



November 13, 2018

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

Re: Grant Award for the 6017 Forest Drive Property Acquisition project

Dear Traci:

This letter is to inform you that the grant application you submitted on July 25, 2018 for the 6017 Forest Drive Property Acquisition project has been approved for funding by the Board of County Commissioners. The grant award for this project is equal to 48.6% of the total project funding, up to \$175,000.00.

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 December 28, 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

ADAMS COUNTY OPEN SPACE GRANT AGREEMENT #OSG2018-00018

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 July 25, 2018, Applicant applied for an Adams County Open Space Grant to complete the 6017 Forest Drive Property Acquisition project (the "Project"); and

WHEREAS, on November 13, 2018, Adams County awarded Applicant an Adams County Open Space Grant to complete the Project; and

WHEREAS, Adams County awarded the Project 48.6% of the total Project costs, not to exceed \$175,000.00.

AGREEMENT

NOW, THEREFORE, the Parties hereto agree as follows:

1. Grant Award. Adams County hereby awards to Applicant a grant in the amount of 48.6% of the total Project costs, not to exceed \$175,000.00 (the "Grant"), subject to terms and conditions set forth in this Agreement.
2. Project Scope. Applicant shall complete the Project as described in the grant application, attached as Exhibit 1 ("Project Scope") and incorporated herein by this reference. Exhibit 1 attachments include the grant application and all application attachments. Applicant shall not materially modify the Project Scope without the approval of Adams County. Applicant may request a modification to the Project Scope in compliance with the Modification Policy in the Open Space Policies and Procedures, attached as Exhibit 2 and incorporated herein by this reference, as may be amended from time to time by Adams County in its sole discretion. Adams County may elect to terminate this Agreement and deauthorize its funding for the Project in the event it determines that the Project Scope has been materially modified without its approval and/or if Applicant fails to comply with the Modification Policy.

3. Completion Date. Applicant shall complete the Project no later than November 13, 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 in the Open Space Policies and Procedures, Exhibit 2, as may be amended from time to time by the Board of County Commissioners in its sole discretion. Adams County may elect to terminate this Agreement and deauthorize its funding for the Project in the event that this Completion Date is not met and/or if Applicant fails to comply with the Extension Policy.
4. Open Space Sales Tax. Applicant shall use the Grant in accordance with Resolution 99-1, attached hereto in the Open Space Policies and Procedures, Exhibit 2.
5. Policies and Procedures. Applicant shall comply with the Open Space Policies and Procedures, attached hereto as Exhibit 2 and incorporated herein by this reference.
6. Audits and Accounting Records. Applicant shall maintain standard financial accounts, documents, and records relating to the completion of the Project. The accounts, documents and records related to the completion of this Project shall be subject to examination and audit by Adams County staff (the "Staff") prior to receiving the Grant. All such accounts, documents, and records shall be kept in accordance with generally accepted accounting principles, and be subject to an annual independent audit as set forth in Resolution 99-1 attached hereto in the Open Space Policies and Procedures, Exhibit 2.
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 reimbursements. Should the Project take two full years to complete, the Reimbursement Request for the final period of the project must be received by November 13, 2020 to remain compliant with the Project Completion Date, as set forth above. Reimbursements disbursed from Adams County shall not exceed 48.6% of project costs incurred during the previous period with cumulative reimbursements totaling no more than \$175,000.00.
 - b. Acceptable Expenditures. Applicant can request payment for 48.6% of all project costs incurred within the previous period with cumulative reimbursements totaling no more than \$175,000.00 that: (1) have already been paid by the Applicant, and (2) are listed in the approved budget attached as Exhibit 1, under Application Attachment A – Project Budget. Applicant may request disbursement of grant funds for costs that have been incurred, but not paid by Applicant. However, Adams County will consider such

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

- c. Reimbursement Request. Applicant shall submit via hand delivery, 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. Venue for any dispute shall be in Adams County, Colorado.
 - C. Time is of the essence. Time is of the essence in this Agreement.

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

The remainder of this page is left blank intentionally.

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

BOARD OF COUNTY COMMISSIONERS
COUNTY OF ADAMS, STATE OF COLORADO

Chair

ATTEST:
STAN MARTIN, CLERK

Deputy Clerk

APPROVED AS TO FORM:

County Attorney's Office

CITY OF COMMERCE CITY, APPLICANT

Brian K. McBroom
By (signature)

Brian K McBroom
Printed name

City Manager
Title

EXHIBIT 1



Adams County Open Space Grant Application
Active Use
Due Date: July 25, 2018

Case No. _____

Applicant Organization Name:

Name of Project:

Budget Summary

Grant Request (this cycle only):	<input type="text" value="\$175,000.00"/>	(this grant cycle only)
Previous ADCO Grants (this project only):	<input type="text"/>	(combined total - for this project only)
Matching Funds (cash + in-kind):	<input type="text" value="\$185,000.00"/>	
Total Project Costs:	<input type="text" value="\$360,000.00"/>	
Grant Request: <input type="text" value="48.6"/> % of the Total Project Costs		

Land Acquisition Summary (if applicable)

Number of acres:	<input type="text" value="0.21"/>	Cost per acre:	<input type="text" value="\$1,495,952.00"/>
Appraised price per acre:	<input type="text" value="\$1,452,381.00"/>		

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

The purchase price is slightly over the appraisal price since the owner is able to live in the house 12-15 months after the sale occurs. To ensure that the city purchases the house rather than it being put up for sale to the public, negotiations occurred culminating in an agreement to pay 3% over the appraised price to account for appreciation over the 12-15 months before the owner vacates the premises. It is possible that the property could be worth more a year later so that had to be accommodated by offering slightly more than the appraised value.

