

TUESDAY STAFF BRIEFINGS

October 25, 2016

****Please Note Briefings Will Begin Immediately Following Hearings****

All items on this agenda are scheduled for immediately following Hearings and will normally be considered in the order the item appears on the agenda. The Board, at their discretion, may choose to alter the order in which items are considered, may break, or may continue any item to be considered on a future date.

Convene immediately following Hearings; BCC Conference Room, 5th Floor

Briefing Items

- | | |
|----------------------------------------------------------------------------------------|------------------------------------|
| 1. Public Trustee Update
(5 minutes) No attachments | Margaret Chapman,
Cathy Bortles |
| 2. Treasurer Update
(15 minutes) No attachments | Tim Kauffman, Mark
Hubbard |
| 3. Public Health Request for GFP
(15 minutes) | Jody Erwin |
| 4. Parks Update
(30 minutes) | Tom Hoby |
| 5. Airport Advisory Board
(30 minutes) | Jeanie Rossillon, Bryan
Johnson |
| 6. Intergovernmental Improvement Agreement - City
and County of Denver (15 minutes) | Jeanie Rossillon |
| 7. Finance and Information Technology Update
(45 minutes) | Holly Bjorklund |
| 8. Source Office Products Contract Renewal
(15 minutes) | Jim Smith |

County Commissioners' Report

- SB152 and Wifi - Commissioner Rosier (30 minutes)

County Manager's Report

- Appointments to Various Boards and Commissions (15 minutes)

County Attorney's Report

Executive Session

- Litigation Update - Legal Advice C.R.S. 24-6-402(4)(b) (15 minutes)

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

TUESDAY STAFF BRIEFINGS

October 25, 2016

Briefing Items			Total Estimated Time: 2 hours 50 minutes
Begin	End	Agenda No.	Title
10:00	10:05	1.	Public Trustee Update
10:05	10:20	2.	Treasurer Update
10:20	10:35	3.	Public Health Request for GFP
10:35	11:05	4.	Parks Update
11:05	11:35	5.	Airport Advisory Board
11:35	11:50	6.	Intergovernmental Improvement Agreement City and County of Denver
11:50	12:35	7.	Finance and Information Technology Update
12:35	12:50	8.	Source Office Products Contract Renewal
Commissioners Report			Total Estimated Time: 30 minutes
Begin	End	Agenda No.	Title
12:50	1:20	9.	SB152 and Wifi
County Manager Report			Total Estimated Time: 15 minutes
Begin	End	Agenda No.	Title
1:20	1:35		Appointments to Various Boards and Commissions
County Attorney Report			Total Estimated Time: 5 minutes
Begin	End	Agenda No.	Title
1:40	1:45		
Executive Session			Total Estimated Time: 15 minutes
Begin	End	Agenda No.	Title
1:45	2:00		Litigation Update - Legal Advice C.R.S. 24-6-402(4)(b)

BOARD OF COUNTY COMMISSIONERS' (BCC) SCHEDULE

Time*

Topic*

Monday, October 24, 2016

NO TOPICS SCHEDULED TO DATE

Tuesday, October 25, 2016

8:00 a.m.

Public Comment and Public Hearings
Jefferson County Courts & Administration Building
100 Jefferson County Parkway, Hearing Room One

Immediately following
Public Hearings

Staff Briefings
Jefferson County Courts & Administration Building
100 Jefferson County Parkway, BCC Board Room

Immediately following
Staff Briefings

Ralph Schell
Jefferson County Courts & Administration Building
100 Jefferson County Parkway, BCC Board Room

Wednesday, October 26, 2016

9:00 a.m.

2017 Budget Review
Jefferson County Courts & Administration Building
100 Jefferson County Parkway, BCC Board Room

5:30p.m.

Jefferson Conservation District Annual Meeting
West Metro Fire Rescue Training Center
3535 South Kipling Street, Lakewood

Thursday, October 27, 2016

9:15 a.m.

2017 Budget Review
Jefferson County Courts & Administration Building
100 Jefferson County Parkway, BCC Board Room

Friday, October 28, 2016

NO TOPICS SCHEDULED TO DATE

***Emergency Items Or Other County Business For Which Prior Notice Was Not Possible May Be Considered.**

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**Public Health Department Administrative Services****Request for GFP****October 25, 2016** For Information For Discussion/Approval
Prior to Future Hearing For Action

ISSUE: Jefferson County Public Health received a one year grant from the Colorado Department of Public Health and Environment (CDPHE) Communities That Care grants program in the amount of \$162,237 for FY 2016-2018 beginning September 1, 2016. Project description: This project serves to implement the *Communities That Care* model, with fidelity, in order to identify evidence based or evidence-informed youth substance abuse prevention strategies in communities across Colorado. Additionally, this funding supports communities to identify sustainable local or regional strategies and funding for the ongoing implementation of youth substance abuse prevention strategies within each locality. This will be done using the following approaches: 1) mobilize and build capacity among a coalition of stakeholders through steps of the *Communities That Care* model, using data and priorities tailored by each individual community; 2) The Contractor shall analyze local and regional data to identify gaps in prevention for youth substance use or abuse; 3) begin to develop a prevention action plan to address gaps in youth substance abuse prevention identified in the assessment, to be implemented in years two through five of this Contract, using evidence-based or informed strategies from a list approved by CDPHE; and 4) document the implementation of a minimum of twelve (12) months of completion of specific action steps and related evaluation measures from the prevention action plan, including successes and challenges the CTC coalition encountered while implementing substance abuse prevention strategies within the community.

This funding supports hiring 1.5 grant funded FTE which we are requesting for the full duration of this grant project.

BACKGROUND: The personnel funded by this grant, a Communities that Care Coordinator and part time administrative support staff, are essential to accomplish the desired health outcome of reducing youth substance use and abuse through the implementation of the *Communities That Care* model and identified evidence-informed primary prevention strategies in communities across Colorado.

DISCUSSION: This grant will continue to do work that improves the health of citizens.

FISCAL IMPACT: The grant covers all costs of the project.

RECOMMENDATION: That the Board of County Commissioners authorizes 1.50 grant funded FTE for the project.

ORIGINATOR: Elise G. Lubell, MS, MCHES, Director, Health Promotion and Lifestyle Management Division

CONTACT: Jody Erwin, Director, Administrative Services (x5717)

Board of County Commissioners
Quarterly Parks Update
October 25, 2016

AGENDA ITEM 4

ITEMS FOR BOARD CONSIDERATION / ACTION

1. **Clear Creek Canyon Park – Peaks to Plains (P2P) Trail Agreements, *Previously Briefed on April 26, 2016, JCOS Advisory Committee Resolution #16-05, Attachments A through D***

a) CDOT Big Easy Land Exchange JCOS16-03, Attachment A

Proposal JCOS16-03 is an exchange between the Colorado Department of Transportation (CDOT) and Jefferson County. As part of this land exchange, CDOT will deed to Jefferson County approximately 1.23 acres and the County will deed to CDOT approximately 1.09 acres of County property. This exchange will place the entire P2P trail segment and all proposed Park improvements on County property. *The land exchange has been delayed due to the time it took for CDOT to review the conveyance documents. Estimated completion: December 2016.*

b) CDOT Huntsman Gulch Land Exchange JCOS16-08, Attachment B

A CDOT boundary survey for U.S. Highway 6 revealed that a highway segment located approximately 5 miles east of the Big Easy is on County property. Proposal JCOS16-08 involves a request from CDOT for a land exchange of approximately 4 acres of County property for approximately 4 acres of CDOT property that will place this segment of U.S. Highway 6 into CDOT ownership. The legal descriptions and conveyance documents for the Huntsman Gulch land exchange have been finalized and are awaiting approval by CDOT's Transportation Commission at its November meeting. *The land exchange has been delayed due to the time it took for CDOT to complete the legal descriptions. Estimated completion: December 2016.*

c) CDOT Crown Castle Agreement Contract with CDOT JCOS16-19, Attachment C

The next phase of the P2P Trail will include a new trailhead at the Big Easy. Construction of this new amenity will require moving a cell tower and fiber optic line owned by Crown Castle and another fiber optic line owned by CDOT. This infrastructure is governed by an Agreement between Crown Castle and CDOT that addresses the financial obligations for the relocation of infrastructure. Under the Agreement CDOT is responsible for 33% of the relocation costs and Crown Castle is responsible for the remainder. Since the relocation is due to the P2P Trail construction, CDOT and the County negotiated an Amendment to their 2014 Peaks to Plains Trail Contract under which the County would pay CDOT's 33% share of the costs for relocating the infrastructure. Concrete Express will perform the infrastructure relocation under a contract it is finalizing with Crown Castle. *The Contract Amendment between CDOT and the County will be finalized when Crown Castle and Concrete Express negotiate the cost to relocate the infrastructure. Estimated completion: December 2016.*

d) P2P Trail Maintenance Intergovernmental Agreement (IGA) with Clear Creek County, Attachment D

Clear Creek County has requested that Jefferson County provide maintenance and visitor management services for a one mile segment of the P2P Trail between the County line and Tunnel 5.

JCOS and the County Attorney's office have finalized a draft IGA to detail these services and the costs and payment schedule for the services. The County is now awaiting Clear Creek County's comments on the IGA. Estimated completion: December 2016.

The JCOS Advisory Committee and staff recommend Board approval of the Clear Creek Canyon Park projects.

2. *South Table Mountain Park – Agreements, Previously Briefed on April 26, 2016, JCOS Advisory Committee Resolution #16-03, Attachment E through G*

As part of the Jeffco public trail connection between Denver West Circle and South Table Mountain Park, the trail includes a segment through properties owned by Dianne Sedita and The Consolidated Mutual Water Company (Consolidated Mutual). The Golden Canal and Reservoir Company possesses a prescriptive easement for the Welch Ditch that burdens the Sedita and Consolidated Mutual properties. The trail on these two properties would be on the abandoned Welch Ditch maintenance road. The BCC was briefed on the Sedita and Golden Canal and Reservoir Company projects in April 2016 and the Consolidated Mutual project in August 2016. *The Sedita and Golden Canal and Reservoir Company documents were negotiated over two months ago. However, because these two acquisitions are contingent on the acquisition of the Consolidated Mutual parcel, they have not yet been submitted to the Board for Action. The County provided Consolidated Mutual a proposed purchase contract in July 2016 and has experienced delays in responses from Consolidated Mutual. Estimated completion: December 2016.*

a) Sedita Trail OS10-26

To develop the trail on the Sedita property, JCOS Advisory Committee and staff recommend the purchase of fee and trail easement interests on approximately 0.13 acres of the Sedita property for \$30,000.

b) Golden Canal and Reservoir Company (Welch Ditch) JCOS16-06

Although the Golden Canal and Reservoir Company no longer diverts water through the Welch Ditch in this area, it has not formally abandoned its prescriptive easement for the Ditch and maintenance road. To authorize the trail on the Ditch maintenance road, staff has negotiated a quitclaim deed with the Ditch Company that will terminate its interest in the portions of the Welch Ditch on the Sedita and Consolidated Mutual properties. To facilitate the development of public trails on other segments of the Welch Ditch maintenance road in South Table Mountain Park, the quitclaim deed will also terminate the Ditch Company's interest in other segments of the Ditch.

The JCOS Advisory Committee and staff recommend the Board approve South Table Mountain Park Agreements.

3. Peaks to Plains (P2P) Trail, Mouth of Clear Creek Canyon, Great Outdoors Colorado (GOCO) Connect Grant Award, Attachment H

On October 7, 2016 the GOCO Board unanimously voted to award Jefferson County Open Space the requested \$2 million grant for the 1.75-mile segment of the P2P Trail at the mouth of Clear Creek Canyon, with a total project cost of approximately \$8.5 million. The GOCO Connect Initiative will leverage nearly \$25 million in local matching dollars for a total of 23 new miles of trail across the state. Jeffco's project is one of six trail projects awarded this highly competitive grant funding. A grant agreement between Jefferson County and GOCO will be forthcoming for Board consideration.

Staff recommends Board approval of the GOCO Connect Grant Award.

4. Clear Creek & Jefferson County – North Floyd Hill, JCOS16-09, JCOS Advisory Committee Resolution #16-11, Attachment I & J

The BCC was briefed on this 110-acre land acquisition on Floyd Hill in Clear Creek County, formerly referenced as the Van der Vleuten property, in August 2016. This property would serve as a trailhead with trails that provide access to Clear Creek and Jefferson County Open Space lands and other public lands totaling more than 7,000 acres by adding approximately 5.2 miles of new trail. Since this would represent the first acquisition that Jefferson County has done outside county boundaries, the Board requested more information about the trailhead size, timing of developing this trailhead and maintenance of these facilities.

The Trust for Public Land submitted a GOCO grant request of \$500,000 for the purchase of the property. The Clear Creek County Board of County Commissioners adopted a resolution approving up to \$300,000 towards the acquisition and Clear Creek County Open Space requested that Jefferson County contribute up to \$200,000 towards this \$1M purchase.

The Mountain Area Land Trust (MALT) will hold a conservation easement on the property that will provide for a public trailhead and trails and fulfill a requirement of a GOCO grant. As part of this transaction, Clear Creek and Jefferson County will hold title to the property jointly. MALT has agreed to develop a 30-car trailhead and trails leading to Clear Creek and Jefferson County lands within 3-5 years. In addition, Clear Creek County has agreed to operate and maintain these facilities once they are constructed.

Based on the additional information provided herein, staff is recommending Board approval.

5. Deer Creek Canyon Park – Lockheed Martin Trail Easement Amendment JCOS16-22, Attachment K

Lockheed Martin requested that Jefferson County amend the 2014 Trail Easement Agreement, which provides a trail connection between Deer Creek Canyon Park, the existing 1992 Martin Marietta Trail Easement and Hildebrand Ranch Park. The proposed Amendment will increase the width of the permanent trail easement to 50 feet in one segment and 100 feet in another. The consideration for the increased width of the permanent trail easement will be \$0.07 per square foot.

Jefferson County will construct a fence separating the trail from the remaining Lockheed Martin property.

Staff recommends Board approval of the Trail Easement Amendment.

ITEMS OF INTEREST

6. **Be Wild, Jeffco – a Coalition Formed for the Great Outdoors Colorado (GOCO) Inspire Initiative Grant**

GOCO's Inspire Initiative is a five-year strategy aimed at inspiring Coloradoans, particularly kids, to appreciate, enjoy and take care of our great outdoors. The Inspire Initiative will involve up to 5 communities in the first year. Up to 10 additional communities will be added in the second and third years for a total of 15 communities.

In response to the Inspire Initiative, the coalition name Be Wild, Jeffco was formed by 27 local agencies, organizations and businesses in and around Jefferson County. The intent of the coalition is to create a grassroots process driven by the community. Be Wild, Jeffco was awarded a \$75,000 planning grant from GOCO and has 18 months to research, plan and vet the input received in the community engagement process required by GOCO. In August of 2017, the Be Wild, Jeffco coalition will submit for an implementation grant for the 3 hubs chosen within the County.

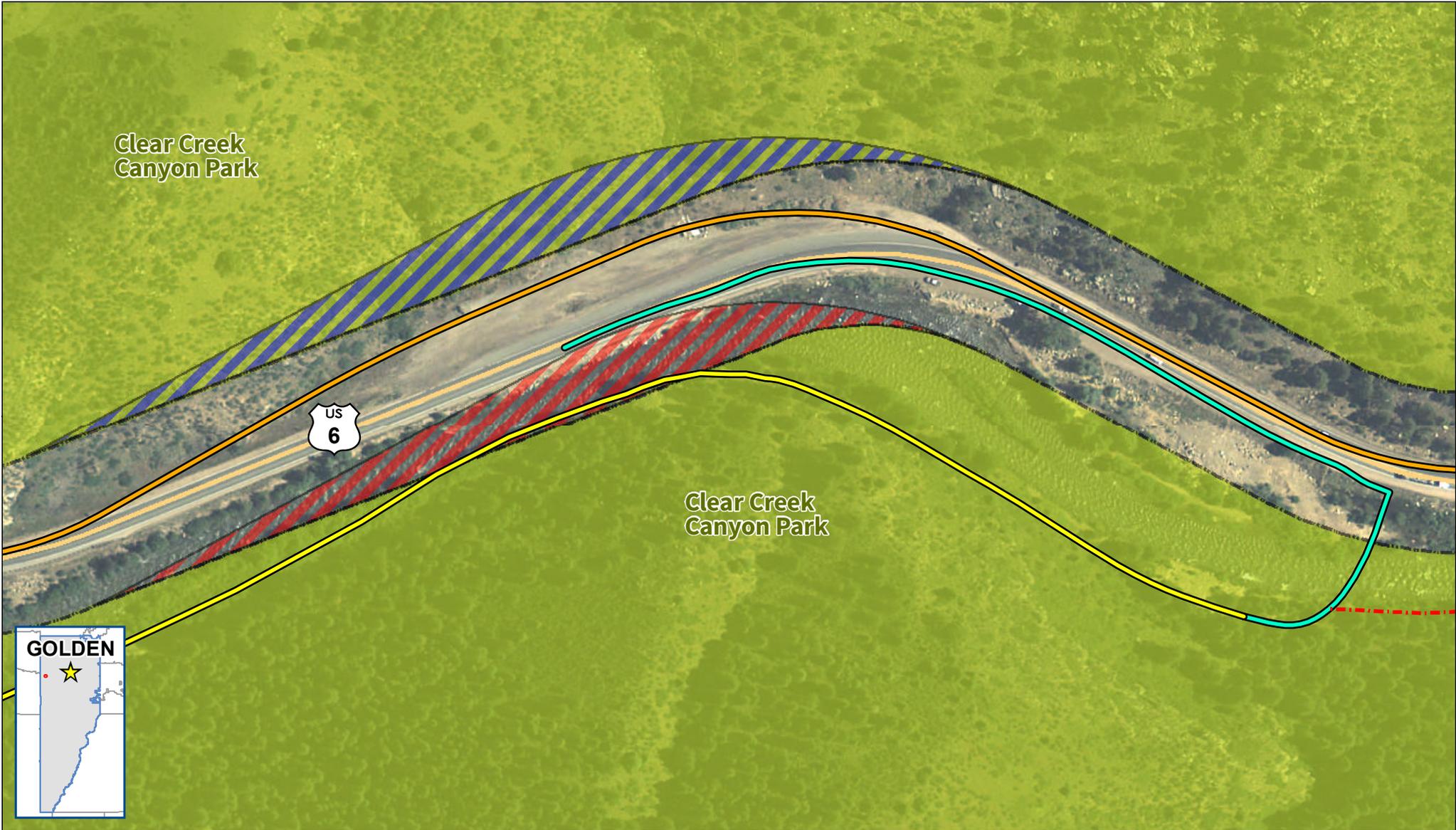
With coordination, collaboration and a strategic approach, the coalition plans to introduce youth and families to the diverse, programs happening across Jefferson County so the community may fully articulate what outdoor experiences would be meaningful and desired in that particular neighborhood. The coalition will support the community in the development of Neighborhood-Level Action Plans to address all aspects of promoting healthy living and active lifestyles among residents. The objective of the action plans will be to empower neighborhoods to define, design, develop and prioritize inspiring ways to experience the outdoors. The community engagement process will focus on GOCO's three tenants of the Inspire Initiative: places, programs and pathways to the outdoors.

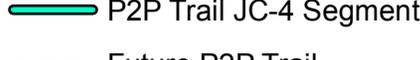
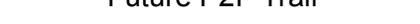
PARKS QUARTERLY MANAGEMENT REPORT, Attachment L

The 2016 Jeffco Parks third quarter report is attached for your review.

