AGENDA
LAKEWOOD REINVESTMENT AUTHORITY
SPECIAL MEETING
LAKEWOOD CIVIC CENTER
480 SOUTH ALLISON PARKWAY
LAKEWOOD, COLORADO
FEBRUARY 10, 2020
8:00 PM
DIRECTLY FOLLOWING THE CITY COUNCIL MEETING

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

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PUBLIC COMMENT

A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Authority on any matter other than an agenda item will be given the opportunity after signing the roster. Speakers should limit their comments to three minutes.

CONSENT AGENDA

ITEM 4 – RESOLUTION LRA 2020-1 – A RESOLUTION AMENDING THE LAKEWOOD REINVESTMENT AUTHORITY BYLAWS TO DESIGNATE THE ECONOMIC DEVELOPMENT DIRECTOR AS THE SECRETARY/EXECUTIVE DIRECTOR OF THE LAKEWOOD REINVESTMENT AUTHORITY

END OF CONSENT AGENDA

ITEM 5 – GENERAL BUSINESS

DISCUSSION/ADVISEMENT – REQUEST FOR PROPOSALS/QUALIFICATIONS FOR LAKEWOOD REINVESTMENT AUTHORITY SPECIAL COUNSEL

ITEM 6 – ADJOURNMENT
SUMMARY STATEMENT: LRA Resolution 2020-1 amends the Lakewood Reinvestment Authority (LRA) Bylaws, designating the Economic Development Director as the Secretary/Executive Director of the LRA.

The Secretary/Executive Director of the LRA, in conjunction with other staff members administrates and executes the day-to-day work of the LRA. This work includes the preparation of materials for the Authority’s consideration at public meetings.

The Lakewood City Council and the Board of Commissioners of the LRA have expressed interest in exploring the possibilities of potentially expanding the Board in accordance with Colorado HB 15-1348.

Regardless of whether the Authority chooses to expand the Board or not, additional amendments to the Bylaws will likely need to be considered at future public LRA meetings. The Secretary/Executive Director of the LRA will shepherd those considerations to the Authority and then will be the principle administrative executive of the Authority’s direction.

BACKGROUND INFORMATION: In 2016, the Board of Commissioners of the LRA previously re-adopted Bylaws as they considered LRA Resolution 2016-3 designating the Deputy City Manager of the City of Lakewood as the Secretary/Executive Director of the LRA.

Changes in personnel have compelled the Authority to consider a change to the Bylaws, so as to identify the Economic Development Director to serve in the capacity of Secretary/Executive Director of the LRA.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATION: The LRA Board of Commissioners votes to approve the resolution as written.

ALTERNATIVES: The LRA Board may amend the resolution, and vote to approve the resolution as amended. The LRA Board may vote to not approve the resolution.

PUBLIC OUTREACH: Proper public notice was given for the reading and consideration of this resolution.

NEXT STEPS: None

ATTACHMENTS: LRA RESOLUTION 2020-1
LRA BYLAWS
LRA 2020-1

A RESOLUTION

A RESOLUTION AMENDING THE LAKEWOOD REINVESTMENT AUTHORITY BYLAWS TO DESIGNATE THE ECONOMIC DEVELOPMENT DIRECTOR AS THE SECRETARY/EXECUTIVE DIRECTOR OF THE LAKEWOOD REINVESTMENT AUTHORITY

WHEREAS, the Lakewood Reinvestment Authority ("LRA") adopted amended bylaws dated September 30, 2013 (the "Bylaws"), via LRA Resolution 2013-2;

WHEREAS, LRA Resolution 2016-3 amended the Bylaws to designate the Deputy City Manager of the City of Lakewood as the Secretary/Executive Director of the LRA;

WHEREAS, the Lakewood Deputy City Manager’s role has changed over time, and the LRA has determined that the Lakewood’s Economic Development Director is the appropriate position to act as the LRA’s Secretary/Executive Director; and

WHEREAS, the LRA now wishes to amend the Bylaws to designate the Economic Development Director as the Secretary/Executive Director of the LRA.