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

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

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

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:



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PART I: ELIGIBILITY CRITERIA

Project Information

Applicant Organization Name: City of Commerce City

Sponsoring Jurisdiction:

Name of Project: 6017 Forest Drive Property Acquisition

Contact Information

Primary Contact Name: Traci Ferguson

Title: Parks Planner

Phone: (303) 227-8788

Email: tferguson@c3gov.com

Address: 13905 E. 112th Ave.

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

Project Summary

Briefly describe your project (<100 words).

Veterans Memorial Park and the Eagle Pointe Recreation Center are integral parts of Commerce City. Thousands of users visit these sites every year, enjoying the many amenities of the recreation center as well as the playground, shelters and Veterans Memorial in the park. This project involves acquiring a residential lot at 6017 Forest Drive that is adjacent to both the park and the recreation center, demolishing the existing house including filling in the basement, grading the site, and installing irrigation and sod. There were originally four residential lots along Forest Drive and this will be the final lot the city needs to purchase.

Grant Request : 48.6 % of Total Project Costs



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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?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
ii. If yes, please list the grant cycle(s) and the amount of the award(s), if any:		
Grant Cycle:	Award Amount:	Reason for current request:
<input type="text"/>	<input type="text"/>	<input type="radio"/> Received partial award <input type="radio"/> Expanding request
<input type="text"/>	<input type="text"/>	<input type="radio"/> Received partial award <input type="radio"/> Expanding request

Property Location Information	
Project Site Address:	6017 Forest Drive Commerce City, CO 80022
Nearest cross streets:	Parkway Drive and Forest Drive
Parcel ID# (REQUIRED):	182307107005
Is this project located within Adams County? <input checked="" type="radio"/> Yes <input type="radio"/> 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. (<6,000 characters) Attach a Project Timeline and label as Attachment C .
6017 Forest Drive is adjacent to Veterans Memorial Park and the Eagle Pointe Recreation Center. The three lots to the north of it have already been purchased by the city and incorporated into the park/recreation center complex. The City was recently contacted by the owner of 6017 Forest Drive and they are ready to sell the property.
An appraisal has been completed and the City is currently working to put together the necessary documents to complete the sale. The current owner will be using the proceeds from the sale to build a new home, so a lease that is being drafted will allow them to stay in the house for 12 months after the sale



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with one 3 month extension option. The sale amount is the amount of the appraisal plus 3% appreciation to accommodate the additional year to 15 months that the owners will remain in the house. If they were to wait to sell it, they would likely be able to get more money but the City wanted to lock them into a price at this time.

Contract documents will be signed in the coming months and once the owners have vacated the house it will be demolished, the basement will be filled, the site will be graded and irrigation and sod will be installed to incorporate it into the park. This is the same process that occurred on the three properties to the north.

A note on Eagle Pointe Recreation Center construction

As a part of the 2K ballot initiative, construction is currently underway on the Eagle Pointe Recreation Center renovations. A therapy pool, aerobics/dance studio and technology lab are being added, the men's and women's locker rooms are being renovated, family changing rooms are being added, and improvements are being made to the lobby area, kitchen and administration spaces. This construction is visible on the location map and site plan. Completion is anticipated by the end of 2018 and until it is complete safety fencing will block off portions of the park.

- b. Attach a Project Site Plan that identifies all project components and label as **Attachment F**.
- c. Does this project attempt to avoid conflicts between surrounding uses and park uses? Are there attempts to separate high use areas within the park to avoid user conflicts? If yes, clearly identify these areas on the Project Site Plan. (<2,000 characters)

This project will bring the final lot on Forest Drive into Veterans Memorial Park, eliminating any potential conflicts between residential properties and the park and recreation center. The Eagle Pointe Recreation Center is west of this lot and with the new master plan that is underway the connections between the park and the Center will be improved greatly. The master plan process will also assess any possible conflicts between surrounding uses and park uses as well as any conflicts associated with high use areas.

2. Community Need/Urgency

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

Adding this property to Veterans Memorial Park provides more open, grassy area for park users. As the Veterans Memorial Master Plan is developed, this area will be considered as well as the rest of the park to determine the best use of space and if active development will occur in this area or if it will remain passive. There is minimal open space/park area in this part of the city and Veterans Memorial Park provides an important meeting place and recreational area for residents. Adding this property, though it is small, will expand the park, improve continuity, and provide more options for site layout as the master plan is created.

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

The City needs to purchase this property now to ensure that it is not sold to another individual for residential use. The lot is zoned residential and could continue as a residence if the city does not purchase it. If Adams County Open Space Grant funds are not secured, the city would try to come up with funds



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through another source, but that will reduce the overall amount of parks and recreation projects that can be completed. If funds are diverted to this project, another pending project will likely not occur.

3. Uses/Users

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

The lot will remain a part of Veterans Memorial Park. Its exact use will be determined as a part of the Veterans Memorial Park Master Plan, which is currently underway. Until the park is redeveloped, the lot will be a grassy area blending in to its surroundings and available for open play. The amenities in the park are not expected to change significantly as a part of the redevelopment; it will still have a playground, likely larger shelters that can be reserved, open play space, and it is anticipated that a nature playground will be constructed along Forest Drive, though the exact location has not been determined. Funding has been secured for the nature playground through the Great Outdoors Colorado Inspire Initiative. Programs and camps from the Eagle Pointe Recreation Center periodically use the park in their activities as well.

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

Veterans Memorial Park attracts many older adults as the city's Senior Center is located at Eagle Pointe Recreation Center and the Veterans Memorial monument is located here as well. There is an ADA accessible playground in the park for children (the new playground will be accessible as well) and there are shelters used by people of all ages. The open, grassy area in the park is available for drop in use for a variety of activities and age groups. Also, as previously mentioned, programs from the recreation center utilize the park occasionally.

