



AGENDA

Housing, Neighborhood Services and Redevelopment Policy Committee

Thursday, July 7, 2022, 10:00 a.m.

VIRTUAL MEETING

City of Aurora, Colorado

15151 E Alameda Parkway

Public Participation Dialing Instructions

Dial Access Number: 1.408.418.9388 | Access code: 2498 523 9089

Council Member Crystal Murillo, Chair

Council Member Ruben Medina, Vice Chair

Council Member Juan Marcano

The Housing, Neighborhood Services and Redevelopment Policy Committee's goal is to:

- Maintain high quality neighborhoods with a balanced housing stock by enforcing standards, in relation to new residential development, and considering new tools to promote sustainable infill development;
- Plan for redevelopment of strategic areas, including working with developers and landowners, to leverage external resources and create public-private partnerships

Pages

1. Call to Order

2. Approval of Minutes

2.a. June 2, 2022

3. Announcements

4. New Items

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4.a. Community Development Investment and 2022 Private Activity Bond Assignment

8

Agenda long title: Second round of 2022 Community Investment Process/NOFO and 2022 Private Activity Bond (PAB) Assignment

Sponsor name : Alicia Montoya – Housing and Community Development

Manager / Tim Joyce – Assistant City Attorney

Estimated presentation/discussion time: 15 Minutes

4.b. City Greenhouse Overview

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Agenda long title: City Greenhouse Overview

Sponsor name: Brooke Bell /Tim Joyce

Estimated presentation/discussion time: 5 minutes

5. Miscellaneous Matters for Consideration

5.a. Updates From Community Members

6. Adjournment

HOUSING, NEIGHBORHOOD SERVICES & REDEVELOPMENT POLICY COMMITTEE

June 2, 2022

Members Present: *Council Member, Chair Crystal Murillo*
Council Member, Vice-Chair Ruben Medina
Council Member, Juan Marcano

Others Present: Mattye Sisk, Adrian Botham, Jessica Prosser, Daniel Krzyzanowski, Anthony Youngblood, Andrea Amonick, Brandt Van Sickle, Chad Argentar, Courtney Tassin, Christina Amparan, Daniel Brotzman, Jackie Ehmann, Jeff Hancock, Karen Hancock, Laila Schmidt, Liz Fuselier, Mindy Parnes, Roberto Venegas, Sandra Youngman, Scott Campbell, Teresa Sedmak, Tim Joyce, Emma King, Alicia Montoya

WELCOME AND INTRODUCTIONS

Council Member Murillo welcomes everyone to the meeting.

MINUTES

May 5, 2022 minutes are approved.

ANNOUNCEMENTS

No announcements are made.

NEW ITEMS

Livestock Update – Information **Summary of Issue and Discussion**

Anthony Youngblood, Manager of Animal Services, presented this item. Livestock is only allowed in RA-zoned districts within the city. There are cities around the Denver Metro Area that have different regulations for pigs with some cities with bans, permits, or certain restrictions. Some cities, such as Commerce City, Northglenn, and Westminster, allow them, but have weight restrictions. “Mini pig” is a term used to distinguish between smaller breeds and farm pigs. Despite misinformation, there are no “teacup,” “micropigs,” or “micro-mini pigs.” These are terms used by breeders for marketing. Due to the misinformation, there are pigs needing new homes because they grow larger than the expected 90-100 pounds. Potbelly pigs can also pass on zoonotic diseases such as salmonella and swine flu to humans. The two pigs that were allowed in the city needed to get vaccines for other similar diseases. Potbelly pigs are also loud and get louder during rooting and mating season. The smallest pig breed, the Kune Kune, gets up to 30 inches tall and people keep them at 95 to 100 pounds like dogs. However, according to vets, they must be kept on a restrictive diet to stay at 100 pounds. These pigs are bred from 130 to 250 pounds.

Factors such as Planning and Zoning, Building Codes, HOAs, and others must also be considered. Insurance must be notified regarding livestock to cover the property insurance. Soil and water contamination, though not normally a big deal, may have a big effect if the livestock is kept next to a runoff. If the city does not impose a weight restriction, Animal Services may not be able to house or transfer the pig due to its size. The shelter is ill-equipped to handle pigs and does not have options for them in the winter months. There are also concerns regarding noise, potential property damage,

and potentially aggressive pigs. The closest livestock vet available for pigs is in Lafayette. Female pigs must be spayed which is a very invasive procedure due to their anatomy and biology.

As for ducks, they are messier than chickens, need cleaner water more often, and are vocal. They can live up to 10-15 years and their wings need to be trimmed constantly to prevent flying away. Ducks also require more space than chickens and prefer lower ground rather than being elevated. If ducks are allowed in the city, they would follow the same permitting process and regulations as chickens. The eight-bird limit would still be imposed per property with ducks needing to be in multiples of two with a maximum of four ducks.

