



BOARD OF DIRECTORS MEETING
December 16, 2020 | 7:30AM– 9:00AM
301 Walnut Street, Third Floor, Windsor, CO 80550

(NOTE: Meeting will be held via ZOOM only.)

<https://us02web.zoom.us/j/83065435163?pwd=aEx5S0pMQUtNS01jSUtFaDNkVHpXQT09>

Meeting ID: 830 6543 5163 | Passcode: 093670

One tap mobile +13462487799,,83065435163#,,,,,0#,,093670# US (Houston)

MINUTES

Attendance: Jim Cosner, Dean Koehler, Dan Stauss, Heidi Washburn, **Paul Rennemeyer**, Dan Brunk, Brent Phinney. **Staff:** Matt Ashby, Josh Liley, Mike Scholl. **Guests:** Kelly Hall,

A. Call to Order 7:30AM

B. Roll Call

C. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

Motion: BP Second: DK Approve unanimously.

D. Public Invited to be Heard (*3 Minutes Per Person*)

None.

E. Approval of Minutes from the Regular Board of Directors Meeting November 18, 2020

Motion: HW Second: DB Approved Unanimously.

F. Report of Bills, Budget Status– M. Ashby

Motion: DK. Second: HW: Approve as presented.

G. Covid-19 Relief Funds Grant Program Upstate Colorado - J. Liley

JL: As a refresher, the agreement is targeted to business requirements. Can't sign as presented. Staff have reached out to the Upstate Colorado Executive Director to try and retool. Have not received a response. MA: Confirmed that if we can find a solution, we have authorization from the Board to execute.

H. A resolution of the Board of Directors of the Windsor, Colorado, Downtown Development Authority electing to exercise an option to purchase certain real property – Resolution 2020-DDA-04

JL: We have the option agreement with Marquardt to purchase the thru lot. Purchase price is \$35,000. The phase I has been completed with no concerns. The survey was completed and has no issues. The staircase accessing the upper floor will need to be maintained. JL is working with the Title Company and anticipates no hurdles. BP: Is the easement for the staircase permanent? JL: There is no easement recorded. The second floor is owned by a different owner. The staircase has an implied easement. If we could work something out to provide different access, it could be changed as mutually agreeable.

Motion to approve: DK. Second: PR. Approve unanimously.

I. A resolution of the Board of Directors of the Windsor, Colorado, Downtown Development Authority approving the purchase of certain real property and authorizing the board chair to execute documents in connection therewith– Resolution 2020-DDA-05

Note: Double Underlined items indicate attachments.

Motion: PR. Second: HW. Approved Unanimously.

- J. Consideration of a contract with Ayres Associates Inc, for FY 2021 services, and authorizing the board chair to execute the contract.

MA: provided an overview of the updates to the Ayres contract. DS: We've gone thru this.

Motion to authorize the contract. DK, Decond: BP. Approved Unanimously.

- K. Consideration of a Legal Services Agreement with Liley Law, LLC, and authorizing the board chair to execute the agreement....

JL: Lucia is retiring at the end of the year. With the entity change, a new contract is required. The rate increase is \$10 per hour. This is the same agreement that's been in place for the last 9 years. The rates were increased once by \$5 per hour in 2015. A records retention clause has been added. BP: Since the previous firm is being wound down, do we need to transfer the files from the old to new organization? JL: No.

Motion to authorize entering into the contract. BP. Second: HW. Approved Unanimously.

- L. Consideration of a lease agreement between the DDA and Cosner Holdings, LLC, for the lease of office space for the DDA, and authorizing the board chair to execute the lease agreement.

Board member Cosner announced he had a conflict of interest and recused himself from the conversation. JL: Every 6-month term, payable in advance. HW moved to approve the lease. Second: DK. Approved Unanimously. DS: If we're paying for the office, I want to make sure that the space is used.

- M. Backlot Alley –Ehrlich quitclaim deed - J. Liley, M. Ashby

JL: The survey did identify a parcel that's approximately 10' wide and runs north of the DDAs current lot, the portion we're purchasing, and the Marquardt lot. DS met with the family who was willing to quitclaim the property to the board in exchange for the DDA installing a plaque on the property or in the area describing some of the area's history. The Ehrlich's were a longtime merchant and have a history in the community. In speaking with Eric Ehrlich, he is good with a handshake. JL: I just wanted to make sure the Board is comfortable with accepting the quitclaim. BP: Getting a hold of this property is positive.

