



Eva J. Henry - District #1  
Charles "Chaz" Tedesco - District #2  
Erik Hansen - District #3  
Steve O'Dorisio - District #4  
Mary Hodge - District #5

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**STUDY SESSION AGENDA  
TUESDAY  
May 1, 2018**

*ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE*

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<b>11:00 A.M.</b>	<b>ATTENDEE(S):</b>	<b>Adam Burg</b>
	<b>ITEM:</b>	<b>Legislative Update</b>
<b>11:45 A.M.</b>	<b>ATTENDEE(S):</b>	<b>Nathan Mosley / Shannon McDowell / Renee Petersen</b>
	<b>ITEM:</b>	<b>Open Space Sales Tax Grant Recommendations</b>
<b>12:15 P.M.</b>	<b>ATTENDEE(S):</b>	<b>Heidi Miller / Patti Duncan</b>
	<b>ITEM:</b>	<b>Sexual Harassment Policy and Procedures Discussion</b>
<b>12:45 P.M.</b>	<b>ATTENDEE(S):</b>	<b>Kristin Sullivan / Jen Rutter / Nana Appiah / Christine Dougherty</b>
	<b>ITEM:</b>	<b>Oil &amp; Gas Regulations and Monthly Update First Floor Conference Center – Platte River B &amp; C</b>
<b>1:45 P.M.</b>	<b>ATTENDEE(S):</b>	<b>Kristin Sullivan</b>
	<b>ITEM:</b>	<b>Marijuana Regulation and Licensing Update</b>
<b>2:45 P.M.</b>	<b>ATTENDEE(S):</b>	<b>Heidi Miller</b>
	<b>ITEM:</b>	<b>Administrative Item Review / Commissioners Communications</b>

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

\*\*\*AGENDA IS SUBJECT TO CHANGE\*\*\*



## STUDY SESSION AGENDA ITEM

<b>DATE:</b> May 1, 2018
<b>SUBJECT:</b> Spring 2018 Open Space Sales Tax grant award recommendations
<b>FROM:</b> Nathan Mosley, Parks and Open Space Director, Shannon McDowell, and Renee Petersen
<b>AGENCY/DEPARTMENT:</b> Parks and Open Space
<b>ATTENDEES:</b> Nathan Mosley, Shannon McDowell, Renee Petersen, Open Space Advisory Board members
<b>PURPOSE OF ITEM:</b> Present the Open Space Advisory Board's recommendations to the Board of County Commissioners to understand whether there is concurrence prior to presenting awards in public hearing.
<b>STAFF RECOMMENDATION:</b> That the Board of County Commissioners accepts the Open Space Advisory Board's recommendations for funding

### **BACKGROUND:**

On February 1, 2018, the Open Space Program received eighteen grant applications, including seven passive grant applications, eight active grant applications, and three mini-grant applications. The total amount requested was \$6,047,782.50 which included \$3,084,646 for passive projects, \$2,949,436.50 for active projects, and \$13,700 for mini-grants. The total amount available for distribution was \$6,832,096.43.

The Open Space Advisory Board (OSAB) recommended full funding of all of the three mini-grant applications, full funding for all seven passive applications and five active applications, partial funding for two active applications, and zero funding for one active application. If the Board of County Commissioners follows the OSAB's recommendations, the fund will carry a balance of \$1,749,605.93 to the next grant cycle. The recommended funding will increase the level of overall active funding from 28% to 28.04%.

Detailed information about each grant and the OSAB's recommendations are below. The projects are listed according to their ranking, with mini-grants listed first.

#### **Mini Grant: Invasive Tree Removal at the Rocky Mountain Arsenal National Wildlife Refuge – Mile High Youth Corps (Sponsored by Adams County)**

**Project Summary:** This project proposes to hire the Mile High Youth Corps (MHYC): Sawyer Crew to aid in the removal of the invasive Russian Olive, and Siberian elm at the Rocky Mountain Arsenal National Wildlife Refuge. This grant will help fund the use of the MHYC crew to cut the stumps and treat them with herbicide. The Rocky Mountain Arsenal National Wildlife Refuge is located at 6550 Gateway Road.

**Type:** Passive

**Grant Request:** 60.2% of the total project costs, up to \$5,000

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$5,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:** None

**Mini Grant: High School Seniors Beautification Project in Elmwood Cemetery- City of Brighton**

**Project Summary:** This project will use High School Seniors who volunteer to plant trees in the southeast section, and the cremation garden of Elmwood Cemetery. Elmwood Cemetery is located at 14800 Old Brighton Road.

**Type:** Passive

**Grant Request:** 55.6% of the total project costs, up to \$4,800

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$4,800

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:** None

**Mini Grant: Lake Appreciation Day 2018- Barr Lake State Park (Sponsored by Adams County)**

**Project Summary:** The purpose of this project is to bring public awareness to water quality and issues through the participation of 250 volunteers performing shoreline cleanup, eradicating noxious weeds, and staining boardwalks. The event is followed by lunch and educational activities for the volunteers. Barr Lake State Park is located at 13401 Piccadilly Rd.

**Type:** Passive

**Grant Request:** 29% of the total project costs, up to \$3,900

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$3,900

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:** None

**Sand Creek Trail Connection- City of Commerce City**

**Project Summary:** This project involves replacement of a temporary soft surface segment of the Sand Creek Trail. The trail segment will be relocated to its permanent alignment and made concrete which will reduce maintenance and allow for yearlong use. The Sand Creek Trail is located at 3200 East 64<sup>th</sup> Avenue.

**Type:** Passive

**Grant Request:** 25.9% of the total project costs, up to \$115,000

**Previous Grant Request:** ☒ Yes ☐ No

**OSAB Recommendation:** Full funding, \$115,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- Unsure if or how much community feedback was gathered to support the project
- This project completes a much needed trail connection that will aid commuters and recreation users

**Falcon Resources Acquisition- Adams County**

**Project Summary:** This project will provide funding to acquire the Falcon Resources property. This is a 14 acre parcel along the South Platte River, adjacent to the Adams County Regional Park on the north side. Acquisition will preserve the property for its riparian and forested habitats, and continue the open space buffer in that area. The Falcon Resources property is located at 136<sup>th</sup> Avenue and Riverdale Road.

**Type:** Passive

**Grant Request:** 57.4% of the total project costs, up to \$105,000

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$105,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- Risk of development seems unlikely on this site.

- Protects a vital piece of land

### **Tennyson Complete & Connected Corridor- City of Arvada**

**Project Summary:** This grant supports the construction of 1.4 miles of continuous bike lanes through the Tennyson corridor, while also adding sidewalks, trails, and pedestrian connections. These improvements will increase connectivity and access to numerous recreational amenities. The location of the project is along Tennyson from the Clear Creek Trail to West 64<sup>th</sup> Avenue, and West 64<sup>th</sup> Avenue from Wolff Street to Tennyson Street.

**Type:** Passive

**Grant Request:** 66.7% of the total project costs, up to \$1,647,265

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$1,647,265

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- The improvements will make recreational amenities more available and create safe connections
- This project will impact thousands of users who currently lack safe access to Clear Creek Valley Park and the trail system

### **Big Dry Creek Master Plan & Floodplain Restoration Pilot Project- City of Thornton**

**Project Summary:** Funding for this project will fund floodplain restoration on a 25 acre open space. The site has steep cut banks, extensive erosion, and channel migration off of the property. The improvements will repair critical natural habitat by reconnecting the channel to its historic floodplain and build public awareness and support. The Big Dry Creek open space is located at 2025 East 152<sup>nd</sup> Avenue.

**Type:** Passive

**Grant Request:** 40.5% of the total project costs, up to \$913,031

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$913,031

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- Are there any negative impacts to the wildlife or natural resources?
- The project will be used as a showcase to garner support for future open space projects
- The MHYC support to get kids involved in caring for the environment was attractive
- This is a big project with implications for other counties as well

### **Parks, Trails, and Open Space Master Plan Update- Town of Bennett**

**Project Summary:** This project includes funding for an updated master plan. An updated plan will provide recommendations for improvements to existing parks, the need for additional recreational opportunities, preservation of natural resources, and development of new trails. With a rapidly growing community, an updated plan will ensure that the focus on future improvements addresses the community needs.

**Type:** Passive

**Grant Request:** 44.9% of the total project costs, up to \$40,000

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$40,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- The project is a foundation to build a strong community
- More community support letters would have been a plus
- Updating the master plan is crucial based on the rapid growth within the community
- Bennett desperately needs this plan to guide projected growth and tie in with neighboring Arapahoe County

**Connecting Youth and Families to the Natural World- Bird Conservancy of the Rockies (Sponsored by Adams County)**

**Project Summary:** This grant will provide funding to support environmental education and programming through educational staff, volunteer coordination, and scholarships for program participants. Bird Conservancy of the Rockies is located at 14500 Lark Bunting Lane.

**Type:** Passive

**Grant Request:** 40% of the total project costs, up to \$250,000

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$250,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- The programs connect kids and adults to nature
- This project is a “big bang for the buck” environmental education program affecting children and adults. There are long term positive benefits for protecting our environment

**Parklane Pool Improvements Design- City of Aurora**

**Project Summary:** This project will help fund design and an environmental assessment of the outdated Parklane Pool. The pool was built in 1962 and has had few updates since then. The design will determine what improvements are necessary as well as ensure that the facility be ADA accessible. The Parklane Pool is located at 13003 East 30<sup>th</sup> Avenue.

**Type:** Active

**Grant Request:** 60% of the total project costs, up to \$75,000

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$75,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- There is a definite need for improvement as the pool is very outdated
- Design work is necessary for this outdated pool

**Downtown Plaza Park- Phase I- City of Brighton**

**Project Summary:** City of Brighton is seeking funding support for their new Downtown Plaza Park. This project will create an iconic gateway into Brighton by including public art, flexible gathering space for events, play, and shade. Site amenities include a playground, trail, picnic shelters, event area, streetscapes, landscaping, restrooms, and lighting. Downtown Plaza Park is located at 5 South Main Street.

**Type:** Active

**Grant Request:** 43.1% of the total project costs, up to \$550,000

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$550,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- Cool concept and a good use of space that is currently not being utilized and is unsafe for the surrounding community.
- Brighton desperately needs a sense of community that this project will provide. It is a higher priority than the Colorado Park which is why I put Colorado Park as the lowest priority.
- This is a very good project and I feel it should improve the image of Brighton.

