Board of County Commissioners Meeting

Tuesday, May 6, 2014

Hearing Room 1, First Floor

AGENDA

The Tuesday meeting of the Board of County Commissioners (The Board) is an open meeting in which the Board approves contracts, expends funds, hears testimony, makes decisions on land use cases and takes care of other county matters. The public is welcome to attend.

The Board meeting has three parts: Public Comment, the Business Meeting and the Public Hearing.

General Procedures

Agenda items will normally be considered in the order they appear on this agenda. However, the Board may alter the agenda, take breaks during the meeting, work through the noon hour; and even continue an item to a future meeting date.

Public Comment (8:00 a.m.)

The Board welcomes your comments; During the public comment time, members of the public have three minutes to present views on county matters that are not included on the agenda. The public comment time is not for questions and answers: it is your time to express your views.

Please note that you are always welcome to communicate with the Board on the county's Web site (www.jeffco.us), by e-mail (commish@jeffco.us), by phone (303-271-8525), fax (303-271-8941) or US mail (100 Jefferson County Parkway, Golden, CO 80419). You can also meet your Commissioners at numerous community events such as town hall meetings, homeowner associations and chamber meetings.

Business Meeting

Call to Order

Pledge of Allegiance

Proclamation - Older Americans Month

Tuesday, May 6, 2014 (continued)

Proclamation - Mental Health Month

Approval of Minutes Dated April 29, 2014

Consent Agenda

CONSENT AGENDA PROCEDURES - Items on the Business Meeting Consent Agenda generally are decided by the Board without further discussion at the meeting. However, any Board member may remove an item from the Business Meeting Consent Agenda. The Board is not required to take public comment on removed items, but may request additional information and input.

1. **Resolution CC14-186** Expenditure Approval Listings - Accounting

2. **Resolution CC14-187** Abatement/Refund of Property Taxes - Board of Equalization

3. **Resolution CC14-188** Abatement/Refund of Property Taxes - Board of Equalization

4. **Resolution CC14-189** Grant Application and Acceptance - Bureau of Justice for State Criminal Alien Assistance Program (SCAAP) Grant (FY2014) - Sheriff

5. **Resolution CC14-190** Payroll and Payment Certifications for the Month of March 2014 - Human Services

6. **Resolution CC14-191** First Contract Amendment - Chavez Construction, Inc. to Modify Payment Provisions for Annual Concrete Replacement Services - Road and Bridge

7. **Resolution CC14-192** A Resolution Authorizing the Assignment of a Portion of the County's Private Activity Bond Allocation for 2014 to the Housing Authority of the City of Lakewood, Colorado; Providing Other Details in Connection Therewith; and Providing an Effective Date - Finance and IT

Other Contracts and Resolutions for which Notice was not possible may be considered.

Regular Agenda - No Agenda Items

Tuesday, May 6, 2014 (continued)

Public Hearing

There are two parts to the Public Hearing Agenda: the Hearing Consent Agenda and the Regular Hearing Agenda.

Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Hearing Agenda.

Unless otherwise stated by the Chair, a motion to approve the Hearing Consent Agenda shall include and be subject to staff's findings, recommendations, and conditions as listed in the applicable Staff Report.

Hearing Consent Agenda - No Agenda Items

The public is entitled to testify on items under the Public Hearing Regular Agenda. Information on participation in hearings is provided in the County's brochure, "Y*our Guide to Board of County Commissioners Hearings.*" It may be obtained on the rack outside the hearing room or from the County Public Information Office at 303-271-8512.

Hearing Regular Agenda - No Agenda Items

Reports

County Commissioners

County Administrator

County Attorney

Adjournment

Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or sexual orientation in the provision of services. Disabled persons requiring reasonable accommodation to attend or participate in a County service, program or activity should call 303-271-5000 or TDD 303-271-8071. We appreciate a minimum of 24 hours advance notice so arrangements can be made to provide the requested auxiliary aid.

Board of County Commissioners meetings can be viewed on a television monitor in the cafeteria on the lower level of the Jefferson County Administration and Courts Facility. Also, you may use the cafeteria tables there to work or gather until the Board is ready to hear your case. Board meetings and hearings are recorded and available on the county's Web site at www.jeffco.us.

