

Parks & Open Space Department
Adams County Regional Park
www.adcogov.org



9755 Henderson Road
Brighton, CO 80601
PHONE 303.637.8000
FAX 303.637.8015

May 22, 2018

Traci Ferguson
6060 E. Parkway Dr.
Commerce City, CO 80022

Re: Grant Award for the Sand Creek Open Space Remediation Phase I project

Dear Traci:

This letter is to inform you that the grant application you submitted on February 1, 2018 for the Sand Creek Open Space Remediation Phase I project has been approved for funding by the Board of County Commissioners. The grant award for this project is equal to 25.9% of the total project funding, up to \$565,000.00.

One full Grant Agreement is enclosed. Please read this Agreement carefully as it sets forth the binding conditions of this award between Adams County and the City of Commerce City.

The Agreement must be signed by an authorized official as designated by your agency. Please return the original signed copy of the Agreement with all exhibits to the Adams County Open Space office located at 9755 Henderson Road, Brighton, CO 80601. The signed Agreement must be returned to our office no later than July 6, 2018, which is 45 days from the date of award.

Once your signed agreement is received, it will be finalized by the Board of County Commissioners and a fully executed agreement will be scanned and emailed 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

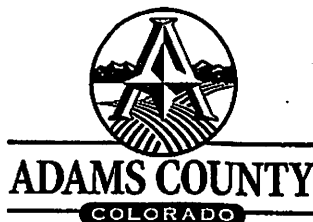
Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

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ADAMS COUNTY OPEN SPACE GRANT AGREEMENT #OSG2015-00037-A1

The Grant Agreement ("Agreement") is made and entered into this ____ day of _____, 201____, between the City of Commerce City ("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 August 3, 2015, Applicant applied for an Adams County Open Space Grant to complete the Sand Creek Open Space Remediation Phase I project (the "Project"); and

WHEREAS, on November 9, 2015, Adams County awarded Applicant an Adams County Open Space Grant to complete the Project; and

WHEREAS, on February 1, 2018, Applicant applied for additional funds to complete the Sand Creek Open Space Remediation Phase I project; and

WHEREAS, on May 22, 2018, Adams County awarded Applicant additional funds to complete the Project; and

WHEREAS, the total Adams County Open Space Grant award for the Project is equal to 25.9% of the total Project costs, not to exceed \$565,000.00.

AGREEMENT

NOW, THEREFORE, the Parties hereto agree as follows:

1. **Rescission of Parties' Previous Grant Agreement.** Adams County and the Applicant mutually agree that this Agreement replaces and supersedes the Adams County Opens Space Grant Agreement for the Project, dated December 17, 2015. The aforesaid December 17, 2015 Grant Agreement is hereby rescinded by the parties.
2. **Grant Award.** Adams County hereby awards to Applicant a grant in the amount of 25.9% of the total Project costs, not to exceed \$565,000.00 (the "Grant"), subject to terms and conditions set forth in this Agreement.

3. **Project Scope.** Applicant shall complete the Project as described in the grant applications, attached as Exhibits A and B ("Project Scope") and incorporated herein by this reference. 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 C 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.
4. **Completion Date.** Applicant shall complete the Project no later than May 22, 2020, 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 C, 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.
5. **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 C.
6. **Policies and Procedures.** Applicant shall comply with the Open Space Policies and Procedures, attached hereto as Exhibit C and incorporated herein by this reference.
7. **Payment of Grant.** Adams County agrees to make payments to the Applicant in the following manner:
 - a. **Payments.** Adams County agrees to disburse grant funds to Applicant to provide reimbursement for the payment of project costs upon successful completion of the Project, or on a quarterly basis. Itemized Reimbursement Requests, as set forth below, are required for quarterly basis. Should the Project take two full years to complete, the Reimbursement Request for the final period of the project must be received by May 22, 2020 to remain compliant with the Project Completion Date, as set forth above. Reimbursements disbursed from Adams County shall not exceed 25.9% of project costs incurred during the previous period with cumulative reimbursements totaling no more than \$565,000.00.
 - b. **Acceptable Expenditures.** Applicant can request payment for 25.9% of all project costs incurred within the previous period with cumulative reimbursements totaling no more than \$565,000.00 that: (1) have already been paid by the Applicant, and (2) are listed in

the approved budget attached as Exhibit A, under Application Attachment A – Project Budget. Applicant may request disbursement of grant funds for costs that have been incurred, but not paid by Applicant. However, Adams County will consider such requests on a case-by-case basis and distribution of grant funds for these purposes is not guaranteed.

- c. Reimbursement Request. Applicant shall submit via hand delivery, facsimile, or regular mail, to Adams County an itemized Reimbursement Request for project costs that have been incurred as of the date of the request. Each Reimbursement Request shall contain the following: (1) copies of invoices and/or employee time sheets complete with a spreadsheet indicating hours worked, wages earned, and taxes and benefits paid for work related specifically to the Project; (2) documentation substantiating that the Applicant has paid for the costs for which it is requesting reimbursement, including but not limited to cancelled checks or proof of a wire transfer; and (3) a brief summary of the work completed to date.
 - d. Approval of Payment of Reimbursement Requests. The Adams County Open Space Program Manager shall approve or disapprove the amount of each Reimbursement Request within fifteen (15) days of receipt of a legible Reimbursement Request. Payment shall be made to Applicant by check or electronic fund transfer.
 - e. Disapproval of Reimbursement Request. If Adams County disapproves any amount or amounts in a Reimbursement Request, Adams County shall promptly notify Applicant of the reason therefore. Upon receipt of disapproval, Applicant and Adams County shall meet within one week to discuss what, if anything, the Applicant can do to obtain payment of the requested amount that was denied.
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 COMMERCE CITY, APPLICANT

SEE City
By (signature)

Signature Page
Printed name

Title

CITY OF COMMERCE CITY

Brian K. McBroom, City Manager

Date: _____

ATTEST:

Laura J. Bauer, CMC, City Clerk

Date: _____

Approved as to form:

Robert Sheesley, City Attorney

Date: _____

Recommended for approval:

Carolyn J. Keith, CPRP
Director of Parks, Recreation and Golf

Date: _____



Adams County Open Space Grant Application
Passive Use
Due Date: February 1, 2018

Case No. _____

Applicant Organization Name:		City of Commerce City	
Name of Project:		Sand Creek Trail Connection	
Budget Summary			
Grant Request (this cycle only):	\$115,000.00	(this grant cycle only)	
Previous ADCO Grants (this project only):	\$450,000.00	(combined total - for this project only)	
Matching Funds (cash + in-kind):	\$1,618,557.00		
Total Project Costs:	\$2,183,557.00		
Grant Request:		25.9	% of the Total Project Costs
Land Acquisition Summary (if applicable)			
Number of acres:		Cost per acre:	
Appraised price per acre:			
If the purchase price is more than the appraisal price, please explain:			
Attach a copy of the appraisal summary page and label as Attachment M.			
Are there any known existing easements on the project site? <input type="radio"/> Yes <input type="radio"/> No			
If yes, attach copies of the easement and label as Attachment N.			
<input type="checkbox"/> I understand that a conservation easement is required for all open space acquisitions.			
30% Distribution			
Will the applicant be using any of its 30% distribution as part of the cash match for this project?			
<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Applicable			
If yes, please list the amount being used:		\$393,738.38	



Adams County Open Space Grant Application
Passive Use
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Case No. _____

PART I: ELIGIBILITY CRITERIA

Project Information

Applicant Organization Name: City of Commerce City

Sponsoring Jurisdiction:

Name of Project: Sand Creek Trail Connection

Contact Information

Primary Contact Name: Traci Ferguson

Title: Parks Planner

Phone: (303) 227-8788

Email: tferguson@c3gov.com

Address: 6060 East Parkway Drive

City: Commerce City

State: CO Zip: 80022

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:
Mike Brown	Parks Planning and Ops Mgr	(303) 289-3753	mbrown@c3gov.com

Project Summary

Briefly describe your project (<100 words).

As a part of the Natural Resource Damages settlement associated with the Rocky Mountain Arsenal, Commerce City received \$2.6 million to acquire, remediate, and restore two properties along Sand Creek. The remediation is underway, and restoration with native plants will occur in the spring of 2018. The final project in this area, and the request of this grant application, is to replace a temporary soft surface section of the Sand Creek Trail with concrete and relocate it to its permanent alignment. This will reduce maintenance and it will allow staff to plow the entire Sand Creek Trail in Commerce City after a snow event.

Grant Request : 25.9 % of Total Project Costs



Adams County Open Space Grant Application
Passive Use
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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:

Property Location Information

Project Site Address: 3200 East 64th Ave. Commerce City, CO 80022

Nearest cross streets: 64th Ave. and I-270

Parcel ID# (REQUIRED): 0182501300008

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

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

PART II: SELECTION CRITERIA

Grant Fund Use Category

1. Project Description

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

The former WE Holdings and former Multi-Contractors properties located at the confluence of the South Platte River and Sand Creek were acquired in January of 2014. The city had wanted to acquire them for over a decade, and the Natural Resource Damages settlement funds associated with the Rocky Mountain Arsenal finally made it possible. These properties are adjacent to the Sand Creek Regional Greenway and also serve as a gateway into Commerce City.

A remediation and restoration plan was created with Terracon, an environmental consultant, and was approved by the Colorado Department of Public Health and the Environment. The former WE



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Holdings property has more contamination due to storage of electrical generators in the past and requires much more remediation than the Multi-Contractors site. Though the science is complicated, the plan basically includes the following for WE Holdings:

- importing a large amount of beneficial reuse soil, which is soil that is not "perfect" like topsoil, but it passes the testing requirements to be used as fill
- installing geotextile, a heavy fabric, and geogrid, a plastic grid, to deter burrowing animals from penetrating the soil and accessing the contamination
- importing additional soil as a water storage layer. This is the soil that will support the vegetation that will be planted.
- *all of the steps above are a part of the evapotranspirative or ET cover
- irrigation and landscaping installed

For the Multi-Contractors site, the process is slightly less onerous as there is less contamination and the contamination that exists is much deeper. On that site:

- the top several feet of existing soil on the site will be run through a large sieve
- smaller particles will stay on the site and larger particles will be hauled off
- fill will be brought in to replace any material that was hauled off
- irrigation and landscaping installed

Adams County Open Space awarded a grant to Commerce City for the remediation and restoration plan as well as a portion of the remediation itself. This work is currently underway and it is anticipated that the remediation will be completed in April 2018, with the landscaping and irrigation being completed in April and May.

When the section of the Sand Creek Trail connecting to the South Platte River Trail was constructed, the Multi-Contractors site was privately owned and at that time the owner was not amenable to providing an easement for the trail. To ensure a connection was made, a temporary section of soft surface trail was built in the CDOT right of way to avoid this property. This "temporary" section of trail has now been in place over 15 years.

Now that the property is owned by the city, the final piece of this project is to add the permanent 10 foot wide concrete trail section along Sand Creek. The length of trail to be built is approximately 1,150 feet and the scope of work includes:

- Surveying and trail preparation
- Erosion Control



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-Concrete trail and connections -Testing and inspection fees

b. Attach a Project Site Plan that identifies all project components and label as Attachment F.

2. Community Need/Urgency

a. Clearly describe how this project will fulfill needs of the community (i.e. the project provides passive recreation opportunities for underserved areas, addresses health and safety issues, protects wildlife habitat and natural resources, etc.).