Questions/Comments

CM Marcano expressed his disappointment regarding the misleading marketing regarding pigs. He asked how ducks are messier. He also asked if the amount of water needed is substantial or if an ecologically friendly reuse system could be set up. Anthony explained that duck feces attract more bugs and, unlike chickens, ducks do not eat their feces. Regarding water, he mentioned that it will take up to 12 gallons a day or two big kiddie pools for 30 days during the summer months. He added that it needs to be refreshed one to two times a day. He said that it will add to the residential water bill but is not substantial that it cannot be done. CM Marcano asked what the protocol will be for the winter months since the water will freeze. Anthony said homeowners will put in pails and buckets for drinking water. He said that bathing will be different since ducks know when the temperature is bad for their circulation.

CM Medina mentioned that there is misleading information regarding small pigs and that there is no such thing as a small pig. CM Murillo asked for further explanation regarding the number of birds allowed per property. Anthony answered that if the property is 20,000 square feet or more, eight hens are allowed, but no roosters. He mentioned that an ordinance must be drafted to recommend Animal Services to allow eight birds altogether while ducks must be in multiples of two. He mentioned that if someone has four ducks, they can only add four chickens for a total of eight birds. CM Murillo asked if it is more restrictive for ducks. Anthony confirmed this and restated that the ducks can only be housed in multiples of two.

CM Marcano asked if ducks and chickens can cohabitate and if ducks prefer the ground level. Anthony stated that those that have both chickens and ducks have had no problems with cohabitating the two animals. CM Marcano asked if ducks attract predators the same way chickens do. Anthony confirmed this and said that for the ordinance, the birds must be locked up from dusk to dawn.

CM Murillo stated that the item is informational and is not going to the full Council. CM Marcano said he would like to see an ordinance drafted to allow for keeping ducks that coincide with the guidelines for chickens. He added that pigs are not suitable for residential areas although they are sweet animals. CM Murillo asked for CM Medina's opinion regarding the direction. CM Medina agreed that keeping ducks would be fine, but not pigs.

CM Murillo mentioned that there were residents that were active in wanting potbelly pigs, but it would not make sense at this time. She asked for more information regarding the permit-only option for pigs in Denver. Anthony explained that if someone petitions to have a pig in Denver, they must state their case in front of a three-person panel and have supporting signatures from neighbors. He added that they approve the applications at a 50/50 rate since it is also greatly based on neighbor approval. CM Murillo asked the other committee members for their opinions regarding a permit-only option. CM Marcano expressed his concern regarding people underfeeding the pigs and

encouraging animal abuse due to weight restrictions. CM Murillo said they do not need to have a weight restriction. CM Marcano added that pigs require a larger space than chickens or ducks. He mentioned that people in Ward IV or Havana Heights with big homes can put a pig. However, if they are zoned R1 and R2, they could not pursue it. Anthony confirmed that the zoning must be RA.

CM Marcano asked if CM Murillo's proposal would be to explore a permitting process that would allow pigs to be in other zone classifications. CM Murillo said she likes that the approval of the permit would also be up to the neighbors. She mentioned that they would also consider other parameters such as if the person is well-experienced and has the capacity for the commitment to raise a pig and if the neighbors agree to the possibility of noise. She clarified that she wants to see what the ordinance would look like for Aurora. Anthony posited the situation where someone doesn't know how to take care of an unruly pig and Animal Services has to pick it up, but they can't house it. He expressed his concerns regarding ensuring the animal would be on its best behavior and the possibility of having a problem animal that the city would not be able to take care of and house.

CM Marcano asked if they can get up to 250 pounds. Anthony explained that they can get as large as 400 pounds. CM Medina said he has raised pigs and they can get big and unruly. He added that they can also hurt people if they hit you. CM Murillo stated that that would be difficult to manage and reneged her interest in the ordinance for the potbelly pigs. She mentioned that having an ordinance would entail that they must also have a process in place for dealing with potential negative outcomes. She said that the ordinance for potbelly pigs will not move forward. Anthony said they will work with the legal department on the ordinance for ducks.

Outcome – Staff will draft an ordinance to allow ducks in properties and move this forward to Study Session.

Consideration of a Resolution to Approve a Substantive Amendment to the Colorado Science and Technology Park Urban Renewal Plan Creating a Second Tax Increment Financing Area
Summary of Issue and Discussion

Chad Argentar presented the proposed amendment to the Colorado Science and Technology Park (CSTP) Urban Renewal Plan. The city planned for the economic impact of the closing of the Fitzsimons Army Medical Garrison closure in 1999. The Fitzsimons Urban Renewal Area (URA) was created in 2001 and the CTSP Urban Renewal Area was created out of the north portion of the Fitzsimons URA in 2008. The golf course previously owned by the US Army was then turned over to the Fitzsimons Redevelopment Authority, which is the local development agency. Changes in Urban Renewal Law necessitate amending the plan when a new tax increment financing (TIF) area is created. To support the development of the western portion of the CSTP URA, a new TIF area is proposed which is a substantive change to the Urban Renewal Plan and therefore requires a plan amendment. The amended plan will include the addition of the new TIF area as well reflect new development and plans that have occurred since 2008. When the Base Realignment and Closure Commission (BRAC) identified Fitzsimons for closure, to offset the economic loss, the city planned to repurpose the area for a premier bio life science park and hospital center. Initial development included the University of Colorado Hospital with buy-ins from the Children's Hospital and the VA Hospital.

