

Regular Meeting 5:00 p.m., Thursday, May 23, 2024

Council Information Center (CIC) at City Hall, 300 Laporte Avenue, Fort Collins, CO 80521 Zoom Webinar link: https://us02web.zoom.us/j/84667107773

NOTICE:

Regular meetings of the Urban Renewal Authority are held on the 4th Thursday of each month at City Hall. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in the Council Information Center.

Board members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:



Meetings are open to the public and can be attended in person by anyone.



Meetings are televised live on Channels 14 & 881 on cable television.



Meetings are available through the Zoom platform, electronically or by phone.



Meetings are livestreamed on the City's website, fcgov.com/fctv.

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A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.

There are four options for members of the public who would like to participate in URA meetings:

Comment in real time:



In person attendees can address the Board in person. Speakers are required to sign up to speak on sign-up sheets on the tables just outside the meeting room.



During the public comment portion of the meeting and discussion items: The public can join the Zoom webinar and comment from the remote meeting, joining online or via phone.

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience.

To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using the call in number and meeting ID below:

Call in number: 719-359-4580 (US)

Meeting ID: 846 6710 7773

During public participation opportunities in the meeting, press *9 to indicate a desire to speak.

Submit written comments:



Email comments about any item on the agenda to Andy Smith, Redevelopment Manager to:

asmith@fcgov.com

by 3:00 PM the day of the meeting.



Urban Renewal Authority Board Meeting Agenda

May 23, 2024 at 5:00 PM

Council Information Center (CIC) in City Hall, 300 Laporte Ave, Fort

Jeni Arndt, Chair

Kristin Stephens, Vice Chair

Susan Gutowsky Julie Pignataro Tricia Canonico

Melanie Potyondy Kelly Ohlson

Emily Francis Kristen Draper

Dan Sapienza

Vacant

Caitlin Quander Brownstein Hyatt Farber Schreck, LLP Collins, CO and via Zoom at https://zoom.us/j/98687657267

Cablecast on FCTV Channel 14 on Connexion Channel 17 and 881 on Comcast

Josh Birks
Acting Executive Director

Heather Walls Interim Secretary

URBAN RENEWAL AUTHORITY BOARD MEETING 5:00 PM

- A) PLEDGE OF ALLEGIANCE
- B) CALL MEETING TO ORDER
- C) ROLL CALL
- D) AGENDA REVIEW

Acting Executive Director's Review of Agenda.

- **E) PUBLIC PARTICIPATION**
- F) PUBLIC PARTICIPATION FOLLOW-UP
- **G) COMMISSIONER REPORTS**
- H) DISCUSSION ITEMS

The method of debate for discussion items is as follows:

- Chair introduces the item number and subject; asks if formal presentation will be made by staff.
- Staff and/or Applicant presentation (optional).
- Chair requests public comment on the item (three minute limit for each person).
- Board questions of staff on the item.
- · Board motion on the item.
- · Board discussion.
- · Final Board comments.
- · Board vote on the item.

Note: Time limits for individual agenda items may be revised, at the discretion of the Chair, to ensure all have an opportunity to speak. **If attending in person, please sign in at the table in the back of the room**. The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

1. Consideration and Approval of the Minutes of the April 25, 2024 Urban Renewal Authority Board Meeting.

The purpose of this item is to approve the minutes of the April 25, 2024 regular meeting.

2. Resolution No. 133 Accepting the Appointment of a Commissioner to the Urban Renewal Authority.

The purpose of this item is to accept the appointment of a Commissioner representing the special districts to the Authority Board. In March 2024, Fred Colby's term on the Poudre River Library District Board of Trustees ended. This change of status created a vacancy on the Board representing the special districts levying a mill levy within the boundaries of the Urban Renewal Authority (URA). On April 23, 2024, the special districts appointed Matt Schild from the Poudre River Library District Board of Trustees to the URA Board.

3. Resolution No. 134 Appointing a New Member to the Board Finance Committee.

The purpose of this item is to appoint a new member to the Urban Renewal Authority (URA) Finance Committee. The Board has a vacancy on the Finance Committee due to Fred Colby's term on the Poudre River Library District Board of Trustees ending in March 2024. As a result, Colby's term on the URA Board of Commissioners and the Finance Committee also came to an end.

I) OTHER BUSINESS

A. Consideration of a motion to go into executive session to discuss the potential purchase or acquisition of real property interests, including eminent domain, to receive legal advice on specific legal questions, and to determine positions relative to matters that may be subject to negotiations related to the former Albertsons' site and nearby properties.

