Public Meeting  
May 5, 2020  
9:30 AM

The Board of County Commissioners will be attending this meeting telephonically. The public is invited to participate in the public meeting by calling 1-855-436-3656, and press *3 on your telephone keypad to be entered in the queue for general or item-specific comment. The meeting can also be viewed online at: https://www.arapahoegov.com/1617/Meeting-Videos-and-Live-Broadcast

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. OPENING

1.a. CALL TO ORDER  
Arapahoe County Board of County Commissioners

1.b. INTRODUCTION  
Ron Carl, County Attorney  
Joleen Sanchez, Clerk to the Board Administrator

1.c. ROLL CALL

1.d. PLEDGE OF ALLEGIANCE

2. MODIFICATION TO THE AGENDA

3. ADOPTION OF THE AGENDA

4. CITIZEN COMMENT PERIOD  
Citizens are invited to speak to the Commissioners on non-agenda items. There is a
5. APPROVAL OF THE MINUTES

5.a. BOCC Public Meeting Minutes: April 14, 2020
    Full Board was Present

    Documents:
    
    BOCC PUBLIC MEETING MINUTES 04-14-2020.PDF

6. CONSENT AGENDA

6.a. Approval of Temporary Credit Card Acceptance Policy for Clerk & Recorder’s Office
    Adoption of a resolution approving a temporary amendment to the County’s Credit Card and E-Payment Acceptance Policy (Financial Policy 7.10) to allow for specific Motor Vehicle staff to process specific transactions for a period of not more than 90 days

    Todd Weaver, Director, Finance
    Joan Lopez, Clerk and Recorder
    Karl Herrmann, Deputy Clerk and Recorder
    John Christofferson, Deputy County Attorney

    Documents:
    
    BSR_TEMPCCACCEPTANCEMV - FINAL 5-5-2020.DOCX
    7.10__CREDIT CARD - COVID TEMPORARY AMENDMENT_REV.DOCX

6.b. Property Tax - Abatement Hearing Officer
    Adoption of a resolution approving Jeff Hamilton as referee to hold abatement hearings on behalf of the Board of County Commissioners

    Ron Carl, County Attorney
    Karen Thompsen, Paralegal, County Attorney’s Office

    Documents:
    
    ABATEMENT HEARING OFFICER BSR JEFF HAMILTON - REVISED.DOC
    ABATEMENT REFEREE RESOLUTION.DOC

6.c. Property Tax - Board of Assessment Appeals (1 Resolution)
    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:
    
    5 MAY 5, 2020.DOC
    SAMPLE BAA RESOLUTION - 2020.DOC

7. GENERAL BUSINESS ITEMS
7.a. *PUBLIC HEARING · Community Development Block Grant COVID-19 Funding Recommendations
Consideration of a request from Community Resources - Housing and Community Development Services staff regarding funding recommendations for Community Development Block Grant - COVID-19 funds

Presenter · Linda Haley, Housing and Community Development Division Manager, Community Resources
Jeremy Fink, Community Development Administrator, Community Resources
Don Klemme, Director, Community Resources
Todd Weaver, Director, Finance
Tiffanie Bleau, Senior Assistant County Attorney

Documents:
BSR FOR CDBG-CV PUBLIC HEARING 5-5-20.PDF

7.b. *PUBLIC HEARING · LDC19-002 Billboard and Off-Premise Signs · Third Request to Extend the Temporary Moratorium on Land Development Applications
Consideration of a request for the Board of County Commissioners to approve a resolution to further extend a temporary moratorium on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign

Presenter · Jason Reynolds, Current Planning Manager, Public Works and Development
Jan Yeckes, Planning Division Manager, Public Works and Development
Bryan Weimer, Director, Public Works and Development
Keith Ashby, Purchasing Manager, Finance
Robert Hill, Senior Assistant County Attorney

Documents:
BSR PACKET LDC19-002 MORATORIUM EXTENSION.PDF

8. 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, APRIL 14, 2020

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 Sharpe, Chair  
Bill Holen, Chair Pro Tem  
Kathleen Conti  
Jeff Baker  
Nancy Jackson  
Ron Carl  
Joan Lopez  
Joleen Sanchez  
Commissioner District 2  
Commissioner District 5  
Commissioner District 1  
Commissioner District 3  
Commissioner District 4  
County Attorney  
Clerk to the Board  
Administrator  
Present  
Present  
Present  
Present  
Present  
Absent and Excused  
Present

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

CALL TO ORDER
Commissioner Sharpe 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 Baker and duly seconded by Commissioner Conti to adopt the Agenda as presented.

The motion passed unanimously.

CITIZEN COMMENT PERIOD
There were no citizen comments on this date.

Commissioner Sharpe noted her position on the Developmental Pathways Board of Directors.

CONSENT AGENDA
The motion was made by Commissioner Jackson, duly seconded by Commissioner Conti to approve the consent agenda as presented.

The motion passed unanimously.

GENERAL BUSINESS ITEMS

There were no General Business items on this date.

COMMISSIONER COMMENTS

Commissioner Jackson said she hopes that all citizens are taking care of themselves and practicing social distancing and wearing masks and said we will get through this together. Commissioner Sharpe echoed these comments.

There being no other business before the Board, Commissioner Baker adjourned the meeting at 9:36 a.m.

