



Town of Frederick  
Frederick Urban Renewal Authority  
Frederick Town Hall  
Board Chambers  
401 Locust Street  
Tuesday, July 19, 2022

**5:30 P.M.**  
**Regular Meeting**

Topic: Frederick Urban Renewal Authority  
Time: Jul 19, 2022 05:30 PM Mountain Time (US and Canada)

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Town of Frederick  
Urban Renewal Authority  
Frederick Town Hall  
401 Locust Street  
Tuesday, July 19, 2022

**5:30 P.M.**

**Call to Order – Roll Call:**

**Approval of Agenda:**

**Public Comment:** This portion of the agenda is provided to allow members of the audience to provide comments to the Urban Renewal Authority. Please sign in and the Chair will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later agenda. Please limit the time of your comments to three (3) minutes.

**Consent Agenda:**

- A. November 30, 2021 Minutes – Meghan Martinez, Assistant Secretary
- B. May 17, 2022 Minutes – Meghan Martinez, Assistant Secretary

**Discussion Agenda:**

- C. Conflict of Interest – Ryan Johnson, Deputy Executive Director

**Executive Session:**

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e)(1) regarding Miners Village Urban Renewal Area

For a conference with the authority attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); regarding Third Party Relationships

**Action Following Executive Session:**

**Adjournment:**

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# FREDERICK URBAN RENEWAL AUTHORITY

## MEETING MINUTES

FREDERICK TOWN HALL, 401 LOCUST STREET

NOVEMBER 30, 2021

**Call to Order:** At 4:04 Vice Chair March called the meeting to order and requested roll call.

**Roll Call:** Present were Vice Chair March and Commissioners Lamach, Padia, and Garcia. Commissioners Mahan and ONeal were not present.

Chairperson Crites joined the meeting at 4:05.

Commissioner Brown joined the meeting at 4:06.

Also present were Executive Director Bryan Ostler, Deputy Executive Director Ryan Johnson, Authority Finance Director Jason Leslie, and Assistant Secretary Meghan Martinez.

### **Staff Reports:**

Deputy Executive Director Ryan Johnson gave an update on various URA projects. He also shared information about the April 2022 Downtown Colorado, Inc. Annual Conference.

### **Consent Agenda:**

Motion by Commissioner Lamach and seconded by Commissioner teVelde to approve the consent agenda which consisted of the following items:

1. August 5, 2021 Minutes
2. 21-FURA-03 Posting Places
3. 21-FURA-04 Acknowledge Receipt of FY 2022 Budget

Upon roll call vote, motion passed unanimously.

### **Action Agenda:**

Resolution 21-FURA-05: District Finance Director Jason Leslie presented the proposed FY 2022 Budget.

At 4:20 Chairperson Crites opened the Public Hearing.

At 4:20 Chairperson Crites closed the Public Hearing.

Motion by Vice Chair March and seconded by Commissioner Lamach to approve Resolution 21-R-FURA-05. Upon roll call vote, motion passed unanimously.

Resolution 21-FURA-06 Approving the Form of and Directing the Execution and Delivery by the Authority of an Amendment to a Loan Agreement in Connection with the Authority's Outstanding Series 2018 Bond; and Related Matters: Finance Director Jason

Leslie presented the proposed resolution. Motion by Vice Chair March and seconded by Commissioner teVelde to approve Resolution 21-FURA-06. Upon roll call vote, motion passed unanimously.

**Discussion Agenda:**

Assistant Secretary Martinez discussed upcoming meetings and asked the Authority for direction on setting meeting dates and times.

The Authority determined regular meetings will be on either the 1<sup>st</sup> or 3<sup>rd</sup> Tuesday of the month at 5:30.

**Executive Session:**

Motion by Commissioner Brown and seconded by Commissioner Lamach to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e)(1) regarding potential restaurant. Upon roll call vote, motion passed unanimously.

At 4:48 Chairperson Crites recessed the meeting to go into executive session.

At 5:13 Chairperson Crites reconvened the meeting.

There being no further business of the Authority, Chairperson Crites closed the meeting at 5:13 p.m.

Approved by the Frederick Urban Renewal Authority

\_\_\_\_\_  
Tracie Crites, Chair

ATTEST:

\_\_\_\_\_  
Meghan C. Martinez, Assistant Secretary



# FREDERICK URBAN RENEWAL AUTHORITY

## MEETING MINUTES

FREDERICK TOWN HALL, 401 LOCUST STREET

MAY 17, 2022

**Call to Order:** At 5:37 Chairperson Crites called the meeting to order and requested roll call.

**Roll Call:** Present were Vice Chair March and Commissioners Lamach, Mahan, Padia, Brown, Moreno, teVelde, and Garcia. Commissioner Vigil was not present.

Note for the record: there is one vacancy on the commission.

Also present were Executive Director Bryan Ostler, Deputy Executive Director Ryan Johnson, Authority Finance Director Jason Leslie, and Assistant Secretary Meghan Martinez.

### **Action Agenda:**

**Resolution 22-FURA-01 Approving the Fourth Amendment to the Purchase and Sale Agreement with Quiktrip Corporation, an Oklahoma Corporation:** Deputy Executive Director Ryan Johnson presented the proposed resolution. Motion by Vice Chair March and seconded by Commissioner Moreno to approve Resolution 22-FURA-01. Upon roll call vote, motion passed unanimously.

