

City Council Special Meeting *Agenda*

Friday, April 17, 2020
2:30 PM

Electronic Meeting

This meeting will be held electronically. Residents interested in listening to the meeting should visit the City's website here to link to the meeting:

louisvilleco.gov/government/city-council

The Council will accommodate public comments as much as possible during the meeting. Anyone may also email comments to the Council prior to the meeting at

Council@LouisvilleCO.gov.

1. **CALL TO ORDER & ROLL CALL**
2. **RESOLUTION NO. 31, SERIES 2020 – A RESOLUTION APPROVING AN EMERGENCY SOLUTIONS GRANT PROGRAM**
 - Staff Presentation
 - Public Comments (Please limit to three minutes each)
 - Council Questions & Comments
 - Action
3. **RESOLUTION NO. 32, SERIES 2020 – A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH THE LOUISVILLE REVITALIZATION COMMISSION TO PROVIDE EMERGENCY SOLUTIONS GRANT PROGRAM FUNDING (contingent upon Revitalization Commission consideration/approval)**
 - Staff Presentation
 - Public Comments (Please limit to three minutes each)
 - Council Questions & Comments
 - Action
4. **ADJOURN**

Citizen Information

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

**SUBJECT: RESOLUTION NO. 31, SERIES 2020 – A RESOLUTION
APPROVING AN EMERGENCY SOLUTIONS GRANT PROGRAM**

DATE: APRIL 17, 2020

PRESENTED BY: MEGAN E. PIERCE, ECONOMIC VITALITY DIRECTOR

SUMMARY:

On April 7, 2020 the City Council reviewed the significant impacts the COVID-19 pandemic has had on the local business community. Many businesses have been temporarily closed or are working under significant restrictions, impacting their ability to re-open and remain viable in the future. The City Council discussed the possible structure and criteria of a grant program for small businesses, in addition to the ways in which the City might administer the program. The matter was referred to the Economic Vitality Committee for more detailed recommendations. Any grant program should be approved by legislative action of the City Council, with findings as to the public purpose to be served by the program. A draft resolution is attached for City Council consideration.

DISCUSSION:

The Economic Vitality Committee (EVC) met on April 13 and April 15—reviewing the direction given by the Council and the means by which to create an application that is objective and can be efficiently administered. Much of the dialogue at the EVC focused on how to target small businesses most impacted by the pandemic, so that City funds can be directed to those with the greatest need.

The package will include both a checklist that outlines general eligibility for the program and the application itself. As recommended by the EVC, the program eligibility includes the following factors:

- Brick-and-mortar business within the City of Louisville (a permanent physical building that can reasonably be accessed by the public);
- In operation as of March 10, 2020 (date of the Governor’s State of Emergency Declaration);
- Current on all City accounts as of the date of application (Sales Tax and utilities, for example); and
- Employ 25 or fewer FTEs.

Consideration of limiting the number of locations a particular business could have was removed from the draft application.

To be considered, applicants would be required to also:

- Complete and sign the application (including all acknowledgements)

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- Submit a W-9
- Supply a Certificate of Good Standing from the Colorado Secretary of State

The EVC recommended to not require a 2018/2019 filed Tax Return as originally contemplated in the draft application.

Furthering the Council's direction to allocate \$250,000 of funding to the grant program, the EVC recommends awarding \$5,000 grants; it was felt this balances the desire to provide a true assistance to those struggling and being able to help a number of local businesses. The Committee also recommends a structured review process with a short application window rather than a rolling acceptance/approval (first come, first served). Staff believes a three business day submission timeline would meet the EVC's desire.

At the time of this report, the EVC is still discussing the other specific criteria and questions that will make up the Emergency Solutions Grant Program Application. Following the Monday meeting, staff is gathering data on the number of types of businesses by category and also revising/reframing areas of the application so that they may be more objectively reviewed or ranked. Revisions to the draft application between the Monday and Wednesday EVC meetings will concentrate on type of business, impact due to business closure or restriction, including impacts to profits and business losses, and actions the business is taking to be sustainable. Staff will plan to post and circulate the application package for consideration at the City Council meeting on April 17th as soon as possible.

FISCAL IMPACT:

On April 7, the City Council proposed an initial amount of \$250,000 for the Emergency Solutions Grant program; this funding would be from the City's General Fund.

PROGRAM/SUB-PROGRAM IMPACT:

The Emergency Solutions Grant program is related to the sub-program objective to maintain positive business relationships throughout the community and to attract and retain a diverse mix of businesses within Louisville.

RECOMMENDATION:

Staff recommends approval of the Resolution to launch the Emergency Solutions Grant program for small businesses within the City of Louisville.