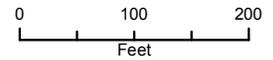
Clear Creek Canyon Park JCOS16-03

Big Easy Land Exchange



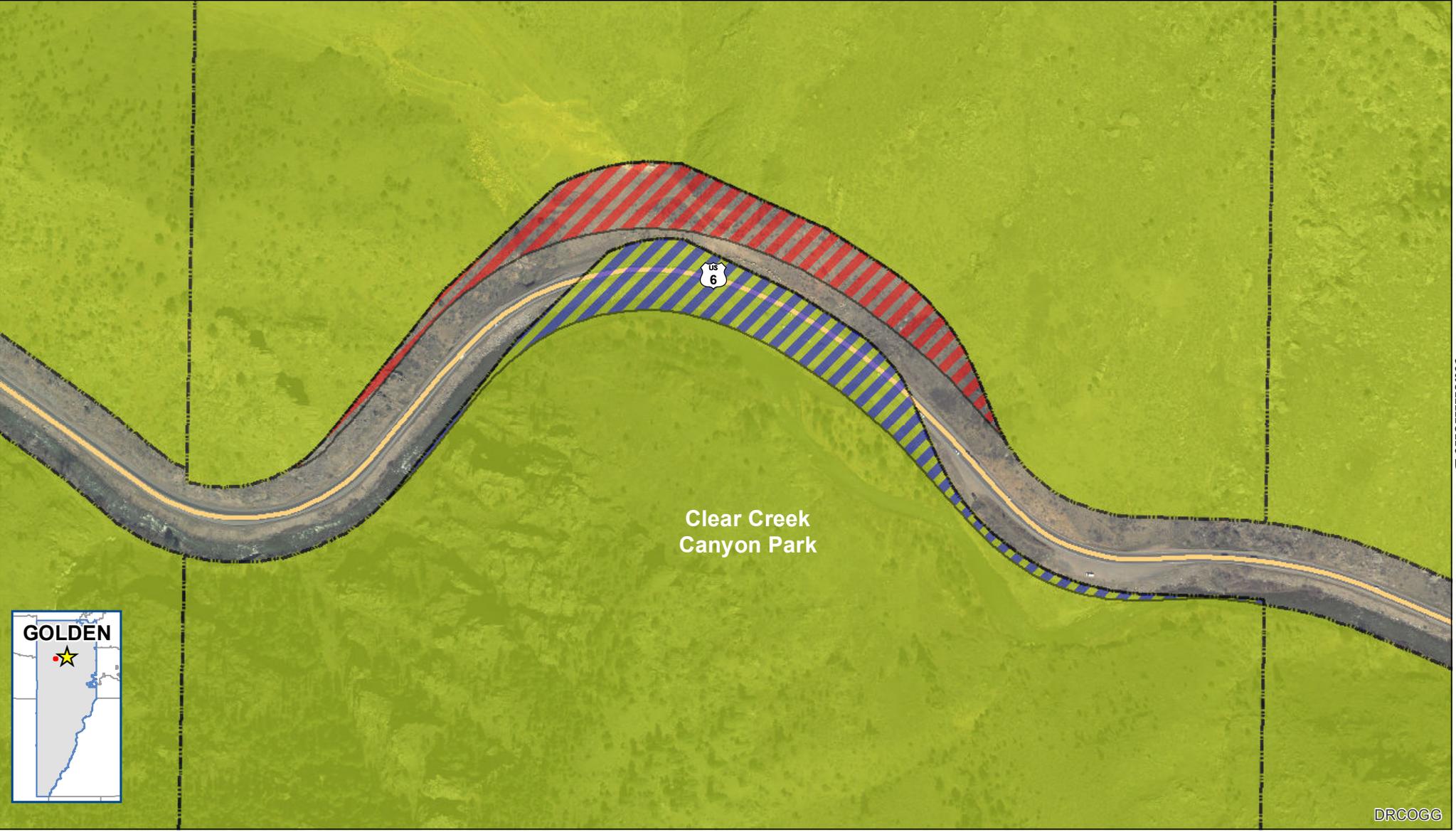
-  Existing State Highway
-  P2P Trail JC-3 Segment
-  Jeffco Open Space
-  Proposed Open Space Gain
-  Proposed CDOT Gain
-  Proposed CDOT Centerline
-  P2P Trail JC-4 Segment
-  Future P2P Trail

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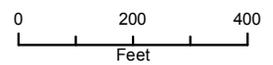
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Last Revised 3/30/2016



-  Jeffco Open Space
-  Proposed CDOT gain
-  State Highway
-  Proposed Open Space gain

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Last Revised 3/29/2016

Attachment B

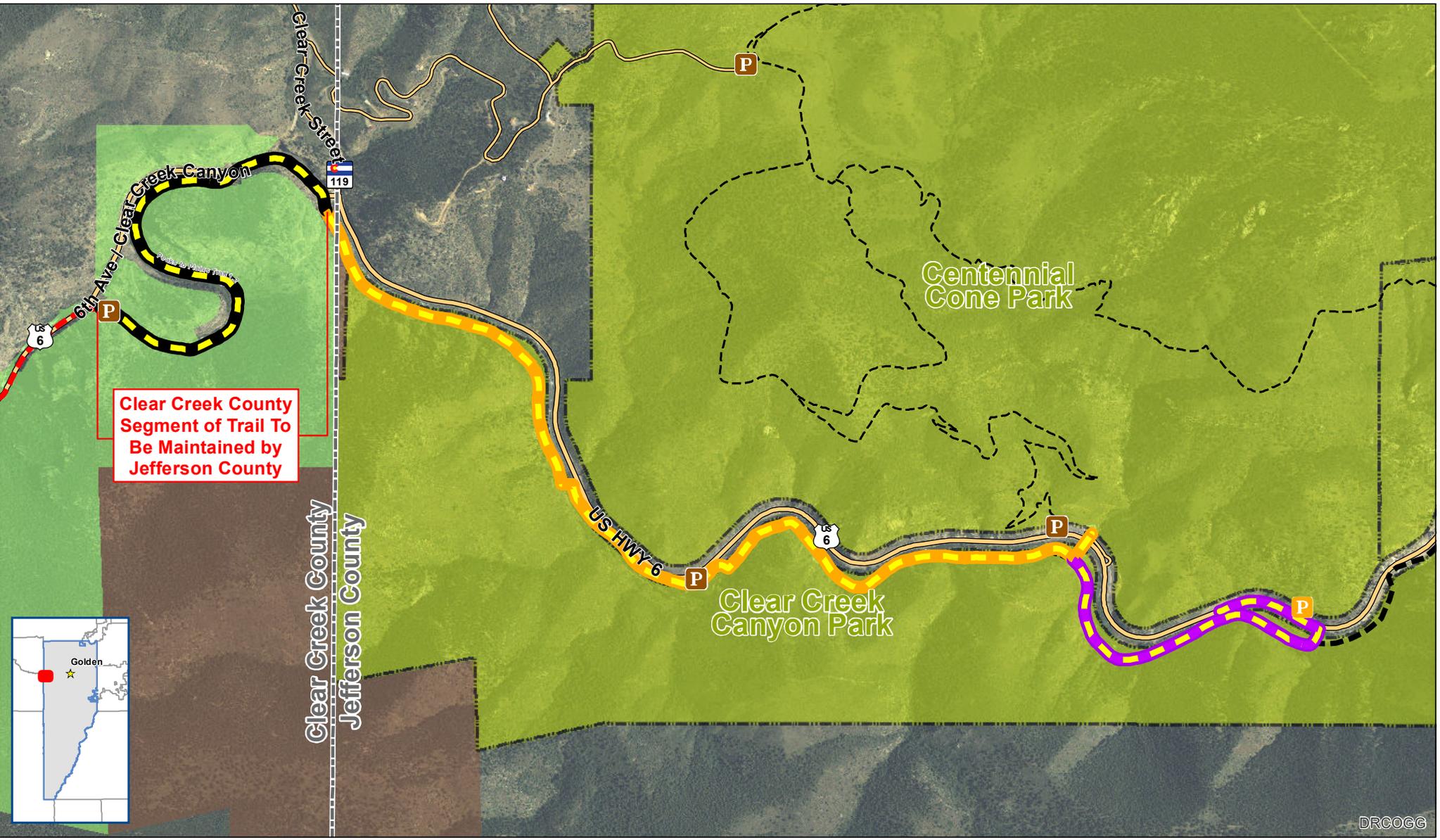
DRCOGG



Peaks to Plains Trail



P2P Trail Maintenance IGA with Clear Creek County

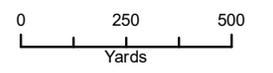


Clear Creek County Segment of Trail To Be Maintained by Jefferson County



- Existing Parking
- Proposed Parking
- Jeffco Phase 1
- Jeffco Phase 2
- Clear Creek Phase 1
- Proposed GOCO Connect Initiative - Phase 1
- Peaks to Plains Trail (Future)

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Last Revised 10/17/2016

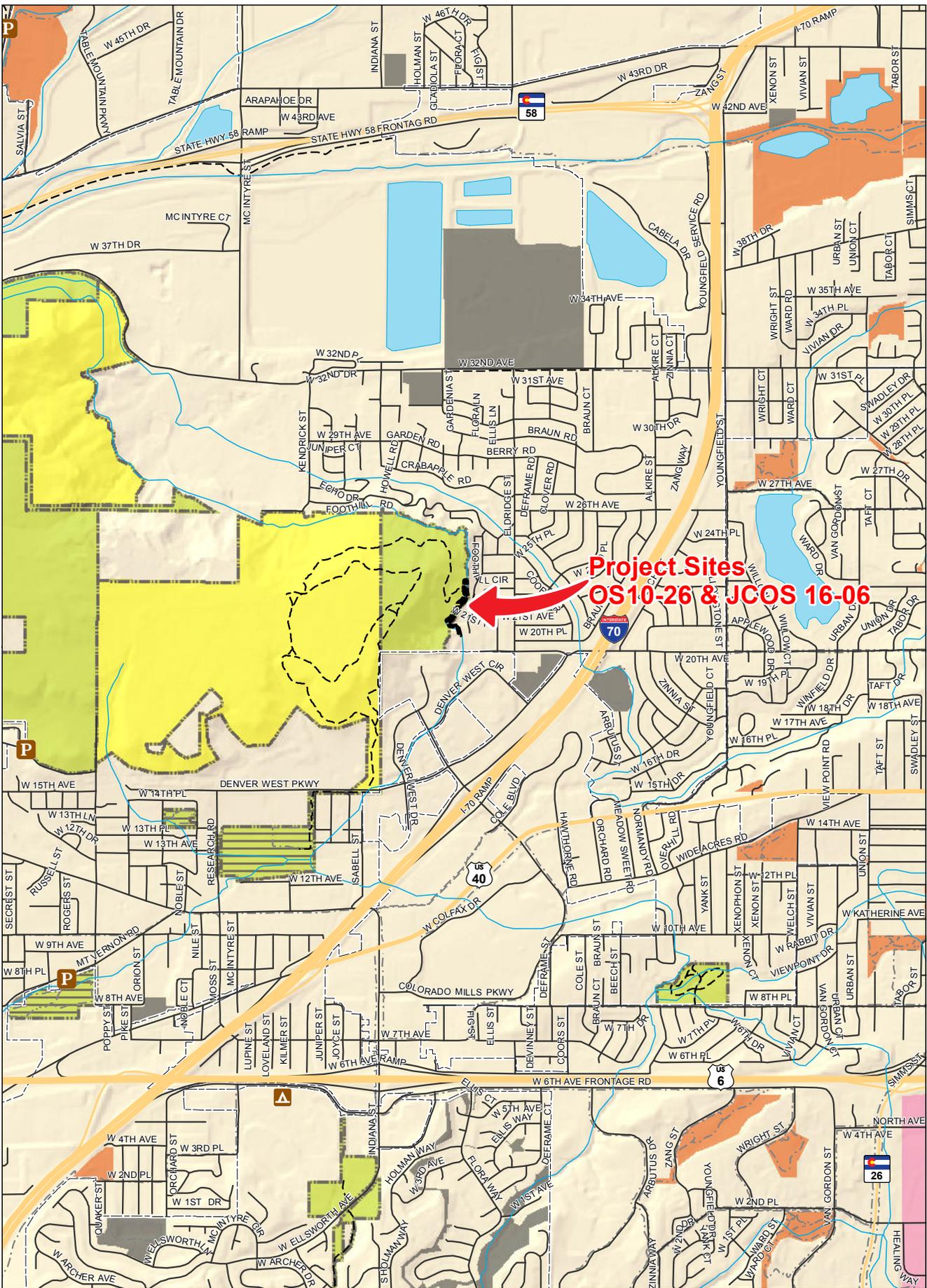
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South Table Mountain Park

Agreements

jeffco.us/parks



**Project Sites
OS10-26 & JCOS 16-06**

- ■ ■ Project Site
- ▲ Campground
- P Parking
- Scenic View
- Interstate Highway
- U.S. Highway
- State Highway
- Other Major Road
- Local Road
- Jeffco OS Managed Trails
- Other Trail
- Jeffco Open Space Owned
- Jeffco Open Space Conservation Easement
- Leased to Jeffco Open Space
- (Private Conservation)
- (State) Colorado State Land Base
- (Non-Government Organization) Denver Water Board
- Other City Land
- (City) Denver Mountain Park



Scale is 1:65,000 when printed at 8"x11"

Last Revised 2/24/2016



Data Sources: USGS, Jeffco ITS, Jeffco Open Space, NHD, CDOT

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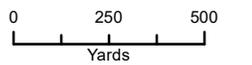
South Table Mountain Park

Golden Canal & Reservoir Company (Welch Ditch)



- Proposed Welch Ditch Trail
- Jeffco Open Space
- JCOS Conservation Easement
- City of Golden
- Prospect Rec. District
- State Highway
- Local Road

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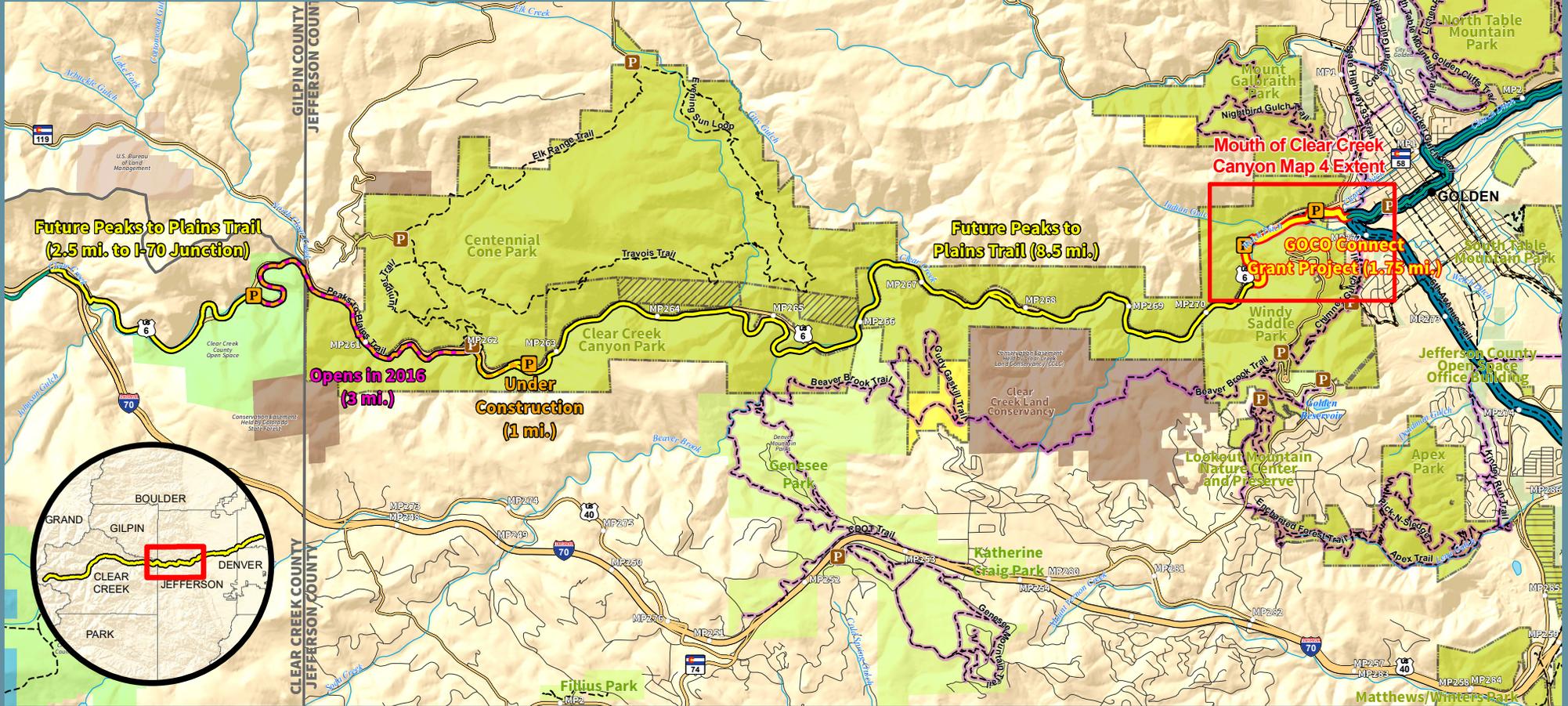
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Last Revised 6/30/2016

Peaks to Plains Trail

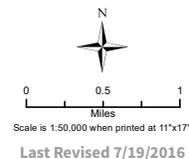


Map 3 - Clear Creek Canyon



- GOCO Connect Grant Project
- Peaks to Plains Trail (Opens in 2016)
- Peaks to Plains Trail (Under Construction)
- Peaks to Plains Trail (Future)
- Peaks to Plains Trail (Completed)
- Colorado Front Range Trail
- P Existing Shared Use Trail
- P Existing Parking
- P Proposed Parking
- Jefferson Open Space Owned
- Jefferson Open Space Conservation Easement

- Local City or Town, (Park, Conservation, or Municipal Land)
- Denver Mountain Parks
- County
- Metropolitan/Recreation District
- U.S. Bureau of Land Management
- Private Conservation
- Colorado State Park
- Colorado State Land Board



Data Sources: Jeffco Open Space, Jeffco ITS, USGS, NHD, CDDT
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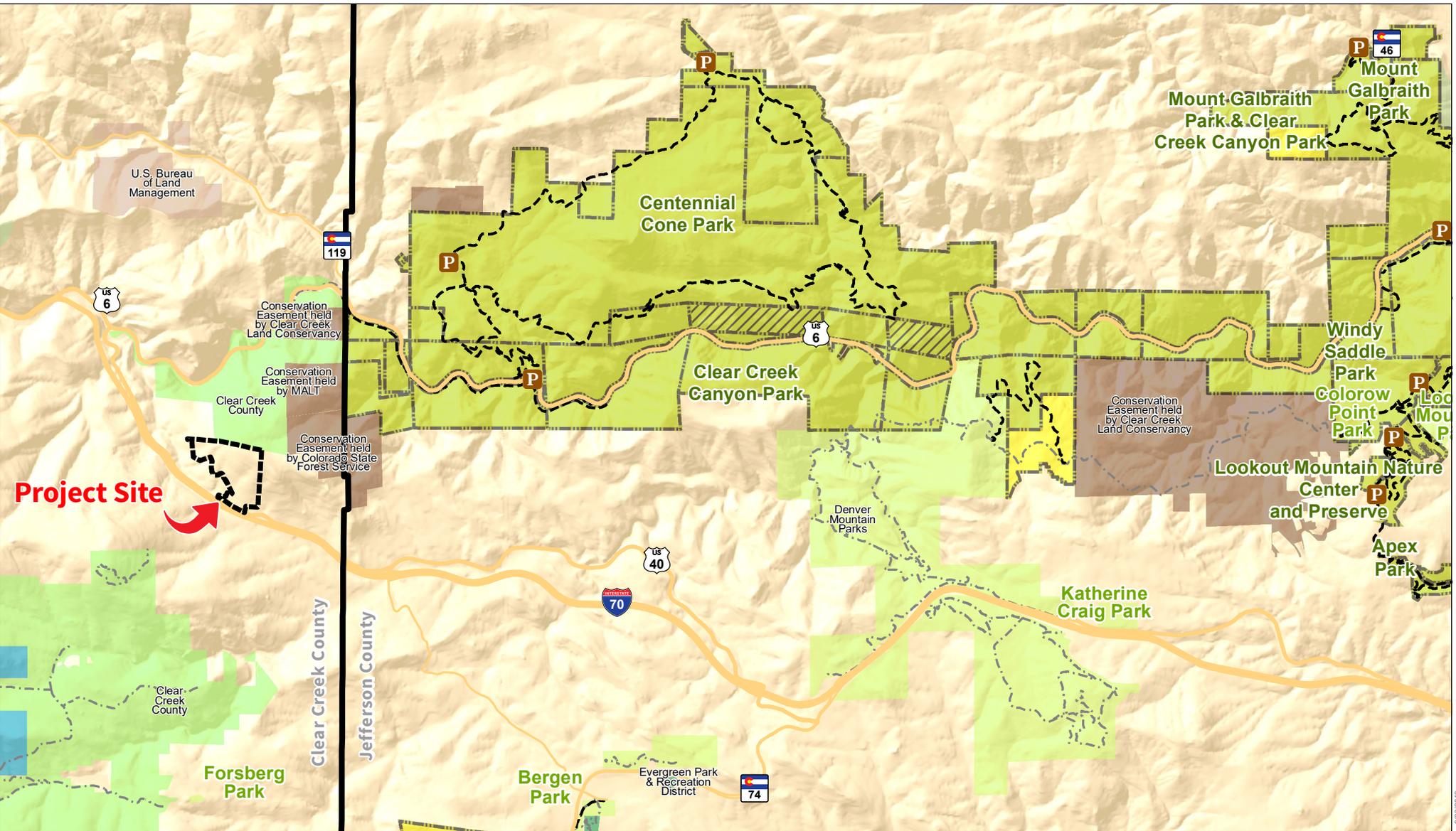
Last Revised 7/19/2016