"I move that the Fort Collins Urban Renewal Authority go into executive session pursuant to: C.R.S. § 24-6-402(4)(a), (b) and (e) for the purpose of discussing with the Authority's attorneys and appropriate management staff the following items, all related to the former Albertsons' site and nearby properties:

- Potential Purchase or Acquisition of Real Property Interests, including Eminent Domain,
- Specific Legal Advice on Specific Legal Questions, and
- Determine Positions Relative to Matters that may be Subject to Negotiations, Develop Strategy for Negotiations and Instruct Negotiators."

J) ADJOURNMENT

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AGENDA ITEM SUMMARY



Urban Renewal Authority

STAFF

Heather Walls, Interim Secretary

SUBJECT

Consideration and Approval of the Minutes of the April 25, 2024 Urban Renewal Authority Board Meeting.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the April 25, 2024 regular meeting.

STAFF RECOMMENDATION

Staff recommends approval of the minutes.

ATTACHMENTS

1. Draft Minutes, April 25, 2024

URBAN RENEWAL AUTHORITY BOARD

April 25, 2024

5:00 PM

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER

Vice Chair Stephens called the meeting to order at 5:08 p.m.

ROLL CALL

PRESENT: Stephens, Gutowsky, Canonico, Potyondy, Ohlson, Francis, and Draper ABSENT: Arndt and Pignataro

AGENDA REVIEW

Acting Executive Director Birks reviewed the agenda:

- Item #1: Approving the meeting minutes from the February 22, 2024, board meeting.
- Item #2: Resolution No. 130 Accepting the Appointment of a Commissioner to the Authority.
- Item #3: 2024 Urban Renewal Authority (URA) Workplan overview.
- Item #4: Resolution No. 131 Adopting a Supplemental Budget Resolution. Considering fund an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area.
- Item #5: Resolution No. 132 Adopting a Supplemental Budget Resolution. Considering staff recommends that several professional service providers be contracted "on call" to provide deliverables as specific needs emerge.

No other changes to the published agenda.

• PUBLIC PARTICIPATION - No public in attendance.

None.

Vice Chair Stephens outlined the public participation options.

COMMISSIONER REPORTS

None.

DISCUSSION ITEMS

1. <u>Consideration and Approval of the Minutes for the February 22, 2024 Urban Renewal Authority Board Meeting.</u>

The purpose of this item is to approve the minutes of the February 22, 2024 Urban Renewal Authority Board meeting.

Commissioner Francis made a motion, seconded by Commissioner Canonico, to approve the February 22, 2024, meeting minutes.

• PUBLIC PARTICIPATION – No public in attendance.

None.

RESULT: FEBRUARY 22, 2024 MINUTES APPROVED (UNANIMOUS: 7-0)

MOVER: Emily Francis
SECONDER: Tricia Canonico

AYES: Ohlson, Francis, Draper, Stephens, Gutowsky, Canonico, and Potyondy

EXCUSED: Arndt, and Pignataro

2. Resolution No. 130 Accepting the Appointment of a Commissioner to the Authority.

The purpose of this item is to consider accepting the Mayor's appointment of Dan Sapienza to the URA Board.

Commissioner Francis made a motion, seconded by Commissioner Canonico, to adopt Resolution No. 130.

Commissioner Francis thanked Dan Sapienza for applying and accepting the nomination. Vice Chair Stephens concurred and stated Sapienza will bring valuable skills to the Board.

• PUBLIC PARTICIPATION – No public in attendance.

None.

RESULT: RESOLUTION NO. 130 APPROVED (UNANIMOUS: 7-0)

MOVER: Emily Francis
SECONDER: Tricia Canonico

AYES: Francis, Draper, Stephens, Gutowsky, Canonico, Potyondy, and Ohlson

EXCUSED: Arndt, and Pignataro

Interim Secretary Heather Walls administered the Oath of Office to Dan Sapienza.

3. 2024 URA Workplan -- Andy Smith, Redevelopment Manager.

The purpose of this item is to provide a high-level overview of the current Urban Renewal Authority Plan Areas and Tax Increment Districts and to consider a proposed approach to the 2024 Work Plan. This may include a discussion on how evolving Fort Collins City Council priorities inform and interact with the URA's goals and strategies.

Redevelopment Program Manager Andy Smith noted the work streams were previously divided into three categories: committed, conditional, and discretionary. He stated staff is proposing two focus areas for the work plan that are aligned with the newly adopted City Council priorities: to proactively promote affordable housing and to coordinate holistic planning in the mixed-use environment to help achieve the 15-minute City and ignite

Section H. Item 1.

neighborhood centers. Smith discussed the timing of work on some of the committed, conditional, and discretionary items.

