

Town Of Nederland
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466
Multi-Purpose Room
January 15, 2014 @ 6:30pm
AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT ON NON-AGENDA ITEMS (Speakers limited to 3 minutes)

D. CONSENT AGENDA

1. Minutes from the November 20, 2013 meeting
2. Approval of warrants

E. INFORMATIONAL ITEMS

1. Treasurer's report
2. Christmas Lights Committee Report
3. Hiring Committee Report
4. Nedpeds Update
5. Town Administrator's report

F. ACTION ITEMS

1. Consideration of updated Secretary to the Board job description - Katrina Harms

G. DISCUSSION ITEMS

H. OTHER BUSINESS

I. ADJOURNMENT

NEXT REGULAR MEETING:

The NDDA Board encourages citizen participation. Public hearings and the "unscheduled citizens" agenda item allow an opportunity to address the Board. Discussion is limited to 3 minutes and please address your comments to the Board. Thank you for your cooperation.

The NDDA Board may take action on any item included on this agenda, regardless of the heading under which such item appears. Discussion items may become action items if the Board determines that deferring final action on an item to a subsequent meeting is unnecessary or unwarranted and that taking immediate action does not compromise any third-party's rights.

The NDDA Board of Trustees meeting packets and agendas are prepared on Friday before the Wednesday meetings and are available on the NDDA website, www.neddda.org. Copies of the agendas and meeting packet are available at no cost via email from patricia.everson@gmail.com. The information is reviewed and studied by the Board members, eliminating lengthy discussions to gain basic understanding. Short discussion on agenda items does not reflect lack of thought or analysis.

Town Of Nederland
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466
Multi-Purpose Room
November 20, 2013 at 5:30
Minutes

A. CALL TO ORDER

Meeting was called to order by Chairperson Pat Everson at 5:30 pm.

B. ROLL CALL

Members Present: Pat Everson, Jeffrey Green, Katrina Harms, Karina Luscher, Amanda Kneer, Susan Schneider

Chris Perret arrived at 5:40, after Roll Call.

Also present: Town Treasurer Eva Forberger, Town Administrator Alisha Reis, and Deputy Clerk Cynthia Bakke, who is taking the minutes of this meeting.

C. PUBLIC COMMENT ON NON-AGENDA ITEMS (Speakers limited to 3 minutes)

The public present included 1 member of the public who signed up to speak during General Public Comment. Donna Kirkpatrick requested that the Board consider allowing approval for the Design Advisory Team (DAT) members to include a final input upon the project, as members have been involved throughout the process. She asked for DDA permission to allow inclusion of a final written assessment to be forwarded with the Board of Trustees packet. Pat inquired who would be responsible to coordinate the comment, and said they would take this request under advisement. Donna Sue responded that the DAT, as well as residents along 2nd Street desire to submit written assessments, to be compiled and drafted, pending DDA approval. Katrina Harms queried whether comments would be from those who participated on the tour of the project area, or anyone who wanted to submit comment, as some residents and interested parties were unable to attend the walk-through. She also asked if the comments would be considered a representation of the DAT, which Donna Sue confirmed.

D. CONSENT AGENDA

1. Approval of minutes from Regular Meeting held on October 16, 2013

2. Approval of minutes from Special Meeting on October 30, 2013

A combined motion to approve the minutes from the Regular Meeting, as well as approval of minutes from the Special Meeting on October 30, 2013, was made by Jeffrey Greene, seconded Katrina, unanimously approved.

3. Approval of Warrants

Eva explained that the warrant for C2 Sustainability is for NedPeds Project for \$1440. A Motion was made by Chris Perret, seconded by Jeffrey Greene, with unanimous approval of the Board.

E. INFORMATIONAL ITEMS

1. **Karina Luscher and Katrina Harms gave an update on the Christmas Lights, as well as the First Friday Art Tour, which kicks off on December 6, 2013.** Karina reported that 90 reels of string lights were purchased to decorate around town, as well as some specialty lights, some requiring anchors due to their size. Donna Sue inquired about the 10 large star-shaped lights, and where they are intended to be placed. Karina responded that locations such as the Town Hall, the wooden Bridge, Ace Hardware, and Dandelion will feature the stars. Pat suggested that the Clock Tower at Salto's would be a great addition upon 2nd Street. Karina said they would like to create some areas with corridors of lights, and Ken from Indian Peaks Electric will install outlets at the Bridge. Karina and Katrina thanked My Therapy of Nederland for the kind donation of lights and to the First Friday Art Tour as well. Katrina reported enthusiasm from many businesses about the town-wide effort, which have committed to participating with lights. She said the First Friday Art Tour is also gearing up, with participation from new businesses as well. Katrina reminded everyone that the first lighting ceremony in 20 years is also December 6, and welcomed assistance from volunteers. Public Works along with volunteers will begin to hang lights on November 25, 2013 in preparation for the official lighting ceremony.

2. **Update on the Department of Local Affairs (DOLA) Best and Brightest two-year Intern.**

Town Administrator Alisha Reis reported that the chosen intern, Alexander Armani-Munn is finishing his dual degree in Political Science and English from UNC, and will be assisting in compiling the Strategic Master Plan, as indicated in the ballot proposal in 2012. Alex will be entering the Political-Science graduate program at CU-Denver, which Alisha spoke highly of as a fellow alumna. She said that Alex has a great background in community outreach, student journalism, and varying levels of public service. With regard to the Strategic Master Plan, he will be contributing to aspects of economic development and sustainability, as well as learning about grant writing, tax increment financing and interaction within the business community. He is expected to start in early January 2014.

3. **Report on Biomimicry Workshop conducted by the Environmental Protection Agency (EPA) on November 2, 2013.**

NedPeds Project Manager and Sustainability Consultant, Conor Merrigan, summed up the information provided in the packet about the recent Backyard Stewardship and Biomimicry workshop held at the Library. This workshop featured two EPA representatives who explained the science and principles of biomimicry, highlighting the NedPeds project to discuss restoration of "Life Principal" natural functions. Conor acknowledged that the project got no credit for habitat restoration, though it achieves requisite elements of connectivity, dealing with rainwater, and water movement, flow, and filtration. He noted the proposed meander of the 2nd Street roadway, which presents a more natural movement pattern, as well as aesthetic enhancement. Though attended by a few residents, he lamented that more property owners were not present

for the education as regards restoration upon private property, and correlating information on the NedPeds design.

Pat said the EPA representatives were complimentary of the design, underscoring the innovative use of pervious pavers on slopes. Conor reported that the EPA was impressed with ability to think outside the box by the Town and DDA. Alisha Reis agreed that the EPA expressed that this is a tremendous step in the right direction. As the new Comprehensive Master Plan has been adopted, the NedPeds project provides a key opportunity in moving the needle towards sustainability.

4. Report on the Final Office Review (FOR) meeting with CDOT for final approval of the NedPeds Project by Conor Merrigan and Brian MacLaren.

Conor reported that the meeting with CDOT was productive, however he noted his frustration that the soonest the project could get through the Historic Clearance process to be able to go out to bid would be mid-February. Originally, the plan was to go out to bid pending approval by the Board of Trustees, as of December 3, 2013. As contractors are unable to ensure material prices for more than 45 days, it would compel them to bid these costs conservatively or submit higher bids. He noted that there were concerns on behalf of Town advisory board members about flood recovery efforts bumping this project. Conor reported that CDOT expressed that this is a nonissue, due to the size of the project, as well as affected municipalities have been focusing funding toward flood restoration instead of other projects. He said he and Brian will compile a list of potential contractors from which Town may make preliminary price inquiries.

As regards the project area, Conor indicated that CDOT expressed no objections to leaving the spurs in as alternates. He said that as alternates, they would have to go through a multiple bid schedule, advertising the lowest acceptable bid, against which contractors would submit their bids, which is the protocol for federally funded jobs.

Conor said that at the time of the FOR meeting with CDOT, it had not been reviewed by all specialty groups. The Project Manager had a few comments, which have not yet been received, as well as the expected delay regarding historical clearance. He said that CDOT has requested several modifications showing cross-sections of how pervious pavers and the drainage pipe paralleling the Library will function, especially as the pipe is located in the CDOT right-of-way. There will need to be a maintenance agreement with Town if they will be maintaining this perforated pipe. Susan Schneider asked about snowplowing/shoveling obligations within the right of way from the Library to the roundabout. Conor responded that snowplowing could cause there to be snow upon the sidewalk, which would then be the responsibility of the Library, businesses and Mining Museum to clear the sidewalk. Susan noted that as the Mining Museum is property of Boulder County, it could get interesting. Conor answered that it would then fall upon Boulder County to ensure these areas of the sidewalk are maintained.

5. Treasurer's Report - Eva Forberger - NDDA Treasurer

Eva gave a summary of the budget year-to-date. She clarified line items, explaining that the Treasurer's Fee is Boulder County's charge to the DDA to collect property taxes, which differs from the Accounting fee, which is the Town's charge to the DDA for

the accounting and reporting as an allocation. She noted that the NedPeds project budget is year-to-date. Susan inquired about the flower planter project, as they were \$4000 under-budget. Eva stated that the funds remaining will be allocated to cover the cost of Christmas lights.