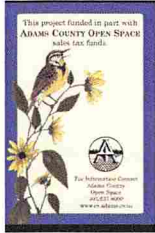
4. Connectivity

- 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). (<2,000 characters)

The 1994 Parks and Recreation Master Plan notes that, "Opportunities for expanding city parkland should be investigated as a part of the center expansion." It goes on to note that, "...building expansion will not likely require further land acquisition, additional parkland would help ensure that the existing outdoor recreation facilities and aesthetic environment of the center are not diminished." Throughout the years the City has stayed in contact with all the owners of the homes along Forest Drive and has requested the first right of refusal if and when each of them decided to sell their property. All three previous owners as well as the final owner have been supportive of the city's plan to incorporate those lots into the park and recreation center complex. The process to create a master plan for the entire site is beginning in July, and it is anticipated that some redevelopment of the park will occur in 2019.

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

This lot is adjacent to Veterans Memorial Park and Eagle Pointe Recreation Center. The three lots to the north of the property have already been purchased by the city and incorporated into the park. This property acquisition will add an additional 0.21 acres to Veterans Memorial Park and also provide the opportunity for additional development for the park and/or recreation center.



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5. 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. (<2,000 characters)

Section 8(C)(i)(A) states that revenues collected from the Open Space Sales Tax may be used to acquire fee title interest in real property for open space, natural areas, wildlife habitat, agricultural and ranch lands, historical amenities, parks and trails. This project consists of acquiring fee title interest in a real property for a park.

Project Detail

1. Budget Narrative

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

The acquisition cost of the property is the appraised value plus 3% for appreciation in the 12-15 months the owner will continue to live in the house. Costs for the remaining items (demolition and landscaping) were determined based on costs incurred on the 2016 Martinez Property acquisition (the previous property acquired on Forest Drive) and adjusted for inflation.

2. Partnerships

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

3. Qualified Jurisdiction Sponsorship

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

4. Partnerships and Sources of Funds

Please complete **Attachment D - Source of Funds**.

5. Letters of Commitment

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

Project Support

1. Community Outreach

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

As noted earlier, the 1994 Parks and Recreation Master Plan mentioned that additional parkland should be added in this location whenever possible. It has taken many years to achieve this goal, but staff has consistently reached out to the owners of these homes to ensure they are comfortable selling to the city when they no longer wish to live there. Mr. and Mrs. Schmidt are supportive of this sale to the city and are aware that the property will become a part of the park and recreation center complex. Public input will be a part of the Veterans Park Master Plan process to ensure the items included in the new master plan and subsequent redevelopment are supported by the users of the park.



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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

* Please DO NOT include any dollar amounts in the letters.

** Letters must have been written within the past 12 months. Showing support in a variety of categories is encouraged.

Project Management and Applicant's Past Performance of Awarded Projects

1. Long-term Management

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

The property will be added to the existing Veterans Memorial Park and will be maintained by parks maintenance staff. Veterans Memorial Park is a Level 2 property. Staff mows once a week and litter control is performed twice a week with additional visits on busy weekends.

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

Project Name:	Project Manager:	Award Date:	Completion Date:
Martinez Property Acquisition	Traci Ferguson/Tony Jaramilla	5/31/2016	08/02/2017
Second Creek Community Park Acquisition	Traci Ferguson	5/12/2015	09/08/2015
Goto Land Acquisition	Traci Ferguson	02/13/2008	01/14/2010

3. Pending Projects

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

- If a project is past its original due date, explain the current status of the project.
- Please attach a separate list if the space below is not sufficient.



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Project Name:	Award Amount:	Original Due Date:	Status:
Sand Creek Regional Greenway Floodway Repairs	\$345,500.00	05/19/2016	This project is complete but has received FEMA funding. The city submitted all documentation for FEMA to close out the project, but we have been waiting over a year for that process to begin. FEMA closeout must occur before ACOS closeout to verify the amount of funds received.
Sand Creek Open Space Remediation Phase One/Trail Connection	\$565,000.00	05/22/2020	This project will be completed by the end of 2018.
Veterans Memorial Park Master Plan	\$50,000.00	05/02/2019	The city has a consultant under contract for this project and it should be complete by the end of 2018.
Eagle Pointe Recreation Center Aquatic Enhancements	\$250,804.00	05/22/2020	This project is underway and scheduled to be completed in early 2019.

Please copy the application one-sided (Attachments F-N can be two-sided) and deliver **10 sets** of the application and one complete PDF file (either through email to rpetersen@adcogov.org or on a flash drive) to the Adams County Open Space Staff at 9755 Henderson Road, Brighton, CO 80601 no later than **4:30 P.M. on July 25, 2018**. Please bind all 10 copies with either binder clips or rubber bands (no staples or permanent bindings, please).

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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If this request is to acquire land, please include the following attachments - not to excess 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: 7/24/18

Print Name: Brian K. McBroom

Print Title: City Manager

Attachment A - Project Budget

Date:

Project Name:

Amount Requested:

% Total Project Costs:

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.

Attachment A should include dollar amounts.