Smith outlined some of the committed items and associated tasks, including the acquisition of the North College former Albertsons' building, the exploration of new plan areas and potential exploration of new projects within existing plan areas, the development of evaluation criteria to be used for consideration of both of those, North Mason projects, and URA administration.

Smith outlined some examples of discretionary work, including development of a system for tracking local street repayments and settlement of local street repayments, touring plan areas, and a strategic planning retreat for the Board.

• **PUBLIC PARTICIPATION** – No public in attendance.

None.

Commissioner Potyondy commented on the South College area and stated she would like to see that area considered as a potential plan area. Smith noted staff has discussed that area. Legal Counsel, Caitlin Quander noted the Board should first arrive at a consensus about a potential plan area and then there are a number of statutory processes that must be followed to arrive at an approved plan area, including a blight study and associated notifications, impact reports, and negotiations with other taxing bodies. She noted City Council is the body that approves the plan itself with a recommendation from the URA and the timeline from start to finish, assuming negotiations with other taxing bodies goes smoothly, is about nine months to a year.

Acting Executive Director Birks noted the most recent plan area formed, College and Drake, took longer than 12 months to complete, though it was the first time negotiations occurred.

Commissioner Francis asked about the Innosphere Farmhouse Redevelopment. Smith replied it is an expansion of Innosphere to the west into a landmarked farmhouse. Acting Executive Director Birks stated Innosphere has reached out a few times to ask about the possibility of the URA participating in the project plan for the site and staff provided them with an application several months ago. He noted it is a conditional project as the URA cannot control when those types of applications come forward.

Commissioner Francis noted the Board has had conversations about being more proactive and asked if that is part of the strategic planning component. Smith replied that has been addressed by establishing some evaluation criteria for new plan areas and projects. Acting Executive Director Birks noted real estate is examined as it becomes available and staff would bring forward any possible project ideas. He stated additional criteria and direction could help staff determine whether to actively solicit for particular projects.

Commissioner Ohlson expressed concern about the use of the word "committed." Acting Executive Director Birks replied the terms are not legal in nature and could be changed or better defined. He noted committed items are those built into the work plan from a staff capacity perspective and staff is actively trying to figure out how to do that work. He stated conditional items are not yet active, but could become active this year; therefore, staff and the Board may need to find a way to have the capacity to address them.

Commissioner Ohlson noted the URA funds are not guaranteed. Acting Executive Director Birks replied different terms could be utilized to avoid potential confusion in the public. He reiterated that the "committed" list has nothing to do with whether or not the projects are approved, supported, or will receive funding, just about the fact that they will take time.

Vice Chair Stephens concurred with connecting to Council priorities and stated she would like to get to a place where the Board could be actively soliciting for affordable housing projects. She also concurred a retreat would be valuable for the Board.

Commissioner Draper also concurred and stated the Poudre School District Board is also seeking a way to proactively promote affordable and workforce housing.

Acting Executive Director Birks stated a retreat could be helpful in terms of the Board outlining what types of things it could indicate to the market it would be willing to put on the table to draw interest in affordable housing projects.

Vice Chair Stephens noted there is a middle-income housing tax credit going through the State legislature.

Smith noted the affordable housing component has its own work stream and suggested the retreat could occur sooner than originally planned with a focus on affordable housing. He stated some of the tactics that have been identified related to increasing affordable housing are to work closely with internal partners to leverage resources, particularly if the URA has the potential to be a financial partner, work with external partners such as the taxing entities represented on the URA Board to identify other partnership opportunities, engage with URA's across the State and country to learn best practices and creative financing, and engage affordable housing providers directly in order to stay current with market trends and encourage production in plan areas.

Commissioner Ohlson asked if Kroger received any public funds for its project at Drake and College. Acting Executive Director Birks replied they have not received any public funds as of yet; however, they did submit an application to the URA to request some funding and that is currently being reviewed by staff to determine if it should be brought forward to the Board for consideration. He stated he would be surprised if there is something that would be reimbursable in the application; however, the process must still be followed, and Kroger could also request to go before the Board to petition its case. He also noted staff tried to get some additional public benefits from the project and suggested it could be interesting to study how the tools available at the time were unsuccessful in getting those benefits and a higher density at the site.

4. Resolution No. 131 Adopting a Supplemental Budget Resolution - Andy Smith, Redevelopment Manager

The purpose of this item is to address how in 2022, the URA Board approved \$250,000 to fund an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area. Since the RFP was not issued at that time, staff is requesting reaffirmation from the Board and slightly more money to issue the RFP as soon as possible.

