Barb Franks; Mary Janssen; Andy Kerr; Sophia Mayott-Guerrero; Susan Miller; Richard Olver; Jeslin Shahrezaei; Anita Springsteen; Sharon Vincent; Carolyn Wolfrum.

ABSENT: None

ITEM 3 – PUBLIC COMMENT  
View video recording here

Public Comment received via telephone/in-person: None.

Public Comment received via Lakewood Speaks: None.

CONSENT AGENDA  
View video recording here

ITEM 4 – APPROVAL OF MINUTES OF LAKEWOOD REINVESTMENT AUTHORITY

Lakewood Reinvestment Authority Board Meeting March 28, 2022

Motion:
Vice Chair Sharon Vincent made a motion to accept Lakewood Reinvestment Authority Minutes. It was seconded.

AYE: Paul, Able, Baroway, Franks, Janssen, Kerr, Mayott-Guerrero, Miller, Olver, Shahrezaei, Stewart, Strom, Vincent, Wolfrum
NAY: Springsteen
ABSENT: None

Result:
Approved 14 - 1, the motion passed.

END OF CONSENT AGENDA
RESOLUTIONS

ITEM 5 – RESOLUTION LRA 2022-4 AUTHORIZING A REVISED BUDGET FOR THE YEAR 2022 FOR THE LAKEWOOD REINVESTMENT AUTHORITY AND FURTHER ADOPTING THE ANNUAL BUDGET FOR THE LAKEWOOD REINVESTMENT AUTHORITY FOR THE FISCAL YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2023, AND ENDING ON DECEMBER 31, 2023, ESTIMATING THE AMOUNT OF MONEY TO BE DERIVED FROM TAX INCREMENT FINANCING AND SETTING FORTH THE APPROPRIATIONS FOR EACH FUND

Public Comment received via telephone/in-person: None.

Public Comment received via Lakewood Speaks: None.

Robert Smith, Executive Director for the Lakewood Reinvestment Authority (LRA), gave a brief review of the LRA Proposed 2023 Budget and Revised 2022 Budget.

Commissioners asked questions and stated their comments and concerns.

Motion:
Vice Chair Sharon Vincent made a motion to adopt Resolution LRA 2022-4. It was seconded.

Vote on Resolution LRA 2022-4:
AYE: Paul, Able, Baroway, Franks, Kerr, Mayott-Guerrero, Miller, Olver, Shahrezaei, Stewart, Strom, Vincent, Wolfrum
NAY: Janssen, Springsteen
ABSENT: None

Result:
Approved 13 - 2, the motion passed.

ITEM 6 – ADJOURNMENT

There being no further business to come before the Authority, Chairman Paul adjourned the meeting at 8:38 p.m.

Submitted by

Jay Robb, LRA Clerk
DATE OF LRA MEETING: DECEMBER 19, 2022/ AGENDA ITEM NO. 4

To: LRA Chair and Commissioners

From: Katie Faltys, Economic Development Specialist
       Robert Smith, Economic Development Director, 303-987-7732

Subject: FIRST AMENDMENT TO THE 2005 AGREEMENT BETWEEN THE LAKEWOOD REINVESTMENT AUTHORITY AND THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT

SUMMARY STATEMENT: The LRA wishes to modify a 2005 agreement with the Alameda Corridor Business Improvement District to reflect a corrected termination date.

BACKGROUND INFORMATION:

- The LRA and the Alameda BID have operated under an agreement since 2005.
- The original agreement had a termination date of December 31, 2022.
- The intended termination date of the original agreement was to coincide with the conclusion of the LRA’s 25-year tax increment capture period for the Alameda 1 Project, not the erroneously noted December 31, 2022.
- The correct expiration for the Agreement is the last date of increment property tax collection for the Alameda 1 Project’s 25th year. The 2023 property taxes will be collected in arrears so the date will be 2024.
- Resolution 2022-05 approves an amendment to the agreement reflecting the correct expiration of the 2005 Agreement.
- With the exception of correcting the expiration, all other terms and conditions will remain in force.

BUDGETARY IMPACTS: The Current and approved 2023 LRA Budget is unaffected by the approval of Resolution LRA 2022-05. However, the approval of Resolution LRA 2022-05 will require a budgetary expenditure for the 2024 LRA Budget.

