



# Loveland Urban Renewal Authority

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[www.lovgov.org](http://www.lovgov.org)

## 4:30 PM LOVELAND URBAN RENEWAL AUTHORITY BOARD TUESDAY, JULY 9, 2024 CITY COUNCIL CHAMBERS 500 EAST THIRD STREET LOVELAND, COLORADO

### Notice:

All Loveland Urban Renewal Authority (LURA) Board meetings are conducted in a hybrid format with a Zoom meeting in addition to the in-person meeting.

LURA board members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

### How to View this Meeting:



Meetings are open to the public and can be attended in-person by anyone.



Meetings are televised live on:

- Pulse TV Channel 16
- Comcast Channel 16/880



Meetings are available through Zoom by PC, laptop or phone:

- Webinar ID: 975 3779 6504
- Passcode: 829866



Meetings are livestreamed on the City's website. You can find the link here: [lovgov.org/tv](http://lovgov.org/tv)

### Public Comment:

There are in-person and remote options for members of the public who would like to participate in LURA meetings.

#### 1. In-Person:

#### General Public Comment:

- Members of the public can speak to any item that is NOT an ordinance on the regular agenda. Members may also request that any item on the Consent Agenda labeled as quasi-judicial, be placed on the Regular Agenda for discussion and public comment or testimony.
- Individuals who wish to speak are asked to fill out a card provided in Chambers and give this to the City Clerk. The Chair will call people up to comment in the order the cards were received. Cards are only required for the general public comment portion of the meeting. Each person will have three minutes to speak. Public comment is limited to residents of Larimer County, and

individuals who own property or have business interests in the City.

- Individuals who wish to speak in-person but did not fill out a card may have a chance to comment once all in-person and online speakers who have registered are called on, if there is any time remaining. General Public Comment is limited to 60-minutes.

#### Regular Agenda Items:

- No cards are required for individuals wanting to provide public comment on items included on the Regular Agenda.
- If an individual comments on a Resolution item shown on the Regular Agenda during General Public Comment, no additional comment can be given once the item comes up for discussion on the Regular Agenda.
- Once a motion is made on an item shown on the Regular Agenda, the Chair will ask for public comment. The Chair will invite speakers to comment at that time. In-person comment will occur first, followed by online public comment.

#### 2. Remote:

- Members of the public who wish to provide public comment remotely, can log in using the meeting ID provided above, or opening your [meeting app or accessing the web browser](#) and entering the Meeting ID shown above after 5:45 pm, at which time you will be muted and added to the meeting.

#### General Public Comment:

- Members of the public can speak to any item that is NOT an ordinance on the regular agenda. Members may also request that any item on the Consent Agenda labeled as quasi-judicial, be placed on the Regular Agenda for discussion and public comment or testimony.
- Remote Individuals who wish to speak are asked to register online at [lovgov.org/CouncilPublicComment](https://lovgov.org/CouncilPublicComment) by 12:00 noon on the day of the meeting. The Chair will call on people to comment in the order the registrations were received. This will follow in-person comment. Online registration is only required for the General Public Comment portion of the meeting.
- To speak to an agenda item when public comment is called for, please choose the raise your hand feature on the application. The moderator will then individually unmute the speaker and the speaker will need to follow the moderator's instructions before making comment. This will include turning on video. Each person will have three minutes to speak. The line will be muted at the end of the three minutes. Public comment is limited to residents of Larimer County, and individuals who own property or have business interests in the City.
- Individuals who wish to speak remotely but did not register may have a chance to comment once all in-person and online speakers who have registered are called on, if there is any time remaining. General Public Comment is limited to 60-minutes.

#### Regular Agenda Items:

- No online registration is required for individuals wanting to provide public comment on items included on the Regular Agenda.

- If an individual comments on a Resolution item shown on the Regular Agenda during General Public Comment, no additional comment can be given once the item comes up for discussion on the Regular Agenda.
  - Once a motion is made on an item shown on the Regular Agenda, the Chair will ask for public comment. The Chair will invite speakers to comment at that time. In-person comment will occur first, followed by online public comment.
3. Members of the public wishing to have their comments emailed to LURA and published in the agenda packet may use the form provided at the link below. Comments sent to LURA before 5 p.m. on the Friday prior to the regular or special meeting will be included in the agenda packet. Comments provided after such time or at the meeting will be posted in the agenda packet after the meeting. <https://www.lovgov.org/city-government/city-council/city-council-meetings/city-council-public-comment-form>

### **Notice of Non-Discrimination**

It is the policy of the City of Loveland to provide equal services, programs and activities without regard to race, color, national origin, creed, religion, sex, sexual orientation, disability, or age and without regard to the exercise of rights guaranteed by state or federal law. It is the policy of the City of Loveland to provide language access services at no charge to populations of persons with limited English proficiency (LEP) and persons with a disability who are served by the City.

For more information on non-discrimination or for translation assistance, please contact the City's Title VI Coordinator at [TitleSix@cityofloveland.org](mailto:TitleSix@cityofloveland.org) or 970-962-2372. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City's ADA Coordinator at [ADACoordinator@cityofloveland.org](mailto:ADACoordinator@cityofloveland.org) or 970-962-3319.

