

# STAFF BRIEFINGS and WORK SESSIONS

May 12, 2020

## WebEx Events Virtual Meeting

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<Dial +1-408-418-9388; enter the meeting access number 966 810 745

**\*\*Please Note Meetings Will Not Begin Prior to 8:45am\*\***

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

BCC Conference Room, 5th Floor

### Briefing Items

- |   |                               |
|---|-------------------------------|
| 1. Clerk and Recorder - ERTB Grant Application and Acceptance<br>5 minutes  | Carrie Kellogg<br>Susie Swain |
| 2. Sheriff Grants - Colorado Incident Management Team Grant and<br>BJA Coronavirus Supplemental Emergency Funding - 5 minutes | Ray Fleer                     |
| 3. Elk Creek Fire Protection District Tower Lease - 10 minutes  | Dean Davis                    |
| 4. Private Activity Bonds - Assignment of Portion of 2020 Allocation<br>15 minutes  | Andy Corbett<br>Emily Sander  |

### Reports

#### Commissioners

#### County Manager

#### County Attorney

- Fourth Extension of Local Disaster Emergency Declaration

### Executive Session

- Legal Update - Legal Advice C.R.S. 24-6-402(4)(b) - 10 minutes

### Adjourn

#### County Manager/BCC Admin Staff

10:00am

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### Work Sessions - No Agenda Items

**STAFF BRIEFINGS and WORK SESSIONS**  
**May 12, 2020**

<b>Hearings</b>		<b>Total Estimated Time: 45 minutes</b>
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8:00	8:45
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<b>Briefing Items</b>			<b>Total Estimated Time: 35 minutes</b>
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Begin	End	Agenda No.	Title
8:45	8:50	1.	Clerk and Recorder - ERTB Grant Application and Acceptance
8:50	8:55	2.	Sheriff Grants
8:55	9:05	3.	Elk Creek Fire Protection District Tower Lease
9:05	9:20	4.	Private Activity Bonds - Assignment of Portion of 2020 Allocation
		5.	

<b>Commissioners Report - The Board Chair may move Reports to earlier if time permits:</b>			<b>Total Estimated Time: 5 minutes</b>
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9:20	9:25	
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<b>County Manager Report</b>			<b>Total Estimated Time: 5 minutes</b>
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9:25	9:30	
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<b>County Attorney Report</b>			<b>Total Estimated Time: 5 minutes</b>
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9:30	9:35		Fourth Extension of Local Disaster Emergency Declaration
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<b>Executive Session</b>			<b>Total Estimated Time: 10 minutes</b>
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Begin	End	
9:35	9:45	Legal Update - Legal Advice C.R.S. 24-6-402(4)(b)