STAFF RECOMMENDATIONS: Staff recommends the LRA Commissioners move and vote in favor of approving Resolution LRA 2022-05.

ALTERNATIVES:

- Commissioners move and vote not to approve Resolution LRA 2022-05
- Commissioners move and vote to approve Resolution LRA 2022-05 with amendments
- Commissioners move and vote to table the discussion of Resolution LRA 2022-05 until a future date

PUBLIC OUTREACH: Proper notice of this LRA meeting was provided.

NEXT STEPS: None.
ATTACHMENTS:  Resolution LRA 2022-05
Jefferson County Resolution 2022-10
First IGA Amendment
Original 2005 Agreement

REVIEWED BY:  Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney
A RESOLUTION

FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN LAKEWOOD REINVESTMENT AUTHORITY AND THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT FOR FUNDING OF THE IMPROVEMENTS IN CONNECTION WITH THE WEST ALAMEDA AVENUE CORRIDOR URBAN REDEVELOPMENT AREA

WHEREAS, on July 28, 2003, the City Council adopted Ordinance O-2003-18 organizing the Alameda Corridor Business Improvement District (the "District") along portions of the West Alameda Avenue Corridor in the City pursuant to C.R.S § 31-25-1201, et seq.; and

WHEREAS, on May 26, 1998, the City Council of the City of Lakewood approved Resolution 1998-49 adopting the West Alameda Avenue Corridor Urban Redevelopment Plan; and

WHEREAS on September 11, 2000, the City Council of the City of Lakewood approved Resolution 2000-82 amending the West Alameda Avenue Corridor Urban Redevelopment Plan (together "Amended Plan"); and

WHEREAS, C.R.S § 31-25-112 authorizes urban renewal authorities to enter into agreements with public bodies, including business improvement districts, in connection with the undertaking of urban renewal projects; and

WHEREAS, the activities and undertakings of the District support and further the goals of the Amended Plan; and

WHEREAS, the Authority desires to make available financial resources to support those activities of the District that accomplish the goals and purposes of the Amended Plan; and

WHEREAS, an agreement regarding the provisions of in-kind services by the Authority and the contribution by the Authority to the activities and undertakings of the District is desirable.

NOW, THEREFORE, BE IT RESOLVED by the Lakewood Reinvestment Authority that:

SECTION 1. The LRA authorizes the LRA Executive Director to execute the First Amendment to the Agreement on behalf of the LRA and to make funds available to the BID in accordance with this Resolution and the provisions of the Agreement.

SECTION 2. This Resolution shall become effective immediately upon adoption.
INTRODUCED, READ AND ADOPTED by a vote of ____ for and ____ against at a virtual meeting of the Lakewood Reinvestment Authority held on December 19, 2022 at 6:30 p.m.

__________________________________________
Robert Smith, Executive Director

ATTEST:

__________________________________________
Jay Robb, LRA Clerk

APPROVED AS TO FORM:

__________________________________________
Alison McKenney Brown, LRA General Counsel
ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado

Resolution No. 2022-10

A RESOLUTION APPROVING THE FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE LAKewood REINVESTMENT AUTHORITY AND THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT FOR FUNDING OF THE IMPROVEMENTS IN CONNECTION WITH THE WEST ALAMEDA AVENUE CORRIDOR URBAN REDEVELOPMENT AREA

BE IT RESOLVED by the Board of Directors of the Alameda Corridor Business Improvement District, Jefferson County, Colorado as follows:

Section 1. The Board of Directors reviewed the proposed First Amendment at their regularly scheduled meeting on November 17, 2022. This meeting was properly posted in accordance with Colorado Law and open to the public.

Section 2. The proposed amendment assures the continuation of revenue to the district from the Lakewood Reinvestment Authority to fund programs for the next two years.

Section 2. The Board hereby approves and adopts the proposed First Amendment and authorizes its submission to the Lakewood Reinvestment Authority for approval

ADOPTED AND APPROVED this 17th day of November, 2022.

ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado

By: ____________________________ Ed Boyle, President

ATTEST:

By: ____________________________
Sarah Hadsall, Secretary
THIS FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE LAKEWOOD REINVESTMENT AUTHORITY (“LRA”) AND THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT (“Alameda BID”) FOR THE FUNDING OF THE IMPROVEMENTS IN CONNECTION WITH THE WEST ALAMEDA AVENUE CORRIDOR URBAN REDEVELOPMENT AREA AGREEMENT (this “Amendment”) is made as of the 19 day of December, 2022, by and between LRA, a body corporate duly organized and existing as an urban renewal authority under the laws of the State of Colorado (“Authority”) and ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT (“District”), a body organized and existing as a business improvement district under the laws of the State of Colorado.

