



Administration Building  
East Hearing Room  
5334 S. Prince St.  
Littleton, CO 80120  
303-795-4630  
303-738-7915 TTY  
303-795-4630 Audio Agenda Line

Nancy A. Doty, Chair, District 1  
Nancy Sharpe, District 2  
Rod Bockenfeld, District 3  
Nancy Jackson, Chair Pro-Tem, District 4  
Bill Holen, District 5

## **Public Meeting**

**May 17, 2016  
9:30 A.M.**

The Board of County Commissioners holds its weekly Public Hearing at 9:30 a.m. on Tuesdays. Public Hearings are open to the public and items for discussion are included on this agenda. Items listed on the consent agenda are adopted with one vote. Items listed under regular business are considered separately. Agendas are available through the Commissioners' Office or through the County's web site at [www.arapahoegov.com](http://www.arapahoegov.com). Questions about this agenda, please contact the Commissioners' Office at 303-795-4630 or by e-mail at [commissioners@arapahoegov.com](mailto:commissioners@arapahoegov.com).

### **CALL TO ORDER**

Arapahoe County Board of County Commissioners

### **INTRODUCTION**

Ron Carl, County Attorney  
Joleen Sanchez, Asst. Clerk to the Board

### **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **MODIFICATION TO THE AGENDA**

### **ADOPTION OF THE AGENDA**

### **APPROVAL OF THE MINUTES**

#### **1. BOCC Public Meeting Minutes - April 19, 2016**

Documents: [BOCC PUBLIC MEETING MINUTES 04.19.2016.PDF](#)

### **CITIZEN COMMENT PERIOD**

Citizens are invited to speak to the Commissioners on non-agenda items. There is a 3-minute time limit per person, unless otherwise noted by the Chair.

### **CONSENT AGENDA**

#### **1. 4.4.2016 Warrant ACH Expenditure Report**

Authorization to sign the Warrant Disbursement Register

*Ron Carl, County Attorney*

Documents: [4.4.2016 WARRANT ACH EXPENDITURE REPORT.PDF](#)

2. **4.18.2016 Warrant ACH Expenditure Report**

Authorization to sign the Warrant Disbursement Register

*Ron Carl, County Attorney*

Documents: [4.18.2016 WARRANT ACH EXPENDITURE REPORT.PDF](#)

3. **4.25.2016 Warrant ACH Expenditure Report**

Authorization to sign the Warrant Disbursement Register

*Ron Carl, County Attorney*

Documents: [4.25.2016 WARRANT ACH EXPENDITURE REPORT.PDF](#)

4. **Abatement**

Adoption of a resolution approving the recommendations of the Assessor for an abatement petition as a result of agreements reached between taxpayers and the County regarding the value of property for property tax purposes, pursuant to the terms contained therein

*Ron Carl, County Attorney*

*Karen Thompson, Paralegal, County Attorney's Office*

Documents: [5-17-16 BSR.DOC](#), [KAREN TABLE 5-17-16.XLSX](#), [SAMPLE ABATEMENT APPROVAL.DOC](#)

5. **Abatements**

Adoption of a resolution approving the recommendations of the Assessor for an abatement petition as a result of agreements reached between taxpayers and the County regarding the value of property for property tax purposes, pursuant to the terms contained therein

*Barb LeBlanc, Paralegal*

*Ron Carl, County Attorney*

Documents: [5-17 BSR.DOC](#), [DRAFT RESO.DOC](#)

6. **Arapahoe/Douglas Workforce Innovation Opportunity Act (WIOA) Local Area Plan**

Adoption of a resolution authorizing the Chair of the Board of County Commissioners to sign an agreement for the operation and administration of the Workforce Centers and the Workforce Development Programs in the Arapahoe/Douglas Workforce Local Area Under the new Workforce Innovation Opportunity Act (WIOA) law, pursuant to the terms contained therein

*Kelly Folks, Deputy Division Manager of A/D Works!*

*Joseph M. Barela, Division Manager of A/D Works!*

*Don A. Klemme, Director, Community Resources*

*Todd Weaver, Budget Manager, Finance*

*Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [16 BSR WIOA LOCAL AREA PLAN-CONSENT AGENDA.DOC](#)

**7. Arapahoe/Douglas Workforce Innovation Opportunity Act (WIOA) Regional Plan**

Adoption of a resolution approving the Program Year 2016 Regional Plan for the Workforce Innovation Opportunity Act (WIOA) Colorado Central Planning Region for submittal to the Colorado Workforce Development Council

*Kelly Folks, Deputy Division Manager of A/D Works!, Community Resources*  
*Joseph M. Barela, Division Manager of A/D Works!, Community Resources*  
*Don Klemme, Director, Community Resources*  
*Keith Ashby, Purchasing Manager, Finance*  
*Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [16 BSR WIOA REGIONAL PLAN-CONSENT AGENDA.DOC](#)

**8. Aurora Public Safety/Fairgrounds Easement**

Adoption of a resolution authorizing the Chair (or designee) to execute an Easement with the City of Aurora, CO (City) to provide a public access road to the Aurora Public Safety Training Center (Training Center) connecting to the Arapahoe County Fairgrounds existing access road

*Glen Poole, Operations Manager, Open Spaces*  
*Shannon Carter, Director, Open Spaces and Intergovernmental Relations*  
*John Christofferson, Deputy County Attorney*

Documents:

[AURORA\\_PUBLIC\\_SAFETY\\_EASEMENT\\_CONSENTAGENDA\\_BSR\\_4.25.16.PDF](#),  
[AURORA\\_PUBLIC\\_SAFETY\\_ACCESS\\_EASEMENT\\_4.14.16.PDF](#),  
[AURORA\\_PUBLIC\\_SAFETY\\_EASEMENT\\_EXHIBIT\\_A.PDF](#)

**9. Board of Assessment Appeals**

Adoption of a resolution approving stipulations which resulted from agreements reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, pursuant to the terms contained therein

*Ron Carl, County Attorney*  
*Karen Thompson, Paralegal, County Attorney's Office*

Documents: [SAMPLE BAA RESOLUTION.DOC](#), [5 MAY 17, 2016.DOC](#)

**10. Board of Assessment Appeals**

Adoption of a resolution approving stipulations which resulted from agreements reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, pursuant to the terms contained therein

*Ron Carl, County Attorney*  
*Karen Thompson, Paralegal, County Attorney's Office*

Documents: [5 MAY 17, 2016 2.DOC](#), [SAMPLE BAA RESOLUTION.DOC](#)

**11. Cancellation of the June 6 and June 7, 2016 Study Sessions and Public Meeting**

Adoption of a resolution cancelling June 6 and 7, 2016 Study Sessions and Public Meeting due to the BOCC's attendance at the CCI Foundation Summer Conference

*Carol Dosmann, Executive Assistant, BoCC Administration*  
*Diana Maes, BoCC Administration Manager*  
*Ron Carl, County Attorney*

Documents: [MTG CANCELLATION-CCI SUMMER CONF-2016.PDF](#)

**12. C 11-013: East Iliff Avenue Right-of-Way Aquisition**

Adoption of a resolution accepting a Quit Claim Deed for Right of Way Acquisition, along the south side of East Iliff Avenue between Cherry Creek and South Wabash Street, from Denver Board of Water Commissioners and payment for Denver Water administrative processing fees in the amount of \$2,000 to acquire the property

*Mark Brown, P.E. Engineer III, Capital Improvement Program, Transportation*  
*Brian Love, Capital Improvement Program Manager, Transportation*  
*Brian Weimer, Division Manager, Transportation*  
*David Schmit, Director, Public Works and Development*  
*Robert Hill, Senior Assistant County Attorney*

Documents: [C11-013 BOCC ROW ACCEPTANCE FROM DWB 5-4-16.PDF](#)

**13. Extension of Xerox Managed Print Services Agreement**

Adoption of a resolution approving Xerox be retained as the County's Managed Print Services vendor for the next five years and a waiver of the Arapahoe County Purchasing Policy for a select source contract revision

*David Bessen, Director, Information Technology*  
*Keith Ashby, Purchasing Manager, Finance*  
*Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [160509 - CONSENT BOARD SUMMARY REPORT - EXTENSION OF XEROX MANAGED PRINT SERVICES.PDF](#), [160509 - SELECT SOURCE BID WAIVER FOR XEROX MANAGED PRINT SERVICES.PDF](#)

**14. Intergovernmental Agreement for Temporary Driving Track Vehicle Loan**

Adoption of a resolution authorizing the Chair of the Board of County Commissioners to sign the Intergovernmental Agreement For Temporary Driving Track Vehicle Loan between the City of Littleton Police Department and Arapahoe County

*Olga Fujaros, Budget and Logistics Manager, Sheriff's Office*  
*Glen Thompson, Public Safety Bureau Chief, Sheriff's Office*  
*Louie Perea, Undersheriff, Sheriff's Office*  
*David C. Walcher, Sheriff*  
*Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [BSR FOR IGA LITTLETON PD.DOC](#), [RESO FOR IGA LITTLETON PD.DOC](#), [IGA FOR TEMPORARY DRIVING TRACK VEHICLE LOAN.PDF](#)

**15. Integrated Care Management MOU with Colorado Department of Human Services**

Adoption of a resolution authorizing the Chair of the Board of County Commissioners to sign the Memorandum of Understanding between Arapahoe County and the Colorado State Department of Human Services Division of Child Welfare to allow the County to recover savings from the Single Child Welfare Services Block allocation resulting from the Integrated Care Management Program for fiscal year 2016- 2017, pursuant to the terms contained therein

*Angela W. Lytle, Division Manager, Human Services*  
*Cheryl Ternes, Director, Human Services*  
*Kevin McNeal, Finance Division Manager, Human Services*  
*Michael Valentine, Deputy County Attorney*

Documents: [ICM MOU BSR MAY 2016.DOC](#), [ICM RESOLUTION.DOCX](#)

**GENERAL BUSINESS ITEMS**

1. **\*PUBLIC HEARING - Z16-002 Watkins Farm Rezoning**

Consideration of a request by Arapahoe County staff for a zoning change to correct a mapping interpretation and labeling error for the zoning of property in Watkins Farm to rezone the Watkins Farm area from R - A Residential Agricultural with a 5 - acre minimum lot size to the County's standard R - A zone district with a 2.41 - acre minimum lot size

*Presenter: Jason Reynolds, Current Planning Manager, Public Works & Development  
Jan Yeckes, Planning Division Manager, Public Works & Development  
David M. Schmit, Director, Public Works & Development  
Todd Weaver, Budget Manager, Finance  
Robert Hill, Senior Assistant County Attorney*

Documents: [Z16-002 BSR.PDF](#), [Z16-002 MOTIONS.PDF](#), [Z16-002 PC STAFF REPORT AND EXHIBITS.PDF](#), [Z16-002 RESOLUTION.PDF](#)

**COMMISSIONER COMMENTS**

**\*Denotes a requirement by federal or state law that this item be opened to public testimony. All other items under the "General Business" agenda may be opened for public testimony at the discretion of the Board of County Commissioners.**

*Arapahoe County is committed to making its public meetings accessible to persons with disabilities. Assisted listening devices are available. Ask any staff member and we will provide one for you. If you need special accommodations, contact the Commissioners' Office at 303-795-4630 or 303-738-7915 TTY.*

*Please contact our office at least 3 days in advance to make arrangements.*

**MINUTES OF THE ARAPAHOE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
TUESDAY, APRIL 19, 2016**

At a public meeting of the Board of County Commissioners for Arapahoe County, State of Colorado, held at 5334 South Prince Street, Littleton, Colorado 80120 there were:

<b>Nancy Doty, Chair</b>	<b>Commissioner District 1</b>	<b>Present</b>
<b>Nancy Jackson, Chair Pro-Tem</b>	<b>Commissioner District 4</b>	<b>Present</b>
<b>Nancy A. Sharpe</b>	<b>Commissioner District 2</b>	<b>Present</b>
<b>Rod Bockenfeld</b>	<b>Commissioner District 3</b>	<b>Present</b>
<b>Bill Holen</b>	<b>Commissioner District 5</b>	<b>Present</b>
<b>Ron Carl</b>	<b>County Attorney</b>	<b>Present</b>
<b>Matt Crane</b>	<b>Clerk to the Board</b>	<b>Absent and Excused</b>
<b>Joleen Sanchez</b>	<b>Asst. Clerk to the Board</b>	<b>Present</b>

when the following proceedings, among others, were had and done, to-wit:

**CALL TO ORDER**

Commissioner Doty called the meeting to order.

**INTRODUCTIONS**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MODIFICATION(S) TO THE AGENDA**

A copy of the resolution for Consent Item 13 was provided for the record. The resolution does not include a request for \$5,000 in Aid to Agencies funding, as that has been withdrawn.

**ADOPTION OF THE AGENDA**

**The motion was made by Commissioner Sharpe and duly seconded by Commissioner Jackson to adopt the Agenda as amended.**

**The motion passed 5-0.**

**CEREMONIES**

There were no ceremonies on this date.

## **CITIZEN COMMENT PERIOD**

There were no citizen comments on this date.

## **CONSENT AGENDA**

**The motion was made by Commissioner Holen and duly seconded by Commissioner Sharpe to approve the items on the Consent Agenda as modified.**

**The motion passed 5-0.**

## **GENERAL BUSINESS ITEMS**

### **Item 1 – Resolution No. 160302 - P15-008, Freedom Service Dogs/Centennial East Corporate Center #10 Final Development Plan**

Senior Assistant County Attorney Robert Hill established jurisdiction for the Board to hear this case.

Sherman Feher, Senior Planner, introduced the case, and stated that the Planning Commission and staff recommend approval.

Chris Belter, representing the applicant, displayed the final development plan and explained the site layout.

Commissioner Sharpe asked about the number of dogs on site.

Mr. Belter said currently there are about 30 dogs, but that number would increase to approximately 50 dogs.

Commissioner Doty asked what breeds are used.

Mr. Belter said bigger dogs are needed.

Commissioner Jackson asked where the dogs come from?

Mr. Belter said the dogs come from animal shelters.

The public comment period was opened.

There were no public comments.

The public comment period was closed.

**The motion was made by Commissioner Sharpe and duly seconded by Commissioner Jackson in the case of P15-008, Freedom Service Dogs Final Development Plan, that the Board has read the staff report and received testimony at the public hearing. The Board finds itself in agreement with staff findings including the draft plan and attachments as set**

forth in the staff report dated April 5, 2016, and approves this case, subject to the following conditions:

1. The applicant must make all modifications to the Final Development Plan as requested by the Public Works & Development Department.
2. The applicant agrees to address all Engineering Services Division, Urban Drainage and SEMSWA comments and concerns, as identified within their reports, prior to signed mylars.
3. The applicant will enter into a Subdivision Improvement Agreement and provide collateral to the County for all public improvements associated with the project.
4. The applicant will need to execute a Temporary Floodplain Easement, as well as obtain a Floodplain permit.
5. The applicant will need to develop an animal waste plan and submit to Tri-County Health and the County.
6. The applicant will need to have an approved Administrative Replat to make the two lots into one lot.

The motion passed 5-0.

#### **COMMISSIONER COMMENTS**

There were no commissioner comments on this date.

There being no other business before the Board, the public meeting was adjourned by Commissioner Doty at 9:45 a.m.

#### **ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS**

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**MATT CRANE, CLERK TO THE BOARD**  
**BY JOLEEN SANCHEZ, ASSISTANT CLERK TO THE BOARD**

REPORT FOR 03/29/2016 TO 04/04/2016

FUNDS SUMMARY:

FUNDS SUMMARY:		
10 General Fund	1,570,817.48	
11 Social Services	430,730.40	
14 Law Enforcement Authority Dist	1,252.02	
15 Arapahoe / Douglas Works!	110,892.55	
16 Road and Bridge	7,654.51	
20 Sheriff's Commissary	32,834.89	
21 Community Development	9,919.60	
26 Grants	44,303.97	
28 Open Space Sales Tax	33,216.05	
29 Homeland Security - North Cent	325.97	
33 Building Maintenance Fund	35,281.73	
41 Capital Expenditure	371,023.05	
42 Infrastructure	60,750.71	
43 Arapahoe County Recreation Dis	351.38	
67 Arap. Cty Building Finance Cor	1,644.50	
70 Central Services	281,978.08	
71 Self-Insurance Liability	2,731.78	
72 Employee Flexible Benefit	1,808.50	
73 Self-Insurance Workers Comp	1,200.00	
74 Self-Insurance Dental	2,036.50	
84 E-911 Authority	13,168.36	
91 Treasurer	2,000.00	
=====		
TOTAL	3,015,922.03	

FUND REPORT - EXPENDITURE TYPE

FUND 10 EXPENDITURE REPORT

ACSO EMPLOYEE TRUST FUND	MISC.	774.00
ALSCO	Supplies	27.50
ARAPAHOE LIBRARY DISTRICT	Services And Other	11,515.16
AT&T MOBILITY II LLC	Services And Other	52.36
AURORA CHAMBER OF COMMERCE	Services And Other	750.00
AURORA ECONOMIC DEV COUNCIL INC	Services And Other	23,000.00
AURORA MENTAL HEALTH CTR	Services And Other	39,000.00
AURORA ROTARY FOUNDATION	Services And Other	1,000.00
BATTERIES PLUS	Supplies	460.92
BATTERY SYSTEMS INC	Supplies	132.36
BOBCAT OF THE ROCKIES LLC	Supplies	40.64
BRIDGESTONE RETAIL OPERATIONS LLC	Supplies	218.20
CANON BUSINESS SCLUTIONS INC	Services And Other	45.25
CENTENNIAL AIRPORT CTR OWNERS	Services And Other	1,365.42
CENTENNIAL PRODUCTS	Supplies	691.39
CENTENNIAL ROTARY FOUNDATION INC	Services And Other	440.00
CENTERPOINT ENERGY SERVICES INC	Services And Other	11,787.51
CHANDRA DESIMONE	Services And Other	197.37
CHERRY KNOLLS PHILLIPS 66	Services And Other	450.00
CITY OF AURORA	Services And Other	618.47
CO DEPT OF PUBLIC HEALTH & ENVIRON	Supplies	50.00
COLORADO ASSESSORS ASSOC	Services And Other	275.00
COLORADO COUNTIES, INC.	Services And Other	1,050.00
COLORADO DOORWAYS	Services And Other	1,160.00
COLORADO NATURAL GAS INC	Services And Other	235.86

REPORT FOR 04/12/2016 TO 04/18/2016

FUNDS SUMMARY:

## FUNDS SUMMARY:

10 General Fund	901,531.31
11 Social Services	122,438.81
14 Law Enforcement Authority Dist	10,127.28
15 Arapahoe / Douglas Works!	97,725.12
16 Road and Bridge	1,001,028.10
20 Sheriff's Commissary	17,459.19
21 Community Development	522,550.90
26 Grants	49,162.08
28 Open Space Sales Tax	350,379.55
29 Homeland Security - North Cent	36,552.00
33 Building Maintenance Fund	9,697.28
41 Capital Expenditure	58,377.61
42 Infrastructure	93,921.02
43 Arapahoe County Recreation Dis	1,811.13
70 Central Services	272,339.81
72 Employee Flexible Benefit	500.00
73 Self-Insurance Workers Comp	1,210.13
84 E-911 Authority	151,160.06
91 Treasurer	12.50
	=====
TOTAL	3,697,983.88

## FUND REPORT - EXPENDITURE TYPE

## FUND 10 EXPENDITURE REPORT

A2M4SEEN LLP	Supplies	2,570.44
ABELMAN LAW OFFICES	MISC.	15.00
ADAMSON POLICE PRODUCTS	Supplies	4,950.00
AED EVERYWHERE	Supplies	1,175.88
ALLIED SECURITY HOLDINGS LLC	Services And Other	9,362.73
ALPINE CREDIT INC	MISC.	15.00
AMERICAN INCOME LIFE INSURANCE	Services And Other	446.00
ANGELA ARNOLD	Services And Other	42.02
ANTONY MARSHALL	MISC.	15.00
AQUA SERVE	Services And Other	166.00
ARAPAHOE COUNTY SHERIFFS OFFICE	Supplies	1,783.40
AURORA INVESTMENT GROUP LLC	MISC.	69.10
BC SERVICES INC	MISC.	15.00
BENJAMIN SWARTZENDRUBER	Services And Other	109.80
BILL L HOLEN	Services And Other	172.67
BOBCAT OF THE ROCKIES LLC	Services And Other	238.63
BRANDON BEASLEY	Services And Other	17.48
BRENDA SIMONS	Services And Other	3.30
BRIDGESTONE RETAIL OPERATIONS LLC	Services And Other	109.98
CAITLIN MOCK	Services And Other	160.00
CARQUEST AUTO PARTS	Supplies	400.36
CDPHE	Services And Other	50.00
CHEMATOK LABORATORY INC	Services And Other	60.00
CHEMRES-SECURITY LLC	Services And Other	850.00
CINDY WERT	Services And Other	9.39
CINDY WERT	Supplies	3.30
COLORADO BUREAU INVESTIGATION	Services And Other	1,008.00
COLORADO FOUNDATION FOR	Services And Other	150.00

