



**BOARD OF DIRECTORS MEETING**  
**January 20, 2021 | 7:30AM– 9:00AM**  
**301 Walnut Street, Third Floor, Windsor, CO 80550**

**(NOTE: Meeting will be held via ZOOM only.)**

<https://us02web.zoom.us/j/83545131638?pwd=Zzh2OTZqbU1HU1B1ZXNsUEZMWXowdz09>

Meeting ID: 835 4513 1638

Passcode: 249734

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**Minutes**

**Attendance:** Dan Stauss, Brent Phinney, Heidi Washburn, Paul Rennemeyer, Dean Koehler, Dan Brunk.

**Absent:** Jim Cosner. **Staff:** Matt Ashby, Josh Liley, Mike Scholl. **Guests:** Paul Hornbeck, Carlos Hernandez, Steve Tuttle, Michelle Vance, Stephen DeNardo, Jason Grant (Nisely), Kelly Hall, Roger Sherman, Dave Roberts.

**A. Call to Order **7:30AM****

B. Roll Call

C. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

**Motion: Approve as presented. DK Second: PR Approved unanimously.**

D. Public Invited to be Heard (3 Minutes Per Person) – None.

E. Approval of Minutes from the Regular Board of Directors Meeting December 16, 2020 and Special Meeting January 6, 2021.

**Motion: Approve as presented. BP Second: HW Approved unanimously.**

F. Report of Bills, Budget Status – M. Ashby

*MA: We received the update on the budget just yesterday afternoon. Our projected expenditures for the end of the year were higher than actuals. 2020 budgeted expenditures: \$959,250. Actual thru November was \$575,422. Projected at year end \$797,091. Any funds not spent will roll over into 2021 budget. \_ MA – Update Executive Director contract notes for Year End Date.*

G. Resolution 2021-DDA-01. A Resolution of the Board of Directors of the Windsor, Colorado, Downtown Development Authority Designating a Location for the Posting of Public Meeting Notices and Establishing Regular Meeting Dates. – J. Liley

*JL: Housekeeping item setting location for meeting notices on the public meeting board. Formal will be placed at the Town’s board. We also post to the DDA website and Town website. No changes from years past. BP, Second DK. Approve as presented. Unanimously approved.*

H. Small Façade Improvement Grant – 427 Main Street – Dave Roberts. Staff Recommend Approval.

**Sample motion: Move to approve funding not to exceed \$500.00 for a Small Façade Improvement Grant for 427 Main. BP. Second: PR. Approved Unanimously.**

*DR: Was the ugliest building until the upgrade. We’ve already sanded and refinished the wood on the front of the building. I am relighting the windows to help highlight product better. I’ll be completing the install, so there will be no fees. New electrical will need to be pulled. The project will likely run about \$1,300. DS: Can a building owner re-apply in subsequent years? MA: Check on any reapplication limitation. BP: Wondering if the lighting is inside or outside? DR: We are lighting up the window from the inside and are looking to light up the wheel on the outside sign. I’d like to light up the windows to help showcase product. BP: is the cost eligible? JL: There certainly leeway for the*

Note: Double Underlined items indicate attachments.

lighting to be considered because it is associated with the façade. BP: Looks like a great project. DS: I'm in favor.

- I. Façade Improvement Grant – 419 Main Street – Grant Nisely. (Jason Grant). *Staff Recommend Conditional Approval.*

**Sample motion: Move to conditionally approve funding not to exceed \$19,250.00 for a Façade Improvement Grant for 419 Main pending revisions to the plans for natural materials on the base and planning department approval. BP. Second: HW. Approved unanimously.**