RECITALS:

A. The LRA and the District are parties to the certain Intergovernmental Funding of the Improvements in Connection with the West Alameda Avenue Corridor Urban Redevelopment Area Agreement dated April 25, 2005.

B. The LRA agrees to pay the District an amount calculated in accordance with paragraph 2 (the “Service Contribution Amount”) in accordance with the April 25, 2005 Agreement.

C. The LRA and the District have agreed to amend certain provisions of said Agreement with respect to the term thereof, as more fully set forth below.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Authority and District agree as follows:

1. Term. Notwithstanding anything in the Agreement to the contrary, the LRA and the District hereby agree to amend the expiration date of said Agreement and the expiration date is hereby amended to be December 31, 2024, or upon the expiration of the twenty-five-year urban renewal increment capture period and final payment to the District of the 25th year of incremental property taxes associated with the LRA’s Alameda 1 Project Area.

2. Effect. Except as expressly modified by this Amendment, the Agreement remains unmodified and in full force and effect.
Adam Paul, Chair  
Lakewood Reinvestment Authority

ATTEST:

_________________________________
Robert Smith  
Secretary/Executive Director

Alameda Corridor Business Improvement District  
Jefferson County, Colorado

By ______________________________________
Ed Boyle, Alameda BID President

ATTEST:

By ______________________________________
Tom Quinn, Executive Director

APPROVED AS TO FORM:

_________________________________
Alison McKenney Brown, LRA General Counsel
INTERGOVERNMENTAL AGREEMENT
BETWEEN
LAKEWOOD REINVESTMENT AUTHORITY
AND
ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT
FOR
FUNDING OF IMPROVEMENTS IN CONNECTION WITH
THE WEST ALAMEDA AVENUE CORRIDOR
URBAN REDEVELOPMENT AREA

THIS AGREEMENT (the “IGA”) dated as of 25th day of February, 2005, is entered into by and between the Lakewood Reinvestment Authority (“the Authority”), a body corporate duly organized and existing as an urban renewal authority under the laws of the State of Colorado and the Alameda Corridor Business Improvement District (“District”), a body organized and existing as a business improvement district under the laws of the State of Colorado

WHEREAS, the Authority is an urban renewal authority organized to transact business and exercise its powers under and pursuant to the Colorado Urban Renewal Law, C R S § 31-25-101 et seq., and

WHEREAS, on July 28, 2003, the City Council adopted Ordinance No 0-2003-18 organizing the Alameda Corridor Business Improvement District (the “District”) along portions of the West Alameda Avenue corridor in the City pursuant to 31-25-1201, et seq., C R S., and

WHEREAS, on May 26, 1998, the City Council of the City of Lakewood approved Resolution No 98-49 adopting the West Alameda Avenue Corridor Urban Redevelopment Plan and on September 11, 2000, the City Council of the City of Lakewood approved Resolution No 2000-82 amending the West Alameda Avenue Corridor Urban Redevelopment Plan (together “Amended Plan”), and

WHEREAS, C R S § 31-25-112 authorizes urban renewal authorities to enter into agreements with public bodies, including business improvement districts, in connection with the undertaking of urban renewal projects, and

WHEREAS, the activities and undertakings of the District support and further the goals of the Amended Plan, and

WHEREAS, the Authority provides certain in-kind services to the District, and

Authority-ACBID IGA/U12
WHEREAS, the Authority desires to make available financial resources to support those activities of the District that accomplish the goals and purposes of the Amended Plan, and

WHEREAS, an agreement regarding the provision of in-kind services by the Authority and the contribution by the Authority to the activities and undertakings of the District is desirable

NOW, THEREFORE, in consideration of the foregoing recitals, and the following terms and conditions, the Authority and the District agree as follows

1. The Authority agrees to pay to the District an amount calculated in accordance with paragraph 2 below (the "Service Contribution Amount"), in accordance with the provisions of this IGA, subject to the offset for in-kind services as specified below