Description of Item/Expense	Grant Request	Previous ADCO Award	Applicant Match	Partner Match	In-Kind (funds/services to be provided by applicant or partner)	Total Project Costs
Appraisal			\$550.00			\$550.00
Property Acquisition	\$175,000.00		\$139,150.00			\$314,150.00
Demolition			\$35,300.00			\$35,300.00
Irrigation and Landcaping			\$10,000.00			\$10,000.00
<i>Budget Total</i>	<i>\$175,000.00</i>		<i>\$185,000.00</i>			<i>\$360,000.00</i>

Attachment B - Project Budget Categories

Date:

Project Name:

% Total Project Costs:

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

Description of Item/Expense	Grant Request	Previous ADCO Award	Applicant Match	Partner Match	In-Kind (funds/services to be provided by applicant or partner)	Total Project Costs
Appraisal			✓			
Property Acquisition	✓		✓			
Demolition			✓			
Irrigation and Landscaping			✓			
<i>Budget Total</i>						

Attachment C - Estimated Project Timeline

Project Name:

6017 Forest Drive Property Acquisition

Date:

July 25, 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	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	July 2019	August 2019
Property Acquisition	X											

Description of Task	September 2019	October 2019	November 2019	December 2019	January 2020	February 2020	March 2020	April 2020	May 2020	June 2020	July 2020	August 2020
Demolition		X	X	X								
Irrigation and Landscape								X	X			

Attachment D - Source of Funds

Project Name:

Amount Requested:

% Total Project Costs:

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

Source of Funds	Date Secured	Grant Request	Previous ADCO Grant Awards	Cash Match	In-Kind Match	Total Funding	Brief Description of Contribution (<10 words)
City of Commerce City	6/18/2018			\$185,000.00		\$185,000.00	
Adams County Open Space		\$175,000.00				\$175,000.00	
<i>Total</i>		<i>\$175,000.00</i>		<i>\$185,000.00</i>		<i>\$360,000.00</i>	

Attachment E - Source of Funds Categories

Project Name:

% Total Project Costs:

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

Source of Funds	Date Secured	Grant Request	Previous ADCO Grant Awards	Cash Match	In-Kind Match	Total Funding	Brief Description of Contribution (<10 words)
City of Commerce City	6/18/2018			✓			
Adams County Open Space		✓					
<i>Total</i>							

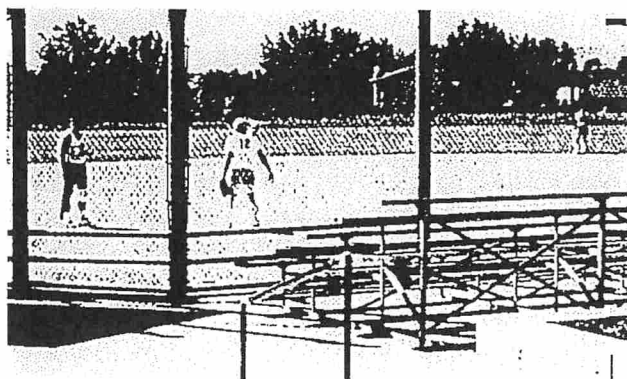
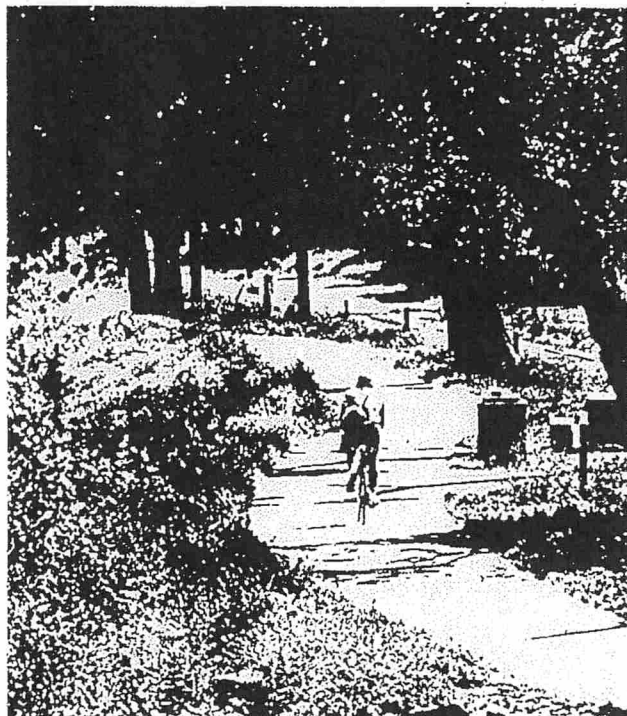
Attachment F - Project Site Plan



Attachment G - Location Map



ATTACHMENT I



PARKS AND RECREATION MASTER PLAN

COMMERCE CITY, COLORADO

Park	Estimated Range of Costs for Improvements	Priority Level
Fairfax Park	\$150,000 - \$200,000	High
City Park (excluding Recreation Center)	\$60,000 - \$85,000	High
Monaco Park	\$60,000 - \$80,000	High
Adams Heights Park	\$20,000 - \$35,000	High
Freedom Park	\$50,000 - \$70,000	Moderate
Los Valientes Park	\$45,000 - \$60,000	Moderate
Olive Park	\$25,000 - \$40,000	Moderate
Gifford Park	\$5,000 - \$10,000	Moderate
Monaco Vista Park	\$10,000 - \$15,000	Low
Derby Park	\$5,000 - \$10,000	Low
Merchant Park	\$3,000 - \$5,000	Low
Total	\$433,000 - \$610,000	

These improvement estimates do not include costs for detailed park analysis or design and engineering fees.

Recreation/Senior Center

Expansion of the existing Recreation Center is recommended in order to provide the much needed additional space for various activities, programs, storage and the senior center. The lack of adequate space in the existing senior activity center along with the expected increase of senior age citizens nationwide perhaps suggests that a new and larger senior facility be part of a Recreation Center expansion. The existing senior space could then be utilized to help alleviate other center needs. It is important that the senior facility remain closely associated with the Recreation Center to allow for easy access to the indoor pool, other recreational facilities and programs. Adjacent facilities also provide opportunity for the intermingling of age groups, which should be encouraged.

Opportunities for expanding City parkland should be investigated and included as part of the center expansion. While building expansion will not likely require further land acquisition, additional parkland would help ensure that existing outdoor recreation facilities and aesthetic environment of the center are not diminished.