Clear Creek & Jefferson County JCOS16-09

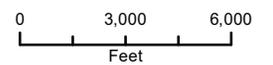
North Floyd Hill

jeffco.us/parks



- Project Site
- Jefferson County Open Space
- Leased to JCOS from BLM
- JCOS Conservation Easement
- Private Conservation
- Denver Mountain Parks
- Jeffco OS Managed Trails
- Parking/Trailhead

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Last Revised 9/30/2016

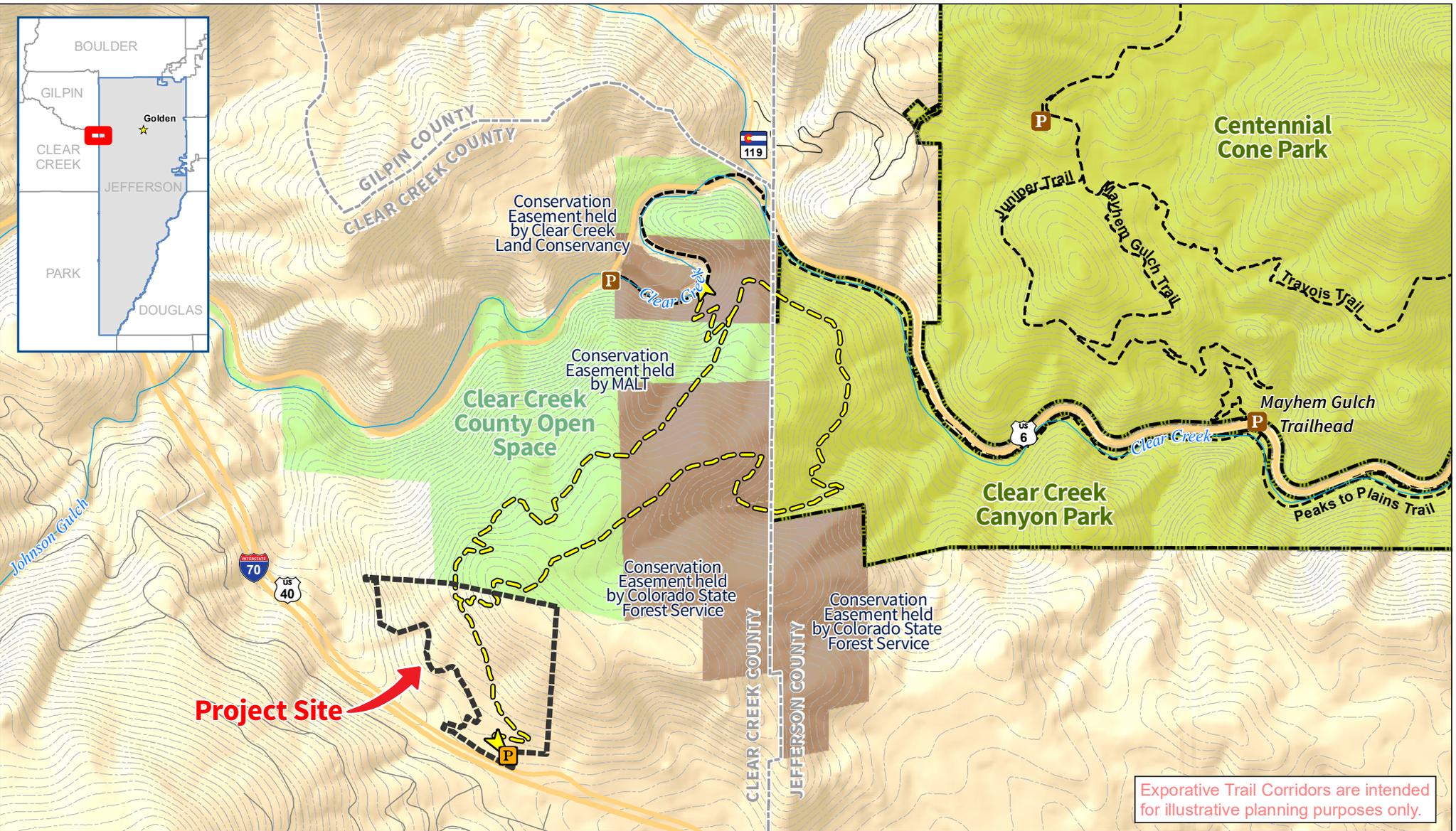
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Clear Creek & Jefferson County JCOS16-09

North Floyd Hill Project and Potential Trail Connection

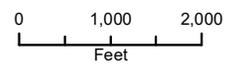
jeffco.us/open-space



Explorative Trail Corridors are intended for illustrative planning purposes only.

- Project Site
- Explorative Trail Corridors
- Jeffco Open Space
- Proposed Parking
- Multi-use Trail
- Private Conservation Easement
- Major Road or Park Access
- Clear Creek County Open Space
- Existing Parking
- Local Road
- Contour Line (40 ft.)

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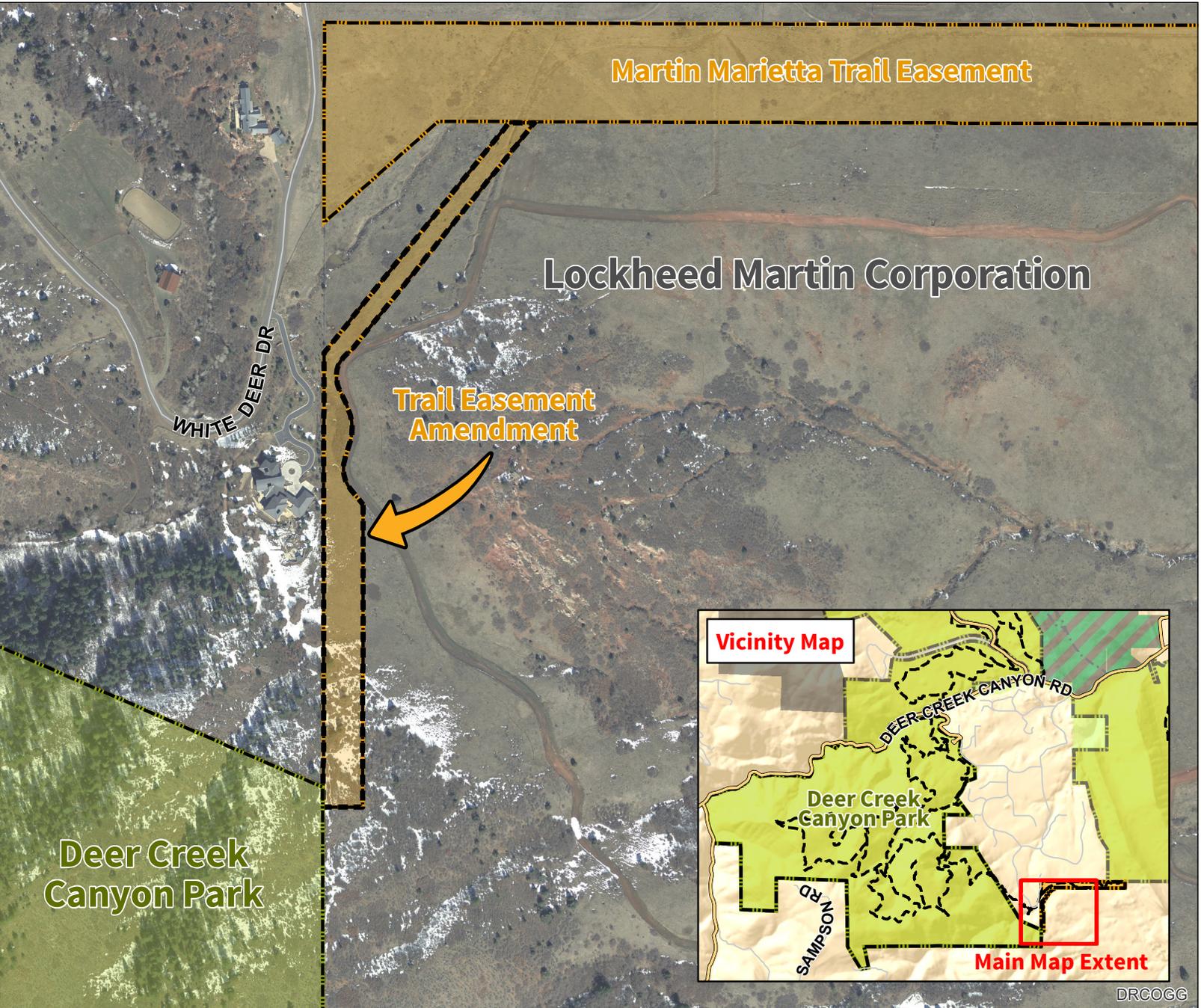


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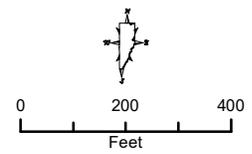
Last Revised 10/7/2016

Deer Creek Canyon Park JCOS16-22

Lockheed Martin Trail Easement Amendment

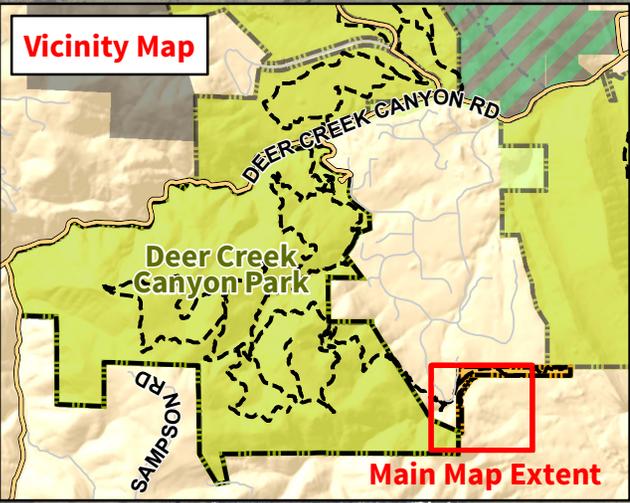


-  Lockheed Martin Trail Easement Amendment
-  Jeffco Open Space Owned
-  Trail Easement to Jeffco Open Space



Scale is 1:4,350 when printed at 8.5"x11"

Last Revised 9/9/2016



Data Sources: USGS, Jeffco ITS, Jeffco Open Space, NHD, CDOT

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Governor Hickenlooper Visits the Peaks to Plains Trail

Jeffco Parks

Third Quarter Management Report

JEFFCO OPEN SPACE Visitor Services Team

PRESERVE

Historic Preservation

Jeffco's education team offered a guided tour for 30 to the Colorow Council Tree historic site on Saturday, September 17th. Residents who want to learn more about Colorow can enjoy Hiwan Museum's temporary exhibit, Chief Colorow: Leader of the Utes, through November 20th, 2016.

Education Services staff provided trailside historic preservation "Walk and Talks" at two JCOS historic sites: the Walker House Ruins at Mount Falcon Park and the Mount Vernon Cemetery site at Matthews/Winters Park.

PROTECT

Our Park Services Team completed several third quarter projects designed to protect existing park resources. The team coordinated asphalt maintenance and preservation projects at Crown Hill Park, Apex Park, Van Bibber Park and on the Valley View Trail at South Valley Park. Essential stormwater conveyance maintenance operations occurred at the Mount Galbraith and Windy Saddle lots and along the Pioneer Trail. In an effort to protect fragile habitat and visitor safety, the Park Services team installed just over 4,000 linear feet of wildlife friendly high tension fence at South Valley Park. Our team trimmed or removed vegetation potentially blocking site lines or creating hazards near trailheads at Reynolds, Lair o' the Bear and Meyer Ranch Parks. The Park Services team completely renovated all ten sites at White Ranch's Sourdough campground. Renovations included installing tent pads and bear boxes for food storage.

So far in 2016, our Park Ranger team protected visitor safety and resource protection through:

- 18,317 informal trailside stewardship education contacts
- 1,828 visitor contacts through ranger-staffed event booths for pet safety, bike etiquette and Leave No Trace
- 1,878 contacts through ranger programs such as fire, wildlife, bike and swiftwater safety talks
- 306 Written Warnings. Top offenses were parking, dog off leash and closed area.
- 131 Penalty Assessments. Top offenses were closed area, dog off leash and parking.

- 559, 676 impressions through ranger tweets about trail and park conditions, closures, and wildlife sightings
- 649,324 media contacts through television, radio and print media on topics such as trail and wildlife safety, car break-ins and climbing stewardship
- NEW! Starting in September, rangers began tracking Calls for Service. In just one month rangers responded to 48 calls for service including 12 Visitor Assist, 7 Fire, 7 medical, 8 Law Enforcement, 1 Motorist Assist, 5 Search and Rescue and 7 requests to assist other agencies.

Ranger patrol and visitor education efforts for 2016 are augmented by a record 6,972 hours of volunteer park patrol so far!

Jeffco Sheriff Deputies provided after hours courtesy patrol throughout our park system, writing a total of 176 Penalty Assessments this year. Top violations were park hours and parking.

PROVIDE

The JCOS Visitor Services team provides our residents with many ways to enjoy healthy, nature based experiences in our parks and in our community.

Here are some of our stats for 2016 so far:

- 1642 total camping permits for three JCOS campgrounds
- 352 Group and Special Activity Permits
- 84,071 total Education Services contacts through programs and visits to Lookout Mountain Nature Center, Hiwan Museum, Hiwan's Heritage Grove and the Pine Valley Depot. An estimated 63% of these educational contacts are made with Jeffco residents.
- 8,709 of these educational contacts were made in our parks and 3,869 were made in the Jeffco community.



The following are stories related to our educational efforts for this quarter:

Taking astronomy education to the streets, "sidewalk astronomy" programs take a telescope and an educator to a community park and connect park visitors to the night sky. This quarter, our education team provided sidewalk astronomy in Old Town Arvada and Golden.

The education team provided 11 trailhead education stations focusing on snake safety and identification, which is a popular summer topic in our parks. Thanks to a partnership with the Jeffco American Job Center, Jeffco Visitor Services offered paid internships for two high school graduates interested in resource stewardship careers. Our interns have assisted with patrol, maintenance, administrative duties, building maintenance and education programs.



Rangers partnered with Community Connections to provide on a new hunter orientation video <https://youtu.be/2ztixzwaxYI>

Rangers partnered with the Colorado High School Mountain Bike League to provide bike etiquette orientations for 146 students at six Jeffco high schools. Each participant received a bike right bell.

Rangers partnered with volunteers, Foothills Animal Shelter and Community Connections to provide three dog health, safety and etiquette event booths for 952 participants. Stewardship topics included heat stress and heat stroke prevention, leashes, pet waste pick up and wildlife/dog safety.

JEFFCO OPEN SPACE

Community Connections Team

From Floods to Finish Line

On September 18, Jeffco Open Space hosted the first ever mountain bike race on their trails, The Golden Giddyup. Even more significant, it celebrated the culmination of many long hours of trail stewardship efforts from the mountain biking community alongside JCOS teams over the past few years. This relationship was forged after the floods of 2013 devastated our trails and forced closures throughout many JCOS parks.

The Golden Giddyup represented an opportunity for mountain bike racers to contribute to trail maintenance and construction by pledging a minimum of 1 volunteer hour with each entry to the event.



440 riders



1,400 volunteer hours



120 volunteers



\$35,000 for trails

Civic Doody

September 24, marked the annual largest, single-day volunteer effort for public lands, National Public Lands Day. Jeffco Open Space celebrated by talking about and picking up dog poop. That's right, we organized the pickup of dog waste at the Elk Meadow Park Dog Off-Leash Area. This unique, 107-acre dog off-leash area is very popular, but with increased use has come a host of problems, including elevated levels of bacteria in the stream within the park.



5 hours



76 volunteers



21 staff



424 lbs

Outdoor Industry Leaders Volunteer at South Table Mountain Park

On September 27, Jeffco Open Space Trails and Volunteer Services Team partnered with Volunteers for Outdoor Colorado, Mile High Youth Corps and Trust for Public Land to host 180 outdoor industry leaders. Participants from throughout North America were in town for the 2016 Outdoor Industry Association (OIA) Rendezvous. The event is focused on coalescing partners to get people outside, protect the places where we recreate, compete and collaborate, creating innovative gear and building communities with a passion for the outdoors. The Rendezvous takes place in a different state every year and an important component of the conference is always an outdoor stewardship project. This year the event took place in Colorado and OIA chose to collaborate with Jeffco Open Space. As a result, we were able to build 3,600 feet of new trail atop South Table Mountain Park and deconstruct and reseed several unsustainable trails. The trail will be part of the Lava Loop, which will navigate its way around the perimeter of the mesa.



Governor Hickenlooper Visits Peaks to Plains Trail

On September 30, Governor Hickenlooper and members of his cabinet joined County officials on a tour of the 3-mile segment of the Peaks to Plains Trail in Clear Creek Canyon. This trail has been designated as one of the Governor's 16 Priority Trail Projects in 2016 as part of the Colorado the Beautiful Initiative.

After more than two years of challenging construction in Clear Creek Canyon, Jefferson County and Clear Creek County opened this 3-mile segment of the Peaks to Plains Trail in July of this year. The two organizations partnered to build a 4-mile segment of the Peaks to Plains Trail along Clear Creek and U.S. Highway 6 in Clear Creek Canyon. The final mile is currently under construction and will open in 2017. The project is aided by a \$4.6 million grant from Great Outdoors Colorado, awarded in 2012.



JEFFCO OPEN SPACE Planning Team

GOCO Connect Initiative Grant to Fund New Trail Segment Connecting Downtown Golden at Mouth of Clear Creek Canyon

On October 7, 2016, the Great Outdoors Colorado (GOCO) Board awarded a \$2 million grant to Jeffco Open Space to fund a new segment of the 65-mile vision for the Peaks to Plains (P2P) Trail at the mouth of Clear Creek Canyon. The grant was part of GOCO's first round of funding for its new Connect Initiative, with \$10 million in grants awarded to close critical gaps in trail networks across the state. GOCO's Connect Initiative will invest \$30 million over the next three years in closing trail gaps and creating safe access to the outdoors for all Coloradans. More than 80% of people in Colorado recreate on trails and closing gaps and increasing connectivity has long been a top priority for the state's residents.

The proposal from Jeffco Open Space for the P2P Trail is one of six highly-demanded trail projects selected to move forward, with funding helping to construct more than 23 miles of trail and leveraging nearly \$25 million in local matching dollars.

Van Bibber Park West Trailhead/Strippgen

This collaborative effort between Jeffco Open Space, Prospect Recreation & Park District (PRPD) and Design Concepts officially kicked off on August 3. The intent of the project is for the design and construction of a new, shared use parking lot on the Strippgen property, reclamation of the existing Van Bibber Park west trailhead parking lot, an entry drive connection to Indiana Street and a trail connection from the new parking lot to Van Bibber Park. Further, conceptual considerations will be explored for any future additional park amenities on the Strippgen portion. A coordination meeting is scheduled for October 17, where conceptual site plans will be presented by the design consultant, Design Concepts, based upon their initial site investigation and analysis.

Hall Dam Removal

The design-build team for the Hall Dam removal project is currently working on the 404 permit with the US Army Corps of Engineers. The permit should be secured by mid-January, with construction finalized by late spring.

Beaver Ranch Community Park Master Plan

The goal is to create a Master Plan that will serve the Conifer community with a vision and plan that can be implemented over time. A 2-day design workshop is planned for November 15-16 at the Main Lodge of Beaver Ranch Community Park. JCOS is working in partnership with Beaver Ranch Community Inc and the National Park Service Rivers, Trails, and Conservation Assistance program.

New Trail Connection at Matthews/Winters Park

A new trail connection is open at County Road 93 between Matthews/Winters Park, Dakota Ridge Hogback trail and the Woolly Mammoth parking lot. It is a 10-foot-wide, multi-use, trail connection with a pedestrian crossing and beacons. Addressing a huge safety concern in this area, the connection increases parking options by over 1,200 spaces in the adjoining Stegosaurus, T-Rex and Mammoth lots—encouraging better traffic flow for everyone.



JEFFCO OPEN SPACE

Administration & Real Estate Team

Applewood Golf Course Update

It is anticipated that Prospect Recreation and Park District will close on the purchase of the Applewood Golf Course by the end of the year. Given the Commissioners approval of a \$1.10 million Open Space Local Park & Recreation Grant towards this project, these funds along with \$3 million of GOCO Funds will be used to help offset the overall purchase price with the District.