____________________________________________________
JOAN LOPEZ, CLERK TO THE BOARD
BY JOLEEN SANCHEZ, CLERK TO THE BOARD ADMINISTRATOR
Board Summary Report

Date: April 27, 2020
To: Board of County Commissioners
From: Todd Weaver, Budget Manager
Subject: Approval of Temporary Amendment to Credit Card Acceptance Policy for Specific Motor Vehicle Transactions

Request and Recommendation

The Clerk & Recorder’s Office and the Finance Department request the Board of County Commissioners adopt a temporary waiver/amendment to Financial Policy 7.10 – Credit Card and E-Payment Acceptance Policy to allow specific, designated Motor Vehicle personnel to accept customer credit card information over the telephone for limited transactions for no more than a 90-day time period based on the current stay-at-home order and the inability of citizens to process registrations for vehicle sales. This item was heard at a Drop-In on April 27, 2020 and the Board directed staff to bring it forward for formal approval.

Background and Discussion

The Clerk & Recorder's Office approached the Finance Department and requested a temporary waiver/amendment to Financial Policy 7.10 – Credit Card and E-Payment Acceptance Policy. The Clerk & Recorder’s Office is requesting that Motor Vehicle staff at the level of Supervisor and Business Manager have the ability to initiate contact with customers whose paperwork has been completed and verified, so that they can accept and process credit card payments over the phone to send these customers either a temporary permit or their actual license plates (depending on what documents were presented). Currently, we have customers sending us their documents for review, and we hindered in collecting payment only via the USPS mail system. This causes a delay in the process (at least several days between mailing and receipt of payment) and may be a hardship on customers who do not have checks/the ability to acquire money orders available to them.

The amended process would allow designated Motor Vehicle supervisors and managers to contact the customer via telephone once the paperwork is ready, the amount is known, and the transaction can be completed. The transaction types for this method of payment would be limited to transactions regarding vehicle sales/purchases, otherwise known as “title transfers.” Motor Vehicle staff will verify the identity of the customer and request credit card payment information to be entered directly into the State DRIVES system. At no time will the staff
member handling this information write down, retain, or record the cardholder or payment information which is prohibited by the existing policy.

The current policy prohibits County staff from accepting credit card, debit card or electronic check payment over the phone as that would constitute a violation of the County policy against the County ever taking full possession of anyone’s complete credit card data and the liability that goes along with possessing that information.

In this specific circumstance, the direct entry of cardholder information into the DRIVES system would violate this policy but the amended policy and process mitigates this to some extent. The Clerk & Recorder’s staff designated to perform these transactions are limited to those at the manager/supervisor level and have undergone employment background checks. In addition, limiting the number and type of transactions that this process could be used for and limiting the timeframe that these transactions can occur further mitigates the risk but does not eliminate it completely.

In no way should this policy amendment be construed as a permanent change to the County’s policy against handling cardholder information but merely as an option to provide some service to citizens given the COVID-19 conditions that exist.

This policy amendment will expire at the end of 90 days or when the Motor Vehicle Division reopens and returns to the normal process for conducting these transactions, whichever occurs first.

At the April 27, 2020 Drop-In, the Board heard a presentation centered on the process of how these transactions will be processed, the risks and liability involved with handling credit card information, and how this revised, temporary process addresses those risks. The Board directed staff to bring this item forward for formal approval.

Alternatives

The alternative would be to deny the policy amendment and have citizens involved in vehicle sales/title transfers wait until the Motor Vehicle Division offices reopen to conduct these transactions.

Fiscal Impact

The fiscal impact of this request is minimal but will allow the Clerk & Recorder’s Motor Vehicle Division to begin to eliminate some of the backlog of work due to the COVID-19 related building closures and stay-at-home orders and collect some amount of revenue that it cannot collect presently.

Reviewed By:

Todd Weaver, Finance Director
John Christofferson, Deputy County Attorney
RESOLUTION NO. 20____ It was moved by Commissioner ____ and duly seconded by Commissioner ____ to adopt the following Resolution:

WHEREAS, the Clerk & Recorder’s Office has requested an amendment to the County’s Credit Card and E-Payment Acceptance Policy (Financial Policy 7.10) to allow for the processing of credit cards by specific Motor Vehicle staff members and for specific transactions during the COVID-19 response and building closure; and

WHEREAS, this policy amendment is only valid for a period of ninety (90) days or until the Clerk & Recorder’s Office Motor Vehicle Division offices return to normal operations, whichever is less.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County to approve a temporary amendment to the County’s Credit Card and E-Payment Acceptance Policy – Financial Policy 7.10 to allow specific credit card processing for specific motor vehicle transactions over the next 90 days starting April 27, 2020.

The vote was:

Commissioner Baker, ___; Commissioner Conti, ___; Commissioner Holen, ___; Commissioner Jackson, ___; Commissioner Sharpe, ___.