ATTACHMENT L

July 11, 2018

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

RE: Addition of 6017 Forest Drive to Veterans Memorial Park/Eagle Pointe Recreation Center Complex

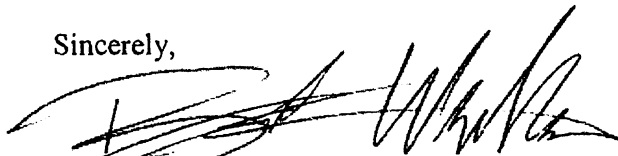
Dear Advisory Board Members:

The Commerce City Parks, Recreation and Golf Advisory Committee enthusiastically supports Commerce City's grant application to acquire the property at 6017 Forest Drive.

The City has always intended to purchase the properties along Forest Drive if and when they became available as they are adjacent to both Veterans Memorial Park and the Eagle Pointe Recreation Center. In 1997, 6021 Forest Drive was purchased and incorporated into the park, in 2008, 6019 Forest Drive was acquired, and in 2016, 6023 Forest Drive was acquired. Now that the final property at 6017 Forest Drive is available it makes sense to add it to the amenities in this area as well. With the master planning of the site underway, the timing is perfect to purchase this property.

The members of the Parks, Recreation and Golf Advisory Committee look forward to seeing this property become a part of the Veterans Memorial Park and Eagle Pointe Recreation Center complex.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bret Walker', is written over a horizontal line.

Bret Walker Co-Chair
Parks, Recreation and Golf Advisory Committee

July 11, 2018

Adams County Open Space Advisory Board

9755 Henderson Road

Brighton, CO

Dear Advisory Board Members,

I would like to voice my support for Commerce City's Adams County Open Space grant application for the acquisition of the property at 6017 Forest Drive. This property will be a wonderful addition to Veterans Memorial Park and the Eagle Pointe Recreation Center.

I am the current owner and support the city purchasing this property. We have enjoyed living in this location, but it is time to sell the property and we would like to see this land added to the other amenities at this location.

Thank you for your consideration.

Sincerely,



Richard Schmidt

Owner

6017 Forest Drive

Commerce City, CO 80022

RESIDENTIAL APPRAISAL REPORT

File No.: Brown/18/sc

SUBJECT	Property Address: 6017 Forest Dr		City: Commerce City		State: CO		Zip Code: 80022-3217	
	County: Adams		Legal Description: Town and Country Sub Resub Blk 10		Assessor's Parcel #: 182307107005			
	Tax Year: 2017		R.E. Taxes: \$ 1,436		Special Assessments: \$ 0		Borrower (if applicable): n/a	
ASSIGNMENT	Current Owner of Record: Richard & Penny Schmidt		Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Manufactured Housing					
	Project Type: <input type="checkbox"/> PUD <input type="checkbox"/> Condominium <input type="checkbox"/> Cooperative <input checked="" type="checkbox"/> Other (describe) Single Family Res		HOA: \$ 0		<input type="checkbox"/> per year <input type="checkbox"/> per month			
	Market Area Name: Commerce City		Map Reference: 19740		Census Tract: 0087.09			
MARKET AREA DESCRIPTION	The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe) Market Value appraisal							
	This report reflects the following value (if not Current, see comments): <input checked="" type="checkbox"/> Current (the Inspection Date is the Effective Date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective							
	Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input checked="" type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (See Reconciliation Comments and Scope of Work)							
MARKET AREA DESCRIPTION	Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)							
	Intended Use: Market value.							
	Intended User(s) (by name or type): City of Commerce City/Michael Brown							
MARKET AREA DESCRIPTION	Client: City of Commerce City/Michael Brown		Address: n/a					
	Appraiser: Scott Cundiff		Address: 2110 Indian Paintbrush Way, Erie, CO 80516					
	Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural		Predominant Occupancy		One-Unit Housing		Present Land Use	
MARKET AREA DESCRIPTION	Built up: <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		PRICE \$ (000)		AGE (yrs)		One-Unit 80% <input checked="" type="checkbox"/> Not Likely	
	Growth rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow		Owner 75		2-4 Unit 5%		<input type="checkbox"/> Likely * <input type="checkbox"/> In Process *	
	Property values: <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		Tenant 20		Multi-Unit 5%		* To:	
MARKET AREA DESCRIPTION	Demand/supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply		Vacant (0-5%) 375		High 115		Comm'l 5%	
	Marketing time: <input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.		Vacant (>5%) 270		Pred 55		Other 5%	
	Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends):		Neighborhood is bounded by E 69th Ave on the North, E 58th Ave on the South, Hwy 85 on the West, and Monaco St on the East. Market rates are at approximately 3.0-9.5% with various financing programs available. A comparative market analysis for the neighborhood indicates that the market is stable and that supply and demand are in balance. Other land use is comprised of Conservation Easements, Open Space, Parks or Vacant Land.					
