

MEETING OF THE BOARD OF COUNTY COMMISSIONERS BOULDER COUNTY AGENDA

Tuesday, October 15, 2024, 9:30 a.m.
Tuesday, October 15, 2024, 1:00 p.m.
Third Floor Hearing Room
County Court House
1325 Pearl Street, Boulder

This agenda is subject to change. Please call ahead to confirm an item of interest (303-441-3500).

In-person meetings are held in the Third Floor Hearing Room, County Courthouse, 1325 Pearl Street, Boulder.

Public comments are taken at meetings designated as Public Hearings. Meetings and hearings on this agenda are open to the public.

Boulder County wants to ensure that everyone has equal access to our programs, activities, and services. To request an Americans with Disability Act (ADA) accommodation, please email <u>ADA@bouldercounty.gov</u>, or call 303-441-1386. Submit your request as early as possible, and no later than two business days before the event.

To view a two-week forecast agenda of the commissioners' schedule, visit the Commissioners' <u>Advance Agenda.</u>

All Commissioners' public hearings and meetings will be offered in a hybrid format where attendees can join through Zoom or in-person at the Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder. The commissioners retain the right to switch all hearings and meetings to in-person only instead of hybrid if technical difficulties arise. To sign up for in-person public comment, please use the link in this agenda for each respective hearing. There will also be a kiosk located in the lobby of the 3rd Floor to sign up for in-person public comment. For questions regarding in-person hearings call 303-441-3500.

Pages

- 1. Call to Order
- 2. 9:30 a.m. Business Meeting
 - Virtual Attendee Link for Commissioners' October 15 Morning Session
 - Call-in information: 1-833-568-8864, Webinar ID: 160 153 7076
- 3. Items to Note for the Record
 - 3.a Board of Review Resignation

		Jonathan Smolens resigned his structural engineer representative position on the Board of Review.				
		• Staff Contact(s): Robin Valdez, Commissioners' Office				
			_			
	3.b	Resource Conservation Advisory Board Resignation	7			
		Leah Haney resigned her position as the Nederland representative on this board.				
		• Staff Contact(s): Robin Valdez, Commissioners' Office				
4.	Comr	ommissioners' Consent Items				
	4.a	Community Services Department - Justice Coalition on Abuse in Later Life Grant Continuation Award The Boulder County Justice Coalition on Abuse in Later Life (JCALL) supports a comprehensive approach to addressing and responding to abuse in later life in Boulder County. JCALL advances equity as an essential component of combatting domestic violence, dating violence, sexual assault, stalking, abuse, neglect, and exploitation in later life. We respond to challenges raised by law enforcement and service providers during our previous grant, expand and improve outreach and services, support criminal justice responses, and increase assistance for victims and survivors age 50 and older ("older victims"). This award continues funding for the JCALL grant for an additional 36 months. • Staff Contact(s): Erica Corson, Community Services; Liz Parker, Community Services	8			
	4.b	Parks & Open Space - Alexander Dawson 2024 United Power Utility Easement On May 14, 2024 the Board of County Commissioners approved the request from United Power for a utility easement over the Alexander Dawson Open Space property located on the west side of Highway 287, north and east of the Alexander Dawson School. The Access and Utility Easement documents are needed for the closing, or to complete the transaction.	39			
		• Staff Contact: Don Durso, Parks & Open Space				
	4.c	Parks & Open Space - Haystack Mountain Purchase Resolution On September 10, 2024, the Board of County Commissioners approved the bidding at auction for the purchase of Haystack Mountain at 5655 Niwot Road, Longmont, Colorado. Boulder County was the winning bidder at the auction. This document is needed to show that Therese Glowacki has authority to sign documents at the closing.	50			
		• Staff Contact(s): Tina Burghardt, Parks & Open Space				

4.d Parks & Open Space - Ruth Roberts Park Broomfield Trail Easement Amendment

Boulder County and the City and County of Broomfield ("Broomfield") jointly propose amending the 2005 trail easement over the southeast corner of the Ruth Roberts open space property to clearly define the area that Broomfield is

managing for trail use and erosion control. The trail lies northwest of the intersection of West 136th Avenue/Kohl Street and Powderhorn Trail in Broomfield. The amended easement benefits the county's Ruth Roberts open space property.

• Staff Contact(s): Don Durso, Parks & Open Space

4.e Public Works - Boulder Canyon Trail Wall Repair (\$738,632)

The Public Works Engineering Division requests to amend the existing contract with Timber Wolf Excavating, which is currently responsible for the Boulder Canyon Trail Wall Repair project. This amendment seeks approval to increase the contract amount by \$19,435, bringing the total contract value to \$738,632. The additional funds are required to cover unforeseen conditions encountered during the wall repair process, which include additional material costs and labor necessary to ensure the structural integrity of the trail wall. By approving this amendment, the County will ensure the timely and successful completion of the project, maintaining the safety and usability of the Boulder Canyon Trail for the community.

4.f Sheriff's Office - 2025 Twentieth Judicial District VALE Grant Application

Each year, the Boulder County Sheriff's Office applies for the Victims
Assistance and Law Enforcement (VALE) Grant, which is offered by the
Twentieth Judicial District. This grant is a critical source of funding that
supports the Sheriff's Office's Victims Assistance Program. The program
provides essential services to victims of crime, ensuring they receive the support
and resources necessary to navigate the emotional, legal, and financial
challenges they may face. The grant helps cover the costs associated with
personnel, outreach efforts, and direct victim services, all of which are vital to
maintaining a comprehensive and effective program. Approval to apply for the
VALE Grant will enable the Boulder County Sheriff's Office to continue its
commitment to supporting victims in our community.

4.g Sheriff's Office - Town of Ward IGA for Law Enforcement Coverage

The Boulder County Sheriff's Office desires to enter into an Intergovernmental Agreement with the Town of Ward to provide law enforcement services for the town.

- BOCC Reference Number: IGA-2024-SHR-0009
- Staff Contact(s): Pamela Thompson, Sheriff's Office

5. Commissioners' Discussion Items

5.a County Attorney's Office - Boulder County's Participation in Amicus Brief in Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al., United States Supreme Court Case No. 23-975

Boulder County will participate with the Northwest Colorado Council of Governments, Grand County, Pitkin County, Lake County, Chaffee County, Routt County, Vail, Red Cliff, Avon, Glenwood Springs, and Minturn, in an 71

75

124

amicus brief in support of Eagle County in *Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al.*, No. 23-975 (U.S.), a case challenging the railroad approval and whether NEPA requires an agency to study environmental impacts beyond the proximate effects of the action over which the agency has regulatory authority.

- Action Requested: Decision
- **Presenter(s):** David Hughes, County Attorney's Office (In Person)

5.b Office of Financial Management - 2024 Budget Amendment Request CPP 111-RST2 Operations Increase (\$751,000)

Community Planning & Permitting is requesting a budget amendment in the Road and Bridge Fund under the Transportation Planning Sales & Use Tax Projects Appropriation. This request is to accommodate the unexpected expenditures to the CO 119 Bikeway Final Design project, due to an expanded scope of work including: final design of the CO-52 Bike Path Extension; CO 119 Underpass near 2nd Ave. in Niwot; Bike Path Connection across the BNSF railroad at Ogallala Rd; preliminary and final design of the 63rd Street Overpass and Fourmile Canyon Creek Redesign; construction manager and general contractor coordination and design modifications; and Engineering support during construction.

- Action Requested: Decision
- Presenter(s): Emily Beam, Office of Financial Management (In Person); Dale Case, Community Planning & Permitting (In Person); Ramona Farineau, Office of Financial Management (In Person / Back-up)

6. Authorization for Executive Session

Authorization for the Board of County Commissioners to go into Executive Session for Legal Advice on Wednesday, October 16th, 2024 at 11:00 a.m. with Ben Pearlman, County Attorney.

- Action Requested: Decision
- 7. Public Meeting on Head Start Division Report to the Commissioners

Community Services Department monthly report from the Head Start division. No public testimony will be taken.

- Action Requested: None information only
- Staff Contact: Akane Ogren, Community Services
- Location: Hybrid (Hearing Room and Zoom Webinar)
- 8. 1:00 p.m. Public Hearing
 - Virtual Attendee Link for Commissioners' October 15 Afternoon Session
 - Call-in information: 1-833-568-8864, Webinar ID: 160 653 1768

- Registration Required
- <u>In-Person Comment Registration for Commissioners' October 15 Afternoon</u>
 Session

8.a Community Planning & Permitting Docket SU-24-0004: Zeke's Quality LLC Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court. The application is submitted by McRawhide LLC c/o Jill and Mark McIntyre (owner), Diamond Riley (applicant), and Frederick Jenkins (agent). The proposal is in the Light Industrial (LI) zoning district at 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

Opportunity for live virtual and in-person public comment will be available, and written comments can be emailed to planner@bouldercounty.gov. Information regarding how to participate will be available on the Zeke's Quality LLC docket webpage.

- Action Requested: Decision
- Presenter(s): Pete L'Orange, Community Planning & Permitting (In Person), Diamond Riley, Applicant (In Person), Mark and Jill McIntyre, Property Owners (Virtual)



Board of County Commissioners

TO: Ashley Stolzmann, Chair

Marta Loachamin, Vice Chair Claire Levy, Commissioner

FROM: Robin Valdez

DATE: October 7, 2024

SUBJECT: Boards & Commissions – Resignation

ACTION

REQUESTED: Note for the Record

RESIGNATIONS

Board of Review

• Jonathan Smolens (Structural Engineer)

Commissioner Claire Levy • Commissioner Marta Loachamin • Commissioner Ashley Stolzmann

Boulder County Courthouse • 1325 Pearl Street • Boulder, Colorado 80302

Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.gov

Commissioners@bouldercounty.gov • Telephone: 303.441.3500 • Fax: 303.441.4525



Board of County Commissioners

TO: Ashley Stolzmann, Chair

Marta Loachamin, Vice Chair Claire Levy, Commissioner

FROM: Robin Valdez

DATE: October 9, 2024

SUBJECT: Boards & Commissions – Resignation

ACTION

REQUESTED: Note for the Record

RESIGNATIONS-Note for the Record

Resource Conservation Advisory Board

Leah Haney (Nederland Representative)



Board of County Commissioners

July 19, 2024

Janice A. Green
Senior Program Specialist
U.S Department of Justice Office on Violence Against Women
145 N Street, NE, 10th floor
Washington, DC 20530

Re: Request for nine-month extension of project period for Abuse in Later Life Grant No. 2020-EW-AX-K007

Dear Ms. Green,

We request a nine-month extension of the project period related to the above-referenced grant. The original project period of 10/1/2020 to 9/30/2023 was previously extended to 9/30/2024. The proposed new end date would be June 30, 2025. As of 7/16/2024, the unobligated balance remaining in our grant budget is \$75,428; \$68,871 of that amount is designated for outreach/services.

Justification

- 1. Our grant funds designated for direct services were released in September 2023. Despite efforts to communicate with MOU partners and CCR members about the availability of the funds, we have had only modest levels of engagement until recently, as it took some time for these entities to integrate the availability of the funds and disseminate information about them within their respective organizations.
- 2. We do not anticipate that online resource development will be completed by 9/30/24, mainly because it took longer than we had anticipated to secure a videographer for the local resource videos we are creating. We began soliciting bids for a videographer in early January 2024, just as Boulder County was engaging in a county-wide revision of contracting procedures to make them more consistent across departments. Implementing the changes led to further work to finalize the agreement with our chosen videographer. While we are now working to complete the videos and related online resources, other related activities have not been completed:
 - originally, we planned to include a secure, confidential referral system as a component of online resources, and planned to use an existing coordination software platform. MOU partners' concerns about confidentiality and informationsharing on the platform necessitated a re-evaluation of this approach;

Commissioner Claire Levy • Commissioner Marta Loachamin • Commissioner Ashley Stolzmann

Boulder County Courthouse • 1325 Pearl Street • Boulder, Colorado 80302

Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.gov

Commissioners@bouldercounty.gov • Telephone: 303.441.3500 • Fax: 303.441.4525

Page 8 of 210

• we cannot initiate Spanish translation or rollout of online resources to staff involved in 24/7 reporting lines, call centers, and related functions until our online resources and referral system are fully in place.

What Will be Done

- 1. To expand the provision of direct services funds, we will:
 - continue to broaden our outreach and messaging about the availability of direct services funding, to reach entities beyond MOU partners and CCR members. We communicated with the directors of our county Senior Centers in May about the funding, and will present to our local elder care network as well; and
 - attend mountain and rural resource fairs and continue to work more closely with Area Agency on Aging resource specialists for our mountain and rural areas to identify older victims and areas of need.
- 2. To complete online resource development, we will:
 - Collaborate with CCR members to streamline narratives and imagery across all content. This will enable us to align our webpage seamlessly with information on local laws and resource videos;
 - Simplify our referral system by implementing secure forms and streamlined submission methods. Our approach will ensure victim confidentiality and follow VAWA information-sharing protocols, while maintaining ease of use;
 - Facilitate a timely translation process which will include review by MOU partner bilingual victim advocates for accuracy, cultural competence, and consistency; and
 - prioritize scheduling meetings with 24/7 staff at reporting lines, call centers, etc., to introduce the resources. We will promptly undertake scheduling and work diligently to ensure that all resources are completed prior to these rollout meetings.

Should you have any questions about our request for a nine-month extension, please do not hesitate to contact the Grant Project Coordinator Lizbeth Parker at (303) 441-1486, or lparker@bouldercounty.gov. Thank you for your attention to this matter.

ashley Stolzmann	
Ashley Stolzmann, Board of County Commissioners	

July 25, 2024

Very truly yours,

Status: Completed

Sent: 7/25/2024 11:51:45 AM

Viewed: 7/25/2024 11:54:39 AM

Signed: 7/25/2024 11:54:48 AM

Certificate Of Completion

Envelope Id: 57AA1779E8254498985C161CA7710010

Subject: Community Services Department: Department of Justice grant extension request letter for signature

Type of Document:

Other

Department/Office: Community Services

Source Envelope:

Document Pages: 2 Signatures: 1 Envelope Originator:

Certificate Pages: 2 Initials: 0 Carol Cross AutoNav: Enabled 2025 14th St Envelopeld Stamping: Enabled Boulder, CO 80302

Time Zone: (UTC-07:00) Mountain Time (US & Canada) ccross@bouldercounty.org IP Address: 66.186.209.133

Record Tracking

Status: Original Holder: Carol Cross Location: DocuSign

Ashley Stolzmann

7/18/2024 5:21:34 PM ccross@bouldercounty.org

Signer Events Signature **Timestamp**

Ashley Stolzmann 37477@bouldercounty.org

Chairman(n) of the Board of the Boulder County

Commissioners

Security Level: Email, Account Authentication

(None)

Signature Adoption: Pre-selected Style Using IP Address: 97.107.70.37

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events Signature **Timestamp**

Editor Delivery Events Status Timestamp

Agent Delivery Events Status Timestamp

Intermediary Delivery Events Status Timestamp

Certified Delivery Events Status Timestamp

Matthew Ramos

38095@bouldercounty.org

Clerk to the Board

Boulder County Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Using IP Address: 24.8.81.15

COPIED

VIEWED Viewed: 7/25/2024 11:51:45 AM

Not Offered via DocuSign

Carbon Copy Events Status Timestamp

Erica Corson

ecorson@bouldercounty.org

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Sent: 7/25/2024 11:54:50 AM

Sent: 7/18/2024 5:27:03 PM

Carbon Copy Events

Status

Timestamp

Sent: 7/25/2024 11:54:50 AM

Elizabeth Parker

eparker@bouldercounty.org

Boulder County

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:Not Offered via DocuSign

COPIED

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/18/2024 5:27:03 PM
Envelope Updated	Security Checked	7/18/2024 5:28:00 PM
Envelope Updated	Security Checked	7/18/2024 5:28:00 PM
Certified Delivered	Security Checked	7/25/2024 11:54:39 AM
Signing Complete	Security Checked	7/25/2024 11:54:48 AM
Completed	Security Checked	7/25/2024 11:54:50 AM
Payment Events	Status	Timestamps

Proposal Abstract

Name of Applicant: Boulder County

Names of Partners: Boulder County Area Agency on Aging, Boulder County District Attorney's

Office, City of Longmont Department of Public Safety, Safehouse Progressive Alliance for

Nonviolence, Center for People With Disabilities, Rocky Mountain Equality

Project Title: Supporting Justice for Survivors of Abuse in Later Life

Purpose of the Project: The Boulder County Justice Coalition on Abuse in Later Life (JCALL)

will support a comprehensive approach to addressing and responding to abuse in later life in

Boulder County. JCALL will advance equity as an essential component of combatting domestic

violence, dating violence, sexual assault, stalking, abuse, neglect, and exploitation in later life.

We will respond to challenges raised by law enforcement and service providers during our

previous grant, expand and improve outreach and services, support criminal justice responses,

and increase assistance for victims and survivors age 50 and older ("older victims"). We will

focus on continuing project activities aimed at improving awareness, supports, services, and

outreach for Spanish-speaking survivors and those living in mountain and rural areas of Boulder

County. Requested additional funding will create and enhance responses, support, and services

for older victims with disabilities and LGBTQ+ older victims. Our application is intended to

further support and enhance JCALL, Boulder County's Coordinated Community Response to

abuse in later life (CCR), and to enact service enhancements for all older victims. The advocate

position will meet our goal of effecting system change in Boulder County. It will be the one place

dedicated to the needs of older victims who do not have access to criminal justice system

advocates or to Adult Protective Services and a coordination hub for project partners, providers,

and community organizations.

Primary activities for which funds are requested: We will leverage connections established

with law enforcement, service providers, and community organizations during the previous grant

to further outreach and support efforts, and with the requested additional funding, create and

build relationships with organizations serving older victims with disabilities and LGBTQ+ older victims. We will undertake a Critical Assessment of outreach and services provided during the previous grant and produce a Strategic Plan to guide our efforts, including sustainability. We will work with MOU partner organizations who provide services to adults with disabilities and LGBTQ+ older adults to actively listen to their communities' concerns and suggestions, offer educational workshops and awareness campaigns, and make resources available and accessible, including direct financial support for older victims in these populations. We will define and publicize the advocate position and create procedures to monitor and evaluate the advocate's work. JCALL (our CCR team) will continue to engage in self-assessment efforts, policy and procedure reviews, and education. Finally, we will sustain these efforts by developing a sustainability plan that includes integrating grant work into partners' organizations.

Who will benefit: All community members and organizations in Boulder County will benefit.

Older victims not involved in a criminal case or APS matter, family members, and concerned others will be able to contact the county advocate for services and support. Organizations serving older adults will benefit: they can connect with the advocate to secure access to help and resources for older victims. Importantly, older victims with disabilities, LGBTQ+ and Spanish-speaking older victims, and those living in our mountain/rural areas will also benefit: our collaboration with prominent community organizations serving these groups will significantly increase awareness of abuse in later life in their communities and provide support, resources and grant funding to eligible older victims, anywhere in Boulder County.

Products and Deliverables: the Strategic Plan and associated budget revision; establishment of the advocate position and creation of an "Advocacy Toolkit" (procedures, screening rubrics, resources, templates, information on relevant Colorado laws, guidance to help shape strategies in a variety of situations, etc.); expansion of outreach, services, and funding to traditionally underserved populations listed above; outreach/materials designed to raise awareness of abuse in later life and improve older victims in these populations' access to services and funding.



Department of Justice (DOJ)

Office on Violence Against Women (OVW)

Washington, D.C. 20531

Name and Address of Recipient: COUNTY OF BOULDER

P.O. BOX 471

City, State and Zip: BOULDER, CO 80306

Recipient UEI: LB9EYBMY6NJ8

Project Title: OVW 2024 ?Training and

Services to End Abuse in Later Life Program

Award Number: 15JOVW-24-GK-01587-ALLX

Solicitation Title: OVW Fiscal Year 2024 Training and Services to End Violence and Abuse of Women Later in Life

Program

Federal Award Amount: \$450,000.00 Federal Award Date: 9/23/24

Awarding Agency: Office on Violence Against Women

Funding Instrument Type: CA

Assistance Listing:

16.528 - Enhanced Training and Services to End Violence and Abuse of Women Later in Life

Project Period Start Date: 10/1/24 Project Period End Date: 9/30/28 Budget Period Start Date: 10/1/24 Budget Period End Date: 9/30/28

Project Description:

Training and Services to End Abuse in Later Life Program is authorized by 34 U.S.C. § 12421. The program's purpose is to increase and strengthen training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of abuse, neglect, exploitation, domestic violence, and sexual assault against older individuals; provide or enhance services for older victims; create or support multidisciplinary collaborative community responses to older victims; and conduct cross-training for victim service organizations, governmental agencies, courts, law enforcement, and nonprofit, nongovernmental organizations serving older victims.

With this continuation funding, the grantee will continue the collaboration started during its initial award with its project partners to address abuse in later life in their community. The grantee and its partners will continue to support a multidisciplinary collaborative community response to abuse in later life. They will conduct a critical assessment of the initial project's outreach efforts and service delivery and expand upon existing victim services to improve outcomes for older victims.

Page: 1 of 21

Award Letter

September 23, 2024

Dear Ashley Stolzmann,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office on Violence Against Women (OVW) has approved the application submitted by COUNTY OF BOULDER for an award under the funding opportunity entitled 2024 OVW Fiscal Year 2024 Training and Services to End Violence and Abuse of Women Later in Life Program. The approved award amount is \$450,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OVW, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Rosemarie Hidalgo

Director

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) enforces federal civil rights laws and other provisions that prohibit discrimination by recipients of federal financial assistance from OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW).

Several civil rights laws, including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance (recipients) to give assurances that they will comply with those laws. Taken together, these and other civil rights laws prohibit recipients from discriminating in the provision of services and employment because of race, color, national origin, religion, disability, and sex or from discriminating in the provision of services on the bases of age.

Some recipients of DOJ financial assistance have additional obligations to comply with other applicable nondiscrimination provisions like the Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of religion in addition to race, color, national origin, and sex. Recipients may also have related requirements regarding the development and implementation of equal employment opportunity programs.

Page: 2 of 21

OCR provides technical assistance, training, and other resources to help recipients comply with civil rights obligations. Further, OCR administratively enforces civil rights laws and nondiscrimination provisions by investigating DOJ recipients that are the subject of discrimination complaints. In addition, OCR conducts compliance reviews of DOJ recipients based on regulatory criteria. These investigations and compliance reviews permit OCR to evaluate whether DOJ recipients are providing services to the public and engaging in employment practices in a nondiscriminatory manner.

For more information about OCR, your civil rights and nondiscrimination responsibilities, how to notify your employees or beneficiaries of their civil rights protections and responsibilities and how to file a complaint, as well as technical assistance, training, and other resources, please visit www.ojp.gov/program/civil-rights-office/outreach. If you would like OCR to assist you in fulfilling your civil rights or nondiscrimination responsibilities, please contact us at askocr@oip.usdoj.gov or www.ojp.gov/program/civil-rights-office/about#ocr-contacts.

Memorandum Regarding NEPA

NEPA Letter Type

OVW – Categorical Exclusion - No Renovations Allowed

NEPA Letter

Renovations and construction are unallowable under this grant, and therefore none of the following activities?will be conducted?under the OVW federal action (i.e., the OVW-funded grant project) or a related third-party action:??

- 1. New construction.??
- 2. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.?
- 3. A?renovation which?will change the basic prior use of a facility or significantly change its size.?
- 4. Research and technology whose anticipated and future application?could be expected?to have an effect on the environment.?
- 5. Implementation of a program involving the use of chemicals.??

In addition, the OVW federal action is neither a phase nor a segment of a project that, when reviewed in its entirety, would not meet the criteria for a categorical exclusion.???

Consequently, the subject federal action meets the Office on Violence Against Women's criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations (adopted by OVW at 28 CFR § 0.122(b)).??Also, no further analysis is required under the National Historic Preservation Act or other related statutes and regulations.?

NEPA Coordinator

First Name
Debra

Middle Name

Last Name
Murphy

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name COUNTY OF BOULDER

Page: 3 of 21

UEI

LB9EYBMY6NJ8

Street 1

P.O. BOX 471

Street 2

City

BOULDER

State/U.S. Territory

Colorado

Zip/Postal Code

80306

Country

United States

County/Parish

Province

Award Details

Federal Award Date

9/23/24

Award Type

Initial

Award Number

15JOVW-24-GK-01587-ALLX

Supplement Number

00

Federal Award Amount

\$450,000.00

Funding Instrument Type

CA

Assistance Listing

Number

Assistance Listings Program Title

16.528

Enhanced Training and Services to End Violence and Abuse of Women Later in Life

Statutory Authority

34 U.S.C. 12421

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title

Awarding AgencyOVW

2024 OVW Fiscal Year 2024 Training and Services to End Violence and Abuse of Women Later in Life Program

Application Number

GRANT14187347

Page: 4 of 21

Grant Manager Name

JANICE GREEN

Phone Number

202-616-6728

E-mail Address

JANICE.A.GREEN@USDOJ.GOV

Project Title

OVW 2024 ?Training and Services to End Abuse in Later Life Program

Performance Period Start

Date Performance Period End Date

10/01/2024 09/30/2028

Budget Period Start Date Budget Period End Date

10/01/2024 09/30/2028

Project Description

Training and Services to End Abuse in Later Life Program is authorized by 34 U.S.C. § 12421. The program's purpose is to increase and strengthen training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of abuse, neglect, exploitation, domestic violence, and sexual assault against older individuals; provide or enhance services for older victims; create or support multidisciplinary collaborative community responses to older victims; and conduct cross-training for victim service organizations, governmental agencies, courts, law enforcement, and nonprofit, nongovernmental organizations serving older victims.

With this continuation funding, the grantee will continue the collaboration started during its initial award with its project partners to address abuse in later life in their community. The grantee and its partners will continue to support a multidisciplinary collaborative community response to abuse in later life. They will conduct a critical assessment of the initial project's outreach efforts and service delivery and expand upon existing victim services to improve outcomes for older victims.

ן ו I have read and understand the information presented in this section of the Federal Award Instrument.

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

The recipient budget is currently under review.

ו ז I have read and understand the information presented in this section of the Federal Award Instrument.

Other Award Documents

[]

TERMS OF COOPERATIVE AGREEMENT

Page: 5 of 21

The Office on Violence Against Women (OVW) has elected to enter into a Cooperative Agreement with the County of Boulder to develop a multidisciplinary approach to addressing abuse in later life in Boulder, Colorado. This decision reflects a mutual interest in addressing abuse in later life, including domestic violence, dating violence, sexual assault, stalking, neglect, abandonment, economic abuse, or willful harm committed against victims who are fifty years of age or older. The award recipient acknowledges that OVW will play a substantial role in shaping and monitoring the project.

STATEMENT OF FEDERAL INVOLVEMENT

OVW will:

- 1) Provide the services of a federal program manager as a single point of contact for the administration of this cooperative agreement.
- 2) Monitor program development and implementation and fulfill an oversight function regarding the project.
- 3) Review and approve content and format of the materials produced in conjunction with this project.
- 4) Approve sites and dates of all project-related activities.
- 5) Provide input, re-direct the project (including any training and/or technical assistance) as needed, and actively monitor the project by various methods including, but not limited to, ongoing contact with the recipient.
- 6) Determine which meetings require the submission of a conference request form; and for those requiring a conference request form, review, request modifications, and approve/disapprove the request.

STATEMENT OF RECIPIENT RESPONSIBILITIES

The County of Boulder will comply with all terms and conditions in this cooperative agreement, including those described below.

- 1) Grantee Orientation: The recipient agrees that its project coordinator will attend grantee orientation along with management/leadership level representatives from its Memorandum of Understanding (MOU) partners. The group attending the orientation must have a management/leadership level representative from each of the four types of required MOU partner organizations: a) law enforcement agency; b) prosecutor's office; c) a nonprofit, nongovernmental domestic violence victim services program or nonprofit, nongovernmental sexual assault victim services program; and d) a nonprofit program that serves older individuals. The orientation will provide grant and financial management information and provide an opportunity for exchange and coalition building between recipients and their partners.
- 2) Collaborative Community Response: The recipient and its project partners agree to create or enhance a multidisciplinary collaborative community response to abuse in later life, including domestic violence, dating violence, sexual assault, stalking, neglect, abandonment, economic abuse, or willful harm committed against victims who are fifty years of age or older. Each project partner will engage in a review of its own policies and protocols to determine the extent to which they are designed to aid in improving the identification, investigation, prosecution, and adjudication of cases involving abuse in later life.
- 3) Direct Victim Services: The recipient and its project partners agree to engage in a critical assessment to reexamine the outreach and services funded under the initial Abuse in Later Life award to ensure that they continue to meet the needs of older victims and address challenges in service provision that occurred during the previous project. This review will take place within six months of the project start date and a Continuation Outreach and Service Plan (COSP) will be developed and submitted to OVW for review and approval prior to release of funds for outreach and services. The recipient agrees to allocate fund a minimum of thirty-three percent of the proposed budget to provide outreach and direct services for older individuals.

Pursuant to 34 U.S.C. § 12291(b)(12), recipients proposing to provide civil legal services must submit Delivery of Legal Assistance Certification with their Continuation Outreach and Service Plan (COSP). Certifications must take the form of a letter, on letterhead, signed, and dated by the authorized representative. The amount used to support legal assistance is capped at twenty percent of outreach and service funds.

Page: 6 of 21

- 4) The recipient agrees to submit all materials resulting from this agreement forty-five days prior to public release for OVW review and approval. All materials (including video, DVD, website) shall be made accessible to individuals with disabilities.
- 5) The recipient agrees to make all training events accessible to individuals with disabilities.
- 6) The recipient agrees to submit one copy of all agendas and evaluation tools used at training events twenty calendar days prior to use for OVW review. The recipient agrees to provide, if requested, a summary of data gathered through evaluation tools used at grant-funded trainings sixty calendar days after the request is received from OVW.
- 7) The recipient agrees to fully participate in evaluation of the program.

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in the Office on Violence Against Women (OVW) taking appropriate action with respect to the recipient and the award. Among other things, OVW may withhold award funds, disallow costs, or suspend or terminate the award. The U.S. Department of Justice (DOJ), including OVW, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

2

Applicability of Part 200 Uniform Requirements and DOJ Grants Financial Guide

The recipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements"), and the current edition of the DOJ Grants Financial Guide as posted on the OVW website, including any updated version that may be posted during the period of performance. The recipient also agrees that all financial records pertinent to this award, including the general accounting ledger and all

Page: 7 of 21

supporting documents, are subject to agency review throughout the life of the award, during the close-out process, and for three years after submission of the final Federal Financial Report (SF-425) or as long as the records are retained, whichever is longer, pursuant to 2 C.F.R. 200.334, 200.337.

3

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify OVW in writing of the potential duplication, and, if so requested by OVW, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

4

Requirements related to System for Award Management and unique entity identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at https://www.sam.gov. This includes applicable requirements regarding registration with SAM, as well as maintaining current information in SAM.

The recipient also must comply with applicable restrictions on subawards (subgrants) to first-tier subrecipients (subgrantees), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier assigned by SAM.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OVW website at https://www.justice.gov/ovw/award-conditions (titled "Award Condition: Requirements related to System for Award Management (SAM) and unique entity identifiers") and are incorporated by reference here.

5

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any subrecipient at any tier) must have written procedures in place to respond in the event of an actual or imminent breach (as defined in OMB M-17-12) if it (or a subrecipient)--- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of personally identifiable information (PII) (as defined in 2 C.F.R. 200.1) within the scope of an OVW grant-funded program or activity, or 2) uses or operates a Federal information system (as defined in OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OVW Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

6

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OVW authority to terminate award)

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients (subgrantees), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OVW website at https://www.justice.gov/ovw/award-conditions (titled "Award Condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OVW authority to terminate award)") and are incorporated by reference here.

7

Determinations of suitability to interact with participating minors

Page: 8 of 21

This condition applies to this award if it is indicated in the application for the award (as approved by DOJ) (or in the application for any subaward at any tier), the DOJ funding announcement (solicitation), or an associated federal statute that a purpose of some or all of the activities to be carried out under the award (whether by the recipient or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status. The details of this requirement are posted on the OVW website at https://www.justice.gov/ovw/award-conditions (titled "Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors") and are incorporated by reference here.

8

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears on the OVW website at https://www.justice.gov/ovw/conference-planning.

9

OVW Training Guiding Principles

The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at https://www.justice.gov/sites/default/files/ovw/legacy/2012/06/28/ovw-training-guiding-principles-grantees-subgrantees.pdf.

10

Effect of failure to address audit issues

The recipient understands and agrees that OVW may withhold award funds, or may impose other related requirements, if (as determined by OVW) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

11

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by OVW during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

12

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

13

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

Page: 9 of 21

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (amended effective April 3, 2024).

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that relate to engaging in or conducting explicitly religious activities and requires that recipients and subrecipients that are social service providers provide written notice to beneficiaries or prospective beneficiaries of certain protections as described in 28 C.F.R. 38.6(b).

14

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

15

Restrictions on "lobbying" and policy development

In general, as a matter of federal law, federal funds may not be used by the recipient, or any subrecipient (subgrantee) at any tier, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, in order to avoid violation of 18 U.S.C. 1913. The recipient, or any subrecipient (subgrantee) may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 34 U.S.C. 12291(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.

Another federal law generally prohibits federal funds awarded by OVW from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

16

Compliance with general appropriations-law restrictions on the use of federal funds for this fiscal year

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, for each fiscal year, are set out at https://www.justice.gov/ovw/award-conditions (titled "Award Condition: General appropriations-law restrictions on use of federal award funds") and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

17

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient and any subrecipients (subgrantees) must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Page: 10 of 21

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) online submission accessible via the OIG webpage at https://oig.justice.gov/hotline/grant-complaint (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at https://oig.justice.gov/hotline.

18

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient (subgrantee) under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

- 1. In accepting this award, the recipient--
- a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.
- 2. If the recipient does or is authorized under this award to make subawards (subgrants), procurement contracts, or both--
- a. it represents that--
- (1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward (subgrant), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
- b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

19

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

Page: 11 of 21

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact OVW for guidance.

20

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients (subgrantees) to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

21

Requirement to disclose whether recipient is designated high risk by a federal grant-making agency outside of DOJ

If the recipient is designated high risk by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OVW by email to OVW.GFMD@usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: (1) the federal awarding agency that currently designates the recipient high risk; (2) the date the recipient was designated high risk; (3) the high-risk point of contact at that federal awarding agency (name, phone number, and email address); and (4) the reasons for the high-risk status, as set out by the federal awarding agency.

22

Availability of general terms and conditions on OVW website

The recipient agrees to follow the applicable set of general terms and conditions that are available at https://www.justice.gov/ovw/award-conditions. These do not supersede any specific conditions in this award document.

23

Compliance with statutory and regulatory requirements

The recipient agrees to comply with all relevant statutory and regulatory requirements, which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, the Violence Against Women Act Reauthorization Act of 2022, P.L. 117-103, the Omnibus Crime Control and Safe Streets Act of 1968, 34 U.S.C. 10101 et seq., and OVW's implementing regulations at 28 C.F.R. Part 90.

24

Compliance with solicitation requirements

The recipient agrees that it must be in compliance with requirements outlined in the solicitation under which the approved application was submitted, the applicable Solicitation Companion Guide, and any program-specific frequently asked questions (FAQs) on the OVW website (https://www.justice.gov/ovw/resources-and-faqs-grantees). The program solicitation, Companion Guide, and any program-specific FAQs are hereby incorporated by reference into this

Page: 12 of 21

award.

25

VAWA 2013 nondiscrimination condition

The recipient acknowledges that 34 U.S.C. 12291(b)(13) prohibits recipients of OVW awards from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. Recipients may provide sex-segregated or sex-specific programming if doing so is necessary to the essential operations of the program, so long as the recipient provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. The recipient agrees that it will comply with this provision. The recipient also agrees to ensure that any subrecipients (subgrantees) at any tier will comply with this provision.

26

Misuse of award funds

The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

27

Limitation on use of funds to approved activities

The recipient agrees that grant funds will be used only for the purposes described in the recipient's application, unless OVW determines that any of these activities are out of scope or unallowable. The recipient must not undertake any work or activities that are not described in the recipient's application, award documents, or approved budget, and must not use staff, equipment, or other goods or services paid for with grant funds for such work or activities, without prior written approval, via Grant Award Modification (GAM), from OVW.

28

Non-supplantation

The recipient agrees that grant funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.

29

Confidentiality and information sharing

The recipient agrees to comply with the provisions of 34 U.S.C. 12291(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The recipient also agrees to comply with the regulations implementing this provision at 28 CFR 90.4(b) and "Frequently Asked Questions (FAQs) on the VAWA Confidentiality Provision (34 U.S.C. 12291(b) (2))" on the OVW website at https://www.justice.gov/ovw/resources-and-faqs-grantees. The recipient also agrees to ensure that all subrecipients (subgrantees) at any tier meet these requirements.

30

Activities that compromise victim safety and recovery or undermine offender accountability

The recipient agrees that grant funds will not support activities that compromise victim safety and recovery or undermine offender accountability, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services; procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling.

Page: 13 of 21

participate in couples' counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.); procedures or policies that fail to ensure service providers conduct safety planning with victims; project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing; or any other activities outlined in the solicitation or companion guide under which the application was submitted.

31

Policy for response to workplace-related incidents of sexual misconduct, domestic violence, and dating violence

The recipient, and any subrecipient at any tier, must have a policy, or issue a policy within 270 days of the award date, to address workplace-related incidents of sexual misconduct, domestic violence, and dating violence involving an employee, volunteer, consultant, or contractor. The details of this requirement are posted on the OVW website at https://www.justice.gov/ovw/award-conditions (titled "Award Condition: Policy for response to workplace-related sexual misconduct, domestic violence, and dating violence") and are incorporated by reference here.

32

Termination or suspension

The Director of OVW, upon a finding that there (1) has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, (2) has been failure by the recipient to make satisfactory progress toward the goals, objectives, or strategies set forth in the application, or (3) have been project changes proposed or implemented by the recipient to the extent that, if originally submitted, the application would not have been selected for funding, will terminate or suspend until the Director is satisfied that there is no longer such failure or changes, all or part of the award, in accordance with the provisions of 28 C.F.R. Part 18, as applicable mutatis mutandis. The federal regulation providing uniform rules for termination of grants and cooperative agreements is 2 C.F.R. 200.340.

33

Semiannual and final performance progress report submission

The recipient agrees to submit semiannual performance progress reports that describe activities conducted during the reporting period, including program effectiveness measures. Reports must be submitted throughout the project period, even if no funds were spent and no activities were conducted in a given reporting period. Delinquent reports may affect future discretionary award decisions and may lead to suspension and/or termination of the award.

The information that must be collected and reported to OVW can be found in the reporting form associated with the grant program or initiative under which this award was made. Performance progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1 - June 30 and July 1 - December 31. Recipients are required to submit their reports through the Justice Grants System, unless and until OVW issues updated instructions for report submission. The final report is due 90 days after the end of the project period and should be marked "final" in the Report Type field.

34

Quarterly Federal Financial Reports

The recipient agrees that it will submit quarterly Federal Financial Reports (SF-425) to OVW in the Justice Grants System, not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 120 days following the end of the award period. Delinquent reports may affect future discretionary award decisions and may lead to suspension and/or termination of the award.

35

Program income

Program income, as defined by 2 C.F.R. 200.1, means gross income earned by the non-federal entity that is directly generated by a supported activity or earned as a result of the federal award during the period of performance. Without prior approval from OVW, program income must be deducted from total allowable costs to determine the net allowable

Page: 14 of 21

costs. In order to add program income to the OVW award, the recipient must seek approval from its program manager via a budget modification Grant Award Modification (GAM) prior to generating any program income. Any program income added to the federal award must be used to support activities that were approved in the budget and follow the conditions of the OVW award. Any program income approved via budget modification GAM must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. If the program income amount changes (increases or decreases) during the project period, it must be approved via a budget modification GAM by the end of the project period. If the budget modification is not submitted and approved, it could result in audit findings for the recipient.

36

FFATA reporting subawards and executive compensation

The recipient agrees to comply with applicable requirements to report first-tier subawards (subgrants) of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the Federal Funding Accountability and Transparency Act of 2006 (FFATA) Subaward Reporting System (FSRS). The details of recipient obligations, which derive from FFATA, are posted on the OVW website at https://www.justice.gov/ovw/award-conditions (titled "Award Condition: Reporting Subawards and Executive Compensation") and are incorporated by reference here.

37

Changes to MOU and/or IMOA

The recipient agrees to submit for OVW review and approval any anticipated addition of, removal of, or change in collaborating partner agencies or individuals who are signatories of the Memorandum of Understanding and, if applicable, the Internal Memorandum of Agreement.

38

Publication disclaimer

The recipient agrees that all materials and publications (written, web-based, audio-visual, or any other format) resulting from award activities shall contain the following statement: "This project was supported by Grant No.

awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice." The recipient also agrees to ensure that any subrecipient at any tier will comply with this condition.

39

Copyrighted works

Pursuant to 2 C.F.R. 200.315(b), the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. OVW reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work, in whole or in part (including in the creation of derivative works), for federal purposes, and to authorize others to do so.

OVW also reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient (subgrantee) of this award, for federal purposes, and to authorize others to do so.

In addition, the recipient (or subrecipient, contractor, or subcontractor of this award at any tier) must obtain advance written approval from the OVW program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor, or subcontractor as applicable) to ensure that this condition is included in any subaward, contract, or subcontract under this award.

Page: 15 of 21

40

Grantee orientation - mandatory attendance

First-time recipients, or continuation recipients if requested, must agree to have key staff members, as identified by OVW, attend the OVW grantee orientation seminar, which may be offered in-person, online, or a combination of both. Additionally, if there is a change in the project director/coordinator during the grant period, the recipient agrees, at the earliest opportunity, to send the new project director/coordinator, regardless of prior experience with this or any other federal award, to an in-person OVW grantee orientation seminar or require completion of the orientation online, whichever is available.