### **Notificación en contra de la discriminación**

La política de la Ciudad de Loveland es proveer servicios, programas y actividades iguales sin importar la raza, color, origen nacional, credo, religión, sexo, orientación sexual, discapacidad, o edad y sin importar el uso de los derechos garantizados por la ley estatal o federal. La política de la Ciudad de Loveland es proveer servicios gratis de acceso de lenguaje a la población de personas con dominio limitado del inglés (LEP, por sus iniciales en inglés) y a las personas con discapacidades quienes reciben servicios de la ciudad.

Si desea recibir más información en contra de la discriminación o si desea ayuda de traducción, por favor comuníquese con el Coordinador del Título VI de la Ciudad en [TitleSix@cityofloveland.org](mailto:TitleSix@cityofloveland.org) o al 970-962-2372. La Ciudad hará acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Americanos con Discapacidades (ADA, por sus iniciales en inglés). Si desea más información acerca de la ADA o acerca de las acomodaciones, por favor comuníquese con el Coordinador de ADA de la Ciudad en [ADACoordinator@cityofloveland.org](mailto:ADACoordinator@cityofloveland.org) o al 970-962-3319.

Title VI and ADA Grievance Policy and Procedures can be located on the City of Loveland website at: [cityofloveland.org](http://cityofloveland.org)

*Password to the public wireless network (colquest) is accesswifi*

## **1. INTRODUCTION**

### **1.1. CALL TO ORDER**

**1.2. PLEDGE OF ALLEGIANCE**

**1.3. ATTENDANCE REPORT OUT**

**1.4. PROCEDURAL INFORMATION**

Items requiring a public hearing or other public participation that remain on the Consent Agenda are considered to have been opened and closed, in the name of the applicable legal entity that is required to take action to approve such items. The information furnished in connection with these items, including any related public comment, is considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption of the staff recommendation for those items.

Anyone using the phone number or meeting ID and link at the front of the agenda must be a Larimer County resident or an individual who owns property or has a business interest in the City. The caller should choose the raise your hand feature or press \*9 to let the moderator know you wish to speak.

Anyone making an in-person comment during any portion of tonight's meeting should come forward to a microphone. Please do not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Comments will be limited to no more than three minutes; the City Clerk will start the timer once an introduction is made and a buzzer will sound when the three minutes have expired.

Please identify yourself and your city of residence.

(4:30)

**2. PUBLIC COMMENT**

Anyone who wishes to speak to an item NOT on the Regular Agenda section of the agenda may address the Council at this time. Any member of the public may request that an item on the Consent Agenda, labeled as quasi-judicial, be placed on the Regular Agenda for discussion and public comment or testimony.

Only residents of Larimer County, persons owning property in Loveland, or persons with a stated business interest in Loveland shall participate in Public Comment.

Public Comment is intended to provide citizens with an opportunity to address the LURA board directly. We encourage speakers to give public comment in a manner that promotes civil discourse. Generally, LURA will not respond to public comment other than to seek clarification of the matter raised and defer such matter to the Executive Director for review and resolution.

**3. CONSENT AGENDA**

At this time, any LURA Commissioner may request that an item on the Consent Agenda be moved to the Regular Agenda. These items will be heard at the end of the Regular Agenda. Members of the public, who have not previously provided public comment at

this meeting on an item moved to the Regular Agenda, will be given an opportunity to speak to the item before the LURA acts upon it.

- (5:00) 3.1. **CITY CLERK'S OFFICE** (presenter: Chad Thompson)  
**APPROVAL OF MINUTES**

***A motion to approve the Loveland Urban Renewal Authority minutes for the February 13, 2024 Regular Meeting***

Approval of the Loveland Urban Renewal Authority minutes for the February 13, 2024 Regular Meeting.

[02-13-24 LURA Minutes](#)

#### **4. CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA**

#### **5. MOTION TO ADOPT THE CONSENT AGENDA**

**A Motion To Adopt The Consent Agenda, Item 3.1, with the exception of Item(s) \_\_\_\_ .**

(5:05) **6. NEW BUSINESS FROM LURA**

**This is an opportunity for LURA Commissioners to introduce new business to discuss at this time or on a future Loveland Urban Renewal Authority agenda. LURA Commissioners will have 10 minutes to discuss each New Business item.**

**Commissioner Black - Discuss a Policy that Requires all Projects Under LURA to Complete an Audit**

- I'm hopeful that we can discuss a policy that requires all projects under LURA to complete an audit every so many years. I believe that LURA has been remiss by not requiring this over the last couple of decades. The public has brought this up to me and I want to ensure that LURA is being a prudent fiduciary. Also, I think it would be advantageous for the LURA to determine its role in Loveland and to have a mission statement/vision. It appears that LURA doesn't currently have a "plan". Some URA boards have created a strategic plan for the use of URA's in their city or town. They determine the areas in need and determine what kind of rehabilitation or renovation would be most beneficial to add to the citywide strategic plans. The process is very intentional.