The first TIF was created in 2008 following the adoption of the Urban Renewal Area Plan. The original concept was to attract large, traditional biotech companies build their research and development facilities. Due to a change in the biotech market, the FRA decided to update the

redevelopment concept and shift to an innovation incubator concept attracting companies that work closely with research institutions and hospitals. This resulted in a rebranding from the FRA to the Fitzsimons Innovation Community (FIC). At the same time, the light rail station was built and developed. The proposed amendment will address previous developments and incorporate elements of the Aurora Places plan with regard to urban and innovation districts.

The FIC area roughly 184 acres. In TIF Area 1, there is about 1 million square feet of development including new schools and a hotel. Another half a million square feet of development can still occur in TIF Area 1. In TIF Area 2, the Bioscience 1 and 3 buildings have been constructed and the Bioscience 5 is under construction. There are 3 to 4 million square feet of new development proposed in TIF Area 1a including University of Colorado facilities. New infrastructure will be needed to support the new development. Most of the proposed infrastructure such as streets, gutters, and utilities is planned over the initial 10-year period. Infrastructure construction costs are estimated to be \$83.4 million in current dollars. This cost, however, does not include financing costs, such as bonds related to projects. At full build out, TIF Area 2 could support up to 10,000 new jobs.

. The Aurora Urban Renewal Authority (AURA) is also required to negotiate with various taxing entities such as APS, the Mile High Flood District (MHFD), Adams County, and the CSTP Metropolitan Districts. APS and the county will provide 70% of their property tax increment into the project area. MHFD will provide 100% and Aurora is proposed to provide 100% as well. The City Council approved the designation of blight in 2020 and AURA has been negotiating with different taxing entities since that year. AURA will go in front of the Council on June 6 for a resolution to set a public hearing for July 11. AURA will then go to Planning Commission on June 8, then Study Session on June 13, with the public hearing and AURA Board meeting on July 11. Following this, AURA will work on finalizing a development agreement with the CSTP Metropolitan District to provide pledged incremental revenues to support the financing of their infrastructure. The plan also includes an intent to provide programs and services funding to benefit the immediate adjacent community.

Questions/Comments

CM Marcano asked if the rendering shown as background in the presentation slides is the current proposal. Chad stated the rendering was conceptual. CM Marcano asked what the TIF would be for besides the infrastructure. Chad explained that the TIF would be used to fund the \$85 million plus financing costs for the infrastructure, and reserve funding for neighborhood programming or related development. The reserve funding would be revenue for other needs during the 25-year period. He stressed that this project is large and will take a longer time to complete than many other urban renewal projects within the city. CM Marcano said that there is a “remaining streets and infrastructure” category for \$17 million. He asked if that would be the catch-all for unforeseen parts of the project. Andrea Amonick clarified that there might be incidental streets and infrastructures, and this will be funded by the individual developers responsible for adjacent improvements for their sites. She said that those would not be funded by the TIF. She added that the authority will be keeping some money to fund programs like attracting different businesses or helping offset additional costs since it is a multi-phased project.

CM Marcano asked if the southern side would be for more commercial and industrial use and if the north side will go to housing. Chad said no. Andrea said the original intent of the Urban Renewal Plan was to create jobs. The housing, as per the Urban Renewal Plan, has been capped at a number of units and those areas to the east of Scranton Parkway go to that cap. Housing is not intended at

this time as a business innovation campus is being built in TIF 2. She added that the TIF is dedicated to the infrastructure to allow the land to be developed.

CM Coombs asked if Council will have a say on the final site plan. She mentioned the four two-tier parking garages that can be combined. Andrea said that there is a general development plan (GDP) approved for the area and there is a Design Review Board composed of campus individuals and representatives from the Planning Department. She mentioned that as long as the construction is consistent with the GDP, the City Council would not see the master plan since it has already been approved under the GDP. However, if there is a substantive change, City Council would have to review it and it would go through planning. CM Coombs said that she would hate to see space wasted for parking. Chad added that there is always a danger of showing something as a rendering not knowing exactly what will be built, but just the potential.

CM Murillo asked staff to further elaborate on how somebody would advocate for the community funds being spent one way or the other. Andrea said that as part of the amendment, they will create a community benefit fund for the area, and they have talked to the other taxing jurisdictions that are contributing their tax increment to the fund. The Authority will hold the funds. She added that the Authority Board includes representatives of the counties, the school board, and special districts. The Urban Renewal Authority Board will decide where the community benefit fund will go. The funds will be built up over time and the funds will be allocated to the third party. She mentioned that if the funds are allocated to a third party, the other jurisdictions will ask to be more fairly represented given that they are putting in a considerable amount of money from their taxing jurisdiction.