2. The Service Contribution Amount for 2005 shall be the District's mill levy of 5.72 mills times the assessed value for the prior year attributable the following Jefferson County Assessor's Parcel Numbers:

   Parcel No 49-113-00-023
   Parcel No 49-142-01-128
   Parcel No 49-142-01-130
   Parcel No 49-142-01-131
   Parcel No 49-142-04-024
   Parcel No 49-142-04-025
   Parcel No 49-142-04-026

3. The Service Contribution Amount for 2006 and each subsequent year shall be the District's mill levy as determined by the District times the assessed value for the prior year attributable the following Jefferson County Assessor's Parcel Numbers:

   Parcel No 49-113-00-023
   Parcel No 49-142-01-128
   Parcel No 49-142-01-130
   Parcel No 49-142-04-024
   Parcel No 49-142-04-025
   Parcel No 49-142-04-026

4. The Service Contribution Amount for 2005 and subsequent years shall be determined by the Authority and the Authority shall advise the District in writing of the Service Contribution Amount not later than December 31 of each calendar year
5 The Authority shall pay to the District ½ (one-half) of the Service Contribution Amount not later than March 31 of each year.

6 The Authority shall bill the District for in-kind services as those services are utilized and the Authority shall deduct the amount of the in-kind services from the remaining portion of the Service Contribution Amount through the calendar year.

7 Following December 31 of each calendar year, the Authority shall determine how much, if any, of the remainder of the Service Contribution Amount has not been obligated to pay in-kind services provided by the Authority. If any portion remains unobligated, the Authority shall pay such amount to the District not later than January 15 of the following calendar year. In the event the District incurs in-kind services in excess of the remaining portion of the Service Contribution Amount, there will be no refund or carryover.

8 This Intergovernmental Agreement may be terminated upon written notice by either party on or before November 15 of any year in which Service Contribution Amounts have been paid. Unless otherwise terminated, this Intergovernmental Agreement shall expire on December 31, 2022.

IN WITNESS WHEREOF, the parties hereto have caused this Intergovernmental Agreement to be duly executed and delivered by their duly authorized officers as of the date first written above.

ATTEST
Michael J. Rock
Secretary/Executive Director

LAKEWOOD REINVESTMENT AUTHORITY

Stephen A. Burkholder, Chair

ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado

By Kathleen Curtis, Secretary

ATTEST

By Kathleen Curtis, Secretary

Authority-ACBID IGA/U12
LRA-acbid iga
ATTEST

Margy Green, Clerk

APPROVED

Larry Dorr, Finance Director

APPROVED AS TO CONTENT

Rebecca P Clark, Director
Lakewood Reinvestment Authority

APPROVED AS TO FORM

Malcolm Murray, Legal Counsel
Lakewood Reinvestment Authority
DATE OF LRA MEETING: DECEMBER 19, 2022/ AGENDA ITEM NO. 5

To: LRA Chair and Commissioners

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

Subject: APPROVING AN ARTWORK DONATION AGREEMENT FOR THE SCULPTURE EVERTREES

SUMMARY STATEMENT: The LRA wishes to donate the artwork, Evertrees, purchased by the Lakewood Reinvestment Authority, installed within the West Colfax Sculpture Walk on the Southwest Corner of Wadsworth Blvd and West Colfax Avenue to the City of Lakewood for perpetual maintenance.

BACKGROUND INFORMATION:
- LRA funds were used to complete the West Colfax Sculpture Walk in the summer of 2022.
- The West Colfax Corridor Business Improvement District (Colfax BID) and the City of Lakewood have certain ongoing maintenance obligations for the West Colfax Sculpture Walk.
- The sculpture known as Evertrees requires a specific donation to Lakewood’s Department of Community Resources and approval from Lakewood’s Public Art Committee.
- The City will be responsible for the maintenance of the Evertrees sculpture into perpetuity.

BUDGETARY IMPACTS: Funds for the completion of the West Colfax Sculpture Walk including the Evertrees sculpture were deployed by a Special Appropriation in the LRA’s 2022 Budget. No additional LRA budgetary impacts are anticipated with the donation of this artwork to the City.

STAFF RECOMMENDATIONS: Staff recommends the LRA Commissioners move and vote in favor of approving Resolution LRA 2022-06.