JEFFERSON COUNTY, COLORADO

PROCLAMATION

Older Americans Month 2014

May 2014

Whereas: Seniors' Resource Center's mission is to be a community partner providing coordinated services to enhance independence, dignity and quality of life; and

Whereas: Jefferson County Council on Aging's goal is to identify the needs and concerns of older adults in Jefferson County, and provide services that meet these needs; and

Whereas: Jefferson County has the largest 60+ population in Colorado. Seniors' Resource Center strives to ensure quality of life through a constellation of services, information, and advocacy to meet the needs of these individuals; and

Whereas: Seniors' Resource Center and Jefferson County Council on Aging are committed to helping all individuals maintain their health and independence in later life; and

Whereas: Seniors' Resource Center recognizes that our society can be greatly enhanced by older adults aging with dignity in our communities,

NOW THEREFORE BE IT PROCLAIMED, that the Jefferson County Board of Commissioners, of the State of Colorado, declares the month of May

Older Americans Month 2014

And urge every citizen to take time this month to remember the value of including older Americans in our public and family life.

Faye Griffin, Chairman

Casey Tighe, Chairman Pro Tem

Donald Rosier, Commissioner

Dated: May 6, 2014

JEFFERSON COUNTY, COLORADO

PROCLAMATION

MENTAL HEALTH MONTH IN JEFFERSON COUNTY

MAY 2014

WHEREAS: mental health is essential to everyone's overall health and well-being; and

WHEREAS: the community health system is advancing the integration of health care by addressing mental health and substance abuse disorders together in order to realize better patient outcomes, reduce health care costs, and improve patient satisfaction; and

WHEREAS: there is a strong body of research that shows when people are given the correct tools, they are better able to handle challenges, and protect their health and well-being; and

WHEREAS: with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives

NOW THEREFORE BE IT PROCLAIMED, that the Jefferson County Board of Commissioners, of the State of Colorado, declares the month of May 2014

MENTAL HEALTH MONTH IN JEFFERSON COUNTY

and calls upon all citizens to support increased awareness and understanding of mental health provide appropriate and accessible services for all citizens, and make mental health a priority.

_____

Faye Griffin, Chairman

_____

Casey Tighe, Chairman Pro Tem

_____

Donald Rosier, Commissioner

Dated: May 6, 2014

COMMISSIONERS' MINUTES OF APRIL 29, 2014

The Board of County Commissioners of the County of Jefferson, State of Colorado, met in regular session on April 29, 2014 in the Jefferson County Government Center, Golden, Colorado. Commissioner Faye Griffin, Chairman presided. Commissioner Casey Tighe, Commissioner Donald Rosier and Debbie Quinn, Deputy Clerk to the Board, were present.

Commissioner Faye Griffin, Chairman called the meeting to order.

STAFF PRESENT:
Ralph Schell, County Administrator
Ellen Wakeman, County Attorney
Kourtney Hartmann, Assistant County Attorney
Analiese Hock, Planner

APPROVAL OF MINUTES

Following a general discussion, the Board upon motion of Commissioner Tighe, duly seconded by Commissioner Rosier and by unanimous vote, approved the Minutes of April 22, 2014.

CONSENT AGENDA

The Board approved the following Resolutions:

PUBLIC HEARING CONSENT AGENDA

No one requested to testify in the following cases:

1. **Resolution CC14-172** Expenditure Approval Listings - Accounting

2. **Resolution CC14-173** Bi-Weekly Payroll Register - Accounting

3. **Resolution CC14-174** Abatement/Refund of Property Taxes – Board of Equalization

4. **Resolution CC14-175** Abatement/Refund of Property Taxes - Board of Equalization

5. **Resolution CC14-176** Appointments to the Jefferson County Sustainability Commission - Board of County Commissioners

6. **Resolution CC14-177** Commissioners' Deed for Relinquishment of Drainage Easement - Lot 8, Block 1, Ken-Caryl Business Center Phase 2, Amendment No. 1 - Planning and Zoning

7. **Resolution CC14-178** Contract Revival and First Renewal - Elk Creek Sand & Gravel, LLC for Aggregate Crushing Services ($218,400.00) – Road and Bridge

8. **Resolution CC14-179** Purchase Order - Alfred Benesch & Company to Provide Engineering Evaluations for Flood Damaged Road Structures ($190,683.00) - Road and Bridge

9. **Resolution CC14-180** Amendment to Agreement - Urban Drainage and Flood Control District Regarding Construction of Drainage and Flood Control Improvements for Lena Gulch at South Golden Road – Transportation and Engineering

10. **Resolution CC14-181** Colorado Historical Society Grant Project #2011-01-020 - Second Grant Contract Amendment and Pleasant View Metropolitan District Intergovernmental Agreement Amendment - Open Space

11. **Resolution CC14-182** White Ranch Park-United Power Company Easement OS12-14 - Open Space

12. **Resolution CC14-183** Apex Park Lease - City of Golden Lease Amendment OS09-24 - Open Space