REPORT FOR 04/19/2016 TO 04/25/2016

FUNDS SUMMARY:

FUNDS SUMMARY:

10 General Fund	1,675,535.97
11 Social Services	423,767.56
14 Law Enforcement Authority Dist	59,571.32
15 Arapahoe / Douglas Works!	200,094.57
16 Road and Bridge	47,326.23
20 Sheriff's Commissary	9,375.95
21 Community Development	6,702.50
26 Grants	70,385.58
28 Open Space Sales Tax	346,045.70
29 Homeland Security - North Cent	5,079.20
33 Building Maintenance Fund	26,733.08
41 Capital Expenditure	97,826.56
42 Infrastructure	59,669.02
43 Arapahoe County Recreation Dis	70,095.92
70 Central Services	88,125.12
73 Self-Insurance Workers Comp	900.00
74 Self-Insurance Dental	111,900.35
84 E-911 Authority	7,889.61
	=====
TOTAL	3,307,024.24

FUND REPORT - EXPENDITURE TYPE

FUND 10 EXPENDITURE REPORT

ACSO EMPLOYEE TRUST FUND	MISC.	841.00
ADAM NEAL BURSON	Services And Other	1,100.00
ALLIED SECURITY HOLDINGS LLC	Services And Other	62,417.29
AMCON THE EYECARE SUPPLY CTR	Supplies	587.40
AMERICAN TIRE DISTRIBUTORS INC	Supplies	562.84
ANN BAERTLEIN	Services And Other	186.30
ARAMARK CHICAGO LOCKBOX	Services And Other	5,708.00
ARAMARK CHICAGO LOCKBOX	Supplies	49,677.20
ARAPAHOE COUNTY PUBLIC AIRPORT	Services And Other	150,156.59
ARAPAHOE COUNTY SHERIFFS OFFICE	Supplies	30.00
ARAPAHOE HOUSE	Services And Other	23,333.33
AT&T MOBILITY II LLC	Services And Other	321.62
BATTERIES PLUS	Supplies	281.04
BATTERY SYSTEMS INC	Supplies	569.50
BERHANU LAGESO	MISC.	15.00
BRIDGESTONE RETAIL OPERATIONS LLC	Services And Other	109.98
BRUCE WALKER	Services And Other	152.00
BRUCKNER TRUCK SALES INC	Supplies	202.84
BRUMBAUGH & QUANDAHL PC	MISC.	30.00
C-WORK LLC	Services And Other	687.50
CALIFORNIA STATE DISBURSEMENT UNIT	MISC.	52.15
CARQUEST AUTO PARTS	Supplies	47.17
CDW GOVERNMENT, INC.	Services And Other	744.03
CHEMATOX LABORATORY INC	Services And Other	553.00
CHERYL BYDALEK	Services And Other	96.21
CITY AND COUNTY OF DENVER	Services And Other	3,137.89
CITY OF LITTLETON	Services And Other	12,366.13
COLLEGE ASSIST	MISC.	359.95
COLORADO ASSESSORS ASSOCIATION	Services And Other	650.00



## Board Summary Report

**Date:** May 5, 2016  
**To:** Board of County Commissioners  
**Through:** Ron Carl, County Attorney  
**From:** Karen Thompsen, Paralegal  
**Subject:** Abatement

### Request and Recommendation

The purpose of this request is to obtain the authorization for the Chair to sign a resolution approving the recommendations of the Assessor concerning the listed abatement.

### Background

These abatements were filed by petitioners and approved the Assessor's Office. C.R.S. 39-1-113(1) states. . ."no decision on any petition regarding abatements or refund of taxes shall be made unless a hearing is had thereon. . ."

### Discussion

Attached

### Alternatives:

None

### Fiscal Impact

A decrease in the taxes collected on approval abatements.

### Concurrence

The Assessor and County Attorney support these recommendations.

### Reviewed by:

Karen Thompsen, Paralegal  
Ron Carl, County Attorney

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NAME	PARCEL NUMBER	YEAR	REFUND	REASON
M&C Investments Co	1973-10-1-01-029	2015	\$54,033.61	A clerical error has resulted in a value other than the value intended by the Assessor.

when the following proceedings, among others, were had and done to-wit:

**RESOLUTION NO. 160XXX** It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, \_\_\_\_\_, 2016; and

WHEREAS, the Board at that time considered Petitions for Abatement or Refund of Taxes as submitted by various taxpayers and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioners or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petitions and the Arapahoe County Assessor recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the Petition (per attached list), presented this date to the Board and relating to the schedule number set forth therein, shall be and are hereby granted, the recommendation of the Assessor is hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner	Parcel Number	Year(s)	Refund
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\_\_\_\_\_

\_\_\_\_\_

The vote was:

Commissioner Bockenfeld, Yes; Commissioner Doty, Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes.

The Chair declared the motion carried and so ordered.



## Board Summary Report

**Date:** May 4, 2016  
**To:** Board of County Commissioners  
**Through:** Ron Carl, County Attorney  
**From:** Barbara LeBlanc, Paralegal  
**Subject:** Abatement

### Request and Recommendation

The purpose of this request is to obtain the authorization for the Chair to sign a resolution approving the recommendations of the Assessor concerning the listed abatement.

### Background

These abatements were filed by petitioners and approved the Assessor's Office. C.R.S. 39-1-113(1) states. . ."no decision on any petition regarding abatements or refund of taxes shall be made unless a hearing is had thereon. . ."

### Discussion

Attached in draft resolution

### Alternatives:

None

### Fiscal Impact

A decrease in the taxes collected on approval abatements.

### Concurrence

The Assessor and County Attorney support these recommendations.

### Reviewed by:

Barbara LeBlanc, Paralegal  
Ron Carl, County Attorney

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**RESOLUTION NO. 160---** It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, May 17, 2016; and

WHEREAS, the Board at that time considered Petitions for Abatement or Refund of Taxes as submitted by various taxpayers and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioners or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petitions and the Arapahoe County Assessor recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the Petition (per attached list), presented this date to the Board and relating to the schedule number set forth therein, shall be and are hereby granted, the recommendation of the Assessor is hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner	Parcel Number	Year(s)	Refund
8100 South Quebec St Holdings	2075-33-3-18-008	2013	\$55,082.43
	2075-33-3-18-008	2014	\$55,471.37

Information received from property owner, after the original value was placed on property, resulted in a reduction to that property's value.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



## Board Summary Report

**Date:** May 4, 2016

**To:** Board of County Commissioners

**Through:** Donald A. Klemme, Director Community Resources Department  
Joseph Barela, Division Manager of A/D Works!, Community Resources

**From:** Kelly Folks, Deputy Division Manager, A/D Works!, Community Resources

**Subject:** Approval of the Arapahoe/Douglas Workforce Innovation Opportunity Act (WIOA) Local Area Plan

### Request and Recommendation

At a Study Session on April 26, 2016, the BOCC considered the Approval of the Arapahoe/Douglas Workforce Innovation Opportunity Act (WIOA) Local Area Plan and directed staff to schedule the plan for approval on its Consent Agenda.

Under the new WIOA law it is required that the local area plan be approved by the Chief Elected Official (CEO). As Arapahoe County is governed by a Board of County Commissioners (BOCC), approval is requested of the BOCC with authorization for the Chair to sign. The Arapahoe/Douglas Workforce Development Board and Arapahoe/Douglas Works! staff recommend that the Board of County Commissioners consider and approve the local area plan and authorize the Chair to sign.

### Links to Align Arapahoe

1. Quality of Life: Approval of the Local Area Plan is needed for compliance with WIOA law, which will position ADW! to receive funds that will be used to serve unemployed and underemployed citizens, enhancing their quality of life and ensuring the highest rate of return on public investment, while contributing to the Counties economic vitality.
2. Fiscal Responsibility: The WIOA Local Area Plan is required in order to comply with WIOA law, without approval and the plan in place, funding will be jeopardized and ADW! will be unable to strategically invest in Human Capital, which directly contributes to the Counties overall economic vitality.
3. Service First: Approval of the Local Area Plan is needed for compliance with WIOA law, which will position ADW! to ensure that citizens and taxpayers receive best-in-class workforce development services that are responsive to their dynamic needs.

### Background

Per WIOA Law SEC.108 - each local Workforce Development Board shall develop and submit to the Governor a comprehensive 4-year plan, in partnership with the Chief Elected Official. The local plan shall support the strategy described in the State plan in accordance with WIOA Law SEC. 102(b)(1)(E) and otherwise be consistent with the State plan. If the local area is part of a planning region, the local workforce development board shall comply with WIOA Law SEC. 106(c) in the preparation and

submission of a regional plan. At the end of the first 2-year period of the 4-year local plan, each local workforce development board shall review the local plan and prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

**Discussion**

Arapahoe County Government serves as the grant recipient and Fiscal Agent for funds distributed to the Arapahoe/Douglas Workforce Local Area for any federal, state or private funds allocated for the purpose of supporting the Colorado Workforce Centers within the Arapahoe/Douglas Workforce Local Area and all related Workforce Development Programs.

As Fiscal Agent Arapahoe County Government is authorized to sign agreement(s) with the State of Colorado or any other entity or persons for the operation and administration of the Workforce Centers and the Workforce Development Programs in the Arapahoe/Douglas Workforce Local Area.

Arapahoe County Government, through its Community Resources Department - Arapahoe/Douglas Works! Division, is responsible for administering the workforce development board and for operating the Arapahoe/Douglas Works! Workforce Centers (A/D Works!) and for the implementation of the provisions of the Annual Plan(s). The workforce development board and A/D Works! shall be administered in conformance with the terms and conditions of any funding agreements, any written State policies governing the operation of the Colorado Workforce Centers, and all other applicable Federal and State requirements.

The workforce development board will continue to serve as the strategic leader for the local area designation of Arapahoe and Douglas Counties. The workforce development board will work in partnership with the Governor, Colorado Workforce Development Council, and the chief elected officials (BOCCs) to facilitate and approve the local area plan. This will ensure the plan outlines public/private partnerships; and supports talent development strategies that advance opportunities for all job seekers; to include, but not limited to low-skilled adults, young adults, veterans, mature workers, low-income households, long-term unemployed, dislocated workers and individuals with disabilities. The local area plan will make sure that the workforce development board will work to foster innovation, engage stakeholders, diversify funding, and guarantee streamlined operations and service delivery excellence.

The workforce development board will work with Arapahoe/Douglas Works! and the local area chief elected officials (BOCCs) to ensure that the local area plan has a common vision and design that is shared amongst the key stakeholders.

The workforce development board will work to govern the system regionally through creating a unified regional and local plan while integrating education, training, support services and other workforce services across the core programs.

The workforce development board will ensure that the local area plan directs Arapahoe/Douglas Works! to align policies and the service delivery model with regional economies and support sector strategies tailored to the needs of the community and region.

The workforce development board will ensure that the local area plan outlines investments in employment, education and training programs that make certain evidence-based, data-driven and programmatic service delivery that is accountable to participants and taxpayers. Performance

accountability and data reporting will be aligned to promote the workforce development system that creates a best in class regional system, responsive to business/industry.

**Alternatives**

If the local area plan is not authorized, A/D Works! will not be able to provide service delivery within its designated local area of Arapahoe and Douglas Counties under the new WIOA law.

**Fiscal Impact**

WIOA requires local area plans to be approved by the Chief Elected Official (BOCC). If the local area plan is not approved, the impact would be a loss of funding. In Program Year 15 this would have resulted in a loss of \$17,328,213.00 available WIOA funding to Arapahoe County

**Reviewed by/Concurrence**

The service delivery and requirements outlined in the local area plan, is supported by the Board.

Approved By:

Don Klemme, Community Resources Director

Joe M Barela, A/D Works! Division Manager

Kelly Folks, A/D Works! Deputy Division Manager

Tiffanie Bleau, Assistant County Attorney

RESOLUTION NO. \_\_\_\_\_. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to sign the Workforce Innovation and Opportunity Act Local Area Plan as presented to the Board of County Commissioners on April 26, 2016.

The vote was:

Commissioner Doty\_\_\_\_; Commissioner Sharpe, \_\_\_\_; Commissioner Bockenfeld, \_\_\_\_; Commissioner Jackson \_\_\_\_; Commissioner Holen \_\_\_\_\_.

The Chair declared the motion carried and so ordered.



## Board Summary Report

**Date:** May 4, 2016

**To:** Board of County Commissioners

**Through:** Donald A. Klemme, Director Community Resources Department  
Joseph Barela, Division Manager of A/D Works!, Community Resources

**From:** Kelly Folks, Deputy Division Manager, A/D Works!, Community Resources

**Subject:** Approval of the Arapahoe/Douglas Workforce Innovation Opportunity Act (WIOA) Regional Plan

### Request and Recommendation

At a Study Session on May 3, 2016, the BOCC considered the approval of the Arapahoe/Douglas Workforce Innovation Opportunity Act (WIOA) Regional Plan for approval on its Consent Agenda.

WIOA Law SEC.106 (2) states - the State shall require the local boards and chief elected officials within a planning region to prepare, submit, and obtain approval of a single regional plan that incorporates local plans for each of the local areas in the planning region. For this purpose, the Arapahoe/Douglas Local Workforce Development Area has been designated a member of the Colorado Central Planning Region. The Arapahoe/Douglas Workforce Development Board (AD WDB) and staff recommend that the Board of County Commissioners (BOCC) consider and approve the program year 2016 regional plan for said WIOA Colorado Central Planning Region. BOCC approval will authorize the Arapahoe Board of County Commissioners Chair, the AD WDB Chair and the Arapahoe/Douglas Works! Division Manager to sign this regional plan for submittal to the Colorado Workforce Development Council.

### Background

AD WDB members (including Commissioner Nancy Jackson and Douglas County Commissioner Weaver) have been part of information sessions, presentations, discussions, developmental meetings and focus groups that shaped the presented Program Year 2016 Colorado Central Planning Regional Plan. This Plan has been announced for public comment and fulfilled the 30 day requirement.

### Links to Align Arapahoe

1. Quality of Life: Approval of the WIOA Regional Plan is needed for compliance with WIOA law, which will position ADW! to work collaboratively regionally on efforts to serve unemployed and underemployed citizens, enhancing their quality of life and ensuring the highest rate of return on public investment, while contributing to the Counties economic vitality.
2. Fiscal Responsibility: The WIOA Regional Plan is required in order to comply with WIOA law, without approval and the plan in place, funding with the Local Area may be jeopardized and ADW! will be unable to strategically invest in Human Capital, which directly contributes to the Counties overall economic vitality.

3. Service First: Approval of the WIOA Regional Plan is needed for compliance with WIOA law, which will position ADW! to ensure that citizens and taxpayers receive best-in-class workforce development services that are responsive to their dynamic needs.

**Discussion**

Arapahoe County Government serves as the grant recipient and Fiscal Agent for funds distributed to the Arapahoe/Douglas Workforce Local Area for any federal, state or private funds allocated for the purpose of supporting the Colorado Workforce Centers within the Arapahoe/Douglas Workforce Local Area and all related Workforce Development Programs.

As Fiscal Agent Arapahoe County Government is authorized to sign agreement(s) with the State of Colorado or any other entity or persons for the operation and administration of the Workforce Centers and the Workforce Development Programs in the Arapahoe/Douglas Workforce Local Area.

Arapahoe County Government, through its Community Resources Department - Arapahoe/Douglas Works! Division, is responsible for administering the AD WDB and for operating the Arapahoe/Douglas Works! Workforce Centers (A/D Works!) and for the development and implementation of the provisions of the Annual Plan(s). The AD WDB and A/D Works! is administered in conformance with the terms and conditions of any funding agreements, any written State policies governing the operation of the Colorado Workforce Centers, and all other applicable Federal and State requirements.

The AD WDB serves as the strategic leader for the local area and regional designation of Arapahoe and Douglas Counties. The AD WDB assures that this regional plan outlines the establishment of regional service strategies, including the use of cooperative service delivery agreements; the development and implementation of sector initiatives for in-demand industry sectors or occupations for the region; the collection and analysis of regional labor market data (in conjunction with the State); the establishment of administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate, for the region; and the coordination of transportation and other supportive services as appropriate, for the region. The regional plan makes sure that the Central Planning Region will work to foster innovation, engage stakeholders, diversify funding, and guarantee streamlined operations and service delivery excellence.

The AD WDB worked with Arapahoe/Douglas Works! and the local area chief elected officials (BOCCs) to ensure that the regional plan contains a common vision and design that is shared amongst key stakeholders within the Central Planning Region.

The AD WDB will govern the system regionally through creating a unified regional and local plan while integrating education, training, support services and other workforce services across the core programs.

The AD WDB will ensure that when reasonable and possible the regional plan directs Arapahoe/Douglas Works! to align their local plan, policies and the service delivery model with regional economies and support sector strategies tailored to the needs of the community and region.

The AD WDB certifies that the regional plan outlines investments in employment, education and training programs that make certain evidence-based, data-driven and programmatic service delivery that is accountable to participants and taxpayers. Performance accountability and data reporting will be aligned to promote the workforce development system that creates a best in class regional system, responsive to business/industry.

**Alternatives**

If the regional plan is not authorized, A/D Works! will not be able to provide service delivery within its designated local area of Arapahoe and Douglas Counties under the new WIOA law.

**Reviewed by/Concurrence**

The service delivery and requirements outlined in the local area plan, is supported by the Board.

**Fiscal Impact**

WIOA requires regional plans to be approved by the Chief Elected Official (BOCC). If the regional plan is not approved, the impact would be a loss of funding for the local area. In Program Year 15 this would have resulted in a loss of \$17,328,213.00 available WIOA funding to Arapahoe County.

**Approved By:**

- Don Klemme, Community Resources Director
- Joe M Barela, A/D Works! Division Manager
- Kelly Folks, A/D Works! Deputy Division Manager
- Tiffanie Bleau, Assistant County Attorney

RESOLUTION NO. \_\_\_\_\_. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to sign the Workforce Innovation and Opportunity Act Central Planning Region-Regional Plan as presented to the Board of County Commissioners on May 3, 2016.

The vote was:

Commissioner Doty\_\_\_\_; Commissioner Sharpe, \_\_\_\_; Commissioner Bockenfeld, \_\_\_\_; Commissioner Jackson \_\_\_\_; Commissioner Holen \_\_\_\_\_.

The Chair declared the motion carried and so ordered.



## Board Summary Report

**Date:** April 25, 2016  
**To:** Board of County Commissioners  
**Through:** Shannon Carter, Open Spaces Director  
**From:** Glen Poole, Open Space Operations Manager  
**Subject:** **Aurora Public Safety Facility Access Road Easement, City of Aurora, CO**

### Request and Recommendation

During the Monday, April 25<sup>th</sup> Study Session the Board of County Commissioners and Open Space staff, April discussed the authorization for the Chair (or designee) to execute an Easement with the City of Aurora, CO (City) to provide a public access road to the Aurora Public Safety Training Center (Training Center) connecting to the Arapahoe County Fairgrounds existing access road. Easement subject to approval of the form of the Agreement by the County Attorney's Office.

### Background

The City completed the construction of the new Training Center in early April of 2016 on their 23 acre campus just east and adjacent to the Arapahoe County Fairgrounds and Park. The proposed Easement will provide the main point of access for City staff, the City's partners and the public into the City's new Training Center. Fairgrounds staff have been working closely with the City's Project Manager to ensure the proper location for the access, the relocation of the existing Fairgrounds security gate and to define future maintenance responsibilities and funding.

### Links to Align Arapahoe

The granting of the proposed Easement to the City of Aurora will support the following Align Arapahoe outcomes:

Quality of Life: The Easement supports the City of Aurora's public safety training needs which directly impacts the quality of life for City residents who also live in within Arapahoe County.

Service First: The Easement supports a positive relationship between adjacent public facilities who both serve the citizens of Arapahoe County.

### Discussion

The rationale for County approval of the Easement is: 1.) Support the City's effort to establish and operate a professional public safety training center supporting both their Police and Fire operations. 2.) Support the development of regional emergency management capabilities. 3.) Improve the City's ability to provide safe communities within the County. The Easement would allow for construction and maintenance of an ingress and egress entry road, placement of surface drainage structures / curbing and to facilitate future site access needs.

The Agreement calls for the establishment of an open relationship between City staff and the County Fairground's staff to ensure events and activities on both sites can operate with minimal overlap or impact. Fairgrounds Operations staff will inspect and approve the final access road and associated amenities as well as monitor the City's impacts to the existing Fairgrounds entry road. The City has agreed to cost share all maintenance needs for the short section of the Fairground's road that will service both the City and County facilities.

**Alternatives**

The Board of County Commissioners during the April 25<sup>th</sup> Study Session selected Alternative # 1 below as the preferred alternative to move through to the County's Consent Agenda process.

