

**Parks, Recreation and Cultural Services
Memorandum #10-2017**

DATE: May 22, 2017

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: James A. Hayes, AICP, City Manager *JH*
Amanda J. Peterson, Director of Parks, Recreation & Cultural Services *ajp*

SUBJECT: CR-60 - Acceptance of Grant Funds for Outdoor Aquatics Improvements
CR-61 – Acceptance of Grant Funds for Park Property Acquisition

PURPOSE

Staff is seeking approval of the attached Adams County Open Space Grant Agreements, accepting funds in the amount up to \$800,000 or 50% of the total project costs for Outdoor Aquatics Improvements and up to \$252,000 or 60% of the purchase price for Park Property Acquisition.

BACKGROUND

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

The funding is divided into two categories – active and passive. A request for a passive project may be for up to 70% of the total budget, a request for an active project may be for up to 60% of the project. Although a request for 60% of an active use project is allowable, the Adams County Open Space Advisory Board has expressed a desire that active use requests are limited to 50% of the project costs. Generally speaking, projects that do not exceed a request of 50% of the total budget tend to be viewed more favorably, though property acquisition is such a high priority for the Open Space Advisory Board that a request was submitted for the full allowable amount of 60% of the total project cost. Both proposals were submitted in the active use category.

Aquatics Improvements: There is currently \$500,000 identified in the 5-year CIP in 2017 (Capital Projects Fund, Adams County Open Space) for improvements to the Kiwanis Bath House and an additional \$300,000 identified for the Splash Pad (Conservation Trust Fund). These funds would allow for the design and construction of a new bath house at Kiwanis, and the addition of a splash pad, either at Kiwanis or at an alternate location in the city. Up to \$800,000, or 50% of the project cost, in grant funds was requested through this grant cycle.

Park Property Acquisition: The property at 421 W. 112th Avenue was purchased in 2016 for \$420,000. With the intention to utilize this property for future park development, grant funds were requested for the acquisition of that property. The full allowable amount of \$252,000, or 60% of the purchase price, was requested through this grant cycle.

When the City moves forward with the development of this property, additional grant funds may be sought for both design and construction. If the park is developed as a passive use space (walking trails, open space, landscaped areas), up to 70% of the design and construction costs

may be requested. If the park is developed as an active use space (playground, sports field, etc.), up to 60% of the design and construction costs may be requested. This would be in addition to any grant funds awarded for the property acquisition, and can be done at any time in the future.

UPDATE

Both grant requests were recommended for full funding by the Adams County Open Space Advisory Board in April 2017; those recommendations were approved by the County Commissioners on May 2, 2017.

The 2017 work plan includes identifying the future use of the property at 421 W. 112th Avenue. By accepting Adams County Open Space grant funds for the purchase of this property, its use is restricted to park, open space, nature area or similar function. The grant was awarded in the active use category, which is less restrictive than the passive use distinction (property acquired with active use funding may be used for passive recreation, but not vice versa).

Staff have begun preliminary exploration as to possible uses of the property, and early estimates for conceptual development. Staff believes that this is likely an active, neighborhood park space, accessible primarily on foot with limited large group congregation areas. A unique playground space (possibly a nature-play theme), picnic tables and benches, walking trails, planting beds, and grassy play areas that take advantage of the existing topography would be appropriate amenities.

Students from Global Village Academy, the school closest to the park, are developing ideas for the park.

Since this is an undeveloped parcel, staff recommends a two-phase approach to the development of this space. The first phase, with a projected cost of \$20-25,000 would include additional public outreach and the development of a conceptual plan for the space. Staff recommends that funding be considered for this phase during the 2018 budget process. The second phase would be a design-build process for the construction of the park, anticipated to be complete in 2019.

BUDGET/TIME IMPLICATIONS

The signed grant agreements must be submitted to Adams County within 45 days of receipt, which is no later than June 16, 2017.

The Park Property Acquisition funding will be reimbursement for funds already expended on the purchase of the property at 421 W. 112th Avenue. Once the grant agreement is approved, the reimbursement request will be processed by staff. Funds are generally received within 6-8 weeks of receipt of the request by Adams County.

The Outdoor Aquatics Improvements project will begin with design this summer, with construction anticipated in 2018. Matching funds for this grant are allocated for 2017 in the Conservation Trust Fund and the Capital Projects Fund (Adams County Open Space discretionary funds).

A future supplemental appropriation will be scheduled to budget the accepted funds.

NEXT STEPS/COUNCIL OPTIONS

Council may approve or deny the attached resolution accepting the grant agreements and the associated grant funds.

RECOMMENDATION

Staff recommends that Council approve the attached resolutions, approving the grant agreements to accept up to \$800,000 for Outdoor Aquatics Improvements and \$252,000 for Park Property Acquisition.

Grant funds must be expended within two years of receipt.

STAFF REFERENCE

Please contact Amanda Peterson at apeterson@northglenn.org or by phone at 303.450.8950 for any further questions.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-61
Series of 2017

Series of 2017

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 acquisition of property at 421 W. 112th Avenue for future park development; 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 \$252,000 for the acquisition of the park property.

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 \$252,000 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 acquisition of property at 421 W. 112th Avenue for future park development is hereby approved and the Mayor is authorized to execute same on behalf of the City.

DATED, at Northglenn, Colorado, this _____ day of _____, 2017.

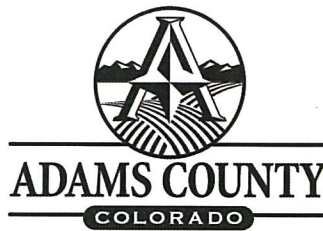
JOYCE DOWNING
Mayor

ATTEST:

APPROVED AS TO FORM:

JOHANNA SMALL, CMC
City Clerk

COREY Y. HOFFMANN
City Attorney



May 2, 2017

Amanda Peterson
11701 Community Center Drive
Northglenn, CO 80233

Re: Grant Award for the Park Property Acquisition project

Dear Amanda:

This letter is to inform you that the grant application you submitted on February 1, 2017 for the Park Property Acquisition project has been approved for funding by the Board of County Commissioners. The grant award for this project is equal to 60% of the total project funding, up to \$252,000.00.

Two full Grant Agreements are enclosed. Please read this Agreement carefully as it sets forth the binding conditions of this award between Adams County and the City of Northglenn.

The Agreements must be signed by an authorized official as designated by your agency. **Please return the original signed copies of the Agreement with all exhibits** to the Adams County Open Space office located at 9755 Henderson Road, Brighton, CO 80601. The signed Agreements must be returned to our office no later than June 16, 2017, which is 45 days from the date of award.

Once your signed agreements are received, they will be finalized by the Board of County Commissioners and a fully executed agreement will be returned back to your agency.

For additional information about this process, please contact me at 303-637-8072 or email rpetersen@adcogov.org.

Sincerely,

Renee Petersen
Open Space Grant Coordinator

Enclosure

cc: File

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3
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Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

ADAMS COUNTY OPEN SPACE GRANT AGREEMENT #OSG2017-00008

The Grant Agreement ("Agreement") is made and entered into this ____ day of _____, 201__, 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, the majority of the revenues collected are distributed to qualifying jurisdictions through a competitive grant process; and

WHEREAS, on February 1, 2017, Applicant applied for an Adams County Open Space Grant to complete the Park Property Acquisition project (the "Project"); and

WHEREAS, on May 2, 2017, Adams County awarded Applicant an Adams County Open Space Grant to complete the Project; and

WHEREAS, Adams County awarded the Project 60% of the total Project costs, not to exceed \$252,000.00.

AGREEMENT

NOW, THEREFORE, the Parties hereto agree as follows:

1. Grant Award. Adams County hereby awards to Applicant a grant in the amount of 60% of the total Project costs, not to exceed \$252,000.00 (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 A ("Project Scope") and incorporated herein by this reference. Exhibit A 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 stated on page 13 of the Open Space Policies and Procedures, attached as Exhibit B 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 May 2, 2019, which is two years after the date of Adams County's approval of the Project ("Completion Date"). 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 stated on page 12 of the Open Space Policies and Procedures, Exhibit B, 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. Open Space Sales Tax. Applicant shall use the Grant in accordance with Resolution 99-1, attached hereto on page 22 of the Open Space Policies and Procedures, Exhibit B.
5. Policies and Procedures. Applicant shall comply with the Open Space Policies and Procedures, attached hereto as Exhibit B and incorporated herein by this reference.
6. 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 Resolution 99-1 on page 22 of the Open Space Policies and Procedures, Exhibit B.
7. Payment of Grant. Adams County will pay the Grant to Applicant upon successful completion of the Project. Prior to the payment of the Grant, Staff shall conduct a due diligence review of the Project, the results of which must be satisfactory to Adams County in its sole discretion. Applicant shall assist and cooperate with the Staff in conducting such due diligence review, and in connection therewith shall provide the Staff with all invoices, cancelled checks, and land documents, as well as other documentation and information reasonably requested by the Staff.
8. 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.
9. 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 passed by the Adams County voters in 1999, and reauthorized in November 2004, to be extended until December 31, 2026."

10. 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.
- 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:
STAN MARTIN, CLERK

Deputy Clerk

APPROVED AS TO FORM:

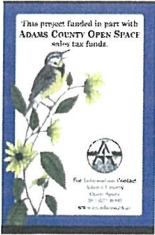
County Attorney's Office

CITY OF NORTHGLENN, APPLICANT

By (signature)

Printed name

Title



Adams County Open Space Grant Application
Active Use
Due Date: February 1, 2017

Case No. _____

PART I: ELIGIBILITY CRITERIA

| Project Information | |
|------------------------------|---------------------------|
| Applicant Organization Name: | City of Northglenn |
| Sponsoring Jurisdiction: | |
| Name of Project: | Park Property Acquisition |

| Contact Information | | | |
|---|------------------------------|----------------|---|
| Primary Contact Name: | Amanda J. Peterson | Title: | Director of Parks, Recreation & Culture |
| Phone: | (303) 450-8950 | Email: | apeterson@northglenn.org |
| Address: | 11701 Community Center Drive | | |
| City: | Northglenn | State: | CO Zip: 80233 |
| The contact name provided above will be used for all official correspondence. In the event that the primary contact is not available, please list any additional contacts for this project. | | | |
| Name: | Title: | Phone: | Email: |
| Dana Kester | Parks Project Coordinator | (303) 917-1153 | dkester@northglenn.org |
| | | | |

| Project Summary | Budget Summary | | | | | | | | | | |
|---|--|----------------------------------|--------------|---|--|----------------------------------|--------------|----------------------|--------------|----------------|-----------------------------|
| <p><i>Briefly describe your project (<100 words).</i></p> <p>The city has a very rare opportunity to expand our park system with the addition of a new park. This project includes the acquisition of a 3.43 acre parcel at 421 West 112th Avenue, for the future development of a park at this location. This park will serve the adjacent neighborhood, which currently does not have an active-use space within reasonable walking distance, as well as enhance the city's new justice center campus with an additional public amenity.</p> | <table border="1"> <tbody> <tr> <td>Grant Request (this cycle only):</td> <td>\$252,000.00</td> </tr> <tr> <td>Previous ADCO Grants (this project only):</td> <td></td> </tr> <tr> <td>Matching Funds (cash + in-kind):</td> <td>\$168,000.00</td> </tr> <tr> <td>Total Project Costs:</td> <td>\$420,000.00</td> </tr> <tr> <td>Grant Request:</td> <td>60 % of Total Project Costs</td> </tr> </tbody> </table> <p>Complete the Project Budget labeled Attachment A at the end of this application.</p> | Grant Request (this cycle only): | \$252,000.00 | Previous ADCO Grants (this project only): | | Matching Funds (cash + in-kind): | \$168,000.00 | Total Project Costs: | \$420,000.00 | Grant Request: | 60 % of Total Project Costs |
| Grant Request (this cycle only): | \$252,000.00 | | | | | | | | | | |
| Previous ADCO Grants (this project only): | | | | | | | | | | | |
| Matching Funds (cash + in-kind): | \$168,000.00 | | | | | | | | | | |
| Total Project Costs: | \$420,000.00 | | | | | | | | | | |
| Grant Request: | 60 % of Total Project Costs | | | | | | | | | | |



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Active Use
Due Date: February 1, 2017

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Summary of Funding

1. Previous Funding

a. Pursuant to the Open Space Policies and Procedures, a project can be submitted for funding consideration up to three (3) times.

i. Has this grant been submitted for funding consideration in a previous grant cycle?

☒ Yes ☐ No

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

Grant Cycle:

Award Amount:

Fall 2016

\$0.00

Property Location Information

Project Site Address: 421 West 112th Avenue

Nearest cross streets: West 112th Avenue and Elati Street

Parcel ID# (REQUIRED): 0171903000005

Is this project located within Adams County? ☒ Yes ☐ No

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

Land Acquisition Summary (if applicable)

Number of acres: 3.43 Cost per acre: \$122,440.00

Appraised price per acre:

If the purchase price is more than the appraisal price, please explain:

The appraised value of this property is \$385,000-\$410,000. The negotiated purchase price is approximately 2.5-10% above the appraised value. As per the appraisal, the most likely use for this property is for an owner-occupied residential or a multi-unit residential development. The current owner desires to sell the property, if not to the city then to a private buyer. If the city does not purchase the property, this opportunity to secure the property as open space will likely be lost for the foreseeable future.

To ensure that this space can be preserved as open space, enhancing the Justice Center campus and the neighborhood, the purchase price of \$420,000 was negotiated and agreed upon. Northglenn's City Council approved moving forward with the contract at the agreed upon price at the regular City Council meeting on June 27, 2016.