CM Murillo asked if a third party is someone not part of the taxing jurisdiction. Andrea clarified that she is referring to third-party nonprofits that provide community services. She said the money can be spent to assist adjacent areas and there are requirements by statute on how the money is spent. She mentioned that if the board would like to put money towards housing development, there would likely be a committee put forward to allocate that money specifically.

CM Murillo mentioned the need for community spaces for youth and school closures. She asked if they can preemptively allocate the funds towards a project once the funds become available. Andrea said the board would decide where to allocate the funds. She added that the other taxing jurisdictions feel that they are equally making financial contributions and would want to be involved in supporting the campus and other community efforts. She said the board would move forward with the allocation of this community benefit because it would be in partnership with the other taxing jurisdictions.

CM Murillo asked when the funds would be available. Andrea said that the plan is scheduled to be approved on July 11 and the tax base will be set as 12 months prior to July 11 in terms of the property tax base, sales or lodgers, or use tax base available from city revenues. She added that the value of the two buildings that are already constructed will likely be part of the base and they are trying to get the Bioscience 5 Building to be included increment. She said that once there is a new valuation, that would be the new property tax increment and that's when the money would start to be available for the fund. She clarified that the Bioscience 5 is still not completed, but has started construction. CM Murillo asked for the timeline for the revenue to start. Andrea said that it would be 18 months from July and could be in 2024.

Chad said there is about a 20 - 25-year build-out period. He mentioned that they can't build anything until the infrastructure is in place. Due to this, the increment will slowly ramp up over time. He said that if the base is established and set to capture the increment, they predict \$100,000 from the property taxes that would go into the community benefit fund yearly during the initial years. He said

that this would increase once there is a new development and a new increment created. Andrea said they can spend the money at any point in time and they will keep the Board apprised of its availability. She said the money could be available as soon as three years into the development or by 2024. CM Murillo asked if they can determine how the money is spent before it is actually in the account, as long as the TIF area is created and the plan is approved. She added that they could then give direction. Andrea said yes.

CM Murillo mentioned that they are asking for the item to be forwarded to a Study Session. Andrea explained that they will go to the June 6 meeting to put a resolution on the Council Calendar to set the public hearing for July 11. They will make a presentation to the Planning Commission on June 8 to be reviewed and determine if the plan is consistent with Aurora Places. They are then asking the Committee to move the item forward to an all-Council Study Session on June 13. She said that Building 5 is already under construction and they have bonding needs. She added that they cannot bond until the amendment is passed and they don't want to be the cause of delay.

Outcome – This item will move forward to Study Session.

Department of Local Affairs (DOLA) Grant Update

Summary of Issue and Discussion

Alicia Montoya, the Manager of Community Development, presented an update on the Department of Local Affairs (DOLA) Grant. The \$112,000 grant was effective as of February 9, 2022. The city would match the difference to create a \$150,000 budget to hire a qualified consultant. This consultant will perform a fee waiver and an incentive feasibility study. In addition, there will be an infrastructure fund feasibility assessment and land use code policy updates to incentivize and/or reduce barriers to affordable housing development. The goal is to create better housing policies tailored to Aurora and reduce barriers to affordable housing development.

Once the studies are received, recommendations will be considered and implemented when deemed appropriate and feasible for the city. The first quarterly report was submitted to DOLA in April. Currently, the RFP is under review. Once it comes out, it will be posted by the end of the week to start getting bids.

Questions/Comments

CM Marcano commented that he is excited to see what comes out of the grant. Alicia said they are also looking forward to it. CM Marcano asked if Alicia has been working with the new Planning Director, City Manager, and Laura Perry. He said he brought requests for a code review to them since a lot of things they are trying to do are currently not permissible according to the city code. Alicia said she is working with Jeanine Rustad, and they will eventually have a review committee regarding those items. She mentioned that Jeanine's team is also involved in the housing strategy and that they are working together to address issues and ensure the policy makes sense. CM Murillo expressed her excitement about the data on how they can achieve goals for the city and take actionable steps.

Outcome – This item is informational only.

MISCELLANEOUS MATTERS FOR CONSIDERATION

Updates from Community Members

CM Murillo asked for staff to check the live stream for any comments. CM Marcano said the live

stream is on YouTube, but the comments were turned off. He asked why the comments were turned off. Jessica Prosser said Adrian used the meeting live stream for testing. Adrian said that Michael Bryant was heading the live stream and that it is still on its soft opening and not yet publicized. He said they can turn on the comments once it goes live. CM Marcano commented that any avenue to hear from residents would be appreciated. Roberto Venegas explained that they are still figuring out the staffing, facilitation, and monitoring of the chat room with the communications department.

Next meeting: Thursday, July 7, 2022 at 10 a.m.