<b>County Manager/BCC Admin Staff - The Board Chair may move to earlier if time permits:</b>			<b>Total Estimated Time: 1 hour 15 minutes</b>
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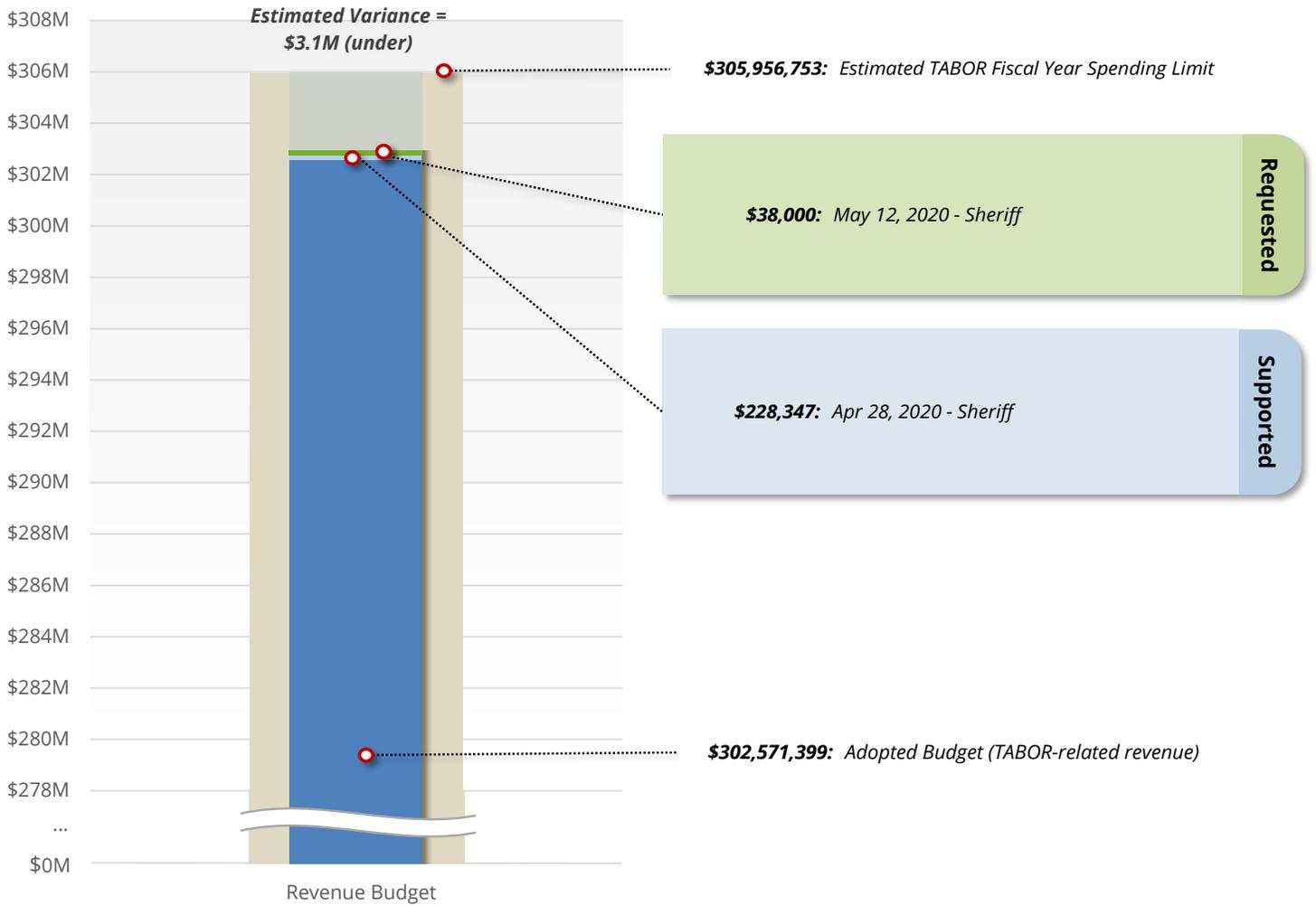
10:00	10:45	BCC/County Manager
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10:45	11:15	BCC/Admin. Staff
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**Work Sessions: No items - Next Work Session Scheduled for July 21, 2020**

## 2020 TABOR Fiscal Year Spending Limit

### Estimated Impact Analysis



Date	Organization	Description	Amount	Status
Apr 28, 2020	Sheriff	Grants Carryforward	\$ 228,347	Supported
May 12, 2020	Sheriff	Colorado Incident Management Team Grant	\$ 38,000	Requested

**Total \$ 266,347**

#### Original Year-end Revenue Estimates

Limit	\$ 305,956,753
Revenue	\$ 302,571,399
Variance	\$ 3,385,354

#### Revised Year-end Revenue Estimates

Limit	\$ 305,956,753
Revenue	\$ 302,837,746
Variance	\$ 3,119,007

**BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**  
**ERTB Grant Application and Acceptance – Clerk & Recorder**  
**(Recording Division)**  
**May 12, 2020**

For Information       For Discussion/Board Direction       Consent to  
Place on Business/  
Hearing Agenda

**Issue:** Ratification of emergency grant application from the State of Colorado Electronic Recording Technology Board (ERTB).

**Background:** ERTB was created in 2016 to assist counties with grants to develop, improve, maintain and replace land record systems. Per statute, every county collects a \$2.00 surcharge on recorded documents. All surcharges are retained in a separate account and transmitted monthly to ERTB.

ERTB has awarded an emergency grant request to the Jefferson County Clerk & Recorder to enable it to purchase 3 laptops for C&R Recording staff to work remotely due to office closures because of COVID-19.