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



Adams County Open Space Grant Application
Active Use
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Are there any known existing easements on the project site? ☐ Yes ☒ No
If yes, attach copies of the easement and label as **Attachment L**.

PART II: SELECTION CRITERIA

The criteria listed below will be scored by the Open Space Advisory Board.

Grant Fund Use Category (0-100 point total)

1. Project Description (0-25 points)

- a. Please describe each component of the project and scope of work in detail. Attach a Project Timeline and label as **Attachment B**.

This project only includes the acquisition of the property at 421 West 112th Avenue. The single residential unit on the property is currently tenant-occupied, with a month-to-month lease. It is anticipated that the tenant will vacate the property within the year. Once the property is vacant, the house and property will be further evaluated.

Anticipated first steps include a general clean up of the exterior of the property, and evaluation of the condition of the house. The house will eventually be demolished, and the property returned to a native state.

In a future phase, once a plan is fully developed, the space will be developed into a park. At this time, the project is categorized as an "active" project, although the final concept for the park that will be established on the site is not fully defined.

- b. Attach a Project Site Plan that identifies all project components and label as **Attachment D**.
c. Does this project contain areas that will help separate park amenities from surrounding neighborhoods, roads, schools, etc.? If yes, clearly identify these areas on the Project Site Plan.

The property is bounded on the north and north/west by Community Center Drive, on the east with water towers, and on the south with an established residential neighborhood. A school, Global Village Academy, is located on the opposite side of the street, on Community Center Drive.

Trails that will be developed through the property will help better connect the school with the new park, as well as with the adjacent neighborhood.

2. Community Need/Urgency (0-25 points)

- 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.).

The adjacent residential neighborhood is well-established, and has two passive-use parks in walking distance, but no active-use parks. Approximately 17 of these residents recently signed an informal petition asking for a playground at the nearby Winburn Park. Due to a lack of parking and conflict with the current passive uses of this space, Winburn is not an ideal location for a children's playground. This new park, however, would be a much better location. An additional 10 residents and school officials submitted letters of support, further indicating their desire for this property to be improved as a park space.

The nearby Global Village Academy is housed in a former warehouse/call center building, with little green space on the site. The students currently walk to Winburn Park to use the open grassy area - with a promise that anyone who drives to that site will not park in the adjacent business park. A park right across



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the street would be well-utilized by these students, both during school activities and during out of school hours.

The park would also serve the employees and visitors of the new Justice Center, which will include the municipal court and police department.

- 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.

Due to the volatile nature of the real-estate market, and the desire of the owner to sell the property, the city needed to act quickly in order to ensure that this property could be preserved as open space. Without a swift decision, the seller would have likely found another buyer, and the property would likely have been lost as a new park opportunity.

Since a decision was made quickly to acquire this property, funds were not budgeted in the city's 2016 operating budget. As such, a supplemental appropriation from the city's General Fund was made in June 2016 - less than one month before the scheduled closing on July 22, 2016.

This supplemental came from the city's reserves. These are funds that would otherwise be used for other projects, or for the future development of this space into a park. If funds are not granted this cycle, the future development of the park may be delayed until additional funds can be identified.

3. Uses/Users (0-25 points)

- a. Describe all current and anticipated future uses of the project, including all programmed and non-programmed activities. Explain how this project will appeal to a broad diversity of users.

The property is currently privately owned, and has a single tenant-occupied house with a month-to-month lease. The owner of the property is highly interested in selling the property. Local residents have described the property as a "monstrosity," "unkept" and "an eyesore."

It is the city's intention to purchase the property and change the use from residential to park/open space. A specific concept of the future park space has not yet been fully developed, however, residents have voiced an interest in a playground and other active-use park amenities.

This property was privately owned, with no public access. As indicated previously, the property has not been maintained to a high standard. Purchasing this property, improving its appearance and developing a park will appeal to the long-standing property owners who live in the adjacent neighborhood.

Ultimately, it is anticipated that this property will be a place for these residents to bring their children to play. Since Global Village Academy is a magnet school, students from this school attend from throughout the metro area - not just the immediate neighborhood. The park would be accessible for school events, as well as a great stop for families before heading home after school. With the construction of the Justice Center, the nearby park will be a great asset for both visitors and employees.

4. Connectivity (0-20 points)

- a. Explain how this project fits into a regional or master plan. Attach relevant portions of the plan(s) and label as **Attachment G** (limit 3 pages).

The city has not made any purchases of private property to re-purpose as park property. It was assumed that in most cases, it would not be feasible to purchase privately owned property for park use, nor were any parcels identified as good potential park locations. With the decision to build the new Justice Center on the adjacent city-owned property, and the decision of the owner to sell this property, an ideal situation was created. Although the purchase of this property was not identified specifically in the Parks and



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Recreation Master Plan, the plan states "The authors of both the Master Plan and the Implementation Plan recognized that the parks and recreation desires and preferences of the community are continually evolving...." Although the timing of the purchase of this property did not allow for the Parks and Recreation Advisory Board to include this as a priority in the Parks and Recreation Master Plan, it is expected that it will be included in the 2017 revision.

- 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.

This acquisition will help create one contiguous, city-owned, publicly accessible space - the city already owns the property on the east and west side of this parcel. The entire parcel is bound by Community Center Drive, I-25 and 112th Avenue. The city's new Justice Center is currently in development for the already city-owned western portion of the parcel. This facility, along with the new park that can be developed with the acquisition of this property, are intended to create a landmark in Northglenn that residents and visitors will be proud of.

5. Open Space Sales Tax Goals (0-5 points)

- 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.

The use of Adams County Open Space funds to complete this project meets the definition provided within section 8(c)(i)(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."

The use of open space funds to acquire this property for future development as a park is clearly defined as an acceptable use within Resolution 99-1.

Project Funding (0-30 points)

1. Funding Summary

| | | |
|----------------------------|---|--|
| Grant Request | <input type="text" value="\$252,000.00"/> | (this grant cycle only) |
| Previous ADCO Grant Awards | <input type="text"/> | (combined total - for this project only) |
| Cash Match | <input type="text" value="\$168,000.00"/> | |
| In-Kind Match | <input type="text"/> | |
| Total Project Costs | <input type="text" value="\$420,000.00"/> | |

Grant Request = % of the Total Project Costs

Budget Narrative - Justify the costs included in the project budget as Attachment A (i.e., how land value was estimated without an appraisal, how costs were estimated on equipment or staff time, etc.).

The property was appraised in its current condition, without access to the interior of the home. This assessment was based on market conditions, comparable properties, property records and the existing conditions on the property. The property includes a 2,300 square foot home and 800 square foot detached garage, constructed in 1958. The property was last sold in 2000 for \$342,000.

The value of securing this property for park use was deemed to be of great enough importance to negotiate with



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the seller to secure the property. Although it would have been preferred to purchase the property at a lower cost, this was the lowest price that could be negotiated with the owner, and is believed to be an acceptable cost to ensure that this property can be redeveloped as a publicly accessible park.

Please detail the financial or donated contributions of other partners or in-kind sources.

N/A

2. 30% Distribution

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

☐ Yes ☒ No ☐ Not Applicable

If yes, please list the amount being used:

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 H**.

4. Partnerships and Sources of Funds

Please complete **Attachment C - Source of Funds**. See example at the end of this application for guidance.

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 I**.

Project Support (0-30 points)

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.).

The opportunity to purchase this property only came to fruition in the past several months. During this time, there was limited public outreach, due to the confidential nature of contract negotiations. Once a contract agreement was reached in late June, notice of the intention to purchase the property was published in the July edition of Northglenn Connection (mailed to every household in Northglenn), posted on social media and discussed in public meetings, including the July 13 Mayor on the Move. Public comments have been entirely favorable, as can be seen in the attached letters of support.

2. Letters of Support

Provide letters of support from at least two of the categories listed below and label as **Attachment J**:

- Adjacent landowners
- Adjacent cities or counties
- Federal or state agencies
- School districts or special districts
- Individual users or user groups

* Letters must have been written within the past 12 months.

* Form letters will not be accepted.

* All letters of support must be submitted with grant applications. Letters received after the application deadline will not be accepted.



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Project Management and Applicant's Past Performance of Awarded Projects (0-15 points)

1. Long-term Management

- a. Describe how this project will be managed for long-term sustainability. Include in your answer the entity responsible for maintenance, the available resources, and the typical maintenance schedule.

The City of Northglenn has a long-standing history of maintaining parks, rights of ways and open space to a high standard, in a cost-efficient and responsible manner. The short-term maintenance of this park will include basic mowing and can be absorbed into the existing staffing schedule. It is anticipated that the space will be maintained on a similar schedule to other city open spaces, with mowing activities occurring once every two to three weeks during the summer season. Snow will be removed in accordance to city ordinances.

The long-term maintenance plan will be dependent upon the type of park space that is developed. As the city continues to improve parks, open spaces and rights of ways, with an increasing expectation of maintaining a high standard, there may be a need to increase staffing of the parks division to achieve that standard. A plan is currently being developed for consideration to add two parks maintenance staff members to absorb the additional work that has been and is anticipated to be created. It is anticipated that funding for this request would be from the city's General Fund.

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

☐ Yes ☒ No

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

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 5 projects). For example, if this is a trail project, list completed trail projects.

| Project Name: | Project Manager: | Award Date: | Completion Date: |
|------------------------------------|------------------|-------------|------------------|
| Larson Park Playground Replacement | Dana Kester | Spring 2015 | 2016 |
| | | | |
| | | | |
| | | | |
| | | | |

3. Pending Projects

Please list all projects that have been awarded ADCO grant funds but have not yet been completed.

-- If an extension has been granted, please list the new due date in the "Due Date" column.

-- If a project is past due, explain why the project has not yet been completed.

| Project Name: | Award Amount: | Due Date: | Explain: |
|---------------------------------|---------------|-----------|----------|
| Fox Run Open Space Improvements | \$94,355.00 | Fall 2017 | |
| Northwest Open Space Design | \$120,000.00 | Fall 2017 | |
| | | | |
| | | | |



Adams County Open Space Grant Application
Active Use
Due Date: February 1, 2017

Case No. _____

| Project Name: | Award Amount: | Due Date: | Explain: |
|---------------|---------------|-----------|----------|
| | | | |

Please deliver **12 sets** of the application and one electronic version (either through email to rpetersen@adcogov.org or on a CD) to the Adams County Open Space Staff no later than **4:30 P.M. on February 1, 2017**. Please bind all 12 copies with either binder clips or rubber bands (no staples or permanent bindings please). **Applicants are strongly encouraged to use both sides of the paper when printing completed applications.**

Please include the following attachments at the end of the application - not to exceed 11" x 17":

- Attachment A - Project Budget
- Attachment B - Project Timeline
- Attachment C - Source of Funds
- Attachment D - Project Site Plan
- Attachment E - Location Map
- Attachment F - Access or Maintenance Agreements (if applicable)
- Attachment G - Master or Regional Plan (limit 3 pages)
- Attachment H - Letter of Sponsorship from Qualified Jurisdiction (if applicable)
- Attachment I - Letters of Commitment from Project Partners
- Attachment J - Letters of Support

If this request is to acquire land, please include the following attachments - not to exceed 11" x 17":

- Attachment K - Buyer's Appraisal. Provide one complete copy of the appraisal. Attach a copy of the appraisal summary to each of the 12 copies of the application.
- Attachment L - Easement(s) (if applicable)

All facilities or land must be accessible to the public, except for conservation easements for agricultural and/or wildlife habitat preservation. All accessible facilities and land must comply with the Americans with Disabilities Act (ADA) and any applicable state or local regulations.

The Applicant understands that no land or interests acquired with revenues of the Opens Space Sales Tax may be sold, leased, traded or otherwise conveyed, nor may an exclusive license or permit on such land or interest be given, without the approval of such action by the BoCC. See resolution 99-1, Section 8(C)(iv).

I, the undersigned, having the authority to act on behalf of, acknowledge the receipt of the Adams County Open Space Policies and Procedures and agree to abide by the same.

Upon award of the Open Space Sales Tax funds, all participants are required to enter into a Grant Agreement with Adams County. In the case of land acquisitions, a conservation easement or Declaration of Covenants, Conditions and Restrictions will be required prior to receiving reimbursement.