This project as a whole is important as it addresses the remediation and restoration of two formerly industrial properties along the Sand Creek Trail, a nearly 14 mile long regional trail connecting the South Platte River Trail at the west/north end to Aurora and the High Line Canal Trail at the eastern/southern end. The specific portion of the project for which the city is requesting funds as a part of this grant application is a key final connection. The soft surface "temporary" section of trail near the confluence of Sand Creek and the South Platte River has been in place for over 15 years. Commerce City finally acquired the property at the confluence and is now able to complete this final section of trail in concrete. The Sand Creek Trail in Commerce City is used by commuters and recreation enthusiasts alike and unfortunately the soft surface section cannot be plowed when it snows. The rest of the trail is plowed by parks maintenance staff, so adding this section of paved trail will enable users to traverse the entire Commerce City section of trail even after accumulating snow. The concrete will be easier to maintain as well, eliminating the need to replenish crusher fines periodically.

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.

The actual remediation and restoration of the two properties must be completed by the end of 2018 per the funding agreement associated with the Natural Resource Damages settlement. Completing this trail segment with the contractor already on site for this larger project will allow the city to obtain the best possible price. Funding for this project is very tight and it is possible that if grant funding is not received, the trail will have to be delayed until another funding source can be secured.

3. Uses/Users

a. Describe all current and anticipated future uses of the project.

This will be passive open space in perpetuity. There is a conservation easement on the property held by Adams County Open Space that only allows for passive uses such as benches, trails and picnic shelters.

b. Will the project be open to the public? ☒ Yes ☐ No

c. If yes, explain how this project will appeal to a broad diversity of users.

The user group for the Sand Creek Trail is incredibly diverse. Daily commuters, wildlife watcher, birders, exercise enthusiasts, joggers, walkers, and roller bladers of all ages can be found on the trail. Completing this final section of concrete trail will allow use after snow events since the trail will now be able to be plowed. The current soft surface crusher fines material is not conducive to plowing.

4. Connectivity

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

The original Sand Creek Trail Master Plan shows this open space and trail section. The Sand Creek Trail has



Adams County Open Space Grant Application
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been an important connection since its construction and continues to be included in all city master plans that focus on the southern part of the city.

- 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.

The Sand Creek Trail will continue to connect to the South Platte River Trail at the west end and it connects to the Denver section of the Sand Creek Trail (and ultimately the Aurora section and High Line Canal Trail.)

5. Wildlife/Natural Resources

- a. Describe the natural resources and/or wildlife habitat that exists on this property.

The confluence area attracts many birds and once the restoration is complete it is anticipated that other wildlife will be present as well. Deer, foxes, beavers, other small mammals, songbirds, raptors and waterfowl can all be seen throughout the Commerce City section of the Greenway.

- b. How will this project protect or enhance the existing natural resources on this property?

Constructing the trail will not protect or enhance the existing natural resources, but the remediation and restoration work that is currently being completed certainly will. Also, if all construction including the trail can be completed at once it will be less disruptive to wildlife.

6. Open Space Sales Tax Goals

- 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.

Resolution 99-1, Section 8(C) states that an authorized project use of funds includes: To improve and protect open space, natural areas, wildlife habitats, agricultural and ranch lands, historical amenities, parks and trails. This project helps improve and protect this open space as well as providing a missing trail connection.

Project Detail

1. 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 cost included in the budget for the remediation is part of the current contract that is already in place. The irrigation, landscape, and trail costs were provided by this same contractor. They are not included in the existing contract, but for the purposes of this grant the contractor was asked to provide a cost estimate.

2. Partnerships

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

The city is using Natural Resource Damage funding that was received as a part of the Rocky Mountain Arsenal settlement as well as previous Adams County Open Space grant funding and cash provided by the city.

3. Qualified Jurisdiction Sponsorship

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

4. Partnerships and Sources of Funds

Please complete Attachment D - Source of Funds.

5. Letters of Commitment

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



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Project Support

1. Community Outreach

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

The master plan for spending the city's allocation of Natural Resource Damage funding on the acquisition of this property also included information about this trail section. That plan was created as a part of a public process through the Northeast Greenway Coalition, a group composed of representatives from each affected jurisdiction as well as several government agencies. The plan was approved by the Natural Resources Damage Trustees in a meeting allowing for public comments. Sand Creek Regional Greenway Partnership frequently receives communication from users of the Greenway and there is consistent feedback that a hard surface trail rather than the existing soft surface section be in place. Commerce City staff regularly attends Sand Creek Regional Greenway Partnership board meetings and interacts with the executive director and the board on a regular basis.

2. Letters of Support

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

- Nearby landowners
- Nearby cities or counties
- Federal or state agencies
- School districts or special districts
- Individual users or user groups
- Citizen Boards
- Local Businesses or Non-Profit Agencies

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

Project Management and Applicant's Past Performance of Awarded Projects

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 Sand Creek Regional Greenway in Commerce City is maintained at least weekly by our parks maintenance staff and during high use times staff is on the trail more frequently. The new concrete trail section will require less maintenance than the existing soft surface crusher fines connection that is in place. It will add additional trail to be plowed after snow events, but parks staff is already plowing the rest of the trail so the added effort will be minimal.

- 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 H.

2. Past Performance

In the space provided below, list similar projects that have received ADCO grant funds and have been successfully completed by the applicant (limit 5 projects). For example, if this is a trail project, list completed trail projects.

Project Name:

Project Manager:

Award Date:

Completion Date:



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Case No. _____

Project Name:	Project Manager:	Award Date:	Completion Date:
Sand Creek Regional Greenway Trail Completion	Traci Ferguson/Tony Jaramillo	07/2006	12/2007
Second Creek Trail Phase 2	Traci Ferguson/Tony Jaramillo	05/2009	05/2011
North South Trail	Traci Ferguson/Tony Jaramillo	07/2008	08/2010

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:
Sand Creek Regional Greenway Flood Repairs	\$345,500.00	05/2018	
Sand Creek Open Space Remediation Phase One	\$450,000.00	05/2018	
Veterans Memorial Park Master Plan	\$50,000.00	05/2019	

Please deliver 10 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, 2018. Please bind all 10 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 Budget Categories
- Attachment C - Project Timeline
- Attachment D - Source of Funds
- Attachment E - Source of Funds Categories
- Attachment F - Project Site Plan
- Attachment G - Location Map
- Attachment H - Access or Maintenance Agreements (if applicable)
- Attachment I - Master or Regional Plan (limit 3 pages)
- Attachment J - Letter of Sponsorship from Qualified Jurisdiction (if applicable)
- Attachment K - Letters of Commitment from Project Partners
- Attachment L - Letters of Support



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- Attachment I - Master or Regional Plan (limit 3 pages)
- Attachment J - Letter of Sponsorship from Qualified Jurisdiction (if applicable)
- Attachment K - Letters of Commitment from Project Partners
- Attachment L - Letters of Support

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

- Attachment M - Buyer's Appraisal. Provide one complete copy of the appraisal. Attach a copy of the appraisal summary to each of the 10 copies of the application.
- Attachment N - 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.

Applicant's Signature: Brian K. McBroom

Date: 1/31/18

Print Name: Brian K. McBroom

Print Title: City Manager

Attachment A - Project Budget

Date: February 1, 2018

Project Name: Sand Creek Trail Connection

Amount Requested: \$115,000.00

% Total Project Costs: 25.9

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
Clearing and Grubbing				\$45,000.00		\$45,000.00
Base soil and placement				\$150,000.00		\$150,000.00
Geogrid, geotextile & geosynthetic clay liner				\$525,000.00		\$525,000.00
Biota material and placement		\$450,000.00	\$300,000.00	\$180,000.00		\$930,000.00
Oversight			\$300,000.00			\$300,000.00
Native seed and installation			\$33,780.00			\$33,780.00
Trees and installation			\$34,155.00			\$34,155.00
Shrubs and Installation			\$4,213.00			\$4,213.00
Irrigation and installation			\$37,184.00			\$37,184.00
Mulching			\$9,225.00			\$9,225.00
Trail preparation, surveying	\$10,000.00					\$10,000.00
Erosion Control	\$5,000.00					\$5,000.00
Concrete Trail and Connections	\$95,000.00					\$95,000.00

Attachment B - Project Budget Categories

Date: **February 1, 2018**

Project Name: **Sand Creek Trail Connection**

% Total Project Costs: **25.9**

Please input the same budget categories you included on Attachment A, but mark each corresponding cell.

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
Clearing and Grubbing				✓		
Base soil and placement				✓		
Geogrid, geotextile and geosynthetic clay liner				✓		
Biota material and placement		✓	✓	✓		
Oversight			✓			
Native Seed and Installation			✓			
Trees and Installation			✓			
Shrubs and Installation			✓			
Irrigation and Installation			✓			
Mulching			✓			
Trail Preparation, Surveying	✓					
Erosion Control	✓					
Concrete Trail and Connections	✓					
Testing, Inspection fees	✓					

Attachment C - Estimated Project Timeline

Project Name:

Sand Creek Trail Connection

Date:

February 1, 2018

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	March 2018	April 2018	May 2018	June 2018									
Evapotranspirative cover - WE Holdings Site	X	X	X										
Sieving and soil importation - Multi-Contractors Site	X	X	X										
Trail Construction		X	X	X									
Irrigation and Landscape		X	X	X									

Description of Task													

Attachment D - Source of Funds

Project Name:

Amount Requested:

% Total Project Costs:

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

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

Source of Funds	Date Secured	Grant Request	Previous ADCO Grant Awards	Cash Match	In-Kind Match	Total Funding	Brief Description of Contribution (<10 words)
Natural Resource Damages-State of Colorado	07/31/2013			\$900,000.00		\$900,000.00	
Commerce City	1/1/2018			\$718,557.00		\$718,557.00	
Adams County Open Space	11/9/2015		\$450,000.00			\$450,000.00	
Adams County Open Space		\$115,000.00				\$115,000.00	
Total		\$115,000.00	\$450,000.00	\$1,618,557.00		\$2,183,557.00	

Attachment E - Source of Funds Categories

Project Name:

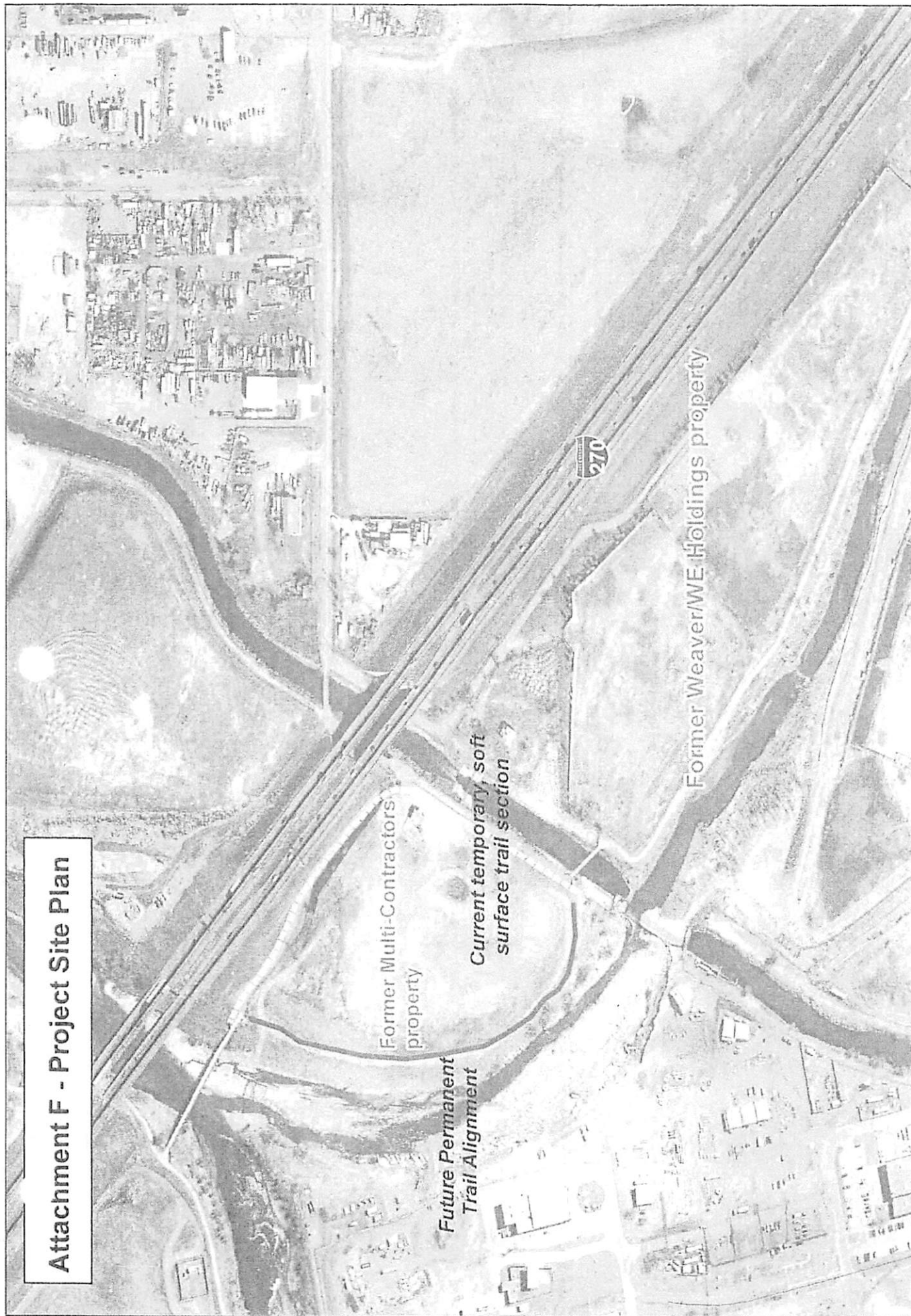
% Total Project Costs:

In the chart below, please list all sources of funds. For partners, please provide a brief description of the contribution. Please mark each corresponding cell.

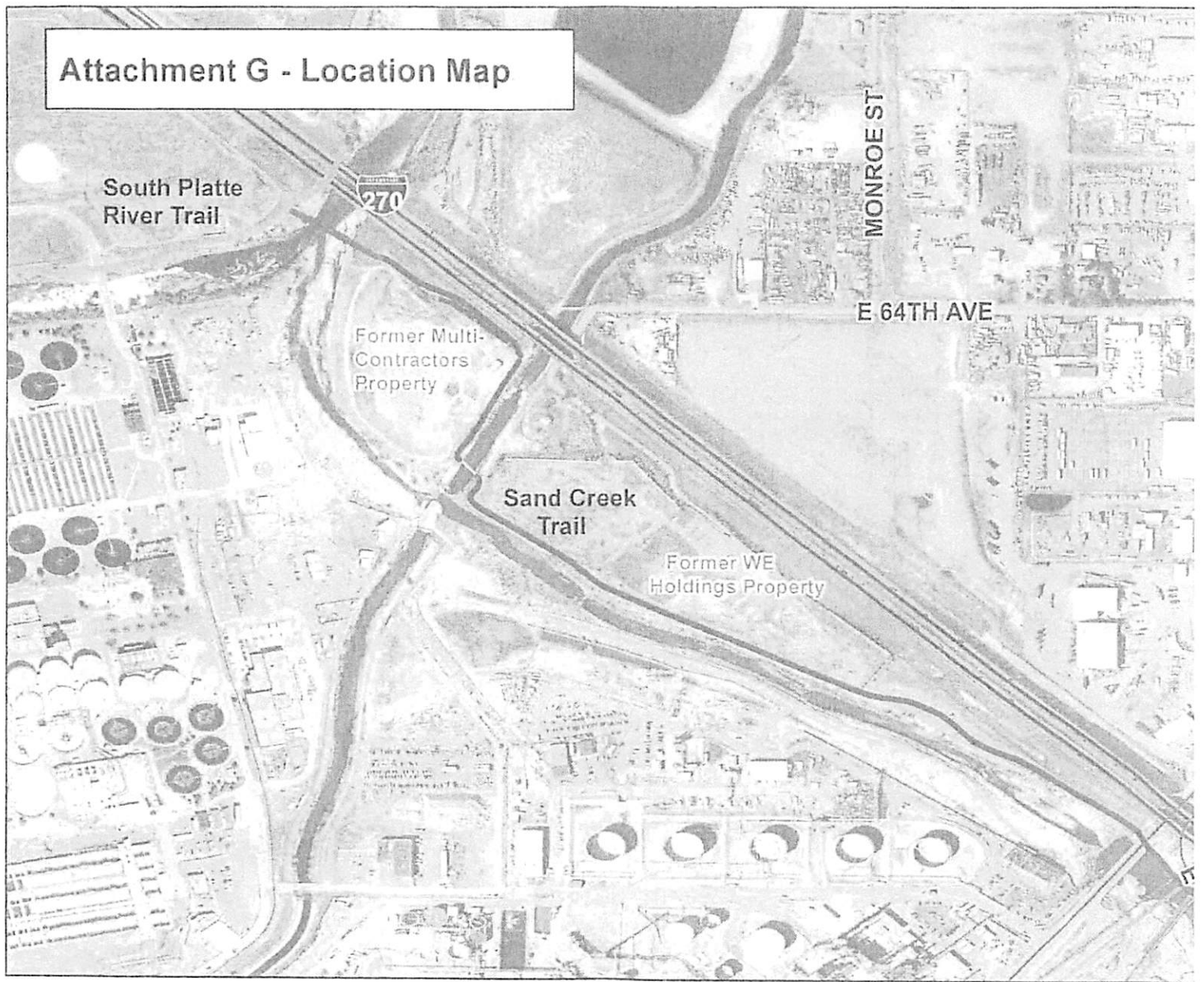
With regard to the Applicant's contribution, only fill out the "Brief Description of Contribution" if the Applicant is making an in-kind contribution.

Source of Funds	Date Secured	Grant Request	Previous ADCO Grant Awards	Cash Match	In-Kind Match	Total Funding	Brief Description of Contribution (<10 words)
Natural Resource Damages-State of Colorado	07/31/2013			✓			
Commerce City	1/1/2018			✓			
Adams County Open Space	11/9/2015		✓				
Adams County Open Space		✓					
<i>Total</i>							

Attachment F - Project Site Plan



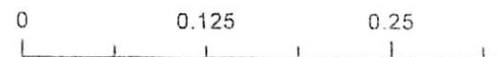
Attachment G - Location Map



Directions to project from Adams County Fairgrounds:

*Travel east on 124th Ave. to Hwy 85. Go south on Hwy 85 to Brighton Blvd. Travel south on Brighton Blvd. to 64th Ave. Turn right on 64th Ave. and follow it until it ends, crossing the canal. The project is just over the canal, south of I-270.

*This project is located within Adams County.



ATTACHMENT H

SAND CREEK REGIONAL GREENWAY MASTER PLAN

ACTIONS

Review and update the Greenway Master Plan.

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.



1. Review and update the Greenway Master Plan.

HABITAT UNIT 13

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.

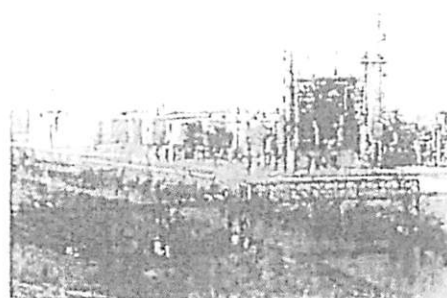
ACTIONS

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.

Develop a Greenway Master Plan for the Greenway.



HABITAT UNIT 13

Develop a Greenway Master Plan for the Greenway.

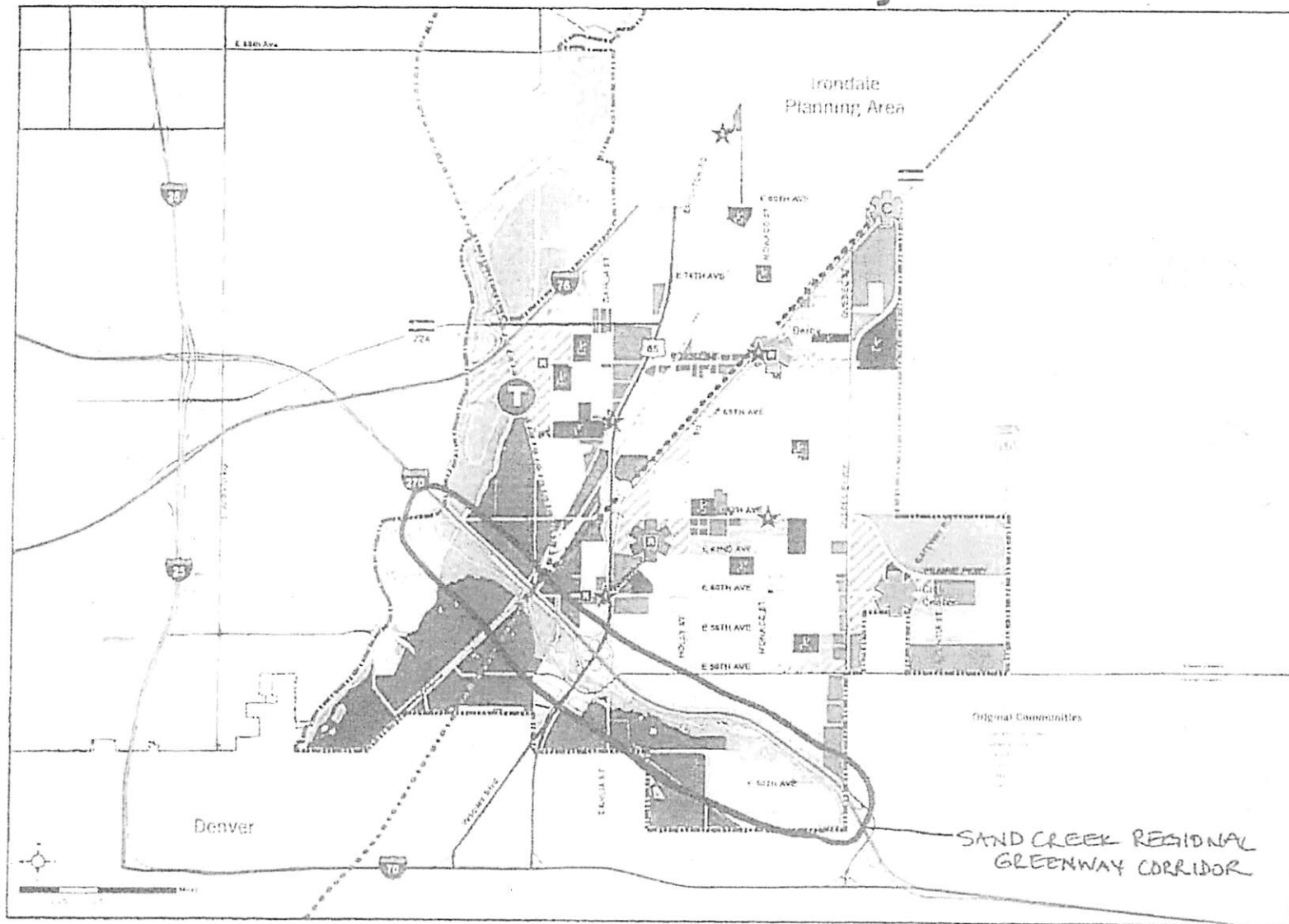
Develop a Greenway Master Plan for the Greenway.

