



Community Planning & Permitting

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MEMORANDUM

DATE: August 4, 2023

TO: Boulder County Board of County Commissioners

FROM: Alex Hyde-Wright, Regional Multimodal Planning Division Manager,
Community Planning & Permitting – Transportation Planning
Kathleen Bracke, Deputy Director, CP&P – Transportation Planning
Carrie Doyle, Attorney, County Attorney’s Office

CC: Jana Petersen, County Administrator
Dale Case, Director, Community Planning & Permitting
Ramona Farineau, Director, Chief Financial Officer, Office of Financial
Management
Ben Pearlman, County Attorney, County Attorney’s Office

RE: **Public Hearing for Nederland EcoPass Public Improvement District Ballot
Item to Extend 1.85 Mills Property Tax Extension**

Action Requested:

As part of the Public Hearing on August 17, 2023, staff is recommending that the Boulder County Commissioners, sitting as the Board of Directors of the Nederland Eco Pass Public Improvement District, adopt Resolution N23-001, describing a proposal to extend the existing Nederland Eco Pass District 1.85 mills property tax for 10 years for the purpose of continuing to fund the existing resident EcoPass program and authorizing the District to administer an employee EcoPass program; and Resolution N23-002, approving a ballot title for the November 7, 2023 general election to extend the existing Nederland Eco Pass District 1.85 mills property tax for 10 years for the purpose of continuing to fund the existing resident EcoPass program and authorizing the District to administer an employee EcoPass program.

BACKGROUND

The current Nederland Eco Pass Public Improvement District (the “District”) was established by a 2013 ballot initiative and funds EcoPasses for all permanent residents of the District (properties in Boulder County within five miles of Nederland Town Hall, as shown in **Attachment A**¹) via a neighborhood EcoPass contract with the Regional Transportation District (RTD). Boulder County Commissioners serve as Board of Directors for the District. The 2013 ballot initiative authorized a 1.85 mills property tax to be applied

¹ The district was established with the same boundaries as the Nederland Library District.

for ten years (2014-2023); the program funding will thus expire after this year unless an extension or other measures are taken.

Based on engagement with the Nederland community stakeholders, Boulder County staff have developed a proposed approach to extend the District's services for an additional ten years by continuing the current mill levy without raising it, as detailed in this memo. Staff are seeking support from the BOCC to bring this item to the August 17 public hearing for consideration of a ballot measure for November 2023.

FUNDING

The 1.85 mills property tax currently authorized for the District is anticipated to fund the neighborhood EcoPass program through the next ten years. Overall, the assessments are generating approximately \$173,000 for the program in 2023.

Historically, the property tax funding has covered the costs of the EcoPass program for residents, occasionally with some additional funding remaining. The Resolution authorizing the formation of the District permits the District to apply these remaining funds to bus service and/or bus stop/sidewalk improvements. To further round out the program and to support the County Transportation Master Plan (TMP) goals, Boulder County staff have been exploring the potential to provide EcoPasses for non-resident employees via an employer EcoPass contract with RTD to help Nederland businesses attract and retain staff, reduce traffic in Boulder Canyon, and reduce parking demand in town.

COMMUNITY OUTREACH

Staff have conducted comprehensive outreach to the **community**, as well as with the **Nederland Eco Pass Public Improvement District Advisory Committee (NEPPIDAC)** and the **Town of Nederland Board of Trustees**.

Community Survey

A community survey was conducted in June 2023, reaching out to residents (401 responses), employees (80 responses), and business owners/employers (23 responses). A summary of results is provided in **Attachment B**.

Overall, residents supported extending the current property tax to fund the EcoPass program with a preference for a 10-year timeframe. The majority did not support the District charging residents' fees if the property tax did not fully fund the program. Employees were most supportive of an EcoPass program for employees that was either free to employees or cost employees no more than \$20 per year. The majority of business owners said it would be very helpful to have an employee EcoPass program for recruiting and retaining employees.