Applicant's Signature: 

Date: February 1, 2017

Print Name: Amanda J. Peterson

Print Title: Director of Parks, Recreation and Culture

Attachment A - Project Budget

Date: February 1, 2017

Project Name: Park Property Acquisition

Amount Requested: \$252,000.00

% Total Project Costs: 60

All organizations or individuals providing in-kind contributions are required to provide a letter of commitment outlining their contribution(s) as stated in the Project Budget.

| 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 |
|--------------------------------------|---------------------|---------------------|---------------------|---------------|---|---------------------|
| Property Acquisition, Contract Price | \$252,000.00 | | \$168,000.00 | | | \$420,000.00 |
| <i>Budget Total</i> | <i>\$252,000.00</i> | | <i>\$168,000.00</i> | | | <i>\$420,000.00</i> |

Attachment B - Estimated Project Timeline

Project Name:

Park Property Acquisition

Date:

February 1, 2017

Timeline should reflect scheduling for each task of your project over the next 24 months. Describe each task of your project and put an X in the column to the right for the month that task will occur.

| Description of Task | January 2016 | April 2016 | July 2016 | August 2016 | September 2016 | October 2016 | November 2016 | December 2016 | January 2017 | February 2017 | | |
|---|--------------|------------|-----------|-------------|----------------|--------------|---------------|---------------|--------------|---------------|--|--|
| Appraisal | X | | | | | | | | | | | |
| Contract Negotiations | | X | | | | | | | | | | |
| Final Closing | | | X | | | | | | | | | |
| Tenant Occupied | | | | X | X | X | X | X | | | | |
| Property Evaluation/Preliminary Cleanup | | | | X | | | | | | | | |
| Property Cleanup/Demolition of House | | | | | | | | | X | X | | |

| Description of Task | | | | | | | | | | | | |
|---------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | |

Attachment C - Source of Funds

Project Name:

Amount Requested:

% Total Project Costs:

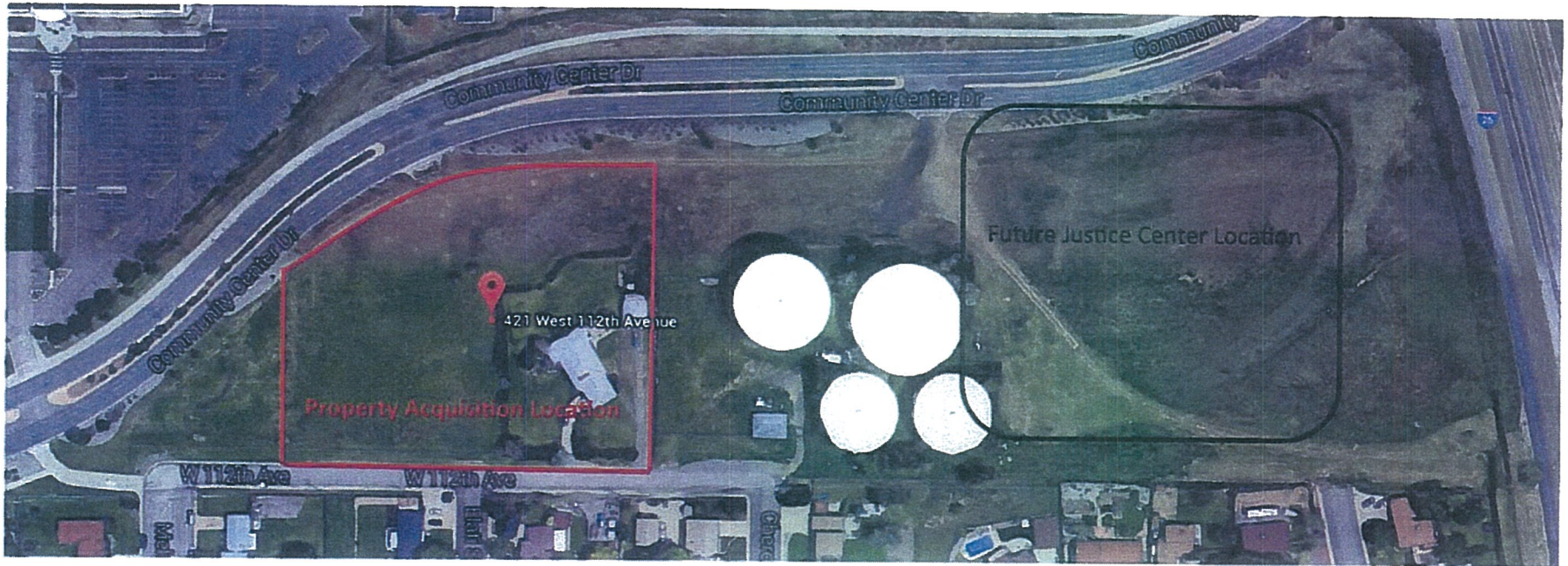
In the chart below, please list all sources of funds. For partners, please provide a brief description of the contribution.

With regard to the Applicant's contribution, only fill out the "Brief Description of Contribution" if the Applicant is making an in-kind contribution.

| Source of Funds | Date Secured | Grant Request | Previous ADCO Grant Awards | Cash Match | In-Kind Match | Total Funding | Brief Description of Contribution (<10 words) |
|---------------------------------------|--------------|---------------------|----------------------------|---------------------|---------------|---------------------|---|
| City of Northglenn General Fund | 6/27/2016 | | | \$168,000.00 | | \$168,000.00 | Funds were made available for this project through a supplemental appropriation |
| Adams County Open Space Grant Request | Pending | \$252,000.00 | | | | \$252,000.00 | |
| <i>Total</i> | | <i>\$252,000.00</i> | | <i>\$168,000.00</i> | | <i>\$420,000.00</i> | |

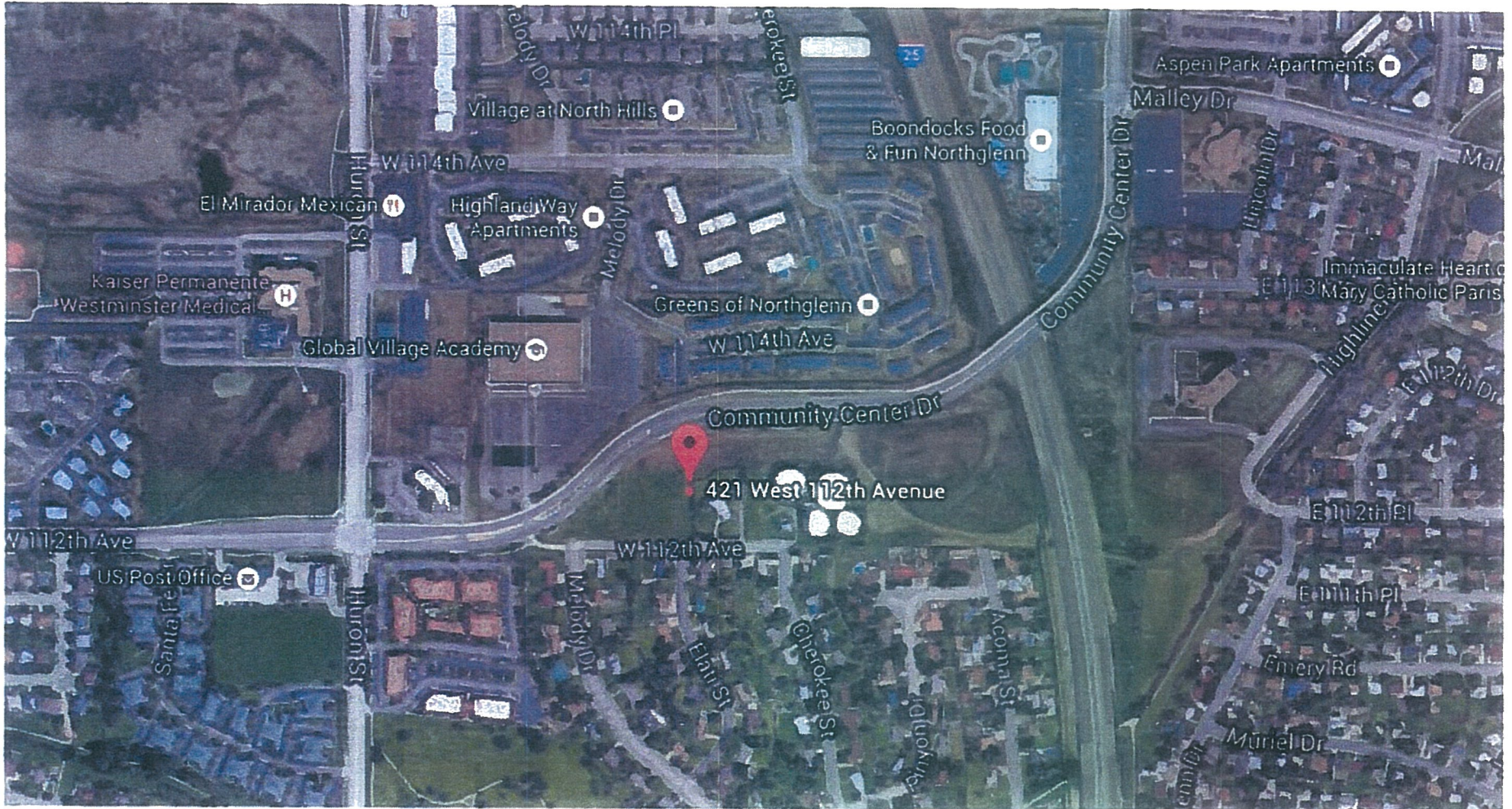
ATTACHMENT D

Project Site Plan



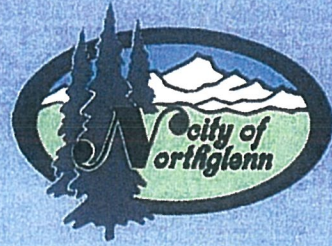
ATTACHMENT E

Location Map



Directions to Site: Take 104th Ave west, towards Huron St. Drive north on Huron St, and east on 112th Ave. The property is located on the right, at 421 West 112th Ave.

**City of Northglenn
Department of Parks, Recreation &
Cultural Services**



Parks & Recreation Master Plan

2011 Revision

Introduction

Purpose

As per Chapter 17-2-7(d) of the Northglenn Municipal Code, the Parks and Recreation Advisory Board has the following responsibility:

“To assist and advise the City Manager and the City Council in determining the community’s needs and desires for parks, programs and facilities in relationship to the Park’s Master Plan and to continually update the Parks Master Plan on a yearly basis to achieve an equitable balance, within reason, of parks, programs and facilities in the city.”

The following document is submitted in accordance with Chapter 17-2-7(d) of the Northglenn Municipal Code.

Background

In 1986, City Council adopted the City’s first comprehensive Parks and Recreation Master Plan. In addition, upon adoption of the Master Plan, the Council appointed a Task Force to develop a ten (10) year Implementation Plan for the Master Plan. Membership on the Task Force included representatives of City Council, the Parks and Recreation Advisory Board, the Planning Commission and City Staff. The ten (10) year Implementation Plan was adopted by City Council in 1987.

The authors of both the Master Plan and the Implementation Plan recognized that the parks and recreation desires and preferences of the community are continually evolving and recommended that

an annual evaluation be conducted to address and consider revisions to the plan. The Parks and Recreation Advisory Board are thus charged with conducting an annual review of the Master Plan and making recommendations for its update and revision.

The 2011 revision includes a new format, with a focus on compiling a complete, current inventory of existing parks and facilities, as well as a 5-year Capital Improvement Plan and an extended list of future capital improvement needs and desires.

Goals and Actions

This Master Plan seeks to complement City-wide efforts and organizational direction as it relates to the roles and functions of the Parks and Recreation Advisory Board and staff to achieve near-term and long-term capital improvements to the City’s parks, public grounds, and recreational assets and amenities. Existing plans and goals, such as the City’s Comprehensive Plan and City Council Goals are referenced to ensure consistency across departments.

It is hoped and anticipated that the community at large will support the efforts of staff and the public process that occurred to have identified and listed the noted and desired improvements to our recreational and leisure time assets. This document is intended to serve as a roadmap to guide staff toward the successful completion of multiple projects, pending the availability of required financial resources, to help assure the achievement of Council goals and the City Manager’s goals and the expressed wishes of the public, and in so doing

ATTACHMENT G

Page 3 of 4

provide a contribution to achieving what we all cooperatively strive for. When applicable, projects described within this Master Plan refers to the current goals as stated below.

As most recently discussed in late 2010, the City Council Goals are:

Economic Development

- Back fill blighted areas (with pursuit of an additional grocer)
- 120th and Grant St. Development
- Retention of existing Businesses

Infrastructure

- Water Rights
- Waste Water Treatment Plant
- Recreation Center
 - Fire code compliance
 - Repairs and improvements
- Maintenance of city buildings, parks and roads - ongoing and deferred
- Fast Tracks

Safety

- Increased visibility of police department
- Community Policing/Neighborhood watch
- Water

Fiscally responsible city government

- Financial sound budget
- Improve financial situation
- Community governance with civic involvement
- Build and encourage strong teamwork

Develop a sense of Community

- Improve perception of the city through the eyes of the citizens, other municipalities and businesses
- Improve communications with the Public & Legislators

- Enhance Channel 8 Programming with important messages
- Enhance the Northglenn Connection
- Press Releases
- Citizen Survey
- Ward Meetings
- Website
- Meetings

The City Manager's Goals, as applicable to this document and as identified for 2011 are:

Financial Management

- Continue to provide accurate & timely financial information to City Council and the Public
- Actively pursue federal, state, local & private grants
- Complete inventory of unfunded capital improvements
- Propose plan for use of revenues from .05% sales tax approved at Nov. 2010 election

City Facilities and Infrastructure

- Complete Energy Audit for City Buildings and Facilities – Determine future action
- Complete Recreation Center Fire Code Compliance Improvements
- Consider other Capital Improvements to Recreation Center
- Complete Skate Park

Productive Work Environment and Employee Excellence

- Develop, coordinate and deliver monthly training programs to help staff and managers accomplish personal and professional goals while enriching the organization
- Implement an ongoing employee safety awareness program during

first quarter 2011

- Provide an employee recognition program designed to recognize and reward employees and employee groups for excellence in support of the City's mission and goals
- Employ a continuous improvement philosophy at the City, by instilling enthusiasm and commitment to examining and improving processes on a regular basis from top to bottom

Citizen Communication & Engagement

- Develop and produce new City web site
- Continue to provide comprehensive information to Northglenn residents to educate the public on how their tax dollars are spent and to foster transparency in government. Continue to publish and distribute the Northglenn Connection monthly and issue news releases to the media
- Administer a Citizen Survey to measure citizen's opinions about city services and their local government
- Provide three (3) city sponsored community and family friendly events by December 31, 2011, to include Kids Fishing Derby, July 4th Family Festival and Noel Northglenn
- Complete a comprehensive evaluation of citizen recognition at the City of Northglenn by July 31, 2011

General Administration

- Complete the ICS 200 National Incident Management System
- Build a more inclusive Northglenn

Parks & Facility Inventory

Parks

Alvin B. Thomas Park

This neighborhood park is located at the corner of Leroy Drive and Rosalie Drive. The park is composed of approximately 2.7 acres of turf, along with basketball courts, a children's playground, a small picnic shelter with tables and a grill. The turf field is occasionally used for organized soccer practices. In 1981, this park was dedicated to former Mayor Alvin B. Thomas. This park is scheduled for renovation in 2011.

