
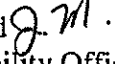





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MEMORANDUM

DATE: April 16, 2019
TO: Mayor and Councilmembers
THRU: Darin Atteberry, City Manager; 
Jeff Mihelich, Deputy City Manager; and 
Jacqueline Kozak-Thiel, Chief Sustainability Officer
FROM: Josh Birks, Economic Health and Redevelopment Director 
RE: **RE: ITEM 26 – WATERFIELD DEVELOPMENT AGREEMENT & COUNCIL FINANCE**

This memorandum responds to a request from the Leadership Planning Team (“LPT”) on April 15, 2019 regarding whether the Waterfield Development Agreement to be considered by City Council on April 16, 2019 was previously presented to the Council Finance Committee (the “Committee”).

BOTTOM-LINE:

The Council Finance Committee (the “Committee”) did not have an opportunity to review the proposed Development Agreement (the “Agreement”) for the Waterfield Metro District prior to consideration by City Council on April 16, 2019. Unfortunately, the schedule requested by the developer did not allow for the Committee to review the materials ahead of Council. Staff will enforce this process step in future development agreement review.

BACKGROUND:

On March 1, 2019, the developer requested that staff review and prepare a Development Agreement (the “Agreement”) to be presented to City Council with a target of April 16, 2019. Staff agreed to assist with presenting the Agreement on the desired timeframe with the understanding that it would be a quick schedule. The Agreement was provided to staff for review on March 7, 2019.

Furthermore, Economic Health Office (“EHO”) and City Attorney’s Office (“CAO”) staff only received a final version of the Agreement on April 9, 2019 after several rounds of review and edits. As a result, the Agreement was final in just enough time to place it on the April 16, 2019 agenda.

Staff understands that the Developer desired to have the City Council that had reviewed the Service Plan in September 2018 also review the Agreement, hence the press to make the April 16, 2019 meeting. Staff agreed with this logic and pursued the schedule as a result. This schedule did not allow for the Committee to review the agreement.

EHO and CAO staff will develop a process for considering similar agreements in the future that includes time for the Committee to review prior to Council consideration.



KEY DATES:

Date	Process Step
March 1, 2019	Request by Developer Made for April 16, 2019 consideration of the Agreement
March 7, 2019	Initial Draft of Agreement Presented to Staff by the Developer
March 14, 2019	Packet Distribution Date for March 18, 2019 Committee Meeting
March 18, 2019	Committee Meeting
April 9, 2019	Final version of the Agreement sent to staff by the Developer
April 11, 2019	Packet Distribution Date for April 16, 2019 meeting
April 15, 2019	Committee Meeting