



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Agenda

City Council

Tuesday, August 23, 2016

6:30 PM

Community Room

Study Session

1. Study Session Topics

- a) [ID# 16-193](#) Urban Renewal Follow-up Study Session information

Attachments:

[Improvement District Matrix ED](#)
[Economic Incentives Policy 4-20-16](#)
[LIFT Meeting and Supply expenses](#)
[Abolish LIFT](#)
[Abolish LIFT only 080416](#)
[Abolish Columbine Square Urban Renewal Plan Area Ord](#)
[Abolish Littleton Boulevard Urban Renewal](#)
[Abolish North Broadway Urban Renewal](#)
[Abolish Santa Fe Urban Renewal Plan Area Ord](#)
[MEMO from Aug 9 2016 study session on urban renewal](#)

- b) [ID# 16-195](#) Update on the State permit for the Littleton/Englewood Wastewater Treatment Plant

Attachments:

[WWTP permit](#)
[State of the City](#)

- c) [ID# 16-197](#) Economic Development Department Presentation

The public is invited to attend all regular meetings or study sessions of the City Council or any City Board or Commission. Please call 303-795-3780 at least forty-eight (48) 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 any such meeting. For any additional information concerning City meetings, please call the above referenced number.



Staff Communication

File #: ID# 16-193, **Version:** 1

Agenda Date:

Subject:

Urban Renewal Follow-up Study Session information

Presented By: Mike Braaten, Deputy City Manager

BACKGROUND:

City council asked staff to provide additional information pertaining to urban renewal at its August 9, 2016 study session. Specifically, the following was requested:

- Benefit to property owners in an urban renewal area
- Options to finance infrastructure needs without urban renewal
- Can administrative issues be addressed without disbanding LIFT?
- Economic Development department's efforts/successes
- Update draft 'whereas' language to include the citizen initiative/charter amendment and the Santa Fe Urban Renewal Plan court ruling
- Explanation of specific expenses from Littleton Invests For Tomorrow's (LIFT) checking account (from 2014)

Additionally, prior to adjourning the study session on this topic, Staff needs council direction as to what ordinances to bring to council on October 4, 2016 for first reading.

Staff has provided, as attachments to this memo, the ordinances to abolish LIFT and repeal the individual urban renewal plans as well as the memo provided to city council from the August 8, 2016 study session as additional background for this discussion.

STAFF ANALYSIS:

What is the benefit to property owners in an urban renewal area?

Tax Increment Financing (TIF) revenue can be used for urban renewal projects that may include acquisition of properties, demolition and removal of buildings and improvements, and construction or reconstruction of streets, utilities, parks and other public improvements.

Owning property in an urban renewal area may create eligibility for TIF for an activity or undertaking (a project) that is consistent with the urban renewal plan for the area. LIFT could also undertake specific projects to improve conditions in a plan area by updating public infrastructure and supporting new development and redevelopment of private property.

What are possible options to finance infrastructure needs outside of urban renewal?

In addition to urban renewal there are other options to finance infrastructure needs. Additional research is required should council desire to pursue any of the options presented, or other options that may not be included here.

Council has historically, and could continue, to transfer general funds to the capital projects funds. As council will hear in the upcoming budget discussion, this will be a challenge moving forward as projected operational costs are growing faster than projected revenues, negating future general fund transfers to the capital fund. Should this be the case, council could pursue cuts to existing city services in an attempt to address infrastructure needs or other agreed-upon priorities.

Council could consider new fees, as some cities have done, called transportation utility fees or transportation/street maintenance fees. The City of Loveland has had a street maintenance fee in place for a number of years. It requires a study to analyze and assess an appropriate fee and would mean the creation of a new street utility and street utility fund. Loveland has different fees for different categories of properties; residential, commercial, industrial and institutional. Such a fee can be adopted by an ordinance of city council. More information on the Loveland Street Maintenance Fee is available at: <http://www.ci.loveland.co.us/index.aspx?page=1571>.

Council could pursue a sales tax increase to address infrastructure and other capital needs of the city. Seventy seven percent of residents responding to the 2016 Resident Survey indicated they 'strongly support' or 'somewhat support' a $\frac{3}{4}$ of 1 cent sales tax increase (with a sunset of 15 years) to address aging infrastructure such as streets, sidewalks, and buildings. Should voters approve this sales tax question, it is estimated to generate approximately \$7.7 million per year.

A lodging tax was also surveyed in the 2016 Resident Survey with 70 percent of respondents indicating they 'strongly support' or 'somewhat support' a lodging tax. This tax was surveyed with the funding earmarked toward tourism, marketing and promotion of Littleton, but could also be used for other purposes should council desire to pursue such a tax.

Additional options include improvement districts as a mechanism to address public improvements. Improvement district formation generally requires an election of the affected property owners and therefore is somewhat out of the control of the city, but would require agreements if the improvement districts desired to address city-owned infrastructure. Staff of the economic development department assembled an overview of improvement districts and their formation, authority and eligible types of revenues. Improvement district options are summarized and included as an attachment to this memo.

How can administrative issues of LIFT be addressed without disbanding the organization?

Ultimately, this would be up to the LIFT Board and working with its attorney and executive director. Generally, the administrative issues would need to be identified, inventoried and a plan put in place to address each issue. It has been conveyed to city staff that LIFT is in the process of developing such a plan to address some of the issues that have been raised to date, but is in a holding pattern until council decides the future of LIFT and the adopted urban renewal plans.

Economic Development department's efforts and successes

Economic Development Director Denise Stephens will make a presentation immediately prior to the discussion on urban renewal addressing her department's activities and recent successes.

Related to the city's economic development activities, the city has an incentive policy that was developed by

the Community Development and Economic Development Departments in coordination with the City Manager's Office. This policy outlines an application process and possible incentives or grants available to businesses that are interested in city assistance. The four-page Economic Incentives Policy is attached.

Update ordinance 'whereas' language to include the citizen initiated charter amendment and the Santa Fe Urban Renewal Plan court ruling.

The proposed 'whereas' language follows:

WHEREAS, in March 2015, the citizens of Littleton approved Ballot Question 300, a citizen initiative that added a new Section 64.5 to the City Charter, which states: "Any Council action approving or modifying an urban renewal plan pursuant to part 1 of the Colorado urban renewal law must be ratified by the registered electors of the City of Littleton if the approval or modification of the urban renewal plan proposes the use of or change to eminent domain, condemnation, tax increment financing, revenue sharing, or cost sharing.";

WHEREAS, in June, 2016, the court issued its order in Littleton v. Sakdol, which resulted in the removal of land classified as agricultural from the Santa Fe Urban Renewal Plan Area, including the property commonly known as the "Ensor Property"

Staff requests direction from council regarding adding this language to the draft ordinances.