Table 2.2: Roster of Key Regional Corridors and Projects

Project	Description	Lead Entities
Clear Creek Greenway	Trail Greenway Plate River to Golden	Adams County
Platte River Greenway Heritage Corridor	Trail Greenway Luttrell to Brighton	Adams County
1-470 Trail	Trail along E-470 & C-470 Beltway	Denver Commerce City Adams County
Shiloh Creek Greenway	Trail Greenway Along Shiloh Creek	Commerce City Denver Aurora
Fashion Ditch Greenway	Trail Greenway Along Fashion Ditch	Commerce City Adams County Brighton
1-170 Greenway	Trail Greenway Along O'Brien Canal (Links Durr Lk. S.P. & Rocky Mtn. Arsenal NWR)	Commerce City PRICO
1-7 Creek Greenway	Trail Greenway Along 1-7 Creek	Commerce City Brighton
1-7 Creek Greenway	Trail Greenway Along 1-7 Creek	Commerce City Denver, Aurora
1-7 Creek Greenway	Trail Greenway Along 1-7 Creek	Commerce City
Perimeter Trail/Vegetation Corridor	Trail around Rocky Mountain Arsenal Wildlife Refuge	Commerce City Arsenal
Prairie Park/Pavilion	Community Park and Gateway to Refuge and Trail System	Commerce City Arsenal
New Community Park	New Community Parks at 1-7 Creek, 1-7 Creek, Buckley Road and Box Elder Creek	Commerce City
DVA Trail	Access Trail to DVA	Denver, Arsenal
Dart Lake Buffer Zone	Terminal Via Piers Protective Open Land Around State Park	Commerce City Adams County Bear Lake State Park, Brighton

Project	Description	Lead Entities
High Line Canal Greenway	Trail Greenway Along High Line Canal From Luttrell to Arsenal Wildlife Refuge	Denver Denver Water Aurora
Bear Lake Loop and Prairie Trail	Trails Linking to Bear Lake and Box Elder Creek	Commerce City
1-10 Avenue Trail	Trail Along 1-10 Avenue	Adams County
1-10 Avenue Trail	Trail Along 1-10 Avenue	Commerce City
1-10 Avenue Trail	Trail Along 1-10 Avenue	Adams County
1-10 Avenue Trail	Trail Along 1-10 Avenue	Commerce City
1-10 Avenue Trail	Trail Along 1-10 Avenue	Adams County
1-10 Avenue Trail	Trail Along 1-10 Avenue	Commerce City

Future Land Use Plan - Historic City



COMMERCE CITY DIVISION

Legend

- Office
- Medium Density Residential
- Low Density Residential
- Industrial
- Agriculture
- Open Space
- Transportation
- Public Facilities
- Parks and Recreation
- Community Centers
- Schools
- Health Care
- Cultural and Entertainment
- Other

Future Land Use

- Office
- Medium Density Residential
- Low Density Residential
- Industrial
- Agriculture
- Open Space
- Transportation
- Public Facilities
- Parks and Recreation
- Community Centers
- Schools
- Health Care
- Cultural and Entertainment
- Other

Figure 4.4

Source: Commerce City Division, 2010. Data provided by the City of Commerce City, 2010. Map prepared by the City of Commerce City, 2010. Map scale: 1 inch = 1 mile. Map date: 2010.

Page 1 of 1

CLAREN INC. 010

January 25, 2018

Adams County Open Space Advisory Board

9755 Henderson Road

Brighton, CO 80601

Dear Board Members:

The Commerce City Youth Advisory Committee would like to voice our support of the Sand Creek Trail Connection grant application.

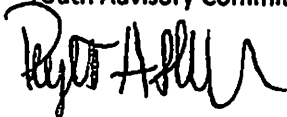
The Greenway is a beautiful open space area in this very industrial part of Commerce City, and the trail is a great connection to the South Platte River Trail. We enjoy the trail with our friends and family and we are able to have some of our events, such as Bike with Cops on it as well.

Paving this last section of the Sand Creek Trail will finally create a hard surface trail throughout Commerce City, making it easier to use the entire trail all year long.

Thank you for your consideration of this project. We love the Sand Creek Regional Greenway and we're excited to see more improvements!

Sincerely,

Youth Advisory Committee Members



Steve Gonzalez

Ryan Bettale

Monica Holguin

Braun Alpizar

Angel Garcia

Vian Carlos Cisneros-M.

Serenity Chmura

Amber Miller

Izayah Martinez



PARKS, RECREATION & GOLF

January 23, 2018

Adams County Open Space Advisory Board
9755 Henderson Road
Brighton, CO 80601

Dear Board Members:

The Parks, Recreation, and Golf Advisory Committee fully supports Commerce City's Sand Creek Trail Connection grant application.

For many years the city has been working to acquire, remediate, and restore the two properties at the confluence of Sand Creek and the South Platte River. That project is nearly complete, and construction of the final section of the Sand Creek Trail on its envisioned permanent alignment is the next step. The temporary, soft surface section of trail that has been in place for over 15 years cannot be plowed and requires frequent maintenance, causing issues for daily commuters as well as recreational users. Adding this concrete trail section along the creek will reduce maintenance, allow the entire trail in Commerce City to be plowed after snowstorms, and fulfill the original master plan for the Sand Creek Regional Greenway in Commerce City.

Completion of the remediation and restoration of both sites will improve the aesthetics of the area and provide important habitat for wildlife and birds. It will expand the trail corridor, creating additional green space in an area that has very little. This connection will provide users a better trail experience while fulfilling the ultimate plan for the final trail alignment.

Again, we would like to express our support and excitement for this project. It is the next step in enhancing an already amazing Sand Creek Regional Greenway.

Sincerely,

Justin Maillet, Co-Chair

Commerce City Parks, Recreation, and Golf Advisory Committee



SAND CREEK REGIONAL GREENWAY

7350 E. 29th Avenue
Suite 204
Denver, CO 80238
303-468-8263
www.sandcreekgreenway.org

Board of Directors

Paul Prohazka, President
Community Volunteer
Matt Lepore, Vice President
Colorado Oil and Gas
Conservation Commission
and Bullock, Secretary
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Charles Bayler, Treasurer
Community Volunteer
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Xcel Energy
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Denver City Council
Marcia Johnson
Community Volunteer
Bob LeGare
City Council, Aurora
Oscar Madera
City Council, Commerce City
Kristin Memmott
Community Volunteer
Robbin Mitchell
Community Volunteer
Shannon McAvoy
Suncor Energy
Kristin Memmott
Community Volunteer
Robbin Mitchell
Community Volunteer
Beth Nobles
SCRGP
Richard Reading
Butterfly Pavilion
Tom Tobiasen
Bicycle Aurora
Jim Thomas
Mintor & Brown PC
Jim Spaanstra
Faegre Baker Daniels LLP
Charles Warren
The Park People

January 16, 2018

Adams County Open Space Advisory Board
9755 Henderson Road
Brighton, CO 80601

Re: Sand Creek Trail Connection

Dear Adams County Open Space Board Members:

Sand Creek Regional Greenway Partnership strongly supports the grant proposal regarding the construction of the final section of paved trail along Sand Creek in Commerce City. Commerce City was awarded Natural Resource Damages settlement funds to buy two critical properties on the western boundary of the Sand Creek Regional Greenway. The two properties have been acquired and their remediation and restoration will create a beautiful entryway into Commerce City from the South Platte River Greenway Trail. The remediation and restoration will be completed this spring and the final project in this area is the permanent concrete trail connection.

Sand Creek Regional Greenway Partnership has worked with Commerce City for many years to build and improve the Sand Creek Trail. The remediation of the former Weaver Electric site and the restoration of both properties will be the culmination of a plan created over 20 years ago. When the trail was constructed in this area, Commerce City had to locate a portion of it in the CDOT right-of-way. Since this was expected to be a temporary section of trail it is soft surface (crusher fines) rather than concrete like the rest of the trail. This grant will allow Commerce City to construct the permanent section of trail along the creek, creating a continuous paved trail experience throughout the city.

The Sand Creek Regional Greenway Trail is a nearly 14-mile trail connecting the South Platte River Greenway in Commerce City to the High Line Canal in Aurora, passing through northeast Denver and Stapleton. The Greenway is the east/west off-road spine of a wonderful trail network for Adams County and the region. The Greenway Partnership is a model for intergovernmental cooperation around the region.

We strongly support Commerce City's application for the Sand Creek Trail Connection.

Sincerely,

Beth Nobles
Executive Director



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

PART I: ELIGIBILITY CRITERIA

Project Information	
Applicant Organization Name:	City of Commerce City
Sponsoring Jurisdiction:	
Name of Project:	Sand Creek Open Space Remediation Phase 1
This project is priority <input type="text" value="1"/> of <input type="text" value="2"/> project(s) submitted.	
* Prioritize project separately if you are submitting joint projects with another jurisdiction, special district, or organization.	

Contact Information			
Primary Contact Name:	Traci Ferguson	Title:	Parks Planner
Phone:	(303) 227-8788	Email:	tferguson@c3gov.com
Address:	6060 E. Parkway Dr.		
City:	Commerce City	State:	CO Zip: 80022
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:
Mike Brown	Parks Planning & Ops Mgr	(303) 289-3753	mbrown@c3gov.com
Leigh Ann Noell	Grant Administrator	(303) 289-3625	lnoell@c3gov.com

Project Summary	Budget Summary
Briefly describe your project (<100 words).	Grant Request (this cycle only): \$450,000.00
As a part of the Natural Resource Damages settlement associated with the Rocky Mountain Arsenal, Commerce City received \$2.6 million to acquire, remediate, and restore two properties along Sand Creek. These properties are near the confluence of Sand Creek and the South Platte River along the Sand Creek Regional Greenway. They have been used for industrial purposes for many years and Commerce City would like to restore them as closely as possible to their original state, creating 32 acres of wildlife habitat and open space adjacent to the Sand Creek Trail. This project focuses on remediating the 20 acre property formerly known as the Weaver or WE Holdings property to the standards of the Colorado Department of Public Health and the Environment and the Environmental Protection Agency.	Previous ADCO Grants (this project only):
	Matching Funds (cash + in-kind): \$1,500,000.00
	Total Project Costs: \$1,950,000.00
	Grant Request: <input type="text" value="23.1"/> % of Total Project Costs
	Complete the Project Budget labeled Attachment A at the end of this application.



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

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:
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Property Location Information

Project Site Address:

Nearest cross streets:

Parcel ID# (REQUIRED):

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: Cost per acre:

Appraised price per acre:

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

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

Are there any known existing easements on the project site? ☐ Yes ☐ No

If yes, attach copies of the easement and label as Attachment L.

☐ I understand that a conservation easement is required for all open space acquisitions.



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

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.

The former WE Holdings property is located along the Sand Creek Regional Greenway near the confluence of the South Platte River and Sand Creek. Commerce City acquired the property with Natural Resource Damage Settlement funds in January 2013. Due to its location, the City wanted to acquire it for over a decade, but finally the timing was right- the funds were available due to the NRD settlement and there was a willing seller.