1. Approve the Easement as submitted.
2. Deny the request for an Easement.
3. Re-negotiate the terms of the Easement.

**Fiscal Impact**

As a component of the Easement the City has agreed to fund the following site adjustments, improvements and maintenance to minimize the impact of their access to the Fairgrounds entry road and event operations:

1. The City will relocate the existing entrance security gate adjacent to Quincy Ave to the location outline in the Easement exhibits. Upon relocation the City will ensure full security gate functionality and operation.
2. The City will install a new boundary fence per Fairgrounds specifications on the west side of the Fairground's access road south to the relocated gate, for the purposes of maintaining site security. This will include the installation of an access gate for the detention pond west of the fence line.
3. The City at its expense, will install necessary site monument signage outside of said easement on City property.
4. The City at its expense, will maintain the drainage infrastructure necessary to support their access road within the easement.
5. The City will cooperate and provide joint funding to maintain, repair and replace access road pavement as described in Exhibit A in cooperation with Fairgrounds staff.

**Concurrence**

Arapahoe County Sherriff's Office, Quincy Substation

**Attachments**

Easement Agreement

Maps / Diagrams of Easement location

**Attorney Comments**

The final Easement will be subject to approval of the form of the Agreement by the County Attorney's Office.

**Reviewed By**

Glen Poole, Open Space Operations Manager

Shannon Carter, Open Spaces Director

Tiffanie Bleau, Senior Assistant County Attorney

RESOLUTION NO. \_\_\_\_\_. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to execute an Easement Agreement by and between Arapahoe County and the City of Aurora, related to access, installation, maintenance and operation of a road and associated infrastructure supporting the City's ability to access the City of Aurora Public Safety Training Center off of East Quincy Rd, subject to approval of the form of the Easement by the County Attorney's Office.

The vote was:

Commissioner Bockenfeld, \_\_\_\_; Commissioner Doty \_\_\_\_; Commissioner Holen \_\_\_\_; Commissioner Jackson \_\_\_\_; Commissioner Sharpe, \_\_\_\_.

The Chair declared the motion carried and so ordered.

**EASEMENT AGREEMENT**  
**(PUBLIC ACCESS)**

This EASEMENT AGREEMENT is made and entered into as of the \_\_\_\_\_ day of February, 2016, by and between the **COUNTY OF ARAPAHOE** acting by and through its Board of County Commissioners (the Grantor), a political subdivision of the State of Colorado, and **THE CITY OF AURORA, COLORADO**, a municipal corporation of the Counties of Adams, Arapahoe, and Douglas, State of Colorado, and hereinafter called (Grantee).

**GRANT OF EASEMENT:**

For and in consideration of the sum of one and no/100 dollar(s) (\$1.00) and other good and valuable consideration, in consideration, of which Grantor hereby grants unto said Grantee, an easement for public access including ingress and egress of emergency, service and maintenance vehicles over, across, on and through the described property. The Grantee has the right to construct, maintain, repair and replace and operate all underground and surface appurtenances hereinafter collectively referred to as the "Facilities", to support said access across the easement which is situated in the County of Arapahoe, State of Colorado, and more particularly described as follows:

See Exhibit A, wherein the description is more fully set forth. Said Exhibit A is attached hereto and made a part hereof.

Together with the right of access, ingress and egress over said premises, to survey, construct, reconstruct, maintain, operate, control and use said access and to remove objects or structures therefrom. The Grantor(s) shall not remove any materials from the surface of the right-of-way or stockpile materials on the right-of-way herein granted.

The Grantor reserves the right to use said premises for any purpose consistent with the rights and privileges herein granted and which will not interfere with or endanger the Grantee's facilities therein, or interfere with the use of any of the rights herein granted. Such reservation by the Grantor shall include the right to use the land for public road and any other lawful use, which will not interfere with Grantee's rights, facilities and events.

In the case of permanent abandonment of said easement and right-of-way by Grantee, Grantee shall give 90 day written notice to Grantor of its intent to abandon said easement, and Grantee shall , at its expense, have six (6) months thereafter in which to remove all facilities and all property placed on said easement and to remediate said site to match adjacent conditions including the establishment of a native stand of vegetation and for these purposes, all property placed by Grantee within said easement shall be deemed to have remained personal property; and upon the failure of Grantee to remove all of said property within said six-month period, then all of said property shall become the sole and separate property of the Grantor, their heirs, successors and assigns, and the Grantor(s), their heirs, successors and

Pursuant to Sec. 39-13-104, C.R.S. as amended, consideration paid for this conveyance is \$1.00

assigns, shall thereupon be restored to first and former estate, free and clear of any grant of easement herein contained or any right or privilege attaching to the herein described grant of easement.

SPECIAL PROVISIONS

1. The Grantee shall maintain a curb and gutter cut allowing Grantor access to natural areas north of said easement.
2. The Grantee, at its expense, will relocate the existing Grantor entrance security gate adjacent to Quincy Ave to the location outline in the attached exhibits. Upon relocation Grantee will ensure full security gate functionality and operation and all old caissons from the original location will be removed and discarded.
3. The Grantee, at its expense, will install a new boundary fence per Grantor specifications on the west side of the Grantor's access road south to the relocated gate, for the purposes of maintaining site security. This will include the installation of an access gate for the detention pond west of the fence line as shown on pre-approved plans.
4. The Grantee, at its expense, will install necessary monument signage outside of said easement on Grantee property.
5. Grantee will communicate with Grantor in advance of Grantee operations that might have impacts on Grantor events, such as but not limited to; heavy traffic events, potential heavy smoke events in an effort to minimize impacts on Grantor's facilities, operations and events.
6. The Grantee, at its expense, will maintain the drainage infrastructure necessary to support the access road within the easement.
7. Grantee will cooperate and provide joint funding to maintain, repair and replace access road pavement as described in Exhibit A.

Signed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2016.

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF Colorado                    )  
   ) SS  
 COUNTY OF \_\_\_\_\_)

The above and foregoing instrument was subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2016 by \_\_\_\_\_  
 \_\_\_\_\_.

My Commission expires:  
seal.

Witness my hand and official

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NOTARY PUBLIC

REVIEWED BY:

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# EXHIBIT A

NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PM,  
CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO.

## LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, DEDICATED AS A PERMANENT CONSTRUCTION ACCESS EASEMENT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8, BEING MONUMENTED WITH A 2" ALUMINUM CAP STAMPED "PLS 38003", FROM WHICH THE NORTHEAST CORNER OF SAID SECTION, BEING MONUMENTED BY A 3.25" ALUMINUM CAP STAMPED "PLS 37948", BEARS N89°26'14"E A DISTANCE OF 2640.74 FEET (BASIS OF BEARINGS) WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N89°26'14"E ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 8, A DISTANCE OF 266.89 FEET TO A POINT; THENCE S00°33'46"E A DISTANCE OF 55.00 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST QUINCY AVENUE AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING ALONG SAID SOUTHERLY RIGHT OF WAY N89°26'14"E A DISTANCE OF 40.01 FEET TO A POINT;

THENCE DEPARTING FROM SAID SOUTHERLY RIGHT OF WAY S01°50'31"E A DISTANCE OF 57.90 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 23°51'14" AND AN ARC LENGTH OF 291.43 FEET, THE CHORD OF WHICH BEARS S13°46'08"E FOR A DISTANCE OF 289.33 FEET TO A POINT;

THENCE S25°41'45"E A DISTANCE OF 56.88 FEET TO A POINT;

THENCE N64°18'15"E A DISTANCE OF 18.98 FEET TO A POINT;

THENCE S25°41'45"E A DISTANCE OF 33.11 FEET TO A POINT;

THENCE N89°26'17"E A DISTANCE OF 92.77 FEET TO A POINT ON THE WEST LINE OF THE CITY OF AURORA PUBLIC SAFETY TRAINING CENTER;

THENCE ALONG SAID WEST LINE S00°33'43"E A DISTANCE OF 54.00 FEET TO A POINT;

THENCE DEPARTING FROM SAID WEST LINE S89°26'17"W A DISTANCE OF 54.12 FEET TO A POINT;

THENCE S00°33'43"E A DISTANCE OF 35.00 FEET TO A POINT;

THENCE S64°18'15"W A DISTANCE OF 56.16 FEET TO A POINT;

\*\*\*LEGAL DESCRIPTION CONTINUES ON SHEET 2 OF 3\*\*\*

SHEET 1 OF 3

DATE: 03/06/2015

DRAWN BY: JCS

CHECKED BY: DLS

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EXHIBIT A:  
PERMANENT  
ACCESS  
EASEMENT

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ASSOCIATES

4690 Table Mountain Drive, Suite 200 TEL 303.237.2072  
Golden, CO 80403 FAX 303.237.2659 www.olssonassociates.com

# EXHIBIT A

NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PM,  
CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO.

## LEGAL DESCRIPTION:

THENCE N25°41'45"W A DISTANCE OF 186.97 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE OF 23°51'14" AND AN ARC LENGTH OF 308.08 FEET, THE CHORD OF WHICH BEARS N13°46'08"W FOR A DISTANCE OF 305.86 FEET TO A POINT;

THENCE N01°50'31"W A DISTANCE OF 58.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 28,778 SQUARE FEET OR 0.661 ACRES, MORE OR LESS.

---

JUSTIN C. SCHEITLER  
PROFESSIONAL LAND SURVEYOR  
COLORADO LICENSE NO. 38430

SHEET 2 OF 3

DATE: 03/06/2015

DRAWN BY: JCS

CHECKED BY: DLS

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EXHIBIT A:  
PERMANENT  
ACCESS  
EASEMENT

**OLSSON**<sup>®</sup>  
ASSOCIATES

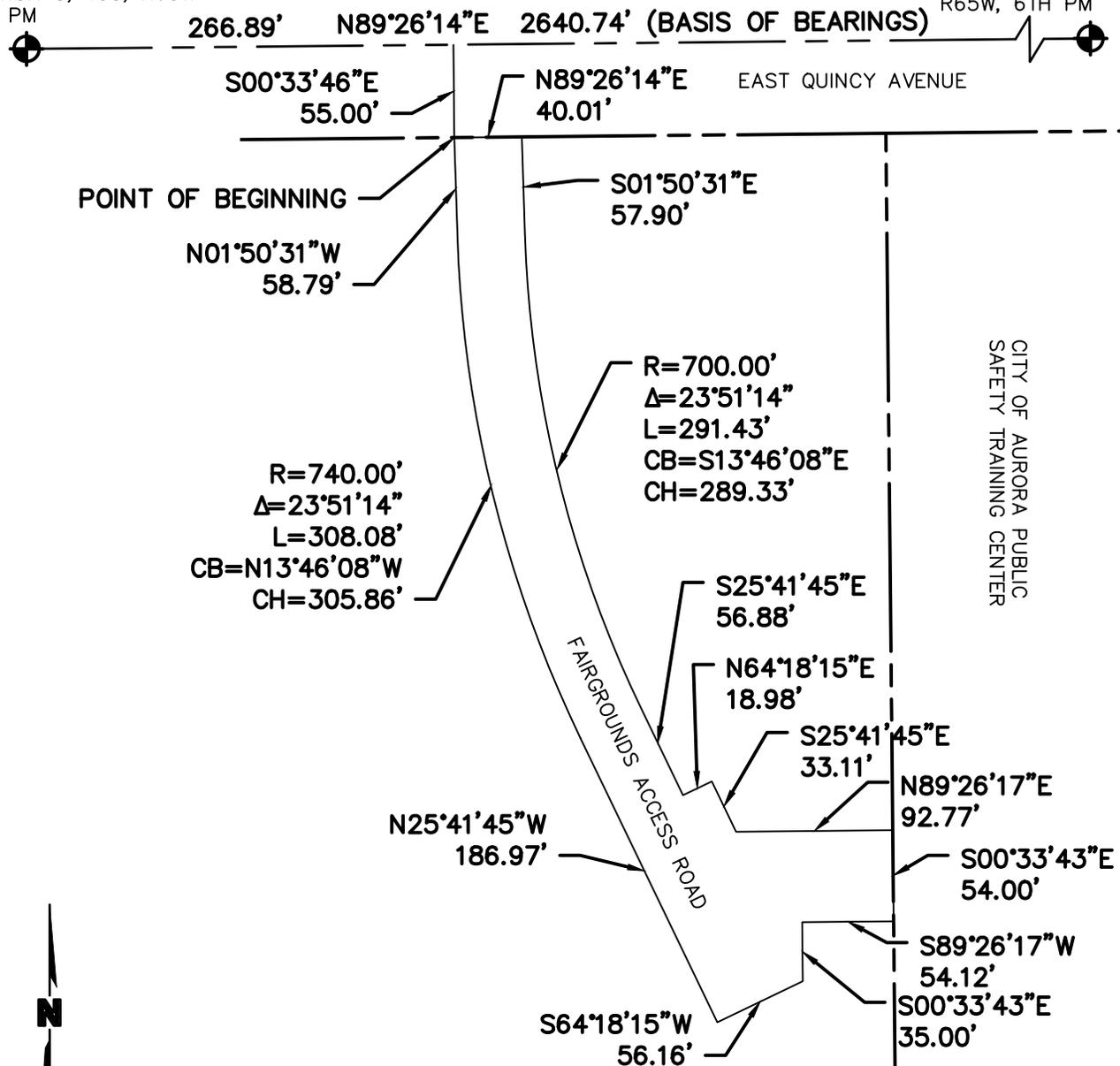
4690 Table Mountain Drive, Suite 200 TEL 303.237.2072  
Golden, CO 80403 FAX 303.237.2659 www.olssonassociates.com

# EXHIBIT A

NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PM,  
CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO.

POINT OF COMMENCEMENT  
NORTH QUARTER CORNER  
SECTION 8, T5S, R65W  
6TH PM

NORTHEAST CORNER  
SECTION 8, T5S,  
R65W, 6TH PM



0' 25' 50' 100'  
SCALE IN FEET

SHEET 3 OF 3

DATE: 03/06/2015  
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EXHIBIT A:  
PERMANENT  
ACCESS  
EASEMENT

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**RESOLUTION NO. 160XXX** It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to authorize the Arapahoe County Attorney to settle the following Board of Assessment Appeals Cases (Docket Numbers), for the tax years listed below:

<b>Docket #</b>	<b>Property Owner</b>	<b>Tax Year</b>
-----------------	-----------------------	-----------------

After review by the County Attorney's Office, in conjunction with the Arapahoe County Assessor's Office and the Petitioners, evidence was submitted which supported the Stipulation and Petitioner agreed to a new value. The Assessor has recommended approval pursuant to the terms contained within the Stipulations. Based upon the evidence submitted to the Board on this date, the Board has no reason not to concur with the proposed Stipulations.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ;  
Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



**Board Summary Report**

**Date:** May 5, 2016  
**To:** Board of County Commissioners  
**Through:** Ronald A. Carl, County Attorney  
**From:** Karen Thompsen, Paralegal  
**Subject:** Approval of BAA Stipulation (1 Resolution Number)

**Request and Recommendation**

The purpose of this request is for the adoption of a resolution approving the Board of Assessment Appeals (BAA) stipulations listed below.

**Background**

These stipulations are a result of an agreement reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, settling tax protests filed with the BAA.

**Discussion**

The following BAA docket number has been stipulated to for the tax year indicated below.

<b>Tax Year</b>	<b>Docket #</b>	<b>Property Owner</b>	<b>Property Address</b>	<b>Reason</b>	<b>Original Value</b>	<b>Stipulated Value</b>
2015/ 2016	66129	Rossmore Enterprises Inc	15735 East Arapahoe Road	1.	\$2,749,000	\$2,550,000
2015/ 2016	66212	Robert, Steve Sim LLC	6391 South Troy Circle	2.	\$213,912	\$156,900
2015/ 2016	66260	15501 E Fremont Drive LLC	15501 East Fremont Drive	3.	\$1,550,000	\$1,500,000
2015/ 2016	66325	Scott Dailey and Pamela Dailey	6301 South Killarney Street	4.	\$326,600	\$315,000
2015/ 2016	66339	1 <sup>st</sup> Storage Concepts LLC	14200 East Otero Avenue	5.	\$1,474,218	\$1,395,021
2015/ 2016	66340	Lombrozi LLC	35 Inverness Drive East & 37 Inverness Drive East	6.	\$6,219,000	\$6,030,000

2015/ 2016	66404	PTT Properties	501 Sable Boulevard, 411 Sable Boulevard, 401 Sable Boulevard	6.	\$10,428,000	\$9,900,000
2015/ 2016	66461	Bonnie Chaplin	5604 South Prince Street	7.	\$2,882,312	\$2,520,000
2015/ 2016	66501	Luiza E. Sauaia	12585 East Bates Circle	8.	\$264,000	\$230,000
2015/ 2016	66558	Navin C. Dimon and Rita Dimond	2 Pond Road	9.	\$7,799,200	\$7,153,500
2015/ 2016	66578	Oak Ridge Apartments Delaware LLC	704 South Chambers Road & 810 South Chambers Road	10.	\$48,590,000	\$39,950,000
2015/ 2016	66591	American Furniture Warehouse	8281 South University Boulevard	6.	\$4,924,000	\$4,637,000
2015/ 2016	66592	American Furniture Warehouse	1700 South Abilene	6.	\$6,695,000	\$5,181,600
2015/ 2016	66593	Dartmouth Point LLC	3091 South Jamaica Court	6.	\$1,129,000	\$1,003,000
2015/ 2016	66684	Murry P. Hayutin and Phyllis Hayutin	5094 East Quincy Avenue	11.	\$2,390,716	\$2,092,700
2015/ 2016	66885	Gary A. Mosko and Joanne F.L. Mosko	5711 East Stanford Drive	4.	\$3,509,130	\$3,250,200

**Reasons**

1. Income approach indicates that an adjustment to this value is correct.
2. Comparable market sales and present worth discounting indicate adjustment to this value is correct.
3. Income and sales comparison approaches, in consideration of the subject’s metal construction, indicate that adjustment to this value is correct.
4. Comparable market sales indicate that adjustment to this value is correct.
5. Actual costs of subject construction indicate that adjustment to this value is correct.
6. Income and sales comparison approaches indicate that adjustment to this value is correct.
7. Income approach considering subject’s rent roll, income & expenses indicates adjustment to this value is correct.
8. Condition of the subject and comparable market sales indicate that adjustment to this value is correct.
9. Comparable market sales and reduction of subject valuation grade indicate that adjustment to this value is correct.
10. Assessor’s 2015 value of \$48,590,000 based on mass appraisal regression analysis is not supportable. Comparable sales and GRM indicate that adjustment to \$39,950,000 is correct.

11. Lowering of subject quality grade in relation to comparable market sales indicates that adjustment to this value is correct.

**Alternatives**

Let protest proceed to the BAA for a decision. Said alternative would involve unnecessary time and expense for the County and the taxpayer.

**Fiscal Impact**

Reduction in the amount of property taxes collected for the above listed properties.

**Concurrence**

The negotiator for the County Board of Equalization, the County Assessor and the County Attorney all support this recommendation.

**Reviewed By:**

Ronald A. Carl, County Attorney  
Karen Thompsen, Paralegal



**Board Summary Report**

**Date:** May 6, 2016  
**To:** Board of County Commissioners  
**Through:** Ronald A. Carl, County Attorney  
**From:** Karen Thompsen, Paralegal  
**Subject:** Approval of BAA Stipulation (1 Resolution Number)

**Request and Recommendation**

The purpose of this request is for the adoption of a resolution approving the Board of Assessment Appeals (BAA) stipulations listed below.

**Background**

These stipulations are a result of an agreement reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, settling tax protests filed with the BAA.

**Discussion**

The following BAA docket number has been stipulated to for the tax year indicated below.

<b>Tax Year</b>	<b>Docket #</b>	<b>Property Owner</b>	<b>Property Address</b>	<b>Reason</b>	<b>Original Value</b>	<b>Stipulated Value</b>
2015/ 2016	66037	Deline Associates Inc.	5300 DTC Parkway	1.	\$3,774,000	\$3,400,000
2015/ 2016	66038	Deline Associates Inc.	5302 DTC Parkway	2.	\$6,967,000	6,510,500
2015/ 2016	66039	Deline Associates Inc.	5332 DTC Parkway	2.	\$2,716,000	\$2,539,500
2015/ 2016	66189	Catherine H. Anderson	4400 East Quincy Avenue	3.	\$8,939,000	\$4,601,000
2015/ 2016	66498	Columbia Healthone LLC	7360 Potomac Circle	4.	\$4,555,425	\$3,685,000
2015/ 2016	66680	Alan Cohen and Susan L. Cohen	13 Vista Road	4.	\$3,726,200	\$3,300,400
2015/ 2016	66919	Phillip A. Stull	5000 South El Camino Drive	5.	\$3,319,400	\$2,869,600

**Reasons**

1. Comparable market sales and income approach reflecting high historical vacancy of 25% indicate that adjustment to this value is correct.
2. Income and sales comparison approaches indicate that adjustment to this value is correct.
3. An adjustment was made to the market value to recognize the donation of a conservation easement by the owner. The easement permanently extinguished significant development rights on the vacant land portion of the property.
4. Comparable market sales indicate that adjustment to this value is correct.
5. Lowering of subject quality grade in relation to comparable market sales indicates that adjustment to this value is correct.