NEPPIDAC and Town of Nederland Board of Trustees

The NEPPIDAC advises the County Commissioners on the administration and implementation of the Nederland Eco Pass District and EcoPass program. It includes five members, one representative from the Town of Nederland Board of Trustees and four at-large representatives (residents of the District) appointed by the County Commissioners. At

the April 26, 2023 NEPPIDAC meeting, the committee recommended to place a ballot measure on the November 2023 ballot, with details to be determined.

At the June 29, 2023 NEPPIDAC Meeting the committee approved the following motion: *Move to recommend that the Boulder County Board of Commissioners, sitting as the Board of Directors for the Nederland Eco Pass Public Improvement District, refer a ballot measure to the voters of the District, as part of the November 2023 General Election, that asks the voters to extend the existing 1.85 mills property tax for a term of 10 years from 2024-2033, permits the District to offer an EcoPass program to non-resident employees who work in the District, and permits the District to charge fees to support funding of both the resident and non-resident employee EcoPass programs.*

The Town of Nederland Board of Trustees serves as the legislative and governing body of the Town of Nederland and is comprised of seven individuals. At the May 16, 2023 Board of Trustees meeting, the board was briefed on the project to-date.

At the July 11, 2023 Board of Trustees Meeting, the board approved the following motion: *Mayor Pro Tem Mahowald made a motion to recommend that the Boulder County Board of Commissioners, sitting as the Board of Directors for the Nederland Eco Pass Public Improvement District, refer a ballot measure to the voters of the District, as part of the November 2023 General Election, that asks the voters to extend the existing 1.85 mills property tax for a term of 10 years from 2024-2033, permits the District to offer an EcoPass program to non-resident employees who work in the District, and permits the District to charge fees to support funding non-resident employee EcoPass programs. Trustee Coombs Esmail seconded the motion. Motion was unanimously approved.*

The motions made by the two boards support putting an item on the 2023 ballot to extend the Nederland Eco Pass funding but they differ in terms of supporting potential fees if needed to cover potential cost increases; the NEPPIDAC supported charging resident fees and the Board of Trustees did not support those potential fees.

Due to the uncertainty surrounding future revenues and costs, staff support asking the voters to give the District permission to administer and fund an employee EcoPass program, and to collect user fees from employers and/or employees if necessary to support this additional program.

STAFF RECOMMENDATION

Staff is recommending that the Boulder County Commissioners, sitting as the Board of Directors of the Nederland Eco Pass Public Improvement District, set the attached ballot language for the November 7, 2023 general election and adopt resolutions N23-001 and N23-002 to ask voters to approve extending the existing 1.85 mills property tax for the purpose of continuing the fund the existing resident EcoPass program and authorizing the District to administer an employee EcoPass program.

More detailed information is available on the Boulder County [website](#). Boulder County staff appreciates the consideration by the BOCC for this important ballot item to extend the existing Nederland Eco Pass Public Improvement District property tax at the 1.85 mills rate.

ATTACHMENTS (PDF)

- A. Map of Nederland EcoPass Public Improvement District Boundary
- B. Summary of Survey Results

