

Niwot Local Improvement District Advisory Committee

Tuesday, October 2, 2018
Mt. View Fire and Rescue Station
8500 Niwot Road
Niwot, CO

Members Present: Laura Skaggs, Carrie Wise, Scott Firlie, Bruce Rabeler, Anne Postle, Biff Warren, Harris Faberman

Guests: Tony Santelli, Catherine McHale, Chuck Klueber, Vicky Dorvee, Jocelyn Rowley, Dale Case, Denise Grimm, Jose Ruano

Staff: Mark Ruzzin

Call to Order:

Laura called the meeting to order at 7:00 p.m.

Approval of Minutes:

The board considered the minutes of the August 7 and September 4, 2018 meetings:

ACTION: On a motion from Anne, second by Bruce, the board voted unanimously to approve the August 7, 2018 meeting minutes, as presented.

ACTION: On a motion from Biff, second by Scott, the board voted unanimously to approve the September 4, 2018 meeting minutes, as presented.

Treasurer's Report:

Mark reviewed the funding requests approval spreadsheet with the board. The LID has approved about \$26,000 in funding requests above its 2018 budget; this fits the typical annual spending pattern of the LID. After the October meeting, Mark will work with the county Budget Office to prepare a budget supplemental for approval by the county commissioners, to ensure that the LID has the funds necessary to meet its obligations.

The board discussed the fact that most if not all of the end-of-year funding requests have already been received and approved, so the 2018 total expenditure amount is not likely to grow. As discussed at a recent board meeting, the LID's reserve currently sits at about \$135,000; a supplemental request of approximately \$26,000 will reduce the reserve to about \$109,000.

Funding Requests:

1. Niwot Business Association – 2nd Avenue Trees – \$47,675

Chuck Klueber presented the request on behalf of the Niwot Business Association. In completing some of the work necessary to move this project forward, the NBA has heard that there may not be support amongst the LID board for the proposal; thus, the funding request is being brought to the LID board now to get their assessment on whether this complicated project is worth pursuing.

The proposal is to plant up to six trees along the south side of 2nd Avenue, to match the trees that are on the north side of 2nd. Chuck has been pursuing bids from contractors to complete various aspects of the project; six contractors will need to be hired, with Chuck serving as the project manager. The project itself will involve landscaping, electrical, excavating, concrete, and other work to install grates, a water line, an irrigation system, and plant the trees. The work will require a right-of-way permit and a traffic control plan, as the work will spill into 2nd Avenue and reduce the width of the travel lanes.

Between labor and the various components of the project itself, the project is proposed to cost \$50,000. The NBA has received an economic development grant for \$2,325, leading to a funding request to the LID of \$47,675.

Chuck reiterated that there remains significant work to be done to make this project a reality should the LID board be interested in moving forward. Given travel plans and other time commitments that Chuck is facing, he suggested that this is likely a Spring 2019 project.

The board discussed the proposal in detail. Carrie noted that she has spent a fair amount of time discussing the project with Chuck and three of the property owners that would be impacted by the project. While they all love the concept, they do not feel that it is practical to put trees on the south side of 2nd given all of the complications the project will face, e.g. the narrowness of the sidewalks on the south side of the street and the fact that there are also utility poles on this side of the street. The north side of 2nd Avenue did not face these challenges. The board discussed how the sidewalk width and angled parking along the north side of 2nd Avenue provides a better context for trees, and makes trees feasible along the north side.

Scott mentioned his concerns about the cost of the project: At \$50,000, this amounts to over one-third of the LID's annual budget.

Tony mentioned that the trees fit into the NBA's goals to improve the ambience of Old Town.

Additional concerns were expressed about the cost of the project, and how committing \$50,000 to the trees will impact other high dollar projects that are on the LID and NBA to-do list, including the parking lot.

The board discussed the challenges of the utility poles in respect to choosing and placing the trees. The board discussed the types of trees that would work to fit into the limited space available for trees.

Biff noted that he might be more amenable to the proposal if he was hearing strong interest from the 2nd Avenue property owners for the trees, but he isn't.

Laura took the temperature of the board in respect to the proposal. Bruce expressed his interest in tabling the proposal for future discussion in 2019.

ACTION: Bruce moved to table the funding request at this time, for potential reconsideration in 2019; Anne seconded the motion. The motion passed 6-1, with Carrie opposed.

Discussion Items:

Economic Development Director Report

Catherine McHale provided the board with materials and focused her report on her recent economic development and marketing activities. With a low vacancy rate in Old Town now, her focus has been more on supporting existing businesses rather than targeting new businesses to move to Niwot. Catherine has been working to support local retailers and provide marketing and other information and insights to NBA members and local businesses. Catherine mentioned her marketing newsletter, and her availability to meet one-on-one with businesses. She also mentioned several ideas for new events and activities as she and others begin planning for 2019.