**Bennett Civic Center Park Access Road & Parking Lot Improvements- Town of Bennett**

**Project Summary:** This project includes an access road and parking lot for the Civic Center Park to improve access and parking amenities to the recreational facilities. The Bennett Civic Center Park Access Road & Parking Lot Improvements site is located at 455 South 1<sup>st</sup> Street.

**Type:** Active

**Grant Request:** 50% of the total project costs, up to \$375,837.50

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$375,837.50

**OSAB Vote:** Motion for full funding passed 5-0

***OSAB Comments:***

- The parking lot is a hazard, is not ADA accessible, and creates a safety hazard in case of emergency or fire.
- Bennett needs this project to improve access and use of the community center
- It is difficult to use open space funds to support paving a parking lot. I would prefer a higher match percentage. The match for future lot maintenance is not considered favorably as they should be part of the general budget.

**School Playground and Field Renovation- Ricardo Flores Magon Academy (Sponsored by Adams County)**

***Project Summary:*** This project will fund the renovation and improvements to the playground and fields at the Ricardo Flores Magon Academy. Amenities include a new playground and play equipment, playground surfacing, field, basketball court, soccer pitch, landscaping, and community garden beds. The Ricardo Flores Magon Academy is located at 5301 Lowell Boulevard.

***Type:*** Active

***Grant Request:*** 60% of the total project costs, up to \$545,695

***Previous Grant Request:*** ☐ Yes ☒ No

***OSAB Recommendation:*** Partial funding, \$362,503

***OSAB Vote:*** Motion for partial funding passed 5-0

***OSAB Comments:***

- Has staff budgeted for a possible increase in costs?
- The building is falling apart and the field/playground need to be a place where students can play safely.
- The school plans to draw the community in with lower fences and asking them to access the park equipment.
- There was good community support garnered from various organizations.
- They need the playground upgrades, but based on absent funding to build the new school I wonder if this project should be postponed
- I would suggest animals in nature as part of the project, possibly with bird houses. I encourage the school to find innovative ways to extend the grounds as an ecofriendly educational environment.

**Rotella Park Shade Structures- Adams County**

***Project Summary:*** This project will provide funding to support the installation of shade structures at the playground at Rotella Park. The park has very little shade near the playground for both the playground and park visitors. The shade structures will provide a safer, more user friendly environment for the park. Rotella Park is located at 1824 Coronado Parkway South.

***Type:*** Active

***Grant Request:*** 47.6% of the total project costs, up to \$30,000

***Previous Grant Request:*** ☐ Yes ☒ No

***OSAB Recommendation:*** Full funding, \$30,000

***OSAB Vote:*** Motion for full funding passed 4-1, Ms. Connor dissenting

***OSAB Comments:***

- Additional shade will make the playground more usable during the summer months
- The shade is a needed amenity but not a higher priority than other projects
- I appreciate the large match percentage

**Northwest Open Space Renovation- Construction Phase I- City of Northglenn**

***Project Summary:*** This project is the first phase of construction for improvements at the city's largest athletic field complex, Northwest Open Space. Improvements include a permanent restroom facility, concession building, expansion of the northern and southern parking lots, replacement of the asphalt trails, relocating the playground, picnic shelters, and landscaping and irrigation for improved drainage and field use. Northwest Open Space is located at 2100 West 112<sup>th</sup> Drive.

***Type:*** Active

***Grant Request:*** 60% of the total project costs, up to \$340,000

***Previous Grant Request:*** ☒ Yes ☐ No

**OSAB Recommendation:** Full funding, \$340,000

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- Without a grant award will the project move forward?
- I would like to see more support from the surrounding area, especially from people with concerns with the parking
- Restrooms, parking, and lighting are very important for this park as it is highly utilized and the facilities are currently lacking.
- The park is very heavily used and in need of amenities

**Moorhead Park Teaching Garden- City of Aurora**

**Project Summary:** This project will create an outdoor teaching garden in the Moorhead Park to support programs on cooking healthy foods and nutrition offered by the recreation center. Construction of the project would include walls, a pathway, soil, irrigation, fencing, signage, and plants. The Moorhead Park is located at 2391 Havana Street.

**Type:** Passive

**Grant Request:** 48.7% of the total project costs, up to \$14,350

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** Full funding, \$14,350

**OSAB Vote:** Motion for full funding passed 5-0

**OSAB Comments:**

- The garden will be a great addition to the recreation center and provide the community with an opportunity to learn about healthy eating and lifestyle
- This project will serve a low income community needing an educational/practical resource to improve life skills
- Excellent project. I hope the right crops are grown to overcome the issue with the morning shade.

**Colorado Park Enhancement Project- City of Brighton**

**Project Summary:** This project includes improvements at Colorado Park in west Brighton. Improvements include a new playground, 1,425 feet of trail, basketball court, off street parking lot with entry, bike rack, benches, and irrigation repairs. Colorado Park is located at 265 Miller Avenue.

**Type:** Active

**Grant Request:** 55% of the total project costs, up to \$327,600

**Previous Grant Request:** ☐ Yes ☒ No

**OSAB Recommendation:** No funding

**OSAB Vote:** Motion to deny funding passed 4-1, Mr. Hickel dissenting

**OSAB Comments:**

- The park will have many different amenities for different groups and the trails will be ADA accessible.
- This is my lowest priority as Brighton already has a higher priority active use project
- I appreciate the match percentage

**Eagle Pointe Recreation Center Aquatic Enhancements- City of Commerce City**

**Project Summary:** This project will provide funding support for enhancements at the Commerce City Recreation Center, including a therapy pool and replacement of the pool deck. The primary components of the renovation are a 6,000 square-foot addition to include family locker rooms, an expanded fitness area, improvements to the dance programming space, relocation of the steam room, improved restroom and locker room facilities, a new technology lab, new building entrance, and new community spaces. The Commerce City Recreation Center is located at 6060 East Parkway Drive.

**Type:** Active

**Grant Request:** 5.9% of the total project costs, up to \$705,304

**Previous Grant Request:** ☒ Yes ☐ No

**OSAB Recommendation:** Partial funding, \$250,804

**OSAB Vote:** Motion for partial funding passed 5-0

**OSAB Comments:**

- I would like to see more information on the need from the community for a therapy pool through support letters
- Portions of the project, such as the tile deck, are safety hazards and must be fixed.
- The therapy pool would be a great amenity for the community.
- This was a lower priority as I did not clearly see the community need for the therapy pool
- The need is recognized

**AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

Open Space Advisory Board, Applicants

**ATTACHED DOCUMENTS:**

Worksheet summarizing grant recommendations  
OSAB meeting minutes from March 28, 2018

**FISCAL IMPACT:**

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

**Fund: 28**

**Cost Center: 6202**

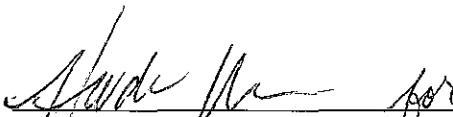
	<b>Object Account</b>	<b>Subledger</b>	<b>Amount</b>
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
<b>Total Revenues:</b>			

	<b>Object Account</b>	<b>Subledger</b>	<b>Amount</b>
Current Budgeted Operating Expenditure:	8810		5,082,490.50
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
<b>Total Expenditures:</b>			<u>5,082,490.50</u>

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

**Additional Note:****APPROVAL SIGNATURES:**

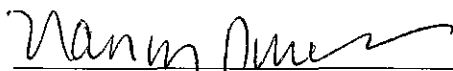
  
Raymond H. Gonzales, County Manager

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Alisha Reis, Deputy County Manager

  
Bryan Ostler, Deputy County Manager

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Patti Duncan, Deputy County Manager

**APPROVAL OF FISCAL IMPACT:**

  
Budget / Finance

Adams County Open Space Grant Program Spring 2018 Grant Cycle - February 1, 2018									
Ranking	Score	Applicant	Project Name	Active Request	Passive Request	Funding Recommendation	Balance	% of Funding (as requested)	% of Funding (as recommended)
Mini		Mile High Youth Corps	Invasive Tree Removal at RMANWR		\$ 5,000.00	\$ 5,000.00		60.2%	60.2%
Mini		City of Brighton	High School Seniors Beautification Project		\$ 4,800.00	\$ 4,800.00		55.6%	55.6%
Mini		Barr Lake State Park	Barr Lake State Park Lake Appreciation Day 2018		\$ 3,900.00	\$ 3,900.00		29.0%	29.0%
1	28	City of Commerce City	Sand Creek Trail Connection		\$ 115,000.00	\$ 115,000.00		25.9%	25.9%
2	29	Adams County	Falcon Resources Acquisition		\$ 105,000.00	\$ 105,000.00		57.4%	57.4%
3	35	City of Arvada	Tennyson Complete & Connected Corridor		\$ 1,647,265.00	\$ 1,647,265.00		66.7%	66.7%
4	42	City of Thornton	BDC Master Plan & Floodplain Restoration		\$ 913,031.00	\$ 913,031.00		40.5%	40.5%
5	43	Town of Bennett	Parks, Trails, and Open Space Master Plan Update		\$ 40,000.00	\$ 40,000.00		44.9%	44.9%
6	46	Bird Conservancy	Connecting Youth & Families to the Natural World		\$ 250,000.00	\$ 250,000.00		40.0%	40.0%
7	47	City of Aurora	Parklane Pool Improvements Design	\$ 75,000.00		\$ 75,000.00		60.0%	60.0%
8	48	City of Brighton	Downtown Plaza Park- Phase I	\$ 550,000.00		\$ 550,000.00		43.1%	43.1%
9	50	Town of Bennett	Civic Center Park Access Road & Parking Lot Imp.	\$ 375,837.50		\$ 375,837.50		50.0%	50.0%
10	52	Ricardo Flores Magon Aca.	School Playground and Field Renovation	\$ 545,695.00		\$ 362,503.00		60.0%	60.0%
11	53	Adams County	Rotella Park Shade Structures	\$ 30,000.00		\$ 30,000.00		47.6%	47.6%
12	58	City of Northglenn	Northwest OS Renovation- Construction Phase I	\$ 340,000.00		\$ 340,000.00		60.0%	60.0%
13	59	City of Aurora	Moorhead Park Teaching Garden		\$ 14,350.00	\$ 14,350.00		48.7%	48.7%
14	60	City of Brighton	Colorado Park Enhancement Project	\$ 327,600.00		\$ -		55.0%	0.0%
15	70	City of Commerce City	Eagle Pointe Rec Center Aquatic Enhancements	\$ 705,304.00		\$ 250,804.00		5.9%	2.2%
Total				\$ 2,949,436.50	\$ 3,098,346.00	\$ 5,082,490.50			
		Total \$ Available	\$ 1,749,605.93	Total Funding Recommended		\$ 5,082,490.50		Active %	Passive %
		Total Active Available	\$ 1,936,452.20	Grant Fund Balance (before recommendations)		\$ 6,832,096.43	Recommended + Previous Funded	28.04%	70.61%
		Remaining Active Available	\$ (47,692.30)	Total Requested		\$ 6,047,782.50			
				Funds Remaining if Funded in Full		\$ 784,313.93			

## **Adams County Open Space Advisory Board**

Meeting Minutes

March 28, 2018

5:30 p.m.