**Discussion:** Providing laptops to work remotely supports the Recording division in providing essential real estate services. This will allow our staff that are unable to come into the office to continue to work.

**Fiscal Impact:** This is a one-time request for an increase in appropriations in the amount of \$3205. All expenses will be offset by revenue received through this grant. No local match is required.

**Revenue Limits Impact:**  yes       no

Revenue received for this grant is from a State source and therefore impacts TABOR fiscal year spending limits.

**Recommendations:** That the Board of County Commissioners ratifies the Jefferson County Clerk & Recorder's application and acceptance of \$3204.63 in grant funds from the State of Colorado Electronic Recording Technology Board, and directs that the grant funds be included in a future supplemental appropriation to the Clerk & Recorder Electronic Filing Fund budget.

**Originator:** Susie Swain C&R/Recording x8172

**Contacts for Additional Information:** Susie Swain C&R/Recording x8172, Valerie Abramovich C&R/Admin x8184 or Carrie Kellogg C&R/Admin x8106

**BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**  
**Colorado Incident Management Team Grant**  
**May 12, 2020**

 For Information For Discussion/Board Direction Consent to  
Place on Business/  
Hearing Agenda

**ISSUE:** The Jefferson County Sheriff's Office (JCSO) requires approval and ratification from the Board of County Commissioners (BCC) for a grant application submitted to the State of Colorado Department of Homeland Security and Emergency Management (DHSEM) for \$38,000. If these funds are awarded, they will be included in a supplemental appropriation to the JCSO's budget as needed.

**BACKGROUND:** The Jefferson County Incident Management Team is a multi-agency team that responds to large, all-hazard situations in Jefferson County and the surrounding areas. The Team was established in 1992 to manage wildland fires and was reorganized to provide the command and control infrastructure to manage all-hazards incidents. The team is comprised of over 100 skilled people from 20 different agencies in and around the County.

**DISCUSSION:** This grant will fund needed training to Incident Team members, administrative support and supplies to enhance the response, communications, command, and control of incidents.

**FISCAL IMPACT:** There is no match requirement. This is a State grant for \$38,000 for the General Fund. The grant period is July 1, 2020 – June 30, 2021.

**Revenue Limits Impact:**  yes  no

If awarded, there will be an impact to the County's TABOR fiscal year spending limit in the amount of \$38,000, because the revenue source is a State grant.

**RECOMMENDATIONS:** The Jefferson County Board of Commissioners (BCC) approves the placement of this application on a future Consent Agenda to ratify the application submittal by the JCSO Grants Specialist to the State of Colorado Department of Homeland Security and Emergency Management (DHSEM), acceptance of grant funding if awarded, to authorize the Sheriff to execute any grant documentation associated with the grant required to be executed by the BCC, and to direct that the award funds be included in a future supplemental appropriation to the JCSO budget if needed.

**ORIGINATOR:** Jessica Parivar, JCSO Grants Specialist, Ext. 5311

**CONTACTS FOR ADDITIONAL INFORMATION:** Lt. Jon Everhart, Program Manager, Ext. 7205, Ray Flear, Interim JCSO Director of Emergency Management

**BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**  
**BJA Coronavirus Supplemental Emergency Funding**  
**May 12, 2020**

For Information

For Discussion/Board Direction

Consent to  
Place on Business/  
Hearing Agenda

**ISSUE:** The Jefferson County Sheriff's Office (JCSO) requires approval from the Board of County Commissioners (BCC) to submit a Federal grant application to the U.S. Department of Justice, Bureau of Justice Assistance, in the amount of \$61,475 for personal protective equipment (PPE). If these funds are awarded, they will need to be included in a supplemental appropriation to the JCSO's budget as needed.

**BACKGROUND:** The Bureau of Justice Assistance (BJA) is offering formula grants to assist eligible states and local units of government in preventing, preparing for, and responding to the coronavirus. Jefferson County has been allotted \$61,475 of funding from the Coronavirus Emergency Supplemental Funding Formula Grant Program.

