



Administration Building
East Hearing Room
5334 S. Prince St.
Littleton, CO 80120
303-795-4630
Relay Colorado 711
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
October 18, 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. Questions about this agenda, please contact the Commissioners' Office at 303-795-4630 or by e-mail at commissioners@arapahoegov.com.

AGENDA

1. CALL TO ORDER

Arapahoe County Board of County Commissioners

2. INTRODUCTION

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

3. ROLL CALL

4. PLEDGE OF ALLEGIANCE

5. MODIFICATION TO THE AGENDA

6. ADOPTION OF THE AGENDA

7. APPROVAL OF THE MINUTES

7.a. BOCC Public Meeting Minutes - September 13, 2016

Documents:

[BOCC PUBLIC MEETING MINUTES 09.13.2016.PDF](#)

7.b. BOCC Public Meeting Minutes - September 20, 2016

Documents:

8. 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.

9. CONSENT AGENDA

9.a. 10.3.2016 Warrant ACH Expenditure Report

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Documents:

[10.3.2016 WARRANT ACH EXPENDITURE REPORT.PDF](#)

9.b. Appointment to the Mile-High Regional Emergency and Trauma Services Advisory Council

Adoption of a resolution to amend Resolution No. 160131, adopted on Feb. 9, 2016, and approve the appointment of Michael Stanley to replace Ralph Vickrey on the Mile-High Regional Emergency and Trauma Services Advisory Council, with an appointment that will expire Feb. 13, 2018

Carol Dosmann, Executive Assistant, BoCC Administration

Diana Maes, Manager, BoCC Administration

Ron Carl, County Attorney

Documents:

[MILE HIGH RETAC-BSR-RESO-MICHAEL STANLEY APPT..PDF](#)

9.c. 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 Thompsen, Paralegal, County Attorney's Office

Documents:

[10 OCTOBER 18 2016.DOC](#)

[SAMPLE BAA RESOLUTION.DOC](#)

9.d. Cancellation of the Regularly scheduled Public Meeting and Study Sessions on Election Day, November 8, 2016

Adoption of a resolution cancelling the regularly scheduled Public Meeting and Study Sessions of the Board of County Commissioners on November 8, 2016, Election Day, due to election day activities and a lack of a quorum

Carol Dosmann, Executive Assistant, BoCC Administration

Diana Maes, Manager, BoCC Administration

Ron Carl, County Attorney

Documents:

[CANCELLATION OF MTGS-ELEC DAY-2016-BSR AND RESO.PDF](#)

9.e. **County Veteran Services Office Report - September 2016**

Acceptance of the Veterans Service Office Report from September 2016

Linda Haley, Senior Resources Division Manager, Community Resources
Tim Westphal, Veterans Service Officer Community Resources
Don Klemme, Director, Community Resources

Documents:

[09-2016 BSR SEPTEMBER.PDF](#)

9.f. **Drainage Easement - Case P16-008 - 169 Inverness**

Adoption of a resolution to accept the Uniform Easement Deed and Revocable Storm Drainage License Agreement for drainage easement dedication, upon the recommendation of the County's Project Engineer and Dave Schmit, Director of the Public Works and Development, granted by AX INVERNESS WEST, LP, and granting an interest in the following real property related to the development of Lot 2, Inverness Subdivision Filing No. 61, and to authorize Dave Schmit to sign on behalf of the Board

Chuck Haskins, Division Manager, Public Works and Development
David Schmit, Director, Public Works and Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney

Documents:

[P16-008_BOARD PACKET_100316.PDF](#)

9.g. **Jurisdiction Abatements**

Adoption of a resolution approving the denial of abatement petition(s) for lack of jurisdiction

Barb LeBlanc, Paralegal
Ron Carl, County Attorney

Documents:

[BSR.DOC](#)
[RESO DRAFT.DOCX](#)

9.h. **Request for Waiver of RFP for Detentions Shift Scheduling System**

Adoption of a resolution authorizing the Chair of the Board of County Commissioners to sign the waiver of the Arapahoe County Purchasing Policies for the purchase of the Detentions Shift Scheduling System from InTime Solutions

Olga Fajaros, Budget & Logistics Manager, Sheriff's Office
Jared Rowilson, Detention Operations Captain, Sheriff's Office
Vincent Line, Detentions Bureau Chief, Sheriff's Office
Louie Perea, Undersheriff, Sheriff's Office
David C. Walcher, Sheriff
Marsha Adams, Department Project Manger, Information Technology

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

Documents:

[CONSENT AGENDA BSR- INTIME WAIVER.PDF](#)
[WAIVER OF BID INTIME.PDF](#)

9.i. Subdivision Improvement Agreement - Limited Assignment and Release Agreement to City of Centennial

Adoption of a resolution approving the transfer and disbursement of transportation infrastructure contributions associated with land use cases processed by the County for parcels within the City of Centennial's jurisdiction in the amount of \$608,109.30 and to authorize David M. Schmit, Director, Department of Public Works and Development to execute and sign the Limited Assignment and Release Agreement with the City of Centennial on behalf of the Board

*Irene Valenzuela, PE, CIP Engineer III, Transportation Division
Brian Love, PE, Capital Improvement Program Manager, Public Works and Development
Bryan D. Weimer, Transportation Division Manager, Public Works and Development
David Schmit, Director, Public Works and Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney*

Documents:

[CONSENT AGENDA - 10-18-2016 BSR_CENTENNIAL-CURRENT_V3.PDF](#)

9.j. V16-001, Inverness Sub Filing No. 57, Lot 3 Vacation of Drainage Easement

Adoption of a resolution approving the request from the applicant, Horvat Architects, on behalf of the property owner, Vallagio Medical Holdings, LLC, for an application, V16-001, requesting approval of a vacation of easements. These easements were configured to support the previous site plan for this location and do not meet the needs of the recently approved P16-006 Medical Office Building Final Development Plan, and must be vacated and new easements established

*Bill Skinner, Senior Planner, Public Works and Development
Jason Reynolds, Current Planning Program Manager, Public Works and Development
Jan Yeckes, Planning Division Manager, Public Works and Development
Dave Schmit, Director, Public Works and Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney*

Documents:

[V16-001 BSR.PDF](#)
[V16-001 DRAFT MOTIONS.PDF](#)
[V16-001 VACATION DRAFT RESO.PDF](#)
[V16-001 EXHIBIT.PDF](#)

10. GENERAL BUSINESS ITEMS

10.a. GENERAL BUSINESS - Case WVR16-021 - Arapahoe Lakes Fee Waiver

Consideration of a request from the Arapahoe Lakes Parks District to use the

Subdivision Exemption process to plat a separate lot that encompasses specific recreational facilities located within the Arapahoe Lakes Community with a resulting fee waiver of \$3,500. This would facilitate the transfer of ownership of the pool and tennis court facilities from the local HOA to the Arapahoe Lakes Park District without conveying the surrounding area

*Presenter - Bill Skinner, Senior Planner, Public Works & Development
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:

[WVR16-021 BSR BOCC ARAP LAKES FEE WAIVER.PDF](#)
[WVR16-021 DRAFT MOTIONS FOR FEE WAIVER REQUEST - ARAP LAKES.PDF](#)
[WVR16-021 FEE WAIVER RESO.PDF](#)
[WVR16-021 SUBDIVISION EXEMPTION LETTER - ARAPAHOE LAKE PUBLIC PARK DISTRICT.PDF](#)

11. 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 Relay Colorado 711.
Please contact our office at least 3 days in advance to make arrangements.*

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, SEPTEMBER 13, 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:

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

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

There were no modifications to the agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Holen and duly seconded by Commissioner Jackson to adopt the Agenda as presented.

The motion passed 5-0.

APPROVAL OF THE MINUTES

Approval of the BoCC Public Meeting Minutes for August 9, 2016 was postponed to a later public meeting.

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 Jackson and duly seconded by Commissioner Sharpe to approve the items on the Consent Agenda as presented.

The motion passed 5-0.

GENERAL BUSINESS ITEMS

Item 1 – Resolution No. 160567 - P15-002 Centennial East Corp Center, Filing 3, Lot 8, Final Development Plan (FDP)

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

Senior Planner Bill Skinner presented a PowerPoint presentation and introduced the case.

Nicholas Kuntz, applicant, described the construction of the building and said trucks would rarely be on the site.

The Public Hearing was opened.

There were no public comments.

The motion was made by Commissioner Sharpe and duly seconded by Commissioner Bockenfeld in the case of P15-002, Centennial E Corporate Center Filing 3, Lot 8 Final Development Plan, the Board has read the staff report and received testimony at the public hearing. The Board finds itself in agreement with staff findings 1 through 3, including all plans and attachments as set forth in the staff report dated August 16, 2016 and approve this application subject to the following condition of approval:

- 1) Prior to signature of the final copy of these plans, all minor modifications shall be made as required by the Arapahoe County Public Works & Development Department.

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 9:43 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, SEPTEMBER 20, 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:

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

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

Commissioner Sharpe was absent and excused.

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA

There were no modifications to the agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Holen and duly seconded by Commissioner Jackson to adopt the Agenda as presented.

The motion passed 4-0, Commissioner Sharpe absent and excused.

ADOPTION OF THE MINUTES

There were no minutes presented for adoption.

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 Jackson and duly seconded by Commissioner Holen to approve the items on the Consent Agenda as presented.

The motion passed 4-0, Commissioner Sharpe absent and excused.

GENERAL BUSINESS ITEMS

There were no general business items on this date.

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 9:35 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

MATT CRANE, CLERK TO THE BOARD

BY JOLEEN SANCHEZ, ASSISTANT CLERK TO THE BOARD

REPORT FOR 09/27/2016 TO 10/03/2016

FUNDS SUMMARY:

FUNDS SUMMARY:

10 General Fund	1,518,740.79
11 Social Services	566,192.08
14 Law Enforcement Authority Dist	1,830.10
15 Arapahoe / Douglas Works!	71,580.44
16 Road and Bridge	690,443.92
20 Sheriff's Commissary	3,992.90
21 Community Development	21,315.84
26 Grants	50,459.58
28 Open Space Sales Tax	388,033.61
29 Homeland Security - North Cent	73,724.57
33 Building Maintenance Fund	43,707.47
34 Fair Fund	6,830.81
41 Capital Expenditure	631,651.76
42 Infrastructure	18,417.93
43 Arapahoe County Recreation Dis	875.49
70 Central Services	13,959.84
71 Self-Insurance Liability	2,244.85
73 Self-Insurance Workers Comp	22,196.36
84 E-911 Authority	31,604.68
	=====
TOTAL	4,157,803.02

FUND REPORT - EXPENDITURE TYPE

FUND 10 EXPENDITURE REPORT

ALFREDO PORRAS	Services And Other	115.57
ALLEGIANT MORTUARY TRANSPORT LLC	Services And Other	7,267.50
AURORA MENTAL HEALTH CTR	Services And Other	3,120.00
AUTO MOTORS OF ENGLEWOOD LLC	Supplies	101.24
AVI SYSTEMS INC	Services And Other	8,858.00
BACKGROUND INFORMATION SERVICES INC	Services And Other	810.80
BASELINE ASSOCIATES INC	Services And Other	5,530.00
BATTERY SYSTEMS INC	Supplies	399.48
BC SERVICES INC	MISC.	15.00
BETH A KINSKY	Services And Other	80.00
BLANCHARD TRAINING AND DEVELOPMENT	Services And Other	4,703.09
BOBCAT OF THE ROCKIES LLC	Supplies	55.81
BRIDGESTONE RETAIL OPERATIONS LLC	Services And Other	54.99
BRUMBAUGH & QUANDAHL PC	MISC.	15.00
CAITLIN MOCK	Services And Other	69.12
CARL REAM ATTORNEY AT LAW	MISC.	62.10
CAROL A WINTER	Services And Other	105.00
CARQUEST AUTO PARTS	Supplies	202.73
CATAWBA CO CSE	MISC.	15.00
CCP INDUSTRIES	Supplies	419.80
CDW GOVERNMENT	Supplies	115.20
CENTENNIAL AIRPORT CTR OWNERS	Services And Other	1,365.42
CENTENNIAL EAST APARTMENTS LP	Community Programs	100.00
CENTERPOINT ENERGY SERVICES INC	Services And Other	3,336.60
CHEMATOK LABORATORY INC	Services And Other	955.00
CHERWELL SOFTWARE LLC	Services And Other	36,427.00
CINDY GARCIA	Services And Other	117.18
CITY OF AURORA	Services And Other	5,412.47



ARAPAHOE COUNTY
COLORADO'S FIRST

BOARD SUMMARY REPORT

Date: October 18, 2016

To: Board of County Commissioners

Through: Diana Maes, BOCC Administration Manager

From: Carol Dosmann, Executive Assistant, BOCC Administration

Subject: Amend Resolution No. 160131 adopted on February 9, 2016 and approve the appointment of Michael Stanley, Commander-Medical Branch of the Aurora Fire Rescue, to replace Ralph Vickrey's position on the Mile-High Regional Emergency and Trauma Services Advisory Council.