Adams County Regional Park

OSAB Members in Attendance:

Ed Hickel

Doug Cuillard

Mark Stickel

Paul Weinrauch

Rachel Connor

Parks & Open Space Staff in Attendance:

Shannon McDowell

Renee Petersen

County Attorney in Attendance:

Doug Edelstein

### **Introductions**

Mr. Weinrauch called the meeting to order at 5:30 PM. The meeting began with the Pledge of Allegiance. The Open Space Advisory Board members and County staff introduced themselves.

### **Approval of Meeting Minutes from February 28, 2018**

A motion was made by Mr. Stickel and seconded by Mr. Cuillard to ***Approve the minutes*** for the February 28, 2018 meeting. The motion passed unanimously.

### **Update on Fund Balance**

Ms. McDowell informed the Board that there was \$6,832,096.43 available to award in the current grant cycle. She also explained that in order to maintain the 28% active limitation, \$1,936,452.20 could be awarded to active projects. If the OSAB chose to exceed that 28%, we would have to correct that in a future grant cycle.

### **Review of Grant Applications in Rank Order**

Mile High Youth Corps- Invasive Tree Removal at the Rocky Mtn. Arsenal Natl. Wildlife Refuge mini grant- Mr. Cuillard felt the project was a great idea. The OSAB members were in agreement.

City of Brighton- High School Seniors Beautification Project in Elmwood Cemetery mini grant- Ms. Connor was in support of the project to get the students involved and thought it was a good alternative to senior ditch day. Mr. Weinrauch also liked the project.

Barr Lake State Park- Lake Appreciation Day 2018 mini grant- Mr. Stickel commented they get a lot of volunteer involved and then have an afternoon of fun planned.

City of Commerce City- Sand Creek Trail Connection- Mr. Cuillard felt the small section of trail created a great deal of benefit. Mr. Weinrauch was pleased to see the project using the same contractor to avoid increased costs and delay. Ms. Connor felt it saved money by utilizing the same contractor on site.

Adams County- Falcon Resources Acquisition- Mr. Hickel stated that this was his top priority project to preserve open space. The OSAB was in agreement that it was a worthy project to fund.

City of Arvada- Tennyson Complete & Connected Corridor- Mr. Cuillard stated he lives in the area and uses the corridor. He felt the project was a high priority to improve safety. Mr. Hickel felt it tied a lot of resources together and would highly improve access for the community. Mr. Stickel felt it brought many jurisdictions together and would benefit all of the nearby communities. Many projects have developed in the area and the continued improvements would create a positive image.

City of Thornton- Big Dry Creek Master Plan & Floodplain Restoration Pilot Project- Mr. Stickel wondered if it was most effective to straighten the corridor, but was in support of the project. Mr. Hickel was in support of the method as he felt it would cause less erosion.

Town of Bennett- Parks, Trails, and Open Space Master Plan Update- Mr. Stickel was highly supportive of both Town of Bennett projects. He felt they would complement one another and be very important to the community with such rapid growth. Ms. Connor stated that with the upcoming growth it was important to update the master plan for the area. Mr. Stickel agreed that this was the ideal time to update the plan and also felt that paving the parking lot was highly important. On a personal note, the gravel and dust was contributing to the problems with the dehumidification system.

Bird Conservancy of the Rockies- Connecting Youth & Families to the Natural World- Mr. Cuillard asked about the overall budget and was also why the building improvements were not active. Ms. McDowell explained that the building was primarily an education center, which would be passive. Mr. Cuillard also asked how they interact with Barr Lake and was their vision is long term. Ms. Nickolaus explained that the funding for the grounds would be to complete the habitat surrounding the building. They lease the building from Barr Lake in return for the maintenance and upkeep of the building and grounds which is where they hold their programming as much as possible. Their plan was to add some native grasses to the area to sustain the high traffic. Mr. Cuillard stated that with a future grant request he would like to see a master plan for the organization, and he did support the project. Mr. Hickel asked how much of the grant request would be for salaries. Ms. Nickolaus replied that \$128,000 was a portion of their salaries to be grant funded. Without the support for the staff, they would not be able to provide the programming they do. Mr. Weinrauch explained he was very excited about the project, but was concerned about funding salaries due to the question of maintaining that in the future. Ms. Connor asked how many staff the funding would support and for what amount of time. Ms. McDowell explained the project was for a two year time period. Ms. Nickolaus explained that it would fund a portion of the salary for four staff members. Mr. Cuillard asked where the match funding came from. Ms. Nickolaus explained that a majority was from the SCFD funding. Mr. Weinrauch asked what would happen if the project was only partially funded or not funded at all. Ms. Nickolaus replied that they would gladly accept any funding and that if it was not in full she would seek out additional funding to support the

program. Mr. Stickel hoped that with additional outreach to the schools and community that they would need less OSAB support in the future. Mr. Cuillard asked if there was any discussion from the OSAB in the past regarding the dependency for staff salaries. Ms. McDowell explained that it was a consistent topic and that the OSAB has been clear to express concern over organizations relying on this funding to fund staff. Mr. Hickel was highly in favor of the educational programs and felt it was the only program within the county of its type. Mr. Stickel also mentioned how the programs were available to anyone outside of the county as well. Mr. Weinrauch hopes that within a year the program would have less of a need for the Open Space funding. Ms. Connor explained that if you consider the funding being spread over two years and for multiple staff, it was not that significant. Ms. Nickolaus explained it was her goal to become more financially independent.

City of Aurora- Parklane Pool Improvements Design- Mr. Hickel wanted to point out that the pool was only open to the public for a portion of the year. Mr. Cuillard felt the need was very evident. The OSAB was in agreement.

City of Brighton- Downtown Plaza Park- Phase I- Mr. Stickel felt the project would improve economic development in the area and that everything they raised in sales tax and revenue would increase the grant funding as well. Mr. Hickel liked the idea of opening up that part of Brighton. Ms. Connor felt it was a good project and would improve the area for use by the community. Mr. Weinrauch was excited about the project and what it would do for the community.

Town of Bennett- Bennett Civic Center Park Access Road & Parking Lot Improvements- Mr. Stickel commented earlier in the meeting regarding the benefits of the project. The OSAB agreed that it was a much needed project.

Ricardo Flores Magon Academy- School Playground & Field Renovation- Mr. Stickel felt it was an expensive project, but he also saw a problem with them trying to fund the project with so many partners and the difficulty of maintaining that balance when they were dependant on one another in order to make the project happen. Mr. Cuillard agreed it was a little risky. Mr. Hickel explained they used to have a one year time limit for completion and their time table exceeded the current two year period. He was also not in favor of using these grant funds for school playgrounds. Ms. McDowell wanted to clarify that every grant was subject to a two year time period. They could then request an extension to exceed that time period. Also, should they award grant funding and the project not be completed, the grant funds would be returned to the fund balance. Mr. Cuillard was looking at a partial award. Ms. Connor felt it was a great project, and was in favor of all of the hard work they put into partnerships and really felt the need for the students. Mr. Stickel was in agreement. Mr. Hickel did not consider the need as high as using the funds for increased access to nature. Mr. Weinrauch listed this project as his lowest priority. After reviewing the area and nearby access to any parks he realized that there was nothing nearby. He also wondered if this was the most appropriate time to fund the project. Mr. Cuillard commented that they were using this funding as leverage on other grants, which was part of the urgency to fund the project. Ms. McDowell explained that based on the map provided, the only things listed nearby were a trailhead and small park owned by Hyland Hills, which would require residents to cross Federal. It was useful in designating the barriers that folks are faced with in order to

use any of the parks in the area. Mr. Stickel asked if they had applied in the past. Ms. McDowell clarified that they had previously applied for the BEST grant, but this was their first application for Open Space funding on the playground. Mr. Stickel considered phasing the project award to fund some components in the current grant cycle. Ms. McDowell explained they could choose to partially fund the project based on limited active funds. The applicant would have to submit another application in the future to be considered for additional grant funds. Mr. Weinrauch felt the play equipment could be awarded at a future grant cycle and would still allow the project to progress.

Adams County- Rotella Park Shade Structures- Mr. Hickel was surprised to see the project ranked so low. Ms. Connor explained that she ranked it lower as she saw the importance of shade, but in comparison to the other grant projects it would be a lower priority for this cycle. Mr. Cuillard was in agreement. Mr. Stickel saw the efficiency in what they were trying to achieve and it was a low grant request, in addition to the consideration of how much the program has invested in that park. Mr. Weinrauch stated that for his family, shade was a requirement and he felt it would highly boost the usage.

City of Northglenn- Northwest Open Space Renovation- Construction Phase I- Ms. Connor ranked the project high and felt the amenities were necessary to support a park with such high usage. Mr. Hickel asked if the restroom facilities would be available to the public when the fields were not being used. Ms. Peterson replied that the facilities would be open and available to the public during regular daytime hours. Mr. Cuillard ranked it higher and saw the need for the improvements. Mr. Weinrauch feels this project should be considered higher than the school project.

City of Aurora- Moorhead Park Teaching Garden- Mr. Cuillard stated that any project to promote educating intercity youth about the outdoors is a wonderful project. Mr. Weinrauch feels it is a great project, but ranked it lower based on priority of competing projects. Mr. Stickel saw the benefit of having the recreation center there and the site ready to include the garden component with the kitchen and outdoor patio adjacent to the garden location.