The Chair declared the motion carried and so ordered.
Credit Card Acceptance Policy
Temporary Amendment
Policy 7.10

I. Purpose and Scope

The purpose of this document is to establish a temporary policy concerning the acceptance of credit cards over-the-phone by the Clerk & Recorder's Office Motor Vehicle Division for payment of select temporary permits and license plates. This temporary amendment was developed in order to process certain motor vehicle transactions in the State’s DRIVES system during the period in time where County buildings are closed to the public due to the County's COVID-19 response and State/local stay-at-home orders, or 90 days, whichever is less. Fees for transactions to obtain temporary permits and license plates accrue daily and therefore can cause undue hardship on the customer if payment cannot be made in-person or over the phone. This would provide customers flexibility to maintain compliance with current laws and regulations surrounding vehicle ownership while decreasing the stress on County resources while offices are closed to the public.

II. Motor Vehicle Credit Card Processing Via Phone

DRIVES System- Background and Functionality

The DRIVES system is based off the financial processing platform of Gentax, which has been in use by Colorado Department of Revenue for taxation processing for many years. This platform was reconfigured to meet the needs of the DMV for the State.

The DRIVES system is managed externally by the vendor FAST, though access to the system/removal from the system is still governed by State OIT (Office of Information Technology). Although they grant/remove access, State OIT has no other controls within the DRIVES system and cannot manipulate or view the information contained within it.

The State outsources many of its transactions to the counties so that counties can collect their taxes directly from customers, while forwarding State taxes and fees to the State concurrently. In doing so, the counties act as agents for the State in processing these transactions in the Motor Vehicle division. The State sends out State computers for county staff to use in conducting these transactions. These transactions take place in the vendor-managed DRIVES system, over a secured network which is also installed by the State on County property. The State has requirements and trainings that County Motor Vehicle staff must complete in order to gain and maintain access to the DRIVES system. Staff at different levels of the organization have progressively more access as they gain seniority within the organization.

III. Temporary Process

We are requesting that Motor Vehicle staff at the level of Supervisor and Business Manager have the ability to initiate contact with customers whose paperwork has been completed and verified, so that they can accept and process credit card payments over the phone to send these customers either a temporary permit or their actual license plates (depending on what documents were presented). Currently we have customers sending us their documents for review and are hindered in collecting payment only via the USPS mail system. This causes a delay in the process (at least several days between mailing and receipt of payment) and may be a hardship on customers who do not have checks/the ability to acquire money orders available to them.

A. Controls

1. Employee Level
Credit Card Acceptance Policy
Temporary Amendment
Policy 7.10

The Level of employee conducting this processing would be a Supervisor or Business Manager only (currently there are 9 on staff). These are exempt employees with a higher level of system access than the front-line staff.

2. Transaction Initiation

Our leadership staff would initiate transactions with the customer via phone only after verifying that the customer documents received and in front of them will allow them to proceed with either acquiring vehicle plates, or a vehicle temporary permit.

3. Transaction Type

The transaction types for this method of payment would be limited to transactions regarding vehicle sales/purchases, otherwise known as “title transfers.”

   a. The reason for this limitation is twofold
      i. Currently these customers have no mechanism for completing these transactions except through the USPS mail, even if their paperwork has already been processed by the Motor Vehicle office. Traditionally, we have required customers to come in to get their plates. We are attempting to serve our customers without increasing their risk by coming into a motor vehicle office.
      ii. Other methods of payment via USPS carry risks- payments on a vehicle vary due to taxes being calculated on the duration of ownership. If a payment is quoted to a customer, that payment will go up once the current month ends. The payment must be received by the current month’s last day in order to be accurate.
         1. In asking customers to mail their payments in (which is what we are currently doing, to attempt in serving these customers and allowing them to drive these vehicles legally), we run the risk of the customer payment being delayed/not reaching us until after their payment amount has already gone up. This is particularly risky when customers mail in payments that are treated like cash, such as money orders, which cannot be shredded.

4. Identity Verification

Before entering in information for payment, Motor Vehicle leadership would verify the following:

   a. Vehicle VIN # (unique identifying information for the vehicle itself) and Plate # (if available- if first issuance of plates, will have to use just the VIN)
   b. Name and Mailing Address* on the vehicle account (there may be multiple- they would have to verify one name and the mailing address)
   c. Name on the credit card (must match one of the names on the vehicle account)

*The plates or temporary permit will be mailed to the Mailing Address on the vehicle account. If the mailing address on the account is not correct/has not been updated- The transaction must be suspended until this is remedied. The customer will have to go online to update their address. Our staff will coordinate a time at least 2 business days later to attempt to complete the transaction. At this time, the
staff member will go through all controls above and verify the mailing address on
the account once again before proceeding.

5. Credit Card Processing in DRIVES

a. The State uses the vendor NIC (managed by SIPA) to process all credit card
transactions in the DRIVES system.

b. At point-of-sale (POS) transactions, customers generally use a credit card reader
(provided by the State) to interpret credit card information directly into the DRIVES
system. If at any point there is a problem with the credit card reader or the credit
card reader software, staff members at all levels of Motor Vehicle currently can
manually enter in the information from the credit card directly into DRIVES to
process payment.

c. For this temporary process, Motor Vehicle staff members will manually enter the
credit card information into the DRIVES system while receiving the information
verbally from the customer.

d. At no time shall any employee processing such transactions write, record, or in any
way retain the cardholder’s credit card information.

e. Once the credit card information is entered into the DRIVES system and
processed/verified by NIC, the staff member can no longer retrieve that
information and the transaction may be completed.