Meeting Adjourned: 12:14 p.m.

APPROVED: _____
Committee Chair, Crystal Murillo



CITY OF AURORA

Council Agenda Commentary

Item Title: Community Development Investment and 2022 Private Activity Bond Assignment
Item Initiator: Jessica Prosser, Director of Housing and Community Services
Staff Source/Legal Source: Alicia Montoya, Housing and Community Development Manager / Hanosky Hernandez Sr. Assistant City Attorney
Outside Speaker: N/A
Council Goal: 2012: 5.6--Continue to plan for high quality neighborhoods with a balanced housing stock

COUNCIL MEETING DATES:

Study Session: 7/18/2022

Regular Meeting: 7/25/2022

ITEM DETAILS:

Agenda long title: Second round of 2022 Community Investment Process/NOFO and 2022 Private Activity Bond (PAB) Assignment
 Sponsor name : Alicia Montoya – Housing and Community Development Manager / Tim Joyce – Assistant City Attorney
 Estimated presentation/discussion time: 15 Minutes

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Use dropdown menu to select committee from list.

Policy Committee Date: Click or tap to enter a date or type N/A

Action Taken/Follow-up: *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

The purpose of the Community Development Investment (CDI) applications is to provide resources for developers and service providers interested in creating and/or preserving affordable housing opportunities in the city of Aurora. The city’s housing priorities are established in the adopted [Housing Strategy](#) and guided by six policies informed by best practices and extensive community input. Applications are evaluated based on alignment with the policies and goals of the Housing Strategy. The most recent round of CDI/Notice of Funds Opportunity (NOFO) commitments were presented and approved at the May 9, 2022 Regular City Council Meeting. During that presentation, a total of \$21,387,505.00 in PAB fund were approved and assigned to the following projects:

1. Fitzsimons Gateway Apartments - \$11M – 210 Units
2. Aurora Metro Center Station Senior Housing \$5M – 222 units
3. Weatherstone Apartments - \$5M – 204 Units

Types of Projects Funded: New rental or for-sale affordable housing, rehabilitation/preservation of existing affordable housing projects.

Funding Sources: HOME (Home Investment Partnership Program) funds and CDBG (Community Development Block Grant) funds. The city assigned \$21M in PAB, \$3.6 million in HOME funds, and \$800,000.00 of CDBG funds for the spring round of financing.

Project Name	HOME	PAB	ARPA	CDBG	AMI Target	Total Units
Emporia Duplex Project	\$640,000.00	\$0	\$0		80%	12
Potomac Campus - Permanent Supportive Housing			\$1M		30%	60
Fitzsimons Gateway Apartments	\$1M	\$11M			30-70%	210
Elevate Aurora	\$1M		\$500,000.00		30-70%	131
Aurora Metro Center Station Senior Housing	\$960,000.00K	\$5M			30-80%	222
Residences at Willow Park				\$800,000.00	30%	72
Weatherstone Apartments		\$5M			60%	204
Totals	\$3.6M	\$21M	\$1.5M	\$800,000.00		

General Application Components/Evaluation Criteria:

- Alignment with Housing Strategy
- Meets an identified housing need in the community
- Demographics to be served by the project reflect the principles of diversity, equity, and inclusion
- Average median income to be served by the project
- Cost-effectiveness: leveraging of funding, review of sources and uses, and funding sustainability

- Available city funding sources based on project type, developer or organization experience, and surrounding compatible uses.
- Review Committee: City staff including Community Development, Homelessness Program, Finance, Planning, and Urban Renewal, and members of the Community Housing and Development (CHD) Committee.

These recommendations were brought to Council for approval in April of 2022. This item is approving the allocation of private activity bond cap as part of the Community Investment Process.

ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)

PAB Basics:

A Private Activity Bond (PAB) is a special class of tax-exempt bond that benefits private non-governmental borrowers that can be issued by states, local governments or housing authorities. These “state or local issuers” are bound by very specific restrictions as to the use of the bonds and the compliance requirements related to those bonds. The benefit of PABs is that the interest paid to the bondholders is exempt from Federal income tax, which generally results in a lower borrowing cost to the eligible project or a lower interest rate mortgage in the case of single family bonds. A population-based formula establishes the maximum amount of PAB that a state can issue annually, which amount is referred to as “cap” or “volume cap.”

Eligible Uses for PABs

- Affordable multifamily housing including new construction or acquisition and rehabilitation for low- and moderate-income individuals and families.
- Single Family Mortgage Revenue Bonds (SFMRBs) used to finance the purchase of mortgages made to income-qualified first-time homebuyers.
- Mortgage Credit Certificates (MCCs), a financing enhancement for income eligible first-time homebuyers (can’t be combined with SFMRB financing).
- Industrial Development Bonds for smaller manufacturing projects (less than \$10 million) that produce any type of goods.
- Qualified Redevelopment Bonds used to acquire and redevelop blighted areas (typically not used in Colorado).
- Solid Waste Disposal Bonds used to finance certain disposal facilities utilizing certain waste disposal processes.