Eleanor M. Wyatt Centennial Park

This quiet, passive recreation space is located on Kennedy Drive and Melody Drive, just to the north of the Northglenn Marketplace. This park is the home of the Centennial Bell flower bed, a native flower bed and the Rose Garden, maintained by the Northglenn Garden Club. In dedication of the Nation's 200th Anniversary and the State of Colorado's 100th Anniversary, a time capsule is buried in the park, and is scheduled to be opened on August 1, 2026, and then re-buried until July 4, 2076. This park was originally named the "Civic Gardens," and was re-named after Eleanor M. Wyatt in 1981 for her contribution and dedication to the Northglenn Metropolitan Recreation District and the Northglenn Garden Club.

Charles C. Winburn Park

This larger park is located on Huron, just south of 112th Avenue. This area is the home of the Winburn Ponds, a small gazebo and a large turf field. The turf field is utilized seasonally for football and rugby

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-74
Series of 2016

16-74
Series of 2016

A RESOLUTION SUPPORTING A GRANT APPLICATION TO BE SUBMITTED TO THE ADAMS COUNTY OPEN SPACE FOR FUNDING FOR THE ACQUISITION OF PARK PROPERTY

WHEREAS, a contract to purchase the property at 421 W. 112th Avenue has been approved by the Northglenn City Council with the intention to utilize the property for future park development;

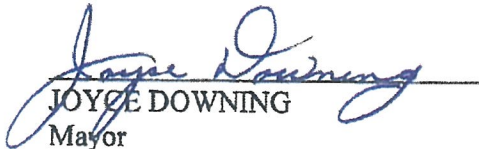
WHEREAS, the Northglenn City Council believes the additional park space will enhance the recreational amenities to users of all ages and believes it is appropriate for the City to apply for an Adams County Open Space Grant for the acquisition of the property; and

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 acquisition of park property at 421 W. 112th Avenue.

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 acquisition of property located at 421 W. 112th Avenue for future park development.

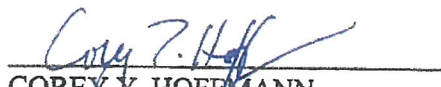
DATED, at Northglenn, Colorado, this 11th day of July, 2016.


JOYCE DOWNING
Mayor

ATTEST:

APPROVED AS TO FORM:


JOHANNA SMALL, CMC
City Clerk


COREY Y. HOFFMANN
City Attorney

Attachment H
Letters of Commitment

Amanda Peterson - 421 W 112th Ave

From: Nicole Caldwell <ncaldwell@gvaschools.org>
To: <apeterson@northglenn.org>
Date: 7/19/2016 4:57 PM
Subject: 421 W 112th Ave

Hello Amanda,

As principal of Global Village Academy Northglenn, I would like to express my full support of the development of 421 W 112th Ave into a parks and recreation space. This would not only benefit our students and their families, but it will also help in the beautification of the area surrounding our school.

On a side note, I would love to somehow involve our middle school students in the "planning" of this space. Our middle school model centers on project based and authentic learning experiences. If our students can help or observe at any point during the process, we would be grateful! I can see this lending itself to a great science, civics, english or community service project.

Thank you for your consideration and good luck with your mission. Let me know if there is anything further that you need from me.

Best,
Nicole

*Nicole Caldwell
Principal
Global Village Academy - Northglenn
(303) 446-7100*

Attachment J
Letters of Support
School or School District

Amanda Peterson - Fwd: Re: New Park Support

From: Amanda Peterson
To: Mullica, Kyle
Subject: Fwd: Re: New Park Support

To Whom It May Concern;

My name is Kyle Mullica and I live at 11187 Elati St. in Northglenn. I am writing in support of the park property acquisition at 421 W. 112th Ave. The idea of creating a park is intriguing and would be beneficial to our community. Currently the property sits as an unkempt open field that is an eyesore for our community. We have the opportunity of creating a place where our community can gather and have a place to be proud of.

I am asking the Adams County Open Space Advisory Board to fully fund the Northglenn request for 60% of the acquisition cost for the property. Our community is going to greatly benefit from this new park, and I look forward to seeing the whole water tower site redeveloped in the near future. Thank for your time and consideration. Please feel free to contact me if you have any questions.

Sincerely,

Kyle Mullica
11187 Elati St.
Northglenn, CO 80234

Attachment J
Letters of Support
Adjacent Property Owner

Amanda Peterson - Fwd: Re: New Park Support

From: Amanda Peterson
To: Mullica, Kyle
Subject: Fwd: Re: New Park Support

>>> Stephanie Markovich <luvablegirl506@gmail.com> 07/09/16 6:53 AM >>>

Whom It May Concern;

My name is Stephanie Troutt and I live at 11177 Elati St. in Northglenn. I am writing in support of the park property addition at 421 W. 112th Ave. The idea of creating a park is great and I feel the community would benefit immensely. As of now, the property sits as an open monstrosity and is not very pretty. I feel the opportunity of building a park should not be turned down.

Parks bring many benefits to a community.

Parks strengthen community image and sense of place, promotes health and wellness (physical benefits), social benefits, self confidence benefits, and mental benefits.

They are asking the Adams County Open Space Advisory Board to fully fund the Northglenn request for 60% of the acquisition cost for the property. We look forward to seeing the open space turned into something of benefit in the near future. Thank for your time and consideration. Please feel free to contact me if you have any questions.

Stephanie Troutt
11177 Elati St
Northglenn, Co. 80234

Attachment J
Letters of Support
User or User Group

Amanda Peterson - Fwd: New Park Support

From: FRANK KERBER <kerbf66@gmail.com>
To: <apeterson@northglenn.org>
Date: 7/8/2016 5:34 PM
Subject: Fwd: New Park Support

To Whom It May Concern;

Our names are Frank and Mary Kerber and live at 11159 Melody Dr. in Northglenn. We are writing in support of the park property acquisition at 421 W. 112th Ave. The idea of creating a park is outstanding and would be beneficial to our community. Currently the property sits as an unkempt open field that is an eyesore for our community. We have the opportunity of creating a place where our community can gather and have a place to be proud of.

We are asking the Adams County Open Space Advisory Board to fully fund the Northglenn request for 60% of the acquisition cost for the property. Our community is going to greatly benefit from this new park. We look forward to seeing the whole water tower site redeveloped in the near future. Thank for your time and consideration. Please feel free to contact us if you have any questions.

Sincerely,

Frank and Mary Kerber

11159 Melody Dr.

Northglenn, Co. 80234

Attachment J
Letters of Support
User or User Group

Christopher C. and Sonja H. Baum
11176 Livingston Dr.
Northglenn, CO 80234
720-609-1100
cbaum@chrisbaum.com

Amanda J. Peterson
Director of Parks, Recreation and Culture
City of Northglenn
11701 Community Center Drive
Northglenn CO 80233

Dear Mrs. Peterson:

I am writing to express my support for the acquisition of the property at 421 West 112th Avenue in Northglenn. This would be a very useful plot for the placement of a playground or just as open space. With the plans for a new police station and courthouse in the immediate vicinity, it would be extremely useful to have a park nearby to accommodate visitors to the new facilities. The nearest playgrounds are over 1 mile from this site and will not be convenient for those going to the justice center. Plus the proposed site is surrounded by residential neighborhoods that could make good use of a park.

Thanks for doing this.

Sincerely yours,



Attachment J
Letters of Support
User or User Group

Amanda Peterson - Support letter for proposed park and park improvements

From: Joel Szymanski
To: Peterson, Amanda
Date: 7/18/2016 1:57 PM
Subject: Support letter for proposed park and park improvements

I am writing this letter to show support for the proposed park addition in the city of Northglenn. I am not only a Northglenn resident, but a city employee as well. I see first hand the need for additional park space and playgrounds. This location, along Community Center Dr. overpass, is close to my home and has the highest elevation in the area. You can see downtown Denver, the airport, and the front range mountains all at once. The perfect spot to relax under a tree, watch the clouds, or play a game with the kids. It makes sense that this area should be shared by all.

I would also like to speak for my six year old son Leo. When I explained the proposal to upgrade Kiwanis pool and amenities, he was very determined. He said he would give his own money for that. If he sees the value in making the pool better, I hope everyone does.

sincerely

Joel Szymanski,

Attachment J
Letters of Support
User or User Group

July 7, 2016

Re: Grant for Northglenn Parks Projects

Adams County Open Space Advisory Board:

As a 20-year resident of the City of Northglenn, I am in favor of all projects that help beautify our City and add more amenities for current and future families. The project at Kiwanis pool is especially near and dear to my heart.

The outdoor public pool is key to my family's summer entertainment. For years, Kiwanis has been a favored meeting place for my kids and their friends and a place where my husband and I can act like kids with them. We enjoy the new slide, the diving board and the new inflatable gym... amenities that are not offered at other pools in the area.

The funds to replace the restrooms and pool house are greatly needed. For 20 years, this has been the sore spot of our experience at Kiwanis. The facility is dark and cramped, with showers that run cold and so hard it sears the skin. The facility is old and an eye-sore on the beautiful lot. A new pool house would be such a nice benefit for the residents!

I also support the development of a new park at 112th and Elati Street in Northglenn. There is no public park in this area and it would be a nice amenity for the residents, and for visitors of the new Justice Center.

Thank you for your support of our City and our Parks & Rec development.

Respectfully,



Susan Waldman

9946 Clark Drive
Northglenn, CO 80260

Attachment J
Letters of Support
User or User Group

Petition to The City of Northglenn to Install Playground Equipment at Charles C. Winburn Park

| | |
|---------------------------------|--|
| Petition summary and background | The Charles C. Winburn Park has never had playground equipment for the children in this neighborhood. Other parks in the city are receiving replacement playground equipment. |
| Action petitioned for | We, the undersigned, are concerned citizens who urge our leaders to act now to give children in Northglenn equal access to safe playground equipment in parks in our neighborhoods that the children can walk to from home. Specifically we are requesting playground equipment be installed at the Charles C. Winburn Park. |

| Printed Name | Signature | Address | Comment | Date |
|-------------------|--------------------|------------------|---------|---------|
| Sherry Spake | <i>[Signature]</i> | 10927 Melody Dr | | 1-29-16 |
| Geraud Happe | <i>[Signature]</i> | 10907 Melody Dr | | 1-29-16 |
| Nate Horton | <i>[Signature]</i> | 10917 Melody Dr | | 1-29-16 |
| DANIEL Arguilla | <i>[Signature]</i> | 10886 Melody Dr. | | 1-29-16 |
| SHAUN BIDDLE | <i>[Signature]</i> | 10957 Melody Dr. | | 1-29-16 |
| PAULA WALTERS | <i>[Signature]</i> | 82 LINDA SUE LN | | 1-29-16 |
| Lynne Bille | <i>[Signature]</i> | 10951 Hermosa Ct | | 1-29-16 |
| Robert Guillaume | <i>[Signature]</i> | 11170 Acoma St. | | 1/30/16 |
| Roberta Guillaume | <i>[Signature]</i> | 11170 Acoma St | | 2/9/16 |
| Nick Cota | <i>[Signature]</i> | 20996 Melody St | | 2-9-16 |
| Shawn Jensen | <i>[Signature]</i> | 10996 Melody St | | 2-9-16 |
| Linda Cota | <i>[Signature]</i> | 10910 Melody Dr. | | 2-9-16 |
| Carla Jensen | <i>[Signature]</i> | 10910 Melody Dr. | | 2/9/16 |
| Lance Olivier | <i>[Signature]</i> | 162 Bonita Place | | 2-9-16 |
| Deanna Young | <i>[Signature]</i> | 10977 Melody Dr. | | 2-13-16 |
| Tommy Young | <i>[Signature]</i> | 10977 Melody Dr. | | 2-13-16 |
| Daniel McGee | <i>[Signature]</i> | 10706 Melody Dr | | 2-13-16 |

Attachment J
Letters of Support
User or User Group

From: Carol Dodge <cdodge@northglenn.org>
To: <apeterson@northglenn.org>
Date: 7/17/2016 8:52 PM
Subject: Letter of support

To the Adams County Open Space Advisory Board:

Please accept my letter of support for the Park Property Acquisition project located at 421 W. 112th Ave, adjacent to the new Justice Center development. Northglenn is proud to currently be designing a new home for our Police Department and Municipal Courts. The new building will reflect the support and respect we have for our officers. We have also acquired the small parcel of land west of the towers with the hope of providing a quiet park that will complete the vision and provide cohesion of the land uses. We also hope to highlight the park with a public art piece in the future. The Justice Center and complementary park will turn an underutilized piece of land into an area the residents will be proud of, while also providing a park for the surrounding neighborhood that currently has none.
Thank you for your consideration.