JEFFCO FAIRGROUNDS

Jeffco Fair & Festival

On August 11-14 over 15,000 fans visited the Fairgrounds during this four-day County celebration. In addition to ongoing 4-H exhibits, bull riding, mutton bustin', family movie night, CPRA Rodeo and SpongeBob SquarePants made an appearance on Sunday, August 14. The Jeffco District Attorney's Safety Fair drew thousands of people on Saturday, while the amazing equine skills and grace of the show *Gladius* and the Jeffco Brew Experience, featuring craft beer samplings from some of Jeffco's most notable craft brewers, drew fans of all ages.



JDRF OneWalk

On September 11, the JDRF OneWalk for Type 1 Diabetes drew 5,500 fans to the Fairgrounds. This event, held for the second year in Jeffco, is easily one of the largest one-day events hosted by the Fairgrounds and helps raise hundreds of thousands of dollars for diabetes research.



Toby's Pet Parade

A new event to the Fairgrounds in 2016 was Toby's Pet Parade on September 17. Nearly 1,000 people turned out for this fund raiser showcase for the Foothills Animal Shelter. In all, over 150 folks participated in the pet parade and helped raise \$46,000 for the shelter.



Site Improvements

The Fairgrounds has upgraded their wireless internet across the campus. Other improvements include the irrigation systems, curb/gutter repairs, outdoor riding arena surfaces, the Fairgrounds front office and rodeo arena grandstands are just some of the project focus areas.

CSU EXTENSION

4-H Youth at the Jeffco Fair and Festival

4-H Youth participated in the very successful Jeffco Fair & Festival. Many youth received awards for their entries in the County fair competition and a number went on to State Fair receiving awards at that level as well.

4-H ENOR Environmental Discovery Camps

The 4-H ENOR program completed another great year with 630 youth participating over the five weeks of camp. The camps have had continually positive evaluations including long term impacts. A former camper who also worked with ENOR states: "ENOR has made me who I am today and continues to shape the lives of many children each year."



STEM Programs

In August, the first year of AmeriCorps STEM programs was completed. All three AmeriCorps members met their goals, achieved their required service hours and reported great successes with the youth they touched.

Awards

Staff have been recipients of a number of awards recognizing outstanding achievement as individuals and teams.

BOETTCHER MANSION

Q3 Bookings

The Mansion hosted:

- 40 weddings & receptions
- 15 rehearsals
- 1 memorial service
- 1 company party
- 102 site visits

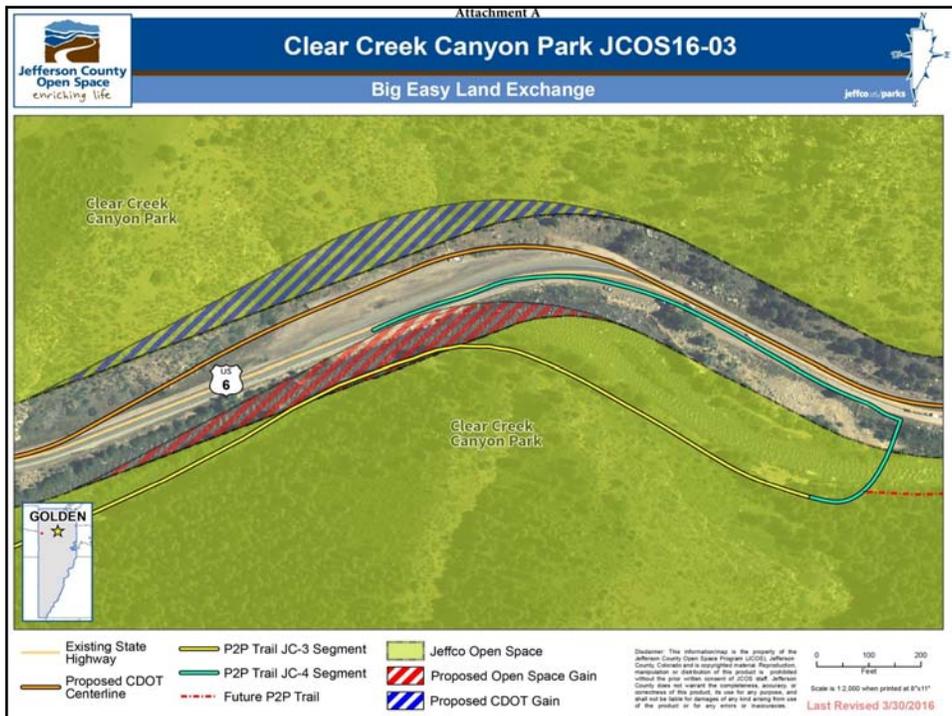
Bookings for the rest of 2016 are strong, with \$20k more than the \$378k budgeted for social events, our conference goal of \$20k, has already been met and 49 weddings & receptions are confirmed for 2017.

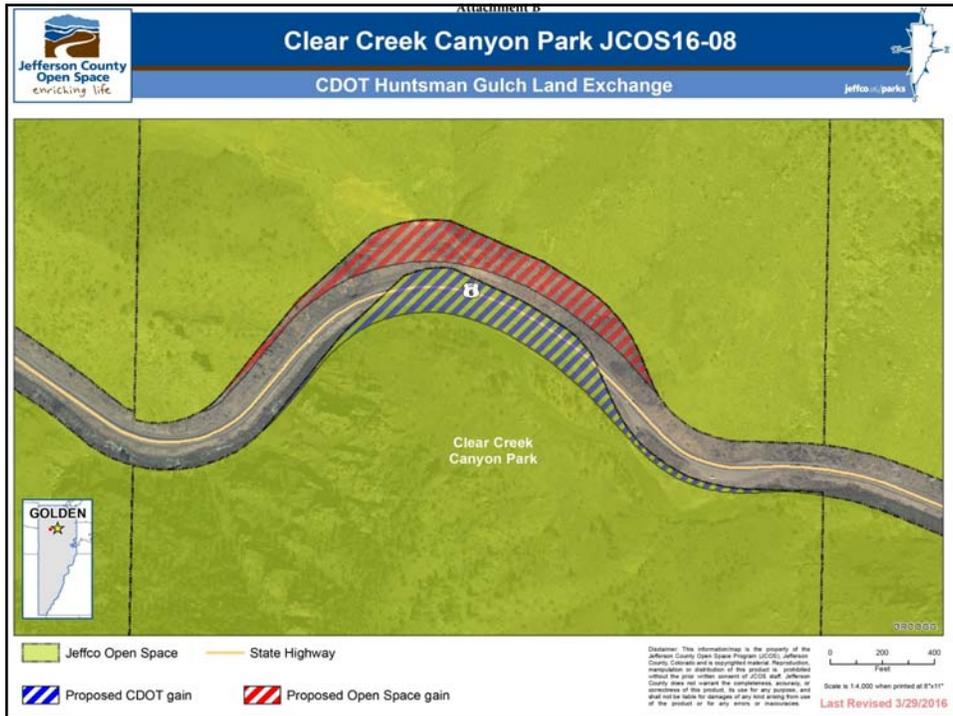
Meeting Clients

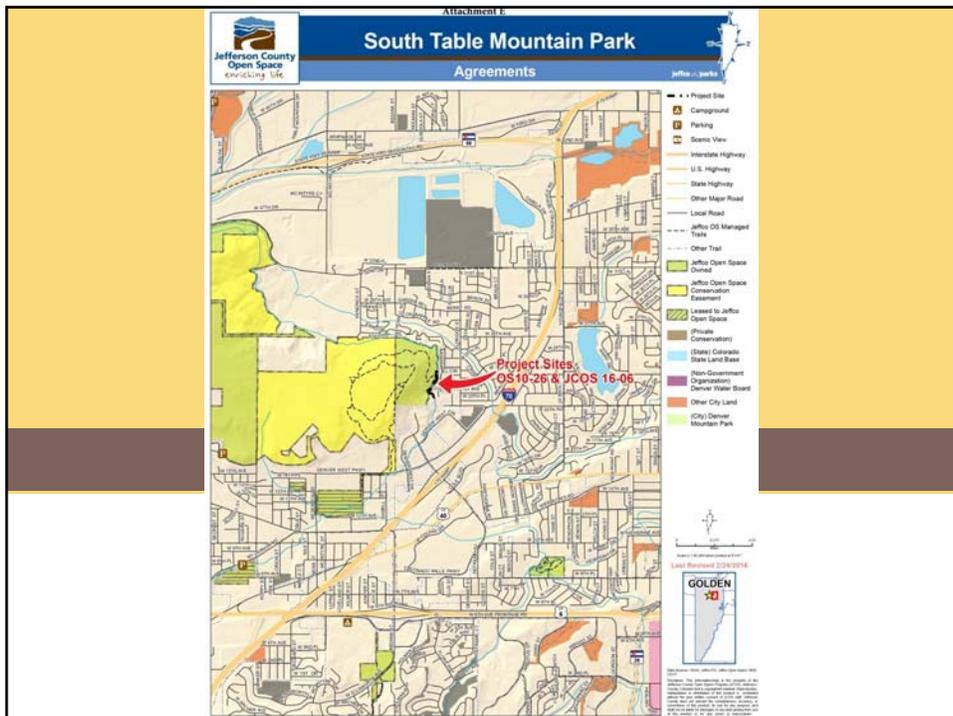
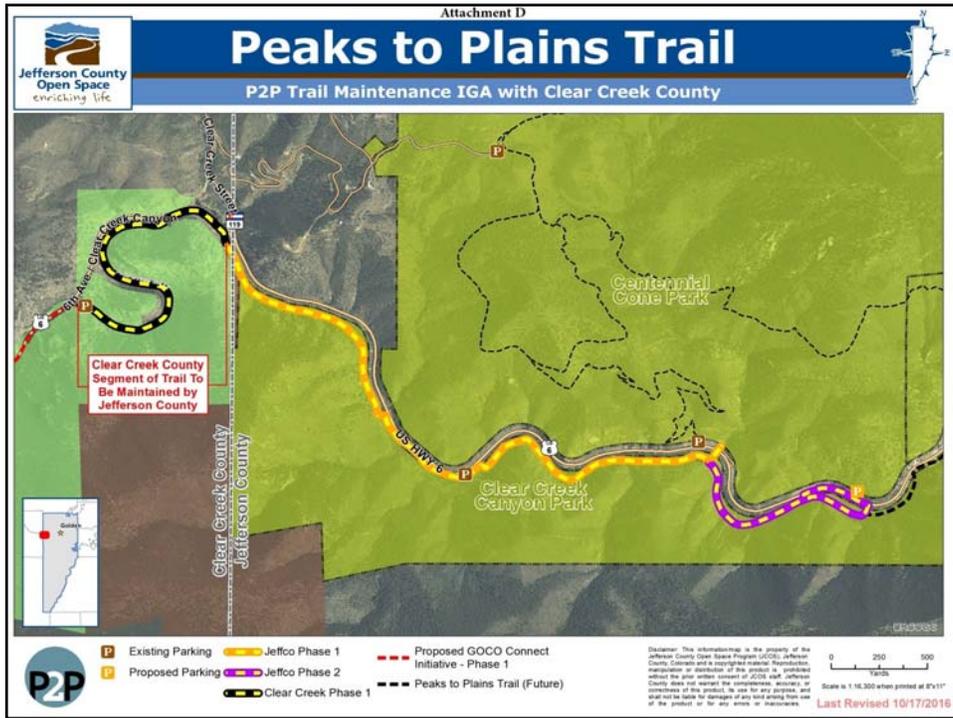
Meeting clients included many school groups plus:

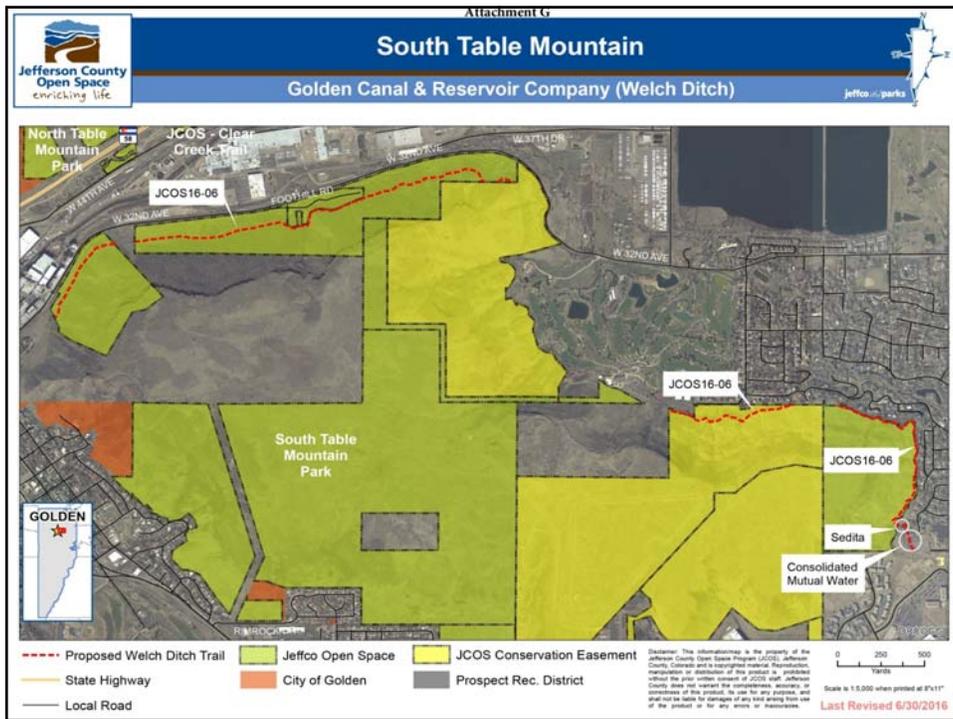
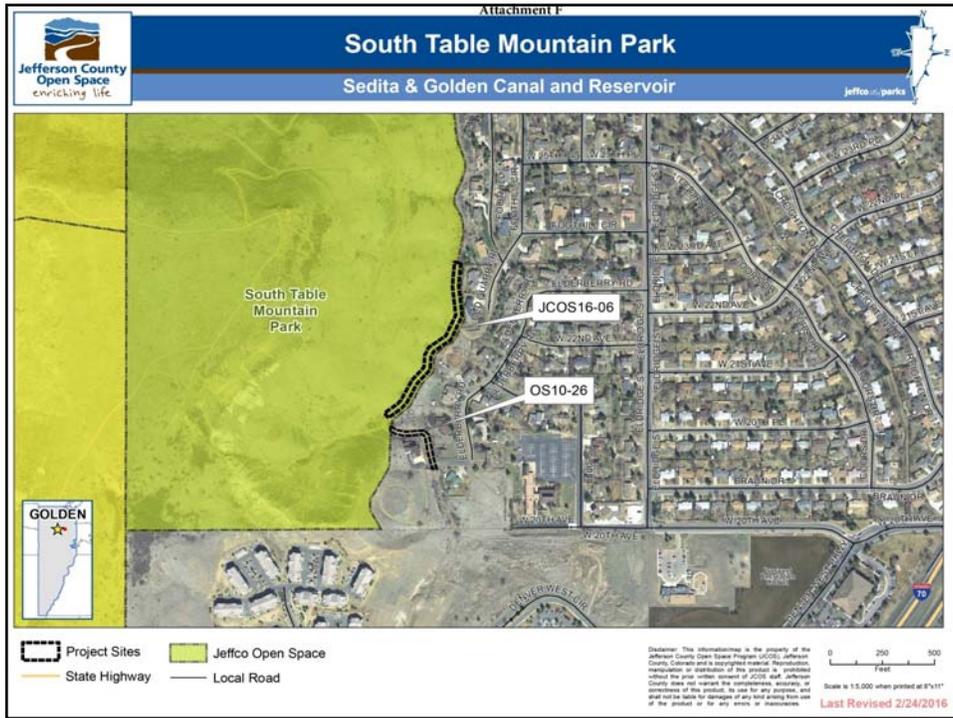
- Color Latina
- Colorado Career Development Association
- Colorado Oil & Gas
- Japan America of Colorado
- RNL Design
- SDA Church Board and Vicente Sederberg LLC

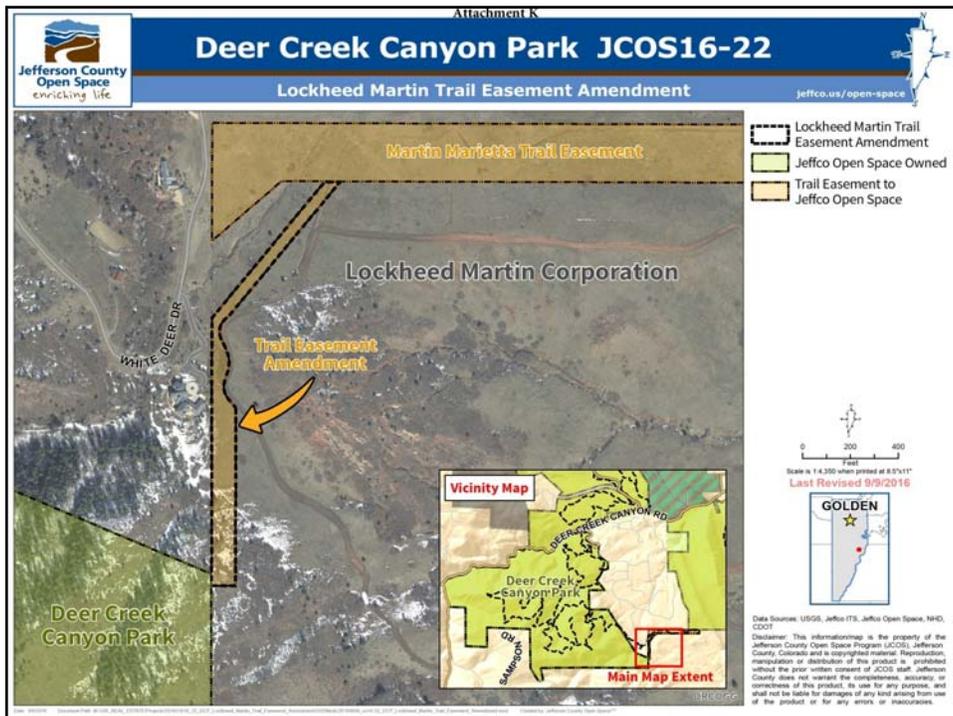
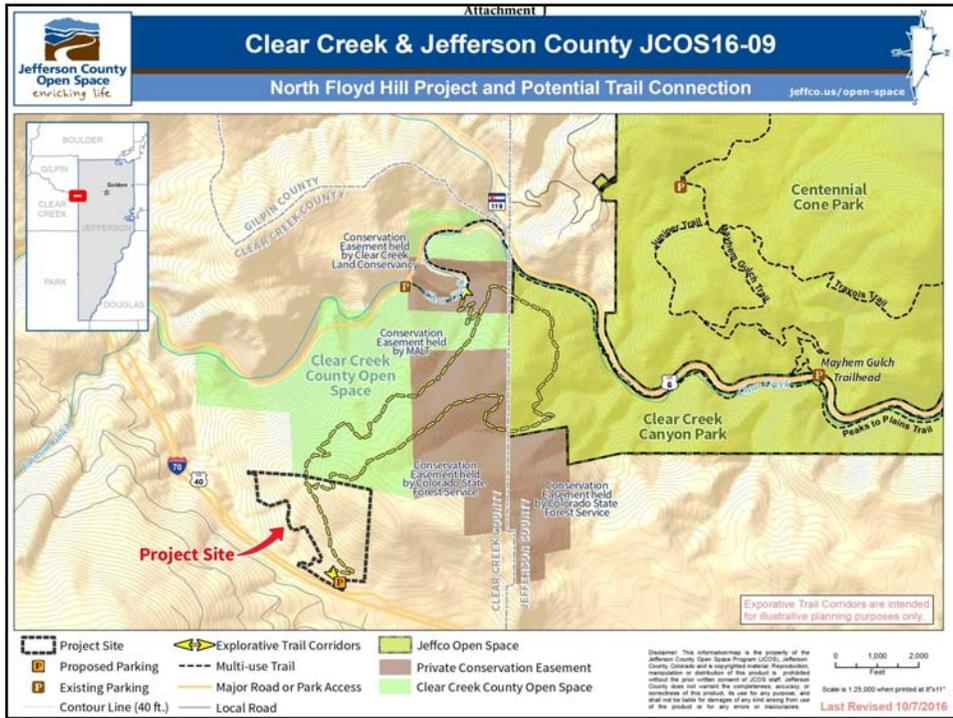
Quarterly Parks Update October 25, 2016











GOCO Inspire Initiative

Collaborating to Create Equal Access to the Outdoors



- The Inspire Initiative
- Hub Locations
- Be Wild, Jeffco
- Youth Engagement
- Next Steps

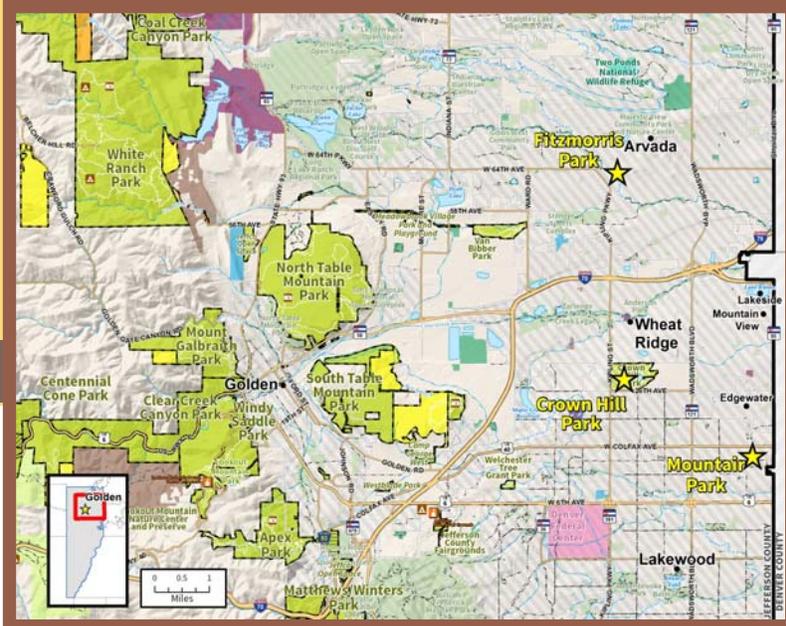


GOCO Inspire Goals

1. **Places** to Play, Learn and Connect
2. **Programs and Experiences** from the Backyard to the Backcountry
3. **Pathways** to participate in paid or volunteer outdoor projects and programs.