Recommendations for PAB funding:

1. Fitzsimons Gateway Apartments - \$11M – 210 Units
2. Aurora Metro Center Station Senior Housing \$5M – 222 units
3. Weatherstone Apartments - \$5M – 204 Units

QUESTIONS FOR COUNCIL

Does the HORNS Committee support the assignment of the City’s Private Activity Bond allocation for 2022 to the Housing Authority of the City of Aurora, DBA Aurora Housing Authority, BMC Investments, Aurora Leased Housing Associates I LLC/Dominium, and Steele Properties LLC?

LEGAL COMMENTS

Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act, Section 24-32-1701, et seq., C.R.S., the City has received a direct allocation of the State of Colorado’s Private Activity Bond Ceiling for 2013 in the amount of \$19,145,385.00. As a designated local issuing authority, the City may assign all or a portion of its allocation to the Colorado Housing and Finance Authority for the purpose of financing the construction of a multi-family rental housing project. See, Sec. 24-32-1706 (2), C.R.S. (Hernandez)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: City Council had approved our recommendation for PAB as follows:

1. Fitzsimons Gateway Apartments - \$11M – 210 Units
2. Aurora Metro Center Station Senior Housing \$5M - 222
3. Weatherstone Apartments - \$5M – 204 Units

City Council approval will allow the utilization of the above PAB funds to be transferred to the designated projects.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Type explanation here or enter N/A if no private fiscal impact.

ASSIGNMENT OF ALLOCATION

THIS ASSIGNMENT OF ALLOCATION (the “Assignment”), dated as of _____, 2022, is between the City of Aurora, a Colorado, a home rule municipal corporation (the “Assignor”), and the Housing Authority of the City of Aurora, Colorado, dba Aurora Housing Authority, a body corporate and politic of the State of Colorado (the “Assignee”).

RECITALS

A. The Assignee intends to finance or assist in the financing of qualified residential rental projects including, but not limited to, the costs of the acquisition, construction, rehabilitation, renovation and equipping of three projects; the Fitzsimons Gateway Apartments, the Aurora Metro Center Station Senior Housing, and the Weatherstone Apartments (collectively, the “Project”).

B. Each Project will be designed to qualify as a “project” within the meaning of Title 29, Article 4, Part 2, Colorado Revised Statutes, as amended (the “Act”).

C. The Assignee intends to provide for the issuance of its multifamily housing revenue bonds, notes or other obligations, in one or more series (the “Proposed Bonds”), pursuant to the provisions of the Act for the purpose of financing the Project.

D. The Assignee has requested that the Assignor assign to the Assignee all of the Assignor’s 2022 allocation in the amount of \$21,387,505.00 (the “Allocation”) under the bond ceiling for the State of Colorado and its issuing authorities (the “State Ceiling”) computed under Section 146(d) of the Internal Revenue Code of 1986, as amended (the “Code”), as provided for the Assignor as a “designated local issuing authority” under part 17 of article 32 of title 24, Colorado Revised Statutes, as amended (the “Allocation Act”), for use in connection with the financing of the Project.

E. Subject to the terms and conditions set forth herein, the Assignor desires to assign to the Assignee, and the Assignee desires to accept, the Allocation in the amount of \$21,387,505.00 from the State Ceiling.

ASSIGNMENT

In exchange for the agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Assignor hereby assigns and transfers to the Assignee all the Assignor’s 2022 Allocation from the State Ceiling for private activity bonds in an amount equal to \$21,387,505.00. The Assignor and the Assignee understand that such assigned allocation shall automatically be relinquished to the “Statewide Balance” as defined under the Allocation Act unless (a) the Proposed Bonds are issued by the Assignee on or before September 15, 2022, or (b) Section 24-32-1706(3)(c) of the Allocation Act, pertaining to the carryforward of the assigned allocation, applies.

2. The Assignor represents that it has received no monetary consideration for the assignment set forth above.

3. The Assignee hereby:

(a) accepts the assignment of \$21,387,505.00 of the Assignor's Allocation from the State Ceiling described above;

(b) agrees to use its best efforts to issue and use the Proposed Bonds for the purpose of financing the Project, and further agrees to use its best efforts to deploy the Allocation to finance a portion of the costs of rehabilitation, renovation and equipping of three projects; (i) Fitzsimons Gateway Apartments, (ii) Aurora Metro Center Station Senior Housing, and (iii) Weatherstone Apartments (collectively, the "Project").

(c) agrees to abide by each of the terms and conditions of this Assignment in connection with the use of such Allocation.

4. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the assignment set forth herein as an allocation for any project with a carryforward purpose within the meaning of the Allocation Act.

5. Nothing contained in this Assignment shall obligate the Assignee to finance any particular multifamily rental housing project located in the City of Aurora or elsewhere, provided that any Proposed Bond proceeds attributable to the Allocation shall be subject to paragraph 3 above.