City of Brighton- Colorado Park Enhancement Project- Mr. Weinrauch ranked the project very high based on rapid growth in the area. Mr. Cuillard stated that he ranked it lower based on Brighton indicating the Downtown Plaza as their top priority for funding and the limited active funds this grant cycle. Mr. Hickel felt it was an important project, which included a significant trail connection. Mr. Weinrauch asked what the staff thoughts were on why this was the lower priority project for the city. Mr. Wardle explained that the Downtown Plaza was their top priority due to the necessity of removing the current building and the ability to improve that site. The Colorado Park project was important due to the connection to the Colorado Front Range Trail system, but they could apply again in the fall if necessary.

City of Commerce City- Eagle Pointe Recreation Center Aquatic Enhancements- Mr. Hickel commented that the application would fund a medical therapy pool, and he did not see their program supporting it as a good use of open space funds. Mr. Cuillard asked how they justified the community need for the therapy pool. Ms. O'Donnell explained that they did survey the residents and a high percentage listed the need for a therapy pool. The senior population is high in that area, and with the 2K initiative they

needed to also focus on that portion of Commerce City for improvements. Mr. Weinrauch asked how they would feel about partial funding. Ms. O'Donnell said they would be thrilled for any funding to support the project.

Mr. Cuillard asked how the active percentage would be reconciled and in what time frame if they chose to exceed the 28%. Ms. McDowell replied that would be decided on by the OSAB and staff. In the past, we reconciled that by spreading that over three grant cycles and reducing the amount of active funds to be awarded by 1/3. Mr. Cuillard felt it was sensible to aim for the 28% with current recommendations and not having to correct that later on.

### **Applicant Comments**

There were no comments from the applicants.

### **Ranking Confirmed and Funding Strategy Discussion**

Mr. Weinrauch would prioritize the Ricardo Flores Magon Academy lower than where it was currently ranked. Ms. Connor was not in agreement with the school being a lower priority. Mr. Cuillard felt that in order to lower their active requests, he would recommend not funding the playground for the Ricardo Flores Magon Academy, remove the therapy pool line items from the Commerce City Eagle Pointe Recreation Center project, and not fund the Colorado Park in the current grant cycle. Mr. Weinrauch felt the Colorado Park was still very important and he would like to see that project move forward. Mr. Cuillard explained that the next funding cycle was only a few months away and it should not cause a large delay. Mr. Weinrauch was concerned about the project not receiving funding later as it was not known what other projects would be competing in the next grant cycle. Mr. Stickel was in agreement with the plan laid out by Mr. Cuillard. Ms. Conner was also in favor of that strategy. She would personally rank the school higher, but would be willing to fund their project and decrease the award by the playground equipment in the current cycle. She was willing to not fund the therapy pool component for Commerce City, and would also not fund the Rotella Park shade structures in order to reduce active funding. She felt Northglenn should be considered as a repeat application. Mr. Stickel wanted to clarify that the intent would be to fully fund the passive projects, and asked what amount could be awarded for active projects to remain at 28%. Ms. McDowell responded that they would have \$1,936,452.20 for active projects. Mr. Hickel explained that if they chose to fund all of the active projects, they would exceed the 28% by over \$1 million. Mr. Weinrauch asked how much more they would need to cut in order to meet the active limitation. Mr. Cuillard replied that they would be over by approximately \$70,000, which would not highly exceed the active limit. Ms. McDowell explained that by reducing the grant award we also would have to consider any match for a specific line item in order to ensure that the minimum match requirement is met. Mr. Weinrauch mentioned the possibility to reduce the Ricardo Flores Magon Academy grant by the playground equipment and site furnishings. Ms. McDowell explained that staff would look at those specific projects over the break to determine if the partial award would affect their match percentages.

## **Break**

The OSAB took a break to review requests individually prior to discussing and making any recommendations for funding.

## **Provisional Funding Discussion**

Mr. Weinrauch explained that this portion of the meeting was for informal recommendations for funding and that no motions would be made at this time.

Mile High Youth Corps- Invasive Tree Removal at the Rocky Mtn. Arsenal Natl. Wildlife Refuge mini grant- OSAB was in agreement to fund the project in full.

City of Brighton- High School Seniors Beautification Project in Elmwood Cemetery mini grant- OSAB was in agreement to fund the project in full.

Barr Lake State Park- Lake Appreciation Day 2018 mini grant- OSAB was in agreement to fund the project in full.

City of Commerce City- Sand Creek Trail Connection- OSAB was in agreement to fund the project in full.

Adams County- Falcon Resources Acquisition- OSAB was in agreement to fund the project in full.

City of Arvada- Tennyson Complete & Connected Corridor- OSAB was in agreement to fund the project in full.

City of Thornton- Big Dry Creek Master Plan & Floodplain Restoration Pilot Project- OSAB was in agreement to fund the project in full.

Town of Bennett- Parks, Trails, and Open Space Master Plan Update- OSAB was in agreement to fund the project in full.

Bird Conservancy of the Rockies- Connecting Youth & Families to the Natural World- OSAB was in agreement to fund the project in full.

City of Aurora- Parklane Pool Improvements Design- OSAB was in agreement to fund the project in full.

City of Brighton- Downtown Plaza Park- Phase I- OSAB was in agreement to fund the project in full.

Town of Bennett- Bennett Civic Center Park Access Road & Parking Lot Improvements- OSAB was in agreement to fund the project in full.

Ricardo Flores Magon Academy- School Playground & Field Renovation- Mr. Weinrauch stated the intent to reduce the grant award by the budget lines for the play equipment and furnishings, resulting in an award of \$362,503. Ms. McDowell mentioned that during the break staff reviewed the percentage and that would still meet the requirement with a 60% funding recommendation.

Adams County- Rotella Park Shade Structures- OSAB was in agreement to fund the project in full.

City of Northglenn- Northwest Open Space Renovation- Construction Phase I- OSAB was in agreement to fund the project in full.

City of Aurora- Moorhead Park Teaching Garden- OSAB was in agreement to fund the project in full.

City of Brighton- Colorado Park Enhancement Project- Mr. Weinrauch stated that the intent was to not fund the project in this grant cycle.

City of Commerce City- Eagle Pointe Recreation Center Aquatic Enhancements- Mr. Weinrauch stated that they intended to reduce the grant award by the line item for the therapy pool, resulting in an award of \$250,804. This partial award would not affect their match. Based on those recommendations, the active fund would exceed the 28% limit by \$47,692.30 and end at 28.04%.

### **Grant Funding Recommendations**

#### **Mile High Youth Corps- Invasive Tree Removal at the Rocky Mtn. Arsenal Natl. Wildlife Refuge mini grant**

A motion was made by Ms. Connor and seconded by Mr. Cuillard to ***Approve the request*** in the amount of \$5,000. The motion passed unanimously.

#### **City of Brighton- High School Seniors Beautification Project in Elmwood Cemetery mini grant**

A motion was made by Mr. Stickle and seconded by Ms. Connor to ***Approve the request*** in the amount of \$4,800. The motion passed unanimously.

#### **Barr Lake State Park- Lake Appreciation Day 2018 mini grant**

A motion was made by Mr. Hickel and seconded by Mr. Cuillard to ***Approve the request*** in the amount of \$3,900. The motion passed unanimously.

#### **City of Commerce City- Sand Creek Trail Connection**

A motion was made by Mr. Cuillard and seconded by Mr. Hickel to ***Approve the request*** in the amount of \$115,000. The motion passed unanimously.

#### **Adams County- Falcon Resources Acquisition**

A motion was made by Mr. Hickel and seconded by Mr. Cuillard to ***Approve the request*** in the amount of \$105,000. The motion passed unanimously.

#### **City of Arvada- Tennyson Complete & Connected Corridor**

A motion was made by Mr. Cuillard and seconded by Ms. Connor to ***Approve the request*** in the amount of \$1,647,265. The motion passed unanimously.

#### **City of Thornton- Big Dry Creek Master Plan & Floodplain Restoration Pilot Project**

A motion was made by Ms. Connor and seconded by Mr. Hickel to ***Approve the request*** in the amount of \$913,031. The motion passed unanimously.

#### **Town of Bennett- Parks, Trails, and Open Space Master Plan Update**

A motion was made by Mr. Stickel and seconded by Mr. Cuillard to ***Approve the request*** in the amount of \$40,000. The motion passed unanimously.

#### **Bird Conservancy of the Rockies- Connecting Youth & Families to the Natural World**

A motion was made by Ms. Connor and seconded by Mr. Stickel to ***Approve the request*** in the amount of \$250,000. The motion passed unanimously.

#### **City of Aurora- Parklane Pool Improvements Design**

A motion was made by Mr. Cuillard and seconded by Ms. Connor to ***Approve the request*** in the amount of \$75,000. The motion passed unanimously.

#### **City of Brighton- Downtown Plaza Park- Phase I**

A motion was made by Mr. Stickel and seconded by Mr. Cuillard to ***Approve the request*** in the amount of \$550,000. The motion passed unanimously.

#### **Town of Bennett- Bennett Civic Center Park Access Road & Parking Lot Improvements**

A motion was made by Ms. Connor and seconded by Mr. Stickel to ***Approve the request*** in the amount of \$375,837.50. The motion passed unanimously.

#### **Ricardo Flores Magon Academy- School Playground & Field Renovation**

A motion was made by Mr. Cuillard and seconded by Mr. Stickel to ***Approve the request*** in the amount of \$362,503. The budget lines items for the playground and furnishings were eliminated in full. The motion passed unanimously.

#### **Adams County- Rotella Park Shade Structures**

A motion was made by Mr. Stickel and seconded by Mr. Hickel to ***Approve the request*** in the amount of \$30,000. The motion passed 4-1, Ms. Connor dissenting.

#### **City of Northglenn- Northwest Open Space Renovation- Construction Phase I**

A motion was made by Ms. Connor and seconded by Mr. Stickel to ***Approve the request*** in the amount of \$340,000. The motion passed unanimously.

### **City of Aurora- Moorhead Park Teaching Garden**

A motion was made by Ms. Connor and seconded by Mr. Cuillard to **Approve the request** in the amount of \$14,350. The motion passed unanimously.