Purpose and Recommendation

Amend Resolution No. 160131 adopted on February 9, 2016 and approve the appointment of Michael Stanley, Commander-Medical Branch of the Aurora Fire Rescue, to replace Ralph Vickrey's position as a Government Representative on the Mile-High Regional Emergency and Trauma Services Advisory Council due to Ralph Vickrey's retirement. Michael Stanley will assume the unexpired term of Ralph Vickrey, which term will expire on February 13, 2018.

Background

The Mile-High Regional Emergency and Trauma Services Advisory Council provides recommendations concerning area emergency medical trauma service plans for its member counties and city and county. The Arapahoe County representatives to the Mile-High RETAC shall consist of three members – one facility member, one pre-hospital member and one government member.

Discussion

Alternatives

Fiscal Impact

Concurrence

Reviewed By:

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

RESOLUTION NO. 160 It was moved by Commissioner and duly seconded by Commissioner to amend Resolution No. 160131 adopted on February 9, 2016, and to hereby appoint Michael Stanley to serve on the Mile-High Regional Emergency and Trauma Services Advisory Council to assume an unexpired term due to Ralph Vickrey's retirement, which appointment will expire on February 13, 2018. Said appointee shall serve at the pleasure of the Board of County Commissioners and said appointee may be removed at any time by action of the Board of County Commissioners, with or without good cause shown.

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: October 7, 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 numbers have been stipulated to for the tax (s) indicated below.

Tax Year	Docket #	Property Owner	Property Address	Code	Original Value	Stipulated Value
2015/ 2016	66023	HR Acquisition Partners LLC	Vacant Land	1.	\$1,506,600	\$334,800

Code

1. Condition of the subject in relation to comparable 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:

Docket #	Property Owner	Tax Year
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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.



ARAPAHOE COUNTY
COLORADO'S FIRST

Date: October 18, 2016
To: Board of County Commissioners
From: Carol Dosmann, Executive Assistant
Through: Diana Maes, BOCC Administration Manager
Subject: Cancellation of the Public Meeting and Study Sessions on Election Day, November 8, 2016.

Request and Recommendation

Due to the various activities of the County Commissioners on the General Election Day, a quorum of the members are not available to conduct County business on November 8, 2016. Therefore, the regularly scheduled Public Meeting and Study Sessions will be cancelled.

Background

A lack of quorum on Tuesday, November 8, 2016 necessitates the cancellation of the regularly scheduled Public Meeting and Study Sessions on this date.

Discussion

Adoption of the attached resolution will notify all interested parties of the cancellation of the regularly scheduled Public Meeting and Study Sessions on the General Election Day, November 8, 2016.

Alternatives

Fiscal Impact

Concurrence

Attorney Comments

Reviewed By:

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

RESOLUTION NO. 160
seconded by Commissioner

It was moved by Commissioner _____ and _____ duly
to adopt the following Resolution:

WHEREAS, pursuant to Section 30-10-304, CRS, 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, the Board of County Commissioners, by the adoption of Resolution No. 160019 on January 12, 2016, did establish Mondays and Tuesdays (except for legal holidays) as the regular meeting days for the Board to conduct County business during calendar year 2016; and

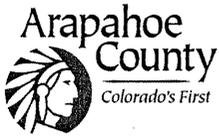
WHEREAS, due to the various activities of the County Commissioners on the General Election Day, a quorum of the members are not available to conduct County business on November 8, 2016; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado to hereby cancel the regularly scheduled Public Meeting and Study Sessions set for November 8, 2016 due to a lack of quorum of the members of the Board of County Commissioners to conduct regular County business;

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: 10/03/2016
To: Board of County Commissioners
Through: Don Klemme, Community Resources Department Director
From: T.J. Westphal, County Veterans Service Officer
Subject: Veterans Service Officer Summary Report

Direction/Information:

The purpose of this report is to communicate the services provided to veterans and their families by the Arapahoe County Veterans Service Officer during the month of September, 2016.

Background

The Colorado Department of Veterans Services requires assistance to veterans and their families in compliance with Sections 28-5-801 et seq., Colorado Revised Statutes, in receiving their benefits such as, but not limited to:

Burials:

- Provide veterans within Arapahoe County the information regarding their burial allowance
- Advise and assist family members of veterans collection of death pension

Health Services:

- Assist veterans in processing claims for medical benefits
- Assist and coordinate with veterans' Medicaid cases

Claims:

- Prepare, present and appeal claims for VA benefits on behalf of Arapahoe County veterans and their dependents

Links to Align Arapahoe

The services provided to veterans through our Veterans Services Office link to the Align Arapahoe Initiatives of Quality of Life and Service First. By connecting veterans to the resources available for them and assisting them with claims which may increase their available income, quality of life is improved. Service First is met through the timely and professional delivery of services to all veterans and family members who work with the Veterans Service Office.

BoCC Consent Agenda

Discussion

Arapahoe County Veterans Services provides full-time assistance to veterans and their families as required by state statutes.

Alternatives

This document is a state form required by the State of Colorado to be submitted monthly as application for monetary benefits payable to the County General Fund in accordance with Section 28-5-707 Colorado Revised Statutes.

Fiscal Impact

The County receives \$16,560 annually for the services provided to veterans in Arapahoe County. There is also a positive fiscal impact to individual veterans through successful claims recoveries.

Concurrence

This report was presented to Donald A. Klemme, Community Resources Department Director, who recommends approval and signature by the Board of County Commissioners.

Attorney Comments

If appropriate, include this section.

Reviewed By:

Although physical signatures are not required, the BSR must still be reviewed by all necessary departments prior to submitting. You **MUST** provide sufficient time for finance and county attorneys to review your document prior to being submitted. The names of the individuals that have approved must be listed below.

T.J. Westphal, County Veterans Service Officer
Linda Haley, Senior Resources Division Manager
Don Klemme, Community Resources Department Director



ARAPAHOE COUNTY
VETERANS SERVICE OFFICE

Arapahoe County Veterans Service Office September, 2016 - Summary Report

For the month of September, 2016:

- The County Veterans Service Office prepared, presented and appealed claims for federal benefits to the Department of Veterans Affairs. The office also administered the Veterans Trust Fund for emergency financial assistance. Staff conducted all daily operations to include meeting with veterans and/or their dependents, conducting community outreach, processing legal correspondence and fielding calls related to claims, resource referrals and general inquiries.
- John Rossie gave **9 hours** of volunteer service to the County Veterans Service Office.
- **Goals and Objectives:**
 - Total phone calls processed: **1053**
 - Specific to current claim action/status: **74**
 - Appointments, referrals, general inquiries: **453**
 - Scheduled/walk-in appointments/home visits: **68**
 - Claims for federal benefits filed to the VA: **36**
 - Other applications and claim correspondence: **60**
 - Requests for military records and corrections: **1**
 - Veterans Trust Fund requests granted: **3**
 - New favorable award notifications received: **24**
 - 2016 Favorable decisions to date: **218**
 - 2016 VA claim award recoveries to date: **\$2,798,533.43**
- **Training, Outreach and Community Events:**
 - 09/01/16 – Outreach: Veterans Services Open House at Arapahoe Community College
 - 09/07/16 – Community: Aurora Veterans Forum Monthly Meeting
 - 09/14/16 – Outreach: ACCOA Dynamics of Aging: Veterans Benefits Presentation
 - 09/15/16 – Training: Regional CVSO Training with Colorado Division of Veterans Affairs
 - 09/22/16 – Outreach: Eastern Plains Benefits Day at American Legion Post 160 in Byers

Respectfully Submitted,

T.J. Westphal
County Veterans Service Officer
Arapahoe County, Colorado



Colorado Department of Military and Veterans Affairs
County Veterans Service Officers Monthly Report and Certification of Pay

County of **ARAPAHOE** Month of **SEPTEMBER 2016**

General Information		Request for Medica Records	
Telephone Calls	527	21-4142 & 21-4142a	0
Office Visits	68	Military Records/Corrections	
Home Visits	0	SF180	1
Outreach Visits	3	DD149	0
Community Events	1	DD293	0
Request for Medal	0	NA13075	0
Operation Recognition	0	Other	0
Correspondence Rec'd	10	NSC Pension	
Correspondence Written	28	21-527EZ	3
Info/Referral/Inquiries	453	21-8416	2
VCAA Notice	9	Widows Pension	
State Benefits	0	21-534EZ	0
Income Verifications	2	21-8416	0
New Claims Initiated		DIC	
21-22 CVA	25	21-5234EZ	0
21-22 others	0	Waivers/Compromise	
SC Entitlement		21-4138	2
21-526EZ New	25	21-5655	2
21-0966 Informal	12	Appeals	
21-526EZ New Issue	N/A	21-0985 NOD	6
21-526EZ Reopen	N/A	VA Form 9	2
21-526EZ Increase	N/A	VA Home Loan	
21-526EZ Secondary	N/A	26-1800	0

21-526EZ Reinstatement	0	Homeless Veterans Claims	
21-526EZ IU	1	Service Connection	0
21-8940 IU	1	NSC Pension	1
21-4192 IU Employer	1	Incarcerated Veterans	
21-4138 SMC	0	21-526EZ Reinstatement	0
21-686c Dependency	12	21-4138 Apportionment	0
21-674 School Attendance	0	Insurance Claims	
VA Healthcare		29-357	0
10-10EZ	2	29-4364	0
10-10EZR	0	29-336 Beneficiary	0
10-10D CHAMPVA-DEP	0	29-4125 Lump Sum	0
10-7979A CHAMPVA	0	VTF Requests	
10-7959C CHAMPVA INS	0	Rental Assistance	0
VOC REHAB		Utilities Assistance	0
28-1900 CH31	0	Prescription Assistance	0
MISC CLAIMS		Food Assistance	3
21-8678 Clothing Allow	0	Transportation Assistance	0
21-4502 Adaptive Equip.	0	Clothing Assistance	0
26-4555 Housing	0	Other	0
10-0103 HISA Grant	0		
CRSC	0		
Burial Allowance			
21P-530	0		
40-1330	0		
21-2008	0		
26-1817	0		

Certification by County Veterans Service Officer

I hereby certify, the above captioned monthly report is true and accurate. I have been paid the following amount(s) for the month of _____, 20__ from _____ county.

Salary	\$ _____
Expenses	\$ _____
Office Space	\$ _____
Telephone	\$ _____
Office Supplies	\$ _____
Travel	\$ _____
Training Conference	\$ _____
Other	\$ _____
 TOTAL	 \$ _____

Signature of County Veterans Service Officer

10/3/16

Date

Certification by County Commissioner or Designee

In accordance with CRS 28-5-707, I hereby certify the accuracy of the Report CVA-26 revised 9-11-2015:

_____ County Commissioner or Designee of
 _____ County
 _____ Date

This certification, submitted monthly, properly signed and executed is considered as application for the monetary benefits to the County General Fund in accordance with 28-5-804 (2002) Colorado Revised State Statute.

