



**Minutes of Meeting
October 28, 2014**

A. CALL THE MEETING TO ORDER

The meeting was called to order at 4:02 p.m. by Chair Thompson in the City Council Chambers of the Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado.

B. ROLL CALL OF MEMBERS

Authority Members Present: Thomas Abbott
 Chad Harr
 Janice Thompson
 Jennifer Walter

Authority Members Absent: Tracy Langworthy

Also Present: Lauren Mikulak, Senior Planner
 Kenneth Johnstone, Community Development
 Director
 Larry Nelson, Cornerstone Realty
 Betty Maybin, Cornerstone Realty
 Kim Waggoner, Recording Secretary

C. APPROVAL OF MINUTES: August 26, 2014

It was moved by Mr. Harr and seconded by Mr. Abbott to approve the minutes of August 26, 2014 as written. Motion carried 4-0.

D. OFFICERS REPORTS

Chair Thompson stated she toured Fruitdale School with staff, students and family members of the Fruitdale Building Corporation and Mountain Phoenix School.

E. PUBLIC FORUM

Mr. Nelson arrived at 4:07 p.m.

Craig Horlacher

10720 W. 45th Ave.

Mr. Horlacher stated he was present at the tour with Fruitdale Building Corporation and Mountain Phoenix School. He asked if the Restrictive Covenant documents will be modified to allow the property to be used for any type of educational facility (e.g. a preschool instead of a high school). Chair Thompson asked to carry on with the agenda as the Fruitdale School was on the agenda and his questions will be answered during the discussion.

F. NEW BUSINESS

G. OLD BUSINESS

1. Update on Single Family Homes Rehab and Sales

Mr. Nelson stated the construction bids came in much higher than anticipated for the property on 44th Place. He questioned how much the board would like to spend on the rehabilitation versus subsidizing the house.

Ms. Mikulak reviewed the quotes and potential deletions. She stated the bids were good for 30 days and suggested to pick a bid, set a budget cap, or defer the decision until the Authority receives more information from the county about covering the overage.

Chair Thompson suggested doing minimal rehabilitation instead of a full rehabilitation. Mr. Nelson stated the property will sell either way.

Mr. Johnstone asked if the Authority could sell the home as is and reimburse the CDBG funds to the county. Ms. Mikulak stated she did not know but will inquire with the county.

There was some discussion about the CDBG program and budget for the purchase and rehabilitation of the recent properties.

There was some discussion about the scope of work for the home on 44th Place and speculation that the market has changed and it is affecting the sale price of homes and the cost of labor. Mr. Abbott suggested changing the goal for the best outcome for the property. Chair Thompson suggested focusing on safety/code issues and energy efficiency items in the bids.

The Authority decided to schedule a tour of the home so the members could see the property and then re-evaluate the scope work for rehabilitation.

Mr. Harr requested recent sale information for the area. Mr. Nelson stated he gave some information to Ms. Mikulak.

Mr. Nelson and Ms. Maybin left the meeting at 4:35 p.m.

2. Fruitdale School

Ms. Mikulak stated that negotiations with the Fruitdale Building Corporation were ongoing and wanted to discuss several documents associated with the sale.

Ms. Mikulak provided an Amendment to Purchase and Sale Agreement to the board members and stated the closing will likely occur before the end of the year. She also reviewed the Resolution in the packet which formally authorizes the sale of the property, and transfers the license agreement for use of the playground.

She stated the Fruitdale Building Corporation indicated it may be a more appropriate space for their early childhood education program, instead of a high school. The Restricted Covenant language will need to be updated to allow this flexibility.

There was some discussion about which buildings are listed on the National Register. Mr. Johnstone stated any buildings not the National Register could be demolished, such as the smaller cottage in front of the school.

Chair Thompson stated the Fruitdale Building Corporation is considering refurbishing the caretaker's cottage for an onsite office.

Mr. Harr disclosed a potential conflict of interest and stated he has two children who attend Mountain Phoenix and his wife serves on one of their boards. Ms. Mikulak asked Mr. Harr if he could vote in a fair and unprejudiced manner. Mr. Harr stated he has no financial gain or conflict in interest.

After hearing Mr. Harr's declaration of a possible material gain or conflict of interest, it was moved by Mr. Abbott and seconded by Ms. Walter to declare that there is no conflict in interest and it is not necessary to preclude Mr. Harr from participating fully in the Fruitdale discussion and decision making process.

Motion approved 3-0-1 with Mr. Harr abstaining from the vote.

Mr. Horlacher stated the homeowner association is more in favor of an elementary school versus a high school due to parking. He asked to consider language changes in the Restrictive Covenant in paragraphs one and three to any other educational facility/charter school. Chair Thompson suggested the homeowners association voice their opinion to the Fruitdale Building Corporation. Mr. Horlacher stated a letter has been sent to them.

Chair Thompson stated the topic of traffic control was raised during the tour. A traffic signal was discussed to help pedestrians crossing W. 44th Avenue.

It was moved by Mr. Harr and seconded by Ms. Walter to approve the resolution approving the sale of real property owned by the Authority to the Fruitdale Building Corporation, LLC.

Motion approved 4-0.

Mr. Johnstone asked the Authority if they wanted to make a motion to revise the Restrictive Covenant document to create flexibility in terms of allowing different types of schools/education purposes.

It was moved by Mr. Abbott and seconded by Mr. Harr to direct staff to approve final language of the restrictive covenant to be executed by the board chair with the three conditions noted in the staff memo, 1. The word Fruitdale remain in the school name, 2. The historic qualities of the exterior be preserved, and 3. The purchasers renovate an educational or community based facility within certain time frames or deed the property back to the WRHA.

There was some discussion regarding the language of the Restrictive Covenant.

Motion approved 4-0.

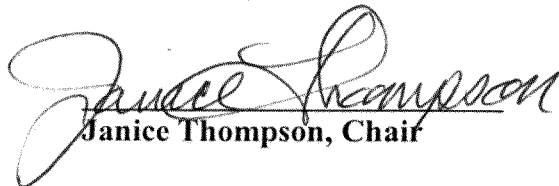
Chair Thompson thanked staff for their work and the due diligence in relation to Fruitdale.

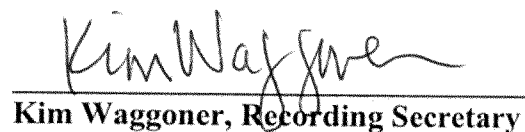
H. OTHER

I. ADJOURNMENT

It was moved by Ms. Walter and seconded by Mr. Thomas to adjourn the meeting at 5:15 p.m. Motion carried 4-0.

Next meeting is scheduled for November 25, 2014.


Janice Thompson, Chair


Kim Waggoner, Recording Secretary