F. ACTION ITEMS

1. Consideration of two options to replace the duties of Sue Churches the NDDA Board Secretary.

2. Consideration of revisions to the 2014 budget for the remuneration for the NDDA Board Secretary

3. Consideration of forming a hiring committee to search for a new Secretary

Alisha clarified that these three action items could be combined in discussion and vote. Pat said this had been discussed at last meeting, though no decision was finalized. She summarized the DDA's ability to hire the Secretary as a part-time employee or as an independent contractor. She pointed out the lack of office space presently, though there is a computer, however no printer, internet, or phone. Pat said as that providing these necessities is not usually asked of an employee, it must be a consideration with regard to compensation. Pat stated that per the IRS determination memo, as these provisions are lacking, nor are they requesting specific work hours--beyond any deadlines and attending meetings--it could be an independent contractor position. Currently, there is \$10,100 available in the budget for a secretary. Eva reported that only \$120 of the \$1000 allocated within the budget to update the website was needed, therefore, the remainder could be included in the compensation package.

Katrina pointed out they already voted for the Secretary to be an independent contract position at \$16 an hour, which they approved at the last meeting. Jeffrey inquired if internet and telephone service would be included in the \$16 hourly rate. Pat said they have a PC available with Microsoft Office software; however Katrina noted that these costs can be claimed as professional deductions by the Secretary. Eva stated that the Town would reclaim the computer and reimburse the DDA for the software investment, if they didn't want the computer.

Discussion ensued as to whether the pay was suitable for the expectations of the position. Amanda Kneer pointed out that it would be about 630 hours a year, or roughly 52-60 hours per month, averaging about 15 hours per week. These hours include updating the website and social media, attending meetings, writing minutes, as well as working with the Board to prepare Agendas and AIMs. Pat solicited discussion from the Board regarding duties, hours required, as well as if they feel that the proposed wage is suitable.

Karina reported that at the April 2013 meeting, Katrina had suggested changing the title from Secretary to Clerk to encompass a larger role. She expressed that the Board needs someone who can help them in their process, to possibly include aspects of an Executive Director, a Clerk, and Secretary. Pat explained that though duties can be

expanded, the position is called a Secretary, per the State Statutes. Katrina proposed using last year's time sheets as a measure of understanding the time necessary for job completion, and to consider possible expansion of duties. Susan noted that extending duties should increase the compensation offered. Katrina suggested they determine areas for enhanced efficiency, to save billable hours. Pat inquired if the Board would like to revise the budget; however Susan remarked that the duties must first be confirmed. Katrina suggested that they form a hiring committee to review desired duties and establish the job description. The Board noted that the budget has some flexibility depending on the determinations of the hiring committee.

Katrina moved to form a hiring committee whose duties would be to review the timesheets, job description, and appropriate compensation, seconded by Jeffrey, approved unanimously. The volunteers for hiring committee include Jeffrey, Katrina, and Karina.

Karina inquired about the Loris and Associates documents that Ken Adler referenced from a meeting in October, which are from the sidewalk Phase 1 plan, circa 2004. Katrina clarified that the Town paid to have this plan produced—pre-DDA—which included the sidewalks. Alisha responded that she will ask Ken Adler.

G. DISCUSSION ITEMS

Karina reported that Kayla Evans, of the Nederland Area Historical Society (NAHS) has approached the DDA regarding the prospective sale of NAHS property. Pat responded that Kayla would confer with the NAHS Board, and create a committee to decide on a price for this property, located behind the Mining Museum. She clarified that the property in question are three lots to the rear of the Mining museum. She said Kayla has inquired if the DDA would be interested in purchasing this area to augment parking. Pat is awaiting the committee's response.

Chris made inquiries about budget, as accounting fees increased from \$1250 in 2012 to \$3000 in 2013. Eva clarified that as the DDA was dormant for first 5 months in 2012, there were only seven billable months. Chris said he was referring to the Actuals in 2013, however Eva noted that they comprise the year-to-date to October, with two months yet remaining.

H. OTHER BUSINESS

There is no other business.

I. RECESS AT 6:30

Chris made a motion to recess, seconded by Jeffrey, All in Favor. The November 20th Nederland DDA Regular Meeting was adjourned, to reconvene as the Joint DDA/ Planning Commission Meeting for review of the NedPeds 90% plans.

J. RECONVENE AT 7:00 pm - Joint DDA and Planning Commission Meeting

DISCUSSION ITEM FOR BOTH BOARDS:

1. Presentation to both boards of the Nederland Pedestrian Enhancement and Storm Water Management Project

Presenters - Conor Merrigan - Project Manager and Sustainability Consultant and Brian McClaren - Representing Huitt-Zollars, Inc Design Engineers for the Project.

ACTION ITEMS:

- 1. Public Hearing: Consideration by the NDDA of approval of the NedPeds Project, and forwarding of recommendation to the Nederland Planning Commission for consideration.**
- 2. Public Hearing: Consideration by the Planning Commission of approval of the NedPeds Project and forwarding of recommendation to the Board of Trustees for consideration.**

1) Information Items

Chairman Larsen informed members of the public that those who have signed up will have three minutes to speak, and one minute for anyone who did not previously sign up to speak.

The Public Hearing was preceded by a presentation by Project Engineer Brian MaClaren and Sustainability Coordinator Conor Merrigan. The overview offered the latest information about the NedPeds Project as presented to the Colorado Department of Transportation (CDOT), who administers the grant funds, and is still reviewing elements of plan. Merrigan explained that they are seeking approval on the plan as submitted in the Final Office Review (FOR) to CDOT. Merrigan clarified that at this stage, minor changes are allowable, though he said he believes any significant changes would need to come back before the DDA and Planning Commission. They presented the highlights of what has changed within the project plans, doing a virtual, verbal walk-through of the project from end to end. The alternates--no longer included within the project primarily due to necessary cost reductions--are the spurs connecting to the highway from Snyder, as well as the spur from the Post Office edge up to highway.

Merrigan explained that the grant funds require the creation a multi-modal eight-foot pathway, which is ADA-accessible from the Library to the Post Office. He said they also attempted to leverage the grant dollars for improvements along 2nd street, to additionally address stormwater, improving water quality and enhancing the project's sustainability; in contrast to the original plan along the highway.

Merrigan said that the plan as currently proposed will include extensive, green-infrastructure drainage improvements, with maintenance on system pipes, new ditches, and a high degree of permeability throughout the entire project to include under-drainage elements. He explained that the water will filter through the under-drainage which consists of ten inches of $\frac{3}{4}$ -inch gravel, as well as an overflow pipe to channel excess water more rapidly to the creek. Every effort has been made to enhance sustainability, and despite the removal of some elements due to cost, Merrigan said he feels it still retains the integrity of the project. He summed up the project as a very effective, low-maintenance system, that will enhance safety and multi-modal access, with beautiful aspects to slow traffic, and provide drainage to increase water quality, removing as much flooding burden along 2nd Street as possible.

MacLaren showed the cross section of road as viewed down centerline of the project area, discussing elements of the project from west to east. Between the RTD Park-n-Ride and the Mining Museum, the shoulders will be increased in width from four-feet to a paved width of five-feet, meeting the standard bike-lane criteria. Along the north side of the road a five-foot concrete paved walkway is proposed and the additions in both directions will accomplish the goal of the requisite eight-foot multimodal pathway. He explained that the special design of the pathways will allow for added infiltration. To achieve this, the joints will be fully sawed-through, allowing a path for infiltration into the gravel layer. The area between the pathway and road edge will contain gravel to provide a longitudinal conveyance for increased permeability, with a pipe below acting as backup system in case of freezing. The idea is for these improvements to pull as much water off the street to be expedited into the creek, which will tie it into drainage under the Library parking lot. He noted that ditches will be re-graded off Jefferson Street and Snyder Streets, allowing drainage to be pulled off at various locations. There will be a new sidewalk from Jackson Street to Jefferson Street, past part of the Mining Museum.

Continuing east, MacLaren noted that from the round-about to Snyder Street the multimodal pathway will run the full width along the south side of the road, tucked up as close to the right-of-way as possible. There will be a gravel drainage layer between the sidewalk and the asphalt.

Speaking to the final section of the project from Snyder to East Street, MacLaren noted that as 2nd Street is unpaved, there is considerable dirt, dust, and flooding concentration, which is high-maintenance as it essentially carries the roadbase from the upper end to lower end of the

street. In this area, permeable pavement is proposed for the driving surface of roadway which will be fourteen-feet in width from Snyder to East Street, to include a meander. The road will be composed of interlocking concrete pavers that allow infiltration to the joints, with a gravel layer below, and filter material underneath the gravel. He explained that the gravel and filter material provide both conveyance of water and enhancement of water quality by removing pollutants prior to entering the creek. MacLaren said that along the north side of the road there will be a combination of gravel areas, which may feature native seeding or be designated for parking.