Submit this form no later than the 15th day the following month.

Mail to:
 Colorado Division of Veterans Affairs
 Attention: Deputy Director
 1355 South Colorado Blvd.
 Building C, Suite 113
 Denver, Colorado 80222



Board Summary Report

Date: October 4, 2016

To: Arapahoe County Board of County Commissioners

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

From: Chuck Haskins, PE, Division Manager
Public Works and Development Engineering Services Division

Case name: Lot 2, Inverness Subdivision Filing No. 61
(169 Inverness)

Subject: Acceptance of one (1) drainage easement

Request and Recommendation:

The purpose of this report is to request the Board accept conveyance of one drainage easement. The easement is related to the development of Lot 2, Inverness Subdivision Filing No. 61. Staff have reviewed the easement and determined that it meets the County's requirements. Staff recommends that the drainage easement granted by AX Inverness West, LP, be accepted by the Board.

Background:

An FDP is currently being processed by Arapahoe County for Lot 2, Inverness Subdivision Filing No. 61 (169 Inverness). County criteria requires that public drainage improvements be contained within a drainage easement or tract dedicated to Arapahoe County. Acceptance of the proposed drainage easement will allow for access to the proposed public drainage improvements for repairs, maintenance, etc. in the future, if the Owner does not fulfill their maintenance obligations per the Operations and Maintenance manual for the project.

Links to Align Arapahoe

The drainage easement will allow for County access to the proposed public drainage improvements for repairs, maintenance, etc. in the future, if the Owner does not fulfill their maintenance obligations

Alternatives

N/A

Fiscal Impact

There is no fiscal impact related to this request.

Concurrence

The drainage easement agreement was reviewed by the County Attorney's Office and the legal description and exhibit were reviewed by Mapping.

Actions Requested:

1. Acceptance of one (1) drainage easement

Chuck Haskins, PE, Division Manager Engineering Services Division

Robert Hill, Assistant County Attorney
Attorney's Office

David M. Schmit, Director
Public Works and Development

Attachments: Drainage Easement Legal Description, Exhibit 'A'
Uniform Easement Deed and Revocable Storm Drainage License Agreement
Resolution for Acceptance of Drainage Easement

**UNIFORM EASEMENT DEED AND REVOCABLE
STORM DRAINAGE LICENSE AGREEMENT**

This Easement Deed and Revocable Storm Drainage License Agreement is made this _____ day of _____, 2016, between AX INVERNESS WEST, LP, whose legal address is c/o Artis US Holdings, Inc., Suite 300-360 Main Street, Winnipeg, MB R3C 3Z3 for itself and for its successors, tenants, licensees, heirs (if applicable) and assigns, (the "Owner"), and THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO, a body corporate and politic, whose legal address is 5334 South Prince Street, Littleton, Colorado 80166, (the "County").

Owner is the owner in fee simple of the property described in Exhibit A (the "Easement Property"), and of the property upon which the Easement Property is located, described in Exhibit B (the "Development"). Owner desires a license to use certain components of County's storm drainage facilities to discharge approved volumes of clean stormwater from the Development. County has agreed to license Owner's use upon the terms of this Agreement, which include the grant by Owner of a permanent drainage and storm drainage easement to County. For and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner hereby grants and conveys to County, its successors and assigns, a permanent easement to enter, re-enter, occupy and use the Easement Property, and warrants the title to the same, for the purpose of constructing, connecting, disconnecting, rerouting, enlarging, removing, repairing, operating, monitoring and testing, and maintaining above ground, surface and underground:

storm sewer facilities, detention ponds and related drainage facilities

which may include all necessary above ground, surface and underground facilities and appurtenances related thereto, including but not limited to: mains, manholes, conduits, valves, pavement, vaults, ventilators, retaining walls, drop structures, inlets, outfalls, erosion control structures, culverts, pipes, electric or other control systems, cable, wires and connections, including telephone wiring; in, upon, under, through and across the Easement Property, upon the terms and conditions stated in the instrument recorded at **Reception No. A7066570**, incorporated herein by this reference.

County hereby grants a revocable license to Owner and to the successors, heirs and permitted assigns of Owner, to discharge approved quantities and flows of clean stormwater into County's storm drainage collector facility Inverness Tributary C, located adjacent to the right of way for Inverness Drive West, Arapahoe County, Colorado, (the "Outfall") upon the terms and conditions stated in the instrument recorded at Reception No. A7066570, incorporated herein by this reference.

This instrument relates to that certain Final Development Plan, Case No. P16-008 (the "Plan") and known as 169 Inverness.

Except to the extent described in any Special Conditions, the parties intend that the terms of this License Agreement be interpreted in accordance with the requirements of the subdivision improvement agreement ("SIA") and the Plan, if any. In the event of irreconcilable conflict between or among the terms of this License Agreement or the terms of the SIA or the Plan, the terms of this License Agreement shall control.

Termination, revocation or nonrenewal of the License Agreement shall not affect County's rights granted under this Easement. Each and every one of the benefits and burdens of this Easement shall inure to and be binding upon the respective legal representatives, successors and assigns of the Owner and County.

This License Agreement may be assigned, in whole or in part, by the County. Upon such assignment the County shall be released from all obligations and liabilities that run with this License Agreement.

Owner:

by:

NAME TITLE

County of)
) s.s.
State of Colorado)

This instrument was acknowledged before me this _____ day of _____, 2016, by as _____ of _____, an authorized representative of the Owner.

My commission expires: _____. Witness my hand and official seal.

Signature

Name of notary

Address of notary

ACCEPTANCE AND APPROVAL:

For the Board of County Commissioners of Arapahoe County

David M. Schmit, P.E., Director, Public Works and Development
Authorization pursuant to Resolution No. 160097

EXHIBIT "A"
DRAINAGE EASEMENT

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF LOT 2, INVERNESS SUBDIVISION FILING NO. 61 RECORDED AT RECEPTION NO. D3090591 ARAPAHOE COUNTY, COLORADO RECORDS, SITUATED IN THE NE ¼ OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2;
THENCE N36°49'06"W A DISTANCE OF 52.96 FEET TO THE POINT OF BEGINNING;
THENCE N80°00'28"W A DISTANCE OF 10.59 FEET;
THENCE S84°04'04"W A DISTANCE OF 11.48 FEET;
THENCE N09°55'49"W A DISTANCE OF 133.28 FEET;
THENCE S73°24'23"W A DISTANCE OF 77.57 FEET;
THENCE S79°45'32"W A DISTANCE OF 104.07 FEET;
THENCE N09°56'54"W A DISTANCE OF 2.64 FEET;
THENCE S80°04'04"W A DISTANCE OF 18.61 FEET;
THENCE N09°55'49"W A DISTANCE OF 82.50 FEET;
THENCE N80°04'04"E A DISTANCE OF 26.00 FEET;
THENCE S09°55'49"E A DISTANCE OF 65.10 FEET;
THENCE N79°45'32"E A DISTANCE OF 95.46 FEET;
THENCE N73°24'23"E A DISTANCE OF 79.50 FEET;
THENCE S85°30'21"E A DISTANCE OF 30.35 FEET TO A POINT ON THE WESTERLY LINE OF A 20' DRAINAGE EASEMENT AS RECORDED AT SAID RECEPTION NO. D3090591;
THENCE S09°33'00"W ALONG SAID WESTERLY LINE A DISTANCE OF 15.14 FEET TO THE SOUTHWEST CORNER OF SAID 20' DRAINAGE EASEMENT;
THENCE S72°05'23"E ALONG THE SOUTHERLY LINE OF SAID 20' DRAINAGE EASEMENT A DISTANCE OF 15.06 FEET;
THENCE S40°21'40"E A DISTANCE OF 4.17 FEET;
THENCE S01°17'18"E A DISTANCE OF 126.89 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (10,341 SQUARE FEET) 0.2374 ACRES.

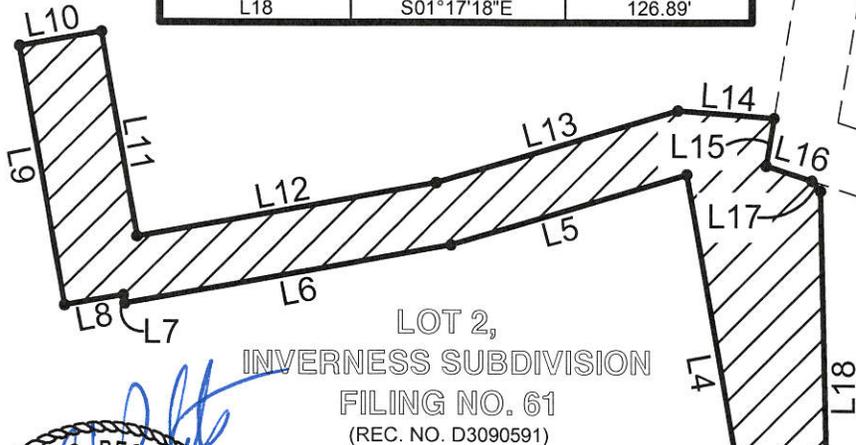
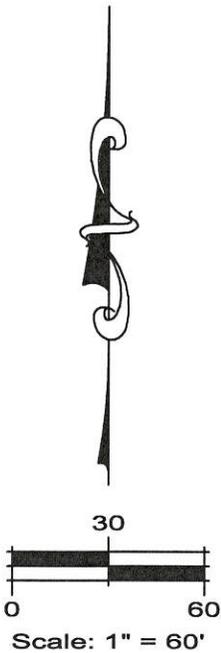
BEARINGS ARE BASED ON THE SOUTH LINE OF SAID LOT 2 BEARING S80°04'11"W A DISTANCE OF 411.60 FEET MONUMENTED AT BOTH CORNERS BY A #5 REBAR & 1 ¼" RED PLASTIC CAP L.S. NO. 32430.

Date Prepared: August 9, 2016
Date Of Last Revision: October 3, 2016
Prepared By: Charles N. Beckstrom, PLS No. 33202
For And On Behalf Of
Engineering Service Company
14190 East Evans Avenue
Aurora, Colorado 80014
Phone: (303) 337-1393



EXHIBIT "A"

LINE DATA TABLE		
COURSE	BEARING	LENGTH
L1	N36°49'06"W	52.96'
L2	N80°00'28"W	10.59'
L3	S84°04'04"W	11.48'
L4	N09°55'49"W	133.28'
L5	S73°24'23"W	77.57'
L6	S79°45'32"W	104.07'
L7	N09°56'54"W	2.64'
L8	S80°04'04"W	18.61'
L9	N09°55'49"W	82.50'
L10	N80°04'04"E	26.00'
L11	S09°55'49"E	65.10'
L12	N79°45'32"E	95.46'
L13	N73°24'23"E	79.50'
L14	S85°30'21"E	30.35'
L15	S09°33'00"W	15.14'
L16	S72°05'23"E	15.06'
L17	S40°21'40"E	4.17'
L18	S01°17'18"E	126.89'



LOT 2,
INVERNESS SUBDIVISION
FILING NO. 61
(REC. NO. D3090591)



POINT OF COMMENCEMENT
SOUTHEAST CORNER OF LOT 2,
INVERNESS SUBDIVISION
FILING NO. 61

POINT OF BEGINNING

SOUTH LINE OF LOT 2,
INVERNESS SUBDIVISION FILING NO. 61
N80°04'11"E 411.60'
(BASIS OF BEARINGS)

FOUND #5 REBAR
AND 1 1/4" RED PLASTIC CAP
L.S. NO. 32430

FOUND #5 REBAR
AND 1 1/4" RED PLASTIC CAP
L.S. NO. 32430

PARCEL CONTAINS
10,341 SQUARE FEET
0.2374 ACRES

20' DRAINAGE
EASEMENT (REC.
NO D3090591)

INVERNESS DRIVE WEST
(PUBLIC R.O.W. VARIES)