Be Wild, Jeffco Hubs



Be Wild, Jeffco Coalition: Expanding Partnerships, Networks and Collaboration



- Healthy Jeffco
- 40 West Arts Loop
- Sheridan Station
- 20-Minute Neighborhood
- Arvada Healthy Places I



Successful Youth Engagement

School to Work
Alliance Program



Jeffco Open Space Interns



Youth Councils



Next Steps...



- Community Engagement
- Youth Engagement + Youth Councils
- Grant Writing Process
Eligible to apply for implementation funds
Fall 2017
\$1-3 million + 25% match by coalition partners





Governor Hickenlooper Visits the Peaks to Plains Trail

Jeffco Parks

Third Quarter
Management Report

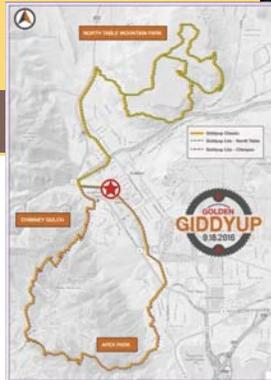
Governor Hickenlooper Visits Peaks to Plains Trail

- 3-mile Tour
- One of the Governor's 16 Priority Trail Projects in 2016



Golden Giddyup

- First mountain bike race/tour hosted by Jeffco Open Space
- 440 riders
- 1,400 volunteer hours
- 120 volunteers
- \$35,000 raised for trails



National Public Lands Day at Elk Meadow Park Dog Off-leash Area

- 5 hours
- 76 volunteers
- 21 staff
- 424lbs of 



Outdoor Industry Leaders Volunteer at South Table Mountain Park

- 180 volunteers
- 3,600 feet of new trail built



BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

**Rocky Mountain Metropolitan Airport
Airport Advisory Board
October 25, 2016**

For Information

For Discussion/Approval
Prior to Future Hearing

For Action

ISSUE: Staff and consultant are in attendance today to present options regarding the structure of an Airport Advisory Board.

BACKGROUND: On August 2nd, Airport staff and consultant met with the Board of County Commissioners (BCC) to discuss the potential of appointing an airport advisory board (AAB). The process involves the following Tasks with each phase contingent on Board approval:

- Task 1 – Data collection and development of options for Advisory Board structure
- Task 2 – Tenant input and identification of preferred alternative (today’s presentation)
- Task 3 – Implementation and appointment of an Advisory Board
- Task 4 – Advisory Board organization and retreat

During the briefing, discussion ensued regarding potential governance models, goals, structure, costs and responsibilities. The BCC indicated a preference for the AAB to work with the Airport Director and report directly to the BCC on an ongoing basis. At the conclusion of the briefing, the BCC directed that Task 2, tenant outreach, be undertaken with airport users and tenants for feedback regarding the proposed AAB.

The online survey closed on September 5th and 58 completed responses were received.

On September 13th, the BCC reviewed the tenant and user survey results and tenant meeting input regarding the appointment of an advisory board, goals and scope. Meeting attendees also assisted in promoting participation in the survey. The survey report is attached for your reference. Key responses are summarized as follows:

AAB Goals in highest order of priority:

1. Establish a feedback mechanism regarding the Airport
2. Build awareness of the Airport and its role in the economic health of the region
3. Develop Airport advocates
4. Educate users/tenants/neighbors about operating guidelines
5. Create opportunities to engage the public
6. Ensure good neighbor practices by the Airport

Numerous suggestions were received for additional goals to be evaluated with many focused on enhanced communication and strengthening the role of the airport in the community.

AAB Scope in order of highest number of responses:

1. Airport goals
2. Community updates
3. Master Plan
4. Relevant planning documents/Major capital project schedules
5. Design Guidelines
6. Reports from Airport ad hoc committees

The survey and tenant meeting identified two key items:

1. Increase the number of board members from 5 to 7 to ensure broader representation and participation.
2. Increase the number of tenant based representatives from 1 to 2 given the magnitude of tenant based revenues to the Airport.

Discussion ensued with a specific reference to whether the AAB should include members who have an interest or affiliation with the airport. The BCC directed staff to return with specific components of the Board membership, terms, etc. to be included in an Airport Advisory Board Policy.

DISCUSSION: Staff has prepared a series of options for consideration by the BCC. Consideration was given to the public input received under Task 2. Following today's direction, an Airport Advisory Board Policy will be finalized for BCC adoption. The items listed below represent decision points for the BCC. Other routine items will be drafted consistent with other Jefferson County Volunteer Policies (staff support, Open Meeting requirements, quorum, meeting location, remuneration, adoption of by-laws, vacancies).

Duties

The AAB shall review and make recommendations regarding establishment of Airport goals, community interests and updates that impact the Airport, development and adoption of Airport master plans and relevant planning documents, major airport capital project schedules, Airport design guidelines and Airport ad hoc committee efforts.

Membership

The AAB shall be composed of representatives to be appointed by the BCC as follows. There shall be seven members of the AAB. Neighboring business owners and residential property owners are defined as those that operate a business or reside within the Airport Influence Area. See General Boundary Map, dated March 22, 2010, attached hereto.

Alternative 1 (airport tenant representation):

- 1 airport business owner
- 1 neighboring business owner
- 2 aircraft owners
- 1 citizen-at-large
- 1 neighboring residential property owner
- 1 neighboring jurisdiction

Alternative 2 (no airport tenant representation):

- 2 neighboring business owners
- 2 citizens-at-large
- 2 neighboring residential property owners
- 1 neighboring jurisdictions

Alternative 3 (non-voting airport tenant representation)

- 2 neighboring business owners
- 2 citizens-at-large
- 2 neighboring residential property owners
- 1 neighboring jurisdiction
- 1 airport tenant (non-voting)

Terms

Members serve at the pleasure of the BCC, and may be removed with or without cause, at the discretion of the BCC.

AAB members' terms shall be for three years or until their successors have been chosen as appropriate. No member shall serve more than two succeeding three-year terms. Before the conclusion of the AAB member's first three-year term, the AAB may recommend renewal or non-renewal of that member's appointment by majority vote in writing to the BCC.

During the initial establishment of the AAB, terms will be staggered. Three members will be appointed for two-year terms with subsequent appointments of three-year terms. The remaining four members will be appointed for initial three-year terms and subsequent three-year terms.

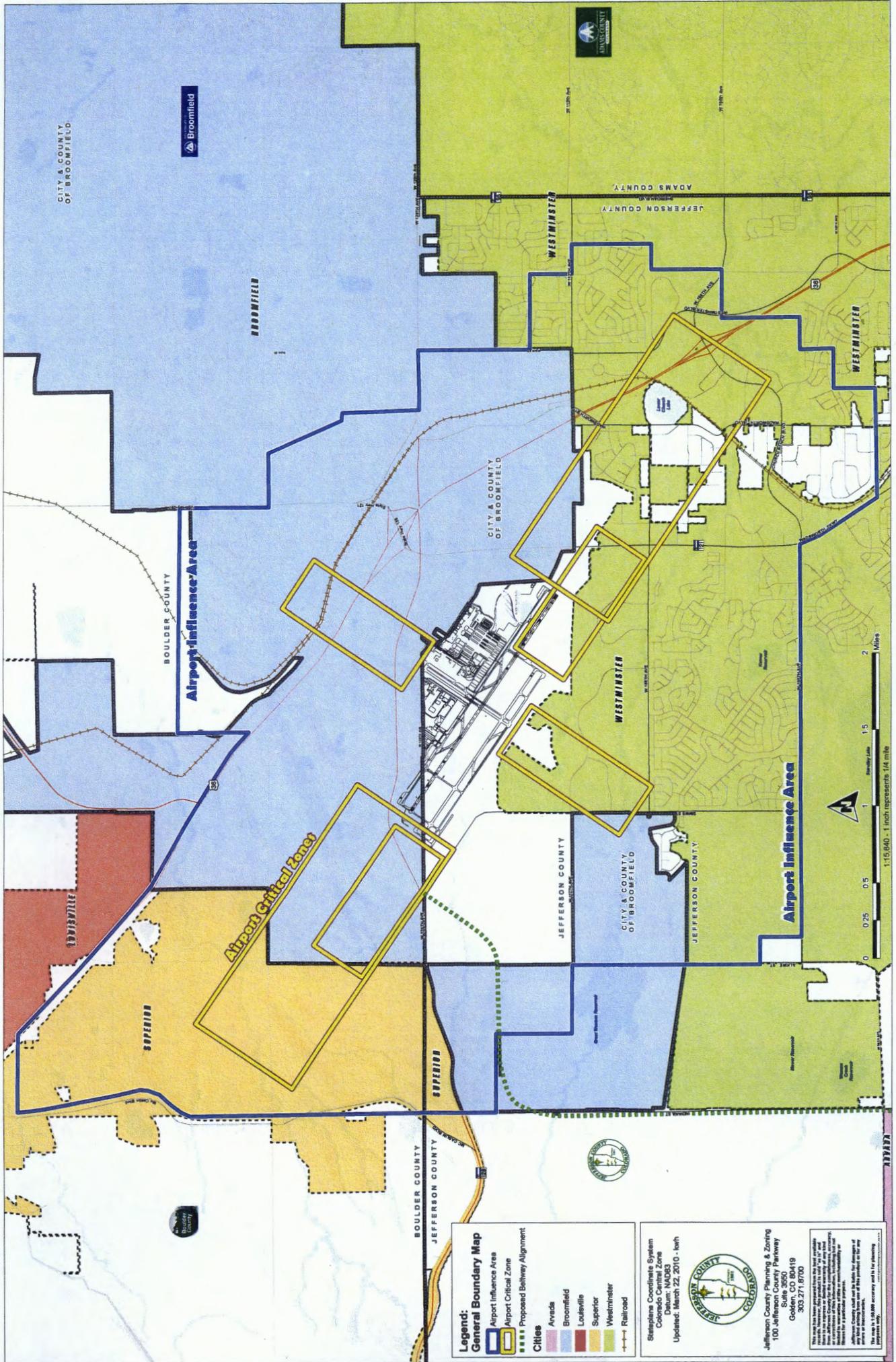
FISCAL IMPACT: None at this time – pending final Board decision.

RECOMMENDATIONS: Airport staff recommends

- Duties – as listed above
- Membership - Alternative 1 (airport tenant representation); may require non-County representation
- Terms - three-year; staggered
- Term Limit - two

ORIGINATOR: Bryan Johnson, Airport Director, ext. 4851

CONTACT FOR ADDITIONAL INFORMATION: Jeanie Rossillon, Director of Transportation & Development, ext. 8575



Legend:

General Boundary Map

- Airport Influence Area
- Airport Critical Zone
- Proposed Beltway Alignment

Cities

- Avradia
- Broomfield
- Louisville
- Superior
- Westminster
- Railroad

Stateplane Coordinate System
 Colorado Central Zone
 Datum: NAD83
 Updated: March 22, 2010 - lwh

Jefferson County Planning & Zoning
 100 Jefferson County Parkway
 Suite 200
 Golden, CO 80419
 303.271.8700

This map has been prepared from the best available information. It is not intended to be used as a legal document. The user assumes all responsibility for the use of this map. Jefferson County Planning & Zoning is not responsible for any errors or omissions. Jefferson County Planning & Zoning is not responsible for any errors or omissions.



1:15,840 - 1 inch represents 1/4 mile

Title: Administrative Policy Airport Advisory Board	Policy No. Part 2, Board Administration Chapter 2, Establishment of Appointed Boards Section 18
	Effective Date
Policy Custodian Board of County Commissioners	Adoption/Revision Date

Adopting Resolution(s): CC16-

References (Statutes /Resos/Policies):

Purpose: To establish the Airport Advisory Board, specify its membership and terms, and define its responsibilities.

Policy: Airport Advisory Board

A. Establishment

The purpose of the Airport Advisory Board (the Advisory Board) is to review and make recommendations regarding the establishment of Airport goals, community interests and updates that impact the Airport, development and adoption of Airport master plans and relevant planning documents, major airport capital projects schedules, Airport design guidelines and Airport ad hoc committee efforts.

B. Responsibilities

1. The AAB shall review and make recommendations regarding establishment of Airport goals, community interests and updates that impact the Airport, development and adoption of Airport master plans and relevant planning documents, major airport capital project schedules, Airport design guidelines and Airport ad hoc committee efforts.

2. Meetings

- a. The Advisory Committee shall meet on a regular basis with the Board of County Commissioners. Such meetings shall be scheduled at the discretion of the Board of County Commissioners.
- b. Regular meetings of the Commission shall be held a minimum of 6 times a year or more frequently as requested by a majority of the Advisory Board members or by the Chair.
- c. Special meetings may be called by the Chair.
- d. The meetings shall be open to the public and minutes of such meetings shall be kept. The Advisory Board shall make meeting notices, agendas, date, time and location of regular and special meetings available to the public. Meetings that require additional notice as prescribed by Federal or State law or regulation will be announced as required.
- e. Advisory board members shall receive written or electronic notices containing the date, time, location, and agenda at least five (5) days prior to the day of the meeting.

f. More than fifty percent (50%) of the members shall constitute a quorum.

3. Staff

The Airport staff will serve as staff to the Board. To accomplish the purposes of the Board, staff shall provide services, information, and other necessary professional assistance.

4. Remuneration

Members shall not be compensated.

C. Membership

1. Composition

a. The Commission shall be composed of seven (7) members to be appointed by the BCC. One member shall be an airport business owner, one member shall be a neighboring business owner, two members shall be aircraft owners, one member shall be a citizen at large, one member shall be a neighboring residential property owner, and one member shall be a resident or business owner from a neighboring jurisdiction. **Members shall be Jefferson County residents, unless otherwise approved by the BCC.**

b. Whenever a member's status changes and the member no longer represents the sector that he/she was appointed to represent, the member must tender their resignation or reapply for membership through the Board of County Commissioners. If reapplying, the member will have no voting rights until reappointment is either granted.

2. Terms

a. Each member shall be appointed for a three (3)-year term. Note: For the initial establishment of the Commission, three (3) members will have two-year terms, and four (4) members will have three-year terms in order to stagger the term end dates. No member shall serve more than two (2) consecutive terms, unless otherwise approved by the BCC.

b. Members shall be subject to reappointment by the BCC upon application for renewal.

c. Each member shall serve until his or her term expires; membership is terminated by written resignation, is terminated because of two (2) consecutive unexcused absences in twelve (12) consecutive months, or is revoked by the BCC.

d. Members may be removed by the BCC with or without cause prior to the expiration of their term.

3. Conflict of Interest

A member of the Board shall avoid conflicts of interest, actual or perceived, by not: 1) voting on matters under consideration by the Board a) regarding the provision of services by such member (or an entity that such members represents); or b) that would provide direct financial benefit to such member or the immediate family of such member; or 2) engaging in any other activity determined by the County Attorney to be a conflict of interest.

4. Vacancies

- a. Vacancies shall be filled by appointment by the BCC.
- b. The Commission may review the applications for appointment and make recommendations to the BCC for vacancies that occur.

5. Absences

- a. Members may be not select alternates to represent him/her at Advisory Board meetings.

DRAFT

Airport Advisory Board Bylaws

October __, 2016

Article I

Statement of Purpose

The purpose of the Airport Advisory Board (the "Board") shall be to review and make recommendations regarding the establishment of Airport goals, community interests and updates that impact the Airport, development and adoption of Airport master plans and relevant planning documents, major airport capital projects schedules, Airport design guidelines and Airport ad hoc committee efforts.

The purpose of these Bylaws shall be to establish the organizational rules of the Board.

Article II

Authority

The Board serves in an advisory capacity to the Board of County Commissioners. It was established by the Board of County Commissioners by Resolution No. __ dated __, 2016. The Airport Advisory Board Policy of the County Policy Manual provides guidance for the Board.

Article III

Membership

Section 1. Membership Requirements

Membership shall be in accordance with the Airport Advisory Board Policy (the "Policy"). Members may not select alternates to represent him/her at Board meetings.

Section 2. Appointments

Appointments shall be made in accordance with the Boards and Commissioners Appointments Policy. All nominations for Board membership must be reviewed by the Board with recommendations for appointment forwarded to the Board of County Commissioners. The Board of County Commissioners has full appointment and discharge authority.

Section 3 Vacancies

The Board will accept resignations which will be forwarded to the Board of County Commissioners. Vacancies will be filled in the same manner as provided for in the Policy and these Bylaws.

Section 4. Removal for Absenteeism/Misconduct

In order to be excused from a Board meeting, a member must notify either the Chair or Vice-Chair prior to the meeting. Any member may be recommended for removal at any time, for cause, including conduct injurious to the best interest of the Board, by the affirmative vote of two-thirds (2/3) of all the members, provided that the notice of the meeting where such action is taken specifies that one of the items on the agenda for said meeting shall be the proposed removal of such member.

Section 5. Resignation

Any member may resign at any time by delivering a written resignation to the Board Chair. Resignation will be effective upon receipt of the letter and forwarded to the Board of County Commissioners.

Section 6. Allowable Expenses

Board members may be reimbursed, with prior approval of the Board Chair and the Airport Director, for expenses incurred on behalf of the Board, provided expenses are appropriate and in accordance with the Board's operating budget.

Article IV

Officers and Staff

Section 1. Officers

The elected officers shall be a Chair and Vice Chair.

Section 2. Duties of Officers

1. Chair

The Chair shall preside over all the meetings of the Board and, with the approval of the Board, by a simple majority, shall appoint all standing and ad hoc committees.

2. Vice-Chair

The Vice-Chair shall assume the duties of the Chair in his/her absence.

Article V

Election of Officers

The Board shall elect, by simple majority, a Chair and Vice Chair once every two (2) years on odd years at the regular meeting prior to July 1. It is the Board's decision

whether to use a Nominating Committee or hold elections with nominees from the floor. If a Nominating Committee is used, they shall bring a slate of nominees to the meeting prior to the election meeting. Nominations may be made from the floor at the election meeting.

Article VI

Regular Meeting

Section 1. Regular Meetings

The Board shall meet at a mutually convenient location determined by the Board.

Section 2. Agenda

All proposed agenda items that require action shall be submitted to the Airport Director to be included on the agenda of any regularly scheduled meeting. Information, if any, on any item requiring action shall be prepared and communicated by mail, facsimile, or electronic mail, no later than seven (7) calendar days prior to the announced Board meeting.

Section 3. Special Meetings

Special meetings of the Board may be called by the Chair. Notice of meetings shall be made by mail, facsimile, or electronic mail to each member by staff. At any special meeting, no business other than that stated in the notice shall be transacted.

Section 4. Open Meetings

The Board shall ensure public access (including individuals with disabilities) to all open meetings. All meetings of the Board are open and will comply with the Colorado Open Meeting Law. Only members may vote on business items.