13. **Resolution CC14-184** First Amendment to Intergovernmental Joint Cooperation and Home Consortium Agreement - City of Lakewood – Human Services

14. **Resolution CC14-185** Second Contract Amendment - Kronos, Inc. for Timekeeping and Scheduling Software and Services - IT Services

REGULAR AGENDA - No Agenda Items

PUBLIC HEARING CONSENT AGENDA
No one requested to testify in the following cases:

15. **Case Number: 14-102623RZ: Rezoning (CC14-171)**
Case Name: Woodmar Corners Official Development Plan Amendment 1
Owner: Foothills Park and Recreation District
Applicant: Emerus Development Company
Location: PIN: 59-224-15-082 The northwest corner of W. Coal Mine Avenue and S. Wadsworth Boulevard
Section 22, Township 5 South, Range 69 West
Approximate Area: 5 Acres
Purpose: To amend the Planned Development zoning to allow for State Licensed Hospital.
Case Manager: Analiese Hock

16. **Case Number: 12-100726VA: Vacation (CC14-170)**
Owner: Jefferson County
Applicant: Steve O'Brien
Location: West Progress Avenue, adjacent to northern property boundary of 5242 South Miller Street.
Section16, Township 5 South, Range 69 West
Approximate Area: 0.1820 Acre
Purpose: To vacate a portion of County right-of way.
Case Manager: Steve Krawczyk

17. **Case Number: 14-100111EX: Exemption from Platting (CC14-168)**
Case Name: Exemption Sec. 19, T6S, R70W, 14-100111EX
Owner/Applicant: Gail Ann Kolasa and Emanuel Steibler
Location: 23305 Oehlmann Park Road
Section 19, Township 6 South, Range 70 West
Approximate Area: 18.77 acres
Purpose: To correct the improper division of a residential lot.
Case Manager: Aaron McLean

The Board upon motion of Commissioner Tighe, duly seconded by Commissioner Rosier and by unanimous vote, adopted a resolution approving the items on the consent agenda subject to the adopted conditions of approval.

PUBLIC HEARING REGULAR AGENDA

18. **Case Number: 13-125275RZ: Rezoning (CC14-169)**
Case Name: 5280 Gymnasium Official Development Plan
Owner: Robert E. Herndon III and Winifred A. Herndon
Applicant: James L. and Elizabeth A. Trammell
Location: 13975 W. Bowles Avenue
Section 18, Township 5 South, Range 69 West
Approximate Area: 5 Acres
Purpose: To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for a Class II recreation facility and other commercial uses.
Case Manager: Analiese Hock

Sworn Testimony: Mike Kortendick, for the applicant
Beth Trammell, applicant
Mark Butler, for the applicant
Greg Stanley

Following the taking of sworn testimony and a general discussion, the Board upon motion of Commissioner Tighe, duly seconded by Commissioner Rosier and by unanimous vote, adopted **RESOLUTION CC14-169** approving Rezoning Case #13-125275RZ.

REPORTS

Commissioner Tighe met and rode with Bike Jeffco to try out an alternative bike route at C470 parallel to Bowles Avenue, out to Southwest Plaza and had a good ride.

He also met with citizens and city of Denver officials regarding the noise at Red Rocks during the Electronic Dance Music concerts. He will be meeting with residents in May during one of the concerts to check out the noise level at their homes and invited the other Commissioners to join him.

Commissioner Rosier and the other two Commissioners participated in the Peaks to Plain groundbreaking trail. He was grateful to the County Open Space program, Tom Hoby and staff, Great Outdoors Colorado and Clear Creek Commissioners and said it was great to have the trail constructed.

He met with 5 government classes at Columbine high school and was amazed at the presentations given.

He also attended the 2014 DRCOG awards celebration and presented an award to Jim Taylor, former Littleton Council Member.

Commissioner Griffin mentioned that the Board attended the 24th Annual Good News Breakfast. Awards were given to 12 people plus a special award to Dr. Cindy Stevenson. She said it was a very moving ceremony and appreciates all of Dr. Stevenson's years of service to Jeffco Public Schools.

Commissioner Rosier welcomed some of the Leadership Jeffco class to the BCC hearing and thanked them for their participation.

County Administrator – No reports

County Attorney – No reports

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Attest:

Board of County Commissioners of
the County of Jefferson, Colorado

_____ _____
Debbie Quinn, Deputy Clerk Faye Griffin, Chairman

AGENDA ITEM 1

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Administrator

DIST: Tim Kauffman, County Treasurer

RE: EXPENDITURE APPROVAL LISTINGS

DATE: May 6, 2014

Staff Recommendation:

Approve the Expenditure Approval Listings dated May 1, 2014
Resolution No. CC14-186

Background:

The Board of County Commissioners has reviewed all claims presented for audit and allowance to the Board as represented on said Expenditure Approval Listings and the Board of County Commissioners find that all said claims as represented on said Expenditure Approval Listings shall be allowed, and hereby directs the County Treasurer to pay same.