41

Prior approval for non-OVW sponsored technical assistance

The recipient agrees that funds allocated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval by OVW. To request approval, the recipient must submit a copy of the event's brochure, a curriculum and/or agenda, a description of the hosts or trainers, and an estimated breakdown of costs. The request must be submitted to OVW at least 20 days prior to registering for the event. Requests to attend non-OVW sponsored events will be considered on a case-by-case basis. This prior approval process also applies to requests for the use of OVW-designated technical assistance funds to pay a consultant or contractor not designated as an OVW technical assistance provider to develop and/or provide training and/or technical assistance.

42

Participation in OVW-sponsored technical assistance

The recipient agrees to attend and participate in OVW-sponsored technical assistance. Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, webinars, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers.

43

Consultant compensation rates

The recipient acknowledges that consultants paid with award funds generally may not be paid at a rate in excess of \$81.25 per hour, not to exceed \$650 per day. To exceed this specified maximum rate, recipients must submit to OVW a detailed justification and have such justification approved by OVW, prior to obligation or expenditure of such funds. Issuance of this award or approval of the award budget alone does not indicate approval of any consultant rate in excess of \$81.25 per hour, not to exceed \$650 per day. Although prior approval is not required for consultant rates below this specified maximum rate, recipients are required to maintain documentation to support all daily or hourly consultant rates.

44

Prior approval for conference expenditures

The recipient must complete and submit the Department of Justice-Sponsored Conference Request and Report Form to OVW for review and approval prior to entering into any contract (with the exception of logistical or programmatic planning contracts) or expending any funds for any meeting, conference, training, or other event. This includes conferences for which OVW is not the primary source of funding if OVW support will exceed \$20,000.

45

Logistical conference planning costs

The allowable costs for logistical conference planning are limited to \$62.50 per attendee, not to exceed a cumulative total of \$11,000. "Attendees" include trainers, instructors, presenters, and facilitators. For example, if the number of attendees at a conference is 100, the cost allowed for a logistical conference planner is \$6,250 (\$62.50 X 100 attendees). This cost limitation applies whether the recipient is planning in-house or is contracting with an outside

Page: 16 of 21

logistical conference planner. Indirect cost rates must be applied to conference planning costs in accordance with negotiated agreements and must be included when calculating the planning thresholds. If these limitations are met, no specific justification or prior approval is required. If the recipient expects to exceed these cost limitations, then the recipient must justify the costs in writing and those costs must be approved by OVW before the recipient proceeds with the logistical conference planning.

46

Programmatic conference planning costs

The allowable costs for programmatic conference planning are limited to \$250 per attendee, not to exceed a cumulative cost total of \$43,750. "Attendees" include trainers, instructors, presenters, and facilitators. For example, if the number of attendees at the conference is 100, the cost allowed for a programmatic conference planner is \$25,000 (\$250 X 100 attendees). This cost limitation applies whether the recipient is planning in-house or is contracting with an outside programmatic conference planner. Indirect cost rates must be applied to conference planning costs in accordance with negotiated agreements and must be included when calculating the planning thresholds. If these limitations are met, no specific justification or prior approval is required. If the recipient expects to exceed these cost limitations, then the recipient must justify the costs in writing and those costs must be approved by OVW before the recipient proceeds with the programmatic conference planning.

47

Conference space and audio-visual equipment

Recipients must limit the cost of conference space and audio-visual equipment to \$31.25 per day per attendee, not to exceed a total of \$25,000 for the conference. "Attendees" include trainers, instructors, presenters, and facilitators. Indirect cost rates must be applied to conference space and audio-visual equipment costs in accordance with negotiated agreements and must be included when calculating this threshold. If the recipient expects that these limitations will be exceeded, then the recipient must justify the costs in writing and those costs must be approved by OVW before the recipient enters into any contract for the use of conference space and audio-visual equipment.

48

Prohibition on trinkets at conferences

The recipient acknowledges that trinkets (items such as hats, mugs, portfolios, t-shirts, coins, etc., regardless of whether they include the conference name or logo) must not be purchased with funds made available under this agreement. Basic supplies that are necessary for use during the conference (e.g., pens, paper, name tags) may be purchased.

49

Prohibition on entertainment at conferences

The recipient acknowledges that funds made available under this agreement may not be used for costs of entertainment, including amusement, diversion, social activities, and any costs directly associated with entertainment (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).

50

Food and beverages at conferences

Subject to OVW prior approval, and under limited circumstances, OVW funds may be used to purchase food and/or beverages for meals served during a meeting, conference, or training. OVW may approve the use of funds to purchase food and/or beverages served at a working meal if the recipient can justify that provision of the meal is necessary to accomplish official business and enhance the cost effectiveness of the conference. For example, a meal may be permissible where the conference will need to be extended if the working meal is not provided.

OVW will consider allowing grant funds to be used to purchase food and/or beverages for refreshment breaks only where there are unique and extenuating circumstances, and the recipient will be required to provide significant justification for such use of funds.

Page: 17 of 21

Furthermore, if a meal is approved by OVW, the cost of any individual meal, including taxes and any hotel service costs (e.g., labor cost for room setup), must not exceed 150 percent of the General Services Administration (GSA) Meals and Incidental Expenses (M&IE) rate for an individual's meal in that locality. OVW strongly encourages recipients to maintain costs for any meal provided, including any service costs, at or below 100 percent of the applicable GSA M&IE rate. The current GSA M&IE rate breakdown by meal and by locality can be found at https://gsa.gov/travel/plan-book/per-diem-rates. This award condition does not impact direct payment of per diem amounts to individuals in a travel status under the recipient's travel policy.

51

Conference expenditure reporting

Within 30 days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded, in whole or in part, under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must report all conference expenditures paid for with OVW funds by providing the OVW program manager with a completed DOJ-Sponsored Conference Request and Report Form, available at https://www.justice.gov/ovw/conference-planning.

52

Requirements for recipients and subrecipients providing legal assistance

The recipient agrees that the legal assistance eligibility requirements, as set forth below, are a continuing obligation on the part of the recipient. The legal assistance eligibility requirements are: (1) any person providing legal assistance through a program funded under this grant program (A)(i) is a licensed attorney or is working under the direct supervision of a licensed attorney, (ii) in immigration proceedings, is a Board of Immigration Appeals accredited representative, (iii) in Veterans' Administration claims, is an accredited representative, or (iv) is any person who functions as an attorney or lay advocate in tribal court; and (B)(i) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or (ii) (I) is partnered with an entity or person that has demonstrated expertise described in clause (i) and (II) has completed or will complete training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide; (2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a tribal, state, territorial, local, or culturally specific domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, state, territorial, and local law enforcement officials: (3) any person or organization providing legal assistance through this grant program has informed and will continue to inform state, local, territorial, or tribal domestic violence, dating violence, stalking, or sexual assault programs and coalitions, as well as appropriate state and local law enforcement officials of their work; and (4) the recipient's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, dating violence, domestic violence, stalking, or child sexual abuse is an issue. The recipient also agrees to ensure that any subrecipient (subgrantee) at any tier will comply with this condition.

53

Attorney's fees as program income

The recipient agrees that in the following circumstances attorney's fees may be accepted as program income under 2 C.F.R. 200.307(e)(2) and added to the federal award: (1) fees that are issued by a judge in an OVW-supported case without the request of the OVW-funded attorney; or (2) fees that are sought by the OVW-funded attorney for the purpose of deterring repeated or abusive filings by the perpetrator of the domestic violence, dating violence, sexual assault, or stalking. In any other circumstances, the recipient must seek approval from its program manager. Any program income added to the federal award must be used to support OVW activities that were approved in the budget and follow the conditions of the OVW award. Any program income received through one of the circumstances listed above or approved by the OVW program manager must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. Any program income added to the federal award must also be approved via budget modification Grant Award Modification (GAM) by the end of the project period. If a recipient receives fees that do not fall within one of the circumstances listed above or does not receive prior approval from the OVW program manager, then the resulting program income must be deducted from the OVW award pursuant to 2

Page: 18 of 21

C.F.R. 200.307(e)(1) and reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the deduction alternative.

54

Indirect costs

The recipient may not obligate, expend, or draw down any award funds for indirect costs, unless and until either (1) the recipient submits to OVW a current, federally-approved indirect cost rate agreement, or (2) the recipient determines that it is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and advises OVW in writing of both its eligibility and its election.

55

Conditional clearance with release of technical assistance funds

The recipient acknowledges that the budget for this award is pending review and approval. Until OVW approves the budget, any obligations or expenditures incurred by the recipient are made at the recipient's own risk. The recipient may obligate, expend, or draw down up to \$10,000 for participation in or travel-related expenses to attend OVW-sponsored technical assistance events, but these obligations and expenditures remain at the recipient's own risk until the budget is approved. Remaining funds will not be available for drawdown until OVW's Grants Financial Management Division has approved the budget and budget narrative via a Grant Award Modification (GAM). If applicable, the Indirect Cost Rate will be identified in the GAM when the budget is approved. If there is another condition on the award prohibiting any obligation, expenditure, and drawdown of any funds, that other condition will control.

56

Continuation award planning phase withholding

A hold shall be placed on the award for a minimum of 33% of the total award amount. The recipient may not obligate, expend, or draw down these funds until OVW determines that the recipient has successfully completed the planning phase, which includes an implementation plan and revised outreach and services budget. The hold on funds will be released once any changes to the project scope or budget have been approved by OVW, via Grant Award Modification, and OVW determines that the recipient has an acceptable implementation plan in place.

57

Withholding of funds pending completion of prior award addressing the same purpose(s)

The recipient acknowledges that it has a prior OVW award that is supporting the same purpose(s) as this new award. Before obligating, expending, or drawing down funds from this award, the recipient must first expend all funds from the prior award. The only exception is that the recipient may obligate, expend, and draw down funds from this award for travel-related expenses up to \$10,000 to attend OVW-sponsored technical assistance events. If the recipient needs to obligate, expend, or draw down additional funds from this award prior to the completion/expiration of the prior award, it must submit a written request to its program manager for review and approval.

IJ

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

Page: 19 of 21

- B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.
- C. Accept this award on behalf of the applicant.
- D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official
Director

Name of Approving Official Rosemarie Hidalgo **Signed Date And Time**

9/17/24 11:09 AM

Authorized Representative

Entity Acceptance

Title of Authorized Entity Official

Boulder County Commissioner

Signed Date And Time

Page: 20 of 21

Page: 21 of 21

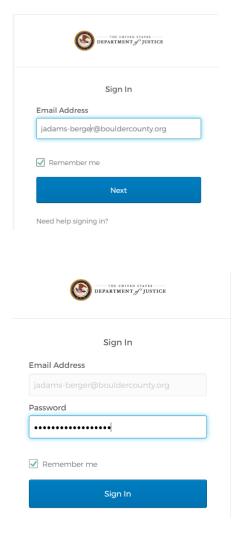
Award Acceptance in JustGrants For Department of Justice (DOJ) grants

Each Authorized Representative (Commissioner/person accepting award), ApplicationSubmitter, and OrgainzationAdministrator will receive an email notification to accept their award. So, there will be multiple eyes on this.

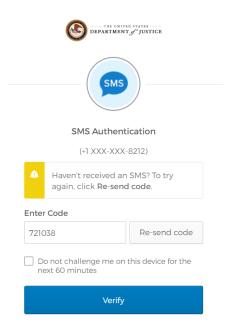
Log-in to the DOJ site where the JustGrants app is found:

JustGrants Resources | U.S. Department of Justice (usdoj.gov)

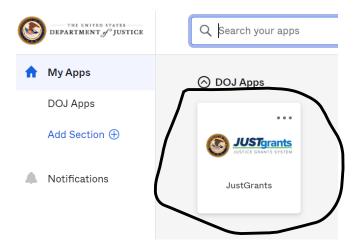
Enter Email Address and Password for your account. OFM will have set up your account and you would have received a notification with a temporary password. Let us know if you need help with that step.



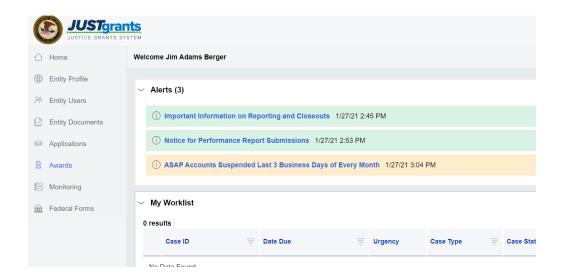
Next, request a verification code that will be sent to your device – this should also be set up for you in your profile - enter code once received



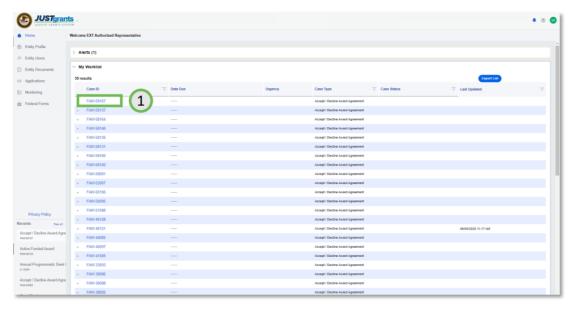
Once in, select the JustGrants App



Once in JustGrants, your screen should look something like this:

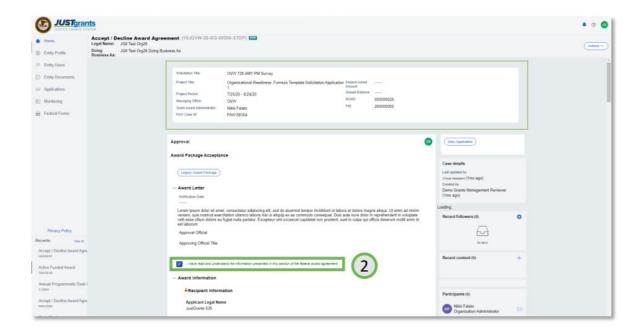


The "Home" item – upper left – is also considered the "Worklist." Here you will find all pending awards. Select the relevant award:

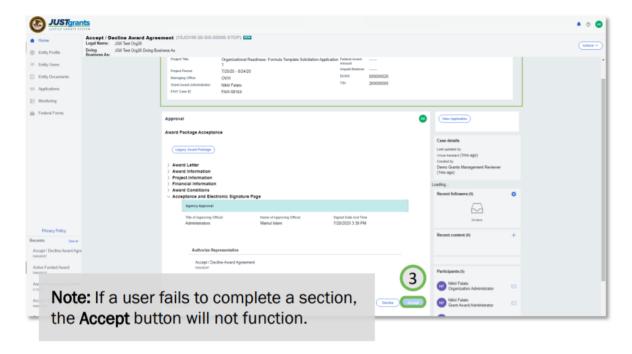


Next, to accept the award, you need to open and accept the information for each tab of the Award Details page. Once updated, the notification column will read: "notification scheduled". It is also

important to review all of the award conditions at this stage, which should probably be done in collaboration with the relevant grant manager.



Finally, the Authorized Representative title, the contact information, and the day/date automatically populate the Acceptance tab. Once all acceptance boxes in each tab have been selected, click Accept to proceed. After accepting, the system will display a banner indicating that the award has been accepted.



ACCESS AND UTILITY EASEMENT

This Access and Utility] Easement ("Easement") is granted this _____ day of October, 2024, by the County of Boulder, a body corporate and politic, whose legal address is P.O. Box 471, Boulder, Colorado 80306 ("Grantor") to United Power, Inc., a Colorado corporation, whose legal address is 500 Cooperative Way, Brighton, Colorado, 80603 ("Grantee").

RECITALS

- A. Grantor owns the property known as the Alexander Dawson Open Space property, legally described on Exhibit A, and generally depicted on Exhibit B ("Grantor's Property"); and
- B. Grantor desires to grant to Grantee a non-exclusive right of access over and across Grantor's Property to install, operate, maintain, and repair underground utility lines along the route generally depicted on Exhibit B, and legally described on Exhibit C, subject to the conditions contained in this instrument; and
- C. Grantor has complied with the notice requirements for the disposition of open space purchased with Boulder County open space and sales and use tax revenues dedicated to the acquisition and preservation of open space lands in Boulder County.

GRANT OF EASEMENT

NOW THEREFORE, in consideration of the sum of Two Thousand Five Hundred and Fifteen DOLLARS (\$ 2,515.00), the foregoing Recitals, and the mutual covenants contained herein, and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, but subject to the terms and conditions more fully set forth below, Grantor hereby conveys to Grantee, its successors and assigns, the non-exclusive perpetual easement described below:

- 1. <u>Grant of Easement</u>. Grantor hereby grants and conveys to Grantee a non-exclusive perpetual easement approximately 10 feet wide by 626 feet long across Grantor's Property to Grantee's Property for the purposes set forth in Paragraph 2.
- 2. <u>Purpose</u>. The Easement Property may be used for the installation of an underground electrical line through and across the Easement Property. Grantee shall not use the Easement Property for any other uses without an amendment of this Easement or the express written agreement of Grantor. Similarly, Grantee shall contain all work activities within the Easement Property and shall not use other areas of Grantor's Property or other property owned by Grantor. Without limiting the foregoing, the terms of this Easement shall apply to the initial construction and to all future maintenance or replacement operations.

- 3. <u>Construction, Improvements and Maintenance</u>. Within the Easement Property, Grantee may access, construct, install, operate, repair, remove, replace, reconstruct, alter, relocate, inspect, and maintain electrical lines; and use and have reasonable ingress and egress along and across the Easement Property for personnel, equipment, and vehicles. The initial installation of electrical lines shall be by boring beneath the surface of the Easement Property, without disturbance to the surface. To the extent reasonably feasible, all future maintenance and repairs to the electrical lines shall also be completed through the underground conduit in which the electrical lines are placed, and surface disturbance shall be avoided. Grantee shall not pave or otherwise create an impermeable surface over any portion of the Easement Property.
 - 3.1 Grantee shall contain all work activities within the Easement Property and shall not affect any other portion of Grantor's Property. Grantee shall bury any and all utility lines at a sufficient depth at the time of construction so as not to interfere with Grantor's ordinary use of Grantor's Property.
 - 3.2 Grantee must comply with all Boulder County land use regulations, including without limitation, obtaining all necessary approvals and permits for the uses permitted hereunder.
 - 3.3 Grantee shall be responsible for all construction costs and any repairs or maintenance necessary for its construction, maintenance and/or use of the Easement Property. If Grantee is reasonably required to disturb the surface of the Easement Property, Grantee shall restore the Easement Property to its prior condition, including all improvements thereon, including but not limited to, fences, drain tiles, irrigation systems, landscaping, and roads, and shall pay Grantor for damages to Grantor's Property, including but not limited to, damage to growing crops, livestock, and other damages caused by Grantee's activities.
 - 3.4 Grantee may conduct routine maintenance activities within the Easement Property but shall not make improvements or conduct anything other than routine maintenance without having first provided written notice and plans two weeks prior to the initiation of said work to the Director, Parks & Open Space Department, P.O. Box 471, Boulder, Colorado 80306 and receiving written approval from said county department prior to conducting the work, which approval may not be unreasonably withheld.
 - 3.5 Upon completion of the project, Grantee shall remove all equipment, materials, and supplies and shall leave the Open Space in its original or better condition and void of all hazards including but not limited to hazardous changes in topography, such as holes, ruts, and dirt piles.
- 4. <u>Escrow.</u> Prior to the initial construction and prior to each additional incident of any maintenance or construction activity on the Easement Property, Grantee shall place *Ten Thousand Dollars (\$10,000.00) into escrow with Grantor upon execution of this Easement to

assure Grantee's satisfactory completion of all County-required reclamation, including weed control. Upon Grantee's completion of reclamation, Grantee shall submit to Grantor a written request for return of the escrowed funds. Grantor shall promptly return the escrowed funds to Grantee after receiving Grantee's request, unless Grantor determines, in its sole discretion, that damages to the Work Area or any other portion of Grantor's Property, have not been adequately reclaimed, in which case, Grantor may retain that portion of the escrowed funds necessary to complete the restoration or may afford Grantee the opportunity to attempt to cure the deficiencies in restoration. If Grantor determines that reclamation cannot be fully accomplished with the escrowed funds, Grantor may bill Grantee for all additional costs, and Grantee shall promptly reimburse Grantor for said costs.

- 5. Relocation. Grantee hereby acknowledges and agrees that if Grantor's management of Grantor's Property creates a need for a relocation of the Easement Property as determined in Grantor's sole discretion, Grantee will cooperate with Grantor to accomplish such relocation at Grantor's expense. In the event of relocation, Grantor and Grantee shall execute such documents as are necessary to vacate the location of the access easement as set forth in this Easement and to establish and record the Easement Property's new location.
- 6. <u>Indemnity</u>. Grantee must hold harmless and indemnify the County and its employees, agents, contractors, and elected and appointed officials for any and all liability, liens, or other costs and/or losses arising from Grantee's use of the Easement Property; provided that the foregoing indemnity will not apply to extent caused by acts or omissions of Grantor, its agents, employees, contractors or invitees. This indemnity includes all costs, attorney fees, expenses and liabilities incurred in connection with any such potential claims, the investigation thereof or the defense of any action or proceedings brought thereon, and any judgments, orders, decrees, or liens, resulting therefrom, but not to the extent caused by acts or omissions of Grantor, its agents, employees, contractors or invitees. By requiring this right to indemnification, County in no way waives or intends to waive the limitations on liability which are provided to it under the Colorado Governmental Immunity Act, C.R.S., §§24-10-101, et seq., as currently enacted or subsequently amended.
- 7. Mechanic's Lien. Nothing contained herein shall authorize Grantee, or any person or entity acting through, with or on behalf of Grantee, to subject the Easement Property or any portion of the Easement Property or of Grantor's Property, to mechanic's liens. If any such lien shall be filed against the Easement and Grantee has caused such lien, Grantee shall cause the lien to be discharged. In the event that such lien is not discharged within twenty (20) days after receipt of written notice of the lien by the Grantee, then Grantor, at its option, and at the cost and expense of the Grantee, may enter into, defend, prosecute or pursue any effort or action (whether or not litigation is involved) which Grantor deems necessary to defend Grantor's Property from and against such lien.
- 8. <u>Enforcement and Restoration</u>. Grantor may exercise immediate reasonable enforcement, restoration and conservation actions when such actions are warranted for the

protection and preservation of Grantor's Property. Should an activity be undertaken on the Easement Property to which the parties have not agreed, Grantor may require Grantee to immediately cease and desist from such activity. In such case, if the unauthorized activity was performed by Grantee, its employees, agents, guests or invitees, the cost of any restoration of Grantor's Property shall be borne by Grantee.

- 9. Grantor's Reserved Rights. Grantor reserves the right to use and occupy the Easement Property for any lawful purpose consistent with the rights and privileges granted herein which will not interfere with or endanger Grantee's use of the Easement Property. Grantee's use of the Easement Property shall be non-exclusive, and Grantee shall have no rights to use any portion of Grantor's Property except the Easement Property and only as permitted in this Easement.
- 10. <u>Specific Performance</u>. This Easement may be enforced by specific performance, including mandatory injunctive relief and/or damages.
- 11. <u>Covenant Running with the Land</u>. This Easement shall run with the land and be binding upon and shall inure to the benefit and/or burden of Grantor and Grantee and their respective successors and assigns.
- 12. Notices. Within sixty (60) days after a change of a party's address, that party shall provide a written notice of any change of address to all other parties. Whenever notice is required to be given hereunder, it shall be in writing and may be mailed, or hand delivered to the party entitled thereto, and if mailed, it shall be done by registered or certified mail, return receipt requested. If mailed, said notice shall be effective and complete as of the date of mailing. If hand delivered, said notice shall be effective and complete upon completion of the hand delivery. Notice may also be accomplished by email, if emailed to a current email address specified in writing by the receiving party. Until changed by notice in writing, each party's mailing addresses are as follows:

To the Grantee:

United Power, Inc.

PO Box 929

Brighton, CO 80601

Facsimile number: 303-659-2172

To the Grantor:

The Director

Boulder County Parks & Open Space

5201 St. Vrain Road Longmont, CO 80503

Facsimile number: 303-678-6179

With copy to:

The Boulder County Attorney's Office

P.O. Box 471

Boulder, CO 80306

Facsimile number: 303-441-4794

- 13. <u>Severability</u>. If any provisions of this Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement and the application of such provisions to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.
- 14. <u>Entire Agreement</u>. This instrument and the attached Exhibits contain the entire agreement between the parties relating to the Easement and may be modified only by an instrument in writing executed by both parties.
- 15. <u>Exhibits</u>. All references to exhibits herein shall incorporate such exhibits by their reference.
- 16. <u>Counterparts</u>. This Easement may be executed in one or more counterparts, each of which when so executed shall be deemed an original, and such counter parts together shall constitute one and the same instrument.
- 17. <u>Recording</u>. This Easement shall be recorded in the office of the Clerk and Recorder of Boulder County, Colorado.
- 18. <u>No Waiver</u>. The waiver by any party to this Easement of any term or condition of this Easement shall not operate or be construed as a waiver of any subsequent breach by any party.
- 19. <u>Encumbrances</u>. Grantee acknowledges this Easement is subject to all prior recorded encumbrances of Grantor's property.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, above.	the Parties have executed this Easement as of the date set fort
	GRANTOR:
	COUNTY OF BOULDER, a body corporate and politic
	By:
	Printed Name:
	Title: of the Board of County Commissioners
State of Colorado County of Boulder	
	cnowledged before me this day of, 2024, of the Board of County Commissioners of
(Notary official signature)	NOTARY S E A L
(Commission expiration)	

	GRANTEE:
	United Power, Inc., a Colorado corporation By:
	Printed Name: Mark A. Gabriel
	Title: President and CEO
State of Colorado County of	
The foregoing Easement was acknowledge 2024 by Mark A Gabriel	ed before me this <u>2</u> day of <u>October</u> ,

Zayda L Vargas

NOTARY PUBLIC

STATE OF COLORADO

NOTARY ID# 20224001205

MY COMMISSION EXPIRES 01/11/2026

EXHIBIT A

Legal Description of Grantor's Property

BOULDER COUNTY OPEN SPACE (NORTH PARCEL)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 10, FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS N89°42'13"W, 1895.15 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO, THENCE ALONG SAID NORTH LINE S89°42'13"E, 636.58 FEET TO THE WEST RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 287, THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING SEVEN COURSES AND DISTANCES;

123.20 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A CENTRAL ANGLE OF 00°18′24″, A RADIUS OF 23018.31 FEET, AND WHOSE CHORD BEARS S00°14′15″W, 123 20 FEET; S14°00′49″E, 103.26 FEET; S00°04′16″E, 74.54 FEET; S00°22′00″E, 63.75 FEET; 475.16 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A CENTRAL ANGLE OF 02°21′37″, A RADIUS OF 11534.16 FEET, AND WHOSE CHORD BEARS S01°42′18″E, 475.13 FEET; S02°53′07″E, 427.67 FEET; 37.85 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID ARC HAVING A CENTRAL ANGLE OF 00°11′26″, A RADIUS OF 11384.16 FEET, AND WHOSE CHORD BEARS S02°47′21″E, 37.85 FEET;

THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, N89°38'00"W, 322.27 FEET; THENCE S00°22'00"W, 16.00 FEET; THENCE N89°38'00"W, 512.28 FEET; THENCE N17°19'37"W, 401.03 FEET; THENCE N52°06'46"E, 175.26 FEET; THENCE N38°38'51"E, 185.93 FEET; THENCE N69°52'14"E, 183.70 FEET; THENCE N22°05'24"E, 154.02 FEET; THENCE N00°19'31E", 342.55 FEET; THENCE S89°59'43"W, 231.78 FEET; THENCE N00°00'17"W, 131.35 FEET TO THE **POINT OF BEGINNING**.

EXHIBIT B

Map of Grantor's Property and Easement Area

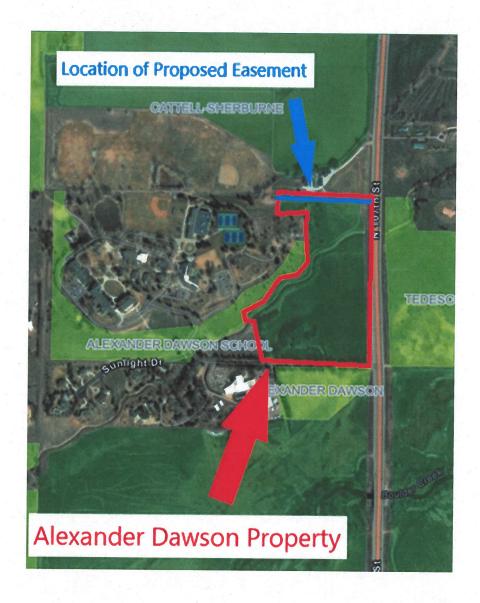


EXHIBIT C

Legal Description and Survey of Access Easement

DESCRIPTION

A PORTION OF A PARCEL OF LAND BEING THAT PARCEL OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO THE COUNTY OF BOULDER, FILED FOR RECORD IN THE OFFICE OF THE BOULDER COUNTY CLERK AND RECORDER AT RECEPTION NO. 1801695. SAID PARCEL OF LAND IS LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

EASEMENT CENTERLINE

A 10.00 FOOT WIDE STRIP, BEING 5.00 FEET, AS MEASURED PERPENDICULAR, LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT A 1 FOOT WITNESS CORNER TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 10, AS MONUMENTED BY A FOUND 3.25 INCH ALUMINUM CAP MARKED "1" WITNESS PLS 16406 2015"; THENCE SOUTH 89°32'18" EAST, A DISTANCE OF 1893.73 FEET, MORE OR LESS, TO THE POINT OF BEGINNING:

THENCE SOUTH 89°41'23" EAST, OVER AND ACROSS SAID PARCEL OF LAND, BEING PARALLEL WITH AND FIVE (5) FEET SOUTH OF THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 626.42 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF A 10 FEET WIDE UTILITY EASEMENT AND THE POINT OF TERMINUS, FROM WHICH A 30 FOOT WITNESS CORNER TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 10, AS MONUMENTED BY A FOUND 2.5 INCH ALUMINUM CAP MARKED "30' WITNESS PLS 20673 1991" BEARS NORTH 88°37'21" EAST A DISTANCE OF 169.76 FEET.

THE TOTAL LENGTH OF THE ABOVE-DESCRIBED EASEMENT CENTERLINE IS 626.42 FEET, CONTAINING 0.144 ACRES (6,264 SQUARE FEET) OF LAND, MORE OR LESS.

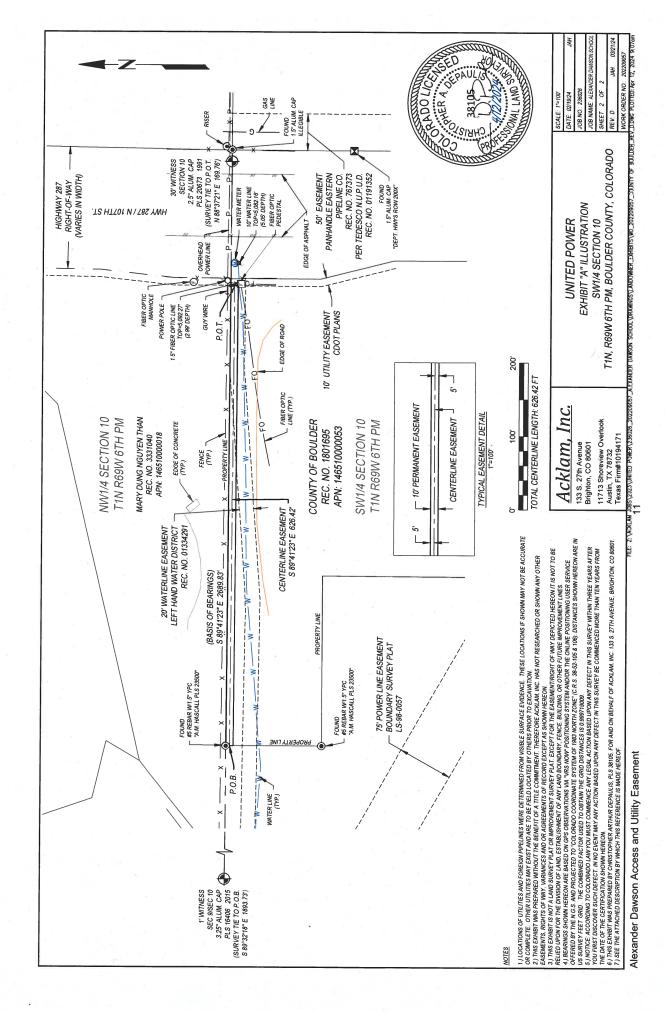


NOTES:

- SEE THE ATTACHED ILLUSTRATION BY WHICH THIS REFERENCE IS MADE PART HEREOF. 1.
- THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ACKLAM, INC. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES, AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
- BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS VIA "VRS NOW" POSITIONING SYSTEM AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 & 106).
- DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GRID. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.99919009.
- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTER EAST-WEST ONE-QUATER LINE OF THE WEST ONE-HALF OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M. SAID LINE BEING MONUMENTED ON THE WEST BY A 1 FOOT WITNESS CORNER TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 10, BEING A FOUND 3.25 INCH ALUMINUM CAP MARKED "PLS 16406 2015" AND ON THE EAST BY A 30 FOOT WITNESS CORNER TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 10, BEING A FOUND 2.5 INCH ALUMINUM CAP MARKED "30' WITNESS PLS 20873 1991" AND BEARS SOUTH 89°41'23" EAST.

PROJ. NO. 236026 PREPARED BY: CHRISTOPHER A. DEPAULIS, PLS DATE PREPARED: 04/12/2024 FOR AND ON BEHALF OF ACKLAM, INC 133 S. 27th AVENUE BRIGHTON, CO 80601 303.659.6267 236026_COUNTY OF BOULDER_DESC_REV_B.docx PRINTED: 4/12/2024 9:12:00 AM Julanne Hunter

REVISIONS DATE BY DESCRIPTION JAH NEW ALIGNMENT CONFIGURATION 03/11/24 04/12/24 CAD NEW ALIGNMENT CONFIGURATION



RESOLUTION 2024-

A Resolution ratifying the execution of a purchase a purchase contract by the Director of Boulder County's Parks & Open Space Department and authorizing the Director to sign closing documents and otherwise commit Boulder County, a body corporate and politic, in all ways necessary to complete Boulder County's acquisition of the approximately 105-acre Haystack Mountain property located at 5655 Niwot Road, Longmont, CO 80503, Boulder County Assessor Parcel 131727000023.

RECITALS

- A. On September 10, 2024, the Board of County Commissioners of Boulder County, a body corporate and politic in the State of Colorado ("BOCC"), approved Boulder County Parks & Open Space staff to register the County as a bidder, pay a \$100,000 deposit, and to competitively bid on the approximately 105-acre Haystack Mountain property located at 5655 Niwot Road, Longmont, CO 80503, Boulder County Assessor Parcel 131727000023 (the "Property") at auction.
- B. On September 24, 2024, the County was the successful bidder in the auction, and the terms of the auction required the Director to execute a Contract to Buy and Sell Real Estate on September 25, 2024.
- C. The Board of County Commissioners desires to ratify the Director's signature on the Contract, to authorize the Director or her designee to execute closing documents, and to otherwise authorize the Director to take action as necessary to complete the acquisition of the Property.

Therefore, the Board resolves:

- 1. The Board ratifies the Director's signature of the Contract to Buy and Sell Real Estate on September 25, 2024, and to the extent necessary, ratifies Parks & Open Space staff's signature on documents to participate in the auction.
- 2. The Director (or Acting Director) of the Boulder County Parks & Open Space Department, or their designee, was and is hereby authorized to sign any documents and take other action as necessary to complete Boulder County's acquisition of the Property.

[Signature Page to Follow]

ADOPTED as a final decision of the Board on this 15^{th} day of October 2024.

	BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY:
	Ashley Stolzmann, Chair
	Marta Loachamin, Vice Chair
	Claire Levy, Commissioner
ATTEST:	
Clerk to the Board	

Accessibility Report

Filename: Haystack Mountain Purchase Resolution.pdf

Report created by: [Enter personal and organization information through the Preferences > Identity dialog.]

Organization: Summary

The checker found no problems in this document.

Needs manual check: 0 Passed manually: 2 Failed manually: 0 Skipped: 6

■ Passed: 24 ■ Failed: 0

Detailed Report

Document

Rule Name	Status	Description
Accessibility permission flag	Passed	Accessibility permission flag must be set
Image-only PDF	Skipped	Document is not image-only PDF
<u>Tagged PDF</u>	Passed	Document is tagged PDF
<u>Logical Reading Order</u>	Passed manually	Document structure provides a logical reading order
<u>Primary language</u>	Passed	Text language is specified
<u>Title</u>	Skipped	Document title is showing in title bar
<u>Bookmarks</u>	Passed	Bookmarks are present in large documents
Color contrast	Passed manually	Document has appropriate color contrast

Page Content

Rule Name	Status	Description	
Tagged content	Passed	All page content is tagged	
Tagged annotations	Skipped	All annotations are tagged	
<u>Tab order</u>	Passed	Tab order is consistent with structure order	
Character encoding	Passed	Reliable character encoding is provided	
Tagged multimedia	Passed	All multimedia objects are tagged	
Screen flicker	Passed	Page will not cause screen flicker	
<u>Scripts</u>	Passed	No inaccessible scripts	
Timed responses	Passed	Page does not require timed responses	
Navigation links	Passed	Navigation links are not repetitive	

Forms

Rule Name	Status		Description
Tagged form fields	Passed	All form fields are tagged	
Field descriptions	Passed	All form fields have description	

Alternate Text

Rule Name	Status	Description	
Figures alternate text	Passed	Figures require alternate text	
Nested alternate text	Passed	Alternate text that will never be read	
Associated with content	Passed	Alternate text must be associated with some content	
Hides annotation	Passed	Alternate text should not hide annotation	
Other elements alternate	Passed	Other elements that require alternate text	

Tables

	Rule Name	Status	Description
Rows		Skipped	TR must be a child of Table, THead, TBody, or TFoot

TH and TD must be children of TR TH and TD Passed

Headers Passed Tables should have headers

Tables must contain the same number of columns in each row and rows in each Regularity Passed

column

<u>Summary</u> Skipped Tables must have a summary

Lists

Rule Name Status Description

List items LI must be a child of L Passed

> Passed Lbl and LBody must be children of LI

Headings

Lbl and LBody

Rule Name Description Status

Appropriate nesting Skipped Appropriate nesting

Back to Top



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503 303-678-6200 • POSinfo@bouldercounty.org www.BoulderCountyOpenSpace.org

BOCC BUSINESS MEETING

TG

TO: Board of County Commissioners

FROM: Don Durso, Land Officer

FOR: BOCC Business Meeting, 9:30 a.m., Tuesday, October 15, 2024 **RE:** Ruth Roberts Park-2024 Broomfield Trail Easement Amendment

MEMO DATE: October 10, 2024

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary of Request

Boulder County and the City and County of Broomfield ("Broomfield") jointly propose amending the 2005 trail easement over the southeast corner of the Ruth Roberts open space property to clearly define the area that Broomfield is managing for trail use and erosion control. The trail lies northwest of the intersection of West 136th Avenue/Kohl Street and Powderhorn Trail in Broomfield (see vicinity map on page 2 of this memo). Staff recommends approval because the amendment benefits the county's Ruth Roberts open space Property.

Background Information

In 2005, Boulder County granted a permanent trail easement (the "Easement") to Broomfield over the southeast corner of the Ruth Roberts open space property to construct and maintain a public trail shown on the maps at the end of this memo. The Easement allowed for a trail corridor for the construction and maintenance of the Lake Link Trail (the "Trail") which Broomfield built at its expense in 2006 and maintains. The Easement acknowledged that there was erosion threatening the Trail and required Broomfield to mitigate the erosion when it came within 20 feet of the Trail.

Broomfield approached the county 2022 to begin the process of repairing the erosion, and the project was designed and built in 2023 and early 2024 with input from county staff. The constructed improvements necessarily encompass an area beyond the trail corridor itself, as shown on the attached map. Therefore, a larger easement area is necessary to allow Broomfield access to maintain the new improvements (see diagram on page 4 of this memo). Broomfield and the county have agreed upon the terms of an amended easement, which is the subject of this request. In addition, the easement language about the width of the trail corridor needs to be refined and the easement exhibits need to be updated.

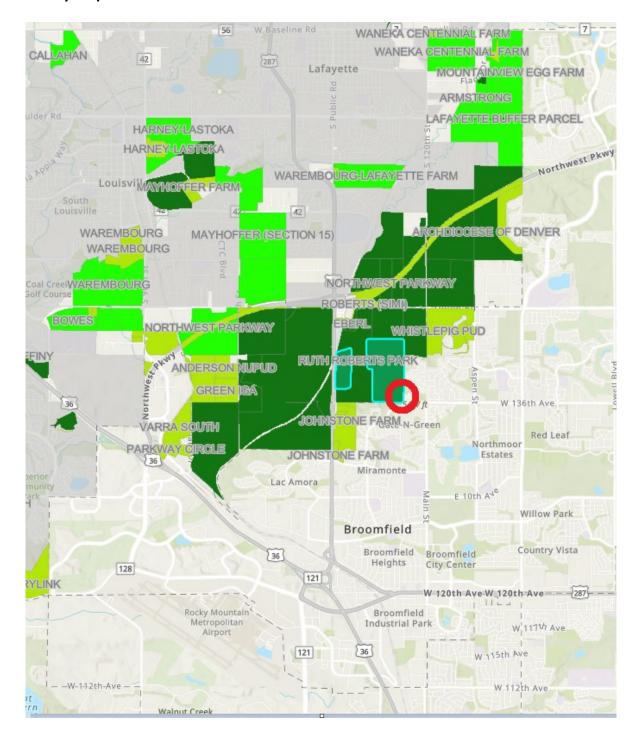
Staff Recommendation

Staff recommends approval of this amended and restated trail easement to expand the easement area to allow Broomfield to continue its obligation to maintain the existing trail and the recently installed drainage improvements.