For several years this property was known as the Weaver Electric property and it was used to store electrical transformers. This caused polychlorinated biphenyls (PCBs) to leach into the soil. Commerce City was aware of the contamination when the property was purchased, and knew that remediation would be necessary.

The City has been working with Terracon, an environmental consultant, for the last two years to complete a plan to remediate this site. The plan is nearly complete and work can begin on actual remediation. A layer of soil will be imported to the site as a base, and an evapo-transpirative vegetative cover (ET cover) will be added on top of that material. The ET cover consists of:

- 1.) A crushed concrete biota barrier to resist root penetration and burrowing animals
- 2.) A geogrid, geotextile and geosynthetic clay liner

The geogrid reinforces the soil increasing its load capacity, confines the base soil, and reinforces the subgrade. Geotextile separates contaminated and uncontaminated soils and prevents the upward movement of contaminated soil particles. The geosynthetic clay liner impedes water infiltration.

- 3.) Clean fill material and indigenous vegetation

The cover will have designed slopes and engineering controls to promote vegetative growth, promote positive drainage, reduce infiltration into the underlying materials, and minimize erosion.

This phase (Phase 1) of the remediation will focus on Steps 1 and 2. Step 3 will be completed in the next phase (Phase 2.)

Upon completion of remediation, this 20-acre site, as well as the adjacent 12-acre site (formerly called the Multi-Contractors property but now also owned by Commerce City) will be restored as closely as possible to their native state. Native trees, grasses, and shrubs will be planted and both properties will serve as open space along the Sand Creek corridor.

- b. Attach a Project Site Plan that identifies all project components and label as Attachment D.

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

- a. Clearly describe how this project will fulfill needs of the community (i.e. the project provides passive recreation opportunities for underserved areas, addresses health and safety issues, protects wildlife habitat and natural resources, etc.).

Commerce City has been working to improve the Sand Creek corridor for over 20 years. Nearly four miles of the Sand Creek Regional Greenway Trail are in Commerce City and it provides an important east-west connection in the southern part of the City, connecting to the South Platte River Trail at the western end



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

and to the remaining 10 miles of the Sand Creek Trail on the eastern end.

The Sand Creek Trail crosses the subject property and a permanent easement was negotiated for it over a decade ago. The southern edge of the property is Sand Creek, and the confluence of Sand Creek and the South Platte River is just west of the property. Completing remediation and eventually restoration will provide a safe, scenic open space with excellent habitat for wildlife and birds.

The Sand Creek Trail is heavily used in Commerce City for commuting as well as recreation. Though it traverses an industrial area of the City, it provides a ribbon of green space for users. There is very little open space in the southern part of Commerce City and this greenway provides much needed respite for residents as well as those that come into the City for work.

Remediating the property to the standards of the Colorado Department of Health and the Environment as well as the Environmental Protection Agency will ensure that users of the trail and the open space will never be exposed to harmful substances and the eventual restoration of the property will provide important plant and animal habitat. The subject site has a conservation easement on it, and will never be developed beyond simple passive uses.

- 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.

Commerce City was awarded \$2.6 million in Natural Resource Damage settlement funding associated with the Rocky Mountain Arsenal lawsuit in July 2012. This funding was to be used to acquire two properties along Sand Creek (which has been completed), remediate, and restore them. A five year deadline was given for completion of these tasks. Just over \$1 million of the settlement funding remains, but the remediation will likely take between \$2 million and \$3 million dollars, with restoration being an additional cost. To ensure the NRD funding can be spent in the next two years, additional funding is needed to complete the project.

3. Uses/Users (0-20 points)

- a. Describe all current and anticipated future uses of the project.

The Sand Creek Regional Greenway Trail is a heavily used trail in the southern portion of Commerce City. It is concrete and attracts bicyclists, roller bladers, walkers, and joggers. The subject property will be remediated and restored and an existing picnic shelter near it will remain. There is a conservation easement on the property so only passive uses will be allowed. Additional benches or picnic facilities may be added, but the overall plan for the property is to simply be an open space for the benefit of trail users and wildlife.

- b. Will the project be open to the public? ☒ Yes ☐ No

- c. If yes, explain how this project will appeal to a broad diversity of users.

As mentioned before, the Sand Creek Trail appeals to a variety of types of users including commuters as well as those simply recreating. This area can also be a great spot for birdwatching due to the confluence of the two waterways, and the restored native vegetation should improve this even more.

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).

This Sand Creek Regional Greenway Master Plan notes that, in this section of the trail, Commerce City should, "Explore land acquisition to allow for expansion and enhancement of riparian and wetland habitats." Commerce City's Future Land Use Plan, a part of the Comprehensive Plan, shows open space all



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

along the Sand Creek Regional Greenway Trail and the City had interest in acquiring the subject project for several years before acquisition occurred.

- 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.

The Sand Creek Trail currently crosses (and will continue to cross) the subject property. Just west of the property the Sand Creek Trail connects to the South Platte River Trail, which connects to hundreds of miles of trail in the Denver metro area. The Sand Creek Trail extends for nearly 14 miles through Denver to Aurora where it connects to the High Line Canal Trail. Along the Sand Creek Trail in Commerce City is the Commerce City Wetland Park, a 19-acre open space area with a loop trail, restroom and trailhead.

5. Wildlife/Natural Resources (0-5 points)

- a. Describe the natural resources and/or wildlife habitat that exist on this property.

There is not a great deal of wildlife on the property currently, but the Sand Creek corridor supports many species of wildlife. Deer, fox, beavers, and many species of birds are often spotted by staff and trail users. The City has worked with the Sand Creek Regional Greenway Partnership for several years organizing volunteer activities to remove weeds and plant native species throughout the Commerce City section of the trail.

- b. How will this project protect or enhance the existing natural resources on this property?

The overall goal of this project is to protect and enhance the natural resources on this property. The remediation will ensure that no harmful substances ever affect the surrounding properties, water, or users.

6. 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.

Resolution 99-1, Section 8(C) states that an authorized project of use of funds includes: To improve and protect open space, natural areas, wildlife habitats, agricultural and ranch lands, historical amenities, parks and trails. This project will help to improve and protect this open space along Sand Creek.

Project Funding (0-30 points)

1. Funding Summary

Grant Request	\$450,000.00	(this grant cycle only)
Previous ADCO Grant Awards		(combined total - for this project only)
Cash Match		
In-Kind Match		
Total Project Costs	\$1,950,000.00	

Grant Request = 23.1 % of the Total Project Costs



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

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

The City worked with our consultant, Terracon, to estimate the cost of each of the budget items. The project has not yet been put out to bid.

Current estimates show that approximately 65,000 cubic yards of base material will need to be imported, 25,000 cubic yards of new cover soil and 15,000 cubic yards of biota material.

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

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: \$600,000.00

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 decision to acquire these two properties with the Natural Resource Damages settlement funding required action by City Council. The plan to purchase the properties was presented and discussed by City Council and the public was able to comment as well. The master plan for spending the entirety of the settlement funds was created as a part of a public process through the Northeast Greenway Coalition, a group composed of representatives from each affected jurisdiction as well as several government agencies. The plan was approved by the Natural Resource Damages Trustees in a meeting allowing for public comment. Sand Creek Regional Greenway Partnership frequently receives communication from users of the greenway and feedback has been positive regarding the property acquisitions as well as the remediation and restoration. Commerce City staff regularly attends Sand Creek Regional Greenway Partnership board meetings and interacts with the executive director and the board on a regular basis.



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

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.

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.

Commerce City Parks Maintenance staff currently maintains the Sand Creek Trail and they will be responsible for the maintenance of the subject property once it is remediated and restored. There is an existing conservation easement on the property that is monitored on a yearly basis, ensuring that it remains a passive open space. Parks Maintenance staff maintains the Sand Creek Trail at least once a week, removing trash and graffiti, sweeping if necessary and mowing the trail edges. There will be minimal maintenance necessary on the subject property once it is restored. Staff will check for trash and manage any noxious weeds.

- 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:
Sand Creek Trail (Wetland Park)	Traci Ferguson/Tony Jaramillo	07/2006	12/2007
North South Trail (& Prairie Gateway Open Space)	Traci Ferguson/Tony Jaramillo	07/2008	07/2010
Future 2nd Creek Park Aquisition	Traci Ferguson	11/2012	08/2013



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

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:
Fairfax Interpretive Signage	\$5,000.00	01/2016	
Los Valientes Improvements	\$25,000.00	01/2016	
Restoration Plan for Sand Creek	\$25,000.00	01/2016	
Fronterra Neighborhood Park	\$200,000.00	11/2016	
2nd Creek Park Acquisition	\$359,450.00	07/2017	

Please mail 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 August 3, 2015. Please bind all 12 copies with either binder clips or rubber bands (no staples 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 Open 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).



Adams County Open Space Grant Application
Passive Use
Due Date: August 3, 2015

Case No. _____

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 Open 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: *Brian R. McBurney*

Date: *7-30-15*

Print Name: Brian R. McBurney

Print Title: City Manager

Attachment A - Project Budget

Date: August 3, 2015

Project Name: Sand Creek Open Space Remediation Phase 1

Amount Requested: \$450,000.00

% Total Project Costs: 23.1

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
Clearing and Grubbing				\$45,000.00		\$45,000.00
Base soil and placement				\$150,000.00		\$150,000.00
Geogrid, geotextile & geosynthetic clay liner				\$525,000.00		\$525,000.00
Biota material and placement	\$450,000.00		\$300,000.00	\$180,000.00		\$930,000.00
Oversight			\$300,000.00			\$300,000.00
<i>Budget Total</i>	<i>\$450,000.00</i>		<i>\$600,000.00</i>	<i>\$900,000.00</i>		<i>\$1,950,000.00</i>

Attachment B - Estimated Project Timeline

Project Name: Sand Creek Open Space Remediation Phase 1

Date: August 3, 2015

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	August 2015	September 2015	October 2015	November 2015	December 2015	January 2016	February 2016	March 2016	April 2016	May 2016	June 2016	July 2016
Clearing and Grubbing				X	X	X						
Base Soil and Placement							X	X	X			
Geogrid, Geotextile and Geosynthetic Liner										X	X	X

Description of Task	August 2016	September 2016	October 2016	November 2016	December 2016	January 2017	February 2017	March 2017	April 2017	May 2017	June 2017	July 2017
Biota Material and Placement	X	X	X	X								

Attachment C - Source of Funds

Project Name:

Amount Requested:

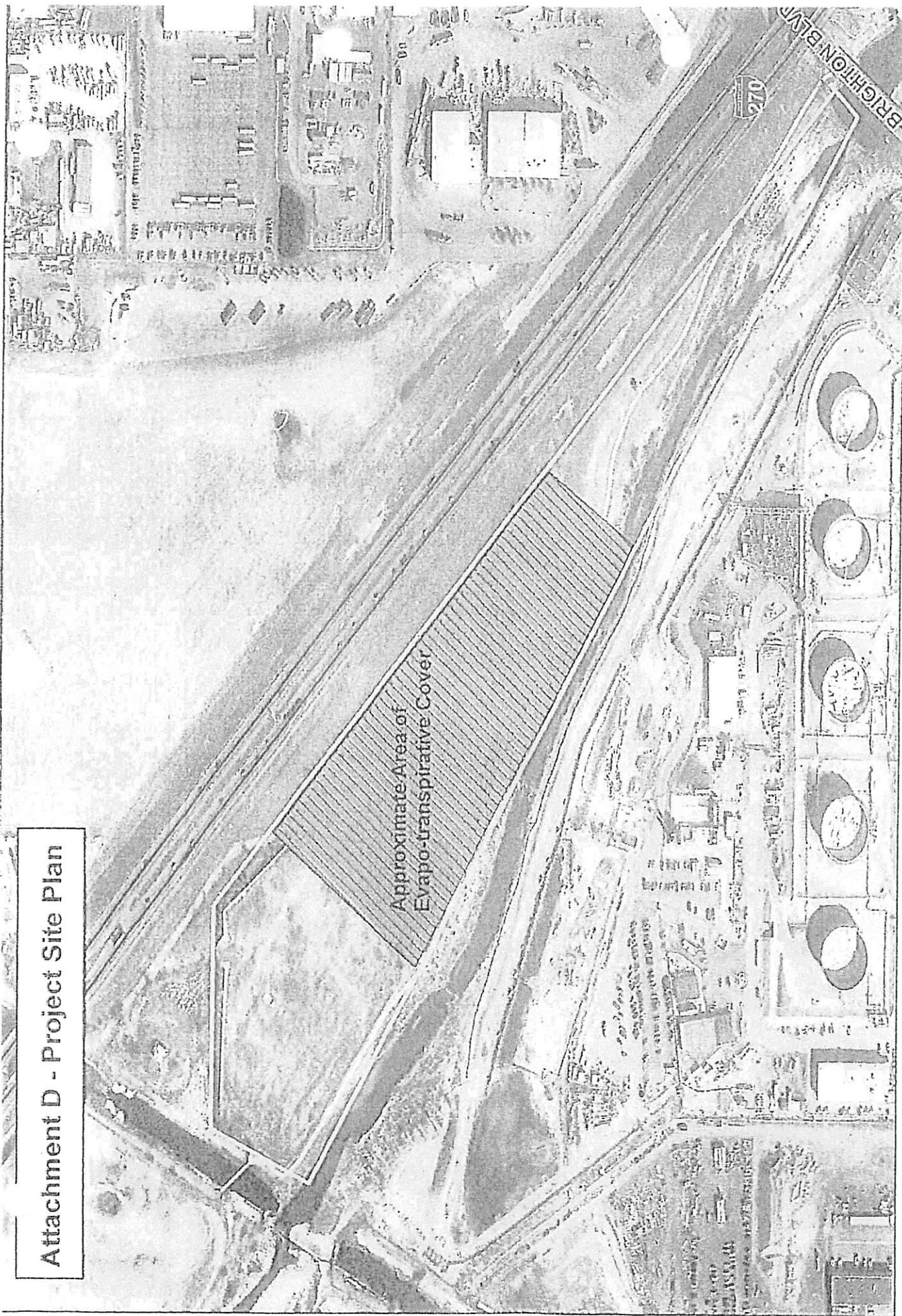
% Total Project Costs:

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)
Adams County Open Space		\$450,000.00				\$450,000.00	
Natural Resource Damages	7/31/2013			\$900,000.00		\$900,000.00	
Commerce City	1/1/2015			\$600,000.00		\$600,000.00	
<i>Total</i>		<i>\$450,000.00</i>		<i>\$1,500,000.00</i>		<i>\$1,950,000.00</i>	

Attachment D - Project Site Plan

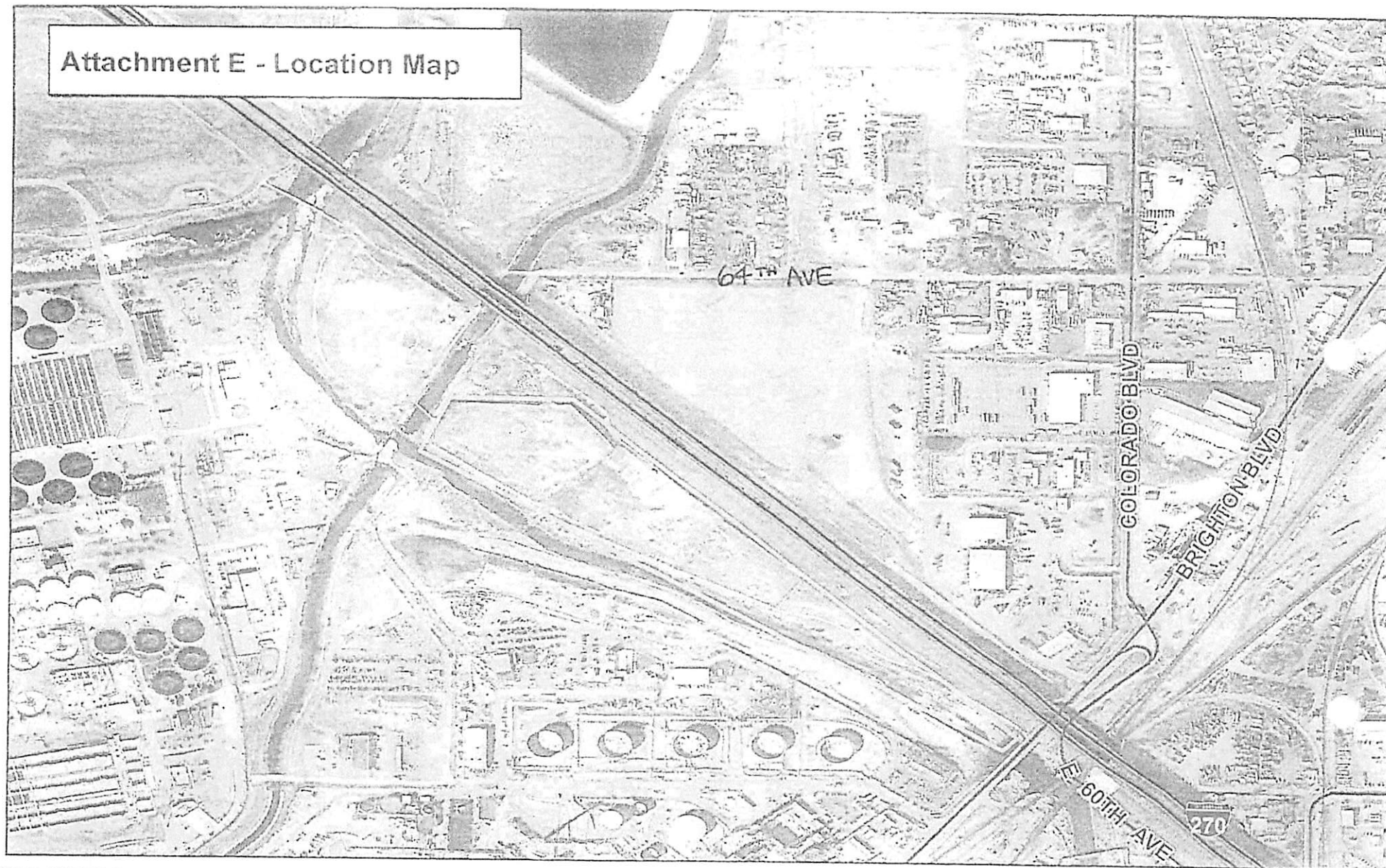


Legend

Subject Property



Attachment E - Location Map



Directions to project from Adams County Fairgrounds:

*Travel east on 124th Ave. to Hwy 85. Go south on Hwy 85 to Brighton Blvd. Go south on Brighton Blvd. to 64th Ave. Turn right on 64th Ave. and the property is at the south of 64th Ave. just under I-270.

*This project is located within Adams County.

Legend

Subject Property

0 0.1 0.2 0.4 Miles



SAND CREEK REGIONAL GREENWAY
MASTER PLANACTION ITEMS

Restore and enhance remnants of riparian and wetland vegetation.

Interpret the restoration of the riparian forest. (see figure 33)

Interpret the regional significance of the waste water reclamation plant (see figure 28)

Interpret the agricultural significance of the Burlington Ditch.

Investigate alternatives to allow for aquatic species migration at the Burlington Ditch diversion.

Explore land acquisition to allow for expansion and enhancement of riparian and wetland habitats

HABITAT UNIT 19

Habitat unit 19 extends from the Burlington Ditch upstream to Brighton Boulevard. The Conoco refinery is located on the south bank of Sand Creek. The north bank is currently in private ownership and is home to a transformer storage yard. The creek bottom and banks in this unit are primarily barren.

The proposed primary trail runs along the north bank of Sand Creek through this unit.

ACTION ITEMS

Restore creek cross section with terracing and regraded slopes. (see figures 14 and 15)

Reestablish riparian vegetation.

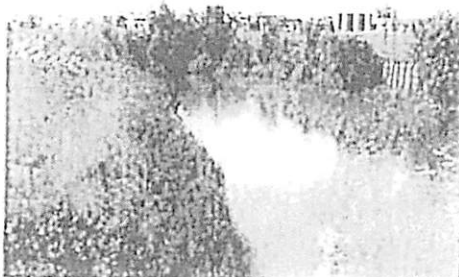
Explore the potential for retrofitting the drop structure at the Brighton Boulevard bridge to provide habitat enhancement.

Explore land acquisition to expand the proposed environmental restoration.

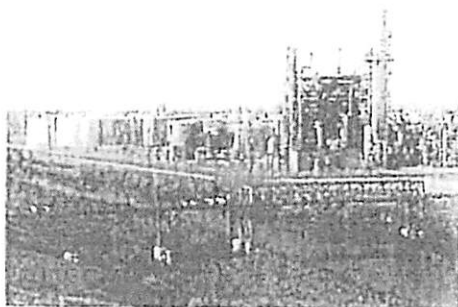
HABITAT UNIT 18

Habitat unit 18 extends from Brighton Boulevard upstream to Dahlia Street. Industry dominates this unit with petroleum and chemical plants. The creek cross section opens up and creates a wider more naturalistic area.

The proposed primary trail runs along the north bank and passes under the Union Pacific and Burlington Northern railroads. A bridge is proposed to cross Sand Creek for a neighborhood connection near 56th Avenue. A second bridge is proposed for the primary trail to cross a drop structure near Vasquez Boulevard.



42. The confluence with the South Platte River allows for a true connection to the Platte River Greenway. This completes one more link in a regional trail system.