**Alternatives**

Let protest proceed to the BAA for a decision. Said alternative would involve unnecessary time and expense for the County and the taxpayer.

**Fiscal Impact**

Reduction in the amount of property taxes collected for the above listed properties.

**Concurrence**

The negotiator for the County Board of Equalization, the County Assessor and the County Attorney all support this recommendation.

**Reviewed By:**

Ronald A. Carl, County Attorney  
Karen Thompsen, Paralegal

**RESOLUTION NO. 160XXX** It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to authorize the Arapahoe County Attorney to settle the following Board of Assessment Appeals Cases (Docket Numbers), for the tax years listed below:

<b>Docket #</b>	<b>Property Owner</b>	<b>Tax Year</b>
-----------------	-----------------------	-----------------

After review by the County Attorney's Office, in conjunction with the Arapahoe County Assessor's Office and the Petitioners, evidence was submitted which supported the Stipulation and Petitioner agreed to a new value. The Assessor has recommended approval pursuant to the terms contained within the Stipulations. Based upon the evidence submitted to the Board on this date, the Board has no reason not to concur with the proposed Stipulations.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ;  
Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



Date: May 17, 2016  
To: Board of County Commissioners  
From: Carol Dosmann, Executive Assistant  
Through: Diana Maes, BOCC Administration Manager  
Subject: Cancellation of June 6 and 7, 2016 Study Sessions and Public Meeting due to a lack of quorum

### **Request and Recommendation**

A request to cancel the regularly scheduled June 6 and 7, 2016 Study Sessions and Public Meeting due to a lack of quorum.

### **Background**

Each year any number of County Commissioners may attend the annual Colorado Counties, Inc. Summer Conference; and due to a lack of quorum on June 6 and 7, 2016, the Board of County Commissioners will not hold meetings on those two days.

### **Discussion**

Adoption of the attached resolution will notify all interested parties of the Board's attendance at the CCI Summer Conference and subsequent cancellation of the June 6 and 7, 2016 Study Sessions and Public Meeting.

### **Alternatives**

### **Fiscal Impact**

### **Concurrence**

### **Attorney Comments**

### **Reviewed By:**

Diana Maes, BOCC Administration Manager  
John Christofferson, Deputy County Attorney

**RESOLUTION NO. 160**  
seconded by Commissioner

It was moved by Commissioner  
to adopt the following Resolution:

and duly

WHEREAS, pursuant to Section 30-10-304, C.R.S., the Board of County Commissioners of Arapahoe County, Colorado, is required to hold at least two meetings in each week of the year at the county seat; and

WHEREAS, by the adoption of Resolution No. 160019 on January 12, 2016, the Board of County Commissioners did establish Mondays and Tuesdays (except for legal holidays) as the regular meeting days for the Board to conduct County business during the calendar year of 2016; and

WHEREAS, the Board of County Commissioners must have a quorum of its members available in order for it to transact County business; and

WHEREAS, due to the attendance of a majority of members of the Board at the Colorado Counties, Inc. (CCI) Summer Conference on June 6 and June 7, 2016, a quorum of the members of the Board of County Commissioners will be unavailable for meetings on those dates.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, to cancel its meetings, including the public meeting and the study sessions on June 6, and 7, 2016 due to a lack of a quorum of its members.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



## Board Summary Report

**Date:** May 4, 2016

**To:** Board of County Commissioners

**Through:** David M. Schmit, PE, Director,   
Department of Public Works and Development

**Through:** Bryan D. Weimer, Division Manager   
Transportation Division

**Through:** Brian R. Love, Program Manager   
Capital Improvement Program

**From:** Mark J. Brown, PE, Engineer III   
Capital Improvement Program

**Subject:** **C 11-013: EAST ILIFF AVENUE RIGHT OF WAY ACQUISITION:  
Acceptance of Quit Claim Deed for Right of Way Acquisition from Denver Board  
of Water Commissioners and payment for Denver Water administrative  
processing fees in the amount of \$2,000 to acquire property.**

**Purpose and Recommendation:**

The purpose of this report is to request acceptance of the attached Quit Claim Deed accepting the conveyance of the road Right of Way and authorization by the Board of County Commissioners to allow David Schmit, Director of Public Works and Development to sign any closing documents as necessary associated with this property acquisition from the Denver Board of Water Commissioners (Denver Water).

**Background**

Along the south side of E. Iliff Avenue between Cherry Creek and S. Wabash St. there is a 400 foot long gap where no sidewalk currently exists. During research of property ownership in this gap area to determine easement and or Right of Way (ROW) needs to construct this section of sidewalk, staff discovered that Denver Water holds title to a parcel that encompasses a portion of E. Iliff Ave. Please see attached Exhibit A.

The goal of this project is to acquire this ROW parcel to facilitate the ROW clearance for the current Iliff Ave. corridor improvement project to allow the future sidewalk and roadway improvement to be constructed in this area.

**Links to Align Arapahoe**

**Service First –**

The acquisition is necessary for completion of the sidewalk along E. Iliff Ave. meeting both County Standards and the desired outcomes of the citizens in the area.

**Quality of Life –**

The sidewalk addition will provide the citizens with a safer area to walk.

**Discussion**

To facilitate the future construction of these sidewalk and roadway improvements with the Iliff Ave. corridor project, acquisition of Right-of-Way is necessary from the property owner. Staff contacted the Denver Water property division and it was mutually determined this 40’ x 100’ parcel was never conveyed to the County. Denver Water determined this is a remainder parcel from a 90 acre acquisition of Cherry Creek Galleries property in 1918. Denver Water has approved the recommendation to Quit Claim Deed this parcel to the County for the administrative processing fee of \$2,000.00. (Please see Attached Exhibit “B”)

**Fiscal Impact**

The administrative compensation fee for Denver Water processing the acquisition of this 0.092 Acres of Right of Way is \$2,000.00.

Funds are available in the following account:

424511013-54915	ROW Acquisition	\$ 2,000.00
WBS 11013.1.3.2	ROW Acquisition	

**The check needs to be made out EXACTLY as follows:**

**Denver Water  
PO Box 173343  
Denver, CO 80217-3343**

**NOTE: THE CHECK NEEDS TO BE DELIVERED TO MARK BROWN IN PUBLIC WORKS and NOT ISSUED** directly to Payee to allow closing of the Right of Way acquisition process.

**Reviewed By:**

The Assistant County Attorney and Public Works and Development staff have reviewed and approved the attached Quit Claim Deed document. The attached legal description and exhibit for the parcel was prepared by the County Mapping Division.

- Mark Brown
- Brian Love
- Bryan Weimer
- David Schmit
- Robert Hill
- Patrick Hubert

**Action Requested From BoCC**

It is recommended that the following actions occur:

1. Approval and acceptance of the attached Quit Claim Deed.
2. Acceptance and recognition of the Quit Claim Deed from Denver Water as County Right-of Way.
3. Authorization to issue payment warrant in amount of \$2,000.00 as referenced above.
4. Authorization to record the Quit Claim Deed with the County Clerk and Recorder for dedication to the County for Right-of-Way purposes.

Attachments: One (1) Resolution  
One (1) ROW Parcel Legal Description and Exhibit  
One (1) Quit Claim Deed granted by Denver Board of Water Commissioners

cc: **Email** \_\_\_\_\_  
David M. Schmit, Director, PWD  
Bryan D. Weimer, Trans. Div. Manager  
Brian R. Love, CIP Manager  
Arthur Negretti, CIP Engineer III  
Robert Hill, Assistant County Attorney  
Kim Lynch, Business Associate  
Scan to Files C 11-013 & C 15-002

**Hard Copy** \_\_\_\_\_  
File C11-013& C15-002  
Rhonda Robinson, Budget Analyst

RESOLUTION NO. \_\_\_\_\_. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to authorize David M. Schmit, Director, Department of Public Works and Development to execute any necessary right-of-way documents on behalf of the Board and to approve and accept, upon recommendation of the County’s Transportation Division and Director of the Public Works and Development Department, the **Quit Claim Deed** for right-of-way for East Iliff Avenue, Arapahoe County, State of Colorado, granted by Denver Board of Water Commissioners, granting an interest in the following real property:

**Quit Claim Deed**

A portion of Parcel A as recorded in Book 8045 at Page 302 of the records of Arapahoe County, Colorado, lying within the Southeast quarter of Section 28, Township 4 South, Range 67 West of the Sixth Principal Meridian, Arapahoe County, Colorado, more particularly described as follows:

**COMMENCING** at the center of said Section 28;

**THENCE** South 85°45'57" East a distance of 390.70 feet to the northwest corner of said Parcel A, and the **POINT OF BEGINNING**:

**THENCE** along the northerly line of said Parcel A, North 89°49'49" East, a distance of 100.00 feet to the northeast corner of said Parcel A;

**THENCE** along the easterly line of said Parcel A, South 00°15'21" East, a distance of 40.00 feet;

**THENCE** South 89°49'49" West, a distance of 100.00 to the westerly line of said Parcel A;

**THENCE** along said westerly line, North 00°15'21" West, a distance of 40.00 feet to the **POINT OF BEGINNING**.

Containing 0.092 acres, or 4000 square feet of land, more or less.

Subject to existing rights-of-way and easements.

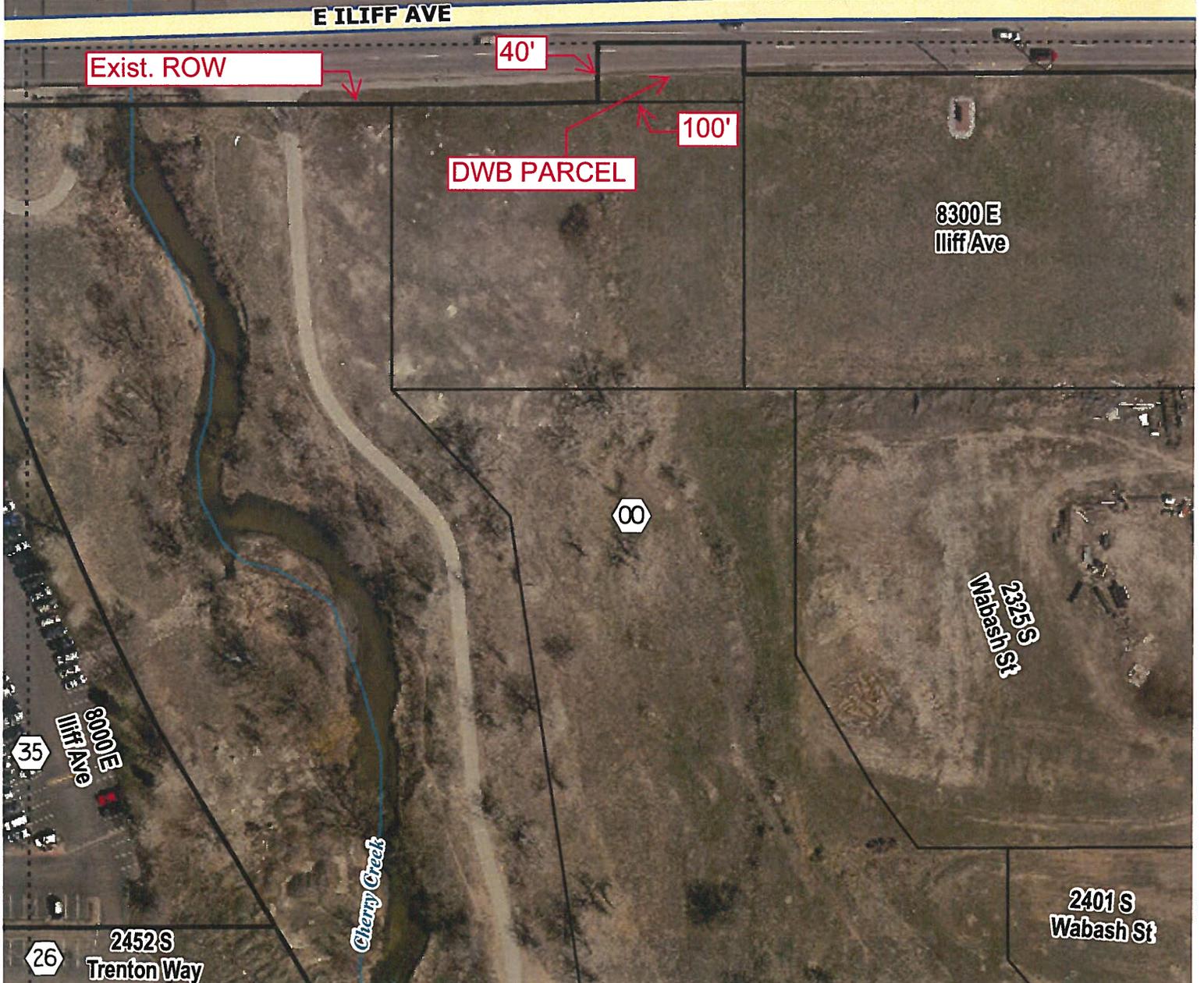
The parcel described above shall be used in connection with the Arapahoe County Case No. C 11-013 and is accepted for the Right-of Way purposes expressed in the instrument.

**BASIS OF BEARING:** All bearings are based on the North line of the SE 1/4 of Section 28, T4S, R67W per the records of Arapahoe County, Colorado Horizontal Control, and said north line bears North 89°49'49" East.

The vote was:

Commissioner Bockenfeld, \_\_\_\_; Commissioner Doty \_\_\_\_; Commissioner Holen \_\_\_\_; Commissioner Jackson \_\_\_\_; Commissioner Sharpe, \_\_\_\_.

The Chair declared the motion carried and so ordered.



## DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: February 8, 2012

Board Item: V-A-17

**Designation of Surplus Property  
At Cherry Creek Galleries**

 Action by Consent Action Information

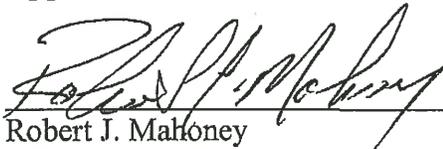
Denver Water holds title to a small 40' x 100' parcel of land on the south side of Iliff Avenue, east of Cherry Creek (at Valentia Street). This is a remainder parcel from a 90 acre acquisition of Cherry Creek Galleries property in 1918. All property contiguous to this parcel has been disposed of leaving this property which is currently in the shoulder of dedicated Iliff Avenue being maintained by Arapahoe County.

Arapahoe County would like to construct roadway improvements and would like to acquire this parcel to clear title. Denver Water staff and indicated there is no operational use for this property and recommends it be Deeded to Arapahoe County for \$2,000.00 in compensation.

Recommendation:

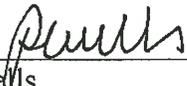
It is recommended that the Board declare the 4,000 square foot of property at Cherry Creek Galleries surplus as it is not longer useful or required for present or future water works purposes.

**Approvals:**

  
Robert J. Maloney  
Director of Engineering

Respectfully submitted,

  
James S. Lochhead  
CEO/Manager

  
Patti Wells  
General Counsel

# QUITCLAIM DEED

THIS QUITCLAIM DEED is dated \_\_\_\_\_, and is made between CITY AND COUNTY OF DENVER, ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Colorado (the "Grantor"), and COUNTY OF ARAPAHOE, A BODY POLITIC AND CORPORATE, duly organized and existing under and by virtue of the laws of the State of Colorado (the "Grantee"), whose legal address is 5344 South Prince Street, Littleton, CO 80166-0111.

WITNESS, that the Grantor, for and in consideration of the sum of Two Thousand and 00/100 Dollars, (\$2,000.00), the receipt and sufficiency of which the Grantor hereby acknowledges, does hereby remise, release, sell and QUITCLAIM unto the Grantee and its successors and assigns forever, all the right, title, interest, claim and demand in and to the real property, together with any improvements thereon, located in the County of Arapahoe, State of Colorado, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

also known by street address as: Vacant Land

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest, and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoove of the Grantee, and its successors and assigns, forever.

EXCEPT GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 2015 AND SUBSEQUENT YEARS. GRANTOR HEREBY EXCLUDES AND DISCLAIMS ANY AND ALL REPRESENTATIONS OR WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, WITH RESPECT TO THE PRESENCE OF ENVIRONMENTAL CONTAMINATION ON THE PROPERTY OR IN THE GROUND WATER. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES AND ACCEPTS SUCH EXCLUSION AND DISCLAIMER.

NO WATER, WATER RIGHTS OF RIGHTS TO THE USE OF WATER IS CONVEYED HEREIN.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its president, vice-president, or other head officer, and its corporate seal to be affixed, attested by its secretary or other appropriate officer, on the date set forth above.

ATTEST:

GRANTOR:

CITY AND COUNTY OF DENVER, acting by and through its BOARD OF WATER COMMISSIONERS

Its: James S. Lochhead, Secretary

By: Penfield Tate III

Its: President

STATE OF COLORADO )  
 ) ss.  
County of Denver )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Penfield Tate III, as the President, and by James S. Lochhead, as the Secretary, on behalf of the Grantor.

Witness my hand and official seal.  
My commission expires:

\_\_\_\_\_  
Notary Public

Patrick T. Hubert, PLS 38357 6924 S. Lima Street, Centennial, CO 80112  
Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

**EXHIBIT "A"**  
**Denver Water Conveyance**  
**To Arapahoe County**

**PARCEL DESCRIPTION**

A portion of Parcel A as recorded in Book 8045 at Page 302 of the records of Arapahoe County, Colorado, lying within the Southeast quarter of Section 28, Township 4 South, Range 67 West of the Sixth Principal Meridian, Arapahoe County, Colorado, more particularly described as follows:

**COMMENCING** at the center of said Section 28;

**THENCE** South 85°45'57" East a distance of 390.70 feet to the northwest corner of said Parcel A, and the **POINT OF BEGINNING**.

**THENCE** along the northerly line of said Parcel A, North 89°49'49" East, a distance of 100.00 feet to the northeast corner of said Parcel A;

**THENCE** along the easterly line of said Parcel A, South 00°15'21" East, a distance of 40.00 feet;

**THENCE** South 89°49'49" West, a distance of 100.00 to the westerly line of said Parcel A;

**THENCE** along said westerly line, North 00°15'21" West, a distance of 40.00 feet to the **POINT OF BEGINNING**.

Containing 0.092 acres, or 4000 square feet of land, more or less.

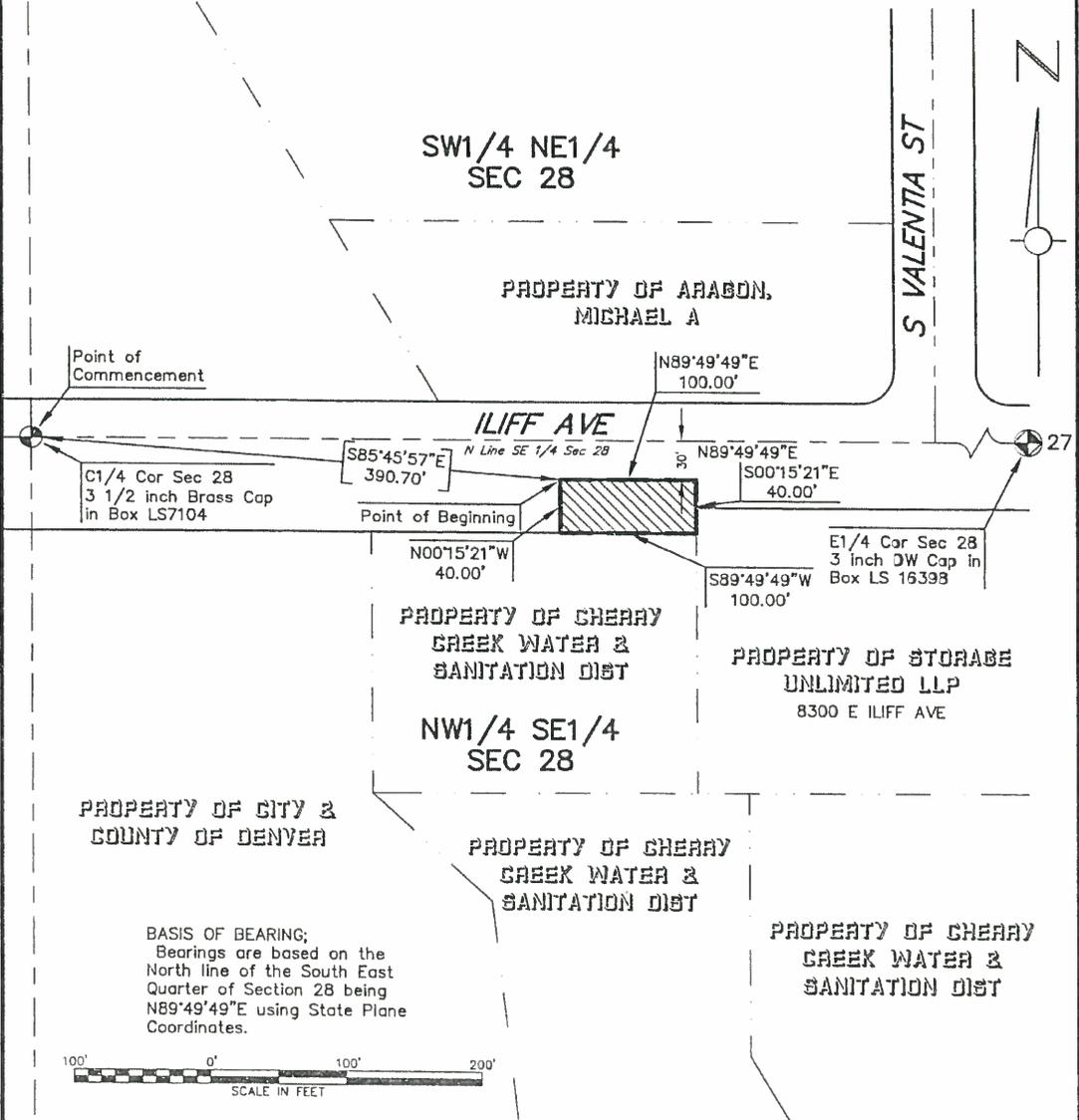
Subject to existing rights-of-way and easements.