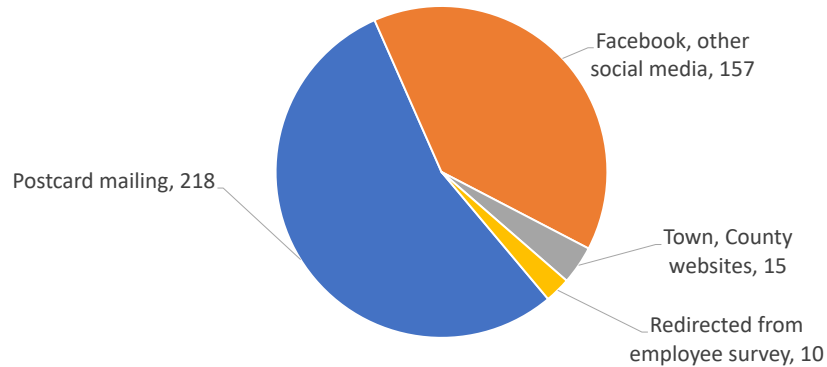
Attachments

Attachment A. Map of Nederland EcoPass Public Improvement District Boundary



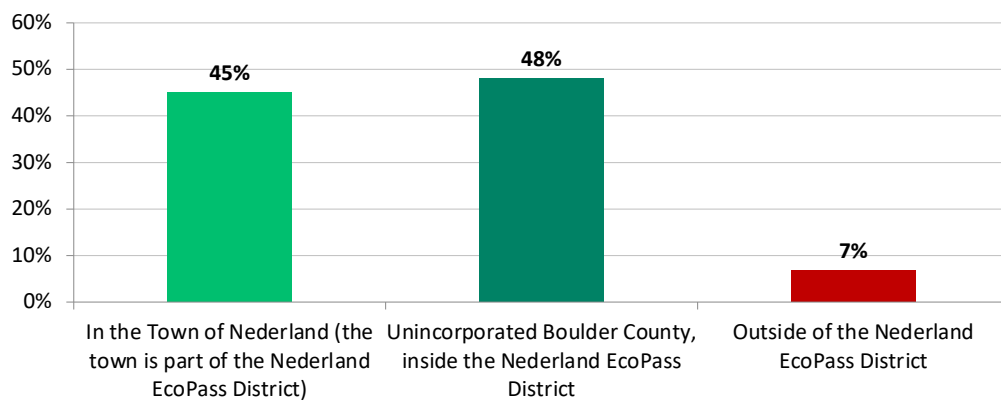
Resident Survey

How did residents hear about the survey?



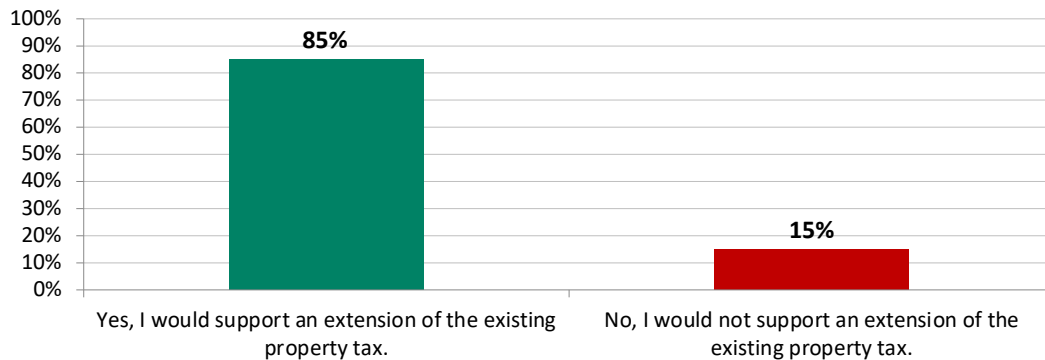
Resident Survey

Where do you currently live?



Resident Survey

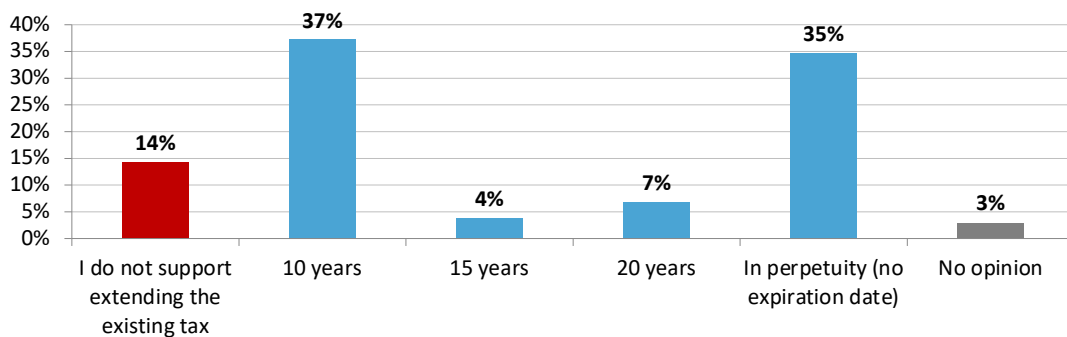
Without increasing taxes, would you support an extension of the existing property tax (1.85 mills) to continue funding the Nederland EcoPass Program?