6. This Assignment shall not constitute the debt or indebtedness or financial obligation of the Assignor within the meaning of the constitution or statutes of the State of Colorado, nor give rise to a pecuniary liability or charge against the general credit or taxing power of the Assignor.

(The remainder of this page is intentionally left blank)

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment of Allocation to be executed to be effective as of the date and year first written above.

CITY OF AURORA, COLORADO as
Assignor

By: _____
MIKE COFFMAN, Mayor

ATTEST:

APPROVED AS TO FORM:

KADEE RODRIGUEZ,
City Clerk



HANOSKY HERNANDEZ,
Sr. Assistant City Attorney

HOUSING AUTHORITY OF THE CITY
OF AURORA, COLORADO, as Assignee

By: _____
Chair

ATTEST:

By: _____
Clerk to the Board

RESOLUTION NO. R2022- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO,
AUTHORIZING THE ASSIGNMENT OF THE CITY'S 2022 PRIVATE ACTIVITY
BOND ALLOCATION TO THE HOUSING AUTHORITY OF THE CITY OF AURORA,
DBA AURORA HOUSING AUTHORITY

WHEREAS, the Internal Revenue Code of 1986, as amended, (the "IRC"), restricts the amount of tax-exempt Private Activity Bonds (the "Private Activity Bonds") which may be issued in the State to provide for qualified residential rental projects, and for certain other purposes; and

WHEREAS, pursuant to the IRC, the State of Colorado passed the Private Activity Bond Ceiling Act, constituting Title 24, Article 32, Part 17, Colorado Revised Statutes (the "Allocation Act"), and the City of Aurora, Colorado (the "City") has received a direct allocation of the State of Colorado's Private Activity Bond Ceiling for the year 2022 (the "2022 Allocation") in the amount of \$21,387,505.00; and

WHEREAS, the Allocation Act provides for the allocation of the State Ceiling among the Colorado Housing and Finance Authority, and other governmental units in the State, including the City and further provides for the assignment of such allocations to such other governmental units, including local housing authorities; and

WHEREAS, the Housing Authority of the City of Aurora, Colorado, dba Aurora Housing Authority (the "Authority") has requested that the City assign all of the 2022 Allocation in the amount of \$21,387,505.00 (the "Assigned Allocation") to the Authority pursuant to Section 24-32-1706 of the Allocation Act, to be used to issue bonds to finance qualified residential rental projects including but not limited to the costs of the acquisition, construction, rehabilitation, renovation and equipping of three projects; the Fitzsimons Gateway Apartments, the Aurora Metro Center Station Senior Housing, and the Weatherstone Apartments (collectively, the "Project"); and

WHEREAS, the City desires to assign the 2022 Allocation to the Authority; and

WHEREAS, the City Council of the City has determined it is in the best interest of the City to assign its 2022 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City and the Authority in the form presented at this meeting (the "Assignment").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. Authorization of Assignment. The Aurora City Council hereby authorizes the assignment of the City's allocation of the State of Colorado's Private Activity Bond Ceiling for the year 2022 to the Aurora Housing Authority.

Section 2. Approval of Assignment of Allocation. The form, terms and provisions of the Assignment hereby are approved, and the officers of the City hereby are authorized, and the Mayor and City Clerk are hereby authorized to execute the attached "Assignment of Allocation" in substantially the form presented at this meeting with such technical additions, deletions and variations as may be deemed necessary or appropriate by the City Attorney.

Section 3. Further Action. The officers of the City shall take such other steps or actions necessary or reasonably required to carry out the terms and intent of this Resolution and the Assignment, with the additions, corrections or deletions that the City Attorney deems necessary and not inconsistent with this resolution.

Section 4. Ratification. All actions not inconsistent with the provisions of this Resolution taken by City Council and the officers of the City directed toward the assignment of the 2022 Allocation and the authorization of the Assignment are hereby ratified, approved and confirmed.

Section 5. Severability. If any section, paragraph, clause or provision of this resolution is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution, the intent being that the same are severable.

Section 6. Rescission. All resolutions of the City, or parts thereof, inconsistent with this resolution are hereby rescinded only to the extent of such inconsistency.


RESOLVED AND PASSED this ____ day of _____. 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ,
City Clerk

APPROVED AS TO FORM:

 gk

HANOSKY HERNANDEZ,
Sr. Assistant City Attorney



Private Activity Bond Assignment (PAB) and Summer 2022 Community Development Investment (CDI) Round

Alicia Montoya

Housing and Community Development Manager

July 7, 2022



OVERALL OBJECTIVE

- PAB Assignment to Aurora Housing Authority
- Update on CDI – Summer 2022 Round



PAB Basics

A Private Activity Bond (PAB) is a special class of tax-exempt bond that benefits private non-governmental borrowers that can be issued by states, local governments or housing authorities. These “state or local issuers” are bound by very specific restrictions as to the use of the bonds and the compliance requirements related to those bonds. The benefit of the PABs are that the interest paid to the bondholders is exempt from Federal income tax, which generally results in a lower borrowing cost for the eligible project or a lower interest rate mortgage in the case of single-family bonds. A population-based formula establishes the maximum amount of PAB that a state can issue annually, which amount is referred to as “cap” or “volume cap.”