### **City of Brighton- Colorado Park Enhancement Project**

A motion was made by Mr. Stickel and seconded by Ms. Connor to **Deny the request** for funding as a result of limited active funds. The motion passed 4-1, Mr. Hickel dissenting.

### **City of Commerce City- Eagle Pointe Recreation Center Aquatic Enhancements**

A motion was made by Mr. Cuillard and seconded by Ms. Connor to **Approve the request** in the amount of \$250,804. The budget line item for the therapy pool was eliminated in full. The motion passed unanimously.

### **Public Comment**

The applicants expressed their gratitude and appreciation for the recommendations for funding that were made. Mr. Weinrauch thanked the applicants for their hard work and dedication.

### **Matters from the Parks Staff**

Ms. Petersen shared the upcoming schedule of events. The City of Westminster modification would be presented to the Board of County Commissioners (BoCC) during study session on April 10, 2018 at 12:15 p.m. Mr. Weinrauch, Mr. Hickel, and Mr. Stickel planned to attend. An April OSAB meeting is scheduled for April 25<sup>th</sup>. At this meeting we will discuss prospective changes to the grant applications and score cards. Mr. Weinrauch asked staff to send him the scorecards file electronically. Ms. Petersen shared the anticipated schedule for the grant awards, with a study session scheduled for May 1<sup>st</sup> to discuss the funding recommendation with the BoCC. The public award of the grants is expected for May 22<sup>nd</sup> during public hearing.

### **Matters from the Board**

Mr. Stickel wanted to recommend that the applicants print the pages that contain financial information one sided to save the staff time. Ms. McDowell explained that the software we use for the applications is difficult to customize, but staff was planning a meeting with the applicants in May to explain how to prepare the applications and make that part of the process go smoother. Mr. Cuillard questioned if the citizens of the county are familiar with the tax supported projects. He wanted to recommend placing a sign at each site during construction with information about the Open Space Sales Tax and the support from the grant program. Ms. McDowell explained that we do have signage at each location and staff was always brainstorming way to better promote the program and work on effective outreach methods. Mr. Weinrauch wanted to make citizens more familiar with the program as he himself was unaware of the benefits of shopping within the county and supporting the tax. Mr. Stickel agreed that the OSAB needed to educate the public in preparation for the ballot renewal. Mr. Hickel explained that with the past ballot

initiatives, they created a citizens committee to inform the public and support the ballot measure. Mr. Stickel asked if they could do a mass mailing. Ms. McDowell explained that they did have that option up until the time that the ballot language was established. In the past, a report to public was mailed to each county resident and would contain information about the Open Space Sales Tax each year. That report is no longer published and staff has instead created the calendars which contain a report and are distributed throughout the county. Mr. Stickel recommended utilizing the city newsletters and including that information as well. He also felt the Commissioners were in support of the program and renewal. Ms. McDowell agreed that they were in support and saw the value. Another matter that was being discussed was the transportation and facilities tax which would expire in 2028, and ways to strategize if those should go together.

The meeting adjourned at 7:46 PM.



## STUDY SESSION AGENDA ITEM

<b>DATE:</b>	May 1, 2018
<b>SUBJECT:</b>	Oil and Gas Update
<b>FROM:</b>	Kristin Sullivan, Director Doug Clark, Deputy Director Jen Rutter, Senior Environmental Analyst Christine Dougherty, Oil & Gas Liaison
<b>AGENCY/DEPARTMENT:</b>	Community & Economic Development
<b>ATTENDEES:</b>	Kristin Sullivan, Doug Clark, Jen Rutter, Christine Dougherty
<b>PURPOSE OF ITEM:</b>	To provide an update on County regulation amendments and oil and gas activity.
<b>STAFF RECOMMENDATION:</b>	Proceed to schedule the public hearings for adoption.

### **BACKGROUND:**

In June 2017, the Board of County Commissioners gave direction to Staff to explore residential construction setbacks from wells, flowlines, and gathering pipelines. After releasing an initial draft in the summer of 2017, Staff conducted targeted stakeholder meetings, a meeting for the general public, and several subsequent follow-up meetings, as requested. The feedback was incorporated into the draft and two Requests for Comments were issued, the first in November 2017 and the second in March 2018.

The draft regulation amendments include:

- Chapter 4:
  - Residential Construction Setbacks
    - Oil and gas wells
    - Tank batteries
    - Flowlines
    - Plugged and Abandoned Oil and Gas Wells
  - AUSR: Expiration of Approval/Process for Renewal
  - Additional Standards for Flowlines
- Chapter 11:
  - Definitions

Staff will brief the Board on County regulation amendments and provide an update on current oil and gas activity.

### **AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

Jeff Robbins (Outside counsel on oil and gas)

### **ATTACHED DOCUMENTS:**

PowerPoint presentation

**FISCAL IMPACT:**

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

**Fund:****Cost Center:**

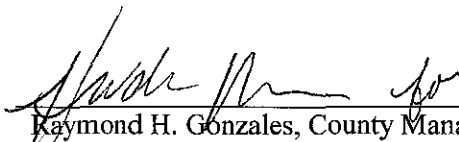
	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
<b>Total Revenues:</b>			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
<b>Total Expenditures:</b>			

New FTEs requested: ☐ YES ☐ NO

Future Amendment Needed: ☐ YES ☐ NO

**Additional Note:****APPROVAL SIGNATURES:**

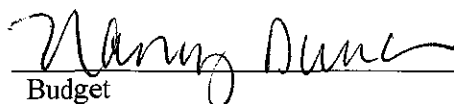
  
Raymond H. Gonzales, County Manager

\_\_\_\_\_  
Alisha Reis, Deputy County Manager

  
Bryan Ostler, Deputy County Manager

\_\_\_\_\_  
Patti Duncan, Deputy County Manager

**APPROVAL OF FISCAL IMPACT:**

  
Budget

# Oil and Gas Update

Community & Economic Development Department

May 1, 2018

# Summary

- Oil & Gas Regulation Amendments
  - Background
  - Public & Stakeholder Outreach
  - Proposed Amendments
  - Timeline for Approval
- Update on Oil & Gas Activity

# Background

- BoCC gave direction to explore residential construction setbacks from wells, flowlines, gathering lines (June 2017)
- COGCC Flowline Rulemaking (October 2017 – February 2018)

# Public & Stakeholder Outreach

Initial Outreach	
<i>Date</i>	<i>Stakeholder Group</i>
8/14/2017	Fire Districts
	State Agencies
8/16/2017	Proximate Local Govs.
	School Districts
8/17/2017	Operators & Reps
	Developers
	Resident Groups
8/21/2017	General Public
11/2/2017 - 12/1/2017	1 <sup>st</sup> Draft Referral
Follow Up Meetings	
<i>Date</i>	<i>Stakeholder Group</i>
11/20/2017	HBA
12/14/2017	API/CPC
12/19/2017	COGA
1/16/2017	ACCDAN
3/9/2018 - 4/1/2017	2 <sup>nd</sup> Draft Referral

COGCC  
Flowline Rules  
Adopted  
(Feb 2018)

# Proposed Regulation Amendments

- Chapter 4:
  - Residential Construction Setbacks
    - Oil and gas wells
    - Tank batteries
    - Flowlines
    - Plugged and Abandoned Oil and Gas Wells
  - AUSR: Expiration of Approval/Process for Renewal
  - Additional Standards for Flowlines
- Chapter 11:
  - Definitions

# Residential Construction Standards (Proposed)

## **Residential Construction Standards for New Subdivision Plats/Building permits (shall):**

- a. 250 foot setback around each well.
- b. 500 foot setback around each tank battery.
- c. Access to well or tank battery shall be provided.
- d. Notice to prospective buyers of the location of the wells, tank batteries and associated pipeline easements.
- e. 20 foot setback (10 feet on either side) around each off-location flowline.
- f. All surface and subsurface agreements shall be noted on the Final Plat.
- g. Where a new home is constructed within 500 feet of an existing well, the property owner shall submit a signed acknowledgement form.

# Residential Construction Standards (Proposed)

## **Residential Construction Standards for New Subdivision Plats (shall):**

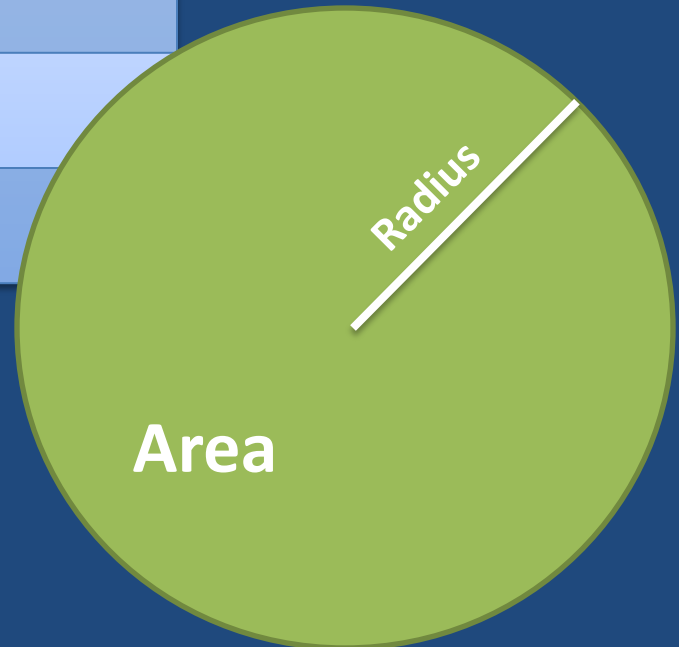
1. Plugged & Abandoned wells shall be identified and have a surface marker.
2. Location diagram of the well required with plat.
3. Workover setback required of 50' x 100' marked on plat.
4. Notice to prospective buyers of the location of the P&A well and workover setback.
5. Prior to grading permit, former reserve pit sites shall be tested for expansive soils.
6. No utility lines shall be installed within 10 feet of any P&A well.