Explanation of specific expenses from the LIFT checking account:

The three meeting and business expense explanations/receipts from 2014 are attached. Further explanation of any expenses/receipts would need to be requested from the LIFT executive director and/or the board or past board members. The LIFT board is responsible for approving all expenses and financials.

	Formation Procedure						Types of Revenue					Permitted Activities/Powers		
Type of District	Enabling Statute	Petition Required	Election Required	Decision Making Authority	Eligible Electors	Separate Entity (1)	Property Tax	Assessments	User Fees	Sales Tax	TIF (2)	Construction of these Types of Improvements	Operations	Eminent Domain
Special District	32-1-1001	✓ (3)	✓	A	E	✓	✓	✓ (8)	✓	✓ (9)		I	✓	✓
General Improvement District	31-25-601	✓ (4)	✓ (6)	B	F	✓	✓	✓ (8)	✓			J	✓	✓
Special Improvement District	31-25-501	(10)		B	F			✓				J		
Business Improvement District	31-25-1201	✓ (5)		C	G	✓	✓	✓ (8)	✓			K	✓	
Downtown Development Authority	31-25-801		✓	D	H		✓ (7)		✓		✓	L	✓	

Decision Making Authority Key:

A = Independently controlled by its own board of directors, who are elected by the residents and property owners in the district.

B = Controlled by the city or town which created the district.

C = Control of the board of directors depends upon how the district is formed. Four possible structures exist. Regardless of board structure, however, BIDs are subject to annual control by the city or town because the city or town must approve the BID's operating plan and budget each year.

D = Control of the board of directors depends upon how the district is formed. For DDAs, the board must have at least one city or town council member on it. The remaining members may be council members or must be property owners, residents or officers or directors of businesses within the DDA.

Eligible Electors Key:

E = A person who is (a) a registered voter who (i) has been a resident for at least 30 days or (ii) owns (or whose spouse owns) taxable property in the district; or (b) is obligated to pay property taxes under a contract to purchase taxable property in the district.

F = A person who is a registered voter and who (a) has been a resident for at least 30 days or (b) owns (or whose spouse owns) taxable property in the district. Where such owner is not a natural person, "elector" includes a natural person designated by such owner. For SIDs, the city or town forming the district chooses whether registered electors who live within the entire city or town can vote on district debt, or only those electors who live within the district. For GIDs, only electors within the district are eligible to vote.

G = A natural person who is a U.S. citizen and Colorado resident and who (a) lives in the BID, (b) owns or leases taxable property in the BID, or (c) is designated by a property owner which is not a natural person.

H = A (a) citizen of the U.S. and Colorado resident whose primary dwelling is within the DDA, (b) an owner in fee of any undivided interest in real property or any improvement permanently affixed thereto, or (c) the holder of a leasehold interest in real property within the district. Any landowner or lessee which is not a natural person may vote only if it designates by some official action a representative thereof to cast its ballot.

Improvements Key:

I = Fire protection, mosquito control, parks and recreation, safety protection, sanitation, streets, television relay, transportation, water, and solid waste disposal. Also can provide limited security services and HOA covenant enforcement.

J = Generally, any improvements or services which the city or town creating them is authorized to provide.

K = Broad range of improvements including streets, drainage, statues, fountains, signs, benches, information booths, and public meeting facilities

L = Completion of a development project to improve a downtown area.

Notes:

(1) SIDs and DDAs are not separate political subdivisions; rather, they are merely geographic areas within the city or town.

(2) "TIF" = tax increment financing. Both incremental sales taxes and incremental property taxes are available to be pledged to the payment of bonds issued by DDAs.

- (3) Persons proposing to form a special district initially must file a proposed service plan with the applicable city or town, and must then file a petition with the applicable district court.
- (4) Petition must be signed by 30% or 200 of the electors of the proposed district, whichever is less.
- (5) Petition must be signed by persons owning at least 50% (or such higher amount as the city may establish) of the property within the proposed district, measured either by assessed valuation or by acreage.
- (6) An election is required unless 100% of the property owners waive the election.
- (7) DDAs may levy up to five mills for operational expenses.
- (8) These entities are authorized to levy special assessments by forming special improvement districts within their boundaries.
- (9) Metropolitan districts which provide street improvements, safety protection, or transportation services are allowed to impose a sales tax under certain circumstances.
- (10) A petition is required for some types of improvements; others can be initiated directly by the governing body. C.R.S. 31-25-503

*A county may establish analogous districts, but City Council must approve of it if any of the municipality is included within the district.



ECONOMIC INCENTIVES POLICY

Location, demographics, and quality of life are just a few reasons that make the City of Littleton a great place to run a business. Littleton believes that a great city provides a strong and positive foundation for its business community. Taking a 'green tape' approach to community and economic development, the city works collaboratively with Littleton businesses to ensure long-term positive outcomes for all parties.

The Littleton City Council will not support any incentive package or private/public partnership that does not strengthen the quality of life for our citizens, visitors, and businesses and that does not foster a long-term economic sustainable vision. The City Council encourages developers to bring forward incentive requests for projects that maintain or improve our community's quality of life and focus on the long-term economic sustainability and character of the community.

PROCEDURAL REQUIREMENTS

Economic Incentive Request

To be considered for an incentive agreement, the requesting party will complete and submit a request form, with all available project specifications such as a narrative describing the proposed project, a well-developed conceptual site plan including renderings, and a comprehensive financial pro-forma, to initiate a review process. The Economic Development and Community Development Directors will analyze the request, perform the economic impact analysis, and determine eligibility. A recommendation will then be provided to the City Manager.

In addition to financial considerations, all projects will be evaluated on various aspects including how the project:

1. Exceeds the City-Wide Plan, Comprehensive Plan, relevant design standards, and City Council's Goals and Objectives,
2. Represents significant private-sector financial investment,
3. Promotes a higher and better use of the property,
4. Provides a positive fiscal and economic impact to the city,
5. Mitigates any perceived or potential negative impacts to the surrounding area,
6. Demonstrates a long-term commitment to the city, and
7. Is developed in a sustainable and environmentally conscious manner.

The City Manager retains the right to determine whether the proposed incentive agreement will be presented to City Council, in a resolution, for consideration. Littleton's City Council considers all incentive requests on a case-by-case basis, and ultimately reserves the right to approve or reject any proposed incentive agreement.

The Economic Development and Community Development Directors, the City Manager, and City Council will consider all requests on a case-by-case basis. No project approval or rejection will become a precedent for future recommendations or decisions.