Further, the staff has reviewed all claims and certifies that all claims are valid and are in order to be paid.

Prepared by: Kay Aberle, Accounting Supervisor, x8532, Jefferson County Accounting Division

Reviewed by: Andrea Amundson, Director of Accounting, x8546, Jefferson County Accounting Division

AGENDA ITEM 2

MEMORANDUM

TO: The Board of County Commissioners

THROUGH: Ellen G. Wakeman, County Attorney

FROM: Board of Equalization

RE: Abatement/Refund of Property Taxes

CC14-187

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

CASE NO.	PETITIONER	TAXES TO BE ABATED/REFUNDED
A014-157	CIT Group Equipment Financing, Inc.	$ -0-
A014-158	CIT Communications Finance Corporation	$ -0-
A014-154	CIT Communications Finance Corporation	$ -0-
A014-155	CIT Communications Finance Corporation	$ -0-
A014-156	CIT Communications Finance Corporation	$ -0-
A014-162	CIT Communications Finance Corporation	$ -0-
A014-163	CIT Communications Finance Corporation	$ -0-
A014-043	NDIRA, Inc.	$ -0-
A014-164	South Wadsworth Investors LLC	$ -0-

Background:

Final Board action on 9 abatement petitions, $-0- to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends denial of these petitions for the reasons indicated in the corresponding resolutions. The board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations. If unsatisfied with this board's action, a taxpayer may appeal further to the State Board of Assessment Appeals.

WM/BOE:

AGENDA ITEM 3

MEMORANDUM

TO: The Board of County Commissioners

THROUGH: Ellen G. Wakeman, County Attorney

FROM: Board of Equalization

RE: Abatement/Refund of Property Taxes

CC14-188

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the board-appointed referee denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement appeals.

CASE NO.	PETITIONER	TAXES TO BE ABATED/REFUNDED
A013-376	Arvada Enterprises LLC	$22,867.58
A013-254	Don Lee Brown Trust	$ 301.16
A013-374	International Television Corp.	$23,023.03
A013-413	LSI Conifer I LLC	$28,631.63
A013-257	Jerol Novacek	$ 985.08
A013-256	Plantastic Ventures	$2,215.33
A013-259	Ryno Properties LLC	$8,073.18
A013-265	S T Spano Greenhouses, Inc.	$3,353.73
A013-261	Tagawa Greenhouses, Inc.	$18,756.99
A013-351	Tebo Lewis Express LLC	$17,621.19
A013-263	Veldkamps Real Estate, Inc.	$52,255.68
A013-383	West Wood Villas HOA, Inc.	$1,047.89
A013-384	West Wood Villas HOA, Inc.	$ 601.59

Background:

Final board action on 13 abatement petitions, $179,734.06 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommended that the petitions be denied and a hearing was held before a board-appointed referee. The referee recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The board is taking final action on said petitions by accepting or rejecting the referee's recommendations.

If an abatement petition is approved by the board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of $10,000.00. If unsatisfied with this board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over $10,000.00 are recommended for the following reasons:

A013-376: Adjusted by hearing officer based on actual income information provided by the Petitioner.

A013-374: Value adjusted to account for higher vacancy information.

A013-413: 2011 value adjusted to match the 2012 Board of Assessment Appeals value.

A013-261: Adjusted by hearing officer who found Petitioner's valuation of the subject improvements to be more persuasive.

A013-351: Adjusted by hearing officer who found Petitioner's valuation of the subject improvements to be more persuasive.

A013-263: Adjusted by hearing officer who found Petitioner's valuation of the subject improvements to be more persuasive.

WM/BOE:

W.M.

AGENDA ITEM 4

MEMORANDUM

TO: **Honorable Chairman and Members of the Board of County Commissioners**

FROM: **Ralph Schell, County Administrator**

RE: **State Criminal Alien Assistance Program (SCAAP) Grant Approval for Application (FY2014)**

DATE: **May 13, 2014**

Staff Recommendation: The Jefferson County Board of Commissioners approves the grant application between the County and the Bureau of Justice Programs for the purposes of receiving grant revenue for the reimbursement of costs incurred related to the detention of State Criminal Aliens in the Jefferson County Detention Facility during the FY2012 SCAAP reporting period of 12:00 a.m. (midnight), July 1, 2012 to 11:59 p.m., June 30, 2013. The Board ratifies the online application for this grant, by Beth Mundell, Jefferson County Sheriff's Office Grants Specialist, designates Patricia Mundell as the SCAAP Program "authorized designee", approves the acceptance of the grant funds when awarded, authorizes the execution of any necessary documents and directs that the funds be included in a supplemental appropriation to the Sheriff's Office 2014 budget.