ESC
ENGINEERING
SERVICE
COMPANY

14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481

ENGLEWOOD

DRAINAGE EASEMENT

A PART OF LOT 2,
INVERNESS SUBDIVISION FILING NO. 61
SITUATED IN THE NE1/4 OF SECTION 34, T.5S., R.67W. OF THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Drawn By: <i>SLH</i>	Checked By: <i>SAM</i>	Project No.: 473.004	Date: REV. 9/29/2016
Scale: 1"=60'	File Name: EASEMENT-163 INVERNESS DRIVE WEST, ENGLEWOOD, CO		

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

EXHIBIT B

Easement Property is located over a portion of the following property:

Lot 2, Inverness Subdivision Filing No. 61, a subdivision plat recorded in Book 437, Page 2, at Reception No. D3090591, Arapahoe County records, County of Arapahoe, State of Colorado

RESOLUTION NO. _____. It was moved by Commissioner _____ and duly seconded by Commissioner _____ to accept the Uniform Easement Deed and Revocable Storm Drainage License Agreement for drainage easement dedication, dated _____, upon the recommendation of the County's Project Engineer and the Director of the Public Works and Development, granted by AX INVERNESS WEST, LP, granting an interest in the following real property:

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF LOT 2, INVERNESS SUBDIVISION FILING NO. 61 RECORDED AT RECEPTION NO. D3090591 ARAPAHOE COUNTY, COLORADO RECORDS, SITUATED IN THE NE ¼ OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2;
THENCE N36°49'06"W A DISTANCE OF 52.96 FEET TO THE POINT OF BEGINNING;
THENCE N80°00'28"W A DISTANCE OF 10.59 FEET;
THENCE S84°04'04"W A DISTANCE OF 11.48 FEET;
THENCE N09°55'49"W A DISTANCE OF 133.28 FEET;
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THENCE S09°33'00"W ALONG SAID WESTERLY LINE A DISTANCE OF 15.14 FEET TO THE SOUTHWEST CORNER OF SAID 20' DRAINAGE EASEMENT;
THENCE S72°05'23"E ALONG THE SOUTHERLY LINE OF SAID 20' DRAINAGE EASEMENT A DISTANCE OF 15.06 FEET;
THENCE S40°21'40"E A DISTANCE OF 4.17 FEET;
THENCE S01°17'18"E A DISTANCE OF 126.89 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (10,341 SQUARE FEET) 0.2374 ACRES.

BEARINGS ARE BASED ON THE SOUTH LINE OF SAID LOT 2 BEARING S80°04'11"W A DISTANCE OF 411.60 FEET MONUMENTED AT BOTH CORNERS BY A #5 REBAR & 1 ¼" RED PLASTIC CAP L.S. NO. 32430.

Unless expressly stated in the instrument, Arapahoe County does not accept any interest in the property, including any responsibility for maintenance, repair, decontamination, cleanup, or hazardous material response on any portion of the real estate other than the improvements installed by or for Arapahoe County.

VOTE

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

Board Summary Report

Date: October 6, 2016
To: Board of County Commissioners
Through: Ronald A. Carl, County Attorney
From: Barbara LeBlanc, Paralegal
Subject: Abatements

Purpose 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 for abatement petitions denied for lack of jurisdiction.

Background

These abatements were filed by petitioners and denied by the Assessor's Office.

Discussion

The attached listing of abatements are the result of the Assessor's and County Attorney's office review.

Alternatives

Fiscal Impact

No decrease in the taxes collected.

Concurrence

The County Attorney support this recommendation.

Petitioner	account number	folio number	year(s)
Natural Healing Center	27299-75336-001	035068374	2014/15

Did not file Personal Property Declaration, C.R.S. 39-5-116 and did not protest Assessor's value during protest period. C.R.S.39-5-122(2)

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, October 18, 2016; and

WHEREAS, the Board at that time considered petitions for Abatement or Refund of Taxes pursuant to C.R.S. 39-1-113 and 39-10-114 submitted by various taxpayers and/or agents; and

WHEREAS, the County Assessor has recommended denial of all of these petitions for reasons as set forth within the petition and an agenda memorandum as tendered to the Board on this date, and the Board has reviewed the memorandum as presented by the Acting County Attorney and the petitions submitted by the Petitioners; and

WHEREAS, the Petitioners were not present before the Board of County Commissioners; and

WHEREAS, the basis of the Assessor's denial was that jurisdictional prerequisites were not met by the petitioners; and

WHEREAS, based upon the aforementioned, the Board of County Commissioners has no jurisdiction to act upon said petitions.

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

Petitioner	account number	folio number	year(s)
Natural Healing Center	27299-75336-001	035068374	2014/15

Did not file Personal Property Declaration, C.R.S. 39-5-116 and did not protest Assessor's value during protest period. C.R.S.39-5-122(2)

1. That the Petitions (per attached list) presented this date to the Board relating to Schedule numbers set forth therein, shall be and are hereby denied and the recommendation of the Assessor is hereby concurred with, and that no refund or abatement be allowed for the tax years as requested by the aforementioned Petitioners for the reasons as set forth upon the petitions.

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: September 21, 2016
To: Board of County Commissioners
Through: David C. Walcher, Sheriff
From: Olga Fajaros, Budget & Logistics Manager
Subject: Request for Waiver of RFP for Detentions Shift Scheduling System

Request and Recommendation

The Arapahoe County Sheriff's Office requests and recommends the Board of County Commissioners authorize a Waiver of Solicitation to change scheduling software vendors. Funds that have already been allocated to pay the yearly maintenance of the current scheduling system will be used to purchase a replacement system.

This item was heard and approved by the Board of County Commissioners at a drop-in session on October 4, 2016.

Background

The Detention Facility's current shift scheduling software, Telestaff, was implemented in 2009 and has become out of date and difficult to manage and support. The system has begun to fail and requires numerous staff hours to maintain and funding to fix configuration issues to return it to a fully functional state. The lack of functionality causes significant amounts of time spent by supervisors coordinating schedules and ensuring staffing is adequate rather than directly supervising staff. The Telestaff system no longer meets the needs of the Sheriff's Office and the ongoing maintenance agreement has been terminated rather than spend the money on a product that does not work properly and would cost additional money to upgrade to a useable state.

Links to Align Arapahoe

Improve Government Efficiencies. Moving from Telestaff to the recommended product will reduce the significant amounts of time supervisors spend scheduling people, provide a product that functions as expected, and provide needed information in a quick and useful format.

Discussion

As a part of a Telestaff system replacement project, staff contacted several law enforcement agencies to find out what systems they use for shift scheduling. One of the recommended solutions was InTime Solutions. The system was evaluated and it would not only meet our requirements but also provides a unique landing page display that is in a spreadsheet style format. This makes this system significantly easier to navigate and to manage than other products that were evaluated. All other systems reviewed and even the current system's main page is a calendar view or drill down format, making it difficult to quickly see a daily roster of staff who are on duty. The InTime Solutions application also provides a daily

activity sheet that quickly and easily displays who is scheduled to work and where they are assigned. This is critical information to the Detention Facility. All other systems that were evaluated would require customization at an added cost to provide this functionality.

IT Project Manager Marsha Adams has drafted a Waiver of Solicitation and met with Purchasing Manager Keith Ashby. Mr. Ashby has provided his approval of the waiver since the InTime application has unique required functionality components that no other known product can currently provide without additional funding.

Alternatives

Some of the other systems reviewed had improved functionality over Telestaff but either had no corrections facility functionality features or were very complicated to use and support.

Systems evaluated:

InTime Solutions

- Recommended product

Visual Computing Solutions

- Very complicated and would require a dedicated staff member to manage. Also, it is expensive and focused on many industries so the system can be confusing.

Plant

- A new company that has future potential. The product is not a fully developed nor includes all the features needed for shift schedule processing.

Schedule AnyWhere

- Not law enforcement focused. This system works well for the Arvada Police Department Patrol section since they are small and they do not have a correctional facility.

ABI MasterMind

- This system is solely focused on event planning (i.e. concerts and large entertainment venues) and they have no law enforcement customers.

Other systems were reviewed briefly and it was quickly clear they did not meet the needs of the Sheriff's Office.

Should no action be taken, the Detention Facility would still need to replace the Telestaff system and would therefore have to work with Purchasing to complete a formal RFP thereby delaying the implementation of a much needed scheduling system that functions as expected. The work and evaluation of available systems has been completed and a thorough evaluation has identified InTime as the one product that meets the needs of the Sheriff's Office.

Fiscal Impact

There will be no financial impact to Arapahoe County. Funds already dedicated to the current Telestaff system yearly maintenance will be redirected to the purchase and subsequent ongoing support of the InTime Solutions recommendation.

Concurrence

The Sheriff's Office Detention Services Bureau and the Information Technology Department are in full support of the use of funds and purchase of the InTime application. Further, Purchasing Manager Keith Ashby supports the Waiver of Solicitation that is being requested.

Attorney Comments

If appropriate, include this section.

Reviewed By:

Olga Fujaros, Budget & Logistics Manager

Jared Rowilson, Detention Operations Captain

Vincent Line, Detentions Bureau Chief

Louie Perea, Undersheriff

David C. Walcher, Sheriff

Marsha Adams, Information Technology Department Project Manger

David Bessen, Information Technology Department Director

Finance Department

County Attorney

RESOLUTION NO. It was moved by Commissioner and duly seconded by Commissioner to approve the recommendation of the Arapahoe County Sheriff's Office and to waive the formal bid requirements as set forth in Policy Nos. 4.1 and 5.6 of the Arapahoe County Financial Management Manual and the Arapahoe County Purchasing Policies and to authorize the purchase of the Detentions Shift Scheduling System from InTime Solutions, and to authorize the Chair of the Board of County Commissioners to sign any necessary contract documents related to the service, subject to review and approval 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.



ARAPAHOE COUNTY
COLORADO'S FIRST

WAIVER OF PURCHASING POLICIES

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

DESCRIPTION OF PROJECT: Replace the current Shift Scheduling and call out system for the Detentions facility.

PRICE: \$31,000 ANNUAL MAINTENANCE: \$ \$26,400

FIXED ASSET Yes No FIXED ASSET # 301744

COST CENTER # 106520400 G/L # 54409 IO #

JUSTIFICATION (Provide Vendor name, How were they selected, Why requesting to waive purchasing policy process): As a part of the Telestaff system replacement project we contacted several Law Enforcement agencies to find out what systems they use for shift scheduling. One of the recommended solutions from Lakewood PD was InTime Solutions. We reviewed the system and found that it would not only meet our requirements but, also provides a unique landing page display that is in a spreadsheet style format. This is what makes this system easier to navigate and to manage than others. All other systems we reviewed and even our current system's main page is in calendar view, making is difficult to quickly see our daily roster. The InTime Solutions application also provides a daily activity sheet that shows us who is scheduled to work and where they are assigned. This is critical information to our agency. All other systems would require customization at an added cost to provide this functionality.

 Jared Rowlison 720-874-4074
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: September 27, 2016

To: Arapahoe County Board of County Commissioners

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

Through: Bryan D. Weimer, Division Manager
Public Works and Development – Transportation Division

Through: Brian Love, PE, Capital Improvement Program Manager
Public Works and Development – Transportation Division

From: Irene Valenzuela, PE, CIP Engineer III
Transportation Division

Subject: **CENTENNIAL TRANSPORTATION INFRASTRUCTURE CONTRIBUTIONS**

Purpose and Recommendation:

The purpose of this report is to request the Board to approve a Limited Assignment and Release Agreement to transfer and disburse to the City of Centennial certain transportation infrastructure funds that were contributed by Developers and associated with land use cases processed by the County for parcels that are now within the City of Centennial's jurisdiction

Public Works and Development staff is therefore requesting BOCC approval of a Limited Assignment and Release Agreement with the City of Centennial for approval to disburse these funds and authorization to allow David M. Schmit, Director, Department of Public Works and Development to execute the Limited Assignment and Release Agreement on behalf of the Board.