Carol Dodge
Northglenn Mayor Pro Tem
Cdodge@northglenn.org

Attachment J
Letters of Support
User or User Group

Amanda Peterson - letter

From: Karen Knuepfer <karen@denverprecision.com>
To: Amanda Peterson <apeterson@northglenn.org>
Date: 7/17/2016 9:59 PM
Subject: letter

Karen Knuepfer
1209 Dean Dr.
Northglenn, Co. 80233

Adams County Open Space Board July 17, 2016

To Whom It May Concern,

As a long-time resident of Northglenn, I support the acquisition of the property at 421 W. 112th. I am very proud of our park system and find it very beneficial to be able to add more beautification space to the limited opportunities within the City. Currently, the development of the proposed area can only enhance Northglenn's commitment to useful open space to its residents and surrounding cities. I believe during an influx of population to this state, finding properties that can be utilized for open space development is vital to the well-being of communities. With the owner's interest in selling to the City of Northglenn, being able to fund the purchase of the said property, is a time sensitive decision. I and the citizens of Northglenn would appreciate your consideration in this matter.

Sincerely,

Karen Knuepfer

Attachment J
Letters of Support
User or User Group

REAL PROPERTY APPRAISAL REPORT

Residential Property

421 West 112th Avenue
Northglenn, Colorado



Prepared for:

Debbie Tuttle, CECD
Economic Development Mgr. &
NURA Exec. Director
11701 Community Center Drive
Northglenn, CO 80233-8061

DATE of INSPECTION – JANUARY 5, 2016

REPORT DATE – JANUARY 12, 2016

By:

MCCLLOUD & ASSOCIATES
18960 East Plaza Drive, Suite #109
Parker, Colorado 80134

Attachment K
Buyer's Appraisal

This is a Complete Appraisal in a Restricted Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (USPAP) for a Restricted Appraisal Report. As such, it presents no discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and/or the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

CLIENT: Debbie Tuttle, CECD
Economic Development Mgr. &
NURA Exec. Director
11701 Community Center Drive
Northglenn, CO 80233-8061

APPRAISER: Harold S. McCloud, MAI
18690 East Plaza Drive, Suite #109
Parker, Colorado 80134

SUBJECT: 3.43 Acre land parcel improved with a 2,323 Square Foot ranch home with a partial basement and an attached two car garage. There is also a detached garage of 840 square feet. The improvements were built in 1958.

PURPOSE OF THE APPRAISAL: The purpose of the inspection was to estimate the market value range of the fee simple interest in this property in its "as is" condition, as of January 5, 2016, the most recent date of inspection.

INTENDED USER & USE OF THE REPORT: The intended user of this appraisal report is the client, Debbie Tuttle, CECD. The intended use of the report is to provide a range of value for the subject property for consideration of acquisition buy the client.

INTEREST VALUE: Fee Simple

EFFECTIVE DATE OF VALUE: January 5, 2016

DATE OF REPORT: January 12, 2016

DEFINITION OF MARKET VALUE:

“The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.”

(The Dictionary of Real Estate Appraisal, Fifth Edition Appraisal Institute, 2010, Page 122.)

Scope of the Appraisal

The Scope of the Appraisal included the following:

1. Harold S. McCloud, MAI has made an exterior physical inspection of the subject property.
2. An investigation and verification of public records for descriptive data on the subject property including, but not limited to, taxes and assessments, easements and restrictions, zoning, history of the subject property, etc.
3. An inspection and analysis of neighborhood characteristics. Included in this investigation was the analysis of the convenience store market.
4. A consideration of all physical, governmental, social and economic factors to conclude the Highest and Best Use of the subject property.
5. Reviewed demographic information within a 3 mile radius prepared by Claritas.
6. Value indications were derived from the income and sales comparison approaches which were considered applicable.
7. Several independent sources for information on convenience store-fast-food facilities were investigated to produce the market evidence that will be relied upon in the report. These sources included the CoStar and the appraiser's files. The appraiser has personally verified the sales and lease information using telephone interviews and public record when required, in this report.
8. The data was then analyzed for relevance and applicability to this specific appraisal problem and is the basis for the conclusions, to value expressed in this report.
9. Prepared a Restricted Appraisal Report, as defined in USPAP.

REPORTING PROCESS: This Restricted Appraisal Report sets forth only the appraiser's conclusions. This format has been utilized solely in the interest of time to deliver an indication of market value to the client. An appraisal report containing most of the data, reasoning and analyses used in the appraisal process to develop the appraisers' opinion of value can be delivered, if so desired and for an agreed upon fee.

COMPETENCY: The appraisal problem requires the determination of the fee simple value range of a 3.43 Acre land parcel improved with a 2,323 Square Foot ranch home with a partial basement and an attached two car garage. There is also a detached garage of 840 square feet. The improvements were built in 1958. I have done extensive research in this property type. Within the last 36 months, I have done a number of residential homes on acreage.

REAL ESTATE APPRAISED: 3.43 Acre land parcel improved with a 2,323 Square Foot ranch home with a partial basement and an attached two car garage. There is also a detached garage of 840 square feet. The improvements were built in 1958.

OWNERSHIP HISTORY: According to the Adams County Assessor's records, the current owner of record is Barry Damon Odell and Barry C. Odell. The property was purchased on September 15, 2000 from Katheryn Urbanec as recorded at reception number C0730787. The consideration paid was \$342,000.

HIGHEST AND BEST USE:

Highest and Best Use as-if vacant:

Residential Development in accordance with R-1-B zoning (minimum of 9,000 square foot lot and a minimum of 1,000 square feet). Buyer is most likely a speculator or developer.

Highest and Best Use as-improved:

Existing residential home on acreage.
Owner Occupant

CONCLUDED VALUE:

FEE SIMPLE INTEREST RANGE: \$385,000 to \$410,000

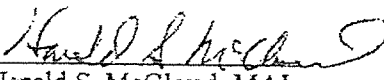
INDICATED EXPOSURE TIME: About 12 months
INDICATED MARKETING TIME: About 12 months

CERTIFICATION:

I certify that, to the best of my knowledge and belief, ...

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the properties that are the subjects of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the properties that are the subjects of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice* of the Appraisal Foundation and the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- Harold S. McCloud, MAI has made a personal inspection of the properties that are the subjects of this report.
- No one provided significant real estate appraisal assistance to the person signing this certificate.
- The use of this report is subject to the requirements of the Appraisal Institute and the Appraisal Foundation relating to review by their duly authorized representatives.
- As of the date of this report, Harold S. McCloud, MAI has completed the requirements of the continuing education program of the Appraisal Institute.

- A review of my records indicated that I not previously appraised the subject property or provided any services to the subject.
- The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- In my opinion, the Market Value Range of the Fee Simple Interest as of January 5, 2016, is **\$385,000 to \$410,000**.


Harold S. McCloud, MAI
Certified General Appraiser
in Colorado #CGO1313633

Assumptions and Limiting Conditions

This Appraisal Report is subject to the following Assumptions and Limiting Conditions:

Legal Matters and Title

1. No investigation of title to the subject property has been made, and it is assumed to be good and marketable, free and clear of all deeds of trust, use restrictions and reservations, easements, cases or actions pending, tax liens, and bonded indebtedness, unless otherwise specified.
2. No responsibility for legal matters is assumed.
3. All existing liens, leases and encumbrances have been disregarded and the subject property is appraised as though free and clear, unless otherwise specified.
4. The subject property is valued as if free and clear of leases and available for lease.

Limitations on the Extent of the Appraisal Process

1. The appraiser assumes that there are no hidden or unapparent conditions of the subject property, subsoil or structures which would render it more or less valuable than otherwise comparable property. The appraiser assumes no responsibility for such conditions or for engineering, which might be required to discover such deficiencies.
2. The appraiser has made no investigation into the presence or absence of asbestos, PCBs, or other hazardous materials in the subject property. The reader should be aware that no consideration has been given to the impact, if any, on the valuation of the subject property if any of these materials should be present. The appraiser assumes no responsibility for addressing such conditions, if any, or for engineering which might be required to discover such deficiencies.

Limitations on information contained in this Appraisal Report

1. Care has been taken to obtain all information from reliable sources. However, the appraisers cannot guarantee or be responsible for the accuracy of this information.
2. Any sketches in this report are intended to be visual aids and should not be construed as surveys or engineering drawings.

Limitations on value estimates contained in this Appraisal Report

1. If the valuation contained herein relates to an estate that is less than the whole fee simple estate and is a fractional interest only. The value of this fractional interest, plus the value of all other fractional interests, may or may not equal the value of the entire fee simple estate considered as a whole.
2. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other report and are invalid if so used.
3. The value reported for each geographical portion relates to such portion only and should not be construed as applying with equal validity to other portions of the larger parcel or tract. The value reported for each geographical portion plus the value of all other geographical portions may or may not equal the value of the entire parcel or tract considered as a whole.
4. No consideration has been given to any furniture, trade fixtures, or special equipment. Any discussion of those items is for reference purposes only, and we accept no responsibility for the valuation of those items.
5. In the current market, real estate price levels for income-producing properties are dictated by the present value of future expectations. Under the circumstances, appraisers must quantify market projections which are, by their character, imprecise. Property earnings and financial projections contained in this report represent our informed judgment as to present and anticipated market trends. Any cash flow analysis implemented for valuation purposes represents an orderly financial process superimposed on a market which is typically erratic in behavior. Any aberrations and/or dramatic changes in the local and national economy may impact the subject property's capacity to generate the earnings set forth herein with a concomitant impact on value.

Publication and use of this Appraisal Report

1. Possession of this report or a copy thereof does not imply right of publication, nor use for any purpose by any other than the person or company to whom it is addressed, without the written consent of the author.
2. The report and data investigated, except that furnished by the client, remain the sole property of this firm.
3. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales or other media, without the written consent and approval of the author, particularly as to valuation conclusions, the identity of the authors or firm with which they are connected, or any reference to the Appraisal Institute and the Appraisal Foundation, or to the MAI and SRA Designations.
4. I have no objection to your use of the firm's name as the author of the report which is to be prepared, and hereby consent to your making reference to such report in your reports or financial statements and in any document filed with any governmental agency, or any potential investors, **Provided That:** 1) prior to making any such reference in any report or statement or any document filed with The Securities and Exchange Commission or other governmental agency, I am allowed to review and approve the text of such reference to determine the accuracy and adequacy of such reference to the report prepared by our firm; 2) in my opinion, the proposed reference is not untrue or misleading and is adequate for the purposes intended in light of the circumstances under which it is made; and, 3) such reference to the report includes language to be approved by this firm.
5. Any dispute regarding matters involved with this assignment will be decided in Douglas County, Colorado, and the parties agree that the courts of Douglas County, Colorado will have the jurisdiction and venue to decide any such dispute. The prevailing party in such dispute shall be awarded from the other party reasonable attorneys' fees, costs and expenses incurred in connection with such dispute.
6. Loss or removal of any portion of this report invalidates the entire report.
7. Transfer of this report via electronic means is restricted to the client for whom this report has been prepared and the specific use stated herein and no other. Possession of an electronic copy thereof does not imply right of publication, nor use for any purpose other than that stated in the report or by any other than the person or company to whom it is addressed, without the written consent of the author.
8. The appraiser is not responsible for the unauthorized use of this report.

General Limitations on the Appraisal

1. The terms of the agreement between the client and the appraisers is such that the appraisers have no obligation to update the report or revise it in any manner because of events or transactions occurring subsequent to the date of such report.
2. The appraiser(s) shall not be required to give testimony or be in attendance in court by reason of this report unless prior arrangements have been made in writing. If any courtroom or administrative testimony is required in connection with this report, an additional fee shall be charged for those services.
3. Other Assumptions and Limiting Conditions have been made where they logically apply and are specified in the report.

Appraisal Institute Requirements

1. Disclosure of the contents of the report is governed by the bylaws and regulations of the professional appraisal organizations with which the appraiser is affiliated: specifically the Appraisal Institute.
2. When the signatory of the report is a candidate or a member of the Appraisal Institute, its bylaws and regulations require the member or candidate to control the use and distribution of the report. Therefore, except as hereinafter provided, the party for whom this report was prepared may distribute copies of the report, in its entirety, to such third parties as may be selected by the party for whom this consulting report was prepared. However, selected portions of this report shall not be given to third parties without the prior written consent of the signatory of this report. Further, neither all, nor any part of this report shall be disseminated to the general public by use of advertising media, public relations media, new media, sales media or other media for public communication without the prior written consent of the signatory of this report. Nor shall the consultants, firm, or professional organization of which the appraiser is a member be identified without written consent of the appraiser.