6. Post-Processing Information

a. Staff have a “cash drawer” at all Motor Vehicle offices when they are conducting
transactions with payments and must reconcile this drawer at the end of the day.
This drawer is usually a physical drawer when staff are at the counter, as well as a
“virtual drawer” within the system itself. The reconciliation is between these two
“drawers” at the end of the day.

b. Credit card transactions are reconciled on the back end of the system via the
vendor NIC, and staff are not privy to credit card transaction data when closing
their drawers. Staff do not reconcile the portion of funds that were paid through
credit card.

B. DURATION

This policy amendment regarding the Clerk & Recorder’s Office processing credit card transactions
over the telephone shall only be in effect for the duration of the COVID-19 building closure or
State/local stay-at-home orders, or 90 days, whichever is less.

When this temporary condition no longer exists, the current County Credit Card and E-Payment
Acceptance Policy – 7.10 will be the policy that guides such transactions.
Board Summary Report

Date: April 24, 2020

To: Board of County Commissioners

Through: Ron Carl, County Attorney

From: Karen Thompsen, Paralegal

Subject: Board of County Commissioners Referee (Abatement Hearings)

Purpose and Recommendation

Background and Discussion

Pursuant to C.R.S. 39-1-113, no decision on any petition regarding abatement or refund of taxes, shall be made by the board of county commissioners unless a hearing is had thereon, at which hearing the assessor and the taxpayer shall have the opportunity to be present. The Board of County Commissioners may appoint independent referees who are experienced in property valuation to conduct the hearing on behalf of the board, to make findings, and to submit recommendations to the board for its final decision. Referee, Richard Williams, was appointed on May 13, 2014 and has served for six years. Mr. Williams has indicated he is retiring.

It is recommended that the Board hereby appoint the Jeffrey Hamilton as referee to conduct abatement hearings. Mr. Hamilton worked for the Arapahoe County Assessor’s Office holding the positions of Commercial Appraisal Supervisor, Sr. Commercial Real Estate Appraiser, Vacant Land/ Appeals Appraiser, and Residential Real Estate Appraiser (Data Collector) from March 1993 – November 2017. He also worked as a Referee for Real Estate Valuation Disputes for the Jefferson County Board of Equalization (2018) and the Arapahoe County Board of Equalization (2019).

Alternatives

The Board of County Commissioners would conduct the hearings

Fiscal Impact

Referees earn $75.00 per hour of hearings.

Concurrence

The County Attorney supports these recommendations.
At a regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, Littleton, Colorado on Tuesday, the 5th day of May, 2020, there were present:

<table>
<thead>
<tr>
<th>Name</th>
<th>District</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nancy Sharpe, Chair</td>
<td>Commissioner District 2</td>
<td>Present</td>
</tr>
<tr>
<td>Bill Holen, Chair Pro-Tem</td>
<td>Commissioner District 5</td>
<td>Present</td>
</tr>
<tr>
<td>Kathleen Conti</td>
<td>Commissioner District 1</td>
<td>Present</td>
</tr>
<tr>
<td>Jeff Baker</td>
<td>Commissioner District 3</td>
<td>Present</td>
</tr>
<tr>
<td>Nancy Jackson</td>
<td>Commissioner District 4</td>
<td>Present</td>
</tr>
<tr>
<td>Ron Carl</td>
<td>County Attorney</td>
<td>Present</td>
</tr>
<tr>
<td>Joan Lopez</td>
<td>Clerk to the Board</td>
<td>Absent and Excused</td>
</tr>
<tr>
<td>Joleen Sanchez</td>
<td>Asst. Clerk to the Board</td>
<td>Present</td>
</tr>
</tbody>
</table>

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

RESOLUTION NO. 200XXX It was moved by Commissioner _____________ and duly seconded by Commissioner _____________ to adopt the following resolution:

WHEREAS, pursuant to Colorado Revised Statute 39-1-113, the Board of County Commissioners may appoint an independent referee who is experienced in property valuation to conduct hearings on behalf of the County Board of Commissioners; and

WHEREAS, after said hearings, said referee shall make findings and submit recommendations to the County Board of Commissioners; and

WHEREAS, the Board is desirous of appointing a referee who will conduct these abatement hearings.

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

1) The Board hereby appoints the following individual as referee to conduct abatement hearings pursuant to Section 39-1-113 C.R.S.

1. Jeffrey Hamilton

The vote was:

Commissioner Baker, ___; Commissioner Conti, ___; Commissioner Holen, ___;
Commissioner Jackson, ___, Commissioner Sharpe, ___.

The Chair declared the motion carried and so ordered.

I, Joan Lopez, County Clerk and ex-officio Clerk of the Board of County Commissioners in and
for the County and State aforesaid, do hereby certify that the annexed and foregoing Order is truly copied from the Records of the proceedings of the Board of County Commissioners for said Arapahoe County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Littleton, Colorado this ______day of May, 2020.

Joan Lopez, Clerk to the Board

By: _____________________________

       Karen Thompsen, Deputy Clerk
Board Summary Report

Date: April 24, 2020

To: Board of County Commissioners

Through: Ronald A. Carl, County Attorney

From: Karen Thompsen, Paralegal

Subject: Approval of BAA Stipulations (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 agreements reached between the taxpayers 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 years indicated below.