Section H, Item 1.

Redevelopment Program Manager Andy Smith noted there had been a previous approval for \$250,000 to fund 30 percent design of a bike and pedestrian network in the Prospect South plan area, and the Request for Proposal (RFP) was never issued; therefore, staff is requesting to issue the RFP as soon as possible with an additional \$25,000 to cover increased costs.

Acting Executive Director Birks noted there has been a traditional policy of budgeting only operations in the annual budget and requesting Board approval for any project money.

Commissioner Francis made a motion, seconded by Commissioner Canonico, to adopt Resolution No. 131.

• **PUBLIC PARTICIPATION** – No public in attendance.

None.

RESULT: RESOLUTION NO. 131 APPROVED (UNANIMOUS: 8-0)

MOVER: Emily Francis
SECONDER: Tricia Canonico

AYES: Draper, Sapienza, Stephens, Gutowsky, Canonico, Potyondy, Ohlson, and

Francis

EXCUSED: Arndt, and Pignataro

5. Resolution No. 132 Adopting a Supplemental Budget Resolution - Andy Smith, Redevelopment Manager.

The purpose of this item is to note several key real estate projects are expected to become priorities for URA staff to manage during 2024 and 2025. Most milestones for these projects are unknown, and a considerable amount of the work to be performed is highly technical in nature. In anticipation of this dynamic workload, staff recommends that several professional service providers be contracted "on call" to provide deliverables as specific needs emerge. To be clear, the budget for these services will only be spent as technical services are procured and only the funds anticipated for 2024 (\$180,000) will be appropriated by this supplemental request. Anticipated funds for 2025 are included for discussion purposes only and will be included in the 2025/2026 URA Budget.

In addition to the real estate projects mentioned above, staff are also requesting supplemental funds to update the URA website so that it complies with the accessibility provisions required by HB21-1110 and WCAG 2.1 AA by July 1, 2024.

Redevelopment Program Manager Andy Smith noted many of these expenses are reimbursable by projects and some ways to improve the website at a lower cost have been explored.

Commissioner Canonico noted a bill is working its way through the capital for a grace period on the website accessibility issue and asked if that will have any impact on this work. Acting Executive Director Birks replied the URA website is fairly simplistic, and the hope is to have it meet the requirements relatively quickly. He stated the biggest concern is how to publish agendas in an accessible way, but staff is working with the City Clerk's Office to address those issues.

Commissioner Francis made a motion, seconded by Commissioner Potyondy, to adopt Resolution No. 132.

• **PUBLIC PARTICIPATION** – No public in attendance.

None.

RESULT: RESOLUTION NO. 132 APPROVED (UNANIMOUS: 8-0)

MOVER: Emily Francis
SECONDER: Melanie Potyondy

AYES: Sapienza, Stephens, Gutowsky, Canonico, Potyondy, Ohlson, Francis and

Draper

EXCUSED: Arndt and Pignataro

ADJOURNMENT

AGENDA ITEM SUMMARY



Urban Renewal Authority

STAFF

Andy Smith, Redevelopment Manager

SUBJECT

Resolution No. 133 Accepting the Appointment of a Commissioner to the Urban Renewal Authority.

EXECUTIVE SUMMARY

The purpose of this item is to accept the appointment of a Commissioner representing the special districts to the Authority Board. In March 2024, Fred Colby's term on the Poudre River Library District Board of Trustees ended. This change of status created a vacancy on the Board representing the special districts levying a mill levy within the boundaries of the Urban Renewal Authority (URA). On April 23, 2024, the special districts appointed Matt Schild from the Poudre River Library District Board of Trustees to the URA Board.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution

BACKGROUND / DISCUSSION

In March 2024, Fred Colby's term on the Poudre River Library District Board of Trustees ended. This created a vacancy on the URA Board representing the special districts levying a mill levy within the boundaries of the URA. On April 23, 2024, the special districts appointed Matt Schild from the Poudre River Library District Board of Trustees to the URA Board. This resolution would accept Matt Schild's appointment to the URA Board, upon Board adoption and prior to being printed and signed, the resolution language will be updated to include the date that the URA receives the joint memo of appointment and authorization from the districts.

AUTHORITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution for Consideration

RESOLUTION NO. 133 OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY ACCEPTING THE APPOINTMENT OF A COMMISSIONER TO THE URBAN RENEWAL AUTHORITY

WHEREAS, the Fort Collins Urban Renewal Authority (the "<u>Authority</u>") was established in 1982 under and in accordance with the Colorado Revised Statutes ("<u>C.R.S.</u>") § 31-25-101, et seq. (the "Urban Renewal Law"); and

WHEREAS, H.B. 15-1348 effected changes to Urban Renewal Law, C.R.S. § 31-25-101, et. seq., including the provisions establishing membership of the boards of urban renewal authorities; and

WHEREAS, C.R.S. § 31-25-104(2.5) provides, in part, that one of the Commissioners of the Authority must be "a board member of a special district selected by agreement of the special districts levying a mill levy within the boundaries of the urban renewal authority area"; and

WHEREAS, the Poudre River Library District (the "<u>Library District</u>") is a special district levying a mill levy within the boundaries of the urban renewal authority area; and

WHEREAS, during his term as a board member of the Library District, Fred Colby served as a Commissioner on the Authority until March 31, 2024, when he ceased to serve on the board of the Library District and ended his term as a Commissioner on the Authority; and

WHEREAS, on [_____], 2024, the Commissioners of the Authority received written notification from the Library District of the appointment of Matt Schild, the President of the Library District Board, as a Commissioner on the Authority for the duration of Matt Schild's term on the Library District Board, which shall end on March 31, 2027; and

WHEREAS, this [_____], 2024, notification included an acknowledgement from Chris Sheafor of the Health District of Northern Larimer County agreeing to Matt Schild serving in this position on behalf of the special districts and indicating that neither district has been able to contact or obtain acknowledgment from Northern Water, as was the case at the time of Fred Colby's appointment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

- Section 1. The foregoing Recitals are incorporated herein by this reference.
- Section 2. Pursuant to C.R.S. § 31-25-104(2.5), the Authority accepts and recognizes the appointment of Matt Schild to this Authority until Matt Schild is replaced by the Library District, or until Matt Schild's term on the Library District Board has ended.
- Section 3. A copy of this Resolution on file with the Authority Secretary shall serve as a certificate of such appointment pursuant to C.R.S. § 31-25-104(2)(b).

Section 4. This Resolution shall be effective upon approval by the Authority.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 23rd day of May, 2024.

	Jeni Arndt, Chair	
ATTEST:		
Interim Secretary		

AGENDA ITEM SUMMARY



Urban Renewal Authority

STAFF

Andy Smith, Redevelopment Manager

SUBJECT

Resolution No. 134 Appointing a New Member to the Board Finance Committee.

EXECUTIVE SUMMARY

The purpose of this item is to appoint a new member to the Urban Renewal Authority (URA) Finance Committee. The Board has a vacancy on the Finance Committee due to Fred Colby's term on the Poudre River Library District Board of Trustees ending in March 2024. As a result, Colby's term on the URA Board of Commissioners and the Finance Committee also came to an end.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

The purpose of the URA Finance Committee is to consider financial policy issues facing the Authority and makes recommendations regarding those issues to the URA Board of Commissioners. There is currently a vacancy on the Finance Committee and adoption of this resolution would ensure the Finance Committee has an odd number of members (5) that would prevent split votes and ensure representation of the various interests on the URA Board.

AUTHORITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution for Consideration

RESOLUTION NO. 134 OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY APPOINTING A NEW MEMBER TO THE BOARD FINANCE COMMITTEE

WHEREAS, the Fort Collins Urban Renewal Authority (the "<u>Authority</u>") was established in 1982 under and in accordance with the Colorado Revised Statutes ("<u>C.R.S.</u>") § 31-25-101, et seq. (the "<u>Urban Renewal Law</u>"); and

WHEREAS, Section 3 in Article III of the Bylaws of the Authority provides that the Board may, from time to time, create either standing or ad hoc committees as deemed appropriate and appoint the members of such committees; and

WHEREAS, there is currently a Board Finance Committee whose purpose is to consider financial matters facing the Authority and make recommendations regarding those issues to the Board; and

WHEREAS, on August 24, 2023, the Board approved Resolution No. 126, which affirmed the appointments of or appointed the following Commissioners as the members of the Board Finance Committee: Jeni Arndt, Kristen Draper, Kelly Ohlson, Fred Colby and Kristin Stephens; and

WHEREAS, in light of the vacancies created by the term of Commissioner Colby and concluding, the Board desires to make a new appointment to the Board Finance Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

S	Section 1.	The foregoing Recitals are inco	rporated herein by this reference.	
Board F	Finance Com	mittee to fill the aforementic] is hereby appointed to serve on the oned vacancy until such Commissioner's d may decide to make new appointments.	
S	Section 3.	This Resolution shall be effecti	ve upon approval by the Authority.	
Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 23rd day of May, 2024.				
			Jeni Arndt, Chair	
ATTEST	Γ:			

Interim Secretary