Section 5. Open Records

Minutes and records of the Board are subject to the Colorado Open Records Act. The Chair shall assure that the Airport Director is designated to maintain records.

Section 6. Quorum

The Chair will determine if a quorum is present at each meeting.

Section 7. Voting

All board members present shall vote verbally. Proxy voting is allowed so long as the Chair is notified one (1) day prior to the board meeting. Voting through electronic mail is allowed so long as the Chair is notified (1) day prior to the board meeting.

Article VII

Committees

Section 1. Appointment

The Board Chair shall establish committees as necessary to carry out the responsibilities of the Board.

Article VIII

Amendment of Bylaws

These Bylaws may be amended at any scheduled meeting of the Board by a simple majority vote of a quorum of Board members provided that the amendment is not in conflict with any applicable county, state and federal laws and regulations. The Board shall have adequate time (10 days prior) to review amendments before being asked to vote.

DRAFT

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**October 25, 2016****Intergovernmental Improvements Agreement - City and County of Denver**

- For Information For Decision For Discussion/Approval
Prior to Future Hearing For Action

ISSUE:

Should Jefferson County and the City and County of Denver ("Denver") enter into an Intergovernmental Improvements Agreement (IGA) in lieu of submitting a performance guarantee, which will permit Denver to complete phase 2 of a parking lot and access rehabilitation project for Red Rocks Park?

BACKGROUND:

Pursuant to Part 7, Chapter 4, Section 1.A.5. of the Jefferson County Policies and Procedures, a governmental entity, such as the City and County of Denver, may request an IGA rather than submitting a performance guarantee, typically a letter of credit or cash, to guarantee completion of improvements. The Board of County Commissioners may approve the IGA in its sole discretion. The proposed IGA is associated with a grading permit application.

DISCUSSION:

The site is located within Red Rocks Park west of West Alameda Parkway and County Highway 93. Planning and Zoning has approved the grading and erosion and sediment control plans (second phase) and improvements proposed by Denver. The scope includes paving an existing gravel parking lot, drainage improvements and internal access improvements. This is the final phase of the project. The IGA has been prepared by the County Attorney's Office. The project is scheduled for construction in December of 2016.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve the Intergovernmental Agreement with the City and County of Denver to complete the second phase of the parking lot and access rehabilitation project for Red Rocks Park at an upcoming hearing.

ORIGINATORS:

Jeanie Rossillon, Director of Development and Transportation x8575
John Wolforth, Director of Planning and Zoning x8713
Ross Klopf, Civil Planning Engineer x8733

**INTERGOVERNMENTAL
IMPROVEMENTS AGREEMENT**

THIS INTERGOVERNMENTAL IMPROVEMENTS AGREEMENT (this “Agreement”), is made and entered into this _____ day of _____, 2016, by and between THE CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado (“Denver”), and the COUNTY OF JEFFERSON, STATE OF COLORADO, a body politic and corporate (the “County”). Denver and the County shall be referred to herein, individually, as a “Party” and, collectively, as the “Parties.”

RECITALS

A. As a condition of issuance of a Grading Permit, Case No. 16-115397GP, for certain roadway and parking lot improvements within Red Rocks Park, Denver is obligated to provide security sufficient in the judgment of the County to make reasonable provision for completion of certain public improvements, grading and erosion control improvements and landscaping as set forth on Exhibit A (the “Improvements”).

B. Denver is willing to provide security in the form of this Agreement to guarantee completion of the Improvements.

C. Pursuant to Section 29-1-203, C.R.S., the Parties hereto have the authority to enter into intergovernmental agreements.

D. Denver has determined that it will undertake the construction and completion of the Improvements.

E. A contract has been awarded for construction and completion of said Improvements, construction is scheduled to begin on or about November 15, 2016.

AGREEMENT

For and in consideration of the covenants and conditions set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, Denver and the County agree as follows:

1. **CONSTRUCTION OF IMPROVEMENTS.** Denver shall construct and install or cause to be constructed and installed, through its contractor or otherwise, and at Denver’s, its contractor’s and/or the contractor’s surety’s sole expense, all of the Improvements set forth in Exhibit A attached hereto. Denver agrees that all of those certain Improvements to be completed shall be constructed in compliance with the following:

- A. All approved grading permit documents submitted for Case No. 16-115397GP.
- B. All applicable laws.

C. Such other designs, drawings, maps, specifications, sketches, and other matters submitted to and approved by any governmental entity with jurisdiction.

2. **FUNDING.** Denver certifies that funds have been allocated for the Improvements in Denver's 2015 and 2016 capital improvements budget and the following cash funds ("Funds") are available to complete Improvements: Denver contract number 201524962, in the amount of \$3,961,549.50 has been awarded by Denver to SEMA Construction, Inc. for construction and completion of the Improvements and \$3,961,549.50 has been appropriated for the contract.

A. Denver shall make available all of the Funds allotted to the project for the purpose of completing the above-referenced Improvements and hereby certifies to the Board of County Commissioners that the Funds available for the project will be first committed to the completion of the Improvements and no other.

B. If the Funds are not sufficient for construction and completion of the Improvements, Denver shall make reasonable efforts to make available any necessary additional funds to complete all of the Improvements.

C. Denver shall notify the County in writing if Denver becomes aware that the Funds will not be sufficient to complete the Improvements.

3. **NOTICE OF LITIGATION.** Denver shall provide the County with written notice of any threatened or pending litigation which may challenge the use of the Funds by Denver or any other circumstances wherein the Funds are or will be unavailable for completion of the subject Improvements. Such notice shall be given as soon as practicable after Denver learns of such litigation or other circumstances.

4. **ENFORCEMENT, GOVERNING LAW AND VENUE.** It is mutually agreed that the County shall have the authority to bring an action in any District court in Colorado to compel enforcement of this Agreement. This Agreement shall be governed by the laws of the State of Colorado.

5. **FILING WITH DIVISION OF LOCAL GOVERNMENT.** Each party hereto will meet its obligations as set forth in Section 29-1-205, C.R.S. (2013), to include information about this Agreement in a filing with the Division of Local Government; however, failure to do so shall in no way affect the validity of this Agreement nor the remedies available to the parties hereunder.

6. **HOLD HARMLESS.** Denver agrees that in the event that Denver or anyone on its behalf fails to perform under the terms of this Agreement, the County will be held harmless for any damages suffered as a result thereof; that the County shall have no obligation to undertake the completion of any Improvements which are the subject of this Agreement.

7. **NOTICE.**

(a) “Key Notices” under this Agreement are notices regarding any default, dispute, termination, or changes in the notice address. Key Notices shall be given in writing and shall be deemed received if given by: (i) confirmed electronic transmission (as defined in subsection (b) below) when transmitted, if transmitted on a business day and during normal business hours of the recipient, and otherwise on the next business day following transmission, (ii) certified mail, return receipt requested, postage prepaid, three (3) business days after being deposited in the United States mail, or (iii) overnight carrier service or personal delivery, when received. For Key Notices, the parties will follow up any electronic transmission with a hard copy of the communication by the means described in subsection a(ii) or a(iii) above. All other daily communications or notices between the parties that are not Key Notices may be done via electronic transmission. Notices shall be sent to the following address or email:

Notice to Denver shall be delivered or mailed to:

Jose Cornejo
Executive Manager of Public Works
201 W. Colfax Avenue, Suite 608
Denver, CO 80202
Email: _____

Ethan Frey
Cultural Bond Project Manager
Denver Arts and Venue
1345 Champa Street
Denver, CO 80204
Email: _____

with a copy to:

City Attorney
1437 Bannock Street, Room 353
Denver, Colorado 80202
Email: _____

Notice to the County shall be delivered or mailed to:

Jefferson County Planning and Zoning Division
100 Jefferson County Parkway Suite 3000
Golden, CO 80419
Attn: Director
Email: jwolfort@jeffco.us

with a copy to:

Jefferson County Attorney

100 Jefferson County Parkway Suite 5500
Golden, Colorado 80419
Email: CAOContracts@jeffco.us

(b) The parties agree that: (i) any notice or communication transmitted by electronic transmission, as defined below, shall be treated in all manner and respects as an original written document; (ii) any such notice or communication shall be considered to have the same binding and legal effect as an original document; and (iii) at the request of either party, any such notice or communication shall be re-delivered or re-executed, as appropriate, by the party in its original form. The parties further agree that they shall not raise the transmission of a notice or communication, except for Key Notices, by electronic transmission as a defense in any proceeding or action in which the validity of such notice or communication is at issue and hereby forever waive such defense. For purposes of this Agreement, the term “electronic transmission” means any form of communication not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process, but specifically excluding facsimile transmissions or texts.

8. **INTEGRATION AND AMENDMENT.** This Agreement is the complete integration of all understandings between the Parties. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent novation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in writing and signed by both Denver and the County.

9. **CONTINUED PERFORMANCE.** Notwithstanding anything herein to the contrary, the Parties understand and agree that all terms and conditions of this Agreement, and the exhibits and attachments hereto, which may require continued performance or compliance beyond the termination date of this Agreement shall survive such termination date and shall be enforceable as provided herein in the event of a failure by a party to perform or comply under this Agreement.

10. **NO THIRD PARTY BENEFICIARIES.** Denver and the County intend and agree that they are the sole parties to be benefited by this Agreement, and that no third parties are intended to be benefited hereby. Any benefit to any person or entity other than the Parties hereto is not contemplated, and shall be purely incidental.

11. **SEVERABILITY.** If any term, section, or other provision of this Agreement is held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such term, section, or other provision shall not affect any of the remaining provisions of this Agreement if the remaining provisions can be enforced to carry out the general intent of this Agreement.

12. **TERM AND EFFECTIVE DATE.** The term of this Agreement shall commence from the date the last party signs this Agreement and terminate upon final closure of Grading Permit No. 15-120131GP by the County.

13. **AUTHORIZATION.** The Parties hereby stipulate and represent that all procedures necessary to authorize the execution of this Agreement have been performed and that the persons signing for each of the Parties have been authorized to do so.

14. **EXECUTION BY COUNTERPARTS; ELECTRONIC SIGNATURES.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. The Parties approve the use of electronic signatures for execution of this Agreement. Only the following two forms of electronic signatures shall be permitted to bind the Parties to this Agreement: (1) Electronic or facsimile delivery of a fully executed copy of a signature page; (2) The image of the signature of an authorized signer inserted onto PDF format documents. All documents must be properly notarized, if applicable. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, CRS §§ 24 71.3 101 to -121.

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals the day and year first written above.

COUNTY OF JEFFERSON
STATE OF COLORADO

By: _____
_____, Chairman
Board of County Commissioners

STATE OF COLORADO
COUNTY OF JEFFERSON

The foregoing Intergovernmental Improvements Agreement was acknowledged before me this _____ day of _____, 2016, by _____, Chairman of the Board of County Commissioners of Jefferson County, Colorado.

WITNESS my hand and official seal.
My Commission expires: _____

Notary Public

APPROVED AS TO FORM:

Assistant County Attorney

**CITY AND COUNTY OF DENVER,
ACTING BY AND THROUGH DENVER
MOUNTAIN PARKS**

By: _____

REGISTERED AND COUNTERSIGNED:
Dennis Gallagher, Auditor
CITY AND COUNTY OF DENVER

By: _____

STATE OF COLORADO)
) ss:
COUNTY OF _____)

The foregoing Intergovernmental Improvements Agreement was acknowledged before me this _____ day of _____, 2015, by _____ as _____ of Denver Mountain Parks, acting for the City and County of Denver.

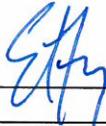
WITNESS my hand and official seal.
My Commission expires: _____

Notary Public

ACKNOWLEDGEMENT:

I am aware of Denver's obligation to install the Improvements in accord with the approved Grading Permit Plans. A copy of the approved Grading Permit Plans and associated Exhibits has been provided for my use. If any changes to the site improvements at the site are anticipated, I need the Jefferson County Planning and Zoning Department's approval before making changes to the approved Grading Permit Plans.

CITY AND COUNTY OF DENVER

By: 
Name: ETHAN FREY
Its: DENVER ARTS & VENUES, PROJECT MANAGER

Date: SEPTEMBER 13, 2016

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

**Finance and Information Technology Update
October 25, 2016**

For Information

For Discussion/Approval
Prior to Future Hearing

For Action

ISSUE: Update on the activities for Finance and Information Technology Department.

DISCUSSION:

This will be a presentation on the Mission, Vision, Values, Directions and working on cultural changes for the Finance and Information Technology Department.

FISCAL IMPACT:

N/A

RECOMMENDATIONS:

N/A

ORIGINATOR:

Holly Bjorklund Director, Finance and IT x8597

Finance & IT Services

Mission, Vision and Core Values



And Directions

1

© 1998 Randy Glasbergen.
www.glasbergen.com



"That's our new mission statement."

2



Vision

The future we want

We are recognized by our customers as providing

- exceptional financial and IT services*
- fast and efficient support*
- collaborative partnerships*
- distinguished management of county resources*



3



Mission

What we do

The Mission of the Jefferson County Finance and IT department is to serve our customers and create value by providing innovative solutions and ensuring stewardship of county resources



4



Values

What we stand for

- *Delivering relentless customer service*
- *Promoting continuous innovation*
- *Ensuring integrity and accountability*
- *Encouraging communication, collaboration and empowerment*

5

Strategic Directions



3 - 6 Areas of Focus



6

Innovation

Proactive innovative employees

There is no longer a box

Encourage Innovation in other organizations

Push boundaries



7

Staff Development & Investment (Hiring, training, appreciation, engagement)

Happy employees

Empower employees

Cross training of every position

Employee involvement and participation

Employee engagement

Increased staff buy in

Staff involvement

Team building activities

Staff development

Change management training for staff Support existing staff

Keep learning Well trained staff Training for new county employees

Continuing education/training

Fully staffed

Succession planning

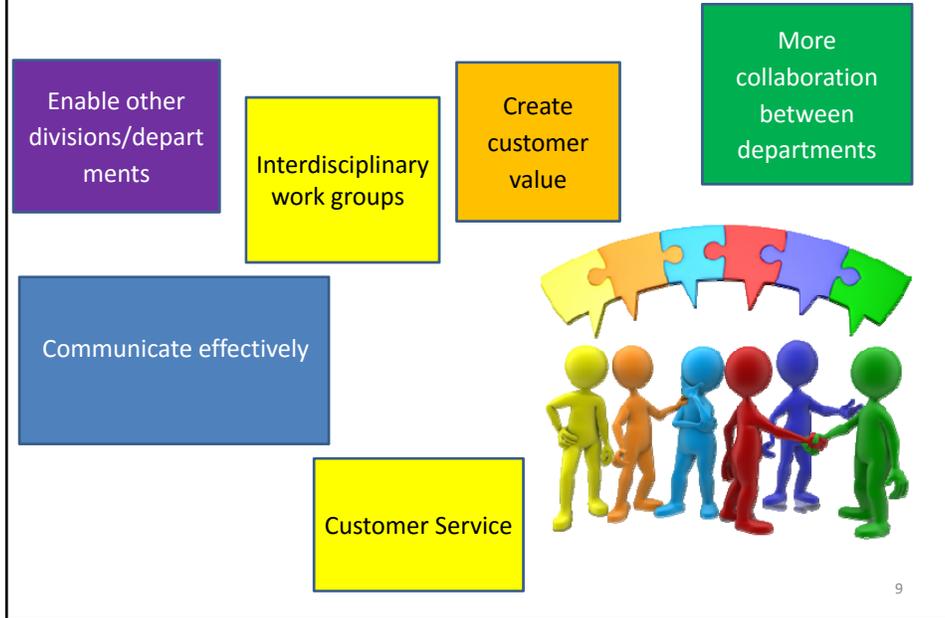
Show staff appreciation



Staff Development



Collaboration/Communication



Process Documentation and Improvement

Paperless system Have documented processes Clarity of processes
 Continuous improvement Automate manual process Transparent

Consistency Document process Cross organization standardization
 Not wasting time and resources Processes are simple and documented
 Streamlined documentation for staff customers
 Formal review of written procedures – better way?



10

4 Strategic Directions:

1. Innovation

2. Staff Development & Investment

3. Collaboration & Communication

4. Process Documentation & Improvement



11

Innovation:

- *Customer Impacting*
- *Internal Efficiencies*
- **Engage staff's creative thinking (resources = employees and budget)**



12



Staff Development and Investment:

- Goal intended to engage employee in driving their development
- Educate employees to embrace and manage change, think creatively and take initiative
- Employee appreciation program to help all staff feel valued and celebrated



13



Collaboration/Communication:

- Strengthen collaboration, involve customers
- Be proactive on clear processes with our partners especially with:
 - a. Emergencies
 - b. Major decisions
 - c. Change management efforts



14

Process Documentation and Improvement:

Subject Matter Expert (SME) in process management and improvement – document repeatable processes

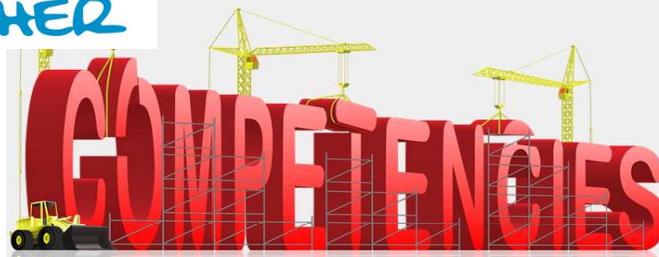
Time and meeting management training



15


MAKING A
DIFFERENCE
TOGETHER

underlying



These competencies are valuable and will show up in other areas of our work.

16

Empower Enhance
EMPLOYEE EMPOWERMENT
Enable Engage

VALUE ADDED

who me?

"The meaning of life is to find your gift. The purpose of life is to give it away."
- Pablo Picasso

CONTRIBUTE

17

Thinking cap!

What are you passionate about?

18

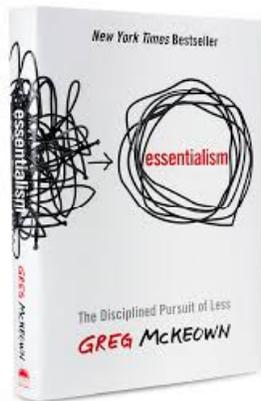
What About Our Regular Job?



Maintaining Balance

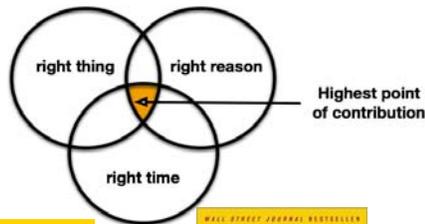


19

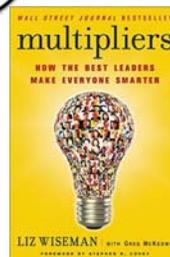


Less but Better

If you don't prioritize your life, someone else will.



multipliers
HOW THE BEST LEADERS
MAKE EVERYONE SMARTER



20



21

If it doesn't
CHALLENGE YOU
it doesn't change you.



*Culture is the way
you think, act, and
interact.*

22



istebly_Beag - istockphoto.com/443240



**CHANGE IS
HARD AT FIRST,
MESSY IN THE
MIDDLE AND
GORGEOUS AT
THE END**

ROBIN SHARMA

How's It Going?





Questions?



BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

**Source Office Products Contract Renewal
October 25**

For Information For Discussion/Approval
Prior to Future Hearing For Action

ISSUE: Approval of contract amendment for Canon copier leases and service of Jefferson County's fleet of printers.

BACKGROUND: Jefferson County issued an RFP in 2011 for the purpose of hiring a vendor to manage copier leasing and support and service of Jefferson County printers. Source Office Products won the bid and contract was written for 1 year with the option to extend on a yearly basis for three more years. The County remains pleased with the support, service, and cost of the services provided by Source Office Products and has negotiated a new contract amendment with the same rental and service rates. The amended contract term would cover one year from the expiration of the prior contract with County options to extend three additional years in 1 year increments.

DISCUSSION: A brief overview of the services provided by Source will be provided.

FISCAL IMPACT: Renewal of the contract ensures that the negotiated fixed pricing agreements remain in place for copier leasing and support and services of printers. The costs are spread across county organizations and estimated at \$142,000 per year.

RECOMMENDATIONS: Staff recommends that the Board of County Commissioners approve the amendment to the original contract with Source Office Products to extend the contract through 2016 with three options to extend for an additional year.

ORIGINATOR: Jim Smith, CIO & Director of IT Services Division

CONTACTS FOR ADDITIONAL INFORMATION:

Holly Bjorklund, hbjorklu@jeffco.us; 303-271-8597
Jim Smith, jfsmith@jeffco.us; 303-271-8042

AMENDMENT TO SERVICE CONTRACT FOR COPIERS AND PRINTERS

This Amendment to Service Contract for Copiers and Printers dated for reference purposes only this 1st day of July, 2016, is made and entered into by and between the COUNTY OF JEFFERSON, STATE OF COLORADO, a body politic and corporate (the "County") and SOURCE MANAGEMENT, INC. a Colorado corporation (the "Contractor").