<table>
<thead>
<tr>
<th>Tax Years</th>
<th>Docket#</th>
<th>Property Owner</th>
<th>Property Address</th>
<th>Reason</th>
<th>Original Value</th>
<th>Stipulated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/2020</td>
<td>75633</td>
<td>CAB Hospitality LLC</td>
<td>15775 East Arapahoe Road</td>
<td>1.</td>
<td>$2,549,000</td>
<td>$2,050,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76243</td>
<td>Tiburon Associates</td>
<td>700 West Belleview Avenue</td>
<td>4.</td>
<td>$14,940,000</td>
<td>$13,695,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76392</td>
<td>SRE Colorado-2 LLC</td>
<td>900-940 South Colorado Boulevard and 4100 East Kentucky Avenue</td>
<td>2.</td>
<td>$17,139,650</td>
<td>$15,750,000</td>
</tr>
</tbody>
</table>
Board of County Commissioners Consent Agenda May 5, 2020

Agenda Item:
Resolution No.: 2019/2020

<table>
<thead>
<tr>
<th>2019/2020</th>
<th>76532</th>
<th>Kathleen M. Sheehan</th>
<th>7617 East Mineral Drive</th>
<th>4.</th>
<th>$443,700</th>
<th>$405,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/2020</td>
<td>76630</td>
<td>Aurora Care Group LLC</td>
<td>14500 East Belleview Avenue</td>
<td>1.</td>
<td>$8,400,000</td>
<td>$7,990,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76647</td>
<td>Century City LLC</td>
<td>Vacant Land</td>
<td>4.</td>
<td>$3,050,000</td>
<td>$1,800,000</td>
</tr>
</tbody>
</table>

1. Income and sales approaches indicate that adjustment to this value is correct.
2. Income, sales comparison and cost approaches, indicates that adjustment to this value is correct.
3. Income approach indicates that adjustment to this value is correct.
4. Comparable market sales indicate that adjustment to this value is correct.
5. Cost and income approaches indicate that adjustment to this value is correct.

Alternatives
Let protests 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. 200XXX

It was moved by Commissioner ____________ and duly seconded by Commissioner ____________ to authorize the Arapahoe County Attorney to settle the following Board of Assessment Appeals Case (Docket Number), for the tax year listed below:

<table>
<thead>
<tr>
<th>Docket #</th>
<th>Property Owner</th>
<th>Tax Year</th>
</tr>
</thead>
</table>

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 Stipulation. Based upon the evidence submitted to the Board on this date, the Board has no reason not to concur with the proposed Stipulation.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.
Board Summary Report

Date: April 29, 2020

To: Board of County Commissioners

Through: Don Klemme, Director, Community Resources

From: Linda Haley, Housing and Community Development Division Manager

Subject: Allocation of Community Development Block Grant – COVID-19 (CDBG-CV) funds received as part of the CARES Act.

Direction/Information

At a Study Session on April 28, 2020 the Board of County Commissioners (BoCC) received and reviewed Housing and Community Development Services (HCDS) staff recommendations for Community Development Block Grant COVID-19 (CDBG-CV) funding amounts for Arapahoe County and City of Centennial projects to support our response to COVID-19. At the conclusion of the study session, the BoCC concurred with the funding recommendations and directed HCDS staff to set the recommendations for a Public Hearing.

Background

Following the passage of the CARES Act, Arapahoe County and the City of Centennial will receive an additional allocation of CDBG funds (CDBG-CV) to assist with preventing, preparing for, and responding to coronavirus/COVID-19. Combined, Arapahoe County and City of Centennial will receive a total of $869,861 in CDBG-CV funds from the CARES Act. Of the total, Arapahoe County will receive $657,432 and the City of Centennial will receive $212,429.

In order to access these funds and award grants to community service providers as expeditiously as possible, HCDS staff is seeking direction from the BOCC, to include the plans for CDBG-CV funds in the 2019 Annual Action Plan, as a substantial amendment. By including the CDBG-CV funds in the 2019 Action Plan, these funds can be awarded and allocated to entities responding to the COVID-19 pandemic as quickly as possible given the current situation and programmatic guidelines.

Under normal circumstances and program requirements, only 15% of CDBG funds can be awarded to public services each grant year. However, given the circumstances and urgent needs, HUD has waived the 15% cap on public services for the supplemental CDBG-CV funds. This waiver provides additional program flexibility for funding a wider range of activities to respond to COVID-19 needs.

Based on the entitlement allocations, Arapahoe County has up to $525,945.60 and the City of Centennial has up to $174,191.78 to award to eligible projects, including public services. These figures
are based on the standard deduction for program administration costs of 20% for Arapahoe County and 18% for City of Centennial.

**Discussion**

HCDS staff is recommending the following funding allocations for Arapahoe County’s CDBG-CV funds:

- **$200,000 – Emergency Rent/Mortgage/Utility Assistance**
  - Administered in-house by HCDS staff in conjunction with also providing additional rental assistance through the Community Services Block Grant (CSBG) program.

- **$150,000 - City of Aurora - Quality Inn Homeless & COVID-19 Housing**
  - Joint project between the City of Aurora, Adams County and Arapahoe County with additional community partners to provide safe housing for the homeless population coming out of the hospital, recovering from COVID-19, or those that are symptomatic and need to be isolated. Our current IGA is for $100,000 but in the event this agreement needs to be extended we felt that setting aside these funds now would be the prudent option. If they are not used for this project, we will address moving them to another area of need in the future.