At this time, MacLaren redirected attention to the west side of the project, noting the improvements on north side of road. He said there will be a walkway connection down Jackson Street to access the Park-n-ride, with a crosswalk for connection to the Library. MacLaren noted there will be raised 'safety islands' to the south of the round-about on Highway 72 and on Bridge Street, upon the upstream side of the crosswalk for an additional safety buffer. Along the south side of the road is an eight-foot pathway tying into the existing sidewalk, with a gravel drainage area between roadway, which continues all the way down to the last property on block. The sidewalk will be adjacent to Salto's with permeable interlocking pavers continuing down the full right-of-way in this section. MacLaren continued discussing the proposed meander which is intended to slow traffic and provide more interest. In this section the sidewalk hugs the south side of the roadway, with areas not proposed as sidewalk, driveway or roadway will either have a gravel surface or feature native seeding.

MacLaren noted the unforeseen cost savings due to post-September Flood 2013 pipe replacements, which increase overall capacity and if adequate, could negate the proposed box culverts.

Merrigan discussed the relocation of a fence upon Susane Thomas's property closer to the house which could negate the need to remove some mature aspen trees. He noted that some parking space would be lost, but the compromise would reduce the impact to the property owner.

Merrigan said that some fire hydrants would have to be relocated, however most of the utility poles have already been moved, though old poles closer to centerline of street will be taken out at a later time. He said that the old large spruce trees along roadway would require a realignment of the road to be saved, and as they also go over power lines are currently scheduled to be removed. Merrigan said the town has indicated a willingness to plant new trees in their stead.

MacLaren continued to elaborate upon aspects of the base project, which continues up the west side of East Street to tie into the sidewalk on the south side of the Post Office. This does not include the alternate spurs.

Larsen opened the meeting to Public Comment.

Donna Sue Kirkpatrick, 115 East 2nd Street, said was on walkthrough, and appreciated everyone who attended. She said those who attended were happy to learn there is room for compromise, and they felt their concerns were heard. As there were noted cost savings, she suggested that the bioswales be returned without tree and garden removal from the right-of-way. She noted that as houses and roads were constructed prior to GPS precision, and now residents will be affected. She disagrees with the project as it is proposed now, as nothing mimics nature better than nature. She said as connectivity was the original concept she would like the spurs to be included. She said she also has researched aspects of maintenance, which she feels may be significant.

Teresa Bradley, a twenty-year resident from 140 East 2nd Street, said she wanted to go on record with her support of the project. She said she attended many of the meetings throughout the process, and made personal contact with absentee landlords to help facilitate communication. She said she wanted to acknowledge it is very difficult for everyone to get what they want, however compromises were made in the section between Snyder to East Street, as well as upon the walk-through to appease resident concerns. She noted that zoning may not reflect the use, asking that the DDA and Planning Commission consider that residents originally bought property with zoning, easements, and right-of-way being the way they were. She said she wanted to support modifications that were discussed in the walk-through such as minimizing the curb at Nicholas Brodsky's property, and saving trees at Susane's house. She also observed the importance of taking the curve of the road into consideration due to the differences in the driveways.

Megan Blohm, of 140 E 2nd Street said she also supports the project. She acknowledged that after eighteen years at this address, they have seen many changes, however change is perceived as weird and scary at first. She noted that they are living in "urban Nederland", which includes aspects that other areas beyond the town limits do not have to consider as they do. She said that she is used to bringing her dirt back to her driveway after a storm, which varies from six-inches to a foot higher than the roadway. She said she'd feel safer with sidewalks in this area, and lauded the opportunity to use grant money to fix the drainage issues in this area.

David Sites, who resides at 101 East 2nd Street, said he felt it was a great walkthrough, allowing attendees to see how close the road will be to houses on the north side of 2nd Street. As it stands, he said he feels there is a danger in bringing a paved road to within two-feet of his gas meter, in addition to other residents' concerns about tree removal and fence replacement. He said he would like the historic easements to remain for now to increase the happiness of residents on the north side of the street.

Arden Buck, 38 Navajo, also commended the walkthrough, which he said he wished would have been announced to the whole town. He said he has two main concerns, which was originally about a sustainable walking path, and has now morphed into a much larger project. He said that as unresolved issues have arisen, he would suggest they slow down to make sure all residents are fully informed with informational easels provided at the B&F and Library. He is concerned about the proximity of the street to residents' houses as well as removing trees, which reduces residents' quality of life and property values. He inquired if meander could be rearranged or the possibility of a variance from CDOT with regard to the right-of-way.

Susane Thomas of 171 E 2nd Street, asked that more time be allowed to consider resident concerns. She noted that gravel ditches will be very close to her window, decreasing her privacy as well as the impact of flooding. She lamented that seven mature aspens are slated to be removed, along with the two century-old spruce trees that are scheduled to be cut, when the project could be altered to avoid this.

Paul Turnburke, 3259 Ridge Road, thanked Merrigan and MacLaren for the presentation. He noted that he is concerned that the project is incomplete, as it will not connect to the two bus stops, forcing people to walk in the mud, snow or ice to get to these areas. He said that he wants to ensure that crosswalk and bike striping is included within the project. Turnburke said he feels that elimination of the proposed bioswales is a huge problem, and is not the same as gravel. He said that maintenance and monitoring must be defined, stating that it is necessary to measure the success or failure of water infiltration, which requires a clear understanding of maintenance requirements. Now that there is a bit more time before the project goes before the Board of Trustees, he'd like to see these concerns addressed. As well he noted that the pipes to handle flow of water in wintertime need to be deeper to prevent freezing. Lastly, he suggested replacement of trees for those slated to be removed.

Nancy Buck, 38 Navajo, said that she was worried that the sidewalks won't get plowed thus, leaving forcing those in wheelchairs to use the road. She urged consideration for this movement within town.

Paul Turnburke added that he was asked to convey Ken Adler's concern that DDA taxfunds are being spent outside the district and this may create legal concerns.

2) Action Items

1. Public Hearing: Consideration by the NDDA of approval for the NedPeds Project, and forwarding their recommendation to the Planning Commission for consideration.

Chairman Everson reconvened the DDA meeting at 8pm. DDA Trustee-Liaison Chris Perret said that he questions CDOT's delay of the project due to the FOR meeting and historical clearance, which have not been completed yet. He inquired if they can trim the project down to make it less obtrusive to residents. He suggested they make road straight instead of creating a meander. He asked if they can narrow the multi-modal pathway to include both of the spurs, and said that there would be less maintenance with fewer cars going down the road. He suggested that the wide porous pavement and concrete for driveways be narrowed in some areas, with new pipes already saving project money. He stated that this project is intended for the people, not just a select few. As a 31-year resident he said it's important to take time to make compromises to satisfy CDOT, the town, the DDA, and residents.

Chairman Everson asked if it was possible to revise the plans, although MacLaren cautioned that alignment changes would require additional work and compensation.

Merrigan reported that the eight-foot requirement from DRCoG can't be changed, and said he would echo Brian's caution as far as realigning the road. He noted that removing the proposed meander which was designed to match the driveways to straighten the road, would encourage faster speeds, which he would not recommend. He noted that if the road is straight, the spruces in front of Prime Haven would have to be removed. He said that a number of trees in front of Susane Thomas's property can be saved. He said ultimately if they would like the road straightened, then they will change the design, however there will have to be additional compensation for these changes. He also noted that with the elimination of the box culverts,

there is potential to include the spur up to Snyder Street, if the installation of the new pipes proves adequate.

Jeffrey Greene said his main concern is where resident privacy is affected with money well spent to incorporate compromises. He noted that savings on repairs might be placed towards including bioswales. He said that privacy is very important, but as it is also urban Nederland, the commercial aspect of those properties need to be respected as well. He said he feels that the project needs to go forward, and suggested that speed-bumps may be more effective than a meander to slow traffic.

Katrina Harms said that she hopes we can continue to work and adjust as we move forward, and make every attempt to ease impacts going forward.

Susan Schneider said she was happy to hear about compromises coming up in walkthrough, such as keeping the aspens. She inquired how close to Susane Thomas's house the fence will be if relocated. MacLaren reported that the existing fence is approximately eight-feet from house, which would need to be relocated about four-feet, allowing a four-foot buffer. There would be native seeding of that area and trees, but no parking there. Schneider inquired if minor scaling back in areas would necessitate a significant change to the project. She said regardless of whether they remove the old spruce trees, the road would be within two-feet of the building. MacLaren clarified that the edge of the road is actually located underneath the tree canopy, however this is not intended as an area to park. Merrigan noted that removal of the trees would allow sun, however they have also taken into consideration the abundance of birds using those trees in the summer. He noted that as spruce trees have lateral shallow roots any digging in this area would potentially harm them. She said she thinks that the pavers will collect debris, and wants town to be prepared for the maintenance involved to maintain an optimum system. MacLaren said that Public Works has supported the proposal, as discussed in a Technical Review Committee. He spoke about a trial by the City of Denver using permeable pavers upon half a lot, with porous asphalt, with neither being maintained. He said the performance of the permeable pavers has not degraded, however the porous asphalt is now near impervious. He noted that replacement pavers for maintenance are already factored into the project costs.