NOW THEREFORE be it resolved by the Board of Commissioners of the Lakewood Reinvestment Authority that:

SECTION 1. Section 4 of Article II of the Bylaws is hereby amended to read in its entirety as follows:

Section 4. Secretary/Executive Director. The Secretary of the Authority shall at all times serve as the Executive Director of the Authority. The Secretary/Executive Director shall be the Economic Development Director of the City of Lakewood or such other person as designated by resolution. The Secretary/Executive Director shall:

1. Attest to any resolutions or bylaws adopted by the Authority.

2. Shall execute all deeds, conveyances, deeds of trust and bonds under seal of the Authority.

3. Shall be the chief executive officer of the Authority and shall exercise supervision over the business of the Authority and of those members of the City Staff as may be assigned to Authority business.

4. Shall perform all duties which may from time to time be assigned to the Executive Director by the Board of Commissioners of the Authority.

SECTION 2. This Resolution shall become effective immediately upon adoption.
INTRODUCED, READ AND ADOPTED by a vote of _____ for and _____ against at a special meeting of the Board of the Lakewood Reinvestment Authority on February 10, 2020, at 8:00 p.m., at Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

ATTEST:

_______________________________
Benjamin B. Goldstein, Secretary/Exec. Director

APPROVED AS TO FORM:

_______________________________
Timothy P. Cox, General Counsel
ARTICLE I.

Name

Section 1. **Name.** The urban renewal authority for the City of Lakewood, created pursuant to Colorado Revised Statutes Part 1 of Title 31, Article 25, shall be known as the Lakewood Reinvestment Authority (hereinafter "Authority").

ARTICLE II.

Officers

Section 1. **Officers.** The officers of the Authority shall be the Chair, the Vice Chair, the Secretary/Executive Director, and the Treasurer.

Section 2. **Chair.** The Chair of the Authority shall at all times be the Mayor of the City of Lakewood.

Section 3. **Vice Chair.** The Vice Chair of the Authority shall at all times be the Mayor Pro tem of the Lakewood City Council.

Section 4. **Secretary/Executive Director.** The Secretary of the Authority shall at all times serve as the Executive Director of the Authority. The Secretary/Executive Director shall at all times be the Economic Development Director of the City of Lakewood or such other person as designated by resolution.

The Secretary/Executive Director shall:
1. Attest to any resolutions or bylaws adopted by the Authority.
2. Shall execute all deeds, conveyances, deeds of trust, and bonds under seal of the Authority.
3. Shall be the chief executive officer of the Authority and shall exercise supervision over the business of the Authority and of those members of the City Staff as may be assigned to Authority business.
4. Shall perform all duties which may from time to time be assigned to the Executive Director by the Board of Commissioners of the Authority.

Section 5. **Clerk.** The Clerk of the Authority shall at all times be the City Clerk of the City of Lakewood.

The Clerk shall:
1. Keep correct and complete minutes of the proceedings of the Board of Commissioners and any committees of the Authority.
2. Give all notices required by law.
3. Attest to all contracts, deeds, and other documents of the Authority.
4. Perform such other duties as directed by the Executive Director.
Section 6. **Treasurer.** The Treasurer of the Authority shall at all times be the Director of Finance of the City of Lakewood.

The Treasurer shall:
1. Have charge and custody of, and be responsible for, all funds and securities of the Authority.
2. Keep or cause to be kept correct and complete books and records of account.
3. Receive and give receipts for moneys due and payable to the Authority from any source whatsoever.
4. Render financial statements upon request of the Board of Directors of the Authority.
5. Sign all contracts of the Authority.
6. Perform all duties incident to the Office of Treasurer and perform such other duties as may be assigned by the Executive Director.

Section 7. **General Counsel.** The General Counsel of the Authority shall at all times be the City Attorney for the City of Lakewood. The General Counsel shall provide legal advice to the Board of Commissioners of the Authority and shall provide such other legal representation as directed by the Board of Commissioners of the Authority.

**ARTICLE III. Meetings**

Section 1. **Meetings.** The Board of Commissioners of the Authority shall hold a meeting each calendar year.

