



STAFF BRIEFINGS and WORK SESSIONS

Hybrid Meeting

AGENDA

May 17, 2022, Immediately Following Hearings

BCC Boardroom, 5th Floor and WebEx Virtual Platform

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1. Agenda Items	
1.1. Airport Requests presented by Brandon Burns - 20 minutes <ul style="list-style-type: none">• Airport Hanger Purchase• Additional FTE's	3
1.2. American Rescue Plan Act (ARPA) Request presented by Jennifer Fairweather - 15 minutes <ul style="list-style-type: none">• Human Resources Recruitment Advertising	5
1.3. Infrastructure and Investment Jobs Act (IIJA) Request presented by Mary O'Neil - 15 minutes <ul style="list-style-type: none">• IIJA Grant Process Change	7
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1.5. Ban of Firework Sales presented by Kate Newman - 10 minutes	11
2. Reports	
2.1. Commissioner's Report	
2.2. County Manager's Report	
2.3. County Attorney's Report	
3. Executive Session	

- 3.1. Swihart v. Parker - Legal Advice C.R.S 24-6-402(4)(b) - 15 minutes
- 3.2. Legal Update - Legal Advice C.R.S 24-6-402(4)(b) - 10 minutes
- 3.3. Ramsetter Property - Advice to Negotiators C.R.S. 24-6-402(4)(e) and Real Property C.R.S. 24-6-402(4)(a) - 15 minutes
4. **Adjourn**
5. **Work Session - No Agenda Items**

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Airport Hangar Purchase and Adding Additional Staff

May 17, 2022

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

Issue: 1) The Airport is considering purchasing a hangar on the airfield to lease out to the US Forest Service. 2) The Airport needs additional staff to support the addition of commercial service operations.

Background: 1) BJC Development Corporation currently owns a 24,767 square foot hangar at the Airport. BJC Development currently subleases the hangar to non-FAA approved businesses.
 2) Commercial Service operations are scheduled to begin in August 2022, with four scheduled arrivals and four scheduled departures per day. In 2023, the airline will increase to at least six scheduled arrivals and at least six scheduled departures per day.

Discussion: 1) The Airport has received notice from BJC Development Corporation that they would like to sell the hangar to the Airport. This would enable the Airport to lease the hangar to an FAA approved tenant, such as the US Forest Service.
 2) To maintain operational safety and effectiveness during the new commercial operations in 2022, the Airport will need to add redundancy to its Operations schedule. The Airport requests additional staff to manage the increased workload and mandatory Aircraft Rescue Fire Fighting staffing during the commercial operational hours. One additional Sr Operations Specialist and one Airfield Technician will need to be added to fill the shortage.

Fiscal Impact: 1) The estimated purchase cost to the airport will be \$2.5M cash, plus \$1.2M tax credit. The expected lease rate to the US Forest Service will range from \$15 to \$22 per square foot, resulting in an annual revenue of approximately \$365,000 - \$540,000 to the Airport.

- **Year of impact:** 2022
- **TABOR impact:** None
- **Existing grant or project:** Project
- **New grant or project:** New project
- **Requested in adopted budget:** No
- **Ongoing or one-time:** One-time
- **General Fund impact:** None
- **Staffing impact:** None
- **ARPA impact:** None
- **Match requirements:** None
- **Mandate/Contractual obligation:**

2) In 2022, the addition of the two new positions will result in a total annual salary expense of approximately \$145,000, and a total benefits expense of approximately \$43,000.

- **Year of impact:** 2022
- **TABOR impact:** None;
- **Existing grant or project:** No;
- **New grant or project:** New project;
- **Requested in adopted budget:** No;
- **Ongoing or one-time:** Ongoing;
- **General Fund impact:** None;
- **Staffing impact:** Yes, requesting two FTE;
- **ARPA impact:** None;
- **Match requirements:** None; and
- **Mandate/Contractual obligation:** No.

Revenue Limits Impact: yes no

There is no impact to TABOR, as the Airport is an enterprise fund and revenue to the Airport does not impact the County's TABOR Fiscal Year Spending limit calculation.

SPA Review: As Determined by SPA: Support with no concerns.

