



JEFFERSON
COUNTY COLORADO

STAFF BRIEFINGS and WORK SESSIONS

Hybrid Meeting

AGENDA

May 24, 2022, Meeting Will Begin Immediately Following BCC Hearings

BCC Boardroom, 5th Floor and WebEx Virtual Platform

Join our virtual meeting via WebEx

<https://jeffco.webex.com/jeffco/onstage/g.php?MTID=e16d91fa33d86e8df062795ba31a34c2d>

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Access Code/Event Number: 2490 049 3415

	Pages
1. Briefing Items	
1.1. Human Services Update presented by Mary Berg, Gayle Perryman, Kat Douglas and Wanda Cowart 30 minutes	3
<ul style="list-style-type: none">• 2022 Head Start Cost of Living Adjustment• Public Health Emergency Retention Targeted County Funding Grant• Wagner-Peyser Proposed Regulation Change	
1.2. County Attorney's Office - Legislative Revenue presented by Kym Sorrells 10 minutes	12
1.3. Works Compensation Third Party Claims Administration Service Contract Renewal presented by Kate Newman and Michael Dobbs 10 minutes	14
1.4. Ramstetter Property - Purchase and Sale Agreement presented by Kate Newman 10 minutes	16
2. Reports	
2.1. Commissioner's Report	
2.2. County Manager's Report	

2.3. County Attorney's Report

3. Executive Session

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

**3.2. Jefferson Parkway Public Highway Authority -
Legal Advice C.R.S. 24-402(4)(b) and Advice to
Negotiators C.R.S. 24-402(4)(e)
15 minutes**

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

4. Adjourn

5. BCC/County Manager & BCC/Chief of Staff

Event address for attendees:

<https://jeffco.webex.com/jeffco/onstage/g.php?MTID=e37978194750e48a898db37ed8837ab6b>

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Access code/Event number: 2481 893 8324

6. Work Session - No Agenda Items

BOARD OF COUNTY COMMISSIONERS BRIEFING

EXECUTIVE SUMMARY Jefferson County Human Services May 24, 2022

2022 Head Start Cost of Living Adjustment (COLA)

1. CONSENT TO PLACE ON BUSINESS/HEARING AGENDA:

ISSUE: Jefferson County Head Start (JCHS) seeks approval to submit to the Office of Head Start, Region VIII, and accept, if awarded, an amended application to the 2022 Head Start grant to increase the grant amount by \$104,843 to cover the cost of a 2.28% cost of living adjustment (COLA) increase for all Head Start staff which is retroactive to the beginning of the fiscal year in January 2022.

RECOMMENDATIONS: That the Board of County Commissioners (a) approves the submission of an application to amend the 2022 Jefferson County Head Start Grant to increase the grant by \$104,843 in order to cover the cost of a 2.28% cost of living adjustment for Head Start staff; (b) authorizes the Chairman to sign a letter supporting the application; (c) authorizes Jefferson County Head Start to accept the award, if awarded; and (d) directs that the additional award amount be included in a supplemental appropriation to Head Start's budget.

Public Health Emergency Retention Targeted County Grant Funding

2. FOR DISCUSSION/BOARD DIRECTION:

ISSUE: The Human Services Department seeks approval to accept, if awarded, the Public Health Emergency Retention Targeted County grant funding through the Colorado Department of Health Care Policy and Financing (HCPF).

RECOMMENDATIONS: That the Board of County Commissioners (a) authorizes the Human Services Department to apply for and accept up to \$35,500 in Public Health Emergency Retention Targeted County grant funding from the Colorado Department of Health Care Policy; and (b) directs that the funds be included in a supplemental appropriation to the Human Services Department budget.

Wagner-Peyser Proposed Regulation Change

3. FOR DISCUSSION/BOARD DIRECTION:

ISSUE: Wagner-Peyser proposed regulation changes and impact to the services provided by the Business & Workforce Center to the business and job seeker community.

RECOMMENDATIONS: **Authorization and approval for Chairman of Board of County Commissioners to sign support letter, once drafted and approved by County Attorney Office, for staff to submit for the official public comment records. Additional support as recommended by BOCC.**

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

2022 Head Start Cost of Living Adjustment (COLA)

May 24, 2022

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

Issue: Jefferson County Head Start (JCHS) seeks approval to submit to the Office of Head Start, Region VIII, and accept, if awarded, an amended application to the 2022 Head Start grant to increase the grant amount by \$104,843 to cover the cost of a 2.28% cost of living adjustment (COLA) increase for all Head Start staff which is retroactive to the beginning of the fiscal year in January 2022.