- **$125,000 – Emergency Food Assistance**
  - Support to local non-profits addressing the needs of residents through food banks and meals on wheels programs.
  - Initial recommendation is to divide the $125,000 amongst 3-5 organizations to reach different vulnerable populations.
  - To include, but not limited to: Integrated Family Community Services (IFCS), Project Angel Heart (PAH), TLC Meals on Wheels dba Nourish, Aurora Interfaith Community Services (AICS), Littleton Life Center, and GraceFull Café.

- **$25,000 – Health Care**
  - Support to health care agencies to address the growing demand and need for health care coverage information, enrollment and services.
  - Likely to support Doctors Care

- **$25,000 – Emergency Housing (Hotel/Motel Vouchers)**

- **$131,486.40 – Program Administration**
  - A portion of the administration funds will be used to support two new grant funded positions to assist with administering the CDBG-CV funds and the CSBG funds, including a focus on the in-house Emergency Rent/Mortgage/Utility assistance program and Emergency Housing program for hotel/motel vouchers.

The City of Centennial is a separate entitlement community, which is administered by Arapahoe County HCDS staff. The City of Centennial’s City Council has approved the reallocations of CDBG funds previously earmarked and approved for public facility/infrastructure projects, as well as the CDBG-CV funding allocations presented below:

HCDS staff is recommending the following funding allocations for City of Centennial’s CDBG-CV funds:

- **$100,000 – Emergency Rent/Mortgage/Utility Assistance**
  - Administered in-house by HCDS staff, but strictly limited to City of Centennial residents.

- **$74,192 – Emergency Food Assistance**
Public Hearing: May 5, 2020

- Support to local non-profits addressing the needs of residents through food banks and meals on wheels programs.
- Initial recommendation is to divide the $74,192 amongst 2-3 organizations to reach different vulnerable populations.
- To include, but not limited to: Project Angel Heart (PAH), TLC Meals on Wheels dba Nourish.

- **$38,237.22 - Program Administration**
  - A portion of the administration funds will be used to support two new grant funded positions to assist with administering the CDBG-CV funds and CSBG funds, including a focus on the in-house Emergency Rent/Mortgage/Utility assistance program and Emergency Housing program for hotel/motel vouchers.

HCDS staff is also recommending the following reallocation of City of Centennial’s CDBG funds previously approved for a public facility/infrastructure project that was to be determined:

- **$75,000 – Emergency Food Assistance**
  - Additional support to local non-profits addressing the needs of Centennial residents.
- **$100,000 – Emergency Rent/Mortgage/Utility Assistance**
  - Additional support to residents to provide rent/mortgage/utility assistance to Centennial residents
- **$61,221 – Health Care**
  - Additional support to health care agencies to address the growing demand and need for health care coverage information, enrollment and services.

* HUD has issued a waiver for the 15% public service cap, which allows for the proposed reallocation of funds to public services activities.

**Links to Align Arapahoe**

CDBG funds link to Align Arapahoe in each of the three goals, Service First, Fiscal Responsibility and Quality of Life. By design, the CDBG program and our funding decisions start with analyzing the needs of the community and providing goods, services and housing that are consistent with those needs of our residents and communities. Through our funding awards, Arapahoe County is demonstrating a commitment to providing quality services to our residents. By awarding CDBG funds to entities who complete community development projects, Arapahoe County is making a responsible fiscal impact that addresses the needs of our communities and residents and demonstrates our role as good stewards of public funds. The overall goal of the CDBG program is to develop viable communities and support low- and moderate income residents, thereby improving our residents’ overall quality of life.

**Alternatives**

The BOCC may recommend an alternative distribution of funds.
Fiscal Impact

The CARES Act CDBG-CV funds are allocated by the U.S. Department of Housing and Urban Development. Therefore, the allocation and use of these funds will not impact Arapahoe County general funds.

Attorney Comments

Reviewed By:

Liana Escott, Community Development Administrator
Jeremy Fink, Community Development Administrator
Linda Haley, Housing and Community Development Division Manager
Don Klemme, Community Resources Department Director
Janet Kennedy, Finance Department Director
Tiffanie Bleau, Assistant County Attorney
Public Hearing: May 5, 2020

Resolution #____________. It was moved by Commissioner ______________ and duly seconded by Commissioner ___________ at the conclusion of the May 5, 2020 Public Hearing and after opportunity to comment, to approve the CDBG-CV Action Plan/Substantial Amendment, including the proposed Community Development Block Grant COVID-19 (CDBG-CV) projects, and to authorize submittal of the CDBG-CV Action Plan/Substantial Amendment to the U.S. Department of Housing and Urban Development.

The vote was: Commissioner Baker___________; Commissioner Conti, _________; Commissioner Holen, ___________; Commissioner Jackson, ____________; Commissioner Sharpe, __________.