RECITALS

A. The County pays for certain Canon Equipment, Accessories, Software and Software support (the "Equipment") pursuant to an operating lease with Canon Financial Services executed on December 20, 2011 (the "Lease").

B. The County and the Contractor entered into a Service Contract for Copiers and Printers dated August 17, 2011, for the service of the Equipment (the "Contract").

C. The Parties desire to amend the Contract as set forth herein.

AGREEMENT

NOW, THEREFORE, for and in consideration of the covenants and conditions set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the County and the Contractor agree as follows.

1. The term of the Contract is extended commencing on December 21, 2015, through and including December 20, 2016 (the "Additional Term"). By execution hereof the parties acknowledge that they have continued to operate under the Contract since its expiration date and that the Contract terms applied to all Services performed since the expiration date of the Contract.

2. The parties agree that the Contract shall automatically renew for three (3) additional one year periods after the expiration of the Additional Term unless the County provides written notice of nonrenewal to the Contractor at least thirty (30) Calendar days prior to the end of the then-current term.

3. The rates set forth in the Updated Proposal and the Equipment List / Fee Schedule shall remain unchanged for the Additional Term and any renewal term.

4. The Contractor guarantees the prices set forth in the Baseline Price Schedule for the terms of the schedules issued pursuant to the Lease during the Additional Term and any renewal term.

5. Capitalized terms not otherwise defined herein shall have the meaning set forth in the Contract.

6. Except as amended herein, the terms and conditions of the Contract shall remain in full force and effect and are incorporated herein by this reference.

[Signatures on the following page.]

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed.

COUNTY OF JEFFERSON
STATE OF COLORADO

By: _____
Libby Szabo, Chairman
Board of County Commissioners
Date: _____

APPROVED AS TO FORM

By: _____
Joanne Kortendick
Deputy County Attorney

SOURCE MANAGEMENT, INC.

By: _____
Sam Winfrey
Executive Vice President
Date: _____

Source Contract Amendment

Summary of Services Provided

October 18, 2016

Background

- RFP Issued by the County in 2010 for Managed Print Services
- Contract was signed with Source Office Products in 2011
- With high satisfaction from County users, IT Services would like to amend the contract to include 2016 with options for 3 additional years.

Services Provided

Printer Fleet Management

- Preventative Maintenance
- Repair/Replacement
- Pool of loaner printers
- “Right-size” printer fleet optimization

Copier Leases

- Standard Pricing/Terms for County Organizations
- Service & Repair
 - 4 hour response
 - Includes all parts/labor
- Device “right-size” cost optimization

CCI LEGISLATIVE ISSUE FORM

for 2017 Legislative session

CCI is soliciting potential legislative issues for the 2017 legislative session. Please answer each of the questions below for each of your county's legislative issues. If your county submits multiple issue forms, please prioritize your issues. Submitted issues are discussed during the summer steering committees and district meetings. We encourage you to confer with your county managers or administrators and department heads, as well as other elected officials, to determine what issues are the most pressing in your county and have implications for other counties. All submitted issues forms must have the support of the Board of County Commissioners or the Mayor/City and County Council.

In accordance with the 2016 CCI Policy Statement, "...initiated legislation should be realistic and closely related to the conduct of our members' responsibilities if we are to retain a high level of credibility. Local elected officials groups, county and otherwise, as well as other interest groups, should be encouraged to find sponsors for and initiate their own proposals, allowing our members and CCI to take a supportive role when the bill is introduced." (page 3).

Please fax or email your issue forms to Jeanne DeHaven at 303.861.2818 or jdehaven@ccionline.org. **Legislative Issue Forms should be returned by Friday, July 1, 2016 in order to be discussed during the summer legislative review and steering committee meetings.**

Name: Michelle Bird

Title: Legislative and Communications Coordinator

County: Larimer

Phone: 970-498-7015

E-mail: mbird@larimer.org

Who from your county would be available to testify: Commissioner Lew Gaiter III

Issue: Repeal SB 152

Background: Many local governments have passed policy (via ballot initiative) that would allow the local entity to opt out of SB152 and provide broadband services. However, there are many smaller communities and governmental entities (such as libraries and school districts) that do not have the capacity to orchestrate a local ballot initiative.

Currently, any local government that has not passed an local allowances initiative, but that is providing free Wi-Fi at their facility in excess of 256k speed, is in violation of SB152 (libraries, schools, fire districts, cities/towns, counties).

Additionally, the access to rural broadband is particularly changing in rural areas where traditional big telecom investment formulas (distance and population) fail to allow for providing abundant, and affordable broadband infrastructure because of SB152. In these locations there is a need for public-private partnerships to overcome numerous barrier and spur investment and services.

Finally, the local policy that is being passed is not the equivalent of a state-wide repeal of SB 152. A state-wide repeal of SB152 would allow for DOLA to more widely contribute funds towards broadband.

Proposed Solution/Legislative Remedy: Repeal SB152 and all its provisions/requirements/limitations

County Commissioner role in this issue?

Supporters/Opponents:

Supporters: All local governmental entites (including special districts, such as: fire districts, library districts, etc), business, students/educational institutions.

Opponents: Commercial Internet Providers

Proponents acting independently of CCI on this issue:

Anticipated Fiscal Impact: There would be a positive fiscal impact for local governments and for diversifying local economies, especially in rural areas where traditional big telecom investment formulas fail for providing abundant, and affordable broadband.

Priority Ranking (If multiple issues submitted):

** CCI USE ONLY **		
Date Received: _____	Staff Assignment: _____	Steering Committee Assignment: _____



To: County Commissioners, Municipal Elected Officials, and Staff

From: Geoff Wilson, General Counsel, CML
Eric Bergman, Policy Director, CCI

Date: July 31, 2015

Re: Materials on SB 152 elections

Introduction

In order to compete in today's economy, communities across the state have become increasingly dependent on broad bandwidth Internet access ("broadband") for business development and operations. The availability of broadband also enhances the quality of life and desirability of a community by providing residents access to things like online education and distance learning opportunities, telemedicine and entertainment content (movies, music, etc.). Broadband has become so critical, in fact, that many now regard it as a basic infrastructure need - on par with roads, water systems and energy grids.

Unfortunately, numerous communities across Colorado still lack adequate broadband service. The reasons vary, but more often than not these areas are too sparsely populated, too remote or in regions where the topography (mountainous terrain, etc.) makes expanding service difficult and expensive for telecommunication providers. These communities are "upside down" from a business model standpoint, and providers are unable or unwilling to connect these areas, leaving them at an economic disadvantage from their more urbanized neighbors.

While local governments often play a direct role in economic development efforts, cities and counties historically have not been directly involved in the delivery of retail telecommunication services. However, the increasing demand for broadband service - often driven by economic development concerns - has forced many local government officials to reexamine their role in the provision of broadband services.

In the last few years, a growing number of local governments have started looking at investing public dollars in broadband infrastructure improvements (usually fiber optic cable lines or cell towers) in order to attract Internet providers and enhance economic development efforts in their region. The Department of Local Affairs has also heard these community concerns, and this year expanded its existing broadband planning grant program to include funds for local government investments in "middle mile" broadband infrastructure.

SB 152 and Statutory Prohibitions on Local Government Broadband Infrastructure

One of the biggest impediments to local governments enhancing broadband infrastructure is a law passed in 2005, which has since been commonly referred to as "Senate Bill (SB) 152" (SB05-152, attached to this memorandum and codified at sections 29-27-101-304, C.R.S.). SB 152 prohibits most uses of municipal or county money for infrastructure to improve local broadband service, without first going to a vote of the people. The hurdles put in place by this statute are not insurmountable; indeed, in the past few years ten municipalities and three counties have placed measures on the ballot to override the prohibitions in SB 152. These measures have passed handily in virtually every jurisdiction - with the support of citizens who are frustrated and want timely action on broadband service in their communities.

Continued dissatisfaction over a lack of adequate broadband is resulting in more and more jurisdictions considering going to the ballot with SB 152 questions. Late in 2014, CML and CCI began meeting with local government officials, economic development professionals and telecommunication experts from jurisdictions whose voters had approved SB 152 questions at the ballot. One outcome of these conversations is the development of this memorandum and materials designed to help interested local government officials and staff to frame the issue and consider the impacts of preparing their own ballot questions.

SB 152 Frequently Asked Questions (FAQ's)

What does a SB 152 election accomplish?

SB 152 requires that an election be held before a local government may "engage or offer to engage in providing" various telecommunication services. The term "providing" is given an expansive definition in the statute, which restricts both the direct and "indirect" provision of service ("indirect", in turn, is given its own, broadly restrictive definition). Fortunately, through a successful SB 152 election, a local community can clear away this legal impediment to a wide variety of local broadband initiatives.

It is important to point out that the vast majority of local governments who have passed SB 152 questions (or are considering going to the ballot in the near future) are **not** interested in hooking up homes and businesses and providing actual broadband services themselves. By and large, these jurisdictions are working to enhance local broadband infrastructure in order to *attract* service providers who would otherwise be unwilling or unable to serve their communities. The local broadband initiatives in the jurisdictions passing SB 152 questions to date usually involve some form of public-private partnerships between local governments, economic development agencies and the industry.

Is referring a SB 152 question to the ballot expensive?

No more so than any other referred measure. Most jurisdictions have referred their questions when the municipality or county was *already* having an election. Accordingly, the addition of the SB 152 issue did not significantly increase costs. In a coordinated election, a particular jurisdiction's costs would be affected by the terms of the IGA regarding election cost allocation between the county and participating local governments.

Are there any restrictions on referring SB-152 ballot measures in odd-numbered year coordinated elections?

Apparently not. A wide number of locally-referred questions have been submitted to voters in coordinated elections conducted in odd-numbered years in Colorado. Local governments have regularly referred TABOR questions and home rule charter amendment ballot questions to the voters in odd-numbered years, and this practice is explicitly authorized in C.R.S. § 1-41-103. Additionally, the Attorney General issued an opinion in 1999 (No. 99-8 AG Alpha No. HE CS AGAWD) which concluded that local governments may refer ballot questions on term limits in odd-numbered years as well. Odd-year ballot questions dealing with issues outside of TABOR, charter amendments and term limits are less common, but have been referred fairly regularly by local elected officials over the years without challenge. The language in SB 152 (specifically C.R.S. § 29-27-201(1)) requires that "Before a local government may engage in providing...telecommunications service, or advanced service, an election shall be called on whether or not the local government shall provide the proposed...service." This authorizing language is broad in nature, and does not appear to limit the ballot question to the general election ballot. Again, local government officials are advised to consult with legal counsel in the development of these ballot questions.

What sort of election specifics does SB 152 require?

Not many. SB 152 specifies four requirements for ballot questions in a SB 152 election. (See: C.R.S. § 29-27-201(2))

The ballot:

- (1) Shall pose the question as a "single subject",
- (2) Shall include a description of the "nature of the proposed service,"
- (3) Shall include a description of "the role that the local government will have in the provision of the service," and
- (4) Shall include a description of the "intended subscribers of such service."

How have other jurisdictions addressed these requirements?

A review of the ballot questions put forth by local governments so far (included below) shows a clear preference for broad "anything and everything" type authority. Industry representatives have complained from time to time that such local ballot language has lacked the specificity required by the statute. This notion has never been tested in court. One might also argue that a "broad authority" question that describes the nature of the service proposed, along with potential future build-outs or applications, is not fatally flawed by its inclusion of the latter. Furthermore, courts have been traditionally hesitant to reverse the will of the voters, if evident. Obviously, the development of local SB 152 ballot language should be done in close consultation with legal counsel.

What about the "single subject" requirement?

The term "single subject" is not defined in SB 152. Nonetheless, the ballot questions submitted by local governments thus far seem comfortably within the single subject standard applied to statewide *ballot initiatives*, in cases such as In the Matter Of The Ballot Title and Submission Clause for 2013-2014 #129, 333 P.3d 101 (Colo. 2014). Local government officials are urged to consult with legal counsel.

Are there any additional election requirements that distinguish a SB 152 question from other matters routinely referred to the ballot by a county or municipality?

No (but again, please confer with your legal counsel). As always, attention should be paid to the requirements of the Fair Campaign Practices Act (Section 1-45-117, C.R.S.), which forbids use of public funds for advocacy in elections. This restriction is a prudent consideration in planning any campaign for a successful SB 152 election.

Does voter approval of a county SB 152 ballot question have the effect of authorizing the provision of such services by municipalities within that county?

No. SB 152 requires voter approval by each jurisdiction participating in the provision of covered services.

Does a jurisdiction need to approve a SB 152 ballot question in order to qualify for broadband infrastructure grant funds from the Department of Local Affairs (DOLA)?

It depends. DOLA's broadband grant program provides funding for regional planning and "middle mile" infrastructure projects (i.e., projects that do not provide "last mile" connections to customers). The guidance in DOLA's broadband grant policies suggests that each jurisdiction must determine whether it is in compliance with the statutory restrictions set forth in SB 152. DOLA requires any grantee to be in compliance with any applicable laws and regulations. DOLA itself will not make that determination, nor does the awarding of a grant confer any certainty or acknowledgment of compliance on DOLA's part to the grantee. DOLA's broadband grant policy guidelines can be found at: <http://dola.colorado.gov/demog-cms/content/dola-broadband-program>.

The broadband landscape in Colorado is changing rapidly, and local government policies regarding broadband and economic development will need to evolve to keep pace with this change. CCI and CML will be providing additional research and guidance over the course of the year on this important policy issue. If your jurisdiction is moving forward on a SB 152 ballot question, please notify either CCI or CML. If you have additional questions or comments, please contact Geoff Wilson at CML at 303.831.6411 (e-mail: gwilson@cml.org) or Eric Bergman at CCI at 303.861.4076 (e-mail: ebergman@ccionline.org).

Sample Local Government Ballot Language for SB 152 Elections

County Questions

Rio Blanco County (Passed Fall 2014)

"Without increasing taxes, shall the citizens of Rio Blanco County, Colorado, authorize the Board of County Commissioners of Rio Blanco County, Colorado, to provide to potential subscribers including telecommunications service providers, residential and commercial users within Rio Blanco County, all services restricted since 2005 by Title 29, article 27 of the Colorado Revised Statutes, including "telecommunication services," "cable television services," and "advanced services" which is defined as high speed internet access capability in excess of two hundred fifty six kilobits per second both upstream and downstream (known as "broadband") including any new and improved bandwidth services based on future technologies, utilizing the existing community owned fiber optic network and/or developing additional infrastructure, either directly or indirectly with public or private sector partners?"

San Miguel County (Passed Fall 2014)

"Without increasing taxes, shall San Miguel County, Colorado, have the legal ability to provide any or all services currently restricted by Title 29, article 27, Part 1, of the Colorado Revised Statutes, specifically described as "advanced services," "telecommunication services," and "cable television services," as defined by the statute, including, but not limited to, any new and improved high bandwidth services based on future technologies, utilizing community owned infrastructure including but not limited to any existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within San Miguel County?"

Yuma County (Passed Fall 2014)

"Without increasing taxes, shall the citizens of Yuma County Colorado re-establish their counties' right to provide all services and facilities restricted since 2005 by Title 29, Article 27 of the Colorado Revised Statutes, described as "Advanced Services," "Telecommunication Services," and "Cable Television Services," including providing any new and improved broadband services and facilities based on future technologies, utilizing existing or new community owned infrastructure including but not limited to the existing fiber optic network, either directly or indirectly with public or private sector partners, to potential subscribers that may include telecommunications service providers, residential or commercial users within the boundaries of Yuma County?"

Municipal Questions

SPRING 2015		
GRAND JUNCTION	CITY OF GRAND JUNCTION REFERRED MEASURE 2A SHALL THE CITY OF GRAND JUNCTION, WITHOUT INCREASING TAXES BY THIS MEASURE, BE AUTHORIZED TO PROVIDE, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNER(S), HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICE), TELECOMMUNICATIONS SERVICES AND/OR CABLE TELEVISION SERVICES AS DEFINED BY § 29-27-101 TO 304 OF THE COLORADO REVISED STATUTES, INCLUDING BUT NOT LIMITED TO ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICE(S) BASED ON FUTURE TECHNOLOGIES, TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, WITHOUT LIMITING ITS HOME RULE AUTHORITY?	PASS, 75%- 22%
ESTES PARK	WITHOUT INCREASING TAXES, SHALL THE TOWN OF ESTES PARK REESTABLISH THE TOWN'S RIGHT TO PROVIDE ALL SERVICES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, DESCRIBED AS "ADVANCED SERVICES," "TELECOMMUNICATIONS SERVICES" AND "CABLE TELEVISION SERVICES," INCLUDING ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON FUTURE TECHNOLOGIES, UTILIZING COMMUNITY OWNED INFRASTRUCTURE INCLUDING, BUT NOT LIMITED TO THE EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, RESIDENTIAL OR COMMERCIAL USERS WITHIN THE TOWN AND THE SERVICE AREA OF THE TOWN'S LIGHT AND POWER ENTERPRISE?	PASS, YES: 1652 NO: 136
FALL 2014		
BOULDER	SHALL THE CITY OF BOULDER BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, AS EXPRESSLY PERMITTED BY §§ 29-27-101 TO 304, "COMPETITION IN UTILITY AND ENTERTAINMENT SERVICES," OF THE COLORADO REVISED STATUTES, WITHOUT LIMITING ITS HOME RULE AUTHORITY?	PASS, 17512- 3551
CHERRY HILLS VILLAGE	SHALL THE CITY OF CHERRY HILLS VILLAGE, WITHOUT INCREASING TAXES BY THIS MEASURE, AND TO RESTORE LOCAL AUTHORITY THAT WAS DENIED TO LOCAL GOVERNMENTS BY THE COLORADO GENERAL ASSEMBLY AND FOSTER A MORE COMPETITIVE MARKETPLACE, BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET, INCLUDING IMPROVED HIGH BANDWIDTH SERVICES BASED ON NEW TECHNOLOGIES, TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NON-PROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29 OF THE COLORADO REVISED STATUTES?	PASS, 2362- 613
RED CLIFF	SHALL THE TOWN OF RED CLIFF BE AUTHORIZED TO PROVIDE CABLE TELEVISION, TELECOMMUNICATIONS AND/OR HI-SPEED INTERNET SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, EITHER DIRECTLY OR INDIRECTLY THROUGH PUBLIC OR PRIVATE SECTOR PARTNERS?	PASS, 56-24

WRAY	<p>WITHOUT INCREASING TAXES, SHALL TH CITIZENS OF WRAY, COLORADO RE-ESTABLISH THEIR CITY'S RIGHTS TO PROVIDE ALL SERVICES AND FACILITIES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, DESCRIBED AS 'ADVANCED SERVICES,' TELECOMMUNICATIONS SERVICES' AND 'CABLE TELEVISION SERVICES,' INCLUDING PROVIDING ANY NEW AND IMPROVED BROADBAND SERVICES AND FACILITIES BASED ON FUTURE TECHONOLOGIES, UTILIZING EXISTING OR NEW COMMUNITY OWNED INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO THE EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, RESIDENTIAL OR COMMERICAL USERS WITHIN THE CITY?</p>	<p>PASS 3167- 2461</p>
YUMA	<p>WITHOUT INCREASING TAXES, SHALL TH CITIZENS OF YUMA, COLORADO RE-ESTABLISH THEIR CITY'S RIGHTS TO PROVIDE ALL SERVICES AND FACILITIES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, DESCRIBED AS 'ADVANCED SERVICES,' TELECOMMUNICATIONS SERVICES' AND 'CABLE TELEVISION SERVICES,' INCLUDING PROVIDING ANY NEW AND IMPROVED BROADBAND SERVICES AND FACILITIES BASED ON FUTURE TECHONOLOGIES, UTILIZING EXISTING OR NEW COMMUNITY OWNED INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO THE EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, RESIDENTIAL OR COMMERICAL USERS WITHIN THE CITY'S UTILITY SERVICE AREA?</p>	<p>PASS, 71%- 29%</p>
SPRING 2014		
MONTROSE	<p>REFERRED MEASURE "A" WITHOUT INCREASING TAXES, SHALL THE CITIZENS OFTHE CITY OF MONTROSE, COLORADO, RE-ESTABLISH THEIR CITY'S RIGHT TO PROVIDE ALL SERVICES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OFTHE COLORADO REVISED STATUTES, DESCRIBED AS "ADVANCED SERVICES," "TELECOMMUNICATIONS SERVICES" AND "CABLE TELEVISION SERVICES," INCLUDING ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON FUTURE TECHNOLOGIES, UTILIZING COMMUNITY OWNED INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO THE EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, RESIDENTIAL OR COMMERCIAL USERS WITHIN THE CITY?</p>	<p>PASS 3969- 1396</p>
FALL 2013		
CENTENNIAL	<p>BALLOT QUESTION 2G SHALL THE CITY OF CENTENNIAL, WITHOUT INCREASING TAXES, AND TO RESTORE LOCAL AUTHORITY THAT WAS DENIED TO ALL LOCAL GOVERNMENTS BY THE STATE LEGISLATURE, AND TO FOSTER A MORE COMPETITIVE MARKETPLACE, BE AUTHORIZED TO INDIRECTLY PROVIDE HIGHSPEED INTERNET (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, THROUGH COMPETITIVE AND NON-EXCLUSIVE PARTNERSHIPS WITH PRIVATE BUSINESSES, AS EXPRESSLY PERMITTED BY ARTICLE 29, TITLE 27 OF THE COLORADO REVISED STATUTES?</p>	<p>PASS 76%- 24%</p>

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 05-152

BY SENATOR(S) Veiga, and Mitchell;
also REPRESENTATIVE(S) Jahn, Crane, Harvey, Kerr, and Sullivan.