**DISCUSSION:** This grant will allow the Jefferson County Sheriff's office to purchase PPE such as surgical masks, disposable isolation gowns, and hand sanitizer, Tyvek coverall with hood and splash guard, and N95 masks. This project will provide PPE to Jefferson County employees for the collaborative prevention, response, and mitigation efforts to the Coronavirus Disease 2019 (COVID-19).

**FISCAL IMPACT:** There is no match requirement. This is a Federal Formula grant in the amount of \$61,475 for the General Fund. The grant period for reimbursable costs is 1/20/2020 - 1/19/2022.

**Revenue Limits Impact:** yes no

There is no TABOR impact as this is a Federal grant.

**RECOMMENDATIONS:** The BCC authorizes that this grant application be placed on a future Consent Agenda for approval for the Sheriff's Office to submit the grant, acceptance of grant funds if awarded, authorization of the Chairman's execution of all documentation in connection with the application and grant award required to be executed by the BCC and to direct that the award funds be included in a supplemental appropriation to the Sheriff's budget and carry forward, if necessary.

**ORIGINATOR:**

Jessica Parivar, JCSO Grants Specialist, Ext. 5311

**CONTACTS FOR ADDITIONAL INFORMATION:**

Ray Fleeer, JCSO Director of Emergency Management, Ext. 6412  
Chief JD Jepkema, Support Services, Ext. 5406

**BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**  
**Elk Creek Fire Protection District Tower Lease**  
**May 12, 2020**

- For Information     
  For Discussion/Board Direction     
  Consent to  
 Place on Business/  
 Hearing Agenda

**Issue:** Enter into a Lease Agreement with Elk Creek Fire Protection District for 120' of ground space, generator service and space on their telecommunications tower located at 10956 Timothys Dr, Conifer CO 80433.

**Background:** Jefferson County has been a tenant on the Riley Peak Radio site since 1998. Due to issues with a new landowner, the Intermountain Rural Electric Association (IREA), who Jefferson County has a sub-lease with, has decided to vacate the site. IREA notified Jefferson County and Douglas County (a sub-leasee also) on April 21, 2020 that it is exercising its right to terminate the lease with the required 90 day notice. Jefferson and Douglas Counties have to have all the equipment off the site by July 21, 2020.

Jefferson County located a 100' telecommunications tower 6 miles northwest of Riley Peak, at 10956 Timothy's Drive, Conifer, CO 80433. This tower is owned and operated by the Elk Creek Fire Protection District. The Elk Creek Fire Protection District has offered to lease space for a communications shelter as well as space on the tower for the antennas.

A telecommunications site in the southern Jefferson County Mountains is an integral part of the 800 MHz digital trunked radio infrastructure and is of vital importance to all users of the system. Preliminary design, and later testing, confirmed this location to be the closest coverage to that of Riley Peak. The terms of this lease is for one year with automatic renewals for nine additional one-year renewals.

**Discussion:** There are no issues involved at this time and there are no other alternate courses of action. No other locations have been designed or tested that could provide the necessary radio coverage.

**Fiscal Impact:** The annual lease cost is \$120.00 plus 20% of the utilities for the previous year for a total of \$1,720.43 for 2020.

This request impacts the General Fund and the Sheriff's Office will use existing appropriations to absorb the lease costs.

Jefferson County Facilities Management currently pays for utilities at the West Creek Radio Site in Douglas County while Douglas County pays for the utilities for the Riley Peak Radio Site. The annual utility costs for West Creek

are around \$6,000.00. Douglas County has offered to assume the utility costs at West Creek Radio Site when the Riley Peak Radio Site is decommissioned. This would leave a \$6,000 appropriation in the Facilities Management budget to cover the \$1,720.43 for this contract.

**Revenue Limits Impact:** yes no

There is no TABOR impact as this request is using existing expenditure appropriations and no revenue is being requested.

**Recommendations:** Execute the license extension amendment.

**Originator:** Dean R. Davis, Information Services Director  
Sheriff's Office – Support Services Division  
X5111

**Contacts for Additional Information:**  
Kurtis D. Behn, Assistant County Attorney x8923.

**BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**  
**Private Activity Bonds –Assignment of Portion of 2020**  
**Allocation**  
**May 12, 2020**

For Information

For Discussion/Board Direction

Consent to  
Place on Business/  
Hearing Agenda

**ISSUE:** The Jefferson County Housing Authority (JCHA) is requesting that Jefferson County assign \$2,400,000 of its 2020 Private Activity Bond (PAB) allocation to Metro West Housing Solutions (MWHS) for the purpose of issuing bonds to finance improvements for the rehabilitation of Caesar Square Apartments.