*Jason Grant: Represent the property. We have buildings in Cheyenne, Greeley, and enjoy the trendy downtown style of building. We acquired from Bob Winter this past summer. They owned it since 1987. The Beauty Academy currently occupies the main level and the building has a 1980's style façade with stucco DS: Question regarding the wood grain siding and hard board. JG: This is a panel system, not hardwood. DB: Are you planning just the front? JG: It would be just the front. DK: Is the awning similar to Hayden? JG: It would be providing image and shade, not water-shedding. BP: Are costs broken down? Concern about the stone veneer. JG: We are open to changing the material at the bottom to natural masonry. Conventional brick would be an option. BP: If we give initial approval, how to the costs work? JL: It would be up to 25% of eligible costs. Signage isn't eligible and we would need to deduct that cost. BP: Are you considering anything on the rear of the building? JG: We may at a later time. We want to start with the prominent façade. I'm being conservative in our cost estimate. There are often surprises. DB: Is the tenant going to continue. What signage are you planning? JG: Current tenant is planning to stay. In the long term, we would consider self-occupying the building with our general contracting, real estate, and brokerage company. We have not discussed the signage with the tenant. JL: Signage would require DDA Approval. DS: Can you describe the conditional approval? MA: This provides the board with the opportunity to provide general direction to the applicant, and if the board is comfortable, approval to move forward. BP: I'm not concerned about approving the project but would like to see the final design. DS: I'm in favor of approving with the condition to use natural stone rather than delaying. HW: I like that approach. BP: I'm in favor of that.*

- J. 7<sup>th</sup> and Walnut Corridor Plan Update – Paul Hornbeck (Town), Carlos Hernandez.

*Paul Hornbeck – Wanted to introduce two projects – 7<sup>th</sup> Street and Walnut Corridor Plans. Kicked off in August and have been gathering community input. [www.Windsorprojectconnect.com](http://www.Windsorprojectconnect.com) Town Board work session next week. Have sent over 10,000 post cards. The project includes “basic design” elements that could be built in 2021, plus “enhanced design” that would require increased funding and possibly grants. Roger Sherman – We appreciate the concepts of where your design is going. We want to explore ideas for 7<sup>th</sup> and Main Gateway. We should discuss the gateway treatment in this block. The corner treatments could include capturing options for landscaping improvements on the corners – trees, planters, pots, enhanced crosswalks. Steve Tuttle – Performing traffic engineering and operations issues. Changes would allow to incorporate a buffered bike lane on 7<sup>th</sup>. Roger – Provided some of the secondary gateway features at the corners – could be pointing toward different elements and wayfinding. Could tie in new lighting and hanging basket poles. We know these would be somewhat costly elements. DS: What are you doing for pedestrian safety on the crosswalks? We could incorporate similar solutions. ST: The curb extensions would shorten the crossing distances and times, while also making the pedestrian more visible. RS – We could use different materials in addition to paint. It comes down to budget. DS: Setting the tone with this project would be helpful. DB: I've seen a lot of trailers have trouble. ST: The southwest corner is the tightest movement. The bike lane widths will be as tight as possible to accommodate all uses but not create new issues. We could work to create ‘mountable surfaces’ to accommodate movement. PH – Regarding the crossings further east, the Town will be working CH: The gateway function at 7<sup>th</sup> and Main transitions lanes and functions as a natural gateway. We want to slow traffic down. One of the new CDOT engineers lives on Walnut.*

Note: Double Underlined items indicate attachments.

Walnut – RS: Looking at 3<sup>rd</sup> and Walnut and 6<sup>th</sup> and Walnut, looking to create corner improvements. Again, reducing crossing distance and visibility. CH: The goals of these projects are to help create a more walkable connection to downtown. Walnut it about slowing people down. Posted limit is exceeded. We’re looking at a parallel corridor for bike lanes. Projects narrow the street to slow traffic. The buffered bike lane would provide a 2.5-foot buffer. Travel lane is currently wider than a interstate lane. There are some areas on Walnut that have angled parking – backing into the lane has a higher crash rate. Safety is key. Conversion to parallel parking is safer. Could construct this summer. Converting 2 blocks, you would have a net loss of 15 parking spaces and could complete this summer. We acknowledge options for adding in more parking back in. Possibility of angled impact parking. We’ve looked at a lot of different designs and this option provides the lowest amount of impact. Angled back in parking is proposed in front of Town Hall. DS: Thanks for presenting. DS: I really like the corner treatments at 7<sup>th</sup> Street.