# Residential Construction Standards Comparison

<i>Standard</i>	<i>Current</i>	<i>Proposed</i>
<i>Well Setbacks</i>	0' to 250'	At least 250'
<i>Tank Battery Setbacks</i>	None	At least 500'
<i>Flowline/Gathering Line Setbacks</i>	None	At least 20' total width
<i>Plugged &amp; Abandoned Well Setbacks</i>	None	50' x 100'
<i>Acknowledgement Form</i>	0' to 300' from well	250' to 500' from well

# Well or Tank Battery Setback Radius in Acres

Radius	Area in Acres
150 feet	1.62 acres
250 feet	4.51 acres
500 feet	18.03 acres
750 feet	40.58 acres
1,000 feet	72.14 acres



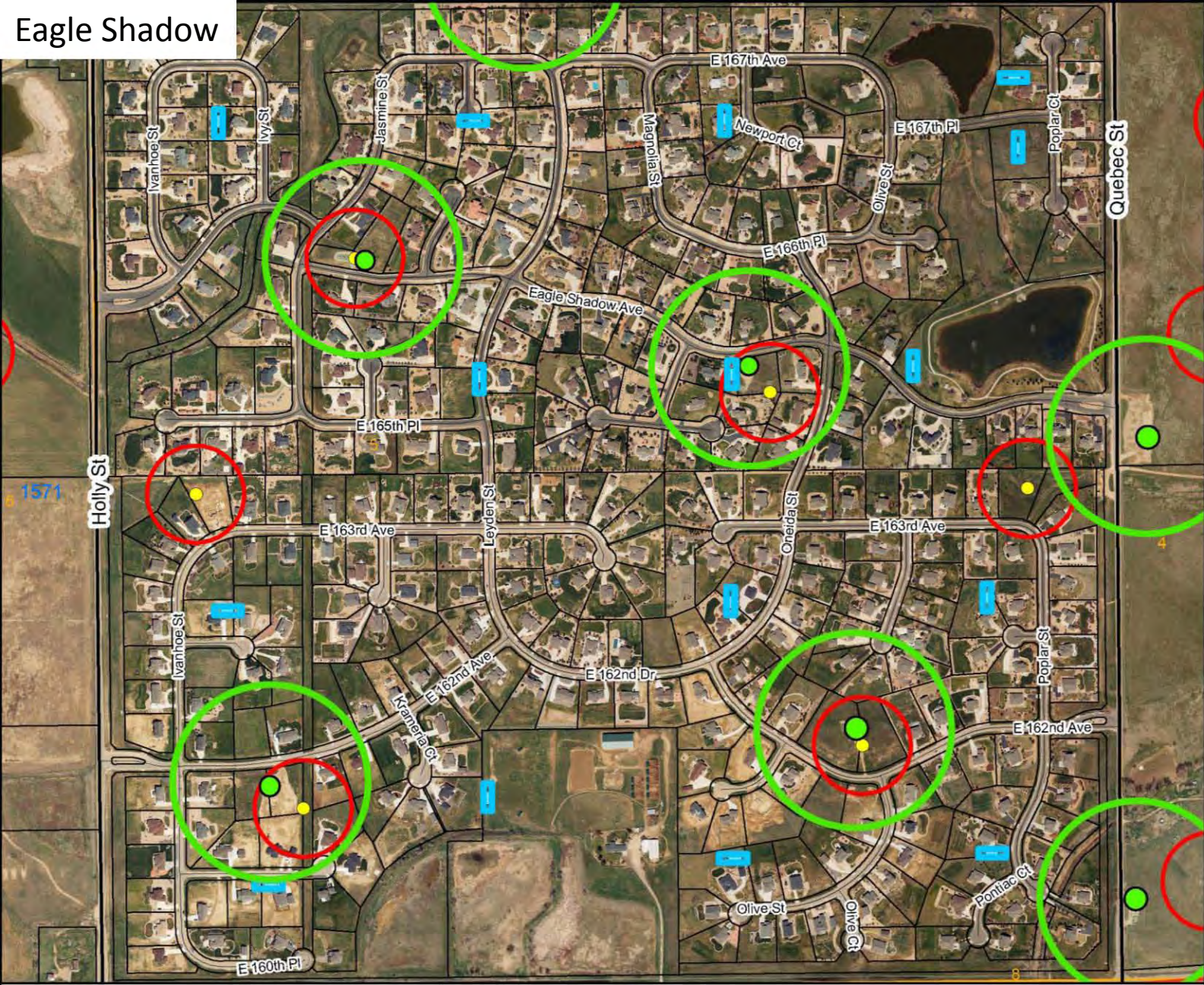
# Transitioning Development

- Setbacks from active wells are temporary.
- As existing wells get plugged and abandoned, the setbacks will be reduced.
- Multi-well pads consolidate the impacts and reduce overall surface disturbance.

# Setbacks Applied

- The following examples are hypothetical.
  - Existing subdivisions with proposed setbacks overlain.
- The proposed setbacks will only apply to new subdivisions and building permits on unplatted land.

Eagle Shadow



- Legend**
- P&A Wells
  - Active Wells
  - Tank Battery
  - 250-Foot Setback
  - 500-Foot Setback
  - 50' x 100' Easement

Proposed Setbacks from Oil & Gas Infrastructure  
PLN2017-00036



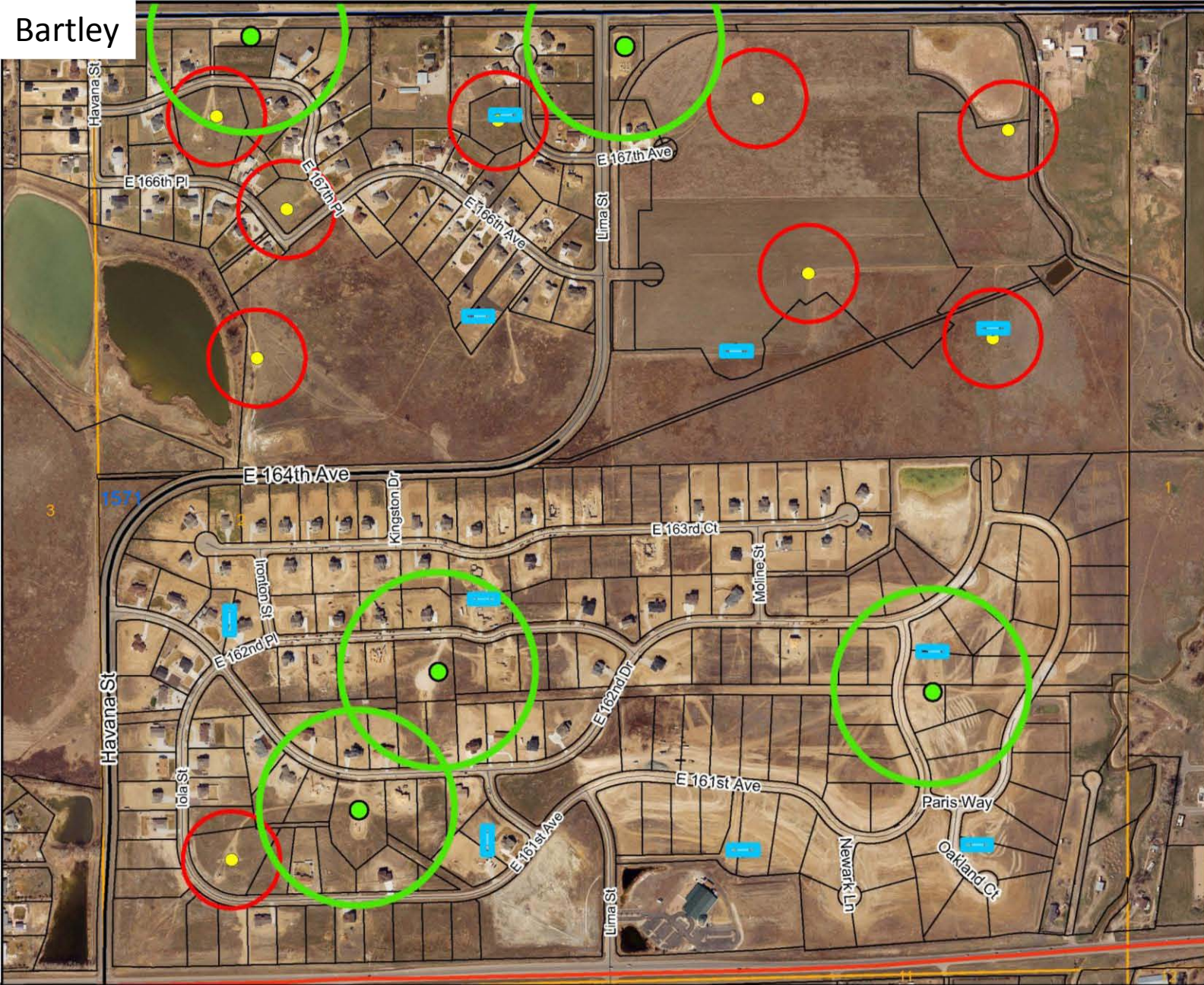
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**Legend**

- P&A Wells
- Active Wells
- Tank Battery
- 250-Foot Setback
- 500-Foot Setback
- 50' x100' Easement