Background:

Pursuant to the Arapahoe County Land Development Code, contributions to infrastructure related to land development projects is collected via the Subdivision Improvement Agreement (SIA). On May 12, 2009, Chuck Haskins requested the BOCC to sign the Release Agreement and approval of a fund transfer to the City of Centennial in the amount of \$389,493.00. The BOCC approved these requests via Resolution #090404. However, for unknown reasons, the City of Centennial did not authorize signature of the Release Agreement so the funds were not transferred at that time. Since the 2009 request, Arapahoe County has collected and currently holds \$608,109.30 in contributions for transportation infrastructure improvements from developments now located within the City of Centennial.

The County agrees that this transfer will occur since the City provided the approved Resolution No. 2016-R-46 for the Limited Assignment and Release Agreement.

Discussion:

The attached "Limited Assignment and Release Agreement" between the City of Centennial and the County has been reviewed by both legal departments of the two jurisdictions. Under the Limited Assignment and Release Agreement, the County will transfer the funds, totaling \$608,109.30, to the City

and the City will assume responsibility for the expenditure or return of the funds to the developer. The projects from which these funds were provided to the County are identified in the Exhibit A attached to the Agreement.

As indicated in the Exhibit A, in some cases, where the public improvement for which the money was collected is no longer necessary and warrants are not anticipated to be met, the funds will be returned to the developer or, if the developer cannot be found, will be processed as unclaimed funds under City procedures. In the other cases, the money will be applied by the City for projects related to the original public improvement for which the funds were originally collected. The City acknowledges that the projects listed in the attachment is complete and assumes responsibility for the funds, and releases the County from further obligation to participate in the projects.

Links to Align Arapahoe:

Increase Community and Regional Partnerships

Alternatives:

The County can elect to not transfer the funds to the City, but then will be obliged to return the money to the developers if able to be found or process the funds through a statutory unclaimed funds process, as the County no longer has jurisdiction over the public improvements intended to be constructed with the funds, which may not be needed anyhow. However, as the funds were contributed by the developers to fund public improvements required of developments which are now in the City's jurisdiction, where a public improvement is or will be necessary, disapproving the assignment and release would defeat the purpose of having collected the funds in the first place and would put the burden on City taxpayers to now fund those improvements.

Fiscal Impact:

There are no fiscal impacts related to this request.

Actions Requested:

1. BOCC approval to accept the transfer and disbursement of transportation infrastructure contributions associated with land use cases processed by the County for parcels within the City's jurisdiction
2. Authorize David M. Schmit, Director, Department of Public Works and Development to execute and sign the Limited Assignment and Release Agreement with the City of Centennial on behalf of the Board.

Attachments:

*Arapahoe County Resolution for Authorization to Execute Agreement and Release Funds
City of Centennial, CO Resolution No. 2016-R-46
Exhibit A – Limited Assignment and Release Agreement
Exhibit B – Developer Fee Amounts to be release to the City of Centennial*

*Cc: David M. Schmit, Director, Public Works and Development
Bryan D. Weimer, Transportation Division Manager
Brian R. Love, CIP Program Manager
Chuck Haskins, Engineering Services Division, Division Manager
Irene Valenzuela, CIP Engineer III, Transportation Division
Robert Hill, Senior Assistant County Attorney*

AUTHORIZATION TO EXECUTE AGREEMENT AND RELEASE FUNDS

RESOLUTION NO. _____. It was moved by Commissioner _____ and duly seconded by Commissioner _____ to approve the transfer and disbursement of transportation infrastructure contributions associated with land use cases processed by the County for parcels within the City of Centennial's jurisdiction in the amount of \$608,109.30 and to authorize David M. Schmit, Director, Department of Public Works and Development to execute and sign the Limited Assignment and Release Agreement with the City of Centennial on behalf of the Board.

The vote was:

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

The Chair declared the motion carried and so ordered.

**CITY OF CENTENNIAL,
COLORADO**

RESOLUTION NO. 2016-R-46

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO APPROVING A LIMITED ASSIGNMENT
AND RELEASE AGREEMENT WITH ARAPAHOE COUNTY FOR THE
TRANSFER OF DEVELOPMENT AGREEMENTS**

WHEREAS, Arapahoe County currently holds \$608,109 (the "Project Funds") for studies, funding or contributions for certain types of development related projects (the "Projects") located within the City of Centennial; and

WHEREAS, the Project Funds were collected by Arapahoe County pursuant to development or other agreements between the County and the associated developers (the "Prior Agreements"); and

WHEREAS, since the execution of the Prior Agreements, the City of Centennial has annexed the properties or areas described in the Agreements and, as such, has jurisdiction over the Projects; and

WHEREAS, Arapahoe County desires to assign the Prior Agreements to the City of Centennial for the purpose of authorizing the transfer of the Project Funds to the City of Centennial in accordance with the terms of the Limited Assignment and Release Agreement attached hereto as Exhibit A; and

WHEREAS, the City Council of the City of Centennial desires to accept the assignment of the Prior Agreements and the Project Funds in accordance with the terms of the Limited Assignment and Release Agreement and

WHEREAS, Sections 2-2-130(b)(1) and 2-2-130(c)(1) of the Centennial Municipal Code place limits on the authority of the City Manager to approve certain contracts but contemplate that the City Council may act prior to any such contract execution, by ordinance or resolution to delegate additional contracting authority the City Manager in excess of the limits set forth in those respective Municipal Code Sections; and

WHEREAS, City Council desires to delegate authority to the City Manager to execute the Limited Assignment and Release Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Centennial, Colorado as follows:

Section 1. The City Council hereby approves the Limited Assignment and Release Agreement in the form in Exhibit A with any minor amendments approved by the City Attorney.

Section 2. The City Council authorizes the City Manager to execute on behalf of the City of Centennial the Limited Assignment and Release Agreement subject to any minor amendments approved by the City Attorney.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the City Council.

ADOPTED by a vote of 8 in favor and 0 against this 17th day of September, 2016.

By: Cathy A. Noon
Cathy A. Noon, Mayor

ATTEST:

By: Andrea L. Leland
City Clerk or Deputy City Clerk

Approved as to Form:

By: CLF
For City Attorney's Office

EXHIBIT A

Limited Assignment and Release Agreement

LIMITED ASSIGNMENT AND RELEASE AGREEMENT

This Limited Assignment and Release Agreement (the “Agreement”) is made between the **COUNTY OF ARAPAHOE**, a political subdivision of the State of Colorado (“County”) and the **CITY OF CENTENNIAL**, a home rule municipality of the State of Colorado (“City”) (together, the “Parties”), and shall be effective as of the date last signed by the Parties (the “Effective Date”).

I. RECITALS

- A. The County currently holds funds specifically identified and listed in **Exhibit A**, attached hereto and fully incorporated herein by reference, totaling **Six Hundred Eight Thousand One Hundred Nine and no/100 Dollars (\$608,109)** (the “Project Funds”).
- B. The Parties agree that the Project Funds were collected by the County for studies, funding or contributions for certain public infrastructure projects identified in the agreements described in **Exhibit A** (the “Projects”).
- C. The County is a party to the agreements referenced in **Exhibit A** (the “Prior Agreements”).
- D. Since the execution of the Prior Agreements, the City has annexed the properties or areas described in the Prior Agreements and now has jurisdiction over such properties and the public infrastructure projects called for under the Prior Agreements.
- E. The County desires to assign the Prior Agreements to the City for the purpose of authorizing the County to transfer remaining Project Funds to the City.
- F. The City desires to accept the assignment of the Prior Agreements for the purpose of authorizing the County to transfer the remaining Project Funds to the City.

II. TRANSFER OF PROJECT FUNDS AND RELEASE

In consideration of the mutual promises and agreements contained herein, the Parties agree as follows:

- A. Within thirty (30) calendar days following the Effective Date of this Agreement, the County shall transfer all of the Project Funds to the City by check made payable to “City of Centennial,” electronic funds transfer, or via an alternative method of payment approved in writing by the City Manager. The Project Funds shall be delivered to the following:

City of Centennial
Attn: Travis Greiman, P.E.

Director of Public Works
13133 E. Arapahoe Road
Centennial, CO 80112

- B. The City agrees that the transfer of the Project Funds by the County to the City shall release the County from any current or future financial responsibility to participate in the Projects, unless the County specifically agrees in writing to financially participate in any Project(s) at a future date and specifically appropriates funds for such Project(s).

III. LIMITED ASSIGNMENT

- A. The County hereby assigns, conveys, transfers and delivers unto the City, only those specific limited remaining obligations referenced in the Prior Agreements and specifically set forth and identified with particularity in **Exhibit A**. Except for those specific projects and/or portions of projects for which the Project Funds to be transferred hereunder are designated, the County represents to the City that any and all other obligations of the County related to the Prior Agreements or the Projects have been fully satisfied or have otherwise been discharged as of the Effective Date.
- B. The City hereby accepts the limited assignment set forth in Section III.A. above and the Project Funds described in Section I.A. above, assumes responsibility for the expenditure and/or disposition of the Project Funds, and agrees to discharge, perform, or fulfill the specific limited remaining obligations referenced in the Prior Agreements to the extent specifically set forth in **Exhibit A** and subject to any conditions or limitations set forth therein.

IV. MISCELLANEOUS PROVISIONS

- A. Severability. In the event any provision of this Agreement is declared or determined to be unlawful, invalid or unconstitutional, such declaration shall not affect in any manner, the legality of the remaining provisions of this Agreement, and each provision of the Agreement will be and is deemed to be separate and severable from each other provision.
- B. Jurisdiction. This Agreement is made in and subject to the laws of the State of Colorado. Any disputes shall be brought in the District Court in and for the County of Arapahoe, State of Colorado.
- C. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and together shall constitute one document.

- D. No Waiver of Governmental Immunity. Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the Parties, or either of their respective officials, employees, contractors or agents, or any other person acting on behalf of the Parties and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10, Part 1 of the Colorado Revised Statutes.

- E. No Third Party Beneficiaries. Nothing contained in this Agreement is intended to or shall create a contractual relationship with, cause of action in favor of, or claim for relief for, any third party. Absolutely no third party beneficiaries are intended by this Agreement. Any third party receiving a benefit from this Agreement is an incidental and unintended beneficiary only. The duties, obligations and responsibilities of the Parties to this Agreement with respect to third parties shall remain as imposed by law.

- F. Amendment. This Agreement may only be amended in writing signed by the Parties hereto.

- G. Authority. The individuals executing this Agreement represent that they are expressly authorized to enter into this Agreement on behalf of the City of Centennial and Arapahoe County and bind their respective entities.

- H. Entire Agreement. This Agreement constitutes the entire agreement between the Parties and supersedes all prior agreements, negotiations, representations, and understandings of the parties with respect to the disbursement of the Project Funds to the City.