Resident Survey

In 2013, the voters authorized the current property tax for 10 years (2014-2023).

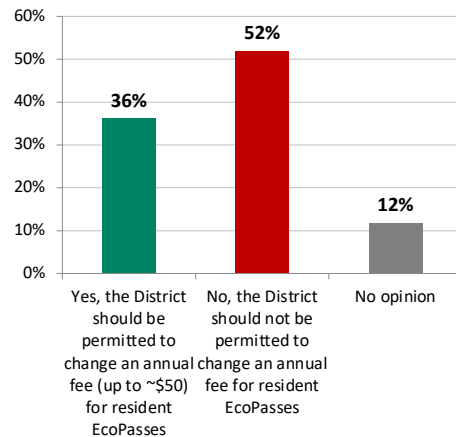
For an extension of the current 1.85 mills property tax, what term length would you support?



Resident Survey

Currently, the District does not charge residents an annual fee for an EcoPass. The intent of the property tax is to cover the full cost of the EcoPass program and over the past 10 years that has been the case. While initial projections show that extending the property tax would continue to cover the full cost of the EcoPass program,

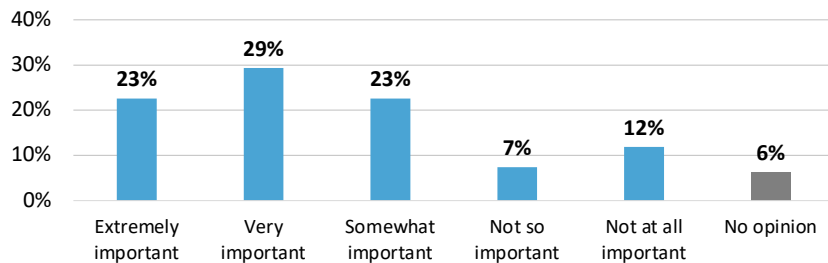
If at some point in the future, property tax revenues were not sufficient to cover the full cost of the program, should the District be permitted to charge an annual fee (up to ~\$50) for resident EcoPasses?



Resident Survey

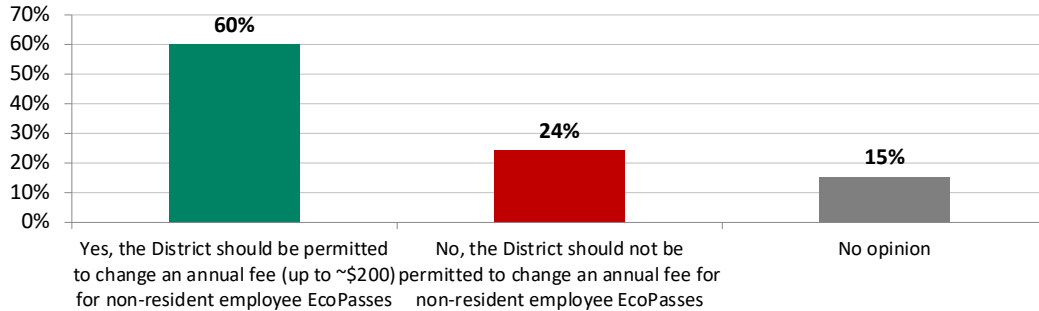
Currently, people who work in the EcoPass District but live elsewhere do not receive EcoPasses. Providing workers with EcoPasses could help Nederland businesses attract and retain staff, reduce traffic in Boulder Canyon, and reduce parking demand in town.

How important would it be for the District to provide EcoPasses to non-resident employees?



Resident Survey

If the District were to offer EcoPasses to non-resident employees, and if necessary to cover future annual EcoPass costs,
Should the District be permitted to charge an annual fee (up to ~\$200) for non-resident employee EcoPasses?