Background: The Consolidated Appropriations Act, 2022, contains an increase of approximately \$289 million for programs under the Head Start Act for fiscal year 2022. The COLA supports a 2.28% adjustment above FY 2022 funding levels to increase the pay scales of Head Start staff. JCHS staff were included in the Human Services pay increases in January of 2022 which meets the requirement of a 2.28 percent salary adjustment.

Discussion: JCHS proposes to use this COLA to permanently increase Head Start staff's hourly rate of pay and pay scale by 2.28%, which would permanently increase the JCHS budget by \$131,054. The required non-federal share amount (\$26,211) is included in the 2022 adopted budget.

Fiscal Impact:

- Year of impact: 2022
- TABOR impact: none
- Existing grant or project: Head Start Grant
- Requested in adopted budget: This grant funding was partially included in the 2022 adopted budget.
- Ongoing or one-time: Ongoing
- General Fund impact: none
- Staffing impact: none
- ARPA impact: none
- Match requirements: \$26,211 (already included in adopted budget)
- Mandate/Contractual obligation: None

Revenue Limit Impacts: yes no

There would be no impact to the county's TABOR Fiscal Year Spending Limit because the revenue source is federal.

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

Facilities Review: N/A

BIT Review: N/A

Fleet Review: N/A

Recommendation: That the Board of County Commissioners (a) approves the submission of an application to amend the 2022 Jefferson County Head Start Grant to increase the grant by \$104,843 in order to cover the cost of a 2.28% cost of living adjustment for Head Start staff; (b) authorizes the Chairman to sign a letter supporting the application; (c) authorizes Jefferson County Head Start to accept the award, if awarded; and (d) directs that the additional award amount be included in a supplemental appropriation to Head Start's budget.

Originator: Gayle Perryman, Director of Head Start, x7901

Contacts for Additional Information: Mary Berg, Exec. Director of Human Services, x4163

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Public Health Emergency Retention Targeted County Grant Funding

May 24, 2022

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

Issue: The Human Services Department seeks approval to accept, if awarded, the Public Health Emergency Retention Targeted County grant funding through the Colorado Department of Health Care Policy and Financing (HCPF).

Background: The United States Department of Health and Human Services declared a nationwide public health emergency due to confirmed cases of 2019 Novel Coronavirus on January 31, 2020. The Families First Coronavirus Response Act (FFRCA) allowed for continuous enrollment in Medicaid coverage during the public health emergency. This has led to a record number of Coloradans (over 1.6 million) who are now covered by Medicaid as their health insurance provider.

Discussion: The record number of Coloradans now enrolled in Medicaid has increased this workload for the Human Services Department. In response to the increased workload and workforce challenges, HCPF has designated federal grant funding for county Medical Assistance staff retention and rewards for their performance, customer service, and dedication to their communities throughout the COVID-19 Public Health Emergency (PHE). The grant allows one-time payments up to \$250 per employee working with public assistance programs. With this option, the grant covers 40% of the funding with a 60% county match requirement. The proposed grant application would request \$35,500, with a match requirement of \$21,300 to be covered through incentive funds which have been earned through meeting performance metrics.

Fiscal Impact:

- Year of impact: 2022
- TABOR impact: N/A
- Existing grant or project: N/A
- Requested in adopted budget: No
- Ongoing or one-time: One-time
- General Fund impact: N/A
- Staffing impact: N/A

- ARPA impact: N/A
- Match requirements: Yes, \$21,300
- Mandate/Contractual obligation: NA

Revenue Limits Impact: yes no

The requested revenue is from a federal source, passed through the state and therefore, has no impact to the county's TABOR Fiscal Year Spending Limit.

SPA Review: As determined by SPA: Supported with no concerns.

Facilities Review: N/A

BIT Review: N/A

Fleet Review: N/A

Recommendations: That the Board of County Commissioners (a) authorizes the Human Services Department to apply for and accept up to \$35,500 in Public Health Emergency Retention Targeted County grant funding from the Colorado Department of Health Care Policy; and (b) directs that the funds be included in a supplemental appropriation to the Human Services Department budget.

Originator: Wanda Cowart, Community Assistance Division Director (x4350)

Contacts for Additional Information: Mary C. Berg, Human Services Department Executive Director (x 4163)

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Wagner-Peyser Proposed Regulation Change

May 24, 2022

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

Issue: Wagner-Peyser proposed regulation changes and impact to the services provided by the Business & Workforce Center to the business and job seeker community.

Background: United States Department of Labor and Employment (USDOL) is reviewing regulations that currently allow Colorado’s flexibility to act as a “demonstration state” for Wagner-Peyser federal funding. This annual funding is allocated to the local workforce regions throughout the state, including the Business & Workforce Center, which is used to fund the operations. In addition to Wagner-Peyser funding, the Business & Workforce Center receives another state grant allocation called Employment Support Funding (ESF). These are the two primary funding sources for our employment navigation center, including staffing and the services we provide to both job seekers and businesses throughout Jefferson, Clear Creek, and Gilpin counties.