Extraordinary Assumptions

1. None

Hypothetical Condition

1. None

Qualifications of the Appraiser

NAME: Harold S. McCloud

EDUCATION: Bachelor of Arts, Metropolitan State College May, 1991, Major: History:
Minor: Real Estate - Various Classes & Continuing Education Seminars

APPRAISAL ASSOCIATIONS: MAI (Member, Appraisal Institute),
Certificate No. 9758, December 1992
Colorado Chapter President 2006
Region 2 - Regional Representative-Variou Years
Colorado Chapter Director 1993-2002
Approved Appraiser - Colorado Department of Transportation
Review Appraiser - Colorado Department of Transportation

MEMBER OF: President, Parker Properties I (Closed), Canterbury I & II
Metropolitan Districts, 1990-Present
President-Canterberry Crossing (1,700 homes) 1993-2000
Council-member-Town of Parker 1994-1996
Member: DRCOG, CML & E-470 Authority 1994-1996
Member: National Golf Foundation - 1996-2014

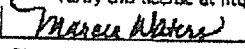
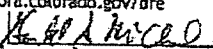
STAFF INSTRUCTOR: Construction Lending School current, Arapahoe Community College
and Emily Griffith Opportunity School - 1993-1999
Marshall & Swift – Marshall Valuation Service

APPRAISAL INSTITUTE INSTRUCTOR:
Course-Appraisal Principles
Course-Appraisal Procedures
Course-Sales Comparison Approach
Course-Site Valuation & Cost Approach
Course-Income Capitalization Approach Part I
Course-Income Capitalization Approach Part II
Course- Business Practices and Ethics
Course-Real Estate Finance, Statistics & Valuation Modeling
Course-Market Analysis & Highest and Best Use
Course-Advanced Market Analysis & Highest and Best Use
Course-Advanced Income Capitalization Approach
Course-Advanced Concepts & Case Studies
Various one-day seminars

- Business Practices and Ethics
- Subdivision Valuation
- Marketability Studies: 6 Step Process Basic Applications
- Two-Day Advanced Income Capitalization/Part A
- Two-Day Advanced Income Capitalization/Part B

LICENSES:

Certified General Appraiser in Colorado - #CGO1313633
Colorado Real Estate Broker - #ER01100755
Class B Contractors License (inactive)
Certified – Master Scuba Diver

| | |
|--|---|
| Colorado Department of Regulatory Agencies Division of Real Estate Harold Smith McCloud Certified General Appraiser | |
| <u>CG-001313633</u> | <u>01/01/2016</u> |
| License Number | Issue Date |
| <u>Active</u> | <u>12/31/2017</u> |
| License Status | Expiration |
| Verify this license at http://dora.colorado.gov/dre | |
|  Director: Marcia Waters |  Licensee Signature |

BUSINESS**AFFILIATIONS:**

McCloud & Associates
18690 East Plaza Drive, Suite #109
Parker, Colorado 80134
Telephone: 720-747-4710
Fax: 303-805-9910
E-Mail: hdmcccloud@comcast.net

APPRAISAL EXPERIENCE:**Land:**

Commercial pads, residential, multi-family, industrial and commercial parcels, residential & commercial subdivisions from 100 to 3,600 acres

Adams County:

Land area 100 acres to 640+ acres (**Subdivisions:** Amber Creek, Northend Station, Big Dry Creek, Buffalo Run, Buckley Ranch, Fallbrook Farms and Turnberry)

Arapahoe County:

Land area 100 acres to 800+ acres (**Subdivisions:** Antelope Hills, Estancia and Southshore)

Broomfield County:

Land area 30 acres to 2,000+ acres (**Subdivisions:** Wildgrass, Hyland Village and Vista Ridge)

Douglas County:

Land area 100 acres to 3,600+ acres (**Subdivisions:** Hunting Hills, Stroh Ranch, Canterbury Crossing, Pine Bluffs, Idyllwilde, Dawson Ridge, Hidden Valley, Plum Creek, Bell Mountain Ranch, Perry Park, Sageport, Puma Ridge and Castle Pines)

Jefferson County: Land area 100 acres to 1,500+ acres

Elbert County: Land area ¼ Section to 2,500+ acres (**Subdivisions:** Blue Sky Ranch and Spring Valley Ranch)

Weld County: Land area 50 to 320+ acres (**Subdivisions:** Bartley, Mesa Ridge & Ridgeland III)

Apartments: Low, Medium & High-rise buildings, projects & condominiums from 6 to 800 units

Industrial: Single & Multi-tenant buildings from 1,000 to 1,300,000 square feet

Office: Low, Medium & High-rise buildings & projects, condominiums from 2,000 to 500,000 square feet Class C to AA

Retail: Single & Multi-tenant buildings, Stand-alone, Small Strip Center to Super Regional Mall

Special Purpose:

Aggregate production, airplane hangars/terminals, bowling alleys, casinos, car washes, conference centers, congregate care facilities, day-care facilities, gentlemen's clubs, golf courses & driving ranges, hotels, ice arenas, mobile home parks, marina's, motels, mini-marts, quick-lubes, recreational properties, restaurants, theaters veterinary clinic/hospitals and water storage facilities. Furniture, Fixtures & Equipment and Business component valued and presented separately

Construction Experience:

I have been licensed as a general contractor since 1977, and have extensive bid estimation experience. I have processed the reproduction cost for more than 700 properties using the quantity survey method per the Construction Specifications Institute (CSI). I last functioned as a general contractor by constructing my own 3,028 square foot office building in Parker that received its certificate of occupancy in November 2004. I am a Marshall & Swift instructor and have past the Marshall Cost Estimation Course.

Interests: Fee simple, leasehold and leased fee interests. Condominium and partial ownership interests and right-of-way & facade easements. Historic designations, historic districts and national landmarks

Major Assignments:

Douglas County - Eminent Domain - various projects
National Park Service – Grand Canyon National Park
Yellowstone National Park
Grand Teton National Park
Mesa Verde National Park
Lake Mead National Recreation Area
Glen Canyon National Recreation Area

**CAREER
HISTORY:**

Owner, McCloud & Associates and Unique Properties Valuation and Consulting. Principal Appraiser with MacTaggart and Mosier from 1990 to 1995; Associate Appraiser with Joseph Farber & Company, Inc. from 1986 to 1990. Two years with John Ratkovich, Century 21 as a commercial real estate salesman. From 1969 to 1984, Held various positions in construction from journeyman to management

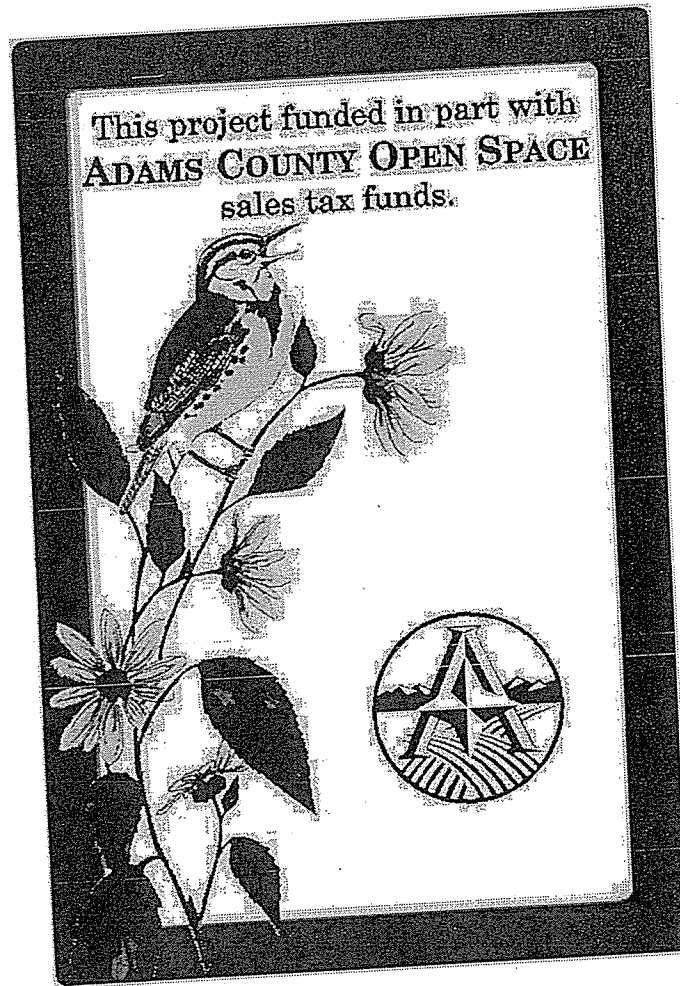
E & O INSURANCE Zurich American Insurance Company - #EOC 9827639 01

EXPERT WITNESS TESTIMONY

- Adams County District Court
- Arapahoe County District Court
- Boulder County District Court
- Denver District Court
- Douglas County District Court
- Elbert County District Court
- Gilpin County District Court
- Jefferson County District Court
- Summit County District Court
- Weld County District Court
- Anoka County District Court, Minnesota
- Cook County, Illinois
- Santa Fe, New Mexico
- Numerous tax appeals at County & State level
- US Tax Court

Adams County Open Space Program

Policies and Procedures



Newly Revised and Adopted

June 24, 2013

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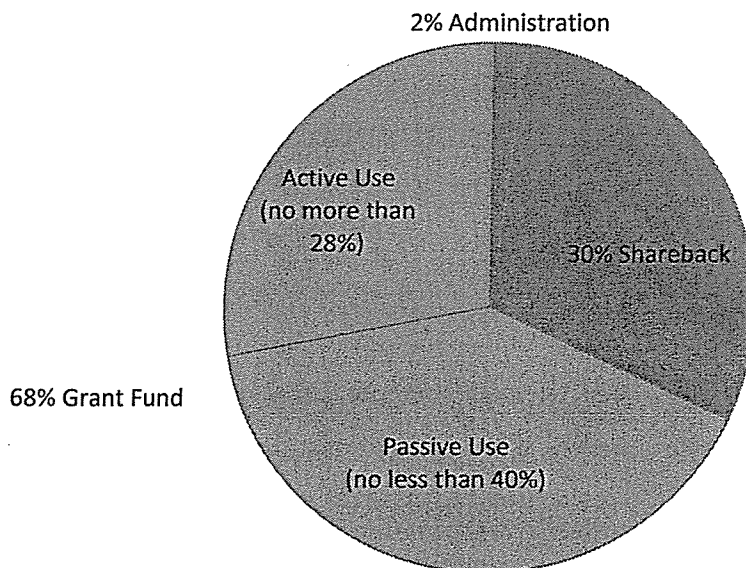
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¹ All forms are fillable pdf files. Please contact Open Space Staff for the current electronic files. Do not use the representations of the forms in this document.

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.



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% Shareback 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 participation in the annual Report to the Public), hosting an annual Open Space Forum, 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 Community Resources Director, the Adams County Finance Department staff, and ultimately the Adams County Board of County Commissioners 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% Shareback funds were used. The County will also compile a list of projects funded in the past year, including a brief description of each project, a contact person for the 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% Shareback Program

Purpose

The Shareback 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 shareback is distributed as described in Section 8, b (iii) of Resolution 99-1 (Appendix A): "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, in March and September. Payments are distributed as checks to the qualified jurisdiction, or in the case of Adams County, as an internal transfer of funds.

Eligible Expenses

Shareback funds received by the qualified jurisdiction may be used for passive or active uses. However, there are some limitations to use of the shareback funds:

- As stated in Resolution 99-1 (Appendix A), "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.

The Board of County Commissioners (BoCC) will annually review and approve a resolution authorizing the Parks Director to approve agreements or arrangements for land purchased with Open Space Tax

dollars that either maintain the property or have only a short-term or minimal impact on the property, including but not limited to agricultural and residential leases, water and sewer easements, surface use agreements, etc. All other sales, leases, transfers or conveyances that have a larger impact on the property or effectively transfer the property must be approved by the BoCC.

Annual Reporting

In approximately February 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 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 February and August. Grant applications are generally due on the First of February and August, unless those dates fall on a weekend in which case applications are due

the following Monday. For a more detailed grant cycle schedule, visit www.adcogov.org/openspace or contact Open Space 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 currently include: City of Arvada, City of Aurora, Town of Bennett, City of Brighton, City of Commerce City, City of Federal Heights, City of Northglenn, City of Thornton, City of Westminster, and Adams County. Qualified jurisdictions must have an adopted Parks and/or Open Space Plan.

Sponsored Organizations

Any organization, including, but not limited to Parks and Recreation Districts, 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 99-1 (Appendix A). 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:
 - 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 grant 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
- 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 within one year prior to 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).

Specific Requirements of Land Acquisitions

To meet the intent of Resolution 99-1 (Appendix A), 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

- Passive Project applications are for uses defined in Resolution 99-1, Section C, (ii), see Glossary of Terms, page 21.

- Active Project applications are for uses defined in Resolution 99-1, Section C, (iii), see Glossary of Terms, page 21.
- 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 \$5,000. 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. Mini Grants are subject to the same requirements as both the Active and Passive Grants.

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. Qualified jurisdictions and sponsored organizations must prioritize the projects they submit. For qualified jurisdictions sponsoring other organizations, those projects are not included in their own project prioritization.

Applications must be made on the pertinent Application Form. Twelve (12) unbound copies and one (1) electronic copy in pdf form of the completed application and all attachments are required at the time of submittal. Mail application to: Adams County Open Space, 9755 Henderson Road, Brighton, Colorado 80601. Applications must arrive no later than 4:30 p.m. of the specified grant application deadline date. No material will be accepted after the deadline date with the exception of additional materials or documentation requested by the Open Space 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 Open Space staff as soon as it becomes necessary to change the primary contact person.

Matching Funds

All projects must leverage the funds being requested of the Open Space Grant Program. For passive applications, applicants must provide a minimum of 30% of the total project costs toward the project. For active applications, a minimum of 40% must be provided. Any additional funds brought toward the project will be considered favorably by the OSAB during their evaluation.

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.

Application Components Specific to Real Estate Transactions

For real estate transactions, applicants should obtain a qualified buyer's appraisal, see Glossary of Terms, page 21. 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 active and passive 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 Part II of the Passive or Active Applications 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

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 categorizes the applications as "Yes, definitely fund," "Maybe fund," or "No, definitely do not fund" based on their impressions of the project. These groups of projects are then discussed by the OSAB as a whole as they make funding recommendations.