Resolution No. CC14-189

Background: State and Local Governments bear the costs associated with incarcerating foreign-born inmates when they enter the criminal justice system. Jefferson County has in the past, and is currently burdened with the costs associated with incarcerating these foreign-born inmates. In response to the increasing costs associated with housing these inmates, the federal government has initiated a grant reimbursement program, the State Criminal Alien Assistance Program (SCAAP) to provide reimbursement for foreign-born inmates beyond the 4 days supported by Immigration and Customs Enforcement (ICE).

Fiscal Impact: This is a reimbursement award for services rendered in the reporting period referenced above.

Prepared by: Beth Mundell, Sheriff's Office Grants Specialist

Distribution:

Original returned to: Clerk to the Board

Copies to:
Beth Mundell, Sheriff's Office
Tina Davros, Sheriff's Office Asset Manager
Patsy Mundell, Detentions Division Chief
Joyce Neal, Accounting
Joanne Kortendick, County Attorney's Office
Nancy Duncan

GRANT APPLICATION APPROVAL ROUTING FORM

Parties to Contract: **Jefferson County and Bureau of Justice Assistance, Office of Justice Programs**

Third Party Authorized Rep: _____

Phone: _____ Fax: _____ Third Party Tax I.D.: _____

Remittance Address: _____

Process Dates: Must be executed by BCC: 5/13/2014 ~~5/6/2014~~ 7Deadline to County Administrator: 4/30/2014 ~~4/29/2014~~

Contacts: Originating Department/Contact: **Sheriff's Office/ Beth Mundell** Phone: **X5120**

Purchasing Department/Contact: _____ Phone: _____

County Attorney/Contact: **Joanne Kortendick** Phone: **x8955**

MANDATORY ACCOUNT INFORMATION		Total Amount: **$ TBD**
Account Number: 926909	Project: State Criminal Alien Assistance Program	Funds Available: Yes
Multi-Year Contract: Yes No **X**	Amount of Contract Budgeted in Current Year: $0.00	

ROUTING

ORDER	Department	Authorized Signatures Name/Initials (*)	Date Rec'd	Date Frw'd	Comments
1	Originator (**)	**Beth Mundell/**	**4/1/14**	**4/16/14**	
2	Division Chief Detentions	**Patsy Mundell/**	4/22/14	4/22/14	
3	SO Asset Manager	**Tina Davros/**	4/25/14	4/25/14	
4	Div Chief Support/Svc.	**Scott Pocsik/**	4/28/14	4/28/14	
5	Undersheriff	**Ray Fleer/**	4-28-14	4-28-14	
6	Budget Other	**Joyce Neal/**			**Courtesy copy sent**
7	County Attorney	**Joanne Kortendick/**	4-29-14	4-29-14	
8	County Administrator	**Ralph Schell/**			
9	BCC Agenda Coordinator	**Janice Fredricksen**			**Accompanies BCC agenda paperwork**
10					

INSTRUCTIONS

1 Number the left hand column in the order in which the contract is to be routed. (The above listing represents the typical routing for a construction bid.)

(**) Signature of authorized department contact for contractual questions.

AGENDA ITEM 5

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Administrator

DIST: Lynn A. Johnson

RE: PAYROLL AND PAYMENT CERTIFICATIONS FOR THE MONTH OF MARCH 2014

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the Divisions of Community Assistance, and Children, Youth and Families' payrolls and payments for the month of March 2014.

Resolution No. CC14-190

Background:

Section 26-1-123(3)(a), C.R.S. 1973 as amended, requires the County Board of County Commissioners to administer the Human Services' fund pursuant to rules and regulations adopted by the State Department. State Department regulations require all County Division payrolls, defined as "listings of multiple payees on a form providing warrant number, name of payee, and amount of warrant" be certified by the County Director and Chairman of the Board of County Commissioners upon approval by the Board. The March 2014 payrolls and payments have been certified by Lynn A. Johnson, and are temporarily placed in the possession of the Clerk to the Board of County Commissioners pending action on this resolution.

/payrollandpaymentssresolution\reso's\mblomber

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Lynn A. Johnson, Executive Director of the Department of Human Services for Jefferson County, Colorado, hereby certify that the payments herein set forth by the Divisions of Community Assistance, and Children, Youth and Families have been reviewed by staff to be true and accurate payments made to the respective payee(s), and totaling the sum of $7,753,802.30 for the month of March 2014.