Planning & Development Processes

The Community Development Department will provide exceptional customer service and ensure that its applicants experience an expedient and high quality development process.



All projects are reviewed in a formal in-person **Concept Meeting** in which the reviewing parties provide comments, suggestions, and recommendations prior to formal submittal to ensure an efficient and effective process. Timelines will be covered during concept meetings. All projects will have a single point of contact throughout the city's development process.

Those exploring ideas for a business or development but who are not yet ready to submit for a concept meeting are encouraged to schedule an **Exploratory Meeting** in which Economic Development and Community Development will provide land use data and information for a requesting party's due diligence.

PROJECT TYPES

The City of Littleton may consider negotiating an incentive agreement for these project types:

Retail Development

A retail development may be considered for an incentive agreement if the proposed project:

1. Adds new and unique tenants to the market and/or trade area, and
2. Minimizes the impacts of consumer expenditure cannibalization from existing projects in the city.

Primary Employment

A commercial development which includes a substantial primary employment component may be considered for an incentive agreement if the proposed project:

1. Provides quality employment opportunities for Littleton's citizens and the region.
 - a. *Minimum of 50 NEW jobs at a pay rate equal to 66% (not including benefits) of the City's Median Household Income*

Commercial/Mixed-Use Annexation

Littleton may provide incentives to enable the annexation of fully developed, partially developed, or vacant land that is commercial or mixed-use in nature if the project/property:

1. Is a geographically logical addition to the city, and
2. Is reasonably served by the city and its service/infrastructure providers.

Redevelopment/Revitalization

A redevelopment and/or revitalization project may be considered for an incentive agreement if the proposed project:

1. Improves the financial performance and viability of the existing property.

INCENTIVE TYPES

Sales Tax Reimbursement

Littleton may consider a share-back or partial reimbursement of the city collected portion of retail sales tax generated from the project. All proceeds of a sales tax reimbursement must be utilized for a public or public-related purpose which advances the public health, safety, and general welfare of the community.

Use Tax Reimbursement

Littleton may consider a share-back or partial reimbursement of the city collected portion of use tax (*one-time use tax paid on the purchase price of all furniture, fixtures, equipment and supplies incidental to the opening or expansion of a business*).



Construction Use Tax Reimbursement

Littleton may consider a partial reimbursement of the construction use tax generated by constructing a project. All proceeds of the use tax reimbursement must be utilized for a public or public-related purpose which advances the public health, safety and general welfare of the community.

Tax Increment Financing

Littleton may consider utilizing Tax Increment Financing (TIF) through Littleton Invests for Tomorrow (LIFT), the city's Urban Renewal Authority only after an urban renewal area has been established. The city will only consider utilizing TIF for projects that are unique, significant in magnitude, and have considerable regional benefit. All proceeds from the TIF must be utilized for public or public-related infrastructure which may include: streets, utilities, street lighting, storm water drainage structures, surface parking, parking garages, fire protection improvements, and other public purpose related needs.

All private improvements in the redevelopment project area (i.e., buildings, project design and planning expenses) must be solely financed by the project developer.

Reduction in Fees

The City may consider offsetting all, or a portion of, the development review fees (i.e., building permit, plan review, and impact fees) for commercial projects that provide a unique and high quality project.

Grant Programs (2016)

Revitalization Incentive Grant

The goal of the Revitalization Incentive Grant is to encourage private investment and improvements, while making revitalization efforts affordable, creative and of benefit to the community. Littleton City Council has appropriated \$100,000 for the Revitalization Incentive Grant to be administered by the Economic Development Department. The program offers up to \$20,000 in matching funds to business tenants and property owners within the City of Littleton proposing projects that improve the appearance of existing buildings. Applications for consideration involve improvements visible from the public right of way and include architectural/design assistance, façade, landscape, parking areas, exterior lighting and Americans with Disabilities Act (ADA) and signage.

Garrett Graybeal

ggraybeal@littletongov.org

303-795-3749

Main Street Historic District Grant

The Main Street Historic Grant provides funding for improvements for property owners or tenants within the Main Street Historic District or in Downtown Littleton. Applications can be made for projects including architectural design assistance, façade work, removal of graffiti, maintenance, signage, or building improvements. Individual projects may be considered for awards up to \$50,000.

Dennis Swain

dswain@littletongov.org

303-795-3755

**Place-Making Grant**

The goal of the Place-Making Grant is to encourage the creation and/or improvements to community gathering places. Specifically this grant is reserved for projects involving artistic, creative and physical improvement to spaces that transform underutilized areas into valuable neighborhood assets. Individual projects may be considered for awards up to \$9,999. Schools and religious organizations are not eligible for place-making grants.

Mark Barons

mbarons@littletongov.org

303-795-3778

Other Available Incentives

Additional incentives are available through other agencies, such as a business personal property tax rebate through the county, federal and state rehabilitation tax credit programs for historic properties, and various programs through the State Office of Economic Development and International Trade. Littleton staff will assist in these processes if projects qualify.

LITTLETON RIVERFRONT AUTHORITY

2255 WEST BERRY AVENUE
LITTLETON, CO 80165

2312

DATE October 20, 2014

23-7-1020

PAY TO THE
ORDER OF James A Taylor

\$ 968.20

Nine hundred sixty eight and 20/100

DOLLARS



Wells Fargo Bank West, N.A.
Littleton
5601 S. Broadway
Littleton, CO 80121
www.wellsfargo.com

⑈002312⑈

NOT NEGOTIABLE

LITTLETON RIVERFRONT AUTHORITY
2255 WEST BERRY AVENUE
LITTLETON, CO 80165

DELUXE BUSINESS FORMS 1-800-328-7205
DELUXE - FORM DVCB-2 V-6

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
10/20/2014	Business Meeting Expense - 769.78 Office Expense - 198.42	968.20		

PERIOD ENDING	EARNINGS				TOTAL EARNINGS	DEDUCTIONS				TOTAL DEDUCTIONS	NET PAY
	HOURS	RATE	AMOUNT EARNED AT REGULAR RATE	OVERTIME AND OTHER		F.I.C.A.	WITHHOLDING U.S. INC. TAX	STATE INCOME TAX			