Reis added that this project is setting the pilot example for how the town is addressing pathways and roadways on the local level. The

town will also be working on the Master Infrastructure Plan, which will detail how roadways are maintained throughout town, along with construction specifications and design standards. This will be part of the programming for roadway and utilities, looking at specific costs of labor, machinery and maintenance and making these aspects more of a strategic action. She noted that some areas have not been maintained, but the town is now moving toward much more progressive action on infrastructure projects. Schneider concurred with Reis's statements and said that the improved infrastructure will add property value, but she underscored the importance of keeping improvements from encroaching on existing buildings. She inquired who would be responsible for shoveling new pathways. Reis responded that Public Works can include maintenance to the pathways; however the DDA would have to respond to the question with regard to sidewalk maintenance in front of private properties.

Kneer said that she found the walkthrough very informational, and would like to see compromises to reduce resident impact. She said that she cannot see what the town would gain at the expense of residents' quality of life.

Merrigan said that the ideal scenario would be to include the compromises now as part of the approval.

Luscher said that she felt like the maintenance concerns were addressed, though asked if it was up to the DDA to decide how to manage the sidewalk portions. Reis responded that the decision is the DDA's in part, however, noted that on the west side, the street has been designed with Public Works maintenance considerations in mind. Reis noted that 2nd Street rises and falls as a roadway with storms, with the most severe drainage issues concentrated upon this street from the most recent flood event. As such, she said they'd like to make progress on this classic flooding area. Reis reported that Public Works and the Geotechnical Engineer are on board with the drainage concepts presented within the plan.

Luscher underscored the concerns presented as to the removal of bioswales. Merrigan responded that cost was the main driver to remove the bioswales from the project. In their absence, he said they sought to find a similar functionality from a stormwater treatment perspective, though this would be without the habitat creation, which is a highlight of the bioswales. Merrigan noted that the porous landscape areas are smaller, but as these are composed of gravel with porous pavers, they have a 'future flexibility' that can be later

converted to bioswales. Merrigan said that the fisherman's wharf area would be his suggestion for the most effective and functional for a large bioswale. He cited the most complicated aspect of a bioswale is maintenance, and queried who the responsibility would fall upon, especially if it was within the public right-of-way, as previously proposed. He said this could be addressed within the Master infrastructure Plan, to include dedicated maintenance arrangements. Luscher wanted to sum up that she has followed the project from the beginning, is proud of everyone involved, and that the project has her support.

Chairman Everson extended her thanks to MacLaren representing Huitt-Zollars Engineering firm, Merrigan, the Town of Nederland, the Technical Review Committee, the Design Advisory Team, and everyone who has been involved. She noted that it is wonderful to have so much public turnout at this meeting in an open and friendly forum. She said that this is a grass-roots stakeholder project, in which compromises can hopefully be struck to improve the project. She said that the DDA, under former Chairman Ronald Mitchell and herself currently has tried to make the process as public as possible, and said she felt they achieved 80-90% of what was asked of them. She said she'd like to discuss the motion to be considered, and asked Merrigan to sum up the recent compromises afforded to fully consider the project and recommendations as a Board.

Merrigan summed up the five compromises to be included within the project scope and associated costs. The first compromise is to relocate the fence at Susane Thomas's property about four-feet on the other side of the aspen trees, to line up with the existing jog of the road, passing by the fire hydrant. This would then allow approximately four-feet from the house to the fence, and the same distance from the fence to the edge of the road. The second compromise is to allow the fence upon Nicholas Brodsky's property to remain where it is now. The third compromise is to replace the spruce trees which are scheduled to be removed. The fourth compromise will be to allow the hardscape in the Central Business District to only extend as far as the edge of David Site's rock garden, which is about the same to allow inclusion of Donna Sue Kirkpatrick's garden, approximately a two-to-three foot change to leave these areas as is, and shortening pavement to accommodate. The fifth compromise is to eliminate the proposed box culvert, contingent upon the engineer's calculations that the newly installed pipes can manage the flow

without the need of the box culvert. This is also contingent upon CDOT's approval of these changes.

Harms suggested that they watch for any opportunity to make changes as she doesn't want to be limited, should an issue arise. Schneider inquired if they could include a sixth consideration to allow for minor modifications to accommodate residents, if needed.

Merrigan reported that minor change orders are allowed within the process, especially if they have a good construction manager on board. Everson asked Reis if they could include language to say "included, but not limited to". Reis said they can always review the project as it progresses, and as she will serve as oversight to construction manager, she will bring things forward, should they arise.

Everson entertained the motion that DDA forward this project to the Planning Commission with the modifications noted above as compromises to be included within the project. Luscher moved to forward the project with the five modifications derived from the walkthrough, seconded by Greene, with six members in favor, opposed by Perret. The motion to forward the NedPeds Project to the Planning Commission, along with resident compromises passes.

Perret made a motion to adjourn the DDA meeting, seconded by Luscher, all in favor.

NEXT REGULAR MEETING: TBA

The NDDA Board encourages citizen participation. Public hearings and the "unscheduled citizens" agenda item allow an opportunity to address the Board. Discussion is limited to 3 minutes and please address your comments to the Board. Thank you for your cooperation.

The NDDA Board may take action on any item included on this agenda, regardless of the heading under which such item appears.

Discussion items may become action items if the Board determines that deferring final action on an item to a subsequent meeting is unnecessary or unwarranted and that taking immediate action does not compromise any third-party's rights.

The NDDA Board of Trustees meeting packets and agendas are prepared on Friday before the Wednesday meetings and are available on the NDDA website, www.neddda.org.

Copies of the agendas and meeting packet are available at no cost via email from patricia.everson@gmail.com. The information is reviewed and studied by the Board members, eliminating lengthy discussions to gain basic understanding. Short discussion on agenda items does not reflect lack of thought or analysis.

TOWN OF NEDERLAND

WARRANTS

WARRANTS FOR January 15, 2014

Date	Number	VENDOR	AMOUNT	DESCRIPTION
17-Dec	28058	Indian Peaks Ace Hardware	\$ 1,444.00	holiday lights
17-Dec	28067	C2	\$ 2,250.00	NedPeds Project
17-Dec	28084	Huitt-Zollars	\$ 19,339.19	NedPeds Project 90% completion
		Total	\$ 23,033.19	



MEMORANDUM

To: Nederland DDA
From: Eva Forberger, Treasurer
Date: January 15, 2014
Re: Treasurer's Report

Please see attached financial report.

Attachments:

DDA Financial Summary

DDA Financial Details

NEDPEDS Project Budget

**TOWN OF NEDERLAND
2013 MONTHLY FINANCIAL REPORT**

DECEMBER 2013	<u>2013 YEAR TO DATE (YTD)</u>		<u>Act vs. Bud</u>		<u>2012</u>		<u>2013</u>		
	ACTUALS	BUDGET	<u>var</u>	<u>%</u>	YTD PRIOR	<u>%</u>	FULL YEAR	<u>%</u>	
								YEAR	BUDGET
<i>Preliminary and Unaudited</i>								Revised	0.92%
<u>DOWNTOWN DEVELOPMENT AUTHORITY</u>									
<u>NON TIF FUNDING</u>									
TAXES	25,069	26,814	(1,745)	-7%	26,441	95%	26,814	93%	
INTERGOVERNMENTAL	60,000	437,400	(377,400)	-86%	66,677	90%	437,400	14%	
LOAN PROCEEDS	-	320,000	(320,000)	-100%	482,500	0%	320,000	0%	
MISCELLANEOUS	1,510	2,567	(1,057)	-41%	491	308%	2,567	59%	
INTEREST	408	300	108	36%	394	104%	300	136%	
TOTAL REVENUE	86,987	787,081	(700,094)		576,502	15%	787,081	11%	
PERSONNEL	11,794	11,779	15	0%	24,567	48%	11,779	100%	
LEGAL FEES	511	3,000	(2,489)	-83%	6,294	8%	3,000	17%	
TREASURER'S FEE (TAXES)	1,844	2,000	(156)	-8%	1,972	94%	2,000	92%	
ACCOUNTING FEE	3,000	3,000	0	0%	1,750	171%	3,000	100%	
GRANT	250	1,500	(1,250)	-83%	1,000	25%	1,500	17%	
SIDEWALK MAINTENACE	2,410	4,000	(1,590)	-40%	2,523	96%	4,000	60%	
FLOWERS/PROJECTS	3,470	8,567	(5,097)	-59%	3,600	96%	8,567	41%	
OTHER*	2,733	5,750	(3,017)	-52%	2,808	97%	5,750	48%	
CAPITAL OUTLAYS	126,251	731,800	(605,549)	-83%	46,276	273%	731,800	17%	
TOTAL EXPENDITURES	152,264	771,396	(619,132)		90,790	168%	771,396	20%	
<i>* Includes Contingency of \$1,500</i>									
NON TIF CHANGE IN FUND BALANCE	(65,278)	15,685	(80,963)	-516%	485,712	-13%	15,685		
<u>TIF FUNDING</u>									
TIF REVENUE	99,915	98,692	1,223	1%	104,640		98,692	101%	
DEBT SERVICE	102,557	142,557	(40,000)	-28%	460,983		142,557	72%	
TIF CHANGE IN FUND BALANCE	(2,642)	(43,865)	41,223	-94%	(356,343)	1%	(43,865)		
FUND, BEGINNING BALANCE	239,705				70,335		220,260		
FUND, ENDING BALANCE	171,786				239,705		192,079		
NON TIF FUNDS BALANCE	51,948				117,226		123,992		
RESEVERED	41,784				108,036		115,600		
UNRESERVED	10,164				9,190		8,392		
TIF FUNDS BALANCE	119,837				122,479		68,087		