MA: Email out 7<sup>th</sup> St Presentation to Board.

MA: To coordinate wayfinding with Paul Hornbeck as project progresses.

**K. KEY INITIATIVES:**

**8:30AM**

1. Committee Assignments – Board Lead and Topics
2. Mill Project Update – Entertainment District Feasibility Study

MA: Selection process. Colorado Main Street is facilitating this study for us. We received one proposal from a qualified team and are comfortable moving forward. Board identified Heidi as key board contact.

3. Backlot Boardwalk Update
  - i. 215 4<sup>th</sup> Street Update
    1. Proposals Received, Interviews Scheduled (See notes below.)
  - ii. Backlot Alley
    1. Prioritization of next steps

JL: Closing documents will be circulated to Marquardt in the coming week. Ehrlich quitclaim – questions for Dan – Josh to follow up.

BP: We need to discuss costs associated with undergrounding and construction of the pass-thru. It depends on the overall costs for the joint project. When we select a developer, these discussions will help shape our priorities. If Xcel will pay for more, that could change circumstances. Move forward with as much information as possible. We need to gather the cost information. DK: We need the costs and am disappointed in Xcel for the increased costs incurred. The Thru Alley needs to be a priority. DB: It would be good to stub out the electrical – but don’t want to delay the Thru Lot. PR: Discussions are ongoing with Xcel on several fronts. Currently working on a substation, street light negotiations. Working to maintain positive relations. BP: Didn’t we provide a resolution that we supported their substation? Yes. DS: I think we should prioritize the pass-thru. We need information on how to move forward with the best option. DB: I think once the alley goes thru, we can work with the chosen developer that provides the vision for the back alley with a sign. MA: Complete status memo on Thru Lot, Undergrounding costs, options.

- iii. 512 Ash Demolition
  1. Demolition Status Update – (Mike Scholl)

Mike Scholl – Presented an overview of current status. Hudspeth contract is \$126K plus contingency. The Open Air abatement variance was not approved. A negative-air containment is required. This will cover the abatement and demotion of current building and rough grading. Fencing and future paving will be separate costs in the future. The Town will be paying for half the costs of demolition. Approximately \$79K total. We are seeking approval today to get the permit pulled from CCDPHE. Work will begin in earnest by mid-February. We will receive a letter of completion from CDPHE to provide a clean bill of health and no liability to future development of the site.

Note: Double Underlined items indicate attachments.



The second contract is for Stephen DeNardo to serve as the owners rep. He's helped us work through the permitting and NeuMark issues. This would be for his time in helping manage the contractor and pay applications. He represents the DDA and makes sure the contractor does what they need to do.

The third is to compensate NueMark for their time invested. To move forward in a positive manner, we will provide them with a letter describing that the scope changed. This also enables the bond can be returned.

DS: What did NeuMark do for the \$3000. MS: This is a negotiated settlement. They did some work with the utilities. Goal was to not create a fight. SD – NeuMark had completed a lot of work on the utility disconnects – particularly the water and sewer disconnects. There was a fair amount of administrative time. Because of the scope change – environmental oversight, there wasn't experience. We wouldn't have received the necessary value. He did introduce to subcontractors. This also provides us with no legal concerns regarding the contract. DS: Was there any additional payments made to NeuMark? SD: Locates are provided by 811. MS: There was an initial invoice paid for \$600. JL: Note that Dan Stauss will sign the termination agreement. BP: Spending \$150K to demo – how did we miss from the original environmental reports? MS: We had relied on the Phase II report that indicated the Transite Pipe in a small area of the building with the assumption that they could be easily picked up. CDPHE required the soils test that changed the character of the project. When we got to the permitting process, CDPHE required an expanded process. SD: Whomever did the due diligence missed an important inspection. When NueMark applied, they sent in the incorrect document, when CDPHE wanted the inspection report. We engaged a third-party to complete the report. We're fortunate that we didn't end up being liable for the circumstances. DS: Good to have Mike on Board to bring Steve to the table. I don't see any other option but to move forward. The good news is that the Town is still partnering. BP: It has to be cleaned up. I just don't understand how they missed the issue. JL: Wasn't there an EPA grant involved? MA: Correct – EPA provided a report that we relied on. CDPHE wanted additional information. BP: Regarding the process, was the contract competitive? MS: It was bid. NueMark completed a bid to gather abatement contractors and Hudspeth was the low bid. JL: To address the NueMark dismissal, there are elements they are eligible to conduct. By consolidating the work under Hudspeth, this enables us to save money. DS: When we look to move forward in the future, we'll have an understanding of how the process works.