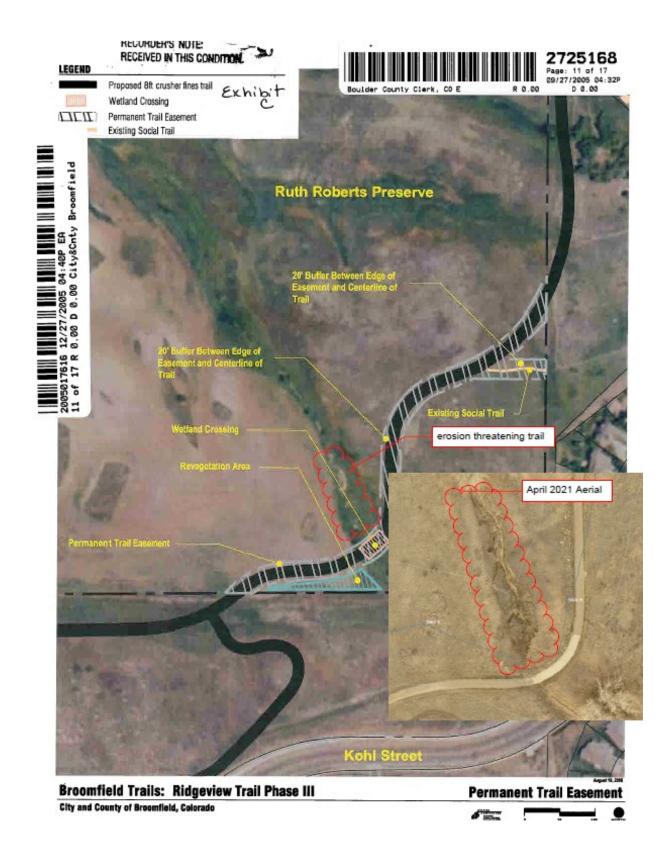
BOCC Action Requested

Approve the request as described above.

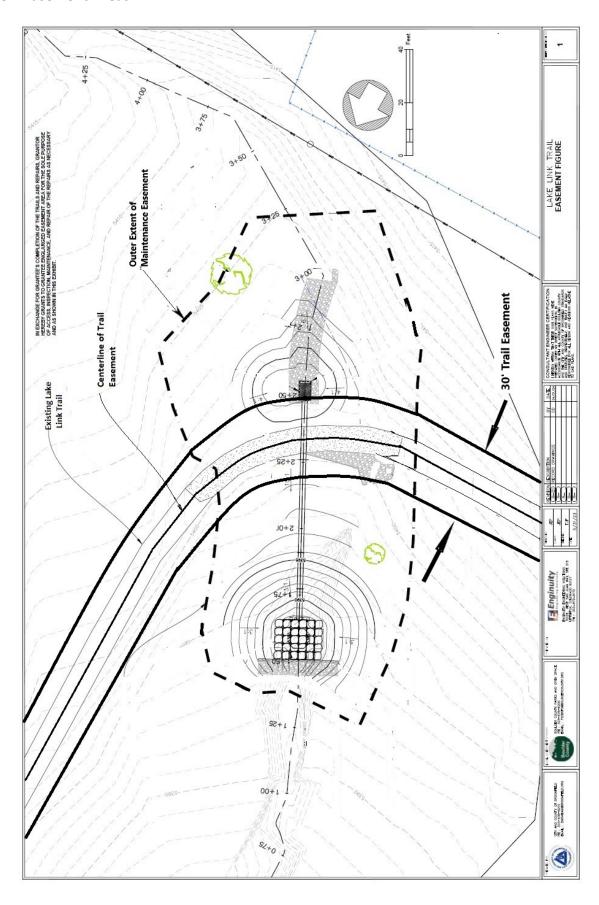
Vicinity Map



Original Easement Dedicated in 2005 with Annotations Showing Erosion Area



New Easement Areas



Page 57 of 210

End of Staff Memo to BOCC

Following pages are documents for signature

AMENDED AND RESTATED PERMANENT TRAIL EASEMENT

This Amended and Restated Permanent Trail Easement (the "Easement") is made this _____ day of ______. 2024, by and between County of Boulder, a body corporate and politic ("Grantor") and the City and County of Broomfield, a Colorado municipal corporation and county ("Grantee") (collectively the "Parties").

- A. Grantor owns the real property legally described on <u>Exhibit A</u>, attached hereto and by this reference made a part hereof ("Grantor's Property").
- B. The Grantor previously granted a Permanent Trail Easement over the Grantor's Property (the "Original Trail Easement") to the Grantee on September 27, 2005, which is recorded in the real estate records of Boulder County, Colorado, at Reception Number 2725168, which allowed for the construction and maintenance of the Lake Link Trail ("Trail").
- C. The Original Trail Easement required that the Grantee repair the erosion along the drainage from the southeast corner of the Trail when the erosion moved to within 20 feet of the centerline of the Trail as built.
- D. Grantee has repaired the erosion to Grantor's satisfaction by installing drainage improvements (the "Drainage Improvements") which are outside of the Original Trail Easement's area.
- E. The Parties desire to amend the Original Trail Easement to define the width of the trail easement and to allow Grantee to maintain the Trail and the Drainage Improvements.
- F. This Amended and Restated Easement shall supersede and replace in its entirety the Original Trail Easement, except that the effective date of the Original Trail Easement shall remain in full force and effect.

NOW. THEREFORE, in consideration of the foregoing Recitals and the mutual covenants contained herein, and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, but subject to the terms and conditions more fully set forth below. Grantor hereby conveys to Grantee, its successors and assigns, the non-exclusive perpetual easements described below:

1. Grant of Trail Easement.

Grantor hereby grants and conveys to Grantee a non-exclusive trail easement that is 15 feet wide on each side of the Trail centerline as legally described on Exhibit B-1 and generally depicted on Exhibit B-2, both of which are attached hereto and by this reference incorporated herein (the "Trail Corridor"). The Trail Corridor is shown on the map attached hereto as Exhibit C and by this reference incorporated herein. The Trail Corridor shall be used by Grantee for maintenance of the Trail.

2. Grant of Maintenance Easement

Grantor hereby grants and conveys to Grantee an easement for access, inspection, maintenance and repair of the Drainage Improvements as indicated by the area labeled as "Outer Extent of Maintenance Easement" as shown on the map attached hereto as <u>Exhibit</u> C. This area shall not be open to the public.

- 3. <u>Use of the Trail.</u> Public use of the Trail shall be subject to all of Grantee's existing and future rules and regulations governing passive recreational uses of open space. Passive recreational uses shall be defined as pedestrian uses, bicycle riding, and other non-motorized uses. Grantor shall have the right to require Grantee to prohibit any activities that Grantor, in its reasonable discretion, believes pose a threat to safety of the public or damage to the open space resources of the Trail Corridor. Grantee shall be responsible for responding to public concerns and enforcement of Grantee's rules and regulations on the Trail Corridor.
- 4. <u>Maintenance</u>. Grantee shall be responsible for all maintenance of the Trail and Trail Corridor, which shall include maintaining the surface of the Trail in a safe condition and weed control on the Trail and within the Trail Corridor on a regular basis. Grantee shall have the right to access the Trail and Trail Corridor by motorized vehicles for emergency access and maintenance of the Trail and Trail Corridor, including, but not limited to, mowing. The Grantee shall also be responsible for maintenance of the Drainage Improvements and shall have access to the Outer Extent of Maintenance Easement for the sole purpose of access, inspection, maintenance, and repair of the Drainage Improvements as necessary. Grantee will notify Grantor of any necessary repairs or construction activities beyond routine maintenance and shall be responsible for any repairs or revegetation necessary caused during access, maintenance, and repair activities.
- 5. <u>Fencing.</u> Grantee shall be solely responsible for fencing the Trail Corridor and Drainage Improvements if, in Grantor's sole discretion, fencing is necessary to contain trail users to the Trail Corridor or to exclude livestock from the Trail Corridor. If Grantor determines that fencing is necessary, Grantor and Grantee shall mutually agree to the type and location of the fencing. Grantee shall bear the cost of installation and maintenance of any required fence.
- 6. <u>Signage</u>. Grantee may place signs on the Trail Corridor to identify the Trail and to notify the public of Grantee's rules and regulations.
- 7. <u>Governmental Immunity.</u> Neither party in any way waives or intends to waive the limitations on liability which are provided to it under the Colorado Governmental Immunity Act, C.R.S., §§ 24-10-101, et seq., as currently enacted or subsequently amended.
- 8. <u>Enforcement and Restoration.</u> Grantor may exercise immediate reasonable enforcement, restoration, and conservation actions when such actions are warranted for the protection and preservation of Grantor's Property. Should an activity be undertaken on the Easement Property to which the parties have not agreed, Grantor may require Grantee to immediately cease and desist from such activity. In such case, if the unauthorized activity was performed by Grantee, its employees, agents, guests or invitees, the cost of any restoration of Grantor's Property shall be borne by Grantee.

- 9. <u>Grantor's Reserved Rights.</u> Grantor reserves the right to use and occupy the Easement Property for any lawful purpose consistent with the rights and privileges granted herein which will not interfere with or endanger Grantee's use of the Easement Property. Grantee's use of the Easement Property shall be non-exclusive, and Grantee shall have no rights to use any portion of Grantor's Property except the Easement Property and only as permitted in this Easement.
- 10. Public Safety. Grantee shall provide Grantor with detailed written work plans at least thirty (30) days before work begins. Grantee shall then incorporate into its plans any guidance from Grantor regarding how the work will be done and to ensure public safety, including but not limited to temporarily closing the Trail if Grantor so requests. Prior to commencing any work authorized by this Easement within the Trail Corridor. Grantee shall erect signs notifying the public of the impending work and whether or not the Trail will remain open for public use. If the Trail will remain open for public use, Grantee shall erect caution signs and markings in areas used by the public to ensure the public has a safe and visually clear corridor to pass through any work area, free of any obstacles related to Grantee's work. If the corridor will have potentially unsafe areas or obstructions, Grantee shall have staff in place during public use hours (not just during work hours) to guide the public through safely.
- 11. <u>Covenant Running with the Land.</u> This Easement shall run with the land and be binding upon and shall inure to the benefit and/or burden of Grantor and Grantee and their respective successors and assigns.
- 12. <u>Notices.</u> Within sixty (60) days after a change of a party's address, that party shall provide a written notice of any change of address to all other parties. Whenever notice is required to be given hereunder, it shall be in writing and may be mailed, or hand delivered to the party entitled thereto, and if mailed, it shall be done by registered or certified mail, return receipt requested. If mailed, said notice shall be effective and complete as of the date of mailing. If hand delivered, said notice shall be effective and complete upon completion of the hand delivery. Notice may also be accomplished by email, if emailed to a current email address specified in writing by the receiving party. Until changed by notice in writing, each party's mailing addresses are as follows:

To the Grantee:

City and County of Broomfield Attn: City and County Manager

One DesCombes Drive Broomfield, CO 80020

To the Grantor: The Director

Boulder County Parks & Open Space

5201 St. Vrain Road Longmont, CO 80503

With copy to: The Boulder County Attorney's Office

P.O. Box 471

Boulder, CO 80306

- 13. <u>Severability.</u> If any provisions of this Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement and the application of such provisions to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.
- 14. <u>Entire Agreement.</u> This instrument and the attached exhibits contain the entire agreement between the parties relating to the Easement and may be modified only by an instrument in writing executed by both parties.
- 15. <u>Exhibits.</u> All references to exhibits herein shall incorporate such exhibits by their reference.
- 16. <u>Counterparts.</u> This Easement may be executed in one or more counterparts, each of which when so executed shall be deemed an original, and such counter parts together shall constitute one and the same instrument.
- 17. <u>Recording.</u> This Easement shall be recorded in the office of the Clerk and Recorder of Boulder County. Colorado.
- 18. <u>No Waiver.</u> The waiver by any party to this Easement of any term or condition of this Easement shall not operate or be construed as a waiver of any subsequent breach by any party.
- 19. <u>Encumbrances</u>. Grantee acknowledges this Easement is subject to all prior recorded encumbrances of Grantor's property.

[Remainder of page intentionally left blank]

Executed thisday of	2024.
	GRANTOR: The County of Boulder, a body corporate and
	politic
	By:Printed Name:
	Title: of the Board of County Commissioners
State of Colorado County of Boulder	3242 1 32401
The foregoing instrument was acknowle	edged before me this day of, 2024, , of the Board of County
Commissioners of Boulder County. Col	orado.
(Notary official signature)	NOTARY SEAT
(Commission expiration)	

GRANTEE:

The City and County of Broomfield, a Colorado municipal corporation and county

By: <u>Jennifer Hoffman</u>
Jennifer Hoffman, City and County Manager

State of Colorado County of Broomfield

The foregoing instrument was acknowledged before me this 27 day of AUGUST, 2024, by Jennifer Hoffman as City and County Manager for the City and County of Broomfield, Colorado.

lotary official signature)

ASHANDRA CORMAN Notary Public State of Colorado Notary ID # 20224033197 My Commission Expires 08-24-2026

Approved as to form:

Kourtney Hartmann

City and County Attorney's Office

Exhibit A

Legal Description of Grantor's Property

Parcel 3: A parcel of land located in the Southeast one-quarter of Section 23. Township 1 South. Range 69 West of the 6th P.M., County of Boulder, State of Colorado, being more particularly described as follows:

Commencing at the Southeast comer of said Section 23, whence the South one-quarter corner of said Section bears North 89 degrees 54' 18" West, a distance of 2622.64 feet, forming the basis of bearings for this description; thence along the South line of the Southeast one-quarter of said Section North 89 degrees 54' 18" West a distance of 1311.32 feet to the True Point of Beginning, said point being the Southeast corner of the Southwest one-quarter of the Southeast one-quarter of said Section 23; thence along the South line of said Southwest one-quarter of the Southeast one-quarter North 89 degrees 54' 18" West a distance of 822.78 feet; thence North 00 degrees 18' 19" West a distance of 1882.45 feet; thence South 89 degrees 44' 19" East a distance of 844.44 feet; thence along the East line of the West one-half of the Southeast one-quarter of said Section 23, South 00 degrees 21' 15" West a distance of 1879.97 feet to the True Point of Beginning.

Exhibit B-1

Legal Description of the Trail Centerline

Centerline Trail Description

Sheet 1 of 2

A proposed walking and bike trail located in the Southeast Quarter of Section 23, Township 1 South, Range 69 West of the 6th P.M., County or Boulder, State of Colorado, the centerline of which is more particularly described as follows:

COMMENCING at the Southeast corner of said Section 23; thence South 89°57'18" West a distance of 640.87 feet along the South line of said Southeast Quarter of Section 23 to the POINT OF BEGINNING; thence along the arc of a non-tangent curve to the left a distance of 9.40 feet, said curve having a radius of 300.00 feet, a central angle of 01°47'45", and being subtended by a chord which bears North 55°37'17" East a distance of 9.40 feet; thence North 54°22'07" East a distance of 0.50 feet to a tangent curve to the right; thence along the arc of said tangent curve a distance of 175.49 feet, said curve having a radius of 300.00 feet, a central angle of 33°30'57", and being subtended by a chord which bears North 71°07'36" East a distance of 173.00 feet; thence North 87°53'04" East a distance of 62.21 feet to a tangent curve to the left; thence along the arc of said tangent curve a distance of 108.77 feet, said curve having a radius of 65.00 feet, a central angle of 95°52'37", and being subtended by a chord which bears North 39°56'46" East a distance of 96.52 feet; thence North 07°59'33" West a distance of 54.20 feet to a tangent curve to the right; thence along the arc of said tangent curve a distance of 369.88 feet, said curve having a radius of 275.00 feet, a central angle of 77°03'49", and being subtended by a chord which bears North 30°32'22" East a distance of 342.62 feet; thence North 69°04'16" East a distance of 66.98 feet to a tangent curve to the left; thence along the arc of said tangent curve a distance of 169.03 feet, said curve having a radius of 185.00 feet, a central angle of 52°20'55", and being subtended by a chord which bears North 42°53'49" East a distance of 163.21 feet; thence North 16°43'21" East a distance of 22.26 feet to a point on the East line of said Southeast Quarter of Section 23 and the POINT OF TERMINUS.

I, John B. Guyton, a licensed Land Surveyor in the State of Colorado, do hereby state for and on behalf of Flatirons, Inc. that this centerline trail description and the attached exhibit, being made a part hereof, are accurate to the best of my knowledge, information and belief.

John B. Guyton

Colorado P.L.S. #16406

AL LANCEST Job No. 05-47,607

President, Flatirons, Inc.

Centerline Trail Description

Sheet 2 of 2

A proposed walking and bike trail located in the Southeast Quarter of Section 23, Township 1 South, Range 69 West of the 6th P.M., County or Boulder, State of Colorado, the centerline of which is more particularly described as follows:

BASIS OF BEARINGS: The South line of Section 23 is assumed to bear South 89°57'18" West with all bearings shown herein relative thereto.

BEGINNING at a point whence the Southeast corner of Section 23 bears South 26°18'47" East a distance of 514. 38 feet; thence North 72°41'16" East a distance of 40.01 feet; thence North 87°54'07" East a distance of 32.23 feet; thence South 89°48'04" East a distance of 52.14 feet; thence North 85°32'43" East a distance of 38.37 feet; thence North 76°48'44" East a distance of 20.44 feet; thence South 76°52'29" East a distance of 20.29 feet; thence South 87°57'05" East a distance of 28.85 feet to a point on the East line of the Southeast Quarter of said Section 23 and the POINT OF TERMINUS.

I, John B. Guyton, a licensed Land Surveyor in the State of Colorado, do hereby state for and on behalf of Flatirons, Inc. that this centerline trail description and the attached exhibit, being made a part hereof, are accurate to the best of my knowledge, information and belief.

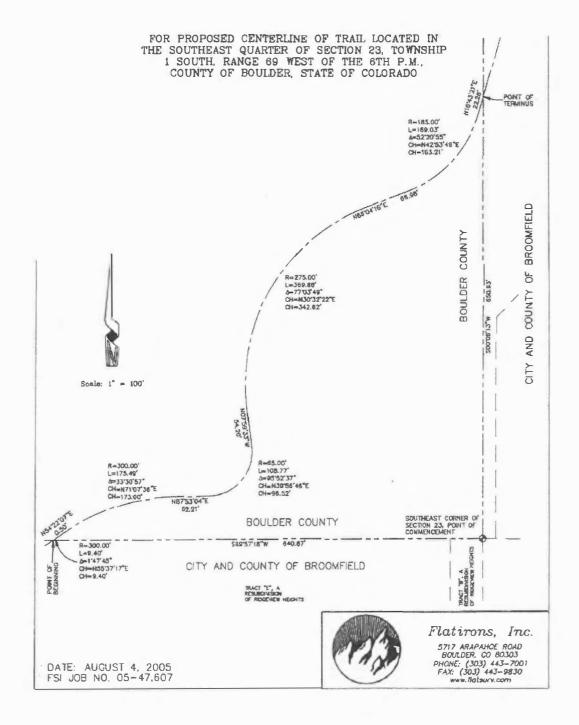
John B. Guyton

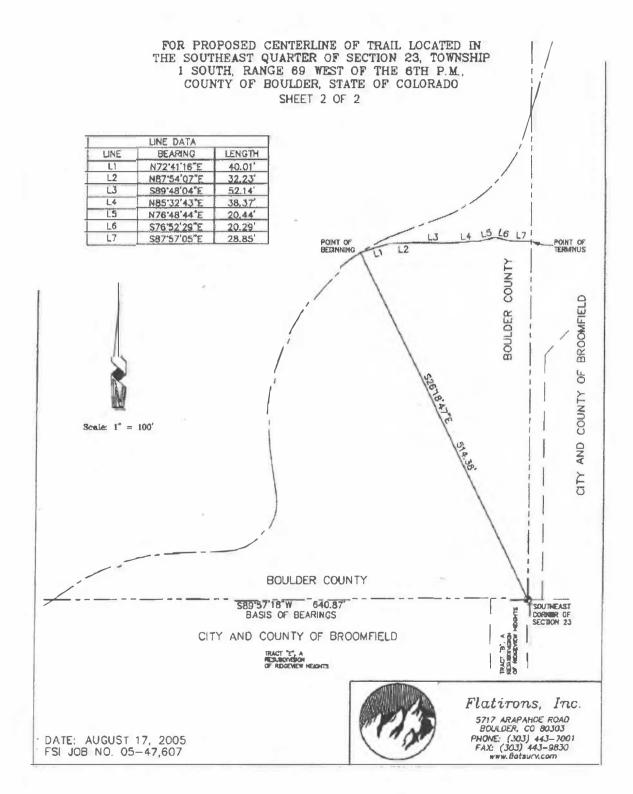
Colorado P.L.S. #16406

FSI Job No. 05-47,607

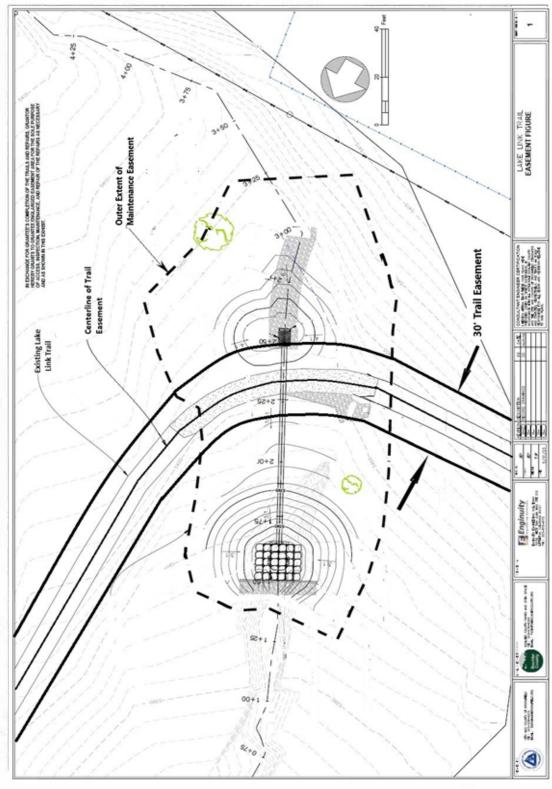
President, Flatirons, Inc.

Exhibit B-2 Depiction of the Trail Centerline





<u>Map Showing Trail Corridor and Outer Extent of the Maintenance Easement</u>



BOULDER COUNTY CONTRACT AMENDMENT

AMENDMENT SUMMARY		
This amendment makes changes to the following terms:		
■ Contract Dates ■ Contract Amount ■ Scope of Work and/or Pricing Details		
Contract Identification		
Oracle Contract Number	303087	Version Number 2
Contract Name	Timber Wolf Excavating - PW - ENG - Boulde	er Canyon Trail Wall Repair
Amendment Number	1	
Amendment Effective Date	O Upon signature 9/1/2024	1
Version Description Increasing contract amount due to change in quantity of goods.		
County Information		
Office or Department	Public Works	
Division/Program	Engineering	
County Contact Name and Email	Laura Konersman, Ikonersman@	bouldercounty.gov
Vendor Information		
Vendor Legal Name	Timber Wolf Excavating LLC	
Vendor Other Name		□ COI □ DBA □ W-9
Vendor Contact Name and Email	Jackson Jessup, jackson@twolfx.com	
Contract Dates		
New End Date 12/31/2025		
■ Contract Amount		
Contract Not to Exceed Amount of current Contract plus all signed amendments	\$ 719,197.00	
Amendment Amount	\$ 19,435.00	
New Contract Not to Exceed	New Contract Not to Exceed \$ 738,632.00	
New Highest Annual Amount \$ 719,197.00		
■ Scope of Work and/or Pricing Details		
All changes to scope of work and/or pricing details are contained in Exhibit B.		
Additional Contract Documents		
Check all that apply:		
 Exhibit A: Insurance Requirements Exhibit B: Scope of Work and Pricing I Exhibit C: Boulder County Data and C Exhibit D:	byber Security Requirements	

County Internal Use Only	
Procurement Details	
Procurement Process Followed Prior to this Amendment	Bid Waiver Approved (attached in supporting documents)
Does this amendment change the procurement process the contract must follow due to an increase in amount or timeframe?	
Accounting Details	

This AMENDMENT ("Amendment") to the above-referenced Contract ("	Contract") is entered into
between the Board of County Commissioners of Boulder County on beh	alf of the County of Boulder,
State of Colorado, a body corporate and politic, for the benefit of	
Public Works	("County") and
Timber Wolf Excavating LLC	("Contractor" or
"Vendor"). County and Contractor are each a "Party," and collectively the	"Parties."

1. INCORPORATION OF AMENDMENT SUMMARY

The **Amendment Summary** and **Additional Contract Documents**, if any are listed, are incorporated into the Contract by reference.

EFFECTIVE DATE AND ENFORCEABILITY

This Amendment is effective and enforceable on the later of (a) the date it is fully executed by both parties or (b) the **Amendment Effective Date** (if any).

3 LIMITS OF FFFFCT

The Contract and all prior amendments, if any, remain in full force and effect except as specifically modified by this Amendment.

4. MODIFICATIONS

The Contract Documents are updated to include any **Additional Contract Documents** where the corresponding box is checked above.

The Contract is also modified to the extent that a corresponding box is checked below:

- Contract Dates. The end date of the Contract is changed to the New End Date identified in the Amendment Summary.
- Contract Amount. The Contract Not to Exceed amount is amended so that the total cost of all work performed under the Contract must not exceed the New Contract Not to Exceed identified in the Amendment Summary.
- Scope of Work and/or Pricing Details. The Scope of Work and/or Pricing details are amended as indicated in Exhibit B and new insurance requirements, if any, are identified in Exhibit A to this Amendment.

5. CONTRACT TERMS. The following terms are added to the Contract to the extent not previously included:

Contractor shall indemnify, save, and hold harmless the Indemnified Parties, against any and all costs, expenses, claims, damages, liabilities, court awards and other amounts (including attorneys' fees and related costs) incurred by any of the Indemnified Parties in relation to Contractor's failure to comply with §§24-85-101, et seq., C.R.S., or the Accessibility Standards for Individuals with a Disability as established by OIT pursuant to Section §24-85-103 (2.5), C.R.S.

Contractor is subject to C.R.S. §§ 24-85-101, et seq., C.R.S. Specifically, Contractor shall comply with and the Work Product provided under this Contract shall be in compliance with all applicable provisions of §§24-85-101, et seq., C.R.S., and the Accessibility Standards for Individuals with a Disability, as established by OIT pursuant to Section §24-85-103(2.5), C.R.S. Contractor shall also comply with all State of Colorado technology standards related to technology accessibility and with Level AA of the most current version of the Web Content Accessibility Guidelines (WCAG), incorporated in the State of Colorado technology standards. The County may require Contractor's compliance to the State's Accessibility Standards to be determined by a third party selected by the State to attest to Contractor's Work Product and software is in compliance with §§24-85-101, et seq., C.R.S., and the Accessibility Standards for Individuals with a Disability as established by OIT pursuant to Section §24-85-103(2.5), C.R.S.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed and entered into this Amendment as of the latter day and year indicated below.

SIGNED for and on behalf of Board of County Commissioners of Boulder County		SIGNED for and on behalf of			
Signature:		Signature:			
Name:		Name:			
Title:		Title:			
Date:		Date:			
↓↓For Board-signed documents only↓↓	,				
Attest Signature:	Initial of EO/DH				
Attestor Name:					
Attestor Title:					

NON-PROCUREMENT DOCUMENTS ONLY

ROUTING COVER SHEET

Document Details			
Document Type	Grant Application		
Parties			
County Contact Information			
Boulder County Legal Entity	Boulder County		
Department	Sheriff		
Division/Program	Victim Assistance		
Mailing Address	5600 Flatiron Pkwy Boulder CO 80301		
Contract Contact	Barbara Park bpark@bouldercounty.gov		
Invoice Contact sheriffinvoices@bouldercounty.org			
Other Party Contact Information	on		
Name	Twentieth Judicial District c/o District Attorney		
Mailing Address	P.O. Box 471, Boulder CO		
Contact 1- Name, title	Lindsey Bravdica; VALE Board Administrator		
Contact 1- email	lbravdica@bouldercounty.org		
Contact 2			
Term			
Start Date	1/1/2025		
Expiration Date	12/31/2025		
Brief Description of Work/Services Provided			
Grant Application through 20th Judicial District for the BCSO Victims Assistance Program			
Revenue Contract/Lease Details			
Amount			
Fixed Price or Not-to-Exceed? Grant Details			
Grant Details			
Award # (if any)			
Signature Deadline			

NON-PROCUREMENT DOCUMENTS ONLY

Project/Program Name	
Project/Program Start Date	
Project/Program End Date	
Capital or Operating?	
Grant Funding	
Amount: Federal Funds	
Amount: State Funds	
Amount: Other (specify)	\$49,113
Amount: Match (dollars)	
Amount: Match (in-kind)	
Total Project Budget	
Account String	
Federally Funded Grants	
Federal Program Name	
CFDA #	
Subrecipients	
Name(s)	
Services to be Provided	
Subaward Amount	
Subcontractors	
Name(s)	
Services to be Provided	
Subcontract Amount	
	ils should precisely match search variables in File Net
(Only required where Original Ag	greement is stored in File Net)
Other Party Name	
Start Date	
End Date	
Amount	

NON-PROCUREMENT DOCUMENTS ONLY

Notes				
Additional information not included above				
DocuSign <i>I</i>	Approvals (Initials):			
	_ Paralegal (if required)			
apG				
	_ County Attorney (if required) apg			
	_ Risk Management (if required)			
CM				
00	Finance (if required)			
//I)				
CW	_ EO/DH (if required)			
Board of County Commissioner		ATTEST:		
Achlou Chal-	Ashley Stolzmann Matthew Ramos			
Ashley Stolzmann Date:				
Chair, Board	d of County Commissioners	Clerk to the Board		

Docusign Envelope ID: 85D65CFE-D384-4950-9644-B12FCC0D8094 For Official Use Only: Approved Denied Duplicates Services Yes No Date Received Amount Awarded _____ Application Number Victim Rights Act Yes No Project Duration _____ to ____ Services to Victims Yes No V/S or L/E Previously funded Yes No Multi-jurisdictional All Materials Included Yes No Other Districts Date of Board review 20th JUDICIAL DISTRICT VICTIM ASSISTANCE AND LAW ENFORCEMENT **GRANT APPLICATION**

I.	APPLICANT AGENCY Boulder County Sheriff's Office		
II.	PROJECT TITLE Victim Assistance Program		
	Project Director Barbara Park Phone 303-413-7040 Fax		
	Address 5600 Flatiron Parkway, Boulder, CO 80301		
	E-mail: <u>bpark@bouldercounty.gov</u> Web page: <u>https://bouldercounty.gov/safety/victim/victim-assistance/volunteer-program/</u>		
III.	AMOUNT REQUESTED \$49,113.00		
IV.	NON-PROFIT STATUS:Yes _X_ No In Progress Tax ID Number GOVERNMENT AGENCY: _X_ YES NO		
	PROJECT DURATION: 12 months, January 1, 2025- Dec. 31, 2025		

- V. REQUIRED ATTACHMENTS (Include with all copies):
 - A. Budgets
 - 1. Victim Assistance Program Budget
 - 2. Itemized Project Budget
 - 3. Budget Narrative
 - 4. Program Budget which includes revenues and expenses
 - B. Copy of 501(c) (3) IRS Tax Ruling (if applicable)
 - C. Listing of Board of Directors and Key Officers (if applicable)
 - D. Copy of current Financial Statement and Audit Report (Waived for governmental agencies)
 - E. Random Sampling of Client Satisfaction Surveys limit 6
 - F. If you are requesting a full or part-time position, you must attach your agency's classification of that position and job description
 - ✓ All grant awards are subject to the availability of funds.
 - ✓ Please be advised that the board may revoke any contract/grant if used inappropriately.
 - ✓ Application must be typed or printed in black ink.
 - ✓ Please submit one original of your application to: V.A.L.E. BOARD ADMINISTRATOR, C/O BOULDER DISTRICT ATTORNEY'S OFFICE, 1777 6TH STREET, BOULDER, CO 80302, and email a PDF copy to lbravdica@bouldercounty.org or Vale20@bouldercounty.org
 - ✓ Original application must be single-sided.
 - ✓ All application pages must be numbered. Hand-numbering is acceptable.
 - ✓ Limit application to 18 pages including cover sheet and signature page, but excluding attachments.
 - ✓ Do not use a font any smaller than 12 point.
 - ✓ Applications are due Friday, October 6, 2023, by 5pm. If an application is late, the agency must supply a reason and the Board will decide on accepting a late application on a case by case basis

 Page 78 of 210

NOTE: PLEASE RESPOND TO EACH NUMBERED QUESTION SEPARATELY.

SECTION A: PROJECT CONCEPT/DESIGN

1. Describe the applicant agency.

The Boulder County Sheriff's Office (BCSO) provides full public safety services to unincorporated Boulder County. BCSO is divided into four divisions: Operations, Jail, Support Services, and Administration. The Victim Assistance Program functions within the Operations Division and operates within the Community Assistance Programs (CAP) under the supervision of the Community Assistance Programs Director.

2. Describe the problem in Boulder County that this specific project is trying to address.

Experiencing a crime has lasting and varying effects. Our Victim Services Team is dedicated to ensuring victims of crime are connected to and informed of services and resources that meet their specific needs. Victims often feel a loss of control and overwhelming uncertainty when involved in the criminal justice system. Our focus is to provide support, guidance, and education while they maneuver through the system, empowering them to make educated decisions and to feel heard. Our ability to provide immediate crisis intervention, connection and information will contribute to the wrap around services necessary for successful prosecution, and most importantly, healing for the victim.

3. Describe the project that would be funded by VALE funds in the 20th Judicial District (be specific regarding what services VALE funds will provide to this community).

VALE funds will provide salary at a 35% FTE for the Boulder County Sheriff Community Assistance Programs Director/VALE Project Director to provide on-going direct services for English speaking, non-English speaking and the under-represented/underserved populations who are primary and secondary crime victims and witnesses, *pursuant to section 24-4.1-302.5* of the Colorado Revised Statutes. These services are provided in the unincorporated areas of Boulder County, the cities of Lafayette, Louisville, and the towns of Lyons, Superior, Niwot, Nederland, and Ward. A portion of the Director's salary is being requested to serve approximately 100 crime victims/witnesses with VALE funds. The VALE Project Director and our Team, will continue to provide culturally competent direct services to community members who have experienced a crime, which will include Victim's Rights, Victim Compensation information, and connection & information to community services while participating in the criminal justice system.

The Vicim Assitance Program has three full time staff memebers, the CAP Director (VALE Project Director), Volunteer Advocate Coordinator, and the Victim Specialist. The VALE Project Director shares the responsibilities of supervising the 24/7/365 on-call advocate first responders in a weekly rotation with the two staff members in order to provide direct services to crime victims/witnesses. In addition to providing these direct services, the Director is responsible for all administration and staff supervisory duties of the Victim Assistance Program. It is necessary to have supervision for on-scene advocates 24/7/365 to answer questions, assist with situations unfamiliar to the volunteer advocates, and to generally be a reliable resource. Teams of two volunteer advocates per a 12 or 24 hour shift, seven days a week, 365 days of the year, will rotate to provide immediate culturally competent direct services to crime victims. Assistance can be requested by a deputy/officer or supervisor, local hospitals, the Boulder County Coroner's Office, area fire departments or in cooperation with any community agency or program. The BCSO Victim Assistance Program is one of four on-scene responding advocate teams for the 20th Judicial District. We maintain a collaborative relationship and agree to respond when requested by the other three on-scene advocate teams.

Other responsibilities of the VALE Project Director are scheduling, planning, and facilitating officer briefing sessions and in-service trainings for all agencies served by the Program. Other duties include but not limited to, compiling statistics for the services provided by the Program, developing, and maintaining Program procedures as well as identifying areas in need of improvement and implementing strategies to remedy areas.

4. Identify and describe the project's goals and objectives. Objectives must be specific, measurable, and quantifiable.

The goal of the BCSO Victim Assistance Program is to provide crisis intervention, information and connection to victims and witnesses who have experienced a crime promptly after their victimization.

<u>Goal #1</u>: Provide immediate On-Scene direct services 24/7/365 for English speaking, non-English speaking and the under-represented/underserved populations who are primary and secondary crime victims, pursuant to *Section 24-4.1-302.5 of the Colorado Statutes*, in the unincorporated areas of Boulder County, the cities of Lafayette, Louisville and the towns of Lyons, Superior, Niwot, Nederland, and Ward.

Objective #A: Provide an immediate response when paged by the 911 Communication Center, within 30 to 60 minutes, depending on travel time in personal vehicles, to primary and secondary victims and witnesses of crime.

Objective #B: The VALE Director will provide direct services to approximately 100 victims and witnesses during 2025. The Victim Assistance Program, which the VALE Director manages, will provide direct services to more than 600 victims and witnesses of crime.

<u>Goal #2</u>: The Program will maintain approximately 30-45 trained volunteers to perform as victim assistance advocates by actively recruiting volunteers from diverse ethnic and cultural backgrounds.

Objective #A: Focus and target recruiting efforts to reach potential volunteer advocates from diverse ethnic cultural backgrounds. Utilize referral, publicity resources and social media to reach these prospective volunteers.

Objective #B: Screen, interview, and select new volunteers to provide adequate staffing for On-Scene shifts 24/7/365.

Objective #C: Provide a 40-hour training to new volunteer advocates throughout the year as interest participants apply.

<u>Goal #3</u>: Maintain culturally competent, victim centered, and trauma informed staff and volunteer Advocates.

Objective #A: Coordinate continuing education for staff Advocates. Send staff & volunteer advocates to the statewide COVA Conference and other community trainings to enhance advocacy skills, cultural competence, and trauma awareness.

Objective #B: Coordinate, with the Program Volunteer Coordinator, monthly two-hour training/meetings for volunteer advocates. These meetings, in addition to offering support to volunteers, will also provide at least eight educational training sessions during 2025. Volunteer recognition, team building, and updated procedures are also topics of meeting. Training will emphasize developing skills to provide culturally competent, victim centered, trauma informed services.

5. Describe any anticipated problems in meeting the project's goals and objectives.

We anticipate no critical problems meeting our project goals. Our Volunteer Advocate Coordinator position has been vacant since late January of 2024, first for a leave of absence then a resignation. The administrative duties for this position were covered by the Program Director. Despite this we meet our project goals and objectives for 2024. Therefore do foresee any barriers to meeting the goals in 2025. We are currently in the process of finalizing the hiring process for the new Advocate Coordinator.

SECTION B: SERVICE INFORMATION

1. Define the population and geographic area targeted for services through this project, and, if the

project is not located entirely in the 20th Judicial District, what percentage of services would be for victims and witnesses in the 20th Judicial District?

The BCSO Victim Assistance Program serves a population of over 130,000 community members who reside in unincorporated Boulder County, the cities of Louisville, Lafayette, the towns of Lyons, Superior, Niwot, Nederland, and Ward; all areas within the 20th Judicial District.

2. Briefly describe how the project strives to provide culturally competent services. Please explain your current outreach efforts to under-represented populations. What have been the results of these efforts?

Actively recruiting bicultural/bilingual volunteer advocates is a priority for this Program. Our program started 2023 with no Bilingual Advocates. Although our program goal outcomes were not as robust as we had anticipated we were still successful in recruiting multiple bilingual and bicultural volunteer advocates and our awareness and reporting of underserved populations has greatly increased. In 2023 our data shows we served 88 Hispanic victims of crime and as of late September 2024 we have served 220 Hispanic crime victims. Our advocates outreach and meet in person with our monolingual Spanish speaking victims to help them complete CVC applications and other applications for resources and to support them with directly connecting to services.

All Program staff members have attended cultural sensitivity training provided by Boulder County. Advocates receive information and on-going trauma-informed care training incorporating cultural responsiveness to victimization. Program brochures and pamphlets, in addition to our Victim Rights booklet, have been translated into Spanish. Advocates download other languages and large print brochures from the Colorado Division of Criminal Justice website.

An in-service training will be provided during the grant period addressing the impact of diversity on interpersonal communications and ways to be sensitive to differences. The result of this training effort leads to a smoother response for culturally sensitive callouts and readies the volunteer to be prepared to quickly determine how to best assist victim needs. We continually conduct briefing trainings to educate deputies/officers concerning cultural issues they face pertaining to underserved populations. All advocate responders have access to the Department Language Line to assist with any language 24/7/365. Advocates utilize interpreters during crisis intervention when face-to-face contact is vital to supporting underserved populations.

3. What number of people are in need of the services as proposed by this project?

There are over 130,000 citizens residing in the rural areas, the cities, and towns within our service areas. Potentially all could be served by the BCSO Victim Assistance Program. Additionally, a number of people from other jurisdictions come to Boulder County for recreation and other events, unfortunately, some of these people also fall victim to crimes that occur in Boulder County.

- **a.** What number of people are currently being served in the 20th Judicial District and how? In the first nine months of 2024, volunteer victim advocates and staff assisted 957 victims and witnesses, providing crisis intervention, culturally competent services, information, and connection to victims immediately after a critical event.
- b. What number of people will be served in this project in the 20th Judicial District during the upcoming contract period? (Identify sources of information).
 Based on the 1184 individuals served in 2023 and the 957, individuals served in the first nine months of 2024. We anticipate serving over 900 victims/witnesses in 2025.
- 4. How is your project different from other victim assistance agencies in Boulder County?

 The BCSO Victim Assistance Program is the only victim assistance agency that provides immediate onscene services to all victims and witnesses of crime in Boulder County regardless of the type of crime committed, with the exception of the victim assistance programs that serve the City of Boulder, the City of Longmont, and the Town of Erie. There is produptication of services between BCSO, the Boulder Police

Department, the Longmont Police Department, and the Erie Police Department's Victim Assistance Programs.

a. How will your project diminish or eliminate any duplication of services?

The BCSO Victim Assistance Program has been designed to minimize duplication of services in Boulder County. Our staff and volunteers are well informed of services offered by other agencies in our County and in Colorado. We train our volunteer advocate responders to use this training information to refer victims to appropriate agencies and to assist victims in accessing services when appropriate (i.e. MESA, SPAN, Safe Shelter of St. Vrain Valley, Boulder Mental Health Partners, etc.) BCSO deputies and officers of the other agencies we serve are trained to request advocate assistance promptly and as soon as possible, for all victims/witnesses of crime; advocates called to the scene or to respond by phone when the scene is not safe.

b. How will you coordinate services with similar or like programs? Describe cooperation with other service providers.