Facilities Review: Doesn't apply

BIT Review: Doesn't apply

Fleet Review: Doesn't apply

Human Resources Review (new FTE only): As determined by HR: Support with no concerns.

Recommendations: Staff recommends that the Board of County Commissioners (a) approves the hangar purchase; (b) authorizes the addition of two additional full-time staff; and (c) directs that increased revenues and expenditures be included in a supplemental appropriation to the Airport's 2022 Budget and carryforward, if necessary.

Originator: Brandon Burns, Airport, x4859

Contacts for Additional Information: Kurtis Behn, County Attorney's Office, x8923; Stephanie Corbo, Strategy Innovation & Finance, x8542; Paul Anslow, Airport, x4851

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
ARPA Request for funding HR Recruitment Advertising
May 17, 2022

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

Issue: Employers are currently experiencing a very tight job market with more open positions than available candidates. More effort is needed to effectively market open roles in Jefferson County. The current time to fill is over 70 days on average.

Background: Human Resources (HR) does not have a recruiting marketing budget. As such, HR is unable to purchase sourcing access to proactively reach out to potential candidates. HR is also unable to purchase bulk job postings at a reduced rate or purchase highlighted advertising on job boards. The current process is to post jobs only if a particular cost center has available funding. That cost center is then billed internally. Not only is this process inefficient and unequitable, but it also minimizes the opportunity to purchase bulk job postings at a cheaper rate. In addition, HR has limited funds to participate in or host job fairs.

Discussion: If the county is unable to attract and hire candidates to replace lost talent, it will be difficult to meet the needs of the community while accomplishing critical goals for the county. The additional funding will be used toward recruiter seats for sourcing, bulk job postings, bumped job postings, creative marketing ideas, and job fairs.

Fiscal Impact: \$150,000 per year in ARPA funding for the next three years for recruitment marketing, for a total of \$450,000.

- **Year of impact:** 2022- 2024
 - **TABOR impact:** None
 - **Existing grant or project:** No
 - **New grant or project:** No
 - **Requested in adopted budget:** No
 - **Ongoing or one-time:** Request is ongoing through 2024 and any future need would require another identified funding source.
 - 2022: \$150,000
 - 2023: \$150,000
 - 2024: \$150,000
- TOTAL: \$450,000
- **General Fund impact:** None
 - **Staffing impact:** None
 - **ARPA impact:** Request is from county ARPA award
 - **Match requirements:** None
 - **Mandate/Contractual obligation:** No

Revenue Limits Impact: yes no

SPA Review: As Determined by SPA: No concerns.

Facilities Review: No fiscal impact.

BIT Review: Supports with no concerns.

Fleet Review: No fiscal impact.

Recommendations: Staff recommends that the Board of County Commissioners formally vote to allow up to \$150,000 per year of ARPA funds be used annually through 2024 for HR recruitment marketing.

Originator: Jennifer Fairweather, CHRO, Jefferson County x8402

Contacts for Additional Information:

Mary O'Neil, COVID-19 Grants Director, Jefferson County x8570

Stephanie Corbo, CFO, Jefferson County x8542

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
Infrastructure and Investment Jobs Act
Grant Application Process Change
May 17, 2022

For Information

For Discussion/Board Direction

Consent to
Place on Business/
Hearing Agenda

Issue: Request for approval of modified grant briefing process for Infrastructure and Investment Jobs Act Grant applications.

Background: The federal government is offering funding to local governments through the Infrastructure Investment and Jobs Act (IIJA). Through the IIJA, the federal government is providing \$1.2T in funding covering infrastructure and mobility. Of the 380 programs being made available through the IIJA, Jefferson County is estimated to qualify for 47 of the programs, with a potential funding pool of \$100B. In addition, the IIJA also provides funding to the state government, providing an additional layer of funding being made available to local governments.

Discussion: The county’s grants policy currently requires all grants to be briefed and approved by the Board of County Commissioners (“BCC”) prior to application. Due to the short turnaround times, we are experiencing on the IIJA grants, we are requesting an exception to the county’s grant policy to authorize county departments working with the ARPA team/Central Grants Team to apply for grants funds as the grant award programs are released, provided that they brief the BCC on the details of the grant award, any match requirements, and obtain the BCC’s approval, prior to accepting any grant awards. Receipt of federal funds does not affect the county’s TABOR limits. In October 2021, the BCC authorized this action for State ARPA grants, and we are now requesting the same approval for all grants available through the IIJA. The ARPA Team/Central Grants team are working with departments on grant applications, many of which require extensive background research and collaborations. Given the amount of up front work required, the grant deadlines do not provide the time needed to schedule and brief the grant with the BCC prior to application.