CITY OF CENTENNIAL, a home rule municipality of the State of Colorado

John H. Danielson, City Manager

Reviewed by:

City Attorney's Office

Attest:

City Clerk or Deputy City Clerk

ARAPAHOE COUNTY, COLORADO

Name: _____
Title: _____

Reviewed by:

County Attorney's Office

Exhibit A

Ref. Number	County Case Number	Project / Agreement / Summary	Amount to be Transferred to City of Centennial
1.	P04-018	<p>Public improvements (E. Arapahoe Rd.).</p> <p><u>Agreement: Agreement Relating to the Subdivision and Development of Estancia Subdivision Filing No. I</u> dated January 4, 2005 and recorded on June 22, 2005 at Reception No. B5091920 in the Arapahoe County real property records and as amended by Amendment 1, dated September 15, 2008, and recorded at Reception No. B8104005 of the Arapahoe County Records.</p> <p>Amount to be transferred (\$172,734) is the subtotal of costs set forth in I.A. of <u>Exhibit A</u> of the Agreement for Off-Site Improvements, excluding costs related to the noise wall (completed) and to bury overhead electric.</p> <p>As set forth in Section 11.B) of the Agreement referenced above, the off-site public improvements “. . . will be completed as part of the joint Arapahoe County and City of Centennial Capital Improvement Project for Arapahoe Road – Waco Street to Himalaya Way . . .” (the “Waco-Himalaya Project”).</p> <p>The Waco-Himalaya Project is currently under construction. Upon receipt of the amount to be transferred (\$172,734), the City shall allocate the funds to the Waco-Himalaya Project.</p>	\$172,734
2.	P83-063	<p>Traffic light installation at the intersection of South Holly St. and East Otero Ave.</p> <p><u>Agreement: Traffic Signal Escrow Agreement</u> dated July 25, 1983 by and between County Line Partnership, a Colorado partnership (“Developer”), and the Board of County Commissioners of Arapahoe County.</p>	\$8,125

		<p>Agreement obligated Developer to contribute one-quarter (1/4) of the cost of the traffic signal at the intersection of E. Otero Avenue and S. Holly Street (\$12,500.00 plus an increase of ten percent (10%) per year). Under the Agreement, if the traffic signal was to be installed at the entrance to the mall intersection, the developer was not obligated to participate in the cost.</p> <p>The County has \$8,125.00 on deposit towards the cost of a new signal.</p> <p>A traffic light at E. Otero Avenue and S. Holly Street or at the entrance to the shopping centers south of that intersection has not been installed and City does not anticipate warrants being met at this location in the foreseeable future.</p> <p>Upon receipt of funds, City will make efforts to return the \$8,125.00 to the Developer (County Line Partnership) in accordance with the disposition of unclaimed property provisions in Chapter 2, Article 8 of the Centennial Municipal Code. County shall provide a last known address for the Developer.</p>	
3.	P97-011	<p>Traffic light installation at the intersection of East Peakview Avenue and South Peoria Street.</p> <p><u>Agreement: Traffic Signal Escrow Agreement Lincoln Executive Center Building VI/Alliant Food Service</u> dated July 1, 1997 and recorded on July 25, 1997 at Reception No. A7090755 in the Arapahoe County real property records by and between Alliant Foodservice, Inc. ("Developer"), and the Board of County Commissioners of Arapahoe County.</p> <p>Agreement obligated Developer to contribute one-quarter (1/4) of the \$100,000 estimated cost to install a future traffic signal at the intersection of East Peakview Avenue and South Peoria Street (\$25,000).</p>	\$25,000

		<p>The City of Centennial has completed a roundabout at the intersection of East Peakview Avenue and South Peoria Street, therefore no future traffic signal will be installed. Following execution of Limited Assignment and Release Agreement, the City will coordinate with the Developer's successor US Foods (USF Propco I LLC) to amend the Traffic Signal Escrow Agreement or obtain other authorization from US Foods to allow the \$25,000 contribution to be utilized by the City for the construction of the roundabout or to make any repairs or upgrades to the roundabout.</p>	
4.	P98-001	<p>Improvements to South Colorado Boulevard.</p> <p><u>Agreement:</u> <i>Agreement Relating to the Development of National Digital Television Center</i> dated April 7, 1998 and recorded on May 27, 1998 at Reception No. A8078722 in the Arapahoe County real property records.</p> <p>Amount to be transferred (\$123,035) is the subtotal of all costs set forth page 9 of the Agreement (South Colorado Boulevard Roadway Improvements), in 1998 dollars.</p> <p>Upon receipt of the amount to be transferred (\$123,035), the City shall allocate the funds to its Capital Improvement Program (CIP) and earmark the funds for improvements related to South Colorado Boulevard.</p> <p>The City will fund the South Colorado Boulevard Roadway Improvements identified in the Agreement referenced above, or similar improvements related to South Colorado Boulevard when identified and prioritized in the City's CIP and funds have been appropriated for such project(s).</p>	\$123,035
5.	P98-037	<p>Warrant study for S. Chester Street and Panorama Circle</p>	\$2,500

		<p><u>Agreement: <i>Amendment to Subdivision Agreement</i></u> dated August 21, 2000 and recorded August 22, 2000 at Reception No. B0105439 in the real property records of the County, and entered into by and between CarrAmerica Development, Inc., a Delaware corporation (“Developer”), and the Board of County Commissioners of Arapahoe County.</p> <p>Paragraph 2 of the Agreement obligated Developer to contribute \$2,500 to fund a warranty study for the intersection.</p> <p>The City anticipates conducting a warrant study at this intersection and other intersections within the boundaries of the Panorama Metropolitan District in the 2016-17 timeframe. The \$2,500 will be utilized by the City to offset its direct and indirect costs associated with the warranty study.</p>	
6.	P98-103	<p>Traffic light installation at the intersection of East Otero Avenue and South Chester Street.</p> <p><u>Agreement: <i>Traffic Signal Escrow Agreement Highland Park, Lot 1, Block 2/Waterview III</i></u> dated May 3, 1999 by and between Highland Park Venturers (“Developer”), and the Board of County Commissioners of Arapahoe County.</p> <p>Agreement obligated Developer to contribute one-quarter (1/4) of the \$100,000 estimated cost to install a future traffic signal at the intersection of East Otero Avenue and South Chester Street (\$25,000).</p> <p>Traffic light at E. Otero Avenue and S. Chester Street has not been installed and City does not anticipate warrants being met at this location in the foreseeable future.</p> <p>Upon receipt of funds, City will make efforts to return the \$25,000.00 to the Developer (Highland Park Venturers) in accordance with the disposition of unclaimed property provisions in Chapter 2, Article 8 of the Centennial Municipal Code. County shall provide a last known address for the Developer.</p>	\$25,000

7.	P98-128	<p>Public improvements of specified area (Lincoln Executive Center #1, Lot 3 Transwestern Building).</p> <p><u>Agreement: Agreement Relating to the Development of Lincoln Executive Center #1 (Lot 3 Transwestern Building)</u> dated January 5, 1999 by and between Transwestern Investment Company (“Developer”), and the Board of County Commissioners of Arapahoe County.</p> <p>Paragraph 11.C. of the Agreement obligated Developer to deposit \$10,038.50 with the County as collateral to secure the completion a right turn deceleration lane from East Peakview Avenue into the Lincoln Executive Center.</p> <p>The deceleration lane has not been installed and City does not anticipate the same being required at any time in the next 5-10 year period based on current traffic counts and other data analyzed by the City Traffic Engineer.</p> <p>Upon receipt of funds, City will make efforts to return the \$10,038.50 to the Developer (Transwestern Investment Company) in accordance with the disposition of unclaimed property provisions in Chapter 2, Article 8 of the Centennial Municipal Code. County shall provide a last known address for the Developer.</p>	\$10,038.50
8.	P99-040	<p>Modification(s) to existing traffic signal at the intersection of South Himalaya Street and East Smoky Hill Road.</p> <p><u>Agreement: Traffic Signal Escrow Agreement Signature at Himalaya Subdivision Filing #2</u> dated September 21, 1999 and recorded August 8, 2000 at Reception No. B0097947 in the real property records of the County, and entered into by and between Signature at Himalaya, LLC (“Developer”), and the Board of County Commissioners of Arapahoe County.</p>	\$2,244

		<p>Paragraph 2 of the Agreement obligated Developer to contribute \$3,500 to fund 25% of the costs of modifying the existing traffic signal at the intersection of South Himalaya Street and East Smoky Hill Road.</p> <p>The City anticipates completing the signal modifications during calendar year 2016. The \$2,244 will be utilized by the City to offset its direct costs associated with the traffic signal modification project.</p>	
9.	Z99-004	<p>Traffic signal warrant study for the intersection of S. Chester Street and Panorama Circle.</p> <p>The City anticipates conducting a warrant study at this intersection and other intersections within the boundaries of the Panorama Metropolitan District in the 2016-17 timeframe. The \$2,500 will be utilized by the City to offset its direct and indirect costs associated with the warranty study.</p>	\$2,500
10.	RTIF Funds	<p>Regional Transportation Infrastructure Fee (RTIF) funds held by County.</p> <p>By and through Ordinance Nos. 2002-04 and 2005-O-08, the City adopted and amended the RTIF. The \$191,022 represents the balance of funds being held by the County for and on account of the City. The City agrees to accept the RTIF fees.</p> <p>The Waco-Himalaya Project is currently under construction. Upon receipt of the amount to be transferred (\$191,022), the City shall allocate the funds to the Waco-Himalaya Project.</p>	\$191,022
11.	P93-056	<p>Improvements to South Colorado Boulevard (Fairways of South Suburban).</p>	\$11,612.50

		<p><u>Agreement: Subdivision Improvement Agreement and Restriction on Conveyance Relating to the Subdivision and Development of Fairways of South Suburban, Phase III</u> dated March 29, 1994 (SIA) and as amended by that certain Amendment One to the Subdivision Agreement dated June 7, 1994 (Amendment One).</p> <p>Amount to be transferred (\$11,612.50) is the subtotal in 1994 dollars contributed to the County for off-site improvements to Colorado Blvd. described in Section 15.F of Amendment One as “based upon a previous agreement that was prepared for the development of this site.” The City has not seen such an agreement and is unaware of the specific obligations, if any, included therein. Section 15.F also references a roadway widening project on South Colorado Boulevard. However, it does not appear at this time that there is sufficient right-of-way for such a project.</p> <p>Upon receipt of the amount to be transferred (\$11,612.50), the City shall allocate the funds to its Capital Improvement Program (CIP) and earmark the funds for improvements related to South Colorado Boulevard.</p> <p>The City will fund improvements related to South Colorado when the same have been identified and prioritized in the City’s CIP and funds have been appropriated for such project(s).</p>	
12.	P98-024	<p>Public improvements of specified area (Signature at Himalaya).</p> <p><u>Agreement: Subdivision Improvement Agreement and Restriction on Conveyance Relating to the Subdivision and Development of Signature at Himalaya Filing No. 1</u> dated August 18, 1998 and recorded on September 3, 1998 at Reception No. A8140990 in the Arapahoe County real property records by and between Signature Himalaya, LLC (“Developer”), and the Board of County Commissioners of Arapahoe County.</p>	\$34,298

	<p>Paragraph 15.C. of the Agreement obligated Developer to deposit \$34,297.84 with the County as Developer's pro rata contribution to Smoky Hill Road Improvements, as calculated in Section V. of <u>Exhibit A</u> of the Agreement.</p> <p>Upon receipt of the amount to be transferred (\$34,298), the City shall allocate the funds to its Capital Improvement Program (CIP) and earmark the funds for future Smoky Hill Road improvements. The City currently anticipates undertaking the project in 2016 or 2017.</p>	
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Total:

\$608,109

EXHIBIT B
Developer Fee Amounts to be released to the City Of Centennial

Case Number	Description of Development	CIP Project	Cost Center	Account	To Be Paid
No Record or Case		For C85-030 Holly/Otero Entrance Signal (Fox Ridge TS)	424585030	54895	\$8,125.00
P93-056	Fairways of South Suburban, Phase III	For C95-028 Colo Blvd (Dry Creek to County Line Rd)	424595028	54895	\$11,612.00
P98-001	National Digital Television Center	For C95-028 Colo Blvd (Dry Creek to County Line Rd)	424595028	54895	\$123,035.00
No Record or Case		For C99-043 Future Smoky Hill Rd Widening (Tower/Himalaya)	424599043	54895	\$34,298.00
P98-037	Lot 1 Panorama Corporate Center South	For C00-025 Chester/Panorama Cir North Traffic Signal	424500025	54895	\$2,500.00
Z99-004	Panorama Park Master Development Plan	For C00-025 Chester/Panorama Cir North Traffic Signal	424500025	54895	\$2,500.00
P99-040	Signature at Himalaya	For C00-028 Smoky Hill/Himalaya Signal Upgrades	424500028	54895	\$2,244.00
P97-011	Lincoln Exec Ctr Bldg VI/Alliant Food Service	For C00-029 Peakview/Peoria Traffic Signal	424500029	54895	\$25,000.00
P98-103	Highland Park Lot 1 Block 2/Waterview III	For C00-034 Chester/Otero Traffic Signal	424500034	54895	\$25,000.00
P98-128	Lincoln Exec Ctr #1 Lot 3 Transwestern Bldg	For C02-015 Peakview Ave Decel Lanes @ Transwestern Access	424502015	54895	\$10,039.00
P04-018	Estancia Subdivision	For C08-016 Arapahoe Rd Improvements			\$172,734.00
No Record or Case	RTIF funds collected with Building Permits	RTIF funds collected with Building Permits			\$191,022.30
		Total Due			\$608,109.30



Board Summary Report

Date: October 5, 2016
To: Board of County Commissioners
Through: Jan Yeckes, Planning Division Manager
From: Bill Skinner, Senior Planner
Subject: V16-001, Inverness Sub Filing No. 57, Lot 3 Vacation of Drainage Easement

Purpose

The applicant, Horvat Architects, on behalf of the property owner, Vallagio Medical Holdings, LLC, has submitted an application V16-001 requesting approval of a vacation of easements. These easements were configured to support the previous site plan for this location. They do not meet the needs of the recently approved P16-006 Medical Office Building FDP, and must be vacated and new easements established.