Catherine reviewed the marketing campaign that has been implemented throughout 2018. The campaign includes print advertising as well as a presence on the web, through niwot.com, and through social media efforts. This year also saw the debut, at the Fourth of July Parade, of the NBA booth, which has been utilized at events and is a one-stop shop for promoting Niwot's local businesses. The marketing effort now includes a video that is being utilized on the website and in a social media context. Catherine also hopes to expand the print advertising campaign going forward.

Catherine updated the board on the Sculpture Park effort to place up to nine pieces of art in the Community Corner. The Art Committee has been working diligently to identify pieces of art for the corner.

Catherine informed the board that she has begun planning for 2019, and will be bringing the 2019 economic development director funding request to the LID board in November so that she can hit the ground running in January with the 2019 plan and activities.

Niwot Rural Community District Moratorium Report

Dale Case, Denise Grimm, and Jose Ruano from the Boulder County Land Use Department provided a report out and update to the LID board regarding the recently imposed moratorium in the NRCD. The LID board and county staff had a lively discussion regarding the need and rationale for the moratorium, the impacts of the moratorium on the LID and local businesses, and the process moving forward. The county commissioners will be holding a public hearing on whether or not to continue the moratorium on Tuesday, October 30.

After the discussion between LID board members and county staff, Biff proposed that the LID adopt a resolution opposing the moratorium in the NRCD. Biff argued that the moratorium will affect the collection of sales tax revenues in the LID, both as a result of the moratorium and potentially as a result of the changes that are brought about by the process to review the current land use code as it is applied in the NRCD.

Biff passed out copies of the resolution that he drafted and walked the board through the resolution language (see attachment). The board discussed the resolution and the importance of sending a message to the county commissioners that explains the LID's perspective on the moratorium.

ACTION: Biff moved to approve the resolution as presented; Carrie seconded the motion and it passed unanimously. Anne and Bruce abstained from the vote.

Election of Board Officers:

Mark reminded the board that Bruce has volunteered to be board treasurer, and that Jim has offered to remain as vice chair if no one wants to step into that role. It was noted that Carrie can continue in her current role as board co-chair, though she will be leaving the board in February 2019. Both Laura and Carrie expressed that they are willing to remain co-chairs of the board, but also willing to step aside if others are interested in serving in the role.

ACTION: Biff moved to approve the following slate for board officers: Laura and Carrie as co-chairs, Jim as vice chair, and Bruce as treasurer. Anne seconded the motion, which passed unanimously.

New Business:

The board discussed the agenda for the October 23, 2018 joint meeting with the county commissioners. Harris reminded the board that the NBA “State of Niwot” presentation has been used in the past as an outline for the discussion with the commissioners. The board discussed their goals for the meeting, and whether or not to include the moratorium on the agenda. The board agreed to include the moratorium as a discussion item, to follow the State of Niwot presentation.

The meeting was adjourned at approximately 9:05 p.m.

October 2, 2018

Niwot Local Improvement District Advisory Committee

RESOLUTION

in Opposition to the NRCD Moratorium

Whereas, the Niwot Local Improvement District funds public improvements for the benefit of the Niwot Local Improvement District; and

Whereas, a retail sales tax of 1% is collected from the customers of the businesses located within the Niwot Local Improvement District; and

Whereas all 2nd Avenue properties in Niwot are included in the Niwot Rural Community District (NRCD) which is zoned for business uses; and

Whereas, several NRCD properties are currently vacant or underused, some of which are in the process of being redeveloped/sold, including Colterra restaurant (damaged by fire), the former Powder Keg Brewery property (now vacant), and the former Niwot Dental Property; and

Whereas, on September 20, 2018, the Boulder County Commissioners imposed a 6-month moratorium on development applications in the NRCD, which includes all of the above properties, with no prior notice or opportunity to be heard provided to the general public, or to affected property and business owners in the NRCD; and

Whereas, a 6-month delay in development within the NRCD will severely and adversely affect the collection of sales tax revenues for the LID, now and beyond the 6-month moratorium; and

Whereas, development in the NRCD has occurred during the past 25 years pursuant to the current NRCD regulations in a responsible manner consistent with past development patterns; and

Whereas, the Niwot LID Advisory Committee deems the moratorium ill-advised, unwarranted, without justification, and extremely harmful to the businesses and property owners in the Local Improvement District;

NOW THEREFORE,

The Niwot Local Improvement District Advisory Committee urges the Board of County Commissioners to immediately rescind the moratorium imposed on development applications in the NRCD.