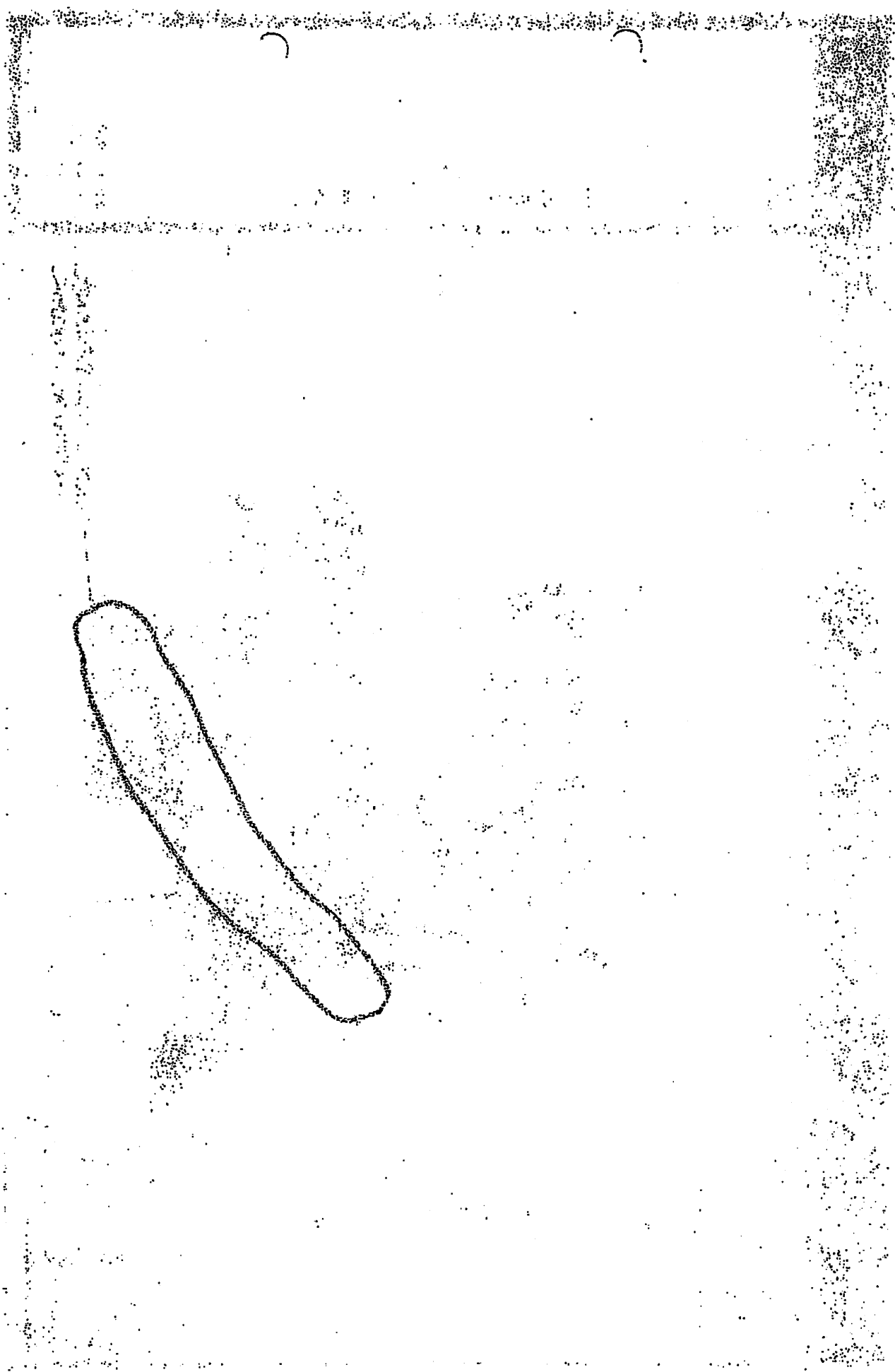
43. The Conoco City portion of the Greenway provides an opportunity to interpret the rich industrial heritage of Sand Creek.

ATTACHMENT G - PRAIRIEWAYS ACTION PLAN

Table 2.2: Roster of Key Regional Corridors and Projects

Project	Description	Lead Entities
Clear Creek Greenway	Trail/Greenway Plate River to Golden	Adams County
Platte River Greenway/ Heritage Corridor	Trail/Greenway Littleton to Brighton	Adams County Denver
E-470 Trail	Trail along E-470 & C-470 Beltway	Commerce City Adams County
Sand Creek Greenway	Trail/Greenway Along Sand Creek-Platte Highline Canal	Commerce City Denver Aurora
Fulton Ditch Greenway	Trail/Greenway Along Fulton Ditch	Commerce City Adams County Brighton
O'Brian Canal Greenway	Trail/Greenway Along O'Brian Canal (Links Barr Lk. S.P. & Rocky Mtn. Arsenal NWR	Commerce City FRIC)
3 rd Creek Greenway	Trail/Greenway Along 3 rd Creek	Commerce City Brighton
2 nd Creek Greenway	Trail /Greenway Along 2 nd Creek	Commerce City Denver, Aurora
1 st Creek Greenway	Trail/Greenway Along 1 st Creek	Commerce City
Perimeter Trail/Visitor Center	Trail around Rocky Mountain Arsenal Wildlife Refuge	Commerce City Arsenal
Prairie Park/Pavilion	Community Park and Gateway to Refuge and Trail System	Commerce City Arsenal
New Community Parks	New Community Parks at 1 st Creek, 2 nd Creek, Buckley Road and Box Elder Creek	Commerce City
DIA Trail	Access Trail to DIA Terminal Via Pena	Denver, Arsenal Commerce City
Barr Lake Buffer Zone	Protective Open Land Around State Park	Adams County Barr Lake State Park, Brighton

Project	Description	Lead Entities
High Line Canal Greenway	Trail/Greenway Along High Line Canal From Littleton to Arsenal Wildlife Refuge	Denver Denver Water Aurora
Barr Lake Loop and Prairie Trails	Trails Linking to Barr Lake and Box Elder Creek	Commerce City
120 th Avenue Trail	Cross Town Trail along 120 th Avenue	Adams County Commerce City
104 th Avenue Trail	Cross Town Trail Along 104 th Avenue	Adams County Commerce City
Box Elder Creek Greenway	Trail/Greenway along Box Elder Creek	Adams County Commerce City



ATTACHMENT J



SAND CREEK REGIONAL GREENWAY

7350 E. 29th Avenue
Suite 204
Denver, CO 80232
303-438-3260
303-373-6905 fax
www.sandcreekgreenway.org

Board of Directors

Charles Bayley, President
Bennett Town Trustee
Rene Bullock, Vice President
City Council Commerce City
Kathy Green, Secretary
Congressman Coffman's Office
Charles Warren, Treasurer
The Park People
Beth Chacon
Xcel Energy
Max Dodson
Community Volunteer
Greg Fletcher
Sencor Energy USA
Paul Frohardt
Community Volunteer
Chris Herndon
Denver City Council
Marcia Johnson
Community Volunteer
Kate Kramer
SCRGP
Matt Lepore
Colorado Oil and Gas
Conservation Commission
Rene Peterson
Aurora City Council
David S. Pier, P.E.
GPM Consulting, Inc.
Rich Reading
Denver Zoological Fund
Mike Rosser
Community Volunteer
Tom Tobynsen
RID Board of Directors
Jim Thomas
Minor & Brown PC

July 27, 2015

Adams County Open Space Advisory Board
9755 Henderson Road
Brighton, CO 80601

Re: Sand Creek Property Remediation

Dear Adams County Open Space Board Members:

Sand Creek Regional Greenway Partnership strongly supports the grant proposal from Commerce City regarding the remediation of a property along Sand Creek. Commerce City was awarded Natural Resource Damages settlement funds to buy two critical properties on the western boundary of the Sand Creek Regional Greenway. The two properties have been acquired and their remediation and restoration will create a beautiful entryway into Commerce City from the South Platte River Greenway Trail. The Remediation and Restoration Plan is nearly complete and now it is time to begin transforming them into native habitats.

Sand Creek Regional Greenway Partnership has worked with Commerce City for many years to build and improve the Sand Creek trail. The remediation of the former Weaver Electric site and the restoration of both properties will be the culmination of the master plan created over 20 years ago. The Natural Resource Damages funding that was used to purchase the properties was the necessary piece allowing that plan to come to fruition. The next step is to complete remediation and then restoration.

The Sand Creek Regional Greenway Trail is a nearly 14 miles trail connecting the South Platte River Greenway in Commerce City to the High Line Canal in Aurora, passing through northeast Denver and Stapleton. The Greenway is the east/west off-road spine of a wonderful trail network for Adams County and the region. The Greenway Partnership is a model for intergovernmental cooperation around the region.

We strongly support Commerce City's application for Sand Creek Property Remediation.

Sincerely,

Katherine A. Kramer
Executive Director



Commerce City Refinery
5801 Brighton Blvd.
Commerce City, CO 80022
(303) 286-5889

July 22, 2015

Adams County Open Space Advisory Board
9755 Henderson Road
Brighton, CO 80601

Re: Remediation of the former Weaver Electric (WE) Holdings property

Dear Adams County Open Space Board Members:

On behalf of Suncor Energy, I am writing to express full support of the grant proposal from Commerce City regarding the remediation and restoration work at the WE Holdings property adjacent to Sand Creek. The property will create a beautiful area near the confluence of Sand Creek with the South Platte River that can be enjoyed by the residents of Commerce City and surrounding communities. Suncor has supported the Sand Creek Regional Greenway in partnership with Commerce City for many years and sustains an ongoing interest in the restoration and preservation of the Sand Creek area.

Suncor strongly supports Commerce City's application for the remediation and restoration work being done at the WE Holdings property along Sand Creek, and we thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gregory P. Fletcher".

Gregory P. Fletcher
Sr. Advisor, Remediation
Suncor Energy (U.S.A.) Inc.

Cc Traci Ferguson

July 31, 2015

Adams County Open Space Advisory Board

9755 Henderson Road

Brighton, CO 80601

Dear Board Members:

I am writing to voice my support for the Commerce City Sand Creek Open Space Remediation grant application.

As a cyclist, I am a frequent user of the Sand Creek Regional Greenway Trail. The Greenway is a beautiful open space area in this very industrial part of Commerce City, and the trail is a crucial connection for many commuters.

I was thrilled when Commerce City acquired the two properties along Sand Creek near the South Platte River, as they have been eyesores for many years. Completion of the remediation and the eventual restoration of both sites will not only improve the aesthetics of the area but provide important habitat for wildlife and birds. It will expand the trail corridor, creating additional green space in an area that has very little.

Again, I would like to express my support and excitement for this remediation project. It is the next step in enhancing an already amazing Sand Creek Regional Greenway.

Sincerely,

Jared Draper

Sand Creek Regional Greenway Trail User

STATE OF COLORADO

John W. Hickenlooper, Governor
Larry Volk, MD, MSPH
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
Located in Glendale, Colorado
www.colorado.gov/cdphe



Colorado Department
of Public Health
and Environment

July 20, 2015

Adams County Open Space Advisory Board
9755 Henderson Road
Brighton, CO 80601

RE: Adams County Open Space Advisory Board Members:

The Colorado Department of Health and the Environment supports the City of Commerce City's grant application for Sand Creek Property Remediation. CDPHE has been working with Commerce City and their environmental consultant, Terracon, for nearly two years now to prepare a plan to remediate this property along Sand Creek. In the past, the site was used to store electrical transformers and as a result a portion of the soil is contaminated.

We are very happy that Commerce City acquired the property and we are excited to see the remediation occur. We will continue to work with the City as well as their consultant to ensure that the site is remediated properly and becomes a scenic, safe, and beautiful open space along Sand Creek.

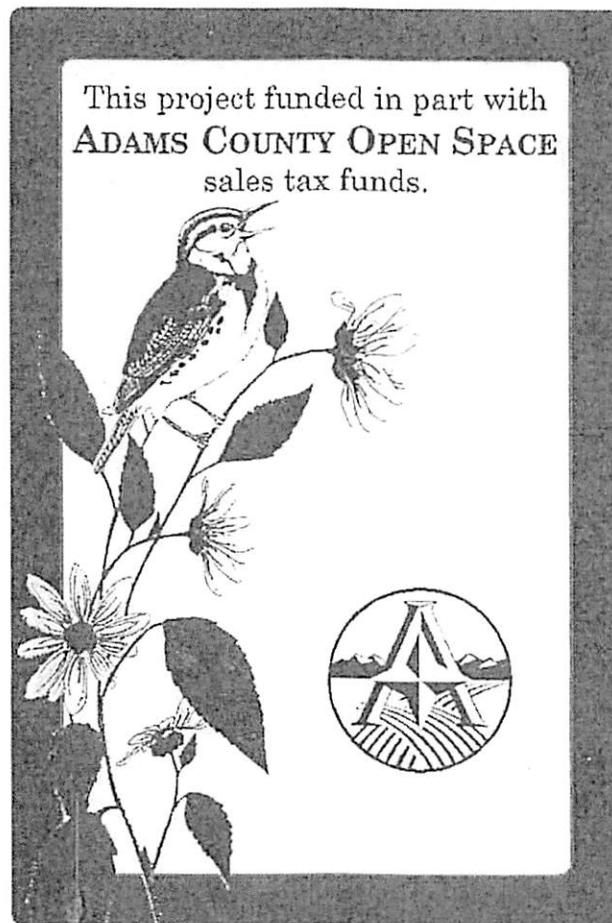
Please consider funding Commerce City's grant application for Sand Creek Property Remediation. The Colorado Department of Health and the Environment looks forward to seeing this property properly remediated so that the users of the Sand Creek Regional Greenway can enjoy it for years to come.