**TOWN OF NEDERLAND
2013 FINANCIAL REPORTING**

DECEMBER 2013 AUTHORITY FUND	D	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD	YTD BUDGET	ACT vs. BUD YTD	2013 FY BUD	% of BUDGET	BUDGET REMAININ
7061100 DDA PROPERTY TAXES	D	-	135	5,134	1,538	1,464	6,159	8,272	469	91	107	155	211	23,736	24,314	(578)	24,314	98%	578
7061120 DDA SPECIFIC OWNERSHIP TAXE	D	-	312	114	82	104	92	99	96	92	122	92	129	1,333	2,500	(1,167)	2,500	53%	1,167
7061130 DDA TAX INCREMENT FINANCING	D	-	544	21,323	6,389	6,082	25,581	34,668	8,287	(4,738)	-	645	1,133	99,915	98,692	1,223	98,692	101%	(1,223)
7061999 DDA MISCELLANEOUS REVENUE	D	-	-	-	310	100	100	-	-	-	-	1,000	-	1,510	2,567	(1,057)	2,567	59%	1,057
7061200 DDA INTERGOVERNMENTAL	D	-	-	-	44,020	-	15,979	-	-	-	-	-	-	60,000	437,400	(377,400)	437,400	14%	377,400
7061300 DDA LOAN PROCEEDS	D	-	-	-	-	-	-	-	-	-	-	-	-	-	320,000	(320,000)	320,000	0%	320,000
7066110 DDA INTEREST	D	35	29	31	12	26	23	105	36	29	20	26	37	408	300	108	300	136%	(108)
Total Revenues	D	35	1,020	26,601	52,351	7,777	47,935	43,144	8,888	(4,527)	249	1,918	1,511	186,901	885,773	(698,872)	885,773	0	698,872
7061111 DDA Wages	D	1,166	651	666	708	1,552	1,500	1,110	711	888	711	1,243	-	10,906	10,800	106	10,800	101%	(106)
7061114 DDA Overtime	D	-	-	-	-	-	-	288	-	-	-	-	-	288	-	288	-	-	(288)
7061123 DDA Employer Taxes	D	93	52	53	56	123	119	110	57	71	57	99	-	888	979	(91)	979	91%	91
7061219 TREASURER FEE	D	-	(2)	397	119	113	476	645	132	(70)	2	12	20	1,844	2,000	(156)	2,000	92%	156
7061221 DDA ACCOUNTING	D	250	250	250	250	250	250	250	250	250	250	250	250	3,000	3,000	-	3,000	100%	-
7061315 DDA BANK FEES	D	-	5	5	5	5	5	5	-	-	-	-	-	30	100	(70)	100	30%	70
7061222 DDA LEGAL	D	-	241	42	229	-	-	-	-	-	-	-	-	511	3,000	(2,489)	3,000	17%	2,489
7061223 DDA WEBSITE	D	-	-	-	-	-	-	-	120	-	-	-	-	120	750	(630)	750	16%	630
7061418 DDA ADVERTISING	D	-	-	-	-	175	-	-	-	-	-	-	-	175	-	175	-	-	(175)
7061416 DDA ROOM RENTAL	D	42	42	42	42	42	42	42	42	42	42	42	42	504	500	4	500	101%	(4)
7061311 DDA OFFICE	D	16	124	-	-	-	69	179	-	-	-	45	-	433	1,000	(567)	1,000	43%	567
7061225 DDA OTHER PROFESSIONAL	D	195	-	-	-	-	-	30	-	-	-	45	-	225	400	(175)	400	56%	175
7061301 SIDEWALK BEAUTIFICATION	D	-	-	-	-	643	740	91	225	-	-	1,771	-	3,470	8,567	(5,097)	8,567	41%	5,097
7061302 SIDEWALK MAINTENANCE	D	175	117	580	405	440	439	-	-	-	-	-	255	2,410	4,000	(1,590)	4,000	60%	1,590
7061312 DDA POSTAGE	D	-	-	-	-	-	-	-	-	-	-	-	-	1,000	1,000	(1,000)	1,000	0%	1,000
7061419 DDA PRINTING & BINDING	D	32	-	-	-	-	-	77	52	-	28	-	-	188	1,000	(812)	1,000	19%	812
7061420 DDA Meals	D	-	67	-	55	-	-	138	163	52	-	-	-	476	1,000	(524)	1,000	48%	524
7061411 DDA Conferences	D	-	-	-	-	-	-	-	295	-	-	-	-	295	-	295	-	-	(295)
7061450 GRANTS	D	-	-	-	-	-	-	-	-	-	-	-	-	250	1,500	(1,250)	1,500	17%	1,250
7061500 DDA SIDEWALKS PHASE 1	D	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7061501 DDA SIDEWALKS PHASE 2	D	23,677	26,725	27,462	26,140	5,760	5,683	1,755	3,492	1,440	1,440	2,230	428	126,251	731,800	(605,549)	731,800	17%	605,549
7061621 CAPITAL LEASE PAYMENT	D	408	408	408	408	408	408	408	408	408	408	408	408	4,897	4,897	0	4,897	100%	(0)
7061702 LOAN INTEREST	D	955	935	826	894	846	853	806	812	792	746	751	706	9,922	9,921	1	9,921	100%	(1)
7061703 LOAN PRINCIPAL	D	7,184	7,204	7,312	7,244	7,293	7,285	7,332	7,326	7,346	7,392	7,388	7,432	87,737	127,739	(40,002)	127,739	69%	40,002
Total Expenditures	D	34,192	36,817	38,042	36,555	17,649	17,869	13,267	14,084	11,220	11,075	14,258	9,791	254,821	913,953	(40,002)	913,953	69%	659,132

**NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
 NEDPEDS WORKING BUDGET
 As of December 2013**

	<i>Vendor</i>	<i>Invoiced to Date</i>	<i>% of Budget</i>	<i>Budget</i>	<i>Remaining</i>
Design (Civil Engineer/landscape Architect)	Huitt Zollars	129,192	92.3%	140,000	10,808
Design: Historical Work *	Huitt Zollars	4,248	100.0%	4,248	-
Total	Huitt Zollars	133,440	92.5%	144,248	10,808
Survey Work	Flagstaff Surveying	5,900	100%	5,900	-
Project Coordinator	Paul Turnburke	4,000	100%	4,000	-
Project Manager/Sustainability Coordinator	C2	28,871	98%	29,610	739
Engineer Construction Project Manager			0%	82,000	82,000
Construction			0%	672,340	672,340
Contingency			0%	11,902	11,902
Total		172,211		950,000	777,789
Source of Funds					
DDA (Loan through TIF Funds)		154,000	100%	154,000	-
DR COG/CDOT Design Commitment		60,000	100%	60,000	-
DDA (Loan through TIF Funds) Future				310,000	310,000
DR COG/CDOT Construction Commitment				426,000	426,000
Total		214,000		950,000	736,000

1/8/2014



Project Summary

The NedPeds project is awaiting BoT approval and CDOT responses to move forward to the bid document phase. Once those items are complete, the final step will be to set a date to go to bid. If there are any substantive changes, either in regards to the BoT hearing or the CDOT comments, the plans will need to be presented to the NDDA again for approval. If any of the changes would require additional design cost, that would also necessitate a discussion with the DDA and the Town.

Since the joint Planning Commission/Nederland Downtown Development Authority meeting in November, an Ecologist has walked the site and provided a report that is pending as of this summary but scheduled to be completed today, Monday January 13th. In addition, the changes requested were made, including indicating the modified adjustment of Susanne Thomas' fence, leaving a buffer along David Site's property and the garden in front of Donna Sue's as well as leaving the fence that was encroaching 2 feet into the right of way where it is. The two Spruce trees in front of Tori Carpenter's house have received additional attention due to the homeowner becoming engaged and the Ecologist hired by the Town took a closer look at her trees in addition to her commissioning an arborist to make a report on the trees. That report is included as an attachment, but indicates that the trees would be best protected by moving the roadway approximately 6 feet to the south so as not to have as great of an impact on their root structure.

The CDOT comments have been somewhat slow in coming due in part to the resignation of the project manager, and are still not complete. They anticipated a return of those comments by Mid-February, so technically they are not late, and the project will have to see if anything significant comes up as a result.

Finally, C2 is currently overseeing a public comment process for primarily DAT members, the to-date summary of which is included below and graphically illustrated as an attachment.

Summary of DAT Comments for NDDA Board

18 responses had been collected via survey as of 1:33 PM January 2013. An additional set of approximately 18 relevant comments were made via the email chain started by Conor Merrigan of C2 Sustainability.