The BCSO Victim Assistance Program (VAP), Boulder Police Victim Assistance Program and Longmont Police Victim Assistance Program maintain a close working relationship jointly providing training to new volunteer advocates and providing "mutual aid" in the event of a significant event or disaster in which demands exceed resources. BCSO advocates work with personnel in the District Attorney's Victim/Witness Unit and Victim Compensation Program to coordinate efforts to provide services to victims/witnesses. BCSO VAP staff and volunteers connect victims to community partner agencies and programs for victimization issues on-scene and during follow-up contact with crime victims. We collaborate with Community Services' Co-Responders to help ensure the victims are receiving the support accessing mental health services. Our Program staff attends 20th Judicial District Service Provider Meetings as well as participates in best practice information sharing, discussions and trainings throughout our service areas, Boulder County and the Metro Area.

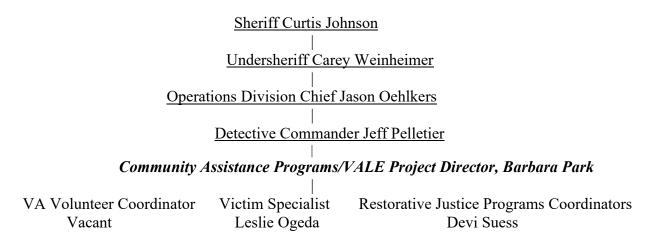
5. In compliance with the American Disability Act (ADA) on providing access, will your agency be able to provide reasonable accommodations for crime victims or victim service providers? Please focus your answer on how you would use funding for communication access.

The BCSO Victim Assistance Program is located at 5600 Flatiron Parkway in Boulder. The building has elevators for those people unable to use stairs. Elevators in the building are equipped with Braille for people who are sight impaired. The Boulder Regional Communications Center (dispatch) is equipped with TDD that enables advocates to communicate with people who have hearing impairments. Staff and advocate responders have access to the Department Language Line to assist with any language, including sign, 24/7/365. Advocates utilize interpreters during crisis intervention when face-to-face contact is vital to supporting underserved populations.

SECTION C: PROJECT MANAGEMENT

1. Define the management plan for the program/project. Submit an organizational chart of the agency and identify the positions and persons on the chart who are responsible and accountable for this program. If you are requesting funding for a full- or half-time position, attach a job description.

The BCSO Director of Community Assistance Programs/VALE Project Director is responsible for the overall management of all Community Assistance Programs, which includes the Victim Assistance Program, and the Restorative Justice Programs (RJ), Restorative Justice Programs include RJ, Community Mediation Program, and Victim Impact Classes. The CAP Director also supervises the Restorative Justice Programs Coordinator. Within the BCSO Victim Assistance Program, the VALE Project Director supervises the Victim Specialist and the Advocate Coordinator, and supports the Advocate Coordinator in supervising the Volunteer Victim Advocates (approximately 40 volunteers). The Boulder County Sheriff's Office Detective Commander supervises the Community Assistance Programs Director/VALE Project Director.



2. Describe how will you evaluate whether or not this project has met its stated goals? Describe your specific evaluation plan.

The BCSO Victim Assistance Program is evaluated in the following ways:

- Written and verbal reports from advocates that detail work accomplished during callouts, contacts and follow-ups with crime victims/witnesses, and response time to callouts.
- Input and feedback from advocates and officers concerning specific cases, as well as general input for success and improvement.
- Daily reviews police reports for BCSO reports and review of Lafayette & Louisville PD's reports upon receipt of their reports to monitor cases appropriate for advocate services.

3. Does this project utilize volunteers?

If yes, describe services performed, the number of volunteer hours anticipated, and the training the volunteers receive.

The BCSO Victim Assistance Program is heavily dependent upon volunteers. On-Scene volunteer victim advocates respond when paged by the 911 Communication Center to provide immediate assistance to victims and witnesses at the scene of a crime. When victim advocates arrive on-scene they provide crisis intervention, victim rights information, information about the criminal justice system, victim compensation, culturally competent services, emotional support, and referrals.

Based upon the 753 total volunteer hours spent in 2023 and the 239 hours spent in the first nine months of 2024. Our planned 2025 Command Staff & Briefing trainings with all three law Enforcement Agencies we project that On-Scene advocates will contribute over 700 volunteer hours in 2025. We are reorganizing our Outreach Advocate program and anticipate our Outreach Volunteer advocates to contribute over 100 volunteer hours in 2025. (Outreach Advocates have contributed less than 20 hours in past years.)

The 40-hour training required to become an advocate includes, but not limited to sessions on the neurobiology of trauma, crisis intervention skills, listening skills, victimization, trauma-informed care, post-traumatic stress reactions, ethical communication, cultural diversity, persons crimes, property crimes, crime scene investigation procedures, victim rights, victim compensation, grief and loss, working with children, teens and adults, as well as vicarious trauma. A four-hour ride with a patrol officer and a two-hour sit in the 911 Communication Center is also required as part of the training. On-going monthly trainings are provided to develop advanced skills in all the above-mentioned areas.

SECTION D: CONSTITUTIONAL AMENDMENT

1. Describe the services you provide as outlined in the VALE statute (Section 24-4.2- 105 (4) C.R.S.)? The BCSO Victim Assistance Program provides immediate assistance in 7 of the 14 listed services as outlined in the VALE statute: (a) early crisipinters and propriate social

service and victim compensation programs and assistance in filling out forms for compensation; (c.5) assistance programs for victims and their families (d) education of victims and witnesses about the operation of the criminal justice system; (e) assistance in prompt return of the victim's property; (g) intercession with the employers or creditors of victims or witnesses; (i) translator services; and (l) information regarding protection from threats of harm and other forms of intimidation.

- 2. Define how this program/project will address the guidelines for assuring the rights of victims and witnesses as outlined in the Victim Rights Act (Section 24-4.1-302.5 C.R.S.).
 - a. List specific services to be provided. If this project does not impact crime victims' rights, please specifically justify your application.

Program staff and volunteer advocates provide crisis intervention, ensure that victims/witnesses have been informed of the rights afforded to them, received their rights in writing by providing a Victim Rights booklet and are informed of community services available to them. Advocates educate about the criminal justice process, the availability of financial assistance, assist in filling out Victim Compensation forms and delivering forms to the District Attorney's Compensation Office when appropriate. Advocates assist victims in contacting the Evidence Units of the Agencies we serve, to retrieve property being held in evidence. If a victim indicates that employer intercession is needed, advocates provide this service. Advocates are trained to know when and how to talk with victims/witnesses concerning what steps can be taken in case they encounter intimidation or harassment from the person accused of the crime against them.

b. Describe the efforts of your agency to ensure that the crime victims served by your agency fully understand the rights afforded them by the constitutional amendment.

Advocates 24/7/365 have face-to-face contact, sitting with crime victims, listening to the victim(s) and providing information, resources and referrals for their needs. Daily crime reports for the agencies we serve are reviewed to ensure that crime victims/witnesses have received the Boulder County Sheriff Office's Victim Rights booklet. The booklets are detailed, they enumerate and explain the rights afforded to a victim of crime. Advocates directly explain the booklet, highlighting areas that are particularly relevant to a victim's situation and leave a phone number for the victim to call if questions arise after the initial face-to-face contact. Follow-up contact by staff are on-going for as long as an individual request our help.

- c. Does your agency have a statutory mandate to notify victims under the VRA (Victim's Rights Amendment)? Yes
- d. Describe the type of victim's rights training that has been provided to your staff and volunteers. Monthly Advocate Meetings include updates and review of victim rights, with case examples from the previous month cases concerning how victim rights applied in a case. A yearly legislative update is provided by the VALE Project Director to inform on issues related to crime victims' rights passed in the current legislative session. Trauma Informed Response, Mandatory Reporting including a prerequisite on line training & certificate through Colorado Department of Human Services, and Racial & Cultural Competency trainings were also provided in 2024.

Date of last training October 1, 2024
Training provided by Barbara Park

e. How do you presently notify victims of their rights under the VRA?

Advocates and Law Enforcement Officers ensure that victims/witnesses have a Victim Rights booklet while on-scene and review the booklet face-to-face. If On-Scene advocates are not requested immediately deputies/officers are required to give a BCSO Victim Rights booklet and review it while on scene. For the cases when an On-Scene Advocate cannot be called to the scene, an Advocate outreaches via phone and a booklet is mailed or emailed informing the victim/witness of their rights under the law.

f. Does your agency have a victim rights brochure that is distributed to victims? If so, please attach. BCSO brochures attached

PLEASE NOTE: Copies of the state statutes related to these funds are available on the Colorado State Government web page (www.state.co.us click on Government then Colorado Constitution and Statutes, then Colorado Revised Statutes C.R.S.)

- 3. Are any of the services provided by your agency eligible for Crime Victim Compensation reimbursement? Yes_____No \mathbf{X}
 - **a.** If so, list services:
- 4. Does your agency regularly conduct or receive Crime Victim Compensation training for direct services staff or volunteers?

Yes	\mathbf{X}	No	

SECTION E: BUDGET SUMMARY/FINANCIAL INFORMATION

Three budgets are required from all applicants.

A fourth budget is required from non-profits.

- 1. Overall agency victim assistance budget that includes all funding sources. See chart that follows on next page.
- 2. Detailed VALE funded project budget. See chart.
- 3. A <u>budget narrative</u> that includes justification for requested items (budget should show by line item where VALE funds would be used). The Budget Narrative should be inserted <u>after</u> detailed project budget. See instructions.
- **4.** Non-Profits please attach a full program budget for victim services, which includes revenues and expenses. Your own existing format is acceptable.

Financial Information:

1. Will you be applying to other local VALE or State VALE Boards for funding?

- 2. If Yes, please identify the Judicial District, amount requested, for what line items i.e. Personnel, etc.
- 3. Will you be applying to VOCA or VAWA for funding during this period? If so, for what positions? Yes, in 2025 VOCA will provide funding for personnel, Victim Specialist Position (61%)* and our Volunteer Coordinator Position (26%)*.
 - * These percentages are lower for 2025 vs previous years due to VOCA funding cuts and financial caps on total funding requested, which also includes crucial supplies and operating budget items.

1. OVERALL AGENCY VICTIM SERVICES BUDGET

ITEM	CURRENT GRANT YEAR 2024	PROJECTED GRANT YEAR January-December 2025
a. VALE Grant from 20 th Judicial District	\$44,730	\$49,113
VALE Grants from other Jurisdictions		
b. Public Support (Total) Donations Special Events Other		
c. United Way		
d. Foundations/Grants		
e. Client Fees		
f. Government (Total) Boulder County City of Boulder City of Longmont Other Cities Social Services State Other	\$83,070.00 P.D 64,618.00 A.C.* 9,139.00 V.S.* BCSO Salary TOTAL: \$156,827.00* This was not added to last years application budget	91,210.00 P.D. 79,695.78 A.C. 39,667.59 V.S. BCSO Salary TOTAL: \$210,573.37
g. Other (Specify & Total)		
h. VOCA VAWA Other	Total grant for 2023 & 2024 is \$268.883. For 2024 it is \$136,342.00	For 2025 it is \$98,143
TOTAL	\$264,142 (\$337,899.00*)	357,829.00

^{*}The amounts for our Advocate Coordinator and Victim Specialist was not included to last year's application budget but are being added here to ensure accuracy of the budget reporting totals.

2. PROJECT BUDGET

	2025				
Expense Categories	Annual Full-Time Salary	Benefits	% of FTE Funded by VALE	\$ Amount Requested From VALE	
A. PERSONNEL Position/Employee Name: Barbara Park	\$98,819.00	\$41,504.00	35%	\$49,113.00	
					CATEGORY A TOTAL REQUEST
					\$49,113.00
B. EQUIPMENT (see note on RFP page 1)				Total Cost (per line item)	CATEGORY B TOTAL REQUEST
C. SUPPLIES AND OPERATING EXPENSES (Communication, reproduction, rent, phone, software, etc.)				Total Cost (per line item)	CATEGORY C TOTAL REQUEST
D. CONSULTANT AND PROFESSIONAL SERVICES (see note on RFP page 1)				Total Cost (per line item)	CATEGORY D TOTAL REQUEST
	T	OTAL O	F VALE	REQUEST	49,113.00

Note: Training scholarships are available through a separate application process.

3. BUDGET NARRATIVE

Instructions for the Budget Narrative:

- The budget narrative should use the same category subheadings (e.g., Personnel, Supplies, Operating, etc.). Explain your basis for prorating and calculating where applicable i.e. salary \$15,000/year x 50% full-time employee x 12 months = \$7,500.
- The budget narrative should contain the criteria used to compute budget figures. All budget figures should be justified and explained clearly so as to be easily understood. The budget narrative should show the relationship between category amount and proposed project operations i.e., why the item is needed to do the project. Please be sure that the budget figures in the narrative and those on the budget form are the same.

<u>Personnel</u>: Explain how the salary and benefits for each position was determined.

The Boulder County Sheriff CAP Director/VALE Project Director provides direct services to primary and secondary victims, witnesses as well as supervises staff and volunteers that provide direct services for victims of crime. The position held by the VALE Project Director is a Volunteer Coordinator Senior, Boulder County position.

Our request is to pay a portion of the VALE Project Director's salary. The Director's annual salary for 2025 will be \$98,819, benefits will be 42% of the salary and total \$41,504. Our request for \$49,113 is 35% of \$98,819, the total salary plus benefits. ($$98,819+$41,504=$140,323 \times 35\% = $49,113.00$)

<u>Supplies and Operating</u>: Explain how the costs were determined and justify the need for the various line items. Items that can be purchased for less than \$1,000 are included in this category rather than in the equipment category. **N/A**

<u>Equipment</u>: Items over \$1,000 and a useful life of over one year. Items requested should show a clear link to the project. Documenting unsuccessful attempts to obtain items elsewhere may help demonstrate your need for the equipment. Software needs to be included in Supplies and Operating category.

• Explain why the proposed equipment is essential to meeting the goals and objectives. Provide justification that purchase is more reasonable than rental or leasing of the equipment.

N/A

<u>Consultant/Professional Services (Contracts)</u>: Explain why proposed services cannot be provided by project staff. **N/A**

4. FULL PROGRAM BUDGET (Non-Profits Only)

- Please attach a program budget for victim services, which includes revenues and expenses. Limit two pages.
- Your own existing format is acceptable.

The applicant assures that the following signatories and all staff and volunteers assigned to this project have read and understand the rights afforded to crime victims pursuant to section 24-4.1-302.5 C.R.S. and the services delineated pursuant to sections 24-4.1-303 C.R.S. and 23-4.1-304 C.R.S.

Because this application is for a contract for the purchase and coordination of victims and witnesses assistance services pursuant to § 24-4.2-105, C.R.S., the applicant certifies, as required by § 8-17.5-102(1), C.R.S. that at the time of this certification (1) the applicant does not knowingly employ or contract with an illegal alien and (2) that the applicant has participated or attempted to participate in the Basic Pilot Employment Verification Program administered by the Department of Homeland Security in order to verify that it does not employ any illegal aliens.

I hereby certify that the information contained herein is true and correct to the best of my knowledge and belief.

Barbara Park	Project Director
Typed Name of Project Director	•
Barbara Park	October 7, 2024
Signature Project Director's	Date
Barbara Park	Agency Director
Typed Name of Agency Director	
Barbara Park	October 7, 2024
Signature, Agency Director	Date
Carey Weinheimer	Financial Officer
Typed Name of Financial Officer	
Carey Weinheimer	October 7, 2024
Signature, Financial Officer	Date
Carey Weinheimer	Authorized Official
Typed Name of Authorized Official	
Carey Weinheimer	October 7, 2024
Signature Authorized Official	Date

<u>Project Director:</u> The person who has direct responsibility for the implementation of the project. This person should combine knowledge and experience in the project area with ability to administer the project and supervise personnel. They share responsibility with the Financial Officer for seeing that all expenditures are within the approved budget. This person will normally devote a major portion of his/her time to the project and is responsible for meeting all reporting requirements. The Project Director must be a person other than the Authorized Official of the Financial Officer.

<u>Agency Director</u>: The executive director of the agency. This may in some agencies be the same person as the project director or authorized official.

<u>Financial Officer:</u> The person who is responsible for all financial matters related to the program and who has responsibility for the accounting, management of funds, and verification of expenditures, audit information and financial reports. The person who actually prepares the financial reports may be under the supervision of the Financial Officer. The Financial Officer must be a person other than the Authorized Official or the Project Director.

<u>Authorized Official:</u> The authorized official is the person who is, by virtue of such person's position, authorized to enter into contracts for the grant recipient. *This could include:* Mayor or City Manager, Chairperson of the County Commissioners, District Attorney, President of Chairperson of the Board of Directors, Superintendent, or other Chief Executive Officer.

Sheriff's Office Community Victim Assistance Programs Director

DESCRIPTION:

The Community Assistance Programs unit consists of the Victim Assistance Program, the Restorative Justice Program, Mediation Program, and Victim Impact Program. The Victim Assistance Program provides service to victims of serious crime, traumatic incidents and survivors of sudden death by having trained volunteers respond to the victim's location, or contact the victim by phone, as soon as possible after an incident occurs. The Restorative Justice Program seeks to implement restorative justice principles with offenders and victims within the operations of the Boulder County Sheriff's Office. This includes coordinating and facilitating community group conferences with appropriate offenders, their victims and community members. The Director of the Community Assistance Programs is a paid, full-time position, classified as a Program Specialist III under the guidelines of the Boulder County Personnel System, and is responsible for the overall operation of both the Victim Assistance and Restorative Justice Programs.

EXAMPLES OF DUTIES

Duties and Responsibilities

- 1. Hires and supervises all Program staff including Victim Assistance Program Outreach Coordinator, the Restorative Justice, Mediation, & Victim Impact Coordinator, and Victim Specialist.
- 2. Develops and maintains Program procedures; schedules and leads meetings for Community Assistance staff; attends Operations supervisor monthly meetings and detective staff meetings.
- 3. Builds and maintains relationships with appropriate community agencies, including other Boulder County law enforcement agencies, victim service provider agencies, service organizations, and multiagency groups.
- 4. Provides direct services to victims who contact the Community Assistance Programs' office.
- 5. Supervises recruiting and selection of prospective volunteers and interviews applicants for both the Victim Assistance and Restorative Justice Programs.
- 6. Coordinates the training of Victim Assistance Program volunteers and law enforcement officers in the areas of victimization, including victim rights, program procedures, crisis intervention, community resources, and other relevant issues.
- 7. Provides training to Boulder County deputy recruits, the Boulder County Sheriff's Citizens Academy, and various other groups.
- 8. Supervises approximately 45 on-scene volunteer victim advocates.

- 9. Plans and coordinates monthly training meetings for outreach and on scene volunteers and debriefing sessions for the on-scene volunteer victim advocates.
- 10. Supervises the development and maintenance of monthly on-scene schedules.
- 11. Monitors and coordinates contact with victims not served immediately after the incident by victim advocates, including supervision of the Outreach Coordinator
- 12. Oversees compilation of statistics of services provided by the Victim Assistance on-scene program; writes and distributes quarterly or semi-annual reports; oversees compilation of quarterly Community Assistance reports.
- 13. Provides community education and public speaking on victimization issues and the advocate program.
- 14. Carries the supervisor pager 24/7 and monitors all call outs for on scene response. Is required to take on-call supervisor shifts and be available for questions from on-call advocates or respond to call outs as needed during the on-call coverage.
- 15. Frequently attends deputy briefings and occasional ride-along to foster good relationships with the patrol division.
- 16. Has responsibility for the VALE and VOCA grant applications and quarterly reporting's.

REQUIRED QUALIFICATIONS

Education: Bachelor's degree in Social Science or related field, plus four years of professional experience in a related program, including one year in a supervisory capacity, or

Eight years of professional experience in a related program, including one year in a supervisory capacity, or

Any equivalent combination of experience and education

Knowledge, Skills and Abilities: Working knowledge of the principles and practices of volunteer management. Organizational skills. Ability to make public presentations. Ability to work effectively with other employees and the public.

SUPPLEMENTAL INFORMATION

Physical Requirements:

Primarily sedentary physical work requiring ability to lift a maximum of 40 pounds; occasional lifting, carrying, walking and standing; frequent hand/eye coordination to operate computer keyboard and office equipment; vision for reading, recording and interpreting information;

speech communication and hearing to maintain communication with employees and members of the public.

From "Dictionary of Occupational Titles", U.S. Dept of Labor: Occasionally: activity or condition exists up to 1/3 of the time. Frequently: activity or condition exists from 1/3 to 2/3 of the time. Constantly: activity or condition exists 2/3 or more of the time

Boulder County is a family-friendly workplace dedicated to fostering a diverse, inclusive, and respectful environment for all employees. We prohibit unlawful discrimination against applicants and employees on the basis of race, color, religion, gender, gender identity, national origin, age, disability, socio-economic status, sexual orientation, genetic information, or any other status protected by applicable federal, state, or local law.



Boulder County Sheriff's Office 5600 Flatiron Pkwy Boulder, CO 80301

May 02, 2024

Colorado Springs, Co

RE:

Case Number: 24-02138

Purpose: survey

Case Date: May 02, 2024

Case Time: Thursday 8:20 am

Dear *

You recently had contact with a Victim Advocate from our Program who provided services to you. Please take a moment and complete this survey to help us identify our Program strengths and areas in need of improvement. We have enclosed a pre-paid envelope to return your feedback at no inconvenience to you.

Please circle what best applies to your experience:

I was treated with Fairness, Dignity and Respect

Strongly agree

Agree

Not Sure

Disagree

Strongly Disagree

My questions and concerns were adequately addressed

Strongly agree

Agree

Not Sure

Disagree

Strongly Disagree

The assistance provided helped me make informed choices

Strongly agree

Agree

Not Sure

Disagree

Strongly Disagree

The Advocate demonstrated an understanding of my needs

Strongly agree

Agree

Not Sure

Disagree

Strongly Disagree

Please tell us about your experience with the advocate on the back of this letter.

Thank you for taking the time to provide us with valuable feedback about your experience.

If you have concerns you'd like to express to the Program Director please call 720.564.2781. Sincerely,

The Boulder County Sheriff's Office Victim Assistance Program



Boulder County Sheriff's Office 5600 Flatiron Pkwy Boulder, CO 80301

Mar 26, 2024

Louisville, Co 80027

RE: Case Number: Ls24-0418

Purpose: Survey

Case Date: Mar 11, 2024 Case Time: Monday 8:11 am

Dear

You recently had contact with a Victim Advocate from our Program who provided services to you. Please take a moment and complete this survey to help us identify our Program strengths and areas in need of improvement. We have enclosed a pre-paid envelope to return your feedback at no inconvenience to you.

Please circle what best applies to your experience:

I was treated with Fairness, Dignity and Respect

Strongly agree Agree Not Sure Disagree Strongly Disagree

My questions and concerns were adequately addressed

Strongly agree Agree Not Sure Disagree Strongly Disagree

The assistance provided helped me make informed choices

Strongly agree Agree Not Sure Disagree Strongly Disagree

The Advocate demonstrated an understanding of my needs

Strongly agree Agree Not Sure Disagree Strongly Disagree

Please tell us about your experience with the advocate on the back of this letter.

Thank you for taking the time to provide us with valuable feedback about your experience.

If you have concerns you'd like to express to the Program Director please call 720.564.2781.

Sincerely,

The Boulder County Sheriff's Office Victim Assistance Program

The information that the Victim assistance advocate was af great help for me and she was so boind and understanding at the fine of loss and need. Thank you so very much and I greatly appreciate the information she provided.



Jan 03, 2024

UNICORPORATED, CO 80302

RE:

Case Number: 23-06556

Purpose: Survey

Case Date: Dec 27, 2023

Case Time: Wednesday 4:24 pm

Dear *

You recently had contact with a Victim Advocate from our Program who provided services to you. Please take a moment and complete this survey to help us identify our Program strengths and areas in need of improvement. We have enclosed a pre-paid envelope to return your feedback at no inconvenience to you.

Please circle what best applies to your experience:

I was treated with Fairness, Dignity and Respect

Strongly agree Agree Not Sure Disagree Strongly Disagree

My questions and concerns were adequately addressed

Strongly agree (Agree) Not Sure Disagree Strongly Disagree

The assistance provided helped me make informed choices

Strongly agree Agree Not Sure Disagree Strongly Disagree

The Advocate demonstrated an understanding of my needs

Strongly agree Agree Not Sure Disagree Strongly Disagree

Please tell us about your experience with the advocate on the back of this letter.

Thank you for taking the time to provide us with valuable feedback about your experience.

If you have concerns you'd like to express to the Program Director please call 720.564.2781.

Sincerely,

The Boulder County Sheriff's Office Victim Assistance Program
Page 97 of 210



Boulder County Sheriff's Office

Nov 21, 2023

LUUISVILE, CO 80027

RE:

Case Number: 23-06265

Purpose: survey

Case Date: Nov 21, 2023 Case Time: Tuesday 1:41 pm

Dear*

You recently had contact with a Victim Advocate from our Program who provided services to you. Please take a moment and complete this survey to help us identify our Program strengths and areas in need of improvement. We have enclosed a pre-paid envelope to return your feedback at no inconvenience to you.

Please circle what best applies to your experience:

I was treated with Fairness, Dignity and Respect

Agree Strongly agree

Disagree Not Sure

Strongly Disagree

My questions and concerns were adequately addressed

Strongly agree Agree

Not Sure

Disagree

Strongly Disagree

The assistance provided helped me make informed choices

Strongly agree Agree

Not Sure

Disagree

Strongly Disagree

The Advocate demonstrated an understanding of my needs

Strongly agree

Agree

Not Sure

Disagree

Strongly Disagree

Please tell us about your experience with the advocate on the back of this letter.

Thank you for taking the time to provide us with valuable feedback about your experience.

If you have concerns you'd like to express to the Program Director please call 720.564.2781.

Sincerely,

The Boulder County Sheriff's Office Victim Assistance Program

Page 99 of 210

The whole experience was frightening! Something like personal theft turns life upside down. I had to notely every back bank/credit union, change my drivers License nums call credit bureaus and insurance expess companies, and hoped that would be enough. It was disappointing that with the Linancial information I provided that no one was appechended. Topefully, they will get caught for another crime. I am thankful that I was not physically harned. With different circumstances that could have happened. I am very grateful for the information provided by the deputy who took my statement. He was helpful and informative. Jose Marie Terada

VICTIM RIGHTS AND ASSISTANCE



Boulder County Sheriff Victim Assistance 303-441-3656

Case Report # ____

Victim Advocate

Officer/Detective

DERECHOS Y ASISTENCIA A VÍCTIMAS



Asistencia a la Víctima **303-441-3656**

Defensor de la Víctima

Oficial/Detective

Reporte de Caso #

Page 101 of 210

support as you journey through the criminal justice crime. As a result, you may have feelings of stress, fear, and confusion. We would like to offer our system and healing from this event.

We are sorry to learn that you have experienced a

one of the crimes listed in this pamphlet, your rights are guaranteed by the Colorado Constitution as per Victims of crime have rights. If you are a victim of exercise those rights, and provide you with local designed to inform you of your rights, help you Colorado Statute 24-4.1-302. This booklet is resources to meet your individual needs.

rights, your case, or would like to talk with someone 303-441-3656, if you have any questions about your Please call our victim assistance office, about your concerns.

alguien sobre sus inquietudes. sobre sus derechos, su caso, o si desea hablar con Por favor llame a nuestra oficina de asistencia a víctimas, 303-441-3656, si tiene alguna pregunta

necesidades individuales.

proporcionarle recursos locales satisfacer sus

informarle de sus derechos, ayudarle a ejercerlos y

superación de este evento. en su trayecto a través del sistema de justicia penal y la miedo y confusión. Nos gustaría ofrecer nuestro apoyo Como resultado, puede tener sentimientos de estrés, Lamentamos saber que ha experimentado un delito.

SERVICIOS A VÍCTIMAS

¿Qué son los Defensores de Víctimas y cómo pueden ayudarme? Programa de Servicios a la Víctima

trayectoria por el sistema de justicia penal, educación específica crisis, los derechos de las víctimas del delito y compensación, la neurobiología del trauma, las habilidades de intervención en traumático. La capacitación especializada explora temas como la informado imparcial para el trauma. según el delito, y herramientas para proporcionar apoyo apoyar a las personas que han sufrido un delito o un evento Un defensor de víctimas recibe capacitación especializada para

Hay <u>dos</u> tipos de Defensores:

- Basado en el sistema- Hay defensores en cada etapa del de Distrito, Libertad Condicional, y Correcciones proceso de justicia penal- Fuerzas del Orden Público, Fiscal
- Los defensores del sistema <u>no</u> son defensores confidenciales

Basado en la comunidad- Programas locales sin fines de

Continue to provide emotional support and information

Connect you to appropriate community services that

meet your individual needs

Provide safety planning

on the criminal justice system

In the days after your traumatic experience our advocates will:

immediate crisis intervention, emotional support, information,

Law Enforcement Advocates respond on scene to provide and connection for victims who have experienced a crime.

apoyo emocional, información y conexión para las víctimas que han experimentado un delito. escena para proporcionar intervención inmediata en crisis, Defensores en las Fuerzas del orden público responden a la ucro que ofrecen servicios gratuitos y confidenciales

defensores: En los días posteriores a su experiencia traumática nuestros

System based advocates are not confidential advocates

System based- There are advocates in each stage of the

ij.

There are two types of Advocates::

criminal justice process- Law Enforcement, District

Attorney, Probation, and Corrections

Community based- Local non- profit programs that offer

free and confidential services

- Lo pondrán en contacto con los servicios comunitarios Continuarán otorgando apoyo emocional e información en el Sistema de Justicia Penal
- Proporcionarán una planificación de seguridad apropiados que satisfagan sus necesidades individuales
- Asistencia con solicitudes de compensación para víctimas • Educarán sobre las órdenes de protección
- Le darán opciones de asistencia financiera de emergencia Se cerciorarán qué esté informado de sus Derechos

Mi Defensor en las Fuerzas del Orden Público es: Constitucionales como victima de delito o

My Advocate in Law Enforcement is:

Assistance with crime victim compensation applications

Education on protection orders

Ensure you are informed of your Constitutional Rights

as a Victim of Crime

Emergency financial assistance options

Their phone number is:

Su número de teléfono es:

Victim Services Programs specialized support individuals who have A victim advocate receives

traumatic event. The specialized training explores topics such as neurobiology of trauma, crisis intervention skills, unbiased trauma-informed support. experienced a crime training crime victim rights and compensation, navigating education, criminal justice system, crime specific provide ç

What are Victim Advocates and how can they help me?p me?

VICTIM SERVICES

VICTIM SERVICES

information, intervention and community referrals. During the criminal court process:

Specialists

Victim/Witness

Attorney

Other Advocates you may have contact with:

Act as a liaison between you and the DA

Provide notification of court proceedings and other

critical stages

Accompaniment to court

Ensures your rights as a victim of crime Assists with victim impact statements

My Advocate at the District Attorney's office is:

Their phone number is:

Probation. VAC's (Victim Assistance Coordinators) will continue offense in either District or County Court and is sentenced to Assistance Coordinators become involved in a case after the offender has either been found guilty or pled guilty to an 20th Judicial District (Boulder County) Probation Victim

to provide services for as long as the offender is on probation. They work on both adult and juvenile cases.

My Advocate in Probation is:

menores.

prestando servicios mientras el delincuente esté en libertad

condicional. Trabajan tanto en casos de adultos como de Coordinadores de Asistencia a las Víctimas (CAV) seguirán Condado y es sentenciado a libertad condicional. Los

Mi Defensor de la Libertad Condicional es:

declarado culpable de un delito en el Tribunal de Distrito o del de que el delincuente ha sido declarado culpable o se ha **Judicial (Condado de Boulder)** se involucran en un caso después

Los Coordinadores de Asistencia a las Víctimas del 20º Distrito

Their phone number is:

Department of Corrections Victim Services Unit works to information. They act as your guide while the offender is answer questions and to provide you useful and timely under the jurisdiction of the Colorado Department of

My Advocate at the Dept of Corrections is: Corrections.

Their phone number is:

from providing crisis intervention, shelter, outreach counseling, Community Program Advocates provide free and confidential legal advocacy, and case management. Some local programs include SPAN, Safe Shelter, MESA services to adults, youth and children. Their services range

My Community Advocate is:

proceso criminal penal:

intormación, intervención y remisiones comunitaria. Durante el Fiscal del Distrito Especialistas para Victima/Testigos ofrecen

 Notifica los procedimientos y otras etapas criticas Actúa como enlace entre usted y el fiscal

Acompañamiento al tribunal

Asegura sus derechos como víctima de un delito

Su número de teléfono es:

 Provee asistencia con declaraciones de impacto de victimas Mi abogado de la oficina del Fiscal del Distrito es:

Otros Defensores con los cuales puede tener

Their phone number is:

2

de alcance, defensa legal y gestión de casos. Algunos programas gratuitos y confidenciales a adultos, jóvenes y niños. Sus servicios Los Defensores del Programa Comunitario prestan servicios locales son: SPAN, Albergues Seguros, MESA van desde la intervención en caso de crisis, refugio, asesoramiento

Su número de teléfono es:

Su número de teléfono es:

Mi Defensor del Depto. Correccional es:

Su número de teléfono es:

trabaja para responder a sus preguntas y proporcionarle Unidad de Servicios a las Víctimas del Departamento Correccional

ofensor está bajo la jurisdicción del Departamento Correccional de información útil y oportuna. Actúan como su guía mientras el

SERVICIOS A VÍCTIMAS

DERECHOS DE VÍCTIMAS DE DELITOS

A estar libre de intimidación, acoso o abuso, y el derecho a algún tipo de intimidación o acoso por parte de la persona ser informado sobre los pasos que se pueden tomar si hay persona, por teléfono, virtualmente por audio o video, o críticas" del proceso de justicia penal; compareciendo en acusada o condenada por el delito o cualquier persona que

A consultar con el fiscal del distrito antes de cualquier A estar presente y ser escuchado en relación cor sentencia; de los cargos, la disposición del caso o la la reducción de la fianza, las modificaciones, los aplazamientos, la aceptación de las negociaciones

actúe en su nombre;

A ser informado del estado del caso y de cualquier cambic antemano; o cancelación de la programación, si se conoce de

disposición del caso o antes de que el caso vaya a juicio y a

ser informado de la disposición final del caso;

A preparar una declaración de impacto de la víctima y a estar presente y/o ser escuchado en la sentencia;

A que se ordene la restitución y a que se le informe del

derecho a solicitar una sentencia civil contra la persona

condenada por el delito;

Para una lista completa de sus derechos por favor refiérase al Estatuto Revisado de Colorado (CRS) 24-4.1-301 al 24-4.1-304. A ser informado de y estar presente en todas las "etapas Ser tratado con justicia, respeto y dignidad; tecnologia similar para todas las etapas criticas;

To be informed of the status of the case and any scheduling To prepare a Victim Impact Statement and to be present changes or cancellations, if known in advance;

To consult with the district attorney prior to any disposition of the case or before the case goes to trial and to be negotiations, case disposition, or sentencing; informed of the final disposition of the case;

Io be present and heard regarding bond reduction, modifications, continuances, acceptance of plea

is any intimidation or harassment by a person accused or convicted of the crime or anyone acting on the person's

criminal justice process; by appearing in person, by phone, virtually by audio or video, or similar technology for all critical stages;

To be free from intimidation, harassment, or abuse, and the

right to be informed about what steps can be taken if there

To be informed of and present for all "critical stages" of the

For a complete list of your rights, please refer to Colorado Revised Statute (CRS) 24-4.1-301 through 24-4.1-304 To be treated with fairness, respect and dignity;

The following is a summary of the rights guaranteed by the Colorado Crime Victim Rights Act

Victim Rights Act

Ley de Derechos de las Victimas

Lo siguiente es un sumario de los derechos garantizados por la Ley de Colorado de Derecho de Víctimas de Delitos

To a prompt return of the victim's property when no longer to pursue a civil judgment against the person convicted of the crime;

To have restitution ordered and to be informed of the right

and/or heard at sentencing;

needed as evidence;

To be informed of the availability of financial assistance and

community services;

regarding court appearances and meetings with criminal **To be given** appropriate employer intercession services

instice officials;

To be assured that in any criminal proceeding the court, the prosecutor, and other law enforcement officials will take

appropriate action to achieve a swift and fair resolution of the proceedings;

RIGHTS OF CRIME VICTIMS

RIGHTS OF CRIME VICTIMS

de Derechos de las Víctimas Ser informado del proceso para hacer cumplir la Ley del Estado de Colorado; en virtud de la constitución de los Estados Unidos o Ser informado de los derechos que la víctima tiene

cualquier hospital estatal; dada de alta de forma permanente o condicionada de penitenciario de menor seguridad o sea trasladada o persona condenada por un delito contra la víctima sea ingresada o trasladada a un centro o programa Previa solicitud por escrito, a ser informado cuando una

delito contra la víctima sea ingresada o trasladada a un a ser informado cuando una persona condenada por un condicionada de cualquier hospital estatal; sea trasladada o dada de alta de forma permanente o centro o programa penitenciario de menor seguridad o Previa solicitud por escrito, Previa solicitud por escrito,

DERECHOS DE VÍCTIMAS DE DELITOS

condicional o de la libertad vigilada; condicional, se escape o se fugue de la libertad sea puesta en libertad condicional, esté en libertad acusada o condenada por el delito es puesta en libertad, Previa solicitud, a ser informado cuando una persona

Siempre que sea posible, disponer de una zona de espera segura durante los procedimientos judiciales

cumplir la ley tomarán las medidas adecuadas para lograr una el tribunal, el fiscal y otros funcionarios encargados de hacer A que se le garantice que, en cualquier procedimiento penal resolución rápida y justa del procedimiento;

empleador adecuados en relación con las comparecencias A que se le proporcionen los servicios de intercesión del ante el tribunal y las reuniones con los funcionarios de la

A ser informado de la disponibilidad de asistencia financiera y servicios comunitarios;

A la pronta devolución de los bienes de la víctima cuando ya

no sean necesarios como prueba;

 Whenever practicable, to have a safe, secure waiting area Upon request, to be informed when a person accused or

convicted of the crime is released from custody, is paroled escapes or absconds from probation or parole;

 Upon written request, to be informed of and heard at any reconsideration of sentence, parole hearing, or commutation of sentence;

transferred to a less secure correctional facility or program or is permanently or conditionally transferred or released · Upon written request, to be informed when a person convicted of a crime against the victim is placed in or from any state hospital;

To be informed of any rights which the victim has pursuant to the constitution of the United States or the State of Colorado;

Law Enforcement (LE) is responsible to provide you with the Victim Rights Act

To be informed of the process for enforcing compliance

- The Victim Right's Act CRS 24-4.1-301 through CRS the following information:

Crime Victim Compensation and other financial assistance 24-4.1-304 resources

Protection Orders

 How to receive a free copy of the police report (based on the status of the case) The District Attorney's business address and phone number

- Law Enforcement Agency case number, name and phone number of LE Representative assigned to the case

Law Enforcement (LE) is responsible to keep you informed

 The status of the suspect (warrant, arrest, and release) of the following:

How to be notified of custody status

Status of the case, prior to the filing of charges

request of the victim the procedure for modifying the order The existence of the criminal protection order and upon

agency shall provide an update at least annually to the victim About the decision not to file charges in misdemeanor cases concerning the status of the cold case involving one or more the victim in a cold case information concerning any change crimes for which the criminal statute of limitations is longer Upon the request of the victim the LE agency shall provide in status in the case. In addition, the law enforcement

5

DERECHOS DE VÍCTIMAS DE DELITOS

Crimes with Constitutional Rights:

• Murder— 1st and 2nd degree, <u>18-3-102</u> & <u>18-3-103</u>

Manslaughter, 18-3-104

Criminally Negligent Homicide, 18-3-105

Vehicular Homicide, 18-3-106

Vehicular Assault, 18-3-205

Assault—1st, 2nd, 3rd degree, 18-3-202, 18-3-203, 18-3-204

Menacing, 18-3-206

Kidnapping—1st and 2nd degree, <u>18-3-301</u> & <u>18-3-302</u>

del representante LE asignado al nombre y número de teléfono las fuerzas del orden público, Número de caso de la agencia de

Sexual Assault, 18-3-402

 Sexual Assault on a Child, 18-3-405 • Unlawful Sexual Contact, 18-3-404

 Sexual Assault on a Child by one in a position of trust, **CRIMES WITH CONSTITUTIONAL RIGHTS**

Sexual Assault on a client by a psychotherapist, 18-3-405.5 Invasion of Privacy for Sexual Gratification, 18-3-405.6

Human Trafficking, 18-3-503 & 18-3-504

Stalking, <u>18-3-602</u>

Cómo recibir una copia gratuita del informe policial (según el estado del caso)

Ordenes de Protección

delitos y otros recursos de ayuda Compensación a las víctimas de

financiera

La dirección y el número de teléfono del

Fiscal del Distrito

• Arson- 1st degree, <u>18-4-102</u>

· Burglary—1st and 2nd degree, 18-4-202 & 18-4-203

Robbery and Aggravated Robbery, <u>18-4-301</u> & <u>18-4-302</u>

 Aggravated Robbery involving a controlled substance, 18-4-303

ullet Incest and Aggravated Incest, $\overline{18 ext{-}6 ext{-}301}$ & $\overline{18 ext{-}6 ext{-}302}$

Child Abuse, 18-6-401

Sexual Exploitation of Children, 18-6-403

Crimes Against At-Risk Adults, Elders and Juveniles, 18-6.5-103

 Posting a Private Image for Harassment or Pecuniary Gain, 18-7-107 & 18-7-108

• Indecent Exposure, <u>18-7-302</u>

 Child Prostitution, 18-7-401, 18-7-402, 18-6-404, 18-7-405 18-7-405.5, 18-7-406

 Soliciting for Child Prostitution, 18-7-402 Criminal Invasion of Privacy, <u>18-7-801</u>

2

Las Fuerzas del Orden Público (LE, por sus siglas en inglés) son responsables de brindarle la siguiente

ntormación:

Ley de Derechos de las

Víctimas CRS 24-4.1-301 a

CRS 24-4.1-304

Ley de Derechos de las Victimas

CRIMES WITH CONSTITUTIONAL RIGHTS

Intimidation or Aggravated Intimidation of a victim or a witness, 18-8-704 & 18-8-705 Retaliation against a victim, witness, judge, juror, prosecutor or elected official 18-8-706, 18-8-706.5, 18-8-615, 18-8-616

Tampering with a Victim or Witness, 18-8-707

Harassment -Ethnic Intimidation, 18-9-111(2)

Bias Motivated Crimes, 18-9-121

Failure to Stop at the Scene of an Accident that result in death or serious bodily injury, 42-4-160

vez al año sobre la situación de la causa

informacion actualizada al menos una

la ley proporcionará a la víctima

organismo encargado de hacer cumplir

el estado en el caso. Además, el información sobre cualquier cambio en

cuyo estatuto de limitaciones penales sin resolver relativa a uno o más delitos

sea superior a tres años.