The Chair declared the motion carried and so ordered.
Proposed Motion:

I move to approve the CDBG-CV Action Plan/Substantial Amendment, including the proposed Community Development Block Grant COVID-19 (CDBG-CV) projects, as presented on May 5, 2020, and to authorize submittal of the CDBG-CV Action Plan/Substantial Amendment to the U.S. Department of Housing and Urban Development.
BoCC Public Hearing Item, May 5, 2020

Board Summary Report

Date:        April 24, 2020

To:          Board of County Commissioners

Through:     Bryan Weimer, Director, Public Works and Development

Through:     Jan Yeckes, Planning Division Manager

From:        Jason Reynolds, Current Planning Manager


Request and Recommendation

The purpose of this agenda item is to request that the Board of County Commissioners approve, following a public hearing, a resolution to further extend a temporary moratorium on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign. The additional time accounts for project delays resulting from COVID-19 building closures and will allow staff to develop regulations based on feedback from the Board of County Commissioners. Staff is requesting an extension of the temporary moratorium for an additional four (4) months to September 7, 2020.

Background

Staff has received inquiries for new billboards and for conversion of existing billboards to electronic message boards. Pursuant to Resolution No. 190273, the Board of County Commissioners approved a 6-month temporary moratorium on May 7, 2019, on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign. Prior to the moratorium adoption, Arapahoe County received applications for two billboards: one proposed at Belleview and I-25 and the other proposed at Hampden Avenue/Highway 285 and Knox Court. Staff continues processing those applications and the County is awaiting responses to the most recent review comments. Pursuant to Resolution No. 190527, this temporary moratorium was extended to February 7, 2020. Resolution No. 200109 extended the temporary moratorium to May 7, 2020. Staff is now requesting a four month extension to September 7, 2020.

Links to Align Arapahoe

This request contributes to the “Quality of Life” for Arapahoe County Citizens. Billboard regulations promote the public health, safety and general welfare of the unincorporated
community. Billboard regulations should promote an attractive built environment and a healthy local economy.

**Discussion**

Since the temporary moratorium was approved, staff has discussed this with the following Divisions and agencies: Arapahoe County Planning, Arapahoe County Zoning, Colorado Department of Transportation (CDOT) and billboard industry representatives. Staff has compiled and presented research regarding other jurisdictions’ regulations and safety of electronic billboards and EMB. The history of the study sessions on the planned billboard and sign code amendments and the moratorium and public hearings, to date, are as follows:

**July 29, 2019 Study Session:** Anthony Lovato, CDOT, Outdoor Advertising Program Manager, presented CDOT’s regulations to the BOCC. The BOCC asked staff to provide research regarding billboards and safety impacts.

**September 10, 2019 Study Session:** Staff presented research regarding billboards and safety impacts. The research on this topic is inconclusive due to the complexity of studying driver distraction. No billboard, road or driver is the same as another. The BOCC directed staff to provide draft language that permits new billboards and conversion of billboards with an approved Use by Special Review and a tentative schedule for review and consideration through a public hearing. The BOCC directed staff to draft language to prohibit billboards along certain travel corridors as part of an updated code for consideration through the hearing process.

**October 22, 2019 Study Session:** Staff presented draft USR and Billboard language and a tentative schedule. Commissioners requested staff to compile a list of referrals. The draft referral list was included in the October 29th public hearing packet.

**October 29, 2019 Public Hearing:** Staff requested the BOCC to extend the moratorium for three months to allow for staff to continue work on draft regulations and review legal and constitutional requirements for using codes. The BOCC approved a three-month moratorium, which expired February 7, 2020.

**February 4, 2020:** The BOCC approved a three-month extension of the temporary moratorium to May 7, 2020.

**April 14, 2020 Study Session:** The BOCC discussed Billboard Overlay Districts, which identify potential locations for billboards within Arapahoe County, and provided feedback that will affect the drafting of updated billboard regulations.

Since the time of the initial extension of the moratorium, further review and analysis have revealed some additional legal concerns within our current regulations, including constitutional issues with the existing Use by Special Review criteria. The COVID-19 building closures also delayed the scheduling of planned study sessions on this topic.
If the temporary moratorium is approved (extending from May 7, 2020 to September 7, 2020), Planning Division and County Attorney staff will prepare draft regulations that incorporate BOCC feedback and comply with constitutional requirements for sign codes. Once such regulations are prepared, with the BOCC’s concurrence, Planning Division staff will send external referrals, review external referral comments received, and hold any further study sessions with the Planning Commission and Board of County Commissioners, as well as public hearings to consider the proposed regulations.

Alternatives
1. The Board may adopt the proposed resolution establishing the moratorium through September 7, 2020, to allow time to consider updated Land Development Code regulations.

2. The Board may choose to not adopt the proposed resolution, which would allow staff to process new applications for billboards and other off-premise signs, as permitted in the current Land Development Code, after the temporary moratorium is lifted on May 7, 2020. However, certain provisions in our existing sign code make this option legally problematic.

3. The Board may continue this item for further study, but the moratorium will expire on May 7, 2020, and will have a similar outcome to choosing to not extend the moratorium.

Fiscal Impact
The proposed resolution should not result in any fiscal impact on the County.

Concurrence
Staff has discussed the sign code billboard provisions with Arapahoe County Planning, Arapahoe County Zoning, CDOT and billboard industry representatives.