4-29-14
Date

Lynn A. Johnson
Director

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Faye Griffin , Chairman of the Board of County Commissioners of Jefferson County, Colorado, hereby certify that the payment(s) as set forth herein have this date been approved, and warrant(s) in payment thereof ordered issued upon the programs as listed for the month of March 2014, totaling the sum of $7,753,802.30.

Date

Chairman

AGENDA ITEM 6

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Administrator

DIST: Clerk to Board, Michael Dobbs, Gay Ummel, Andrea Amundson

RE: **First Contract Amendment for Annual Concrete Replacement Services**
Road and Bridge Division

Staff Recommendation: Approve the contract amendment between Jefferson County and Chavez Construction, Inc. to modify the payment provisions for concrete removal and replacement services. The County's authorized representative is Michael Dobbs, or other person as may be designated by the Division Director or County Administrator.

Contract duration: All work will be completed on or before October 3, 2014

Resolution No. CC14-191

Background: The Board of County Commissioners approved the original contract in March 2014 to remove and replace damaged concrete at various locations throughout Jefferson County.

Chavez Construction submitted the lowest bid and based their unit prices on obtaining material from one specific supplier, Brannan Sand and Gravel Company, LLC. In order to ensure these unit prices are held firm for the contract term and that Chavez is able to obtain a sufficient quantity of materials as required by the contract, modifications to the payment provisions of the contract are required. Chavez is requesting that the County issue payments directly to Brannan for materials only. Payments will only be made to Brannan directly if Chavez specifically identifies the amount to be paid to Brannan on the invoices Chavez submits to the County. Road & Bridge has identified approximately $500,000.00 of the total contract amount of $1,235,270.00 to be apportioned to materials costs. The cost of services will continue to be paid directly to Chavez Construction. Chavez will continue to be responsible for all warranties associated with the material, as well as the workmanship.

Payment will be made for actual quantities completed and accepted in place.

Fiscal Information: The overall contract total amount of $1,235,270.00 is not changing. Funding for this expenditure was approved in the 2014 operations budget. This is within the scope and budget for this project.

BCC Briefing Presented By: Jeanie Rossillon on January 14, 2014.

Originator: Agenda memo prepared by Marcia Sieben, Purchasing, Ext. 8595

Original returned to: Marcia Sieben, Purchasing

Copies w/o contract to: Jeanie Rossillon, Development & Transportation
Larry Benshoof, Road & Bridge

Approvals	Larry Benshoof Jeanie Rossillon Gay Ummel	Approved: 4-30-14 Approved: 4-30-14 Approved: 4-30-14
Final Signatory	BCC Chairman	
Vendor	Chavez Construction Inc	
End User	Road & Bridge	
Type (Contract, PO, etc)	Contract Amendment	
Dollar Value	Not Changing ($1,235,270.00)	
Term	Through October 3, 2014	
Description	Concrete Replacement Services	
Purchasing Officer	Marcia Sieben	

AGENDA ITEM 7

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Administrator

DATE: May 6, 2014

RE: Assignment of a Portion of the County's Private Activity Bond Allocation for 2014 to Housing Authority of City of Lakewood D/B/A Metro West Housing Solutions

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Staff Recommendation:
Approve the Resolution authorizing the assignment of a portion of the County's Private Activity Bond allocation for 2014 to the Housing Authority of the City of Lakewood d/b/a Metro West Housing Solutions.

Resolution No. CC14-192

Background:
The Housing Authority of the City of Lakewood d/b/a Metro West Housing Authority (the "Authority") intends to issue bonds for the financing and construction of a four-building, 95-unit rental housing project along the West Rail Line of RTD's light rail system known as the Zephyr Line Apartments located within the boundaries of the City of Lakewood (the "Project"). The Authority has made a request of the County for the assignment of $8,500,000 of Jefferson County's Private Activity Bond Allocation for the year 2014 to be used for the issuance of Private Activity Bonds for the funding of the Project.

