

Niwot Local Improvement District Advisory Committee

MEETING MINUTES

Tuesday, June 7, 2022

Virtual Meeting

Present: Scott Firle, Eric Bergeson, Mary Coonce, Jeff Knight

Guests: Biff Warren, Chuck Klueber

Staff: Mark Ruzzin

Call to Order:

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

Approval of Meeting Minutes:

There were no meeting minutes for the advisory committee to consider.

Treasurer's Report:

Scott presented the monthly Treasurer's Report, as Bruce Rabeler was not able to attend the meeting. March was a strong month for revenue, as the LID collected nearly \$26,000 in sales tax revenues. This brings year-to-date collections to nearly \$65,000, an increase of 16.3% over 2021 collections through March. Mark noted that the increased revenue collections that the LID is seeing through the first quarter of 2022 mirrors the experience of the county government as a whole.

Through May, the committee has approved over \$122,000 in funding requests, or about 72% of the annual budget. The LID has about \$48,000 left in its budget, with expected funding requests of approximately \$71,000, so it is expected that the LID will end the year over budget, as it typically does. Scott reminded the committee that the LID entered 2022 with a reserve of over \$307,000.

Mark also noted for the committee that there are a number of reimbursement requests in the pipeline, and he expects these to be processed and paid over the next several weeks.

Funding Requests:

The advisory committee considered the following funding requests:

1. Niwot Cultural Arts Association: Why Not Niwot? - \$1,796.00

Biff Warren presented the funding request on behalf of the NCAA. The NCAA has sponsored the Why Not Niwot? juried art show for over ten years. Artists submit Niwot-themed pieces of art which are displayed in various retail outlets and businesses throughout town. The artwork is judged by a three-member jury, which awards cash prizes for first, second, and third place. Visitors can view the artwork and vote for the People's Choice award; by doing so they are entered into a raffle to win a print of the first place artwork. The award ceremony will take place at the First Friday Art Walk in September. Net proceeds of the show go to benefit the NCAA.

Biff noted that the funds will be used to cover advertising costs, marketing expenses, and stipends for the winning artists.

ACTION: Mary moved, seconded by Jeff, to approve the funding request for \$1,796.00. **The advisory committee unanimously APPROVED the motion.**

2. BDJV Partnership: Cottonwood Square Mural Project - \$9,675.00

Biff Warren presented the funding request on behalf of the BDJV Partnership. Biff noted that back in 2011, the LID paid for 75% of the cost of the Niwot historical mural that was painted on the side of the Excel Electric Building in Old Town. The NBA and NCAA contributed to the cost of the mural and also organized fundraisers to raise the additional monies needed to pay for the project. As part of the project, a 10-year easement was granted to the NBA and NCAA by the building owners, as a guarantee that the mural would be preserved for at least the lifetime of the easement.

Similar to that effort, this funding request contemplates the painting of murals on the facades of several buildings in Cottonwood Square, and is submitted by two property owners within Cottonwood Square, including BDJV Partnership. The murals are focused around the Native American history of the Niwot area, and are being designed and created by Native American artists. Four murals in total will be created.

The proposal mirrors the original mural project of 2011, with the funding request set to cover 75% of the cost of the project and the NBA and NCAA committing to raising money to cover the remaining 25%. Also, as with the 2011 mural project, the property owners will dedicate 10-year easements to the NBA and NCAA to ensure that the murals will be preserved.

The committee discussed various aspects of the proposal. Scott asked about the plan for ongoing maintenance; Biff noted that the building owners will be covering maintenance costs, and that the property insurance held by the building owners will also assist should it be necessary.

Jeff and Biff discussed the prospects of the NCA joining the effort. The committee reviewed the draft renderings of the murals. Biff noted that the artists are hoping to begin work on the murals later in June. In response to a question from Mark, Biff clarified that the easement will be recorded with Boulder County and will be attached to the property record of the Cottonwood Square properties, to ensure that the easement is honored throughout its 10-year lifespan, even if ownership of the properties changes.

ACTION: Eric moved, seconded by Mary, to approve the funding request for \$9,675.00. **The advisory committee unanimously APPROVED the motion.**

Old Business:

The committee spent time discussing the ongoing repair to the Eddie Running Wolf Spear Lodge Man sculpture. Chuck Klueber provided a detailed review of the ongoing repair efforts and the steps that are being taken to preserve the sculpture. Chuck noted that the NLIDAC approved the initial funding request for the repairs back in September 2020, and that while the strategies for how to make the repair are evolving, the goal of the request remains the same – to preserve the sculpture for posterity. The NBA would like to reimburse a variety of expenses that have accrued since the original funding request approval, totaling about \$1,100.

The committee and Chuck discussed the possibilities for moving forward. Chuck agreed to submit a new funding request in acknowledgement of the time that has passed since the September 2020 funding request approval. Mary indicated that the NBA will cover the initial costs associated with the project.

Mark noted the committee's interest in hearing from staff of the Boulder County Community Planning and Permitting Department to learn more about connectivity planning efforts in the Niwot area. The committee agreed to ask CPP staff to attend the September NLIDAC meeting.

Mark updated the committee on the technical issues that have been occurring with the online funding request form, in light of Deb Fowler's struggles with submitting a request for consideration at the June meeting. Mark will continue to work to be sure these technical issues are resolved. In addition, after some discussion, the committee agreed to set a funding request submission deadline of 12 noon on the Friday before the monthly NLIDAC meeting. Mark will add this deadline to the website and funding request form.

New Business:

Eric noted for the committee that he sent a letter on behalf of the NLIDAC, NBA, and NFL to the Boulder County Community Planning and Permitting Department to ask for additional information regarding the code requirements and other regulations that dictate reconstruction of the alleys in Old Town.

Eric raised an issue regarding a new trend in Niwot that is seeing a proliferation of pop-up vendors and food trucks in the business district. This has raised fairness concerns from local business and property owners, as these pop-up vendors take advantage of the amenities of the district without paying property taxes and other fees that the brick and mortar businesses are subject to. Questions being asked include:

- Are pop-up vendors allowed under the district's zoning regulations?
- Are there any limitations on the number of vendors that can be operating at any one time?
- Can a fee be charged for the privilege of setting up a pop-up business in the business district?
- Are the pop-up vendors collecting the LID sales tax?

Mark noted that food trucks are required to be licensed by the Boulder County Public Health department, and he offered to look into any land use requirements that regulate food trucks and pop-up vendors. The committee raised additional concerns regarding equity between existing businesses and pop-up vendors. Mary and Biff noted that vendors that participate in local events are told that they need to collect and remit the Niwot LID sales tax.

Eric committed that the NBA will begin working on a policy proposal to address this situation. Mark asked committee members to send him any questions that they have about the issue, and he will work to set up a meeting with CPP staff to discuss the issue in more detail.

Public Comment:

No members of the public spoke during public comment.

Adjournment:

The meeting was adjourned at approximately 8:20 p.m.