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."

Grant Agreement

The BoCC will publically award the grants at a public hearing. At the public hearing, Open Space staff will distribute three (3) 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. 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 included as Appendix , but 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 Request form is included as Appendix , but may be updated at any time. As such, Grantee should confirm with Open Space staff the correct form to submit for their request.

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.

Reimbursement and Closeout Process

Funds will be disbursed:

- Once the project has been both physically and contractually completed as funded, unless the grant agreement has been negotiated to include periodic reimbursements.
- 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, page 13).

In some cases, Open Space staff may negotiate with a Grantee to allow for periodic reimbursements for a specific project. This will be written into the grant agreement. It is at Open Space staff's discretion to negotiate these terms when either a project is large or the Grantee is small enough that it is not financially feasible for the applicant to only receive reimbursement for the entire project at close out. 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. All forms related to the closeout process can be found in Appendix . Please contact Open Space staff for the most up-to-date files.

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 within 30 days of the scheduled closing:

- 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)

Reporting Following Closeout

As stated in Resolution 99-1, “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]”. The BoCC will annually review and approve a resolution authorizing the Parks Director to approve agreements or arrangements for land purchased with Open Space Tax dollars that either maintain the property or have only a short-term or minimal impact on the property, including but not limited to agricultural and residential leases, water and sewer easements, surface use agreements, etc. All other sales, leases, transfers or conveyances that have a larger impact on the property or effectively transfer the property must be approved by the BoCC.

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.

Ethics Policy

The following ethics policy is taken from the Adams County Employee Manual, newly revised and adopted in January 2013, and applies to all employees and officials of Adams County, including the Open Space Advisory Board.

Mission, Governing Principles & Values

The citizens of Adams County, Colorado, are entitled to have a fair, ethical, and accountable local government that has earned the public’s full confidence for integrity. We adopt this Code of Ethics to assure public confidence in local government and its effective and fair operation and to ensure that we comply with all applicable State and local laws relating to conflicts of interest and ethics.

Integrity in government requires that decision-makers be independent, impartial, and accountable to those they serve, to that end, all officials and employees of Adams County, Colorado, must carry out their job responsibilities in accordance with the following principles:

- A. As public servants, Adams County officials and employees are stewards of the public trust, entrusted with and responsible for the property and resources of Adams County, and shall carry out their duties for the benefit of the people of Adams County.
- B. The citizens of Adams County expect and deserve their public servants to act with courtesy, impartiality, honesty, and openness in the performance of their duties.

- C. Officials and employees must always perform their duties with the best interests of Adams County in mind, and not for any personal interest or for the interest of family, friends, or business and political associates.
- D. Governmental decisions and policies are made utilizing the proper channels of the government structure, free of coercive or other improper influence.
- E. To gain and retain public confidence in government operations, County officials and employees must avoid even the appearance of impropriety.

Intent

The purpose of this Code of Ethics is to provide the officials and employees of Adams County the tools and resources necessary to conduct themselves in the most ethical and appropriate manner possible and to ensure that Adams County government operates in accordance with its mission, governing principles, and values.

It is the intent of Adams County that its officials and employees adhere to high levels of ethical conduct so that the public will have confidence that persons in positions of public responsibility are acting for the benefit of the public. Officials and employees should comply with both the letter and spirit of this Code of Ethics and strive to avoid situations which create impropriety or the appearance of impropriety.

Ethical issues will arise in the course of public service. It is the intent of this Code of Ethics to clarify which actions constitute a breach of the public trust.

Definitions

“Employee” shall mean all members of the Adams County workforce, including but not limited to full-time and part-time employees, and appointed or elected officials and their employees.

“Gift” shall mean anything of monetary value for which consideration of equal or greater value is not made. The term includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person’s status as a County employee. The term “gift” shall not include tokens of award (such as a plaque, memento, or trophy), informational materials related to the recipient’s performance of official duties (such as a book, pamphlet, or periodical), or unsolicited items of nominal or trivial value (such as a pen, note pad, or calendar).

“Official” shall mean a person in an elected or appointed position in Adams County, Colorado, including members of County boards appointed by the Board of County Commissioners.

“Relative” shall mean a spouse, domestic partner, fiancé/fiancée, parent(s), child(ren), brother(s), sister(s), aunt(s), uncle(s), grandparent(s), or grandchild(ren), including “in-law” and “step” relatives. The term “relative” also applies to any person who is a member of the household of an employee regardless of family relationship.

Applicability

This Code of Ethics applies to the officials and employees of Adams County, to the extent that the official has adopted the Code, and shall supersede the prior Code of Ethics adopted by the Board of County Commissioners on November 10, 2008. The provisions of this Code of Ethics shall apply in addition to all applicable federal, State and local laws relating to conflicts of interest and ethics including, but not limited to, the Colorado Constitution, Article XXIX, Colorado Revised Statutes § 24-18-101, *et seq.*, and all rules, regulations, policies and procedures of Adams County, including any ethical code or policy adopted by any elected official that is applicable to employees of that elected official.

Conflicts Of Interest

No official or employee should have any direct or indirect interest, financial or otherwise, engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in conflict with the proper discharge of his or her duties in the public interest.

- A. **Misappropriation of County Resources:** No official or employee shall misappropriate to himself, herself or to others the property, services or other resources of the County for private purpose or other compensated non-governmental purposes.
- B. **Favoritism:** An official or employee shall guard against any relationship that creates conflicts of interest or which might be reasonably construed as evidence of favoritism, coercion, unfair advantage, or collusion.
- C. **Improper Influence:** An official or employee should not act in a manner that creates by his or her conduct a reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties, or that he or she is affected by the kinship, rank, position or influence of any party or person.
- D. **Privileges or Exemptions:** No official or employee should use or attempt to use his or her official position to secure privileges or exemptions for himself, herself or others.
- E. **Protection of Public Trust:** An official or an employee should endeavor to pursue a course of conduct which will not raise suspicion among the members of the public that he or she is likely to be engaged in acts that are in violation of the public trust.
- F. **Official Actions:**
 - a. An official or employee shall not take any direct or official action on any matter in which the official, employee or a relative or business associate has any substantial employment, contractual, or financial interest.
 - b. An official or employee shall not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when he or she has a substantial financial interest in a competing firm or undertaking.
- G. **Contracting & Transacting Business:**
 - a. **Sale or Purchase of Goods or Services:**
 - i. No official or employee shall, in his or her official or private capacity, offer for sale or sell goods or services to the County. A waiver may be granted by the Independent Ethics Officer where the circumstances clearly demonstrate that there is no conflict of interest or appearance of a conflict presented by the proposed sale of goods or services to the County.

- ii. No official or employee shall, for his or her own private purposes, directly or indirectly obtain goods or services for anything less than fair market value from any contractor or vendor that performs work for Adams County.
 - iii. **Transactions on behalf of Adams County:** No official or employee should engage in any transaction as representative or agent of Adams County with any relative, business associate, or business entity in which he or she has a direct or indirect financial interest.
- H. **Personal Investments & Business Ventures:** An official or employee should not acquire or hold an interest in any business or undertaking which he or she has reason to believe may be directly involved in decisions to be made by him or her or which will otherwise create substantial conflict between his or her duty in the public interest and his or her private interest.

Confidential Information

- A. No official or employee shall use any confidential information received by virtue of that person's office or employment for any private purpose, including but without limitation to commercial purposes, financial gain, or present or future employment.
- B. An official or employee may only use confidential information in the conduct of his or her official County duties.

Political Solicitations

- A. Elected officials and candidates shall not engage in political campaigning at County meetings or public hearings. No official, candidate, or employee shall use public resources for political campaigning.
- B. County officials or employees may in their private capacity give financial or other support to political parties and candidates for elected office, unless otherwise restricted.
- C. No official or employee shall directly or indirectly compel or induce a subordinate employee to make or promise to make any political contribution, whether by gift of money, service or other thing of value.
- D. No official or employee may make any employment recommendation or decision based on political affiliation, participation or contribution.

Hiring Of Relatives

The purpose of this section is to avoid favoritism and the appearance of favoritism by officials or employees.

- A. No official or employee shall appoint, hire, or advocate for the appointment or hiring of any person who is the employee's relative.
- B. No official or employee shall participate directly or indirectly in the recruitment and selection process that involves a relative.
- C. No official or employee shall directly or indirectly exercise supervisory, appointment or dismissal or disciplinary authority over any relative of the employee.
- D. No official or employee shall audit, verify, receive or be entrusted with monies received or handled by a relative.

- E. No relative of an official or employee shall have access to that person's confidential information, including payroll processing and personnel records within his or her organization.

Gift Ban Policy

- A. In accordance with the Colorado Constitution, no official or employee may directly or indirectly solicit, accept or receive any gift or other thing of greater than fifty-three dollars (\$53) in any calendar year, without providing consideration of equal or greater value. Gifts include but are not limited to loans, rewards, promises or negotiations of future employment, favors or services, honoraria, travel, entertainment, and special discounts. Exceptions recognized by Colorado law are recognized by the County.
- B. No official or employee shall directly or indirectly receive a gift regardless of the value where such gift is given with the intent or appearance of influencing the person's official actions or duties for Adams County.
- C. No department, office, or agency shall accept any gift from any vendor, applicant for a license, applicant for a land use approval, or any other person having pending or regular business being handled by that department, office, or agency. A department, office or agency may accept a gift from a person or entity

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 99-1, Section C, item iii, Appendix 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.

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 99-1, Section C, item ii, Appendix A)

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.

QUALIFIED JURISDICTIONS: The qualified jurisdictions are defined as the taxing entities within the county and include, but are not limited to: City of Arvada, City of Aurora, Town of Bennett, City of Brighton, City of Commerce City, City of Federal Heights, City of Northglenn, City of Thornton, City of Westminster, and Adams County.

Appendix A

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton on WEDNESDAY the 6TH day of OCTOBER, 1999 there were present:

| | | |
|-----------------------|--------------------|------------------------|
| Ted L. Strickland | Chairman | 00600923 |
| Elaine T. Valente | Commissioner | 10/08/99 14:32:16 |
| Martin J. Flaum | Commissioner | BK: 5917 PG: 0728-0769 |
| Rita Connerly | County Attorney | CAROL SNYDER |
| Lucy Trujillo, Deputy | Clerk of the Board | ADAMS CO |

when the following proceedings, among others were held and done, to-wit:

RESOLUTION CORRECTING SCRIVENER'S ERROR IN RESOLUTION 99-1

WHEREAS, the Board of County Commissioners (Board) of Adams County, Colorado (County), adopted Resolution 99-1 on September 1, 1999; and,

WHEREAS, paragraph 7a contains an obvious scrivener or typographical error; and,

WHEREAS, the Board determines that the scrivener or typographical or typographical error, considered in context, is insubstantial; and,

WHEREAS, the Board, nonetheless, desires to correct the scrivener error contained within paragraph 7a of Resolution 99-1;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that Resolution 99-1, paragraph 7a be corrected to read as follows:

(a) *Imposition of Tax.* There is hereby imposed on all sales of tangible personal property at retail or the furnishing of services in the County as provided in Section 29-2-105(1)(d), Colorado Revised Statutes, as amended, a tax equal to one-fifth of one percent of the gross receipts (the "Sales Tax").

BE IT FURTHER RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Clerk of the Board make the above-referenced correction *nunc pro tunc* to September 1, 1999.

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

| | |
|---------------|-----|
| Strickland | Aye |
| Valente | Aye |
| Flaum | Aye |
| Commissioners | |

STATE OF COLORADO)
County of Adams)

I, Carol Snyder, 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 6TH day of OCTOBER, A.D. 1999.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Carol Snyder:

By Lucy Trujillo
Deputy

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton on WEDNESDAY the 1st day of SEPTEMBER, 1999 there were present:

| | |
|-----------------------|--------------------|
| Ted L. Strickland | Chairman |
| Elaine T. Valente | Commissioner |
| Martin J. Flaum | Commissioner |
| Rita Connerly | County Attorney |
| Sylvia Puebla, Deputy | Clerk of the Board |

when the following proceedings, among others were held and done, to-wit:

RESOLUTION 99-1

A RESOLUTION CALLING AN ELECTION ON NOVEMBER 2, 1999 TO AUTHORIZE THE IMPOSITION OF A ONE-FIFTH OF ONE PERCENT COUNTYWIDE SALES TAX FOR THE PURPOSE OF PRESERVING OPEN SPACE AND CREATING AND MAINTAINING PARKS AND RECREATION FACILITIES; SETTING THE BALLOT TITLE AND BALLOT QUESTION FOR THE ELECTION; AND, PROVIDING THE EFFECTIVE DATE OF SUCH RESOLUTION

WHEREAS, the Board of County Commissioners (the "Board") of Adams County, Colorado (the "County"), has determined that it is in the public interest and desirable to the residents of the County 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; and,

WHEREAS, there are not sufficient funds in the treasury of the County and the Board does not anticipate that existing sources of revenue will be sufficient to generate the moneys necessary to preserve open space and create and maintain parks and recreational facilities; 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 approval of the registered electors of the County; and,

WHEREAS, the Board has determined that it is in the interests of the residents of the County to impose a Countywide sales tax at the rate of one-fifth of one percent for the period beginning January 1, 2000 through December 31, 2006, the receipts from which shall be restricted in application to the Open Space Program; and,

WHEREAS, the Board has determined that a question regarding the imposition of a sales tax for the purposes enunciated herein should be submitted by the Board to the eligible electors of the County; and,

WHEREAS, the Board has determined to set the ballot title and ballot question for the issues 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 2, 1999, at which there shall be submitted to the eligible electors of the County one question authorizing the imposition of an additional one-fifth of one percent sales tax (the "Open Space Sales Tax") on all sales of tangible personal property at retail or the furnishing of services in the County as provided in Section 29-2-105(1)(d), Colorado Revised Statutes, as amended ("C.R.S."). The question to be submitted to the registered electors shall be as follows:

ISSUE _____

SHALL ADAMS COUNTY TAXES BE INCREASED \$5.5 MILLION, AND WHATEVER AMOUNTS ARE RAISED ANNUALLY THERAFTER, BY A COUNTYWIDE SALES TAX OF ONE FIFTH OF ONE PERCENT (20 CENTS ON A \$100 PURCHASE), EFFECTIVE JANUARY 1, 2000 AND AUTOMATICALLY EXPIRING AFTER 7 YEARS, WITH THE PROCEEDS TO BE USED SOLELY 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 RECREATION FACILITIES IN ACCORDANCE WITH RESOLUTION 99-1, WITH ALL EXPENDITURES BASED ON RECOMMENDATIONS OF A CITIZEN ADVISORY COMMISSION AND SUBJECT TO AN ANNUAL INDEPENDENT AUDIT AND SHALL ALL REVENUES FROM SUCH TAX AND ANY EARNINGS THEREON, CONSTITUTE A VOTER APPROVED REVENUE CHANGE.