Expenses paid out in 2014 by Jim Taylor

Budget: Miscellaneous

12/30/2013	Lucille's	\$107.23	Board lunch
03/20/2014	Delvickio's	39.75	Jim Rees, Corey Hoffman, me
04/08/2014	Baker Street	35.00	Bruce Stahlman, Debbie Brinkman, me
04/14/2014	Jack & Grill	34.00	Bruce Beckman, Dennis Reynolds, me
04/16/2014	Ivy on the Green	57.04	Phil Cernanec, Randy Stein, me
04/21/2014	Delvickio's	35.45	Jim Rees, Corey Hoffman, me
04/23/2014	Littleton Café	21.63	Jerry Valdes, me
04/28/2014	Bruegger's		Peggy Cole, me
05/22/2014	Delvickio's	75.65	Jim Rees, Corey Hoffman, Michael Penny, me
05/27/2014	Freddy's	14.89	Jim Tees, me
06/16/2014	Fazoli's	27.71	Jim Rees, Corey Hoffman, me
07/03/2014	Delizio's	29.67	Jim Rees, me
07/21/2014	Fazoli's	26.43	Jim Rees, Kendra Carberry, me
08/18/2014	Fazoli's	27.28	Jim Rees, Corey Hoffman, me
08/19/2014	Lucille's	53.00	Debbie Brinkman, Randy Stein, me
09/09/2014	Bruegger's	8.51	Justin Hay, me
09/15/2014	Fazoli's	26.54	Jim Rees, Corey Hoffman, me
		\$619.78	

07/28/2014	Downtown Colorado Inc. Workshop at CML on training for Urban Renewal		
	Board members	150.00	
	Total	\$769.78	

Expenses paid out in 2014 by Jim Taylor

Budget: Office Supplies

03/19/2014	Crown Trophy	123.34	badges and set-up
08/14/2014	Crown Trophy	64.35	new & corrected badges
09/08/2014	Crown Trophy	10.73	single badge
	Total	\$198.42	

Grand Total \$968.20

2341

LITTLETON RIVERFRONT AUTHORITY

2255 WEST BERRY AVENUE
LITTLETON, CO 80165DATE December 31, 2014

23-7-1020

PAY TO THE
ORDER OFJames A. Taylor\$ 176⁶⁵One hundred seventy six and ⁶⁵/₁₀₀

DOLLARS

Wells Fargo Bank West, N.A.
Littleton
5601 S. Broadway
Littleton, CO 80121
www.wellsfargo.com

NOT NEGOTIABLE

⑈002341⑈

LITTLETON RIVERFRONT AUTHORITY
2255 WEST BERRY AVENUE
LITTLETON, CO 80165DELUXE BUSINESS FORMS 1-800-328-7206
DELUXE - FORM DVCB-2 V-6

DATE	DESCRIPTION		AMOUNT	DISTRIBUTIONS	
				ACCT. NO.	AMOUNT
12/31/2014	Year End Misc Expense		176 ⁶⁵		
	Misc 117.06				
	Office Supply 59.59				

EMPLOYEE

PERIOD ENDING	EARNINGS				TOTAL EARNINGS	DEDUCTIONS				TOTAL DEDUCTIONS	NET PAY
	HOURS	RATE	AMOUNT EARNED AT REGULAR RATE	OVERTIME AND OTHER		F.I.C.A.	WITHHOLDING U.S. INC. TAX	STATE INCOME TAX			

V.6

Subject: bills

From: [REDACTED]

To: [REDACTED]

Date: Tuesday, December 30, 2014 11:31 AM

Hi Tari,

I am providing the end of my expenses for 2014. I will give you the receipts on January 8.

Thanks,

Jim T

10/13	Fazoli's	\$18.30	Jim Rees and me
10/20	Fazoli's	17.76	Jim Rees and me
11/13	Platte River	44.00	D Brinkman, R Stein and me
11/19	Crown Trophy	58.34	plaques for Lajoie and Massey
12/15	Fazoli's	26.64	Corey Hoffman, Jim R and me
12/15	Office Max	1.61	copies for meeting
<hr/>			
\$176.65			

I decided to keep the tape recorder I bought for Executive Sessions as you found another solution.

Call me when you have time (just not today -- my party is tonight!). I want to talk about fees charged by Wells Fargo.

Jim
[REDACTED]

2329

LITTLETON RIVERFRONT AUTHORITY

2255 WEST BERRY AVENUE
LITTLETON, CO 80165DATE December 15, 2014

23-7-1020

PAY TO THE
ORDER OFJames A Taylor\$ 545.00Five hundred forty five

DOLLARS

Wells Fargo Bank West, N.A.
Littleton
5601 S. Broadway
Littleton, CO 80121
www.wellsfargo.com

NOT NEGOTIABLE

⑈002329⑈

LITTLETON RIVERFRONT AUTHORITY
2255 WEST BERRY AVENUE
LITTLETON, CO 80165DELUXE BUSINESS FORMS 1-800-328-7205
DELUXE FORM DVCB-2 V-6

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
12/15/14	Meeting Expense	545.00		

EMPLOYEE

PERIOD ENDING	EARNINGS				TOTAL EARNINGS	DEDUCTIONS				TOTAL DEDUCTIONS	NET PAY
	HOURS	RATE	AMOUNT EARNED AT REGULAR RATE	OVERTIME AND OTHER		F.I.C.A.	WITHHOLDING U.S. INC. TAX	STATE INCOME TAX			

V-6

JA JA BISTRO
5641 S NEVADA ST
LITTLETON CO 80120
303-798-5389Term #: 00003009
DU 20: 14 4:44 PM

Server ID: 7

VISA
*****2838
SALE
BATCH #: 109
RRN: 432437442967REF#:003
AUTH #: 08349CAMOUNT \$524.03
TIP 47.97
TOTAL \$ 571.97
545.00

APPROVED

CUSTOMER COPY

CITY OF LITTLETON, COLORADO
ORDINANCE NO. 03
Series 2016

INTRODUCED BY COUNCILMEMBERS:

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, ABOLISHING THE LITTLETON INVESTS
FOR TOMORROW URBAN RENEWAL AUTHORITY
PURSUANT TO C.R.S. § 31-25-115(2) AND REPEALING
THE CITY'S URBAN RENEWAL PLANS**

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority is a body corporate and was duly organized, established and authorized by the City of Littleton to transact business and exercise its powers as an urban renewal authority, under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law");

WHEREAS, on November 4, 2014, upon the recommendation of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the Columbine Square Urban Renewal Plan Area and the Santa Fe Urban Renewal Plan Area and that such areas are appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, on December 2, 2014, upon the recommendations of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the North Broadway Urban Renewal Plan Area and the Littleton Boulevard Urban Renewal Plan Area and that such areas are appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority has been in the process of identifying the specific undertakings and activities that it desires to implement as part of the project to accomplish the purposes of the Urban Renewal Law in each of the urban renewal areas, but has not yet undertaken to implement specific development proposals in the urban renewal areas;