[Commissioner Black - Discuss a Policy that Requires all Projects Under LURA to Complete an Audit](#)

**Commissioner Light-Kovacs - Establishing Best Practices for LURA Oversight**

- **Independent Audit:** To ensure that URA's are on track financially and for the sake of transparency, best practices in other URA's around the nation have independent audits either every 5 years or every 10 years. Our own LURA has never conducted a third-party independent audit on any of our projects and establishing this policy can help us improve transparency concerns and ensure that projects stay on track financially.
- **Establish Clear & Concise Project Metrics:** In all of my digging I was unable to locate any documents that include "checkpoints" where LURA can keep abreast of how the revitalization/developments are progressing. Is it a best practice to establish

the plan and the MFA with no measurable project goals along the way? If I have missed something please feel to correct me and let me know how we are tracking progress. I know that staff provides us with annual reports, but in the last several reports as found here the reports focused mainly on financial compliance. Is there a reason why we don't get updates on the projects themselves? These "checkpoints" should align to the URA Plan's goals.

The rationale behind this ask is that I'd like LURA to be good stewards of the public/private partnership and establishing some short but effective best practices can go a long way to ensuring success.

[Commissioner Light-Kovacs - Establishing Best Practices for LURA Oversight](#)

## 7. REGULAR AGENDA

### PROCEDURAL INFORMATION

***All items requiring a vote of LURA, require a majority of those present for passage. Public comment during the public comment portion of the meeting may address any topic. Public comment for matters for which a public hearing is required will occur at the time such matter comes before LURA. No person shall be allowed to provide public comment or testimony more than once on the same matter during the same meeting.***

- (5:25) 7.1. **CITY ATTORNEY'S OFFICE** (presenter: Vincent Junglas)  
**LOVELAND URBAN RENEWAL AUTHORITY SPECIAL DISTRICT VACANCY  
PROCESS**

#### ***Information Only***

On May 23, 2024, Tami Lien, former Director of the Thompson Valley Health Services District, notified the City of Loveland of her resignation from the LURA Board, creating a vacancy of the special district appointed seat.

This item will discuss the process that takes place when a vacancy occurs on the Loveland Urban Renewal Authority (LURA) Board.

[AIR-070924](#)

[Att 1 Form Letter Regarding Appointment of LURA Board Representative](#)

[Att 2 Tami Lien - Resignation Letter](#)

- (5:35) 7.2. **FINANCE**  
**FORENSIC AUDITS: LEGAL AND FINANCIAL OVERVIEW, AS RELATED TO  
CENTERRA MCWHINNEY REAL ESTATE SERVICES AND AFFILIATES**

***Motion to authorize staff to issue an RFP for services related to an audit of the urban renewal area known as Centerra North and for staff to recommend an auditor for LURA's consideration based on the responses.***

City staff are responding to the Loveland Urban Renewal Authority's (LURA) request to investigate the financial audit process. The City Attorney's Office, Finance Department, and specialists from Plante Moran; Hoffmann, Parker, Wilson & Carberry, P.C., and Butler Snow, LLC will provide a high-level overview within the realms of process, legal, and financial considerations.

1. **Financing and Mechanics of Forensic Audits:** Presented by Eric Conforti, Plante Moran & Brian Waldes
2. **Legal Questions Regarding Forensic Audits:** Presented by Austin Pierce Flanagan, Esq., Dalton Kelley & Vince Junglas
3. **Practical Questions on LURA Plan Areas:** Presented by Dalton Kelley
4. **Executive Session**

Based on the recommendation of the City Attorney, an executive session will then be held to discuss an audit of Centerra North - McWhinney Real Estate Services, CR Development, SMP 4, CPW, Centerra Lifestyle and others including Iron Horse Development, not limited to these, but to all its affiliates.

[AIRSS-0281](#)

[Att 1 LURA Financial Audit](#)

[Mayor Marsh Received 7-3-24 A](#)

[Mayor Marsh Received 7-3-24 B](#)

[Mayor Marsh Received 7-3-24 C](#)

[Mayor Marsh Received 7-3-24 D](#)

[Mayor Marsh Received 7-3-24 E](#)

[Mayor Marsh Received 7-3-24 F](#)

[Mayor Marsh Received 7-3-24 G](#)

[Mayor Marsh Received 7-3-24 H](#)

[Mayor Marsh Received 7-3-24 I](#)

[Mayor Marsh Received 7-3-24 J](#)

[Mayor Marsh Received 7-3-24 K](#)

[Mayor Marsh Received 7-3-24 L](#)

[Mayor Marsh Received 7-3-24 M](#)

[Mayor Marsh Received 7-3-24 N](#)

[Mayor Marsh Received 7-3-24 O](#)

[Mayor Marsh Received 7-3-24 P](#)

[Mayor Marsh Received 7-8-24 Q](#)

[Mayor Marsh Received 7-8-24 R](#)

### 7.3. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

## 8. REPORTS

### 8.1. **REPORTS FROM LURA COMMISSIONERS**

*This is an opportunity for LURA Commissioners to report on recent activities.*

### 8.2. **EXECUTIVE DIRECTOR REPORT**

### 8.3. **LURA ATTORNEY REPORT**

(6:00)

## 9. ADJOURN