YES _____

NO _____

2. The election shall be conducted by the County Clerk and Recorder in accordance with the Uniform Election Code 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 voting by early voters' ballots, absentee ballots and emergency absentee ballots shall be performed by the County Clerk and Recorder.
4. The County Clerk and Recorder shall cause a Notice of Election to be published in accordance with the laws of the State of Colorado, including but not limited to, the Uniform Election Code and TABOR.
5. Pursuant to Section 29-2-104(5), Colorado Revised Statutes, the County Clerk and Recorder is directed to 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. No later than October 1, 1999, the County Clerk and Recorder shall mail the Notice of Election required by Article X, Section 20(3)(b) of the Colorado Constitution.
7. If a majority of the votes cast on the question of imposing the Open Space Sales Tax shall be in favor of such question, the Open Space Sales Tax shall be imposed and shall apply to all taxable transactions, unless exempt, occurring on or after January 1, 2000, and shall be collected and administered in accordance with this Resolution and the schedules set forth in the rules and regulations promulgated by the Colorado Department of Revenue.

(a) *Imposition of Tax.* There is hereby imposed on all sales of tangible personal property at retail or the furnishing of services in the County as provided in Section 29-2-105(1)(d), Colorado Revised Statutes, as amended, a tax equal to one-half of one percent of the gross receipts (the "Sales Tax").

(b) *Transactions Subject to the Sales Tax.*

- (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., and shall be subject to the same exemptions as those specified in Section 39-26-114, C.R.S., including specifically the exemption provided by Section 39-26-114(1), C.R.S., for purchases of machinery or machine tools; the exemption provided by Section 39-26-114(1)(a)(XXI), C.R.S., for the sales and purchases of electricity, coal, wood, gas (including natural, manufactured and liquefied petroleum gas), fuel oil or coke sold, but not for resale, to occupants of residences, whether owned, leased or rented by said occupants, for the purpose of operating residential fixtures and appliances which provide light, heat and power for such residences; the exemption provided by Section 39-26-114(1)(a)(XX), C.R.S.,

for the sales of food (as defined in Section 39-26-102(4.5), C.R.S.); the exemption for occasional sales by a charitable organization as set forth in Section 39-26-114(18), C.R.S.; and, the exemption for sales and purchases of farm equipment under lease or contract specified in Section 39-26-114(20), C.R.S.

(ii) The Sales Tax shall not be imposed on the sale of construction and building materials if such materials are picked up by the purchaser and 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 7(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 7(a) hereof.

(c) *Determination of Place at Which Sales are Consummated.* For the purpose of this Resolution, all retail sales shall be considered consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or his agent to a destination outside the County or to a common carrier for delivery to a destination outside the limits of the County. The gross taxable sales shall include delivery charges, when such charges are subject to the state sales and use tax imposed by Article 26 of Title 39, C.R.S., regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the County, or has more than one place of business, the place or places at which the retail sales are consummated for the purpose of this Sales Tax shall be determined by the provisions of Article 26 of Title 39, C.R.S., and by the rules and regulations promulgated by the Colorado Department of Revenue. The amount subject to the Sales Tax shall not include the amount of any state sales and use tax imposed by Title 39, Article 26, 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.

(f) *Application of Section 29-2-103, C.R.S.* The imposition of the Sales Tax will result in the 7% limitation on the total sales tax imposed by the State of Colorado, any county and city or town in any locality in the State of Colorado as provided in Section 29-2-103, C.R.S. being exceeded. Such notwithstanding, the rate of Sales Tax does not exceed the rate permitted to be imposed by the County pursuant to Section 29-2-103, C.R.S.

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

(a) **Open Space Advisory Board.** An Open Space Advisory Board shall be appointed by the Board of County Commissioners within ninety (90) days following approval of the election question.

- (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 shall be 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 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, beginning in the first quarter of 2000, or as necessary to review proposed projects. All meetings shall be held in accordance with the 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 shall establish an Open Space Fund within which all revenues and expenditures from the Open Space Sales Tax shall be accounted for.
- (ii) Two percent (2%) of the Open Space Sales Tax collected shall 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 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, 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, so long as:
 - (a) no less than forty percent (40%) shall be expended for passive open space uses, to 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) no more than twenty-eight percent (28%) shall be expended for active uses, to include the purchase, construction, equipping and maintenance of: sports fields, golf courses, and recreation centers.
- (9) Any funds received from the disposition of assets acquired or constructed with revenues for 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.
9. If a majority of the votes cast on the question of imposing the Open Space Sales Tax shall be in favor of such question, the County Clerk and Recorder is hereby directed to 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, 2000.
 10. This Resolution shall serve to set the ballot title and the ballot question for the question set forth herein and the ballot title for such question shall be the text of the question itself.
 11. 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.
 12. The rate of the Open Space Sales Tax and the deposit of revenues collected for 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.
 13. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of 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.
 14. All prior acts, orders or resolutions, or parts thereof, by the County in conflict with this resolution are hereby repealed, except that this repealer shall not be

construed to revive any act, order or resolution, or part thereof, heretofore repealed.

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

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

| | | |
|---------------|-------|-----|
| Strickland | _____ | Aye |
| Valente | _____ | Aye |
| Flaum | _____ | Aye |
| Commissioners | | |

STATE OF COLORADO)
County of Adams)

I, Carol Snyder, 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. 1999.

County Clerk and ex-officio Clerk of the Board of County
Commissioners
Carol Snyder:

By

Sylvia Shubel
Deputy



Appendix B



Adams County Open Space

Extension Request Form

Revised 12/2011

Must be received by Adams County Open Space staff a minimum of 90 days prior to project due date.

| | |
|------------------|-------|
| Date of Request: | _____ |
| Grantee Name: | _____ |
| Project Name: | _____ |
| Contact Person: | _____ |
| Phone Number: | _____ |
| Email: | _____ |

| | |
|---|--|
| Original Project Due Date: | Requested Due Date: (No longer than 6 months) |
| Please explain in detail the reason(s) for extending this project. Include information regarding progress made to date, items remaining to be completed and estimated timeline for completing all work. | |
| <div style="border: 1px solid black; height: 30px;"></div> | |

Attach the following:

- ☐ Copy of original timeline submitted with grant application
- ☐ Revised timeline
- ☐ Evidence of progress (Photos of project or in narrative above)

Prepared by: _____ Date: _____

Print name: _____ Title: _____

Appendix C



Adams County Open Space Modification Request Form

Revised 12/2011

Must be received by Adams County Open Space staff a minimum of 90 days prior to project due date.

| | |
|---|--|
| Date of Request: | |
| Grantee Name: | |
| Project Name: | |
| Contact Person: | |
| Phone Number: | |
| Email: | |
| Project Due Date: | |
| Previously Submitted Leverage Summary: | Proposed Revision to Leverage Summary: |
| Grant Total: | Grant Total: |
| Total Project Costs: | Total Project Costs: |
| % of Funding Requested: | % of Funding Requested: |
| Please provide a description of the changes to the project as well as an explanation for the changes. Please provide specific details. | |
| Are you also requesting an extension? <input checked="" type="radio"/> Yes <input type="radio"/> No Requested Due Date: (No longer than 6 months) | |

Attach the following:

- ☐ Copy of original budget submitted with grant application
- ☐ Revised budget
- ☐ Copy of original timeline submitted with grant application
- ☐ Revised timeline
- ☐ Evidence of progress (Photos of project or in narrative above)

Prepared by: _____ Date: _____
 Print name: _____ Title: _____

Appendix D



Adams County Open Space Grant Closeout Request Form Revised 12/2011

| | |
|---|-------|
| Project Name: | _____ |
| Contact Person: | _____ |
| Phone Number: | _____ |
| Email: | _____ |
| Reimbursement Request: | _____ |
| For land acquisitions only: | |
| Has money already been wired to closing? <input type="radio"/> Yes <input type="radio"/> No | |
| Are additional funds being requested to close out the project? <input type="radio"/> Yes <input type="radio"/> No | |

Please review the appropriate project closeout checklist. Submit all documentation described on the checklist to:

Adams County Open Space
Attn: Regina Elsner or Shannon McDowell
9755 Henderson Rd.
Brighton, CO 80601

If you have questions or need assistance, please contact Regina Elsner at 303.637.8072 or relsner@adcogov.org or Shannon McDowell at 303.637.8039 or smcdowell@adcogov.org.

☐ I certify that all required documentation is attached or has been sent to Adams County Open Space to close out this project.

Prepared by: _____ Date: _____

Print name: _____ Title: _____



Adams County Open Space Grant Closeout Checklist

Revised 12/2011

Project Name: _____

Contact Person: _____

Use this checklist when closing out ALL projects, except land acquisitions. Provide copies of all documentation described below and this checklist to Open Space staff to begin the closeout process.

Please submit the following:

- ☐ Grant Closeout Request Form
- ☐ Completed Grant Closeout Worksheet
- ☐ Copies of ALL invoices listed on Grant Closeout Worksheet
- ☐ Copies of cancelled checks 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)



Adams County Open Space
Grant Closeout Checklist - Land Acquisition
Revised 12/2011

Project Name: _____

Contact Person: _____

Use this checklist when closing out land acquisitions. Use page 1 when funds are to be wired to closing. Use page 2 if being reimbursed after closing. Provide copies of all documentation described below and this checklist to Open Space staff to begin the closeout process.

For money to be wired directly to closing, please submit the following:

- ☐ All Easements/Encumbrances
- ☐ Final Contract
- ☐ Preliminary Buyers/Sellers Settlement Statement
- ☐ Title Commitment

Following closing when money has already been wired, submit the following additional documentation to closeout the project:

- ☐ Grant Closeout Request Form
- ☐ Final Title Policy
- ☐ Recorded Deeds specific to this transaction
- ☐ Signed Settlement Statement
- ☐ A fully executed Conservation Easement must be on record with Open Space staff (for passive acquisitions)

If additional funds are being requested at the time of closeout, submit the following:

- ☐ Completed Grant Closeout Worksheet
- ☐ Copies of all invoices for additional expenses requested for the acquisition (e.g., survey, Phase I Environmental Report)
- ☐ Copies of cancelled checks for additional costs indicated on Grant Closeout Worksheet

OR

Signature of authorized Financial Officer on Grant Closeout Worksheet certifying all payments have been made

- ☐ Copies of all reports or documents (e.g., Baseline, Phase I Environmental) for which additional funds are being requested
- ☐ Documentation for all in-kind donations (e.g., letter from donor stating value, invoice from business indicating value)



Adams County Open Space
Grant Closeout Checklist - Land Acquisition
Revised 12/2011

Project Name: _____

Contact Person: _____

Please submit the following documentation to closeout the project if no funds have previously been received:

- ☐ Grant Closeout Request Form
- ☐ Completed Grant Closeout Worksheet
- ☐ Final Title Policy
- ☐ Final Contract
- ☐ Recorded Deeds specific to this transaction
- ☐ Signed Settlement Statement
- ☐ A fully executed Conservation Easement must be on record with Open Space staff (for passive acquisitions)
- ☐ Copies of all invoices for any additional expenses requested for the acquisition (e.g., survey, Phase I Environmental Report)
- ☐ Copies of cancelled checks for additional costs indicated on Grant Closeout Worksheet

OR

Signature of authorized Financial Officer on Grant Closeout Worksheet certifying all payments have been made

- ☐ Copies of all reports or documents (e.g., Baseline, Phase I Environmental) for which additional funds are being requested.
- ☐ Documentation for all in-kind donations (e.g., letter from donor stating value, invoice from business indicating value)



I certify the items listed below are expenditures incurred as a result of this project and all listed expenditures have been paid by my organization:

(signature of Controller or authorized financial officer)

Please enter each invoice only once. List all Budget Categories included in that invoice in the appropriate column(s). Please explain in Comments if the check total does not match the invoice total.

[illegible]

| Reimbursement Summary | .% of Actual Project Costs | Maximum Award | Actual Award |
|-----------------------|-------------------------------|---------------|--------------|
| | \$ - | \$ - | \$ - |