MARKET AREA DESCRIPTION	Dimensions: (No survey provided)		Site Area: 9,000 sf					
	Zoning Classification: R3		Description: Multi-Family Residential					
	Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning							
MARKET AREA DESCRIPTION	Are CC&Rs applicable? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		Have the documents been reviewed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Ground Rent (if applicable) \$ /			
	Highest & Best Use as Improved: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain)							
	Actual Use as of Effective Date: Residential Home (improved).		Use as appraised in this report: Residential Building Site (improved)					
MARKET AREA DESCRIPTION	Summary of Highest & Best Use: Highest and Best use of subject property is as improved (or as proposed per plans and specifications).							
	Utilities		Off-site Improvements		Type		Public Private	
	Electricity <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other Xcel Energy		Street Asphalt		<input checked="" type="checkbox"/> <input type="checkbox"/>		Topography Typical Graded	
MARKET AREA DESCRIPTION	Gas <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other United Power		Curb/Gutter Cement		<input checked="" type="checkbox"/> <input type="checkbox"/>		Size Typical	
	Water <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other City		Sidewalk Cement		<input checked="" type="checkbox"/> <input type="checkbox"/>		Shape Rectangular	
	Sanitary Sewer <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other City		Street Lights On Street		<input checked="" type="checkbox"/> <input type="checkbox"/>		Drainage Sloped	
MARKET AREA DESCRIPTION	Storm Sewer <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other City		Alley None		<input type="checkbox"/> <input type="checkbox"/>		View Int/Park	
	Other site elements: <input type="checkbox"/> Inside Lot <input checked="" type="checkbox"/> Corner Lot <input type="checkbox"/> Cul de Sac <input type="checkbox"/> Underground Utilities <input type="checkbox"/> Other (describe)							
	FEMA Spec'l Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone X FEMA Map # 08001C0616H FEMA Map Date 3/5/2007							
MARKET AREA DESCRIPTION	Site Comments: No adverse easements or encroachments were observed. The site is typical of the area in terms of shape and topography. The grading appears to allow for proper drainage and no adverse conditions were noted.							
MARKET AREA DESCRIPTION	General Description		Exterior Description		Foundation		Basement	
	# of Units <input type="checkbox"/> Acc. Unit		Foundation Cement		Slab Cement		Area Sq. Ft. 840	
	# of Stories 1		Exterior Walls Frame		Crawl Space None		% Finished 95	
MARKET AREA DESCRIPTION	Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/>		Roof Surface Comp Shingle		Basement Full		Ceiling Drop	
	Design (Style) Ranch		Gutters & Dwnspnts. Metal		Sump Pump <input type="checkbox"/> None		Walls Panel	
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Und. Cons.		Window Type Dbl Pane		Dampness <input type="checkbox"/> None		Floor Carpet	
MARKET AREA DESCRIPTION	Actual Age (Yrs.) 65		Storm/Screen Screens		Settlement None		Outside Entry None	
	Effective Age (Yrs.) 15-20 Years				Infestation None Seen			
MARKET AREA DESCRIPTION	Interior Description		Appliances		Attic <input type="checkbox"/> None		Amenities	
	Floors Cpt/Vin		Refrigerator <input checked="" type="checkbox"/> Stairs <input type="checkbox"/>		Fireplace(s) # 1		Woodstove(s) # 1	
	Walls Drywall		Range/Oven <input checked="" type="checkbox"/> Drop Stair <input checked="" type="checkbox"/>		Patio Cement			
MARKET AREA DESCRIPTION	Trim/Finish Wd/Paint		Disposal <input checked="" type="checkbox"/> Scuttle <input checked="" type="checkbox"/>		Deck None			
	Bath Floor Tile		Dishwasher <input checked="" type="checkbox"/> Doorway <input checked="" type="checkbox"/>		Porch Cvd			
	Bath Wainscot Cer Tile		Fan/Hood <input checked="" type="checkbox"/> Floor <input type="checkbox"/>		Fence Partial			
MARKET AREA DESCRIPTION	Doors Hollow		Microwave <input checked="" type="checkbox"/> Heated <input type="checkbox"/>		Pool None			
			Washer/Dryer <input checked="" type="checkbox"/> Finished <input type="checkbox"/>					
MARKET AREA DESCRIPTION	Finished area above grade contains: 7 Rooms 3 Bedrooms 2.0 Bath(s) 1,714 Square Feet of Gross Living Area Above Grade							
	Additional features: Current Generation HVAC system, Double pane windows.							
MARKET AREA DESCRIPTION	Describe the condition of the property (including physical, functional and external obsolescence):		There were no functional or physical inadequacies observed at the time of inspection. Average quality construction in Average condition overall. Effective age is the result of typical maintenance and remodeling over the life of the improvements. Please see Photo Addendum.					