Section 2. **Place of Meetings.** The meetings of the Board of Commissioners and any committee of the Board of Commissioners shall be held at the Lakewood Civic Center or such other places as the Board of Commissioners shall determine.

Section 3. **Notice of Meetings.** Notice of meetings shall be given as required in Colorado Open Meeting Law, Revised Statutes§ 24.6.401 and 402, which requires posting of the notice of the time and place of the meeting and posting of an agenda for the meeting at least twenty four (24) hours prior to the holding of the meeting in the Lakewood Civic Center.

Section 4. **Quorum and Manner of Acting.** A majority of the Board of Commissioners shall constitute a quorum for the transaction of business at the annual or other regular meeting of the Board of Commissioners. The act of a majority of those Commissioners present at the meeting shall be the act of the Board of Commissioners on all matters.

Section 5. **Robert's Rules of Order.** Meetings of the Board of Commissioners shall be conducted in conformity with Robert's Rules of Order, as revised from time to time.
Adopted this 10th Day of February, 2020

______________________________
Adam Paul, Chair of the LRA Board of Commissioners

ATTEST:

______________________________
Michele Millard, Clerk of the Authority

APPROVED AS TO FORM:

______________________________
Timothy P. Cox, City Attorney
DATE OF LRA MEETING: FEBRUARY 10, 2020 / AGENDA ITEM NO. 5

To: Lakewood Reinvestment Authority
From: Tim Cox, LRA General Counsel
Gregory Graham, LRA Assistant General Counsel
Subject: REQUEST FOR PROPOSALS/QUALIFICATIONS FOR LRA SPECIAL COUNSEL

SUMMARY STATEMENT:
State legislation adopted in 2016 mandated that when local urban renewal authorities like the Lakewood Reinvestment Authority (“LRA”) decide to create new urban renewal areas or enlarge existing urban renewal areas, their boards must be expanded to include representatives of the County, the school district, and all Title 32 special districts that provide service in the urban renewal area. As LRA General Counsel, we have decided to engage in a search for a well-qualified candidate to serve as special counsel to the LRA to advise the LRA as to the pros and cons of, and if necessary, the process and procedures for, expanding the LRA Board.

BACKGROUND INFORMATION:
For many years, the City of Lakewood and the LRA were represented by the law firm Gorsuch Kirgis LLP (“Gorsuch”), and all legal personnel assigned to the City of Lakewood (“City”) were Gorsuch employees. When it became clear in 2004 that Gorsuch was on the brink of dissolution, the many Gorsuch attorneys who represented the City and the LRA left Gorsuch to form their own law firms.

For its part, the City offered to bring its Gorsuch attorneys in-house, and, on February 28, 2005, the LRA amended its bylaws to allow it to appoint as the LRA’s general legal counsel a law firm “with experience in the field in urban renewal and land use law.” The LRA then named the law firm of Murray Dahl Kuechenmeister & Renaud LLP, and Malcolm Murray in particular (collectively, “Murray”), as LRA General Counsel.

The LRA again amended its bylaws in 2013 to make certain desired changes. The amended bylaws identified the Lakewood City Attorney as LRA General Counsel. However, Murray continued to act as special counsel to the LRA. The bylaws were amended again in 2016, but such amendment did not make any further changes to the position of LRA General Counsel.

Murray’s role as LRA counsel has diminished in recent years, in part due to the LRA requiring less specialized legal services and also due to Malcolm Murray moving into semi-retirement. Murray has not actively represented the LRA for the last three to four years, and the Lakewood City Attorney’s Office, as LRA General Counsel, has been providing all LRA legal services during this time.

However, in light of the changes brought about by the 2016 legislation, for the LRA to effectively consider the potential for establishing one or more new urban renewal areas or adding property to existing urban renewal areas, the LRA will require specialized legal advice and legal services that the LRA General Counsel is not in a position to provide. While the new special counsel will ultimately be chosen by the LRA General Counsel, the search will be managed by the City’s Purchasing division, which will soon issue a Request for Proposals/Qualifications (“RFP/Q”) for highly qualified candidates.