



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: April 11, 2022

TO: President Heather Graham and Members of City Council
CC: Mayor Nicholas A. Gradisar
VIA: Marisa Stoller, City Clerk
FROM: Jerry M. Pacheco, Pueblo Urban Renewal Authority Executive Director
SUBJECT: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 3 TO THE COOPERATION AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE PUEBLO URBAN RENEWAL AUTHORITY RELATING TO THE ST. CHARLES INDUSTRIAL PARK URBAN RENEWAL AREA

SUMMARY:

The attached Ordinance approves Amendment No. 3 to the Cooperation Agreement between the Pueblo Urban Renewal Authority ("PURA") and the City relating to the St. Charles Industrial Park Urban Renewal Project Area. The third amendment to the Cooperation Agreement authorizes PURA to distribute excess proceeds in the Special Fund, collected in the St. Charles Industrial Park Urban Renewal Project Area, to public bodies levying ad valorem property taxes in said area.

PREVIOUS COUNCIL ACTION:

The Urban Renewal Plan for the St. Charles Industrial Park Urban Renewal Project ("Plan") was approved by City Council on December 21, 2008. PURA and the City entered into a Cooperation Agreement on June 8, 2009 regarding the financing of certain eligible public improvements.

Amendment No. 1 to the Cooperation Agreement was entered into by PURA and the City on October 23, 2010. The purpose of the first amendment to the Cooperation Agreement was to, among other things, provide for reimbursement to the Pueblo Board of Waterworks ("Pueblo Water") for eligible public improvements made by Pueblo Water in order to provide water service to Vestas.

Amendment No. 2 to the Cooperation Agreement was entered into by PURA and the City on November 27, 2017. The purpose of the second amendment to the Cooperation Agreement was to provide for additional reimbursement to Pueblo Water for additional costs of eligible public improvements incurred in providing water service to the Vestas Towers America, Inc. manufacturing plant.

BACKGROUND:

In the administration of terms and obligations of the St. Charles Industrial Park Urban Renewal Project Area, PURA has determined that excess proceeds will be collected in the Special Fund over and above its fiscal obligations. This Amendment No. 3 will provide a procedure to distribute excess proceeds collected in the Special Fund to Pueblo County, School Districts 60 and 70, Library District, Southeastern Water Conservancy District and Lower Arkansas Valley Water Conservancy District. PURA will continue to reimburse the City the City's portion of the collected TIF revenue, consistent with the June 8, 2009 Cooperation Agreement.

FINANCIAL IMPLICATIONS:

None. PURA will continue to reimburse the City the City's portion of the collected TIF revenue.

BOARD/COMMISSION RECOMMENDATION:

On April 12, 2022, the Pueblo Urban Renewal Authority Board of Commissioners will vote on this Amendment No. 3 of the Cooperation Agreement.

STAKEHOLDER PROCESS:

Not applicable to this Ordinance.

ALTERNATIVES:

If this Ordinance is not approved there will be no procedure to distribute excess proceeds collected in the special fund to taxing entities.

RECOMMENDATION:

Approval of the Ordinance.

Attachments:

Proposed Ordinance
Proposed Amendment No. 3 to the Saint Charles Industrial Park Urban Renewal Project Area Cooperation Agreement.

ORDINANCE NO. 10161

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 3 TO THE COOPERATION AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE PUEBLO URBAN RENEWAL AUTHORITY RELATING TO THE ST. CHARLES INDUSTRIAL PARK URBAN RENEWAL AREA

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

Amendment No. 3 to the Cooperation Agreement between the City of Pueblo, a Colorado Municipal Corporation ("City") and the Pueblo Urban Renewal Authority, a body corporate and politic of the State of Colorado ("PURA") relating to the St. Charles Industrial Park Urban Renewal Area, dated April 25, 2022, attached hereto, having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

The Mayor is hereby authorized to execute said Amendment No. 3 for and on behalf of the City and the City Clerk is authorized to affix the seal of the City thereto and attest the same.

SECTION 3.

The officers and staff of the City authorized to perform any and all acts consistent with this Ordinance and the attached Amendment No. 3, to implement the policies and procedures described therein.

SECTION 4.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on April 11, 2022.

Final adoption of Ordinance by City Council on April 25, 2022.



President of City Council

Action by the Mayor:

Approved on April 27, 2022.

Disapproved on _____ based on the following objections:

Nilda Leal

Mayor

Action by City Council After Disapproval by the Mayor:

Council did not act to override the Mayor's veto.

Ordinance re-adopted on a vote of _____, on _____

Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST

Lyssa

City Clerk