Motion approving the acceptance of the quitclaim deed and agreeance to place a historic plaque for the Ehrlich Property, when construction of the Thru lot or alley take place. PR: Second DK. Approved unanimously.

MA: Check into insurance on new property.

N. KEY INTIATIVES:

8:30AM

1. Committee Assignments – Board Lead and Topics
2. Mill Project Update – No Updates.
3. Backlot Boardwalk Update
 - i. 215 4th Street Update
 1. Development Proposal Due 12/31/20
BP: I would like to have a DDA Board discussion separate from the TB. Concurrence from majority. January 6th. Start time of 7AM. Matt to send info prior.

Note: Double Underlined items indicate attachments.



BP: What happens to McCauley Information? MA: We have requested that they submit a response to the RFP so that we can formalize review, consideration and a response.

ii. Backlot Alley

1. Follow up from work session discussion

MA: Request direction on next steps with Ditesco. We're finalizing the contract (as approved by the board in Oct) for execution. JL: The updated contract for Ditesco includes construction management for the first Thru Lot Phase. Is the board still interested in moving forward to 100% construction drawings. BP: I'm a bit concerned that we're putting the cart before the horse. If we aren't able to attract a developer but build an alley at great expense. I don't know that we should be moving forward with 100% construction drawings. I think we should pause before moving forward until we can identify a developer. We could retain the funding for the broader alley. DS: Should we coordinate undergrounding. BP: It doesn't make sense to me to move forward with the undergrounding either. We could move forward with connecting overhead. I think we need to have a relationship with a developer. DB: Is there any developer interest? MA: RFPs due 12/31. DK: I'm concerned about spending an additional \$200K. MA: We are still moving forward with the Xcel discussion. DK: I'm in favor of moving forward with the Thru Lot, but concerned about the bottom line. PR: Without knowing the vision of what a developer might be thinking. It would be good to pause for a few months. DK: Move forward with 100% construction drawings on the Thru Lot. DS: I'm disappointed in the design from Ditesco but struggling with the cost. Want to move forward to push on Xcel for undergrounding. BP: If Xcel won't pay for it, I'm good with moving the undergrounding forward. But if there is a cost, I'd be more comfortable in waiting. DK: Would want to continue discussions on sewer. JC: I'm comfortable with putting a pause on the alley design until we bring a developer on board.

Motion: Withdraw approval of Ditesco contract in Oct and directing staff to work with Ditesco in regrouping the phases. BP, HW. Approved Unanimously.

iii. 512 Ash Demolition

1. Demolition Status Update – (Mike Scholl)

MS: The permit is being reviewed by CDPHE. We have requested bids for abatement. In reviewing the bids, Hudspeth provides general contracting services with abatement as a primary service. We have an agreement with Neumark to wrap up their activities and can move forward with Hudspeth. We need a contract to present to CDPHE to accept the permit. We hope CDPHE will approve the variance for open air clean up. If things fall into place, we could have a contract to approve with work starting at earliest the first week of January. JL: The contract draft would need to be approved likely under a special meeting. MS: We are dependent upon how quickly CDPHE acts and have asked for a letter of intent to discuss with Hudspeth. To pull the permit and start the work, we would need to approve the contract. **MS: To check on lead time before contractor can mobilize.** If done this week, they can move forward on that timeline. Under the rules, the State has up to 8 weeks to review the permits.

MA: to schedule special meeting to review contract. MS: I'm confident the numbers we have are close and likely won't change substantially. When this project started, we went into it thinking it was a demo with little abatement. DS: How does Steven DiNardo fit into this? MS: He's the owner's representative to negotiate the contracts and helped us negotiate Nuemark's exit.

Note: Double Underlined items indicate attachments.

JL: Mike and I will continue to wrap up the details. At that point Hudspeth will take to CDPHE to complete the permitting. BP: I don't see the big deal to waiting until the next meeting. We want to have it done prior to summer. MS: Looking for an update and option to review contract on January 6th or the regular meeting on Jan 20.

iv. Backlot Development

1. Development Proposals Due 12/31/20

MA: See discussion above.

4. District Expansion/Sustainability

O. Executive Director's Report – M. Ashby

MA: Provided an overview of the CDOT Grants.

MA: Complete MOU, agreement.

P. COMMUNICATIONS & NEWS:

Q. Adjourn

9:15AM

Adjourned – 9:05AM – DK. HW.