Resident Survey

Is there anything else related to the Nederland EcoPass program you'd like to share with us?



144 open-ended comments, ~70% positive sentiments

Resident Survey

Is there anything else related to the Nederland EcoPass program you'd like to share with us?

- "The EcoPass is a wonderful benefit in Nederland, and we use it as often as we can. I love taking the bus to Boulder and the airport. Please keep this available to residents! Thank you for all you do."
- "The Nederland EcoPass was one of the reasons we selected Nederland as a home base. We want to be part of a community that reduces barrier to using public transportation. Thank you for your work to help maintain Nederland's access to the EcoPass program."
- "There is needs [sic] to be more buses per day then would use more."
- "My property taxes were recently greatly increased. I'm sick of paying for other people."

Non-Resident Employee Survey

Which Nederland area business(es) do you work for?

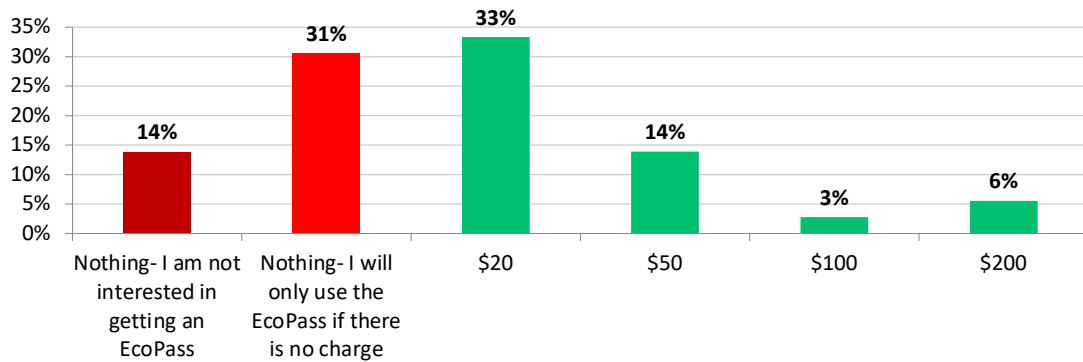
- Ace Hardware
- Ace Hardware
- BDAAPC
- Bowyer D'Alessandro
- Bowyer D'Alessandro
- Busey Brews
- Busey Brews
- BVSD Transportation
- Clinica Family Health
- Eldora
- Eldora
- Eldora
- Eldora
- Eldora
- Eldora
- Indian Peaks Ace Hardware
- Knotted Root
- KNOTTED ROOT BREWING COMPANY
- Nature's Own
- Nature's Own
- Nederland Area Seniors
- Nederland Area Seniors, Peak Eco, and at the Nederland Farmers Market
- Nedernet
- Overseas Connection
- Overseas Connection/African Market Baskets
- Silverstem Fine Cannabis
- Silverstem Fine Cannabis
- TEENS, Inc.
- The Overseas Connection/African Market Baskets
- The Shop Tebo Properties
- Town Hall
- Town of Nederland
- Town of Nederland
- Town of Nederland
- Tres Gringos

Attachments

Attachment B. Summary of Survey Results

Non-Resident Employee Survey

To provide EcoPasses to employees who work in the Nederland EcoPass District, the District may need to charge a fee. **What is the maximum annual amount you would be willing to pay for an EcoPass?**



Non-Resident Employee Survey

14 open ended comments

- I would use the bus every day if an eco pass were available. Two members of my household live in Boulder but work in Nederland and we have to take separate cars but would take the bus if it were available. Currently \$10 for a day regional pass is much too expensive.
- Once it becomes winter, I use the bus a lot more to get home from work.
- I mostly travel along the Peak-to-Peak, and with no bus routes that go that way, the likelihood of me using the bus is low. I believe I would mostly use it to travel to and from the airport.

Attachments

Attachment B. Summary of Survey Results

Business Owner/ Employer Survey