Fiscal Impact:
No direct fiscal impact

BCC Briefing Presented by Holly Bjorklund, Director of Finance and IT Services on April 22, 2014

Originator: Holly Bjorklund, Director of Finance and IT Services, ext. 8597

Distribution:

Originals Returned to: Holly Bjorklund, Director of Finance and IT Services

Copies to: Vasilios Gerasopoulos, Senior Finance Analyst
Joanne Kortendick, Deputy County Attorney

RESOLUTION REVIEW ROUTING FORM

Resolution: Assignment of a Portion of the County's Private Activity Bond Allocation for 2014 to the Housing Authority of the City of Lakewood d/b/a Metro West Housing Solutions

Process Dates: Must be executed by BCC: 05/06/2014 Deadline to County Administrator: 04/30/2014

Contacts:

Originating Department/Contact:	Holly Bjorklund	Phone: X8597
Purchasing Department/Contact:		Phone:
County Attorney/Contact:	Joanne Kortendick	Phone: X8955

MANDATORY ACCOUNT INFORMATION		Total Amount:	
Account Number:	Project:	Funds Available: Yes ___	No ___
Multi-Year Contract: Yes ___ No ___	Amount of Contract Budgeted in Current Year:		

ROUTING

ORDER	Department	Authorized Signatures Name/Initials (*)	Date Rec'd	Date Frw'd	Comments
1	Originator (**)	Holly Bjorklund HB	4/29/14	4/29/14	
	Elected Official				
	Purchasing				
	Division Director				
	Risk Management				
	Other				
	Other				
	Purchasing				
2	County Attorney	Joanne Kortendick	JK	4/29	
3	BCC Agenda Coordinator				

INSTRUCTIONS

1 Number the left hand column in the order in which the contract is to be routed. (The above listing represents the typical routing for a construction bid.)

(*) Initials of reviewer indicate that the contract is acceptable and ready for BCC action, from reviewer's perspective.

(**) Signature of authorized department contact for contractual questions.

(PURCH-REV 02/98) (h:\share\forms\purch\contract.rvw)

Commissioner _____ moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF JEFFERSON
STATE OF COLORADO
RESOLUTION NO. CC14-____

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A PORTION OF THE COUNTY'S PRIVATE ACTIVITY BOND ALLOCATION FOR 2014 TO THE HOUSING AUTHORITY OF THE CITY OF LAKEWOOD, COLORADO; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Private Activity Bond Ceiling Act, constituting Title 24, Article 32, Part 17, Colorado Revised Statutes (the "Allocation Act"), Jefferson County, Colorado (the "County") has received a direct allocation of the State of Colorado's Private Activity Bond Ceiling for the year 2014 (the "2014 Allocation"); and

WHEREAS, the Housing Authority of the City of Lakewood, Colorado, d/b/a Metro West Housing Solutions (the "Authority") has requested that the County assign a portion of the 2014 Allocation equal to $8,500,000 (the "Assigned Allocation") to the Authority pursuant to Section 24-32-1706 of the Allocation Act for the purpose of assisting in the financing of the construction and equipping of a four-building 95-unit rental housing project along the West Rail Line of RTD's light rail system known as the Zephyr Line Apartments, located at 1350 Allison Street and 7900 W 14th Avenue, in the City of Lakewood, Jefferson County, Colorado; and

WHEREAS, the County desires to assign the Assigned Allocation to the Authority; and

WHEREAS, there has been presented to the Board of County Commissioners (the "Board") the form of an Assignment of Allocation (the "Assignment").

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

Section 1. Authorization of Assignment. The County hereby authorizes the assignment of the Assigned Allocation to the Authority for use as described above.

Section 2. Approval of Assignment of Allocation. The form, terms and provisions of the Assignment hereby are approved and the officers of the County hereby are authorized and directed to execute and deliver the Assignment, with such changes therein as are approved by the officers of the County executing the Assignment. The execution of the Assignment shall be conclusive evidence of the approval by the County of such document in accordance with the terms hereof. The County Administrator is authorized to execute a Certificate relating to the Assigned Allocation.

Section 3. Further Action. The officers of the County shall take such other steps or actions necessary or reasonably required to carry out the terms and intent of this resolution and the Assignment.

Section 4. No Obligation. Nothing contained in this Resolution or in the Assignment shall obligate the County except to the extent described in the Assignment. Nothing contained in this Resolution or the Assignment shall constitute a debt or indebtedness of the County within the meaning of the constitution or statutes of the State of Colorado nor give rise to pecuniary liability of the County or a charge against its general credit or taxing powers.

Section 5. Ratification. All action not inconsistent with the provisions of this resolution heretofore taken by the Board and the officers of the County directed toward the assignment of the Assigned Allocation and the authorization of the Assignment hereby are ratified, approved and confirmed.

Section 6. Severability. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution, the intent being that the same are severable.

Section 7. Repealer. All orders, resolutions, bylaws, ordinances or regulations of the County, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

Section 8. Effective Date. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this May 6, 2014.