During the 1980’s, Colorado was granted Wagner-Peyser demonstration state status, because of a Weld County welfare demonstration grant. This began Colorado’s process of transitioning staff from state merit to primarily local county merit employees. Over the next thirty years, USDOL issued the Workforce Innovation and Opportunity Act (WIOA) final regulations, which allowed the demonstration state status to continue. In 2020, USDOL issued Wagner-Peyser Staffing Flexibility regulations, allowing states the ability to choose the most effective method of delivering Wagner-Peyser services. At that time, Colorado chose to continue using state and local merit staff. Currently there are three demonstration states: Colorado, Michigan, and Massachusetts.

Discussion: Should Wagner-Peyser funding be removed from the local level, much of our achievements and results will be at great risk of declining or deteriorating, with less ability to work quickly and cohesively across functional teams and with local partners including chambers and economic development offices. Most of our services for businesses will cease and we will likely encounter staff retention issues above what all areas are currently experiencing due to the labor market.

Should the draft regulation changes become final, services would still be offered within local areas, but those operations would be managed at the state level with Wagner-Peyser service provision shifted to state employees in each local area. Regardless of the delivery method deployed by the state it will create significant challenges and disruptions to the strong network of services currently provided by county staff.

USDOL is seeking public comment on the draft regulations until late June. The Business & Workforce Center is working closely with the Colorado Department of Labor and Employment and the nine other Workforce Regions to coordinate comments and solicit support from important community stakeholders. To be considered, public input must be submitted directly through the federal public comment portal. We are developing template letters that can be customized and submitted by the critical stakeholder groups including economic development, business leaders (small, medium, and large), education partners, and elected officials.

Fiscal Impact: If the proposed rule is implemented approximately \$1.5 million reduction in federal allocation.

Revenue Limits Impact: yes no

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

- Year of impact: NA/Unknown at this time
- TABOR impact: NA/Unknown at this time
- Existing grant or project: NA/Unknown at this time
- Requested in adopted budget: NA/Unknown at this time
- Ongoing or one-time: NA/Unknown at this time
- General Fund impact: NA/Unknown at this time
- Staffing impact: NA/Unknown at this time
- ARPA impact: NA/Unknown at this time
- Match requirements: NA/Unknown at this time
- Mandate/Contractual obligation: NA/Unknown at this time

Facilities Review: N/A at this time

BIT Review: N/A

Fleet Review: N/A

Recommendations: Authorization and approval for Chairman of Board of County Commissioners to sign support letter, once drafted and approved by County Attorney Office, for staff to submit for the official public comment records. Additional support as recommended by BOCC.

Originator: Kat Douglas, Housing, Economic and Employment Services
Division Director (x 8372)

Contacts for Additional Information: Mary C. Berg, Human Services
Department Executive Director (x 4163)

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
County Attorney's Office – Legislative Revenue
May 24, 2022

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

Issue: The County Attorney's Office requests approval to use additional revenue to be received for Human Services legislative work to purchase office wide Adobe Pro DC subscription.

Background: The County Attorney's Office is currently operating Adobe Pro version IX from 2012. The outdated software not only causes productivity issues with staff experiencing frequent shutdowns and errors, but also opens us up to vulnerability due to operating an out-of-date unsupported IT program. The office currently does not have funds allocated in the budget for this critical upgrade.

Discussion: The County Attorney's Office will be receiving additional revenue in the amount for \$12,000 for Human Services legislative work in June 2022. The annual subscription cost of Adobe Pro DC is \$4,800.00 per year for forty users. The County Attorney's Office is requesting approval to use the additional revenue for this expenditure as follows:

- 2022: \$2,400.00 for June – December 2022 Subscription
- 2023: \$4,800.00 for 2023 annual subscription
- 2024: \$4,800.00 for 2024 annual subscription

Fiscal Impact: The County Attorney's Office is requesting a supplemental to increase revenue and expenditure by \$2,400 for FY2022 in the General Fund.

For FY2023 and FY2024 expenditure impact is \$4,800 each year and will be offset by the remaining revenue from the Human Services legislative work.

- **Year of impact:** 2022-2024
- **TABOR impact:** No
- **Existing grant or project:** N/A
- **New grant or project:** N/A
- **Requested in adopted budget:** No
- **Ongoing or one-time:** one-time
- **General Fund impact:** No
- **Staffing impact:** None
- **ARPA impact:** No
- **Match requirements:** N/A
- **Mandate/Contractual obligation:** N/A

Revenue Limits Impact: yes no

There is no impact to the TABOR FY Spending Limit, intra-county service charges are exempt from TABOR.