Careless Driving that results in the death of another person, 42-4-1402

found by the court on the record to include an act of domestic Any crime identified by Law Enforcement prior to the filing of Attorney in a formal criminal charge as domestic violence; any charges as domestic violence; an act identified by the District crime with the underlying factual basis of which has been violence, pursuant to 18-6-801; as defined in section,

18-1-1001, against a person charged with committing sex Violation of Mandatory Protection Order issued under assault, or stalking, 18-3-402, 18-3-405, 18-3-405.3, 18-3-405.5, 18-3-602

> penal y, a petición de la víctima, el La existencia de la orden de protección

procedimiento de modificación de la

El estado del caso, antes de la

presentación de cargos

Any criminal attempt, conspiracy, criminal solicitation or specified in 24-4.1-302(1), 18-2-101, 18-2-201, 18-2-301 any accessory to a crime; involving any of the crimes

siguiente:

El estado del sospechoso (orden de

detención, arresto y liberación)

Cómo ser notificado del estado de la

Las Fuerzas del Orden Público (LE) son responsables de mantenerle informado de lo

DEBECHOS DE NÍCTIMAS DE DELITOS

a la víctima en un caso sin resolver

Fuerzas del orden público proporcionará A petición de la víctima, la agencia de las Sobre la decisión de no presentar cargos

en casos de delitos menores

Emotional Response to Trauma

The brain starts to function differently, you might feel experiences extreme fear, brain chemistry is altered not in control of your emotions. The following are When someone experiences a traumatic event or common reactions to a traumatic event:

- Shock
- Disbelief
- Unable to remember details of the event

EMOTIONAL RESPONSE TO TRAUMA

- Anxiety or panicking feelings
- Feeling numb
- Irritability
- Blaming or doubting oneself, thoughts like "If only I had . . .
- **Nightmares**
- Loss of appetite
- Flashbacks- re-living the trauma
 - Problems concentrating
- Depression and sadness
- Losing interest in activities previously enjoyed
- Disruption of family life
- Withdrawal or isolation
- Unexplained headaches, nausea, or physical

Invasión criminal de privacidad, <u>18-7-801</u>

- Solicitación de prostitución infantil, 18-7-402
- <u>18-7-405.5, 18-7-406</u>
 - Prostitución infantil, <u>18-7-401</u>, <u>18-7-402</u>, <u>18-6-404</u>, <u>18-7-405</u>
 - Exposición indecente, <u>18-7-302</u>
- Publicación de imagen íntima con fines de acoso o lucro pecuniario, <u>18-7-107</u> y <u>18-7-108</u>
- Delitos contra adultos, ancianos y menores en situación de
- Explotación sexual de menores, <u>18-6-403</u>
 - Abuso de Infantil, <u>18-6-401</u>
- Incesto e incesto agravado, <u>18-6-301</u> y <u>18-6-302</u>
- Robo agravado con sustancia controlada, <u>18-4-303</u> Robo y robo agravado, <u>18-4-301</u> y <u>18-4-302</u>
- Robo en 1er y 2do grado, <u>18-4-202</u> y <u>18-4-203</u>
 - Incendio provocado- 1er grado, <u>18-4-102</u>
- Acecho, 18-3-602
- Tráfico Humano, <u>18-3-503</u> y <u>18-3-504</u>
- Invasión de la intimidad con fines de gratificación sexual 18-3-405.5
 - Agresión sexual a un cliente por parte de un psicoterapeuta, de confianza, 18-3-405.3 Agresión sexual a un niño por parte de una persona en posición

DELITOS CON DERECHOS CONSTITUTIONALES

- Agresión sexual a un niño, 18-3-405 Contacto sexual ilegal, <u>18-3-404</u>
- Agresión sexual, <u>18-3-402</u>

 - Secuestro en 1er y 2do grado, <u>18-3-301</u> y <u>18-3-302</u>
- Amenaza, <u>18-3-206</u>

Agresión en —1er, 2do, 3er grado <u>18-3-202</u>, <u>18-3-203</u>, <u>18-3-204</u>

- Agresión vehicular, 18-3-205
- Homicidio vehicular, <u>18-3-106</u>
- Homicidio por negligencia criminal, 18-3-105
- Homicidio involuntario, <u>18-3-104</u>
- Homicidio- 1er y 2do grado, <u>18-3-102</u> y <u>18-3-103</u>

Crimenes con Derechos Constitucionales:

FINANCIAL ASSISTANCE

Financial Assistance

1982, helps victims of crime and their families obtain financial assistance for losses incurred as a result of a crime. Funds are The Crime Victim Compensation Act of Colorado, enacted in paid through the Crime Victim Compensation Fund.

The crime MUST have occurred in Boulder County or the victim of the crime is a resident of Boulder County, and the crime occurred in a state/county that does not have CVC program.

The crime MUST have been reported to Law Enforcement

Requests for compensation MUST be directly related to the crime reported to LE. The application MUST be submitted within 1 YEAR from the date of the crime, or six months for residential property damage to exterior doors, locks, windows.

Violación de la Orden de Protección Obligatoria emitida

18-6-801; según se define en la sección <u>18-6-800.3</u> incluir un acto de violencia doméstica, de conformidad con haya sido encontrada por el tribunal en el expediente para doméstica; cualquier delito cuya base fáctica subyacente distrito en una acusación penal formal como violencia violencia doméstica; un acto identificado por el fiscal de

here does NOT need to be an arrest or charges filed to be

What CVC will cover:

- Reasonable medical and dental expenses
- Replacement or repair of prosthetic devices, eyeglasses, hearing aids, dentures, and other medically necessary
- Burial / funeral expenses
- Homemaker and/or home health care services
- Property damage limited to \$1,000.00, for the repair/ replacement of exterior windows, doors or locks of a

For an Application or to learn more about CVC, please contact The Boulder County Sheriff's Office Victim Assistance Program at 303-441-3656 or <u>sheriffvictimassistance@bouldercounty.org</u>

Eligibility tips:

within 72 hours.

eligible.

- Mental health counseling and therapy

Cualquier delito identificado por las fuerzas del orden

público antes de la presentación de los cargos como

Conducción descuidada que resulte en la muerte de otra

muerte o lesiones corporales graves, 42-4-1601

persona, <u>42-4-1402</u>

- Lost wages / loss of support to dependents
- - Outpatient care
- residential home damaged by crime

Manipulación de una víctima o testigo, <u>18-8-707</u>

Represalias contra una víctima, testigo, juez, jurado, fiscal o

funcionario electo, <u>18-8-706</u>, <u>18-8-706.5</u>, <u>18-8-615</u>, <u>18-8-616</u>

Intimidación o Intimidación agravada de una víctima o un

Delitos motivados por prejuicios, <u>18-9-121</u>

Acoso -Intimidación étnica, 18-9-111(2)

No detenerse en la escena de un accidente que resulte er

DELITOS CON DERECHOS CONSTITUCIONALES

Cualquier intento criminal, conspiración, solicitud

<u>18-3-405.3,18-3-405.5</u>, <u>18-3-602</u>

cometer asalto sexual, o acoso, <u>18-3-402</u>, <u>18-3-405</u> bajo 18-1-1001, contra una persona acusada de

criminal o cualquier complicidad en un delito; que

<u>24-4.1-302(1), 18-2-101, 18-2-201, 18-2-301</u>, <u>18-8-105</u> involucre cualquiera de los crímenes especificados en

IMPORTANT AGENCY CONTACT

Important Boulder County Agencies Contact Information **Boulder County Sheriff's Office**



Lobby M-F, 8:00am-5:00pm 5600 Flatiron Pkwy www.bouldersheriff.org 303-441-3600 Boulder, CO 80301





















Crime Victim Assistance Program Lobby M-F, 8:00am-5:00pm Justice Center



www.bouldercounty.org/district-attorney/ crime-victim-assistance-program Victim Witness Unit: 303-441-3794 Boulder, CO 80302 L777 Sixth St.

To obtain a copy of the police report, contact the responding Law Enforcement agency. Use the QR codes to access the website to learn more about the process for that specific agency. You may also ask your advocate to assist you, at 303-441-3656

REACCIÓN EMOCIONAL AL TRAUMA

Dolores de cabeza, náuseas o dolores físicos inexplicables

Retraimiento o aislamiento

Alteración de la vida familiar

Depresión y tristeza Pérdida de interés en actividades que antes

Problemas de concentración Repeticiones - revivir el trauma Pérdida del apetito

Pesadillas

pensamientos como "Si sólo hubiese..." Culparse o dudar de sí mismo,

Irritabilidad

Sensación de adormecimiento

Ansiedad o sensación de pánico

Incapacidad de recordar detalles del evento

 Shock (conmoción) Incredulidad

comunes a un evento traumático:

controla sus emociones. Las siguientes son reacciones funcionar de forma diferente, y puede sentir que no química del cerebro se altera. El cerebro empieza a traumático o experimenta un miedo extremo, la Cuando alguien experimenta un acontecimiento

Reacción Emocional al Trauma

6

ASISTENCIA FINANCIERA

del Sheriff del Condado de Boulder llamando al 303-441-3656 o contacto con el Programa de Asistencia a las Victimas de la Oficina Para obtener una solicitud o saber más sobre el CVC, póngase en

 Daños a la propiedad limitados a 1.000 dólares, para puertas o cerraduras de una vivienda residencial la reparación/reemplazo de ventanas exteriores,

dañada por un delito

Servicio de ama de casa y/o de atención a la salud

Atención ambulatoria

Gastos de entierro / funeral

dependientes

Pérdida de salarios / pérdida de apoyo a los

médicamente necesarios

 Consejería y terapia de salud mental Gastos médicos y dentales razonables

Sustitución o reparación de prótesis, gafas, auxiliares

auditivos, dentaduras y otros dispositivos

Lo que cubre el CVC:

cargos para calificar. La solicitud DEBE presentarse en el plazo de 1 ANO a partir de la NO es necesario que haya una detención o que se presenter residencial en puertas exteriores, cerraduras, ventanas fecha del delito, o de seis meses en el caso de daños a la propiedad

relacionadas con el delito denunciado a las Autoridades. Las solicitudes de indemnización DEBEN estar directamente Público en un plazo de 72 horas El delito DEBE haber sido denunciado a las Fuerzas del Orden en un estado/condado que no tiene programa CVC del delito es un residente del condado de Boulder, y el delito ocurrió El delito DEBE haber ocurrido en el condado de Boulder o la víctima Consejos para la elegibilidad:

Compensación a las Víctimas del Delito (CVC, por sus siglas en a obtener asistencia financiera por las pérdidas sufridas como promulgada en 1982, ayuda a las víctimas del delito y a sus familias resultado de un delito. Los fondos se pagan a través del Fondo de La Ley de Compensación a las Víctimas del Delito de Colorado,

Asistencia Financiera

Jail and Courts



www.bouldersheriff.org **Boulder County Jail** Boulder, CO 80301 3200 Airport Rd

303-441-465003-441-4650

C.R.S. § 16-4-102. Bond hearings are typically held at the jail must be held within 48 hours of booking, as specified under After an arrest, the next step to determine the release of the defendant is a bond hearing. Bond hearings generally

Monday- Friday at 1:30pm0pm **Bond Hearing Schedule**

on Saturday will be seen on Monday at 1:30pm)1:30p) ((Individuals who are arrested after 2pm ((Virtual attendance ONLY on Sundays)) Sunday at 10:00am

court with you for support (M-F). You also have the option A District Attorney Victim Witness Specialists can attend to attend by phone or virtually.



To attend any court appearance virtually or by specifically or by specifical phone, follow the directions on the Virtual Courtroom Information page.

Select Courts->By District->20th Judicial Dist. www.courts.state.co.us

Bond hearings are listed as 'Boulder Jail Intake"

on the Virtual Courtroom Information page or To download the WebEx app, follow the prompt go to www.webex.com/downloads.htm

JAIL AND THE COURTS

10

CONTACTO IMPORTANTE DE AGENCIAS

•

También puede pedir a su defensor que le ayude, al

información sobre el proceso de esa agencia específica códigos QR para acceder al sitio web y obtener más contacto con el organismo policial pertinente. Utilice los Para obtener una copia del informe policial, póngase en

Unidad de Testigos de Víctimas: 303-441-3794 www.bouldercounty.org/district-attorney/crime-victim-assistance-program

Boulder, CO 80302

L777 Sixth St

Lobby L-V, 8:00am-5:00pm

11

For Your Protection

Protection Orders

Mandatory Protection Orders, or MPO, ((also called No Contact Orders or Restraining Orders))are issued by a judge as a bond condition in a violent crime case.

For more information on MPO's use the QR code



Civil Protection Orders, or PO, (also called Restraining Order)) > •

is a request by an individual to the court asking for protection.

| For more information on PO's use the QR code



Address Confidentiality Program

statewide program that provides survivors of stalking, sexual substitute address. ACP services are intended to enhance a address and mail forwarding. Under Colorado law, all state and local government agencies must accept a participant's The Colorado Address Confidentiality Program (ACP) is a comprehensive safety plan and contribute to increased assault, and domestic violence with a legal substitute survivor safety.



Media Requests

If you choose to give an interview, it is helpful to speak to the private investigators. You have the right to refuse interviews. investigating officer first to discuss what information should incident. You are not obligated to speak with the media or also be helpful to contact your advocate; they can provide be disclosed for the protection of the investigation. It can News media may wish to interview you regarding this resources when talking to the media or preparing a statement.

• • • Programa de Asistencia a Víctimas del Delito Centro de Justicia Fiscal de Distrito del Condado de Boulder

Departamento de Policía de Nederland Administrative Hours L-M y V, 8am-5pm Nederland, CO 80466 20 Lakeview Dr 303-258-3250 www.townofnederland.colorado.gov/police

992 West Via Appia Way Louisville, CO 80027 Departamento de Policía de Louisville Lobby L-V, 8:00am-5:00pm 303-666-8634 government/departments/police www.louisvilleco.gov/local-government/

Lafayette, CO 80026 451 N. 111th St. 303-665-5571 lafayetteco.gov/99/Police-Department

Lobby L-V, 8:00am-5:00pm Departamento de Policía de Lafayette

Boulder, CO 80301 303-441-3600

Lobby L-V, 8:00am-5:00pm 5600 Flatiron Pkwy Oficina del Alguacil del Condado de Boulder



Información de Contacto Importante de Agencias del Condado de Boulder

FOR YOUR PROTECTION

LA CÁRCEL Y LOS TRIBUNALES

Para descargar la aplicación WebEx, siga las indicaciones de la página de información de la Sala Virtual del Tribunal o vaya a www.webex.com/downloads.htm

12

Jail Intake ' Las audiencias de fianza aparecen como 'Bouldeı Seleccione Courts->By District->20th Judicial Dist

Safehouse Progressive Alliance For Nonviolence

www.safehousealliance.org

303-444-2424

www.coloradocrisisservices.org

844-493-8255

■ Colorado Crisis Services

24-Hour Crisis Lines

Resources

Para asistir a cualquier comparecencia judicial de forma virtual o por teléfono, siga las indicaciones de la página de Información de la Sala Virtual del Tribunal.

apoyo (de lunes a viernes). También tiene la opción de Distrito puede asistir al tribunal con usted para darle

asistir por teléfono o virtualmente.

Un Especialista en Testigos de Víctimas del Fiscal del

MESA (Moving to End Sexual Assault)

303-443-7300

新字画 Safe Shelter of St. Vrain Valley www.safeshelterofstvrain.org

•

303-772-4422

atendidos el lunes a las 13:30)

sean detenidas después de las 14:00 del sábado serán

(Asistencia virtual SOLO los domingos) (Las personas que Domingo a las 10:00am

Calendario de Audiencia de Fianza Lunes-Viernes a la 1:30pm

国际等的 Boulder County Housing and Human Services

Boulder Homeless Shelter

www.bouldershelter.org

303-442-4646

303-442-4646

Local Resources

www.bouldercounty.org/departments/

housing-and-human-service

303-441-1000

www.coloradolegalservices.org

Colorado Legal Services www.coloradolegalservi

celebrarse en la cárcel. audiencias de fianza generalmente deben celebrarse dentro bajo C.R.S. § 16-4-102. Las audiencias para fianza suelen de las 48 horas siguientes a la detención, como se especifica liberación del acusado en una audiencia de fianza. Las **Después del arresto**, el siguiente paso es determinar la

Boulder, CO 80301 www.bouldersheriff.org

303-441-4650

3200 Airport Rd

Cárcel del Condado de Boulder

www.elcomitelongmont.org

■ El Comite

303-651-6125









La Cárcel y los Tribunales

RESOURCES

13

su abogado; ellos pueden proporcionarle recursos a la hora de

investigación. También puede ser útil ponerse en contacto con información debe ser revelada para la protección de la primero con el agente investigador para discutir qué entrevistas. Si decide conceder una entrevista, es útil hablar los investigadores privados. Tiene derecho a rechazar las obligación de hablar con los medios de comunicación ni con entrevista en relación con este incidente. Usted no tiene la Es posible que los medios de comunicación deseen una

hablar con los medios de comunicación o preparar una

PARA SU PROTECCIÓN

<u>Órdenes de Protección</u>

Para Su Protección

Las Órdenes de Protección Obligatorias OPO (MPO por sus siglas en inglés), (también llamadas Órdenes de No Contacto u Órdenes de Restricción) son emitidas por un juez como una condición de ianza en un caso de un crimen violento Para más información sobre las OPO, utilice el

www.coloradolinc.org

es una petición de un individuo al tribunal solicitando protección. ingles), (también llamadas Órdenes de Restricción) L**as Ordenes de Protección Civil, u OP (PO** por sus siglas en código QR

Programa de Confidencialidad de Dirección

•

Para más información de OP use el código QR

correo. Según la ley de Colorado, todas las agencias El Programa de Confidencialidad de Direcciones de Colorado contribuir a aumentar la seguridad de los sobrevivientes. están destinados a mejorar un plan de seguridad integral y dirección sustituta del participante. Los servicios de ACP gubernamentales estatales y locales deben aceptar la doméstica una dirección sustituta legal y un reenvío de supervivientes de acoso, agresión sexual y violencia (ACP) es un programa estatal que proporciona a los www.dcs.colorado.gov/acp Para mas informacion de ACP use el código QR

Solicitudes de Prensa

Other Criminal Justice Resources

www.tgthr.org









www.sistercarmen.org 303-665-4342

回海清 Sister Carmen

回答题 Rocky Mountain Victim Law Center 303-772-5529

www.rmvictimlaw.org

303-295-2001



Local Resources

Resources

www.ourcenter.org ■ OUR Center

KESONBCES

13

www.efaa.org 303-442-3042 Asociación de Ayuda Familiar de Emergencia

If you feel as though your victim rights have not been

provided to you by one or more criminal justice agencies, you may choose to file a complaint.





Although not required, we recommended that you first attempt to resolve your concerns at the local level. Here are some examples of how you might

■ El Comité www.elcomitelongmont.org

Boulder: 303-449-7575

-Discuss your concerns with the person you feel has

address your concerns:

not provided you with your rights;

-Ask your victim advocate or another supportive

person such as a counselor for help;

Servicios Legales de Colorado www.coloradolegalservices.org

and-human-services 303-441-1000

■ Kivienda y Servicios Humanos del Condado Boulder www.bouldercounty.org/departments/ housing-

303-442-4646

the agency that you feel is not providing you with your

-Seek assistance from the elected official or head of

complaint, to receive a complaint form, or to discuss whether your concerns fall within the purview of the

Act Specialist with any questions about filing a

Contact the Division of Criminal Justice Victim Rights

de Boulder) (Albergue para Indigentes **Boulder Homeless Shelter** www.bouldershelter.org

303-443-7300

Recursos Locales

Colorado Victim Rights Act.

Phone: 303-239-4497

MESA (Avanzando para acabar las agresiones sexuales) www.movingtoendsexualassanda. www.safeshelterofstvrain.org 303-772-4422

Albergue Seguro de St. Vrain Valley

www.safehousealliance.org 303-444-2424

Alianza Progresista Safehouse para la No Violencia

844-493-8255 www.coloradocrisisservices.org

Servicios de Crisis de Colorado

Línea de Crisis las 24-Horas

Recursos

KECNK2O2

RECURSOS

Colorado VINE63-8463



www.vinelink.com

888-263-8463

Colorado VINE is a proactive notification system that sends you an automatic alert anytime an offender's custody status changes.

year about the release, transfer, escape, or death of cost, 24 hours a day, seven days a week, 365 days a Colorado VINE information is available to you at no an offender.

enforcement agencies automatically register you to email, text, phone call, or to check custody status Register to receive automated notifications via information online at any time. Some law be notified.

contacting VINE; you will need your pin #. If you You may opt out of receiving notifications by do not know your pin #, please call Victim Assistance at 303-441-3656.

Compensación a Victimas de Boulder County 303-682-6801 www.bouldercounty.org/district-attorney/cvc



Oficina del Forense de Boulder County www.bouldercounty.org/departments/coroner

www.bouldercounty.org/safety/sheriff/ **Boulder County Dispatch Communications** communications

303-441-4444

No-Emergencia

Otros Recursos de Justicia Penal

TGTHR www.tgthr.org 303-447-1207

www.sistercarmen.org 303-665-4342

• Sister Carmen

para Víctimas Rocky Mountain) Rocky Mountain Victim Law Center (Centro Jurídico www.rmvictimlaw.org 303-295-2001

www.ourcenter.org 303-772-5529

• **OUR Center**

Recursos Locales

Recursos

JUNE 2023

Colorado VINE



www.vinelink.com

888-263-8463

Colorado VINE es un sistema de notificación proactiva que le envía una alerta automática cada vez que

cambia el estado de custodia de un delincuente.

La información de Colorado VINE está disponible para

comprobar la información sobre el estado de la custodia en línea en cualquier momento. *Algunos organismos policiales le registran automáticamente para recibir notificaciones.*Puede optar por no recibir notificaciones poniéndose en contacto con VINE; necesitará su número de PIN. Si no sabe su número de PIN, llame a Asistencia a las

correo electrónico, texto, llamada telefónica o para

Regístrese para recibir notificaciones automáticas por

usted sin costo alguno, 24 horas al día, siete días a la semana, 365 días al año sobre la liberación,

transferencia, fuga o muerte de un delincuente.

Víctimas al 303-441-3656.

MAYO DEL 2023

encuentran dentro del ámbito de la Ley de Derechos de las

formulario de queja o para analizar si sus inquietudes se

pregunta sobre la presentación de una queja, para recibir un Víctimas de la División de Justicia Criminal si tiene alguna Comuníquese con el Especialista en la Ley de Derechos de las agencia que crea que no le está brindando sus derechos.

-Busque la ayuda del funcionario electo o del jefe de la

Teléfono: 303-239-4497

Víctimas de Colorado.

DocuSign

Certificate Of Completion

Envelope Id: 85D65CFED38449509644B12FCC0D8094

Subject: 2025 Twentieth Judicial District VALE Grant Application

Type of Document: Grant Application

Department/Office: Sheriffs Office

Source Envelope:

Document Pages: 46Signatures: 4Envelope Originator:Certificate Pages: 3Initials: 3Pamela ThompsonAutoNav: Enabled2025 14th St

Envelopeld Stamping: Enabled

Time Zone: (UTC-07:00) Mountain Time (US & Canada)

pthompson@bouldercounty.org IP Address: 97.107.70.37

Sent: 10/3/2024 12:35:52 PM

Viewed: 10/3/2024 12:36:08 PM

Signed: 10/3/2024 1:09:35 PM

Boulder, CO 80302

Status: Sent

Record Tracking

Status: Original Holder: Pamela Thompson

10/3/2024 12:21:21 PM pthompson@bouldercounty.org

Signature

Completed

Ider: Pamela Thompson Location: DocuSign

Signer Events

Pamela Thompson

pthompson@bouldercounty.org

Paralegal

Sheriff / Operations
Security Level: Email Account Authentication

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

April P Gatesman

ca@bouldercounty.org

Boulder County

Security Level: Email, Account Authentication

(None)

UP G

Signature Adoption: Pre-selected Style

Using IP Address: 97.107.70.37

Using IP Address: 97.107.70.37

Timestamp

Sent: 10/3/2024 1:10:00 PM

Resent: 10/4/2024 11:47:04 AM Resent: 10/7/2024 1:03:05 PM Viewed: 10/7/2024 2:12:14 PM

Signed: 10/7/2024 2:12:30 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Carey Weinheimer

cbweinheimer@bouldercounty.org

Undersheriff

Security Level: Email, Account Authentication

(None)

Carey Weinheimer

Signature Adoption: Pre-selected Style Using IP Address: 97.107.70.37

Sent: 10/7/2024 2:13:02 PM Viewed: 10/7/2024 2:24:11 PM Signed: 10/7/2024 2:24:32 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Barbara Park

bpark@bouldercounty.org FCS Ongoing Supervisor

Boulder County

Security Level: Email, Account Authentication

(None)

.

Barbara Park

Signature Adoption: Pre-selected Style Using IP Address: 97.107.70.37

Sent: 10/7/2024 2:24:56 PM Viewed: 10/7/2024 2:28:41 PM

Signed: 10/7/2024 2:28:49 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Signer Events Signature Timestamp

Pamela Thompson

pthompson@bouldercounty.org

Paralegal

Sheriff / Operations

Security Level: Email, Account Authentication

(None

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Matthew Ramos

38095@bouldercounty.org

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Ashley Stolzmann

37477@bouldercounty.org

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Matthew Ramos

38095@bouldercounty.org

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Sent: 10/7/2024 2:29:17 PM

Viewed: 10/7/2024 2:31:55 PM

Sheriff Accounting Group

sheriffaccounting@bouldercounty.org

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/3/2024 12:35:52 PM
Envelope Updated	Security Checked	10/3/2024 1:06:37 PM
Envelope Updated	Security Checked	10/3/2024 1:06:37 PM
Envelope Updated	Security Checked	10/3/2024 1:06:37 PM
Envelope Updated	Security Checked	10/3/2024 1:06:37 PM

Payment Events Status Timestamps	nent Events	Status	Timestamps	
----------------------------------	-------------	--------	------------	--

NON-PROCUREMENT DOCUMENTS ONLY

ROUTING COVER SHEET

Document Details			
Document Type	Other		
Parties			
County Contact Information			
Boulder County Legal Entity	Boulder County		
Department	Sheriff		
Division/Program	Operations		
Mailing Address	5600 Flatiron Pkwy Boulder CO 80301		
Contract Contact	Pam Thompson pthompson@bouldercounty.gov		
Invoice Contact	sheriffinvoices@bouldercounty.gov		
Other Party Contact Information	on		
Name	Town of Ward		
Mailing Address	Ward Colorado		
Contact 1- Name, title	Zalen Edwards, Mayor		
Contact 1- email	zalenedwards@gmail.com		
Contact 2			
Term			
Start Date	Upon Signature		
Expiration Date 90 day notification			
Brief Description of Work/Serv	vices Provided		
Sheriff agrees to provide law enforcement services to the Town through the Sheriff's Office per agreement			
Davanua Cantractil acca Data			
Revenue Contract/Lease Detail			
Amount			
Fixed Price or Not-to-Exceed?			
Grant Details			
Award # (if any)			
Signature Deadline			

NON-PROCUREMENT DOCUMENTS ONLY

Project/Program Name	
Project/Program Start Date	
Project/Program End Date	
Capital or Operating?	
Grant Funding	
Amount: Federal Funds	
Amount: State Funds	
Amount: Other (specify)	
Amount: Match (dollars)	
Amount: Match (in-kind)	
Total Project Budget	
Account String	
Federally Funded Grants	
Federal Program Name	
CFDA#	
Subrecipients	
Name(s)	
Services to be Provided	
Subaward Amount	
Subcontractors	
Name(s)	
Services to be Provided	
Subcontract Amount	
FileNet Contract Details - Deta	ils should precisely match search variables in File Net
(Only required where Original Ag	greement is stored in File Net)
Other Party Name	
Start Date	
End Date	
Amount	

NON-PROCUREMENT DOCUMENTS ONLY

	NON-FROCOREMENT DOCOMENTS ONET
Notes	
Additional	information not included above
DocuSign .	Approvals (Initials):
	Denote and (if we are in all)
	_ Paralegal (if required)
VK.	
٧٢	_ County Attorney (if required)
	_ County Attorney (ii required)
	_ Risk Management (if required)
<i>eu</i> ,	
CW	
	_ Finance (if required)
<i>(</i> 11)	
CM	
	_ EO/DH (if required)

INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

THIS INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES ("Agreement") is made and entered into among the Town of Ward, Colorado ("Town"), a Colorado home rule municipal corporation, the County of Boulder, State of Colorado ("County"), a body corporate and politic, by and through its Board of County Commissioners, and the Boulder County Sheriff ("Sheriff"), each a "Party" and collectively the "Parties".

RECITALS

- A. Colorado Revised Statutes (C.R.S.) § 29-1-203 permits governments to enter into cooperative agreements for the provision of services; and
- B. The Board of County Commissioners funds the Boulder County Sheriff's Office ("Sheriff's Office"), an office of Boulder County, by providing annual appropriations pursuant to its budget-making power under C.R.S. § 30-11-107(2); and
- C. C.R.S. § 30-10-516 provides that it is the duty of the Sheriff and his undersheriff and deputies "to keep and preserve the peace" and "to quiet and suppress all affrays, riots, and unlawful assemblies and insurrections" in Boulder County; and
- D. The Town retains the right to appoint a town marshal who, as a P.O.S.T. certified peace officer, "has the same power that sheriffs have by law, coextensive with the county in cases of violation of town ordinances, for offenses committed within the limits of the town" according to C.R.S. §§ 31-4-304 and -306 and C.R.S. § 16-2.5-108; and
- E. The Town does not have a paid police department but may receive limited law enforcement services from its appointed town marshal; and
- F. C.R.S. § 30-11-410 permits the governing body of a municipality and a board of county commissioners to contract for the purpose of providing law enforcement by the sheriff within the boundaries of the municipality; and
- G. The Town desires to contract with the County to receive law enforcement services from the Sheriff within Town boundaries, which the Town finds to be in its residents' best interests; and
- H. The County and Sheriff agree to provide law enforcement services to the Town through the Sheriff's Office according to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of their mutual rights and obligations as set forth below, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1. Sheriff's Office <u>Responsibilities</u>.
 - a. The Sheriff's Office may take action within the Town as necessary to keep and preserve the peace and to quiet and suppress all affrays, riots, and unlawful

- assemblies and insurrections as determined by the Sheriff pursuant to C.R.S. § 30-10-516.
- b. The Sheriff's Office will provide dispatch and other services according to Exhibit A, Scope of Services.
- c. The Sheriff's Office may otherwise perform law enforcement functions within Town boundaries at the Sheriff's discretion and as resources permit.

2. <u>Town Responsibilities</u>.

- a. If the Town has appointed a town marshal pursuant to C.R.S. § 31-4-306, the town marshal is responsible for:
 - i. Providing all law enforcement services within the Town, except that the Sheriff's Office will dispatch calls for service to the town marshal consistent with Exhibit A; and
 - ii. Complying with all applicable laws, regulations, standards, policies, and rules, including but not limited to the U.S. Department of Justice Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Security Policy.
- b. Notwithstanding any town marshal appointment, the Sheriff retains authority under C.R.S. § 30-10-516 to keep and preserve the peace and to quiet and suppress all affrays, riots, and unlawful assemblies and insurrections within Town boundaries.

3. <u>Compensation; Task Orders; Appropriations.</u>

a. Compensation.

- i. So long as a town marshal has been appointed, the Sheriff will provide dispatch services to the Town, as a courtesy and at no-charge, up to 125 calls for service (CFS) in each calendar year, with the Town agreeing to pay for excess CFS at current user agency billing rates. The Sheriff will not disrupt dispatch services to the Town based solely on the Town's failure to pay under this section.
- ii. The Sheriff may otherwise implement or modify charges for services under this Agreement by submitting to the Town a Proposed Budget at least twelve (12) months prior to the stated effective date.
- b. <u>Task Orders</u>. Pursuant to this Agreement, and aside from the Proposed Budget process above, the Parties may execute written Task Orders whereby the Town agrees to pay the actual costs of certain, agreed-upon law enforcement services provided by the Sheriff's Office. Actual costs shall be reasonably calculated using

Boulder County personnel policies and accounting principles. For any such Task Order, the Sheriff may sign on behalf of County where Boulder County Policy permits. Upon execution, a Task Order shall be deemed incorporated into this Agreement. The Town is responsible for appropriating adequate funds to fulfill its obligations under a Task Order prior to execution.

c. <u>Appropriations</u>. All obligations of the Parties under this Agreement are expressly contingent upon funds being appropriated by the governing body of the respective Party. If a Party's governing body fails to appropriate adequate funds to fulfill its obligations under this Agreement, such Party will provide immediate written notice thereof to the other Party. In the event of non-appropriation by the Town, the Sheriff may cease to provide, in whole or in part, and at the Sheriff's discretion, the services outlined in Exhibit A. To the extent that appropriated funds remain available, and according to the terms of this Agreement, the Town remains financially responsible for any services provided by the Sheriff's Office under this Agreement.

4. Miscellaneous.

- a. <u>Term; Termination</u>. This Agreement shall become effective on the date of last Party signature and shall remain in effect until terminated by any Party by providing at least ninety (90) days' prior notice to the other Party. Upon termination, any provision of this Agreement that, by its nature, is intended to survive termination shall so survive. All terms of this Agreement shall continue to apply during the termination notice period, including any financial obligations for services rendered during the termination notice period.
- b. <u>Liability</u>. Each Party agrees to be responsible for its own actions or omissions, and those of its officers, agents, appointed officials, and employees, in acting or failing to act pursuant to this Agreement. By agreeing to this provision, no Party waives nor intends to waive, as to any person not a party to this Agreement, the limitations on liability that are provided to the Parties under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq*.
- c. <u>Independent Entities</u>. The Parties enter into this Agreement as separate, independent sovereign entities and shall maintain such status throughout the duration of this Agreement. Each Party is responsible for directing and supervising its own employees, appointed officials, officers, and agents and will exercise complete authority over its own employees, appointed officials, officers, and agents at all times in providing law enforcement services pursuant to this Agreement. No Party shall be liable under this Agreement for the actions or omissions of another Party or its employees, appointed officials, officers, or agents. By agreeing to this provision, no Party waives or intends to waive, as to any person not a party to this Agreement, any applicable limitations on liability or immunities provided by law,

- including but not limited to the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq.
- d. <u>Incorporation; Entire Agreement; Amendments</u>. The above Recitals and Exhibit A, Scope of Services, are incorporated into this Agreement. Subject to paragraph 3, this Agreement represents the complete agreement between the Parties. This Agreement terminates any prior agreements, whether written or verbal and in whole or in part, between the Parties related to law enforcement services within the Town. This Agreement may be amended only by a written agreement signed by all Parties.
- e. <u>Governing Law; Legal Interpretation</u>. The laws of the State of Colorado govern the construction, interpretation, performance, and enforcement of this Agreement. Each Party agrees to comply with all laws in exercising its rights and responsibilities under this Agreement. Each Party recognizes that this Agreement is legally binding and acknowledges that it has had the opportunity to consult with legal counsel of its choice about this Agreement. The rule of construction providing that any ambiguities are resolved against the drafting Party will not apply in interpreting the terms of this Agreement.
- f. <u>Execution by Counterparts; Electronic Signatures</u>. This Agreement may be executed in multiple counterparts, each of which will be deemed an original, but all of which constitute a single agreement. The Parties approve the use of electronic signatures according to the Uniform Electronic Transactions Act, C.R.S. §§ 24-71.3-101 *et seq*.
- g. <u>Limitation of Liability</u>. NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY FOR ANY SPECIAL, CONSEQUENTIAL, INCIDENTAL, PUNITIVE, OR INDIRECT DAMAGES ARISING FROM OR RELATING TO THIS AGREEMENT, REGARDLESS OF ANY NOTICE THEREOF.
- h. <u>Insurance</u>. Each Party shall always during the terms of this Agreement maintain such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities in fulfilling its obligations under this Agreement.
- i. <u>Governmental Immunity</u>. Nothing in this Agreement shall be construed in any way to be a waiver of any Party's immunity protection under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq*.
- j. <u>Meetings.</u> The Sheriff or a designee shall meet or Converse with the Mayor on a quarterly basis as necessary to discuss law enforcement activity in Ward during the prior quarter. In addition, upon request of the Mayor, the Sheriff will provide written reports to the Town of police activity in Ward on a quarterly basis.

k. No Waiver; Severability; No Third-Party Beneficiaries. The failure of either Party to exercise any of its rights under this Agreement will not be deemed a waiver of such rights or a waiver of any breach of this Agreement. Remedies available under this Agreement are cumulative and in addition to other remedies provided by law. Enforcement of the terms of this Agreement is reserved to the Parties and any other person receiving services or benefits under this Agreement is an incidental beneficiary only and has no rights under this Agreement.

1. Notices.

- i. For purposes of this Agreement, notice shall be considered sufficient and effective as of the date of the postmark, if the notice is placed in the U.S. Mail, first-class certified mail with return receipt requested, or on the date of delivery, if the notice is hand-delivered, to the following addresses:
 - A. For the Sheriff and Boulder County:

Boulder County Sheriff's Office Attn: Support Services Division Chief 3280 Airport Road Boulder, Colorado 80301

and

Boulder County Attorney's Office Attn: Sheriff Legal Advisor PO Box 471 Boulder, Colorado 80306

В. For the Town:

> Town of Ward Attn: Town Marshal

Ward, Colorado 80516

[SIGNATURE PAGE TO FOLLOW]

DATED this	day of	, 202	
COUNTY OF BO		corporate and politic, acting by and the	nrough its BOARD OF
Ву:			
NAME, Chair			
Ashley Stolzmann			
Attast:			
Attest: Clerk to the Board			
Matthew Ramos			
BOULDER COU	INTY SHERIFF		
By:(urtis Johns	óN		
Curtis Johnson, Sl	heriff		
Approved as to Fo Kate Hayweed Boulder County At			

NAME, Town Clerk

TOWN OF WARD, a Colorado home rule municipal corporation

Joh Edward	October 2, 2024
NAME, Town Mayor Zalen Edwards	Date
Attest: Lauren Hereford	

EXHIBIT A – SCOPE OF SERVICES

- 1. <u>Services to be Provided by the Sheriff's Office through the Boulder County Communications Center (BCCC).</u>
 - a. Subject to available resources, the Sheriff's Office agrees to provide the following, or substantially similar, services to the Town:
 - i. <u>Public Safety Answering Point.</u> The BCCC will answer the Town's emergency and non-emergency calls for service, 24-hours a day, seven days per week, and dispatch those calls to the appropriate public safety agencies based on the priority level of the call and in accordance with BCCC policies, procedures, and protocols.
 - ii. <u>Terminal Guard.</u> The BCCC will act as the Colorado Crime Information Center (CCIC) Terminal Guard during non-business hours, or upon special request, according to the rules established by the Colorado Bureau of Investigation (CBI), provided the Town has completed all required paperwork delegating terminal guard authority to the BCCC. While guarding the Town's ORI, hit confirmations will be provided by BCCC. The *Terminal Guard Agreement* is hereto attached as Exhibit B.
 - A. So long as a town marshal has been appointed, the BCCC will further provide CBI Non-Terminal Agency guarding for the Town on a 24/7 basis at no-charge. Guarding will be performed by the BCSO Records division during regular business hours and BCCC after-hours. The BCSO Records Manager, or designee, will assist the Town is responding to CBI audits, without assuming any responsibility to complete the audit for the Town.
 - B. At all times, the Town remains responsible for complying, as an agency, with CBI requirements in order to maintain CCIC access, including fingerprinting and security training.
 - iii. <u>Dispatching Services.</u> The BCCC will dispatch law enforcement resources by public safety radio, mobile computer aided dispatch ("CAD") terminal, phone, and/or pager, for all public-initiated calls for service and any officer or fire/rescue-initiated activities. Additionally, BCCC shall provide access, when practicable, to a dispatcher assigned to "Data Channel" whose primary responsibilities include CCIC and National Crime Information Center (NCIC) clearances, Department of Motor Vehicles (DMV) record checks, issuance of case report numbers, requesting Town-contracted tow vendors respond to a scene, and other non-urgent matters consistent with BCCC-provided services.

- b. **Emergency Events.** During emergency events, the BCCC will provide a second operations channel and a dedicated dispatcher may be made available upon request, if BCCC staffing allows and/or by temporarily closing the data channel. There is no charge for short-term emergency use of a second dispatcher and dedicated alternate channel.
- c. <u>Emergency Warnings to the Public.</u> The BCCC will issue public warnings and messaging at the request of the Town for life-safety issues. All public warnings and messaging issued by the BCCC are guided by and will be consistent with the alert terminology and methodology contained in the *Boulder Alert and Warning Annex* to the Boulder County *Emergency Operations Plan* (EOP), a copy of which is available to the Town upon request.
- d. Radio Channel Access. The BCCC shall provide the Town Marshal with Letters of Authorization to afford access and use of primary and tactical BCCC radio channels. The BCCC may also provide radio channel/frequency access through Letters of Authorization to other law enforcement or public safety agencies that may provide direct assistance to the Town during an incident within the Town's jurisdiction.
- e. <u>Pagers.</u> The Sheriff's Office will provide pager system access and use, as well as pager programming at no additional cost to the Town Marshal.
- f. <u>Special Events.</u> When needed, as determined by the BCCC, or upon request from the Town Marshal or Town Administrator with adequate, advanced notice, the BCCC may provide a dedicated channel and dispatcher for special events within the Town's jurisdiction. The Town is financially responsible for compensating the Sheriff's Office for the hours worked on an extra-duty contract basis at the contract extra-duty rate or the position(s) required and pursuant to the Task Order process outlined in the Agreement.
- g. Radio Shop Services. The Sheriff's Office will provide one annual fleet and/or portable radio system programming or reprogramming for VHF and/or 700/800 MHz at no additional cost to the Town, provided the subscriber radio system(s) are already supported by the Sheriff's Office. Each Town-owned subscriber radio used on the Sheriff's communications system shall undergo an integrity check by the Sheriff's Office Radio Shop on at least an annual basis as preventative maintenance at no additional charge for labor. Repair parts may be billed back to the Town at the discretion of the Sheriff's Office. Radio replacement costs and consumable parts (e.g., batteries, speaker microphones, antennas, mobile microphones, etc.), are the responsibility of the Town.

- h. <u>Statistical Reporting.</u> The BCCC can provide statistical reports from the VIPERTM 9-1-1 telephone system or CAD statistical reports for the Town when requested.
- i. <u>Copies of Operational Documents.</u> The BCCC shall provide, as requested, copies of any releasable dispatch policy, procedure, or protocol to the Town.

2. Town Obligations.

- a. VHF and DTR Radio Systems. The Town shall, at a minimum, always maintain VHF-capable radios systems in both vehicle and field (pacset) deployments. At the Town's discretion, digital radios capable of operating on the Consolidated Communications Network of Colorado's Digital Trunk Radio system may be utilized or deployed under this Agreement.
- b. **Radio Programming:** The Town shall maintain access to all VHF channels outlined in the annually-published BCCC communication plans and shall program all radios to the specific channel names exactly as they appear on the BCCC-issued *Letter of Authorization*. The Sheriff's Office may approve channel name deviations only when done in writing and as a result of display character limitations. The Town shall ensure that all radios used on the BCCC communications system will be programmed with a timeout feature that does not exceed 30 seconds.
- c. <u>Equipment Maintenance</u>. The Town shall obtain inspection of all radios utilized on the BCCC communications network at least annually to confirm proper function and maintenance under the applicable Federal Communications Commission (FCC) rules and regulations. The Town is responsible for maintaining all maintenance records for Town-owned equipment and shall make the records available for inspection upon request.
- d. <u>User Management and Supervision</u>. If the BCCC forwards a complaint or issue involving the Town's personnel or radio systems, the Town will follow-up and address any non-compliance with communications protocols or communications network standards in a timely manner, as appropriate. The Town will route any substantive issues with a BCCC policy, procedure, or protocol that includes a proposed update or revision shall be routed through the Support Services Commander, unless exigent circumstances determine otherwise.
- e. <u>Communications Center Advisory Committee (CCAC).</u> As a non-paying user agency, The Town will not have a seat on CCAC.
- f. <u>Invoices</u>. For any accrued charges, the Sheriff's Office shall invoice the Town by sending an invoice to the Town Administrator at the address provided. The Town shall pay the Sheriff's Office according to this Agreement and within thirty (30)

calendar days of the date of the invoice. Annual costs may be divided into monthly installments for invoicing purposes.

- **Custodian of Records.** The Sheriff's Office will be considered the "Custodian of Record" regarding any audio recording of radio or telephone conversations recorded by BCCC. The Sheriff's Office will notify the Town any time there is a public request for a record concerning the Town and provide the Town with a copy of the request. Upon receipt, the Town must promptly inform the Sheriff's Office of any portions of the records that the Town seeks to be withheld under the *Colorado Criminal Justice Records Act* (CCJRA). The Sheriff's Office retains sole discretion to respond to records requests it receives in order to comply with applicable laws.
 - a. If a record concerning the Town is released pursuant to a CCJRA request, BCCC will provide a copy of the disclosed record to the Town. Upon receipt of any record from the Sheriff's Office, the Parties agree that the Town likewise becomes a custodian of such record.
 - b. Nothing in this Agreement waives any legal obligation of either Party to comply with applicable open records laws.

Certificate Of Completion

Envelope Id: 50362CFA152A4F24B7EA0D338F3D17CA

Subject: Town of Ward IGA with BCSO 9.25.2024

Type of Document: E/O DH Signed Contract

Department/Office: Sheriffs Office

Source Envelope:

Signatures: 3 Document Pages: 14 **Envelope Originator:** Certificate Pages: 3 Initials: 3 Pamela Thompson AutoNav: Enabled 2025 14th St

Envelopeld Stamping: Enabled

Time Zone: (UTC-07:00) Mountain Time (US & Canada)

Boulder, CO 80302 pthompson@bouldercounty.org

Status: Sent

Record Tracking

Status: Original Holder: Pamela Thompson

9/25/2024 2:33:05 PM pthompson@bouldercounty.org

Signer Events Signature **Timestamp**

VR.

(1)

Completed

Using IP Address: 97.107.70.37

Signature Adoption: Pre-selected Style

Signature Adoption: Pre-selected Style

Using IP Address: 97.107.70.37

Using IP Address: 97.107.70.37

Pamela Thompson pthompson@bouldercounty.org

Paralegal

Sheriff / Operations

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Vladimir Ryazanov ca@bouldercounty.org

Boulder County

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Carey Weinheimer

cbweinheimer@bouldercounty.org

Undersheriff

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure: Not Offered via DocuSign

Zalen Edwards

zalenedwards@gmail.com

Security Level: Email, Account Authentication

(None)

Signature Adoption: Drawn on Device

Using IP Address: 8.2.40.30

3de Edwards

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Sent: 9/25/2024 2:46:18 PM Viewed: 9/25/2024 2:46:28 PM

IP Address: 97.107.70.37

Location: DocuSign

Signed: 9/25/2024 2:53:13 PM

Sent: 9/25/2024 2:53:17 PM Viewed: 9/25/2024 3:14:12 PM

Signed: 9/25/2024 3:14:41 PM

Sent: 9/25/2024 3:14:47 PM

Viewed: 9/26/2024 7:17:15 AM Signed: 9/26/2024 7:35:26 AM

Sent: 9/26/2024 7:35:30 AM

Resent: 9/30/2024 12:35:20 PM Viewed: 10/2/2024 3:37:21 PM

Signed: 10/2/2024 9:18:13 PM

Signer Events Signature Timestamp Lauren Hereford Sent: 10/2/2024 9:18:17 PM Lauren Hereford townofward@gmail.com Viewed: 10/7/2024 3:30:55 PM Security Level: Email, Account Authentication Signed: 10/7/2024 3:32:39 PM (None) Signature Adoption: Pre-selected Style Using IP Address: 8.2.40.30 **Electronic Record and Signature Disclosure:** Not Offered via DocuSign Sent: 10/7/2024 3:32:44 PM Curtis Johnson Curtis Johnson cjohnson@bouldercounty.org Viewed: 10/7/2024 3:37:14 PM Signed: 10/7/2024 3:37:55 PM Security Level: Email, Account Authentication Signature Adoption: Pre-selected Style (None) Using IP Address: 97.107.70.37 **Electronic Record and Signature Disclosure:** Not Offered via DocuSign Sent: 10/7/2024 3:37:59 PM Pamela Thompson pthompson@bouldercounty.org Viewed: 10/8/2024 7:39:59 AM Paralegal Sheriff / Operations Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign Matthew Ramos 38095@bouldercounty.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign Ashley Stolzmann 37477@bouldercounty.org Security Level: Email, Account Authentication **Electronic Record and Signature Disclosure:** Not Offered via DocuSign Matthew Ramos 38095@bouldercounty.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Summary Events Envelope Sent	Status Hashed/Encrypted	Timestamps 9/25/2024 2:46:18 PM



Office of the County Attorney

Ben Pearlman, County Attorney • Tel: 303.441.3190 • Fax: 303.441.4794 • ca@bouldercounty.gov Mailing Address: P.O. Box 471 • Boulder, Colorado 80306-0471 • www.bouldercounty.gov

MEMO FOR BUSINESS MEETING

Date: October 15, 2024

From: David Hughes, Deputy County Attorney

To: Board of County Commissioners

Subject: Requesting Approval of Boulder County's Participation in the Amicus Brief in *Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al.*, United States Supreme Court Case No. 23-975

Background:

Boulder County will participate with the Northwest Colorado Council of Governments, Grand County, Pitkin County, Lake County, Chaffee County, Routt County, Vail, Red Cliff, Avon, Glenwood Springs, and Minturn, in an amicus brief in support of Eagle County in Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al., No. 23-975 (U.S.), a case challenging the railroad approval (Petition for Writ of Certiorari). The amicus brief details the interests of the Amici, a bipartisan coalition of local governments and communities located along the Union Pacific Rail Line and Interstate 70 in western Colorado (the "down-line study area") and highlights Colorado-based examples where a federal NEPA process and its analysis of effects led to durable, collaborative solutions that would not have occurred without the NEPA process bringing together all relevant stakeholders (including affected towns, cities, and counties). The amicus brief will also argue that this case does not cleanly present the question presented as it pertains to the down-line impacts in Colorado along the Union Pacific Line because analysis of those effects is required by the Board's ICCTA regulations, separate from the NEPA issues on which cert was granted; that Petitioners also failed to preserve their challenge to the Board's analysis of down-line impacts in Colorado by not raising them before the Board or in the D.C. Circuit; and for the importance of NEPA review for disclosing the impacts of proposed federal actions that will impact local communities such as Amici.

Recommendation:

Approve Boulder County's participation in amicus brief in *Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al.*, No. 23-975 (U.S.).



Office of Financial Management

2020 13th Street • Boulder, Colorado 80302 • finance@bouldercounty.gov • 303-441-3525 Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.gov

MEMORANDUM

Date: 09/18/2024

To: Ramona Farineau, Chief Financial Officer

From: Emily Beam, Budget Officer

Subject: Fiscal Year 2024 Budget Amendment

Details

Amendment Request: Budget Amendment to 111-RST2

Expenditure Amount: \$751,000.00

Department/Office: Community Planning & Permitting Department

Description:

Community Planning and Permitting is requesting a budget amendment in the amount of \$751,000 in the Road and Bridge Fund under the Transportation Planning SUT Projects Appropriation. This request is to accommodate the unexpected expenditures to the CO 119 Bikeway Final Design project. These expenditures were due to an expanded scope of work to include final design of the CO 52 Bike Path Extension, CO 119 Underpass near 2nd Avenue in Niwot, and Bike Path Connection across Burlington Northern and Santa Fe railroad at Ogallala Rd.; Preliminary and final design of the 63rd Street Overpass and Fourmile Canyon Creek Redesign; construction manager and general contractor coordination and design modifications; and Engineering support during construction.

Source:

There is \$751,000 available in111-RST2 Fund Balance.

Amendment Please select a One-t Ongo	all that apply.	Amendment Category: Please select all that apply. Fund Balance Transfer		
		Unanticipated Revenue		
Requested Expenditure Increase Amount: \$ 751,000.00				
Requested I	Revenue Increase Amount:			
Approva	ls			
Submitted By:		Date:		
Submitted By (2):		Date:		
Submitted By (3):		Date:		
Submitted By (4):	Elected Official / Department Head nam	Date:		
Reviewed by Budget Officer:	Budget Officer signature	Date:		
Reviewed by CFO:	Chief Financial Officer signature	Date:		
• •	f Board of Commissioners approval is rec	quired th direction to Budget to prepare the resolution:		
Chair of the Bo	ard of County Commissioners signature	Date: Initialed by the Clerk to the Board:		

Request Title: CPP - 111-RST2 amendment

Summary: This page provides expenditure breakdown for the Budget Amendment Request.

Fund	Organization	Account	Appropriation	Amount
111	25235	74030	RST2	751,000.00
			Expenditure Total	\$ 751,000

Request Title: CPP - 111-RST2 amendment

Summary: This page provides revenue breakdown for the Budget Amendment Request.

Fund	Organization	Account	Appropriation	Amount	
-	-	-	-		0.00
-	-	-	-		0.00
-	-	-	-		0.00
			Revenue Total	\$	-



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856 **Mailing Address:** P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING

October 15, 2024 at 1:00 p.m.

Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder Virtual and in-person

STAFF RECOMMENDATION

STAFF PLANNER: Pete L'Orange, Planner II

DATE ISSUED: October 8, 2024

Docket SU-24-0004: Zeke's Quality LLC

Request: Special Use Review to permit a second principal use of Marijuana Establishment in

an existing structure at 5853 Rawhide Court.

Location: 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of

US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

Zoning: Light Industrial (LI)
Owner: McRawhide LLC

Applicant: Diamond Riley, Zeke's Quality LLC

PACKET CONTENTS

Item	Pages
Staff Recommendation	1 – 15
Planning Commission Materials (Attachment PC)	PC1 – PC4
Application Materials (Attachment A)	A1 - A37
Referral Responses (Attachment B)	B1 - B8

SUMMARY:

The subject application is for a Special Review to permit a second principal use in an existing industrial building on a one-acre parcel located in the Light Industrial (LI) zoning district. With the recommended conditions of approval, staff find the proposal can meet the Special Review Criteria in Article 4-601 of the Boulder County Land Use Code (the Code) and recommend conditional approval to the Board of County Commissioners.

PROPOSAL:

The subject parcel is a one-acre parcel, which is a legal building lot. The property is accessed via an access easement to Longhorn Road that is also used by surrounding properties. The subject property

and neighboring properties in the immediate vicinity constitute an "island" of light industrial uses bordered on the west by US Highway 36 highway and surrounded by large areas of open space (see Figure 1 below). There is an approximately 9,000-square-foot, single level, industrial building and gravel car parking areas. Seventeen car parking spaces have been identified on the submitted site plan.



Figure 1: Aerial photograph of area surrounding the subject parcel (indicated in red).

The proposal seeks to establish a second principle use in the existing 9,000-square-foot building at 5853 Rawhide Court, including the existing light industrial use (Sonoma Tile) and a new Marijuana Establishment, through Special Review as provided in Article 4-111.F.5 and Article 4-600, and the additional provisions for marijuana establishments in Article 4-512.I, of the Code. Sonoma Tile presently occupies approximately 6,000 square feet of the existing building with the proposed Marijuana Establishment to use the remaining 3,000 square feet.

Sonoma Tile, a hand-made tile operation, was established on the subject property in 1988 (named Fire and Earth Ceramics) and was subsequently acquired by Sonoma Tile in 2008. The application materials include the following description of the tile operation: "Sonoma receives fired clay tiles, they glaze and re-fire these tiles before sending them to distributers. Sonoma does not have retail customers on site."

The proposed Marijuana Establishment is a manufacturing operation requiring three employees and having no retail component. The application materials include the following description of the proposed Marijuana Establish operations: "Zeke's Quality LLC will use proprietary formulations to manufacture marijuana-infused products such as pre-rolls (consumer ready joint), infused pre-rolls, and edibles for distribution in Boulder and throughout the state of Colorado. Additionally, they will be repackaging marijuana concentrates. The manufacturing processes will not emit any odor detectable outside the facility and will not create any manufacturing noise. There is no water used in the manufacturing process and thus no wastewater is produced. There will be no large delivery vehicles accessing the site for this business."

Under Article 4-111.F.5 of the Code, no parcel in the Light Industrial Zoning District may only be used for more than one principal use except for allowed Agricultural uses, Forestry uses, Mining uses,

or any combination thereof, unless approved through the Special Use Review process. There is Sonoma Tile use is considered a Light Industrial use as defined in Article 4-506.C of the Code; the proposed Marijuana Establish constitutes a Retail and Personal Service Use. Therefore, the Marijuana Establishment would be a second principal use, which requires such Special Use Review.

There are several environmental resource designations as identified by the Boulder County Comprehensive Plan on the subject parcel, including: the North Glasslands Natural Aera; the Boulder Valley Ranch/Beech Open Space Environmental Conservation area; Rare Plants area; and Very High Biodiversity Significance area. There is small Wetlands area in the northeast corner of the subject parcel. There is a Critical Wildlife Habitat area west of the subject parcel, on the west side of US Highway 36. Finally, the map indicates there is a Viewshed Protection score of 2.96 out of 5 along US Highway 36, west of the subject parcel. (See Figure 2 below). The majority of the parcels surrounding the subject parcel are owned and managed by the City of Boulder Open Space & Mountain Parks (see Figure 3 below); these parcels are open and undeveloped.

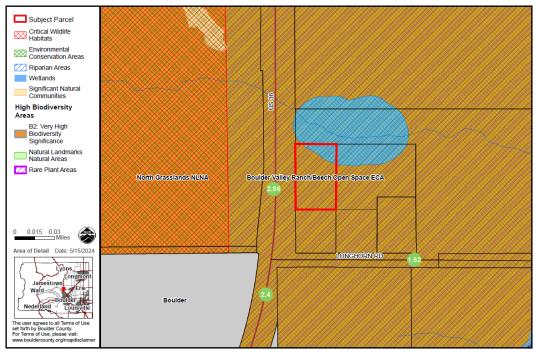


Figure 2: Comprehensive Plan map, with subject parcel indicated in red.



Figure 3: Public Lands and Open Space map, with subject parcel indicated in red.

As detailed in the criteria review below, staff find that the proposed second principal use of a Marijuana Establishment can meet the Special Review Criteria in Article 4-601 of the Code and the additional provisions for Marijuana Establishment listed in Article 4-512.I of the Code, with the recommended conditions of approval.

REFERRALS:

The application was referred to the standard agencies and adjacent property owners. Copies of all responses received by the Community Planning and Permitting Department are attached. A summary of each response follows.

Boulder County Building Safety & Inspection Services Team: This team reviewed the application materials submitted and provided comments detailing building permit requirements. They also noted that this is considered a change in occupancy and that a design analysis will be required. Finally, they stated an evaluation of the proposed process including but not limited to storage of and quantities of possible hazardous materials used will be necessary.

Boulder County Public Health: This team reviewed the application materials and determined that a change in use permit for a commercial onsite wastewater treatment system (OWTS) was reviewed and issued for the subject parcel in 2017. They noted that the existing OWTS is adequate for the level and nature of the uses on the parcel. Finally, they noted that the commercial permit will need to be updated to put it in the name of the current applicant, Zeke's Quality LLC.

Boulder County Development Review Team – Access & Engineering: This team reviewed the application materials submitted, including the pre-application methodology statement (PAMS) which was submitted for a similar use in 2017. The team found that the PAMS may be used with this application and agrees with its assessment. They also provided comments related to the proposed parking plan as submitted. They noted that the parking plan as submitted could not be implemented due to a required truck turnaround, the location of the dumpsters, and existing grade. However, they also noted that the Institute of Transportation Engineers (ITE) Parking Generation Manual, 3rd Edition indicates that the total number of parking spaces required for both uses is less than that required by the Code.

Boulder Rural Fire Rescue: This agency reviewed the application materials and stated that sprinklers and alarms will not be required for the proposed Marijuana Establishment use. They also noted that, due to lack of space on the east side of the building, a dedicated fire lane would be helpful.

Adjacent Property Owners: Notices were sent to seven adjacent property owners; staff have not received any public comments.

Agencies that responded with no conflict: Boulder County Historic Preservation team; Boulder County Parks & Open Space – Natural Resources Planner; and Xcel Energy.

Agencies that did not respond: Boulder County Assessor; Boulder County Attorney; Boulder County Marijuana Licensing; Boulder County Sheriff; Boulder County Treasurer; Boulder County Surveyor; City of Boulder Planning & Development Service; City of Boulder Open Space and Mountain Parks; Boulder Valley and Longmont Conservation Districts; and Colorado Department of Revenue – Marijuana Enforcement Division.

CRITERIA REVIEW AND ANALYSIS:

Land Use staff has reviewed the conditions and standards for approval of a Special Use Review for the proposal for multiple principle uses and a Marijuana Establishment per Section 4-601.A of the Boulder County Land Use Code, and finds the following:

SPECIAL REVIEW CRITERIA:

The Community Planning & Permitting staff has evaluated the Special Review standards for approval of a Marijuana Establishment as a second Principal Use, per Article 4-601 of the Code, and find the following:

(1) Except as otherwise noted, the use will comply with the minimum zoning requirements of the zoning district in which the use is to be established, and will also comply with all other applicable requirements;

Multiple principal uses may be permitted through Special Use Review in the Light Industrial zoning district. The building in which the activities (Sonoma Tile and the proposed Marijuana Establishment) are proposed is existing and was legally established in 1967. Any internal renovations to the building will require a building permit and a Certificate of Occupancy will be required for the change in use proposed.

The proposed Marijuana Establishment must meet the provisions of Article 4-512.I. of the Code.

- 1. Definition: Any location where more than six (6) plants are cultivated, produced, tested or distributed as authorized pursuant to Section 14 and Section 16 of Article XVIII of the Colorado Constitution and other applicable state law. This use includes the following:
 - a. Marijuana store
 - b. Marijuana-infused products manufacturing;
 - c. Optional premises cultivation or retail marijuana cultivation facility;
 - d. Marijuana testing and/or research facility.
 - e. Primary caregiver;
 - f. Personal cultivation.

Based on the description of the activities in the narrative submitted by the applicants, staff find the proposed Marijuana Establishment meets the definition as a Marijuana-

infused products manufacturing establishment.

2. Districts Permitted: By right in T, B, C, LI, and GI.

The subject parcel is in the Light Industrial zoning district.

Therefore, staff find this provision is met.

3. Parking Requirements:

- a. One space per 200 square feet of floor area used for office, sales, or personal service operations.
- b. One space per 1,000 square feet of floor area used for used for cultivating and research and/or testing facilities.

Per the floor plans submitted by the applicants, the proposed Marijuana Establishment will occupy approximately 3,000 square feet of the existing structure. Of that, approximately 750 square feet of that will be office, requiring four parking spaces; the remaining floor area would be used for processing, which staff find would fall under the "cultivating and research and/or testing facilities" category, requiring two additional parking spaces. In total, the Marijuana Establishment use requires a total of six parking spaces.

Since the subject parcel will be occupied by two uses, the required parking for the Light Industrial use (the Sonoma Tile company) must also be accounted for. This use occupies approximately 6,000 square feet of floor area. Light Industrial uses are required to provide one parking space per 500 square feet of floor area. As such, the Light Industrial use requires 12 parking spaces.

Between the two uses, the Code requires that 18 parking spaces be provided. However, per Article 4-516.Y.3.a of the Code, "The quantity and location of vehicle parking shall be appropriate for the use and site characteristics. Deviating from the number of required automotive parking spaces as described in each use classification may be appropriate based on the specific circumstances of a proposal including without limitation available on-street parking, seasonal or temporary needs for parking, shared parking agreements, reliance on alternative modes or other transportation demand management strategies."

In this case, the applicants have stated that the proposed Marijuana Establishment use will only have three employees and that there will be no retail and, therefore, no customer traffic associated with it. Additionally, per the property owners, the existing tile business only has six employees. Also, as discussed in the referral response from the Boulder County Access & Engineering team, the ITE Parking Generation Manual indicates that average parking supply ratio for manufacturing uses (which is the closest use category in the ITE manual to the proposed Marijuana Establishment use as proposed) is 1.3 spaces per 1,000 square feet of gross floor area, resulting in a requirement of four parking spaces for the Marijuana Establishment use. Similarly, the ITE manual average parking supply ratio for general light industrial (such as the tile business) is 1.1 spaces per 1,000 square feet of gross floor area, resulting in seven parking spaces for the tile business. The Access & Engineering staff find that, in this specific case, the 18 parking spaces required by the Code are not necessary.

As such, staff find that providing four parking spaces is sufficient for the proposed Marijuana Establishment and seven spaces for the tile business (one for each of the employees for each use, plus one additional space for each use for any deliveries or other incidental traffic) to be sufficient. To ensure that the appropriate spaces remain available for each of the uses, staff recommend as a condition of approval that four spaces be officially designated, through signage or other appropriate means, for the use of the Marijuana Establishment and seven spaces be similarly designated for the tile business.

Additionally, as discussed in more detail in Special Use Criterion 6 below, staff find the two proposed parking spaces located next to the fence on the eastern property line would conflict with the Boulder Rural Fire Rescue's request for a fire access lane to the east of the existing building. As such, staff recommend that the two parking spaces proposed along the eastern fence be eliminated.

Finally, per the Americans with Disabilities Act (ADA), one accessible parking space is required, and one is indicated on the submitted site plan. To ensure that the accessible parking space is functional for those with disabilities, staff recommend as a condition of approval that the accessible parking space meet ADA requirements.

For the reasons discussed above, staff support reducing the total number of parking spaces from the 18 required by the Code to a total of 12, and therefore, staff recommend as a condition of approval that, at permitting, the applicants submit a revised parking plan which shows a total of 12 parking spaces (four for the Marijuana Establishment, seven for the tile business, and one ADA accessible space) and complies with the Boulder County Multimodal Transportation Standards (MMTS). To ensure that all of the 12 parking spaces are clearly established and defined, staff recommends as a condition of approval that a wheel stop be installed for each parking space.

As the parking lot already exists and no expansions of the parking lot are required, staff find that this proposal does not trigger the electric vehicle supply equipment ("EVSE") requirements under Article 4-516.Y.5.c of the Code.

Therefore, as conditioned, staff find this provision can be met.

4. Loading requirements: One loading space for 10,000 or more square feet of floor area.

Total floor area on the property is less than 10,000 square feet and therefore no loading space is required.

Therefore, staff find this provision is not applicable.

5. Additional Provisions:

a. This use must obtain and maintain all necessary state and local permits and licenses. Regardless of when they are established, businesses operating for the purpose of cultivation, manufacture, or sale of marijuana or marijuana-infused products, as defined in the Colorado Medical Marijuana Code, C.R.S. §12-43.3-101, et. seq., and the Colorado Retail Marijuana Code, C.R.S. §12-43.4-101, et. seq. ("the Codes"), are and will be subject to the provisions and limitations stated in those Codes. These provisions and limitations include those in the legislation, and any state and County requirements promulgated under the legislation. Such businesses or uses, even if allowed under this Section 4-512.I or prior provisions of this Code, are subject to termination if they cannot meet the requirements of, or legally operate pursuant to the Codes.

All necessary permits and licenses must be obtained. Staff recommend this

requirement be included as a condition of approval. Therefore, as conditioned, staff find this provision can be met.

b. This use may include the accessory sale of products containing marijuana to the extent authorized by applicable state law.

No on-site sales are proposed. As discussed above, one of the justifications for allowing a decrease in the number of parking spaces is that there will be no retail sales. To ensure that the reduced number of parking spaces continue to be sufficient for the proposed use, staff recommend as a condition of approval that on-site sales be prohibited. Therefore, as conditioned, staff find this provision can be met.

c. Except in the LI and GI Zoning Districts, this use shall not be located within 500 feet of another Marijuana Establishment (including a Marijuana Establishment in the unincorporated County or a substantially similar facility in an adjacent municipality or county), as measured from the closest point of the subject parcel lines. This prohibition shall not prevent a marijuana store, marijuana-infused products manufacturing, optional premises cultivation, retail marijuana cultivation facility, or marijuana testing and/or research facility from locating with 500 feet of a primary caregiver or personal cultivation.

The property is in the Light Industrial zoning district; therefore, staff find this provision is not applicable.

d. A Marijuana Store shall not be located within 1,000 feet of an alcohol or drug treatment facility, a licensed child care facility, or an educational facility with students below the college grade level (including facilities in the unincorporated County or substantially similar facilities in an adjacent municipality or county), as measured from the closest point of the subject parcel lines.

Not applicable; see provision 5.e below.

e. Marijuana-infused products manufacturing, optional premises cultivation, and marijuana testing and/or research facilities, are not subject to the above setback requirement in Subsection e., provided there is not an associated marijuana store on the same parcel.

The proposal is for marijuana-infused products manufacturing and no on-site retail is proposed or approved. Therefore, with recommended condition of approval prohibiting on-site sales, staff find the setback requirement outlined above does not apply.

f. Marijuana establishments shall not have a drive-through service.

No drive-through is proposed and, as discussed above, staff recommend that on-site sales be prohibited. Therefore, with recommended condition of approval prohibiting on-site sales, staff find this provision can be met.

g. Personal cultivation and Primary Caregiver cultivation facilities are limited to no more than 99 plants

The Marijuana Establishment as proposed does not include any personal or Primary Caregiver cultivation. Therefore, staff find this provision is not applicable.

h. For marijuana warehouse regulations, refer to section 4-515.b. of this Code

The Marijuana Establishment as proposed is not considered a marijuana warehouse. Therefore, staff find this provision is not applicable.

Therefore, as conditioned, staff find this criterion can be met.

(2) The use will be compatible with the surrounding area. In determining compatibility, the Board should consider the location of structures and other improvements on the site; the size, height and massing of the structures; the number and arrangement of structures; the design of structures and other site features; the proposed removal or addition of vegetation; the extent of site disturbance, including, but not limited to, any grading and changes to natural topography; and the nature and intensity of the activities that will take place on the site. In determining the surrounding area, the Board should consider the unique location and environment of the proposed use; assess the relevant area that the use is expected to impact; and take note of important features in the area including, but not limited to, scenic vistas, historic townsites and rural communities, mountainous terrain, agricultural lands and activities, sensitive environmental areas, and the characteristics of nearby development and neighborhoods;

The subject parcel is zoned for light industrial uses, as are the nine other surrounding parcels. The proposed uses, Sonoma Tile and the Marijuana Establishment, are consistent with the existing light industrial character. Sonoma Tile (or predecessor) has operated from the property for approximately 30 years; a Marijuana Establishment with a retail component operates from the neighboring property to the east.

No exterior changes are proposed to the existing building. Any signage is required to obtain a permit prior to installation.

No conflicts between the two proposed uses on the property have been identified and their operation from the same property will remain in character with the neighborhood.

Therefore, staff find that this criterion is met.

(3) The use will be in accordance with the Boulder County Comprehensive Plan;

As discussed above, there are a number of environmental resources identified on or near the subject parcel. However, the use will be occupying a portion of an existing building, and no exterior modifications or expansions are required or proposed. As such, staff does not anticipate any adverse impacts to any of the resources, and no referral agencies have responded with any such concerns.

Staff have identified several policies from the Boulder County Comprehensive Plan which are relevant to this proposal.

Agricultural Element Policy 1.04 Development Review: This policy states that the county should use the development review process to consider and mitigate any adverse impacts to existing and future agricultural activities. While the subject parcel is largely surrounding by Agriculture zoned parcels, there are no active agricultural operations or activities in the area. Additionally, staff have not identified any potential adverse impacts which might harm or prevent any agricultural activities in the future. As such, staff find the proposal does not conflict with this policy.

Economics Element Policy 3.03 Small Businesses: This policy states that the county should work to help small businesses thrive within the context of existing community character and infrastructure. The proposed Marijuana Establish is a local small business, which will be occupying an already developed industrial space which is supported by existing infrastructure. As such, staff find the proposal is supported by this policy.

Economics Element Policy 3.07 Existing Commercial and Industrial Uses: This policy states that the county promotes rehabilitation of existing commercial and industrial properties. As discussed above, this is an existing industrial building, in an existing small industrial area, and the applicants will be occupying an existing space. As such, staff find the proposal is consistent with this policy.

Staff have not identified any goals or policies of the Comprehensive Plan which conflict with this proposal.

Therefore, staff find that this criterion is met.

(4) The use will not result in an over-intensive use of land or excessive depletion of natural resources. In evaluating the intensity of the use, the Board should consider the extent of the proposed development in relation to parcel size and the natural landscape/topography; the area of impermeable surface; the amount of blasting, grading, or other alteration of the natural topography; the elimination or disruption of agricultural lands; the effect on significant natural areas and environmental resources; the disturbance of plant and animal habitat, and wildlife migration corridors; the relationship of the proposed development to natural hazards; and available mitigation measures such as the preservation of open lands, the addition or restoration of natural features and screening, the reduction or rearrangement of structures and land disturbance, and the use of sustainable construction techniques, resource use, and transportation management;

The proposed multiple uses will utilize an existing building, which was originally constructed and designed to support multiple tenants. Additionally, as discussed above, the proposal does not propose or require any increase in floor area or expansion of the area of land used. As such, staff find it will not result in an over-intensive use of land or deplete natural resources.

Therefore, staff find this criterion is met.

(5) The use will not have a material adverse effect on community capital improvement programs;

No adverse effects have been identified on capital improvement programs.

Therefore, staff find this criterion is met.

(6) The use will not require a level of community facilities and services greater than that, which is available;

Per their referral response, Boulder County Public Health found that a change in use permit for a commercial onsite wastewater treatment system (OWTS) was reviewed and issued for the subject parcel in 2017. They noted that the existing OWTS is adequate for the level and nature of the uses on the parcel. Finally, they noted that the commercial permit will need to be updated to put it in the name of the current applicant, Zeke's Quality LLC, which will be addressed through the permitting process.

The Boulder Rural Fire Protection District has reviewed the proposed Marijuana Establishment and has determined that, due to the low intensity level of the use, sprinklers and/or alarms are not necessary. They did note that, due to lack of space on the east side of the building, a dedicated fire lane would be helpful in responding to any situations. As discussed in Criterion 1 above, staff recommend that the two parking spaces parallel to the fence on the eastern edge of the property (see Figure 4 below) be eliminated. This would allow the portion of the parking lot along the fence line to use as a fire lane. To ensure that this fire lane remains open, staff recommends as a condition of approval that the applicants install "No Parking Fire Lane" signs on the fence.

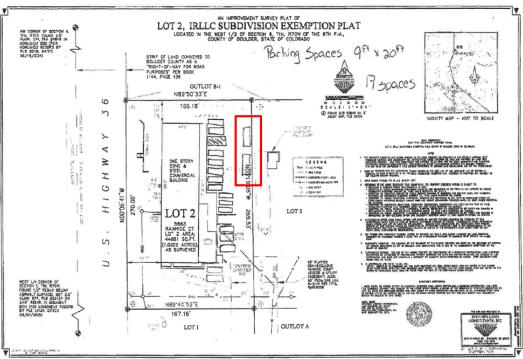


Figure 4: Site plan submitted by the applicants. The two parking spaces recommend for removal are indicated in red.

No other referral agencies responded with any concerns related to this criterion.

Therefore, as conditioned here and in Criterion 1 above, staff find this criterion can be met.

(7) The use will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards;

The subject property is accessed via an existing 60-foot wide easement (Rawhide Court) from Longhorn Road, a Boulder County owned right-of-way (ROW), with a functional classification of Local. Legal access has been demonstrated via this easement.

Per the referral response from the Access & Engineering team, a pre-application methodology statement (PAMS) for a similar use at the same address was submitted as part of this application. The PAMS indicated an average daily traffic volume of 16 vehicles for the combined uses. Access & Engineering staff found that the PAMS may be used with this application and agrees with this assessment. Consequently, no further transportation system impact analysis is required

As discussed in Criterion 1 above, staff find that, due to the specific circumstances related to the subject parcel and its existing and proposed uses, a deviation from the 18 parking spaces required by the Code is appropriate and justified. And, as discussed in Criterion 1 above, staff recommend that the total number of required parking spaces be reduced to 12.

Therefore, as conditioned in Criterion 1 above, staff find this criterion can be met.

(8) The use will not cause significant air, odor, water, or noise pollution;

The application materials assert that the proposed extraction process at the Marijuana Establishment will neither require water nor produce wastewater, and also will not emit any odor or noise detectable outside the building. Additionally, as discussed above, no exterior modifications to the existing structure are proposed or necessary, and no regrading of the existing parking lot will be required. As such, staff find the proposed use will not result in any significant air, odor, water, or noise pollution.

Therefore, staff find this criterion is met.

(9) The use will be adequately buffered or screened to mitigate any undue visual impacts of the use;

As discussed above, there are no external changes to the building are proposed, and no outdoor storage is proposed.

No signage has been proposed to date. Any future signage will require the appropriate permits and must meet the provisions of Article 13-600.D of the Code, for signs located in the Transitional, Business, Commercial, Light Industrial, Economic Development, and General Industrial zoning districts. Article 13-600.D allows for both internally and externally illuminated signs. Given the extremely rural and undeveloped nature of the area surrounding the subject parcel, however, staff find that illuminated signage has the potential to be visible from a long distance away. As such, staff recommends as a condition of approval that any externally illuminated signs be restricted to one lighting fixture, which must comply with Article 7-1300 of the Code (Outdoor Lighting), and that internally illuminated signs be prohibited. Staff find that this condition of approval will serve to minimize any potential light pollution resulting from the proposed Marijuana Establishment.

Therefore, as conditioned, staff find this criterion can be met.

(10) The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County;

Staff have not identified any impacts from the proposed Marijuana Establishment which would be detrimental to the health, safety, or welfare of the inhabitants of Boulder County; additionally, no referral agencies have responded with any such concerns.

Therefore, staff find this criterion is met.

(11) The use will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing the consumption and inefficient use of energy, materials, minerals, water, land, and other finite resources.

Allowing the multiple principle uses proposed will enable the unoccupied portion of the existing building to contain a light industrial business that is consistent with the character of

the vicinity. As such, staff find the proposal will efficiently use an existing resource.

Therefore, staff find this criterion is met.

(12) The use will not result in unreasonable risk of harm to people or property – both onsite and in the surrounding area – from natural hazards. Development or activity associated with the use must avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors; all as identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Special Review or Limited Impact Special Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies.

The subject parcel is located within a Steeply Dipping, Heaving Bedrock area and a Moderate Swelling Soil Potential area (see Figure 5 below). There are also some identified Landslide Susceptibility areas in the vicinity of the subject parcel, but there are no such areas on the subject parcel itself. As discussed above, the proposed use will occupy an existing structure, and no exterior modifications or additional construction are required or proposed. As such, staff find the proposal will not result in any increased or unreasonable risk of harm.

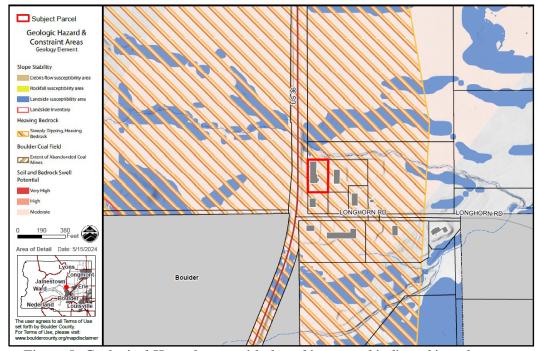


Figure 5: Geological Hazards map with the subject parcel indicated in red.

Therefore, staff find this criterion is met.

(13) The proposed use shall not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts. The best available information should be used to evaluate these impacts, including without limitation the Boulder County Storm Drainage Criteria

Manual, hydrologic evaluations to determine peak flows, floodplain mapping studies, updated topographic data, Colorado Geologic Survey landslide, earth/debris flow data, and creek planning studies, all as applicable given the context of the subject property and the application.

No exterior changes are proposed; and thus, no impact on historic drainage patterns or flow rates will result.

Therefore, staff find that this criterion is met.

PLANNING COMMISSION:

This application was heard by the Boulder County Planning Commission at their regularly scheduled meeting on August 21, 2024. Commissioners Whitney (Chair), Libby (Vice-Chair), Bloomfield (Second Vice-Chair), Gerstle, Goldfarb, Lee, and Manna were present; Commissioners Canaday and McMillan were excused. Commissioner Bloomfield disclosed a past relationship with the property owner for the subject parcel, but noted there were not any current financial ties between them, and that the past relationship would not prevent Commissioner Bloomfield from being able to review the application objectively.

Staff presented the application and staff's analysis of the proposal. Diamond Riley, representing Zeke's Quality LLC (the applicant) and Mark McIntyre, representing McRawhide LLC (the property owner), presented on behalf of the applicant. No members of the public spoke on this application.

Planning Commission expressed support for the proposal, noting that the impacts would be very minor, and they wanted to be able support a small business. They had questions about staff's recommended condition of approval related to designating parking spaces through signage or other appropriate means (Condition #4) and staff's recommended condition of approval for delineating parking spaces through the use of wheel stops (Condition #5). Staff explained Condition #4 was intended to ensure that each of the two uses would have adequate parking at all times; staff also explained that the delineation of the parking spaces (Condition #5) is a requirement of the Boulder County Multimodal Transportation Standards. Planning Commission accepted staff's explanation regarding Condition #5, but felt that Condition #4 was unnecessary as there are expected to be a limited number of employees on site and that the chances of conflicts over parking were unlikely. Commissioner Bloomfield made a motion to recommend approval of the docket subject to conditions of approval outline in staff recommendation, with the elimination of Condition #4; Commissioner Goldfarb seconded the motion. The motion carried 7-0.

Staff, however, find that removal of Condition #4 could result in conflicts. For example, if deliveries are being made and one or more parking space(s) which would normally be used by one of the uses is no longer available, it could force someone to park off site or in the designated fire lane. Additionally, staff find that, as written, Condition #4 could be met through a method other than signage, such as painting or stenciling the wheel stops to indicate which use or suite can use a particular parking space. As such, staff recommend that Condition #4 remain as proposed by staff.