Of the survey results, slightly under half were DAT members with the others consisting of an almost even split of Nederland area residents and "Other", the bulk of which are current or former residents. There was a roughly even split between people who thought there was



a sufficient amount of public input taken and considered and those who felt like it was insufficient.

The narratives of the survey responses as well as those in the email chain were fairly extensive and generally thoughtful and considerate. There are a good number of people who would like to see the two Spruce trees saved and don't feel as if there is enough of a justification for their removal. The general sentiment from those respondents was that they deserve additional study and that any decision affecting the trees should be deliberate and based on factually defensible rationale.

There were a number of people who echoed the theme of the project overall being quite positive for town and with an inclusive process, and generally not wishing to see anything come up at this date that could potentially derail that effort.

There were several design suggestions made, including keeping and removing the meander, going back to a more simplistic design with traditional engineering techniques to mitigate the worst of the flooding while keeping the road way either roadbase or dirt, and concerns about the walkway being on the less sunny South side of the street. Parking was noted as a low priority compared to tree preservation.

Some history on the process was provided and opinions were offered about various motivations and desires regarding reclaiming the right of way, public space treatment, and the modifications that have been made to the project to date. There were a number of feelings expressed about the public process, with the majority being favorable, and some respondents feeling not enough had been done to address their concerns. There was also a recognition that doing projects that benefit the "greater good" often can result in individual hardships and that the project overall does seem to be positive.

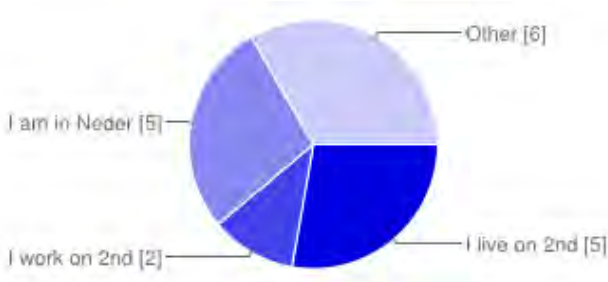
Edit this form

18 responses

[Publish analytics](#)

Summary

Which of the following best describes your relation to the NedPeds project on 2nd St.(from the library down to East)?



I live on 2nd St.	5	28%
I work on 2nd St.	2	11%
I am in Nederland or the surrounding environs and am interested in what happens in the community	5	28%
Other	6	33%

What is your name?

Tori Carpenter Ronald A. Mitchell Natasha Megan Blohm theresa bradley Joe Gierlach Jeff Hohensee Susane Thomas Kevin Stevens Pat Everson Robbin Rose Donna Kirkpatrick Jennifer Brown Topher Donahue Rebecca Vera Schulte-Pelkum Aron Arnold rich kustron

What address (home or work) are you responding for?

115 East Second 171 E 2nd Street 140 East 2nd st 164 E. 2nd St. 140 east 2nd st
 ned feed 115 e second 114 E. Second st., Mt Rose Hair Care 81 Doe TR 554 Hollbrook St.
 Erie, CO 1070 Malory St 242 High Lake, Ward, CO 155 E. 2nd St. 4820 Meredith Way,
 Boulder Home 114 E. 2nd St., Mountain Rose Hair Care 303-258-ROSE(7673) 65 Pomo
 Way 2nd Street from 119 to Snyder 164 E 2nd St

What is an email to contact you at?

Kmswoodworks@yahoo.com patricia.everson@gmail.com donnasuek@aol.com

strangerthanfiction7227@yahoo.com robbin.rose@gmail.com arnolda14@gmail.com
 whandsinc@ yahoo.com ronaldamitchell@mail.com mosaic_tiles@nednet.net
 jeff@highlake.net rschmidt25@yahoo.com vera.schulte@gmail.com
 joeg@nederlandco.org topher@alpinecretive.com jenniferyvette1969@yahoo.com
 torisaur@gmail.com

Please provide any feedback on the NedPeds project you would like shared

NedPeds is distinctive to Nederland. – It evolved as a collective manifestation from the community on Second Street. I think this is a good project. i feel the process that brought this about could not have been more democratic , over and over people were asked to give input and this input was heard and used to create a very nice improvement to our town. i feel that the BOT should vote yes on this project I hope that the vocal minority does not create a situation that does not allow this beneficial project to go through. Having done work in that neighborhood, the traffic and pedestrian needs can be meet with a simple path along the southern side. There is no need for removing old growth trees and expanding the width of the road. I have seen where heavy rains have caused some temporary flooding in the past. That problem can be corrected with some simple grading and the the installation of some culverts. Calling this project Nedpeds, contradicts the fact that this route rarely sees pedestrian use, and being a residential side street even the traffic flow is minimal. There are far bigger problems with the towns infrastructure that should be addressed first. I love the idea of Nederland being more pedestrian and bicycle-friendly. But people like to come to Ned to walk around and enjoy the natural beauty. Trees are an asset to the town, particularly old blue spruces. There are enough barren, desert-like landscapes in Colorado. Please do what you must to preserve the valuable, and beautiful, carbon eaters you are contemplating cutting down for this project, rather than destroying them to make parking for carbon-makers. I wish to put on record that I feel that puting the pedistrian way on the shady side of the street is not as good as putting it on the sunny side. With it on the south side, it will be shaded in the winter and frozen all winter. This has been an open, democratic process are the majority rules. I am pleased with the approach, the design, with the above exception, and laude the manner and approach to the project. While it has taken longer than most of us want, no one can say they did not have the opportunity to be heard and have their concerns considered. It has been the epitome of compromise. I do not support the removal of trees that are the character of our beautiful mountain town. Nederland without trees is not Nederland at all. I am not in favor of the BOT approving the NedPeds 90% plan. It's been anxiously positioned to me a number of times that if the 90% plan is voted down, then the chance for flash flood mitigation on 2nd St. is forever (or at least for a long, long, long time) lost. I'm just hoping this doesn't prove to be the case. I find myself the de facto representative of those two old trees at 155 E. 2nd St. If the trees really must be cut down for the greater good, I get that. However, I don't feel confident that we actually know that cutting them down would serve the greater good. I think it would be pointless and short-sighted of us to cut down those old trees - some of the only ones left in town - without careful consideration and a very compelling reason to do so. And, I'm afraid that the trees have had very little consideration in this 90% plan (other than considering that they are in the way). In my opinion, we should not finalize the 90% plan until we:

a) Request additional ecological and environmental studies/recommendations including an

environmental impact study. b) Discuss all additional research as a community and incorporate the resulting decisions into the plan. c) Incorporate into our community discussion the fact that a certified arborist has assessed the two old trees and has found them healthy. Previously, only speculation (not fact) was used in discussions about the health of the trees. d) Analyze the options around removing or changing the meander to avoid cutting down the trees. e) Review different options for slowing down traffic on the street (speed bump? speed ditch?). How much traffic are we talking about? Will the meander actually slow down traffic? Are there any metrics that prove this? f) Review possible issues with the meander and snow plowing. Are there certain parking spots where snow will be stored by the plow? Where are they? I'm thinking those piles of snow will get pretty high and create a leaky mess as they melt. g) Review further data on permeability of pavers for flash flood mitigation. Is this really the best material for our needs? My concerns are mostly the creek at the east end of the street and the big old trees. I understand the trees in front of Tori Carpenter's house are a problem. I more than understand why they can't be saved. However indeed it makes me sad to see those trees gone. Also seeing the fire hydrant in front of the Feed Store not being in the street would make me feel better. I walk this street everyday and seeing where the property stakes are is very interesting. East 2nd Street isn't what it appears today. We really need this street fixed. And a walkway would be a good thing. And hopefully the town can make up their minds about the driving direction of East 2nd Street. Nobody goes just one way. I look out of my beauty shop windows all day and 95% off the traffic goes the wrong way. Even the police and town trucks (from time to time). Not really looking forward to the construction of this project. I'm sure I'll get an earful from people coming and going from my salon. In my opinion it's good for the future of this street. Thank you for all the hard work. Please help me in saving my fence from being relocated. By relocating my \$6000 fence it will damage the root system of my 7 aged Aspen trees. It will also damage the fence which has been well situated for many decades. By moving my fence it also places the new road within 3 feet of my front door where cars will be parked. Digging up trees and fences is more of Boulder way of life. Not a mountain community. For what? A stinking side walk! Even though I fully support the project, I never supported the idea of reclaiming the ROW. Initially I thought that the town wanted the ROW back, but was lead to believe by Alisha that the town had no intent to reclaim this area. Since the town has never enforced or attempted to reclaim the ROW that has been encroached upon for over 100 years I see no reason to do it now. Initially in discussions on the topic I was lead to believe that there would not be a reclaiming of the ROW with it's adverse effect upon the residents. After leaving the DDA board because certain members were forcing their opinions upon us and directing the project to go in a way that I was opposed to, the project then turned towards the reclaiming of the ROW at any cost to the local residents. This should never have become a prominent part of the project. We should have set forth from the beginning to not do any harm to the people on 2nd Street. I felt mislead and misinformed from the very beginning and did not want to be a part of the project that rejected common sense and civility towards the people of Nederland. As residents, our main concerns are drainage and traffic speed/amount. I have looked at the cross sectional profiles and think that the project will decrease flooding risk significantly (and decrease the amount of silt dumped into the creek as well). The majority of car traffic on our road uses it as access to the post office without any business on the block and often without obeying the speed limit. Paving and widening the road