### **Discussion Agenda:**

**CDOT Update:** Matt Hopper and Gabe Santo consultants with Summit Strategies discussed the CDOT project.

### **Executive Session:**

Motion by Vice Chair March and seconded by Commissioner Mahan to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e)(1) regarding potential restaurant. Upon roll call vote, motion passed unanimously.

Motion by Commissioner Lamach and seconded by Vice Chair March to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e)(1) regarding potential restaurant. Upon roll call vote, motion passed unanimously.

At 6:35 Chairperson Crites recessed the meeting to go into executive sessions.

At 8:03 Chairperson Crites reconvened the meeting.

Motion by Commissioner Lamach and seconded by Commissioner Padia to direct staff to move forward with negotiations as discussed. Upon roll call vote, motion passed unanimously.

Motion by Commission Mahan and Commissioner Padia to move forward with negotiations as discussed. Upon roll call vote, motion passed unanimously.

There being no further business of the Authority, Chairperson Crites closed the meeting at 8:05 p.m.

Approved by the Frederick Urban Renewal Authority

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Tracie Crites, Chair

ATTEST:

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Meghan C. Martinez, Assistant Secretary



# TOWN OF FREDERICK URBAN RENEWAL AUTHORITY INFORMATION MEMORANDUM

Tracie Crites, Chair

Dan March, Vice Chair  
Kevin Brown, Authority Member  
Windi Padia, Authority Member  
Mark Lamach, Authority Member  
Adam Mahan, Authority Member

Steve Moreno, Authority Member  
Chris Vigil, Authority Member  
Chico Garcia, Authority Member  
Chad teVelde, Authority Member

## Conflict of Interest Disclosure

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**Agenda Date:** Urban Renewal Authority Meeting - July 19, 2022

**Attachments:** a. Commissioner Lamach Disclosure

**Issue/Request:**

This item is for discussion among the Commissioners as it relates to a stated potential conflict of interest from one of the Commissioners.

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**Submitted by:** Ryan Johnson  
Deputy Executive Director, Frederick Urban Renewal Authority

**Approved for Presentation:** Bryan Ostler  
Executive Director

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**Detail of Issue/Request:**

Urban Renewal Authorities in Colorado, are a political subdivision of the State. As such, the Colorado Revised Statutes has created a framework that governs how urban renewal authorities conduct themselves. One such component of this framework relates to how to navigate conflicts of interest.

Recently, Staff received a notification (attached) from an Urban Renewal Authority Commissioner regarding a potential conflict of interest. This item is merely a platform for the Authority to discuss amongst themselves this disclosure and the merits therein.

**Legal/Political Considerations:**

CRS 31-25-104(3) states that “No commissioner, other officer, or employee of an authority nor any immediate member of the family of any such commissioner, officer, or employee shall acquire any

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interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any commissioner, other officer, or employee of an authority owns or controls an interest, direct or indirect, in any property included or planned to be included in any project, he shall immediately disclose the same in writing to the authority, and such disclosure shall be entered upon the minutes of the authority. Upon such disclosure, such commissioner, officer, or other employee shall not participate in any action by the authority affecting the carrying out of the project planning or the undertaking of the project unless the authority determines that, in the light of such personal interest, the participation of such member in any such act would not be contrary to the public interest. Acquisition or retention of any such interest without such determination by the authority that it is not contrary to the public interest or willful failure to disclose any such interest constitutes misconduct in office.”

**Alternatives/Options:**

Discussion of this item in an open meeting satisfies the requirement to have the disclosure entered in the minutes of the authority.

Option 1: If the consensus of the Authority is that a conflict of interest does in fact exist, it would be appropriate for someone on the Authority to make a motion to that effect. Upon successful passage of a motion, that Commissioner would no longer be able to participate in any action by the Authority affecting the carrying out of the project planning.

Option 2: If the consensus of the Authority is that a conflict of interest does not exist, no action is required. In such a scenario, the Commissioner would have the agency to still participate in all matters related to the carrying out of the project planning.

**Financial Considerations:**

This discussion item has no fiscal impacts.

**Staff Recommendation:**

Staff recommends the Authority discuss amongst themselves the merits of this disclosure and whether or not any further action should result from the discussion.



## Attachment A

Ryan,

>

> I am writing you to inform you of a possible conflict of interest that I may have with the proposed development plan for the corner of Colorado Blvd. and Highway 52 in Frederick, Colorado. As you know, I serve on the local Board of Trustees and am a Commissioner on the Frederick Urban Renewal Authority (FURA). This notice is being directed to both the Town Board of Trustees and FURA.

>

> Since details of the proposed development plan are considered by the proposed Developer to be confidential trade secrets, this notice does not contain details of the potential conflict, but the FURA commissioners have been fully advised of it in a recent Executive Session as were the Town Trustees who were present and sitting as FURA commissioners.

>

> I have been advised by FURA's legal counsel to keep this notice general, but I can disclose any conflict has nothing to do with the proposed Developer.

> I believe I can make decisions regarding these opportunities without any conflicts and stand to gain "nothing in return" by full filling my duties as a Trustee, Commissioner, but I feel obligated to bring these concerns to the attention of all parties. I understand that my fellow Commissioners and Trustees will review my concerns and will decide if they believe there is a conflict or not.

> Please follow the necessary procedures to address my concerns and inform me of the outcome.

>

> Respectfully and with Regards.

>

> Mark Lamach

> Trustee

> Frederick Board of Trustees

> FURA Commissioner

> (720)382.5501 Voice mail