

Arvada Urban Renewal Authority (AURA) Board Meeting, September 2, 2015

Notes taken by Nancy Young

Headline: Will Walmart “walk away” from the Arvada Plaza?

5:30 pm. Commissioners present were Fred Jacobsen, Tony Cline, Alan Parker, Moni Piz-Wilson, and Marc Williams. Commissioner Page Bolin arrived about 30 minutes late. Commissioner Delaria was excused by motion and vote. AURA Staff: Maureen Phair - Executive Director, Clark Walker - Redevelopment Manager, Mike Polk - AURA Attorney (Deputy Arvada City Attorney), and Peggy Salazar, AURA Administrative Specialist. 2 citizens were present.

Public Comment: John Kiljan reported that there is trash on the Valero property (NE corner of Independence and W. 57th Ave.). He wanted the AURA Board to be aware of this problem.

Development updates:

- Arvada Plaza: IRG has a commitment to Walmart to deliver a “clean” site by mid-October. While the contaminant remediation is on track, it appears that IRG has “dropped the ball” by failing to give sufficient notice to Xcel to disconnect the existing utilities in the Arvada Plaza. The utilities must be disconnected before Walmart can begin construction and is among the requirements of delivering a “clean site”.
 - Xcel is currently scheduled for disconnect services many months in advance.
 - According to Ms. Phair, the Arvada Mayor [NB Commissioner Williams] is a good friend of the Xcel president. There was a meeting today at the site, and Xcel expressed a willingness to “speed up” the schedule to disconnect utilities. She added that Commissioner Williams knew the “right people to contact”.
 - IRG should have known better than to leave this item to the last minute, especially since they are in the business of commercial development.
 - If IRG fails to meet its commitment, Walmart has the option to “walk away” from the project. Walmart also has the option to assess fines against IRG for each day of delay. AURA has no obligation to reimburse IRG for such fines.
 - Negotiations with the “corners” at the Arvada Plaza (i.e., properties not owned by IRG/Walmart - US Bank, KFC, & Valero), are proceeding with regard to the standardized streetscape. US Bank has agreed to the streetscape, and the other property owners appear to be nearing an agreement

- Arvada Triangle: Loftus is still working with 24-hour Fitness and appears close to an agreement. Loftus submitted a Preliminary Development Plan (PDP) to the City in August, even though they do not have an agreement with AURA.
 - AURA expects to give notice to vacate to the Triangle businesses (primarily Triangle Liquors) by October 1.
 - Sullivan/Hayes, real estate broker for AURA, has contacted the businesses in the Arvada Square, as well as the two remaining businesses in the Arvada Triangle. Sullivan/Hayes is providing those businesses with information about leasing in the new Loftus buildings.
- Park Place Olde Town (PPOT) has begun putting color on the east face of the building. Portions that are not “colored” will become a mosaic to break up the monotony of the dark red/gray face of the building.
 - 19 units have been pre-leased, including the 5th floor corner rental apartment.
 - While portions of the building could be occupied now, the developer (Goldberg Properties) would prefer to have two, rather than three, delivery dates.
- Solana (W. 56th Ave. east of the Wadsworth ByPass) is on track. [NB: at the June 3, 2015 AURA Board meeting, the Board approved a 9-month extension to the completion date, from December 2017 to September 2018].
- Hilton Hotel (at the former Vineyard Church/Brooklyns site on Olde Wadsworth): The City Council will review the requested height exception at the September 21 Council meeting. The Planning Commission approved the height exception for the 5-story building.
- Trammel Crow (west of the Wadsworth ByPass to Vance; from the railroad tracks on Grandview to W. 56th on the south): This Transit-Oriented Development (TOD) project is progressing. Trammel Crow is negotiating with two grocery stores (not named) to occupy a site at the bottom of the hill. They would like to have an agreement (DDA - Disposition and Development Agreement) completed by year-end.

Because two major projects are nearing finalization, there is a scheduling issue for the AURA Board to address the specific term sheets/draft agreements. Therefore, the Board, by motion and vote, approved the following changes to its regularly scheduled Board meetings:

- Special meeting to be held on 30 September to consider term sheets for Loftus and Trammel Crow.
- Regular meeting 7 October was cancelled since many board members will be attending the Urban Land Institute (ULI) conference.
- Special meeting to be held 21 October to consider Loftus draft DDA and progress on the term sheet for Trammel Crow.

- Regular meeting 4 November to consider the final DDA for Loftus in the Triangle and the draft DDA for Trammel Crow.
- At the 4 November meeting, the Board will address whether they will need a special meeting on 18 November to address a final DDA for Trammel Crow.

Commissioner Comments: Commissioner Piz-Wilson noted that the price of eggs is skyrocketing. Since many food-related businesses are now gearing up for the holiday season, the price increase could affect business profits in the coming months. Commissioner Williams noted that Rheinlander Bakery has already purchased massive amounts of eggs to freeze in anticipation of the holiday needs.

Staff Reports: Ms. Phair reported that AURA had received cash for various land sales. Vectra Bank offered AURA a 0.6% interest rate on CDs, compared to the 0.2% generally offered. Therefore, Ms. Phair transferred \$3.5 million to Vectra Bank.

- Tony Cline, AURA treasurer, asked why the Board had not been advised of this transaction, and he asked about the policy in such matters.
- Attorney Mike Polk was unable to find a policy statement in the short time available, and he suggested that a policy statement seemed appropriate.
- Ms. Phair apologized for “my bad”.

Ms. Phair then thanked the AURA Board for the lovely flowers sent to her regarding her family issues. Her mother, Beverly Collins (age 80) of Cheyenne, WY, passed from this mortal life on August 20, 2015. Our condolences to the family.

Ms. Phair then noted that long-time AURA administrator, Pat Connelly, had planned to retire on August 27. Due to Ms. Phair’s family loss and the resulting impact on AURA operations, Pat has delayed her retirement until September 17.

Mike Polk, AURA attorney (and Deputy City of Arvada attorney) then noted that he had two items related to the Trammel Crow development that needed to be addressed during an executive session. One of those items related to the transfer of the current RTD bus depot property to AURA/City (thus moving the bus depot north of its current location). He also noted that he had information regarding the recent reform to Colorado urban renewal law, also to be properly addressed in executive session.

At 6:00 pm, the Board voted to enter Executive Session regarding the Trammel Crow project and changes in urban renewal law.

The public session therefore ended.