Fiscal Impact: This request is not for additional funding, but rather the *approval to apply* for IIJA federal grants without requiring prior approval from the Board to apply. The Board will be briefed prior to *accepting* any IIJA grant award.

- Year of impact: 2022 and forward (for duration of IIJA award availability)
- TABOR impact: None. IIJA is federal funding.

- Existing grant or project: No
- New grant or project: Yes
- Requested in adopted budget: No
- Ongoing or one-time: n/a
- General Fund impact: n/a
- Staffing impact: No
- ARPA impact: No
- Match requirements: Any IIJA grants that require matching funds will be discussed with the Board during the briefing scheduled on grant acceptance.
- Mandate/Contractual obligation: No

Revenue Limits Impact: yes no

There is no impact to the TABOR Fiscal Year Spending Limit, this request allows application to IIJA federal grants.

SPA Review: Support, with no concerns.

Facilities Review: Facilities – no impact.

BIT Review: No impact for BIT.

Fleet Review: Does not apply/no fiscal impact.

Recommendations: Staff recommends that the Board of County Commissioners authorize county departments to apply for Investment and Infrastructure Jobs Act grants, provided that the department, working with the ARPA/Central Grants Teams, brief the Board of County Commissioners on the details of the grants, and obtain Board of County Commissioners approval, prior to accepting the grant.

Originator: Mary O’Neil, Strategy Innovation & Finance, x8570

Contacts for Additional Information:

Stephanie Corbo, Strategy, Innovation, x
 Daniel Conway, Strategy, Innovation & Finance, x8507
 Jean Biondi, County Attorney’s Office, x8963

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
American Rescue Plan – Federal Grant
Second Tranche Funding Submission
May 17, 2022

For Information

For Discussion/Board Direction

Consent to
Place on Business/
Hearing Agenda

Issue: Board approval is required to apply for the second tranche of American Rescue Plan federal stimulus funding to mitigate the continuing effects of the COVID-19 pandemic.

Background: The American Rescue Plan Act (the “Act”), signed into law on March 11, 2021, is a \$1.9 trillion stimulus plan that includes provisions for approximately \$130 billion in COVID-19 relief funds for local governments, including approximately \$65 billion in direct aid to counties.

Discussion: Through the American Rescue Plan aid package, Jefferson County received 56.6M in 2021, and an additional \$56.6M is scheduled to be received in June 2022, for a combined total \$113.2M in federal funding. The County will have until the end of 2024 to obligate the entirety of the estimated \$113.2M aid package. Spending will occur based on final federal guidance to maintain compliance with federal grant requirements.

Pursuant to the Act, State and local governments can use the funds to cover costs incurred by Dec. 31, 2024, for certain purposes, including:

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband

infrastructure.

Fiscal Impact: Approximately \$56.6M of grant revenue is anticipated in June 2022. There is no local match requirement for these funds.

Revenue Limits Impact: yes no

These are federal funds, so there is no impact to the TABOR fiscal year spending limit.

SPA Review: As Determined by SPA: Support with no concerns.

Facilities Review: Facilities – no impact

BIT Review: No impact for BIT.

Fleet Review: Does not apply/no fiscal impact

Recommendations: Staff requests that the Board approves the submittal of the grant application and applicable certifications to request the American Rescue Plan funds and authorizes the direct payment of those funds to the County. The board authorizes Mary O’Neil, COVID-19/Federal Grants director to submit the request for the award through the Treasury portal. Further, it is recommended that the Board accept the grant funds, if awarded, and directs that awarded amount be included in a future supplemental appropriation to the County budget.

Originator: Mary O’Neil, Strategy, Innovation & Finance

Contacts for Additional Information:
Stephanie Corbo, Strategy, Innovation & Finance

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Ban of Firework Sales

May 17, 2022

For Information

For Discussion/Board Direction

Consent to
Place on Business/
Hearing Agenda

Issue: Should the County ban the sale of fireworks in the unincorporated areas of Jefferson County.