**BASIS OF BEARING:** All bearings are based on the North line of the SE1/4 of Section 28, T4S, R67W per the records of Arapahoe County, Colorado Horizontal Control, and said north line bears North 89°49'49" East.

\_\_\_\_\_  
For and on behalf of Arapahoe County  
Patrick T. Hubert, PLS 38357  
6924 S. Lima Street  
Centennial, CO 80112



SE 1/4 SECTION 28, TOWNSHIP 4 SOUTH, RANGE 67 WEST 6th PM  
 ----- ARAPAHOE COUNTY -----



BASIS OF BEARING;  
 Bearings are based on the  
 North line of the South East  
 Quarter of Section 28 being  
 N89°49'49"E using State Plane  
 Coordinates.



Parcel Map Not P.L.S. Stamped or Certified		PARCEL CONTAINS 0.092 ACRE± (4,000 SQ FT)	
<b>LEGEND</b> REAL ESTATE CONVEYED BNDRY EXISTING DW PROP		DOCUMENT DATED: SEC'Y FILE    DOC. RIMS ITEM NO. CARD NO. DRN.    PM. LAB    S. LF APPD. _____ SHEET 1 OF 1 SHEET	<b>CHERRY CREEK GALLERIES</b> PROPERTY CONVEYED TO ARAPAHOE COUNTY DATE: FEBRUARY 10, 2016
		<b>DENVER WATER</b> 1600 West 12th Avenue Denver, Colorado 80204 Phone (303)628-6000 Fax (303)628-6224 www.denverwater.org SCALE: 1" = 100' CAD 16048-1_PMG	

L.W.D. PROPERTY MANAGEMENT STANDARDS 080520111



## Board Summary Report

**Date:** April 28, 2016  
**To:** Board of County Commissioners  
**From:** David Bessen, Information Technology Director  
**Subject:** Extension of Xerox Managed Print Services Agreement

### Request and Recommendation

The purpose of this report is to request that Xerox be retained as the County's Managed Print Services vendor for the next five years and that a Select Source Bid Waiver be approved to allow a contract revision to be put into place.

A Select Source Bid Waiver is being sought on grounds of this being in the best interest of the County and due to the impracticality of changing managed print vendors. It took over two years for the County to switch from using Canon devices to the Xerox Managed Print Services, consuming large amounts of resource time. The complexity of repeating this process, were the County to change print vendors, will likely exceed the costs of any cost savings potentially associated with a vendor change. Thus, we are proposing that the Board of County Commissioners grant the Select Source Bid Waiver and permit a five year extension to the existing contract with Xerox, subject to annual appropriations.

### Background

The County contracted with Xerox for managed print services in August 2013. The goal of this project was to lower the overall costs of printing and copying across the County and to move to a vendor who would service equipment in a timely fashion. Significant savings have been achieved as a result of the project. Nearly 700 printing, copying, FAXing and scanning devices have been removed the County's fleet of devices, toner savings are estimated at approximately \$200,000 annually and Xerox is providing on-site service through a County-dedicated technician. Processes have been put in place for acquiring consumables and obtaining repair services, as well as for managing any request for new or additional devices.

Xerox has proposed a revision to our existing contract, which would allow the County to take advantage of Xerox's more robust print management services. This newer program would allow for print governance—directing printing to the most cost effective devices, "follow me" print services—which allow a print job to be sent from one facility and printed out at a printer in another facility, and a better ability to manage any moves, additional devices, or removal of devices. In addition, from a security perspective, County door badges will be enabled on the Xerox devices to release print jobs. This will allow for better security as well as for management of printing and accounting down to the individual level.

Xerox is proposing to offer these greater services at no additional expense; in fact, they are estimating that we will save approximately \$30,000 annually by moving to this new program. The County will need to acquire three servers and software licenses, costing approximately \$24,000, in the first year of the program, thereby offsetting some of the savings. However, as part of the contract revision, Xerox is requesting a five-year extension of the contract, even though we are only 2-1/2 years through the initial contract.

**Discussion**

We recommend that the Board of County Commissioners grant the bid waiver and allow the extension of the contract by five years. At this point, the cost of going out to RFP and potentially changing vendors to implement a different managed print solution would be resource intensive and any potential savings would likely be offset by the large effort of implementing a new solution. In addition, from an organizational perspective, it has taken many months to develop, implement and adopt the new processes associated with the current managed print solution; to change vendors and to implement a new solution would tax county staff again. These considerations would suggest that changing vendors at this point in our relationship with Xerox would be a costly move and therefore is not recommended.

**Alternatives**

Rather than extending the Xerox contract for five more years, our alternative is to simply wait until our Xerox contract approaches expiration in 2018 and then issue a new RFP, with the prospect that we could go through the costly exercise of changing vendors at that point. In addition, we would be forgoing any savings that will likely accrue from implementing the more robust managed print solution that Xerox has proposed, which are estimated at about \$75,000 between now and the expiration of the existing contract.

**Reviewed by**

This recommendation was presented to the Finance department and received their approval.  
John Christofferson, Deputy County Attorney

**RESOLUTION NO.** \_\_\_\_\_. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to authorize a Waiver of the Arapahoe County Purchasing Policies for select source procurement with Xerox for Managed Print Services over the next five years.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



ARAPAHOE COUNTY  
COLORADO'S FIRST

# WAIVER OF PURCHASING POLICIES

WAIVER OF SOLICITATION <input type="checkbox"/>	WAIVER OF QUOTE <input type="checkbox"/>
PROPRIETARY <input type="checkbox"/>	SELECT SOURCE <input checked="" type="checkbox"/>
FOR INFORMATION ONLY <input type="checkbox"/>	

DESCRIPTION OF PROJECT: Extension of Managed Print Service Contract with Xerox

PRICE: est. \$500,000/year      ANNUAL MAINTENANCE: \$ 0

FIXED ASSET Yes  No       FIXED ASSET #

COST CENTER All Depts/Offices      G/L #      IO #

JUSTIFICATION (Provide Vendor name, How were they selected, Why requesting to waive purchasing policy process): Xerox was chosen as the County's managed print vendor through a RFP process in 2013. In the past 2-1/2 years, all of the Canon devices have been replaced by Xerox MFDs, nearly 700 devices (printers, FAX machines, scanners) have been retired and savings in toner alone are estimated at approximately \$200,000 annually. In addition, processes have been established to control manage any growth in the demand for printer/copying devices.

Xerox has proposed a revision to our contract that will enable us to use badges to release print jobs, to establish print governance that drives printing to lower cost devices and to enable "follow me" printing to permit printing from any Xerox device anywhere in any County facility. This revision is expected to lower our annual cost by approximately \$30,000, not including any savings from the print governance program. There will be an associated hardware and software cost (approximately \$24,000) that will offset much of this savings in Year 1, but thereafter the full annual savings should be realized.

As part of this revision, Xerox is requesting that we agree to a five year duration from the date of signing, making the total duration of the Xerox contract 7-1/2 years. Realistically, the costs of issuing a new RFP and the possibility of replacing Xerox as our managed print vendor would be significantly greater and more taxing on County resources than any savings likely to be gained by going with another vendor. Thus, we are seeking this contract extension.

David Bessen \_\_\_\_\_  
Requestor Name, Signature & Telephone Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Elected Official/Department Head

\_\_\_\_\_  
Date

Purchasing Manager

Date

Comments: \_\_\_\_\_

Waiver approved, BoCC Reso #140221. Requestor to proceed with PO Yes  No

Requestor to schedule BoCC Drop In & Create Board Summary Report Yes  No

\_\_\_\_\_  
Janet Kennedy, Director of Finance (not to exceed \$100,000) Date \_\_\_\_\_

\_\_\_\_\_  
BOCC, Chair Date \_\_\_\_\_

Requestor to schedule BoCC Consent Agenda & Board Summary Report Yes  No

Resolution # \_\_\_\_\_

**Per BoCC Resolution #140221 of 4/8/14, Purchasing Manager has authorization for sole approval up to \$25,000 plus exemptions to Policy**



## Board Summary Report

**Date:** April 29, 2016  
**To:** Board of County Commissioners  
**Through:** David C. Walcher, Sheriff  
**From:** Olga Fajaros, Budget & Logistics Manager  
**Subject:** Littleton Police Department IGA Drive Track Vehicles

### Request and Recommendation

The Arapahoe County Sheriff's Office requests the Board of County Commissioners to approve and authorize the Intergovernmental Agreement for temporary driving track vehicle loan with the Littleton Police Department.

### Background

The Arapahoe County Sheriff's Office has previously been authorized by the Board of County Commissioners to permit outside law enforcement agencies use of the drive track for law enforcement drivers training. Agencies sign an intergovernmental agreement and pay a daily use fee for the track.

The Littleton Police Department has made a request to additionally use specially equipped training vehicles owned by the Sheriff's Office for Tactical Vehicle Intervention (TVI) training. The Littleton Police Department does not own this type of vehicle and has not trained their officers in TVI prior to 2016.

The Sheriff's Office currently owns four TVI vehicles and will be adding four additional TVI vehicles in 2016 due to the driving programs expansion with academies.

The Littleton Police Department has agreed to pay a daily rental fee per vehicle covering basic maintenance, fuel costs, and tire replacement. Additionally, the Littleton Police Department has agreed to pay for the replacement of the loan vehicle should it be damaged beyond repair due to their negligence.

The TVI cars are re-purposed vehicles taken out of daily usage and reassigned to the training unit until such time they are no longer functional. The value to replace a TVI car is between \$3,000 and \$6,000.

### Links to Align Arapahoe

Community Service and Partnerships

**Discussion**

The Littleton Police Department has requested use of the Sheriff's Office TVI vehicles in order to instruct officers in tactical vehicle intervention. The technique is meant to stop vehicle pursuits involving individuals that are otherwise a danger to the community. Prior to 2016, the Littleton Police Department has not provided this invaluable training due to equipment requirements. The Sheriff's Office currently has four specially equipped TVI vehicles and will be adding four additional vehicles in 2016. By entering into this agreement Arapahoe County and the City of Littleton are recognizing the importance of stopping vehicle pursuits involving dangerous offenders before they can victimize others or escape arrest.

**Alternatives**

Absent this agreement, the Littleton Police Department would not have the opportunity to provide TVI training to their officers.

**Fiscal Impact**

The Littleton Police Department has agreed to \$120 per day rental fee per vehicle. This will cover basic maintenance, fuel costs and tire replacement. Additionally, if the vehicle(s) is damaged beyond repair due to negligence the Littleton Police Department will pay for the replacement cost estimated between \$3,000 and \$6,000.

**Concurrence**

The Sheriff's Office Administration and the Training Unit are in full support of entering into this agreement with the Littleton Police Department.

**Attorney Comments**

**Reviewed By:**

Olga Fujaros, Budget & Logistics Manager  
Larry Etheridge, Support Services Bureau Chief  
David C. Walcher, Sheriff  
County Attorney

**RESOLUTION NO.** It was moved by Commissioner and duly seconded by Commissioner to approve and to authorize the Chair of the Board of County Commissioners to sign the Intergovernmental Agreement For Temporary Driving Track Vehicle Loan between the City of Littleton Police Department and Arapahoe County.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ;  
Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

## INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY DRIVING TRACK VEHICLE LOAN

THIS AGREEMENT is entered into as of the 29 day of March, 2016 by and between the Arapahoe County Sheriff (the "ACSO") and Arapahoe County (the "County") and the City of Littleton, acting on behalf of the Littleton Police Department (hereinafter "Littleton"), collectively the Parties.

WHEREAS, the County owns and operates the County Driving Track Facility, located at the Arapahoe County Fairgrounds and Park at 25690 E. Quincy Ave., Aurora, CO, for training and other related activities;

WHEREAS, through various Intergovernmental Agreements ("IGAs") the County and the ACSO permit other law enforcement agencies ("User Agency") to use the County's Driving Track Facility based on the terms, conditions and user fees set forth in the IGA. The Driving Track Facility IGA provides that the User Agency shall obtain the required list of supplies and equipment that will be necessary for the User Agency to properly use the County's Driving Track Facility. The Driving Track Facility IGA further provides that the User Agency agrees to pay for any and all consumable product replacement, repair and/or replacement of property and/or loaned equipment at the County's Driving Track Facility that is or may be damaged, destroyed or rendered inoperable as a result of the User Agency's use of the County's Driving Track Facility;

WHEREAS, historically User Agencies have supplied their own vehicle(s) for training and use at the County's Driving Track Facility. However, Littleton now desires to use one or more Tactical Vehicle Intervention ("TVI") Training Vehicles that are owned and maintained for training purposes by the ACSO, and ACSO desires to assist Littleton by entering into an agreement for the use of ACSO's TVI Training Vehicles; and

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to Section 29-1-203, C.R.S. and Article XIV, Section 18(2) of the Colorado Constitution.

NOW, THEREFORE, the parties mutually agree as follows:

**A. Purpose.**

1. The Parties desire to enter into this Agreement for the purpose of establishing terms and conditions whereby Littleton shall be permitted to temporarily use one or more of ACSO's TVI Training Vehicles at the County's Driving Track Facility, for training of personnel and related activities.

**B. Use of ACSO TVI Training Vehicles.**

1. Permissible uses of ACSO TVI Training Vehicles shall include driving training for recruits and in-service personnel, both sworn and civilian, driving training for volunteers,

and such other uses as are deemed appropriate by mutual written agreement of the Parties.

2. Nothing in this Agreement shall eliminate the requirement that Littleton enter into a separate IGA regarding use of the County's Driving Track Facility, or the requirement that any person using the County's Driving Track Facility execute the County Release, Hold Harmless and Indemnification Agreement.

**C. Duration, Renewal and Termination.**

1. This Agreement shall continue in full force and effect for an initial term of one year from the date of execution of this Agreement and will automatically be deemed renewed for an additional two year period unless written notice of intent not to renew is provided by one Party to the other Party no less than thirty (30) days prior to the date of expiration of the initial term.
2. This Agreement may be terminated by either Party, with or without cause, upon thirty (30) days' notice to the other Party.

**D. Use Fees and Other Charges.**

1. Littleton agrees to pay the ACSO a daily use fee of one hundred and twenty dollars (\$120), per vehicle, for each ACSO TVI Training Vehicles borrowed or used by Littleton pursuant to this Agreement.
  - a. The daily use fee shall include the following:
    - i. Gas;
    - ii. Routine maintenance (for example, oil changes, tire rotations, fluid replacement);
    - iii. Tire replacement;
    - iv. Minor repairs (including minor dents, scratches, or other minor damage to the exterior of the TVI Training Vehicle)
2. In addition to paying the established daily use fee, Littleton agrees to pay for any repair(s) (other than minor repairs and routine maintenance which are included in the daily use fee as described above) and/or replacement of any ACSO TVI Training Vehicle borrowed or used under this Agreement that is or may be damaged, destroyed or rendered inoperable as a result of Littleton's use of the TVI Training Vehicle(s) or Littleton's use of the County's Drive Track Facility. ACSO estimates that the replacement value of a TVI Training Vehicle is between three thousand (\$3000) and six thousand (\$6000) dollars.
3. Use fees and other charges as provided herein shall be due and payable within thirty (30) days of receipt by Littleton of ACSO's written invoice itemizing said fees and charges.

**E. Supervision, Additional Equipment and Control.**

1. Littleton is required to have a POST certified driving instructor present while any ACSO TVI Training Vehicle is being used under this Agreement. The driving instructor(s) will ensure the appropriate use of any TVI Training Vehicle.
2. Littleton is responsible for providing any additional equipment, including any safety equipment, necessary to safely operate a TVI Training Vehicle.
3. Littleton shall not use any TVI Training Vehicle at any location other than the County's Driving Track Facility, and shall not otherwise remove or drive any TVI Training Vehicle from the County's Driving Track Facility, absent written permission for the ACSO.
4. ACSO reserves the right, in its sole discretion, to immediately terminate any use of a TVI Training Vehicle if it is determined that such use has resulted in or may result in damage to the County Driving Track Facility or if such use otherwise presents a threat to the safety of persons or property.

**F. Employment Status and Relation of Parties.**

1. Each of the Parties shall provide required workers' compensation insurance, salary, benefits and appropriate equipment for their respective employees.
2. Both Parties will be acting in their individual governmental capacities and not as agents, employees, partners, joint venturers, or associates of each other. The employees, agents or subcontractors of one Party shall not be deemed or construed to be the employees, agents, or subcontractors of the other Party.

**G. Compliance with Applicable Laws.**

1. The Parties to this Agreement shall comply with all applicable provisions of local, State and federal laws and regulations.

**H. Hold Harmless.**

1. To the extent permitted by law, Littleton shall hold harmless the County, its elected and appointed officials, boards, officers, agents, employees and insurers from and against any and all claims, damages, losses, expenses and demands, including court costs, attorney's fees and expenses, due to injuries, losses or damages arising out of, resulting from, or in any manner connected with the use of ACSO's TVI Training Vehicle(s)

**I. Insurance.**

1. In addition to compliance with the provisions set forth in Section H of this Agreement, Littleton shall obtain and maintain, at its own expense, general liability insurance, and

automobile liability insurance coverage in an amount and in such forms as necessary to protect the County, its officials, employees, and agents and Littleton against any and all claims arising from Littleton's use of ACSO TVI Training Vehicle(s) pursuant to this Agreement including, but not limited to, claims arising from the acts, omissions, or negligence of its officers, employees, contractors, invitees or agents against any and all claims arising from injuries or damages, however caused, sustained by any person or persons or to the property of any person or persons or other entities, including the County, occurring during such use.

2. The minimum annual aggregate policy limit for insurance coverage obtained and maintained pursuant to this Section shall be \$2,000,000. All policies shall name Arapahoe County and Arapahoe County Sheriff's Office as additional insured. All policy forms shall be subject to review and approval by the County. Prior to the effective date of this Agreement, Littleton shall provide the County with certificates of insurance and such other documents as may be requested by the County in order to confirm the existence and adequacy of the insurance coverage specified herein. Littleton shall notify the County no fewer than ten (10) days prior to cancellation or non-renewal of required coverage.
3. The Parties understand and agree that the policy limits or other provision of insurance coverage obtained and maintained pursuant to this Section shall in no way limit Littleton's obligations pursuant to this Agreement.

**J. Entire Agreement.**

1. This Agreement constitutes the entire understanding of the Parties with respect to the subject matter thereof. Any amendment or modification of this Agreement shall be made only by a written instrument executed by authorized representatives of the Parties.

**K. Governing Law and Venue.**

1. This Agreement shall be governed by and interpreted according to the law of the State of Colorado. Venue of any action arising under this Agreement shall be in the appropriate court in Arapahoe County, Colorado. The Parties agree that the rule that ambiguities in a contract are to be construed against the drafting Party shall not apply to interpretation of this Agreement.

**L. Notices.**

1. All notices, requests for payments, or other correspondence between the Parties regarding this Agreement shall be mailed or delivered to the respective Parties at the addresses set forth below or at such alternate addresses as may be specified in writing:

County:  
Arapahoe County Sheriff's Office

Littleton:  
Littleton Police Dept

c/o \_\_\_\_\_  
13101 E. Broncos Parkway  
Centennial, Colorado 80112

c/o \_\_\_\_\_  
2055 W. Berry Ave  
Littleton Co 80120

**M. Assignment.**

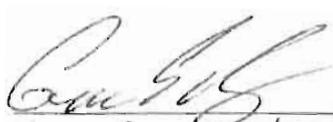
1. Neither the County nor Littleton shall have the right to transfer assign, in whole or in part, any or all of its obligations and rights hereunder without prior written consent of the other Party.

**N. Governmental Immunity.**

1. Nothing in this Agreement shall be interpreted to waive the monetary limitations or any other rights, immunities, or protections provided by the Colorado Governmental Immunity Act, Sections 24-10-101, et seq., C.R.S., as amended from time to time ("CGIA") or otherwise available to the Parties for federal claims.