RECOMMENDATION:

Staff recommend that the Board of County Commissioners **Conditionally Approve** docket <u>SU-24-0004: Zeke's Quality LLC</u> as described in the application materials subject to the following conditions:

1. The applicant must provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.

- 2. *At permitting*, the applicants must submit a revised parking plan, for review and approval by Community Planning & Permitting staff, showing a total of 12 parking spaces, including seven for the existing Light Industrial (Sonoma Tile) use, four for the Marijuana Establishment, and one ADA accessible parking space. All parking spaces must comply with the Boulder County Multimodal Transportation Standards (MMTS).
- 3. *Prior to issuance of any Certificate of Occupancy*, Community Planning & Permitting staff must inspect the parking lot for compliance with the MMTS and ADA requirements.
- 4. **Prior to issuance of any Certificate of Occupancy**, the parking spaces for the tile business and the Marijuana Establishment must be clearly designated through signage or other appropriate means.
- 5. *Prior to issuance of any Certificate of Occupancy*, all parking spaces must be clearly defined and delineated through the use of wheel stops or other appropriate means.
- 6. The applicant must obtain and maintain all applicable permits and licenses.
- 7. No on-site sales are approved or permitted for the Marijuana Establishment use.
- 8. **Prior to issuance of any Certificate of Occupancy,** the area adjacent to the fence on the eastern property line must be designated for use as fire lane, and must include "No Parking Fire Lane" signs.
- 9. Any externally illuminated signs be restricted to one lighting fixture, which must comply with Article 7-1300 of the Code (Outdoor Lighting); internally illuminated signs are prohibited. Sign permits are required for all signage.
- 10. The applicants are subject to the terms, conditions, and commitments of record and in the file for **Docket SU-24-0004: Zeke's Quality LLC**.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 303-441-3930 • www.BoulderCounty.gov

September 5, 2024

McRawhide LLC c/o Jill and Mark McIntyre 1475 Moss Rock Place Boulder, CO 80304

Diamond Riley 14229 E Radcliff Circle Aurora. CO 80015

Dear Applicants:

This letter certifies that a hearing of the Planning Commission, County of Boulder, State of Colorado, was duly called and held on <u>August 21, 2024</u> in consideration of the following request:

Docket SU-24-0004: Zeke's Quality LLC

Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court. The application is submitted by McRawhide LLC c/o Jill and Mark McIntyre (owner) and Diamond Riley (applicant). The proposal is in the Light Industrial (LI) zoning district at 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

The Planning Commission has recommended that the request be **CONDITIONALLY APPROVED**, subject to the following conditions:

- 1. The applicant must provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
- 2. At permitting, the applicants must submit a revised parking plan, for review and approval by Community Planning & Permitting staff, showing a total of 12 parking spaces, including seven for the existing Light Industrial (Sonoma Tile) use, four for the Marijuana Establishment, and one ADA accessible parking space. All parking spaces must comply with the Boulder County Multimodal Transportation Standards (MMTS).
- 3. Prior to issuance of any Certificate of Occupancy, Community Planning & Permitting staff must inspect the parking lot for compliance with the MMTS and ADA requirements.
- 4. Prior to issuance of any Certificate of Occupancy, the parking spaces for the tile business and the Marijuana Establishment must be clearly designated through signage or other appropriate means.
- 5. Prior to issuance of any Certificate of Occupancy, all parking spaces must be clearly defined and delineated through the use of wheel stops or other appropriate means.
- 6. The applicant must obtain and maintain all applicable permits and licenses.
- 7. No on-site sales are approved or permitted for the Marijuana Establishment use.
- 8. Prior to issuance of any Certificate of Occupancy, the area adjacent to the fence on the eastern property line must be designated for use as fire lane, and must include "No Parking Fire Lane "signs.

- 9. Any externally illuminated signs be restricted to one lighting fixture, which must comply with Article 7-1300 of the Code (Outdoor Lighting); internally illuminated signs are prohibited. Sign permits are required for all signage.
- 10. The applicants are subject to the terms, conditions, and commitments of record and in the file for Docket SU-24-0004: Zeke's Quality LLC.

This docket has been scheduled for final consideration by the Board of County Commissioners on **Tuesday, October 15, 2024 at 1 p.m.** If you have any additional questions, please feel free to contact me at 303-441-1418 or via email at <u>plorange@bouldercounty.gov</u>.

Sincerely,

Pete L'Orange, Planner II

Planning Division

Community Planning & Permitting Department



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 303-441-3930 • www.BoulderCounty.gov

CERTIFICATE OF RESOLUTION

TO: Board of Boulder County Commissioners FROM: Boulder County Planning Commission

DATE: September 5, 2024 RE: **Docket SU-24-0004**

This certifies that at a public hearing of the Planning Commission, County of Boulder, State of Colorado, duly called and held on <u>August 21, 2024</u> the following resolution was duly adopted.

Be it resolved that the Planning Commission, County of Boulder, State of Colorado, recommends to the Board of County Commissioners that the following request be **CONDITIONALLY APPROVED**, by a vote of 7 in favor, 0 against, 0 abstaining, and 2 excused.

Docket SU-24-0004: Zeke's Quality LLC

Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court. The application is submitted by McRawhide LLC c/o Jill and Mark McIntyre (owner) and Diamond Riley (applicant). The proposal is in the Light Industrial (LI) zoning district at 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

Subject to the following conditions:

- 1. The applicant must provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
- 2. At permitting, the applicants must submit a revised parking plan, for review and approval by Community Planning & Permitting staff, showing a total of 12 parking spaces, including seven for the existing Light Industrial (Sonoma Tile) use, four for the Marijuana Establishment, and one ADA accessible parking space. All parking spaces must comply with the Boulder County Multimodal Transportation Standards (MMTS).
- 3. Prior to issuance of any Certificate of Occupancy, Community Planning & Permitting staff must inspect the parking lot for compliance with the MMTS and ADA requirements.
- 4. Prior to issuance of any Certificate of Occupancy, the parking spaces for the tile business and the Marijuana Establishment must be clearly designated through signage or other appropriate means.
- 5. Prior to issuance of any Certificate of Occupancy, all parking spaces must be clearly defined and delineated through the use of wheel stops or other appropriate means.
- 6. The applicant must obtain and maintain all applicable permits and licenses.
- 7. No on-site sales are approved or permitted for the Marijuana Establishment use.
- 8. Prior to issuance of any Certificate of Occupancy, the area adjacent to the fence on the eastern property line must be designated for use as fire lane, and must include "No Parking Fire Lane "signs.
- 9. Any externally illuminated signs be restricted to one lighting fixture, which must comply with Article 7-1300 of the Code (Outdoor Lighting); internally illuminated signs are prohibited. Sign permits are required for all signage.

10. The applicants are subject to the terms, conditions, and commitments of record and in the file for Docket SU-24-0004: Zeke's Quality LLC.

The applicants are subject to the terms, conditions, and commitments of record and in the file for docket <u>SU-24-0004</u>: <u>Zeke's Quality LLC</u>. This docket has been scheduled for final consideration by the Board of County Commissioners on <u>Tuesday</u>, <u>October 15</u>, <u>2024 at 1 p.m.</u>

BOULDER COUNTY PLANNING COMMISSION

Pete L'Orange, Planner II for Dale Case, Secretary



Project Number

Appeal

Correction Plat

Exemption Plat

Boulder County Land Use Department

Courthouse Annex Building

2045 13th Street • PO Box 471 • Boulder, Colorado 80302

Phone: 303-441-3930

Email: planner@bouldercounty.org Web: www.bouldercounty.org/lu

Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.

Modification of Site Plan

Modification of Special

Review

Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only					
Intake Sta	mp				

Special Use (Oil & Gas

State Interest Review (1041)

development)

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Name

Road Name Change

Site Plan Review

Road/Easement Vacation

 ☐ Final Plat ☐ Limited Impact Special Use ☐ Limited Impact Special Use ☐ Location and Extent 		y Plan	 → Site Plan I		☐ Val	
Location(s)/Street Address(es)	5853 Rawhide C	Court unite	С			
	Boulder, Co 8030)4				
Subdivision Name	b Exemption					
Lot(s) 2	Block(s)	Section(s)		Township(s)		Range(s)
Area in Acres	Existing Zoning	Existing Use of Pro	perty light	industrial		Number of Proposed Lots
Proposed Water Supply	stern delivery	Proposed Sewage	Disposal Method	septic		
Applicants:				1		
Applicant/Property Owner	cRawhide LLC (c	wner)	Email jill(@jillmcintyre.c	om	
Mailing Address 1475 Moss	Rock Place					
^{City} Boulder	State Zin Code	80304	Phone	303-444-4598	3	
Applicant/Property Owner/Agent/Co	onsultant Diamond Riley	(applican	t) Email sal	es@zekesqı	ualit	y.com
Mailing Address 14229 E	Radcliff Cir		,			
Aurora	State CO Zip Code	80015	Phone 3	01-741-6153		
Agent/Consultant Fredric	k Jenkins		_{Email} je	nkinsfredrick1	@gr	mail.com
Mailing Address 14229 E	Radcliff Cir					
Aurora	State CO Zip Code	80015	Phone	720-312-003	31	
Certification (Please refe	r to the Regulations and A	Application Sub	mittal Packa	ge for complete app	licatio	n requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner	Jule montyne	Printed Name	Jill	McIntyre	Date 5/28/24
Signature of Property Owner	22	Printed Name	Mark	McIntyre	 Date 5/28/24

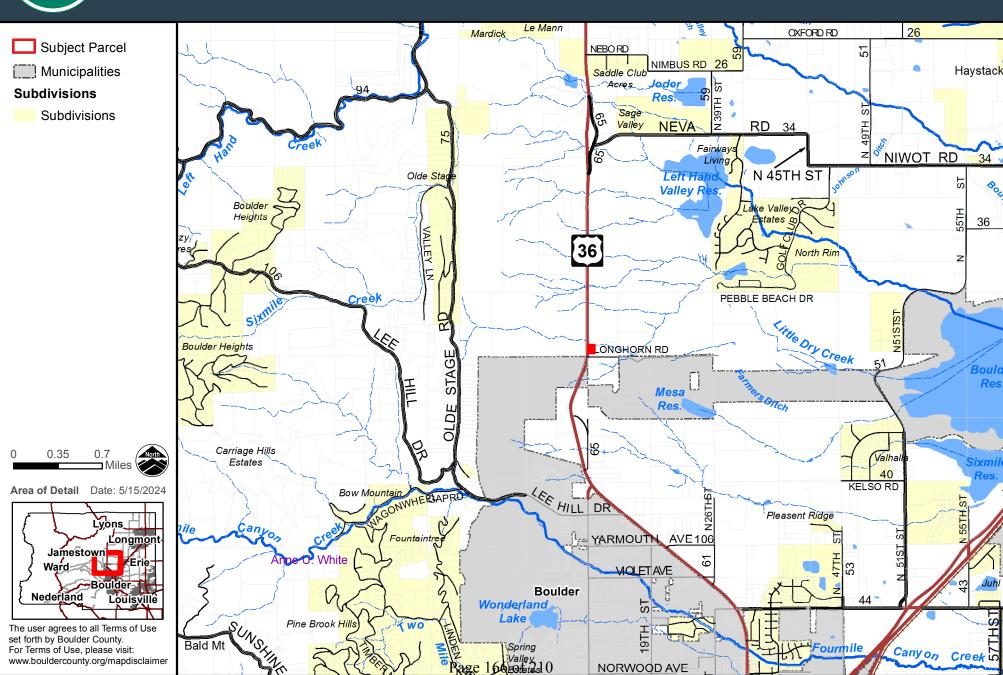
The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.

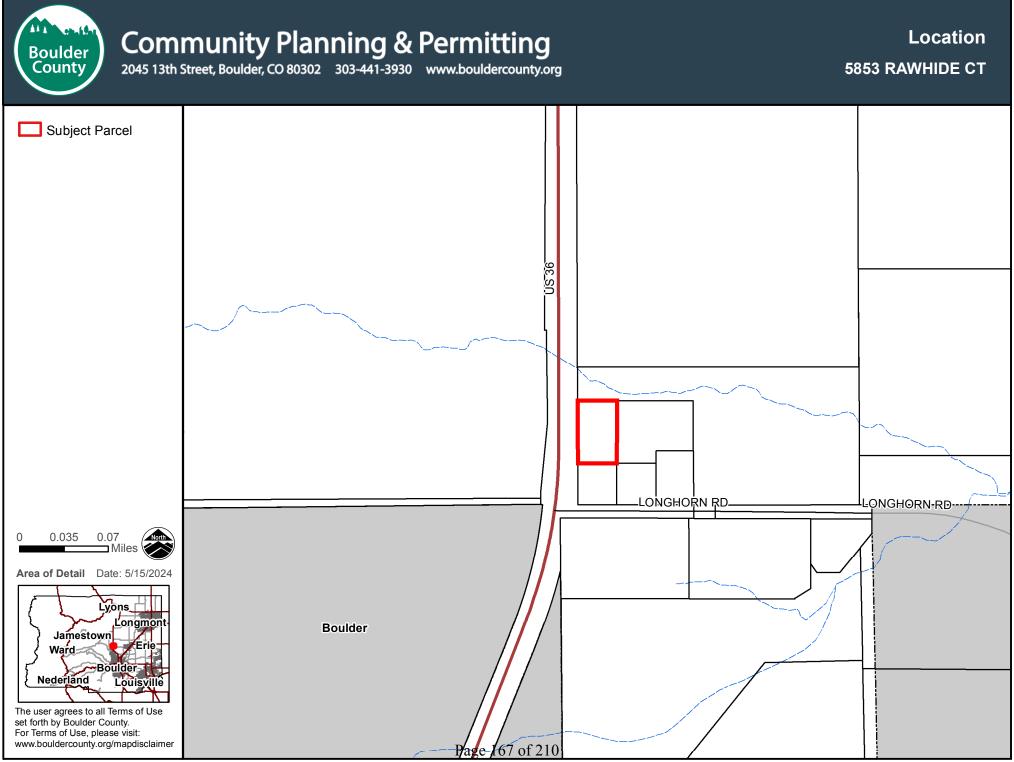
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

Vicinity

5853 RAWHIDE CT

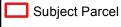






Community Planning & Permitting 2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

Aerial 5853 RAWHIDE CT





Jamestown

Nederland 4

set forth by Boulder County.

wtodacheene



Community Planning & Permitting 2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

Aerial 5853 RAWHIDE CT



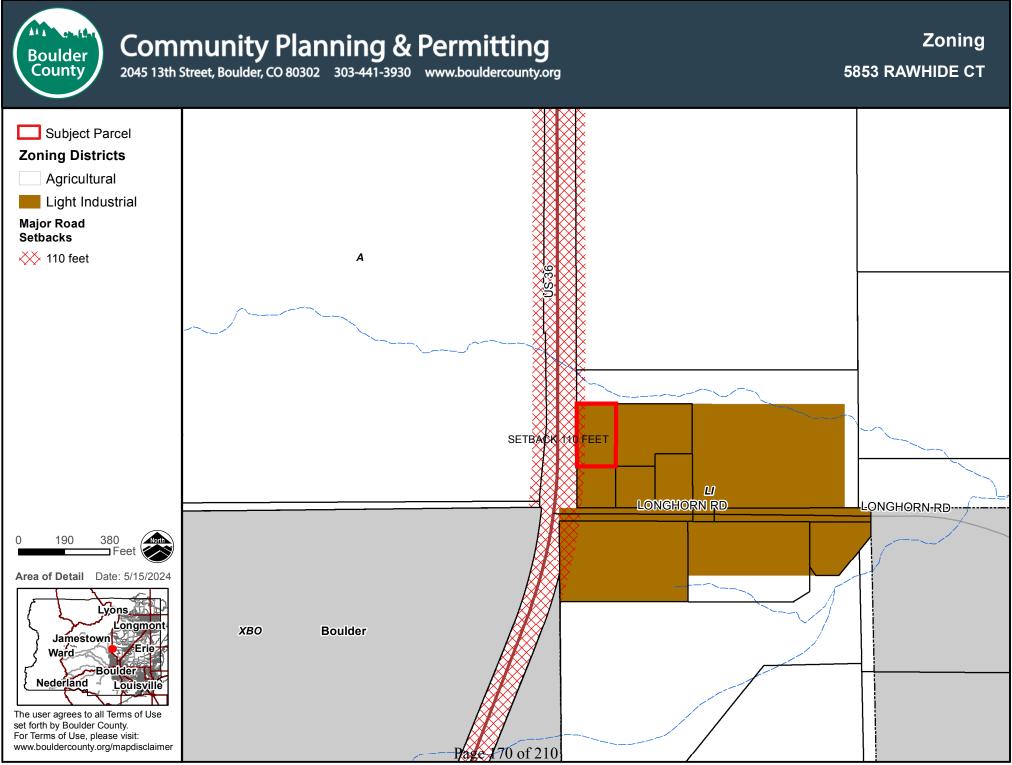


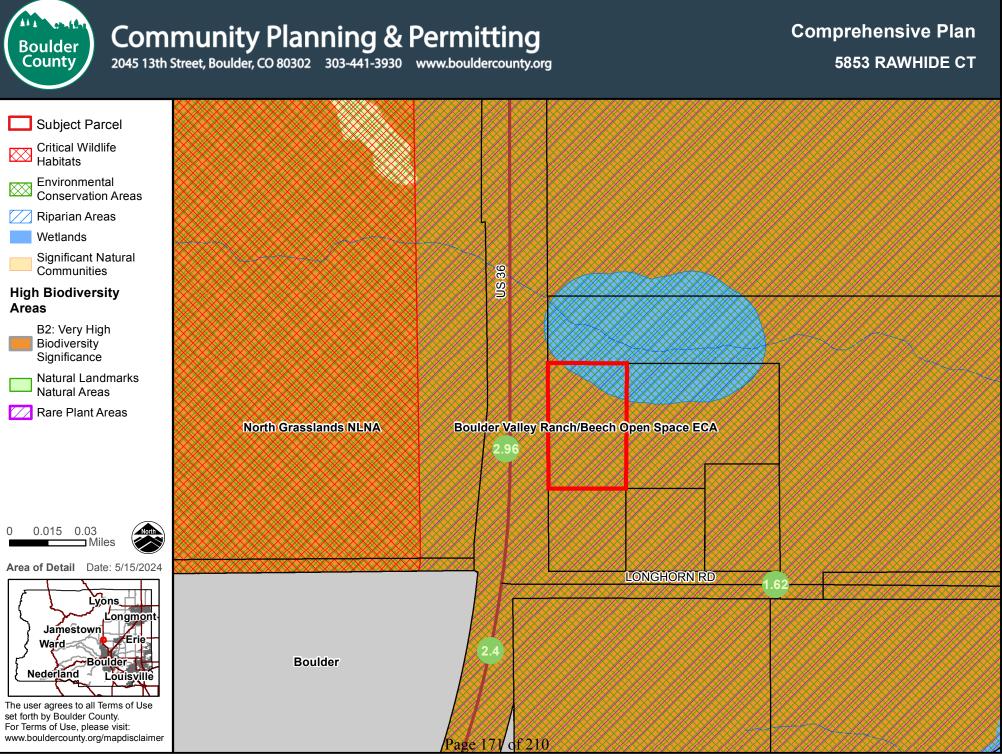
The user agrees to all Terms of Use set forth by Boulder County.

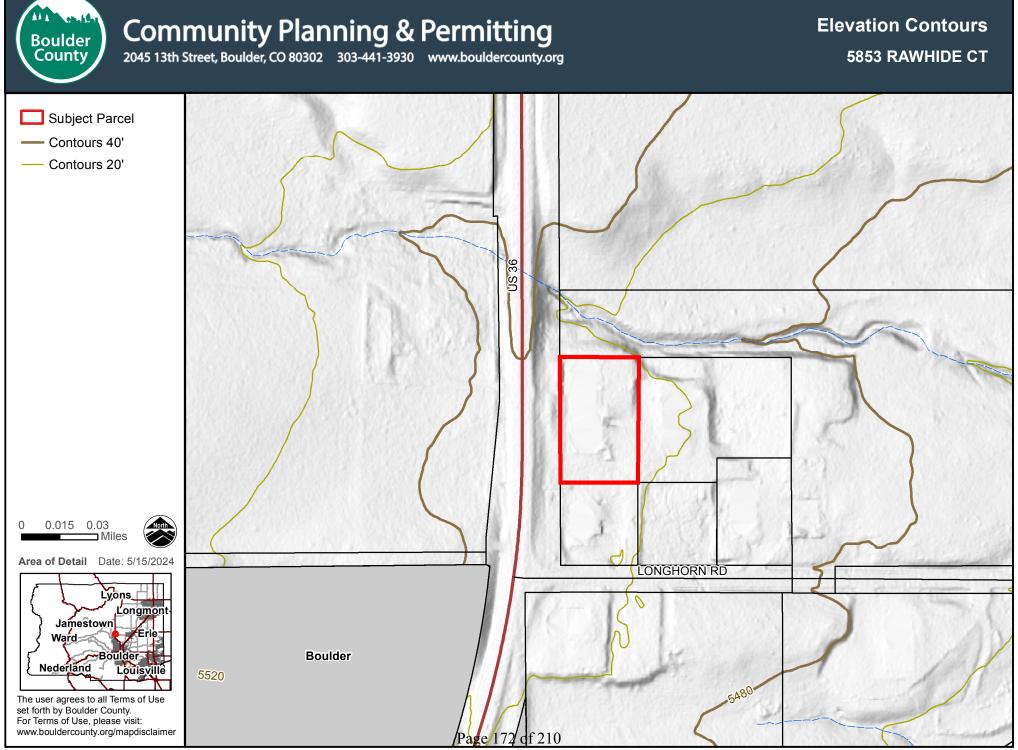
0.015 0.03

Jamestown

Nederland 4





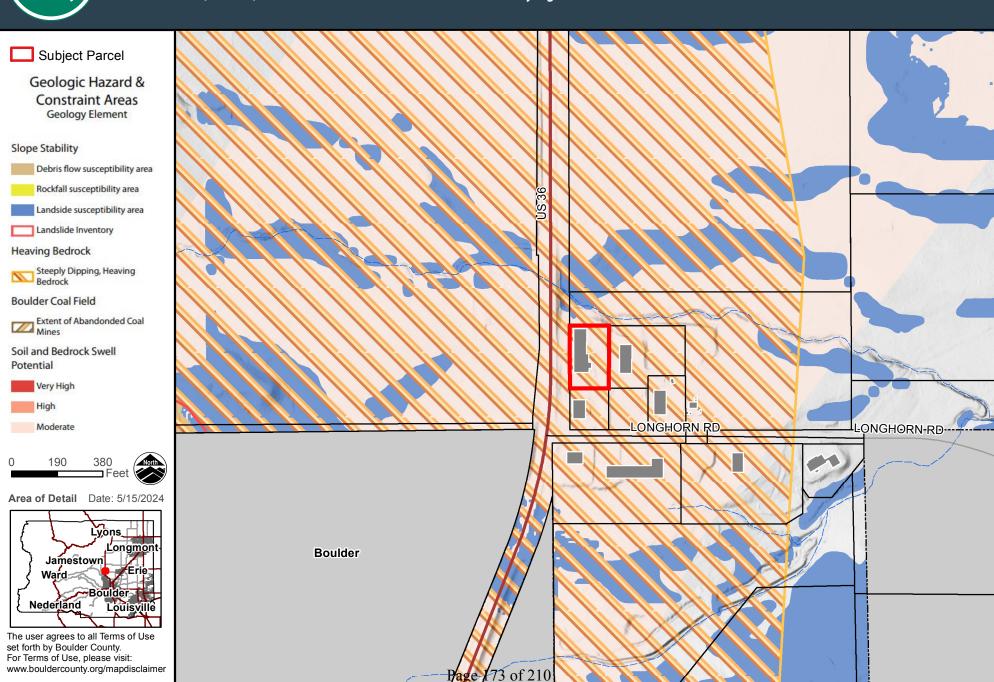


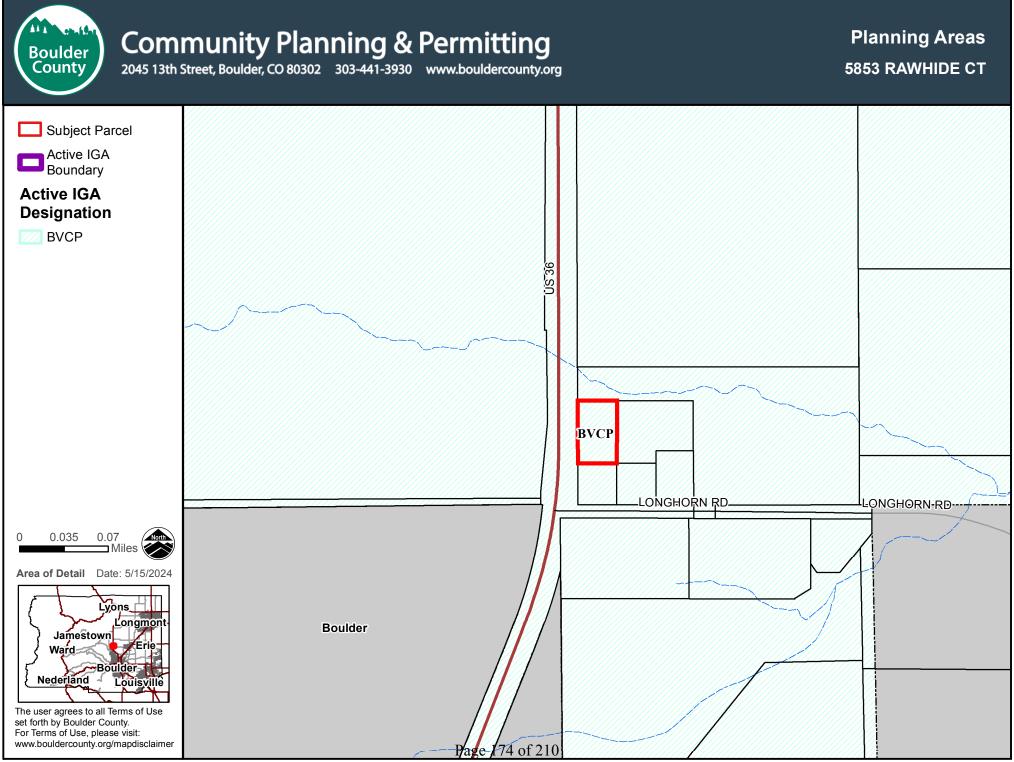


Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

Geologic Hazards
5853 RAWHIDE CT









Narrative for 5953 Rawhide Court

Formatte

<u>Introduction</u>

Zeke's Quality, LLC and McRawhide LLC, the owners of 583 Rawhide Court, are seeking a special use permit to allow two separate uses in our 9,000 sf commercial building. Sonoma Tile has been a tenant at this location for over 30 years, occupying Units A and B. Zeke's Quality LLC would like to move into Unit C to operate a Licensed Marijuana Infused Products business (MIP). The following is a narrative that we hope will answer any questions you may have about our proposal.

McRawhide LLC

McRawhide LLC is a local family company that owns the property at 5853 Rawhide Court. Mark and Jill McIntyre are the managing members of the LLC and as active landlords, manage and lease the property directly. Our home office is less than three miles from our property. We are 45-year residents of Boulder and as hands-on landlords, are committed to creating and maintaining strong and respectful relationships with our tenants and our neighbors. We are particularly interested in leasing our properties to small independent businesses.

Sonoma Tile

Fire and Earth Ceramics was started by Jeff Gaines in 1988 and has been a tenant at this location since then. The business was acquired in 2008 by Sonoma Tile, a national tile manufacturer and distributor. This acquisition enabled Jeff to remain in business during the recession and keep employing his devoted crew, several of whom have been employed there for many years. Jeff died in 2015 and the business is now run by Chris Lovejoy, a long-time employee. Sonoma Tile makes quality handmade tile, with an emphasis on sustainability. The business is centered around glazing and re-firing pre-fired tiles, before sending them to distributors. Sonoma Tile does not have retail customers. There will be no changes to their business or their side of the building.

Zeke's Quality LLC

Zeke's Quality LLC was founded by businesswoman Diamond Riley in 2020, and has been operating in Boulder County since 2022. Fred Jenkins serves as the manager of the business, bringing the experience he has gained from working in the legal marijuana industry for ten years.

Zeke's Quality LLC is looking to establish a Retail Marijuana Products Manufacturing Facility at 5853 Rawhide Court, Unit C, Boulder, CO 80302. The facility will employ three hourly employees. There will be no retail customers.

The company intends to operate the manufacturing facility at Rawhide court in compliance with all Boulder County marijuana regulations, state law and with approval from local fire officials.

About Diamond Riley

I am a 34-year-old native of Washington DC holding both a Masters of Psychology and a JD Degree. I am a mom to a wonderful and bright three-year-old boy named Zeke. My business, Zeke's Quality, is named after him.

It is my goal with this business to create a lasting foundation for my son.

So often African Americans in inner cities have to fight to survive and make it day by day. My story is no different. I am creating a different narrative for my son. Despite the challenges of being the only black in the entire state of Colorado using a MIP license to make edibles, I know that I am paving the road for others like me. Although it has been well documented that blacks have been disproportionately affected by marijuana, we still hold the fewest number of legal owners in the marijuana industry. It is my goal to show that without social equity but with self-funding and tons of perseverance, that legal marijuana ownership is possible.

About Fredrick Jenkins

I am the manager of Zeke's Quality. I have been in the cannabis business for ten years as a MIP/grow manager, consultant, and transporter. I have a degree in IT and Business. I am a veteran of the US Army where I served for three years.

Manufacturing Plans

Zeke's Quality LLC will use proprietary formulations to manufacture marijuana-infused products such as pre-rolls (consumer ready *joint*), infused pre-rolls, and edibles for distribution in Boulder and throughout the state of Colorado. Additionally, they will be repackaging marijuana concentrates.

The manufacturing processes will not emit any odor detectable outside the facility and will not create any manufacturing noise. There is no water used in the manufacturing process and thus no wastewater is produced. There will be no large delivery vehicles accessing the site for this business.

Impact of Proposed Change on Traffic

Please see the attached traffic study completed by Delich Associates which was originally performed for the previous tenant's (NoBo Partners) special use review in 2018. NoBo received conditional approval by the County Commissioners but chose not to operate their marijuana business in the space. We are re-submitting this traffic study because there have not been any significant changes to the traffic flow and Zekes's Quality will employ the same amount or fewer employees. Performing an additional study seems like a waste of resources and time.

The conclusion of the study states, "The calculated daily trip generation (16 daily trip ends) is less than the 30 daily vehicle trips that would require additional transportation system impact analyses. It is respectfully requested that no additional transportation analyses be required..."

One of the conditions for the 2018 Special Use Review approval was the installation of tire stops for all (19) of the identified parking spaces. We are in disagreement with that requirement because with so few employees and no retail use, there will never be enough cars to warrant such delineation. It is a gravel parking lot with ample room for both tenants. Installing plastic tire stops would be a waste of environmental and financial resources.

Impact of Proposed Changes on Septic System

Please see the attached Onsite Wastewater Treatment System Verification performed by 5280 Septic LLC, which was originally submitted for our previous tenant's (NoBo Partners) special use review in 2018. We are re-submitting this verification as it also applies to the current applicant, Zeke's Quality LLC. The report concludes, "Based upon the above calculations, the existing OWTs will accommodate the daily wastewater flow in the proposed Change in Use."

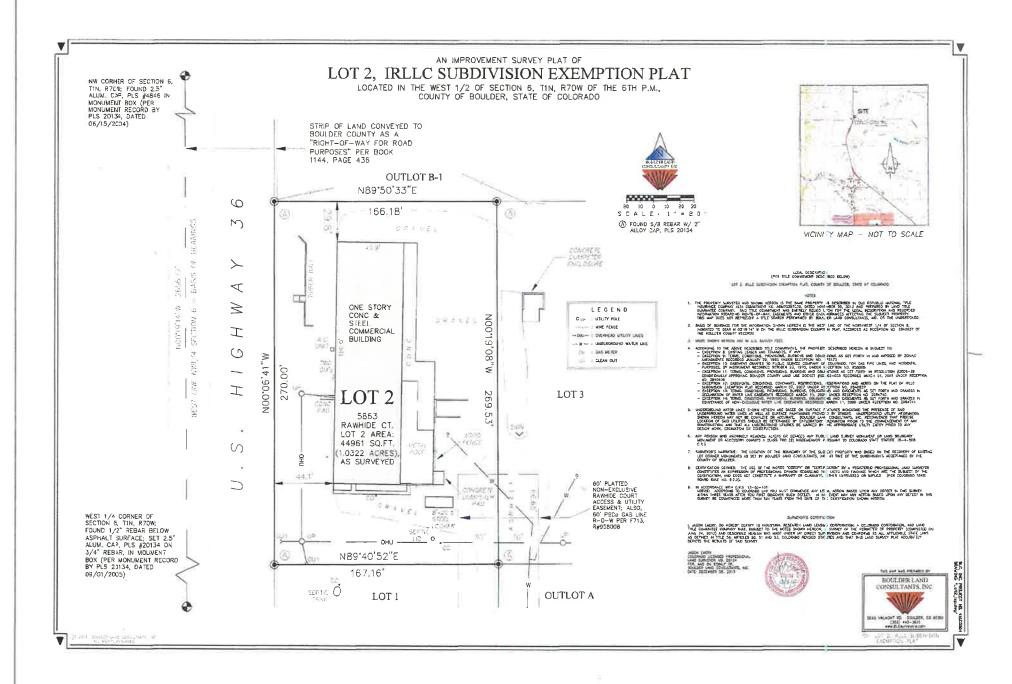
Also see attached the Major repair permit issued by Boulder County Public Health dated December 21, 2017 referencing this proposed change of use.

<u>Impact of Proposed Change on Surrounding Businesses</u>

As referenced above, this facility will continue to be a light industrial manufacturing facility with no significant changes to the current operation of the building. There will be no retail sales or additional truck traffic, little water use, no odors or noise that would impact the surrounding properties.



 $\Delta 10$



DELICH ASSOCIATES Traffic & Transportation Engineering

2272 Glen Haven Drive Phone: (970) 669-2061

Loveland, Colorado 80538 Fax: (970) 669-5034



September 20, 2017

Ms. Anita Riley, Senior Planner Boulder County Transportation Department 2525 13th Street, P.O. Box 471 Boulder, CO 80304

Dear Anita:

This Transportation Pre-Application Methodology Letter (TP-AML) addresses the proposed methodology for the transportation system impact analysis per the Boulder County Multimodal Transportation Standards for an additional use at 5863 Rawhide Court in Boulder County. This TP-AML addresses the increase in the trip generation, as well as other elements.

The site/building location aerial and the lot plan are provided in the Appendix. The subject lot is northeast of the US36/Longhorn Road intersection. United States Highway 36 is a state highway under the administrative control of CDOT. Longhorn Road is a two-lane paved road that is classified as a local road. Rawhide Court is a two-lane paved street ending in a cul-de-sac at the subject property. The parcel currently has a small building (9,000 square feet).

The current use in the building is Sonoma Tilemakers, which occupies 6,000 square feet. The remaining 3,000 square feet will be occupied by the proposed NoBo Marijuana Infused Products operation. There are two other buildings that are served from Rawhide Court. The existing uses in the area can be categorized as light industrial. The Sonoma Tilemakers has six employees. Using **Trip Generation**, 9th **Edition**, ITE, with Light Industrial (Code 110) as the land use, Table 1 shows the calculated trip generation for Sonoma Tilemakers using both floor area and employees as the trip generation variables. The average of the calculated trip generation is: 30 daily trip ends, 5 morning peak hour trip ends, and 5 afternoon peak hour trip ends.

The proposed use will be the NoBo Marijuana Infused Products operation. This use will be in the remaining 3,000 square feet of the subject building. The existing driveway to Rawhide Court will be used for both uses in the building. The proposed operation is best described as a light industrial land use from a trip generation perspective. Using <u>Trip Generation</u>, 9th <u>Edition</u>, ITE, with Light Industrial (Code 110) as the land use, the average of the calculated trip generation is: 16 daily trip ends, 2 morning peak hour trip ends, and 2 afternoon peak hour trip ends (Table 2). Other than employee trips, the NoBo Marijuana Infused Products operation will have occasional courier deliveries. There will be no retail sales at this site.

There is no current available daily traffic data on Longhorn Road. Current available daily traffic data on US36 is 15,484 vehicles (approximately 1.5 miles south of Longhorn Road). The trip distribution for the proposed use is a function of trip production locations in the general vicinity of the site (10± mile radius). Preliminary trip distribution is estimated at: 90 percent to/from the south and 10 percent to/from the north. Given the trip generation and trip distribution, it is likely that all of the peak hour trips will be to/from the south. The increase in peak hour traffic will not be significant. Future background traffic forecasts, if necessary, should be obtained from sources provided by Boulder County Transportation or agreed upon growth rates on the key roads/streets.

The primary travel mode will be by private automobile for employee related trips; however alternative mode facilities are available. RTD Route Y (Lyons/Boulder) operates on US36. There are transit stops at Longhorn Road. There are 4-foot bike lanes on US36.

The calculated daily trip generation (16 daily trip ends) is less than the 30 daily vehicle trips that would require additional transportation system impact analyses. It is respectfully requested that no additional transportation analyses be required for the NoBo Marijuana Infused Products operation.

Do not hesitate to contact me if you have questions or desire additional information.