Background: Pursuant to the Annual Operating Plan regarding the implementation of Fire Restrictions and Fire Bans, and due to the continuing high fire danger condition within Jefferson County, the Sheriff’s Office enacted Stage 1 Fire Restrictions on April 20, 2022. This ban included the use of all fireworks.

Per County Ordinance Authorizing the Declaration of Open Fire and/or Firework Sale, Use or Possession Bans, and the County power authorized in Section 30-15-401(1)(n.7) C.R.S., the Board of County Commissioners has the authority to ban the sale, use, or possession of fireworks upon the finding of a high fire danger (i.e., if the danger of forest or grass fires is high) based on competent evidence, as defined in 30-15-401(1)(n.5)(I)(V).

Discussion: The Board of County Commissioners is authorized to declare a ban on the sale, use or possession of fireworks, pursuant to Section 30-15-401(1)(n.7), C.R.S. and the County Ordinance adopting Regulatory Policy Part 3, Chapter 6, Section 2 Authorizing the Declaration of Open Fire and/or Firework Sale, Use or Possession Bans.

When enacting a Fire Restriction, the Sheriff’s Office considers the Fire Restriction Evaluation Guidelines attached to this Briefing Paper. The Board should consider at least the same guidelines for purposes of a ban on the sale of fireworks. Accordingly, the basis for the Stage 1 Fire Ban Restriction would serve as competent evidence here.

Survey of other Counties:

	Sales Allowed
Clear Creek	No
Arapahoe	No
Boulder	No
Garfield	No
Larimer	Yes
Douglas	Yes
Pueblo	Yes
Adams	Yes
Mesa	Yes

Fiscal Impact: Not Applicable.

Revenue Limits Impact: yes no

There is no impact to the county's TABOR Fiscal Year Spending Limit.

SPA Review: As Determined by SPA: support with no concerns.

Facilities Review: N/A

BIT Review: N/A

Fleet Review: N/A

Recommendations: Ban the sale of fireworks.

Originator: Kate Newman

Contacts for Additional Information:

FIRE RESTRICTION EVALUATION GUIDELINES

(ALL FIRE RESTRICTION AREAS)

When weather factors or fire suppression impacts become a concern, the following criteria will be used to determine if a Fire Restriction should be considered by area. Use weather data from weather stations in each Fire Restriction Area to make determination. When more than one station must be evaluated in an area, average the output to arrive at the following criteria:

- _____ 1,000 HOUR FUEL MOISTURE CONTENT IS 12% OR LESS.
- _____ 3 DAY MEAN ENERGY RELEASE COMPONENT (ERC) IS AT THE **90TH PERCENTILE OR ABOVE.**
- _____ FIRE DANGER RATING ADJECTIVE CLASS IS AT **VERY HIGH OR EXTREME.**
- _____ FIRES ARE IMPACTING AVAILABLE SUPPRESSION RESOURCES MAKING ADEQUATE INITIAL ATTACK DIFFICULT
- _____ AREA IS RECEIVING A HIGH OCCURRENCE OF HUMAN-CAUSED FIRES OR THE HUMAN CAUSED RISK IS PREDICTED TO INCREASE.
- _____ ADVERSE FIRE WEATHER CONDITIONS AND RISKS ARE PREDICTED TO CONTINUE.
- _____ LOCAL FIRE PREPAREDNESS LEVEL OF **3 OR ABOVE**

STAGE 1: IF AT LEAST 3 OF THE CONDITIONS ABOVE ARE MET, CONSIDER INITIATING A STAGE I RESTRICTION.

STAGE II : CONSIDER INITIATING A STAGE II RESTRICTION AFTER A STAGE I RESTRICTION HAS BEEN IN EFFECT AND 4 OR MORE OF THE CONDITIONS ABOVE ARE IMPACTED.

ADDITIONAL CONSIDERATIONS

- Spread Component (SC) > 22
- Ignition Component (IC) ≈ 65%
- Burn Index (BI) ≈ 80
- Energy Release Component (ERC) > 70