IN WITNESS WHEREOF, the parties to this agreement enter into this agreement on the date provided above:

  
\_\_\_\_\_  
Name: **DAVID WALCHER**  
Title: **SHERIFF**  
Arapahoe County, Colorado

  
\_\_\_\_\_  
Name: **Gene Entel**  
Title: **Division Chief**  
City of Littleton

BOARD OF COUNTY COMMISSIONERS  
ARAPAHOE COUNTY, COLORADO

By: \_\_\_\_\_

Nancy Doty

Chair, Arapahoe County Board of Commissioners

ATTEST:

\_\_\_\_\_

Clerk of the Board



## Board Summary Report

**Date:** May 4, 2016  
**To:** Board of County Commissioners  
**Through:** Cheryl Ternes, Human Services Department Director  
**From:** Angela W. Lytle, Deputy Director  
**Subject:** Integrated Care Management Memorandum of Understanding between Arapahoe County and Colorado Department of Human Services Division of Child Welfare

### Purpose and Recommendation

Arapahoe County Department of Human Services is requesting signature of the Chairman of the Board of County Commissioners to sign the Memorandum of Understanding (MOU) between Arapahoe County and the Colorado State Department of Human Services Division of Child Welfare to allow the County to recover savings from the Single Child Welfare Services Block allocation resulting from the Integrated Care Management (ICM) Program for fiscal year 2016-2017. This MOU has been placed on the Consent Agenda annually for the past 15 years and has not required a study session as directed by the BoCC.

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Angela W. Lytle, Deputy Director  
Child and Adult Protection Services  
Human Services

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Michael Valentine, Deputy County  
Attorney

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Cheryl L. Ternes, Department Director  
Human Services

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Suzanna Dobbins, Division Manager  
Finance Division  
Human Services

RESOLUTION NO. \_\_\_\_\_. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to approve the Memorandum of Understanding between Arapahoe County and the Colorado State Department of Human Services Division of Child Welfare to allow the County to recover savings from the Single Child Welfare Services Block allocation resulting from the Integrated Care Management (ICM) Program for fiscal year 2016- 2017.

The vote was:

Commissioner Bockenfeld, \_\_\_\_; Commissioner Doty \_\_\_\_; Commissioner Holen \_\_\_\_; Commissioner Jackson \_\_\_\_; Commissioner Sharpe, \_\_\_\_.

The Chair declared the motion carried and so ordered.



## Board Summary Report

**Date:** May 5, 2016

**To:** Board of County Commissioners

**Through:** Division Manager, Department Director, Elected Official, as appropriate

**From:** Jason Reynolds, Current Planning Program Manager, PWD

**Subject:** Z16-002 – Watkins Farm Rezoning

### Request and Recommendation

Arapahoe County staff initiated this zoning change to correct a mapping interpretation and labeling error for the zoning of property in the Watkins Farm area. The proposed amendment would rezone the Watkins Farm area from R-A Residential Agricultural with a 5-acre minimum lot size to the County's standard R-A zone district, which has a 2.41-acre minimum lot size. At a February 1, 2016 drop-in meeting, the Board of County Commissioners concurred with staff's request to proceed with the statutory process for this amendment to the zoning for the involved properties.

On April 19, 2016, Planning Commission held a public hearing regarding the proposed rezoning and voted 6-0 to recommend approval of the rezoning with conditions to the Board of County Commissioners. No members of the public spoke at the hearing.

### Background

Arapahoe County recently uncovered a mapping interpretation and labeling error in the Watkins Farm area. For years, zoning maps labeled the Watkins Farm zoning as R-A (residential agricultural) and F (flood plain). The R-A conventional zone district has a minimum lot size of 2.41 acres established in the Land Development Code; however, the 1980 zoning for the area specified R-A with a minimum lot size of 5 acres based on actions of the Planning Commission and Board of County Commissioners (BOCC) following public hearings. The zoning maps labeled the Watkins Farm area as R-A, but did not note the 5-acre lot size requirement established through a condition of approval. The following points summarize the area's zoning and subdivision history:

- 1980: Zoned R-A Residential Agricultural (2.41-acre lots) and F Floodplain with case #Z79-006:
  - Planning Commission conditioned its recommendation of approval with a minimum lot size of 5 acres.
  - The BOCC resolution included a condition that the rezoning of the property was subject to the conditions of the Planning Commission.
- 1981: Zoning corrected some of the floodplain boundaries and zoned the property R-A and F (case #Z81-013):

- Accompanying Preliminary Development Plan and Final Development Plan restricted lots to minimum of 5 acres (Elder Creek Estates).
- While the R-A conventional zone district would not typically require a PDP or FDP to be approved, use of this process reflected the change from the conventional lot size under the code to the special condition of minimum 5-acre lots.
- 1981: The County also approved a Preliminary Plat for 65 lots and a Final Plat for 26 lots (Elder Creek); all of the lots were 5 acres in area.
- 1982: The SIA for the Elder Creek Final Plat expired. It does not appear that the Elder Creek Final Plat was ever filed with the Clerk & Recorder to complete the subdivision process.
- 1980-present: County zoning maps identified the area as R-A and F zoning with no mention of the 5-acre lot size requirement. Subsequent to Z81-013, the map should have been labeled as R-A PUD to establish notification of the special lot size and PDP/FDP approvals.
- 2001: Staff recommended approval for, and the Board of County Commissioners approved, the Watkins Farm Subdivision Final Plat with a 2.41-acre minimum lot size, despite the 1981 5-acre minimum zoning restriction. Given the R-A conventional zoning identified on the map rather than the R-A PUD, staff apparently did not look for special conditions or PDP/FDP.
- 2016: Staff researched the zoning in response to a presubmittal application on the property located east of Thunder Ranches and realized the zoning discrepancy. Much of the Watkins Farm property has already been developed under the conventional R-A lot size requirements. An applicant wishes to pursue a conventional R-A subdivision of a remaining portion of the property.

#### Links to Align Arapahoe

**Service First:** This project corrects a mapping interpretation error. If approved, it would help ensure that the existing Watkins Farm development complies with lot size requirements.

#### **Discussion**

The proposed amendment meets the County's review and approval criteria for zoning changes. The Comprehensive Plan designates the area as Tier 1 Planning Reserve and the proposed R-A zoning is consistent with the non-urban development anticipated by the Comprehensive Plan. The proposed rezoning meets the standards outlined in Section 13-201 of the Arapahoe County Land Development Code, including adequate infrastructure, availability of public services, accessibility and convenience, and protection of health, safety and welfare.

None of the public referral agencies had any concerns regarding the proposed rezoning. One member of the East End Advisory Committee opposes the proposal, one member had no comments, and the remaining members did not respond to the referral.

Since this application was initiated by the County, staff provided more notice than what is normally required. In March, staff mailed postcards to all Watkins Farms property owners that provided information about the proposed zoning change. Though State Statute requires only newspaper publication for this type of hearing, Arapahoe County posted public notice signs and mailed letters to all property owners within and abutting Watkins Farm. Information regarding the application was also posted on the Arapahoe County website. Staff received one phone call from a resident with questions but no comments.

**Alternatives**

The Board of County Commissioners has three alternatives:

1. Approve the proposal with conditions.
2. Continue to a date certain for more information.
3. Deny the proposal.

**Fiscal Impact**

This action appears to be revenue neutral; if approved, it would grant the land use rights the County had assumed applied to this area for years.

**Concurrence**

As noted above, the Planning Commission voted 6-0 to recommend approval with conditions to the Board of County Commissioners. Planning Commission and staff recommend approval with conditions, based on the following findings:

1. The proposed conventional rezoning generally appears to conform to the Arapahoe County Comprehensive Plan, with the property being designated as Tier 1 Planning Reserve, which allows for non-urban development.
2. The application appears to satisfy the Arapahoe County Zoning Regulations and procedures, including Section 13-201 Conventional Zoning and is consistent with Chapter 5 Rural Residential Zone Districts (which includes the R-A Residential-Agricultural Zone District) of the Land Development Code.
3. The Public Works & Development Engineering Division finds no engineering concerns and recommends the case favorably.
4. The proposed rezoning meets the criteria for rezoning as outlined in the Planning Commission report dated April 8, 2016.

**Reviewed By:**

Staff Member: Jason Reynolds

Division Manager: Jan Yeckes

Department Director or Elected Official: Dave Schmit

Finance Department: Todd Weaver

County Attorney: Robert Hill

**DRAFT MOTIONS:**

**Approval:** In the case of Z16-002, the Watkins Farm Rezoning, the Board of County Commissioners has read the staff report and received testimony at the public hearing. The Board finds itself in agreement with staff findings 1 through 4 outlined in the Board Summary Report, and approves the rezoning resolution.

**Alternative Motions**

The following motions are provided as alternatives to the recommended motion for approval:

**Denial:** In the case of Z16-002, the Watkins Farm Rezoning, the Board of County Commissioners has read the staff report and received testimony at the public hearing. Based on the information presented and considered during the public hearing, we deny the request for rezoning based on the following findings:

- a. *State new, or amended findings in support of denial.*
- b. ...

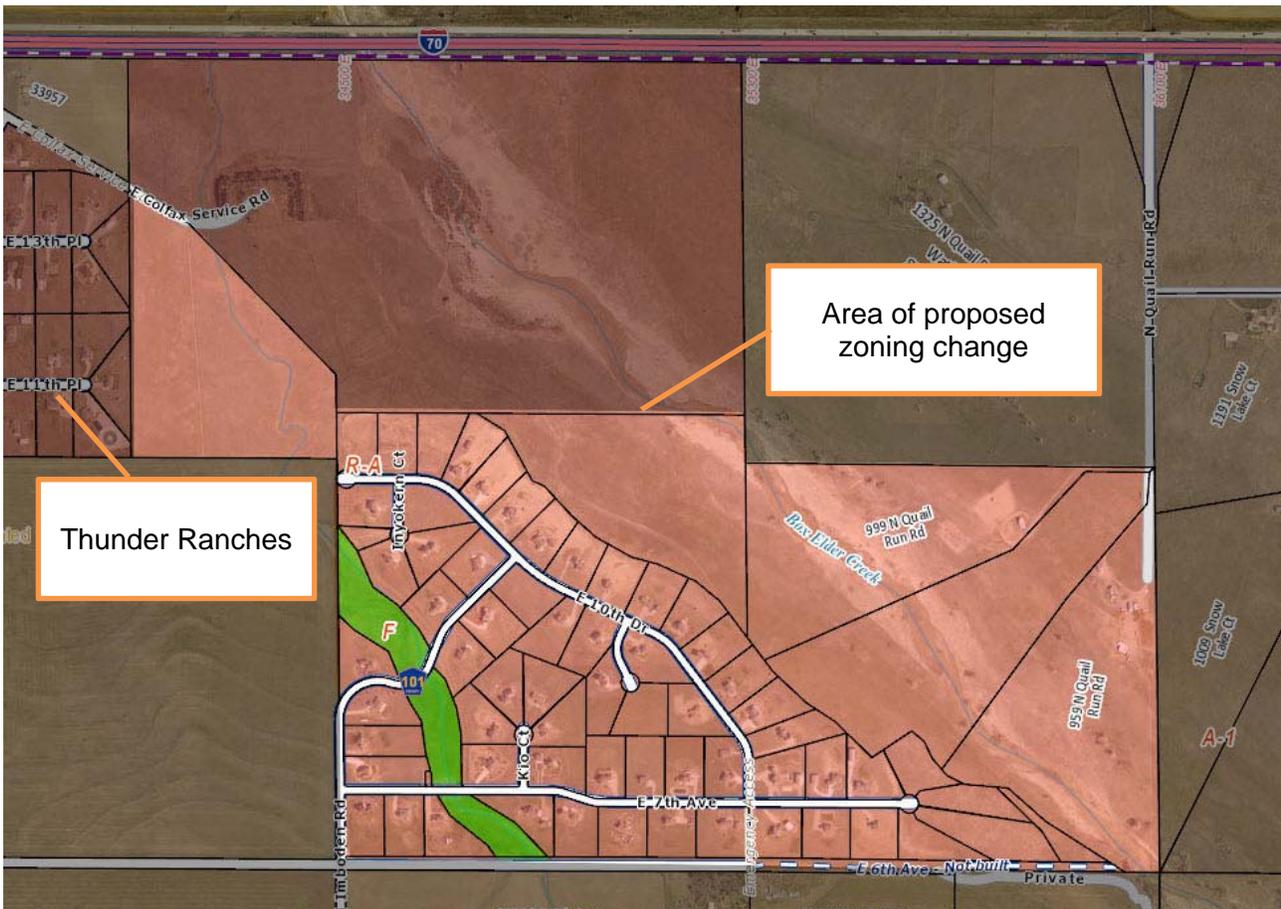
**Continue to Date Certain:** In the case of Z16-002, the Watkins Farm Rezoning, I move to continue the hearing to [*date*], date certain, at 9:30 a.m., to obtain additional information and consider the information presented.

**ARAPAHOE COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
APRIL 19, 2015  
6:30 P.M.**

**SUBJECT: Z16-002, WATKINS FARM REZONING**  
Jason Reynolds, Current Planning Program Manager

**April 8, 2016**

**LOCATION:** The Watkins Farm area is generally located south of Interstate 70 and east of Watkins Road, with the majority of the site located northeast of the intersection of E 6<sup>th</sup> Avenue and N Imboden Road.



**WATKINS FARM REZONING VICINITY MAP**

**ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:**

North	- Prosper PUD Box Elder neighborhood; zoned for up to 3 dwellings/acre
East	- A-1 Agricultural zoning; 35+ acre parcels
South	- A-1 Agricultural zoning; 35+ acre parcels
West	- Prosper PUD and R-A zoning (Thunder Ranches subdivision)

**PROPOSAL:**

Arapahoe County staff initiated this zoning change to correct a mapping interpretation and labeling error for the zoning of property in the Watkins Farm area. The proposal would request to rezone the Watkins Farm area from R-A Residential Agricultural with a 5-acre minimum lot size to the County's standard R-A zone district, which has a 2.41-acre minimum lot size. The Board of County Commissioners has concurred with staff's request to proceed with the statutory process for this amendment to the zoning for the involved properties.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission forward a positive recommendation for the Watkins Farm Rezoning, based on the Findings and subject to conditions outlined in this Staff Report.

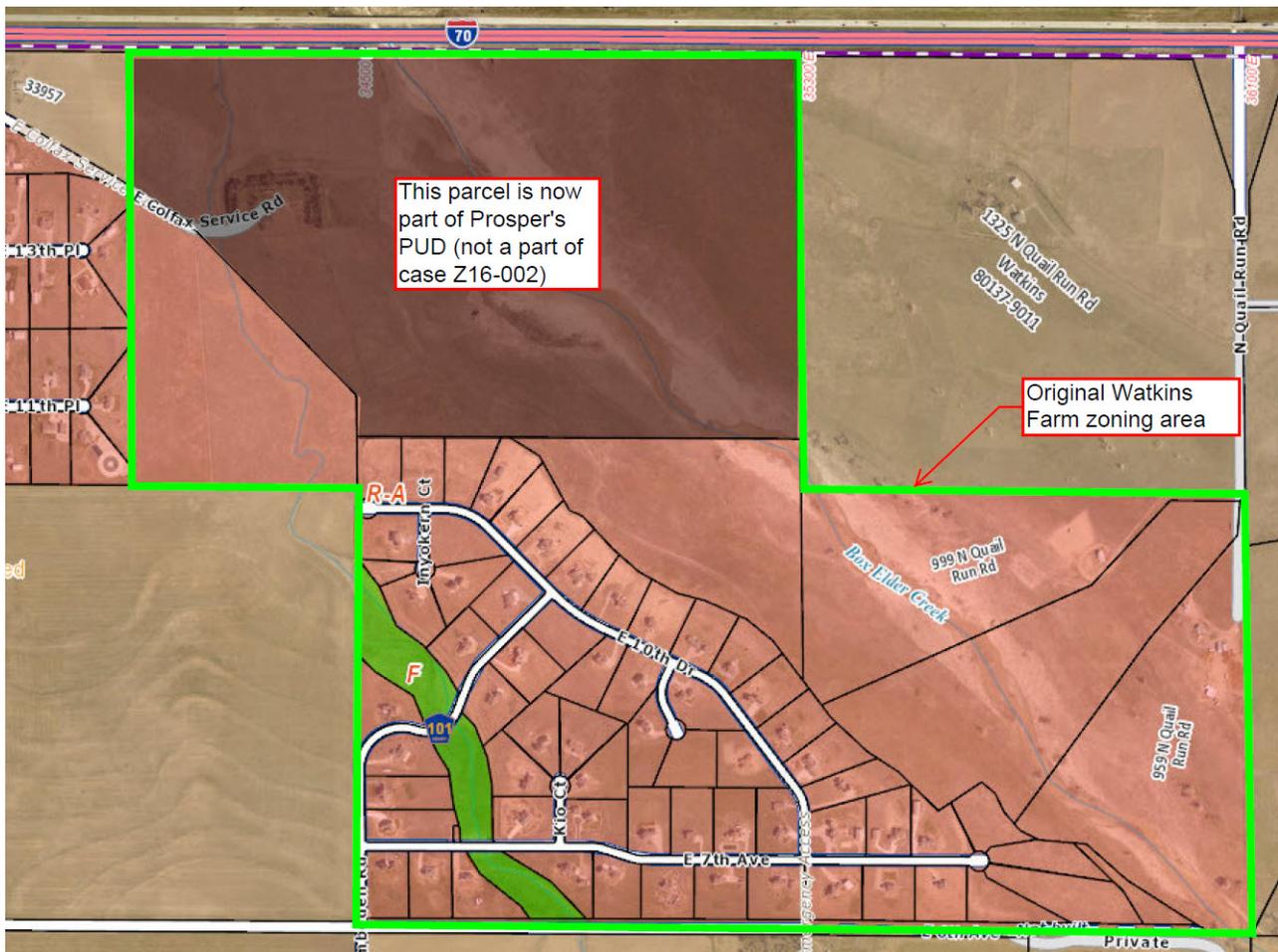
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**I. BACKGROUND:**

Arapahoe County recently uncovered a mapping interpretation and labeling error in the Watkins Farm area. For years, zoning maps labeled the Watkins Farm zoning as R-A (residential agricultural) and F (flood plain). The R-A conventional zone district has a minimum lot size of 2.41 acres established in the Land Development Code; however, the 1980 zoning for the area specified R-A with a minimum lot size of 5 acres based on actions of the Planning Commission and Board of County Commissioners (BOCC) following public hearings. The zoning maps labeled the Watkins Farm area as R-A, but did not note the 5-acre lot size requirement established through a condition of approval. The following points summarize the area's zoning and subdivision history:

- 1980: Zoned R-A Residential Agricultural (2.41-acre lots) and F Floodplain with case #Z79-006:
  - Planning Commission conditioned its recommendation of approval with a minimum lot size of 5 acres.
  - The BOCC resolution included a condition that the rezoning of the property was subject to the conditions of the Planning Commission.
- 1981: Zoning corrected some of the floodplain boundaries and zoned the property R-A and F (case #Z81-013):
  - Accompanying Preliminary Development Plan and Final Development Plan restricted lots to minimum of 5 acres (Elder Creek Estates).
  - While the R-A conventional zone district would not typically require a PDP or FDP to be approved, use of this process reflected the change from the conventional lot size under the code to the special condition of minimum 5-acre lots.
- 1981: The County also approved a Preliminary Plat for 65 lots and a Final Plat for 26 lots (Elder Creek); all of the lots were 5 acres in area.

- 1982: The SIA for the Elder Creek Final Plat expired. It does not appear that the Elder Creek Final Plat was ever filed with the Clerk & Recorder to complete the subdivision process.
- 1980-present: County zoning maps identified the area as R-A and F zoning with no mention of the 5-acre lot size requirement. Subsequent to Z81-013, the map should have been labeled as R-A PUD to establish notification of the special lot size and PDP/FDP approvals.
- 2001: Staff recommended approval for, and the Board of County Commissioners approved, the Watkins Farm Subdivision Final Plat with a 2.41-acre minimum lot size, despite the 1981 5-acre minimum zoning restriction. Given the R-A conventional zoning identified on the map rather than the R-A PUD, staff apparently did not look for special conditions or PDP/FDP.
- 2016: Staff researched the zoning in response to a presubmittal application on the property located east of Thunder Ranches and realized the zoning discrepancy. Much of the Watkins Farm property has already been developed under the conventional R-A lot size requirements. An applicant wishes to pursue a conventional R-A subdivision of a remaining section of the property.



Most of the proposed zone change is part of the Watkins Farm subdivision, which has an average lot size of 2.45 acres. If the proposed zoning change is not approved, those lots will all be nonconforming with the zoning, which requires a 5-acre minimum lot size. While Arapahoe County code does allow residential structures on nonconforming lots to be rebuilt after a loss, staff recommends that the zoning match the existing development pattern.

## II. DISCUSSION

Staff's review of this application included a comparison of the project to policies and goals outlined in the Comprehensive Plan, background activity, and an analysis of referral comments.