Reviewed By:
Jason Reynolds, Current Planning Program Manager
Jan Yeckes, Planning Division Manager
Bryan Weimer, Director of Public Works and Development
Todd Weaver, Finance Department
Bob Hill, Senior Assistant County Attorney
DRAFT MOTIONS

Motion for Approval:

In the matter of the third request to extend a temporary moratorium on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign, as was adopted pursuant to Resolution No. 190273, I have considered the Planning staff recommendation, reviewed the Board Summary Report, and heard such public testimony and staff comment as was presented to the Board at public hearing this day. I move that the Board of County Commissioners adopt by resolution a third extension to the temporary moratorium on the acceptance and processing of applications for such billboards or other off-premise signs and conversion of any existing billboard or off-premise sign to an electronic messaging sign as presented to the Board. Such moratorium shall be extended for an additional four months to September 7, 2020.

Motion for Denial:

In the matter of the third request to extend a temporary moratorium on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign, as was adopted pursuant to Resolution No. 190273, I have considered the Planning staff recommendation, reviewed the Board Summary Report, and heard such public testimony and staff comment as was presented to the Board at public hearing this day. I move that the Board of County Commissioners deny the request for an extension to the temporary moratorium on the acceptance and processing of land use applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign and to let the original moratorium terminate upon expiration of the most recent extension on May 7, 2020.

Motion for Continuance:

In the matter of the request to extend a temporary moratorium on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign, I move to continue this matter to the ____ day of ______________, 2020 and direct staff to provide the following information for the Board’s consideration: [describe what additional information needed to assist Board’s decision]
RESOLUTION NO. _____

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

WHEREAS, the Arapahoe County Board of County Commissioners (“the Board”) has broad authority under the Local Government Land Use Control Enabling Act, CRS 29-20-101, et seq., to plan for and regulate the use of land within its jurisdiction; and

WHEREAS, such statutory authority includes the power to regulate the use of land on the basis of the impact of the use on the community or surrounding areas; and

WHEREAS, such authority also includes the power to adopt and enforce temporary moratoria on particular land uses pending the County developing, adopting, and implementing appropriate regulation for such uses in order to protect the public health, safety, and welfare, and to provide for the planned and orderly use of such land; and

WHEREAS, on May 7, 2019, following a noticed public hearing, the Arapahoe County Board of County Commissioners (“the Board”) adopted Resolution No. 190273 to impose a moratorium on the acceptance and processing of land use applications for any new billboard or other off-premise sign, and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign within the unincorporated territory of Arapahoe County for the reasons set forth in that Resolution; and

WHEREAS, the moratorium adopted under Resolution No. 190273 had been set to expire on November 7, 2019, but was extended for three months under Resolution No. 190527 and for another three months under Resolution No. 200109; and

WHEREAS, the moratorium extension adopted under Resolution No. 200109 is set to expire on May 7, 2020; and

WHEREAS, Planning Division and County Attorney staff are continuing to work on proposed new regulations to address procedural and substantive requirements for new billboards and other off-premise signs, including new electronic messaging signs, and to address procedural and substantive requirements for the conversion of existing billboards or other off-premise signs to electronic messaging signs; and

WHEREAS, in order to address certain legal issues regarding proposed sign code amendments, Planning Division and County Attorney staff need more time to complete proposed revisions to the billboard and off-premise sign provisions of the Land Development Code; and

WHEREAS, Planning Division and County Attorney staff are not able to complete such proposed regulations prior to the expiration of the moratorium as established by Resolution No. 190273 and extended by Resolutions No. 190527 and No. 200109 and therefore has asked the Board to further extend the moratorium; and

WHEREAS, a public hearing on an additional extension of the moratorium was published on April 16, 2020 in the Villager, a newspaper of general circulation in Arapahoe County and was published on April 14, 2020, in the I-70 Scout, a newspaper with circulation in Eastern Arapahoe County; and
WHEREAS, in accordance with said notice, on May 5, 2020, the Board conducted a public hearing on staff request for an additional extension of the moratorium at which the public had the opportunity to comment on the proposed third extension of such moratorium; and

WHEREAS, the Board has considered Planning staffs’ request to further extend the moratorium and such public comment as was presented at the public hearing; and

WHEREAS, the Board hereby finds that the reasons for the moratorium still exist and that it is appropriate to further extend the moratorium for a reasonable time to enable Planning to develop regulation for new billboard and other off-premise sign installations, including new electronic messaging signs, and for the conversion of existing billboards and other off-premise signs to electronic messaging signs for the protection of the public health, safety and welfare: and

NOW, THEREFORE, the BOARD OF COUNTY COMMISSIONERS FOR ARAPAHOE COUNTY hereby resolves as follows:

1. That the moratorium on the acceptance and processing of land use applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign within the unincorporated territory of Arapahoe County as provided in Resolution No. 190273 and subsequent extensions is hereby extended for a period of four months to September 7, 2020.

2. That all other provisions of Resolution No. 190273, adopting the moratorium, and Resolution Nos. 190527 and 200109, extending the moratorium, are ratified and shall remain in effect for the period of time as provided herein.

3. That this Resolution is effective upon its passage.

The vote was:

Commissioner Baker,_; Commissioner Conti,_; Commissioner Holen,_; Commissioner Jackson,_; Commissioner Sharpe,_.

The Chair declared the motion carried and so ordered.