invites higher speeds and more cars using it as a highway bypass to the post office. We are hoping that the planned meander will reduce speeds, and we would be vehemently opposed to removing/reducing the meander to attempt to save two trees across the street (which are completely entangled in power lines) as advocated by the absentee owner of the property behind those trees. I strongly feel that many people who are weighing in on the tree brouhaha are acting on insufficient information, as the issue involves much more than a glibly put choice of trees vs. parking. I am a daily bus user and feel that crosswalks on Highway 119 would serve a crucial part in the project's goal to increase ease of RTD use. My only feedback is that the project must achieve the initial goals or else it is a huge waste of resources: 1. Water drainage 2. Safe pedestrian thoroughfare (meaning slow traffic by design, pedestrian and auto separation even when there's snow on the ground, etc) With so many trees affected by pine beetles, I can't believe that Nederland is planning to actively kill trees for parking. I acknowledge I am very late in the process. I assume this feedback has already been given. For the take it or toss it file: - Walking along CO-72 from Bridge St to the Park N Ride is acoustically and aesthetically tough. - The rural, unimproved feel of the existing walkways in downtown Nederland reinforce the feeling of a mountain town rooted in it's history. Finding ways to create walkways that are safe, direct water flow, and retain a rural feel is an excellent challenge for the design team. - Bicycles and pedestrians have different transportation needs. The striping and signage used to separate these in other areas is out of sync with the look and feel of downtown Nederland. This presents another wonderful opportunity for the design team to innovate new solutions. - Any opportunities to have water captured along the way to groundwater recharge and cisterns will improve resilience of the water system long term. The Nedpeds project has felt like a very thorough and inclusive project. Participation ebbed and flowed due to the fact that the whole process took about 18 months. I think that using the residents to drum up participation was helpful. I felt pleased with the fact that there were divergent needs and opinions and that compromise was made in several areas. No project is going to make everyone 100% happy, I think this process made every attempt to include people. The only improvement may be a mailer to property owners who may not be local who could have been missed by door to door canvassing. That being said I am a firm believer in a certain amount of personal responsibility to keep oneself informed about issues that will affect my neighborhood. First let me preface this that I am answering the questionnaire as a resident and business owner on 2nd St. rather than in my position as a member of the Downtown Development Authority. When the Mayor Joe Gerlach was able to obtain the funding for resuming this project with the primary goal of storm water management for the eastern portion of 2nd St and to correct some of the drainage problems that had been occurring on the western portion, I was extremely enthusiastic. It was at the suggestion of the Mayor, that the NDDA try to engage as many of the stakeholders on the route as possible, in order to be sure that all were heard early in the design portion. To that end, Ron Mitchell put flyers on every door and I obtained the emails of as many people on the route as I could. There was already a neighborhood informal email list put together by Theresa Bradley for the eastern portion. Everyone was invited to join the Design Advisory Team. This was composed of a 2 representatives of the BoT, the Mayor and Kevin Mueller, 2 from the DDA, Chairman, Ron Mitchell, and Vice Chairman, Pat Everson, as well as Town Administrator and NDDA Executive Director. The remaining members were all stakeholders. Our first meeting was in June of 2012 where the Mayor

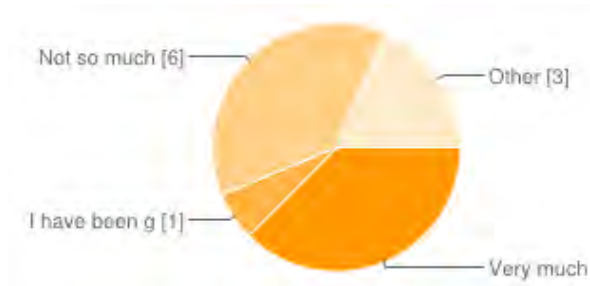
explained the purpose of the grant and how the Design Advisory Team would work. At that time, I agreed to head the team putting out information and collecting names. We eventually had over 20 people engaged. The DAT met frequently after the NDDA and the Town had hired the design firm for the project and a Project manager. There was an opportunity at every level through out 2012 and all of 2013 to hear concerns of all stakeholders. These were addressed in a professional and prompt manner. It was my pleasure to have served on a committee of this nature. It shows how a community can work together to accomplish a specified goal. Although I can not say that it was easy at all times, and most times it was not, but it taught me many things. First, that many times in a public project no one gets what they want. All of us on the committee had things we wanted to see in the project and for the most part these happened, but not all. We learned in a group that we had to concede in order for the project to work. Mostly I learned the true meaning of "the greater good". We did this so that not only 2nd St would benefit but that the Town would have a better connection between East and West. The "greater good" although a nice concept, in practice is very hard. Many of us learned that lesson during this process and for that I am grateful. I would ask the Board of Trustees to approve this project so that we can correct many of the problems on 2nd St and so that people do not have to experience all the flooding that as occurred as a result of storm water runoff in the hard summer rains. There has been a great deal of damage to homes and businesses along the route over the years and this project would certainly help that situation. Also providing the "multi-modal pathway" portion connecting the RTD to the PO will help many get out and walk and achieve a portion of the sustainability goals of our community. I will hopefully be able to walk more, as footing will be better than a dirt surface with holes and rocks to trip over. One other portion of the project was the use of the "Life Principles of Biomimicry". It was amazing to me to learn about this and to have the workshop provided by the EPA. The fact we were able to achieve so many of the principles in one project was incredible and I sincerely hope that the Board members will recognize the amount of effort that went into this portion by the NDDA in hiring a Sustainability Consultant and incorporating many elements suggested by him. Again, I would encourage the BoT to approve the project as submitted by the Planning Commission so that bidding may occur this spring and construction start the first part of the summer. I frequently visit Ned and support your local businesses because of the natural beauty of which the trees are an integral part. I have never, not once in the 49 years that I've lived in Colorado, wished that there was more parking in your town, nor have I ever heard that sentiment from anyone else. We visit your town for the trees, not the parking. If you cut down trees for more parking, then you might as well be Westminster. Also, it's always been my understanding that trees mitigate flooding while asphalt does the opposite. Asphalt always looks like asphalt and putting in a "meander" doesn't trick anyone into feeling that they are anywhere except a parking lot. That's ridiculous. please do not cut down tori's trees. the pedestrian walkway should be concrete or pavers. the road should be road base and can be oiled with a non toxic vegetable oil.

What could the Town have done to better engage you in this process earlier

It was fine. Thanks for engaging the residents. We were engaged from the start and I am satisfied that our feedback was taken into consideration in the plans as they are presented at this stage. Since I was part of the project I am so sorry for not insisting on reaching out to the entire

effected citizens. We should have made an effort to personally call everyone involved to let them know what was happening. It was very disillusioning to me to discover how underhanded and secretive the government/dda became at hiding the real intent of the project. As a board member I was not even aware that the 2 old growth trees would not be saved until after I resigned. It was never made apparent in the process at any time. The best thing the town could have done was to oversee the project more thoroughly than relying on a volunteer to know what was the best thing to do for the town at the time. Having been closely involved in this project it is hard to assess. I am not sure how to improve it but there wasn't as much engagement from renters. The process notified renters but there did not seem to be the feeling of ownership of the neighborhood. It is there neighborhood too, and I'm not sure how to generate the feeling that there opinions are important too. Release all plans to the public in an easy and accessible way. Just because people have jobs and families to take care of full time doesn't mean that they don't get a right to be informed and have a say in the town's business. I would have appreciated a call, email, snail mail - anything - that would have given me a head's up that my property was in the middle NedPeds and would be most impacted. Someone should have considered that leaving me out of the conversation created risk to the project. I was engaged from the very beginning and did my best to encourage others to be engaged too. I personally reached out to everyone on the street after I attended the 1st meeting. The town should have sent out notices to ever single person who owns property within 100 yards of the project in any direction. Just like I had to do when I got my permit for building my new garage. Why is the town being so lame about this project????

How much do you feel like your comments as a community member have been taken into account for this project?