SPA Review: Support, no concern.

Since the revenue will be received in FY2022, the remainder will be returned to the General Fund's fund balance at yearend and the County Attorney's Office will use the remaining funds to cover the FY2023 and FY2024 expense.

Facilities Review: n/a

BIT Review: BIT fully supports this request with no concerns.

Fleet Review: n/a

Human Resources Review (new FTE only): n/a

Recommendations: Staff recommends that the Board of County Commissioners place on a future consent agenda for final consideration the use of \$12,000.00 in County Attorney's Office revenue for Adobe Pro DC software subscriptions in 2022-2024 and directs the funds be included in a future supplemental appropriation to the County Attorney's Office expenditure budget.

Originator:

Kym Sorrells, County Attorney, ext 8965

Contacts for Additional Information:

Katie Burder, Office Manager, ext 8978

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
Contract Renewal for Workers Compensation Third Party
Claims Administration Services
May 24, 2022

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

Issue: Contract renewal between Jefferson County and Tristar, Inc for third party claims administration services for workers’ compensation program.

Background: The County requires a third-party administrator to administer the claims of the Workers’ Compensation Program per the State of Colorado, Division of Workers’ Compensation. In addition to administering the Workers’ Compensation Program, claims-related expenses come out of an account that is funded by the County and managed by the third-party administrator. This escrow account will be funded at \$175,000.00 and will be replenished monthly to maintain this balance.

Purchasing originally issued a Request for Proposal for these services, advertised it, and invited multiple firms to submit a proposal; three (3) firms responded. Tristar, Inc. submitted the highest rated proposal and met all County requirements. The term of this renewal is for one year with the option to renew for two (2) additional one-year periods.

Discussion: To maintain the County’s self-insurance status and third-party claims administrator is necessary.

Fiscal Impact:

- Year of impact: 2022
- TABOR impact: none
- Existing grant or project:
- Requested in adopted budget:
- Ongoing or one-time: Ongoing
- General Fund impact: Included in 2022 adopted budget.
- Staffing impact: none
- ARPA impact: none
- Match requirements:
- Mandate/Contractual obligation: None

Revenue Limits Impact: yes no

SPA Review: As determined by SPA: Supported with no concerns.

Facilities Review: N/A

BIT Review: N/A

Fleet Review: N/A

Recommendations: Recommend that the Board of County Commissioners allow this contract to move forward for consent agenda at the next available agenda meeting.

Originator: Michael Dobbs, Operations Department, 8447

Contacts for Additional Information: No additional contacts

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
Purchase and Sale Agreement Ramstetter Property
May 24, 2022

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

Issue: Purchase and Sale Agreement (PSA), related to the disposition of county owned property.

Background:

The County owns approximately 51 acres of land located at 5079 State Highway 93 adjacent to the City of Golden. Per the Sale or Exchange of County Owned Real Property Policy, the County has determined that the property is not necessary for county functions. A “for sale” sign was posted on the property and a public meeting was held on November 1, 2021.

Discussion:

Eight people submitted Purchase Offers. Staff selected Bauknight Enterprises and Ball Properties and has worked with them to develop a Purchase and Sale Agreement (PSA).

Terms of the PSA include:

- Industrial use
- \$4.15 a square foot
- Approximately 3 acres will be withheld from the sales price for the purpose of future trail connections from North Table Mountain
- Additional acreage (unknown at this time) may be withheld for a future access road through the property
- The sale is contingent on the purchaser obtaining entitlement either through Golden or the County.

Fiscal Impact:

- Year of impact: 2022 or 2023, depending on due-diligence period.
- TABOR impact: No, proceeds from the sale or real property are exempted from the county’s TABOR Fiscal Year Spending calculation. Ongoing or one-time: (describe the duration - start/stop or ongoing)
- General Fund impact: Revenue will be recognized in the General Fund.
- Mandate/Contractual obligation: Contractual obligations as negotiated via PSA. Terms of the PSA include:
 - Industrial use
 - \$4.15 a square foot

- Approximately 3 acres will be withheld from the sales price for the purpose of future trail connections from North Table Mountain
- Additional acreage (unknown at this time) will be withheld for a future access road through the property
- The sale is contingent on the purchaser obtaining entitlement either through Golden or the County.

Revenue Limits Impact: yes no

Property sales are exempted from the TABOR Fiscal Year Spending calculation.

SPA Review: As determined by SPA: Supported with no concerns.

Facilities Review: Support

BIT Review: N/A

Fleet Review: N/A

Recommendations: Direct staff to bring the PSA to a future hearing for consideration.

Originator: Kate Newman

Contacts for Additional Information: