

**PARKS, RECREATION & CULTURE MEMORANDUM
#21-2021**

DATE: Sept. 27, 2021

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager *hmg*

FROM: Amanda J. Peterson, Director of Parks, Recreation & Culture *ajp*
Juliana Berry, Parks Project Manager

SUBJECT: CR-98 – Adams County Open Space Grant Agreement – Jaycee Park Ballfield Improvements

PURPOSE

To consider CR-98, a resolution approving an Adams County Open Space Grant Agreement, accepting grant funds in an amount up to \$170,000, not to exceed 43% of the total project costs, for the Jaycee Park Ballfield Improvements project.

BACKGROUND

There are two opportunities each year to seek grant funding from Adams County Open Space (ACOS). Funding for these grants comes from the ACOS tax, of which 68% is distributed through a competitive grant process. Adams County Resolution 99-1 and the ACOS Policies and Procedures manual outline eligible uses for these funds.

UPDATE

During the most recent ACOS grant cycle, the funding request submitted for consideration was recommended to be funded in full by the ACOS Advisory Board. That recommendation was accepted by the Adams County Commissioners, and a grant award of \$170,000 was approved for this project.

Improvements would include upgrading the electrical service, replacement of the entire lighting system, the addition of an electric vehicle charging station, and interior renovation of the scorekeeper booth at Jaycee Park.

STAFF RECOMMENDATION

Staff recommends approval of CR-98.

BUDGET/TIME IMPLICATIONS

The grant agreement must be signed and submitted to the ACOS office within approximately 45 days of the receipt of the grant award.

Matching funds in the amount of \$220,000 are identified in the 2021 Budget, in the Conservation Trust Fund. The additional \$170,000 in anticipated revenue and the corresponding \$170,000 expenditure would be identified in the 2022 Budget. An additional \$9,000 has been requested through Charge Ahead Colorado, which would bring the total project budget to \$399,000.

The project is anticipated to begin in late 2021, after the fall softball season has ended.

STAFF REFERENCE

If Council members have any questions, please contact Amanda Peterson, Director of Parks, Recreation & Culture, at 303.450.8950 or apeterson@northglenn.org.

CR-98 – Adams County Open Space Grant Agreement – Jaycee Park Ballfield Improvements
ACOS Grant Agreement

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-98
Series of 2021

Series of 2021

A RESOLUTION ACCEPTING AN ADAMS COUNTY OPEN SPACE GRANT AND APPROVING THE GRANT AGREEMENT BETWEEN THE CITY OF NORTHGLENN AND THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS

WHEREAS, the City of Northglenn has submitted an application to Adams County to use Adams County Open Space Sales Tax funding for the Jaycee Park Ballfield Improvements Project to upgrade the electrical system and replace the existing ballfield lighting with a new, more efficient LED lighting system. The project also includes an opportunity for an electric vehicle dual-port charging station in the parking lot shared with the Bill Goodspeed Happy Tails Dog Park; and

WHEREAS, the Adams County Board of County Commissioners has approved the grant application and has prepared an Adams County Open Space Grant Agreement, which provides \$170,000 for the Jaycee Park Ballfield Improvements Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Adams County Open Space Grant in the amount of \$170,000 is hereby accepted and the Adams County Open Space Grant Agreement, attached hereto as **Exhibit 1**, between the City of Northglenn and the Adams County Board of County Commissioners for the Jaycee Park Ballfield Improvements Project is hereby approved and the Mayor is authorized to execute same on behalf of the City.

DATED, at Northglenn, Colorado, this _____ day of _____, 2021.

MEREDITH LEIGHTY
Mayor

ATTEST:

APPROVED AS TO FORM:

JOHANNA SMALL, CMC
City Clerk

COREY Y. HOFFMANN
City Attorney

ADAMS COUNTY OPEN SPACE GRANT AGREEMENT

The Grant Agreement (“Agreement”) is made and entered into this ____ day of _____, 202__, between The City of Northglenn (“Applicant”) and the County of Adams, acting through the Board of County Commissioners (“Adams County”).

RECITALS

WHEREAS, in November 1999, the citizens of Adams County passed a county-wide one-fifth of one percent Open Space Sales Tax (the “Tax”); and

WHEREAS, in November 2004, the citizens of Adams County reauthorized the Tax and increased it to one-fourth of one percent; and

WHEREAS, in November 2020, the citizens of Adams County authorized the permanent extension of the existing county-wide sales tax of one-fourth of one percent for the continuing purpose of preserving open space and creating and maintaining parks and recreation facilities; and

WHEREAS, the majority of the revenues collected are distributed to qualifying jurisdictions through a competitive grant process; and

WHEREAS, on April 5, 2021, Applicant applied for an Adams County Open Space Grant to complete the City of Northglenn “Jaycee Ballfield Improvements” project (the “Project”); and

WHEREAS, on July 27, 2021, Adams County awarded Applicant an Adams County Open Space Grant to complete the Project; and

WHEREAS, Adams County awarded the Project 43% of the total Project costs, not to exceed \$170,000.00.

AGREEMENT

NOW, THEREFORE, the Parties hereto agree as follows:

1. Grant Award. Adams County hereby awards to Applicant a grant in the amount of 43% of the total Project costs, not to exceed \$170,000.00 (the “Grant”), subject to terms and conditions set forth in this Agreement.
2. Project Scope. Applicant shall complete the Project as described in the grant application, attached as Exhibit 1 (“Project Scope”) and incorporated herein by this reference. Exhibit 1 attachments include the grant application and all application attachments. Applicant shall not materially modify the Project Scope without the approval of Adams County. Applicant may request a modification to the Project Scope in compliance with the Modification Policy in the Open Space Policies and Procedures, attached as Exhibit 2 and incorporated herein by this reference, as may be amended from time to time by Adams County in its sole discretion. Adams County may elect to terminate this Agreement and deauthorize its funding for the Project in the

event it determines that the Project Scope has been materially modified without its approval and/or if Applicant fails to comply with the Modification Policy.

3. Completion Date. Applicant shall complete the Project no later than July 27, 2023 (“Completion Date”), which is two years after the date of Adams County’s approval of the Project. Project completion requires all necessary documentation be submitted to Open Space staff on or before the Completion Date. Applicant may request an extension of the Completion Date in compliance with the Extension Policy in the Open Space Policies and Procedures, Exhibit 2, as may be amended from time to time by the Board of County Commissioners in its sole discretion. Adams County may elect to terminate this Agreement and deauthorize its funding for the Project in the event that this Completion Date is not met and/or if Applicant fails to comply with the Extension Policy.
4. Compliance with Open Space Sales Tax Resolution and Open Space Policies and Procedures. Applicant shall use the Grant in accordance with Resolution 2020-480, and the Open Space Policies and Procedures, collectively attached hereto as Exhibit 2.
5. Audits and Accounting Records. Applicant shall maintain standard financial accounts, documents, and records relating to the completion of the Project. The accounts, documents and records related to the completion of this Project shall be subject to examination and audit by Adams County staff (the “Staff”) prior to receiving the Grant. All such accounts, documents, and records shall be kept in accordance with generally accepted accounting principles and be subject to an annual independent audit as set forth in Exhibit 2.
6. Payment of Grant. Adams County agrees to make payments to the Applicant in the following manner:
 - a. Payments. Adams County agrees to disburse grant funds to Applicant to provide reimbursement for the payment of project costs upon successful completion of the Project, or on a quarterly basis. Itemized Reimbursement Requests, as set forth below, are required for reimbursements. Should the Project take two full years to complete, the Reimbursement Request for the final period of the project must be received by July 27, 2023 to remain compliant with the Project Completion Date, as set forth above. Reimbursements disbursed from Adams County shall not exceed 43% of project costs incurred during the previous period with cumulative reimbursements totaling no more than \$170,000.00.
 - b. Acceptable Expenditures. Applicant can request payment for 43% of all project costs incurred within the previous period with cumulative reimbursements totaling no more than \$170,000.00 that: (1) have already been paid by the Applicant, and (2) are listed in the approved budget attached as Exhibit 1, under Application Attachment A – Project Budget. Applicant may request disbursement of grant funds for costs that have been incurred, but not paid by Applicant. However, Adams County will consider such

requests on a case-by-case basis and distribution of grant funds for these purposes is not guaranteed.

- c. Reimbursement Request. Applicant shall submit via hand delivery, email or regular mail, to Adams County an itemized Reimbursement Request for project costs that have been incurred as of the date of the request. Each Reimbursement Request shall contain the following: (1) copies of invoices and/or employee time sheets complete with a spreadsheet indicating hours worked, wages earned, and taxes and benefits paid for work related specifically to the Project; (2) documentation substantiating that the Applicant has paid for the costs for which it is requesting reimbursement, including but not limited to cancelled checks or proof of a wire transfer; and (3) a brief summary of the work completed to date.
 - d. Approval of Payment of Reimbursement Requests. The Adams County Open Space Program Manager shall approve or disapprove the amount of each Reimbursement Request within fifteen (15) days of receipt of a legible Reimbursement Request. Payment shall be made to Applicant by check or electronic fund transfer.
 - e. Disapproval of Reimbursement Request. If Adams County disapproves any amount or amounts in a Reimbursement Request, Adams County shall promptly notify Applicant of the reason therefore. Upon receipt of disapproval, Applicant and Adams County shall meet within one week to discuss what, if anything, the Applicant can do to obtain payment of the requested amount that was denied.
7. Signage. Applicant shall erect and maintain an Adams County Open Space Sign, which shall be provided by Adams County, in a prominent place on the Project site, unless the Project will not be open to the public.
 8. Publicity. In all press releases regarding this Project, Applicant shall include the following statement: "This Project was funded in part with proceeds from the Adams County Open Space Sales Tax. The Adams County Open Space Sales Tax was originally passed by the Adams County voters in 1999, and reauthorized and permanently extended in November 2020.
 9. Miscellaneous Provisions.
 - A. Good Faith. Both Parties have an obligation to act in good faith, including the obligation to make timely communication of information that may reasonably be believed to be of interest to the other party.
 - B. Applicable Law. Colorado law applies to the interpretation and enforcement of this Agreement. Venue for any dispute shall be in Adams County, Colorado.
 - C. Time is of the essence. Time is of the essence in this Agreement.

- D. Authority. The undersigned represents and warrants that he or she is duly authorized and has legal capacity to execute this agreement on behalf of the Applicant, that the Applicant's obligations in this Grant Agreement have been authorized, and that the Grant Agreement is a valid and legal agreement binding on the Applicant in accordance with its terms.
- E. Survival. The terms and provisions of this Agreement and Applicant's obligations hereunder shall survive the funding of the Grant.
- F. Entire Agreement. Except as expressly provided herein, this Agreement constitutes the entire agreement of the parties. No changes to this Agreement shall be valid unless made in writing and signed by the parties to this Agreement.

The remainder of this page is left blank intentionally.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth above.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF ADAMS, STATE OF COLORADO

Chair

ATTEST:
CLERK AND RECORDER'S OFFICE

Deputy Clerk

APPROVED AS TO FORM:

County Attorney's Office

CITY OF NORTHGLENN, APPLICANT

By (signature)

Printed name

Title

[Home](#) » [Adams County Open Space Grant Application - Active Use](#) » [Webform results](#)

Submission #8

[Previous submission](#)

[Next submission](#)

[Resend e-mails](#)

Submission information

Form: [Adams County Open Space Grant Application - Active Use](#)
Submitted by Anonymous (not verified)
Wed, 03/31/2021 - 14:15
192.168.250.10

Applicant Organization Name:

City of Northglenn

Name of Project:

Jaycee Park Ballfield Improvements

Organization/Sponsoring Organization (NOTE: HOAs are not eligible):

City of Northglenn

Grant Request (this cycle only)

\$ 170,000

Previous Adco Grants (total for this project only)

Matching Funds (cash + in-kind)

\$ 225,000

Total Project Costs

\$ 395,000

Grant Request (% of Total Project Costs)

43 %

LAND ACQUISITION SUMMARY

Number of Acres

Cost Per Acre

Appraised Price Per Acre

If the owner is donating a portion of the value or the purchase price is more than the appraisal price, please explain:

N/A

Attach a copy of the appraisal summary page and label as Attachment M.

Are there any known existing easements on the project site?

No

If yes, attach one set of copies of the easements and label as Attachment N.

Will the applicant be using any of its 30% distribution as part of the cash match for this project?

No

If yes, please list the amount being used:

Project Information

Applicant Organization Name:

City of Northglenn

Sponsoring Jurisdiction:

N/A

Name of Project:

Jaycee Park Ballfield Improvements

Contact Information

Primary Contact Name:

Juliana Berry

Title:

Parks Project Manager

Phone:

303-450-8838

Email:

jberry@northglenn.org

Address:

11701 Community Center Drive

City:

Northglenn

State:

CO

Zip

80233

Name

Amanda Peterson

Title

Director of Parks, Recreation & Cultural Services

Phone

303-450-8950

Email

apeterson@northglenn.org

Name

Title

Phone

Email

Project Summary

Briefly describe your project (<100 words)

The “Jaycee Park Ballfield Improvements” project comprises major electrical service upgrade, replacement of the existing ballfield lighting with a new, more efficient LED light structure system that meets modern standards, and rehabilitation of the scorekeepers’ booth at Jaycee Park - home to Northglenn’s only lit softball/baseball field. In addition, the project includes a new Level II dual-port electric vehicle charging station in the parking lot, which is shared by the Bill Goodspeed Happy Tails Dog Park. The improvements would enhance the recreational amenities to users of all ages and abilities and demonstrate the City’s commitment to energy efficiency and sustainability.

Summary of Funding

Pursuant to the Open Space Policies and Procedures, a project can be submitted for funding consideration up to three (3) times. Has this grant been submitted for funding consideration in a previous grant cycle?

No

If yes, please list the grant cycle(s) and the amount of the award(s), if any:

Grant Cycle

N/A

Award Amount

Reason for Current Request:

Grant Cycle

N/A

Award Amount

Reason for Current Request:

Property site address:

10550 Irma Drive

Parcel ID# (Required):

Nearest cross streets:

Irma & Leroy Drives

Is this project located within Adams County?

Yes

Include a Location Map and label as Attachment G. Location Map should clearly identify the location of the project (including the nearest cross streets) and should provide directions to the project site.

[AttachmentG 2021 Northglenn ACOS JayceeBallfieldImprovements LocationMap\[1\].pdf](#)

1. Project Description

a. Please describe each component of the project and scope of work in detail (<6,000 characters). Complete Attachment C - Estimated Project Timeline below.

Jaycee Park is home to Northglenn's only lit softball/baseball field, and is heavily used throughout the spring, summer, and fall for adult and youth leagues and in-house groups. The lights and electric service were installed in the 1970s and are original to the Park; frequent outages and light spilling over to neighboring areas have meant that the system outlived its effective life years ago. The

scorekeepers' booth's habitable condition is severely lacking, with the heating and cooling, lighting, windows, counters, and sound system all detrimental to 3-season operation. The "Jaycee Park Ballfield Improvements" project comprises major electrical service upgrade, replacement of the existing ballfield lighting with a new, more efficient LED light structure system with ball tracking technology that meets modern standards, and rehabilitation of the scorekeepers' booth.

- **Lighting-** The new LED light system would guarantee light levels in the ballfield infield and outfield match current playing guidelines and optimize visibility of a ball in play; not only would glare in players' eyes be eliminated but the surrounding neighborhoods would also now be spared light overflow. The system would include remote operations and performance monitoring, and the light poles and affiliated wiring would be wholly replaced.
- **Electric Service-** The panel would be upgraded to at least 3-phase, 208v capacity, and service extended to the new light poles; existing loads would be reconnected to the new panel.
- **Scorekeepers' Booth-** Interior lighting would be replaced with LEDs, insulation applied throughout the roof & walls and encapsulated with drywall and painted, electric-unit heaters hung from the ceiling on both ends of the space and the exhaust fan updated to effectively remove hot air during the warmer months, real countertops mounted with secure backing and additional outlets, and a proper PA system with speakers installed.

Connection to a Level II dual-port electric vehicle charging station in the parking lot shared by the Bill Goodspeed Happy Trails Dog Park is included in this proposal - located near the City's eastern limit, in a more industrialized section, the Park is situated geographically and by use to provide diverse users of the ballfield and dog park, as well as nearby businesses, an opportunity to charge their vehicles while playing, practicing, or spectating a game, utilizing the nearby trails, and/or while bringing their pet to their regular outing at the dog park. The high volume of area traffic already includes individuals who utilize electric vehicles and this traffic is anticipated to increase in the years ahead.

Overall, the project aims to reduce electricity costs, exhibit Northglenn's commitment to energy efficiency and sustainability, and above all enhance Jaycee Park as a public recreational amenity for the use and benefit of all ages and abilities.

b. Attach a Project Site Plan that identifies all project components and label as Attachment F. [AttachmentF_2021_Northglenn_ACOS_JayceeBallfieldImprovements_ProjectSitePlan\[1\].pdf](#)

c. Does this project attempt to avoid conflicts between surrounding uses and park uses? Are there attempts to separate high use areas within the park to avoid user conflicts? If yes, clearly identify these areas on the Project Site Plan. (<2,000 characters)

Jaycee Park consists of a ballfield and scorekeepers' booth, and shares a parking lot with the Bill Goodspeed Happy Trails Dog Park. Industrial and commercial uses surround the Park to the north, west, and south, and a residential community is adjacent on the east side. The project will not limit any of the existing land uses or user activities, and instead will only serve to expand and enhance community opportunity at the Park.

a. Clearly describe how this project will fulfill needs of the community (i.e. the project provides recreation opportunities for underserved areas, addresses health and safety issues, etc.). (<2,000 characters)

Local, regional, and even national groups rely on Jaycee Park for practice and games throughout most of the year. However, in the decades since installation, lighting reliability has deteriorated, ballfield standards have long not been met for luminosity in the infield and outfield, and neighboring areas

suffer from the outdated light glare. Safety, especially during evening hours, is compromised and maximum recreational potential of the ballfield is no longer attainable. The scorekeepers' booth is in sore need of habitable improvements related to health and safety as well. Connection to an electric vehicle charging station would expand the opportunity of Northglenn residents, businesses, and visitors to charge their electric or hybrid vehicles at more diverse locations across the City.

b. Explain the urgency to complete this project, including how the scope of the project will be affected if Adams County Open Space Grant funds go unsecured and what, if any, opportunities will be lost if the project does not receive grant funding this cycle. (<2,000 characters)

The proposed improvements have been identified and included in Northglenn's budget for over five years, and the deterioration of lighting consistency and conditions in the scorekeepers' booth has only increased in that time period. However, the earmarked funds do not fully cover the required aspects of the project - without securement of the Adams County Open Space grant funds, the opportunity to conclude the overhaul of the site for the benefit of such a wide swath of the population will be lost for another cycle. Alternatively, the project would have to be completed to a lesser degree to stay within the available budget, and this would likely mean fewer electrical upgrades and eliminating any improvements to the scorekeepers' booth.

a. Describe all current and anticipated future uses of the project, including all programmed and nonprogrammed activities. (<2,000 characters)

Jaycee Park is home to Northglenn's only lit softball/baseball field and is heavily used throughout the spring, summer, and fall for adult and youth leagues. Improvements to the lighting and scorekeepers' booth will allow the expansion of these programmed practices and games, including at night, while ensuring adjacent properties no longer experience glare. Nonprogrammed activity at the dog park, already steadily trafficked year-round, will be uninterrupted, and a general uptick in use at the site is expected due to the availability of an electric vehicle charging station.

b. Explain how this project will appeal to a broad diversity of users or address the needs of specific groups (i.e. the project will provide facilities specifically for youth, the elderly, those with a disability, or will serve a combination of many groups). (<2,000 characters)

The project will serve a combination of many groups, including adult and youth leagues of all ages and abilities that play games and practices in Northglenn's only lit softball/baseball field (i.e. North Metro Little League, Rocky Mountain Lutheran High School, in-house softball groups); the broad spectrum of residents and visitors who use the City's only off-leash dog park; and the wide variety of industrial, commercial, and residential neighborhood commuters passing through who would now have access to an electric vehicle charging station. The parking lot, dog park, and ballfield areas will remain accessible.

a. Explain how this project fits into a regional or master plan. (<2,000 characters)

Improvements to Jaycee Park, particularly lighting, is identified as a priority in the Northglenn Parks and Recreation Master Plan, last published in 2017. Further, the project has been included in the City's Capital Improvement Program since at least 2010.

The City also completed a Sustainability Plan in 2018 and adopted an Energy Action Plan in the spring of 2020, and the proposal directly supports both Plans through energy conservation and the protection and enhancement of environmental and public health by offsetting consumption and pollutants.

Attach relevant portions of the plan(s) and label as Attachment I (limit 3 pages).

[AttachmentI 2021 Northglenn ACOS JayceeBallfieldImprovements 2017ParksMasterPlan\[1\].pdf](#)

b. Will this project link to other trails, parks, or open space properties in the applicant's jurisdiction or in another jurisdiction, now or in the future? If not, explain the significance of the project location. (<2,000 characters)

Jaycee Park is adjacent to the Bill Goodspeed Happy Trails Dog Park, sharing one parking lot on Irma Drive. The location is within walking distance of residential, commercial, and industrial neighborhoods & an elementary school, as well as across the street from the Alvin B. Thomas Park and a formal trail system. Separate from this project, a designated pedestrian crossing is included in the 2021 budget to allow for safer pedestrian access along the Greenway Trail as it crosses Irma Drive. The project will encourage varied use of the property and help it reach full potential.

a. Open Space Sales Tax dollars are to be used in accordance with Resolution 99-1, Section 8 (C). Please describe how the project complies with the Tax. (<2,000 characters)

Section 8(C)(iii) of Resolution 99-1, pursuant to authorized projects and Open Space Sales Tax funds, lists the "maintenance of park and recreational improvements and facilities for the use and benefit of the public"; Jaycee Park is active open space (a sports field) as defined in the Resolution. Lighting and utilities are eligible expenses, and the charging station demonstrates the incorporation of a sustainability component above and beyond the LED lights. The project is a direct improvement which will have an immediate and lasting positive effect on the public users of the site.

Project Detail

Provide any additional information needed to understand the project budget - Attachment A (i.e., how land value was estimated without an appraisal, how costs were estimated on equipment or staff time, etc.). Please DO NOT write any dollar amounts below. (<2,000 characters)

A budget was prepared to inform the grant request based off of no-commitment estimates solicited from contractors used by Northglenn in the past, including for the lighting itself, the electric service upgrade, the habitable improvements to the scorekeepers' booth, and the electric vehicle charging station within the last six months. Staff met with the contractors on-site to develop the proper pricing, although the project will be formally and publicly bid per the City's procurement procedures.

Please list partners and describe how each partner is contributing to the project. Please DO NOT write any dollar amounts below. (<2,000 characters)

The City match comes from the Conservation Trust Fund (CTF) in the Capital Improvement Program. The CTF comprises the City's allocation of lottery proceeds from the State of Colorado.

The City also successfully applied for a Charge Ahead Colorado grant, to assist in paying for the Level II dual-port electric vehicle charging station in the Jaycee Park parking lot. The funds are distributed through the Regional Air Quality Council (RAQC).

3. Qualified Jurisdiction Sponsorship

If applying as an organization other than a qualified jurisdiction, please attach a letter of sponsorship from a qualified jurisdiction and label as Attachment J.

4. Partnerships and Sources of Funds - Please complete Attachment D - Source of Funds.

5. Letters of Commitment

Please provide a letter of commitment from each partner that is providing cash or in-kind contributions for this project and label as Attachment K. Letters of commitment should include dollar amounts.

[AttachmentK_2021_Northglenn_ACOS_JayceeBallfieldImprovements_LetterOfCommitment\[1\].pdf](#)

Project Support

1. Community Outreach

Briefly describe any effort made on the part of the applicant to gain support for this project (i.e., community surveys completed, neighborhood meetings, solicited comments, etc.). (<2,000 characters)

City staff actively employed several methods to gauge community support for improvements to Jaycee Park, including Facebook posts, an article in the March 2021 Northglenn Connection, mention in the February 2021 City Manager’s Report, and a multi-month online survey. The support garnered by this outreach is compiled in Attachment L.

Additionally, the City conducts public hearings each year via the Parks and Recreation Advisory Board and the City Council regarding the Capital Improvement Program (CIP), and this project has sustained on the CIP schedule for several years of consecutive hearings.

Letters of Support

[AttachmentL_2021_Northglenn_ACOS_JayceeBallfieldImprovements_LettersOfSupport\[1\].pdf](#)

Project Management and Applicant's Past Performance of Awarded Projects

a. Describe how this project will be managed to ensure safety of users and for long-term sustainability. Include in your answer the entity responsible for maintenance, the available resources, and the typical maintenance schedule. (<2,000 characters)

Jaycee Park and the associated parking lot are part of City staff’s maintenance roster, and the proposed improvements will not significantly impact management of the site. Warranties of individual hardware and equipment components will be closely adhered to, and a two-year guaranty is built into all bids and resulting contracts.

User groups and members of the public have historically freely communicated any issues at the

property to the City, and it is encouraged and expected that this dialogue will continue with respect to lighting, scorekeeping. Staff make it a priority to respond swiftly and efficiently to all concerns.

b. Is there a written agreement or Intergovernmental Agreement for things such as access or maintenance?

No

If yes, please provide a copy of this agreement and label as Attachment H.

2. Past Performance

In the space provided below, list similar projects that have received ADCO grant funds and have been successfully completed by the applicant (limit 3 projects). For example, if this is a trail project, list completed trail projects.

Project Name

Northwest Open Space Construction Phase 1

Project Manager

Dana Kester

Award Date

May 2018

Completion Date

September 2020

Project Name

Outdoor Aquatics Improvements

Project Manager

Dana Kester

Award Date

May 2017

Completion Date

December 2020

Project Name

Larson Park Playground Replacement

Project Manager

Dana Kester

Award Date

May 2015

Completion Date

November 2016

Project Name

Wyco Park Tennis Court Replacement

Award Amount

\$ 300,000

Original Due Date

11/13/2020

Status

Extended, Bid Imminent

Project Name

Sensory Playground Improvements

Award Amount

\$ 375,000

Original Due Date

05/14/2021

Status

Bid Imminent

Project Name

Justice Center West Park Design

Award Amount

\$ 150,000

Original Due Date

05/14/2021

Status

Design plans are almost at 95% completion

Project Name

Award Amount

\$

Original Due Date

Status

Please attach a separate list if the space above is not sufficient.

Date

03/31/2021

Amount Requested

\$ 170,000

Project Name

Jaycee Park Ballfield Improvements

% Total Project Costs

43

Description of Item/Expense

Grant Request

\$

Previous Adco Award

\$

Applicant Match

\$

Partner Match

\$

In-Kind (funds/services to be provided by applicant or partner)

\$

Total Project Costs

\$

Description of Item/Expense

Grant Request

\$

Previous Adco Award

\$

Applicant Match

\$

Partner Match

\$

In-Kind (funds/services to be provided by applicant or partner)

\$

Total Project Costs

\$

Grant Request

\$ 170,000

Previous Adco Award

\$ N/A

Applicant Match

\$ 216,000

Partner Match

\$ 9,000

In-Kind

\$

Total Project Costs

\$ 395,000

Please attach a separate list if the space above is not sufficient.

[AttachmentA 2021 Northglenn ACOS JayceeBallfieldImprovements ProjectBudget\[1\].pdf](#)

Date:

03/31/2021

Project Name:

Jaycee Park Ballfield Improvements

% Total Project Costs

43 %

Description of Item/Expense

Grant Request

\$

Previous Adco Award

\$

Applicant Match

\$

Partner Match

\$

In-Kind (funds/services to be provided by applicant or partner)

\$

Total Project Costs

\$

Grant Request

\$

Previous Adco Award

\$

Applicant Match

\$

Partner Match

\$

In-Kind (funds/services to be provided by applicant or partner)

\$

Total Project Costs

\$

Please attach a separate list if the space above is not sufficient.

[AttachmentB 2021 Northglenn ACOS JayceeBallfieldImprovements ProjectBudgetCategories \[1\].pdf](#)

Project Name:

Jaycee Park Ballfield Improvements

Date

03/31/2021

Timeline should reflect scheduling for each task of your project over the next 24 months. Describe each task of your project and check the month that task will occur.

Year 1 Task - Description

Project Name:

Date

Timeline should reflect scheduling for each task of your project over the next 24 months. Describe each task of your project and check the month that task will occur.

Year 2 Task - Description

Please attach a separate list if the space above is not sufficient.

Project Timeline

[AttachmentC 2021 Northglenn ACOS JayceeBallfieldImprovements ProjectTimeline\[1\].pdf](#)

Project Name:

Jaycee Park Ballfield Improvements

Amount Requested:

\$ 170,000

% Total Project Costs:

43 %

In the chart below, please list all sources of funds. For partners, please provide a brief description of the contribution. With regard to the Applicant's contribution, only fill out the "Brief Description of Contribution" if the Applicant is making an in-kind contribution. Attachment D should include dollar amounts.

Brief description of contribution (< 10 words)

Source of Funds

Date Secured

Grant Request

\$

Previous Adco Grant Awards

\$

Cash Match

\$

In-Kind Match

\$

Total Funding

\$

Date Secured

Grant Request

\$

Previous Adco Grant Awards

\$

Cash Match

\$

In-Kind Match

\$

Total Funding

\$

Please attach a separate list if the space above is not sufficient.

[AttachmentD 2021 Northglenn ACOS JayceeBallfieldImprovements SourceOfFunds\[1\].pdf](#)

Project Name:

Jaycee Park Ballfield Improvements

% Total Project Costs

43 %

Source of Funds:

Date Secured:

Brief Description of Contribution (<10 words):

Source of Funds:

Date Secured:

Brief Description of Contribution (<10 words):

Please attach a separate list if the space above is not sufficient.

[AttachmentE 2021 Northglenn ACOS JayceeBallfieldImprovements SourceOfFundsCategories \[1\].pdf](#)

Applicant Name:

Juliana Berry

Title:

Parks Project Manager

Date:

03/31/2021

[Previous submission](#)

[Next submission](#)

Attachment G

Location Map

*Located approximately at the southeast corner of the intersection of Leroy & Irma Drives



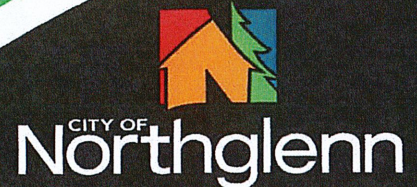
Attachment F Project Site Plan





Parks and Recreation Master Plan

2017



The five-year capital improvement program for parks and recreation has been developed with consideration to the funding that is anticipated through Adams County Open Space discretionary funds and the Conservation Trust Fund allocation. This plan has been developed primarily with near-term budget restraints and current conditions in mind; therefore, it does not include identification of funding for some projects for which interest has been expressed. However, a list of those “unfunded” projects exists in an effort to ensure that these desires are not forgotten in the future when new opportunities may present themselves. These projects, although identified as needs, have not yet been inserted into the Capital Improvement Program. Existing funding is available for some, though not all, of these projects and they will be prioritized and inserted into the program as appropriate in the years to come based on community interest and the impacts that exist as projects relate to one another.

As of 2017, estimates show revenue from the Adams County Open Space Sales Tax to be \$380,000 annually. The Conservation Trust Fund provides the City with approximately \$370,000 each year.

Project Descriptions- Funded

Greenway Trail Concrete Replacement Program

This is an annual program to maintain the Greenway Trail. Degraded trail sections are documented by the Parks division throughout the year. The

Greenway Trail Concrete Replacement program replaces these degraded sections to maintain a safe, accessible and aesthetically pleasing trail system. This program is typically combined with the annual street improvements project to obtain the best unit pricing.

Sensory Playground Repair

The playground equipment at the City’s parks is replaced on a periodic basis due to normal wear and tear, vandalism, and unavailable replacement parts. The playground equipment at Sensory Playground was last replaced in 2006. The typical life span of a park is 10 to 12 years; however, as the City’s largest playground, this park is highly utilized causing equipment to wear out prematurely. This project includes replacement of various play structures and other park amenities. Not all of the playground equipment is anticipated for replacement in 2019. This project will allow for replacement of only worn pieces, extending the useful life of the playground. The type of playground equipment and park amenities will be selected through a public input process as is discussed in the Parks and Recreation Master Plan. It is anticipated that this playground will benefit from multiple renovations in the years to come, rather than one complete park replacement.

Jaycee Ballfield Lights

The lights at the Jaycee Ballfield are old and in need of replacement. The current lights require constant maintenance, as they go out on a regular basis, causing problems for teams playing games in the evenings.

Bocce Ball Court



Attachment K

Letter of Commitment

March 18th, 2021

Juliana Berry
Parks Project Manager
City of Northglenn
11701 Community Center Drive
Northglenn, CO 80233

Dear Juliana,

The Regional Air Quality Council (RAQC) is pleased to inform you that the City of Northglenn has been awarded funding for its EVSE projects. Your project scored highly and will provide a positive impact on the region's air quality.

An awardee planning meeting will be virtually, using Zoom, on March 23rd. Do not move forward with your project until after this meeting. Critical items will be discussed at this meeting, including:

- A discussion of the procurement process Northglenn is required to follow
- RAQC procurement and match documentation requirements.
- Buy America requirements for vehicles (if applicable)

These items must be addressed by the entity implementing the project. If they are not executed properly, the RAQC may not be able to reimburse on the project or the Federal Highway Administration (FHWA) may require any reimbursed funds be returned. After requested materials are received and approved, purchase orders will be issued to Northglenn indicating:

- A maximum *tentative* award of \$18,000.00 for 2 Level II EVSE with \$4,500.00 in required match

These are maximum *tentative* awards until Northglenn goes through the procurement process for its EVSE project. There will be no adjustments upwards on the grants but there could be reductions if costs for vehicles or charging stations come in lower than the amount you applied for. As a part of this project, RAQC is required to meet the federally mandated 20% match. This issue will be thoroughly discussed at our planning meeting so there is no confusion.

We look forward to working with you on this project and would be happy to be involved with any public relations that Northglenn would like to pursue within your local community. Please feel free to contact me regarding any issues you need assistance with.

Sincerely,

Matt Goble
Program Officer

Attachment L
Letters of Support

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-24
Series of 2021

21-22
Series of 2021

A RESOLUTION SUPPORTING A GRANT APPLICATION TO BE SUBMITTED TO THE ADAMS COUNTY OPEN SPACE FOR FUNDING FOR THE JAYCEE BALL FIELD LIGHTS PROJECT

WHEREAS, funding in the amount of --- will be identified in the Capital Improvement Program for the Jaycee Ball Field Lights Project, which will include upgrading the electrical system and replacing the existing ballfield lighting with a new, more efficient LED lighting system. The Project also includes an opportunity for a PEV dual-port charging station in the parking lot shared with the Bill Goodspeed Happy Tails Dog Park; and

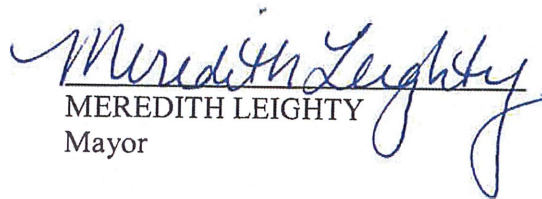
WHEREAS, the Northglenn City Council believes that improvements to the Jaycee Ball Field will enhance the recreational amenities to users of all ages and abilities, and demonstrates the City's commitment to energy efficiency and sustainability; and

WHEREAS, the City Council desires to express its support of the submission of an Adams County Open Space Grant Application to obtain funding for the Jaycee Ball Field Lights Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council of the City of Northglenn is in full support of submitting a grant application to Adams County Open Space to obtain funding for the Jaycee Ball Field Lights Project.

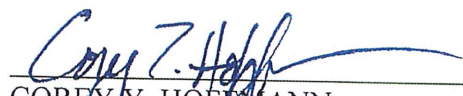
DATED, at Northglenn, Colorado, this 22nd day of February, 2021.


MEREDITH LEIGHTY
Mayor

ATTEST:

APPROVED AS TO FORM:


JOHANNA SMALL, CMC
City Clerk


COREY Y. HOFFMANN
City Attorney

From: Becky Grenia <grenibecky@yahoo.com>
To: <jberry@northglenn.org>
Date: 2/5/2021 8:15 AM
Subject: Jaycee Park Grant Application

I live close to this park and love seeing it used summer and fall and think that any improvements to our city and its recreation parks is a very good thing. Please consider this grant for are community!

Becky Grenia
10558 Williams St.
Northglenn, Co 80234

Sent from my iPad

From: Gary Grenia <garygrenia@yahoo.com>
To: <jberry@northglenn.org>
Date: 2/5/2021 8:36 AM
Subject: Jaycee Park Grant Application

I would like to see our community receive help in the grants for improvements for Jaycee park. As a longtime Northglenn resident, I am very proud to be one of the young employees who worked for the recreation district in between high school summers. We have many fond memories of those hot days, helping build the ball park...especially hand digging the trench for outfield chain link fence with pick and shovels ,ha!

Gary Grenia

[Sent from Yahoo Mail for iPad](#)

From: "Sanders, Gia" <Gia.Sanders@svclnk.com>
To: "jberry@northglenn.org" <jberry@northglenn.org>
Date: 2/5/2021 4:11 PM
Subject: Jaycee Park

This message was sent securely using Zix®

Hi,

I am in support of the grant to help make improvements at Jaycee Park for softball and baseball. I saw a post on Instagram requesting emails or letters.

Running the Northglenn Little league and being involved in baseball and softball for over 12 years here in Northglenn, I understand how important it is to have fields and parks in good condition. Not only does it bring pride to living here in Northglenn, it helps with bringing in leagues to play here.

It has been awhile since we had kids playing baseball and we never played at Jaycee park, but support any and all outdoor activities!

Gia Sanders

Supervisor, Client Invoice Disputes

O: [720.566.8151](tel:720.566.8151) | E: gia.sanders@svclnk.com

A: 10385 Westmoor Drive, Suite 100 | Westminster, CO 80021 | svclnk.com



NOTICE: The information contained in this message is proprietary and/or confidential and may be privileged. If you are not the intended recipient of this communication, you are hereby notified to: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately.

Exceptional customer service is our number one priority at SLFS. If at any time you feel you're not receiving this level of service, please feel free to contact my manager at [720.566.8950](tel:720.566.8950) or email Jonathan.Keller@svclnk.com

This message was secured by [Zix®/sup](#).

From: Karen Knuepfer <karen@denverprecision.com>
To: Belia Straushein <bstrasushein@northglenn.org>
Date: 2/25/2021 9:22 AM
Subject: Letter

Hi Belia, sorry this is late and I can't seem to send this to Amanda but here it is.

To: Adams County Open Space

To Whom It May Concern,

I have been and currently am an Adams County and City of Northglenn resident for the past 39 years. I am writing you in support of upgrading the electrical and lighting features at the Jaycee Ball Park in Northglenn. It is a well used ball field and is sorely in need of replacement. The lighting is very outdated and lacks energy efficiency. I have played at the field myself and the reflections caused by the lights can be dangerous as well. Jaycee Park is a great neighborhood ball field and the citizens deserve to have a safe environment to play.

Sincerely,
Karen Knuepfer
10021 Brigitte Drive
Northglenn 80260

Sent from my iPhone

From: Kit Sanders <kitsanders@gmail.com>
To: <jberry@northglenn.org>
Date: 3/2/2021 6:01 PM
Subject: Email of Support re: Adams County Open Space Grant

To Whom it May Concern:

As a member of the Northglenn Community and a resident of Northglenn for these last 10 years, I would like to voice my support for Northglenn's application to Adams County Open Space for grant funding for new lights at the Jaycee Park Ball Field.

Over several summers, my family enjoyed participating in recreational, non-competitive softball at this field. Games were scheduled late, so working people like us could participate. New lights will be very welcome at this field, and will support community use of this facility.

Please consider funding Northglenn's application for funding.

Sincerely,

Catherine Sanders and the Sanders Family
10912 E 109th Place

Adam Nowicki
11404 Claude Ct.
Northglenn, CO 80233

Date: 3/11/2021

Adams County Parks,
Open Spaces, & Cultural Arts
9755 Henderson Rd.
Brighton, CO 80601

To Whom It May Concern,

My name is Adam Nowicki and I am a resident of Northglenn. I am writing in support of the grant request to upgrade the existing electrical system and improve the lighting of the ball field located at Jaycee Park.

I often visit the dog park with my wife and dog and enjoy hearing the sounds of excitement and activity that come from the neighboring ball field. It takes me back to the joy of playing little league and, more recently, playing on adult recreation leagues with friends. Furthermore, investment in public spaces, such as the ball field at Jaycee park, have been shown to improve both the physical and mental health of the surrounding community.

In closing, please consider approving the grant request for the Jaycee Park ball field upgrade. This small grant will make a huge difference to the kids and adults that utilize this space and to the rest of our community.

Sincerely,



Adam Nowicki

Rocky Mountain Lutheran High School Athletics



March 25, 2021

Attn: Adams County Open Space
Re: Letter of Support for Jaycee Ball field Lighting Project

To whom this may concern:

Rocky Mountain Lutheran High School is a Christian, accredited high school located on the northeast side of the metro Denver area. We provide a Bible-based college prep curriculum, higher than average college entrance scores, a low student-to-teacher ratio, and a five days per week schedule. Also, we are members of the Colorado High School Activities Association (CHSAA). Our students participate in volleyball, soccer, basketball, and baseball.

Our baseball team uses Jaycee Park throughout our high school baseball season. Jaycee Park serves as our home field as well as practice site. We support the project to improve the electrical and lighting at the field. Having the ability to play games under the lights will allow us to facilitate more games for our lower level teams and players.

Please reach out to me if you need further information.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Kelly Presser". The signature is written in a cursive, flowing style.

Kelly Presser
Rocky Mountain Lutheran
Athletic Director
kelly.presser@rmlhs.net
303-346-1947



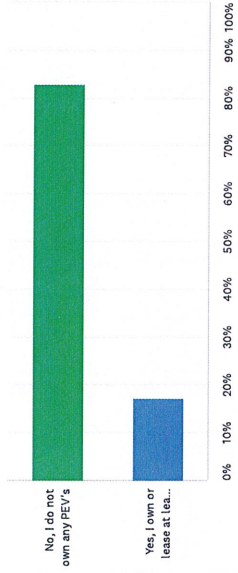
SIGN UP FREE

Electric Vehicle Charging Survey - new Recreation Center/Theatre/Senior Center & Jaycee Park

QUESTION SUMMARIES DATA TRENDS INDIVIDUAL RESPONSES

Q1
Do you currently own or lease a plug-in electric vehicle (PEV)? (Select One Only)

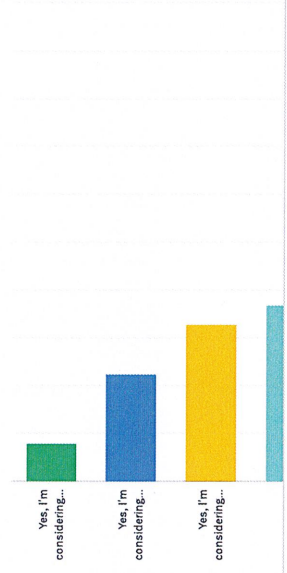
Answered: 76 Skipped: 0



ANSWER CHOICES	RESPONSES
No, I do not own any PEV's	82.89% 63
Yes, I own or lease at least one PEV (if "YES", please specify vehicle year, make, and model)	17.11% 13
TOTAL	76

Q2
Are you considering purchasing or leasing an electric or plug-in hybrid electric vehicle?

Answered: 76 Skipped: 0



Share Link <https://www.surveymonkey.com/re>

COPY

Share

Twitter

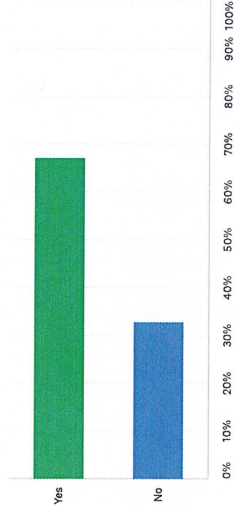
Share

76 responses

ANSWER CHOICES	RESPONSES
Yes, I'm considering purchasing in the next 6 months	7.89%
Yes, I'm considering purchasing in the next 12-24 months	22.37%
Yes, I'm considering purchasing but I'm not sure when	32.89%
No	36.84%
TOTAL	76

Q3
 Would having access to an electric vehicle charging station at the new Recreation Center/Theatre/Senior Center and/or Jaycee Park increase the probability that you would purchase an electric or plug-in hybrid electric vehicle in the future?

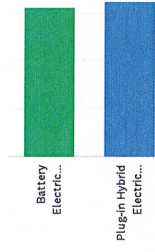
Answered: 76 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	67.11%
No	32.89%
TOTAL	76

Q4
 What type of PEV would you most likely lease or purchase? (Select One Only)

Answered: 74 Skipped: 2





SIGN UP FREE

ANSWER CHOICES	RESPONSES
Battery Electric Vehicle (BEV: -150+ miles electric range; e.g., Nissan Leaf, Chevy Bolt etc.)	31.08% 23
Plug-in Hybrid Electric Vehicle (PHEV: -25-50 miles all electric range & between 300 and 600 miles gas range; e.g., Chevy Volt)	32.43% 24
Don't Know	36.49% 27
TOTAL	74

Q5

Approximately how many miles do you drive one way between home and work? (Enter Number Only)

Answered: 73 Skipped: 3

10

3/13/2021 12:22 PM

0

3/4/2021 5:14 PM

10

3/4/2021 10:41 AM

8

3/5/2021 3:05 PM

Q6

Based on your daily commute and your ability or inability to recharge at work and other places, which of the following charging options would you prefer installed on the City property: (Select One Only)

Answered: 75 Skipped: 1

Level 2 (240 V) charging...

Share Link

<https://www.surveymonkey.com/fr>

COPY

Share

Twitter

LinkedIn Share

76 responses

SIGN UP FREE

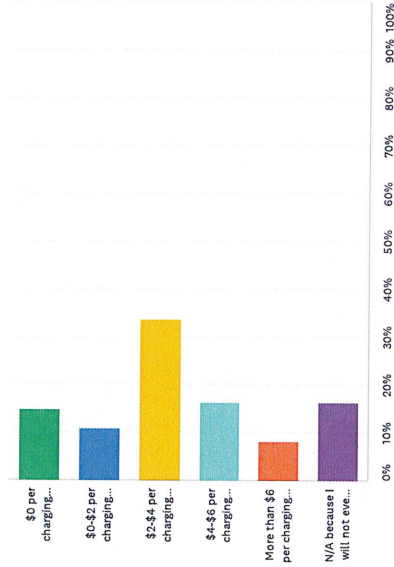


ANSWER CHOICES

ANSWER CHOICES	RESPONSES
Level 2 (240 V) charging only (Fully charges a PHEV in 3-4 hrs and a BEV in 6-8 hrs; typically costs more per charge)	41.33% 31
Level 1 (200 V) charging only (Fully charges a PHEV in 4-8 hrs and BEV in 12-16 hrs; typically costs less per charge)	12.00% 9
No preference	21.33% 16
Don't Know	25.33% 19
TOTAL	75

Q7 What is the most you would be willing to pay for use of the charging stations?

Answered: 74 Skipped: 2



ANSWER CHOICES

ANSWER CHOICES	RESPONSES
\$0 per charging session	14.86% 11
\$0-\$2 per charging session	10.81% 8
\$2-\$4 per charging session	33.78% 25
\$4-\$6 per charging session	16.22% 12
More than \$6 per charging session	8.11% 6
N/A because I will not ever use the charging stations	16.22% 12
TOTAL	74

Share Link <https://www.surveymonkey.com/re> COPY

Share [View](#)

76 responses



Adams County Open Space Project Budget

Revised 12/2011

Date: March 31, 2021
 Project Name: Jaycee Park Ballfield Improvements
 Amount Requested: \$170,000.00
 % Total Project Costs: 43

Description of Item/Expense	Grant Request	Previous ADCO Award	Applicant Match	Partner Match	In-Kind (funds/services to be provided by applicant or partner)	Total Project Costs
Purchase of LED light structure system with ball tracking technology	\$79,550.00		\$105,450.00			\$185,000.00
Electric system upgrade	\$40,850.00		\$54,150.00			\$95,000.00
Connection to electric vehicle charging station	\$10,900.00		\$5,100.00	\$9,000.00		\$25,000.00
Habitable improvements to scorekeepers' booth, including HVAC, windows, counter, lighting, and sound system	\$37,840.00		\$50,160.00			\$88,000.00
Outlets	\$860.00		\$1,140.00			\$2,000.00
Budget Total	\$170,000.00		\$216,000.00	\$9,000.00		\$395,000.00

Attachment B - Project Budget Categories

Date:
 Project Name:

% Total Project Costs:

Attachment B should not include dollar amounts. Attachment B will mirror Attachment A, but have corresponding check marks in place of dollar amounts.

Description of Item/Expense	Grant Request	Previous ADCO Award	Applicant Match	Partner Match	In-Kind (funds/services to be provided by applicant or partner)	Total Project Costs
Purchase of LED light structure system with ball tracking technology	✓		✓			
Electric system upgrade	✓		✓			
Connection to electric vehicle charging station	✓		✓	✓		
Habitable improvements to scorekeepers' booth, including HVAC, windows, counter, lighting, and sound system	✓		✓			
Outlets	✓		✓			
<i>Budget Total</i>						



Adams County Open Space Project Timeline

Revised 12/2011

Project Name: Jaycee Park Ballfield Improvements
 Date: March 31, 2021

Description of Task	August 2021	September 2021	October 2021	November 2021	December 2021	January 2022	February 2022						
Bid Procurement Process	X												
Bid/Award		X											
Construction		X	X	X	X								
Closeout						X	X						

Description of Task													

Attachment D - Source of Funds

Project Name:
 Amount Requested:
 % Total Project Costs:

In the chart below, please list all sources of funds. For partners, please provide a brief description of the contribution. With regard to the Applicant's contribution, only fill out the "Brief Description of Contribution" if the Applicant is making an in-kind contribution. Attachment D should include dollar amounts.

Source of Funds	Date Secured	Grant Request	Previous ADCO Grant Awards	Cash Match	In-Kind Match	Total Funding	Brief Description of Contribution (<10 words)
Charge Ahead Colorado grant (Regional Air Quality Council)	3/18/2021			\$9,000.00		\$9,000.00	Level II dual-port electric vehicle charging station
City of Northglenn				\$216,000.00		\$216,000.00	Conservation Trust Fund (CTF) in the Capital Improvement Program, most recently listed in the 2021 Budget
ACOS	Pending	\$170,000.00				\$170,000.00	
<i>Total</i>		\$170,000.00		\$225,000.00		\$395,000.00	

Attachment E - Source of Funds Categories

Project Name:

% Total Project Costs:

In the chart below, please mark all sources of funds. For partners, please provide a brief description of the contribution. Please mark each corresponding cell. With regard to the Applicant's contribution, only fill out the "Brief Description of Contribution" if the Applicant is making an in-kind contribution. Attachment E should not include dollar amounts. Attachment E will mirror Attachment D, but have corresponding check marks in place of dollar amounts.

Source of Funds	Date Secured	Grant Request	Previous ADCO Grant Awards	Cash Match	In-Kind Match	Total Funding	Brief Description of Contribution (<10 words)
Charge Ahead Colorado grant (Regional Air Quality Council)	3/18/2021			✓			Level II dual-port electric vehicle charging station
City of Northglenn				✓			Conservation Trust Fund (CTF) in the Capital Improvement Program, most recently listed in the 2021 Budget
ACOS	Pending	✓					
<i>Total</i>							

*Adams County Open Space Program
Policies and Procedures*



Newly Revised and Adopted June 24, 2013

As Amended January 6, 2014, November 14, 2017, July 14, 2020

and July 27, 2021

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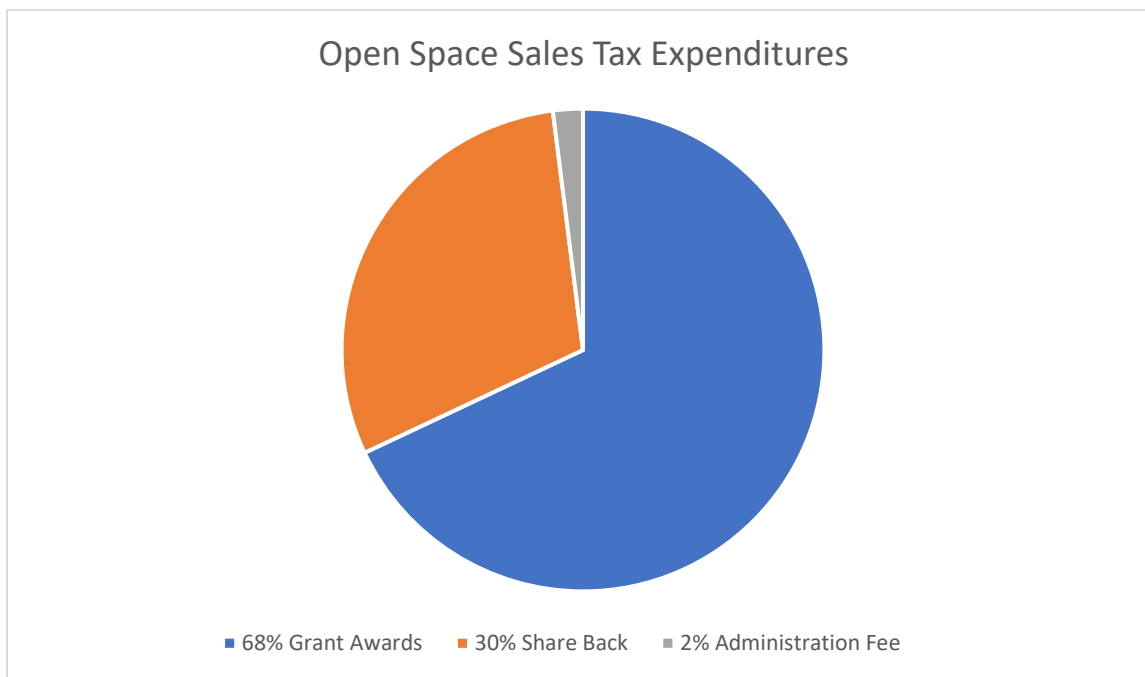
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Introduction

Adams County citizens passed an Open Space Tax on November 2, 1999, and reauthorized it on November 2, 2004, to be extended until December 31, 2026. The voter approved issue called for 68% of the proceeds from the tax to be distributed to eligible jurisdictions by a grant process. The Open Space “Tax Issue” also provides for 30% of the funds to be returned to the Cities and County based on a formula of where the tax is collected. Two percent may be used for administrative purposes. Adams County Open Space Sales Tax funds are subject to an annual independent audit.

At an election on November 3, 2020, Adams County citizens then approved permanently extending the existing county wide sales tax of one-fourth of one percent (one-fourth penny per dollar) for the continued purpose of preserving open space and creating and maintaining parks and recreation facilities.



This document is meant to provide a brief overview of each component of the Sales Tax program and provide specific guidance for use of 30% Share back funds and the administration of the 68% Grant Fund.

2% Administration Fund

The 2% Administration Fund is the first set of funds removed from the Sales Tax revenues. These monies are used annually to fund the salaries and benefits of Open Space staff who administer the program. In addition, these funds are used for the day-to-day administration of the entire Sales Tax revenue. Major costs from this fund include public relations costs (such as promotional materials, attending local community days, and publishing an annual report), and all costs associated with coordinating two grant

cycles per year. The budget for these funds is developed annually by Open Space staff and is approved by the Adams County Parks and Open Space Director, the Adams County

Finance Department staff, and ultimately the Adams County Board of County Commissioners (BoCC) as part of the overall County budget.

Annual Report

An annual report describing projects funded with the open space funds will be made available to the residents of Adams County annually. The County will compile information based upon reporting they receive from each jurisdiction describing how 30% Share back funds were used. The County will also compile a list of projects funded in the past year, including a brief description of each project and the amount of funding awarded.

Annual Audits

All expenditures of Open Space Sales Tax funds are subject to an annual audit. This includes projects awarded grant funds as well as funds disbursed from the 30% portion of the Sales Tax Fund.

30% Share back Program

Purpose

The Share back Program distributes a portion of Open Space Sales Tax revenues directly back to the taxing jurisdiction for use on either passive or active projects. The share back is distributed as described in Section 7(b)(iii) of Resolution 2020-480: “After payment of the administrative fee, thirty percent (30%) of the remaining Open Space Sales Tax collected shall be automatically returned to the cities, towns and unincorporated area of Adams County in the same proportion as is the ratio of Open Space Sales Tax collected within the city, town or unincorporated area to the total County sales tax collections, as computed from information provided by the Colorado Department of Revenue. This money may be used by the jurisdiction for either active or passive uses but shall not be used to augment existing parks and open space budgets”.

Distributions of these funds are made twice yearly to all qualified jurisdictions. Payments are distributed as electronic fund transfers or check to the qualified jurisdiction, or in the case of Adams County, as an internal transfer of funds.

Eligible Expenses

Share back funds received by the qualified jurisdiction may be used for passive or active uses. However, there are some limitations to use of the share back funds, including but not limited to:

- As stated in Resolution 2020-480 Section 7 (c) (iv), “no land or interests acquired with revenues of the Open Space Sales Tax may be sold, leased, traded, or otherwise conveyed, nor may an exclusive license or permit on such land or interests be given, without the approval of such action by the Board [of County Commissioners]”.

- Funds from the 30% distribution can be used to maintain active and passive projects previously funded through the Open Space Sales Tax but may not otherwise augment existing budgets.

Annual Reporting

In approximately January of each year, Open Space staff will distribute an annual reporting form to qualified jurisdictions. The purpose of this form is to detail how each qualified jurisdiction allocated the previous year's 30% distribution. Forms from all qualified jurisdictions must be returned to Adams County Open Space staff prior to any spring distributions being processed. The information acquired through this process will be included in the annual report.

68% Grant Fund

Purpose

The 68% Grant Fund is a competitive grant process where parks and open space projects compete for limited funds available through the Sales Tax program. Applications are reviewed by the Open Space Advisory Board (OSAB), comprised of seven (7) volunteer members appointed by the BoCC. The OSAB makes funding recommendations to the BoCC based on funds available and project merits. All final funding decisions are made by the BoCC.

Available Funding

The funding available in each grant cycle is comprised of the grant fund share of Open Space Sales Tax revenues for the last six months of the previous year (Spring grant cycle) or the first six months of the year (Fall grant cycle), all interest earnings on Open Space Sales Tax revenues, any unallocated monies remaining from previous revenues, and monies returned to the fund due to projects coming in under budget or projects that were unable to be completed.

Funding is limited for each grant cycle. The OSAB can elect to recommend a project be funded in full, part, or may choose not to recommend funding for the project. The BoCC will review the recommendations of the OSAB and award in full, modify the amount, or deny grant funds to specific projects.

Applicants for projects or phases of projects that were not awarded Open Space Sales Tax funds in the full amount requested in the initial grant proposal are encouraged to reapply for up to two additional grant cycles following the initial submittal, in the event the applicant deems the project worthwhile of additional funding.

Grant Cycle Timeline

Grant cycles occur twice each year in March and September. For a more detailed grant cycle schedule, visit www.adcogov.org/open-space-grant-information or contact Open Space Sales Tax Grant Program staff.

Applicant Eligibility

Applicants must not have any unresolved compliance issues. The applicant must be in compliance on projects previously funded with Adams County Open Space Sales Tax Funds, including funds received from the 30% Open Space Sales Tax distributions. Compliance includes but is not limited to completion of projects as funded and provision of information when requested or due.

Qualified Jurisdictions

The Qualified Jurisdictions are defined as the sales tax collecting entities in the County and special districts that solely provide parks or recreational facilities or programs currently include: City of Arvada, City of Aurora, Town of Bennett, Bennett Park and Recreation District, City of Brighton, City of Commerce City, City of Federal Heights, Hyland Hills Park and Recreation District, City of Northglenn, Strasburg Parks and Recreation District, City of Thornton, City of Westminster, and Adams County.

Qualified jurisdictions must have an adopted Parks and/or Open Space Plan. Metropolitan Districts that provide park and recreation services among other services shall not be considered park and recreation districts for the purposes of these policies and procedures.

Sponsored Organizations

Any organization, including, but not limited to Metropolitan Districts providing services in addition to parks and recreation, other governmental entities and non-profit organizations are eligible to apply, provided they are sponsored by a qualified jurisdiction. These organizations must receive sponsorship from one of the qualified jurisdictions, as evidenced by documentation from the sponsoring qualified jurisdiction indicating their sponsorship of and support for the project. These organizations should contact the most appropriate qualified jurisdiction well ahead of the grant application due date to allow for enough time to navigate that jurisdiction's process. If seeking sponsorship from Adams County, please contact Open Space staff at least 6 weeks ahead of the grant application due date for additional information. If a qualified jurisdiction agrees to sponsor an application, the sponsored application does not count against the qualified jurisdiction's allowed number of applications per grant cycle.

The role of the sponsoring qualified jurisdiction is flexible, but at minimum consists of providing approval for the requesting organization to apply for the program. A more significant relationship between sponsoring qualified jurisdiction and sponsored organization is encouraged, especially for organizations new to the Open Space program, but is not required. Any additional contact between the sponsoring qualified jurisdiction and sponsored organization is optional at the will of either party.

Eligible Projects

Staff will review the application and project for conformance with the voter-approved "Tax" and the Open Space Policy and Procedures.

Facilities, including but not limited to parks, sports fields, golf courses, and recreation centers, or land must be accessible to the public, inclusive of those with disabilities, except for land acquisitions and conservation easements for agricultural preservation and habitat preservation.

Eligible Project Types

The following is a list of eligible projects for the Adams County Open Space Sales Tax Grant Program. This list comes from Resolution 2020-480 7-(c). If a prospective project is not directly related to one of these items, please contact Open Space staff for further discussion. Adams County Open Space Sales Tax funds in the grant program can be used for:

Purchase, construction, maintenance of the following:

- Horse, bike, running trails
- Natural areas with limited development for fishing, hiking, walking, or biking
- Wildlife preserves
- Lakes for fishing with accessible walks, docks, picnic areas, and restrooms
- Conservation easements on agricultural land
- Environmental education programs
- Lands and waterways as community buffers
- River and stream corridor land
- Unimproved flood plains
- Wetlands
- Preservation of cemeteries
- Picnic facilities

Acquisition of:

- Fee title interest and less than fee title interest(s) in real property for open space, natural areas, wildlife habitat, agricultural and ranch lands, historical amenities, parks, and trails. Less than fee title interests include easements (including conservation and agricultural), leases, options, future interests, covenants, development rights, subsurface rights and contractual rights, either on an exclusive or nonexclusive basis.
- Water rights and water storage rights for use in connection with aforementioned purposes
- Rights-of-way and easements for trails and access to public lands and to build and improve such trails and accessways.
- Joint projects between counties and municipalities, recreation districts, or other governmental entities in the County.

To improve, protect, manage, patrol, and maintain:

- Open space
- Natural areas
- Wildlife habitats
- Agricultural and ranch lands
- Historical amenities

- Parks
- Trails

To pay for related acquisition, construction, equipment, operation, and maintenance costs

To implement and effectuate the purposes of the Open Space Program

Acquisition and maintenance of:

- Lands with significant natural resource, scenic, and wildlife habitat values
- Lands that are buffers maintaining community identity
- Lands that are to be used for trails and/or wildlife migration routes
- Lands that will be preserved for agricultural or ranch purposes
- Lands for outdoor recreation purposes limited to passive recreational use, including but not limited to hiking, hunting, fishing, photography, nature studies, and if specifically designated, bicycling or horseback riding
- Lands with other important values such as scenic and historic sites that contribute to the County's and County municipalities' natural and cultural heritage

Purchase, construction, equipping, and maintenance of:

- Sports fields
- Golf courses
- Recreation centers
- Lands for park purposes
- Park and recreational improvements and facilities

In addition to eligible project types, the following list indicates Eligible Project Expenses. This list is meant to clarify eligible expenses but is not a comprehensive list of eligible expenses. Please contact Open Space staff regarding expenses not otherwise included on this list. These items can appear in the project budget and be reimbursed for as a part of the project. They can be grant request, applicant / partner match, or in-kind contribution or any combination thereof. The following items are Eligible Project Expenses:

- Consultant costs for acquisition, planning, design, and/or construction of parks, trails, or open space (including natural areas, wildlife habitats, agricultural lands, ranch lands, and historical amenities)
- General volunteer time or Board member time (see Salary below)
- Organization fees including certification and accreditation fees (directly relating to project or program, or a requirement thereof)
- Training tuition for programs/certifications directly related to the project
- Staff time and expenses that are related to a specific project (see Salary below)
- Costs that directly relate to the planning activities (inventories, design, GIS/mapping, printing, etc.)
- Existing operations and maintenance
- Public input costs (meeting rooms, mailings or other advertising, facilitation, surveys and web-based outreach)

- Acquisition of conservation easement or land for open space, park, or trail purposes:
 - Purchase price
 - Water rights
 - Mineral rights
 - Associated closing costs
 - Appraisal
 - Survey
 - Environmental assessment and cleanup
 - Baseline report
 - Mineral remoteness report, etc.
- Conservation easement stewardship endowments for passive use land acquisitions (see Conservation easement stewardship endowment below)
- Park amenities, including but not limited to:
 - Athletic fields/courts
 - Track and field facilities (including projects involving artificial turf)
 - Playgrounds
 - Swings
 - Climbing structures
 - Skateparks/rinks
 - Swimming pools (indoor or outdoor)
 - Splashpads
 - Water slides
 - Water slides
- Trails, including:
 - Bridges
 - Underpasses
 - Overpasses
- Construction and/or redevelopment of golf courses
- Development and/or redevelopment of environmental education facilities, outdoor classrooms, and natural areas intended for environmental education purposes
- Programmatic funding for environmental education
- Disc golf courses
- Whitewater parks
- Fishing piers and boat docks
- Sculptures and artwork in a park or open space, including memorials
- Outdoor amenities located at fairgrounds
- Concession stands and storage buildings located in a park or open space and used in association with activities conducted at the park or open space
- Indoor facilities, including:
 - Recreation centers
 - Buildings at fairgrounds
 - Nature Centers
- Infrastructure, including:
 - Irrigation

- Drainage
- Parking lot
- Lighting
- Utilities, etc.
- Amenities, including:
 - Restrooms
 - Drinking fountains
 - Benches
 - Landscaping
 - Picnic tables
 - Grills
 - Pavilions
 - Amphitheaters or outdoor performing arts centers when located in a park or open space
 - Signage
 - Fencing
 - Lighting
 - Historical facilities when located in a park or open space, etc.
- Eligible work completed prior to application (see Prior Completed Work below)
 - Land acquisition and design work within three (3) years of application
 - All other eligible work within one (1) year of application.
- Expenses associated with on-the-ground project management
- Printing and development of parks, trails and open space related publications
- Promotional items (all to include Open Space logo, see Open Space Signage and Logo Use policy)
- Indirect costs (see Indirect Costs below)
- Non-fixed assets, including:
 - Lawnmowers
 - Snow blowers
 - Gloves
 - Shovels
 - Rakes
 - Weed eaters
 - Staff uniforms
 - Wildlife cameras, etc.
- Costs associated with volunteer programs, including:
 - Food and drink
 - Training
 - Clothing
 - Appreciation items
- Donations of the items above can be counted as in-kind match

The following are ineligible project expenses and may not appear in any form on the project budget:

- Fundraising costs
- Any meeting costs not associated with the project
- Grant writing

- Events, publications, advertising, and/or similar event items for fundraising
- Amusement parks
- Recreational program costs, including:
 - Staffing
 - T-shirts or uniforms
 - Trophies

Medals, etc.

Salary

Salary is an eligible project expense if it is project and/or program specific. The salary being funded must be time-limited and for specific project-related job duties, not general job duties of the position. At the time of project completion, documentation of hours spent working on the project must be provided either through timesheets or other tracking mechanism. Please speak with Open Space staff for specific questions related to salary and the documentation required.

Conservation easement stewardship endowment

A conservation easement stewardship endowment is meant to be the principle investment into a dedicated fund for use by the easement Grantee for annual stewardship and monitoring costs. The amount of the endowment allowance is determined by multiple factors that have been agreed upon by the qualifying jurisdictions. To reflect the perpetual nature of these obligations, the amount allowed as part of a grant request may fluctuate over time to reflect current costs in staffing, etc. and current interest rates. Please contact Open Space staff regarding current conservation easement stewardship endowment practices and allowance.

Indirect Costs

Up to 10% of a project's direct costs may be requested as part of the grant request. Additional indirect costs can be included as part of the applicant match. The Open Space program strongly encourages applicants to request reasonable amounts of funding for indirect costs to ensure that the application is competitive.

Indirect costs include costs which are frequently referred to as overhead expenses (e.g., rent and utilities) and general and administrative expenses (e.g., officers' salaries, accounting department costs and personnel department costs).

Prior Completed Work

Acquisition of property and design work previously completed and related to a specific project are eligible expenses, as long as the work is completed within three years of the application date. All other

expenses, as listed in the Eligible Project Expenses section, are eligible as long as the work is completed within one year of the application date. Individual expenses may be older than the deadline only if the final work is completed within the deadline timeframe. All previously incurred expenses will be expected to submit the same documentation at project closeout as work completed directly as a part of the grant project (including invoices and proof of payment).

Specific Requirements of Land Acquisitions

To meet the intent of Resolution 2020-480 7-(c), land purchased with Open Space sales tax dollars with passive funds will be encumbered to perpetually protect the passive uses of the property.

Primarily, this encumbrance will take the form of a conservation easement. In some instances, a conservation easement may not be the best tool for land preservation and a declaration of covenants, conditions and restrictions may be placed on the land in lieu of the conservation easement. These situations may include but are not limited to property where there is less than five acres of habitat or preservable land, sites where there are no easily identified conservation values, a redevelopment site or site where significant changes to the property are anticipated, or land purchased solely for use as a trail corridor. In all situations, it is at Open Space staff's sole discretion whether a conservation easement or declaration of covenants, conditions and restrictions will be used to protect the land's passive uses.

The negotiation, approval, and full execution of a conservation easement or a declaration of covenants, conditions and restrictions are required before such a project will be closed out. Additional information on project closeout can be found in subsequent sections. Land purchased using active funds will not be required to have an encumbrance on the property. If the acquiring organization desires to place a conservation easement on a portion of a property purchased with active funds, please contact Open Space staff for additional information.

Applying to the Program

Application Types

- The terms Passive and Active are only used for internal purposes.
- Mini Grant applications are for uses defined in either of the above sections but are geared towards smaller scale projects. A project is determined to be a Mini-Grant if the total amount of the grant request does not exceed \$25,000. Funding for mini grants is limited to \$50,000 per year. The Mini Grant is also limited to one application per applicant, per grant cycle.

Submission Requirements

Each qualified jurisdiction or sponsored organization applying to the Open Space Program may only submit up to three (3) grants per grant cycle, up to two (2) of which may be full project applications (i.e., not mini grants). For sponsored organizations, each project in a single grant cycle must be sponsored by a different qualified jurisdiction. Each qualified jurisdiction may only sponsor one project per grant cycle

from any given sponsored organization, but there is no limit on the total number of applications a qualified jurisdiction may sponsor in any grant cycle. Sponsored applications do not count against a qualified jurisdiction's allowed number of applications per grant cycle.

Applications must be submitted online during the spring and fall grant cycles. Applications are submitted online at www.adcogov.org/open-space-grant-information. No applications will be accepted after the deadline date, with the exception of additional documentation requested by the Parks, Open Space and Cultural Arts Staff, the OSAB, or the BoCC.

The primary contact person(s) identified in the Open Space Application will be used for all official correspondence for each submitted project, including all correspondence regarding project status reports and closeout information. Please contact Parks, Open Space and Cultural Arts staff as soon as it becomes necessary to change the primary contact person.

Matching Funds

In-kind sources of funds, such as donations of goods or services or volunteer hours are acceptable forms of match. All donations of goods or services must be documented in the application with a letter from the donor describing the donation and its estimated value. The use of volunteer hours is acceptable.

Applicants must estimate the number of volunteer hours anticipated for completion of the project and include in the project narrative a description of the work to be completed by those volunteers.

Volunteer time should be valued at the standard rate for the state of Colorado as found at http://www.independentsector.org/volunteer_time. Please see the Glossary of Terms for additional information about what constitutes in-kind contributions.

All projects must leverage the funds being requested of the Open Space Grant Program. Applicants must provide a minimum of 30% of the total project costs toward the project. Any additional funds brought toward the project will be considered favorably by the OSAB during their evaluation.

Application Components Specific to Real Estate Transactions

For real estate transactions, applicants should obtain a qualified buyer's appraisal, see Glossary of Terms, page 17. When a qualified appraisal is not available at the time of application, applicants should provide additional information with their application verifying the purchase price they are estimating. Additional information can include, but is not limited to, recent purchases by the organization of similar land, comparable listings or sales in the area, and other information used by the applicant to determine the cost included in the application. A qualified appraisal will be required prior to project closeout, or prior to closing if funds are to be wired at the time of closing. When the applicant is seeking to buy property for a price that exceeds the qualified appraisal value, the OSAB will make recommendations on a case-by-case basis to the BoCC for final approval. If no appraisal was available to the OSAB and more is paid for the property than the appraised value, unless specifically requested by the grantee from the BoCC, no reimbursement will be made for a purchase price exceeding the appraised value. If the grantee

wishes to be reimbursed for that additional amount, a request will be sent to the BoCC for approval prior to reimbursement.

Application Criteria and Scoring

OSAB will request presentations by applicants for all applications. Presentations for mini-grant applications are welcomed but not required. Presentations will not be scored and are for informational purposes only. The OSAB will review projects and make funding recommendations to the BoCC based on criteria and information provided by the applicant in the following categories:

- Grant Fund Use
- Project Funding
- Project Support
- Project Management and Applicant's Past Performance of Awarded Projects
- Project Location within Adams County

Other factors favorably considered by the OSAB when included in an applicant's answers to the existing questions on the grant application:

- Inclusivity of projects for people of all abilities
- Measured water efficiency
- Measured energy conservation
- Facility maintenance
- Use of recycled material
- Use of sustainable materials in construction, when possible
- Use of native/Colorado appropriate species

The OSAB utilizes standard score sheets while reviewing projects. Examples of the most recent score sheets can be requested from Open Space staff at any time. Each OSAB member ranks the projects based on their impressions of the project. Each project receives a unique ranking from each OSAB member. For example, if there are ten projects in a particular cycle, the OSAB members assign a one (1) to their highest priority project and a ten (10) to their least priority project. The rankings for each project are then totaled and projects are organized from highest ranking (lowest number of points) to lowest ranking (highest number of points). The projects are then discussed by the OSAB in rank order and funding recommendations are made.

Note: Current scoring practice is described. This process may be changed as the OSAB changes and as projects change. Any changes to OSAB scoring of projects will be shared with applicants prior to the grant cycle in which the changes will be instituted.

After Grant Award

If a press release is issued, include the following statement:

“Funds were awarded from proceeds of the Adams County Open Space Sales Tax, which was passed by Adams County voters in 1999, and reauthorized in November 2004 to be extended until December 31, 2026 and reauthorized for a permanent extension on November 3, 2020”.

Grant Agreement

The BoCC will publicly award the grants at a public hearing. At the public hearing, Open Space staff will distribute copies of the grant agreement to each successful applicant. Signed grant agreements are due back to Open Space staff within 45 days of the public hearing. Once they are received back, Open Space staff will have the agreements signed by the BoCC and will return one fully executed copy to the applicant in either electronic or paper form. The BoCC reserves the right to add specific conditions as part of the Grant Agreement and/or Conservation Easement. A revised budget sheet shall be requested if awarded funds differ from the original grant request.

Project Due Date

All projects must be completed within two years of the grant award date. All documentation necessary to close out the project must be submitted to Open Space staff or an extension must be requested by this date. If no documentation is received by Open Space staff by the project due date, this may result in non-compliance. Please see the Grant Non-compliance section below.

Project Extension Policy

Requests for extension must be received prior to the project due date, preferably one month prior to the project due date. A sample Extension Request form is available on the website at <https://www.adcogov.org/open-space-grant-information> under “Required Forms”. Forms may be updated at any time.

As such, Grantee should confirm with Open Space staff the correct form to submit for their request. Project extension requests may be approved for up to 6 months at a time by Open Space staff. Grantee should include in their request progress made to date on the project, barriers to completion of the project and plans to overcome said barriers, and a timeline for project completion. If, at Open Space staff’s discretion, no significant progress towards completion has been made, the extension request may be denied.

If a request for an extension is denied, Grantee will be promptly notified by Open Space staff. Upon receiving this notification, the Grantee must notify Adams County Open Space in writing as to whether or not they will complete the project as originally funded. If the Grantee is unable to complete the project as originally funded, a termination of Grant Agreement will be executed by Adams County and the Grantee will be required to deauthorize awarded funds or return all previously awarded funds for that project along with accrued interest and applicable market value adjustment within 30 days of receiving the Termination of Grant Agreement. Failure to respond to such a notification will result in an

automatic de-authorization of the grant and may result in non-compliance. Please see Grant Non-compliance section below.

Project Modification Policy

If a change to an awarded project is anticipated, Grantee should contact Open Space staff to discuss the proposed change. At that time, Open Space staff will determine whether a formal project modification should be requested. Most change requests will likely fall into one of three categories: 1) minor material change, no request necessary; 2) more significant change to project described in the application, but no change to the budget, staff approval possible, and 3) significant change that impacts the intent of the project and/or the project budget, BoCC approval necessary. If there is any question of which category the request falls into, it will be elevated to the next level for approval.

If it is deemed necessary, the Grantee must submit a Modification Request form to Adams County Open Space staff. A sample Modification form is available on the website at <https://www.adcogov.org/open-space-grant-information> under "Required Forms". Forms may be updated at any time.

If necessary, this information will be forwarded to the BoCC along with a full staff report for the BoCC's consideration. If the modification request is rejected and the project cannot be completed as originally approved, the Grantee may request deauthorization of the grant award and submit a new application for the revised project for consideration in future grant cycles.

Failure to notify Adams County Open Space staff of changes to an awarded project may result in non-compliance. Please see Grant Non-compliance section below.

Grant Non-compliance

A non-compliance issue may arise due to a failure to adhere to the project due date policy, extension policy, modification policy, or at Open Space staff's discretion. At such time that Open Space staff feels a non-compliance issue has arisen, staff will forward the information and a full staff summary to the BoCC. The BoCC will review the issue and determine what if any remedy will be required. Potential consequences of non-compliance include 1) deauthorization of the current grant award, with a request to repay any funds plus interest already disbursed for the award, 2) suspension of the Grantee from participating in the Open Space Grant program as an applicant, partner, or sponsor, or 3) any other consequence deemed appropriate by the BoCC.

Open Space Signage and Logo Use

An Adams County Open Space Sign provided or approved by Open Space staff will be posted in a prominent place at the project site once the project is completed. This does not apply to projects that will not have public access (i.e., conservation easement projects or planning projects). Signs provided by the County must remain up at the project site through the reporting period (i.e., 10 years). For acquisitions funded through the Open Space program, signs must remain up on the property through the life of the sales tax. Open Space staff will periodically do audits of signs at project locations and will

offer replacement signs when needed. Grantee may also ask for replacement signs at any time when a sign becomes damaged or otherwise in poor condition. Following the expiration of the Open Space Sales Tax, signs shall remain in place until damaged or otherwise in poor condition at which time the sign may be removed and not replaced.

If the Grantee wishes not to place a separate Adams County Open Space sign, but rather to use the logo as a part of new signage to be produced for the project, a high-quality digital design file of the Adams County Open Space logo can be provided by Open Space staff. Use of the Adams County Open Space logo on other permanent signage must be approved by Open Space staff prior to final production of said signage. The program logo can also be provided for other uses via digital image files at the sole discretion of Open Space staff. Any additional usage of the program logo must be approved by Open Space staff.

School playgrounds funded by the Open Space Tax must post the hours that the play areas are open to the public. Example: Playground is closed while school is in session from 8 am to 2pm. Playground is open to the public from 3:30 p.m. time to 8:00 p.m.

Reimbursement and Closeout Process

Funds will be disbursed:

- Once the project has been both physically and contractually completed as funded, or at a specified periodic reimbursement date as described in the grant agreement (subject to documentation described below).
- The documentation requested in the reimbursement process has been received and verified by staff. Documentation should indicate that all work has been completed, invoiced, and paid on the project contract, including payment of retainage, as necessary.
- If the final product of a project is a document, including but not limited to a plan, design, or construction documents, those documents must be sent to Open Space staff for inclusion in the project file and for project closeout. In addition, if a document is being developed in association with a land purchase including but not limited to surveys, baseline assessments, or environmental analysis, those documents must be forwarded to Open Space staff for project closeout.

The amount of funds disbursed will correspond to the submitted project budget. The amount of disbursement will be adjusted as necessary to maintain the level of funding originally awarded and specified in the Grant Agreement. All reimbursements will be based on the award percentage of the total project costs, up to the full award amount. At no time will the amount of reimbursement, whether periodic or final, exceed the project expenditures when in-kind contributions are used as match.

Unused grant funds will be returned to the grant fund. For example, if a project is under budget the leverage amount will be based on the final cost of the awarded project and the remaining award amount will be returned to the grant fund for future reallocation. Under no circumstances will the amount of funds reimbursed by Adams County Open Space Sales Tax increase over the awarded amount represented in the Grant Agreement. An increased percentage of project costs will only be allowed if approved by the BoCC in a modification requesting such a change (see Project Modification Policy).

In the case of periodic reimbursements, all procedures for reimbursement remain the same, see All Other Projects Reimbursement Process section below. The reimbursement will be for the awarded percentage for the project for that time period. Open Space staff will keep records of all periodic reimbursements to ensure that the total never exceeds the maximum award stated in the grant agreement.

Failure to provide requested documents may result in non-compliance. Examples of all forms can be found at www.adcogov.org/open-space-grant-information under required forms.

Land Acquisition/Conservation Easement Reimbursement Process

The awarded funds can be disbursed to the Grantee after closing or directly to the title company at the time of closing. The Grantee will need to provide Adams County Open Space with copies of the following documents to receive the grant award:

- Copies of All Easements/Encumbrances
- Final Contract
- Full Qualified Appraisal
- Preliminary Buyers Settlement Agreement
- Title Commitment

It is the applicant's responsibility to ensure that Open Space staff is kept informed of any changes to the date, time or location of the closing. Adams County Open Space must have the wiring instructions at least five (5) business days ahead of the scheduled closing to forward to the Adams County Treasurer's Office to set up the wire transfer. All other documents should be to Open Space staff a minimum of two (2) business days before closing to have funds wired to closing. After closing, copies of the following documents must be forwarded to the Open Space Office prior to the project being closed out:

- Grant Closeout Request Form
- Recorded Deeds specific to this transaction
- Signed Settlement Statement
- Title Policy
- Fully executed Conservation Easement must be on file with Open Space staff (for passive acquisitions)
- Associated invoices and checks
- Other applicable items

All Other Projects Reimbursement Process

For all other projects, to close out a project the applicant must submit to the Open Space Office copies of the following documentation:

- Grant Closeout Request Form
- Completed Grant Closeout Worksheet
- Copies of ALL invoices listed on Grant Closeout Worksheet

- Copies of cancelled checks (front and back) for all costs indicated on Grant Closeout Worksheet OR
- Signature of authorized Financial Officer on Grant Closeout Worksheet certifying all payments have been made
- Documentation for all in-kind donations (e.g., letter from donor stating value, invoice from business indicating value)
- Examples of all forms can be found at www.adcogov.org/open-space-grant-information under “Required Forms”.

Reporting Following Closeout

As stated in Resolution 2020-480, “no land or interests acquired with revenues of the Open Space Sales Tax may be sold, leased, traded, or otherwise conveyed, nor may an exclusive license or permit on such land or interests be given, without the approval of such action by the Board [of County Commissioners]”.

At the 5- and 10-year anniversaries of project closeout, Open Space staff will send Grantee a reporting form for all projects closed out during that timeframe, not including planning projects or environmental education programs. This form will request basic information about all closed out projects specifically what, how and why anything has changed on the project. Grantee will include dated photos of the project for Open Space staff review. If in Open Space staff’s opinion, the intent of the original project has been changed, a full report will be forwarded to the BoCC. At that time, the BoCC will review the information and determine what, if any, action will be taken, including but not limited to the return of all grant funds plus interest.

Code of Ethics

The Code of Ethics applies to all employees and officials of Adams County, including the Open Space Advisory Board. The Code of Ethics can be found on the Adams County website: www.adcogov.org

Glossary of Terms

ACTIVE USE: Lands for park purposes and other recreational uses such as sports fields, golf courses and recreation centers. Park purposes shall be defined as the construction, equipping, acquisition and maintenance of park and recreational improvements and facilities for the use and benefit of the public. (Source: Resolution 2020-480, Section 7 (b)(iv)(2)(B), item iii)

PASSIVE USE: Passive uses shall include, but not be limited to the purchase, construction and maintenance of: horse, bike or running trails; natural areas with limited development for fishing, hiking, walking or biking; wildlife preserves; lakes for fishing with accessible walks, docks, picnic areas and restrooms; conservation easements on agricultural land; environmental education programs; lands and

waterways as community buffers; river and stream corridor land; unimproved flood plains; wetlands; preservation of cemeteries; and picnic facilities. (Source: Resolution 2020-480, Section 7 (b)(iv)(2)(A))

Deauthorization of Funds

In cases where funds are deauthorized (i.e., non-compliance, project completed under budget) remaining funds are returned to the grant fund for future allocation to projects. When funds have been paid, either for a completed project or for periodic reimbursements, and the BoCC requests those funds be returned to the grant fund, it is at the BoCC's discretion to also request payment of interest on those funds being returned.

In-kind Sources of Funds

In-kind sources of funds are donations of time, services, or goods. At no time is the applicant paying for this contribution to the project, whether directly from the project proceeds or indirectly from other funding. These sources must be documented through timesheets, invoices, or other means for project closeout purposes.

Qualified Appraisal

- Commissioned by the purchaser, another project partner that does not have an ownership interest in the property being acquired, or jointly by the seller and the purchaser;
- Prepared by an experienced independent appraiser and in accordance with the IRS definitions of a qualified appraisal and of highest and best use, as defined in Treas. Reg. 1.170A-13(c)(3); and
- Based upon the sales comparison method, which determines the value of the subject property by comparing sale prices of comparative properties. Adjustments are made to the sale price of each comparative property to reflect the differences between the comparison property and the subject property.
- Specific about the easement value of the property, and the value of the property before and after an easement is placed on it. Information about these values is necessary to determine ability to fund the project. (If funding is for a fee acquisition, only the full fee fair market value is needed; the before and after easement values are not required.)
- Effective within one year prior to closing, the grantee will be required to have an appraiser update the appraisal.

APPENDIX A

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

A RESOLUTION CALLING AN ELECTION ON NOVEMBER 3, 2020 TO AUTHORIZE
THE PERMANENT EXTENSION OF AN EXISTING COUNTYWIDE SALES TAX OF
ONE-FOURTH OF ONE PERCENT (ONE-FOURTH PENNY PER DOLLAR) FOR THE
CONTINUED PURPOSE OF PRESERVING OPEN SPACE AND CREATING AND
MAINTAINING PARKS AND RECREATION FACILITIES; SETTING THE BALLOT TITLE
AND TEXT FOR THE ELECTION; AND PROVIDING THE EFFECTIVE DATE OF SUCH
RESOLUTION

Resolution 2020-480

WHEREAS, the Board of County Commissioners (the “Board”) of Adams County, Colorado (the “County”), has determined that it is in the public interest and a priority of the residents of Adams County to protect water quality, wildlife areas, and wetlands; preserve farmland; protect open space to limit sprawl; and to create, improve and maintain parks, trails, and recreational facilities in Adams County; and,

WHEREAS, the Board has determined that there is and will be a deficiency in available funds to protect water quality, wildlife areas, and wetlands; preserve farmland; protect open space to limit sprawl; and to create, improve, and maintain parks, trails, and recreational facilities in Adams County for the foreseeable future; and,

WHEREAS, the County is authorized by law to impose a sales tax on the sale of tangible personal property at retail and the furnishing of services, subject to the approval of the registered electors of the County; and,

WHEREAS, in 1999, the voters of Adams County approved a one-fifth of one percent (one-fifth penny per dollar) countywide sales tax to preserve open space in order to limit sprawl, to preserve farmland, to protect wildlife areas, wetlands, rivers and streams, and for creating, improving, and maintaining parks and recreational facilities through 2006; and,

WHEREAS, in 2004 the voters of Adams County voted to increase the tax to one-fourth of one percent (one-fourth penny per dollar) to preserve land that protects water quality; protect wildlife areas, wetlands, rivers, and streams; preserve farmland; protect open space to limit sprawl; and for creating, improving, and maintaining parks, trails, and recreation facilities; and to extend the tax through 2026; and,

WHEREAS, the Board has determined that, as a result of the increase in growth in the County, the need to preserve open space has become increasingly urgent; and,

WHEREAS, the Board has therefore concluded that it is in the best interest of the residents of, and quality of life in, Adams County to permanently extend the existing one-fourth of one percent countywide sales tax (the “Open Space Sales Tax”), the receipts from which shall be restricted in application to the Open Space Program, as enumerated herein and in Resolutions 99-1 and 2004-01; and,

WHEREAS, the Board has determined that a ballot issue regarding a permanent extension of the Open Space Sales Tax for the purposes enunciated herein and in Resolutions 99-1 and 2004-01 should be submitted to the eligible electors of the County at the November 3, 2020 general election; and,

WHEREAS, the Board has determined to set the ballot title and text for the ballot issue to be submitted at the election called by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ADAMS, STATE OF COLORADO:

1. An election shall be held on Tuesday, November 3, 2020, at which there shall be submitted to the eligible electors of the County a ballot issue authorizing a permanent extension of the Open Space Sales Tax originally imposed pursuant to Resolution No. 99-

1, and increased and extended pursuant to Resolution No. 2004-01 (the “Open Space Sales Tax”), the title of which issue shall be in substantially the following form:

ISSUE 1A

WITH NO INCREASE IN ANY COUNTY TAX RATE, SHALL ADAMS COUNTY’S EXISTING OPEN SPACE SALES TAX OF ONE-FOURTH OF ONE PERCENT (ONE-FOURTH PENNY PER DOLLAR) BE PERMANENTLY EXTENDED WITH THE PROCEEDS TO CONTINUE TO BE USED SOLELY TO:

PRESERVE LAND THAT PROTECTS WATER QUALITY;

PROTECT WILDLIFE AREAS, WETLANDS, RIVERS, AND STREAMS;

PRESERVE FARMLAND;

PROTECT OPEN SPACE TO LIMIT SPRAWL; AND;

FOR CREATING, IMPROVING, AND MAINTAINING PARKS, TRAILS, AND RECREATION FACILITIES; AND

WITH ALL COUNTY EXPENDITURES TO BE ALLOCATED BETWEEN ACTIVE AND PASSIVE OPEN SPACE USES BASED ON THE RECOMMENDATIONS OF A CITIZEN ADVISORY COMMISSION AND SUBJECT TO AN ANNUAL AUDIT, WHICH TAX SHALL BE IMPOSED, COLLECTED, ADMINISTERED, AND ENFORCED AS PROVIDED IN RESOLUTION 2020-480 AND SHALL ALL REVENUES FROM SUCH TAX AND ANY EARNINGS THEREON, INCLUDING REVENUES SHARED WITH THE INCORPORATED CITIES AND TOWNS IN ADAMS COUNTY, FOR THE DURATION OF THE TAX, CONSTITUTE A VOTER-APPROVED REVENUE CHANGE FOR THE PURPOSES OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND ANY OTHER REVENUE LIMITS IMPOSED BY THE LAWS OF THE STATE OF COLORADO?

YES _____

NO _____

2. The election shall be conducted by the Adams County Clerk and Recorder (“Clerk and Recorder”) in accordance with the Uniform Election Code, C.R.S. § 1-1-101, *et seq.*, and other laws of the State of Colorado, including without limitation, the requirements of article X, section 20, of the Colorado Constitution (hereinafter “TABOR”).
3. All acts required or permitted by the Uniform Election Code relevant to conducting this election shall be performed by the Clerk and Recorder.
4. The Clerk and Recorder shall cause all notices of election to be provided in accordance the laws of the State of Colorado, including but not limited to, the Uniform Election Code and TABOR.
5. Pursuant to C.R.S. § 29-2-104 (5), the Clerk and Recorder shall publish the text of this Resolution four separate times, a week apart, in the official newspaper of the County and each city and incorporated town within the County.
6. If a majority of the votes cast on the ballot issue of permanently extending the imposition of the Open Space Sales Tax are in favor of such ballot issue, the Open Space Sales Tax shall be permanently extended and shall apply to all taxable transactions, unless exempt, occurring on or after January 1, 2021, and shall be collected and administered in accordance with County Resolutions 99-1, 2004-01, and this Resolution and the schedules set forth in the rules and regulations promulgated by the Colorado Department of Revenue.
 - (a) *Extension of the Imposition of the Sales Tax.* There is hereby permanently extended the imposition on all sales of tangible personal property at retail or the furnishing of services in the County, as provided in section 29-2-105, *et. seq.*, C.R.S., as amended, a tax equal to one-fourth of one percent of the gross receipts (the “Open Space Sales Tax”).

(b) *Transactions Subject to the Sales Tax.* The transaction subject to the Open Space Sales Tax shall be as set forth below and as required by Colorado state law.

- (i) The tangible personal property and services taxable hereunder shall be the same as the tangible personal property and services taxable pursuant to section 39-26-104, C.R.S., except as provided herein, and shall be subject to the same exemptions as those specified in part 7 of article 26 of title 39, C.R.S., expressly including the exemption allowed by section 39-26-709 (1), C.R.S., for purchases of machinery or machine tools, the exemption for sales of electricity, coal, wood, gas, fuel oil, or coke specified in section 39-26-715 (1)(a)(II), C.R.S., the exemption for sales of food specified in section 39-26-707 (1)(e), C.R.S., the exemption for vending machine sales of food set forth in section 39-26-714 (2), C.R.S., the exemption for occasional sales by a charitable organization set forth in section 39-26-718 (1)(b), C.R.S., the exemption for sales and purchases of farm equipment and farm equipment under lease or contract specified in section 39-26-716 (1)(d), (2)(b) and (2)(c), C.R.S., and the exemption for sales of low-emitting motor vehicles, power sources, or parts used for converting such power sources as specified in section 39-26-719 (1), C.R.S. Also expressly exempted are pesticides that are registered by the commissioner of agriculture for use in the production of agricultural and livestock products pursuant to the provisions of the “Pesticide Act,” article 9 of title 35, C.R.S., and offered for sale by dealers licensed to sell such pesticides pursuant to section 35-9-115, C.R.S., all sales and purchases of parts used in the repair or maintenance of farm equipment, all shipping pallets or aids paid for by a farm operation, and aircraft designed or adapted to undertake agricultural applications, and all sales and purchases of dairy equipment. Also expressly exempted are the exemption for sales of machinery or machine tools specified in section 39-26-709 (1), C.R.S., used in the processing of recovered materials by a business listed in the inventory prepared by the department of public health and environment pursuant to section 30-20-122 (1)(a)(V), C.R.S.; the exemption for sales of wood from salvaged trees killed or infested in Colorado by mountain pine beetles or spruce beetles as specified in section 39-26-723, C.R.S.; the exemption for sales of components used in the production of energy, including but not limited to alternating current electricity, from a renewable energy source specified in section 39-26-724, C.R.S.; the exemption for sales that benefit a Colorado school specified in section 39-26-725, C.R.S.; the exemption for sales by an association or organization of parents and teachers of public school students that is a charitable organization as specified in section 39-26-718 (1)(c), C.R.S.; the exemption for sales of property for use in space flight specified in section 39-26-728, C.R.S.; and the exemption for manufactured homes set forth in section 39-26-721 (3).
- (ii) The Sales Tax shall not be imposed on the sale of construction and building materials, as the term is used in section 29-2-109, C.R.S., if the purchaser of such materials presents to the retailer a building permit or other acceptable documentation that a local use tax has been paid or is required to be paid on the value thereof.
- (iii) The Sales Tax shall not be imposed on the sale of personal property on which a specific ownership tax has been paid or is

payable if: (I) the purchaser is a nonresident of or has its principal place of business outside the County, and (II) such personal property is registered or required to be registered outside the limits of the County under the laws of the State of Colorado.

(iv) The Sales Tax shall not be imposed on the sale of tangible personal property at retail or the furnishing of services if the transaction has been previously subjected to a sales or use tax lawfully imposed on the purchaser or user by another statutory or home rule county equal to or in excess of the amount imposed by Section 6 (a) hereof. A credit shall be granted against the Sales Tax payable with respect to such transaction equal in amount to the lawfully imposed sales or use tax previously paid by the purchaser or user to such other statutory or home rule county, provided that such credit shall not exceed the amount of the Sales Tax imposed by Section 6 (a) hereof.

(c) *Determination of Place at Which Sales are Consummated.* For the purpose of this Resolution, all retail sales are sourced as specified in section 39-26-104 (3), C.R.S. The amount subject to the Sales Tax shall not include the amount of any state sales and use tax imposed by article 26 of title 39, C.R.S.

(d) *Collection, Administration and Enforcement.* The collection, administration and enforcement of the Sales Tax shall be performed by the Executive Director of the Colorado Department of Revenue (the "Executive Director") in the same manner as the collection, administration and enforcement of the Colorado state sales tax. The provisions of article 26 of title 39, C.R.S. and all rules and regulations promulgated thereunder by the Executive Director shall govern the collection, administration, and enforcement of the Sales Tax.

(e) *Vendor Fee.* No vendor fee shall be permitted or withheld with respect to the collection and remittance of the Sales Tax.

7. Distribution of Sales Tax Revenue. The proceeds from the collection of the Open Space Sales Tax shall be administered and distributed in the following manner:

(a) *Open Space Advisory Board.* The Open Space Advisory Board shall continue to be appointed by the Board of County Commissioners.

(i) The Open Space Advisory Board shall consist of seven members, four of whom shall be residents of unincorporated Adams County and three of whom shall be residents of cities or towns located in Adams County.

(ii) Members shall serve four-year terms of office, except the initial term of two members from the unincorporated area of Adams County and two members from cities and towns were six years. Members may be re-appointed to successive terms.

(iii) Members shall serve at the pleasure of the Board.

(iv) The Board of County Commissioners shall develop a system to rotate the jurisdictions represented on the Open Space Advisory Board in a systematic fashion.

(v) Members shall not be compensated for their services, but they may be reimbursed for reasonable expenses actually incurred in the performance of their duties in accordance with this Resolution and County policy.

(vi) Members shall act in accordance with law, including Colorado conflict of interest law applicable to public bodies. No member

shall vote or participate in the application process regarding an acquisition or expenditure in which he or she has a financial or ownership interest, or where he or she has an ownership interest in adjacent property.

- (vii) The Open Space Advisory Board will meet quarterly, or as necessary to review proposed projects. All meetings shall be held in accordance with Colorado Open Meetings Law.
- (viii) The Open Space Advisory Board will make recommendations to the Board of County Commissioners regarding the distribution of proceeds from the collection of the Open Space Sales Tax, substantially in accordance with the guidelines set forth in this Resolution.

(b) Deposit and Expenditure of Revenue.

- (i) The County has established an Open Space Fund within which all revenues and expenditures from the Open Space Sales Tax are accounted for.
- (ii) Two percent (2%) of the Open Space Sales Tax collected shall continue to be used by the Open Space Advisory Board for administrative purposes, i.e. consultants, studies, site reviews, etc.
- (iii) After payment of the administrative fee, thirty percent (30%) of the remaining Open Space Sales Tax collected shall continue to be automatically returned to the cities, towns and unincorporated area of Adams County in the same proportion as is the ratio of Open Space Sales Tax collected within the city, town or unincorporated area to the total County sales tax collections, as computed from information provided by the Colorado Department of Revenue. This money may be used by the jurisdiction for either active or passive uses but shall not be used to augment existing parks and open space budgets.
- (iv) After payment of the administrative expenses and distribution of the thirty percent described above, the moneys remaining in the Open Space Fund shall be used as directed by the Board of County Commissioners, substantially in accordance with the following guidelines:
 - (1) Grant applications may be submitted to the Open Space Advisory Board by those jurisdictions having an approved open space and/or recreation plan.
 - (2) The Open Space Advisory Board shall review the application and make recommendations to the Board of County Commissioners regarding approval or denial of the application. Fund distributions may be attributable to both active and passive open space uses, defined as:
 - (A) Passive open space uses include the purchase, construction and maintenance of: horse, bike or running trails; natural areas with limited development for fishing, hiking, walking or biking; wildlife preserves; lakes for fishing with accessible walks, docks, picnic areas and restrooms; conservation easements on agricultural land; environmental education programs; lands and

waterways as community buffers; river and stream corridor land; unimproved flood plains; wetlands; preservation of cemeteries; and picnic facilities.

- (B) Active uses include the purchase, construction, equipping and maintenance of: sports fields, golf courses, and recreation centers.

- (v) Any funds received from the disposition of assets acquired or constructed with revenues of the Open Space Sales Tax shall be used in accordance with the above guidelines.

(c) *Authorized Projects and Uses of Funds.*

- (i) Revenues collected from the Open Space Sales Tax may be used in the following manner:

- (A) To acquire fee title interest in real property for open space, natural areas, wildlife habitat, agricultural and ranch lands, historical amenities, parks and trails;
- (B) To acquire less than fee interests in real property such as easements (including conservation and agricultural), leases, options, future interests, covenants, development rights, subsurface rights and contractual rights, either on an exclusive or nonexclusive basis, for open space, natural areas, wildlife habitat, agricultural and ranch lands, historical amenities, parks and trails purposes;
- (C) To acquire water rights and water storage rights for use in connection with the aforementioned purposes;
- (D) To acquire rights-of-way and easements for trails and access to public lands, and to build and improve such trails and accessways;
- (E) To allow expenditure of funds for joint projects between counties and municipalities, recreation districts, or other governmental entities in the County;
- (F) To improve and protect open space, natural areas, wildlife habitats, agricultural and ranch lands, historical amenities, parks and trails;
- (G) To manage, patrol and maintain open space, natural areas, wildlife habitats, agricultural and ranch lands, historical amenities, parks and trails;
- (H) To pay for related acquisition, construction, equipment, operation and maintenance costs;
- (I) To implement and effectuate the purposes of the Open Space Program.

- (ii) Passive open space lands may be acquired and maintained and may include:

- (A) Lands with significant natural resource, scenic and wildlife habitat values;
- (B) Lands that are buffers maintaining community identity;

- (C) Lands that are to be used for trails and/or wildlife migration routes;
 - (D) Lands that will be preserved for agricultural or ranch purposes;
 - (E) Lands for outdoor recreation purposes limited to passive recreational use, including but not limited to hiking, hunting, fishing, photography, nature studies, and if specifically designated, bicycling or horseback riding;
 - (F) Lands with other important values such as scenic and historic sites that contribute to the County's and County municipalities' natural and cultural heritage.
- (iii) Active open space lands may include lands for park purposes and other recreational uses such as sports fields, golf courses and recreation centers. Park purposes shall be defined as the construction, equipping, acquisition and maintenance of park and recreational improvements and facilities for the use and benefit of the public.
 - (iv) No land or interests acquired with the revenues of the Open Space Sales Tax may be sold, leased, traded, or otherwise conveyed, nor may an exclusive license or permit on such land or interests be given, without the approval of such action by the Board.
8. If a majority of the votes cast on the ballot issue of permanently extending the Open Space Sales Tax are in favor of such issue, the Clerk and Recorder shall provide a notice of adoption of this Resolution, together with a certified copy of this Resolution, to the Executive Director of the Colorado Department of Revenue at least forty-five (45) days prior to January 1, 2021.
 9. For the purpose of C.R.S. § 1-11-203.5, this Resolution shall serve to set the ballot title for the ballot question set forth herein, and the ballot title for such ballot question shall be the text of the ballot question itself.
 10. The officers and employees of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.
 11. The rate of the Sales Tax and the deposit of revenues collected from the Open Space Sales Tax as set forth in this Resolution shall not be amended, altered, or otherwise changed unless first submitted to a vote of the registered electors of the County for their approval or rejection. Other provisions of this Resolution may be amended as necessary to effectuate the purposes of this Resolution by resolution adopted by the Board of County Commissioners in accordance with law.
 12. All actions not inconsistent with the provisions of this Resolution heretofore taken by the Board and the officers and employees of the County and directed toward holding the election for the purposes stated herein are hereby ratified, approved, and confirmed.
 13. All prior acts, orders or resolutions, or parts thereof, by the County inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.
 14. If any section, paragraph, clause, or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Resolution, it being the intention that the various parts hereof are severable.

- 15. The cost of the election shall be paid from the County's general fund.
- 16. This Resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry	_____	Aye
Tedesco	_____	Aye
Pinter	_____	Aye
O'Doriso	_____	Aye
Hodge	_____	Aye
Commissioners		

STATE OF COLORADO)
 County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 1st day of September A.D. 2020.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Josh Zygielbaum:



By:



Deputy