Very much	6	38%
I have been given the opportunity but not taken advantage	1	6%
Not so much	6	38%
Other	3	19%

Number of daily responses

1/13/14

NedPeds Insights - Google Drive





A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas
TREE HAZARD EVALUATION FORM 2nd Edition

Site/Address: 155 E 2nd Ave
 Map/Location: _____
 Owner: public _____ private unknown _____ other in R.O.W.
 Date: 1/9/14 Inspector: Aaron Bitter Zauber
 Date of last inspection: _____

HAZARD RATING:						
<u>1</u>	+	<u>3</u>	+	<u>2</u>	=	<u>6</u>
Failure Potential		Size of part		Target Rating	=	Hazard Rating
_____ Immediate action needed						
_____ Needs further inspection						
_____ Dead tree						

TREE CHARACTERISTICS

Tree #: _____ Species: Blue Spruce (W of 2)
 DBH: 25" # of trunks: 1 Height: 30' Spread: 20'
 Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Live crown ratio: 100 % Age class: young semi-mature mature over-mature/senescent
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced flush cuts cabled/braced
 none multiple pruning events Approx. dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade indigenous protected by gov. agency

TREE HEALTH

Foliage color: normal chlorotic necrotic Epicormics? Y N
 Foliage density: normal sparse Leaf size: normal small
 Annual shoot growth: excellent average poor Twig Dieback? Y N
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Major pests/diseases: none

Growth obstructions:

stakes wire/ties signs cables
 curb/pavement guards
 other overhead utilities

SITE CONDITIONS

Site Character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100% Pavement lifted? Y N
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume disease center history of fail
 clay expansive slope _____° aspect: _____
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic adjacent veg. _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge area prone to windthrow
 Prevailing wind direction: west Occurrence of snow/ice storms never seldom regularly

TARGET

Use Under Tree: building parking traffic pedestrian recreation landscape hardscape small features utility lines
 Can target be moved? Y N Can use be restricted? Y N
 Occupancy: occasional use intermittent use frequent use constant use

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: Y N Mushroom/conk/bracket present: Y N ID: _____

Exposed roots: severe moderate low Undermined: severe moderate low

Root pruned: _____ distance from trunk Root area affected: _____% Buttress wounded: Y N When: _____

Restricted root area: severe moderate low Potential for root failure: severe moderate low

LEAN: 0 deg. from vertical natural unnatural self-corrected Soil heaving: Y N

Decay in plane of lean: Y N Roots broken Y N Soil cracking: Y N

Compounding factors: _____ Lean severity: severe moderate low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

HAZARD RATING

Tree part most likely to fail: highest risk is likely windthrow (uprooting) Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe

Inspection period: _____ annual _____ biannual _____ other one time Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm); 3 - 18-30" (45-75 cm); 4 - >30" (75 cm)

Failure Potential + Size of Part + Target Rating = Hazard Rating
1 + 3 + 2 = 6
 Target rating: 1 - occasional use; 2 intermittent use; 3 - frequent use; 4 - constant use

HAZARD ABATEMENT

Prune: remove defective part reduce end weight crown clean thin raise canopy crown reduce restructure shape

Cable/Brace: _____ Inspect further: root crown decay aerial monitor

Remove tree: Y N Replace? Y N Move target: Y N Other: _____

Effect on adjacent trees: none evaluate

Notification: owner manager governing agency Date: 1-12-13

COMMENTS Tree appears to be sound, no action to mitigate risk recommended.

Mountain Tree Care
30290 Highway 72
Golden, CO 80403
303-443-9430

Tree Health and Hazard Evaluation

Tori Carpenter
155 E 2nd St
Nederland CO 80466

2 Blue Spruce (S of house, near street)

Color of foliage, size of needles and rate of growth are normal. No significant dieback or evidence of insect infestation or disease. There is some epicormic sprouting, likely caused by the stress of repeated utility line clearance pruning. I don't feel that this stress threatens the trees' long term health.

The trees have no visible structural defects or decay. Root flare looks normal and root structure appears to be at normal depth, evidenced by the lack of surface rooting. Woundwood tissue around pruning cuts on trunk looks normal. I was unable to inspect for woundwood tissue or structural defects in the top half of tree as it was not visible from the ground. Neither tree has any significant lean. In my opinion the probability of a structural failure is low.

Soil conditions are native and appropriate for the trees. The only pavement limiting root growth adjacent the tree is the sidewalk and house itself. The site is level and there appear to be not recent disturbances to the soil that would effect the trees' health or stability.

The biggest current challenge to the trees' health is the repeated pruning for the overhead utilities. Considering that pruning has been ongoing, the trees appear to be in very good health. I would not anticipate utility pruning alone to cause problems in the future.

Considering the proposed road construction (that Tori described), the trees' impact will depend upon how close the soil disturbance is to the trees. Guidelines for optimal tree protection during construction call for a protection zone extending .75' per inch of diameter around the tree (for a mature blue spruce). In this case that would mean a (.75 x 25= 18.75) 18.75' protection zone around the tree. That may not be possible considering the proposed project. If, however, we assume that the trees can survive the



Mountain Tree Care
30290 Highway 72
Golden, CO 80403
303-443-9430

loss of 1/3 of the root system, and that the root system extends twice the diameter of the canopy, then excavating to within half the distance between the dripline and the trunk would remove approximately 35% of the root system. In this case that would be 5-6' from the trunks of the trees. I feel that if construction remains 6' or farther from the trunks of the trees and the remaining soil around the trees is not disturbed by construction equipment these trees have a very good chance of survival.

If there any questions about this evaluation, or actions that should be taken to preserve these trees during the construction process, please don't hesitate to contact me.

Sincerely,

Aaron Bitter Zauber
ISA Certified Arborist
Owner and Operator, Mountain Tree Care



MEMORANDUM

To: DDA Board of Directors

From: Alisha Reis, Town Administrator

Date: Jan. 13, 2014

RE: Update

Several issues are impacting the downtown currently, including many impacts from storms and other natural occurrences. The Town continues to recover from the floods in September, as well as wrestle with winds and facility upgrades that are impacting power reliability. The Board of Trustees will again hear from Xcel Energy at their meeting of Jan. 21, to discuss an update on what is being done to eliminate power outages related to a large-scale upgrade to the power system in Nederland. Company executives will also discuss future plans for system investment.

The Town will soon go out to bid for \$300,000 in repairs to sewer collection pipes in the downtown that were damaged by the floods. It is important to repair these pipes, as they are allowing large amounts of infiltration of groundwater into the sewer system, which then overtaxes our new wastewater treatment plant. This project is supported by FEMA funding, as well as Town utilities funds for a portion. Engineering for the project is already complete, and the plan is to finish the work ahead of spring runoff. It entails largely cure in place piping (installing sleeves inside of the pipes that harden against the surface, shutting out cracks and leaks). Additionally, the Town continues to repair filtration systems at the wastewater plant that were damaged by the floods. We are continuing to work toward balancing our biological treatment at the plant, which has been impacted not only by flooding but by the extreme cold temperatures we have seen this winter. The Town's insurance carrier is covering repairs to the plant. The request for proposals for the flood-related work will be available at the Jan. 21 Board of Trustees meeting. The Town is also working with a regional group to pursue recovery funding for

economic development needs in town. The first exploratory meeting of this group was Friday and is anticipated to continue through the spring. I will speak more with the DDA as I learn more about this opportunity.

Also at the Jan. 21 BOT meeting will be the consideration and public hearing related to the first application for a retail marijuana store in Nederland. The application is from the owners of Canary Song dispensary, located downtown at First Street and Highway 119. Public comment will be taken prior to the Board acting as the licensing authority. Information will be contained in the BOT packet, to be released Friday afternoon (Jan. 17) at: <http://nederlandco.org/meeting-agendas-packets/>

The Board will also meet with the Planning Commission on Jan. 14 at 6 p.m. to discuss the next steps in implementation of the updated Comprehensive Plan. The plan update was approved by the Board and the Commission earlier this winter and is available for viewing at: <http://nederlandco.org/government/town-boards/planning-commission/>

As always, feel free to contact me regarding any of these issues: alishar@nederlandco.org or at Town Hall, (303) 258-3266. Otherwise, I can answer any questions anyone may have at the DDA meeting on Jan. 15.

January 6, 2014
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
JOB DESCRIPTION FOR
SECRETARY OF THE NDDA BOARD

CRS 31-25-815 (c)

(c) A secretary, who shall maintain custody of the official seal and of all records, books, documents, or other papers not required to be maintained by the treasurer. He shall attend all meetings of the board and keep a record of all its proceedings. He shall perform such other duties as may be delegated to him by the board.

Must attend all meetings of the board, record meeting proceedings and using written and recorded notes to create meeting minutes for Board Approval. Minutes must be recorded with the Town Clerk and posted to the Website in a timely manner.

Help create the agenda and board packet for board meetings with the Chairperson, send draft agendas for approval to Board Members and send final agendas to the Town Clerk on the Friday before the meeting. Post agenda and packet on the Website and Facebook and send to email list of citizens no less than 24hours before the meeting as required by State Statute or as determined by the Board.

Maintain email lists of interested persons who would like to be notified of agendas, packets, and meeting and workshop schedules and make sure they are notified as requested.

Check and respond to, in a timely manner, emails coming through the neddda@neddda.org email address, forward to appropriate person if unable to answer questions.

Tracks agenda items to make sure the board follows up on and takes care of business in a timely manner.

Maintains all records, books and documents, or other papers not required to be maintained by the treasurer, including but not limited to, archives of any and all past and current NDDA Board documents, files and other papers, maps, etc pertaining to all past and present NDDA board activity and projects, not required to be maintained by the treasurer and as required by State Statute under the Freedom of Information Act.

Assist any Board Member with clerical support for projects they maybe undertaking as approved by the NDDA Board