ATTACHMENTS:

1. Resolution
2. Emergency Solutions Grant Program Application (to be attached later)

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input checked="" type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

RESOLUTION NO. 31
SERIES 2020

A RESOLUTION APPROVING AN EMERGENCY SOLUTIONS GRANT PROGRAM

WHEREAS, the City of Louisville (the “City”) is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City; and

WHEREAS, the Novel Coronavirus 2019 (COVID-19) Pandemic is causing widespread human and economic impacts to the City of Louisville; and

WHEREAS, on March 10, 2020, the Governor of the State of Colorado issued a Declaration of Statewide Emergency in response to COVID-19; and

WHEREAS, on March 15, 2020, the Mayor of the City, pursuant to Chapter 2.32 of the Louisville Municipal Code and C.R.S. § 24-33.5-709, executed a Declaration of Local Disaster Emergency in and for the City (the “Mayor’s Declaration”) in response to COVID-19; and

WHEREAS, by Resolution No. 27, Series 2020, adopted on March 16, 2020, the City Council continued in effect the Mayor’s Declaration until terminated by resolution of the City Council; and

WHEREAS, the City Council has taken several actions intended to help its residents and businesses with the impacts of COVID-19 and to continue governmental operations during the Pandemic; and

WHEREAS, a City survey of the local business community revealed COVID-19 has had a devastating financial impact, with many businesses required to close or dramatically reduce their operations; and

WHEREAS, the City Council finds that since the City’s survey was conducted, the impacts to COVID-19 on the community have increased significantly with the issuance and continuation by the Colorado Department of Public Health and Environment (“CDPHE”) of a statewide “stay-at-home” order, further threatening the survival of small businesses; and

WHEREAS, on March 27, 2020, the United States Congress adopted, and the President of the United States signed into law, the federal Coronavirus Aid. Relief and Economic Security (“CARES”) Act to provide relief to businesses impacted by COVID-19; and

WHEREAS, on April 8, 2020 the Governor extended the Declaration of Statewide Emergency for an additional thirty (30) days, to May 8, 2020, due to the continued presence of COVID-19 in the state and the need to continued response activities associated with the disaster, and directed \$68 million dollars to the state Disaster Emergency Fund for response activities related to COVID-19; and

WHEREAS, the City Council finds that delays in securing aid from federal and state programs may result in such aid not arriving in time to meet the most urgent needs of the City's small businesses, and that a local program can operate with greater speed and efficiency to meet those critical, immediate needs; and

WHEREAS, the City's Strategic Plan includes a Vibrant Economic Climate as a key goal of the City, with a sub-program objective to attract and retain a diverse mix of businesses within the City; and

WHEREAS, the City Council finds that maintaining a balanced and stable economy is best achieved by retaining a wide variety of businesses within the City, as each contributes to the overall fabric of the City's economy and the health, welfare, and enjoyment of its residents; and

WHEREAS, while everyone in the City has been impacted by COVID-19, the City Council finds the business community has been uniquely impacted by the stay-at-home order and social distancing restrictions, and that it would serve an important public purpose to address the inequality in the distribution of public burdens so that the small business community does not pay more dearly than others for the restrictions put in place to protect the public health; and

WHEREAS, the City Council further finds that providing assistance to businesses located within the City that have been impacted by COVID-19 would serve the important public purpose of stabilizing, improving and extending a valuable source of municipal revenue; and

WHEREAS, the City Council has reviewed the Emergency Solutions Grant Program, a copy of which accompanies this Resolution, and finds it should be approved in order to preserve the health, safety and public welfare of the City and its residents.

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

Section 1. The proposed Emergency Solutions Grant Program is hereby approved, with an expenditure in the amount of two hundred and fifty thousand dollars (\$250,000) from the City's general fund, plus any additional amount that may be provided by agreement with the Louisville Revitalization Commission.

Section 2. City staff is authorized and directed to administer the program in accordance with its terms.

PASSED AND ADOPTED this 17th day of April, 2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

SUBJECT: RESOLUTION NO. 32, SERIES 2020 – A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH THE LOUISVILLE REVITALIZATION COMMISSION TO PROVIDE EMERGENCY SOLUTIONS GRANT PROGRAM FUNDING (contingent upon Revitalization Commission consideration/ approval)

DATE: APRIL 17, 2020

PRESENTED BY: MEGAN E. PIERCE, ECONOMIC VITALITY DIRECTOR

SUMMARY:

On April 7, 2020 the City Council briefly discussed the possibility for the Louisville Revitalization Commission (LRC), which is the City’s Urban Renewal Authority, to participate in the Emergency Solutions Grant Program. Staff has coordinated with the City Attorney and also bond counsel in preparation for an April 15 LRC meeting.

DISCUSSION:

The LRC administers Tax Increment Finance (TIF) funds within the Highway 42 Revitalization Area. The original Highway 42 Revitalization Area Urban Renewal Plan was adopted in 2006. The Plan purpose is stated as: “To reduce, eliminate, and prevent the spread of blight within the Urban Renewal Area (URA) and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks, and throughout downtown...The rehabilitation and redevelopment of properties within the Urban Renewal Area will be accomplished through the improvement of existing structures and infrastructure, attraction of new investment and reinvestment, and prevention of deterioration of properties in the Area. The effort will involve the Commission and City with participation and cooperation by the private sector.”

In its efforts to reduce, eliminate, and prevent the spread of blight, the LRC has issued bonds to fund public improvements and infrastructure within the core area, entered into agreements with private entities to provide financing and financial assistance with infrastructure and redevelopment projects, and provided funds to the City to participate in capital projects benefitting the URA. A map of the URA is attached as reference.