WHEREAS, notwithstanding the determinations made by the City Council that the urban renewal areas are appropriate for urban renewal projects, the establishment of such areas as blighted under the Urban Renewal Law and the implementation of the activities and undertakings as contemplated under the Urban Renewal Law, including the tax increment financing authorized to facilitate and accomplish such activities and undertakings, such determinations have become increasingly divisive and political for the City and its citizens;

1 **WHEREAS**, C.R.S. § 31-25-115(2) of the Urban Renewal Law provides that the
2 governing body of a municipality may by ordinance provide for the abolishment of an urban
3 renewal authority, provided adequate arrangements have been made for payment of any
4 outstanding indebtedness and other obligations of the authority;

5
6 **WHEREAS**, as of the date of this Ordinance, the only financial obligation of the Littleton
7 Invests For Tomorrow Urban Renewal Authority is the principal amount of \$150,000, together
8 with any interest, owed to the City pursuant to a Cooperation and Loan Agreement dated December
9 16, 2014 (the "Loan Agreement"); and

10
11 **WHEREAS**, the City Council of the City of Littleton desires to abolish the Littleton
12 Invests For Tomorrow Urban Renewal Authority and repeal the urban renewal plans for each of
13 the urban renewal areas approved by the City Council, pursuant to and in conformance with the
14 requirements of the Urban Renewal Law.

15
16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
17 **CITY OF LITTLETON, COLORADO, THAT:**

18
19 **Section 1:** The Littleton Invests For Tomorrow Urban Renewal Authority is hereby
20 abolished in its entirety, pursuant to C.R.S. § 31-25-115(2) of the Urban Renewal Law, effective
21 as of the date set forth in Section 7 below.

22
23 **Section 2:** The City Council of the City of Littleton hereby finds and determines that
24 adequate arrangements have been made for payment of any outstanding indebtedness and other
25 obligations of the Littleton Invests For Tomorrow Urban Renewal Authority as follows:

26
27 (a) The City of Littleton does hereby waive, cancel and forgive payment of any
28 and all amounts due under the Loan Agreement;

29
30 (b) The Littleton Invests For Tomorrow Urban Renewal Authority has no other
31 outstanding indebtedness or other obligations.

32
33 **Section 3:** As of the abolishment of the Littleton Invests For Tomorrow Urban
34 Renewal Authority, the urban renewal plan known as the "Columbine Square Urban Renewal
35 Plan" approved by City Council Resolution No. 136, Series 2014, as amended, is hereby and shall
36 be repealed in its entirety and shall no longer be of force or effect.

37
38 **Section 4:** As of the abolishment of the Littleton Invests For Tomorrow Urban
39 Renewal Authority, the urban renewal plan known as the "Santa Fe Urban Renewal Plan" approved
40 by City Council Resolution No. 137, Series 2014, as amended, is hereby and shall be repealed in
41 its entirety and shall no longer be of force or effect.

42
43 **Section 5:** As of the abolishment of the Littleton Invests For Tomorrow Urban
44 Renewal Authority, the urban renewal plan known as the "North Broadway Urban Renewal Plan"
45 approved by City Council Resolution No. 142, Series 2014, is hereby and shall be repealed in its
46 entirety and shall no longer be of force or effect.

47

1 **Section 6:** As of the abolishment of the Littleton Invests For Tomorrow Urban
2 Renewal Authority, the urban renewal plan known as the "Littleton Boulevard Urban Renewal
3 Plan" approved by City Council Resolution No. 143, Series 2014, is hereby and shall be repealed
4 in its entirety and shall no longer be of force or effect.

5
6 **Section 7:** The abolishment of the Littleton Invests For Tomorrow Urban Renewal
7 Authority, and the repeal of the urban renewal plans hereunder, shall be effective as of the date
8 that is six (6) months after the effective date of this ordinance.

9
10 **Section 8:** Severability. If any part, section, subsection, sentence, clause or phrase of
11 this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of
12 the remaining sections of this ordinance. The City Council hereby declares that it would have
13 passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof,
14 irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases
15 may be declared invalid.

16
17 **Section 9:** Repealer. All ordinances or resolutions, or parts thereof, in conflict with
18 this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses
19 of such ordinance nor revive any ordinance thereby.

20
21 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the
22 City of Littleton on the 5th day of July, 2016, passed on first reading by a vote of ____ FOR and ____
23 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal
24 Courthouse and on the City of Littleton Website.

25
26 PUBLIC HEARING on the Ordinance to take place on the 19th day of July, 2016, in the
27 Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of
28 6:30 p.m., or as soon thereafter as it may be heard.

29
30 PASSED on second and final reading, following public hearing, by a vote of ____ FOR and
31 ____ AGAINST on the ____ day of _____, 2016 and ordered published by posting at
32 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

33
34 ATTEST:

1 _____
2 Wendy Heffner
3 CITY CLERK
4
5 APPROVED AS TO FORM:
6 _____
7 Kristin Schledorn
8 CITY ATTORNEY

Bruce O. Beckman
MAYOR

CITY OF LITTLETON, COLORADO
ORDINANCE NO.
Series 2016

INTRODUCED BY COUNCILMEMBERS:

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, ABOLISHING THE LITTLETON INVESTS
FOR TOMORROW URBAN RENEWAL AUTHORITY
PURSUANT TO C.R.S. § 31-25-115(2)**

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority is a body corporate and was duly organized, established and authorized by the City of Littleton to transact business and exercise its powers as an urban renewal authority, under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law");

WHEREAS, on November 4, 2014, upon the recommendation of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the Columbine Square Urban Renewal Plan Area and the Santa Fe Urban Renewal Plan Area and that such areas are appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, on December 2, 2014, upon the recommendations of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the North Broadway Urban Renewal Plan Area and the Littleton Boulevard Urban Renewal Plan Area and that such areas are appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority has been in the process of identifying the specific undertakings and activities that it desires to implement as part of the project to accomplish the purposes of the Urban Renewal Law in each of the urban renewal areas, but has not yet undertaken to implement specific development proposals in the urban renewal areas;

WHEREAS, notwithstanding the determinations made by the City Council that the urban renewal areas are appropriate for urban renewal projects, the establishment of such areas as blighted under the Urban Renewal Law and the implementation of the activities and undertakings as contemplated under the Urban Renewal Law, including the tax increment financing authorized to facilitate and accomplish such activities and undertakings, such determinations have become increasingly divisive and political for the City and its citizens;

1 **WHEREAS**, C.R.S. § 31-25-115(2) of the Urban Renewal Law provides that the
2 governing body of a municipality may by ordinance provide for the abolishment of an urban
3 renewal authority, provided adequate arrangements have been made for payment of any
4 outstanding indebtedness and other obligations of the authority;

5
6 **WHEREAS**, as of the date of this Ordinance, the only financial obligation of the
7 Littleton Invests For Tomorrow Urban Renewal Authority is the principal amount of \$150,000,
8 together with any interest, owed to the City pursuant to a Cooperation and Loan Agreement
9 dated December 16, 2014 (the "Loan Agreement"); and

10
11 **WHEREAS**, the City Council of the City of Littleton has determined to repeal the urban
12 renewal plans for each of the urban renewal areas approved by the City Council, and therefore
13 desires to abolish the Littleton Invests For Tomorrow Urban Renewal Authority pursuant to and
14 in conformance with the requirements of the Urban Renewal Law.