Sincerely,

Fonda Apostolopoulos, Brownfields State Coordinator

Adams County Open Space Program

Policies and Procedures



Newly Revised and Adopted

June 24, 2013

As Amended January 6, 2014 and November 14, 2017

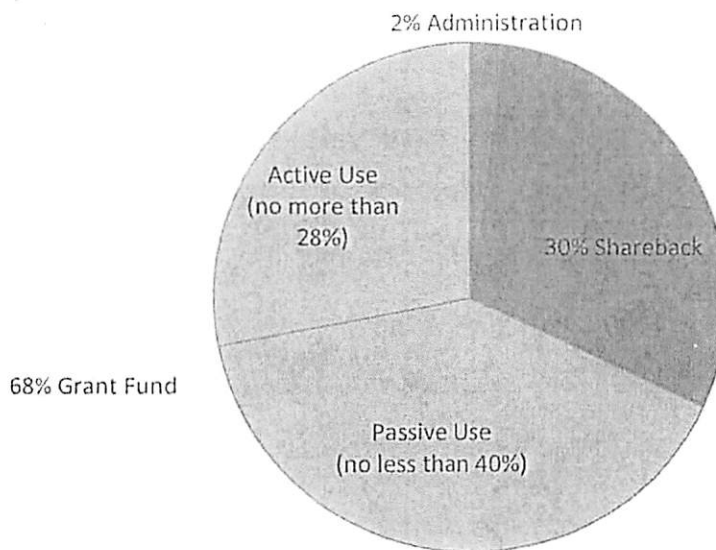
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Introduction

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



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 publishing an annual report), and all costs associated with coordinating two grant cycles per year. The budget for these funds is developed annually by Open Space staff and is approved by the Adams County Parks and Open Space Director, the Adams County Finance Department staff, and ultimately the Adams County Board of County Commissioners 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 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. 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.

Annual Reporting

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

68% Grant Fund

Purpose

The 68% Grant Fund is a competitive grant process where parks and open space projects compete for limited funds available through the Sales Tax program. Applications are reviewed by the Open Space Advisory Board (OSAB), comprised of 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 July. Grant applications are generally due on the First of February, unless it falls on a weekend in which case applications are due the following Monday, and the fourth Wednesday in July. 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 special districts that solely provide parks or recreational facilities or programs currently include: City of Arvada, City of Aurora, Town of Bennett, Bennett Park and Recreation District, City of Brighton, City of Commerce City, City of Federal Heights, Hyland Hills Park and Recreation District, City of Northglenn, Strasburg Parks and Recreation District, City of Thornton, City of Westminster, and Adams County. Qualified jurisdictions must have an adopted Parks and/or Open Space Plan. Metropolitan Districts that provide park and recreation services among other services shall not be considered park and recreation districts for the purposes of these policies and procedures.

Sponsored Organizations

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

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

Eligible Projects

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

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

Eligible Project Types

The following is a list of eligible projects for the Adams County Open Space Sales Tax Grant Program. This list comes from Resolution 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 Project Expenses:

- Consultant costs for acquisition, planning, design, and/or construction of parks, trails, or open space (including natural areas, wildlife habitats, agricultural lands, ranch lands, and historical amenities)
- General volunteer time or Board member time (see Salary below)
- Organization fees including certification and accreditation fees (directly relating to project or program, or a requirement thereof)
- Training tuition for programs/certifications directly related to the project
- Staff time and expenses that are related to a specific project (see Salary below)
- Costs that directly relate to the planning activities (inventories, design, GIS/mapping, printing, etc)
- Existing operations and maintenance
- Public input costs (meeting rooms, mailings or other advertising, facilitation, surveys and web-based outreach)
- Acquisition of conservation easement or land for open space, park, or trail purposes:
 - Purchase price
 - Water rights
 - Mineral rights
 - Associated closing costs
 - Appraisal
 - Survey
 - Environmental assessment and cleanup
 - Baseline report
 - Mineral remoteness report, etc.
- Conservation easement stewardship endowments for passive use land acquisitions (see Conservation easement stewardship endowment below)
- Park amenities, including but not limited to:

- Athletic fields/courts
 - Track and field facilities (including projects involving artificial turf)
 - Playgrounds
 - Swings
 - Climbing structures
 - Skateparks/rinks
 - Swimming pools (indoor or outdoor)
 - Splashpads
 - Water slides
- Trails, including:
 - Bridges
 - Underpasses
 - Overpasses
- Construction and/or redevelopment of golf courses
- Development and/or redevelopment of environmental education facilities, outdoor classrooms, and natural areas intended for environmental education purposes
- Programmatic funding for environmental education
- Disc golf courses
- Whitewater parks
- Fishing piers and boat docks
- Sculptures and artwork in a park or open space, including memorials
- Outdoor amenities located at fairgrounds
- Concession stands and storage buildings located in a park or open space and used in association with activities conducted at the park or open space
- Indoor facilities, including:
 - Recreation centers
 - Buildings at fairgrounds
 - Nature Centers
- Infrastructure, including:
 - Irrigation
 - Drainage
 - Parking lot
 - Lighting
 - Utilities, etc.
- Amenities, including:
 - Restrooms
 - Drinking fountains
 - Benches
 - Landscaping
 - Picnic tables
 - Grills
 - Pavilions
 - Amphitheaters or outdoor performing arts centers when located in a park or open space
 - Signage
 - Fencing
 - Lighting

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

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

- Fundraising costs
- Any meeting costs not associated with the project
- Grant writing
- Events, publications, advertising, and/or similar event items for fundraising
- Amusement parks
- Recreational program costs, including:
 - Staffing
 - T-shirts or uniforms
 - Trophies
 - Medals, etc.

Salary

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

Conservation easement stewardship endowment

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

Indirect Costs

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

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

Prior Completed Work

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

Specific Requirements of Land Acquisitions

To meet the intent of Resolution 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 17.
- Active Project applications are for uses defined in Resolution 99-1, Section C, (iii), see Glossary of Terms, page 17.
- 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.

Applications must be made on the pertinent Application Form. See the current Application Form for the number of completed application and all attachments that are required for submittal. Mail or deliver application to: Adams County Parks & 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 17. When a qualified appraisal is not available at the time of application, applicants should provide additional information with their application verifying the purchase price they are estimating. Additional information can include, but is not limited to, recent purchases by the organization of similar land, comparable listings or sales in the area, and other information used by the applicant to determine the cost included in the application. A qualified appraisal will be required prior to project closeout, or prior to closing if funds are to be wired at the time of closing. When the applicant is seeking to buy property for a price that exceeds the qualified appraisal value, the OSAB will make recommendations on a case by case basis to the BoCC for final approval. If no appraisal was available to the OSAB and more is paid for the property than the appraised value, unless specifically requested by the grantee from the BoCC, no reimbursement will be made for a purchase price exceeding the appraised value. If the grantee wishes to be reimbursed for that additional amount, a request will be sent to the BoCC for approval prior to reimbursement.

Application Criteria and Scoring

OSAB will request presentations by applicants for all 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 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 ranks the projects based on their impressions of the project. Each project receives a unique ranking from each OSAB member. For example, if there are ten projects in a particular cycle, the OSAB members assign a one (1) to their highest priority project and a ten (10) to their least priority project. The rankings for each project are then totaled and projects are organized from highest ranking (lowest number of points) to lowest

ranking (highest number of points). The projects are then discussed by the OSAB in rank order and funding recommendations are made.

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

After Grant Award

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

"Funds were awarded from proceeds of the Adams County Open Space Sales Tax which was passed by Adams County voters in 1999, and reauthorized in November, 2004 to be extended until December 31, 2026."

Grant Agreement

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

Project Due Date

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

Project Extension Policy

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

The amount of funds disbursed will correspond to the submitted project budget. The amount of disbursement will be adjusted as necessary to maintain the level of funding originally awarded and specified in the Grant Agreement. All reimbursements will be based on the award percentage of the total project costs, up to the full award amount. At no time will the amount of reimbursement, whether periodic or final, exceed the project expenditures when in-kind contributions are used as match. Unused grant funds will be returned to the grant fund. For example, if a project is under budget the leverage amount will be based on the final cost of the awarded project and the remaining award amount will be returned to the grant fund for future reallocation. Under no circumstances will the amount of funds reimbursed by Adams County Open Space Sales Tax increase over the awarded amount represented in the Grant Agreement. An increased percentage of project costs will only be allowed if approved by the BoCC in a modification requesting such a change (see Project Modification Policy, page 13).

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 D. 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 to receive the grant award:

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

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

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

All Other Projects Reimbursement Process

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

- Grant Closeout Request Form
- Completed Grant Closeout Worksheet
- Copies of ALL invoices listed on Grant Closeout Worksheet
- Copies of cancelled checks (front and back) for all costs indicated on Grant Closeout Worksheet
OR
Signature of authorized Financial Officer on Grant Closeout Worksheet certifying all payments have been made

- Documentation for all in-kind donations (e.g., letter from donor stating value, invoice from business indicating value)

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]".

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

Code of Ethics

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

Glossary of Terms

ACTIVE USE: Lands for park purposes and other recreational uses such as sports fields, golf courses and recreation centers. Park purposes shall be defined as the construction, equipping, acquisition and maintenance of park and recreational improvements and facilities for the use and benefit of the public. (Source: Resolution 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	C0600923
Elsaine T. Valente	Commissioner	10/08/99 14:32:16
Martin J. Flaum	Commissioner	BK: 5917 PG: 0756-0769
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(11), 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 29-2-108, 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 29-2-108, 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 29-2-108, 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.
- (v) 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 *John Stuebel*
Deputy



Appendix B



Adams County Open Space Extension Request Form Revised 9/2017

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.

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 9/2017

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.	
<div style="border: 1px solid black; height: 30px;"></div>	

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 9/2017

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 closeout 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 Parks and Open Space
Attn: Renee Petersen or Shannon McDowell
9755 Henderson Rd.
Brighton, CO 80601

If you have questions or need assistance please contact Renee Petersen at 303.637.8072 or rpetersen@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 9/2017

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 9/2017

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

☐ Qualified Appraisal

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 9/2017

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

All Easements/Encumbrances

Final Title Policy

☐ **Qualified Appraisal**

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)

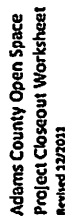
Copies of cancelled checks for additional costs indicated on Grant Closeout Worksheet

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)



**Adams County Open Space
Project Closeout Worksheet
Revised 12/2011**

Applicants:	
Project Name:	
Awarded Amount:	\$0.00
Awarded Percentage:	0.00%
Rate Awarded:	

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)

143 All Budget Categories included in that invoice in the appropriate column. 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
	\$	\$	\$