CONCERNING LOCAL GOVERNMENT COMPETITION IN THE PROVISION OF
SPECIFIED COMMUNICATIONS SERVICES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Title 29, Colorado Revised Statutes, is amended BY
THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 27

Competition in Utility and Entertainment Services

PART 1

COMPETITION IN UTILITY AND ENTERTAINMENT SERVICES

29-27-101. Legislative declaration. (1) THE GENERAL ASSEMBLY
HEREBY FINDS AND DECLARES THAT IT IS THE POLICY OF THIS STATE TO
ENSURE THAT CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE,
AND HIGH SPEED INTERNET ACCESS, OTHERWISE KNOWN AS ADVANCED
SERVICE, ARE EACH PROVIDED WITHIN A CONSISTENT, COMPREHENSIVE, AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

NONDISCRIMINATORY FEDERAL, STATE, AND LOCAL GOVERNMENT FRAMEWORK.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

(a) THERE IS A NEED FOR STATEWIDE UNIFORMITY IN THE REGULATION OF ALL PUBLIC AND PRIVATE ENTITIES THAT PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE.

(b) MUNICIPAL ORDINANCES, RULES, AND OTHER REGULATIONS GOVERNING THE PROVISION OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE BY A LOCAL GOVERNMENT IMPACT PERSONS LIVING OUTSIDE THE MUNICIPALITY.

(c) REGULATING THE PROVISION OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE BY A LOCAL GOVERNMENT IS A MATTER OF STATEWIDE CONCERN.

29-27-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADVANCED SERVICE" MEANS HIGH-SPEED INTERNET ACCESS CAPABILITY IN EXCESS OF TWO HUNDRED FIFTY-SIX KILOBITS PER SECOND BOTH UPSTREAM AND DOWNSTREAM.

(2) "CABLE TELEVISION SERVICE" MEANS THE ONE-WAY TRANSMISSION TO SUBSCRIBERS OF VIDEO PROGRAMMING OR OTHER PROGRAMMING SERVICE, AS WELL AS SUBSCRIBER INTERACTION, IF ANY, THAT IS REQUIRED FOR THE SELECTION OR USE OF THE VIDEO PROGRAMMING OR OTHER PROGRAMMING SERVICE.

(3) "LOCAL GOVERNMENT" MEANS ANY CITY, COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THIS STATE.

(4) "PRIVATE PROVIDER" MEANS A PRIVATE ENTITY THAT PROVIDES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE.

(5) "SUBSCRIBER" MEANS A PERSON THAT LAWFULLY RECEIVES

CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE. A PERSON THAT UTILIZES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE PROVIDED BY A LOCAL GOVERNMENT FOR LOCAL GOVERNMENTAL OR INTERGOVERNMENTAL PURPOSES AND IS USED BY PERSONS ACCESSING GOVERNMENT SERVICES IS NOT A SUBSCRIBER FOR PURPOSES OF THIS ARTICLE.

(6) "TELECOMMUNICATIONS SERVICE" HAS THE SAME MEANING AS SET FORTH IN SECTION 40-15-102 (29), C.R.S.

29-27-103. Limitations on providing cable television, telecommunications, and advanced services. (1) EXCEPT AS PROVIDED IN THIS ARTICLE, A LOCAL GOVERNMENT SHALL NOT:

(a) PROVIDE TO ONE OR MORE SUBSCRIBERS CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE; OR

(b) PURCHASE, LEASE, CONSTRUCT, MAINTAIN, OR OPERATE ANY FACILITY FOR THE PURPOSE OF PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE TO ONE OR MORE SUBSCRIBERS.

(2) FOR PURPOSES OF THIS ARTICLE, A LOCAL GOVERNMENT PROVIDES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE IF THE LOCAL GOVERNMENT PROVIDES THE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE TO ONE OR MORE SUBSCRIBERS:

(a) DIRECTLY;

(b) INDIRECTLY BY MEANS THAT INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

(I) THROUGH AN AUTHORITY OR INSTRUMENTALITY ACTING ON BEHALF OF THE LOCAL GOVERNMENT OR FOR THE BENEFIT OF THE LOCAL GOVERNMENT BY ITSELF;

(II) THROUGH A PARTNERSHIP OR JOINT VENTURE;

(III) THROUGH A SALE AND LEASEBACK ARRANGEMENT;

(c) BY CONTRACT, INCLUDING A CONTRACT WHEREBY THE LOCAL GOVERNMENT LEASES, SELLS CAPACITY IN, OR GRANTS OTHER SIMILAR RIGHTS TO A PRIVATE PROVIDER TO USE LOCAL GOVERNMENTAL FACILITIES DESIGNED OR CONSTRUCTED TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE FOR INTERNAL LOCAL GOVERNMENT PURPOSES IN CONNECTION WITH A PRIVATE PROVIDER'S OFFERING OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE; OR

(d) THROUGH SALE OR PURCHASE OF RESALE OR WHOLESALE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE FOR THE PURPOSE OF PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE TO ONE OR MORE SUBSCRIBERS.

(3) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF A LOCAL GOVERNMENT TO LEASE TO A PRIVATE PROVIDER PHYSICAL SPACE IN OR ON ITS PROPERTY FOR THE PLACEMENT OF EQUIPMENT OR FACILITIES THE PRIVATE PROVIDER USES TO PROVIDE CABLE TELEVISION, TELECOMMUNICATIONS, OR ADVANCED SERVICES.

PART 2 CONDITIONS FOR PROVIDING SERVICES

29-27-201. Vote - referendum. (1) BEFORE A LOCAL GOVERNMENT MAY ENGAGE OR OFFER TO ENGAGE IN PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE, AN ELECTION SHALL BE CALLED ON WHETHER OR NOT THE LOCAL GOVERNMENT SHALL PROVIDE THE PROPOSED CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE.

(2) THE BALLOT AT AN ELECTION CONDUCTED PURSUANT TO THIS SECTION SHALL POSE THE QUESTION AS A SINGLE SUBJECT AND SHALL INCLUDE A DESCRIPTION OF THE NATURE OF THE PROPOSED SERVICE, THE ROLE THAT THE LOCAL GOVERNMENT WILL HAVE IN PROVISION OF THE SERVICE, AND THE INTENDED SUBSCRIBERS OF SUCH SERVICE. THE BALLOT PROPOSITION SHALL NOT TAKE EFFECT UNTIL SUBMITTED TO THE ELECTORS AND APPROVED BY THE MAJORITY OF THOSE VOTING ON THE BALLOT.

29-27-202. Exemption for unserved areas. (1) A LOCAL GOVERNMENT SHALL BE EXEMPT FROM THE REQUIREMENTS OF THIS PART 2

AND MAY ENGAGE OR OFFER TO ENGAGE IN PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCE SERVICE IF:

(a) NO PRIVATE PROVIDER OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE PROVIDES THE SERVICE ANYWHERE WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT;

(b) THE GOVERNING BODY OF THE LOCAL GOVERNMENT HAS SUBMITTED A WRITTEN REQUEST TO PROVIDE THE SERVICE TO ANY INCUMBENT PROVIDER OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT; AND

(c) THE INCUMBENT PROVIDER HAS NOT AGREED WITHIN SIXTY DAYS OF THE RECEIPT OF A REQUEST SUBMITTED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (1) TO PROVIDE THE SERVICE OR, IF THE PROVIDER HAS AGREED, IT HAS NOT COMMENCED PROVIDING THE SERVICE WITHIN FOURTEEN MONTHS OF THE RECEIPT OF THE REQUEST.

PART 3
COMPLIANCE WITH LOCAL, STATE,
AND FEDERAL REGULATIONS

29-27-301. General operating limitations. (1) A LOCAL GOVERNMENT THAT PROVIDES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE UNDER THIS ARTICLE SHALL COMPLY WITH ALL STATE AND FEDERAL LAWS, RULES, AND REGULATIONS GOVERNING PROVISION OF SUCH SERVICE BY A PRIVATE PROVIDER; EXCEPT THAT NOTHING HEREIN SHALL BE CONSTRUED TO AFFECT THE JURISDICTION OF THE PUBLIC UTILITIES COMMISSION WITH RESPECT TO MUNICIPAL UTILITIES.

(2) (a) A LOCAL GOVERNMENT SHALL NOT MAKE OR GRANT ANY UNDUE OR UNREASONABLE PREFERENCE OR ADVANTAGE TO ITSELF OR TO ANY PRIVATE PROVIDER OF CABLE TELEVISION SERVICES, TELECOMMUNICATIONS SERVICES, OR ADVANCED SERVICES.

(b) A LOCAL GOVERNMENT SHALL APPLY WITHOUT DISCRIMINATION AS TO ITSELF AND TO ANY PRIVATE PROVIDER THE LOCAL GOVERNMENT'S ORDINANCES, RULES, AND POLICIES, INCLUDING THOSE RELATING TO:

- (I) OBLIGATION TO SERVE;
- (II) ACCESS TO PUBLIC RIGHTS-OF-WAY;
- (III) PERMITTING;
- (IV) PERFORMANCE BONDING WHERE AN ENTITY OTHER THAN THE LOCAL GOVERNMENT IS PERFORMING THE WORK;
- (V) REPORTING; AND
- (VI) QUALITY OF SERVICE.

29-27-302. Scope of article. (1) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO AUTHORIZE ANY LOCAL GOVERNMENT TO:

(a) PROVIDE, DIRECTLY OR INDIRECTLY, CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE; OR

(b) PURCHASE, LEASE, CONSTRUCT, MAINTAIN, OR OPERATE A FACILITY FOR THE PURPOSE OF PROVIDING, DIRECTLY OR INDIRECTLY, CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE.

(2) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO APPLY TO A LOCAL GOVERNMENT PURCHASING, LEASING, CONSTRUCTING, MAINTAINING, OR OPERATING FACILITIES THAT ARE DESIGNED TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE THAT THE LOCAL GOVERNMENT USES FOR INTERNAL OR INTERGOVERNMENTAL PURPOSES.

(3) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO APPLY TO THE SALE OR LEASE BY A LOCAL GOVERNMENT TO PRIVATE PROVIDERS OF EXCESS CAPACITY, PROVIDED:

(a) SUCH EXCESS CAPACITY IS INSUBSTANTIAL IN RELATION TO THE CAPACITY UTILIZED BY THE LOCAL GOVERNMENT FOR ITS OWN PURPOSES; AND

(b) THE OPPORTUNITY TO PURCHASE AND THE OPPORTUNITY TO USE SUCH EXCESS CAPACITY IS MADE AVAILABLE TO ANY PRIVATE PROVIDER IN



Enhancing Broadband Infrastructure in Colorado

In order to compete in today's economy, communities across the state are dependent on broadband Internet access (aka "Broadband") for basic business development and operation. The availability of broadband also enhances the quality of life and desirability of a community by providing residents access to online education and distance learning opportunities, telemedicine, online government services and vast entertainment content (movies, music, etc.). In fact, broadband has become so critical to our communities that many now refer to it as a basic infrastructure need, placing it on par with roads, water systems and power grids.

Unfortunately, numerous communities in Colorado are still without adequate broadband service. The reasons vary, but more often than not these communities are too sparsely populated, too remote or in regions where the topography (mountains, valleys, etc.) makes expanding service difficult and expensive. These communities are "upside down" from a business model standpoint, and telecom providers are unable or unwilling to connect these areas without assistance.

One thing local governments can do to help improve broadband service for local citizens and businesses is work to "change the math," so that providing service to the community is more attractive to a private provider. One approach is to permit private providers to use local governmental (or intergovernmental) networks to reach local customers. Yet SB05-152 (passed in 2005) requires a local election before a private provider may use more than an "insubstantial" amount of excess capacity on the local network. This legislation, ironically intended to prevent local governments from **competing** with telecom providers on broadband service delivery, is now frustrating local government efforts aimed at **helping** private telecom providers deliver better broadband service to residents and main street businesses.

CCI and CML are working cooperatively on legislation to clarify the legislative intent and expand the existing exemptions in SB 152 and allow local governments to invest in public broadband infrastructure and local networks in order to attract private providers that would otherwise not be in a position financially to provide service to rural communities.

CML and CCI strongly urge your support of this legislative effort to empower local governments to work with private industry and economic development stakeholders to enhance local broadband infrastructure.

Contact:

Geoff Wilson 303.831.6411 // gwilson@cml.org
Eric Bergman 303.861.4076 // ebergman@ccionline.org

The Post Editorials

Lift the curb on local broadband

Nearly 40 cities and counties around Colorado voted last Tuesday to reclaim local authority over broadband, which a 2005 law took away absent a public referendum.

The results in almost all of the elections were not even close, with some of the margins reaching 80 percent or even 90 percent.

The public clearly understands the value of allowing local government in certain circumstances to invest or partner in broadband infrastructure (usually fiber optic cable lines or cell towers).

Notably, most of the cities and counties that approved the measures were in rural parts of the state that too often have been left off the Internet superhighway. They don't necessarily have plans for investment, but they do want the freedom to take action or to cooperate with private providers to enhance the economic vitality of their region.

However, misguided legislation from a decade ago prohibited cities and counties from spending money on improving broadband service without a public vote. Senate Bill 152 in 2005 was supported by the industry to ensure private Internet providers wouldn't have to compete with government-funded data networks, according to The Denver Post's John Aguilar.

In general, we don't like the idea

of government competing with private businesses that are already serving the market, either. Scarce public resources should be concentrated on programs and services that government really is uniquely qualified to provide.

But there are communities in Colorado, as critics point out, where customers' only choices for Internet service are slow and expensive — if they have any choice at all.

And that is particularly true of rural Colorado.

Until this year, Internet providers poured money into local communities to try to defeat ballot initiatives that allowed local action on broadband. But this time they stood back, maybe realizing that voter approval is much easier to obtain than was thought when SB 152 passed. Indeed, the referendums have become so automatic that they are clearly a waste of time and money. The legislature should simply lift the requirement.

Most municipalities don't have the money or systems in place to create their own networks anyway. Most don't want to replace the private sector but to partner with it, said attorney Ken Fellman.

Citizens should be able to rely on the judgment of their local elected officials to make the call on whether public money should go into broadband services.

Community Corrections Board

Openings total - 1
1 Citizen Alternate

1. Cindy Baroway

Purpose: The Jefferson County Corrections Board carries out the intent and purpose of the Intergovernmental Agreement, which became effective August 28, 1983. This agreement includes but is not exclusive of screening offenders for placement in community corrections, coordinating goals for local community corrections, monitoring offender progress and program compliance, and oversight of contractual responsibilities for community corrections programs in Jefferson County.

Duties:

- o Establishes policies and procedures for screening placements with facilities.
- o Recommends guidelines to the courts for “diversion” placements in community corrections facilities within the territorial limits.
- o Screens “transition” offenders referred from the Department of Corrections.
- o Provides oversight of local community corrections programs.

Qualifications:

One at-large resident of the county.

Meetings: Meetings are held on the fourth Thursday of each month.

Members and Length of Term: The board members serve at the pleasure of the Board of County Commissioners and may be removed by that board for cause or without cause.

Foothills Regional Emergency Trauma Advisory Council

2 openings, 1 regular, 1 alternate

- 1. Dr. David Richter**
- 2. Dr. Jason Roosa**
- 3. Holly Valverde**

Purpose: To create, enhance, and promote a systematic approach to the care of the critically ill or injured through quality improvement, injury prevention, disaster planning and coordination of partners in the healthcare continuum.

Duties: The objective of the Foothills Regional Emergency Trauma Advisory Council (FRETAC) will be to promote and support cooperation and regionalization of the Emergency Medical and Trauma Services in the FRETAC. The council will evaluate and make recommendations, provide support and make applications for grants and subsidies, all to improve services in the FRETAC. To operate programs mandated by state statute for regional emergency trauma councils, and to carry out such other activities, programs and duties as may be mandated by the state of Colorado and its agencies including the State Board of Health, the Department of Public Health and Environment and Department of Public Safety, for the purposes of promoting the health, safety and welfare of the residents of Colorado.

Qualifications: Each county will try to fill a facility/government seat, one pre-hospital seat, and one at large seat. Knowing that some of our counties have no emergency facilities, or limited emergency personnel, all efforts will be made to create a balanced council, with membership reflecting, as equally as possible, representation between hospital and pre-hospital providers.

Meetings: Meetings are held monthly.

Members and length of terms: There are three members and one alternate. No term length. There are no consecutive term limits

Openings were advertised via Website, BCC Actions and Press Release

Housing Authority Board

Openings total - 1
1 regular member

1. Michael Gay
2. Christina Johnson
3. Dale Reisbeck, Current Member

Purpose: The Housing Authority Board, whose members are known as Commissioners, is the policy making body of the Jefferson County Housing Authority, similar to the Board of Directors of a private corporation. A Local Housing Authority Commissioner is a public official of his/her community and receives no pay. The Board of Commissioners selects and employs the Executive Director of the Local Housing Authority. The Executive Director is responsible to the Board of Commissioners for the efficient operation of the Housing Authority's business and for carrying out Board policies in accordance with the Local Authority's bylaws and its contracts.

Members and length of terms:

Five members each serve a five-year term. **No consecutive term limits.**

Openings were advertised via Website, BCC Actions and Press Release

Library Board of Trustees

Openings total - 1
1 regular

1. Christina Brogan (June application)
2. Kim Johnson (September application)
3. Lauree Valverde (June application)
4. Nancy Whitsel (September application)

Purpose: The Library Board of Trustees is a governing board that governs the affairs of the Jefferson County Public Library that serves its citizens in accordance of the applicable statutes and laws serving the citizens of Jefferson County.

Qualifications:

- Must be a Jefferson County resident.

Meetings:

Meetings are held on the second and third Thursday of each month.

Members and length of terms:

Seven members for three-year terms.

No consecutive term limits.

Openings were advertised via Website, BCC Actions and Press Release

Tri-County Workforce Development Board

Openings: 2

2 regular

1. Lori Santamaria
2. Vickie Swanson

Purpose: The Tri-County Workforce Development Board (WDB) consists of decision-making individuals reflective of the business demographics in the area and leaders from the workforce system, education and economic development. It focuses on determining the near- and long-term needs of employers by providing oversight to the American Job Center serving Jefferson, Clear Creek, and Gilpin counties. The WDB also provides quality assurance and recommended policy guidance for Workforce Innovation and Opportunity Act programs operated by Jefferson County.

Duties:

- Developing the Local Plan;
- Workforce research and labor market analysis;
- Convening, brokering, and leveraging local resources;
- Employer engagement;
- Career Pathways development;
- Identification and promotion of proven and promising practices;
- Developing strategies for using technology to maximize accessibility and effectiveness of programs;
- Program oversight;
- Negotiation of local performance accountability measures;
- Selection of operators and providers;
- Coordination with education providers;
- Accessibility for individuals with disabilities;
- Memorandums of Understanding and One-Stop certification;
- Develop policy framework to meet the talent needs of employers; and
- Adopt bylaws governing any aspect of its membership, meetings and actions not set forth herein or governed by Federal, State, or other county policy or regulation.

Meetings:

Meetings are held on the first Tuesday morning of the month.

Members and Length of Terms:

- The number of members on the WDB may vary so long as the requirements of the Colorado Career Advancement Act of 2016 and the Federal Workforce Innovation and Opportunity Act of 2014 are met. At least fifty-one percent of membership must be from the private sector.
- Members serve two-year terms and may serve four consecutive terms.