15
16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
17 **CITY OF LITTLETON, COLORADO, THAT:**

18
19 **Section 1:** The Littleton Invests For Tomorrow Urban Renewal Authority is hereby
20 abolished in its entirety, pursuant to C.R.S. § 31-25-115(2) of the Urban Renewal Law, effective
21 as of the date set forth in Section 7 below.

22
23 **Section 2:** The City Council of the City of Littleton hereby finds and determines that
24 adequate arrangements have been made for payment of any outstanding indebtedness and other
25 obligations of the Littleton Invests For Tomorrow Urban Renewal Authority as follows:

26
27 (a) The City of Littleton does hereby waive, cancel and forgive payment of
28 any and all amounts due under the Loan Agreement;

29
30 (b) The Littleton Invests For Tomorrow Urban Renewal Authority has no
31 other outstanding indebtedness or other obligations.

32
33 **Section 3:** As of the date of abolishment of the Littleton Invests For Tomorrow
34 Urban Renewal Authority, the urban renewal plan known as the "Columbine Square Urban
35 Renewal Plan" approved by City Council Resolution No. 136, Series 2014, as amended, has been
36 repealed in its entirety.

37
38 **Section 4:** As of the date of abolishment of the Littleton Invests For Tomorrow
39 Urban Renewal Authority, the urban renewal plan known as the "Santa Fe Urban Renewal Plan"
40 approved by City Council Resolution No. 137, Series 2014, as amended, has been repealed in its
41 entirety.

42
43 **Section 5:** As of the date of abolishment of the Littleton Invests For Tomorrow
44 Urban Renewal Authority, the urban renewal plan known as the "North Broadway Urban
45 Renewal Plan" approved by City Council Resolution No. 142, Series 2014, has been repealed in
46 its entirety.

47

1 **Section 6:** As of the date of abolishment of the Littleton Invests For Tomorrow
2 Urban Renewal Authority, the urban renewal plan known as the "Littleton Boulevard Urban
3 Renewal Plan" approved by City Council Resolution No. 143, Series 2014, has been repealed in
4 its entirety.
5

6 **Section 7:** The abolishment of the Littleton Invests For Tomorrow Urban Renewal
7 Authority shall be effective as of the date that is six (6) months after the effective date of this
8 ordinance.
9

10 **Section 8:** Severability. If any part, section, subsection, sentence, clause or phrase of
11 this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of
12 the remaining sections of this ordinance. The City Council hereby declares that it would have
13 passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof,
14 irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases
15 may be declared invalid.
16

17 **Section 9:** Repealer. All ordinances or resolutions, or parts thereof, in conflict with
18 this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
19 clauses of such ordinance nor revive any ordinance thereby.
20

21 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the
22 City of Littleton on the 5th day of July, 2016, passed on first reading by a vote of ____ FOR and
23 ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the
24 Municipal Courthouse and on the City of Littleton Website.
25

26 PUBLIC HEARING on the Ordinance to take place on the 19th day of July, 2016, in the
27 Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour
28 of 6:30 p.m., or as soon thereafter as it may be heard.
29

30 PASSED on second and final reading, following public hearing, by a vote of ____ FOR
31 and ____ AGAINST on the ____ day of _____, 2016 and ordered published by
32 posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton
33 Website.
34

1 ATTEST:

2 _____
3 Wendy Heffner
4 CITY CLERK

Bruce O. Beckman
MAYOR

5
6 APPROVED AS TO FORM:

7 _____
8 Kristin Schledorn
9 CITY ATTORNEY

CITY OF LITTLETON, COLORADO
ORDINANCE NO.
Series 2016

INTRODUCED BY COUNCILMEMBERS:

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, REPEALING THE CITY'S COLUMBINE
SQUARE URBAN RENEWAL PLAN**

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority is a body corporate and was duly organized, established and authorized by the City of Littleton to transact business and exercise its powers as an urban renewal authority, under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law");

WHEREAS, on November 4, 2014, upon the recommendation of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the Columbine Square Urban Renewal Plan Area and that such area is appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority has been in the process of identifying the specific undertakings and activities that it desires to implement as part of the project to accomplish the purposes of the Urban Renewal Law in the urban renewal area, but has not yet undertaken to implement specific development proposals in the urban renewal area;

WHEREAS, notwithstanding the determinations made by the City Council that the Columbine Square Urban Renewal Plan Area is appropriate for urban renewal projects, the establishment of such area as blighted under the Urban Renewal Law and the implementation of the activities and undertakings as contemplated under the Urban Renewal Law, including the tax increment financing authorized to facilitate and accomplish such activities and undertakings, such determinations have become increasingly divisive and political for the City and its citizens;

WHEREAS, the City Council of the City of Littleton desires to repeal the Columbine Square Urban Renewal Plan approved by the City Council, pursuant to and in conformance with the requirements of the Urban Renewal Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The urban renewal plan known as the "Columbine Square Urban Renewal Plan" approved by City Council Resolution No. 136, Series 2014, as amended, is hereby and shall be repealed in its entirety and shall no longer be of force or effect. The City Council finds and determines that adequate arrangements have been made for any outstanding indebtedness and other obligations of the Littleton Invests For Tomorrow Urban Renewal Authority related to the

Columbine Square Urban Renewal Plan.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the _____ 2016, passed on first reading by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the _____ 2016, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ____ FOR and ____ AGAINST on the ____ day of _____, 2016 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

- 1 Kristin Schledorn
- 2 CITY ATTORNEY

CITY OF LITTLETON, COLORADO
ORDINANCE NO.
Series 2016

INTRODUCED BY COUNCILMEMBERS:

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, REPEALING THE CITY'S LITTLETON
BOULEVARD URBAN RENEWAL PLAN**

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority is a body corporate and was duly organized, established and authorized by the City of Littleton to transact business and exercise its powers as an urban renewal authority, under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law");

WHEREAS, on December 2, 2014, upon the recommendations of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the Littleton Boulevard Urban Renewal Plan Area and that such area is appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority has been in the process of identifying the specific undertakings and activities that it desires to implement as part of the project to accomplish the purposes of the Urban Renewal Law in the urban renewal area, but has not yet undertaken to implement specific development proposals in the urban renewal area;