Sincerely,

Matthew J. Delich, P.E., PTOE

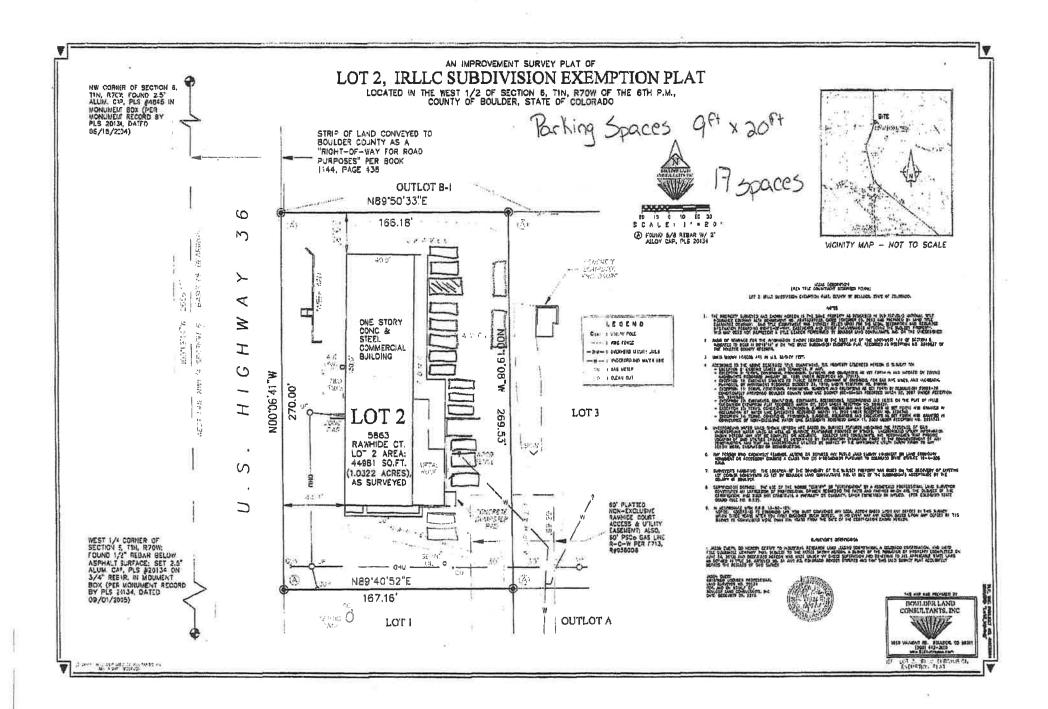
File: 1778LT01

	TABLE 1 Trip Generation for the Existing Sonoma Tilemakers							
			AWDTE		AM Peak Hour		PM Peak Hour	
Code	Use	Size	Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
110	Sonoma Tilemakers	6.0 KSF	6.97	42	0.92	6	0.97	6
110 Sonoma Tilemakers 6 Employ		6 Employ. 3	3.02	18	0.44	3	0.42	3
	Average					5		5

	TABLE 2 Trip Generation for the Proposed NoBo Marijuana Infused Products							
Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
Coue	USE	Size	Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
110	NoBo Marijuana Infused Products	3.0 KSF	6.97	20	0.92	3	0.97	3
110 NoBo Marijuana Infused Products		3 Employ	3.02	10	0.44	1	0.42	1
	Average			16		2		2

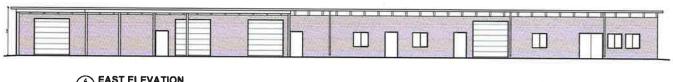
APPENDIX



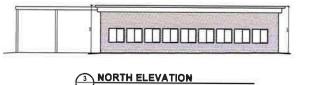


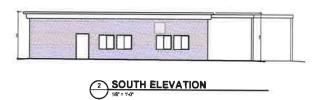




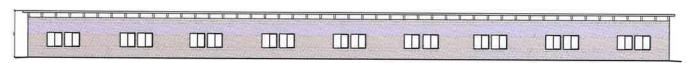




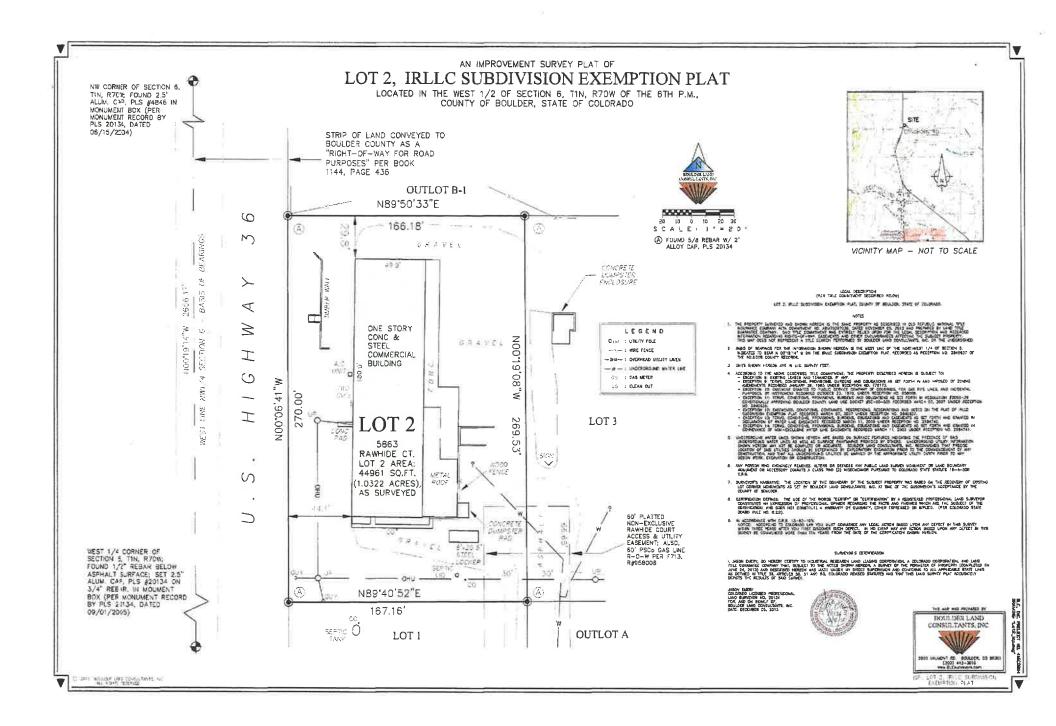


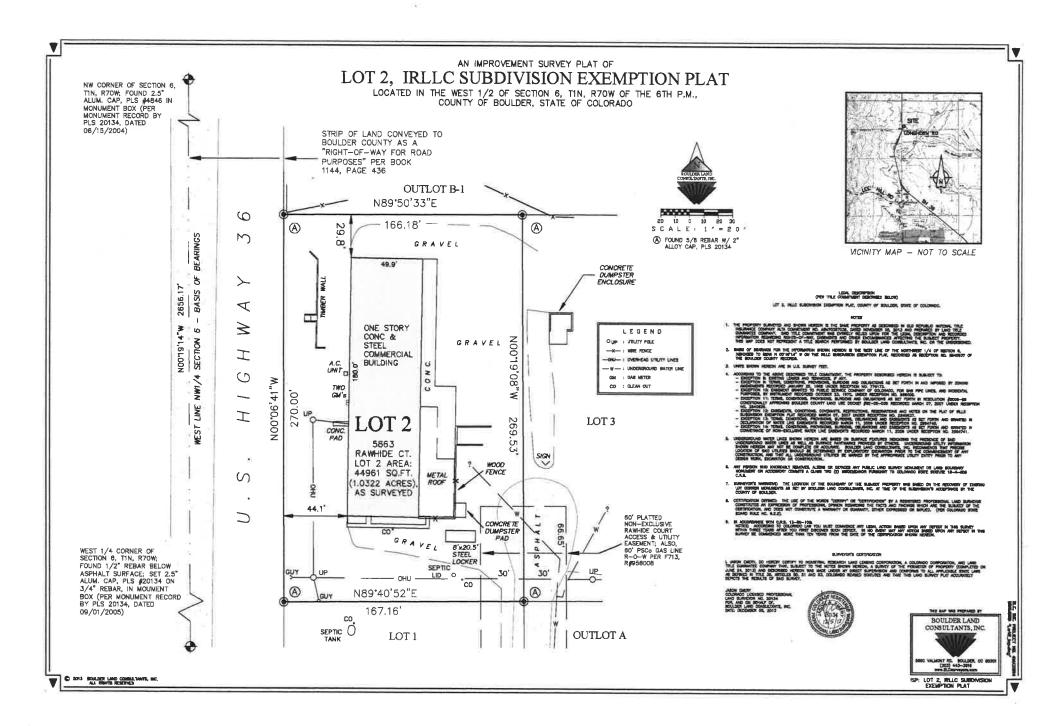




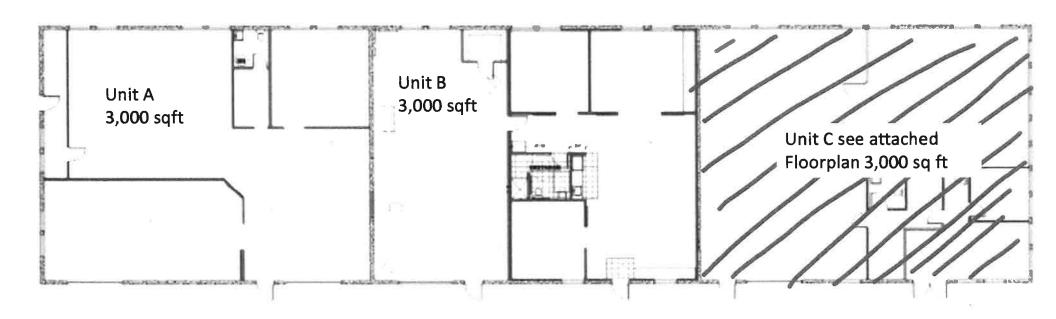








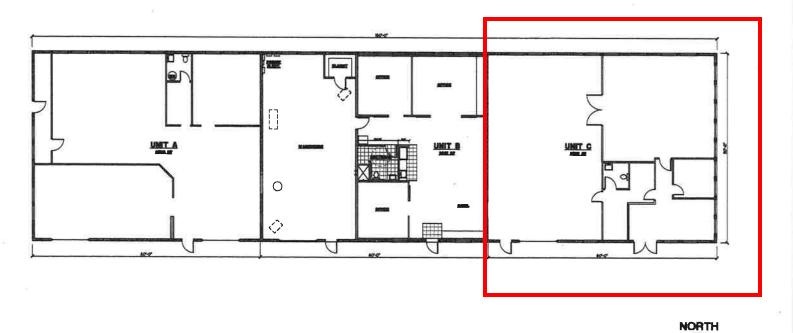
5853 Rawhide Court Unit A and B leased to Sonoma Tilemakers Unit C to be leased to Zeke's Quality LLC



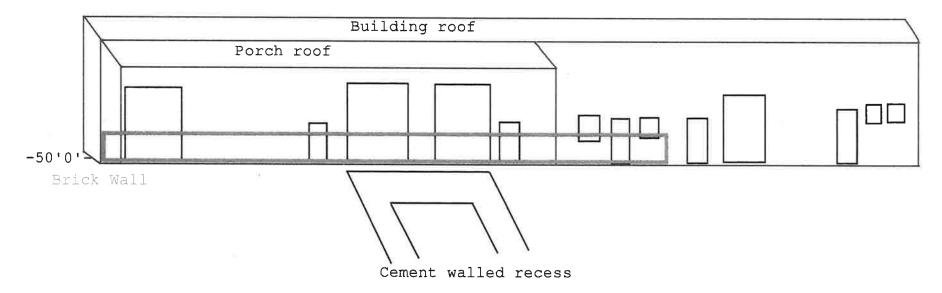
5853



Unit C Floor Plan







5853 Rawhide Ct
Building Elevation
Page 193 of 210

Water Information

5853 Rawhide Ct

The water for this property is supplied via delivery by Mile Hi Water

The property uses a septic system for waste water

The property is in the Urban Drainage Floor Control area.



Boulder County Public Health

3450 Broadway, Boulder, CO 80304 (303) 441-1564

PERMIT TO INSTALL, CONSTRUCT, ALTER, OR REPAIR ONSITE WASTEWATER SYSTEM (OWS).

Permit Type OWTS MAJOR REPAIR (FULL FEE)

Site Address 5853 RAWHIDE CT BOULDER, CO 80302

Legal Description (short) 061N70W

Permit # ON0050676

Application Date 12/14/2017

Parcel # 146306002002

Owner MCRAWHIDE LLC

Mailing Address 1475 MOSS ROCK PL City/State/Zip BOULDER, CO 80304

(Cell Phone)

Phone (Home) (303) 444-4598

Agent NOBO PARTNERS LLC

Mailing Address 1435 YARMOUTH AVE STE

City/State/Zip BOULDER, CO 80304

Engineer 5280 SEPTIC LLC

Phone (Work) (720) 276-2644

Installer:

Site Information

- 1. Proposed Building(s) Commerical/Industrial
- 2. Area of Lot (Acres) 0.98
- 3. Type of System Requested Evaportranspiration Bed
- Water Supply Cistern
- 5. Slope | 30% 45%
- 6. Floodplain N

System Design Parameters

- 1. Soil Type 5- Soil Types 2-4A Platy
- 2. Soil Percolation Rate NA Minutes/Inch
- 3. LTAR 0.10
- 4. Seasonal Groundwater 1 Feet
- 5. Bedrock Depth NA
- 6. Unsuitable Soil Depth 0 Feet
- 7. Electrical Inspection Required N
- 8. Sized for
 - 0 bedrooms (2 persons/bedroom)
- 9. Design Flow 135

Installation Instructions

Type of System: Evaportranspiration Bed

1. Minimum septic tank/vault 1,000 gallons.

Type of System 2: Septic Tank/Lift Station

2. Minimum absorption/evaporation area 1,350 square feet.

THIS CHANGE IN USE PERMIT IS ISSUED FOR THE EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) PERMITTED ON 7/17/14 AND APPROVED BY BOULDER COUNTY PUBLIC HEALTH (BCPH) ON 12/8/14 AS A COMMERCIAL SYSTEM FOR A TILE COMPANY WITH PERMIT #ON0048239. THE CHANGE OF USE DETERMINATION WAS CONDUCTED BY 5280 SEPTIC, LLC DOCUMENTATION, DATED OCTOBER 10, 2017.

THIS EXISTING OWTS WAS APPROVED CONSISTING OF 1765-GALLONS OF SEPTIC TANK CAPACITY, PRESSURE DOSED INTO A MOUNDED EVAPOTRANSPIRATION BED WITH A TOTAL AREA OF 1824 SQUARE FEET.

WASTEWATER FLOW CALCULATIONS FOR THE EXISTING TILE COMPANY AND THE PROPOSED MARIJUANA INFUSION COMPANY, CONSISTING OF A TOTAL OF NINE (9) TOTAL EMPLOYEES WORKING 8-HOUR SHIFTS, OF 135 GALLONS PER DAY REQUIRE A MINIMUM REQUIRED EVAPOTRANSPIRATION BED OF 1350 SQUARE FEET AND A MINIMUM SEPTIC TANK CAPACITY OF 1000-GALLONS.

BASED ON THE PROVIDED WASTEWATER FLOW CALCULATIONS AND SIZING REQUIREMENTS OF THE OWTS, THE EXISTING OWTS IS ADEQUATE FOR THE CHANGE OF USE OF THE FACILITY.

ANY CHANGE IN USE OF THE OWTS FROM THIS PERMIT WILL REQUIRE ANOTHER ENGINEER VERIFICATION OF THE CHANGE OF USE AND A NEW PERMIT WILL BE REQUIRED FROM BCPH.

Permission is hereby granted to the owner or the owner's agent to perform the work indicated on this permit in accordance with the Boulder County OWS regulations. This permit is reviewable on an annual basis and is valid for 5 years provided that the conditions of the permit do not change, unless revoked for non-compliance.

TO THE OWNER OR AGENT: Leave entire OWS uncovered for final inspection. A final inspection is required for all system installations. BOULDER COUNTY PUBLIC HEALTH AND ITS REPRESENTATIVES SHALL ASSUME NO RESPONSIBILITY IN CASE OF FAILURE OR INADEQUACY OF AN OWS BEYOND CONSULTING IN GOOD FAITH WITH THE PROPERTY OWNER OR AGENT.

PLEASE BE ADVISED that issuing this onsite water system (OWS) permit is dependent of other reviews and approvals that may be required by the County Land Use or Building Departments. Because a variety of factors may influence placement of an QWS on a lot, IT IS STRONGLY RECOMMENDED that you contact these departments regarding their requirements prior to installing this OWS.

Environmental Health Specialist Owner or Agent MCRAWHIDE LLC Permit Date <u>12/21/2017</u>

Final Inspection Date **Environmental Health Specialist Original Copy**

Engineer Approval Date 10/10/2017 Final Approval Date 12/21/2017

Pragge 195 for 1210 **Original Copy**

5280 SEPTIC, LLC OWTS ENGINEERING

October 10, 2017

Project No. OWTS-1082

Property Representative: Alicia Bonsett The Landmark Group 720.276.2644 ali651@hotmail.com

RE: Onsite Wastewater Treatment System Verification

3-Unit Commercial Facility 5853 Rawhide Court Boulder, CO 80302

Mrs. Bonsett,

As requested, 5280 Septic, LLC has prepared a system verification letter for an existing Onsite Wastewater Treatment System (OWTS) located at 5863 Rawhide Court, in Boulder, Colorado. The property owner has applied for a Change in Use for one unit in the building; therefore, the property owner must re-apply for a major OWTS permit through Boulder County Public Health (BCPH). Daily wastewater flow calculations and OWTS sizing criteria for the proposed Change in Use must be provided in the letter. OWTS sizing calculations must be based upon current BCPH Regulations, Effective May 29, 2014. The existing OWTS was designed by Scott, Cox and Associates, Inc. and was installed by Hendershott Construction. The permit was finalized on December 8, 2014 under BCPH Permit No: ON0048239 (Reference Attached Existing OWTS Permit Records)

There are currently three units in the subject building. Units A and B are occupied by a tile company that produces and packages ceramic tile. Six total employees, working an 8-hour shift each day occupy the units. Unit C is applying for the Change in Use to a marijuana product infusion business. Three employees, working an 8-hour shift each day occupy this unit. Each unit produces wastewater like that of an office building. Per the property representative, wastewater specific to product manufacturing does not flow into the existing OWTS.

The existing OWTS consists of the following components:

- 1500-gallon, three-compartment, Front Range Precast® concrete septic tank with a lift station in the third-compartment.
- Based upon existing OWTS records, the Soil Treatment Area (STA) consists of a 24-foot by 76-foot mounded pipe and gravel bed with a total infiltrative surface of 1,824 SF (Reference Attached OWTS Design).

SUBSURFACE DATA

Subsurface information is taken from the most recent OWTS design. Soils in the STA were classified as Soil Type 5: silty, sandy clay with platy structure; therefore, a long-term acceptance rate of 0.10 GPD/SF will be used for verification calculations.

5333 JULIAN STREET DENVER, CO 80221
PHONE 303.437.1027
FAX 303.302.1293
5280SEPTIC@GMAIL.COM

CALCULATIONS

Calculations are based upon daily wastewater flows in an office building (per employee, per 8-hour shift) per BCPH Regulation, Table 6-2: Daily Wastewater Flow per employee / 8-hour shift = 15 GPD. Employees of these facilities work one 8-hour shift per day.

Units A and B (Tile Manufacturing and Packaging): 6 employees x 15 GPD = 90 GPD

Unit C (Marijuana Infused Products): 3 employees x 15 GPD = 45 GPD

Total Daily Wastewater Flow: 90 GPD + 15 GPD = 135 GPD

STA Calculations: 135 GPD / 0.10 GPD/SF = 1,350 SF

1,350 SF x 1.0 (pressure dosing factor) = 1,350 SF minimum required

Existing OWTS consists of 1,824 SF of infiltrative surface

Based upon the above calculations, the existing OWTS will accommodate the daily wastewater flow for the proposed Change in Use.

LIMITS

This verification letter is based on information submitted to 5280 Septic, LLC as well as existing OWTS records obtained from Boulder County Public Health. If site conditions differ or a Change in Use and employee count is different from conditions described in this report, 5280 Septic, LLC shall be notified. This letter is not a guarantee or certification of system performance.

Please contact our office if any further information is needed.

Sincerely,

5280 Septic, LLC

Annette N. Martin, BA

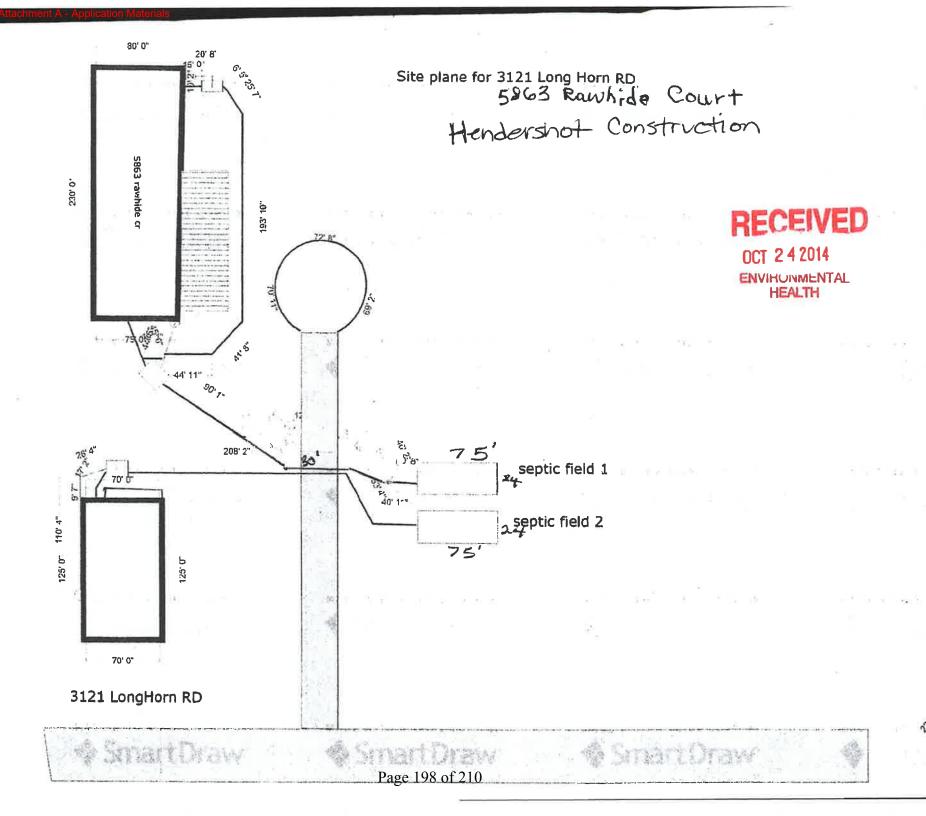
<u>APPENDICIES</u>

Existing OWTS Permit Records Existing OWTS Design

Sanet & N. Harta

Disclaimer: This verification letter is intended only as an evaluation of the present condition of the OWTS based upon information provided by the property representative and the Engineer's expertise in onsite wastewater technology. This letter does not warranty or guarantee the proper functioning of the system for any period of time in the future. Because of numerous factors which may affect the operation of an OWTS, as well as the inability of the Engineer to supervise or monitor the use or maintenance of this OWTS, this report shall not be construed as a warranty by the Engineer that the system will function properly for any business occupant, and the Engineer disclaims any warranty, either expressed or implied, arising from the verification of the OWTS or this report. The evaluation does not ascertain the impact the system is having on groundwater.

5333 JULIAN STREET • DENVER, CO 80221 PHONE 303.437.1027 FAX 303.302.1293 5280SEPTIC@GMAIL.COM



Boulder County Public Health

3450 Broadway, Boulder, CO 80304 (303) 441-1564

PERMIT TO INSTALL, CONSTRUCT, ALTER, OR REPAIR ONSITE WASTEWATER SYSTEM (OWS)

Permit Type OWS MAJOR REPAIR (FULL FEE)

Permit # <u>ON0048239</u>

Application Date 06/20/2014

Site Address 5863 RAWHIDE CT BOULDER, CO 80302 Legal Description (short) 061N70W

Parcel # 146306002002

Owner KC SCHNEIDER Mailing Address PO BOX 18628

(Work) (Fax)

City/State/Zip BOULDER, CO 80308

Phone (Work)

Agent Not Specified Mailing Address Not Specified

(Fax)

City/State/Zip Not Specified

Installer: HENDERSHOTT CONSTRUCTION

Engineer SCOTT, COX & ASSOCIATES

Site Information

- 1. Proposed Building(s) Commerical/Industrial
- 2. Area of Lot (Acres) 0.98
- B. Type of System Requested Evaportranspiration /Absorption Bed
- 4. Water Supply Cistern
- 5. Slope □30%
- B. Floodplain N

System Design Parameters

- 1. Soil Type Clay
- 2. Soil Percolation Rate 480

Minutes/Inch

3. Seasonal Groundwater 1 Feet

Phone (Home) (303) 818-5384

- 4. Bedrock Depth Not Specified
- 5. Unsuitable Soil Depth 1.00 Feet
- 6. Electrical Inspection Required Y
- 7. Sized for 0.00 bedrooms (2 persons/bedroom)
- 8. Size Reduction 0.00 Reason Not Specified
- Design Flow 150.00

Installation Instructions

Type of System: Evaportranspiration /Absorption Bed

Minimum septic tank/vault <u>1,000</u> gallons.

2. Minimum absorption/evaporation area 1,500 square feet.

Install system exactly per Scott, Cox & Associates design # 13626 B, dated 6/5/14, and all Boulder County Public Health (BCPH) onsite wastewater treatment system (OWTS) regulations.

System must be installed in the area of test pit and perc test holes. The system must be installed by a contractor licensed by BCPH.

Install a new three-compartment septic tank with 1000 gallons (minimum) in the first 2 compartments and a lift station in the 3rd compartment. If gravity cannot be achieved from the sewer line coming out of the northern part of the building, install a separate 1000 gallon 2-compartment tank with lift station in the second compartment. Septic tank(s) shall have risers over each access manhole and all risers shall extend above final grade.

Effluent screen(s) must be installed prior to the pump or siphon inlet between the 2nd and 3rd compartments of tank(s).

Lift station(s) must employ an audio or visual warning device to signal pump failure and must be inspected by BCPH. An electrical inspection and permit by the Boulder County Building Division is required for all lift station electrical components.

Schedule 40 PVC or pipe of equivalent or greater strength is required where building sewer or effluent lines are located under a road or driveway.

Bottom of absorption field (gravel layer) must be installed a minimum of 2 feet ABOVE existing grade. Engineer must verify suitability of wicking sand, and soil for the cap of the bed before installation of such material.

A lined horizontal berm with a 3:1 slope must be constructed to engineer's specifications along all sides of the absorption bed.

Permission is hereby granted to the owner or the owner's agent to perform the work indicated on this permit in accordance with the Boulder County OWS regulations. This permit is reviewable on an annual basis and is valid for 5 years provided that the conditions of the permit do not change, unless revoked for non-compliance.

TO THE OWNER OR AGENT: Leave entire OWS uncovered for final inspection. A final inspection is required for all system installations. BOULDER COUNTY PUBLIC HEALTH AND ITS REPRESENTATIVES SHALL ASSUME NO RESPONSIBILITY IN CASE OF FAILURE OR INADEQUACY OF AN OWS BEYOND CONSULTING IN GOOD FAITH WITH THE PROPERTY OWNER OR AGENT:

PLEASE BE ADVISED that issuing this onsite water system (OWS) permit is dependent of other reviews and approvals that may be required by the County Land Use or Building Departments. Because a variety of factors may influence placement of an OWS on a lot, IT IS STRONGLY RECOMMENDED that you contact these departments regarding their requirements prior to installing this OWS.

Environmental Health Specialist 🧷 Owner or Agent KC SCHNEIDER

Permit Date 07/17/2014

Engineer Approval Date

Final Inspection Date8/14/14; 9/5/14; 9/25/14;

Final Approval Date 12/8/14 Original Copy

Environmental Health Specialis

Original Copy

Boulder County Public Health

3450 Broadway, Boulder, CO 80304 (303) 441-1564

PERMIT TO INSTALL, CONSTRUCT, ALTER, OR REPAIR ONSITE WASTEWATER SYSTEM (OWS)

Permit Type OWS MAJOR REPAIR (FULL FEE)

Site Address 5863 RAWHIDE CT BOULDER, CO 80302

Legal Description (short) 061N70W

Permit # ON0048239 A

Application Date 06/20/2014

Parcel # <u>146306002002</u>

Owner KC SCHNEIDER
Mailing Address PO BOX 18628

City/State/Zip BOULDER, CO 80308

(Work) (Fax)

Agent Not Specified

Mailing Address Not Specified
City/State/Zip Not Specified

Engineer SCOTT, COX & ASSOCIATES

Phone (Work)

(Fax)

Installer: HENDERSHOTT CONSTRUCTION

Site Information

- Proposed Building(s) Commerical/Industrial
- 2. Area of Lot (Acres) 0.98
- 3. Type of System Requested Evaportranspiration /Absorption Bed
- 4. Water Supply Cistern
- 5. Slope 30% 45%
- 6. Floodplain N

System Design Parameters

- 1. Soil Type Clay
- 2. Soil Percolation Rate 480

Minutes/Inch

3. Seasonal Groundwater 1 Feet

Phone (Home) (303) 818-5384

- 4. Bedrock Depth Not Specified
- 5. Unsuitable Soil Depth 1.00 Feet
- 6. Electrical Inspection Required Y
- 7. Sized for 0.00 bedrooms (2 persons/bedroom)
- 8. Size Reduction 0.00 Reason Not Specified
- 9. Design Flow 150.00

Maintain ET/Absorption area 10 feet to all property lines, 25 feet to water lines, 50 feet to waterways, 100 feet to all wells, 25' from cisterns, and 6' from all other absorption beds.

Installer should use best management practices and run-off control during construction of the OWTS, grading, or when placing fill soils for raised systems, to prevent any sediment from discharging into waters of the state or running off site.

An Easement and Maintenance agreement must be on file and recorded with Boulder County Clerk & Recorder prior to final approval because the OWTS is on two lots. Any OWTS that serves a commercial facility is regulated by the EPA as a Class V injection well. The owner should contact Valois Shea, of the EPA, at 303-312-6276, for an application and more information.

Final inspection by BCPH and the design engineer and a final approval letter from the engineer are required prior to final approval and use of this system.

Environmental Health Specialist © Owner or Agent KC SCHNEIDER

Permit Date <u>07/17/2014</u>

Final Inspection Date 8/14/14, 9/3/14, 9/25/14, 9/29/14

Environmental Health Specialist

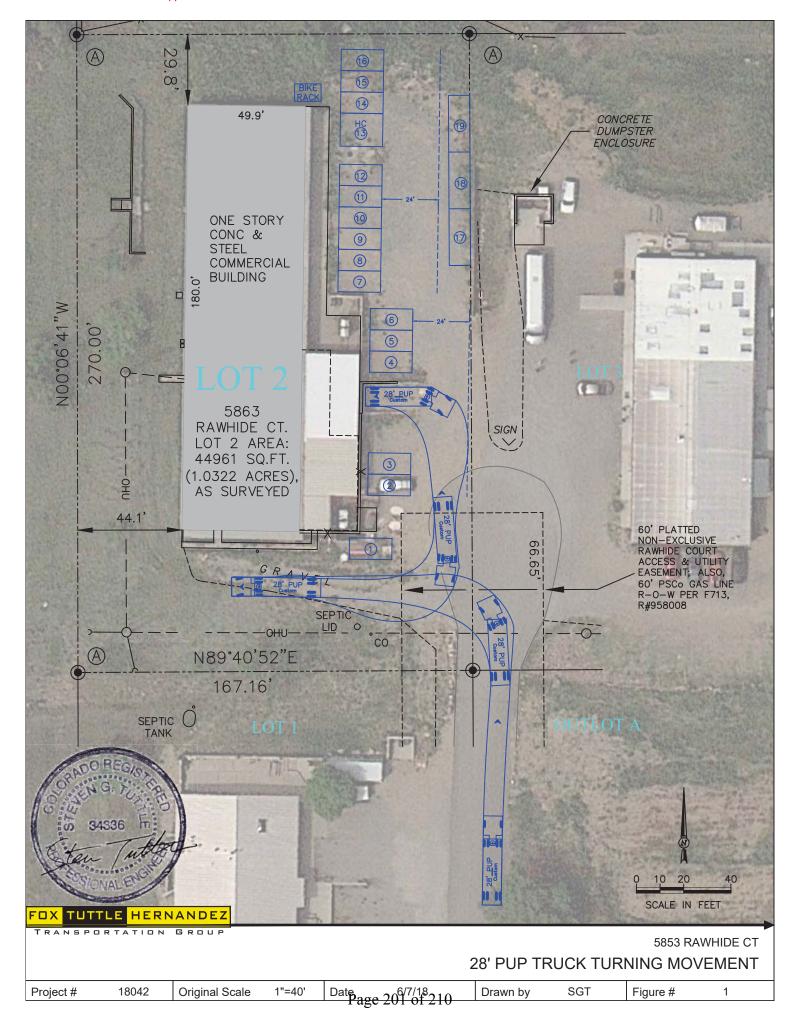
Original Copy

Pa**Gagena of** 2010

Engineer Approval Date 10/10 (19)
Final Approval Date 10/10 (19)

Original Copy

.





Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.boulder.county.gov

Building Safety & Inspection Services Team

MEMO

TO: Pete L'Orange, Planner II

FROM: Michelle Huebner, Plans Examiner Supervisor

DATE: June 25, 2024

RE: Referral Response, SU-24-0004: Zeke's Quality LLC: Special Use Review to permit a

second principal use of Marijuana Establishment in an existing structure.

Location: 5853 Rawhide Court

Thank you for the referral. We have the following comments for the applicants:

1. **Building Permits.** A building permit, plan review, inspection approvals, and a Certificate of Occupancy ("C.O.") are required for the proposed change of use to the building.

Please refer to the county's <u>adopted 2015 editions of the International Codes and code amendments</u>, which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL: Amendments to Boulder County Building Code effective June 6, 2022

The Commercial Plan Submittal Checklist: <u>B70 Commercial Plan Checklist</u> (<u>bouldercounty.gov</u>)

- 1. **Design Wind and Snow Loads.** The design wind and snow loads for the property are 165 mph (Vult) and 45 psf, respectively.
- 2. The proposed project is in an existing building with a proposed **change in occupancy** as defined by the 2015 International Existing Building Code. A Colorado licensed registrant needs to provide a design analysis in accordance with the IEBC. Please indicate the Method of Compliance for the work proposed.

Cui	te the method of comphance for the work proposed.
	1.) Prescriptive Compliance Method (IEBC chapters 3 and 4)
	2.) Work Area Compliance Method (IEBC chapters 3, and 5 through 13, as
	applicable)
	3.) Performance Compliance Methods (Demonstrate compliance in
	accordance with IEBC chapters 3 and 14.)
	4.) Addition (Demonstrate compliance in accordance with IEBC chapters 11
	and the IBC)

Please document steps of compliance to each appropriate section in accordance with the Method of Compliance chosen including accessibility requirements.

- 3. **Minimum Plumbing Fixtures.** The plumbing fixtures count needs to meet or exceed the requirements of IBC Chapter 29, including the need for accessible restrooms and fixtures.
- 4. **Accessibility**. Chapter 11 of the IBC and referenced standard ICC A117.1-09 provide for accessibility for persons with disabilities. Any building permit submittals are to include any applicable accessibility requirements, including **accessible parking**, signage, **accessible routes** and accessible fixtures and features.
- 5. Evaluation of the proposed process. The space requires a building permit and an evaluation of the proposed process including but not limited to storage of and quantities of possible hazardous materials used to process the cannabis. A set of construction documents including drawings and an evaluation in accordance with 1 CCR-212-3 will be required for permit issuance. The evaluation from the Certified Industrial Hygienist or Professional Engineer that outlines the methods, means, processes of marijuana/cannabis concentrate production, in accordance with Code of Colorado Regulations, 1 CCR 212-3. A complete plan review cannot be completed without this information.
- 6. Fire Department. It appears that the site is served by Boulder Rural Fire Protection District. A separate referral response from the fire department should also be forthcoming. The fire department may have additional requirements in accordance with their International Fire Code ("IFC") adoption. Also, the Fire Protection District must provide written documentation to Boulder County Building Safety and Inspection Services approving the building permit plans and specifications of projects before the building permit can be issued.
- 7. **Plan Review.** The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Building Safety publications can be found at: <u>Building Publications</u>, <u>Applications and Forms Boulder County</u>

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org



Public Health Environmental Health Division

August 5, 2024

TO: Staff Planner, Community Planning and Permitting

FROM: Jessica Cannon, Environmental Health Specialist

SUBJECT: SU-24-0004: Zeke's Quality LLC

OWNER:

PROPERTY ADDRESS: 5853 Rawhide Court

SEC-TOWN-RANGE: 06-1N-70

The Boulder County Public Health (BCPH) – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

OWTS:

- 1. BCPH issued a change in use permit for a commercial onsite wastewater treatment system (OWTS) on 12/21/17. This change in use permit was issued for the existing OWTS permitted on 7/17/14 and approved by BCPH on 12/8/14 as a commercial system for a tile company. The change of use determination was conducted by 5280 Septic, LLC documentation, dated October 10, 2017. This existing OWTS was approved consisting of 1765-gallons of septic tank capacity, pressure dosed into a mounded evapotranspiration bed with a total area of 1824 square feet. Wastewater flow calculations for the existing tile company and the proposed marijuana infusion company, consisting of a total of nine (9) total employees working 8-hour shifts, of 135 gallons per day require a minimum required evapo-transpiration bed of 1350 square feet and a minimum septic tank capacity of 1000-gallons. Based on the provided wastewater flow calculations and sizing requirements of the OWTS, the existing OWTS is adequate for the proposed change of use of the facility. Any change in use of the OWTS from this permit will require another engineer verification of the change of use and a new permit will be required from BCPH.
- 2. The permit was issued for NoBo Partners. According to the Applicant, Zeke's Quality LLC: the OWTS verification performed by 5280 Septic LLC, which was originally submitted for our previous tenant's (NoBo Partners) special use review in 2018, is valid for this proposal as well. Zeke's Quality LLC will re-submit this verification.
- 3. An OWTS change in use (no construction) permit from BCPH in the Zeke's Quality LLC's name will be required. For information on applying online, go to: https://bouldercounty.gov/environment/water/septicsmart/permit-and-fee-schedule/#owts-permit-services-and-fees

This concludes comments from the Public Health – Environmental Health division at this time. For additional information on the OWTS application process and regulations, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to HealthOWS@bouldercounty.org.

Cc: OWTS file, owner, Community Planning and Permitting

Environmental Health • 3450 Broadway • Boulder, Colorado 80304 • Tel: 303.441.1564 Fax: 303.441.1468 www.BoulderCountyHealth.org • wwwPaged204uofy210



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • Tel: 303-441-3930 • www.BoulderCounty.gov

August 6, 2024

TO: Pete L'Orange, Planner II; Community Planning & Permitting, Development

Review Team - Zoning

FROM: Anita Riley, Principal Planner; Community Planning & Permitting,

Development Review Team – Access & Engineering

SUBJECT: Docket # SU-24-0004: Zeke's Quality LLC – 5853 Rawhide Court

The Development Review Team – Access & Engineering has reviewed the above referenced docket and has the following comments:

- 1. The subject property is accessed by Longhorn Road, a gravel Boulder County owned right-of-way (ROW), maintained by other, with a Functional Classification of Local, via a 60-foot non-exclusive access easement. Legal access has been demonstrated via the easement recorded on October 23, 1970 at Reception Number 90958008.
- 2. The application includes a pre-application methodology statement (PAMS) submitted for a similar use at the same address. The PAMS indicated an average daily traffic volume of 16 vehicles. Staff agrees that the PAMS may be used with this application and agrees with this assessment. Consequently, no further transportation system impact analysis is required.
- 3. Please note that the parking plan generally cannot be implemented as shown. It shows spaces in an area required for a pup truck turnaround, where a trash dumpster is located, and where the grade changes sharply. Additionally, it shows more parking spaces than be accommodated along the east side of the building.

The ITE Parking Generation Manual, 3rd Edition indicates that average parking supply ratio for manufacturing uses is 1.3 spaces per 1000 square feet of gross floor area. This ratio equates to a requirement of 4 parking spaces for the use associated with this application. Similarly, the average parking supply ratio for general light industrial, which is the use at the adjacent address, is 1.1 spaces per 1000 square feet of gross floor area. This ratio equates to 7 parking spaces for the adjacent use.

Additionally, a signed, van accessible ADA parking space is required.

Staff recommends the applicant provide a revised, dimensioned parking plan at building permit application that indicates 12 spaces and complies with the Boulder County Multimodal Transportation Standards (Standards).

This concludes our comments at this time.



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503 303-678-6200 • POSinfo@bouldercounty.org www.BoulderCountyOpenSpace.org

TO: Pete L'Orange, Community Planning & Permitting Department

FROM: Ron West, Natural Resource Planner

DATE: July 19, 2024

SUBJECT: Docket SU-24-0004, Zeke's Quality LLC, 5853 Rawhide Court

Staff has reviewed the submitted materials, and has no natural resource concerns with the proposal. The structure already exists and there would be no significant outdoor changes compared to past uses.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 303-441-3930 • www.BoulderCounty.gov

MEMO TO: Referral Agencies

FROM: Pete L'Orange, Planner II

DATE: June 25, 2024 RE: Docket SU-24-0004

Docket SU-24-0004: Zeke's Quality LLC

Request: Special Use Review to permit a second principal use of Marijuana

Establishment in an existing structure at 5853 Rawhide Court.

Location: 5853 Rawhide Court, located north of Longhorn Road, near the

northeast corner of US 36 and Longhorn Road, in Section 6,

Township 1N, Range 70W.

Zoning: Light Industrial (LI) Zoning District

Owner: McRawhide LLC c/o Jill and Mark McIntyre

Applicant: Diamond Riley
Agent: Frederick Jenkins

Special Use Review / Site Specific Development Plan is required of uses which may have greater impacts on services, neighborhoods, or environment than those allowed with only Building Permit Review. This process will review compatibility, services, environmental impacts, and proposed site plan.

This process includes public hearings before the Boulder County Planning Commission and the Board of County Commissioners. Adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of these hearings.

The Community Planning & Permitting staff, Planning Commission, and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471 Boulder, Colorado 80306 or via email to plorange@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information. If you have any questions regarding this application, please contact me at 303-441-1418 or plorange@bouldercounty.gov.

Please return responses by **July 30, 2024.**

	X We have reviewed the proposal and have no conflicts Letter is enclosed.					
Signed	Sem		PRINTED _	Jessica Fasick		
Agency	or Address _	CP&P Historic Review				
Date	6/25/24					

Claire Levy County Commissioner Marta Loachamin County Commissioner Ashley Stolzmann County Commissioner

From: Dean Rogers
To: L"Orange, Pete

Subject: [EXTERNAL] SU-24-0004

Date: Monday, July 29, 2024 11:12:54 AM

Pete,

Boulder Rural has the following recommendations regarding SU-24-0004, Zeke's Quality LLC at 5853 Rawhide.

- 1. Regarding our previous emails, with the assigned occupancy of "F," Low Hazard, the space will not need sprinklers. As you stated before, the occupancy is closer to a "B," but it's over 2500 sq ft (IBC 304.1). With an "F" occupancy, sprinklers would be required if the total area were over 12000 sq ft, google earth dimensions have it at about 10260 sq ft (this is without the consideration of a fire wall).
- 2. An alarm system will not be required.
- 3. With the limited space on the East side, a dedicated fire lane would be helpful in the event of a fire. This will need to be done in cooperation with Sonoma Tiles.

If I missed anything, or if there are any questions, please let me know. Thank you,

Dean Rogers, Engineer

Boulder Rural Fire Rescue 6230 Lookout Road, Boulder, CO 80301 0 303-530-9575 | C 720-498-0019 drogers@brfr.org | www.brfr.org





Right of Way & Permits

1123 West 3rd Avenue Denver, Colorado 80223 Telephone: **303.571.3306** Facsimile: 303.571.3284 Donna.L.George@xcelenergy.com

July 19, 2024

Boulder County Community Planning and Permitting PO Box 471 Boulder, CO 80306

Attn: Pete L'Orange

Re: Zeke's Quality LLC, Case # SU-24-0004

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Zeke's Quality LLC** and currently has **no apparent conflict** with the additional special use.

Please be aware PSCo owns and operates existing natural gas and electric facilities within the subject property. For any new natural gas or electric service or modification to existing facilities, the property owner/developer/contractor must complete the application process via www.xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy

Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Accessibility Report

Filename: SU-24-0004 BOCC staff rec FINAL.pdf

Report created by: Pete L'Orange, Planner II, plorange@bouldercounty.gov

Organization: Boulder County, Community Planning & Permitting

[Personal and organization information from the Preferences > Identity dialog.]

Summary

The checker found no problems in this document.

- Needs manual check: 0Passed manually: 2
- Failed manually: 0
- Skipped: 4
- Passed: 26 ■ Failed: 0

Detailed Report

Document

Rule Name	Status	Description
Accessibility permission flag	Passed	Accessibility permission flag must be set
Image-only PDF	Passed	Document is not image-only PDF
Tagged PDF	Passed	Document is tagged PDF
Logical Reading Order	Passed manually	Document structure provides a logical reading order
Primary language	Passed	Text language is specified
<u>Title</u>	Passed	Document title is showing in title bar
<u>Bookmarks</u>	Passed	Bookmarks are present in large documents
Color contrast	Passed manually	Document has appropriate color contrast

Page Content		
Rule Name	Status	Description
Tagged content	Passed	All page content is tagged
Tagged annotations	Passed	All annotations are tagged
<u>Tab order</u>	Passed	Tab order is consistent with structure order
Character encoding	Passed	Reliable character encoding is provided
Tagged multimedia	Passed	All multimedia objects are tagged
Screen flicker	Passed	Page will not cause screen flicker
<u>Scripts</u>	Passed	No inaccessible scripts
Timed responses	Passed	Page does not require timed responses
Navigation links	Passed	Navigation links are not repetitive

Forms

Rule Name	Status	Description
Tagged form fields	Passed	All form fields are tagged
Field descriptions	Passed	All form fields have description

Alternate Text

Rule Name	Status	Description
Figures alternate text	Passed	Figures require alternate text
Nested alternate text	Passed	Alternate text that will never be read
Associated with content	Passed	Alternate text must be associated with some content
Hides annotation	Passed	Alternate text should not hide annotation
Other elements alternate text	Skipped	Other elements that require alternate text

Tables

Rule Name	Status	Description
Rows	Passed	TR must be a child of Table, THead, TBody, or TFoot
TH and TD	Passed	TH and TD must be children of TR
<u>Headers</u>	Skipped	Tables should have headers
<u>Regularity</u>	Passed	Tables must contain the same number of columns in each row and rows in each column
Summary	Skipped	Tables must have a summary

Lists

Rule Name	Status	Description
<u>List items</u>	Passed	LI must be a child of L
Lbl and LBody	Passed	Lbl and LBody must be children of LI

Headings

Rule Name	Status	Description
Appropriate nesting	Skipped	Appropriate nesting

Back to Top