RESIDENTIAL APPRAISAL REPORT

File No.: Brown/18/sc

TRANSFER HISTORY	My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.				
	Data Source(s): MLS/County and Adams County Database as well as the Denver Metrolist Database.				
	1st Prior Subject Sale/Transfer	Analysis of sale/transfer history and/or any current agreement of sale/listing:			
	Date: 2016	All comparables are recent sales and are used to show support for resale homes in the subject neighborhood/market area. There have been no other sales of the subject property within the past 3 years. No other sales of comparables within the previous 12 months. All other past sales appear to be in line with market conditions at the time the sale occurred. Market appears to be stable. See addendum.			
	Price: \$Unk (QC)				
SALES COMPARISON APPROACH	2nd Prior Subject Sale/Transfer				
	Date:				
	Price:				
	Source(s):				
	The Sales Comparison Approach was not developed for this appraisal.				
SALES COMPARISON APPROACH TO VALUE (if developed)	The Sales Comparison Approach was not developed for this appraisal.				
	COMPARABLE SALE # 1				
	COMPARABLE SALE # 2				
	COMPARABLE SALE # 3				
	Address	6017 Forest Dr Commerce City, CO 80022-3217	6061 Demott Ave Commerce City, CO 80022-2568	6396 E 64th Ave Commerce City, CO 80022-3429	6101 Locust St Commerce City, CO 80022-3440
	Proximity to Subject	0.85 miles NE	0.79 miles NE	0.70 miles E	
	Sale Price	\$ 292,850	\$ 260,000	\$ 282,000	
	Sale Price/GLA	\$ 231.69 /sq.ft.	\$ 196.23 /sq.ft.	\$ 231.91 /sq.ft.	
	Data Source(s)	RECOMLS#8912742;DOM 19	RECOMLS#3805426;DOM 12	RECOMLS#9882311;DOM 78	
	Verification Source(s)	County Records	County Records	County Records	
	VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	
	Sales or Financing	ArmLth	ArmLth	ArmLth	
	Concessions	Conv;0	FHA;0	FHA;0	
	Date of Sale/Time	s12/17;c11/17	s01/18;c11/17	s12/17;c11/17	
	Rights Appraised	Fee Simple	Fee Simple	Fee Simple	
	Location	Commerce Cty	N;Res;	N;Res;	
	Site	9,000 sf	6,634 sf	13,870 sf	6,963 sf
	View	Int/Park	N;Res;	N;Res;Tffc	N;Res;
	Design (Style)	Ranch	Ranch	Ranch	Ranch
	Quality of Construction	Frame/Avg	Frame/Avg	Frame/Avg	Frame/Avg
	Age	65	59	69	58
	Condition	Average	Average	Average	Average+
	Above Grade	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths
	Room Count	7 3 2.0	4 2 2.0	6 3 2.0	5 1 1.0
	Gross Living Area	1,714 sq.ft.	1,264 sq.ft.	1,325 sq.ft.	1,216 sq.ft.
	Basement & Finished	840 sq ft	864sf665sfin	0sfin	896sf806sfin
	Rooms Below Grade	777 fin sq ft	1rr1br0.0ba1o	n/a	0rr3br1.0ba0o
	Functional Utility	Typical	Typical	Typical	Typical
	Heating/Cooling	GFA/EC	GFA/AC	GFA/None	GFA/AC
	Energy Efficient Items	Double Panes	Double Panes	Double Panes	Double Panes
	Garage/Carport	1cp3dw	1cp1dw	1gd1dw	2cp2gd
	Porch/Patio/Deck	Pch/Patio	Pch/Similar	Pch/Similar	Pch/Similar
	Fireplaces	1 fp,1ws	1 Fireplace	None	None
	Outbuildings	2 Stg Sheds	2 Stg Sheds	2 Stg Sheds	2 Stg Sheds
	Net Adjustment (Total)		X + - \$ 28,862	X + - \$ 32,045	X + - \$ 16,944
Adjusted Sale Price of Comparables		\$ 321,712	\$ 292,045	\$ 298,944	
Summary of Sales Comparison Approach					
All comparables are re-sales in the subject's immediate subdivision market area and or neighborhood. Comparables are similarly weighted on time and gross adjusted sales prices. No adjustments were made for the different types of financing, i.e. Conventional, FHA, or VA or Cash as they are all considered to be roughly equal for the purposes of appraising the property. Adjustments are self explanatory.					
Indicated Value by Sales Comparison Approach \$ 305,000					