While the LRC has not previously administered or participated in funding a grant program, staff discussions indicate this is feasible if structured properly. One of the development objectives from the Highway 42 Plan is in fact to “encourage continued presence of businesses consistent with the plan vision” (Section 4.2(h)). The Emergency Solutions Grant Program is focused on assisting small businesses that have been significantly impacted by the COVID-19 pandemic in order to assist such businesses continue operations. The application package currently being developed seeks to identify those most in need and at significant risk of not being able to re-open

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or remain a viable business in the short-term. If numerous businesses are not able to re-open or stay open, there will be a detrimental impact to the URA with increased vacancies and potential spread of blight if other businesses are not easily able to fill vacant store fronts.

Since the Emergency Solutions Grant program will be administered by the City, the LRC can elect to participate by entering into an agreement with the City specifically to allocate funding for businesses that apply and are located within the URA boundaries. Applications will be reviewed either by City staff or a review committee; eligibility, including businesses location, would be determined by the review process. The agreement between the City and the LRC would provide additional funding in an amount to be determined by the LRC. The City would administer the grants, with reimbursement from the LRC for grants made to businesses within the URA. Businesses within the URA would utilize the same grant process as others in Louisville; the only difference would be location within the URA would determine the ultimate source of funding.

Staff plans to review the above information with the LRC at its April 15 meeting, as much of this detail has been developed since their agenda packet was published last week. Staff will gauge LRC's interest in this arrangement and amount of funding. The City Attorney has prepared a Resolution to approve a cooperation agreement between the City and LRC; it is attached to this memo for consideration. As staff is still working with the LRC and bond counsel, please realize there may be more information or suggested amendments for the Friday meeting date. All of these steps are contingent on LRC's consideration.

FISCAL IMPACT:

The proposed agreement between the City and the LRC would provide additional funding available for the Emergency Solutions Grant program, specifically for businesses located in the URA.

PROGRAM/SUB-PROGRAM IMPACT:

The Emergency Solutions Grant program is related to the sub-program objective to maintain positive business relationships throughout the community and to attract and retain a diverse mix of businesses within Louisville.

RECOMMENDATION:

Staff recommends approving the Resolution for a cooperation agreement with the Louisville Revitalization Commission to provide Emergency Solutions Grant program funding, contingent upon LRC consideration of the matter.

ATTACHMENTS:

1. Resolution
2. Urban Renewal Area Map

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STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input checked="" type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

**RESOLUTION NO. 32
SERIES 2020**

**A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH THE
LOUISVILLE REVITALIZATION COMMISSION TO PROVIDE EMERGENCY
SOLUTIONS GRANT PROGRAM FUNDING**

WHEREAS, the City of Louisville (the “City”) is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City; and

WHEREAS, the Novel Coronavirus 2019 (COVID-19) Pandemic is causing widespread human and economic impacts to the City of Louisville; and

WHEREAS, on March 10, 2020, the Governor of the State of Colorado issued a Declaration of Statewide Emergency in response to COVID-19; and

WHEREAS, on March 15, 2020, the Mayor of the City, pursuant to Chapter 2.32 of the Louisville Municipal Code and C.R.S. § 24-33.5-709, executed a Declaration of Local Disaster Emergency in and for the City (the “Mayor’s Declaration”) in response to COVID-19; and

WHEREAS, by Resolution No. 27, Series 2020, adopted on March 16, 2020, the City Council continued in effect the Mayor’s Declaration until terminated by resolution of the City Council; and

WHEREAS, the City Council has taken several actions intended to help its residents and businesses with the impacts of COVID-19 and to continue governmental operations during the Pandemic; and

WHEREAS, a City survey of the local business community revealed COVID-19 has had a devastating financial impact, with many businesses required to close or dramatically reduce their operations; and

WHEREAS, in order to provide a source of fast and efficient funding to meet immediate critical needs of the City’s small business community, the City Council adopted Resolution No. 31, Series, 2020, approving an Emergency Solutions Grant Program and directed \$250,000 from the City general fund to the Program; and

WHEREAS, the Louisville Revitalization Commission also has a desire to provide some immediate assistance to those small businesses located within the Highway 42 Revitalization Area (the “URA”), in order to encourage continued presence of businesses consistent with the vision of the Urban Renewal Plan and to prevent the spread of blight within the Urban Renewal Area that could result from a proliferation of empty storefronts; and

WHEREAS, the City Council has reviewed the proposed Cooperation Agreement for Emergency Solutions Grant Program Funding between the City and the LRC, which will provide additional funding for grants to businesses within the URA, and desires by this Resolution to approve the Agreement.

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

Section 1. The proposed Cooperation Agreement for Emergency Solutions Grant Program Funding between the City and the Louisville Revitalization Commission is hereby approved.

Section 2. The Mayor is hereby authorized to execute the Agreement, and the Mayor is further authorized to negotiate and approve such revisions to the Agreement as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the Agreement are not altered.

PASSED AND ADOPTED this 17th day of April, 2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

City of Louisville - Highway 42 Urban Renewal Area