Proposed Setbacks from Oil & Gas Infrastructure

PLN2017-00036

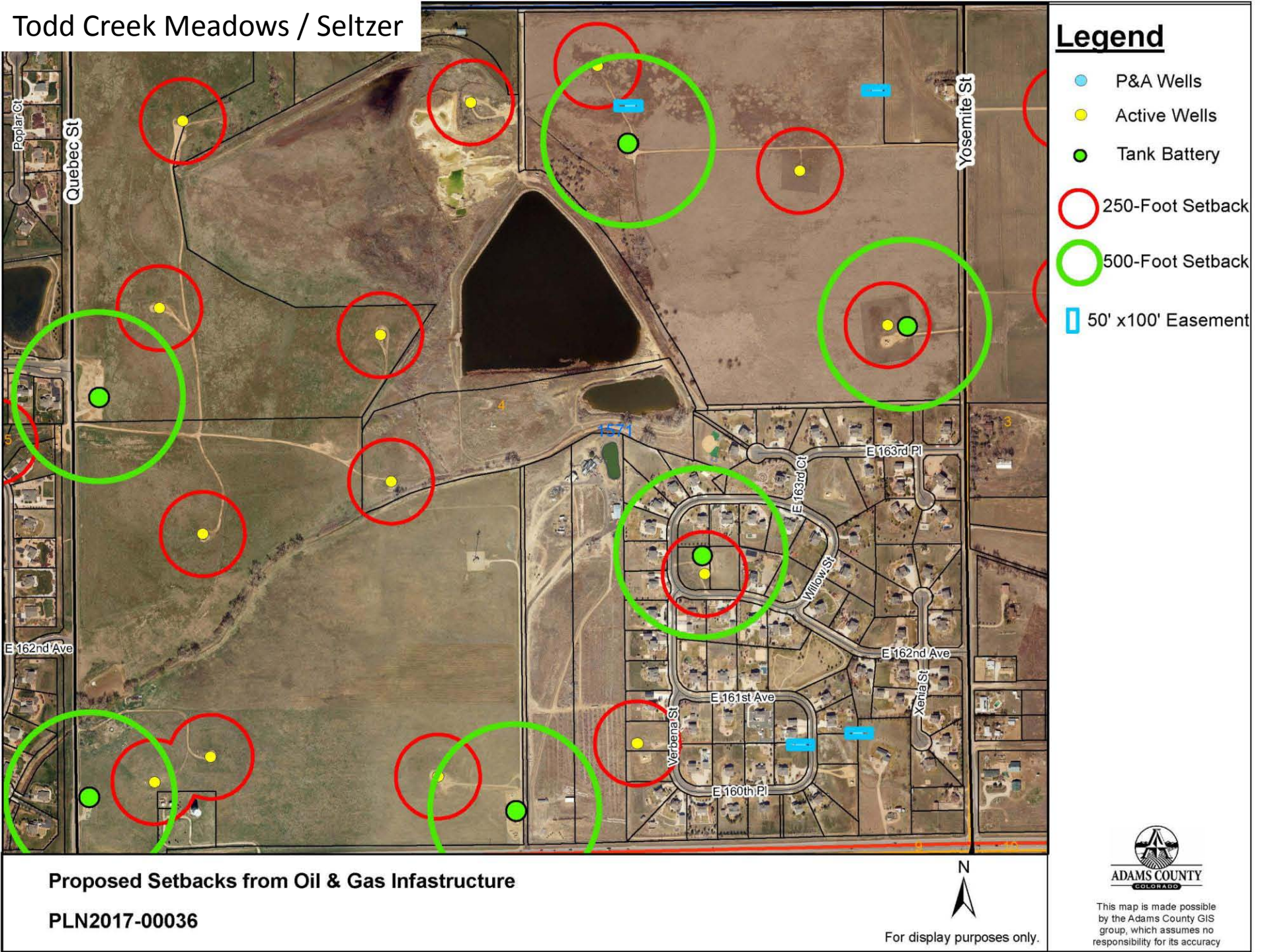


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Todd Creek Meadows / Seltzer



# Staff Recommendation

<i><b>Standard</b></i>	<b>Current</b>	<b>Proposed</b>
<i>Well Setbacks</i>	0' to 250'	At least 250'
<i>Tank Battery Setbacks</i>	None	At least 500'
<i>Flowline/Gathering Line Setbacks</i>	None	At least 20' total width
<i>Plugged &amp; Abandoned Well Setbacks</i>	None	50' x 100'
<i>Acknowledgement Form</i>	0' to 300' from well	250' to 500' from well

# AUSR: Expiration of Approval; Permit Revision Process

- Current:
  - If well pad construction is commenced within 5 years, the location is vested.
- Proposed:
  - If well pad construction is commenced within 3 years, the location is vested.
  - If all permitted wells are not drilled within 3 years, the permit must be renewed to drill the remaining wells.

# Additional Standards for Flowlines

- Definitions (i.e. flowlines, gathering lines, etc.)
- Alignment with ROW, floodplain compliance
- Gas leak reporting
- Requirement for reporting locations
  - New rule from COGCC Rulemaking
  - Form 44

# Recommended Adoption Timeline

- May 2018 – Public Notice
- June 2018 – Planning Commission
- July 2018 – Board of County Commissioners

# *Oil & Gas Activity Update*

Questions?



## STUDY SESSION AGENDA ITEM

<b>DATE:</b>	<b>May 1, 2018</b>
<b>SUBJECT:</b>	<b>Marijuana Regulation and Licensing Update</b>
<b>FROM:</b>	<b>Kristin Sullivan, Director Doug Clark, Deputy Director Andrea Berg, Customer and Process Development Manager Nana Appiah, Development Services Manager Emily Collins, Planner III</b>
<b>AGENCY/DEPARTMENT:</b>	<b>Community &amp; Economic Development</b>
<b>ATTENDEES:</b>	<b>Kristin Sullivan, Doug Clark, Nana Appiah, Andrea Berg, Emily Collins</b>
<b>PURPOSE OF ITEM:</b>	<b>To provide an update on marijuana regulations and licensing</b>
<b>STAFF RECOMMENDATION:</b>	<b>Informational</b>

### **BACKGROUND:**

In December 2014, the Board of County Commissioners adopted amendments to the Adams County Development Standards and Regulations to permit and regulate retail marijuana. The BOCC also adopted a cap on retail marijuana licenses, with a total of 10 allowed. The cap, which remains in place to date, allows for a maximum of three retail sales facilities, three retail manufacturing facilities, three retail cultivation facilities, and one testing facility.

In early 2015, the County conducted a lottery for these available licenses and then began to accept applications for zoning approval to fill the available spaces. Since that time, the staff has worked through the lottery list in a phased approach. After obtaining approval for a location that meets all of the applicable zoning regulations and building codes, the County worked with each of the successful land use applicants to assure that they also obtained a local license from the County's Liquor and Marijuana Licensing Board (LAMLB). These licenses must be renewed annually by the LAMLB.

The staff would like to present an update on the implementation of these regulations. In addition, the staff will present opportunities for the Board's consideration to expand or otherwise modify these regulations.

### **AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

County Attorney  
Regional Affairs

### **ATTACHED DOCUMENTS:**

PowerPoint presentation

**FISCAL IMPACT:**

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

**Fund:****Cost Center:**

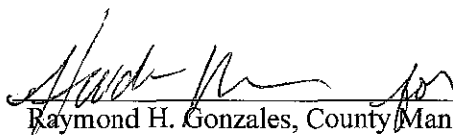
	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
<b>Total Revenues:</b>			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
<b>Total Expenditures:</b>			

New FTEs requested: ☐ YES ☐ NO

Future Amendment Needed: ☐ YES ☐ NO

**Additional Note:****APPROVAL SIGNATURES:**

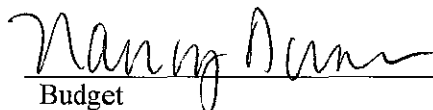
  
Raymond H. Gonzales, County Manager

\_\_\_\_\_  
Alisha Reis, Deputy County Manager

  
Bryan Oster, Deputy County Manager

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Patti Duncan, Deputy County Manager

**APPROVAL OF FISCAL IMPACT:**

  
Nancy Dunn  
Budget

# Local Implementation of Marijuana Regulations

May 1, 2018

# Overview

- Zoning regulations
- Licensing regulations
- Challenges, best practices, lessons learned
- Sales tax revenues

# Zoning Regulations

- Moratorium adopted August 2013 to develop regulations
  - Medical marijuana prohibited since 2010
- New regulations adopted in December 2014
- Cap on licenses set by resolution
  - Three retail
  - Three cultivation
  - Three manufacturing
  - One testing facility

# Zoning Regulations

- Retail Sales Facilities
  - Permitted only in commercial and industrial zones
  - Must be at least 1,000 ft from schools and day cares
  - Must be at least 100 ft from community facilities (youth center, place of worship, etc.)
  - Must be at least 750 ft from other retail marijuana stores
  - Must be at least 50 ft from any residentially used or zoned property

# Zoning Regulations

- Retail Manufacturing Facilities
  - Permitted only in industrial zone districts
  - Must be at least 1,000 ft from schools and daycares
  - Must be at least 100 ft from community facilities
  - Must be at least 50 ft from any residentially used or zoned property

# Zoning Regulations

- Retail Cultivation Facilities
  - Permitted in commercial zone districts, industrial zone districts, and the A-3, Agricultural zone district where parcels are more than 35 acres
  - Must be at least 1,000 ft from schools and daycares
  - Must be at least 100 ft from community facilities
  - Must be at least 50 ft from any residentially used or zoned property

# Zoning Regulations

- Retail Testing Facilities
  - Permitted only in industrial zone districts
  - Must be at least 1,000 ft from schools and daycares
  - Must be at least 100 ft from community facilities
  - Must be at least 50 ft from any residentially used or zoned property