Recommendations

The staff recommends approval of this vacation request. No objections were raised by the outside referral agencies or the entities to which the easements were granted.

The Planning Commission does not hear vacation of easement applications. No Planning Commission recommendation is available.

Discussion

Per Section 14-702 of the Land Development Code "A vacation (of easements) may be approved upon finding that:"

- A. The vacation is in accordance with adopted standards and criteria, and the original conditions of approval;
- B. The vacation of these easements is generally in keeping with the spirit and intent of the County Subdivision Regulations;

The County staff has determined that the attached easement vacation documents meet the applicable technical requirements stated in Section 14-702 of the Arapahoe County Land Development Code.

No external referral agency comments that pertain to this application were returned to County staff.

Staff Findings

Staff has visited the site and has reviewed the plans, supporting documentation, and referral comments. Based upon review of applicable development regulations and analysis of referral comments, our findings include:

1. The application complies with the submittal requirements and approval standards for a Vacation of Easements as stated in Chapter 14, Section 702 of the Arapahoe County Land Development Code.

Links to Align Arapahoe

If approved this request, may “improve the County’s economic environment” by being part of a larger set of activities that strive to create properties located in Arapahoe County that are desirable and attractive to companies looking for places to locate their operations.

Alternatives

The Board of County Commissioners has three alternatives:

1. Approve the applications with conditions of approval
2. Continue to a date certain.
3. Deny the application.

Fiscal Impact

This request may have some positive fiscal impact on the County depending on the value of development occurring on the property.

Concurrence

The Arapahoe County PWD Staff recommends approval of the vacation of easement.

Reviewed By:

Bill Skinner, Senior Planner

Jason Reynolds, Current Planning Program Manager

Jan Yeckes, Planning Division Manager

Dave Schmit, Director of Public Works and Development

Todd Weaver, Budget Manager, Finance Department

Bob Hill, Senior Assistant County Attorney



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

Board of County Commissioner's Summary Report

DAVID M. SCHMIT, P.E.
Director

Date: May 23, 2016

To: Arapahoe County Board of County Commissioners

Through: Bill Skinner, Planning Division
Planning Division

Through: Chuck Haskins, PE
Engineering Services Division, Manager

From: Sue Liu, PE
Engineering Services Division

Case name: P16-006 Inverness Subdivision Filing No. 57, Lot 3 Vallagio Retail FDP and V16-001 Inverness Subdivision Filing No. 57, Lot 3 Vacation of easements

Purpose and Recommendation

The purpose of this report is to communicate the Engineering Services Staff findings, comments, and recommendations regarding the land use application(s) identified above.

Engineering Services Staff has reviewed the land use application(s) and has the following findings and comments:

1. The site is tributary to Cherry Creek Basin with regional facility, Inverness Regional Pond in place fulfilling detention and water quality capture volume requirements. The majority infrastructure improvements associated with the project were completed with the overall site known as Inverness Subdivision Filing 57 Vallagio (P08-013).
2. This parcel lies within the Inverness Water and Sanitation District.
3. This site lies within the Southeast Metro Stormwater Authority (SEMSWA) service area.

Engineering Services Staff is recommending the land use application(s) favorably subject to the following conditions:

1. The applicant provides modifications to the plan and support documentation as identified by Staff.
2. The applicant provides modification to the plan and support documentation as identified by SEMSWA Staff.

Cc: Charles V. Haskins, Manager, Engineering Services Division
P16-006
V16-001

DRAFT MOTIONS V16-001, Inverness Subdivision Filing No. 57, Lot 3 Vacation of Easements:

These draft motions are supplied in case the BOCC removes this item from the consent agenda

Approve

In the case of V16-001, Inverness Subdivision Filing No. 57, Lot 3 Vacation of Easements, we have read the Board Summary Report. We find ourselves in agreement with the staff finding, including all exhibits and attachments as set forth in the Board Summary Report dated October 5, 2016, and approve this application subject to the following conditions:

1. Prior to recording the easement documents, the applicant agrees to address Public Works Staff comments including concerns as identified during the review of this application.

Staff provides the following draft motions as guidance in preparing an alternative motion if the Board of County Commissioners reaches a different determination:

Deny

In the case of V16-001, Inverness Subdivision Filing No. 57, Lot 3 Vacation of Easements, we have read the Board Summary Report. We do not find ourselves in agreement with the staff finding, as set forth in the Board Summary Report dated October 5, 2016, and do not approve this application based on the following findings:

1. *State additional new findings as part of the motion...*

Continue to Date Certain:

In the case of V16-001, Inverness Subdivision Filing No. 57, Lot 3 Vacation of Easements, I move to continue the hearing to [*date certain*], 9:30 a.m., to obtain additional information and to further consider the information presented.

VACATION

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

WHEREAS, Vallagio Medical Holdings, LLC, being the owner of the following described real property located within unincorporated Arapahoe County, to wit:

A PARCEL OF LAND BEING A PART OF THAT DRAINAGE EASEMENT DEDICATED BY INVERNESS SUBDIVISION FILING NO. 57 LOCATED IN LOT 3, INVERNESS SUBDIVISION FILING NO. 57 RECORDED AT RECEPTION NO. B9026406 OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN , COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 34 AND CONSIDERING THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 34 TO BEAR NORTH 89' 37'53" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 83' 55'1 8" EAST A DISTANCE OF 1,122.13 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 3 AND THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LOT 3 THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89' 37'47" EAST A DISTANCE OF 46.35 FEET TO A POINT OF CURVATURE;
- 2) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08' 40'27", A RADIUS OF 1,036.28 FEET, AN ARC LENGTH OF 156.89 FEET AND A CHORD THAT BEARS NORTH 80' 35'03" EAST A DISTANCE OF 156.74 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 3;

THENCE SOUTH 13' 45'11 " EAST ALONG THE EASTERLY BOUNDARY OF SAID LOT 3A DISTANCE OF 1.48 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID DRAINAGE EASEMENT;

THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 76' 14'49" WEST A DISTANCE OF 92.99 FEET;
- 2) SOUTH 86' 38'18" WEST A DISTANCE OF 54.60 FEET;
- 3) SOUTH 89' 37'53" WEST A DISTANCE OF 58.05 FEET;

THENCE NORTH 53' 00'14" EAST A DISTANCE OF 1.96 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS A CALCULATED AREA OF 532 SQUARE FEET, OR 0.012 ACRES, MORE OR LESS.

has petitioned the Board of County Commissioners of Arapahoe County, in Case No. V16-001, for vacation of the following described Easements:

A Drainage Easements

and

WHEREAS, it appears that the above described Easements sought to be vacated lies entirely within the County of Arapahoe and that said Easements do not constitute the boundary line of any city or town and unincorporated Arapahoe County within Arapahoe County; and

WHEREAS, it appears that there are no rights of way or easements presently in use across the same which need be reserved except as hereinafter delineated.

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

1. That the following described real property situate in the unincorporated portion of Arapahoe County and State of Colorado, to-wit:

A PARCEL OF LAND BEING A PART OF THAT DRAINAGE EASEMENT DEDICATED BY INVERNESS SUBDIVISION FILING NO. 57 LOCATED IN LOT 3, INVERNESS SUBDIVISION FILING NO. 57 RECORDED AT RECEPTION NO. B9026406 OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 34 AND CONSIDERING THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 34 TO BEAR NORTH 89' 37'53" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 83' 55'1 8" EAST A DISTANCE OF 1,122.13 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 3 AND THE POINT OF BEGINNING;

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- 2) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08' 40'27", A RADIUS OF 1,036.28 FEET, AN ARC LENGTH OF 156.89 FEET AND A CHORD THAT BEARS NORTH 80' 35'03" EAST A DISTANCE OF 156.74 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 3;

THENCE SOUTH 13' 45'11 " EAST ALONG THE EASTERLY BOUNDARY OF SAID LOT 3A DISTANCE OF 1.48 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID DRAINAGE EASEMENT;

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- 3) SOUTH 89' 37'53" WEST A DISTANCE OF 58.05 FEET;

THENCE NORTH 53' 00'14" EAST A DISTANCE OF 1.96 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS A CALCULATED AREA OF 532 SQUARE FEET, OR 0.012 ACRES, MORE OR LESS.

Is hereby vacated.

2. The Arapahoe County Clerk and Recorder is hereby directed to record this vacation resolution.

3. The Board of County Commissioners hereby directs that a copy of this resolution be delivered to the Arapahoe County Assessor and the Support Services Division of the Public Works and Development Department for appropriate action as required.

The vote was:

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

The Chair declared the motion carried and so ordered.

EXHIBIT A

DRAINAGE EASEMENT

SHEET 1 OF 2

A PARCEL OF LAND BEING A PART OF THAT DRAINAGE EASEMENT DEDICATED BY INVERNESS SUBDIVISION FILING NO. 57 LOCATED IN LOT 3, INVERNESS SUBDIVISION FILING NO. 57 RECORDED AT RECEPTION NO. B9026406 OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 34 AND CONSIDERING THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 34 TO BEAR NORTH 89°37'53" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 83°55'18" EAST A DISTANCE OF 1,122.13 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 3 AND THE **POINT OF BEGINNING**;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LOT 3 THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°37'47" EAST A DISTANCE OF 46.35 FEET TO A POINT OF CURVATURE;
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- 3) SOUTH 89°37'53" WEST A DISTANCE OF 58.05 FEET;

THENCE NORTH 53°00'14" EAST A DISTANCE OF 1.96 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS A CALCULATED AREA OF 532 SQUARE FEET, OR 0.012 ACRES, MORE OR LESS.