2. Consideration of the following agreements:

a. Hudspeth Abatement and Demolition Agreement

*Sample motion: Move to approve the attached agreement with Hudspeth and Associates, Inc., and authorize DDA legal counsel to make minor changes to the agreement that do not substantially alter the DDA's rights or obligations and further authorize the board chair to execute the agreement. DK.*

*Second: BP. Approved Unanimously.*

b. DiNardo Agreement (DDA owners rep)

*Sample motion: Move to approve the attached agreement with Mr. Di Nardo and authorize DDA legal counsel to make minor changes to the agreement that do not substantially alter the DDA's rights or obligations and further authorize the board chair to execute the agreement. PR. Second: DB. Approved Unanimously.*

c. NeuMark Agreement Termination – J. Liley

*Sample motion: Move to approve termination of the agreement with Neumark Commercial Builders, LLC, with payment to Neumark of \$3,000 for services rendered and mutual acknowledgement of no-fault, and authorize the board chair to*

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**execute a termination agreement. DK. Second: BP. Approved unanimously.**

iv. Backlot Development

1. Proposals Received, Interviews Scheduled

*MA: Provided overview of the interview process and materials we will be providing. Watch for updated Zoom calendar links. Staff report will be provided prior to the interviews.*

*MA: Send out staff report materials for interviews.*

4. District Expansion/Sustainability – No Updates

L. Executive Director's Report – M. Ashby

*BP: What's the status of moving forward with the parking lot construction? MS: We've completed engineering in anticipation to get permits from the railroad. It should be pretty well worked out. MA: This will be a next step now that the budget for demolition is solidified. DS: When do you think demo will be completed? MS: Some of the timeline is dependent on weather. We can start to look at pricing for the surface now. DS: Let's be organized to minimize down time. BP: I'd like to look at different styles of fencing. Pelican Shores – I'd like to gather pricing options. MS: We did that already and would have included if the demo budget hadn't increased significantly. Question will be posed to the Board regarding how much budget to allocate. MS: Complete cost estimate and options for 512 Parking Lot surfacing.*

*MA: Update on Greenhouses – We expect delivery and installation of the next 10 units this week. We will be working with the Town on placement of a portion at other non-downtown restaurants and will then be circulating back through the list. DB: Question on use post-pandemic? MA: The DDA/Town will own the units. If there's not a desire for use in the future, the boards could decide how to repurpose those units. We also received approval on using temporary extension cords to power heaters in the units. We are working on buying these and will be supplying the original 5 as well as the next installations with a power/heating kit.*

**M. COMMUNICATIONS & NEWS:**

**N. Adjourn**

**9:15AM**

**Moved and second to adjourn at 9:30AM. DK. BP. Approved unanimously.**

**To Do Items:**

*MA: Update Executive Director contract notes for Year End Date.*

*MA: Check on any reapplication limitation for mini-FIP program. (Note: Upon review, there are no limitations, but the board can use discretion if the program isn't being used as intended/desired.)*

*MA: Email out 7<sup>th</sup> St Presentation to Board. (Completed.)*

*MA: To coordinate wayfinding with Paul Hornbeck as project progresses.*

*MA: Complete status memo on Thru Lot, Undergrounding costs, options*

*MS: Complete and send out staff report materials for interviews.*

*MS: Complete cost estimate and options for 512 Parking Lot surfacing.*

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