**BACKGROUND:** Jefferson County has received a 2020 PAB allocation in the amount of \$10,981,962 from the State of Colorado. PAB volume is allocated by the federal government to the State, which in turn allocates that allocation to eligible entities within the State including Jefferson County. PAB volume is not a direct cash resource but allows eligible issuers to issue tax-exempt debt to finance eligible private projects. New construction or rehabilitation of affordable housing is a common type of eligible project that can leverage PAB volume. Eligible entities that receive PAB volume may also assign their PAB allocation to other eligible entities. If unused the allocation will be relinquished to the State on September 15, 2020.

A request has been made by JCHA for Jefferson County to assign \$2,400,000 of its 2020 PAB allocation to MWHS in order for MWHS to issue PABs for the purpose of financing improvements for the Caesar Square Apartments rehabilitation project.

**DISCUSSION:** In 2019, the County assigned its full 2020 PAB allocation (totaling \$10,972,763) to MWHS to issue tax-exempt bonds to finance the rehabilitation of Caesar Square Apartments, which are located in Wheat Ridge.

The bonds issued by MWHS will be used to finance substantial structural and systems repairs and improvements to unit interiors, common spaces, and amenities of the Caesar Square apartments. The apartments (which are currently “market affordable”) will also become fully income-qualified at 60% area median income as a result of this investment.

Since the initial allocation, the project scope has been expanded to add approximately \$425,000 in electrical work to replace all of the wiring and electrical boxes in the apartments, which were found to be faulty after inspection. Additionally, as a result of a drop in the 4% low-income housing

tax credit (LIHTC) credit rate due to COVID-19, the project has lost about \$350,000 in equity. JCHA has been able to fill the resulting financing gap with private capital, but JCHA requires additional PAB cap to satisfy the IRS requirement that 50% of the aggregate basis of tax credits be financed with tax-exempt bonds.

The City of Wheat Ridge has already assigned its full 2019 and 2020 PAB allocations to MWHS to be used for this project. JCHA is now requesting that Jefferson County assign \$2,400,000 of the County's 2020 PAB allocation to MWHS in order to satisfy the 50% requirement.

Strategy, Innovation and Finance and Community Development staff support JCHA's request for this assignment for the following reasons: (1) the project will support affordable housing in the County; (2) assigning the requested PAB cap will allow JCHA to fill the financing gap with private funding, freeing up the need to use other public funds (like CDBG funds) for other purposes; (3) if unused, the County's PAB allocation will be relinquished to the State on September 15, 2020.

Caesar Square Apartments is currently owned by JCHA. The borrower for the proposed PAB transaction will be CSA LIHTC, LLC, which is a tax credit partnership consisting of a 100% JCHA-owned entity (CSA Managing Member, LLC) and an equity investor who will contribute equity in exchange for 4% Low-Income Housing Tax Credits (LIHTC). Any affordable housing project financed with 4% LIHTC must use tax exempt PABs to finance at least 50% of its development costs. The PAB transaction will close simultaneously with the LIHTC transaction and Caesar Square Apartments will be transferred from JCHA to CSA LIHTC, LLC at the same time that the financing transactions close.

**FISCAL IMPACT:** No fiscal impact other than administrative time in considering and processing the assignment of allocation.

**Revenue Limits Impact:**  yes  no

**RECOMMENDATIONS:**

Staff recommends that the Board of County Commissioners approve the placement of a resolution approving the assignment by Jefferson County to MWHS of \$2,400,000 of its 2020 private activity bond allocation on the May 19, 2020 Consent Agenda.

**ORIGINATOR:** Andy Corbett, Interim Director of Finance

**CONTACTS FOR ADDITIONAL INFORMATION:**

Andy Corbett acorbett@jeffco.us 303-271-8807  
Emily Sander asander@jeffco.us 303-271-8373  
Jean Biondi jbiondi@jeffco.us 303-271-8963