JEFFERSON COUNTY, COLORADO

_____

Chairman of the Board of County Commissioners

(SEAL)

ATTEST:

_____

Deputy Clerk to the Board

The adoption of the foregoing Resolution was seconded. The roll having been called, the vote was as follows:

Commissioner Casey Tighe _____

Commissioner Donald Rosier _____

Commissioner Faye Griffin, Chairman _____

The Resolution was adopted by vote of the Board of County Commissioners of Jefferson County, Colorado.

Dated: May 6, 2014.

STATE OF COLORADO)
) SS.
COUNTY OF JEFFERSON)

I, Pam Anderson, Clerk to the Board of County Commissioners (the "Board") of the County of Jefferson, State of Colorado, do hereby certify that:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Board at a regular meeting held on May 6, 2014.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of May 6, 2014, by an affirmative vote of a majority of the members of the Board as follows:

Commission	Yes	No	Absent	Abstaining
Casey Tighe				
Donald Rosier				
Faye Griffin				

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Chairman of the Board, sealed with the County seal, attested by the Deputy Clerk to the Board and recorded in the minutes of the Board.

5. There are no bylaws, rules or regulations of the Board which might prohibit the adoption of said Resolution.

6. Notice of the meeting of May 6, 2014 in the form attached hereto as Exhibit A was posted at the County administrative offices not less than twenty-four hours prior to the meeting in accordance with law.

WITNESS my hand and the seal of said County affixed this 6h day of May, 2014.

_____
Clerk to the Board of County Commissioners

(SEAL)

Lakewood
Colorado

Office of the City Manager
Kathy Hodgson, City Manager

480 South Allison Parkway
Lakewood, Colorado 80226-3127
303.987.7050 Voice
303.987.7057 TDD

April 29, 2014

Ralph Schell
Jefferson County Administrator
100 Jefferson County Parkway
Golden CO 80401

Dear Ralph:

The City of Lakewood appreciates Jefferson County's support of the Zephyr Line Apartments project to be located within Lakewood's boundaries and recognizes the benefits the development will bring to the City of Lakewood.

The City understands that Jefferson County's support of the project will result in the use of the majority of Jefferson County's Private Activity Bond (PAB) allocation for 2014.

In the interest of supporting other projects the County may desire to fund in 2014 through the issuance of PABs, the City of Lakewood will give Jefferson County priority for the assignment of the City of Lakewood's PAB Allocation for 2014 in the amount of $7,303,200. This commitment is contingent on Lakewood's PAB allocation being assigned for the issuance of PABs for a viable project which meets the qualifications for eligibility and has the approval of the Lakewood City Council.

Currently, the City of Lakewood does not have any project it is considering funding through the use of its 2014 PAB allocation. The City of Lakewood agrees to notify Jefferson County prior to committing its PAB allocation for the issuance of PABs for any Lakewood project or for assignment to any other issuing entity. Jefferson County will be given priority for the assignment of the City of Lakewood's 2014 PAB allocation for a viable project of Jefferson County's choosing prior to making such a commitment.

The City of Lakewood appreciates the advantages derived from mutual cooperation in the use of PAB allocation for both the City of Lakewood and Jefferson County.

Sincerely,

Kathleen E. Hodgson

Kathleen E. Hodgson
City Manager

KEH:ceg

Alternative formats of this document are available upon request

Commissioner _____ moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF JEFFERSON
STATE OF COLORADO
RESOLUTION NO. CC14-____

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A PORTION OF THE COUNTY'S PRIVATE ACTIVITY BOND ALLOCATION FOR 2014 TO THE HOUSING AUTHORITY OF THE CITY OF LAKEWOOD, COLORADO; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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Section 3. Further Action. The officers of the County shall take such other steps or actions necessary or reasonably required to carry out the terms and intent of this resolution and the Assignment.

STATE OF COLORADO)
) SS.
COUNTY OF JEFFERSON)

I, Pam Anderson, Clerk to the Board of County Commissioners (the "Board") of the County of Jefferson, State of Colorado, do hereby certify that:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Board at a regular meeting held on May 6, 2014.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of May 6, 2014, by an affirmative vote of a majority of the members of the Board as follows:

Commission	Yes	No	Absent	Abstaining
Casey Tighe				
Donald Rosier				
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3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Chairman of the Board, sealed with the County seal, attested by the Deputy Clerk to the Board and recorded in the minutes of the Board.

5. There are no bylaws, rules or regulations of the Board which might prohibit the adoption of said Resolution.

6. Notice of the meeting of May 6, 2014 in the form attached hereto as Exhibit A was posted at the County administrative offices not less than twenty-four hours prior to the meeting in accordance with law.

WITNESS my hand and the seal of said County affixed this 6h day of May, 2014.

_____
Clerk to the Board of County Commissioners

(SEAL)

Exhibit A

(Form of Notice of Meeting)