WHEREAS, notwithstanding the determinations made by the City Council that the Littleton Boulevard Urban Renewal Area is appropriate for urban renewal projects, the establishment of such area as blighted under the Urban Renewal Law and the implementation of the activities and undertakings as contemplated under the Urban Renewal Law, including the tax increment financing authorized to facilitate and accomplish such activities and undertakings, such determinations have become increasingly divisive and political for the City and its citizens;

WHEREAS, the City Council of the City of Littleton desires to repeal the Littleton Boulevard Urban Renewal Plan approved by the City Council, pursuant to and in conformance with the requirements of the Urban Renewal Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The Littleton Boulevard Urban Renewal Plan approved by City Council Resolution No. 143, Series 2014, is hereby and shall be repealed in its entirety and shall no longer be of force or effect. The City Council finds and determines that adequate arrangements have been made for any outstanding indebtedness and other obligations of the Littleton Invests For Tomorrow Urban Renewal Authority related to the Littleton Boulevard Urban Renewal Plan.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 5th day of July, 2016, passed on first reading by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 19th day of July, 2016, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ____ FOR and ____ AGAINST on the ____ day of _____, 2016 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

Kristin Schledorn

1 CITY ATTORNEY

**CITY OF LITTLETON, COLORADO
ORDINANCE NO.
Series 2016**

INTRODUCED BY COUNCILMEMBERS:

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, REPEALING THE CITY'S NORTH
BROADWAY URBAN RENEWAL PLAN**

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority is a body corporate and was duly organized, established and authorized by the City of Littleton to transact business and exercise its powers as an urban renewal authority, under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law");

WHEREAS, on December 2, 2014, upon the recommendations of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the North Broadway Urban Renewal Plan Area and that such area is appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority has been in the process of identifying the specific undertakings and activities that it desires to implement as part of the project to accomplish the purposes of the Urban Renewal Law in the urban renewal area, but has not yet undertaken to implement specific development proposals in the urban renewal area;

WHEREAS, notwithstanding the determinations made by the City Council that the North Broadway Urban Renewal Area is appropriate for urban renewal projects, the establishment of such area as blighted under the Urban Renewal Law and the implementation of the activities and undertakings as contemplated under the Urban Renewal Law, including the tax increment financing authorized to facilitate and accomplish such activities and undertakings, such determinations have become increasingly divisive and political for the City and its citizens;

WHEREAS, the City Council of the City of Littleton desires to repeal the North Broadway Urban Renewal Plan approved by the City Council, pursuant to and in conformance with the requirements of the Urban Renewal Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The North Broadway Urban Renewal Plan approved by City Council Resolution No. 142, Series 2014, is hereby and shall be repealed in its entirety and shall no longer be of force or effect. The City Council finds and determines that adequate arrangements have been made for any outstanding indebtedness and other obligations of the Littleton Invests For Tomorrow Urban Renewal Authority related to the North Broadway Urban Renewal Plan.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 5th day of July, 2016, passed on first reading by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 19th day of July, 2016, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ____ FOR and ____ AGAINST on the ____ day of _____, 2016 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

- 1 Kristin Schledorn
- 2 CITY ATTORNEY

CITY OF LITTLETON, COLORADO
ORDINANCE NO.
Series 2016

INTRODUCED BY COUNCILMEMBERS:

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, REPEALING THE CITY'S SANTA FE URBAN
RENEWAL PLAN**

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority is a body corporate and was duly organized, established and authorized by the City of Littleton to transact business and exercise its powers as an urban renewal authority, under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law");

WHEREAS, on November 4, 2014, upon the recommendation of the Littleton Invests For Tomorrow Urban Renewal Authority, and following review of the City of Littleton Planning Board for conformance with the general plan for the development of the City of Littleton, and after public hearings, the City Council for the City of Littleton determined that blight, as defined by C.R.S. § 31-25-103(2), exists in the Santa Fe Urban Renewal Plan Area and that such area is appropriate for an urban renewal project pursuant to the Urban Renewal Law;

WHEREAS, the Littleton Invests For Tomorrow Urban Renewal Authority has been in the process of identifying the specific undertakings and activities that it desires to implement as part of the project to accomplish the purposes of the Urban Renewal Law in the urban renewal area, but has not yet undertaken to implement specific development proposals in the urban renewal area;

WHEREAS, notwithstanding the determinations made by the City Council that the Santa Fe Urban Renewal Plan Area is appropriate for urban renewal projects, the establishment of such area as blighted under the Urban Renewal Law and the implementation of the activities and undertakings as contemplated under the Urban Renewal Law, including the tax increment financing authorized to facilitate and accomplish such activities and undertakings, such determinations have become increasingly divisive and political for the City and its citizens;

WHEREAS, the City Council of the City of Littleton desires to repeal the Santa Fe Urban Renewal Plan approved by the City Council, pursuant to and in conformance with the requirements of the Urban Renewal Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The urban renewal plan known as the "Santa Fe Urban Renewal Plan" approved by City Council Resolution No. 137, Series 2014, as amended, is hereby and shall be repealed in its entirety and shall no longer be of force or effect. The City Council finds and determines that adequate arrangements have been made for any outstanding indebtedness and other obligations of the Littleton Invests For Tomorrow Urban Renewal Authority related to the Santa

Fe Urban Renewal Plan.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the _____ 2016, passed on first reading by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the _____ 2016, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ____ FOR and ____ AGAINST on the ____ day of _____, 2016 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

- 1 Kristin Schledorn
- 2 CITY ATTORNEY

Agenda Date: 08/09/2016

Subject:

..Title

Urban Renewal

..Body

Presented By: Mike Braaten, Deputy City Manager

POLICY QUESTIONS:

Does city council want to repeal any or all of the four adopted urban renewal plans? Does city council wish to abolish the Littleton Invests For Tomorrow (LIFT) urban renewal authority? If council abolishes LIFT, is the loan from the city to LIFT forgiven?

BACKGROUND:

At the July 5 city council meeting, city council postponed the first reading of an ordinance to abolish LIFT and repeal the four urban renewal plans in order to obtain additional financial information. Council also wanted to consider separating the original ordinance into separate actionable items – i.e., to take action on each plan separately.

STAFF ANALYSIS:

Abolishment of LIFT/Urban Renewal Authority:

Staff has provided separate ordinances to consider each plan individually and on LIFT, as well as the original ordinance to abolish LIFT and all of the plans simultaneously. Should council decide to keep one, some or all of the plans in place, then LIFT needs to remain intact to administer the plans. Council also has the option to become the urban renewal authority. Per state statute, C.R.S. 31-25-115 (1), this may only be accomplished through a majority vote at a regular election (November, 2017).