ALTERNATIVES:
- Commissioners move and vote not to approve Resolution LRA 2022-06
- Commissioners move and vote to approve Resolution LRA 2022-06 with amendments
- Commissioners move and vote to table the discussion of Resolution LRA 2022-06 until a future date

PUBLIC OUTREACH: Proper notice of this LRA meeting was provided.

NEXT STEPS: None.

ATTACHMENTS: Resolution LRA 2022-06
Artwork Donation Agreement - Evertrees

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney
LRA-2022-06

A RESOLUTION

APPROVING AN ARTWORK DONATION AGREEMENT FOR THE ARTWORK, EVERTREES PURCHASED BY THE LAKEWOOD REINVESTMENT AUTHORITY, INSTALLED WITHIN THE WEST COLFAX SCULPTURE WALK ON THE SOUTHWEST CORNER OF WADSWORTH BLVD AND WEST COLFAX AVENUE

WHEREAS, on March 28, 2022, the Lakewood Reinvestment Authority ("LRA") approved LRA Resolution 2022-3 approving a Supplemental Appropriate to the 2022 Lakewood Reinvestment Authority Annual Budget in the amount of $85,000.00 for the completion of the West Colfax Sculpture Walk on the southwest corner of Colfax Avenue and Wadsworth Boulevard; and

WHEREAS, the sculpture known as Evertrees (the “Artwork”) was completed and installed within the West Colfax Sculpture Walk in September, 2022; and

WHEREAS the artist, Nestor Fedak and the LRA desire to donate the Artwork to the City of Lakewood; and

WHEREAS, the ongoing maintenance and stewardship of the Artwork will be handled by Lakewood’s Department of Community Resources; and

WHEREAS, Lakewood’s Department of Community Resources has acknowledged receipt of the donation of the Artwork;

NOW, THEREFORE, BE IT RESOLVED by the Lakewood Reinvestment Authority that:

SECTION 1. The LRA authorizes the LRA Executive Director to execute the Artwork Donation Agreement on behalf of the LRA.

SECTION 2. This Resolution shall become effective immediately upon adoption.
INTRODUCED, READ AND ADOPTED by a vote of _____ for and _____ against at a virtual meeting of the Lakewood Reinvestment Authority held on December 19, 2022 at 6:30 p.m.

______________________________  
Robert Smith, Executive Director

ATTEST:

______________________________  
Jay Robb, LRA Clerk

APPROVED AS TO FORM:

______________________________  
Alison McKenney Brown, LRA General Counsel
ARTWORK DONATION AGREEMENT

THIS ARTWORK DONATION AGREEMENT is made and entered into this ___ day of November 2022, between the CITY OF LAKEWOOD, COLORADO, (the “City”), and the LAKEWOOD REINVESTMENT AUTHORITY, (the “Donating Party”).

The Public Art Committee has approved the donation of the Artwork by Nestor Fedak, entitled Evertrees, installed in Lakewood at the southwest corner of Wadsworth Boulevard and West Colfax Avenue.

The parties agree as follows:

1. Lakewood Reinvestment Authority agrees to donate to the City of Lakewood, “Evertrees,” the “Artwork” as presented to, and accepted by, the Public Art Committee.

2. Artist will provide the City with written instructions for appropriate maintenance and preservation of the Artwork.

3. While the Artwork is designed to be relatively maintenance-free, the City assumes responsibility for minor maintenance, including periodic cleaning as necessary to remove the buildup of dust, dirt, vandalism and grime in order that the Artwork does not become an eyesore to its environment or a detriment to the community.

4. Upon the completion and installation of the Artwork, all rights, interests and title to the Artwork shall automatically transfer to the City, exceptions provided below.
   a. The City agrees that a plaque or sign identifying the Donating Party and Artist, the title of the work and the year of completion and other mutually agreed upon information, shall be prepared and installed on or adjacent to the Artwork.
   b. The City reserves the right to relocate the Artwork from the initial installation site if such decision is deemed appropriate and warranted in the future in the City’s discretion.
   c. The Donating Party and the Artist acknowledge that the City may deaccession the Artwork at any time in accordance with the City’s then-current Deaccession Policy. Such Policy is subject to change.
CITY OF LAKEWOOD

__________________________
Laine Godsey, Arts Programming Curator
Department of Community Resources, HCA

DONATING PARTY

Lakewood Reinvestment Authority

__________________________
Robert Smith
LRA Executive Director