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**Briargate Special Improvement Maintenance District Advisory Board**

**Meeting Minutes**

Library 21C Meeting Rm. B2

1175 Chapel Hills Dr.
July 18, 2019

1:00 PM

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**Board members present**: Naomi Boswell/Thomas Hayden/ David Litzleman/Kathleen Tillman

**Guests:** Councilman David Geislinger/Rebecca Greenberg/Marc Smith

**Staff members present:** Eric Becker/Desirée Bridgman

1. **Call to Order:** Meeting called to order at 1:03 p.m.
2. **Approval of May Minutes:**
3. Motioned: Thomas Hayden
4. 2nd: David Litzleman
5. Passed: Unanimously
6. **Discussion with City Attorneys Rebecca Greenberg and Marc Smith:**
7. Redistricting Options
8. City Attorneys, Rebecca Greenberg and Marc Smith were present for the discussion for the steps that would be necessary to restructure the current Briargate SIMD to a General Improvement District (GID), with the inclusion of non-SIMD properties. The following items were presented by Attorney Marc Smith:
9. Special Improvement Districts do not have any state provisions, as the SIMD structure is handled through local legislation, rather than state legislation.
10. SIMDs are pre-TABOR entities. Consequently, imposing a new additional tax on a mill levy or a new tax would require a vote of the people.
11. District options included in Title 31 and Title 32 for special districts: GIDs, Metro Districts, Business Improvement Districts, and Downtown Improvement Districts.
12. City Attorneys and Council Member David Geislinger researched district options and concluded that reducing the mill levy rate to zero to dissolve the SIMD; a GID could then be created for the SIMD replacement. The GID would overlay the SIMD, which would include the non-paying SIMD properties.
13. A GID can be created by a city government; yet, the City of Colorado Springs does not specialize in creating special districts or conducting district reclassifications and/or restructuring processes. The expertise of a private counsel would be needed to form a GID.
14. The City would form the GID, in which funds would have to be procured on behalf of the City. Council Member Geislinger will consult with the City Finance Department regarding the source of funding for private, legal counsel.
15. The restructuring of the SIMD or the creation of a GID will require a petition process of procuring a specific amount of electors and submitting the petition to the City Clerk for a hearing process; City Legal Staff would be present for the hearing and approval process, in which the petition is ultimately approved and/or rejected by the members of City Council. If the petition is approved, the petitioned item would be placed on the ballot for the vote of the people, which include the property owner(s) and/or tenant who is a registered voter and has lived within the district for 30 days.
16. A timeline of the entire process was discussed, in which the City Clerk can provide a scheduled timeline for the overall process.
17. A further discussion was had on the comparison on a SIMD, Metro District, and GID. Attorney Greenberg and Attorney Smith concluded a GID would be the best option, as City Council would maintain control of it, while a Metro District is controlled by a separate governmental entity. A SIMD has very limited services it can provide, while a Metro District would provide a greater array of services. The GID would provide greater funding, compared to that of a SIMD; a GID is the best option for this specific matter.
18. Thomas concluded that the two essential questions will be:
19. Who will the voters be?
20. How will this be funded?

1. **Briargate Planning Team Update:**
2. Associated Expenses:
3. Naomi and Thomas are a part of the Briargate Planning Team, in which meetings are held the second Friday of each month. A discussion was had about developing a communication format to disseminate information to the citizens within the Briargate SIMD. One forum will include Town Hall meetings. A meeting is scheduled with CONO on Friday, 7/26/19, to further discuss Town Hall scheduled meeting dates. The dates for the Town Hall meetings will be publicized, via a direct postcard mailer, the *Woodmen Edition*, and social media outlets. Some of the costs associated to these communication forums will be absorbed by the General Fund.
4. A discussion was had on the difficulty of speaking with a representative from the local HOAs.
5. **Old Business:**
6. District Tour Feedback:
7. Thomas was appreciative of the tour, as he indicated he learns something new with each tour.
8. Naomi would like to identify native grass areas, in addition to adding signage referencing the maintenance for these designated areas.
9. Woodmen Median Landscape Project Phase II-July 29:
10. The median project will begin Monday, July, 29, 2019. The project was delayed due to the May snow storm.
11. Tree Removal:
12. The May snow storm created a lot of tree destruction, in which staff has been tasked with making the clean-up a priority. Clean-up will continue into the fall and winter months.
13. **District Update:**
14. 2019 Period 6 Budget Report:
15. Eric shared a supplemental budget report. Eric indicated some expenses may not be presently reflected, and the expenses will be reflected in future budget reports. Eric discussed cost saving items, such as the reduction of water costs due to the amount of precipitation received.
16. 2019 Budget and Fund Balance:
17. Eric did not have revenue projections, just yet; they should be received by August. The Reserve Fund is currently $270K, and money rolling over to the Reserve Fund is predicted to bring the Reserve Fund to approximately $450K. The Reserve Fund could assist with maintenance operations.
18. Budget Focus Areas for 2020:
19. Eric discussed the focus for staff the SIMD.
20. Kathleen suggested a “Top 10” list of essential and/or priority projects needed for the Briargate SIMD. Eric will discuss this request with SIMD staff.
21. Naomi asked whether the acquisition of new vehicles has benefitted the SIMD, in which Eric stated turn-in vehicles from the General Fund have benefitted the SIMD. Naomi also asked about whether any major equipment will be needed? Eric will look into this.
22. Dave asked about the tree slash still in place, in which Eric indicated City Forestry has work orders on order to complete; some of this work will have to be contracted out.
23. Thomas asked about a few vacant positions, in which Eric indicated there is an open requisition for additional part-time seasonal positions within different districts; the Briargate SIMD staff is at capacity.
24. Eric indicated for next year, there will be General Fund monies available to assist with mowing, lights, and other maintenance operational costs.
25. **New Business:**
26. New Board Chair:
27. Richard has retired from his position as the Board Chair. Council Member Geislinger will do a special recognition for Richard’s service.
28. Thomas motioned the nomination for David to be the next Board Chair.

Motioned: Thomas Hayden

2nd: Kathleen Tillman

3rd: Naomi Campbell

Passed: Unanimously

1. **Other Business:**
2. None reported.
3. **Adjournment:** Meeting adjourned at 2:38 PM
4. **Next Meeting**
5. September 12, 2019