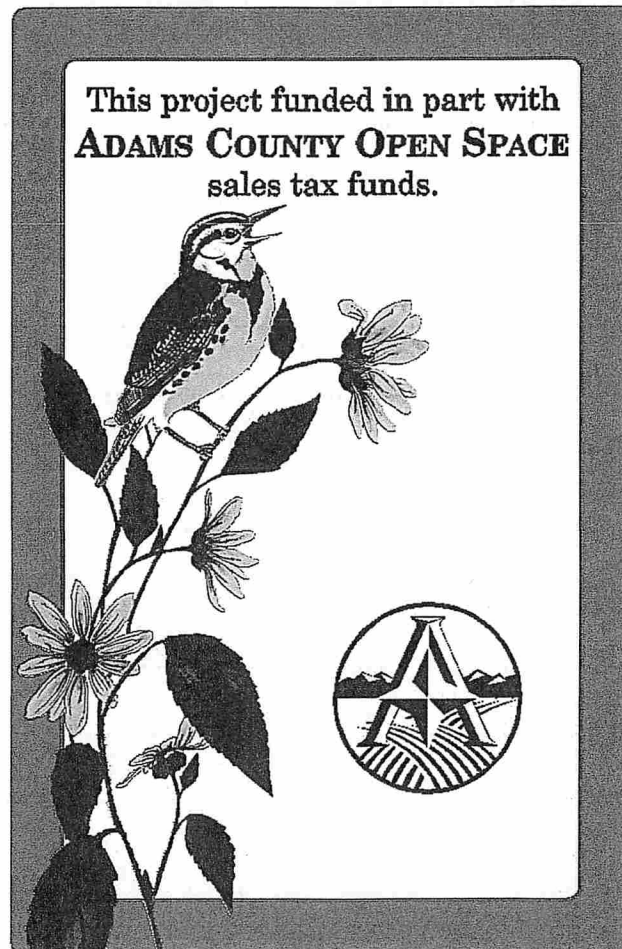
RESIDENTIAL APPRAISAL REPORT

File No.: Brown/18/sc

COST APPROACH	COST APPROACH TO VALUE (if developed) <input type="checkbox"/> The Cost Approach was not developed for this appraisal.		
	Provide adequate information for replication of the following cost figures and calculations. Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value):		
	Site value is taken from extraction and County Assessor estimates. Vacant land sales are not available and the value for land and site as improved is primarily from market survey methods which are derived from a combination of the appraisers experience and expertise coupled with comments from area real estate professionals. The cost approach is limited in its credibility when applied to older homes as depreciation is based on the appraisers opinion of wear and tear.		
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"> ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input checked="" type="checkbox"/> REPLACEMENT COST NEW Source of cost data: Marshall & Swift were considered, Market Survey Quality rating from cost service: Q3 Effective date of cost data: 05/04/2018 Comments on Cost Approach (gross living area calculations, depreciation, etc.): Marshall and Swift factors were considered in the Cost Approach but are considered to be inaccurate with regard to this market area. Figures are from market survey methods and based on the experience of the appraiser and from local builders. The age life method was used in the calculation of the depreciation. Quality of construction and materials is a combined figure in the Cost Approach. </td> <td style="width:50%;"> OPINION OF SITE VALUE DWELLING 1,714 Sq. Ft. @ \$ 100.00 = \$ 171,400 840 Sq. Ft. @ \$ 50.00 = \$ 42,000 Sq. Ft. @ \$ = \$ Sq. Ft. @ \$ = \$ Amenities, etc. = \$ 45,000 Garage/Carport 200 Sq. Ft. @ \$ 25.00 = \$ 5,000 Total Estimate of Cost-New = \$ 263,400 Less Physical Functional External Depreciation 71,829 = \$(71,829 Depreciated Cost of Improvements = \$ 191,571 "As-is" Value of Site Improvements = \$ 25,000 = \$ = \$ Estimated Remaining Economic Life (if required): 40 Years INDICATED VALUE BY COST APPROACH = \$ 306,571 </td> </tr> </table>		ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input checked="" type="checkbox"/> REPLACEMENT COST NEW Source of cost data: Marshall & Swift were considered, Market Survey Quality rating from cost service: Q3 Effective date of cost data: 05/04/2018 Comments on Cost Approach (gross living area calculations, depreciation, etc.): Marshall and Swift factors were considered in the Cost Approach but are considered to be inaccurate with regard to this market area. Figures are from market survey methods and based on the experience of the appraiser and from local builders. The age life method was used in the calculation of the depreciation. Quality of construction and materials is a combined figure in the Cost Approach.
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INCOME APPROACH	INCOME APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Income Approach was not developed for this appraisal.		
	Estimated Monthly Market Rent \$ n/a X Gross Rent Multiplier n/a = \$ Indicated Value by Income Approach		
	Summary of Income Approach (including support for market rent and GRM): The income approach is not considered a reliable approach to value in this market or for this type of property, the income approach would not add any credibility to the final estimation of value.		
PUD	PROJECT INFORMATION FOR PUDs (if applicable) <input type="checkbox"/> The Subject is part of a Planned Unit Development.		
	Legal Name of Project:		
	Describe common elements and recreational facilities:		
RECONCILIATION	Indicated Value by: Sales Comparison Approach \$ 305,000 Cost Approach (if developed) \$ 306,571 Income Approach (if developed) \$		
	Final Reconciliation: Greatest weight is given the Direct Sales Comparison Approach which tends to best reflect the motivations of purchasers in the marketplace, and is supported by the Cost Approach. The Income Approach was considered but, is not considered a credible approach to value and does not add credibility to the final estimation of value. See attached addenda.		
	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair. The above mentioned subject property is appraised "As Is" reflecting no apparent adverse conditions or needed repairs.		
	<input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.		
ATTACHMENTS	Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 305,000, as of: 05/04/2018, which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.		
	A true and complete copy of this report contains 23 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.		
	Attached Exhibits: <input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Cond./Certifications <input checked="" type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Photograph Addenda <input checked="" type="checkbox"/> Sketch Addendum <input checked="" type="checkbox"/> Map Addenda <input checked="" type="checkbox"/> Additional Sales <input checked="" type="checkbox"/> Cost Addendum <input type="checkbox"/> Flood Addendum <input type="checkbox"/> Manuf. House Addendum <input type="checkbox"/> Hypothetical Conditions <input type="checkbox"/> Extraordinary Assumptions		
SIGNATURES	Client Contact: Michael Brown Client Name: City of Commerce City/Michael Brown E-Mail: n/a Address: n/a This report is considered to be a summary appraisal report. See attached Next Addendum for extraordinary assumptions. APPRAISER: SUPERVISORY APPRAISER (if required) Appraiser has not performed any prior services on the subject property within 36 months of the effective date of the current assignment. or CO-APPRAISER (if applicable)		
	Appraiser Name: Scott Cundiff Company: Appraise the Rockies, LLC Phone: 303-921-6973 Fax: 720-872-2737 E-Mail: scundiff@comcast.net Date of Report (Signature): 05/22/2018 License or Certification #: CR40025660 State: CO Designation: Certified Residential Appraiser Expiration Date of License or Certification: 12/31/2018 Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: 05/04/2018		
	Supervisory or Co-Appraiser Name: Company: Phone: Fax: E-Mail: Date of Report (Signature): License or Certification #: State: Designation: Expiration Date of License or Certification: Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection:		

Adams County Open Space Program

Policies and Procedures



Newly Revised and Adopted

June 24, 2013

As Amended January 6, 2014 and November 14, 2017

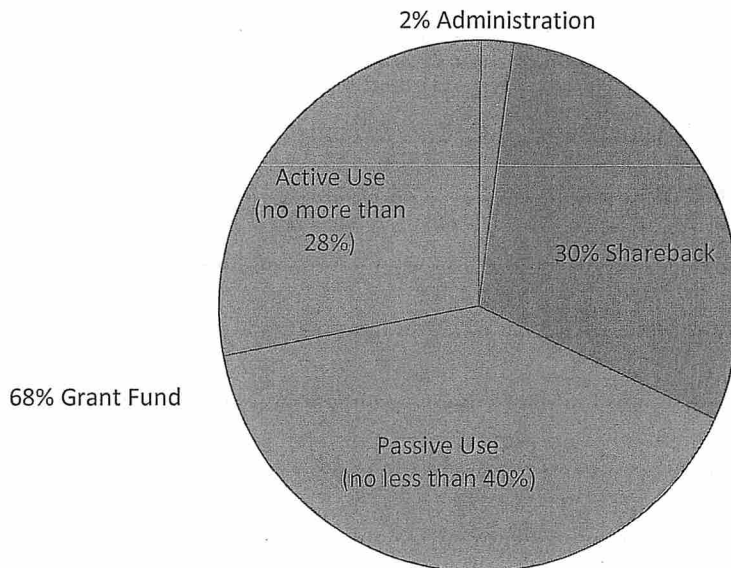
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Introduction

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
Elaine 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	0-00 DOC FEE- 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.

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)

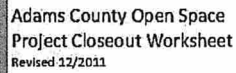
Copies of cancelled checks for additional costs indicated on Grant Closeout Worksheet

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)



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)

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