I, THOMAS D. STAAB, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED ILLUSTRATION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



THOMAS D. STAAB, P.L.S. 25965
FOR AND ON BEHALF OF
JANSEN STRAWN CONSULTING ENGINEERS, INC.
45 WEST 2ND AVENUE
DENVER, CO 80223



PROJECT: VALLAGIO III	DATE : MARCH 9, 2016	SHEET 1 OF 2
JOB NO.: 15117	SCALE: N/A	

EXHIBIT A

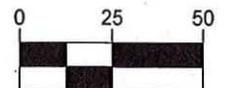
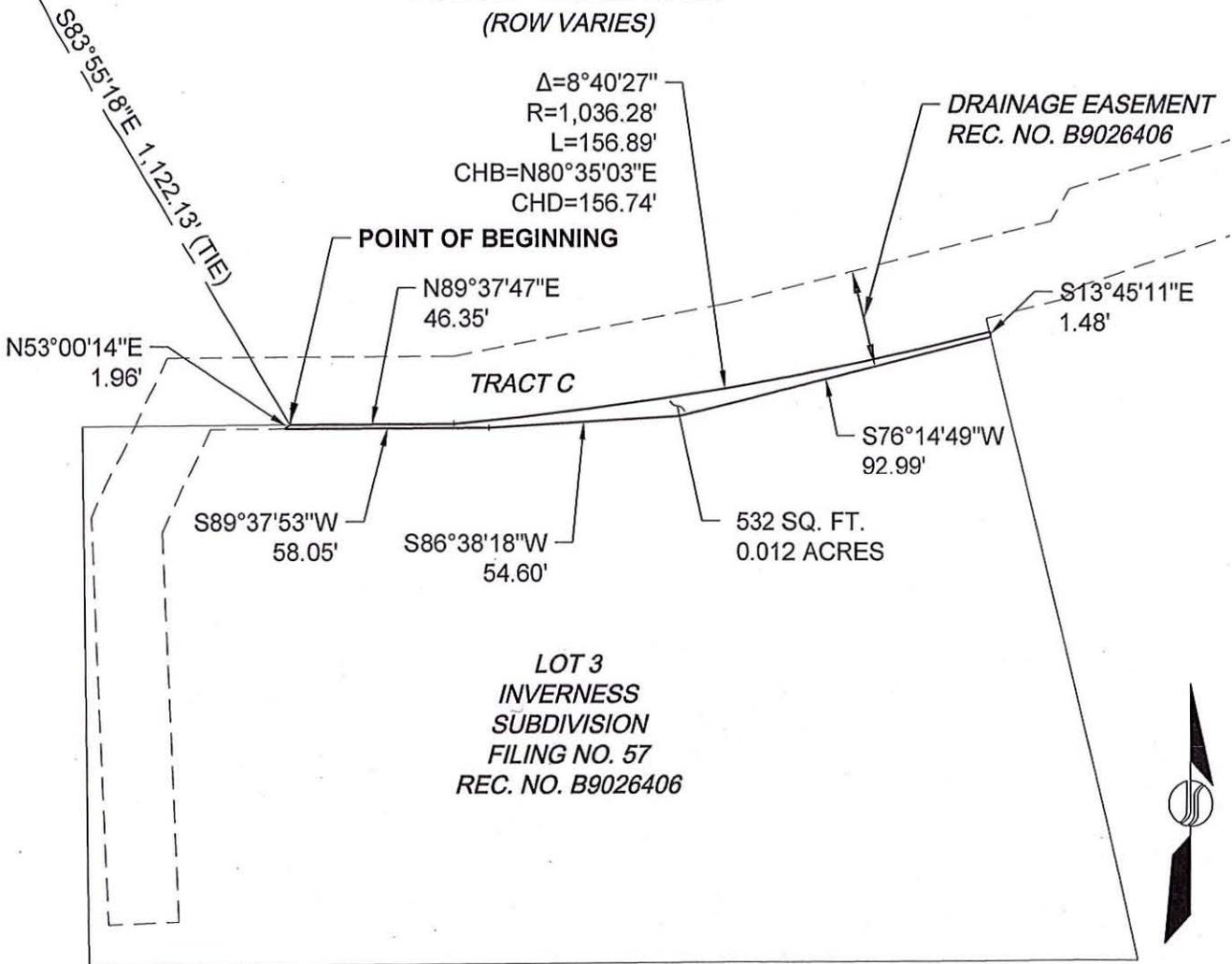
DRAINAGE EASEMENT
SHEET 2 OF 2

NE COR. SEC. 34
FOUND 3.00" ALUM. CAP
STAMPED "PLS 7361 1990"

POINT OF COMMENCEMENT
NW COR. NE 1/4 SEC. 34
FOUND 3.25" ALUM. CAP
STAMPED "PLS 23524 2006"
IN RANGE BOX

(BASIS OF BEARING)
N. LINE NE 1/4 SEC. 34
N89°37'53"E 2,650.29'

E. DRY CREEK RD.
(ROW VARIES)



SCALE: 1" = 50'

JANSEN STRAWN
CONSULTING ENGINEERS
45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

PROJECT:
VALLAGIO III

JOB NO.:
15117

DATE :
MARCH 9, 2016

SCALE:
1" = 50'

SHEET
2 OF 2



Board Summary Report

Date: October 4, 2016

To: Board of County Commissioners

Through: Jan Yeckes, Planning Division Manager

From: Bill Skinner, Senior Planner

Subject: Arapahoe Lakes Public Park District
Local Government Request for Waiver of Subdivision Exemption Fees

Request and Recommendation

The applicant, Colin B. Mielke of the Seter & Vander Wall law firm, representing The Arapahoe Lakes Public Park District, has requested a waiver of fees associated with a pending Subdivision Exemption process.

The Arapahoe Lakes Parks District would like to use the Subdivision Exemption process to plat a separate lot that encompasses specific recreational facilities located within the Arapahoe Lakes Community. This would facilitate the transfer of ownership of the pool and tennis court facilities from the local HOA to the Arapahoe Lakes Park District without conveying the surrounding area. Details of the situation are provided in the attached letter. The applicant cites, as reasons for the fee waiver, that the District is a local government that seeks to wisely utilize its tax revenue, that Arapahoe Lakes is a small community, and that the District anticipates minimal County staff review to be necessary. The BOCC has not routinely granted fee waivers on the basis of being a non-profit or quasi-public organization. Staff anticipates a level of review typical of subdivision exemptions, on which the fees are based.

The applicant has request a waiver of all Subdivision Exemption review fees, totaling \$3,500

<u>County Subdivision Exemption Review Fees</u>	<u>Costs</u>
Planning Review	\$1,500
Engineering Review	<u>\$2,000</u>
Total Fees	\$3,500

Staff Recommendation

The staff recommends denial of the fee waiver request. Additional detail is provided below in the discussion section of this report.

Planning Commission Recommendation

The Planning Commission does not review fee waiver requests. No Planning Commission recommendation is available.

Discussion

Historically, the Public Works development review staff has not supported fee waiver/reduction requests. The BOCC has directed the Public Works Department to recover costs associated with land development review by applying application reviews fees that are commensurate with the amount of activity required to accomplish those reviews and therefore established within the adopted fee schedule. The staff follows that direction, but provides a path for the requestor to seek a fee waiver directly from the BOCC.

On occasion the staff may support a fee waiver if unusual circumstances exist, such as an application that requires significantly reduced staff effort to complete the review of an application.

Staff does not find this to be the case with this waiver request, and does not expect the Arapahoe Lakes Public Parks District Subdivision Exemption request to require less than a typical level of staff time and effort. Given this understanding, the Staff does not support this request.

Links to Align Arapahoe

The staff recommendation to deny the fee waiver supports the Align Arapahoe Fiscal Responsibility goal. This goal includes Improve Government Efficiencies as a desired outcome. The Improve Government Efficiencies outcome uses Efficient Use of Taxpayers' Dollars as a performance indicator.

County development review fees are based on the amount of effort required to process typical land development applications. These applications are usually initiated by a particular party to serve the needs of that particular party. If review fees are waived, the cost of processing an application is shifted from the party receiving the benefit to the larger body of County taxpayers. In this case, waiving these fees will shift the burden of costs associated with the Arapahoe Lakes Subdivision Exemption from the Arapahoe Lakes community onto all of the County taxpayers, most of whom do not reside in Arapahoe Lakes.

Alternatives

The Board of County Commissioners has three alternatives:

1. Approve the fee waiver as requested;
2. Approve the fee waiver with modifications;
3. Deny the fee waiver request.

Fiscal Impact

If fees are waived, County revenues anticipated on the basis of application fees will be reduced, and the County will not be compensated for costs associated with having staff review and process the Subdivision Exemption application. No detailed cost analysis or policy analysis has been done to establish a policy for waiving fees.

Reviewed By:

Bill Skinner, Senior Planner
Jason Reynolds, Current Planning Program Manager
Jan Yeckes, Planning Division Manager
Dave Schmit, Director of Public Works and Development
Todd Weaver, Budget Manager, Finance Department
Bob Hill, Senior Assistant County Attorney

BOARD OF COUNTY COMMISSIONER HEARING DRAFT MOTIONS for WVR16-021:

Denial:

(This motion is consistent with the staff recommendation):

In the case of WVR16-021, Arapahoe Lakes Parks District - Request for Waiver of Fees associated with a Subdivision Exemption, we have read the Board Summary Report and received testimony at the regularly scheduled public meeting of the Board on October 18, 2016. We do not find ourselves in agreement with the applicants' request and deny the fee waiver request.

Approval:

(This motion is not consistent with the staff recommendation):

In the case of WVR16-021, Arapahoe Lakes Parks District - Request for Waiver of Fees associated with a Subdivision Exemption, we have read the Board Summary Report and received testimony at the regularly scheduled public meeting of the Board on October 18, 2016. We find ourselves in agreement with the applicants' request and approve a fee waiver of \$3,500.

Approval with modifications:

(This motion is not consistent with the staff recommendation):

In the case of WVR16-021, Arapahoe Lakes Parks District - Request for Waiver of Fees associated with a Subdivision Exemption, we have read the Board Summary Report and received testimony at the regularly scheduled public meeting of the Board on October 18, 2016. We approval a partial fee waiver of (specify amount) .

FEE WAIVER

RESOLUTION NO. (reso) It was moved by [Moved] and duly seconded by [Seconded] to adopt the following Resolution.

WHEREAS, a request for a Fee Waiver for Arapahoe Lakes Subdivision Exemption (case not yet assigned a number) has been made by Colin B. Mielke on behalf of the Arapahoe Lakes Park District, Owner and;

WHEREAS, this request for a fee waiver has been reviewed by the Planning Division Case Manager and a recommendation of **denying** said fee waiver request has been made.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the request for a fee waiver submitted by **(applicant)** in **(case name)**, **(case number)** by **(approved/ denied/ reduced)**.

The vote was:

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

The Chair declared the motion carried and so ordered.

September 6, 2016

Via email bskinner@arapahoegov.com

Bill Skinner, AICP
Arapahoe County Public Works
Planning Division
6924 S. Lima Street
Centennial, CO 80112

Re: Arapahoe Lake Public Park District
Local Government Request for Waiver of Subdivision Exemption Fees

Dear Mr. Skinner:

Thank you for your assistance with the subdivision exemption process for Arapahoe Lake Public Park District. As you are aware, the District is the local government charged with management and maintenance of the public park improvements within the Arapahoe Lake community in Arapahoe County. These improvements include landscaping, the community pool, and tennis courts.

The District has coordinated with the community's HOA, and seeks an exemption from the subdivision process in order to correct an erroneous conveyance related to the community's initial development. For the reasons described below, the District requests that the County waive its fees related to the subdivision exemption process, which include a \$500 set up fee, \$1,500 subdivision exemption review fee, and \$2,000 engineering review fee.

The District and the HOA discovered that when a portion of the community was platted, the developer neglected to convey the land underlying the community pool and tennis courts to the District, which operates and maintains those public improvements. The developer has since conveyed that property to the HOA; however, the District and the HOA agree that the ownership should be in the name of the District. The HOA and the District desire to correct this error for the purposes of ensuring clean title to the property and to assist in maintaining proper governmental insurance for the property.

The District is a local government that seeks to wisely utilize its tax revenue. Waiver of the fees allows the District to invest that money into community maintenance and infrastructure, such as the community pool and tennis courts. Arapahoe Lake is a small community and the waiver of fees will make an impactful difference in the budget of the District, thereby helping the District continue to provide cost-effective services and valuable community improvements to its residents. In addition, the District anticipates minimal review being necessary in order to correct the conveyance error, and therefore requests a waiver of the fees.

{00240407}

Via email bskinner@arapahogov.com
Bill Skinner, AICP
Re: Arapahoe Lake Public Park District
Local Government Request for Waiver of Subdivision Exemption Fees
September 6, 2016
Page 2 of 2

I appreciate your assistance in forwarding the District's request to the Board of County Commissioners. If there is any way I can be of assistance, please do not hesitate to contact me.

Sincerely,

SETER & VANDER WALL, P.C.



Colin B. Mielke

Attorneys for Arapahoe Lake Public
Park District, Arapahoe County, Colorado

cc: Board of Directors, Arapahoe Lake Public Park District