### 1. The Comprehensive Plan

The Comprehensive Plan designates this area as Tier 1 Planning Reserve. This proposed rezoning meets the intent of Strategy GM 7.2(c), which encourages the recognition of semi-urban development within the Planning Reserve Areas: "The County will recognize parcels of 55 acres or less but without urban services in 2015 within the planning reserve areas. It will approve continued development within these parcels at non-urban densities (parcels 1 acre or larger), while supporting landowners who wish to move to a more urban category." The proposed R-A zoning meets the non-urban standard; all potential lots will be greater than 2.41 acres in area.

### 2. Ordinance Review and Additional Background Information

Section 13-201 of the Arapahoe County Land Development Code states that all rezoning applications must meet the following standards:

- a. Recognize the limitations of existing and planned infrastructure, by thoroughly examining the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.

*The Watkins Farm subdivision already established infrastructure, including connections to the surrounding transportation systems. Neither the Engineering Services Division of Public Works and Development nor Tri County Health department expressed concerns regarding water, sewer, or drainage infrastructure. Should any of the four parcels outside the Watkins Farm subdivision seek additional development, infrastructure needs will be assessed with the subdivision application.*

- b. Assure compatibility between the proposed development, surrounding land uses, and the natural environment.

*The proposed zoning does not significantly alter the relationship with surrounding uses. Most of the property in the rezoning area has already developed as part of the*

*Watkins Farm subdivision. The proposed zoning matches the zoning of Thunder Ranches, located immediately to the west.*

- c. Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, school, park, and libraries.

*Referral agencies did not express any concerns about the proposal. If any future subdivisions occur within the proposed zoning boundary, additional public land dedication or cash in lieu fees may be required.*

- d. Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.

*The property is near the Prosper development, which should eventually provide close proximity to parks, shopping, and other amenities.*

- e. Ensure that public health and safety is adequately protected against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.

*The rezoning does not appear to impact public health and safety. Any site development must meet engineering and building code standards, including drainage and water quality standards.*

- f. Provide for accessibility within the proposed development, and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.

*The Watkins Farms road network is already in place. Any proposed development will include internal vehicular circulation and parking.*

- g. Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.

*Any future development will be subject to County regulations, including Grading, Erosion and Sediment Control (GES) permits, as part of the plat review and approval.*

- h. Ensure that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such as, the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities.

*The Watkins Farm subdivision preserved flood plain areas in tracts. The Cardboard Draw and Box Elder Creek flood plains will help preserve open space should other portions of the area seek subdivision approval.*

- i. Enhance the useable open spaces in Arapahoe County, and provide sufficient unobstructed open space and recreational area to accommodate a project’s residents and employees.

*The proposed zoning should have little impact on useable open spaces in the County.*

- j. Ensure the application complies with the requirements of this Resolution and the Arapahoe County Comprehensive Plan.

*The proposal complies with the requirements of the Land Development Code and the Comprehensive Plan, as discussed above.*

**III. REFERRAL COMMENTS AND PROPERTY OWNER NOTIFICATION:**

Property Owner Notification: As the rezoning application was initiated by Arapahoe County, all property owners of record within the Watkins Farm proposed rezoning boundary were mailed a post card with a map labeled “Watkins Farm Rezoning: Attention Residents: Arapahoe County Public Works and Development is looking to initiate a zoning map change to correct an error in the Watkins Farm area.” The notice also explained the nature of the change from 5-acre to 2.41-acre minimum lot size, the purpose of the change resulting from a mapping error, and that the proposed correction will ensure each lot conforms to the zoning code, along with a referral to the Current Major Cases web page for additional information on the Watkins Farm Rezone/Map Correction.

The property was also posted with public hearing notices at the NE corner of N. Imboden Rd. and E. 6<sup>th</sup> Ave. and at the SE corner of Eclipse St. and the E. Colfax service road. Hearing notification letters were also mailed to owners of properties adjacent to the proposed rezoning boundary. At the time of the staff report, no concerns had been received from the Watkins Farm Home Owners’ Association or from individual affected property owners within or adjacent to the rezoning area. A list of property owners notified is available in Planning Division records for Z16-002.

Referrals: The following table summarizes responses from referrals:

Arapahoe County Engineering Services Division	Notes that the site is outside Southeast Metro Stormwater Authority (SEMSWA) jurisdiction and is in the Box Elder Creek drainage basin. Recommends approval.
Arapahoe County Assessor	No response
Arapahoe County Attorney	CAO has reviewed the staff report.
Arapahoe County Mapping	No comments
Arapahoe County Open Space	No response

Arapahoe County – Long Range Planning	The proposed rezoning is consistent with the recently amended Comprehensive Plan for Tier 1 land uses.
Arapahoe County Zoning	No comments
Arapahoe County Sheriff	No comments
Arapahoe Library District	Requests cash in lieu that may be required with subsequent development applications.
Bennett Fire Protection District	No response
Bennett School District	No response
CDOT	No comments on this submittal; they would like to be part of any subsequent development requests.
Colorado Division of Water Resources	No response
Colorado Parks & Wildlife	No response
East End Advisory Committee	Hollingsworth opposes. No comments from Kroh. No responses from others.
REAP – I-70 Regional Economic Advancement Partnership	No response
Tri-County Health Department	No comments
Urban Drainage & Flood Control	No comments
US Army Corps of Engineers	No response
W Arapahoe Conservation District	No response
Watkins Farms HOA	No response
Water/Wastewater Provider	N/A
XCEL Energy	No comments

**Note:** table updated to include comments received after PC packet was published.

#### **IV. STAFF FINDINGS:**

Staff has visited the site and has reviewed supporting documentation and referral comments. Based upon review of applicable policies and goals in the Arapahoe County Comprehensive Plan and analysis of referral comments, our findings include:

1. The proposed conventional rezoning generally appears to conform to the Arapahoe County Comprehensive Plan, with the property being designated as Tier 1 Planning Reserve, which allows for non-urban development.
2. The application appears to satisfy the Arapahoe County Zoning Regulations and procedures, including Section 13-201 Conventional Zoning and is consistent with

Chapter 5 Rural Residential Zone Districts (which includes the R-A Residential-Agricultural Zone District) of the Land Development Code.

3. The Public Works & Development Engineering Division finds no engineering concerns and recommends the case favorably.
4. The proposed rezoning meets the criteria for rezoning as outlined in this Staff Report dated April 8, 2016.

**V. STAFF RECOMMENDATION:**

Considering the findings and other information provided herein, Staff recommends that the Planning Commission forward a positive recommendation to the Board of County Commissioners for APPROVAL of the proposed Watkins Farm Rezoning (Z16-002), subject to the following condition:

1. Minor corrections to the conventional rezoning exhibit, identified by Public Works and Development staff as necessary, must be completed prior to submittal of the final plans for County signature.

**Note:** Planning Commission motion options removed for Board of County Commissioners packet.

Attachments

- Engineering Services Staff Report dated March 25, 2016
- External Referral Comments
- Watkins Farm Zoning History
- Flood Plain Map
- Zoning Exhibit



**ARAPAHOE COUNTY**  
COLORADO'S FIRST

## Public Works and Development

6924 South Lima Street  
Centennial, Colorado 80112-3853  
Phone: 720-874-6500  
Fax: 720-874-6611  
TDD: 720-874-6574  
www.arapahoegov.com  
publicworks@arapahoegov.com

# Engineering Staff Report

## PHASE II – REFERRAL

Date: March 25, 2016  
To: Jason Reynolds, Planning Division  
From: Sue Liu, Engineering Division  
RE: Z16-002 Watkins Farm Rezoning

**DAVID M. SCHMIT, P.E.**  
Director

### Scope/Location:

Arapahoe County recently uncovered a mapping interpretation error in the Watkins Farm area. For years, county maps labeled the Watkins Farm zoning as R-A (residential agricultural) and F (flood plain). The R-A zoning has a minimum lot size of 2.41 acres; however, the 1980 zoning for the area specified R-A with a minimum lot size of 5 acres. The county's zoning maps labeled the Watkins Farm area as R-A but they did not note the 5 acre lot size requirement. Despite that 5-acre restriction, the county approved the Watkins Farm development in 2001, which had a minimum lot size of 2.41 acres. The Board of County Commissioners asked staff to update the zoning in the Watkins Farm area so that the zoning matches the way the county has treated the area for years.

Proposed zoning change: from R-A (5-acre minimum lot size) to R-A, which requires a 2.41-acre minimum lot size.

### *Items included with this referral:*

Preliminary Development Plan

Cc: Charles V. Haskins, Engineering Services Division, Division Manager  
Case File No. Z16-002

**Findings:**

The Arapahoe County Division of Engineering Services has reviewed this referral and has the following findings:

1. This site lies outside of the Southeast Metro Stormwater Authority (SEMSWA) service area.
2. This development is in the Box Elder Creek drainage basin.

**Recommendations:**

The Division of Engineering Services recommends this case favorable.

**STAFF COMMENTS**

Zoning Plan

1. Staff has no comments to the proposal.

**RESUBMITTAL PROCEDURE  
THIS SHEET MUST BE ATTACHED TO THE RESUBMITTAL  
TO THE CASE ENGINEER**

Case No. Z16-002

Case Engineer: Sue Liu

In order to expedite this case in an efficient manner, the following procedure for resubmitting information to the Arapahoe County Division of Engineering Services must be followed.

Incomplete resubmittal packages will not be forwarded to the case engineer for review until all of the information requested on this form has been provided. This sheet must be attached to your resubmittal with the revised documents in the quantities listed below. **Please note that a minimum of three (3) weeks is necessary for Staff to review any submittal.**

**RESUBMITTAL CHECKLIST**

The items checked below have been identified in the staff report as requiring revision and resubmittal.

	<b>Engineering Documents Required for Resubmittal to the County Engineering Division</b>	<b># of</b>
<input checked="" type="checkbox"/>	<b>A copy of this Resubmittal Checklist</b>	<b>1</b>
<input checked="" type="checkbox"/>	<b>Completed Review and Approval Form (Arapahoe County Form 581)</b>	
<input checked="" type="checkbox"/>	<b>Proposed Zoning Change</b>	<b>1</b>
<input type="checkbox"/>	Traffic Impact Study	
<input type="checkbox"/>	Construction Plan	
<input type="checkbox"/>	Pavement Design Report	
<input type="checkbox"/>	Grading, Erosion and Sediment Control (GESCC) Plans & Report	
<input type="checkbox"/>	Floodplain Delineation Analysis	
<input type="checkbox"/>	Operations & Maintenance Manual	
<input type="checkbox"/>	Phase I Drainage Study	
<input type="checkbox"/>	Engineering Cost Estimate	
<input type="checkbox"/>	Legal Description and Exhibit	
<input type="checkbox"/>	Geotechnical Study / Preliminary Soils report	
<input type="checkbox"/>	Collateral Letter of Intent	
<input checked="" type="checkbox"/>	<b>County Redlines for:</b>	
<input checked="" type="checkbox"/>	<b>Letter of point-by-point response to Phase II Engineering Staff Report</b>	

## PHASE I INTERNAL ROUTING FORM

To: Planning / Engineering / Zoning / Mapping / Open Spaces /  
Weed Control

From: Planning

Date: 03/24/2016

Planning Case No: Z16-002

Case Name: Watkins Farm / Conventional Rezone

DRC Meeting Date: 03-30-2016

Due Date: April 7, 2016

Phase II: Yes

Case Planner: Jason Reynolds

Case Engineering: Sue Liu

Location/ PPI#: E of Eclipse St and E Colfax Service Rd; 1979-06-1-  
00-382 (primary +71 others)

Comment: NO COMMENTS KK 3-28-16

PHASE I INTERNAL ROUTING FORM

To: Planning / Engineering / Zoning / Mapping / Open Spaces / Weed Control

From: Planning

Date: 03/24/2016

Planning Case No: Z16-002

Case Name: Watkins Farm / Conventional Rezone

DRC Meeting Date: 03-30-2016

Due Date: April 7, 2016

Phase II: Yes

Case Planner: Jason Reynolds

Case Engineering: Sue Liu

Location/ PPI#: E of Eclipse St and E Colfax Service Rd; 1979-06-1-00-382 (primary +71 others)

Comment: *NO Comments*  
*PHASE I + PHASE II* *4/6/16*



**Public Works and Development**

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**Planning Division**

**Referral Routing**

<b>Case Number / Case Name:</b>	<b>Z16-002, Watkins Farm / Conventional Rezone</b>
<b>Planner:</b>	<b>Jason Reynolds</b>
<b>Engineer:</b>	<b>Sue Liu</b>
<b>Date:</b>	<b>March 24, 2016</b>
<b>Date to be returned:</b>	<b>April 8, 2016</b>

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Beverly Reynolds			
<input checked="" type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	CECON-(Within Centennial)	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County		<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<b>Conservation District</b>		
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	<b>Jason Reynolds</b>	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<b>Transportation</b>		
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input checked="" type="checkbox"/>	CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<b>Referral Agencies</b>			<input type="checkbox"/>	RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Arapahoe Library District		<b>Utilities: Gas, Electric &amp; Phone</b>		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/>	Centurylink/Phone	Charles Place
<input type="checkbox"/>	City / Town		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input checked="" type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	County		<input type="checkbox"/>	IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		<b>Water / Sanitation / Stormwater / Wetlands</b>		
<input checked="" type="checkbox"/>	Bennett Fire Protection District	<b>Caleb Connor</b>	<input type="checkbox"/>	ACWWA	
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Gary Duke and Jack Keever	<input checked="" type="checkbox"/>	Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA	Paul Danley
<input checked="" type="checkbox"/>	Bennett School District #29J	Keith Yach	<input type="checkbox"/>	ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input checked="" type="checkbox"/>	Urban Drainage & Flood	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee	
<input checked="" type="checkbox"/>	WATKINS FARMS HOA PO BOX 328, Watkins, CO 80137				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

	COMMENTS:	SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	Glenn B. Thompson – Bureau Chief 3/29/16
<input type="checkbox"/>	Have the following comments to make related to the case:	



**Public Works and Development**

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**Planning Division**

**Referral Routing**

**RECEIVED**

<b>Case Number / Case Name:</b>	<b>Z16-002, Watkins Farm / Conventional Rezone</b>	<b>MAR 3 1 2016</b>
<b>Planner:</b>	<b>Jason Reynolds</b>	<b>ARAPAHOE COUNTY PLANNING DIVISION</b>
<b>Engineer:</b>	<b>Sue Liu</b>	
<b>Date:</b>	<b>March 24, 2016</b>	
<b>Date to be returned:</b>	<b>April 8, 2016</b>	

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Beverly Reynolds	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input checked="" type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CECON-(Within Centennial)	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County		<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<b>Conservation District</b>		
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	<b>Jason Reynolds</b>	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<b>Transportation</b>		
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input checked="" type="checkbox"/>	CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<b>Referral Agencies</b>			<input type="checkbox"/>	RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Arapahoe Library District		<b>Utilities: Gas, Electric &amp; Phone</b>		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/>	Centurylink/Phone	Charles Place
<input type="checkbox"/>	City / Town		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input checked="" type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	County		<input type="checkbox"/>	IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		<b>Water / Sanitation / Stormwater / Wetlands</b>		
<input checked="" type="checkbox"/>	Bennett Fire Protection District	<b>Caleb Connor</b>	<input type="checkbox"/>	ACWWA	
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Gary Duke and Jack Keever	<input checked="" type="checkbox"/>	Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA	Paul Danley
<input checked="" type="checkbox"/>	Bennett School District #29J	Keith Yach	<input type="checkbox"/>	ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input checked="" type="checkbox"/>	Urban Drainage & Flood	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee	<b>C.K.</b>
<input checked="" type="checkbox"/>	WATKINS FARMS HOA PO BOX 328, Watkins, CO 80137				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

	<b>COMMENTS:</b>	<i>Carl Koch</i> SIGNATURE	3-28-16
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted		
<input type="checkbox"/>	Have the following comments to make related to the case:		

## Jason Reynolds

---

**From:** Arnold Hollingsworth <ajguitar2@yahoo.com>  
**Sent:** Thursday, March 24, 2016 7:07 PM  
**To:** Jason Reynolds  
**Cc:** Jason Reynolds  
**Subject:** Re: Case Z16-002 Watkins Farm Rezoning - External Referral - COMMENTS DUE NO LATER THAN APRIL 8TH

Jason, I am going to come out against this one. Arnold Hollingsworth east end advisory committee

---

**From:** Terri Maulik <[TMaulik@arapahoegov.com](mailto:TMaulik@arapahoegov.com)>  
**To:**  
**Cc:** Jason Reynolds <[JReynolds@arapahoegov.com](mailto:JReynolds@arapahoegov.com)>  
**Sent:** Thursday, March 24, 2016 2:29 PM  
**Subject:** FW: Case Z16-002 Watkins Farm Rezoning - External Referral - COMMENTS DUE NO LATER THAN APRIL 8TH

Dear East Arapahoe Advisory Committee Members,

Please see the email below, review the attached project document plans, and send comments directly to Jason Reynolds at [jreynolds@arapahoegov.com](mailto:jreynolds@arapahoegov.com)

Thank you,

**Terri L. Maulik | Duty Planner | Arapahoe County Public Works & Development**  
6924 South Lima Street, Centennial, CO 80112-3853  
Direct: 720-874-6840 | Planning Main: 720-874-6650 | Facsimile: 720-874-6611  
[tmaulik@arapahoegov.com](mailto:tmaulik@arapahoegov.com) | <http://www.arapahoegov.com>

---

**From:** Jason Reynolds  
**Sent:** Thursday, March 24, 2016 2:15 PM  
**To:** Jason Reynolds  
**Cc:** Terri Maulik  
**Subject:** Case Z16-002 Watkins Farm Rezoning - External Referral

Please find attached an external referral for the Watkins Farm Rezoning case. Arapahoe County has initiated a zoning case to correct a zoning map interpretation error we recently discovered. Please send me any comments **by Friday, April 8, 2016**. If you'd like to save yourself the trouble of printing the attached form, you may reply to this email. More information regarding the case is attached and described below (and at the link below).

Proposed zoning change: from R-A (5-acre minimum lot size) to R-A, which requires a 2.41-acre minimum lot size.

Arapahoe County recently uncovered a mapping interpretation error in the Watkins Farm area. For years, county maps labeled the Watkins Farm zoning as R-A (residential agricultural) and



**Public Works and Development**

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**Planning Division**

**Referral Routing**

<b>Case Number / Case Name:</b>	<b>Z16-002, Watkins Farm / Conventional Rezone</b>
<b>Planner:</b>	<b>Jason Reynolds</b>
<b>Engineer:</b>	<b>Sue Liu</b>
<b>Date:</b>	<b>March 24, 2016</b>
<b>Date to be returned:</b>	<b>April 8, 2016</b>

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Beverly Reynolds			
<input checked="" type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	CECON-(Within Centennial)	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County		<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<b>Conservation District</b>		
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	<b>Jason Reynolds</b>	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<b>Transportation</b>		
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input checked="" type="checkbox"/>	CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<b>Referral Agencies</b>			<input type="checkbox"/>	RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Arapahoe Library District		<b>Utilities: Gas, Electric &amp; Phone</b>		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/>	Centurylink/Phone	Charles Place
<input type="checkbox"/>	City / Town		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input checked="" type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	County		<input type="checkbox"/>	IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		<b>Water / Sanitation / Stormwater / Wetlands</b>		
<input checked="" type="checkbox"/>	Bennett Fire Protection District	<b>Caleb Connor</b>	<input type="checkbox"/>	ACWWA	
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Gary Duke and Jack Keever	<input checked="" type="checkbox"/>	Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA	Paul Danley
<input checked="" type="checkbox"/>	Bennett School District #29J	Keith Yach	<input type="checkbox"/>	ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input checked="" type="checkbox"/>	Urban Drainage & Flood	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee	
<input checked="" type="checkbox"/>	WATKINS FARMS HOA PO BOX 328, Watkins, CO 80137				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case:	M. Janel Maccarrone
Arapahoe Libraries request a share of monies that may be required by the County in lieu of land.	

## Jason Reynolds

---

**From:** Loeffler - CDOT, Steven <steven.loeffler@state.co.us>  
**Sent:** Friday, April 01, 2016 9:20 AM  
**To:** Jason Reynolds  
**Cc:** Marilyn Cross  
**Subject:** Z16-002, Watkins Farm/Conventional Rezone

Jason,

I have reviewed the submittal for the Watkins Farm proposed zoning change from R-A (5 acre minimum lot size) to R-A (2.41 acre minimum lot size) and have no objections. It is understood that this proposed zoning will match how the County has treated the Watkins Farm area in the past due to a zoning error.

CDOT would still like to review any future development referrals for this area.

Thank you for the opportunity to review this referral.