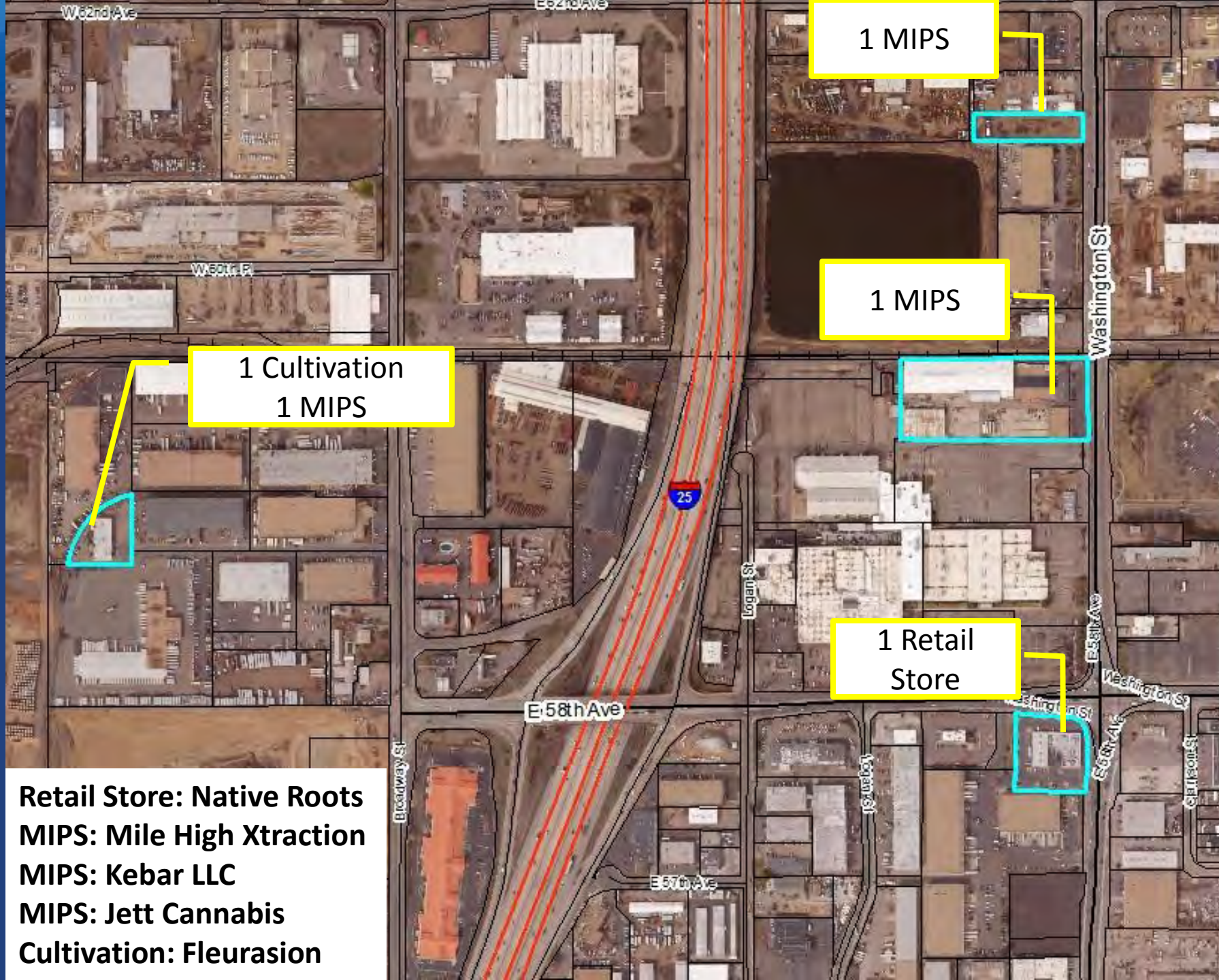
# Zoning Regulations

Facility Type	Zone District	School/ Daycare	Community Facilities	Residential Uses
<b>Retail Store*</b>	Commercial or Industrial	1,000 ft	100 ft	50 ft
<b>Manufacturing</b>	Industrial	1,000 ft	100 ft	50 ft
<b>Cultivation</b>	Ag (35+ acres) Commercial Industrial	1,000 ft	100 ft	50 ft
<b>Testing</b>	Industrial	1,000 ft	100 ft	50 ft

\* 750 ft minimum separation between stores

# Implementation

- Lottery for available licenses held
- Lottery tickets draw for each of 10 slots
- Commenced application acceptance windows
  - 6 months to obtain State license and County building permit
- Three rounds of lottery winners selected
  - Eight (8) establishments obtained permits
  - Little to no demand for testing facility to date
  - Cultivation facilities have been difficult to locate and permit; one space remains.



1 MIPS

1 MIPS

1 Cultivation  
1 MIPS

1 Retail  
Store

**Retail Store: Native Roots**  
**MIPS: Mile High Xtraction**  
**MIPS: Kebar LLC**  
**MIPS: Jett Cannabis**  
**Cultivation: Fleuration**

## Retail Store: Green Solutions



## An aerial photograph of a retail area in Starbuds. A yellow box in the top left corner contains the text "Retail Store: Starbuds". A yellow box in the upper middle contains the text "Highway 36", with a yellow line pointing to the highway. A yellow box on the right contains the text "1 Retail Store", with a yellow line pointing to a specific building. A yellow box in the bottom center contains the text "72nd and Pecos", with a yellow line pointing to the intersection. A red line is drawn along the highway. A blue line is drawn around a specific building. Various street names are visible, including Pecos St, W72nd Ave, W74th Ave, W73rd Ave, W71st Ave, W70th Ave, W69th Ave, W68th Ave, W67th Ave, W66th Ave, W65th Ave, W64th Ave, W63rd Ave, W62nd Ave, W61st Ave, W60th Ave, W59th Ave, W58th Ave, W57th Ave, W56th Ave, W55th Ave, W54th Ave, W53rd Ave, W52nd Ave, W51st Ave, W50th Ave, W49th Ave, W48th Ave, W47th Ave, W46th Ave, W45th Ave, W44th Ave, W43rd Ave, W42nd Ave, W41st Ave, W40th Ave, W39th Ave, W38th Ave, W37th Ave, W36th Ave, W35th Ave, W34th Ave, W33rd Ave, W32nd Ave, W31st Ave, W30th Ave, W29th Ave, W28th Ave, W27th Ave, W26th Ave, W25th Ave, W24th Ave, W23rd Ave, W22nd Ave, W21st Ave, W20th Ave, W19th Ave, W18th Ave, W17th Ave, W16th Ave, W15th Ave, W14th Ave, W13th Ave, W12th Ave, W11th Ave, W10th Ave, W9th Ave, W8th Ave, W7th Ave, W6th Ave, W5th Ave, W4th Ave, W3rd Ave, W2nd Ave, W1st Ave, W0th Ave, W-1st Ave, W-2nd Ave, W-3rd Ave, W-4th Ave, W-5th Ave, W-6th Ave, W-7th Ave, W-8th Ave, W-9th Ave, W-10th Ave, W-11th Ave, W-12th 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Highway 36

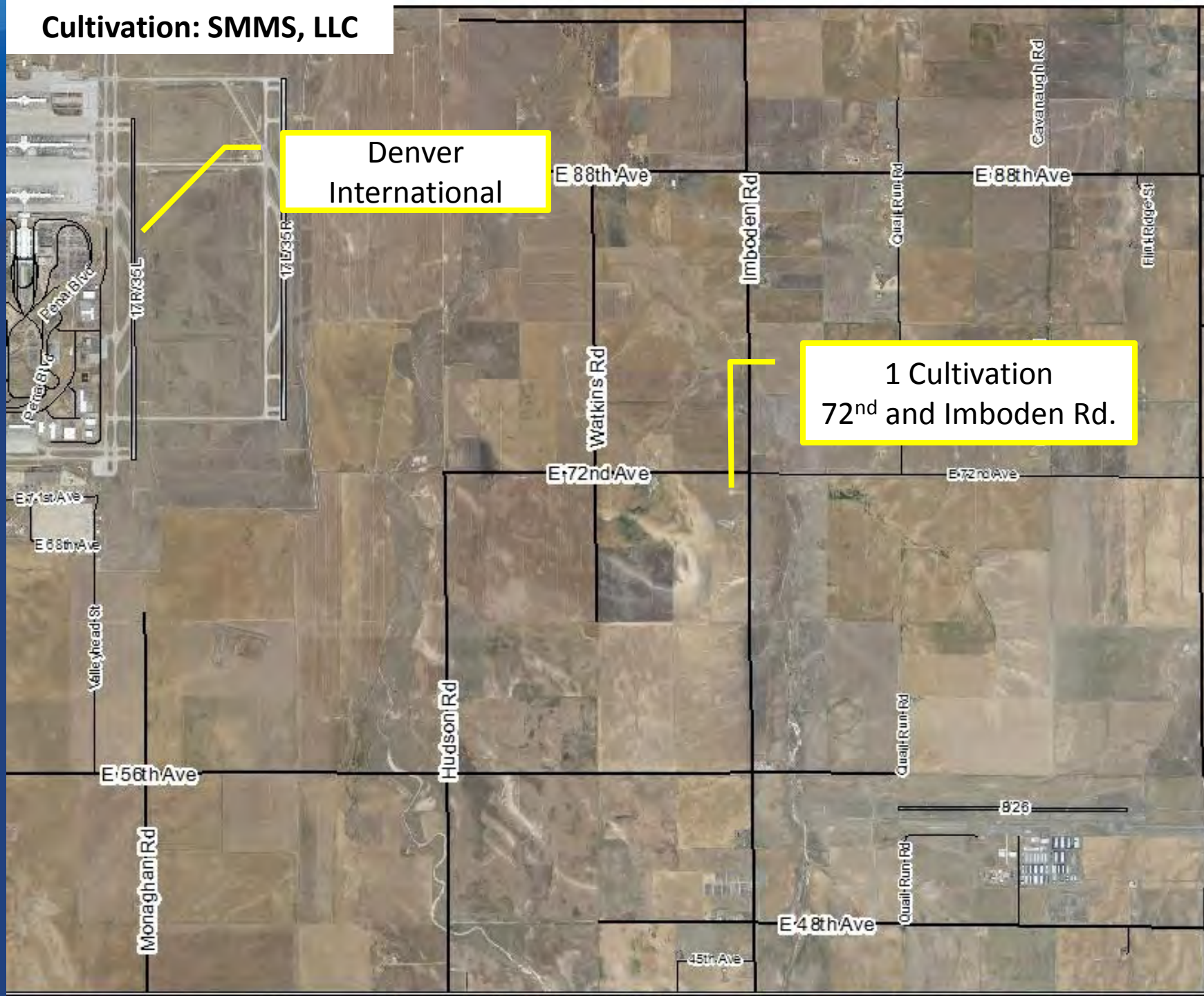
1 Retail Store

## 72<sup>nd</sup> and Pecos

# Cultivation: SMMS, LLC

Denver  
International

1 Cultivation  
72<sup>nd</sup> and Imboden Rd.



# Licensing Process

- Liquor and Marijuana Licensing Authority Board established
- Overview of licensing process
- Renewal process
- Compliance issues

# Challenges Encountered

- Completion of the land use application process prior to the deadline
- Completion of build out within a timely fashion
- Limited selection of properties meeting setback requirements and also having appropriate infrastructure
- Co-location on a single campus generally not allowed
- Applicants without direct experience in real estate development

# Best Practices: What went well?

- Implementation of a cap on the number of licenses available
- Issuance of license upon receipt of Certificate of Occupancy
- Dispersing retail locations through the setback regulations
- Accepting one land use application at a time per open license spot
- Engaging with other local governments on experiences

# Opportunities to Consider

- Medical marijuana
- Adjustments to the cap to allocate licenses differently
- Increasing the cap beyond 10 total licenses
- Modifications to zoning regulations:
  - Changes to setbacks
  - Changes to allowances for co-location

# Questions