Per state statute, C.R.S. 31-25-115 (2), “The governing body of a municipality may by ordinance provide for the abolishment of an urban renewal authority, provided adequate arrangements have been made for payment of any outstanding indebtedness and other obligations of the authority. Any such abolishment shall be effective upon a date set forth in the ordinance, which date shall not be less than six months from the effective date of the ordinance.”

Urban renewal is a tool available to address statutorily-defined blight and can be used as a funding mechanism to address needed public improvements. Should council consider retaining an urban renewal authority, it could be an option to use the increment generated in the plan areas to address infrastructure improvements in those areas.

According to the Colorado Municipal League, three communities have abolished their urban renewal authorities in recent years and all by popular vote. The communities include Estes Park, Windsor and Castle Pines.

Urban Renewal Plans:

The city has four urban renewal plans: Santa Fe, Littleton Boulevard, North Broadway and Columbine Square. The increment base was set for each plan as the last day of the previous month prior to each plan's adoption. The Santa Fe plan has only property tax increment available, whereas the other three plans have property tax and sales tax increment available.

Council has the authority to repeal all, some, or none of the plans. Council has provided direction to the Planning Board and the Community Development staff that corridor plans for Santa Fe and Belleview should be a high priority with plans for Littleton Boulevard and Broadway to follow. Portions of these areas are also addressed within the four adopted urban renewal plans. If council decides to keep any of the plans, urban renewal could assist in addressing public infrastructure needs within those corridors/plan areas. Conversely, the community has voiced concerns with urban renewal and public improvements could be addressed through other mechanisms available to the city.

LIFT Finances:

Attachments to this communication include the check book register/spreadsheet of LIFT since its reactivation in 2014 and the special fund revenues broken out by the plan areas.

In late 2015, there was an account breach of LIFT's checking account (in other words, the account was "hacked") that required LIFT to open a new account. All funds have been returned from this incident, except \$1,358.89 (and an additional \$101.00 deposit, assumingly made by the hackers to test fund transfers, remains in the account). According to LIFT's Vice Chair, Gary Thompson, this is still under investigation by Wells Fargo.

The property tax increment for all four plans is received monthly from the county. The city's Finance Department matches the property tax increment amounts with county reports and then forwards the funds to the executive director of LIFT for deposit in LIFT's ColoTrust account (ColoTrust is a statewide government banking entity for local governments).

The sales tax increment is calculated/collected by the city's Finance Department within the boundaries of the tax increment area in the 12-month period ending the last day of the month prior to the effective date of the approval of the plan.

Should council repeal some or all of the plans and decides to forgive the loan and return the remaining property tax increment to the affected local governments, LIFT and the city Finance Department will coordinate with the county to return the property tax increment based upon mill levy ratios and amounts collected. There will be additional fees, charged by the county, to assist in this process that will be the responsibility of LIFT.

If council chooses not to forgive the loan, the collected increment can be used to satisfy some or all of LIFT's debt with the city.

FISCAL IMPACTS:

In addition to legal fees and staff time, the primary fiscal impact to the city would be if council chose to forgive the loan to LIFT.



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

File #: ID# 16-195, **Version:** 2



Public Works & Utilities Department

2255 West Berry Avenue

Littleton, Colorado 80120

303-795-3863 • Fax 303-795-3856

MEMORANDUM

TO: City Council

FROM: Mark Relph, Acting City Manager and Public Works Director

DATE: August 18, 2016

RE: August 23 Study Session – NPDES permit update for the Littleton/Englewood Wastewater Treatment Plant

The Study Session for August 23rd has an agenda item for staff to update the city council on the status of the State's draft issuance of the National Pollutant Discharge Elimination System (NPDES) discharge permit for the Littleton/Englewood Wastewater Treatment Plant (WWTP). The final permit ultimately dictates the discharge performance requirements for the WWTP and thereby, sets both the short-term and long-term operational and capital investments.

The permit is currently in the draft phase and within a 60 day public comment period. Staff will provide an overview of the permit requirements, the public comment process and some early insight into the significance of the permit requirements. Attached is a presentation staff intends to share at the study session. The Englewood city council is receiving a similar briefing on August 22nd.



Littleton/Englewood WWTP

NPDES Permit Renewal





NPDES Permit Renewal

- NPDES permits required based on Clean Water Act
- Water Quality Control Division issues and enforces permit
- Permit sets limits based on:
 - Implementation of technology
 - Protection of stream uses (e.g., recreation, drinking water, aquatic life)
- Permit has limits for metals, ammonia, nutrients, bacteria, and temperature



NPDES Permit Renewal

- In public permit review process
- Extended comment period from 30 to 60 days
- Comments due Sept 22nd



Action Item: Nutrients

- New state requirement for nitrogen and phosphorus limits
- Focus on phosphorus treatment
- Requires study, design, and construction
- Requesting 5 years to complete the project





Action Item: Total Inorganic Nitrogen

- More stringent daily limits
- Requires study, design, and construction
- Requesting alternate calculation method
- Requesting extended compliance schedule





Action Item: Temperature

- Successful in delaying and reducing temperature requirements
- Permit limits for summer months
- Requires additional study
- More difficult limitations are delayed until 2031





Action Item: Local Limits

- Evaluate possible new local limits based on the new permit limitations
- May result in more stringent limits applied to industries discharging to LE
- Requires evaluation
- Requesting more time





New State Practices

Reserve Capacity

- New concept being applied to LE's permit
- Added 10% to capacity for future growth
- No authority to add reserve capacity
- Requesting to remove reserve capacity

Tiers

- Allows for higher limits at lower flows
- Has been applied in previous permit
- Requesting to keep tiers



Additional Changes to Permit Conditions

Constituent	Change	Request
Copper	Lower limit	New rationale
Ammonia	Slightly lower limits	None
Uranium	New limit	No monitoring
Chlorine	New averaging period	Monthly limit
Toxicity	New growth/ reproduction limits	None



Positive Results

- Fewer parameters to monitor
- Reporting requirements instead of numeric limits for several parameters
- Several monitoring frequencies reduced
- Main temperature requirements not effective until 2031
- Additional nitrate removal not required now



Next Steps

- Comments on permit due September 22nd
- State will provide response to comments
- Will come back to Councils with final results



Littleton/Englewood WWTP

NPDES Permit Renewal





City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

File #: ID# 16-197, **Version:** 1

Agenda Date: 08/23/2016

Subject:
Economic Development Department Presentation

Presented By: Denise Stephens, Economic Development Director
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No Documents