Eligible Uses for PABs

- Affordable multifamily housing including new construction or acquisition and rehabilitation for low- and moderate-income individuals and families.
- Single Family Mortgage Revenue Bonds (SFMRBs) used to finance the purchase of mortgages made to income-qualified first-time homebuyers.
- Mortgage Credit Certificates (MCCs), a financing enhancement for income eligible first-time homebuyers (can't be combined with SFMRB financing).
- Industrial Development Bonds for smaller manufacturing projects (less than \$10 million) that produce any type of goods.
- Qualified Redevelopment Bonds used to acquire and redevelop blighted areas (typically not used in Colorado).
- Solid Waste Disposal Bonds used to finance certain disposal facilities utilizing certain waste disposal processes.



Background Information

In the most recent round of Community Investment Funding commitments were presented and approved at the May 9, 2022 regular City Council Meeting. During that presentation, a total of \$21,387,505.00 in Private Activity Bond (PAB) fund were approved and assigned to the following projects:

Project Name	HOME	PAB	ARPA	CDBG	AMI Target	Total Units
Emporia Duplex Project	\$640,000.00	\$0	\$0		80%	12
Potomac Campus - Permanent Supportive Housing			\$1M		30%	60
Fitzsimons Gateway Apartments	\$1M	\$11M			30-70%	210
Elevate Aurora	\$1M		\$500,000.00		30-70%	131
Aurora Metro Center Station Senior Housing	\$960,000.00K	\$5M			30-80%	222
Residences at Willow Park				\$800,000.00	30%	72
Weatherstone Apartments		\$5M			60%	204
Totals	\$3.6M	\$21M	\$1.5M	\$800,000.00		911



Summer 2022 CDI Round

- Summer 2022 CDI Round Live Now
- Communications
 - Press Release
 - Newspaper
 - Website
- Amounts
 - CDBG - \$300k
 - HOME - \$1M
 - ARPA - \$2M
- Deadline to Apply
 - July 8, 2022







CITY OF AURORA

Council Agenda Commentary

Item Title: City Greenhouse Overview
Item Initiator: Brooke Bell, PROS Director
Staff Source/Legal Source: Brooke Bell, PROS Director / Tim Joyce, Assistant Attorney II Civil
Outside Speaker: None.
Council Goal: 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: N/A

ITEM DETAILS:

City Greenhouse Overview
Brooke Bell
Brooke Bell /Tim Joyce
5 min/5 min

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached
- Minutes Attached
- Minutes Not Available

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

None.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

Staff to review green house condition, future plans to assess building condition and to determine cost to restore City green houses to partial and/or full functionality. In addition staff will exam interest for potential lease/partnership with non-profits through the PROS Master Plan process.

QUESTIONS FOR COUNCIL

None.

LEGAL COMMENTS

The City has the powers that are necessary, requisite, or proper for the government and administration of its local and municipal matters. (City Charter, art. I, sec. 1-3). Council shall act by ordinance, resolution, or motion. (City Charter, art. V, sec. 5-1). Council has the authority to do what is deemed necessary and proper to promote the prosperity, improve the order, comfort and convenience of the City and its inhabitants. (City Code § 2-32) This item is informational only. No formal council action necessary. (TJoyce)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

Parks, Recreation, and Open Space Department

City Greenhouse Overview
July 2022



City of Aurora
PROS Department, Parks O&M

Council Question



What is the cost to restore the City greenhouse to full functionality for a potential lease to non-profit?



Location



History



- Built in the mid 70's
- For decades used to grow annual flowers for landscape beds
- Drought changed use



Current Use



- Continue to grow some plants
- Used as storage
- Seed germination



Condition



- Poor
- Most irrigation and essential equipment has been removed or needs replacement
- Cover or “skin” needs to be replaced

Considerations for Future Uses of Greenhouse

- Cost of renovation
- Partnerships
- Staffing
 - Farm Manager and 3 Full-time Farmers
- Operational costs
 - Utilities
 - Maintenance
 - Professional development



Future Uses of Greenhouse – Next Steps

- Complete further evaluation of greenhouse as part of PROS Master Plan
- Implement facilities condition assessment to identify scope and cost of improvements needed to make facility operational



APPENDIX



Original Denver Urban Gardens Vision (late 2018)

- Develop a Public – Private partnership for year round farming opportunities
- Renovate the 3,300 square foot greenhouse to working condition
- Expand revenue opportunities through year round growing and specialty crop options
- Develop transitional employment/contract opportunities
- Continue to foster the relationship between the City and project partners