**Steve Loeffler**  
Permits Unit



P 303.757.9891 | F 303.757.9886  
2000 S Holly Street, Denver, CO 80222  
[steven.loeffler@state.co.us](mailto:steven.loeffler@state.co.us) | [www.codot.gov](http://www.codot.gov) | [www.cotrip.org](http://www.cotrip.org)





**COLORADO**  
Division of Water Resources  
Department of Natural Resources

1313 Sherman Street, Room 821  
Denver, CO 80203

April 13, 2016

Jason Reynolds, Current Planning Program Manager  
Arapahoe County Public Works and Development  
Transmitted via email: [JReynolds@arapahoegov.com](mailto:JReynolds@arapahoegov.com)

**Re:               Watkins Farm Rezoning**  
**Case No. Z16-002**  
**Portions of Sections 5 and 6, T4S, R64W**  
**Water Division 1, Water District 1**

Dear Mr. Reynolds:

This referral does not appear to qualify as a “subdivision” as defined in Section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The Arapahoe County Board of County Commissioners has requested that county staff change the zoning of Watkins Farm area from R-A with a 5-acre minimum lot size to R-A with a 2.41 acre minimum lot size. This change is being completed to correct a mapping interpretation error and so the zoning reflects the existing parcel sizes in the area. No new lots are being platted through this action.

This office has no comments regarding the proposed zoning change. Please send any subdivision proposals to our office for review and comment on the subdivision’s proposed water supply plan. Should you have any concerns please contact Karlyn Armstrong in this office.

Sincerely,

  
Joanna Williams, P.E.  
Water Resource Engineer





March 25, 2016

Jason Reynolds  
Arapahoe County Public Works and Development  
6924 South Lima Street  
Centennial, CO 80112

RE: Watkins Farm Rezoning, #Z16-002  
TCHD Case 3853

Dear Mr. Reynolds:

Thank you for the opportunity to review and comment on Watkins Farm Rezoning for the rezoning of Watkins Farm area from R-A (5-acre minimum) to R-A (2.41-acre minimum). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations. After reviewing the application, TCHD has no comments.

Please feel free to contact me at 720-200-1593 or [mweakley@tchd.org](mailto:mweakley@tchd.org) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Weakley", written in a cursive style.

Michael Weakley  
Water Program Supervisor

CC: Sheila Lynch, Steve Chevalier, TCHD



**Public Works and Development**

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

[www.co.arapahoe.co.us](http://www.co.arapahoe.co.us)

**Planning Division**

*Referral Routing*

<b>Case Number / Case Name:</b>	<b>Z16-002, Watkins Farm / Conventional Rezone</b>
<b>Planner:</b>	<b>Jason Reynolds</b>
<b>Engineer:</b>	<b>Sue Liu</b>
<b>Date:</b>	<b>March 24, 2016</b>
<b>Date to be returned:</b>	<b>April 8, 2016</b>

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Beverly Reynolds			
<input checked="" type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	CECON-(Within Centennial)	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County		<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<b>Conservation District</b>		
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	<b>Jason Reynolds</b>	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<b>Transportation</b>		
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input checked="" type="checkbox"/>	CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<b>Referral Agencies</b>			<input type="checkbox"/>	RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Arapahoe Library District		<b>Utilities: Gas, Electric &amp; Phone</b>		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/>	Centurylink/Phone	Charles Place
<input type="checkbox"/>	City / Town		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input checked="" type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	County		<input type="checkbox"/>	IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		<b>Water / Sanitation / Stormwater / Wetlands</b>		
<input checked="" type="checkbox"/>	Bennett Fire Protection District	<b>Caleb Connor</b>	<input type="checkbox"/>	ACWWA	
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Gary Duke and Jack Keever	<input checked="" type="checkbox"/>	Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA	Paul Danley
<input checked="" type="checkbox"/>	Bennett School District #29J	Keith Yach	<input type="checkbox"/>	ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input checked="" type="checkbox"/>	Urban Drainage & Flood	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee	
<input checked="" type="checkbox"/>	WATKINS FARMS HOA PO BOX 328, Watkins, CO 80137				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

	COMMENTS:	SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	
<input type="checkbox"/>	Have the following comments to make related to the case:	



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3284  
donna.l.george@xcelenergy.com

April 8, 2016

Arapahoe County Public Works and Development  
6924 South Lima Street  
Centennial, CO 80112

Attn: Jason Reynolds

**Re:**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Watkins Farm Conventional Rezone**. Please be advised that PSCo has existing electric distribution facilities within the areas indicated in this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George  
Contract Right of Way Referral Processor  
Public Service Company of Colorado

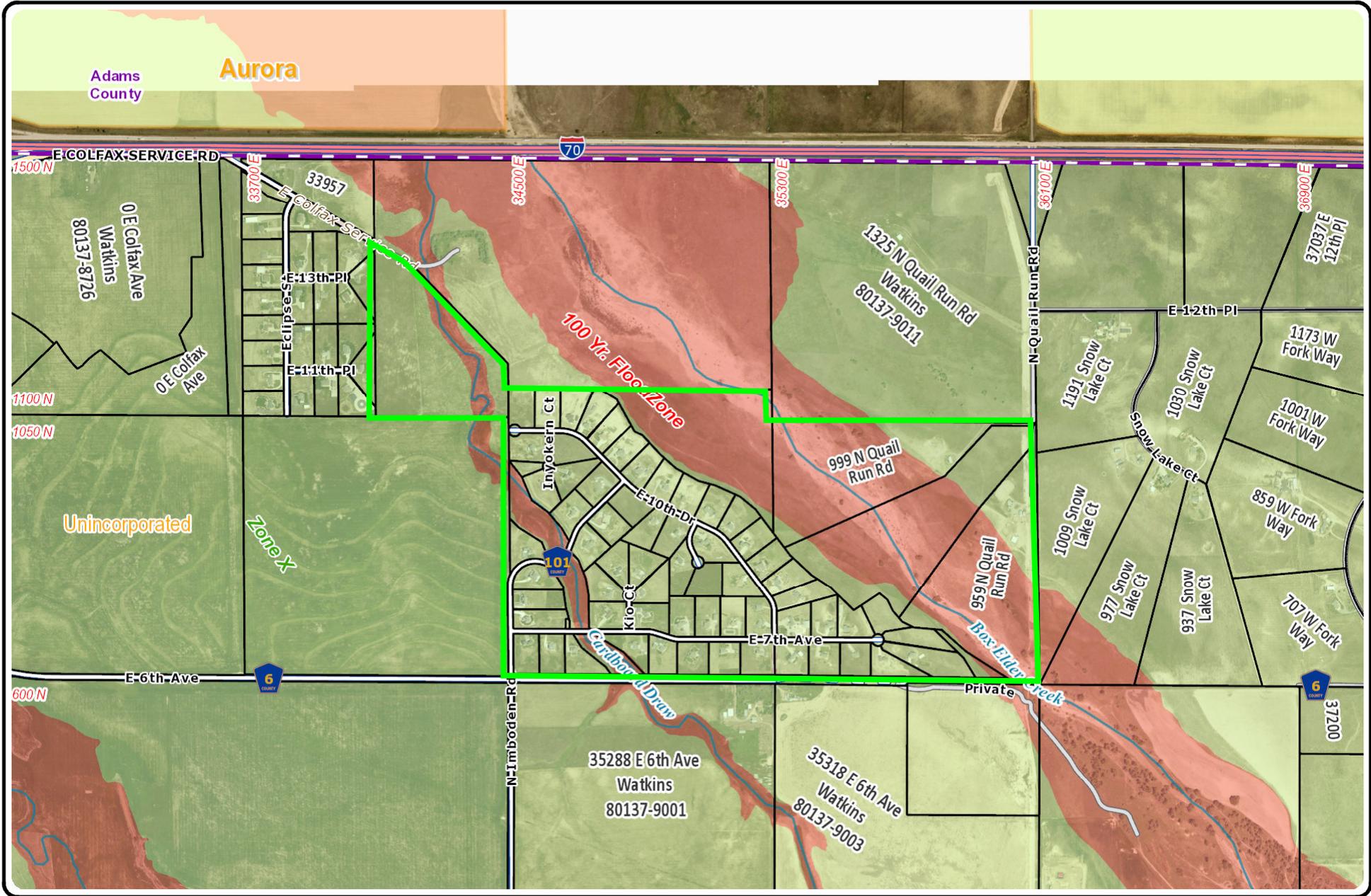
## Watkins Farm Zoning History

- 1980: Zoned R-A Residential Agricultural (2.41-acre lots) and F Floodplain with case #Z79-006
  - Planning Commission conditioned their recommendation of approval with a minimum lot size of 5 acres
  - The BOCC resolution included a condition that the rezoning of the property was subject to the conditions of the Planning Commission
- 1981: Zoning corrected some of the floodplain boundaries and zoned the property R-A and F (case #Z81-013)
  - Accompanying Preliminary Development Plan and Final Development Plan restricted lots to minimum of 5 acres (Elder Creek Estates)
- 1981: The County also approved a Preliminary Plat 65 lots and a Final Plat for 26 lots (Elder Creek); all of the lots were 5 acres in area
- The SIA for the Elder Creek Final Plat expired in 1982
- Our zoning maps identified zoning as R-A and F (no mention of lot size restriction or Preliminary Development Plan):

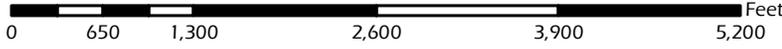
REVISIONS				
CODE	DATE	CASE	FROM	TO
001	09-30-68	Z68-023	A-1	B-5
002	05-24-76	Z75-028	A-1	R-A, F
003	06-25-79	Z79-002	A-1	R-A
004	08-05-80	Z79-006	A-1	R-A, F
005	07-21-81	Z81-013	A-1	R-A, F
006	11-24-86	AO 85-236	A-1,B-5,R-A	AURORA
007	08-10-89	AO 89-74	A-1	AURORA
008	12-06-96	AO 96-46	AURORA	A-1
009	12-12-00	U99-004		UBSR
010	06-30-04	INCORP. TOWN OF WATKINS		WATKINS
011	11-30-06	25-2006	WATKINS DISINCORP	

- We've treated the zoning as R-A with the standard 2.41 minimum lot size for years
- 2001: Staff recommended approval and BOCC approved Watkins Farm Subdivision Final Plat with a 2.41 minimum lot size, despite the 1981 zoning restriction

- We have a developer interested in submitting an application west of the current Watkins Farm subdivision (between Thunder Ranches and Watkins Farm); the developer plans to request 2.41 acre lots on a 36.6 acre parcel
- Staff proposes a county-initiated rezoning for everything except the Prosper PUD portion of the property to correct the mapping error – the proposed zoning would match how we've treated the Watkins Farm area for years: R-A and F



# Floodplain Map - Watkins Farm



ARAPAHOE COUNTY MAKES NO REPRESENTATION OR WARRANTY AS TO THE ACCURACY OF THIS MAP OR THE DATA THAT IT DISPLAYS. ARAPAHOE COUNTY ASSUMES NO RESPONSIBILITY OR LIABILITY TO ANY USER. THIS MAP IS NOT A LEGAL DOCUMENT. IT IS INTENDED TO SERVE AS AN AID IN GRAPHIC REPRESENTATION ONLY.

Map Generated On: 4/1/2016

Generated by Arapahoe County's **ArapaMAP**



Map Location

**EXHIBIT "A"**  
**RA Zoning**

**PARCEL DESCRIPTION**

A parcel of land lying within the south half (S1/2) and northwest quarter (NW1/4) of Section 5, and in the Northeast Quarter (NE1/4) of Section 6, all in Township 4 South, Range 64 West of the Sixth Principal Meridian, Arapahoe County, Colorado, more particularly described as follows:

Commencing at the southeast corner of said Section 5, said southeast corner being the **POINT OF BEGINNING**;

**THENCE** along the south line of the SE1/4 of said Section 5, North 89°14'04" West, a distance of 2666.68 feet to the south quarter corner of said Section 5;

**THENCE** along the south line of the SW1/4 of said Section 5, North 89°46'19" West, a distance of 2658.30 feet to the southwest corner of said Section 5;

**THENCE** leaving said south line, along the west line of said SW1/4 of said Section 5, North 00°33'52" West, a distance of 2643.70 feet to the west quarter corner of said Section 5, being also the east quarter corner of said Section 6;

**THENCE** leaving said west line, along the east-west mid-section line of said Section 6, North 89°41'54" West, a distance of 1338.35 feet to the southeast corner of the SW1/4 of the NE1/4 of said Section 6, being also the southeast corner of Thunder Ranches Subdivision Filing No. 1 as recorded at Reception No. B0030346 of the Arapahoe County Records (A.C.R.);

**THENCE** leaving said east-west mid-section line, along the west line of the E1/2 of the NE1/4 of said Section 6, being also the east line of said Thunder Ranches Subdivision Filing No. 1 and the northerly extension thereof, North 00°29'04" West, a distance of 1740.67 feet, to the westerly most corner of a parcel of land described in Reception No. D1106055, A.C.R.;

**THENCE** leaving said west and east lines, South 60°30'45" East, along the southerly line of said parcel of land described in Reception No. D1106055, a distance of 448.82 feet;

**THENCE** South 44°15'34" West, a distance of 1371.16 feet, to the east line of the NE1/4 of said Section 6, being also the west line of the NW1/4 of said Section 5;

**THENCE** South 00°34'15" East, along said east line of the NE1/4 quarter, a distance of 244.75 feet to a point 300.00 feet northerly of the west quarter corner of said Section 5, said point being also the northwest corner of Watkins Farm Subdivision Filing No. 1, as recorded at Reception No. B1180601, A.C.R.;

**THENCE** leaving said east line, continuing along said southerly line and along the northerly line of said Watkins Farm Subdivision Filing No. 1, South 89°38'52" East, parallel with and 300 feet north of the east-west mid-section line of said Section 5, a distance of 2655.83 feet to the north-south mid-section line of said Section 5, being also the southeast corner of said Reception No. D1106055 and the northeast corner of Tract E of said Watkins Farm Subdivision Filing No. 1;

**THENCE** leaving said southerly and northerly lines, along said north-south mid-section line and the easterly line of said Tract E, South  $00^{\circ}36'54''$  East, a distance of 300.01 feet to the center corner of said Section 5 and the northwest corner of a parcel of land described in Reception No. B4213295, A.C.R.;

**THENCE** leaving said easterly line, along said east-west mid-section line of said Section 5 and the northerly line of said B4213295, South  $89^{\circ}38'54''$  East, a distance of 2637.28 feet to the east quarter corner of said Section 5, being also the northeast corner of a parcel of land described in Reception No. D2148137, A.C.R.;

**THENCE** leaving said east-west mid-section line and said northerly line, along the east line of said Section 5 and the east line of said Reception No. D2148137, South  $01^{\circ}14'25''$  East, a distance of 2657.85 feet to **POINT OF BEGINNING.**

**EXCEPTING THEREFROM**

Tracts A, B, and C of said Watkins Farm Subdivision Filing No. 1

Containing 365.1194 acres, or 15,904,604 square feet of land, more or less.

Subject to existing rights-of-way and easements.

**BASIS OF BEARING:** All bearings are based on the south line of the southeast quarter of Section 5, Township 4 South, Range 64 West of the 6<sup>th</sup> Principal Meridian as shown on Watkins Farms Subdivision Filing No. 1 as bearing North  $89^{\circ}14'04''$  West.



## REZONING

**RESOLUTION NO. [Reso #]** It was moved by Commissioner [Moved] duly seconded by Commissioner [Seconded] to adopt the following Resolution:

WHEREAS, Arapahoe County Public Works and Development Department (Arapahoe PWD) has initiated an application to amend the zoning of certain property hereinafter described from RA zone district with a 5-acre minimum lot size to the County's standard RA zone district, Z16-002; and

WHEREAS, after a hearing on this matter, the Arapahoe County Planning Commission made a favorable recommendation for said zoning amendment as proposed by Arapahoe PWD; and

WHEREAS, following the Planning Commission hearing on the proposed zoning amendment, public notice has been properly given of such proposed rezoning by publication on April 28, 2016 in The Villager, a newspaper of general circulation within the County of Arapahoe, by posting of said property, and by mail notification of adjacent property owners in accordance with the Arapahoe County Zoning Resolution; and

WHEREAS, pursuant to statute and the aforementioned notice provisions, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 17th day of May, 2016 at 9:30 o'clock a.m., at which time evidence and testimony were presented to the Board concerning said rezoning request; and

WHEREAS, the administrative record for this Case includes, but is not limited to, all duly adopted ordinances, resolutions and regulations, together with all Arapahoe PWD processing policies which relate to the subject matter of the public hearing, the staff files and reports of the Planning and Engineering case managers, and all other submittals of Arapahoe PWD; and

WHEREAS, representations, statements and positions were made by Arapahoe PWD, including the representations contained in the materials submitted to the Board and at public hearing; and

WHEREAS, pursuant to the authority vested unto the Board of County Commissioners by Article 28 of Title 30 C.R.S. as amended, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting a zoning amendment for the hereinafter described property.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Board of County Commissioners for Arapahoe County hereby approves and

authorizes the amendment of the zoning of the following parcel from RA zone district with a 5-acre minimum lot size zone district to the County's standard RA zone district, Case No. Z16-002.

LEGAL DESCRIPTION (see also zoning exhibit attached)

A parcel of land lying within the south half (S1/2) and northwest quarter (NW1/4) of Section 5, and in the Northeast Quarter (NE1/4) of Section 6, all in Township 4 South, Range 64 West of the Sixth Principal Meridian, Arapahoe County, Colorado, more particularly described as follows:

Commencing at the southeast corner of said Section 5, said southeast corner being the **POINT OF BEGINNING**;

**THENCE** along the south line of the SE1/4 of said Section 5, North 89°14'04" West, a distance of 2666.68 feet to the south quarter corner of said Section 5;

**THENCE** along the south line of the SW1/4 of said Section 5, North 89°46'19" West, a distance of 2658.30 feet to the southwest corner of said Section 5;

**THENCE** leaving said south line, along the west line of said SW1/4 of said Section 5, North 00°33'52" West, a distance of 2643.70 feet to the west quarter corner of said Section 5, being also the east quarter corner of said Section 6;

**THENCE** leaving said west line, along the east-west mid-section line of said Section 6, North 89°41'54" West, a distance of 1338.35 feet to the southeast corner of the SW1/4 of the NE1/4 of said Section 6, being also the southeast corner of Thunder Ranches Subdivision Filing No. 1 as recorded at Reception No. B0030346 of the Arapahoe County Records (A.C.R.);

**THENCE** leaving said east-west mid-section line, along the west line of the E1/2 of the NE1/4 of said Section 6, being also the east line of said Thunder Ranches Subdivision Filing No. 1 and the northerly extension thereof, North 00°29'04" West, a distance of 1740.67 feet, to the westerly most corner of a parcel of land described in Reception No. D1106055, A.C.R.;

**THENCE** leaving said west and east lines, South 60°30'45" East, along the southerly line of said parcel of land described in Reception No. D1106055, a distance of 448.82 feet;

**THENCE** South 44°15'34" West, a distance of 1371.16 feet, to the east line of the NE1/4 of said Section 6, being also the west line of the NW1/4 of said Section 5;

**THENCE** South 00°34'15" East, along said east line of the NE1/4 quarter, a distance of 244.75 feet to a point 300.00 feet northerly of the west quarter corner of said Section 5, said point being also the northwest corner of Watkins Farm Subdivision Filing No. 1, as recorded at Reception No. B1180601, A.C.R.;

**THENCE** leaving said east line, continuing along said southerly line and along the northerly line of said Watkins Farm Subdivision Filing No. 1, South 89°38'52" East, parallel with and 300 feet north of the east-west mid-section line of said Section 5, a distance of 2655.83 feet to the north-south mid-section line of said Section 5, being also the southeast corner of said Reception No. D1106055 and the northeast corner of Tract E of said Watkins Farm Subdivision Filing No. 1;

**THENCE** leaving said southerly and northerly lines, along said north-south mid-section line and the easterly line of said Tract E, South 00°36'54" East, a distance of 300.01 feet to the center corner of said Section 5 and the northwest corner of a parcel of land described in Reception No. B4213295, A.C.R.;

**THENCE** leaving said easterly line, along said east-west mid-section line of said Section 5 and the northerly line of said B4213295, South 89°38'54" East, a distance of 2637.28 feet to the east quarter corner of said Section 5, being also the northeast corner of a parcel of land described in Reception No. D2148137, A.C.R.;

**THENCE** leaving said east-west mid-section line and said northerly line, along the east line of said Section 5 and the east line of said Reception No. D2148137, South 01°14'25" East, a distance of 2657.85 feet to

**POINT OF BEGINNING.**

**EXCEPTING THEREFROM**

Tracts A, B, and C of said Watkins Farm Subdivision Filing No. 1  
Containing 365.1194 acres, or 15,904,604 square feet of land, more or less.  
Subject to existing rights-of-way and easements.

2. That the Zoning Map of Arapahoe County shall be and the same is hereby amended to conform to and reflect said change in zoning, and Arapahoe PWD is hereby directed to update the Zoning Map to reflect the amendment approved by this Resolution.
3. That the zoning amendment approved hereby for the above described property shall take effect immediately.
4. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to the resolution and plan documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

